

MARRIAGE RITUALS — ITALIAN STYLE —

A Historical Anthropological Perspective
— on Early Modern Italian Jews —



— by —
RONI WEINSTEIN

BRILL

MARRIAGE RITUALS ITALIAN STYLE

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*A Historical Anthropological Perspective on Early
Modern Italian Jews*

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RONI WEINSTEIN



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FOREWORD

1. The reader of *Marriage Rituals Italian Style: A Historical Anthropological Perspective on Early Modern Italian Jews* is first struck by the vast documentary structure behind the historical reconstruction. The book draws from an astonishingly large and diverse range of sources: responsa of famous and less famous rabbis, letters and letter manuals for various life situations, autobiographies, moral tracts, kabbalistic literature, prayer books, dialogues documenting family conflicts, legal documents (particularly marriage contracts, often drawn up by both Jewish authorities and Christian notaries), community ordinances, literature (particularly poetry and plays), as well as a broad spectrum of non-verbal sources, mainly iconographical documentation and evidence attesting to the material culture. The originals of the documents brought together in this reconstruction are preserved in Moscow and Oxford, Florence and Budapest, Parma, Vienna, Berlin, Los Angeles, Modena, New York, Cincinnati, Milan, London, Copenhagen, Mantua, Strasbourg, and obviously Jerusalem, namely, in a network of libraries spread throughout the Western world. The evocative power of rabbinic responsa is particularly conspicuous within this vast panorama of sources and each responsum, perceptively decoded, reveals the mini-history of a family or a community conflict. The discerning use of these serial sources, however, does not prevent the author's use of alternative documentation corroborating the entire range of the collected evidence. The persistent concern with diversifying sources and corroborating data ensures the work a firm solidity of philological and scholarly structure.

On the basis of his vast documentation, Roni Weinstein guides the reader through seven chapters surveying the successive phases of the marriage bond, from the first informal contacts and secret proposals of family alliances, conducted as a rule by a mediator, and culminating in the solemn wedding celebration and its festive and public consummation. But the aim of this research is not simply the reconstruction of the complex of norms and traditions regulating the behavior of Jewish youth, or the illustration of ritual models inspiring the conduct of their families when searching for marriage partners, signing marriage agreements, and stipulating the wedding

arrangements. This is only one aspect, and not the most relevant, of *Marriage Rituals Italian Style*. The book paints a precise, dense, vital, and fascinating picture of the social life of families and Jewish Italian communities, reflecting their complex internal balance and their dialectic relationship with the tradition and the rules of other Jewish communities, Ashkenazi and Sephardi, which immigrants established in Italy. The successful outcome is the fruit of a very prudent methodological choice described in the introductory chapter, to which the author remains rigorously faithful throughout. The attention to the variety and flexibility of ritual norms, the principle of multivalent symbols, the refusal to regard tradition as a formal system, the view of ritual as a dynamic and flexible interpretation susceptible to continuous adaptation and transformation according to specific exigencies and needs—"improvisation in ritual is not only not marginal . . . improvisation is essential"—enable Weinstein to look well beyond the realm of ceremonial events to enter the private realm of families as well as the realm of feelings. The result of his investigation is pervaded by an intellectual tension and a spirit of inquiry that turns it into spellbinding reading not only for scholars of marriage and the family but also for researchers of European Jewry.

Italian Jewish communities are captured—and this is the second element that strikes the reader of *Marriage Rituals Italian Style*—at moments of exuberant joy and celebration. We can see nuptial processions solemnly celebrating the bride's entry into the groom's city; we glimpse banquets so lavish and festive that they need to be restrained by sumptuary laws; we hear echoes of music and dancing; we spot signs of ostentatious displays of wealth. The discrimination, marginalization, and persecution that loomed over these communities is almost imperceptible, barely a shadow in the margins. Entire chapters are presented as a succession of festive scenes, marked by joy and self-confidence. The festivities of the families entering the alliance are, at the same time, a celebration of the sanctity of life and an homage to the chain of generations beyond death. Rather than being muted, the moment of the physical, corporeal reality of the wedding constitutes the point of convergence for all the threads of the reconstruction. The potential for conflict inherent in emotional and sexual aspects is not ignored, and children who do not accept the marriage plans tailored for them by their parents also feature in the discussion. As a rule, however, the sources suggest that the families' strategic choices were highly successful in decod-

ing and interpreting the youths' emotional expectations. A wise choice of citations acquaints readers with the expressive potential of a culture that brought language to a high level of refinement. In decoding this elaborate communication system, the author gently guides his readers step by step.

2. Even if the marriage ritual is the most obvious key for the reading of *Marriage Rituals Italian Style*, the book also lends itself to a reading guided by a less apparent but no less pervasive key: the dialogue between the Jewish and Christian worlds. Every chapter, almost every paragraph, documents the porousness of the barrier that divided Jewish from Christian communities. This porousness reached levels that enabled the author to speak of a socio-cultural continuum that almost obliterates the religious border. The similarities between the Jewish and Christian versions of the marriage process widely confirm this assertion. This claim refers not only to two fundamental gestures that sanction the union—the touching of hands and the ritual of ring giving—but also to a long series of symbols and particularistic traditions, some of local character, shared by the two rituals: the *fazzoletto* given as a betrothal gift; the crucial role of the window during the courtship phase; the custom of ratifying the future alliance by having the groom and bride drink wine from the same cup and later break it; the specific shape of the marriage ring, known as *mani in fede*; the formula *tu sei mia*, which is not meant as a passionate declaration but as sanctioning the groom's right to possess his bride; the fear of witchcraft and sorcery during the delicate moment of consummation and the measures intended to keep them at bay.

These precise similarities, this concrete transfer of gestures and behaviors from one religious version to another, are signs of the osmotic conditions of communication between two socio-cultural domains that, in principle, were and should have been separate. *Marriage Rituals Italian Style* brings into confrontation two worlds using the same code of family honor (both in the Jewish community and in Christian society, female sexuality uncontrolled by marriage represented a threat to male honor), adopting the same semiotics concerning the gift and decoding its syntax in equal terms (the woman's wearing of the jewelry sent by the aspiring groom is interpreted as a sign of consent), availing themselves of the same forms of communication and legitimation (displaying the nuptial sheet after consummating the marriage), resorting to the same instruments of social

control (the role of gossip and hearsay), constructing in analogous ways the dialectic between private and public, between home and synagogue, between parents and children. Despite broad awareness concerning the power of ritual, the fear of the performative gesture (such as apprehension that a gift could officialize a relationship, namely, the fear that the ritual could be instrumentalized and become a means of wile and deceit because “*nel matrimonio chi può, inganna*”) is strongly evident in both cultures. In Weinstein’s study, Italian communities do not emerge as closed within talmudic tradition or fixated in classic Hebrew normative sources, but committed to a process of a continuous re-elaboration of these sources, adapting them to the ever new demands of a mutating cultural climate and involved in an intensive process of exchange with the Christian surroundings. This perspective accords with the choice of the joyous register setting the tone of the entire study.

3. Parallel to the marriage process and the dialogical exchange between the Jewish and Christian worlds runs the explorative methodological thread that Weinstein weaved into the fabric of his work. This provides the third key for the reading of the book. The surveyed horizon is extremely wide. The introductory chapter is mainly devoted to issues of method and puts forward the terms of an original hermeneutics, fusing components from English-speaking historical-anthropological culture (among them Catherine Bell) with elements from French sociology (Pierre Bourdieu). But this introductory exposition, rich as it is, does not exhaust the methodological repertoire serving the author in successive chapters. From a conceptual and epistemological perspective, *Marriage Rituals Italian Style* elaborates on the historical-anthropological literature of the last forty years, sustained by an avid curiosity and an untiring spirit of experimentation. In each chapter, the author presents and applies new interpretive instruments, from social control of behavior (*charivari*) to the sociology of different life stages, from the code of honor to the semantics of the gift, from youth culture to the model of Mediterranean society. From this perspective, Weinstein’s book emerges as a historic-anthropological site busily experimenting, an artisan’s workshop vibrant with initiatives and in various phases of development. While the marriage debate is neatly structured and the Jewish-Christian dialogue unfolds systematically, Weinstein’s methodological experimentation is

an open field, work in progress. Eagerly and trustfully, the reader awaits further developments.

Silvana Seidel-Menchi
University of Trento

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Dorit Lerer shares with me not only her life, but her critical mind, her wise editorial advice, and her common sense, accompanied by her special grace. I have never regretted listening to her. Villa I Tatti has generously supported the translation of this book with a grant from the Lila Wallace-Reader's Digest Publication Subsidy. My gratitude to the fund, and especially to Walter Kaiser, the former director of Villa I Tatti.

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LIST OF ABBREVIATIONS

AESC	Annales Economie Sociétés Civilisations
AHSS	Annales Histoire Sciences Sociales
CNRS	Centre national de la recherche scientifique
EHESS	École des Hautes Etudes en Sciences Sociales
EJ	Encyclopedia Judaica
GDLI	<i>Grande Dizionario della Lingua Italiana</i> , ed. Salvatore Battaglia, (Turin: Unione tipografica torinese, 1961–2000).
Heb.Enc.	Hebrew Encyclopedia
HUC	Hebrew Union College
HUCA	Hebrew Union College Annual
IMHM	Institute of Microfilmed Hebrew Manuscripts, Jewish National and University Library, Jerusalem
JPS	Jewish Publication Society
JQR	Jewish Quarterly Review
JTS	Jewish Theological Seminary
M	Mishnah
MEFR	Mélanges de l'école française de Rome
PAAJR	Proceedings of the American Academy for Jewish Research
PT	Palestinian Talmud
PUF	Presses Universitaires de France
QS	Quaderni Storici
REJ	Revue des Études Juives
RMI	Rassegna Mensile di Israel
RQ	Renaissance Quarterly
TB	Babylonian Talmud
WCJS	World Congress of Jewish Studies

INTRODUCTION

THE RESEARCH FIELD, THE METHOD, THE SOURCES, THE RESEARCH QUESTIONS*

What, according to Jewish ritual, turns a man and a woman into a married couple? This question is apparently redundant, since the marriage ritual has been well established in Jewish law through all its historical transformations. Ostensibly, it is also a simple issue, since the ritual's chief components (giving a ring and reciting the marriage formula or the marriage blessings) are set and well known. This question, however, is neither simple nor redundant, because these immediate answers themselves rely on latent assumptions worth considering: Does the change in the personal (legal) status take place at a defined point in time or in the course of a long time sequence? Besides the legal aspect, are there also other aspects, at least as significant? What enhances the standing of physical gestures, or of symbolic acts performed during the ritual? Puzzled by these issues, I was moved to write the present book, which began as a doctoral dissertation.¹

My starting assumption is that formal halakhic obligations do not encompass the entire range of the ritual activity taking place in the course of the marriage ritual. In other words, the “commandment” or the “religious obligation” does not entirely overlap the ritual event. This assumption leaves room for a variant interpretation of the ritual. My use of the term “ritual” and how to examine it in a historical context is clarified below. On this question, I rely mainly on the historiographic tradition of the *Annales* (see section 5.1 in this chapter), particularly on a research domain known as *Histoire des mentalités*, and on interfacing areas such as the study of popular culture, and the encounter between history and anthropology. Pierre Bourdieu's

* Translator's note: Unless translator's name is noted, all translations from non-English references in the book are my own.

¹ Roni Weinstein, *The Marriage Ritual in Jewish-Italian Society during the Early Modern Period: A Chapter in Social History and the History of Mentalité* (in Hebrew) (Ph.D. diss., Hebrew University of Jerusalem, 1996).

studies were another rich source of inspiration. The marriage ritual is a prominent instance of a *rite de passage*, involving many people as well as considerable economic and cultural resources. It establishes a new family, and sets forth the communal expectations from the new couple. Since family traditions tend to change at a slower pace than other social patterns, I have chosen a longer time range: the early modern period, namely, the sixteenth and seventeenth centuries. At the focus of the book stand the traditions of Italian Jews, their uniqueness as well as their points of contact with other Diaspora communities, and with Christian society in Italy and throughout Europe. Given the absence of Hebrew sources in Italy dealing specifically and exclusively with marriage rituals, the decision as to what constitutes an acceptable source and what literary genres to use is inextricably linked to the characterization of the marriage ritual, and hence to its contents. These preliminary questions, more germane to the historical method adopted in this study, are the subject of this introductory chapter.

1. *Why Rituals?*

Since the end of the nineteenth century, the study of rituals has made considerable strides in anthropology, sociology, and comparative religion. Recently, historians have also shown increasing interest in this area, and this plurality of cultural approaches has left the field wide open. Dozens of definitions or characterizations proposed by scholars attest to the absence of a basic consensus regarding rituals and to their distinctiveness vis-à-vis other cultural phenomena. The anthropological research literature on this subject is vast. Catherine Bell provides a comprehensive review of the various approaches, including critiques and objections, and introduces her own position.²

² Catherine Bell, *Ritual Theory, Ritual Practice* (New York: Oxford University Press, 1992). The book includes a rich biography on rituals, and I rely largely on Bell's distinctions in this chapter. See also David J. Parkin, "Ritual as Spatial Direction and Bodily Division," in *Understanding Rituals*, ed. Daniel de Coppet (London: Routledge, 1992), 11–25; Jacques Chiffolleau, Lauro Martines, Agostino Paravicini Bagliani, eds., *Riti e rituali nelle società medievali* (Spoleto: Centro italiano di studi sull'alto medioevo, 1994); Caroline Humphrey and James Laidlaw, *The Archetypal Actions of Ritual: A Theory of Ritual Illustrated by the Jain Rite of Worship* (Oxford: Clarendon Press, 1994). The significance of this book for an understanding of the marriage ritual will emerge more clearly in the summary chapter.

According to Bell, the long and manifold tradition on the subject of rituals rests on a latent assumption, whereby the ritual's basic features involve a monotonous repetition of acts within pre-defined and known realms of time and space, in the hope that the ritual act will draw its participants closer to the realm of the sacred.³

Jack Goody and others argue that the definitions so far available describe the range of rituals found in different cultures only partially.⁴ These partial perspectives cannot encompass different ritual phenomena, such as the daily habits of the Goffman variety, the table manners and dress code of Europe in the seventeenth and eighteenth centuries, fertility rites in pagan cultures, the rituals of Christian liturgy, or the intricate tradition of Indian sacrifices. The attempt to include this wealth of experiences within one uniform definition originates in the Europocentric attitude of a culture that has undergone secularization processes, and contemplates rituals from a distant and sometimes openly dismissive perspective. Disaffection from ritual could make one oblivious to its centrality in non-European societies, or to alternative modes of describing it. How, then, can we study rituals? Bruce Lincoln proposed an option when he compared female *rites de passage* in different cultures. In the introduction to his book, Lincoln explicitly refrains from formulating his own definition of ritual.⁵ He devotes most of the book to a description and analysis of female *rites de passage*, and ends with an attempt to trace their common features. Throughout the book, he sidesteps the question of "what is a ritual," arguing that rituals can be discussed even without a clear definition, just as participants in a ritual do not require explicit clarification of ongoing events.

³ Jean Maisonneuve, *Les rituels* (Paris: Presses Universitaires de France, 1988), 9, for instance, emphasizes elements of repetition and routine as a central feature of ritual activity: "We could argue that rituals create a coded system, allowing individuals or groups to establish a relationship with an occult power or with a divine entity or their supernatural or secular substitutes (ideology). Yet, whereas the code, like any convention, can be more or less easily modified, the ritual will be preserved almost unchanged through long periods of time."

⁴ For a critique of different definitions of rituals or of attempts to find a common denominator for all types of rituals see Jack Goody, "Against 'Ritual': Loosely Structured Thoughts on a Loosely Defined Topic," in *Secular Ritual*, ed. Sally Falk Moore and Barbara G. Myerhoff (Assen: Van Gorcum, 1977), 25–35; Ronald L. Grimes, *Ritual Criticism: Case Studies on its Practice, Essays on its Theory* (Columbia, South Carolina: University of South Carolina Press, 1990).

⁵ Bruce Lincoln, *Emerging from the Chrysalis: Studies in Rituals of Women's Initiation* (Cambridge, Ma.: Harvard University Press, 1981), 1–6.

Bell found an additional latent assumption shared by schools concerned with ritual, to which she also objects: a perception of ritual as a separate, *sui generis* phenomenon, which can be differentiated from others. In every culture, a clear border separates profane behavior from ritual, which is “consistently depicted as a mechanistically discrete and paradigmatic means of socio-cultural integration, appropriation, or transformation . . . its universality is taken to ensure its usefulness and primacy as an analytical concept.”⁶ The analytical term “ritual” is supposedly valid in all cultures, a fixed component in every group, because of the universal human need to assign some of our material and mental resources to the performance of rituals. In Bell’s view, rituals are not differentiated by their content, their socio-cultural message, or any other immanent characteristic, but by the means that participants in the ritual use in order to differentiate them from their other ordinary activities:

Ritual is not assumed to exist as a natural category of human practice. Within this interpretive framework [her book], some activities are performed in culturally relevant ways to generate the perception that these activities are both intrinsically different from other acts and privileged in their significance and ramifications.

With this approach in mind, I will use the term “ritualization” to draw attention to the way in which certain social actions strategically distinguish themselves in relation to other actions. In a very preliminary sense, ritualization is a way of acting that is designed and orchestrated to distinguish and privilege what is being done in comparison to other, usually more quotidian, activities. As such, ritualization is a matter of various culturally specific strategies for setting some activities off from others, for creating and privileging a qualitative distinction between the “sacred” and the “profane,” and for ascribing such distinctions to realities thought to transcend the powers of human actors.

Several features emerge as very common to ritualization: strategies of differentiation through formalization and periodicity, the centrality of the body, the orchestration of schemes by which the body defines its environment and is defined in turn by it, ritual mastery, and the negotiation of power to define and appropriate the hegemonic order.⁷

⁶ Bell, *Ritual Theory*, 14–16. For a similar critique of the use of the term *religio* beyond the borders of the cultural domain where it emerged, see Joseph Dan, *On Sanctity: Religion, Ethics, and Mysticism in Judaism and Other Religions* (in Hebrew) (Jerusalem: Magnes Press, 1997), 11–30.

⁷ Bell, *Ritual Theory*, 219, 74, 220, in this order. See also 90, 116, 140–141, 223.

The use of the term “ritualization” rather than the conventional “ritual” is not merely a matter of semantics, or an arbitrary neologism. “Ritualization” is a mode of action that clarifies to the spectators they are witnessing an unusual event, which breaks the sequence of the profane. Ritualization is not the content of the event or its socio-cultural message, but the modes through which it differs from events before and after it, interrupting the homogeneous sequence of individual and communal life. Transcending routine draws borders within society, differentiating the sacred from the profane, the ruler from the ruled, woman from man, and so forth. The marking of borders is part of the ongoing socio-cultural activity. Hence, the ritual mode of action overlaps other pursuits, such as body movement, theater and the performing arts, the division of space and time, religious activity, and the “economic” activity required for its financing. Ritual is part of a long chain of social events rather than a discrete unit.

The mode through which the community distinguishes ongoing events from the ritual sequence compels the outside observer (the anthropologist or the historian), to understand the ritual in local terms, by tracing the culture’s borders, distinctions, or basic categories. This approach reminds us of Charles Bally’s claim about linguistics, whereby scholars studying a foreign language differ from scholars doing research on their native tongue. Investigators dealing with their own language relate to it in the terms that its speakers have defined for themselves, and resort less to analytical categories.⁸ Ritual, like language, will probably appear different to those handling it as their own, as opposed to alien observers trying to differentiate it clearly, perhaps too clearly, from other phenomena. This approach is attentive to local cultural distinctions, or to the absence of distinctions that the modern observer takes for granted, and stresses the integration of the ritual within the current course of events or social phenomena:

In the latter sense, Bateson argues against the effectiveness of a delimited category of action called “ritual,” as I did earlier, pointing out that ritualization is a “more-or-less phenomenon” that should be compared to other types of social interactions in terms of “textures,” not “structures.”⁹

⁸ Charles Bally, *Le Langage et la vie* (Geneva: Droz, 1965), 58–102.

⁹ Bell, *Ritual Theory*, 89. See also 183–187.

This characterization of ritual as a “more or less phenomenon” implies a scathing rejection of a widespread stance stressing its routine, monotonous aspects. There is no “correct” or “original” (*Ur-form*) of a ritual, which all its performers attempt to repeat and restore every time. Differences between several renderings of the same ritual are not a product of the unreliable transmission of traditions from one generation to another, or of the careless application of precise rules. Improvisation in ritual is not only not marginal, or an element that spoils or blurs the “right” way of performing the ritual: improvisation is essential.¹⁰ Both Bell and Parkin stressed the significance of improvisation in the performance of rituals and in the ways each ritual adapts itself to the unique circumstances of its performance.¹¹ Several factors can affect the creation of parallel ritual patterns: influences between center and periphery, contacts between lay people and ritual experts, separate traditions for men and women or for different ethnic groups. Large numbers of participants may lead to several clusters of rituals of equal status, without one being “correct” or normative. For this reason, I have chosen to refer to “marriage rituals” rather than “marriage ritual” in the title of the book.

Like theatrical events, rituals take place in the presence of spectators, who add their own interpretations and sometimes participate in the experience.¹² The verbal (or “logocentric,” to borrow the Claude Lévi-Strauss’ term) aspect is marginalized in most documented rituals in favor of the visual aspect of bodily movements, dance, use of objects, and space delimitation. The written and spoken word (through poetry, prayer, recitation) has no primacy over non-verbal elements, such as dance or music, which are performative acts. Hence the attention and excitement that ritual evokes among spectators, even when they do not understand it or cannot formulate their feel-

¹⁰ “In our fieldwork we never expect nowadays to see a ritual repeated in precisely the same manner, however much some of our informants may insist on standardization. It was a problem of positivism in its heyday to seek a ‘proper’ or *Ur-form* from which other forms had deviated . . . rituals are also always partly being made up as they are carried out” (Parkin, “Ritual as Spatial Direction,” 19).

¹¹ Bell, *Ritual Theory*, 183–184.

¹² On the theatrical in rituals see, for instance, Victor Witter Turner, *From Ritual to Theater: The Human Seriousness of Play* (New York: Performing Arts Journal Publications, 1982); idem, *The Anthropology of Performance* (New York: Performing Arts Journal Publications, 1985; Richard Schechner, *Between Theater and Anthropology* (Philadelphia: University of Pennsylvania Press, 1985).

ings and thoughts about it in words.¹³ While verbal interpretations of the ritual seek to present a consistent, uniform approach, ritual praxis enables different and contradictory traditions to coexist without needing to choose between them.¹⁴ Rituals attract and fascinate large sections of the community, whereas only few know about or are interested in theological questions or understand complex religious disputes. The absence of a clear and uniform interpretation of the rituals and shared symbols of the group, more than unequivocal declarations of faith, contributes to communal solidarity. Ambiguity and multivalence explain the effectiveness of symbolic-ritual activity.¹⁵

The attention devoted in recent years to the relationship between rituals and other social developments have enhanced historians' interest in rituals.¹⁶ Just as society is not static, rituals and ritualization also have a history and change over time.¹⁷ Historians' concern with rituals emphasizes their dynamic aspect; new rituals appear, others

¹³ Parkin, "Ritual as Spatial Direction," 11–14.

¹⁴ *Ibid.*, 19; see also Bell, *Ritual Theory*, 118–142. Similar phenomena also recur in anthropological studies. Informants and educated mediators of the ritual tend to describe it as a uniform occurrence, common to all community members.

¹⁵ See Bell, *Ritual Theory*, 182–186 and 221.

¹⁶ From the vast number of historical studies on ritual in the early modern period, note the following: Natalie Z. Davis, *Society and Culture in Early Modern France* (Stanford, California: Stanford University Press, 1975); Edward Muir, *Ritual in Early Modern Europe* (Cambridge: Cambridge University Press, 1997); Sean Wilentz, ed., *Rites of Power: Symbolic, Ritual, and Politics Since the Middle Ages* (Philadelphia: University of Pennsylvania Press, 1985); Emmanuel LeRoy Ladurie, *Le carnaval de Romans: de la Chandeleur au mercredi des Cendres, 1579–1580* (Poitiers: Gallimard, 1979); Sydel Silverman, "At the Intersection of Anthropology and History: Territorial Festivity in Siena," in *Persons in Groups: Social Behavior as Identity Formation in Medieval and Renaissance Europe*, ed. Richard C. Trexler (Birmingham, NY: Medieval and Renaissance Texts and Studies, 1985), 31–37; Tiziano Bernardi, "Analisi di una cerimonia pubblica: L'incoronazione di Carlo V a Bologna," *QS* 61 (1986): 171–199; Ronald Weissman, *Ritual Brotherhood in Renaissance Florence* (New York: Academic Press, 1982).

¹⁷ "Thus by ritual here I will limit myself to considering events that structure time and space in a specific way. Essentially, they structure both time and space so that the deeper meaning a particular culture sees behind events becomes clear from the relationship between events themselves. Thus ritual orders time, especially through repetition, in such a way that the non-relevant is cut back and the relevant highlighted. And it does the same with space, foregrounding what reveals deeper meaning through metaphors and symbols, for example, and backgrounding the rest. But discovering the significance of that special ordering requires a specific historical context—for both that order and the means used to reveal it are tightly tied to the culture in which the ritual is played out." Guido Ruggiero, "Constructing Civic Morality, Deconstructing The Body: Civic Rituals of Punishment in Renaissance Venice," in Chiffolleau et al., *Riti e rituali*, 176–177.

develop and change, and at times are pushed to the margins or disappear altogether. Some develop under direct supervision of the authorities, who use them as further means of strengthening their power and establishing their legitimacy. Economic changes and the redistribution of social and economic wealth enable ritual performers access to changing economic and technological tools. In Europe, the attempt of the Church and the state in the sixteenth and seventeenth centuries to control physical and sexual behavior relies on a series of new rituals (confession, hygiene habits, etiquette rules), and in the anchoring of external habits and rituals in a new consciousness and in feelings of guilt. Even when investigating the history of rituals (or of a specific ritual), historians are not exempt from contending with the perennial question of biased sources, since no separation is possible between the contents of sources and their mode of transmission.¹⁸

Rituals dealing with death, burial, and mourning are one instance of the unique contribution of the study of historical aspects of rituals. No human group is exempt from the need to prepare for death, to take care of the dead, and to return to routine at the end of a mourning period. Human universality in the face of death, however, is largely illusory. The ways of preparing for death, its integration into daily life, and the preference for certain feelings in the mourning process come to the fore in rituals specific to each culture.¹⁹ The books of Philippe Ariès and Michel Vovelle point to changes in European cultural *sensibilité* concerning death during the transition from the Middle Ages to the modern period. The moment of death was no longer a “public event,” and was reserved for an intimate

¹⁸ Jacques Chiffolleau, Lauro Martines and Agostino Paravicini Bagliani, “Avant-propos,” in *Riti e rituali*, vii–xiv.

¹⁹ From the extensive research literature on death rituals see, for instance: Philippe Ariès, *The Hour of Our Death* (New York: A. A. Knopf, 1981); Michel Vovelle, *La mort et l'Occident de 1300 à nos jours* (Paris: Gallimard, 1983); Edgar Morin, *L'homme et la mort dans l'histoire* (Paris: Correa, 1951); Arno Borst, ed., *Tod im Mittelalter* (Konstanz: Universitätsverlag, 1995); Arthur Erwin Imhof, *Ars Moriendi: die Kunst des Sterbens einst und heute* (Vienna: Boehlau, 1991). On death and burial rituals in Italy see, in particular, Dianne Owen-Hughes, “Mourning Rites, Memory, and Civilization in pre-Modern Italy,” in Chiffolleau et al., *Riti e rituali*, 23–38; Sharon T. Strocchia, *Death and Ritual in Renaissance Florence* (Baltimore and London: Johns Hopkins University Press, 1992). On death and mourning rituals in Jewish society, see Sylvie Anne Goldberg, *Crossing the Jabbok: Illness and Death in Ashkenazi Judaism in Sixteenth Through Nineteenth Century Prague* (Berkeley, California: University of California Press, 1995); Avriel Bar-Levav, “Games of Death in Jewish Books for the Sick and Dying in the Early Modern Period,” *Kabbalah* 5 (2000): 11–33.

group. These and other studies encouraged a more detailed examination of death-burial-mourning rituals in more limited geographical areas, and their changes over defined periods. Sharon Strocchia's comprehensive study of burial rituals in Florence during the fourteenth and fifteenth centuries raised a range of issues, crucial to the understanding of urban society in Florence in an era of political crisis and significant cultural changes: the political use of burial rituals and public rituals in general, the use of property as a sign of power, the link between politics and family structure, and the development of theater and church liturgy. Dianne Owen-Hughes notes additional dimensions, such as the confrontation between the mourning styles of men and women, the cultural tools for commemoration in the transition from orality to writing, and mourning as an expression of etiquette in polite society. Crucial aspects of daily life and expressions of emotion rarely emerge in the sources of this period, and they only become manifest in the description of rituals accompanying death.

Why rituals, then? Because rituals are a way of conveying that "something else" is happening. Precisely the ritual "else," however, demarcates the present borders. Social and cultural variety, including differences between center and periphery, between rulers and ruled, between women and men, between experts on ritual and lay people, between the written and the spoken word, appear in the ritual in theatrical form. The ritual is co-opted and adopts manifold cultural expressions, such as music, dance, body language, theater. The multiple interpretations of the ritual and the significance of improvisation enable large groups of the public to perform it without needing to explain it or understand it. The ritual becomes both a part and an indication of momentous events in the lives of individuals and in the life of the community, the city, the country, the ethnos, the nation. Rituals too have a history, as do other social phenomena. The history of rituals is a necessary element for the writing of social history and the documentation of long-term processes.

2. *Why Marriage Rituals in Christian Italian Society?*

For many years, studies of European marriage rituals during and after the Middle Ages focused on legal aspects. Georges Duby warned against excessive emphasis on formal aspects and declarations regarding marriage, or on the rituals leading to it. His statement concerning

the early Middle Ages could also guide our research beyond this period:

The historian would err if he were to adhere inflexibly to normative declarations, to principles, to the formulae of legal documents, or if he were to trust what words say, or to believe that words actually rule human behavior. Let us never forget that every legal or moral injunction is one element among others in the ideological structure erected in order to justify certain actions, or in order to conceal them to some extent; that under the cover of conscience, every rule is more or less transgressed, and that a gap prevails between theory and practice, which the historian . . . must apply himself to repair. The screen created by the formulae can also be insidiously misleading. . . . As for the second illusion, the historian would also err were he to embrace, incautiously, the perspective of ecclesiastics, who were the ones to produce almost all available documents, were he to unintentionally share in their pessimism or their Irenaism, or adopt as valid the views on family life conveyed by these men, most of whom were or pretended to be single.²⁰

The marriage ritual is crucial because it not only bestows legal legitimation on the couple's relationship, but is also meant to enable their integration into the community. Hence, it incorporates all the elements necessary for the family's functioning in the city's political institution, in its "economic" life, and in its communal frameworks (the city quarter, the parish, the neighbors, the guild). The community played a defined role in the ritual's various stages: community members observed, judged, stated opinions, or even actively participated. The process leading to the establishment of a new family provides the historian a rare opportunity to glance, from the perspective of centuries, at crucial aspects of family life that usually remain hidden. The inside of the house, usually unrecorded and even intentionally concealed from others (neighbors, or nosy historians), is openly displayed in the course of the marriage ritual.²¹ The contacts between the families of potential marriage partners and agencies outside the family compel a suspension, or a toning down, of some of the more rigid norms, an act typical of *rites de passage*. Various elements of the Christian marriage ritual in Italy at the end

²⁰ Georges Duby, "Le Marriage dans la société du haut Moyen-Age," *Il Matrimonio nella società altomedievale: Settimane di studio del centro italiano di studi sull'alto medioevo* 24 (1976): 17-18.

²¹ On this question, see ch. 1, dealing with matchmaking.

of the Middle Ages and the early modern period have recently surfaced in several detailed studies: demographic changes and their links to marriage age and birth patterns; family composition; the attitude to the body and to sexuality; bequeathing property to the next generation; the political and economic role of the family in cities; training the next generation toward its role in the city's public institutions; relationships between genders, between parents and children or youths and adults; medical care and magical interference in the couple's life; family policy in establishing new relationships, and the role of the family in the economy and the production process.²² Each one of these areas could be a significant starting point for a discussion about the history of the family in Italy in early modern times. A detailed examination of marriage rituals is an additional perspective, although this choice offers a clear advantage. At its various stages, this ritual brings together the most significant elements just mentioned, enabling us to study the family in a defined historical context, placing central elements in one sequence.

The long process leading to marriage includes many cultural elements: social control, rumors, charivari, youth culture, honor and shame, the transfer of assets, sexuality and fertility, fears of magical influences and ways of contending with them, theater and music, material objects, written vs. oral transmission, and the legal tradition. All these elements suggest that the legal-formal element is only one beside many others, all making up the complicated mosaic that creates the marriage ritual and married life after it. Varied social circles, with different interests and cultural perceptions, are involved in the ritual throughout.

Besides the different perspectives of the participants in the marriage

²² Various issues in the study of family history in Italy are discussed in the illuminating and erudite article by Silvana Seidel-Menchi, "I processi matrimoniali come fonte storica," in *Coniugi nemici: La separazione in Italia dal XII al XVIII secolo*, ed. Silvana Seidel-Menchi and Diego Quaglioni (Bologna: Il Mulino, 2000), 15–94. See also David I. Kertzer and Richard P. Saller, eds., *The Family in Italy From Antiquity to the Present* (New Haven, Conn.: Yale University Press, 1991); Agopik Manoukian, ed., *I vincoli familiari in Italia: Dal secolo xi al secolo xx* (Bologna: Il Mulino, 1983); Marzio Barbagli, *Sotto lo stesso tetto: Mutamenti della famiglia in Italia dal xv al xx secolo* (Bologna: Il Mulino, 1988); Michela De Giorgio and Christiane Klapisch-Zuber, eds., *Storia del matrimonio* (Roma and Bari: Laterza, 1996); Daniela Frigo, *Il padre di famiglia: Governo della casa e governo tradizionale dell' "Economica" tra cinque e seicento* (Roma: Bulzoni, 1985); Gerard Delille, *Famille et propriété dans le royaume de Naples (XV^e–XIX^e siècle)* (Rome et Paris, École française de Rome, 1985).

ritual, many other cultural traditions also affected the organization of family life and the rituals preceding married life: Roman law, Byzantine tradition, the customs of Germanic tribes, the position of the Catholic church, and Italy's urban patterns. These traditions have their sources in different ethnical and religious groups that, not surprisingly, may at times pose contradictory demands. Thus, in Byzantium, legitimate marriages were created only through the formal ritual as defined in imperial and ecclesiastic law. Without the ritual, the marriage was invalid and could be dissolved.²³ In the early Middle Ages, Italy was partly ruled by the Byzantine empire and remnants of Byzantine family practices surface even later. The Christian marriage ritual in Italy, however, as in the Catholic West, does not rely mainly on the Byzantine approach or on Byzantine rites. In the wake of Roman law and its later interpretations in ecclesiastic canon law, a new approach took root in the West: the free will of the partners, rather than a predetermined ritual or a church sacrament, creates a legitimate marriage. This approach, known in canon law as "consensuality," confers semiotic value on the ritual as an act that expresses the parties' will. The marriage ritual in the West is not subject to institutional constraints or to a series of preset rituals or clear liturgical formulae. It brings together crucial elements that gradually establish the acquiescence of the parties, and the communal approval of their joint "consensus."

The Council of Trent (1545–1562), in the course of long sessions, formulated the Church's position on marriage, summarized in the decretal *Tametsi*.²⁴ Until the Council, the practical involvement of the Church in family life had been limited and inconsistent.²⁵ The mar-

²³ On the tradition of family and marriage in Byzantium see Korbinian Ritzer, *Le mariage dans les Eglises chrétiennes du I^{er} au XI^e siècle* (Paris: Éditions du Cerf, 1970); Evelin Patlagean, "Familles et parentèles à Byzance," in Andre Burguière, Christiane Klapisch-Zuber, Martine Segalen, Françoise Zonabend, eds., *Histoire de la famille*, vol. 2, *Temps médiévaux: Orient, Occident* (Paris: A. Colin, 1986), 213–240.

²⁴ Gabriella Zarri, "Il matrimonio tridentino," in *Il concilio di Trento e il moderno*, ed. Paolo Prodi and Wolfgang Reinhard (Bologna: Il Mulino, 1996), 437–483; Daniela Lombardi, *Matrimonio di antico regime* (Bologna: Il Mulino, 2001), ch. 3, "Il concilio di Trento."

²⁵ On the limited involvement of the Church and the state in family life until the seventeenth century, see Ida Fazio, "Percorsi coniugali nell'Italia moderna," in De Giorgio and Klapisch-Zuber, eds., *Storia del matrimonio*, 151–214. On the general European context see Richard van Dülmen, "Fest und Liebe: Heirat und Ehe in der frühen Neuzeit," in *Armut, Liebe, Ehre: Studien zur historischen Kulturforschung*, ed.

riage ritual had largely been viewed as a private family matter, to which the priest was invited only after the event. The Church's stand evoked strong criticism from two different directions: Protestants rejected the theological and legal stance enabling the spouses too much freedom, whereas in the Catholic world, the state as well as secular political institutions demanded additional rights concerning the family, as part of a growing centralization process. The change in the marriage ritual is one of the most significant aspects in the post-tridentine Church policy seeking to enforce new family patterns and educate to norms appropriate to the new morality.

Marriage rituals are different aspects of a long process culminating in normative family life. Acceptance of ritual norms granted the spouses legal rights (inheritance, legitimation of their offspring), social rights (honor, political and economic roles), and sacral rights (Church sacraments, protection from demonic forces). Different groups in the community—women and men, young and old, the family and the community, or the family and various institutions, such as the Church and the city authorities—did not share one clear, compelling model of marriage, or one uniform or common interpretation.²⁶ As an alternative way of presenting this topic, I will discuss the gamut of ritual options, the diversified “ritual repertoire” available to various groups in Christian society, enabling them to manipulate different possibilities as attested by contemporary legal evidence. The wealth of the ritual language and of the participants' interpretations does not imply that this is a blurred, wide-open area, indistinct from other social domains. I will be using the term “marriage rituals” according to the following twofold distinction: (1) Any act that participants in the ritual, or its observers, or those who interpret it and grant it legitimation, consider part of it. (2) Any act that restricts the ability of the parties involved to retract from the decision, or from their commitment toward one another. This twofold condition follows Bell's guidelines, whereby the ritual is a mode of action rather than an act of defined content. Its additional advantage is that it ascribes crucial weight to the participants' perspectives.

Richard van Dülmen (Frankfurt am Main: Fischer Taschenbuch Verlag, 1988), 67–106.

²⁶ Regarding the Jewish ritual in Italy, the perspective of local Jews [*lo'azim*], can be contrasted with the traditions of Jewish immigrants from Ashkenaz, France, Spain, and the Levant.

Why, then, marriage rituals in Italy's Christian society? Because the marriage ritual is an event, defined in time and space, marking the convergence of the various circles meaningful to the family life that the spouses will enter after the ritual. The marriage ritual is important as an indication of the change in ecclesiastic policy after the Council of Trent, and of increasing trends of intervention and social coercion. The plurality of structures or ritual patterns stems from the variety of legal traditions in Italy, from the gaps between city and country, from economic and political stratification in the big cities, and from the far-reaching changes that these rituals underwent in the early modern period.

3. *Why Marriage Rituals of Italian Jews?*

The creation of a family enjoys wide legitimacy in Jewish tradition. Hence, except for a marginal group, all adult men and women participated in a marriage ritual at least once in their lives. The ritual distinguishes legal couples from other forms of cohabitation (concubinage, prostitution, polygamy), which lead to family tensions and undermine the children's legal status. The ritual's main stages and their legal meaning, as well as the sacred character of the marriage institution, were debated and enacted by the rabbis of the Mishnah and the Talmud in the halakhic-legal literature and in the Midrash.²⁷ Most of the evidence on family life and marriage originates in rabbinic circles working within this tradition, which repeatedly resort to the same formulaic wordings. Given these circumstances, one might erroneously conclude that the marriage ritual has no history, and that it has remained stable and uniform throughout. On these grounds, a foremost scholar of Italian Jewry states: "Marriage rituals follow the dictates of set, well-known Jewish law, so that dwelling on them here would be pointless."²⁸ His contemporaries accepted this view, and showed no interest in the subject of the ritual leading to the

²⁷ Adiel Schremer, *Jewish Marriage in Talmudic Babylonia* (in Hebrew) (Ph.D. diss., Hebrew University of Jerusalem, 1996). See also Isaiah M. Gafni, "The Institution of Marriage in Rabbinic Times," in *The Jewish Family: Metaphor and Memory*, ed. David Kraemer (New York: Oxford University Press, 1989), 13–30.

²⁸ Umberto Cassuto, *Gli ebrei a Firenze nell'età del Rinascimento* (Firenze: Galletti e Cocci, 1918), 220–222.

creation of a family. Only recently have scholars begun to deal with the history of the Jewish marriage ritual in Italy. Kenneth Stow devoted a detailed and seminal study to the marriage customs of Roman Jews. Elliot Horowitz and Esther Cohen pointed to definite similarities between the Jewish ritual and its Christian counterpart, both in the legal realm (Halakhah v. canon law) and in the popular practices. Robert Bonfil described marriage practices as part of the unique cultural traditions of local Jews.²⁹

Legal dictates, as Duby noted above, are not the only or necessarily the most important element in the organization of family life. The Jewish community in Italy is no exception in this regard. Although legal discussions of fundamental issues concerning marriage, court rulings, and the *responsa* literature dealing with isolated events will be central to the documentation of family life, they are only one element in the cultural and social discussions about the family. Other elements, which turn the marriage ritual into an important event, will be no less significant. The perception of this event as an exceptional ritual is not the product of a modern anthropological standpoint, and is also shared by contemporary figures. Leon Modena, who wrote on a far-reaching range of subjects and was a well-established public figure in seventeenth century Italy,³⁰ wrote a *responsum* on the following question:

[Question]: The bride's father is Ashkenazi and the groom is Italian. What ritual should be followed at the wedding? [The *responsum* was sent to the community in] Ferrara.

Responsum: This is an easy matter. Although the wedding expenses are now defrayed by the bride's father, it was stipulated that the groom will be charged for them and assume them as his debt in the marriage

²⁹ Kenneth R. Stow, "Marriages are in Heaven: Marriage and the Individual in the Roman Jewish Ghetto," *RQ* 48 (1995): 445–491; Esther Cohen and Elliot Horowitz, "In Search of the Sacred: Jews and Christians, and Rituals of Marriage in the Later Middle-Ages," *The Journal of Medieval and Renaissance Studies* 20 (1990): 225–249; Robert Bonfil, *Jewish Life in Renaissance Italy*, trans. Anthony Oldcorn (Berkeley and London: University of California Press, 1994), 255–264.

³⁰ On Leon Modena, see Natalie Z. Davis, "Fame and Secrecy: Leon Modena's Life as an Early Modern Author," in *The Autobiography of a Seventeenth Century Venetian Rabbi: Leon Modena's Life of Judah*, ed. Mark R. Cohen (Princeton, Princeton University Press, 1988), 50–70. In the same volume, see Howard E. Adelman, "Leon Modena: The Autobiography and the Man," 19–49. For a review of Cohen's book, see Elliot S. Horowitz, "The Autobiography of a Seventeenth Century Venetian Rabbi," review of *Life of Judah*, by Leon Modena," *JQR* 81 (1991): 453–461.

contract [*ketubbah*]. The father claims, “I am spending the money for the wedding and, therefore, I want the wedding to abide by my custom,” but this claim could also be used to release the groom from this expense [as stated in the agreement]. Even if the father assumed the entire cost, however, the wedding cannot be conducted according to his custom and against the groom’s wishes. The decision concerning wedding expenses is a pecuniary understanding³¹ between the parties to increase or decrease the dowry, whereas the marriage ritual is to be decided by the groom, who rules in his home.³² It is written “he shall rule over thee,”³³ and “the body follows the head,”³⁴ and the wife follows her husband. Once the match has been agreed, [the wife is considered] Italian, and her father has no authority over her. Compare with the ruling in the case of a Jewish woman who marries a priest, or a priest’s daughter marrying a man who is not a priest,³⁵ and all this is well known and requires no further discussion.³⁶

The marriage between a bride of Ashkenazi descent and a groom of Italian extraction raises a question concerning the ritual to be followed at the wedding. The difference between this responsum and others in the same volume is immediately evident: this responsum is significantly shorter. The ruling is not delivered as a conclusion reached at the end of a halakhic discussion, nor does it mention precedents or deliberations in halakhic literature, as is customary in

³¹ See, for instance, TB Ketubboth 56a, TB Kiddushin 19b, TB Bava Metsiah 51a, 94a. The full wording reads: “In respect of financial matters, his condition is binding.”

³² TB Megilah 12b: “From here we see that an ordinary man will always push himself in front, since ‘every man should bear rule in his own house,’ . . . even a weaver is a commander in his own house.”

³³ Genesis 3:16. See also Rashi *ad locum*, s.v. “thy desire shall be to thy husband”: “for copulation, and yet you will not dare to ask for it openly, and he shall rule over thee.” Compare Rashi on Proverbs 22:7. See also *Genesis Rabbah* 20:7: “‘And he shall rule over thee.’ R. Jose the Galilean said: ‘You might think that his dominion holds good under all conditions. Therefore, it is stated, ‘No man shall take the mill or the upper millstone to pledge’ (Deuteronomy 24:6).” The man’s “rule” over the woman is also interpreted as sexual primacy, because the man can make explicit demands on the woman, but not the woman on the man.

³⁴ Eruvin 41a, and see Rashi *ad locum*, s.v. “‘the body follows the head’: consider it right and proper that we should follow the early authorities.”

³⁵ The expression appears several times in TB Yevamoth and TB Ketubboth, when discussing the question of “mixed marriages” between a priest and a woman who is not from the priestly class and vice-versa, on the question of whether the spouse who does not belong to the priestly class by birth can partake in the priestly tithe. See also Pesahim 49a: “For R. Johanan said: If the daughter of a priest [marries] an Israelite, their union will not be auspicious.”

³⁶ Leon Modena, *Ṣiknei Yehuda: Responsa* (in Hebrew), ed. Shlomo Simonsohn (Jerusalem: Mosad Harav Kook, 1956), 103, 150–151.

writings of this type. Instead, this ruling resembles the homiletic style familiar to local people from sermons at synagogues or other public venues. Modena did indeed attest to himself as one of the more talented preachers of his time. As in a public sermon, the gist of his address includes metaphors and rhetorical analogies, while the halakhic discussion is intimated only vaguely.

The halakhist had several options in this case. He could have ruled that financial considerations and the economic advantage accruing to one of the parties should be the preeminent consideration in the choice of ritual, supporting the notion that “whoever pays the piper calls the tune,” or that the parties should compromise and the ritual should reflect both their traditions, or that one community is intrinsically superior to the other. When ruling for the groom, however, Modena reverts to a usual preaching style and relies on a biblical verse, “he shall rule over thee” (Genesis 3:16). The marriage ritual is a suitable opportunity for the groom to display male “rule” over his future bride, and for internalizing the distribution of roles and power within the family.

This question is appropriate in Italy, where internal and external Jewish migrations had not ceased since the fourteenth century. It is even more appropriate in Ferrara, where a local Italian tradition coexisted with a Spanish tradition brought by exiles from Spain and Portugal, and with an Ashkenazi tradition from the late fifteenth century.³⁷ Not only the actual ceremony, but all wedding day practices are a contested issue: whose tradition should be followed? Modena, therefore, went beyond the specific question and stated that his responsum is valid not only concerning the wedding day, but from the start of the matchmaking stage: “once the match has been agreed, (the wife is considered) Italian, and her father has no authority over her.”

Several other issues emerge in this brief responsum, such as the role of property and financial assets in the creation of the new family, parental authority vis-à-vis the couple, and the cultural primacy of various traditions. The bride’s father claims that those who defray the cost of the wedding are entitled to conduct the wedding as they

³⁷ On the ethnic composition of the Ferrara community see Aron Di Leone Leoni, “Gli ebrei Sefarditi a Ferrara da Ercole I a Ercole II: Nuove ricerche e interpretazioni,” *RMI* 52 (1987): 407–443; Werther Angelini, *Gli Ebrei di Ferrara nel Settecento: I Coen e altri mercanti nel rapporto con le pubbliche autorità* (Urbino: Argalia, 1973).

wish. The literary and halakhic metaphors describe the family relationships, the endogamic ideal of hierarchy, and the new group identity that the bride acquires. The complicated status of the rabbi as an authority ruling and interfering in family issues is also implicitly considered in this responsum. The retreat from accepted halakhic precedent in favor of reliance on biblical verses raises doubts as to whether the rabbi wields the required authority to enforce his ruling, or his decision is only a recommendation. Does the rabbi's ethnic extraction influence the mode or the contents of his decision? Many topics surface in these few lines: the transmission of traditions, the mode of the encounter between Halakhah and social reality, the rabbi's place in the transmission of traditions, the public image of property, the relationships between genders, power, and social control. Their point of convergence, showing their interrelationships and their "solution" within an actual social situation is the ritual, and specifically the marriage ritual.

Marriage rituals in Jewish Italian society were prolonged, sometimes lasting several years. In the course of this period, people and material means were mobilized in order to advance it, as shown in the extensive documentation about its various stages and in the wide scope of literary genres, where different perspectives intersect. Marriages in Europe at that time, and so also in the Jewish Italian community, were events involving large groups. Contrary to the religious cult, where only men participate, or to the study at *yeshivot*, confined to even smaller groups, marriage rituals bring together large sections of the Jewish community.³⁸

The amount of evidence collected in the course of this study was surprisingly large, both in terms of the topics discussed and in the variety of literary genres. Few social events or institutions are chronicled in such detail. This rich documentation enables us to present the contribution to the ritual of various segments of the Jewish community (youth, adults, women, foreigners, different ethnic groups)

³⁸ Pierre Bourdieu pointed to the difference between a written work originating in a small social group and a ritual developed jointly over the centuries. See Pierre Bourdieu, *In Other Words: Essays Towards a Reflexive Sociology*, trans. Matthew Adamson (Stanford, California: Stanford University Press, 1990), 103: "As soon as one is dealing with an *oeuvre*, that is, a system expressly constructed by a professional—and no longer with a system objectively constituted by the work of successive generations, such as the Hopi or Kabyle language or the mythico-ritual system . . ."

and the different interpretations that accompany external events, the social expectations, the surrounding excitement, and the spectators' reactions.

Marriage is one *rite de passage* in Jewish society that, together with others, makes up the "Jewish life cycle":³⁹ birth, circumcision, bar mitzvah, marriage, death, and burial. Arnold van Gennep, the prominent researcher of *rites de passage*, claimed (following Robert Hertz) that all these rituals emphasize one aspect of the transition process while blurring others. The marriage ritual is also unique because of the way in which it combines elements from other *rites de passage*. It includes expressions of the "women's culture," which concentrates on sexuality, fertility, and birth (around the topic of the wedding night and the first sexual act), the granting of a new social identity to the spouses (as in the circumcision ritual), the encounter between youths and adults as in the bar mitzvah ritual,⁴⁰ as well as fears of demonic influences and risks of death.

Why, then, the marriage rituals of Italian Jews? The ritual, as a mode of behavior distinguished from everyday activity, is deemed interesting and significant in local Jewish culture, an intrinsically important cultural phenomenon. Marriage rituals are copiously recorded, and the wealth of sources enables the documentation of their various stages as well as the perspectives of the various participants. As in Italy's Christian society, issues crucial to family life are presented through the marriage ritual.

4. *Why Italian Jews?* (Lo'azim)

Jewish presence in Italy comprises both a static and a dynamic dimension: a long sequence of continued settlement, together with ceaseless wanderings and migrations.⁴¹ The beginning of Jewish settlement

³⁹ The concept appears in Joseph Guttman, *The Jewish Life Cycle* (Leiden: E. J. Brill, 1987). Note that it relates mainly to the lives of Jewish men.

⁴⁰ On the importance of *rites de passage* in Jewish society in Italy, and the bar mitzvah in particular, see Roni Weinstein, "Rites of Passage in Sixteenth-Century Italy: The Bar-Mitzvah Ceremony and Its Sociological Implications" (in Hebrew), *Italia: Studi e ricerche sulla storia, la cultura e la letteratura degli ebrei d'Italia* 11 (1995): 77–98.

⁴¹ Bonfil, *Jewish Life in Renaissance Italy*, 19–77.

in Italy dates back to the Second Temple period, as attested by literary and archeological evidence. Local Jews preserved or invented a tradition about the origins of four prominent families brought to Italy at the time of the emperor Titus. Conquests and political changes in Italian history were also evident in Jewish communities in the area and in their various wanderings. At the beginning of the Middle Ages, Jewish settlement was concentrated in southern Italy. Toward the end of the Middle Ages, local Jews had moved north, to Rome and beyond, living in hundreds of small towns. By the end of the sixteenth century, the Church urged Jews living in Italy's large cities to concentrate in segregated neighborhoods, and "ghettos" sprung up one after another. Italian Jews went on living there and maintaining an independent community life until the twentieth century. Throughout the Middle Ages and the early modern period, then, the Jewish presence in Italy never ceased, despite the movement northwards and the shift from mid-sized to larger cities. By contrast, Jews in Spain, Portugal, England, France, and Ashkenaz suffered full or large-scale expulsions. No parallel of a community preserving the long-standing cultural continuity of the Italian example exists among European Jews. This feature offers a significant advantage in the study of Jewish society, because the life-story was never suddenly interrupted, as was the case in the expulsion from Spain, which prevented long-term social processes from reaching full maturity. Continuity may also prove invaluable in the writing of social history, with its focus on slow paced processes.

Did the *longue durée* of Jewish dwelling in Italy generate a unique, "autochthonous" local culture? Can we point to characteristic traditions regarding family and marriage? This question requires a broad, preliminary discussion, which I do not intend to conduct here, on how to draw distinctions between the traditions of various Jewish communities during the Middle Ages. One of the more significant criteria concerns distinct traditions of prayer and liturgy. The repeated printings of prayer books during and after the sixteenth century "according to the Roman rite" [*nusah benei Roma*] meets the needs of a community seeking to preserve its unique mode of worship. Self-awareness of differences is another significant indicator with strong resonance in Jewish Italian sources, beside a persistent defense of local custom. Local custom [*lo'azi* or *Italiano*] will emerge in several settings, with a focus on family traditions.

The Jewish Italian community is among the earliest Jewish set-

lements in Europe. Traditions from the Land of Israel and from Byzantium passed through it on their way to communities in Ashkenaz, France, Provence, or Spain.⁴² Jewish communities in an area ruled by Byzantium at the early Middle Ages—including Italy, Greece and the Greek Islands, Asia Minor—preserved until quite late traditions from the Land of Israel, some of which will emerge below. A plausible question is whether the marriage traditions of Italian Jews are more strongly influenced by Palestinian than by Babylonian cultural traditions.

The dynamic element in the demography of Italian Jews is due both to internal and “external” migrations into Italy. From the fourteenth century, Jews from Ashkenaz and France began to cross the Alps into northern Italy. The expulsions from Spain and from Portugal added large numbers of Jews and forced “New Christians,” who returned to Judaism in Italy. Most passed through Italy on their way elsewhere, but some stayed on and established separate communities. Jewish traders arrived from the East, the Levant, mainly during the sixteenth century. Throughout the Middle Ages, small-scale migrations continued from Sicily, southern Italy, and even North Africa.

The character of Italian history—its geographic position, the trade routes, the political role of Italian cities, the banking system—placed the local people at a crossroads: between Christianity and Islam, between the Byzantine (and later Ottoman) east and west, between the European north and the European or Mediterranean south. Jewish culture in Italy includes notable elements from these cultural circles. The study of local Jewish marriage rituals will remain incomplete without an understanding of the cultural context to which they belong, and from which they draw their constitutive elements as well as their sense of legitimation. Furthermore, the vast number of sources and the extensive research on the family and on marriage rituals in Christian society in Italy enables us to conduct a rigorous comparative study of the similarities between the family traditions of the Jewish minority and those of the Christian majority.

⁴² Avraham Grossman, “Ties between Ashkenazi Jewry and the Jewry in Eretz Israel in the Eleventh Century” (in Hebrew), *Shalem: Studies in the History of the Jews in Eretz-Israel*, 3 (1981): 57–92. See also Robert Bonfil, “Between Eretz Israel and Babylonia” (in Hebrew), *Shalem: Studies in the History of the Jews in Eretz-Israel*, 5 (1987): 1–30. On Italy as a “transit station” in the movement of early artistic Christian traditions, from the East to Europe, see Jean Hubert, *Europe in the Dark Ages* (London: Thames and Hudson, 1967).

Why, then, the *loʿazim* as a research topic? Because the prolonged Jewish presence in Italy and the scope of the available documentation ensures students of social history, and particularly family history, a considerable advantage. Through the marriage ritual, we can examine whether a separate, “autochthonous” tradition emerged, different from those of other Jewish communities (in Spain, Ashkenaz, or the Levant). We can also consider the links of this tradition with family and marriage practices in Christian Italian society and wider circles, such as the Mediterranean, Byzantine traditions, or the Moslem world.

5. *The Research Orientation*

The opening question is how to study rituals or, more precisely, how to study rituals in a historical context. The danger is in the adoption of a “folkloristic” orientation, by which I mean the research literature of the late nineteenth century, listing catalogues of “popular” practices and traditions. These catalogues involve no attempt to engage in comparisons, to locate the historical dimension in the development of these practices, or to suggest a cultural interpretation to explain them. Choosing a methodology is as meaningful a research declaration as were the two previous ones, concerning the elements included in the marriage ritual and the scope of the relevant documentation. My discussion of the marriage rituals of Italian Jews relies on several research traditions: the *Annales*, the discussion of “popular cultures,” Bourdieu’s studies, and the anthropological interpretation of socio-cultural phenomena. Although these research traditions developed at different times and out of different motivations, several basic assumptions draw them closer together: the assumption that culture is a diversified phenomenon that cannot be described in uniform terms; the emphasis on the interpretation of symbolic and ritual elements in the culture, and the stress on the importance of imagination, feelings, and consciousness as real data that must be included in historical research.

5.1 *The Annales School and the Histoire des Mentalités*

The choice of ritual as a vantage point on the family fits into the *Histoire des Mentalités*, one of the research areas in the *Annales* school.

Marc Bloch and Lucien Febvre, its two main pioneers, were largely successful in changing the agenda of historical research, in France and beyond it, since the end of the 1930s. The journal they founded, which gave the name *Annales* to the entire school, served as a forum for new ideas and new research topics hitherto considered trivial.⁴³

Bloch, Febvre, and their students embarked on an incisive critique of the positivist historical traditions of their time, which had focused on history's major events, on the central personalities of the period, and on the cultural approaches of elite minorities. "Major" historical events have a clear, distinctive character (when did the war start? who won? what were its effects?). Historians of the positivist tradition must reconstruct them to the best of their professional ability and as precisely as the documents allow. This approach argues that no essential gap prevails between the past and the viewpoint of the scholar, since at stake are human phenomena such as war, political or economic agreements, that is, power struggles rooted in the same fixed needs and derived from the same human nature.

According to Bloch, however, history and the past are themselves a problem, or a world requiring the historian to engage in a constant dialogue. The past presents historians with life conditions entirely different from their own and with a human experience unfamiliar to them, thereby limiting their ability to read meaning into the data emerging from the documents, and fully expose the past. The past resembles an encounter with another culture. Historians conduct a dialogue with people in the past and their interlocutors expose themselves, but still leave some dimensions concealed. New questions posed to a mute past may raise new answers or pioneering areas of research. The core of the *Annales* revolution is in the shift from headlines and dominant social groups that keep records mainly of their own actions, to areas dealing with cultural attitudes and forms of behavior common to all or most of the population. Thus, for instance, the peasants who had been the backbone of European medieval

⁴³ On the tradition of the *Annales* see Peter Burke, *The French Historical Revolution: The Annales School, 1929–1989* (Stanford, California: Stanford University Press, 1990); Philippe Carrard, *Poetics of the New History: French Discourse from Braudel to Chartier* (Baltimore: Johns Hopkins University Press, 1992); François Dosse, *L'Histoire en miettes: des "Annales" à la "nouvelle histoire"* (Paris: Éditions La Découverte, 1987); François Furet, *In the Workshop of History*, trans. Jonathan Mandelbaum (Chicago: University of Chicago Press, 1984), 54–74.

society ceased to be a mute element in social history. Bloch's celebrated books on feudal society and healing kings exposed unknown, pre-Christian layers in the kingdom and feudality, the key medieval institutions. Febvre pointed to religious beliefs different from those of the Catholic Church, and embedded in the deepest cultural foundations of the late medieval world.⁴⁴ The new emphasis on topics bearing on large populations boosted new research areas such as geographic history, the study of serial data, and quantitative history.

The attempt to decode what is common to most of the population and galvanizes them into shared action as a community, led *Annales* scholars to consider the mutual relationships between socio-cultural institutions and the psychology of the people at any given time. In their critical view, a historical description relating only to external events assumes that the people of the time are driven by economic, cultural, or political trends, like automatons without an inner or independent will.⁴⁵ The desire to ascribe human depth to individuals or groups in historical circumstances so different from ours is at the core of the *Histoire des Mentalités* school.⁴⁶ As Roger Chartier rightfully emphasizes, the study of *mentalité*, from its inception through its peak at the 1960s and 1970s and up to the present time, never offered a clear theoretical framework of its area of research or of its characteristic methods. Although this conceptual vagueness is often typical of research in this field, it did not prevent the publication of seminal, meticulous works and, ultimately, the emergence of a research tradition with several crucial features:

⁴⁴ Marc Bloch, *Feudal Society*, trans. L. A. Manyon (Chicago: University of Chicago Press, 1961); idem, *The Royal Touch: Sacred Monarchy and Scrofula in England and France* (London: Routledge and Kegan Paul, 1973); Lucien Febvre, *The Problem of Unbelief in the Sixteenth Century: The Religion of Rabelais* (Cambridge, Ma.: Harvard University Press, 1982).

⁴⁵ Jacques le Goff, "Les mentalités: une histoire ambiguë," in *Faire de l'histoire*, ed. Jacques le Goff et Pierre Nora (Paris: Gallimard, 1974), vol. 3, 79: "Man does not live on bread alone, and history will not even have bread if it is to draw sustenance only from skeletons rattling in a macabre dance of automatons." My description relies mainly on this article.

⁴⁶ On the *Histoire des Mentalités*, see Jacques le Goff, preface to *Apologie pour l'histoire ou métier d'historien*, by Marc Bloch (Paris: Armand Colin, 1993), 7–32. See also Le Goff, "Les mentalités"; Roger Chartier, "Histoire intellectuelle et histoire des mentalités: Trajectoires et questions," in *La sensibilité dans l'histoire*, ed. Roger Chartier et al. (Brionne: Gerard Monfort, 1987), 7–37.

[The *Histoire des Mentalités*] is at the junction of the individual and the collective, the *longue durée* and the quotidian, the unconscious and the intentional, the structural and the conjectural, the marginal and the general. The *Histoire des Mentalités* deals with the quotidian and the automatic, with whatever eludes individual subjects in history because it exposes the impersonal contents of their thought. It is concerned with what Caesar and the last soldier in his legions, St. Louis and the peasant in his estates, Christopher Columbus and the sailor in his caravels, have in common.⁴⁷

The shared basis allowing an encounter and a negotiation between various groups in the community belongs to the basic and archaic layers of culture, which lack systematic uniformity. It resembles a quilt, with patches of different sizes, colors, and fabrics, the kind of *bricolage intellectuel* that Claude Lévi-Strauss discerned in the "savage mind." In this colorful patchwork, the rational and the written find their place alongside other modes of imparting the culture: imitation and improvisation, automatic body movements, unintended remarks, a common taste, and the distinction between the normative and the marginal. Precise logical differentiations, legal traditions, and theological discussions are often the privilege of a very small group within the population, one that leaves vast documentation behind. The majority of the population did not express its will through the cultural tools of the dominant group.

In other domains of historical research, the type of source is a function of the field's definition (commercial agreements in the area of economic history, reports of wars in political history, visual arts in the history of art, theological treatises in the history of ideas, medical texts in the history of science). By contrast, scholars of *mentalité* resorted to every possible source and, consequently, turned to neighboring areas of research, such as comparative religion, literature, the history of ideas, folklore, and ethnography.⁴⁸ Less prominent sources, evoking less attention, actually hold an advantage for *mentalité* scholars; recurring linguistic formulae at the head of documents and *topoi* of various kinds attest to a shared platform. Language, its vocabulary

⁴⁷ Le Goff, "Les mentalités," 80.

⁴⁸ *Ibid.*, 85: "To study the *Histoire des Mentalités* means, above all, to adopt a certain reading of every document. Everything is a source for the historian of *mentalités*." On the "omnivorous" tendency of this approach, as well as the risk of vagueness and "assimilation" into other research traditions, see Michel Vovelle, *Ideologies et mentalités* (Paris: F. Maspero, 1982), 17–23.

and inner structure, are among the pivotal cultural and mental tools (Febvre's *outillage mental*), attesting to criteria for the organization of reality. Literature and the visual arts bear witness to the representation of reality in human imagination and to the elaboration of visual traditions from the past. Marginal phenomena attest, through their extremism, to what is acceptable at the "center" and to the basic normative borders. Total cultural institutions (monasteries, armies, cities) provide crucial insights, as focal points reflecting the behavior of society as a whole.

This school endorses a latent assumption whereby, without understanding the basic realms of human life, "major" historical phenomena or famous events are not intelligible either. Hence, many of its studies were devoted to new areas: child rearing; attitudes to property; family life; body image; hygiene; sexuality and its role; death, burial rites, and mourning; attitudes to the sacred; the distinction between sacred and profane; images of authority and the attitudes toward it; the miracle and its explanation. At times, documentation of these topics is scanty because daily life was not considered sufficiently worthy of documentation. Historians need not endorse the cultural stance of writers of documents, who are in charge of recorded memory. Quite the contrary, without an understanding of what is common to the entire group, the reading of sources of "high culture" will also suffer from oversimplification.

5.2 *Popular Culture v. High Culture*

One of the fundamental historical questions to surface in the wake of the *Annales* tradition touched on the uniformity of European culture in the Middle Ages and in the modern era. During the 1960s and 1970s, scholars distinguished the "elite culture" of small groups from the "popular culture" of most of the population.⁴⁹ Since the

⁴⁹ For an approach that emphasizes the gap between popular and elite cultures see: Francois A. Isambert, *Le sens du sacré: Fêtes et religion populaire* (Paris: Les Éditions de Minuit, 1982), 21–122; Robert Muchembled, *Popular Culture and Elite Culture in France 1400–1750*, trans. Lydia Cochrane (Baton Rouge: Louisiana State University Press, 1985); Jean Delumeau, *Catholicism Between Luther and Voltaire: A New View of the Counter-Reformation* (London: Burns and Oates, 1977). See also Carlo Ginzburg, *Ecstasies: Deciphering the Witches' Sabbath*, trans. Raymond Rosenthal (London: Hutchinson Radius, 1990), dealing with the deep magical layer of European culture; Michael A. Mullett, *Popular Culture and Popular Protest in Late Medieval and Early Modern Europe*

elite group had greater access to education and writing, and at times even monopolized them, the quantity of documents it left behind far exceeds its proportion and its cultural share in the population as a whole. The bias in these sources is even greater, because testimonies were collected from individuals versed in the structured, written culture. This culture was hostile and unsympathetic toward the oral layers of the culture, which are not acquired through formal education or preserved in systematic theological treatises and canonic works of art. Popular culture, claims Aaron Gurevich, one of its foremost researchers, differs not only in its oral mode of transmission, through carnival games and body language. It offers a mythopoetic perception of the world, different from that relying on formal education and systematic thinking. Gurevich defined the purpose of his book on popular culture as follows:

My present venture aims at concentrating on that “low” layer of medieval culture which was barely, if at all, influenced by schools of classical or patristic tradition, but which had preserved vital links with the mythopoetic and folkloric-magic consciousness. That world-perception which emerges from the complex and contradictory interaction of the reservoir of traditional folklore and Christianity, I shall call “medieval popular culture.”⁵⁰

Against an approach assuming a dichotomy between popular and elitist culture are critics who argue that the various strata of European society had no discrete cultural traditions. In line with this claim, they argue that the evidence of oral culture is available in written sources because educated people were also interested and had a share in it. Oral culture is embedded in every social group, though in different degrees. In turn, “popular culture” is influenced by “high,” educated culture, as manifest in printed sources, monks’ exegeses, or visual arts in the Church.⁵¹ Some critics take this argument even

(London: Croom Helm, 1987), 1–27, linking popular traditions and popular revolts in Europe during early modernity. For modern trends in the study of popular cultures, see Dominic Strinati, *An Introduction to Theories of Popular Culture* (London: Routledge, 1995).

⁵⁰ Aaron I. Gurevich, *Medieval Popular Culture: Problems of Belief and Perception*, trans. Janos M. Back and Paul Hollignsworth (Cambridge: Cambridge University Press, 1988), xv.

⁵¹ See Benjamin Z. Kedar, ed., *Studies in the History of Popular Culture* (in Hebrew), (Jerusalem: Zalman Shazar Center, 1996), 6–11. In this volume, see also Esther and Robert Cohen, “Popular and Elite Culture: An Illusory Contrast,” 13–30. See

further, claiming that “popular culture” as a separate body is a fabrication of small social groups seeking to change the cultural atmosphere. For this purpose, they invent a fictitious enemy, over which they wield power and social control. They create a cultural construct that perceives the whole of mass culture as an entity bereft of historical dimensions, which has preserved the same features since time immemorial. This outsider’s view of “popular culture” is characterized by an intriguing combination of longing and contempt; the culture of most of the population supposedly preserves entrenched popular traditions that derive most of their vitality from the people’s “authentic” creativity. At the same time, it is presented as inferior to the culture originating in formal, prolonged education, and resting on acknowledged canons.⁵² These scholars suggest replacing the dichotomy of high v. popular culture with one contrasting “dominant” and “controlled” cultures, influenced by the analyses of Antonio Gramsci and Bourdieu. At the focus of this analysis is the struggle for dominance in society, conducted on several fronts. On the cultural front, the struggle is waged over the cultural resources of society (schools, books, cultural institutions), and over the ability to offer educational training. Acquiring access to, and control over, “high” cultural traditions is a major stage in the socialization process, attesting to the identity of the dominant group. The difference between what is and what is not part of the dominant culture is constantly redefined, as part of a contest for cultural supremacy. For this reason, no set or fixed line exists between high and “popular” culture.

Does social stratification in Europe during the Middle Ages and the early modern period parallel the dichotomy of “high” v. popular culture, or does cultural diversity perhaps emerge in another way? Did the people of these times distinguish “high” from “low” culture? The jury is still out on this question, but all contenders implicitly assume that European culture during and after the Middle Ages was not of one cloth. It includes diverse voices and varied cultural layers stemming from different ethnic traditions, from attempts within the Church or the government to create new political institutions, from a pagan legacy that had not completely disappeared from

also Edward M. Peters, “Religion and Culture, Popular and Unpopular, 1500–1800,” *Journal of Modern History* 59 (1987): 317–330.

⁵² Morag Schiach, *Discourse on Popular Culture: Class, Gender and History in Cultural Analysis, 1730 to the Present* (Oxford: Polity Press, 1989), 1–18.

European life even after official Christianization, or from complex relationships between men and women. In Mikhail Bakhtin's terms, culture is always polyglot, polyphonic. Language and literature reflect events unfolding in the culture.⁵³ The importance of the novel's style, according to Bakhtin, lies in its ability to reflect the plurality of language and its modes of use, as well as the basic feelings manifest in its various layers and dialects. Language, like culture, is not one. It allows the coexistence of different, and sometimes contradictory, variations, while engaged in a struggle for supremacy, and through cooperation between various dialects.

5.3 Bourdieu's Stance

The studies of the French sociologist and anthropologist Pierre Bourdieu are close to the basic positions of the *Histoire des Mentalités* in their attempt to expose the depth structures of culture, and they did influence scholars in this field from the 1970s onward.⁵⁴ His critique of the social sciences and of sociology's guiding cultural models is part of the European philosophical tradition during the first half of the twentieth century (particularly Ludwig Wittgenstein⁵⁵ and others, such as Martin Heidegger and Maurice Merleau-Ponty), as well as Marxist trends. Bourdieu's studies cover a wide spectrum of subjects and offer a broad cultural platform, of which I will briefly present two areas relevant to an understanding of the marriage ritual: social rules, and the concept of the "field."

Bourdieu was sharply critical of sociologists and anthropologists who try to understand social behavior by means of rules. Social norms could lead to the (in his view, mistaken) assumption that clear rules, not necessarily written, guide personal behavior. An external observer, particularly an anthropologist observing a foreign society

⁵³ Mikhail M. Bakhtin, *The Dialogic Imagination: Four Essays*, trans. Caryl Emerson and Michael Holquist (Austin: University of Texas Press, 1996), 291–292. See also idem, *Speech Genres and Other Late Essays*, trans. Vern W. McGee (Austin: University of Texas Press, 1986). The most comprehensive literary analysis of Bakhtin's stance appears, of course, in his *Rabelais and His World* (Bloomington: Indiana University Press, 1984).

⁵⁴ Burke, *The French Historical Revolution*, 80–81.

⁵⁵ Charles Taylor, "To Follow a Rule . . .," in *Bourdieu: Critical Perspectives*, ed., Craig Calhoun, Edward LiPuma, and Moïse Postone (Chicago: University of Chicago Press, 1993), 45–60. On Wittgenstein's influence on Bourdieu, see Bourdieu, *In Other Words*, 9–14.

or a historian investigating a past one, often tends to explain social events through order, method, and invisible rules.⁵⁶ Their heroic turns into a Cartesian character, rational, calculating profits and losses at every turn, seeking to translate the mental attitudes (“rules,” “norms,” or abstract concepts) into social acts.

Rejecting this approach need not lead to subjectivism, which views individual behavior as a product of personal will or arbitrary decision. Bourdieu used images from games and language (often recurring in Wittgenstein’s work) to argue the existence of a practical sense that permits individuals to participate in extremely complex cultural systems even when unable to explain their own actions. This practical ability is acquired from childhood and over a long time, and allows us to identify appropriate behavior in others without setting up abstract, universally valid rules. Improvisation in changing social situations, never precisely repeated, replaces the rational model of calculating profits and losses. Familiar social guidelines (forbidden vs. allowed; honorable vs. shameful; sacred vs. profane) allow social players to implement them with great flexibility, according to their own needs. Hence, we cannot foresee how individuals will react to the actions of others, to what extent they will fulfill others’ expectations, or whether they will use or disregard local cultural traditions. Improvisation assumes that practical sense is acquired in the course of socialization and education within a particular society.

Bourdieu presented his theses in theoretical treatises and ethnological studies about areas that will occupy us in the following chapters: exchanging gifts, concepts of honor in Kabyle society in North Africa, family/marriage strategies, and assets transfers in Kabyle society and in French society in Béarn. The external observer can easily describe the marriage ritual as an event that follows a sequence and preset stages. The participants, however, are usually able to choose from a range of options, to improvise and change the ritual script, to delay their participation, to skip some stages and dwell on others.

⁵⁶ See mainly Pierre Bourdieu, *The Logic of Practice*, trans. Richard Nice (Stanford, California: Stanford University Press, 1990); idem, *Outline of a Theory of Practice* (Cambridge: Cambridge University Press, 1985). On Bourdieu see Richard Harker, Cheleen Mahar, and Chris Wilkes, eds., *An Introduction to the Work of Pierre Bourdieu* (London: Macmillan, 1990); Derek Robbins, *The Work of Pierre Bourdieu: Recognizing Society* (Milton Keynes: Open University Press, 1991), 102–116; Frank Janning, *Pierre Bourdieus Theorie des Praxis: Analyse und Kritik des konzeptionellen Grundlegung einer praxeologischen Soziologie* (Opladen: Westdeutscher Verlag, 1991), 26–63.

Suggestions concerning marriage ritual patterns express various needs and originate at various levels of the culture: theological traditions, the attitude to sacred places and objects, local and family traditions, legal advice, and male as opposed to female attitudes. The process of starting a family, as a basic component of the group's existence, mixes freedom and constraint: the constraint to perform known acts, without which the marriage is invalid or dishonorable, while enjoying the freedom to meet the basic demands in a way comfortable to the participants.

Bourdieu refers to the various circles of encounter between groups or individuals as "fields"; these are the social settings for waging the struggle for resources and for access to them. The kind of resource—lifestyles, housing, intellectual excellence and education, employment, land, political power and influence, social status, prestige—determines the character of the "field," its specificity vis-à-vis others, and the patterns of the struggle over the anticipated advantages. Each "field" has its own guidelines, as well as a structure that imposes constraints on the participants and organizes the power relationships between them. These various fields are not estranged from each other, but overlapping and mutually influential. At times, a dominant field (political or religious) imposes its specific patterns of action over others.

The process leading to the creation of a new family must also be examined in terms of Bourdieu's "field." This is a process with distinct points of opening and closure, which compels the participants to recognize and cooperate with the community's expectations and brings together major interests. Central questions are at stake—family status, political and economic relationships with the spouse's family, the transfer of assets to the next generation, ensuring continuous survival through procreation, and the personal relationship between the spouses. What stages are more vulnerable to power struggles? Are there any cultural guidelines for the competition over the advantages conferred by the new marriage? Do marriage rituals, or parts of them, fit the description of a cultural "field"? How, if at all, do they react to other fields? In other words, how is the marriage ritual unique vis-à-vis daily events, and how does it prepare the couple for their return to family and communal groups and integration into them?

5.4 *The Encounter Between Anthropology and History*

The encounter between the historian and anthropology⁵⁷ is an important lesson teaching us to “take the otherness of the past seriously.”⁵⁸ The voyage to the past resembles the encounter of anthropologists with the communities they come to live in. The historian’s basic experience is an encounter with another culture and unknown human experiences, some of which might even be exceptional and incomprehensible. How to explain phenomena such as collective suicide, involving the killing of women and children, or a crusade purported to reach the Holy Land ending in war, pillage, and the destruction of the capital of the Byzantine Christian kingdom? Does the terminology adopted in the sources of the time and in modern research (martyrology [*kiddush ha-Shem*] in 1096 in the case of the Jews of Ashkenaz, or “religious competition” in the Christian world at the time of the various Crusades) provide an appropriate explanation?

Anthropological writing could provide historians several useful research tools, precisely because its objects of interest are distant, different, archaic societies. Historians could thus engage in close scrutiny of significant processes of social interaction, examine how cultural phenomena are built, and how they lead to characteristic moods or sensibilities peculiar to a society.

Particular emphasis is placed on symbolic acts and their real meaning, such as, for instance, the link between gift exchanges and other “economic activities.” Symbolic systems laden with meaning are acquired during childhood and passed on to the next generation. They support central institutions in the community, such as political government institutions, the family structure, and theological positions. Hence the considerable interest of anthropologists in various kinds of ritual activity, from political rituals of rebellion, inversion

⁵⁷ Natalie Z. Davis, “Anthropology and History in the 1980s,” *Journal of Interdisciplinary History*, 12 (1981): 265–275; Peter Burke, *The Historical Anthropology of Early Modern Italy: Essays on Perception and Communication* (Cambridge: Cambridge University Press, 1987), 3–7; Robert W. Scribner, “Historical Anthropology of Early Modern Europe,” in *Problems in the Historical Anthropology of Early Modern Europe*, ed. Ronnie Po-Chia Hsia and Robert W. Scribner (Wiesbaden: Harrassowitz, 1997), 11–34.

⁵⁸ This expression paraphrases Ronald Weissman, “Taking Patronage Seriously: Mediterranean Values and Renaissance Society,” in *Patronage, Art, and Society in Renaissance Italy*, ed. Francis W. Kent and Patricia Simons (Canberra: Humanities Research Center, 1987), 25–45.

rituals, and carnivalesque events, up to the government's rituals of legitimation.

The theoretical discussion of "major" questions relies on observations of small communities and of people in their everyday lives. In the course of their investigations, anthropologists tried to offer a wide-ranging and comprehensive cultural interpretation, or to present culture as an all-encompassing frame of action. The local and the unique are linked to broader phenomena so that, for instance, the division of roles according to gender and the relegation of women to minor status raise questions about political institutions and about the distribution of power at all social levels.

An important contribution of anthropological research follows from its use of sources. Written documentation is not necessarily its main source, and oral sources are also used, such as rituals, body language, customs, and theatrical activity. The preservation of memory is a significant issue in societies where cultural knowledge is sustained mainly through human memory rather than through written documents. Even in historic European societies, and in industrial societies in the twenty-first century, the oral dimension plays an important role, which cannot be dismissed.

Anthropology adds a major comparative dimension to social studies. The anthropologists' growing awareness of dimensions of change, of the lack of social uniformity, or of the reactions of small societies to political and economic systems stronger than their own, have brought anthropology extremely close to history. According to Natalie Davis, this may broaden the "varieties of human experience. . . . Anthropology can widen the possibilities and give us a new place from which to view the past and discover the strange and surprising in the familiar landscape of historical texts."⁵⁹

6. *The Time Frame: The Early Modern Period*

Scholars of *mentalité* examine basic elements in the behavior of the group and its culture. These are the areas where change is slowest and less affected by the ongoing, "major" events of history.⁶⁰ For

⁵⁹ Davis, "Anthropology and History," 275.

⁶⁰ See the note in le Goff, "Les mentalités," 82: "The slowest changes are changes in *mentalité*. The history of *mentalité* is the history of slowness in history."

this reason, time perspectives in this area were extremely long, and at times stretched over a hundred years or more. The need for applying different criteria when examining the diachronic pace of change emerged clearly in the works and theoretical writings of Fernand Braudel.⁶¹ In his view, significant changes in history are *longue durée*, unlike the ongoing events that research has hitherto focused upon (*histoire événementielle*), which occur within a brief and well-defined period. Critics of this approach have accused Braudel and his followers of preserving, in a structuralist manner, only the fundamental constructs of culture, which do not allow great historical figures, or even the “common person,” to act according to their will, forcing them instead to play a preset, minor role.

In order to avoid ignoring the importance of shorter events, Braudel suggested measuring the development of history by means of three clocks: (1) A clock of long term historical continuity, sometimes lasting hundreds of years or more. (2) A clock set to human events lasting a lifetime. (3) A “fast” clock, ticking at the pace of immediate historical events.

In this work, I have chosen a time frame clearly fitting into Braudel’s first category, and covering the sixteenth and seventeenth centuries. Changes in the marriage ritual can only be discerned in a long-term perspective. Nevertheless, the time frame was not defined in terms of the sequence of these two centuries, but as the early modern period. This definition of the time frame encouraged a new historiographic stance and yielded an impressive number of studies in Europe and the United States. It assumes that medieval European civilization underwent a deep crisis in the transition to modernity and to new cultural perceptions.⁶² Changes were linked to the discovery of the new world and the expansion of the geographic horizon, to the price revolution and increasing pauperization, to technological innovations and revolutionary scientific positions, to the

⁶¹ On Braudel’s time perception, see Fernand Braudel, *Écrits sur l’histoire* (Paris: Flammarion, 1969). See also Uzi Eliada, “Fernand Braudel and the Total-Global Vision” (in Hebrew), *Zemanim* 6 (1986): 71–81; François Fourquet, “Un nouvel espace-temps,” in *Live Braudel*, ed. Maurice Aymard et al. (Paris: Éditions La Découverte, 1988), 74–92.

⁶² For a review of different aspects in the European “crisis” during the early modern period, see Geoffrey Parker and Lesley M. Smith, ed., *The General Crisis of the Seventeenth Century* (London: Routledge, 1997), 1–31. This work includes a comprehensive bibliography.

split within the Christian world that broke the sense of uniformity vis-à-vis the cosmos.⁶³ Climatic changes ('the small ice-age') may have lowered agricultural productivity in Europe quite significantly, bringing with them hunger, poverty, nomadism, and plagues. Whether or not one accepts this theory, the number of uprisings and revolts was clearly on the increase. Anger was not directed against local government institutions but against the state, whose military and political power had grown in direct proportion to centralizing trends and to prolonged violations of local rights. The presence of the government was felt in increasing interference in family and "private" affairs. The attempt to control private life, sexuality, and family customs was especially prominent in Church and city legislation, in public sermons, and in increasing pressure to change behavior within the domestic realm. Various Protestant sects, as well as the Catholic Church after the Council of Trent, exerted cultural and institutional pressures to change marriage practices and shift them to the domain of the Church, controlled by the priests.

The marriage ritual of Italian Jews will be discussed within this cultural context. Do the considerable changes in this ritual during the second half of the sixteenth century blend with the extensive restructuration of European society in early modern times? The Jewish historiography of this period seldom resorts to the notion of "the early modern period," preferring instead to extend the "Jewish Middle Ages" until the sixteenth and seventeenth centuries. Implicitly, then, this approach assumes a categorical difference between Christian culture, which scholars no longer label "medieval" after the fifteenth century, and Jewish history and culture. I do not share this view. The time frame I have adopted in this work, the early modern era, directs the discussion to the following questions: Do Jewish Italian communities show a rise of communal interference in personal and family life? Does this interference attest to a profound rift with the Jewish medieval world and its basic patterns (the community, religious tradition, new rituals, the influence of the Kabbalah from the Land of Israel, the role of the synagogue)? Do sources from the

⁶³ John H. Elliot, "Themes in Early Modern History," *Early Modern History* 1, no. 1 (1991): 6-9; no. 2 (1991): 32-33. "You have long-term continuity so that the old carapace, as it were, of medieval civilization in many respect still holds, but inside it there are a great many changes going on, of one sort and another" (6).

period attest to awareness of a cultural split or to a change, or do they convey a gradual adaptation to changing circumstances? All these puzzling questions lead to a more general one: Should the socio-cultural history of Italian Jews be considered part of an all-European sequence, in which religious borders are not particularly relevant?

7. Sources

Scholars concerned with the history of Halakhah in Italy, or with its community life, or with the influence of Kabbalah, can turn to several well-defined literary genres: responsa literature, community ordinances, kabbalistic treatises. None of these genres focuses exclusively on family life. In order to examine family history and marriage rituals in particular, le Goff's advice may seem appropriate: "Everything is a source for the historian of *mentalités*" (see pp. 22–26 above). In this study, I have accepted le Goff's suggestion: any testimony that the participants consider part of the ritual was viewed as an adequate source, leaving room for the participants' varied perspectives (different ethnic traditions, local and family traditions, young and old, women and men) and for the ritual "improvisations" required by changing circumstances.

Most sources, obviously, are of a legal character. Halakhic tradition is the central axis of all marriage rituals, and the most significant reference system for the participants. When tensions emerge between local practice and formal halakhic requirements, local practice must still be justified in halakhic terms. Actual testimonies on family life surface only in cases of disputes or controversies, and the role of these testimonies is crucial in the documentation of halakhic rulings and their interpretation in both rabbinic and "lay" circles. Legal literature at times recorded the problematic attendant on accepting rabbinic authority and rabbinic rulings, but does not cover the full variety typical of the marriage ritual. Beside legal sources, I have used others, of a different type—literary texts, ethical literature, kabbalistic works, visual and material sources—to shed light on aspects not reflected in legal literature.

Many of the primary sources appear in unpublished manuscripts. This carries a great advantage in social history, because printed sources have been edited, or may even have gone through painstaking

ing social censorship in order to be found worthy of representing the entire community. Manuscript sources may express personal attitudes, or record instances too awkward for printing, thus reflecting more widely the reality of family events, the expectations of the community, and sometimes even the participants' feelings. A smaller proportion of sources appears in printed books written by rabbis or laypeople.

7.1 *Responsa Literature*

Questions addressed to rabbis and their responsa⁶⁴ in manuscript and in print have been my main source in this book, especially for the factual, "ethnographic" level documenting the ritual's different stages. The vast amount of sources from the sixteenth and seventeenth centuries on the subject of marriage enables the use of responsa as a serial source, examining the preservation of the cultural sequence, as well as discerning changes and dilutions in local *lo'azi* practice. Among the manuscripts are responsa anthologies by famous rabbis, beside compilations of dozens of responsa written by anonymous or less prominent rabbis and scholars. The observer is puzzled concerning the copyist's motivation for including these specific responsa rather than others, but they still reveal some of the family stories most significant to our present concern.⁶⁵

Responsa literature should be analyzed with the same tools used for European legal literature from the early modern era. Thomas Kuehn, who dealt with the legal history of Italy at the end of the Renaissance,⁶⁶ warned against excessive formalistic use of official legal

⁶⁴ On responsa as a historical source, see mainly Jacob Katz, *The "Shabbes Goy": A Study in Halakhic Flexibility*, trans. Yoel Lerner (Philadelphia; Jewish Publications Society, 1989); Hayyim Soloveitchik, *The Use of Responsa as Historical Source: A Methodological Introduction* (in Hebrew) (Jerusalem; Zalman Shazar Center and Hebrew University of Jerusalem, 1990); Menahem Elon, *Jewish Law: History, Sources, Principles*, trans. Bernard Auerbach and Melvin J. Sykes, vol. 3 (Philadelphia-Jerusalem: The Jewish Publication Society, 1994), 1453–1528. See also Aryeh Grabois, "Les sources hébraïques médiévales: Chroniques, Lettres et Responsa," *Typologie des Sources du Moyen-Age Occidental* 50 (1987): 60–88.

⁶⁵ See, for instance, Bibliothèque Nationale et Universitaire de Strasbourg, Ms. 4085–4089 IMHM 3960–3964.

⁶⁶ See the important remarks in Thomas Kuehn, *Law, Family, and Women* (Chicago: University of Chicago Press, 1991), 75–77, 96–97.

documents as attesting to actual behavior patterns. Legal norms, to follow Kuehn, are one way of strengthening powerful organizational structures, and should be considered only one of various forms of social organization. Beside the formal legal structures, there are other accepted mechanisms for settling disputes, such as vengeance, compromise, social pressure, charivari. The appeal to the formal legal system is neither immediate nor automatic, and is contingent on one of the parties deciding that a gain is to be made from this. Nor does a final court ruling always imply an end to the conflict. A conflict between parties could continue even after a ruling by judges or arbiters, if the parties show no willingness to end it in an agreed compromise. Legal documents, when used as evidence of social reality and of personal and family motives behind the marriage ritual, require cautious reading. Most of the remaining legal documents were written and preserved by members of a professional guild (jurists, notaries, clerks in the city or state government), who translated real events into “legalese” and omitted topics failing to interest them.

These guidelines are also valid concerning responsa literature. Medieval rabbinical responsa have been examined as an important source of knowledge about Jewish life in the Middle Ages. The halakhic discourse of the rabbinical world and the accumulation of legal precedents were the background for the development of responsa literature. Actual historical circumstances have been presented as reality’s infiltration into the rabbis’ world, forcing them to contend with it. Recent studies have criticized this perception of Halakhah as a closed, self-contained endeavor, in which rabbis speak only to one another and reality is merely an interference.⁶⁷ Legal literature cannot address only a narrow professional circle and is meant to persuade the public to which it directs its conclusions. Rhetorical and literary dimensions, beside legal arguments, are therefore a major part of it. The ruling in the halakhic responsum, relying on the Talmud or on halakhic literature, cannot by itself persuade the pub-

⁶⁷ See Mark Washofsky, “Responsa and Rhetoric: On Law, Literature, and the Rabbinic Decision,” *Journal for the Study of the Old Testament* 184 (1994): 360–409, including extensive bibliographic references. See also Peter J. Haas, “The Modern Study of Responsa,” in *Approaches to Judaism in Medieval Times*, ed. David R. Blumenthal (Chico, Ca.: Scholars Press, 1985), 35–71; Berachyahu Lifshitz, “The Legal Status of Responsa Literature” (in Hebrew), *Annual of the Institute for Research in Jewish Law*, 9–10 (1982–1983): 265–300.

lic to comply with it. It is valid only insofar as the public accepts it. Rabbis and halakhists writing responsa took into account that their rulings address a social space in which the legal aspect is only one of several, and not necessarily the most decisive. In any event, a halakhic responsum is written after the preliminary, initial stages of the controversy, and prior to its settlement at a later stage. It resembles a photograph, documenting or freezing one moment within a long-term event. Acceptance of rulings included in the responsa depends on “accidental” circumstances,⁶⁸ such as the halakhist’s authority, the status of the parties involved, the role of the rabbinate in the community, or the rabbis’ educational-normative aims. Rabbinic rulings are not divorced from surrounding events; the ruling is an additional element, which different interpretations may support, resent, or ignore, according to the parties’ needs. An analysis focused on the legal sources of these rulings might disregard these dimensions.

Jewish law placed limitations on the uses of responsa literature. Rabbis were required to practice self-restraint, to avoid interfering in a conflict by delivering legal opinions to one of the parties before hearing the other, warning them against “jurisprudential pretensions.” The Italian practice of turning to several halakhists, or of sending one rabbi’s responsum to others for their opinion, led to tensions and conflicts in the “rabbinic guild.” Rabbis may have had to face a dilemma, fearing that their silence might be interpreted as acquiescence with mistaken rulings by other rabbis, and found themselves drawn into discussions against their will. Rabbinic rulings at times faced hostile reactions from community rabbis or sages, who viewed the turn to an outside halakhist as an affront to their authority. Power struggles and conflicts between rabbis or between them and their community are in the background, even when not explicitly formulated.

7.2 *Legal Protocols*

Most of the available halakhic sources dealing with the family—responsa, halakhic rulings, and books describing practices—generally include only brief accounts of the human stories brought before them.

⁶⁸ “Accidental” in the Aristotelian sense, namely, irrelevant to the contents of the ruling.

Some Italian manuscripts dating back to the end of the sixteenth and seventeenth centuries, however, contain court proceedings on family matters and marriage rituals in unusual detail (unusual by comparison with contemporary Hebrew sources). In these documents, the inquiries are presented as a dialogue between the court and the parties. Legal documents in dialogue form were quite widespread in Christian legal literature in Italy in Inquisition documents and in city courts, but are seldom seen in Jewish legal writs from the end of the Middle Ages. The advantage of a dialogical source is that it brings the versions of all parties, the defendant (usually a man) vis-à-vis the accuser (usually a woman), and those of the witnesses, exposing the parties' attempts to manipulate each of the partial versions. Literary dialogues were widespread in Italy at the end of the Renaissance, and the genre has even merited theoretical discussion of its unique advantages.⁶⁹ Legal protocols have a remarkable story-line quality, exposing important details of daily existence and of the feelings of characters in the plot.

7.3 Documenting Family Quarrels

Italian Jews developed a set of accepted patterns for conducting public struggles, escalating them to a peak, and releasing tension through standard acts of pacification. One of the better-known weapons in these struggles was to collect documents related to a controversy and publish them in a printed book that presents a one-sided version in positive terms. Dozens of such books from this period, in manuscript and in print, have been preserved, some dealing with family quarrels. They are one element in a cultural tradition that encourages individuals to conduct a public struggle and gain honor, while humiliating and slandering the adversary. This ploy is common to both Jews and Christians in Italy. One of the ritual expressions of this atmosphere is the hanging of murals and posters to humiliate enemies publicly.⁷⁰

⁶⁹ See mainly Virginia Cox, *The Renaissance Dialogue: Literary Dialogue in its Social and Political Context, Castiglione to Galileo* (Cambridge: Cambridge University Press, 1992). See also Peter Burke, "The Renaissance Dialogue," *Renaissance Studies* 3, (1989): 1–12; idem, *The Art of Conversation* (Ithaca, New York: Cornell University Press, 1993), 98–102.

⁷⁰ On the use of drawings to humiliate political adversaries see Samuel Y. Edgerton, *Pictures and Punishment: Art and Criminal Prosecution During the Florentine Renaissance* (Ithaca

A prominent instance of such a tract, entitled “Quarrels at the Gates,” was published by Yaakov Boksenboim.⁷¹ It documents a family dispute lasting several years, involving the most celebrated contemporary Italian rabbis. Both sides encouraged the rabbis to impose mutual bans and to use abusive language, and both filed suits in Gentile courts. The book was published in the course of the quarrel and was then suppressed as part of an agreement between the parties to end the conflict in a public act of reconciliation and forgiveness.

7.4 *Letters and Letter-Collections*

Hundreds of letters, letter-books [either compilations of letters or instruction manuals on letter writing] from the fifteenth-seventeenth centuries in Italy, different in their linguistic character, their scope, and their content, attest to the unique character of letter writing in the local culture.⁷² Letter writing had a special place in humanistic discourse⁷³ as occasionally replacing conversation—*sermo absentium*. In

and London: Cornell University Press, 1985). This study continues the pioneering work of Gherardo Ortalli, *La peinture infamante du xii au xvi siècle* (Brionne: G. Monfort, 1994); originally published as “*Pingatur in Paladio*”: *La pittura infamante nei secoli 13–16* (Roma: Jouvence, 1979).

⁷¹ “Quarrels at the Gates,” in “*Parshiot*”: *Some Controversial Affairs of Renaissance Italian Jews* (in Hebrew), ed. Yaakov Boksenboim (Tel-Aviv: Tel Aviv University, 1986), 234–345. On another notorious affair see *The Chronicle* (“of what happened between the distinguished R. Shmuel, son of the eminent R. Moshe, of Perugia, and his betrothed from Venice, submitted to the two illustrious rabbis, R. Moses Provinzallo and R. Elia from Milli . . . and what ensued between the said parties at the granting of the divorce, the proceedings before and after it and the evidence . . .”). Printed here in Mantua, 5326 (1566). This affair, known in the research literature as the “Tamari-Vinturizo affair,” was discussed by Robert Bonfil, “Some Trifles on the Tamari-Vinturizo Divorce Affair” (in Hebrew), in *Shlomo Simonsohn’s Jubilee Volume: Studies on the History of the Jews in the Middle Ages and Renaissance Period*, ed. Daniel Carpi, Aharon Oppenheimer, Minna Rosen (Tel-Aviv: Tel-Aviv University, 1983), 19–28. The article includes a bibliography listing studies on this affair.

⁷² The letter collections, catalogued and photostated, can be found at the IMHM.

⁷³ See, in particular, Giles Constable, *Letters and Letter-Collections* (Brepols: Turnhout, 1976); Amedeo Quondam, “Dal ‘Formulario’ al ‘Formulario’: Cento anni di ‘Libri de Lettere,’” in *Le “Carte Messaggiere”: Retorica e modelli di comunicazione epistolare per un indice dei libri di Lettere del Cinquecento*, ed. Amedeo Quondam (Roma: Bulzoni, 1981). In this work, see also the article by Nicola Longo, “De Epistola condenda: L’arte di ‘componer lettere’ nel Cinquecento.” The largest collection of letters appears in Jeannine Basso, *Le genre épistolaire en langue italienne (1538–1662): Répertoire chronologique et analytique*, 2 vols. (Rome: Bulzoni, 1990).

this tradition, letters were committed to a strict cultural etiquette, exactly like polite conversation (*civil conversazione*), setting definite rhetoric principles and allowing writing in a defined style and on “allowed” topics. Letters were, above all, a tool for expressing accepted cultural mores rather than a form of personal expression, as they are in their modern version.

Letter writing in medieval Jewish culture outside Italy was influenced mainly by the Moslem epistolary tradition.⁷⁴ By contrast, the tradition of Italian Jews is linked to the cultural circles of Renaissance humanism in Italy.⁷⁵ Unlike the humanistic tradition, however, Italian Jews had no uniform cultural corpus or canonic standards for proper letter writing (*ars dictandi*). No cultural focus by which to judge the literary value of the letters emerged, and no cultural constraints limited the writing topics. The letters of the period do not depict social reality directly and transparently; they are burdened with formulaic statements, and the personal is hidden under literary clichés. But a close literary and textual analysis shows that, despite accepted rhetoric means, letter writers found ways for personal expression and for disclosing “real” or “historical” events in their lives. Thus, for instance, when bankers wrote about commercial issues in highly ornate prose, addressees understood the business message behind the platitudes. Despite their literary and rhetorical style, letters deliver important information that people wish to convey about their lives, as attested

⁷⁴ On Islamic influences on Jewish letters see Grabois, “Les sources hébraïques médiévales.” See also Shlomo D. Goitein, *A Mediterranean Society: The Jewish Communities of the Arab World as Portrayed in the Documents of the Cairo Genizah*, vol. 3, *The Family* (Berkeley, California: University of California Press, 1978), 249.

⁷⁵ On letters and letter writers in Italian Jewish culture see chiefly Bonfil, *Jewish Life in Renaissance Italy*, 234–237. See also idem, “The Libraries of Italian Jewry between the Middle Ages and Modern Times” (in Hebrew), *Pe’amim* 52 (Summer, 1992): 4–15; idem, “Una ‘Enciclopedia’ di Sapere sociale: l’epistolario ebraico quattrocentesco di Josef Sark,” *Rivista di Storia della Filosofia* 1 (1985): 113–130. See also Isaiah Sonne, “Eight Sixteenth-Century Letters from Ferrara” (in Hebrew), *Zion*, n.s., 17 (1952), 148–156, and a number of important collections of letters, all in Hebrew and edited by Yaakov Boksenboim, as follows: *Letters of Rabbi Leon Modena* (Tel-Aviv: Tel-Aviv University, 1984); *Letters of the Rieti Family: Sienna 1537–1564* (Tel-Aviv: Tel-Aviv University, 1987); *Letters of Jewish Teachers in Renaissance Italy, 1555–1591* (Tel-Aviv: Tel-Aviv University, 1985); *Letters of the Carmi Family: Cremona 1570–1577* (Tel-Aviv: Tel-Aviv University, 1983); *Letters of Jews in Italy: Selected Letters from the Sixteenth Century* (Jerusalem; Yad Yitzhak Ben Zvi and the Hebrew University of Jerusalem, 1994). I refer to all these letter collections frequently throughout the book, and they will henceforth be mentioned by a shortened version of their titles.

by their inclusion next to examples of legal writs of widespread use.⁷⁶ The letter manuals of the time are a central source for understanding different aspects of marriage rituals (the negotiation preceding the engagement, the preparations for the wedding). As is true of contemporary Christian Europe, letters strengthened ties between the groom's and the bride's families. Single men and women exchanged letters during courtship.⁷⁷

Some stages of the Jewish marriage rituals in Italy (matchmaking, courtship, the wedding day) publicly displayed the participants' rhetoric ability. The letter is a crucial tool in the "rhetorization" of the entire ritual, and letter exchanges between the parties are interpreted as an element emphasizing their commitment to comply with the wedding agreement. The use of letters as a communication tool is common to Jewish culture and to the Italian humanistic tradition, which places cultural value on style, gestures, and elegant speech and writing.

7.5 *Fictional literature*

Literary sources add a unique perspective because they are at the junction of reality and imagination: "Another category of preferred sources for the *Histoire des Mentalités* are literary and artistic documents. Since history is made up not only of 'objective' phenomena but of the representation of these phenomena, the *Histoire des Mentalités* naturally draws on these documents of the imaginary."⁷⁸

The marriage ritual, as described in fictional literature, allows us to learn about social expectations from family life and provides details of the full, complete ritual. The attempt of the *Annales* school to instill human dimensions into historical characters through feelings, expectations, intentions, and fears, is impossible without access to a source bringing together descriptions of reality and fictional literature. Fictional literature is unburdened by the normative and educational role that constrains "higher" genres, and can thus present other facets of social behavior. The characteristics of its target audience,

⁷⁶ See Meir Benayahu, "Yefeh Nof and the early works of *Tikkun Soferim*" (in Hebrew), *Asufot* 7 (1993): 29–68.

⁷⁷ On courtship letters on this period see Orest Ranum, "The Refuges of Intimacy," in *A History of Private Life*, ed. Roger Chartier, vol. 3 (Cambridge, Ma.: Harvard University Press, 1989), 246–258.

⁷⁸ Le Goff, "Les mentalités," 86.

which is broader and not limited to male, educated readers, lowers the levels of self-censorship characteristic of written documents.

For instance, the Hebrew play from the mid-sixteenth century *Tsahut Bedihuta de-Kiddushin: A Comedy of Betrothal*, presents, grotesquely and ironically, important facets of daily life in picturesque, lively forms unknown in medieval Jewish sources.⁷⁹ The play was written for Purim, the Jewish parallel of the Christian carnival in Italy, and therein lies its main strength. Like the carnival, Purim brings to the surface latent tensions repressed throughout the year, and channels them into familiar cultural patterns (processions, carnival songs, drunkenness, plays). *A Comedy of Betrothal* is a product of the contemporary development of the theater, especially the initial stages of the *commedia dell'arte*.⁸⁰ Here as well, typical characters play preset social roles (fathers, sons, servants, lovers, judges). The plot is quite ordinary in this genre, but is adapted to a Jewish setting.

An additional source is the fiction adapted and written in Hebrew by Hananiah Yagel-Gallico.⁸¹ This literature is at a crucial seam between Italian literature and the narrative culture of sixteenth century Italian Jews. In the transition from one narrative culture to the other, from the narrative tradition in Latin or Italian to Hebrew, cultural adaptations emerge in response to the needs of a new target audience. The many wedding songs written and specially commissioned for the wedding day, as well as the wedding riddles presented to the guests as part of the playful, joyful atmosphere of the day, are also sources.

7.6 *Ethical Literature*

Jewish ethical literature in the Middle Ages has been relegated to the margins of Jewish studies, with interest focusing mostly on canonic,

⁷⁹ Leone de Sommi, *A Comedy of Betrothal*, trans. Alfred S. Golding (Ottawa, Canada: Dovehouse Editions, 1988).

⁸⁰ On the development of theater in Italy toward the end of the sixteenth century, see Silvia Carandini, *Teatro e spettacolo nel Seicento* (Roma and Bari: Laterza, 1990), including a rich bibliography. On the varied theatrical activity in the ghetto see Jeffim Schirmann, "Theater and Music in the Italiani Ghetts between the Sixteenth and Eighteenth Centuries" (in Hebrew), *Ẓion* 29 (1964): 61–111.

⁸¹ For extensive discussion, see David B. Ruderman, *A Valley of Vision: The Heavenly Journey of Abraham ben Hananiah Yagel* (Philadelphia: University of Pennsylvania Press, 1990).

theological works.⁸² Joseph Dan, a scholar of Jewish ethical literature, has rightfully argued that halakhic tradition did not see “personal” or “private” behavior as a neutral realm, beyond the concern or control of Halakhah and of traditional ethical norms.⁸³ Not surprisingly, then, prominent medieval Jewish writers made ethical literature one of their central concerns, and offered complex and comprehensive moral systems. Just like the canonic theological treatises—Saadia Gaon’s *The Book of Beliefs and Opinions*, or Maimonides’ *Guide of the Perplexed*—these ethical writings were addressed to a small group, sufficiently educated to understand the course of the discussion and able to comply with their stringent normative demands. The popularity and influence of these works is a topic still awaiting thorough investigation.

Beside “official” or canonic ethical treatises, such as *Hovot ha-Levavot*, Maimonides’ *Eight Chapters*, *Reshith Hokhmah*, *Shtei Luhoth ha-Brith*, or *Mesilat Yesharim*, other ethical works were also intended from the start for a smaller audience, known to the writer, and that is why most of them remained in manuscript. In these works as well, the discussion relies on classic Jewish tradition in various areas of behavior. Beside the accepted clichés of this genre, however, new normative demands appear, evidence of the needs that the traditional repertoire had failed to address. These works also attest to an attempt to change norms of behavior in personal, “intimate” areas:

⁸² Joseph Dan, *On Sanctity*, 322–354. See 330, and particularly 323: “Anyone examining the research literature in this area [Jewish ethical literature in the Middle Ages], today and in previous decades, will find the marginal concern with ethical aspects in the work of Jewish medieval rationalists hard to understand. In this sense, contemporary scholars have misrepresented the figures that were their topic of research. Whereas the ethical dimension was for them a foremost concern of their spiritual world, modern research has pushed this matter to the sidelines. Even concerning Maimonides, a favorite subject in the study of the Jewish Middle Ages, far more attention is devoted to his theory of divine attributes than to his ethical theory, although Maimonides unequivocally placed morality at the center of his religious stance and method.”

⁸³ *Ibid.*, 326, 331: “Any attempt to separate the ethical foundation of Halakhah from its legal foundation is doomed to utter failure. . . . The halakhic system gathers under one roof a demand to obey, in principle, the command of the Torah as it interprets it, and the human, social, and family values through which it seeks to bring the individual to a suitable integration between his personal and social needs on one hand, and the acceptance of the divine yoke and his rise in the religious ladder on the other . . . This concept characterizes Jewish ethical literature: it is not only an addition to Halakhah but is meta-halakhic, and draws from sources that are not embedded within Halakhah.”

the family domain, sexual morality, and ways of creating closeness between young people before and after the wedding.

7.7 *Artistic and Sacred Artifacts*

The studies of Sara F. Matthews-Grieco and Brucia Witthoft, dealing with iconographic evidence of the marriage ritual in Italy during the early modern period, demonstrate how visual representations stereotypically attest to the ideal of the family in the wealthy classes, and to the family model of the Church appealing to a more popular audience. At times, mentality emerges more clearly in visual testimonies than in other types of sources: "Iconographic evidence and figurative objects provide a glimpse . . . into the self-representation and the life experience of various social groups in the Italy of the modern period."⁸⁴

Material objects used in the Jewish wedding ceremony have been partially preserved in museums and studied by scholars of Jewish art (for instance, the Italian *ketubbah*), while others have been documented in writing but have not survived as material objects. These objects are important for the recording of various stages in the marriage ritual, beside written documents. Some raise questions about the similarities between Jewish and Christian marriage rituals in Europe. Material objects relevant to the Christian marriage ritual in Europe, such as the wedding ring, became part of the Jewish ritual.

The artifacts accompanying the Jewish ritual attest to the influence of urban material culture. Household interiors changed considerably during this period, with the inclusion of many personal and domestic objects that made life within the domestic space more comfortable, pleasant, and intimate. The marriage ritual enables us a glimpse into these interiors, which were generally closed to outsiders, to see what elements of the new material culture had entered the Jewish community, particularly its wealthier strata.

⁸⁴ Sara F. Matthews Grieco, "Matrimonio e vita coniugale nell'arte dell'Italia moderna," in De Giorgio and Klapisch-Zuber, eds., *Storia del matrimonio*, 251–252. In the same volume, see also Brucia Witthoft, "Riti nuziali e loro iconografia," 119–148. Rich visual evidence of medieval marriage rituals appears in Edwin Hall, *The Arnolfini Betrothal: Medieval Marriage and the Enigma of Van Eyck's Double Portrait* (London: University of California Press, 1990).

7.8 *Prayer Books*

Dozens of prayer books according to Italian custom, surviving in manuscript or in print, serve as an important source on wedding day practices.⁸⁵ The many publishing houses of Italy, which turned it into the main center of Jewish printing during this period, produced many small prayer books designed for various types of consumers. Most of these pocket prayer books included blessings from the marriage ritual and repeat traditional liturgical formulae, but some offer interesting evidence of local practice. In this case too, the main relevance of these sources is in their serial use, and in the ability to point to changes in customs along the sixteenth and seventeenth centuries.

7.9 *Community Ordinances*

Community ordinances document the struggle waged by powerful members of the community against undesirable social phenomena. Among these ordinances, note those forbidding marriages without the presence of a large number of witnesses, and “sumptuary laws” limiting expenses on clothes, gifts, food, and hospitality.

7.10 *Legal Writs*

Marriage rituals are accompanied at all their significant stages by various writs: betrothal agreements, gifts writs, and, of course, the marriage contract [*ketubbah*]. Some of these appear already in the Geonic period or in other European Jewish communities during the early Middle Ages. Italian Jews carefully, at times too carefully, accompanied every stage of the marriage ritual with a valid legal writ. Legal formalization is also characteristic of the urban (Christian) marriage ritual in Italy.⁸⁶ Often, Jewish families turned to Christian notaries in order to grant added validity to an extant Hebrew writ, or confined themselves to a “Christian” writ, namely, one in Latin or Italian. These writs document the relationship between the families,

⁸⁵ On the printing of prayer books in Italy see Samuel David Luzzato, *Introduzione al Formulario delle Orazioni di rito Italiano* (in Hebrew) (Tel-Aviv: Dvir, 1966).

⁸⁶ On the use of notarized writs on family matters in Christian urban society in Italy see Kuehn, *Law, Family, and Women*, passim; Lombardi, *Matrimonio di antico regime*, passim.

the course of the negotiations, and the significant issues in their married life.

In sum, reliance on a variety of literary genres and of material and visual sources is primarily required to document different stages of the marriage ritual and their specific details. The variety of sources, however, follows from the basic assumption underlying this book, claiming there is no uniform marriage ritual but a series of ritual actions, based on the traditions of different communities and ethnic groups in Italy and on different perceptions of the wedding. The creation of a family from the perspective of rabbinic scholars or of adult male householders differs from that of women (whether young or adult), or of single youths. Aspects unique to the local ritual, such as the stress on rhetorization at various stages (wedding speeches, formulaic letters during the matchmaking period) are not possible without recourse to distinctively literary sources. The explicit intention is to avoid focusing exclusively on the legal aspect, which ignores important social dimensions of the ritual's function in a living community, or even present it solely through official norms. Interpreting this ritual today is not possible without awareness of the multifarious voices that sometimes contradict halakhic tradition, but usually complement it. These voices are rare and remain undocumented in most ordinary social situations, *inter alia* because no cultural value was ascribed to them that could have merited their recording.

8. *Guiding Questions*

The marriage ritual is among the longest and most complex public ritual in Jewish Italian society. Topics crucial to human life emerge in its course: gender relations, property transfers, fertility and birth, power and authority. As noted, marriage rituals are the perspective I have chosen in order to examine different aspects of family history in Jewish Italian communities during the early modern period. The following questions will guide the discussions that follow:

- Did the ritual's participants view it as a type of behavior of intrinsic value beyond its merit as an act of complying with a normative religious commandment?
- Is there one central element in the ritual that constitutes the marriage state, or is this a ritual with diffused foci of activity leading to a gradual progression in the creation of the marriage?

- What are the limits of the marriage ritual? When does the long ritual sequence begin and when does it end?
- Is marriage a “private” ritual, conducted mainly within the family and its intimate circle, or are its significant moments controlled by community authorities or by a group of rabbis? Underlying this question is the increasing attempt of the Church and the state to bring the marriage ritual within their purview and under their control.
- Is there a ritual unique to Italian Jews [*lo‘azim*]? In other words, is there a Jewish-Italian marriage ritual? What singles it out from the Spanish, Levantine, or Ashkenazi traditions? How is the local ritual tradition affected by the encounter with the traditions of Jewish immigrants to Italy?
- What is the cultural context that makes the ritual meaningful to its performers? Daily life and the material culture of Italian Jews at the end of the Renaissance show considerable similarities with surrounding Christian society. Is the Jewish marriage ritual one more element in the cluster of rituals adopted in Italy? Does the Jewish ritual include elements from Christian European marriage rituals, or even aspects rooted in pagan, pre-Christian traditions? The attempt to compare elements of the Jewish ritual in Italy to Christian marriage customs in Europe will persist throughout this book, relying on the works of Jean Baptiste Molin and Protais Mutembe, Jean Gaudemet, Lorenzo Fabbri, Christiane Klapisch-Zuber, Korbinian Ritzer, Michael Schröter, Silvana Seidel-Menchi, Daniela Lombardi, and others.⁸⁷ Can we point to reverse influences?
- Longstanding family traditions persist along the Mediterranean basin originally developed in Jewish tradition, in Catholicism, in Eastern Byzantine Christianity, and in Islam. Does the Jewish Italian ritual include elements resembling Mediterranean family traditions and marriage rituals? Can it be characterized as Mediterranean?
- The formal elements of the marriage ritual were described in detail in the Talmud and in the legal tradition that emerged in its wake.

⁸⁷ Jean Baptiste Molin and Protais Mutembe, *Le Rituel du mariage en France du xvie au xvie siècle* (Paris: Theologie historique, 1974); Jean Gaudemet, *Le mariage en Occident: Les moeurs et les droits* (Paris: Éditions du Cerf, 1987); Lorenzo Fabbri, *Alleanza matrimoniale e patriziato nella Firenze del 400: Studio sulla famiglia Strozzi* (Firenze: L. S. Olschki, 1991); Christiane Klapisch-Zuber, *Women, Family and Ritual in Renaissance Italy*, trans. Lydia Cochrane (Chicago and London: The University of Chicago Press, 1985); Ritzer, *Le mariage dans les Eglises chretiennes du Ier au XI^e siècle*; Michael Schröter, “*Wo zwei zusammenkommen in rechter Ehe . . .*”: *Sozio- und psychogenentische Studien über Eheschlussvorgänge vom 12. bis 15. Jahrhundert* (Frankfurt am Main: Suhrkamp, 1985); Myriam Greilsamer, *L’envers du tableau: Mariage et maternité en Flandre medievale* (Paris: Armand Colin, 1990); Lombardi, *Matrimonio di antico regime*. Silvana Seidel-Menchi and Diego Quaglioni are currently editing an important series, *I processi matrimoniali degli archivi ecclesiastici italiani*, in which two books have already been published. Unfortunately, I could not consult the book of Giovanna da Molin, *Famiglia e matrimonio nell’Italia del Seicento* (Bari: Cacucci, 2000).

Are there other elements, equivalent in status to the halakhic axis, constitutive of the marriage? Can tensions and conflicts be detected between local practice and traditions lacking halakhic basis and the demands of rabbis charged with the preservation of Halakhah? To what extent are rabbis involved in establishing the marriage or legitimizing the couple's relationship? Is the talmudic principle stating, "whenever a man betroths a woman, he abides by the rabbis,"⁸⁸ concretized in early modern Italian family life?

- Is there evidence of a "popular" layer in Jewish Italian culture that does not draw its power and legitimation from talmudic tradition or from classic Jewish sources? Are there family traditions, latent or not sufficiently documented, legitimized through oral traditions transmitted in the course of socialization into the family?
- To what extent does the ritual change during the early modern period? What elements do change and what elements survive, continuing a cultural sequence of *longue durée*? Does the change originate in internal processes within Jewish society, or in parallel changes in the Christian ritual and in the early modern European family? Does the diachronic development attest to the shift of Jewish society to European or Italian socio-cultural approaches typical of the modern period during the Counter-Reformation?
- What is the power of the oral dimension vis-à-vis written records? In a society where the use of written documents is limited to a small part of the population, significant topics in personal life were determined through visual or theatrical acts. Ritual includes elements of both types, written documents (legal writs, the marriage contract) beside performative acts. How do the written and the spoken interact, at what stage is each element more pervasive? What are the historical circumstances related to changes in these elements?

These questions are discussed below along two axes: (1) The development of ritual along a time sequence (the diachronic axis) according to its constitutive units. (2) The social issues emerging along the entire ritual (the thematic axis). Chapters One and Two describe the matchmaking stage that opens the ritual. The choice of suitable partners, the negotiation between the families and the role of matchmakers are at the focus of Chapter One. The next chapter describes the institutionalization of the agreement in a "matchmaking writ" [*shtar tenaim*], its announcement in a public ritual, and the legal meaning of this act. In Chapter Three, I discuss the stage of the betrothal

⁸⁸ TB Gittin 33a (and see Rashi, *ad locum*), 73a, on the rabbis' power to declare a marriage invalid. The phrase appears also in TB Yevamoth 90b and TB Ketubboth 3a.

[*kiddushin*] as a separate act, taking place mainly within the family circle and emphasizing consensus as a constitutive element. Chapters Four and Five belong to the thematic layer of the ritual. Chapter Four sheds light on the role of honor and gossip in the ritual, and their integration within other mechanisms of social control. Chapter Five stresses the role of property in the creation of a new family, focusing on local practices of gift exchanges between the families and the partners. Chapter Six describes the marriage ritual from the perspective of young people, the courtship, and the erotic lore. Chapter Seven describes the span of ritual elements pertinent to the wedding day—the invitations, the processions, the speeches, the escorts [*shoshvinim*], “the first night,” the visual components (the illuminated *ketubbah*)—and stresses its carnivalesque features. The summary chapter attempts a synthesis of the entire ritual, namely, the integration of all the ritual elements and traditions.

CHAPTER ONE

“AN AUSPICIOUS TIME FOR FINDING MATES”:¹ MATCHMAKING (STAGE ONE)—FINDING A PARTNER

The first two chapters deal with the matchmaking process, presenting the series of actions that promote alliances between the parties and limit their options of retreat. The matchmaking process begins with the actual decision to enter marriage, and the relaying of this decision to the appropriate social circles. The next step is to find suitable partners and make inquiries about them, culminating in actual negotiations and the signing of an agreement between the families—the “*tenaim* ritual.” The families have by now invested considerable efforts in this process in the knowledge that, by its end, the parameters of the agreement will be set and their options of withdrawal will be significantly reduced. Beside the negotiation between the families, we will also encounter in the course of this process the social expectations that accompany the ritual, the rhetorical layer attesting to their knowledge of the language and of the shared cultural tradition, expressions of solidarity between adult males, the work of matchmakers and semi-matchmakers, the reliance on Christian matchmaking traditions in Italian cities, and the unwritten conventions guiding the participants’ conduct. Formal or “functional” dimensions naturally emphasized in such legal sources as *responsa*, halakhic discussions, or ethical literature, complement the symbolic activity. The social etiquette or conventions incumbent on the parties at the matchmaking stage play an influential role. Infringing these cultural guidelines or expectations will be met with sanctions, which will lessen the chances of bringing negotiations to successful completion.

The matchmaking process culminates in a distinct ritual, the betrothal, or engagement [*kiddushin*]. Two different perspectives will accompany the description of the matchmaking stage: one will view it as a separate stage of the marriage ritual, dictating to the partic-

¹ The saying appears in a matchmaking letter written by a rabbi to his disciple’s father. See *Letters of Jewish Teachers*, Letter 164, 304–306.

ipants rules of behavior and social expectations different from those of other ritual stages, while the other considers it an inherent stage in a teleological process entirely oriented toward its ending—the engagement. Consequently, two defined, significant foci can be discerned: the considerable effort invested in the choice of a partner (Chapter One), in contrast with the official-legal institutionalization of the agreement between the parties (Chapter Two).

“Matchmaking”: A Vague Term

One of the more frequent denotations of “matchmaking” [*shidukhin*] in modern Hebrew is the mutual introduction of a man and a woman for the purpose of an eventual marriage.² Introduction and not legal commitment, since both parties may reject the matchmaking proposal or discontinue their meetings, for whatever reason. This denotation is also familiar from the past, but others are also possible.

Let us consider the use of this term in a brief historical sequence. The root *sh-d-kh* does not appear in the Bible, although there is no dearth of biblical stories about marriage alliances. So also in the Nashim [Women] order of the Mishnah, which deals with ways of creating binding family ties. Talmudic sages first mention matchmaking in a distinct legal context. Matchmaking and engagement are two separate legal categories, even if close in time; on these grounds, an engagement that is not preceded by matchmaking arrangements is considered “licentious” by talmudic authorities.³ The main passage dealing with the stage preceding the engagement (TB Ketubboth 102b), however, does not explicitly mention a matchmaking procedure;⁴ elsewhere, matchmaking is noted in passing, as the stage preceding and associated with betrothal, “matchmaking . . . before betrothal.”⁵

² See, for instance, *Ha-Milon ha-Haddash* (1970), vol. 7, s.v. *shadkhan* [matchmaker]: “A person who deals with marriage proposals between men and women.”

³ TB Yevamoth 52a; TB Kiddushin 12b.

⁴ PT Kiddushin 38b–39a, 3:8. On halakhic laws concerning matchmaking, see Benjamin Adler, *Laws of Marriage* (in Hebrew), vol. 1 (Jerusalem: Hamessorah, 1984), 86.

⁵ TB Ketubboth 5a, and see also TB Shabbath 12a, 105a. The distinction between the matchmaking and the betrothal stages emerges from the discussion on a “minor who is betrothed without her father’s knowledge” (TB Kiddushin 44b).

Geonic literature seldom deals with the legal aspects of match-making. Matchmaking is described as an agreement in principle between the groom and the bride, or their representatives, to arrange the engagement or the marriage in the near future, an agreement to be followed by a financial contract.⁶ In medieval legal literature, two denotations of the term were in use. One indicated that the partners and their families had chosen a marriage candidate (in Rashi's language "‘a match was agreed’: he first speaks to her and she agrees to become his betrothed").⁷ Generally, however, it referred to a contract including the personal and economic terms approved by the partners or their families: "A match was arranged between Reuven and Simon's daughter: they specified the payments, exchanged assets before witnesses ratifying their consent, and signed a writ."⁸ The agreement to a future engagement between the parties is contingent on them consenting to the terms of the marriage, as recorded in a legal writ.

Legal Jewish sources from the early medieval period sustained the talmudic and geonic traditions, and related to the matchmaking stage as separate and distinct from the betrothal.⁹ The distinction, however, was not always as sharp. In a halakhic question addressed to rabbis concerning the abolition of matchmaking arrangements through divorce, these terms are often used interchangeably: "A match was arranged between Simon and Reuven's daughter, and the betrothal was annulled. Reuven was then told that he should demand from

⁶ For a discussion of the legal status of the matchmaking stage as opposed to the engagement-marriage stage, see, *Geonic Responsa: Sefer She'arei Tzedek*, vol. 3, part 2, #9 and part 3, #2 (Jerusalem: Klal u-Frat, 1966). Compare with Elazar Horowitz, ed., *The Geonim's Responsa with Responsa and Rulings by Sages from Provence* (in Hebrew), (New-York: n.p., 1995), #62.

⁷ Rashi, TB Kiddushin 12a, s.v. *de-be-shadikh*. See also Maimonides, *Responsa*, ed. Joshua Blau (Jerusalem: Rubin Mass, 1986), #196; R. Solomon b. Adret (henceforth Rashba), *Responsa* (Benei Berak: Kulmus, 1958), Part 1, #164, 558.

⁸ Maimonides, *Responsa*, vol. 2, #331. See also *ibid.*, #84: "And the father arranged his daughter's marriage before his death and received the bride-price in a match-making writ." See also #42, 49, 71, 85, 89. See also Rashba, *Responsa*, Part 2, #35; R. Nissim Gerondi, *Responsa*, ed. Arieh L. Feldman (Jerusalem: Makhon Shalem, 1984), #8; Rashi, *Responsa*, ed. Israel S. Elfenbein (New York: Schulzinger, 1943), #72, 238.

⁹ Rashi, *Responsa*, #238; R. Josef ben Meir Halevi Ibn Migash, ed. Abraham Hasidah (Jerusalem: Lev Sameah Institute, 1991), #135; Rashba, *Responsa*, Part 1, #550; Part 2, #35. On North African practice, see Menachem Ben-Sasson, *The Emergence of the Local Jewish Community in the Muslim World: Qayrawan, 800–1057* (in Hebrew) (Jerusalem: Magnes Press, 1997), 111–114.

Simon a divorce for his daughter, to prevent him [Simon] from spreading rumors about her, claiming that she is engaged . . . and even the witnesses attest that this [the divorce] was performed only because of the suspicions.”¹⁰ In *Genizah* documents attesting to matchmaking arrangements concluded in Egypt during the eleventh and twelfth centuries, the term *erusin* is used to describe a simultaneous matchmaking and betrothal, based on the Arabic term *milakh* (in various declinations such as *imlakh*, *mamlaka*), which does not recognize a legal situation resembling “matchmaking.”¹¹ Hebrew sources not affected by Arab influences also used the term matchmaking in vague, inconsistent ways.¹² The tendency to blur the line dividing “matchmaking” from “betrothal” is evident not only at the semantic level: the rituals, the writs, and the communal court’s supervision could easily lead an outside observer to believe they are one and the same.¹³ Despite the clear legal separation between matchmaking, which is mainly a commitment undertaken by both sides to enter a marriage, and the betrothal, which creates a legal bond between them precluding retreat, the actual border between them became blurred.

Legal Jewish tradition during the Middle Ages, then, failed to set clear definitions of the matchmaking stage: How far does it differ from the engagement status? Is the choice of partners more significant than the drafting of a personal-economic agreement between the parties? What legal term in the local language parallels the Hebrew term “*shidukhin*”? The matchmaking stage leading to the betrothal is noted only in passing in talmudic and geonic literature, and its legal standing is unclear. The legal guidelines noted in rabbinical literature, then, were only a partial element, beside the local traditions, habits, and practices that guided participants in the matchmaking process. The semantic opaqueness is an accurate indication of a parallel legal opaqueness.

¹⁰ Rashba, *Responsa*, Part 1, #550; compare *ibid.*, #558, where Rashba rules that “during the matchmaking stage, he does not discuss with her issues of divorce and betrothal.”

¹¹ Mordechai Akiva Friedman, “Matchmaking and Betrothal Agreements in the Cairo *Genizah*,” *WCJS* 7:3 (1981): 157–173; see also Maimonides, *Responsa*, #42, 85, 196.

¹² In legal sources unconnected to Moslem law, the root of the verb *sh-d-kh* appears both as a transitive and as an intransitive verb, changing the syntax of the sentence.

¹³ Friedman, “Matchmaking and Betrothal Agreements,” 159.

*The First Stage of Matchmaking:
Choosing Partners and the Negotiation Between the Families*

Matchmaking is a protracted process that could last several months in a first marriage, sometimes over a year. It begins with an effort to find a suitable candidate, who meets the needs and expectations of the groom's and the bride's family. The next step was an inquiry about the candidate and his/her family, followed by overtures concerning the conditions for establishing a relationship between the families. The bulk of the documentation in this section relies on the rich epistolary literature of Italian Jews dating from this period (on this genre, see the introduction). Most family involvement was probably verbal, within close social circles, so that little written documentation remains. Matchmaking is one of the accepted themes in letters of Italian Jews written during the early modern period, attesting to a ceaseless effort to break through local boundaries to create links with families of candidates living outside the immediate area. Letter writing was a common practice in various groups in the Jewish population.

Some of the letters had a decidedly literary character, written for inclusion in letter manuals that youngsters used as textbooks for practicing letter writing. Learning to write letters by copying literary examples (*epistolas conscribendi* books) was also known in Christian education in Italy during and after the Renaissance. Many of the letters that were actually sent bear true names and dates. We thereby become acquainted with the circle of direct participants, and with the elements significant at the matchmaking stage: the influence of neighbors and mediators, the ways of obtaining and delivering relevant information to the families, and the similarities with matchmaking [*fdanzamento*] patterns in Christian urban society.

Italian Jews were not the only ones who corresponded intensely. Jewish North-African traders in the eleventh and twelfth centuries were frequent correspondents and, *inter alia*, recorded in writing different aspects of family life, but they seldom raised issues concerning matchmaking and marriage.¹⁴ One may thereby infer that

¹⁴ Ben-Sasson, *The Emergence of the Local Jewish Community*, 120; Goitein, *A Mediterranean Society*, vol. 3, 116–118.

the need for communication between individuals far removed is not sufficient to explain why the issue of matchmaking appears so often in letters. The letters expose the reader not only to the information that is required to find a mate, but also to the feelings of the parties involved. The glaring and passionate feelings reflected in Jewish letters from Italy sent during the matchmaking stage are exceptional in a culture that urged extreme restraint on the written expression of feelings.¹⁵

The Crucial Importance of the Time Element in Matchmaking

The legal writs signed between the families reveal that the marriage ritual unfolded within a defined interval: when should assets be transferred between the parties, when should the ceremony take place, or how much time should elapse between the matchmaking arrangements and the wedding. Between the beginning and the end points, the ritual assumed different rhythms. Haste contrasted with delays, and set times contrasted with a leisurely pace that gave the parties time to draw closer. During the matchmaking stage, time is of the essence in the consciousness of the family members involved and those assisting them, who try to control time and steer its course.

As early as the fourteenth century, time presents an inescapable challenge to Renaissance humanists and to traders in Italian cities.¹⁶ Authors like Petrarca and Boccaccio convey a sense of living in a different time, a new era compelling them not to leave the world as they had found it. Urban traders, as can be learned from family books and personal diaries, affirmed action in “this world” and tried to imprint it with their personal mark. They measured time as they

¹⁵ On the tendency of Roman Jews to disguise their feelings see Kenneth Stow, *Theater of Acculturation: The Roman Ghetto in the Sixteenth Century* (Seattle: University of Washington Press, 2001), 99–126.

¹⁶ Anthony T. Grafton, “Chronology and Its Discontents in Renaissance Europe: The Vicissitudes of a Tradition,” in *Time, Histories, and Ethnologies*, edited by Diane Owen Hughes and Thomas R. Trautman (Ann Arbor, Mich.: University of Michigan Press, 1995), 139–166; Ricardo J. Quinones, *The Renaissance Discovery of Time* (Cambridge, Ma.: Harvard University Press, 1972), 3–27, 175–186. On the issue of time in Jewish culture in Europe see, in particular, Bonfil, *Jewish Life in Renaissance Italy*, 225–230; Sylvie-Anne Goldberg, *La clepsydre: essai sur la pluralité des temps dans le judaïsme* (Paris: Albin Michel, 2000).

counted money, and opposed its “waste.” Central family events—births, deaths, marriages—together with commercial deals, were recorded in family books in rigorous order. For the first time, human beings live by the clock, in a time-measured rhythm.¹⁷

Anthony Grafton describes the attitude of European culture to time at the beginning of the new era as evoking greater “fascination” than money or sex.¹⁸ “Time” was the inspiration for endless writings, including almanacs, chronologies, and religious books of ethics, beside solemn scholarly studies seeking to organize the course of human history according to an intelligible chronological order. The new approach is well reflected in the representation of “time” in art—no longer an impotent old man, but a strong, virile youth. The crutches that had served the old figure were replaced by weapons, which time uses to hit anything standing in its way, as in the descriptions typical of the angel of death. This iconographic change spread from Italy to northern Europe during the sixteenth century.¹⁹

As noted, time pressures were obvious during the matchmaking stage. The presence of time is not neutral; instead, under humanist influence, time is described as a fickle human figure occasionally showing men and women favor, but more often upsetting their plans. Evidence appears, for instance, in the letter of a rabbi turning to the father of one of his young students who is a candidate for a match:

This matter [finding a suitable bride with a respectable dowry] was a task incumbent on Your Honor [the boy’s father] then, *when his auspicious time arrived for finding mates*, gold spilling from their pockets, rather than hopelessly waiting until after you have lost your fortune and your position, and *why are the hoof beats of your steeds so tardy*.²⁰ Fortune’s locks and curls hang down and spread *in a time other than time* [fortune ebbs and wanes]. Whoever has a brain in his head will *speedily hurry* to keep

¹⁷ Grafton, “Chronology and its Discontents,” 142.

¹⁸ *Ibid.*, 140–141: “And the fascination with time that they [the humanists] reveal permeated European culture; for the guilty secret obsession of early modern society was neither sex nor money but the desperate desire to use time well and the pervasive fear that wasted time would waste those who abused it.” See also Quinones, *The Renaissance Discovery of Time*.

¹⁹ Simona Cohen, *The Image of Time in Renaissance Depictions of Petrarcha’s “Trionfo de Tempo”* (Ph.D. dissertation, Tel-Aviv University, 1982), 130–133.

²⁰ Judges 5:28. This is the end of a verse preceded by the words “the mother of Sisera . . . moaned,” suggesting that the writer is rebuking the boy’s father, who had complained about his inability to find him a suitable match.

up with it when it spreads its wings and *the hour is propitious*, clinging to its beard [luck's beard], as the ancients have taught in their saying, "until the bitch spreads her legs to relieve herself, the hare's legs will take flight." He [the boy] has told me that when he had a memorial and a name²¹ in your house, many wellborn women with respectable dowries badly wanted him, and you dismissed them with flimsy excuses and with "the builder's cubit."²² *And today*, when his fortune is small and the dowry very limited, you can only expect a fifth."²³

Time is described in this letter through both masculine and feminine metaphors. At times, it is the masculine, bearded, and winged figure common in the Italian iconography of the sixteenth and seventeenth centuries.²⁴ The masculine facet conveys the power of time, and its ability to control human life. In its feminine facet, a capricious maiden with long curls, time reminds us of another important figure: luck or "destiny" [*fortuna*].²⁵ The Roman goddess Fortuna was described in the Middle Ages as a figure who implements the divine will, leaving no room for appeal or human influence. In Renaissance literature, Fortuna is closer to human life. Like another female figure, Holy Mary, she can be to act in favor of the supplicant. Human beings can significantly reduce the arbitrariness and chaos of their surroundings through their personal talent and by

²¹ Isaiah 56:5: "And to them I will give in my house and within my walls a memorial better than sons and daughters; I will give them an everlasting name, that shall not be cut off."

²² Hinting at Shammai's strictness. See TB Shabbat 31a.

²³ My emphasis. *Letters of Jewish Teachers*, #164, 304–306. Letter from Abraham, from St. Angelo, 1578. On the letter writer, see *ibid.*, 40–42. See also Oxford Ms., Roth Collection 701, 65b: "And not often does a miracle like the finding of such a *partido* take place, because my heart tells me to arrange for Your Honor a fine match for his beloved son"; Florence Ms., Laurenziana Library 2.40 (IMHM # 17802), letter manual and responsa, letter 41, 8a: "Attesting to the excellence of this youngster as worthy of a wife . . . I tell you, sir, do not dismiss him because of a temporary hindrance. Hold on to him as a husband for your daughter, because he is a fine youth, upright and of irreproachable behavior, without any reprehensible qualities, ceaselessly studying the Torah to acquire wisdom and pious knowledge. Since the *hour is close* and success is near, and this is God's wish, *do not let it slip*, and carry out this intention, because God has guided you, and you will live and prosper" (my emphasis).

²⁴ See Cohen, *The Image of Time*, 130–133.

²⁵ On the image of *Fortuna* see Oded Balaban, "The Human Origins of *Fortuna* in Machiavelli's Thought," *History of Political Thought* 11 (1990): 21–36. The most comprehensive book on the figure of "Fortuna" is still Hanna Fenichel Pitkin, *Fortune Is a Woman: Gender and Politics in the Thought of Niccolò Machiavelli* (Berkeley: University of California Press, 1984).

struggling against destiny. The struggle between *fortuna* and *virtù* was described in literature and the visual arts as a struggle between the sexes; a mercurial, unexpected female, confronts the man who tries to subdue her and impose his will on her so that she will “know her place.”

The father of the boy entering the matchmaking stage stands between the masculine time that vanquishes human will and human aspirations (“fateful time”), and fickle female time, capricious yet accessible and malleable through personal effort. His role as father requires him to identify with the masculine, resolute, and decisive side of time, rather than with the hesitant, volatile, feminine side. Given the external circumstances, which do not depend on him but on the hidden will of fortune (a feminine noun in European languages), the father must set up masculinity and decisiveness, personal *virtù*, in order to conclude a match for his son. The masculine, active side mentioned in the letter hints at the midrashic tradition stating that a suitable partner is destined for each from the moment of birth, but one must hurry and act unwaveringly “lest another should precede him in mercy.”²⁶ Fears of the potentially detrimental effects of time, however, do not always help to expedite a decision. The chief element dictating the behavior of those involved in the matchmaking is not time but gender. The attitude to the task of finding a mate for a son is clearly different from that of finding a mate for a daughter.

²⁶ TB Moed Katan 18b. On the halakhic implications of this principle see, for instance, Joseph Caro *Beit Yosef, Orah Hayyim*, 551b, s.v. *u-mah she-amar rabenu; Yoreh De'ah*, 392, s.v. *u-mah she-amru alav*. In Moses Galante, *Responsa* (Jerusalem: n.p., 1988), #118 (167), the expression appears in a trading context: “Reuven sent . . . money . . . to buy a certain amount of goods . . . lest another from elsewhere should precede him in mercy”. For reactions to midrashic traditions that require one to “precede the other” see Budapest Ms., Kaufmann Collection 106 (IMHM # 2984), Avraham Yosef Shlomo Graziano, commentary on the Shulkhan Arukh, #551b, 112–113: “It is permitted to become engaged, lest another should precede him in mercy. . . . After he is engaged to her, the other will despair and will no longer ask for her in his prayers.” On Graziano see Yael Okon-Mayer, Abraham Joseph Salomon Graziano’s Manuscripts Library (c. 1620–1685) (M.L.S. thesis: Hebrew University of Jerusalem, 1991), 15–24. Oxford Ms., Bodleian Library 251 (IMHM # 22403), letters of Ishmael Hazak from Cento, 76b: “And do not tarry, lest another should precede you in mercy.” On Ishmael Hazak, *Letters of Jews in Italy*, 41–44.

The Matchmaking Age for Women

Time pressures are uniquely prominent when brokering marriages for girls. Slightly overstating the case, family and friends presented the girl's birth as the starting point of the matchmaking process.²⁷ As noted below, Italian Jews did not become involved in marriage or matchmaking arrangements for their daughters during their childhood. The cliché linking the birth of a daughter (but not of a son!) to her marriage attests to differential expectations from boys and girls and, by implication, to a separate socialization process. From a male perspective, a woman can attain full self-realization only within a family framework and under the protection of a male—be it a father, uncle, older brother, or husband—where she will “find rest.” Rest or serenity is one of the literal meanings of the term *shidukhin*.²⁸ The family concern with finding mates for the girls began at a clear point in time: the beginning of sexual maturity. Until the appearance of the first physical signs attesting to the beginning of sexual maturity, girls were not considered eligible for matchmaking. A responsum from the second half of the sixteenth century shows

²⁷ Oxford Ms., Bodleian Library 65 (IMHM # 20510), letter 35, 13b–14a, mid-sixteenth century greeting card sent by an elderly man to his brother-in-law on the birth of a daughter: “I will praise the Lord, my eminent brother-in-law, since I hear that your wife, my beloved sister, may she be blessed, has given birth to a healthy, thriving, and lovely daughter, may God be with her and may she grow to be loved by Him and to be praised as a woman who fears the Lord, and on the day she is spoken for, may she find an honest man and may she find rest in his home. Although this consolation may be futile . . . it is our duty to praise the Lord, to ascribe greatness to the Creator of all, who arrays all their deeds and knows who will suit whom . . . Bless the fruit of my eminent sister's womb, your wife, may she be blessed, may God bless her with another pregnancy and may she give birth to a God-fearing son next time.” See also Parma Ms., De Rossi Collection 2226 (148) (IMHM # 133392), notes made by the father of the family on the back cover of a prayer book, 101a: “My daughter Sarah was born today . . . on the year 1622, may God bless her and may she marry and live to see her sons and her sons' sons engaged in Torah and good deeds. Amen, may His will be done.” By contrast, we read on the same page blessings on the birth of a son: “My son Joseph was born today, 1553, may God bless him and may he grow to study Torah, to marriage, and to good deeds.”

²⁸ This is a frequent denotation of the term in midrashic literature. See also *Sefer Arukh ha-Shalem* (Vienna, 1926), 34, s.v. *shadekh*. See also Isaac Lampronti, *Pahad Yitzhak* (Berlin: Hevrat Mekizei Nirdamim, 1887), s.v. *shidukhin*, 89a–90b. See, in particular, 89a: “this root is from quiescence, as in the reading of the *Aruk* . . . because a woman only finds rest in the home of her man.” This is also the denotation in Rashba, *Responso*, Part 1, #164.

evidence of a recurring pattern: “And when Dinah’s time came, at about her fourteenth year, when it was with her after the manner of women [menstruation],²⁹ her grandfather Jacob, and Simon and Judah, her father’s brothers, made a match for her with Zimri and vowed that she would marry him.”³⁰

The appropriate time for a girl’s marriage was set, in this case, not according to her age but according to her sexual maturity (“when it was with her after the manner of women”), which was delayed by a year and a half from the age the Talmud notes for most girls. Since she had no father, other family members undertook to find her a mate, and agreed with the groom that the matchmaking commitment must be separated from the consummation of the marriage. Full married life would begin at the age of seventeen. The separation between the matchmaking agreement and the consummation of the marriage is evident in another case, when not only was a matchmaking agreement concluded for an orphan girl but she was also engaged to the boy and lived with him under the same roof, “in his house and domain.” In this case as well, the man asking the question assumes there were no sexual relationships between them.³¹

²⁹ Genesis 18:11. See also Rashi *ad locum*, Abraham Ibn Ezra’s commentary on Genesis 11:30, and Nahmanides’ commentary on Genesis 46:15.

³⁰ Florence Ms., Laurenziana Library, 2.40, 37a–40a, a responsum from 1562. See also *Letters of the Carmi Family*, 83–84: “This man, of the priestly class, had seven daughters, and at least four of them, their breasts were firm and their hair had grown [signs of sexual maturity]. Then a match was arranged between the eldest of his mature daughters and a man he found, who was beneath her.” See also Moscow Ms., Ginzburg Collection 356 (IMHM # 27969), 212a–b: “Her daughter was mature for marriage, and in her house there is no bread.” This expression appears again in *ibid.*, 241a–b. On the status of the “*gedolah*,” a term denoting a girl showing signs of sexual maturity, see *Encyclopaedia Talmudica* (in Hebrew) s.v. *gedolah*, vol. 5, 169–173. In Italy, another tradition was in force, stating that when a girl shows signs of sexual maturity, not only is a match arranged for her but also her betrothal. See Ahimaaz ben Paltiel, *The Chronicle of Ahimaaz*, trans. Marcus Salzman (New York: Columbia University Oriental Studies, 1966), 83: “it happened that his daughter arose from her bed, and , in her sleeping gown, stood before him . . . ; he noticed that she had arrived at the time of maturity for marriage . . . he invited the congregation to come to his house, and gave his daughter in marriage [betrothed] to R. Hasadiah [his brother’s son].”

³¹ Los Angeles Ms, University of California, Box 8, No. 7, 779 (IMHM # 32387), responsa collection, no pagination, responsum from Ancona 1569: “Reuven betrothed an orphan girl, strictly abiding by the law of Moses and Israel. The bride was then delivered to the house of Reuven, her betrothed [at the age of thirteen], and she brought her dowry with her and lived with him in his house and domain for three years. She then became ill with a serious, prolonged ailment, and it was not possible for them to marry, until she eventually died at the age of sixteen.” The same

For young girls, the defined period assigned to the matchmaking stage begins with the first signs of sexual maturity, and ends about the age of eighteen. The starting point is personal, and depends on the pace of physical development specific for each girl; by contrast, the endpoint is generally set, since it is contingent on social expectations. This is a normative span, devoted to the conclusion of a first match for family girls, and is semantically distinguished in contemporary Hebrew sources as the “marriage time” in the life of a girl whose “time has come” [*higi'ah le-pirkah*].³² It is mentioned in exhortations to hasten to contribute to the dowry of a poor bride so as not to delay her marriage, or in letters happily announcing the conclusion of matchmaking negotiations: “In truth, it is a pressing need that forces me to send these lines. First to inform your honor that, of my four children, two boys and two girls, one of my daughters had reached maturity and her time had almost passed, when God sent me a good boy from a respectable family.”³³

question appears also in the London Ms., British Museum 9154 (IMHM # 6587), responsa collection, 123a–b.

³² This expression is borrowed from ancient sources. See Saul Lieberman, ed., *Tosefta* (New York: Jewish Theological Seminary, 1967), Yevamoth 6:9: “A levir should not have sexual relations with his sister-in-law until she has reached her time of [sexual] maturity.” See also PT Yevamoth 14d, 13:7; TB Menahoth 8a–9b. Rashi Yevamoth 89b, s.v. *mi-she-ta'amod be-komatah*, and the Tosefot *ad locum*, s.v. *be-komatah—makshim alav*. Rashi Ketubboth 59b, s.v. *le-pirkah*. See also the exegesis of R. David Kimhi (Radak) on Ezekiel 16:4: “She reached maturity in the time of her youth . . . in the manner of girls who become eligible for marriage.”

³³ *Letters of Rabbi Leon Modena*, #281, 316–318, May 1615. See also Oxford Ms, Bodleian Library 91 (IMHM # 24735), #49, 21a–b, a letter collecting charity for the wedding expenses of a widow’s daughter whose “time has come but cannot be married because she has no dowry, and the girl cried out but there was none to save her [Deuteronomy 22:19] . . . And you sit here and arrange marriages, but do not finish things, and nothing has so far been done for the marriage of this girl. She has no father, and her mother has long been ill . . . and she cannot help her daughter Rosa, a lily of the valleys, whose days of youth have passed and gone, and her days of adulthood, between season and a half season, have come, and she remains a garden enclosed, a fountain sealed, her honor untouched. What is the point of all these high-flown metaphors in her praise, when the girl is a maiden and no one has known her, though she is from a good family and God-fearing, so open your hands and give to so-and-so [the charity collector].” See also *Letters of Jews in Italy*, #193, 250–251: “On a match for my youngest daughter, Sapienza, may she be blessed and may she find the rest that will do her good . . . The days have gone by, and her time has now come to be married, may she be blessed, as is the custom for women”; Oxford Ms., Bodleian Library 391 (IMHM # 20519), seventeenth-century letters manual, 157b: “A writ calling a man to marriage. And so it was, after several years and in due course, when the girl’s time came to find an appropriate match . . .” Oxford Ms., Roth Collection 207 (IMHM # 15347),

The new definition of the daughter as a girl whose “time had come,” or as “fully grown,” immediately created a need to proceed swiftly with the matchmaking process, hence the sense of a “pressing need.” If a girl failed to find a mate in time, her value as a marriage candidate could go down, forcing her to marry someone beneath her or much older.³⁴ A cruel hourglass was turned from that moment on, measuring her family’s success in finding her an appropriate partner. The time constraint was particularly urgent in a first marriage, that is, a maiden’s marriage, and less so for a second marriage of widows or divorcees. Failure to measure up to this task was a stain, above all, on the girl’s family and on the adults charged with finding her a groom. The writer of the following letter shares his troubles with his brother, and ends by saying:

Believe me, I am very sad. Our parents, may God watch over them, are elderly and we have a grown [sexually mature] sister. This is *her time for matchmaking*, and it is preferable for someone of her age not to be around us and living in our home [the parents’ home], and “whoever is chosen” [to him we shall marry her].³⁵ We should think and be attentive, because it is on us to take care of this matter, and we must not throw away our money.³⁶

The writer of the letter understands that his sister has stumbled upon her difficult plight because there was no one to take care of this matter for her. Their advanced age led the parents to neglect their role, and the girls’ brothers are apparently not old enough to take responsibility for their sister’s marriage. The years that have elapsed necessitate swift action now, so as not to exceed the normative time limits set for the first marriage of young women. An adult daughter

20a: “I announce to Your Honor the excellent match, may it be blessed, that was arranged many days ago, when my daughter was bespoken to the eminent so-and-so. Now she has come of marriage age and they will come together on Friday, the sixth of the coming month.”

³⁴ For an eighteenth century example see Leningrad Ms., The Institute for Eastern Studies (IMHM # 53599), responsa of Gabriel Pontrimoli, 172a–b: “Reuven’s wife died and he was left with two sons, a one-year old and a nine-year old. Her dowry had been about a thousand ducats, so Reuven, who was forty-six years old and sickly, had no means of support. And then he caught sight of a girl from a fine family, twenty-six years old, to be his helpmate . . .”

³⁵ The editor remarks: “We will introduce her to all kinds of young men in order to find a match for her.” The quote is from Jeremiah 49:19.

³⁶ *Letters of Jews in Italy*, #105, 151–152. For a collection of letters that mentions the cited letter, see *ibid.*, 31–35.

staying in the parents' home evokes discomfort and anxiety, lest this should raise suspicions and rumors about some hidden flaw in the girl and her family, which had prevented other families from accepting her as a bride. Fraternal solidarity is replaced by the will to set themselves apart from the girl, and improve things for everyone by no longer having the girl living in the parental home ("it is preferable for someone of her age not to be around us and living in our home"). In this letter, the sense of shame encompassing all the men in the family is only intimated.

Physical sexual maturity, then, was the catalyst for beginning match-making arrangements for girls. Female sexuality gives the girl a new identity, compelling the family to a response that will redefine her status in the community. Sexual maturity could also be expected to indicate the appropriate age for marriage and sexual intercourse, as was indeed the case in most Jewish communities during the medieval and early modern period. No comprehensive or comparative study of Jewish family traditions has yet been attempted, but a series of studies dealing with separate communities gives the impression that in Ashkenaz, North Africa, the Ottoman empire, and Eastern Europe, marriage age for girls was very low, around the early teens.³⁷ The custom of "child marriage"³⁸ is already known from the geonic period.³⁹ This custom may have legitimized the marriage of girls

³⁷ On the young marriage age for boys and girls in various medieval Jewish communities see Ben-Sasson, *The Emergence of the Local Jewish Community*, 111–114; Israel Jacob Yuval, "Financial Marriage Arrangements in Ashkenaz Communities in the Middle Ages," in *Religion and Economy: Mutual Relationships* (in Hebrew), (Jerusalem: Zalman Shazar Center, 1995) ed. Menachem Ben-Sasson, 191–207; Jean Baumgarten, "Amour et famille en Europe centrale," in *La société juive à travers l'histoire*, ed. Shmuel Trigano, vol. 2, *Les liens de l'Alliance* (Paris: Fayard, 1992), 417–419; Avraham Grossman, "Child Marriage in Jewish Society in the Middle Ages until the Thirteenth Century" (in Hebrew), *Pe'amim* 45 (1991): 108–125; Shaul Stampfer, "The Social Implications of Very Early Marriage in Eastern Europe in the Nineteenth Century," in *Studies in Polish Jewry: Paul Glikson Memorial Volume*, ed. Ezra Mendelsohn and Chone Shmeruk (Jerusalem: Institute of Contemporary Jewry, 1987), 65–77. On marriages at a young age among Spanish exiles in the Ottoman empire see Joseph Hacker, "The Sephardim in the Ottoman Empire in the Sixteenth Century," in *Moreshet Sepharad: The Sephardi Legacy*, ed. Haim Beinart (Jerusalem: Magnes, 1992), 109–133. See also Ruth Lamdan, "Child Marriage in Jewish Society in the Eastern Mediterranean during the Sixteenth Century," *Mediterranean Historical Review* 11 (1996): 37–59.

³⁸ "Child-marriage" refers to the enforced marriage of young girls who had not yet reached sexual maturity.

³⁹ Marriage age for Jewish men and women during the geonic period was very low. See Schremer, *Jewish Marriage in Talmudic Babylonia*, 47–63, 68–91. On the

close to the time of their sexual maturity as well as the immediate consummation of the marriage. These traditions endorse a convenient solution: since female sexuality must be channeled into a family framework that enables its only legitimate expression, the beginning of female maturity and the time of matrimony are brought closer.

Yet, this pattern was not common among Italian Jews. Matchmaking or marriage at too early an age attested to weakness in one of the parties involved, as in the case of orphan girls, for whom it was customary to arrange marriages at an earlier age. Generally, brides who were too young could mobilize communal support to prevent an early marriage by creating a public scandal.⁴⁰ This became the entrenched custom in Italy, and was viewed as a clear feature of local tradition. R. Judah Minz categorically stated, “it is not the Roman custom to arrange *kiddushin* for child brides.”⁴¹

question of marriage age during earlier periods, see idem, “‘Eighteen Years to *Huppah*?’: The Marriage Age of Jews in Eretz Israel in the Second Temple, Mishnah and Talmud Periods,” in *Sexuality and the Family in History: Collected Essays* (in Hebrew), ed. Israel Bartal and Isaiah Gafni (Jerusalem: Zalman Shazar Center, 1998), 43–70.

⁴⁰ Mantua Ms., City Library 52 (IMHM # 832), Jehiel Trabot, *Responsa*, #60–61, on forcing a young girl whose mother has died to marry a relative against her will: “In my humble opinion, I saw that her brother-in-law . . . had not behaved correctly toward them. Why should he want to force his niece when she is screaming loudly that she does not want this man or his son? . . . We thus learn that a man is not allowed to arrange his daughter’s engagement while she is a minor, until she grows up and says, I want so-and-so, and all rabbis have ruled so. All the more so in the case of this girl, the daughter of this woman, whose mother had arranged the match only under coercion and without the girl’s consent. It would therefore be improper for her to marry anyone unless she wants to, and neither her mother, nor her uncle, nor anyone, can force her into a marriage without her consent . . . And certainly now, when she speaks for herself and says that she does not wish to marry him under any circumstances . . . and no one in the world will budge her.”

⁴¹ R. Judah Minz, *Responsa* (Cracow: Fisher and Deutcher, 1882), #2–3, 5a–6b. The question deals with the case of a questionable engagement. The rabbi rules that, given the parties’ young age, this is a matchmaking arrangement rather than a betrothal. R. Moses Provinzallo, *Responsa*, ed. Avraham Y. Yani (Jerusalem, Or ha-Mizrach Institute, 1989), #92, 151–153, also attests to the custom of Italian Jews to abstain from arranging engagements for children: “On the question of whether the said widow is allowed to arrange a marriage or a match for her daughter while she is a six-year old child, before she is of marriageable age and before she reaches sexual maturity, without informing or obtaining permission from the child’s relatives or guardians. . . . [I say] *in all fairness and justice* that, according to rabbinical rulings, even the father, and all the more so others, are commanded *not to arrange marriages or engagements for a minor* . . . In my view, after her mother or other relatives have agreed to find a match for her or arrange her betrothal, the minor’s guardians should carefully review all the conditions of the agreement with the groom, but since this is an *ugly and reprehensible act*, they should not rule in any way in her favor, lest they find themselves supporting or aiding transgressors” (my emphasis).

Searching for marriage candidates at the start of sexual maturity is an interim solution, unique to Italian Jews that is not devoid of tension. It leaves the girl no chance to retain her previous personal identity within her family and her community, yet postpones the marriage. This solution is ritually vague. If female sexuality and the strong feelings associated with it prompt the men and women in charge of the girls to begin the matchmaking process, why is sexual consummation delayed for several years? Is there no fear that the gap between the arrangement of the match and its consummation in matrimony might be too long? How, from a ritual perspective, is the time gap “filled” to prevent the parties from drawing apart? These questions require us to consider first the connection between the marriage ages of men and women in Jewish society in Italy.

The Matchmaking Age for Men

For men as well, a normative period was defined concerning matchmaking and marriage. The appropriate marriage age for a man and a woman was described in contemporary sources in the saying “he is of my age and I am of his age.”⁴² This language might be misleading, since no equality actually prevailed regarding marriage age. Contrary to matchmaking arrangements for girls, which began in their early teens, for men they began as they approached their twentieth birthday. Social expectations are conveyed through cultural formula borrowed from rabbinic tradition, as in the following letter a son sends his father:

⁴² Oxford Ms., Trinity College F12.4 No. 46 (IMHM # 12148), commentary on Song of Songs ascribed to Jacob b. David Provinzallo, 65a: “I am for my beloved, means that I am the one fit for my beloved, and my beloved is mine, and he is also fit and worthy, and he is of my age and I am of his age.” See also Moscow Ms., Ginzburg Collection 215, #466, 68b; Budapest Ms., Kaufmann Collection 100 (IMHM # 2980), letter manuals 161, 163; Modena-Estense Ms. 31 (IMHM # 14971), family comments on the margin of a Scripture book, 355b: “On Friday, on the tenth day of the month of Heshvan . . . we will find blessings, and happiness, and plenty, because my dear son Tuviah, may God bless him and watch over him, has found a woman, and may it be God’s will that he be joined with Dolce, may she be blessed, a girl of his age,”; New York Ms., JTS D456, #66, 142b; *Letters of Jewish Teachers*, #6, p. 62; “This is an auspicious time to mate with a girl of my age.”

I am now eighteen for marriage, and all delay is wrong, as taught by them [the sages] of blessed memory—until the twentieth year, the Holy One, Blessed be He, waits for the man to marry a woman, and so forth.⁴³ Even more so in my case, since I am the oldest and my brothers are also close to reaching maturity [for marriage]. The moral way is for him who precedes in time to take precedence in rank, to be first in all holy matters. And if not now, when I am in the days of my youth, when will I build a house and marry a woman? So now, father, go out on my account [for me]⁴⁴ and take a woman for me from among the daughters of Laban who will be fit for me, and do not pay attention to wealth but only to the family, because grace is deceitful, and beauty is vain, but a woman who fears the Lord, she shall be praised.⁴⁵ Do not pay attention to wealth but only to the family.⁴⁶

Whereas contemporary letters show sons conveying submission and self-effacement when writing to their fathers, in this letter, roles are reversed, and the young son guides his father (“take a woman for me from among the daughters of Laban, who will be fit for me, and do not pay attention to wealth but only to the family”).⁴⁷ A latent cultural assumption allows for a freedom or an insolence of this type. At this age, the son’s status began to change, from dependence on the father toward the autonomy of a *paterfamilias*, and the letter is an early sign of this eventual freedom, confronting a father who is in no hurry to release the son from his control.

Concerning the marriage age of Jewish men in Italy, available

⁴³ Based on the text in TB Kiddushin 29b.

⁴⁴ See, for instance, *Yalkut Shimoni*, Yitro, #268, s.v. *va-yishma Yitro*.

⁴⁵ Proverbs 31:30.

⁴⁶ Oxford Ms., Bodleian Library 91, #72, 32a. For a testimony of the intergenerational struggle between a father who has remarried and his son who urges him to make arrangements for his own delayed marriage, see *ibid.*, #71: “To a man pure of heart, my master, my esteemed father. My heart was filled with happiness when I heard the joyful cries of bridegrooms, and a voice announcing that Your Honor has married a God-fearing woman, who shall be praised for her studies and her writing, and who is wise and industrious. I am not like all others, who care not when hearing that their father has been wed, because I also know that, bless the Lord, you are still a young man and your strength today is as your strength then, and it is written, ‘in the morning sow thy seed, and in the evening do not withhold thy hand’ [Ecclesiastes 11:6]. Yet, as a reminder, not as a warning, I wish to tell you, father, that it is two years since I turned eighteen, for marriage . . . and whenever you so wish, find a match for me with a scholar’s daughter, but let me know first because I wish to see before whether she is beautiful and suitable for me, and God will reward you in full.”

⁴⁷ TB Ta’anit 26b. Roles are reversed in this source as well, because the women turn to the men and teach them how to choose an appropriate mate.

quantitative evidence is insufficient to build a statistical sample or compare it to other societies. Nevertheless, the available documentation is important because it relies on a variety of literary genres: family trees on the margins of holy books, wills, responsa literature, and letters.⁴⁸ Finding partners for their sons was no less a matter of concern for families than finding matches for their daughters. Contrary to the case of girls, the sexual element is not the catalyst prompting the matchmaking arrangements, which can therefore be postponed for four or five years after the boys reach sexual maturity. The social context, that is, their functioning as adult men, is what sparks the matchmaking process for men. Living with a wife and raising a family are an important stage in the process of a young man's integration into adult society, together with economic security, gaining prestige, and acquiring a religious or professional education.⁴⁹ Apparently, time pressured boys no less than girls. As the boy writes in the letter urging his father, "all delay is wrong." But whereas matchmaking marked the end of childhood for girls, implying their transition from their parents' tutelage to that of another guardian, men expected marriage to ensure them independence and recognition of their status as adults.

⁴⁸ Oxford Ms., Roth Collection 3 (IMHM # 15237), family notes on the margins of a prayer book, 271b: "At the age of twenty and a half, may God be praised, he married a woman, the virtuous Luna, and the marriage took place on the eve of the Feast of Tabernacles, 1578"; Cincinnati Ms., Hebrew Union College 701 (IMHM # 35533), family notes on a copy of *Guide of the Perplexed*, 10a, the groom age 21; Milan Ms., Ambrosiana, X230 Sup. (IMHM # 12646), 1b—the groom's age was 21; Oxford Ms, Roth Collection 210 (IMHM # 15350), 43a–44b, a woman's will, Verona, 1642, appointing a guardian for her son until the age of twenty-five, even if he marries at twenty, "so that he will not throw off the yoke of obedience"; New York Ms., JTS D456, letter 242, 97a, letter on matchmaking, the candidate is twenty. On the question of marriage age, I differ from Robert Bonfil. See his *Jewish Life in Renaissance Italy*, 256–257. He does not distinguish between boys and girls concerning marriage age, and predates the marriage age of boys. On marriage age see also Elliot Horowitz, *Jewish Confraternities in 17th Century Verona* (Ph.D. dissertation, Yale University, 1982), 37–40.

⁴⁹ Verona Ms., Seminar Library 25 (IMHM # 32860), n.p.: "A father is bound to do several things for his sons, such as teach him a craft and find him a wife, and he should do things in their proper order, first things first, teach him a craft so that he can support himself and not go hungry, neither he nor his children . . . fools marry a woman, then they buy a house, and look for a craft or live off charity . . . those who are not fools first take a wife, then plant a vineyard, and then build a house."

The Controversy Surrounding the Marriage Age for Men

Arrangements for finding a groom took place at a defined point in time. For men, matchmaking was tied to broader considerations of status, family ties, and wealth. Timing was therefore more flexible and subject to social negotiation. Marriage did promise clear advantages for men, but also created economic and family pressures to delay entry into married life. The rich literary controversy in Italy on the question of postponing the marriage age for boys points to signs of male distress. The controversy unfolded in a variety of literary genres: biblical exegesis, commentaries on ethical literature, particularly M. Avot (Ethics of the Fathers), and letters. In most cases, the husband, the father, represents the son vis-à-vis a female figure that prefers to arrange a marriage for the boy as soon as possible. The father, in the son's name, resorts to delay tactics to postpone the marriage:

A man scolds his wife for her silliness in wanting to find a maiden for her young son and shows her that, if a boy has not yet put forth the fruits of his growth, were he to see a woman in the north, he should move south if he seeks wisdom⁵⁰. . . I am not surprised by your silliness, since you are a woman and nature forces you to confine yourself to female opinions . . . Wherewithal shall a young man,⁵¹ a queen standing by his right and both were naked . . . but his reason will override her silliness and his wisdom will save him from her craftiness.⁵² And the boy is a boy—walking in the dark after the vanities of youth, he will see no light until the day of his calamity, and he will know and bear his sin. And the daughter of any priest, if she⁵³ were to grow up without any guidance, she will suffer, her father will worry, and her relatives will be concerned. Overripe fruit on a tree will fall on the ground with no one to pick it, because it will be thrown away or become tasteless and undesirable. So a girl growing up alone [single] will be discarded [as old bread], and if she does not marry, she will not know a man. A boy, however, should be raised to study

⁵⁰ TB Bava Bathra 25b.

⁵¹ Psalms 119:9: "Wherewithal shall a young man keep his way pure," hinting at the boy's devotion to Torah study, jeopardized because of female presence.

⁵² "Her craftiness" is a translation of the Hebrew "*ashakeha*," hinting both at *oshek* [exploitation] and at *esek* [business], namely, material dealings with worldly concerns.

⁵³ Leviticus 21:9. The verse reads: "And the daughter of any priest, if she profane herself," clearly alluding to fears from the young female sexuality the boy will find irresistible.

Torah and do worthy acts, preparing his mind for wisdom and delighting him with ethics and reason, kept apart from women and purified through virtue, lest his wise soul be tainted and he be without ascent over a beast.⁵⁴

The author of this literary letter, Solomon b. Elijah of Poggibonsi, was well aware of the double entendre in the Hebrew root *k-d-sh*, and his play on words hinges on the difference between *lekaddesh ishah* [to marry a woman] and *lekaddesh me-ishah* [to abstain from women]. Instead of the obvious meaning of sacredness [*keddushah*] in reference to the holiness attendant on a legitimate marriage,⁵⁵ he chose the opposite meaning of sanctification through chastity (“purified through virtue”). Other fears also surface, such as that of a wife’s dominance over so young a husband, the sinking into lascivious passion and “voluptuous lust,” the damaging physical influence of sexual activity, and the harmful effects on his mind. The young boy, according to this letter, is not ready for marriage and for contending with the woman’s power: his character is soft, his views unsettled, and he has not studied enough. At this stage of life, the woman is a danger and a burden, rather than an advantage.⁵⁶

⁵⁴ See New York Ms., JTS, Acc. 73836, No. 3824 (IMHM # 29629), letters of Solomon b. Elijah from Poggibonsi, 63b–65b. On the writer see Shlomo Simonson, “From the Letters of Solomon from Poggibonsi,” *Kobez Al Yad: Minora Manuscripta Hebraica* 6 [16] (1966), 381–417.

⁵⁵ Eliezer Ben-Yehuda, *Milon ha-Lashon ha-Ivrit*, vol. 12, s.v. *kaddosh*: “belongs to the divinity, of divine nature, removed from everyday use, sublime beyond the human.”

⁵⁶ For further indications of fears of marriage and a wish to postpone it, see also New York Ms. JTS, Acc. 7383b, No. 3824, 66a–67a, the woman’s answer: “A woman will say that a man who marries late and wears a coat of negligence, resembles dry hay and stubble . . . A man will find ways of keeping watch and beware of temptation by delighting in the love of his wife. He will see life with the wife he loved, the gracious maiden of his youth, uplifted by her love, and will not covet others before he becomes old and goes on to study the Talmud.” See also Samuel b. Elhanan Archivolti, *Degel Ahavah* (Venice, 1551) Part 5, #3, of a man rebuking his wife for wishing to wed their son (*ibid.*, #4, the wife’s reply); Isaac Abrabanel, *Commentary on the Torah* (in Hebrew) (Jerusalem: Bnei Abrabanel, 1964), 298, on Genesis 25: “And we see that Isaac did not take a wife until he was forty years old because, had he married in his youth [at eighteen], she would have led him astray and subdued him too eagerly. . . . Taking a wife is extremely dangerous, requiring divine help and steady reason . . . to survive the passions and lust of youth.” *Letters of Jewish Teachers*, #164, 303–304: “This and other reasons prevent, and hinder, and deter us from placing him so soon under the yoke of a wife, because he was only sixteen, and only last month did he turn seventeen . . . When our sages, of blessed memory, said marriage at eighteen, they meant this as the earliest date, because in their time they were healthier and of strong and solid con-

In the woman's case, delaying her marriage lowers her value in the eyes of other candidates and raises suspicions about the family. In the son's case, however, delaying and postponing the matchmaking process and the marriage is the worthy deed. In this and other letters, we hear echoes of trends familiar from urban Christian society. Church preachers and urban authorities were harshly critical of youngsters who preferred to put off marriage or not marry at all, because they felt that marriage involves more burdens and drawbacks than advantages. In Christian cities, these attitudes came to the fore not only in literature. They were part of a social trend that created a serious demographic problem, which I discuss below.

This purported literary controversy between the boy's parents about when to look for a bride fitted into a long tradition of "the battle of the sexes" that was conducted in medieval literature, both Christian and Jewish, between "women haters" and "women lovers."⁵⁷ The institution of marriage, and the question of whether its advantages surpass its disadvantages or vice-versa, are one the harshest battlefronts in this literary war. This literary tradition resonates strongly

stitution. But in our times, when the world changes from day to day, people are not so healthy. . . . You needs steadiness and deliberation, rather than hasten to place a yoke on him." See also Abraham b. Mordechai Farissol, *Commentary on Avot* (in Hebrew) (Jerusalem: Makhon Torah Shlemah, 1964), 88–89, on M. Avot 5:27 "at eighteen, to marriage," because by this time his lust will have grown, he will hanker for sexual relations, and will need a woman." On Farissol, see David B. Ruderman, *The World of a Renaissance Jew: The Life and Thought of Abraham ben Mordechai Farissol* (Cincinnati: Hebrew Union College Press, 1981). On the attitude of the "pious" and prudes, see Moscow Ms., Ginzburg Collection 129 (IMHM # 6809), collection of letters and responsa, 202a–204a: "Every pious man will pray to God that a woman be found for him as he comes of age, namely, after he has turned seventeen, and that he should marry at eighteen, which is the right age to wed a woman. We learn in the fifth chapter of Avot, at eighteen to marriage, and the faithful will do so even earlier, to prevent transgressions."

⁵⁷ See Dan Pagis, "The Controversy Concerning the Female Image in Hebrew Poetry in Italy" (in Hebrew), *Jerusalem Studies in Hebrew Literature* 9 (1986): 259–300. For a parallel phenomenon among Spanish Jews, see Matti Hus, *Critical Editions of "Minhat Yehuda," "Ezrat ha-Nashim," and "Ein Mishpat," with Prefaces, Variants, Sources, and Annotations* (Ph.D. dissertation, Hebrew University of Jerusalem, 1992), vol. 1, 1–181; Haim Schwarzbaum, "Female Fickleness in Jewish Folklore," in *The Sephardi and Oriental Jewish Heritage*, ed. Issachar Ben-Ami (Jerusalem: Magnes, 1982), 589–612. On the medieval literary tradition on the subject of "the controversy on women" see Ralph Howard-Bloch, *Medieval Misogyny and the Invention of Western Romantic Love* (Chicago: University of Chicago Press, 1991); Margarete Zimmermann, "'Querelles des Femmes' come paradigma culturale," ed. Silvana Seidel Menchi, Anne Jacobson Schutte, Thomas Kuehn, *Tempi e spazi di vita femminile tra medioevo ed età moderna* (Bologna: Il Mulino, 1999), 77–103.

in sixteenth-century Jewish-Italian literature, including the question of whether marriage is good for a young boy or, rather, an untimely imposition.

The need to protect boys from adult, high-powered women, or to postpone marriage beyond the traditional injunction (“at eighteen to marriage”), was a reaction to a social reality in which men felt threatened by female authority. The bargaining power of men seeking a mate was no greater than that of women. In all the wealth of written documentation on matchmaking in Italy, we find no echoes of the Babylonian rabbinic saying “the woman is happy with any man,” based on the assumption that her desire for marriage is greater than the man’s.⁵⁸ In Italy, faced with the challenge of finding suitable partners within a set period, both sides were of equal strength. Like the woman, a man who had “reached maturity” had to be careful not to exceed the time limits he had been allotted. Hence, a son’s grievance against his father:

And if not now, when I am in the days of my youth, of which the poet says, “as arrows in the hands of a mighty man, so are the children of one’s youth,” when will I build a house, and betroth a woman? When I am as withered and enfeebled as a female? This is a great hindrance to me and to my other brothers. . . . And now father, go out on my account [for me] and take a woman for me . . .”⁵⁹

Excessive delay in finding a match for the firstborn will weaken his bargaining position, because he will then be “withered and enfeebled *as a female*.”

Seeking and Choosing a Partner

Once they are part of the group of marriage candidates, the contacts between men and women are always marked by a clear aim: marriage. Although they have entered a new chapter in their lives, this shift is not marked by a ritual or by any variation of the clas-

⁵⁸ In Babylonian tradition, women had less bargaining power. See Shremer, *Jewish Marriage in Talmudic Babylonia*, 199–201.

⁵⁹ Oxford Ms., Bodleian Library 91, letter 172, 69b, and letter 72, 32a. See also Jerusalem Ms., Mosad Harav Kook 20, 135 (IMHM # 20112), letter 400—asking his uncle to find him a bride.

sic *rites de passage*. Instead, its focus was the creation of a new set of expectations from them, on the part of their families and of wider social circles.

The time constraint tested the family and expressed the inner role-division and the hierarchical structure. The father's primacy in the matchmaking process was unquestioned.⁶⁰ His responsibility for the marriage of his children is mentioned in rabbinical literature as one of his basic duties toward them.⁶¹ In Italy too, deciding the children's future is one of the privileges and obligations of the father, part of "the persistence of parental authority . . . which attached fundamental importance to the family name, in other words, to the name of the father."⁶² When the father tended to spend long periods away from home or had died, the mother might assume responsibility for finding grooms for her daughters. Usually, however, the task was assumed by other adult males in the family: brothers, uncles, grandparents, or brothers-in-law.⁶³ Establishing a family is a poten-

⁶⁰ The father's primacy in the matchmaking process emerges in *Letters of Rabbi Leon Modena*, 282, a letter describing matchmaking negotiations between two fathers; Oxford Ms., Roth Collection 701, 65b: matchmaking proposal addressed to the father for his sons; Jerusalem Ms., Ben Zvi Institute 4002 (IMHM # 37911), 41a-51a: "Isaac wed his daughter Rachel to Jacob, and he [Jacob] had a son by her, Reuven. When Jacob died, Rachel returned to her father's house, and Isaac wed her to Simon b. Israel. The fathers signed a matchmaking writ, as is common in titles, and they vowed *de rato* [an irrevocable commitment to fulfill a legal obligation]; Florence Ms., Laurenziana Library 2.40, #41, 8a: Azriel Dienna, *Responsa*, ed. Yaakov Boksenboim (Tel-Aviv: Tel Aviv University, 1977), vol. 2, 258-261, #216. The matchmaking arrangement was documented in a legal writ, the *tenaim* (see next chapter). In most matchmaking writs, the father is the one who commits himself to the terms of the marriage, representing the son or daughter. A eulogy is an opportunity to present the social roles incumbent on the father, among them finding husbands for his daughters. See *Letters of Jewish Teachers*, #69, 139: "Alas, where is he *who would have found grooms* for his adult daughters?"

⁶¹ The father's responsibility to find mates for his children dates back to talmudic tradition. See TB Kiddushin 29a, and see a summary in Jehiel b. Yekutiel *Sefer ha-Tanya* (Warsaw: J. Goldman, 1879), 203-204, #99, the father's commandment concerning his son.

⁶² Bonfil, *Jewish Life in Renaissance Italy*, 256.

⁶³ The mother's involvement in the daughters' matchmaking is mentioned in R. Moses Provinzallo, *Responsa*, #92, 152, in his responsum on the widow arranging the marriage of her minor daughter. See also New York Ms., JTS 73836, 7b: "He also wrote at the request of a woman, Dolce, from Marchegiana . . . on whether she should arrange a match between one of her daughters and a man from Ancona." Also from Provinzallo, see Oxford Ms., Bodleian Library, Arch. Seld. A. 52 (Neubauer 2223) (IMHM # 20506), letter 89, 57a-58a: "He made another writ, following the request of a woman who was writing to a rich man, asking for advice on how to marry off her daughter"; New York Ms., Columbia University X893M582 (IMHM # 20506), #52a: "I am praying for my husband's inheritance . . . because I am now

tially risky social phase if it slips from the family's control, but also an excellent opportunity to strengthen the social order and replicate it in the next generation. From a family perspective, marriage is a serious group matter. The interests at stake are too important to be left to the young couple. Adults exerted maximum pressure to force their will upon the youngsters, whose counteraction, as we will see, was not late in coming.

Unquestionably, the family was the dominant factor in the decision about marriage partners, in considering the various candidates, and in deciding on the most suitable one. Yet, it was not the only factor. Candidates for marriage were also scrutinized by the community and were a perennial subject of discussion: who has reached the age, what are their personal and family merits, what are the ongoing matchmaking negotiations between different families, who gains and who loses in the new family connections, and so forth. This was a standard topic in both men's and women's discussions:

Indeed, as is written in the Torah, the Prophets, and the Hagiographa, a woman [is fated] for a man, it is from God, even if she is beyond

discussing the marriage of my dear daughter to a fine man . . . and the only hindrance is the promise of the dowry, to which I cannot commit myself until I receive the money . . . and I fear lest another should precede me in mercy." See also Kenneth R. Stow and Sandra Debenedetti-Stow, "Donne ebree a Roma nell'età del Ghetto: affetto, dipendenza, autonomia," *RMI* 52 (1986): 63–116. For cases involving other family members in the matchmaking arrangements for the children see Jerusalem Ms., Mosad Harav Kook 20, 135 (IMHM # 20112), #400, asking his uncle to find him a bride; Jerusalem Ms., Ben-Zvi Institute 4004 (IMHM # 27710), 11a–13b: Question addressed to Joseph b. Michael of Ravenna, 1636: "Reuven arranged a match between his granddaughter and Simon and signed a matchmaking writ, and they agreed on a penalty of one hundred ducats, to be paid by the party who withdraws from the agreement"; New York Ms., JTS, Rabbinica 1372 (IMHM # 43473), responsa, 90a–91a: "A Jewish widow whose relatives married her off with her consent and, while arranging the match, recorded in writing the agreed upon conditions . . ."; Paris Ms., Alliance Library 149 (IMHM # 3215) 184, a writ from 1614, a brother-in-law vowing for the girl; London Ms., Jews' College, Montefiore Collection 480 (IMHM # 7281), responsa of Abraham b. Menachem b. Jehiel Hacoheh-Porto, #11, 432–434: "Simon arranged a match between his relative and Reuven, son of Leah and Simon, and he undertakes to give to Leah, Reuven's mother, one thousand ducats . . ."; Florence Ms., Laurenziana Library, 2.40, 37a–40a; Oxford Ms., Roth Collection 701, 57b: "My sights and my heart are constantly set on seeking rest for my dear sister, may she be blessed, and marry her off her to a worthy, honest man"; Jerusalem Ms., Ben Zvi Institute 4004, 59a—on the brothers' responsibility to provide a dowry for their sister, Raphael Joseph b. Johanan Treves, 1581; Azriel Dienna, *Responsa*, vol. 2, #138, 333–335, an eleven or twelve-year old orphan waives her share in her inheritance to her uncles, on condition that they provide her with a suitable dowry, as they did for her older sister.

the seas. Thus, all human wiles on this matter are futile, if it is not God's will. When He, may He be blessed, wishes to carry out His virtuous deed of pairing pairs, human ways, efforts, and words are the means through which the lover and the Master of the universe bring one closer to the other. And now, while tilling the field of my thoughts, I reflected upon your sons, your blessed sons, may God keep them and watch over them, and upon the daughters of our honored teacher, Rabbi so-and-so of family so-and-so, living in Ferrara, and one of the city's "notables." There are two of them, who appear to have reached the age of Your Honor's sons, and they will be fair and worthy marriage partners to them in every way: because of their situation, since I believe Your Honor is of comparable rank and wealth; because of the couples, who are of comparable age; because of their beauty, since the girls are extremely beautiful, and because of their learning, which is a sure way of bringing them all close together. I also thought that the dowry will not be a hindrance, since I am in no doubt Your Honor will find it acceptable. May I live so long, Your Honor, if I did not think of all this with my wife, may she be blessed, in the evening by the fire, when these girls were about to receive us from another wind on the way.⁶⁴ Since the saying tells us that man proposes and God disposes, I have not hesitated to send these lines to Your Honor, so that you may know that no one loves Your Honor more, and forever seeks your good fortune. . . ."⁶⁵

⁶⁴ The editor, Yaakov Boksenboim, remarks: "I did not understand the intention at the end of the sentence." I believe it should be understood to mean: are about to arrive here from their way.

⁶⁵ *Letters of Jewish Teachers*, letter 32 from 1588, 91–92. For further evidence of awareness of new marriage candidates see *Letters of Rieti Family*, #251, 252, 268–270. In the letter, Joseph D'Arli reports on the imminent marriage of his daughter, and then suggests a candidate for the addressee's sister: "I have a confidential issue to discuss with you about your sister, the learned maiden, but will not speak of it now because nothing is yet final"; Oxford Ms., Roth Collection 701 (IMHM # 15514) 26b: "I believe Your Honor has noted that the widower so-and-so is not interested in marrying a maiden, so I will not speak of him here"; *ibid.*, 56a: in greetings on the birth of a daughter, mentioning in passing details about a new potential candidate "for so-and-so. I have heard that a God-fearing, worthy man has recently been widowed . . . He is well known and very wealthy, because he has also inherited the house of his brother, may he rest in peace, and *rumor has it* he has 20,000 scudi. I thought to myself that this widow might bring his search to an end, because they are truly equal in many ways. I have so far been unable to find out whether he would agree to such a small dowry, because *I have heard it said that matchmakers have twice offered him a match with a widow* whose dowry is about 3,000 scudi." *Ibid.*, 57b: the writer seeks help and intervention in finding a match for his sister and proceeds to discuss matchmaking possibilities for others; Copenhagen Ms., The Royal Library 115/3 (IMHM # 6927), no pagination, s.v.: Reuven, and Simeon and Levi: a story on how a match idea is proceeding.

In the rhetorical introduction to the letter (“*Indeed*, as is written in the Torah, the Prophets, and the Hagiographa, a woman [is fated] for a man, it is from God. . . . *Thus* . . . human ways, efforts, and words are the means”), the writer does not underestimate Scripture, nor does he adopt a cynical attitude. Thus, although Jewish tradition considers matchmaking a divine concern, human will and human action are the instruments for implementing the cosmic choice. The detailed account about the two young female candidates (their family rank, their beauty, wealth, and learning) reaches a surprising, seemingly irrelevant, ending: “all this [the matchmaking idea, came up] with my wife, may she be blessed, in the evening by the fire.” The writer and his wife, were to host in their home two girls of marriageable age. While waiting for them, they began talking about them during the long winter nights, while sitting by the fire. The issue, of course, was a suitable match for them or, alternatively, who might find that the girls were suitable partners. This mention of sitting at home by the fire is not casual, and is intended to emphasize to the addressee that the writer and his wife had given time and thought to the matter. The long winter nights and the stay inside darkened interiors created patterns for time-sharing among the house dwellers. Conversation and oral exchanges created a rich culture of storytelling,⁶⁶ built upon the common experience of the narrator and his/her enraptured audience. In these social gatherings, in the working place, at home, or when coming together to tell stories, the subject of young marriage candidates in the Jewish community occasionally came up, and information was thus disseminated through informal channels.

The relaying of this information was not driven by interest in these individuals’ biographies; rather, its effect was to increase community pressure on the candidates and their families to conclude the

⁶⁶ On the culture of story-telling in the early modern period see Natalie Z. Davis, *Fiction in the Archives: Pardon Tales and their Tellers in Sixteenth Century France* (Stanford, Ca.: Stanford University Press, 1987); Robert Darnton, “Peasants Tell Tales: The Meaning of Mother Goose,” in *The Great Cat Massacre and Other Episodes in French Cultural History* (New York: Basic Books, 1984), 172. On women telling stories at night by the fire see Elisabeth S. Cohen and Thomas V. Cohen, “Camilla the Go-Between: The Politics of Gender in a Roman Household (1559),” *Continuity and Change* 4 (1989): 53–77. On the culture of stories typical of Italian Jews at the end of the Renaissance see Shifra Baruchson-Arbib, *La culture livresque des Juives d’Italie à la fin de la Renaissance*, trans. Gabriel Roth (Paris: CNRS Éditions, 2001), 67–161, 183–207.

matchmaking arrangements as soon as possible. No line separated what the community knew about the individual and the ways of using the information. As soon as the boy or girl became a subject of these conversations, they were considered suitable objects of match-making propositions:

Several people have recently presented me with various matchmaking propositions for my blessed sons, may God keep them and watch over them, and these *partiti*⁶⁷ [proposals] were fair and worthy. Among them, the spirit clothed a Jew who lives among us, one R. Abraham Cohen, who also prophesied with the others.⁶⁸ And he beguiled me,⁶⁹ suggesting for my blessed sons, may God keep them and watch over them, two girls, daughters of the illustrious and honorable Jehiel of Fano, may God keep him and watch over him. . . . And although I found other *partiti* more worthy, I did not reject his suggestion, which I found pleasing because they [the girls] are my relatives, and this is entwining, as it were, vines with vines. Indeed, since this man was inexperienced in these matters, he did not know how to handle this with the proper discretion customary among matchmakers, who usually conceal more than they reveal. Instead, he did the opposite . . . and this became a public matter. When leaving, he demanded payment in the name of Your Honor, who I believed had made all the decisions on this matter. The truth is that, when I saw how badly he had handled this whole issue, I sent him away with nothing and diverted him to another matter, because after this became public, it was proven that I have many opponents, and I was also afraid that this man Cohen may do further damage. . . . Should this man Cohen seek to speak to Your Honor on this matter, then “know what to answer a heretic.”⁷⁰ Do not reject him altogether. It might be best to leave things open for negotiation. . . . Your Honor, in your honesty, I beg you to keep your covenant and show grace to the lovers and keepers of your commandments; please be kind enough to let me know whether this Cohen came to see you, and what he said, and what was your answer to him. And do not neglect to question him on the details of the deal, and the character of the girls, and the size of their dowries, and how will their father raise the money for these dowries, and find out exactly whether their father is willing to give them away in marriage at this time.⁷¹

⁶⁷ On the importance of the term *partiti* (plural of *partito*) see below in this chapter.

⁶⁸ Paraphrasing 1 Samuel 10:11: “Is Saul also among the prophets?”

⁶⁹ Alluding to Genesis 3:13: “The serpent beguiled me.”

⁷⁰ M. Avot 2:19.

⁷¹ New York Ms., JTS 3618 (IMHM # 29423), 3b. See also Oxford Ms., Roth Collection 701, 26b, and 56a, cited above.

People who knew the candidates and their families felt considerably free to intervene, although the parties had not invited their interference. Expectations of profit may have been a possible consideration, but they are not sufficient to explain the scope of this phenomenon. Intervention conveyed the informal pressure that the community exerted on the families. Communal intervention in family matters entails encroachment on the closed family space, and was thus accompanied by some ambivalence—gratitude combined with discomfort. Someone who, on his own initiative, offers his help to a candidate's father, writes as follows:

To your Distinguished Honor . . . I have long yearned to gather together the words that I should present to Your Honor, and although I do not speak well, Your Honor will forgive me and accept the truth from one of whom it is said that I would do this because of my love for my good master . . . And I bow to you and to your sons, may God keep them and watch over them, if I have stepped out of line and I have intruded in order to tell Your Honor that I have seen a beautiful and lovely girl, the daughter of a talented and accomplished man. . . . Should it please Your Honor to make her into your daughter and marry off your fair son, so-and-so [the original name was deleted], may God keep him and watch over him, to her, speak up⁷² and let your words shine. I trust that, God willing, I might be able to complete this soon. In my opinion, they are a lovely couple, and it was probably about her that they said, "he who finds a wife finds a good thing" [Proverbs 18:22], and she is fair and worthy of entering the palace of a king as yourself.⁷³

⁷² Intimating to the addressee he should not stutter or hesitate. See TB Berakhot 22a.

⁷³ Oxford Ms., Roth Collection 701, 65b and 25b. For additional instances pointing to interference by individuals outside the family circle into matchmaking arrangements see New York Ms., JTS D456, #252, 97a, a letter between two people involved in arranging a match although they are not relatives of either party. Similarly, see Oxford Ms., Bodleian Library (IMHM # 24735), #22, 10b–11a: "Wonderful, and great as the growth of the field, was the love in so-and-so's heart. For many days, as he laid in his deathbed [the father of the girl who was a candidate for the match] and as his tired soul yearned to bring this to an end . . . I saw the possibility of entwining these vines, Your Honor's daughter and the physician's son, and this was God's wish because we see that the match is successful and both are worthy. . . . That is why I said, it is time to act, and I will suggest to the honorable R. so-and-so, a trusted well-spoken man, that he should find out whether Your Honor would consider this match and, with God's help, we will carry this out, and if not, we will keep our lips sealed and no one will ever know about it"; London Ms., Montefiore Collection 464, 28a, confidentially seeks to find out whether the boy's father is interested in a match so that he may turn to the other party, in a letter from 1595; *ibid.*, 46b, to marry off a widow to a widower or to

The trespass (“I have stepped out of line and I have intruded”), accompanied by an apology (“Your Honor will forgive me and accept the truth from one of whom it is said that I would do this because of my love for my good master”) attest that matchmaking arrangements upset the usual balance between the family and the public-communal domains. The prophecy metaphor mentioned in the previous passage (“spirit clothed . . . who prophesied”), the serpent’s temptation (“he beguiled me”) or “listening behind the scenes,”⁷⁴ evince that the matchmaking process resulted in a temporary trespass of the family’s borders.

Temporary exposure to the public eye and time pressures left no room for a sentimental approach. As noted, time limitations on matchmaking arrangements concerning girls were stronger, forcing families to conclude them as soon as possible. In a letter sent to the head of the family, the writer offers his condolences upon the death of one of the daughters. After a few lines, and in the same breath, he makes a matchmaking proposal concerning the other daughter:

When I heard the edict of the Master of the Universe, on the day that your honored daughter so-and-so in her glorious beauty was taken from us, I could find no rest and no consolation, “on account of this beauty that is to rot in the dust” [TB Berakhot 5b] seeing the sorrow of the mother and that of Your Honor, and I joined the mourners . . . Your Honor and your distinguished daughter [the other daughter, of marriageable age] will now wander through the land to find a Jewish man, a God-fearing man to be her master, another man to be her guardian, and may God grant her a staff in her hand and a hoe for digging her grave [children].⁷⁵ Since I know that she is a princess, and worthy only of the best, I harbor good wishes for her in my heart—

a young man; *ibid.*, 50a, persuading a man that a woman still wants him; *ibid.*, 66a, on a match based on similar class and personal contact; *ibid.*, 47b, prompting a man to write to his prospective father-in-law, asking for an answer about his view on the marriage proposal; New York Ms., JTS D93–152 (IMHM # 29626), #33.

⁷⁴ The expression appears in Oxford Ms., Bodleian Library 91, #111, 45a: “Given that I have heard behind the scenes, from upright people, that Your Honor wishes to marry, I have dared to speak to you and inform you that I can find you a wise, God-fearing, and beautiful girl for a wife . . .” The expression “behind the scenes” appears in the Midrash in a context denoting a blurred border between what is forbidden and what is allowed in regard to heavenly secrets. See TB Berakhot 18b, Yoma 97a, Hagigah 15a, 16a, Sanhedrin 79b.

⁷⁵ See TB Yevamoth 65b, Ketubboth 64a, where the expression appears to legitimize the woman’s will to bear children who will support her in her lifetime and provide for her burial.

may she bring pride to her whole family and all the peoples of the earth shall see that the name of the Lord is called upon her. Your Honor knows that so-and-so is here, a truly wise man, a Torah scholar and a man of good deeds, which he does openly and in secret, with family connections and good ancestry, a wealthy man with ten thousand gold . . .⁷⁶

The sensible, levelheaded approach concerning marriage was particularly noticeable in second marriages of older people, widows or widowers who had just lost their spouse. Shortly after the spouse's death, close to the end of the mourning period (a week or a month) they already had proposals to remarry:

Anxious for Your Honor to find a worthy, honest woman, I have decided to speak to you about an idea concerning *a woman recently widowed*, the daughter of the honorable and generous so-and-so, may God keep him and watch over him, who was married for several years to a man from so-and-so, a paragon of virtue and many years ago my son-in-law. She was widowed about a month ago, she is worthy and honorable, and her name, may she be blessed, is so-and-so. Your Honor may take his time to inquire about her, and when your letter arrives, I will do as God guides me.⁷⁷

The Role of Letter Manuals in Matchmaking

Matchmaking is a matter on which many have opinions. In the circles close to the families of the couple, negotiations were verbal.

⁷⁶ Oxford Ms., Bodleian Library 251, #81, 76a.

⁷⁷ Budapest Ms., Jewish Theological Seminary 217 (IMHM # 47145), 43a. On additional cases of matchmaking close to the mourning period, see Strasbourg Ms., National and University Library (IMHM # 3960), 99–101: Graziano's title for the question is: "A ruling from His Distinguished Excellence Abraham Katz, of blessed memory, from Bologna, concerning two matchmakers": "This was a dispute between two matchmakers concerning matchmaking arrangements for a woman. Reuven's wife died and, at the end of the mourning period, Simon went to speak to him because he wanted to persuade him to remarry a widow from a good family. When Reuven heard Simon, he declared he did not wish to speak of such things under any circumstances, and did not wish to hear Simon. About a year or so later, another mediator tried and failed, until a third one succeeded in the matchmaking attempt, and Reuven married the widow"; Budapest Ms., Kaufmann Collection 582 (IMHM # 15821), 45–47: "And it happened that three months after his wife's death he felt differently, and he thought of marrying a widow living in his neighborhood named Peninah, and he made inquiries through intermediaries as to whether she would agree to marry him, and she agreed." See also Oxford Ms., Bodleian Library 132 (IMHM # 2058), #86, 71a–72a.

When geographical distances, family differences, or mistrust were involved, a need arose for written records. Hence, most of the sources describing and documenting this stage originate in the letter manuals of the period.⁷⁸ Most of the letters remaining in manuscript and in print are literary adaptations of “true” letters that were actually sent. Their importance lies in their presentation of the social and cultural values of the adult group conducting the matchmaking stage, and in the possibility they provide of following up the negotiation between the parties.

Letter manuals played a crucial role during the first stage of matchmaking, as a means of communication between adult, married males. Finding a partner demands patience and endurance; the cultural code/etiquette does not allow stages to be skipped, or direct appeals to the family of the potential partner. In their place, we find rhetorical activity involving letter exchanges over a prolonged period, which may mature into mutual trust between the parties. The letters’ literary character, as well as the complex rules concerning style and forms of address, were suited to the matchmaking stage; epistolary writing among Italian Jews is indirect and allusive, relies on hints and veiled suggestions, and expects readers to read between the lines. Blatant, direct statements are the exception requiring explanation rather than the rule. Interpersonal communication between adults dealing with a matter as pragmatic as matchmaking provides crucial evidence of the importance ascribed to “civil conversation”⁷⁹ and to rhetoric in general, as ways of refining communication.

Investigating the Candidates

Most inquiries about matchmaking candidates were conducted by the family, which mobilized its links with people in its close social circle for this purpose.⁸⁰ Families or individuals that had lost family

⁷⁸ See Oxford Ms., Roth Collection 701, 75b: “Indeed, I had not dared to speak to Your Honor about these matters before, until I had spoken with the distinguished so-and-so, and he told me that he knew the man and his worth . . . so now, Your Honor, I beseech you to disclose to me your wishes about this and what I should tell my envoy . . . and when your answer reaches me, I will abide by your command, and will do as Your Honor wishes.” See also *ibid.*, 25b.

⁷⁹ I borrowed the term from Stefano Guazzo, *La civil conversazione*, ed. Amedeo Quondam (Modena: Panini Stampa, 1993).

⁸⁰ London Ms., Montefiore Collection 464, 66a: “to find a good match for my

contacts—such as widows who had lost the social connections of their late husbands, poor families, or servants at their masters' homes—required the mediation of patrons.⁸¹ During the matchmaking stage, all families, whether rich or poor, activated most of their available contacts with relatives, colleagues, patrons, the community, and the neighborhood.

During the first stage, families tried to locate as many potential candidates as possible, while simultaneously engaging in preliminary inquiries about them and their families. Various requirements concerning family origins, wealth, personal merits, beauty, and health, distinguished suitable candidates from those rejected a priori. Capitalizing on the family's social contacts and acquaintances was imperative at this stage, in order to expand the circle of potential candidates at its disposal. Hence the need for proxies and mediators, the “brokers” [*emtsayim*] of contemporary parlance, to investigate several candidates, sometimes simultaneously. This was not only considered legitimate but also attested to the status of the family as able to control time, refraining from entering into a relationship with the first

daughter, may she live . . . since it is unusual for an eminent man like you to care for a humble man like myself . . . and since I have found favor in your eyes . . . I will inform you that at present I do not wish to cleave to Jacob [a second candidate], and would rather not divulge the reason.”

⁸¹ For the distinction between a “foreign” matchmaker, namely, one who is not related to the family or bound by any obligations toward it, as opposed to a patron sponsoring a match, see the matchmaking case of a young widow, Oxford Ms., Bodleian Library 52, Neubauer 2223, #89, 57a–58a: “He wrote another letter at the request of a woman who was writing to a wealthy man to ask for his advice on the marriage of her daughter: ‘I remembered your first affections, your love, and your kindness to my dear daughter so-and-so, when she stayed at so-and-so . . . you know the distress that befell my daughter so-and-so some time ago, when she was bereaved and remained alone in the house of so-and-so. The hands of middlemen are now everywhere interfering in every matter, good and bad, and so-and-so has now been suggested [as a marriage candidate]. Since these people only deal with these matters out of greed . . . I grope like a blind man, and have come to Your Honor to say to you: ‘May your servant find favor in your eyes so that you may let me know about the man [the candidate], his worth and his position, as much as you can, for you have been endowed with God’s wisdom . . . for my sake and for my daughter’s sake, who has remained a widow.’” Fathers were also helped by rich patrons to find suitable matches for their daughters. See London Ms., Montefiore Collection 464, 66a. On the involvement of a householder in the marriage of his servant to a maid working elsewhere, see Oxford Ms., Bodleian Library 251 (IMHM # 22403), #69, 71a. See also *Letters of Jews in Italy*, #189, on a Jewish householder performing the marriage of his Christian maid. This exceptional document is discussed at length in Roni Weinstein, “La lecture par un Juif d’un rituel de mariage chrétien (Cento, 1578),” *Mélanges Christiane Klapisch-Zuber* (forthcoming).

candidate proposed. When the potential bride lived in another city, an envoy was appointed to travel out of town:

And then I went to the residence of His Honor R. so-and-so . . . And he received me gracefully and compassionately, as a man would receive his son. . . . Because he loved me truly, for the sake of Your Grace, and I spent more than a month with him together with my two friends. And he would always say to us, night and day, eat with me. The esteem in which all hold Your Grace [the groom's father, who sent the letter writer on his mission] helped me further, and I was kindly received by everyone in the holy congregation of Parma, may God keep them and watch over them. All invited me to their homes and palaces with love and affection, remembering Your Grace's generosity, without denying me any mark of honor or esteem. Whilst visiting, I looked carefully at their houses and saw the splendid residence of His Honor R. Samuel Finzi, may he see children and live a long life, a home full of modesty, piety, and virtue. While taking pleasure in the beauty of his household, I could not ignore the good qualities of his daughter, and I asked Your Grace's relatives and loved ones about her, and all agreed that she is beautiful, without paragon in the region. Concerning the woman [the other candidate] about whom Your Grace had already heard, I inquired into her ways and deeds, and neither I nor my beloved wife, may she be blessed, were pleased by what we saw, as Your Grace will understand from His Honor R. Abraham G., your son-in-law, may he see children and live a long life [mentioned at the opening of the letter as the one bringing the letter to the groom's father]. I did not open my mouth, nor will I in the future, because on all these matters, it is only proper to speak to you, and I will only reveal this to Your Grace.⁸²

The writer of the letter was sent by the family on a mission to another city to examine potential bridal candidates for the son, bearing clear instructions concerning the qualities he should seek in the girls. A strange man arriving in a community is granted access to

⁸² London Ms., Jews' College, Montefiore Collection 468 (IMHM # 5368), 6a. See also Budapest Ms., Kaufmann Collection 457 (IMHM # 14746), the works of Isaac Shabtai Rocca, part 1, 128a–b: "Concerning the woman about whom Your Grace had urged me, I have dilligently inquired and scrutinized all matters about her, secretly and discreetly, and I have found her beyond doubt a woman of valor, far removed from all vanity, sustaining the honor of her father, her mother, and her husband [previous husband] . . ." An inquiry into the candidates' families is also mentioned in the London Ms., British Library 27121 (IMHM # 5805), letters collection, 147a–148b; London Ms., Montefiore Collection 464, 56a; *Letters of Carmi Family*, #262, 260–261; *Letters of Rieti Family*, #145, 176; *Letters of Jewish Teachers*, 57 (section a).

the homes of several families and manages to see the women of the household in their everyday lives, a feat only possible because these families were interested in presenting their young marriageable daughters to the envoy. Under regular circumstances, the inside of the house would have been sealed to all strangers, and certainly to a casual visitor to the community. The envoy passed through many houses but, as he had been ordered, examined two candidates in particular. The one mentioned first meets the family's expectations, and is also supported by the sender's relatives and by his "lovers."⁸³ The second candidate is dismissed because she failed to meet the demands. The credibility of this information depends on the trust placed in the envoy.⁸⁴ A distinctive sign of such an envoy is absolute confidentiality concerning matchmaking matters.

These sources show that only few limitations were imposed on the families and their agents at the preliminary stage of matchmaking. The families investigated several candidates simultaneously, activated family, class, and professional contacts overtly and covertly, and, at times, did not even refrain from false pretensions and deceit.⁸⁵ The family was allowed to consider several candidates while leading the other side to assume that it was only thinking of one. "Deceit" at

⁸³ The "lovers" [*ohavim* in Hebrew, *amici* in Italian] are the trustworthy people associated with the family over many years, whose help could be relied upon in times of need. See Christiane Klapisch-Zuber, "Kin, Friends, and Neighbors: The Urban Territory of a Merchant Family in 1400," in *Women, Family and Ritual in Renaissance Italy*, 68–93. On a similar pattern in the local Jewish context, see Roni Weinstein, "Love and Friendship in Italian-Jewish Society in the Early Modern Period" (paper presented at the Conference on The Historicity of Emotions, The Institute of Advanced Studies, The Hebrew University of Jerusalem, June 1998).

⁸⁴ On the importance of trust in the matchmaking envoy, see Oxford Ms., Bodleian Library, Michael 251 (IMHM # 22403), 76b, letters of Ishmael Hazak of Cento, a letter from the sender to his envoy: "And do not tarry, lest another should precede you in mercy. If you mean to do something, you may reveal your intentions to me, for I will not gossip and will do what is right to preserve your honor." See also Oxford Ms., Roth Collection 701, 56a. On a woman turning to a wealthy patron with her apprehensions about deceitful matchmakers, see note 81 above. On a widow who is angry at her brother for having failed to consider the physical flaws of the intended groom, see Boksenboim, "Quarrels at the Gates," 261–262.

⁸⁵ See especially *Letters of Rieti Family*, #278, 295: "Do know, my Lord, that people from both parties hurry . . . for they strive with all their might to give him one of their sisters, bright as the moon, and everything goes through me. I give them assurances and promises so that they will not sense my hidden scheme to bring this boy to your home, for your Lordship's happiness, and for that of the beloved, my daughter in affection, your daughter, may she be blessed." See also *Letters of Rabbi Leon Modena*, #156, 196–198.

this stage is not only not condemned, but is a borderline norm attesting to someone who conducts his affairs shrewdly and with good judgment.

The available sources, written mostly by men, show that inquiries relied on personal or professional connections between men and heads of families, who helped each other in the delicate matter of finding matchmaking candidates. The men's freedom of movement, their personal connections perhaps transcending the family circle, and their authority in the family hierarchy, destined them for the role of finding the candidates and inquiring about them. Women played an important role behind the scenes at the later stage of matchmaking: they consented to the husband's decision, or decided to reject it after conducting their own inquiries.⁸⁶ A separate inquiry of this type also relied on a network of social connections different from that of the men (this issue is discussed extensively in Chapter Four below).

Social Guidelines and Expectations in the Choice of Partners

What guided the head of the family when choosing partners for his children? How did he describe to his relatives, friends, and envoys the qualities he considered important in the potential candidate? Answers to these questions emerge from the many letters written at the matchmaking stage. These testimonies are irreplaceable, not only in the wealth of information they contain, but mainly in their exposure of the reactions and feelings of the parties to the matchmaking process. Suitable considerations when choosing partners appear already in the Talmud and the Midrash, and recur as formulaic phrases in the letters. Yet, they are placed within a rhetoric setting constraints and stressing the family's sharpness, its misgivings and the need for early planning, as well as the reactions of the parents and the young

⁸⁶ On cases where the proposed bride's mother leads the initiative to cancel the match, see Dienna, *Responsa*, vol. 1, #148, 479: "I have seen the girl's mother full of rage and fury, as a throng of evil angels, telling her that the sons of Abraham of Pisa have strayed, and that they gamble. . . . Although I praised him [the marriage candidate, one of the sons] greatly, it was of no avail, and who could marry off a woman against her will?" See also Menachem Azaria of Fano, *Responsa* (Jerusalem: Salomon Print, 1963), #81, 143.

candidates. Several guidelines surface from this rhetorical profusion. The first has its roots in the family's hierarchical structure, which ranked the children and their rights by birth order. Hence, the first-born child should be married before his/her siblings.⁸⁷

Another characteristic of most marriages is homogamy, the tendency toward marriage with partners of similar class, education, wealth, and age, which is explicitly formulated in one of the letter manuals:

I have inquired whether to make her home between the stars, or whether wealthy and powerful men would rally her heart and her spirit. And were I to find a worthless groom for her, she would not consent to the match. The wealthy will be haughty, and the poor will covet. The brave will be courageous and wander off to the end of the earth, and the weak will succumb and fall ill. The coward, the weakling, tells all he is a fool, the skilled hunter with the lion face will boast and sow strife. The handsome will be vexed by what he has already attained and hanker for what he has not, the ugly will be overcome by envy and be jealous of his wife for no reason. I would consider this a dangerous sin.⁸⁸

The ideal groom is presented here as a literary paraphrase of the "middle way," one who is not too rich or too poor, too brave or

⁸⁷ On arranging a match for the first-born son before his brothers, see note 59 above and accompanying text, and also London Ms., Montefiore Collection 480, responsa of Abraham Menachem b. Jehiel Hacohen-Porto, 428a–b: "Reuven, Simon and Levi are married, the eldest as fits the first-born, in his due time." On the marriage of the eldest daughter before her sisters, see London Ms., Montefiore Collection 464 (IMHM # 5364), 56b: "As Your Honor knows, many have asked to join my family, mainly because of the maiden's virtue [his daughter], as there is no one like her in the region, but I could not make a decision since she is still tender in years, and especially since there is one older than her, and I would not take this step without the knowledge and consent of my dear wife and my widowed daughter, may she live long." See also Verona Ms., Seminary Library 25, no pagination.

⁸⁸ New York Ms., JTS 73836, 105b–107b. See also Oxford Ms., Roth Collection 701, 56a, on an attempt to arrange a match between a widower and a widow, "for in all things they are equal." In order to bestow further sanctity on the ideal of homogamic marriage, the expression "vines with vines" was often used, implying the grafting of high-quality stocks [see *Yalkut Shimoni*, portion Yitro #268, s.v. *va-Yishma Yitro*]. See for instance Jerusalem Ms., Mosad Harav Kook 20, 135, #382; Oxford Ms., Bodleian Library, #22, 10b–11a; New York Ms., JTS 4201, 3b. The homogamic pattern required the exclusion of deviants. A disgraceful act involving one member of the family (marriage to a servant, conversion to Christianity) restricts the matchmaking options of the others. See *Letters of Rabbi Leon Modena*, #156, 196–198; Budapest Ms., Kaufmann Collection 457 (see n. 82 above).

too cowardly, too handsome or too ugly. This formulation is borrowed from philosophical and ethical literature known to Italian Jewry.⁸⁹ Inspired by Maimonides, the ideal of moderation and of the middle way as an educational path to personal virtue became widespread. In the cited letter, the writer chooses the “middle” not between different virtues, but also as a means of comparing two families. The groom should be neither richer nor poorer than members of the bride’s family, or differ in class, beauty, influence, or bravery, but equal so that he will be a suitable candidate.

Other demands are routinely raised in letters dealing with match-making: health, ancestry, female modesty, and beauty. Female modesty conveys the woman’s subordination to her husband, and her acceptance of his authority in married life. It comes to the fore in behavior patterns and in physical gestures conveying submission and acceptance of authority.⁹⁰ Female beauty is a highly valued quality in Italy, despite a tradition dating back to Scripture (“grace is deceitful and beauty is vain, but a woman who fears the Lord, she shall be praised” [Proverbs 31:30]), instructing not to choose a woman by her external appearance.⁹¹ The groom’s beauty is also considered

⁸⁹ On the importance of moral-philosophical literature in Italy and its decline during the sixteenth century, see Robert Bonfil, *Rabbis and Jewish Communities in Renaissance Italy*, trans. Jonathan Chipman (London and Washington: The Littman Library of Jewish Civilization, 1993), 280–323.

⁹⁰ On feminine chastity, see Gabriella Zarri, “Disciplina regolare e pratica di coscienza: le virtù e i comportamenti sociali in comunità femminili (secc. XVI–XVIII),” in *Disciplina dell’anima, disciplina del corpo e disciplina della società tra medioevo ed età moderna*, ed. Paolo Prodi (Bologna: Il Mulino, 1994), 257–278.

⁹¹ See Oxford Ms., Roth Collection 701, 5b, a letter from a young man asking his future father-in-law “to send me a portrait of my fair bride.” In matchmaking epistles, beauty is mentioned as a consideration when choosing prospective brides. See Oxford Ms., Bodleian Library 91 (IMHM # 24735), 111, 45a; London Ms., Jews’ College, Montefiore Collection 464, 28a; *Letters of Jewish Teachers*, #32, 91–92. For a case where female beauty encouraged a secret betrothal, see Modena, *Responsa Ziknei Yehuda*, #108, 144–148. In wedding speeches, relying on the saying in the Midrash and the Talmud, preachers object to female beauty as an inducement to establish a family. See Budapest Ms., Jewish Theological Seminary 34 (IMHM # 47029), wedding speech from Reggio 1664, instructing men to observe the religious commandment and refrain from marriage for the sake of money or beauty and seek instead a woman of valor, who will raise sons to become religious scholars. See Judah Moscato, *Derashot “Nefutsoth Yehuda”* (Venice: De Gara Print, 1589), #26. Commenting on the saying “He who finds a wife finds happiness” (Proverbs 18:22) he preaches avoidance of the trap that ensnared the sons of God (Genesis 6:2) and instead, “delight, enjoy, and rejoice in the beautiful woman who will be under your authority.”

a quality that increases his matchmaking chances. A rabbi trying to find a match for one of his students describes his merits as follows:

There is no better *partito* [candidate] in the whole of Italy . . . even after marrying off all his sisters, this orphan will still have a capital of twelve thousand gold [the rest of the estate]. The boy is handsome, and healthy, and well educated, sharp and quick, and has no flaws or defects. Listen to my advice, because I care for you, do not tarry lest another should precede you in mercy.⁹²

After his chief merit, wealth, his beauty is mentioned as his most important attribute, even before education or good qualities.

Searching for a marriage partner was thought of as parallel to conducting commercial affairs, requiring composure and good planning. Matchmaking is based on a complex family strategy and on the mobilization of the family's economic resources, together with its social and political connections. The matchmaking process was therefore called *partito* or *compromesso*.⁹³ These terms carried obvious commercial and legal connotations in contemporary Italian, and assumed additional meaning in the Jewish context: the *partito* is the agreement on the management of Jewish communal affairs, particularly those concerning the division of the communal tax burden. The *compromesso*, meaning arbitration, is a procedure well known in Jewish law, which allows the parties to choose arbiters to rule on civil disputes. The unique legal status of Jewish communities in Italy strengthened the arbitration procedure as a general legal framework in the

⁹² *Letters of Rieti Family*, #278, 295. See also London Ms., British Museum 9152 (IMHM # 6590), responsa of Jacob Israel b. Raphael Finzi, #142, 239a–242a. After the match was agreed, the woman refuses to marry the man although he is “healthy and handsome, because repulsion depends on the heart’s will.” See also Budapest Ms., Kaufmann Collection 494 (IMHM # 14985), epistles of Shlomo b. Elijah of Poggibonsi, #10, a matchmaking letter detailing the groom’s merits, noting his family’s high status, his Torah learning, his beauty, “and the dowry will not be an obstacle either.”

⁹³ New York Ms., JTS 4201, 3b: “Some men have brought to me several match-making proposals for my blessed sons, may God keep them and watch over them, and they are decent and worthy *partiti*”; *Letters of Rieti Family*, #278, 294–296: “Pay heed, since fortune changes and does not stand still, so do not tarry too much and believe me, since there is no better *partito* than this in the whole of Italy”; Oxford Ms., Roth Collection, 65b; New York Ms., JTS Rabbinica 1094 (no. 6927) (IMHM # 43206), writs forms of Abraham of Ancona, 220a: “‘*Tenaim* writ form.’ Previously, he had written otherwise, ‘*compromesso* writ form.’” On the meaning of these terms in Italian, see *Grande Dizionario della Lingua Italiana*, vol. 3, s.v. *compromesso*, esp. § 3; vol. 12, s.v. *partito*², § 1–9.

community.⁹⁴ During the second half of the sixteenth century, the arbitration mechanism became widespread and, eventually, it came to be perceived as one of the community's significant instruments for creating social harmony and controlling individual behavior. The description of matchmaking in terms of *partito* and *compromesso* presents them as a financial deal, and as a publicly controlled procedure.

The dowry was one of the chief elements in determining the value of matchmaking candidates, and was at the crux of the negotiations. The shrewd and blatant discussions about dowry payments and the recording of its various stages in legal documents gave local Jews a bad name, as marrying solely for money.⁹⁵ Italian Jews tried to lessen their feelings of discomfort by claiming they were no worse than others. Dowry payments tested not only the family's economic capability. The reputation and dignity of the entire family were also tested at the time. Paying too small a dowry or failing to comply with the *tenaim* agreement (see next chapter) stained the family with dishonor and shame [*vergogna*].

Using Middlemen and Matchmakers

Finding candidates, making initial inquiries about them, and ascertaining the seriousness of the candidates' and their families' intentions were never attempted by approaching the other side directly. A direct approach would attest to exclusion from significant social circles, and did not augur well concerning the ability to conduct the family's affairs in the future. The social norm, therefore, presented such direct approaches as inviting rejection:

I received Your Honor's letter [the matchmaking letter sent by the groom's father directly to the bride's father] and will not hasten to relate to all its details. Why should I increase dissension? Let me just comment extremely briefly, Your Honor, that you were mistaken if

⁹⁴ The Jewish legal system in Italy relied mainly on arbitration, given the community's lack of enforcement powers. See Robert Bonfil, *Rabbis and Jewish Communities in Renaissance Italy*, 207–235.

⁹⁵ Budapest Ms., Kaufmann Collection 106, commentary on the *Shulhan Arukh* by Abraham Yosef Shlomo Graziano, 325: "The divine Kabbalist Aharon Berakhia Modena wrote in his book *Ma'avar Jabbok* . . . that due to the sins of marrying women for money and holding back support from Torah students, neglect of Torah is more common in Italy than elsewhere."

you trusted that I would recoil from dealing with the matter of the boy [the addressee's son, the marriage candidate]. But I could not honor you in a matter that is not in my hands. Many waters cannot quench,⁹⁶ although you should know that it was not possible to bring the girl [the writer's daughter] to your house, since she has already said she does not wish to marry any of your sons. . . . Hence, renounce this notion, give thanks to God, do not take fright nor fall into delusions and vain thoughts. . . . This plan will not come to fruit, by God, and should you insist on making marriage proposals in an improper manner, you must know that since the day you came onto this earth until today, no greater ill will have befallen you.⁹⁷

Letter exchanges are a slow form of communication, demanding patience from both senders and addressees. The issue that was the subject of the letter does not feature at the opening, and in most cases is not the only topic. In this case as well, the rejection of the marriage proposal is delivered after discussing other subjects and current events. Hence, the writer adopted the conventional literary style of honoring the addressee, and even offered his assistance on a non-defined subject ("I will help you as much as I can"). The two families may have had shared interests, moving the boy's father to approach the girl's father directly. As soon as the mistake is made, it is answered with a categorical rejection, in an unusually sharp and polemical tone. Rejecting the match is itself a "major problem" since it hampers the young man's future matchmaking chances, as the contents of the letter could become known to other people and raise speculations concerning the reasons behind the rejection. Adding insult to injury, the writer notes that the girl neither loves nor wants the boy.

The contemporary social ethos, which grants no legitimation to singleness, is visible in attempts to track down new potential candidates, and in occasional, non-institutionalized pressure on them and their families to conclude the matchmaking stage. The community's right to intervene and regulate the establishment of new families is

⁹⁶ The verse (Song of Songs 8:7) continues: "Many waters cannot quench love," ironically intimating that the girl does not want the match because she does not love the proposed candidate.

⁹⁷ Los-Angeles Ms., University Library 779 bx.4.7 (IMHM # 32360), letters collection, 2b. For another case of refusal due to a direct address, see Budapest Ms., Jewish Theological Seminary 217, 51a-b. See also Budapest Ms., Kaufmann Collection 582, 45-47: sons cancel the match of their widowed father, claiming that the woman had directly coerced the match upon him, without matchmakers or mediators.

a clear norm, compelling families to involve external agencies in the course of this process. No suitable matchmaking is possible without “honest brokers” [*emtsayim hagnunim*].”⁹⁸ Most matchmaking arrangements enjoyed the voluntary assistance of people personally known to the family: relatives,⁹⁹ friends, or a rabbi seeking a match for his students.¹⁰⁰ Brokers did not always receive payment in these cases, or did not expect to receive a set monetary reward.

Next to them were people whose closeness and loyalty to the family were less obvious, who engaged in matchmaking for a fee. Their role in the matchmaking process was not new. From the families’ viewpoint, they acted as another one of its delegates; all the activities performed by the families or by their close connections could also be performed by the mediator: inquiries concerning the families with whom they wished to enter into marriage relationships; delivering the information to the right people at the right time; exchanging information with other people (relatives or other brokers involved in the matchmaking), or conducting the financial negotiations between the families.¹⁰¹ The main role of these occasional matchmakers was to expand the circle of potential candidates. They did not refrain from offering the families, on their own initiative, several matches simultaneously, at times to the head of the family and to his children at the same time.¹⁰² Given the absence of clear standards reg-

⁹⁸ The expression is mentioned in Copenhagen Ms., Royal Library 115/2 (IMHM # 6926), matchmaking agreement from 1726 (no pagination): “Since the distinguished so-and-so and his aforementioned son resorted to honest brokers to ask so-and-so to agree to a match between his daughter, the pious maiden so-and-so, may she be blessed, and the honorable so-and-so.”

⁹⁹ Mantua Ms., City Library 52 (IMHM # 832), responsa of Jehiel Trabot, #29, 28b, dealing with a case from Ferrara 1584, in which a relative serves as both matchmaker and witness to the betrothal taking place at the house. See *ibid.*, #30, 29a.

¹⁰⁰ *Letters of Rieti Family*, #278, 294–296; *Letters of Jewish Teachers*, #164, 305–306; Yitzhak Min-Halleviyyim, *Medaber Tahapukhoth: A Seventeenth Century Autobiographical Story of A Venetian Rabbi*, ed. Daniel Carpi (Tel-Aviv: Tel-Aviv University, 1985), 12. The rabbinical involvement in marriage is discussed by Bonfil, *Rabbis and Jewish Communities in Renaissance Italy*, 77, 171, 192, 242–244.

¹⁰¹ New York Ms., JTS D93–152, #33: “I beseech you to confer discreetly with the benefactors there, so that they may give generously to this woman, may God keep her and watch over her, for her daughter’s need [to pay the dowry]”; New York Ms., JTS D456, epistle 252, 97a.

¹⁰² Mantua Ms., City Library 38 (IMHM # 818), responsa of Abraham Menachem b. Yaakov Hacohen Rapoport-Rafa, #3, 2a–3a: “Reuven undertook to speak to Simon, to ask him whether he would like to arrange a match for his son, or for

ulating the activity of the occasional matchmakers, several people could at times be involved in matchmaking efforts concerning the same person, sometimes without knowing about one another, and sometimes even competing openly.¹⁰³

The blurring of the borders between the family and the community's right to intervene did not stop at the matchmaking stage. The matchmakers' activity often transcended the initial negotiation with the families and continued into the long bargaining between the parties, the financial deals, and the signing of the *tenaim* writ, which made the agreement legally binding.¹⁰⁴ At times, they resorted to the

his daughter, or for himself, to this one or to Levi's son, and Simon replied that these are matters requiring serious consideration, and he would give a reply. Meanwhile, Reuven spoke no more to Simon about this matter. . . . Another man, without being asked by the parties and on his own will, took care of the match and brought it to successful conclusion." On other cases where matchmakers initiate the process, see Oxford Ms., Roth Collection 701, 65b; Oxford Ms., Bodleian library 91, #22, 10b–11a.

¹⁰³ Strasburg Ms., City and University National Library 4085, 99–101, a ruling about two matchmakers by Abraham Katz of Bologna: "This is what happened once between two parties litigating over a matchmaking arrangement for a woman. Reuven's wife died and, when the mourning period was over, Simon went to speak to him, to persuade him and entreat him to take another wife, a widow of a good family in the town. When Reuven heard Simon endeavoring to persuade him, he [said] he did not wish to speak at all of such things. About a year later, another broker came and failed in his endeavor, until a third mediator or broker came and concluded the match between Reuven and the widow. All this time, Simon had been in town and had never spoken to Reuven. When he found that the matter and the *kinyan* had been arranged, he came to claim his fee, because he had been the first broker to mention this, and demanded the fee of the last one." Moscow Ms., Ginzburg Collection 129, a ruling by Azriel Dienna, 71a–72b; Mantua Ms., City Library 52 (IMHM # 832), #63, on a fee for a match initiated by one matchmaker and concluded by another one. See the same responsum in Moscow Ms., Ginzburg Collection 526 (IMHM # 43047), #63, 119b–120a. See also Budapest Ms., Kaufmann Collection 149 (IMHM # photostate 8), compilation of rulings and responsa, 456–458: a matchmaker promised to speak with the bride's mother and procrastinated, and another man spoke to her in the meantime and arranged the match. Respondents are Jehiel Trabot, Abraham Katz of Bologna, and two others, unidentified by name; Copenhagen Ms., Royal Library 115/3, no pagination, s.v. Reuven and Simon and Levi; Mantua Ms., City Library 38, responsa of Abraham Menachem b. Yaakov Hacoheh Rapoport-Rafa, #3, 2a–3a.

¹⁰⁴ Matchmakers sometimes represented the families during all phases of negotiations, including on financial matters. See Jerusalem Ms., Benayahu Collection VI, 8 (IMHM # 44465), glosses on *Tikkun Shetarot*, ed. Eliezer of Mili, writ A, authorization writ (for matchmaking): "I hereby give him [the mediator] the power, the authority, and the right, to pledge for me and on my behalf, and obligate me concerning all the details pertaining to parties to a match, to set time and limits to the marriage, God willing, as well as all other issues customary in Italy, including the dowry sum and all other matters, as God will guide him and as he sees

broker even as a *kiddushin* envoy.¹⁰⁵ The deep involvement of mediators from within the circle of family, friends, and individuals dealing with it occasionally, stamped matchmaking with a distinctive

fit.” For other examples of authorization writs attesting to the brokers’ deep involvement, see Cincinnati Ms., Hebrew Union College 193 [IMHM # 24763], 2a–b; London Ms., Jews’ College, Montefiore Collection 463 [IMHM # 5363], writ forms, 4a–b; Copenhagen Ms., Royal Library 115/4 [IMHM # 14558], writ A, 73; Oxford Ms., Roth Collection 210, 50a–b: in a *tenaim* writ, 1642, item 1, “commits himself on his client’s behalf to take for a wife the honorable Rachel, and betroth her and give her gifts by the law of Moses and Israel, and the said Rachel pledges to enter the canopy with David and accept his betrothal”; Oxford Ms., Roth Collection 210, 50a–b, *tenaim* writ, 1642, proxies conduct the pre-wedding negotiations; New York Ms., JTS D93–152, no pagination: “Matchmaking writ . . . the contract entered and agreed between the distinguished so-and-so, representing the honorable so-and-so, as attested by the authorization writ worded according to rabbinical instructions in the month of so-and-so . . . about the maiden so-and-so, to be married to the youth so-and-so in such and such a place and, God willing, we will specify and clarify all the terms the parties have agreed between them”; New York Ms., JTS D456, letter 221, 88a: “You should urge them to send the authorization promptly, lest another should precede him in mercy, and I will carefully follow them, without straying right or left”; Budapest Ms., Kaufmann Collection 582, 45–47; Moscow Ms., Ginzberg Collection 289 [IMHM # 27960], 243a–246a, a widow and a widower authorize proxies to settle the marriage terms in a 1594 *tenaim* writ; *Letters of Rabbi Leon Modena*, #282, 318: “Following Your Honor’s suggestion, I send you an explicit authorization writ, and your power will be as mine in all matters, and may all be for the good. Amen”; “Quarrels at the Gates,” 234–236, 237–240. See Oxford Ms., Bodleian Library, #111, 45a, a matchmaker offers his services as mediator and envoy; London Ms., British Museum 27209 [IMHM # 5869], mid-sixteenth century letters collection, 9a–10a, a letter seeking donations for a poor bride’s dowry [*hakhmasat kallah*], attesting to financial negotiations between the groom’s and the bride’s parents through mediators. Matchmakers might also appear among the signatories of the *tenaim* writ. See Copenhagen Ms., Royal Library, no pagination, s.v. *ve-zot l-Y’hudah*, a Ferrara writ from 1697, the groom’s brother is authorized to sign the writ; Copenhagen Ms. 115/4, no pagination: “The parties have convened willingly and wholeheartedly, and they are: the honorable Aharon Berakhia Modena, son of Moses, of blessed memory, representing His Excellency, the honorable Pelatya, son of Hanania of Monselice, of blessed memory . . . for his honorable and virtuous sister Smeralda, may she be blessed, daughter of the aforementioned Hanania, of blessed memory, as evident in the authorization agreed in Ferrara, 1637”; New York Ms., JTS D93–152, no pagination; Budapest Ms., Jewish Theological Seminary 28 [IMHM # 47020], 2a–b, matchmaking writ from 1565.

¹⁰⁵ Moscow Ms., Ginzburg Collection 129, 8a: “Query: Leah was betrothed to Reuven through his envoy, and the envoy betrothed her without the consent and the knowledge of her mother and her relatives”; Modena Ms., Estense Library 58 [IMHM # 14965], writs collection, 22b, betrothal envoy; Parma Ms., De Rossi Collection 2228(1187) [IMHM # 13394], book of practices, fifteenth century, 57b: “formula for writ to a betrothal envoy”; Benyamin B. Mattitya of Arta, *Responsa Binyamin Ze’ev*, ed. Meir Benayahu (Venice 1539; Jerusalem: Yad Harav Nissim, 1991), 99b, a betrothal envoy who mistakenly said “you are betrothed to me” instead of using his sender’s name. The use of a mediator is mentioned as a reasonable

social character and limited the families' control concerning the choice of candidates and the terms of marriage.

Attitudes toward matchmakers wavered between trust and downright hostility. The service to the family on matchmaking matters was an important test of male friendship, and added to the mutual trust. When the matchmaking role was assumed by strangers, however, the tendency was to doubt their loyalty to their clients, their sincerity, and their professionalism. Contempt for matchmakers appears already in the writings of Immanuel of Rome, the Jewish fifteenth century poet,¹⁰⁶ and in letter manuals from the sixteenth and seventeenth centuries bearing a more personal stamp, mentioned below.

Despite the importance of the broker at the matchmaking stage, this role was less institutionalized in Jewish Italian society than in Ashkenaz. Hirsch-Jacob Zimmels and Israel Abrahams deal with the early institutionalization of the matchmaker's role in Ashkenaz:¹⁰⁷ only men engaged in it, and their fees were set as a percentage of the dowry. From the sixteenth century onward, we find professional matchmakers in the Spanish diaspora as well. The matchmaker's professional role is characterized by three distinctive features: (1) The

option in Johanan b. Yosef Treves, *Annual Liturgy* (Roman rite) with commentary *Kamha de-Avishona* (Bologna, 1540), *seder hatanim* [wedding liturgy] vol. 2, no pagination; New York Ms., Columbia University Library X893T67 [IMHM # 20659], Jehiel Trabot, *Responsa*, #102: "This is the mediator who twice performed the betrothal act."

¹⁰⁶ Dvora Bregman, *The Golden Way. The Hebrew Sonnet during the Renaissance and the Baroque* (in Hebrew), (Jerusalem and Beer-Sheva: Ben-Zvi Institute and Ben-Gurion University Press, 1995), 70–71.

¹⁰⁷ On the use of matchmakers in Ashkenazi society, see Hirsch-Jacob Zimmels, *Ashkenazim and Sepharadim: Their Relations, Differences, and Problems as Reflected in Rabbinical Responsa* (London: Gregg International Publishers, 1958), 175; Israel Abrahams, *Jewish Life in the Middle Ages* (London: E. Goldston, 1932), 170–174. Zimmels and Abrahams claim that Ashkenazi communities are unique in their wide use of matchmakers. The common practice was to pay them after signing the *tenaim*. See Yedidya Alter Dinari, *The Rabbis of Germany and Austria at the Close of the Middle Ages: Their Conceptions and Halacha-Writings* (in Hebrew) (Jerusalem: Bialik Institute, 1984), 19–20; Israel Jacob Yuval, *Scholars in Their Time: The Religious Leadership of German Jewry in the late Middle Ages* (in Hebrew), (Jerusalem: Magnes Press, 1988), 33–34. For evidence of regular payments to matchmakers, see Joel Sirkes, *Responsa Ha-Bah Ha-Yeshanot* (Frankfurt: Johann Wauscht, 1697), [Jerusalem 1980]. On a case from the Sephardi diaspora, see Samuel b. Moses Di Medina [Maharashdam], *Responsa* (Lvov: Poremba Press, 1862), *Even ha-Ezer*, #212, 33c: "Reuven, a matchmaker, said to Simon: 'How much will you pay me for persuading Zebulun to give you his daughter for a wife?' And he [Simon] said: 'Name you price.' He answered: "Give me a mantle of Venetian cloth.' And he said: 'That's too much.'"

matchmaker's fees were set in advance—a fixed sum or a certain percentage of the dowry's value—in line with practices in the area, or as determined by the communal ordinances. (2) The chosen matchmaker was granted exclusivity. (3) The community viewed matchmaking, essentially, as a profession. These features are missing in the activity of matchmakers in Italy, which are not institutionalized, stable, or professionally recognized. Jewish immigrants arriving in Italy from Ashkenaz and Spain from the fourteenth century onward and their traditions on the use of matchmakers did not influence local custom during the sixteenth century.

Institutionalizing Matchmaking in Italy

Only toward the end of the sixteenth and the beginning of the seventeenth centuries do initial signs of matchmaking as a profession appear in Italy. The clear sign is the demand for exclusivity:

I learned from him and not from his letter of your fears about anchoring this coupling ship [concluding the match] through so-and-so, who is my friend and my beloved. You tried to win over the boy [the prospective groom] through various letters, which were worthless and had no effect. . . . And I saw clearly that this depended on so-and-so, because when he saw that others were meddling in the arrangements, [he made sure] the boy could no longer be reached. I then chose to mention Your Honor's name and told him that . . . as far as the matchmaking fees on the girl's part are concerned, he will receive them from me and together with me, without any objection. Upon hearing this, his words became as rain upon the mown grass;¹⁰⁸ he changed his mind, drew closer and, through his efforts, the deal was concluded when we shook hands and made an agreement between us, as he wished. Now, brother, to prevent any mishaps, please make sure no one approaches so-and-so, since he could assume that this person also has a share in the deal. And you, brother, know that so-and-so will not tolerate any burden that could, God forbid, spoil the deal. Hence, you must try and send an authorization quickly, lest another should precede you in mercy [in the matchmaking agreement], and I will keep on their tracks, without straying right or left.¹⁰⁹

A matchmaker approaches the girl's father in conciliatory terms that veil a threat. The conciliatory terms convey his wishes to accom-

¹⁰⁸ Psalms 72:6.

¹⁰⁹ New York Ms., JTS. 3833 (IMHM # 29638), #221, 88a.

plish the mission on which the father had sent him, accompanied by a threat to derail the match unless it is arranged through him, and only through him. The potential groom is friendly with a third party [the “so-and-so” of the letter], who has undertaken to block any match that has not been arranged by the matchmaker writing the letter. The father’s attempt to approach the young man directly (“various letters, which were worthless and had no effect”)—a serious *faux pas*, as noted above—will not succeed due to the influence of the matchmaker and his friend on the potential candidate. The reason for the threat to block the matchmaking offer is spelled out directly—preventing others from sharing in the matchmaking fees. The power of the threat relies on his claim to exclusivity (“all that concerns the matchmaking fees on the girl’s part he will receive from me and together with me”) enabling him to make good on his threat. The new type of matchmaker worked under conditions agreed with the parties a priori, and did not allow others to interfere.¹¹⁰

The matchmaking fee was also institutionalized. This issue, discussed throughout the sixteenth century, remained open. All questions dealt with the division of fees between various matchmakers involved in the same affair.¹¹¹ Halakhic arbiters had no set legal cri-

¹¹⁰ See also New York Ms., JTS Rabbinica 1474, no. 8216 [IMHM # 43497], responsa of Nethanel b. Aharon Jacob Segre, *Afar Yaakov*, 15a: “And Simon said [to Reuven]: ‘If you want to take a wife, this Levi is a uniquely special matchmaker to find a wife and bring her to her husband’s home, expert in marriage and betrothal, and his art is finding matches.’ So Reuven said to Levi: ‘May my wish come true, for then I promise to pay you twenty coins as your fee. . . .’ And the matchmaker was successful, and received his fee from Reuven, as customary, without further ado.” The question arises since two people are involved in this match. The first, Simon, is a matchmaker of the old type who connected Reuven to Levi, the second, Levi, is a professional matchmaker. The first one was not paid, and he justifiably demanded a fee for activating his personal network of contacts, as customary in a matchmaking arrangement. Once the new/professional mediators conquered the arena, the first one can hardly be defined as a matchmaker, and paying him is not obvious.

¹¹¹ Strasbourg Ms., City and University National Library 4085, 99–101; London Ms., Montefiore Collection 480, responsa of Avraham Menachem b. Jehiel Hacohen-Porto, 420b–421b; New York Ms., JTS Rabbinica 1439 [IMHM # 43442], rulings and responsa, 1a–2a: “On Reuven, who went to Simon and asked him whether he wished to give his daughter to Joseph, and Simon replied that he wanted to discuss this proposal with Levi, his relative, and then the match was done by Reuven and Levi. Reuven now demands to be paid the entire sum due for matchmaking fees, and does not want to share it with Levi, saying he was the first to propose it, and Levi claims that part of the matchmaking fees are due to him, since he had a hand in the matter”; Budapest Ms., Kaufmann Collection 149: “About a match that started with one matchmaker and ended with a second one,” and *ibid.*, 593–598;

terion or clear tradition for deciding on matchmakers' fees. Once matchmaking became a profession with claims to exclusivity, matchmakers' fees were included as another component of marriage expenses,¹¹² directly proportionate to the size of the dowry,¹¹³ as was the Jewish custom outside Italy. Substituting for the occasional matchmaker acting on the family's instructions was a professional aware of his own value and power, collecting a prearranged fee, and imposing his terms on the families. Confrontations between various matchmakers over the division of matchmaking fees were replaced by quarrels between the family and the exclusive matchmaker over fees and terms of payment. The new pattern ensured matchmakers greater power, and we now find a growing number of complaints about the behavior of matchmakers, which the families defined as aggressive and involving deceitful acts. People were aware of the considerable changes.¹¹⁴ The target of the complaints was better defined and more

Copenhagen Ms., Royal Library 115/3, no pagination, s.v. Reuven and Simon and Levi; Budapest Ms., Kaufmann Collection 146 [IMHM # 14527], rulings concerning the return of marriage gifts, fines, and practices in force on matchmaking fees, 200–202; Mantua Ms., City Library 52, responsa of Jehiel Trabot, #63.

¹¹² Jerusalem Ms., Ben-Zvi Institute 4044, a question addressed to Joseph b. Michael Ravenna in the year 1636, 11a–13b: “to impose a fine on a person retracting from a matchmaking commitment, due to losses incurred by the other party for several expenses, such as matchmaking fees and other outlays.”

¹¹³ New York Ms., Columbia University X893T67, responsa of Jehiel Trabot, #122: “A custom has spread in these areas, to pay five percent of the dowry's value for marriage brokering.” This is a typical Ashkenazi tradition, see Abrahams, *Jewish Life*, 173–174. For further late seventeenth-century evidence of the increasing professionalization of matchmaking, see Lampronti, *Pahad Yitzhak*, vol. 8, s.v. *Shidukhin*, 90a–b: “The custom in Ferrara is to collect [matchmaking fees] immediately after signing the matchmaking writ . . . and Ferrara masters [rabbis] thus ruled in favor of the honorable Pelatya Monselice, who had arranged a match between a woman from Ancona and Abraham Anav's sister, and they signed a matchmaking writ. The groom then retracted but they ruled that the matchmaking fee should nevertheless be paid, because this is the practice in Ferrara, as written in the notebooks of R. del Bene.”

¹¹⁴ *Letters of Rieti Family*, #295, 313. On the periodization of these letters, see introduction, 3. See *Letters of Italian Jews*, #83, 130–131, warning the reader against placing trust in marriage brokers, “unless you have established the truthfulness of the matter beforehand”; *ibid.*, #244, 300–302, turning to family friends and asking them to examine the marriage candidate, and advising them to act with deliberation and without haste, “unlike the ways of the matchmakers, which/who my soul hates.” For another dispute between families and matchmakers, see Moscow Ms., Ginzburg Collection 160 [IMHM # 6840], 23b–24a: “to look for compromise as much as possible, according to their honor [= matchmakers], for their tongue is like a sharp arrow . . . and to every negotiable matter they will apply their wiles. Blessed be He, who has not created us [like them], and has separated us

conspicuous, echoing the protest against the professional takeover of a realm that had previously been under the family's control.

The professionalization of matchmaking may appear surprising, given that Jews lived in dense ghettos. The transfer to ghettos changed Jewish dwelling patterns: from a wide spread over hundreds of small settlements to concentration in a few dozen places, mainly big cities.¹¹⁵ In the dense, rumbling ghetto, community members knew each other and information about a family was immediately available.¹¹⁶ In such a framework, we might expect the need for matchmakers gathering information about marriage candidates to diminish. The increasing power of matchmakers attests to development and change in the "matchmaking space." This is the first ritual indication of increasing levels of social control during the early modern period. The matchmaker is no longer an extension of the family's ability to create links with other families. Other people are added at the matchmaking stage, who communicate information about the family to wider circles, and are now beyond the family's control.

Matchmaking and Negotiations among Christians in Italy

From the 1980s onward, scholars became interested in the history of the "Catholic" family in Italy at the end of the Renaissance and the early modern period.¹¹⁷ An entire collection of studies was devoted

from the throng of mediators"; New York Ms., JTS 73836, letters of Shlomo b. Elijah of Poggibonsi, 7b. For comparison, see a critique of matchmakers at the close of the fifteenth century: Umberto Cassuto, "Un rabbino fiorentino del secolo xv," *Rivista Israelitica* 4 (1907): 225–229, which focuses on the greed of grooms for coveting sizable dowries, and mentions matchmakers only as their supporters.

¹¹⁵ Bonfil, *Jewish Life in Renaissance Italy*, 19–77.

¹¹⁶ The ghetto created a living space very similar in atmosphere to that prevailing in city quarters (*gonfalone, quartiere*), including a close acquaintance with other families' private life. See Roni Weinstein, "'Segregatos non autem eictos' [Segregated yet not Ejected]: Jews and Christians in Italian Cities during the Catholic Reformation" (in Hebrew), in *Being Different: Minorities, Aliens and Outsiders in History*, ed. Shulamit Volkov (Jerusalem: Zalman Shazar Center, 2000), 93–132; idem, "The Jewish Ghetto in Relation to Urban Quarters in Italian Cities during the Early Modern Time: Similarity and Differences" (in Hebrew), *Zemanim: A Historical Quarterly*, 67 (Summer 1999): 12–21.

¹¹⁷ Note, for instance, Klapisch-Zuber, *Women, Family and Ritual in Renaissance Italy*; Anthony Molho, *Marriage Alliance in Late Medieval Florence* (Cambridge, Ma. and London: Harvard University Press, 1994); Fabbri, *Alleanza matrimoniale e patriziato nella Firenze del 400*.

to marriage practices in Italy from the Middle Ages until the present.¹¹⁸ Many were focused on several big cities in Northern Italy (particularly Florence), with an emphasis on the family traditions of the wealthy bourgeoisie, due to the tendency of this class to record in writing various aspects of family life.

The research bias stressing large urban areas and privileged strata then shifted, and scholars have become concerned with new geographical regions (rural areas, southern Italy) and with lower social classes.¹¹⁹ In no small measure, this expansion was made possible by the volume of the documentation and the variety of literary genres: legal notarized documents, the rich archives of credit institutions for brides' dowries (*monti delle dote*), family diaries (*libri di ricordi, ricordanze*), legal proceedings, population censuses (*catasti*), fiction works, visual sources. These sources enable to consider the parties' expectations and their ability to realize them, the family and public mechanisms involved in the matchmaking process, the differences in the attitudes of various "classes" or economic groups toward marriage, and folkloristic practices and traditions.

Except for the wedding day, matchmaking is the ritual stage that is best documented. One of the richest sources for inquiring into the personal-family-community mechanisms are the letters sent by the families during the matchmaking stage. Thus, for instance, the letters of Alessandra Strozzi were the main source of Lorenzo Fabbri's book on marriage practices in Florence during the fifteenth and the beginning of the sixteenth centuries. The mother of the family stayed in the city even after most of her children had been forced into political exile, far away from Florence. Contacts were maintained

¹¹⁸ For a comprehensive bibliography of marriage in Italy during the late Middle Ages and the early modern period, see De Giorgio and Klapisch-Zuber, eds. *Storia del matrimonio*; Seidel-Menchi and Quagliani, *Coniugi nemici*.

¹¹⁹ David Herlihy and Christiane Klapisch-Zuber, *The Tuscans and Their Families: A Study of the Florentine Catasto 1427* (New Haven: Yale University Press, 1985); Raul Merzario, *Il paese stretto: Strategie matrimoniali nella diocesi di Como, secoli XVI–XVII* (Torino: Einaudi, 1981); Marzio Barbagli, *Sotto lo stesso tetto: Mutamenti della famiglia in Italia dal xv al xx secolo* (Bologna: Il Mulino, 1988); Gerard Delille, *Famille et propriété dans le royaume de Naples (XV^e–XIX^e siècles)* (Rome: École Française de Rome, Éditions de l'EHESS, 1985). For an inter-class marriage story that did not end well, see Gene Brucker, *Giovanni and Lusana: Love and Marriage in Renaissance Florence* (London: Weidenfeld and Nicholson, 1986). On the family life of the working classes, see Samuel Kline Cohn, *The Laboring Classes in Renaissance Florence* (New York: Academic Press, 1980); Lucia Ferrante, "Il matrimonio disciplinato: processi matrimoniali a Bologna nel Cinquecento," in Prodi, ed., *Disciplina dell'anima*, 901–927.

over many years though a long series of letters, dealing mainly with daily, ongoing problems, with the protection of the family's interests, and with the marriages of the sons and daughters. Hundreds of letters enable us to track the various matches over many years, the successes and the failures, and the personal and family motivations of the Strozzi.

Dozens of works were written in Italy during the sixteenth and seventeenth centuries on the issue of choosing a marriage partner. Ethical treatises, guides on running a household (*Economica*), and advice that paterfamilias write for the next generation, attest to the problematic nature of the matchmaking stage, and how it could lead families to distress.¹²⁰ For a matchmaking negotiation to conclude in a way both parties would find satisfactory, one had to know the "rules of the game" and understand the subtle underlying social codes (etiquette). Although some of the guidelines were clearly spelled out in the manuals, most of them were part of the basic social skills acquired in the course of integrating into urban life and, therefore, needed no explicit formulation, either verbally or in writing.

The decision to look for a partner for the family's children marked the opening of the matchmaking stage. The scope of the search was a direct function of the family's economic and political status. The greater the fortune and the prestige at stake the larger the geographical area of choice, outside the urban neighborhood where the family lived, and sometimes outside the city. When the assets involved in the marriage deal were small, the marriage circle was essentially endogamic, and the choice of partners confined to the urban neighborhood, the guild, or the village.

Finding partners was a complex task for the bourgeoisie. The task was incumbent on the paterfamilias, and was considered one of the father's basic obligations toward his children, and particularly toward the younger daughters.¹²¹ In his absence or after his death, other family members assumed this role—uncles, older brothers, grand-

¹²⁰ Daniela Frigo, *Il padre di famiglia: Governo della casa e governo tradizionale dell' "Economica" tra cinque e seicento* (Roma: Bulzoni, 1985), passim.

¹²¹ The paterfamilias' authority to marry his children is mentioned by Christiane Klapisch-Zuber, "Zacharias or the Ousted Father" in *Women, Family and Ritual*, 178–212; Fabbri, *Alleanza matrimoniale*; Molho, *Marriage Alliance*; and Frigo, *Il padre di famiglia*. On further legal-social aspects of this pattern, see Herlihy and Klapisch-Zuber, *The Tuscans and their Families*, 338–342; Kuehn, *Law, Family and Women*, 129–142, 197–211; Barbagli, *Sotto lo stesso tetto*, 20–22.

parents. In other cases, guardians were appointed for children who were unmarried or had not yet attained legal independence. Finding partners required following up on the pool of suitable candidates beyond the family's immediate geographic environment. For this purpose, the family had to use the entire range of social-political-economic connections at its disposal. Klapisch-Zuber described with great insight the three important circles in the life of the nuclear family that could also be helpful during the matchmaking period—relatives, friends, neighbors (*parenti, amici, vicini*).¹²² We may also add godfathers and patrons. The extended family maintained the genealogy and the common name, the tradition, and the family assets passed on through the male line (the agnatic sequence). "Friends" are people to whom the family feels close as a result of a long-term acquaintance, shared work, membership in an association or some other concern. Neighbors living in the same urban or rural environment were deeply involved in the family's everyday life. Given the close acquaintance with the personal and intimate aspects of the family's life, neighbors felt entitled to intervene in matchmaking as well. The institution of godparenting found in European Catholic tradition created a family link between the baptized child and the godfather and precluded marriage between them.¹²³ This closeness would purportedly continue throughout their lives, and was manifest in a series of mutual commitments. Patronage is one of the most significant elements in the understanding of urban politics in Italy and beyond.¹²⁴ In Renaissance republican cities too, and certainly with the decline of these regimes in the early modern period and

¹²² Klapisch-Zuber, "Kin, Friends and Neighbours."

¹²³ Godparents played a considerable role in forging family alliances in Italy. See Klapisch-Zuber, "Comperage et clientelism," in *La maison et le nom: stratégies et rituels dans l'Italie de la Renaissance* (Paris: EHESS, 1990), 123–133; Richard T. Trexler, *Public Life in Renaissance Florence* (New York: Academic Press, 1980), passim. On the wider European context, see John Bossy, "Godparenthood: The Fortunes of a Social Institution in Early Modern Christianity," in *Religion and Society in Early Modern Europe 1500–1800*, ed. Kaspar von Greyerz (London: G. Allen and Unwin, 1984), 194–201; Agnès Fine, *Parrains marraines: la parenté spirituelle en Europe* (Paris: Fayard, 1994).

¹²⁴ Ronald Weissman, "Taking Patronage Seriously"; Guy Fitch Lytle, "Friendship and Patronage in Renaissance Europe," in *Patronage, Art, and Society*, 47–61. The *longue durée* perspective is mentioned in Gabriel Herman, "Patronage as an Instrument for the Historical Analysis of Traditional Mediterranean Societies" (in Hebrew), *Zmanim: A Historical Quarterly* 34–35 (Summer 1990): 153–165.

the transition to oligarchy, political activity is perceived as mainly a power struggle between strong family groups. The absence of a service approach, namely, the assumption that the city grants equal service to all citizens, compelled reliance on a strong patron to ensure a sympathetic judiciary, favorable tax evaluations, or work in the city. Hence, an urban family in Italy during this period operated within an extensive network, which was also useful when searching for suitable marriage candidates.

The personal connections of adult and powerful heads of families were the driving force during the first stage of matchmaking. The ability to reach sources of information beyond the close family circle significantly expanded the number of candidates, and thus also the ability to choose beyond the local pool the one suited to the family's needs. The family's power and status were strengthened as the geographical scope of the partners' provenance was extended. The exchange of information and the informal contacts between various individuals took place both verbally and in writing, through personal secret letters. Heads of families understood the importance of standing behind others at this delicate time, and saw no humiliation or degradation in being asked to check out suitable candidates in their vicinity for a relative, a friend, or a client. Even Lorenzo II Magnifico was occasionally involved in arranging matches that promoted the political interests of the Medici.

Inquiries about the candidates and their families took place in the same social circles noted above. Beside personal contacts, they sometimes resorted to professionals [*sensali*] who, for an agreed fee, engaged in finding suitable candidates, clarifying details, and establishing initial contacts with the other party.¹²⁵ The use of professionals as mediators was not imperative, but gave the family an advantage in its ability to expand the information pool at its disposal, and also functioned as a connecting link with the other family. In many cases, it is hard to draw a distinction between matches agreed on a personal basis through brokers close to the family [*mezzani*] and the activity of professional *sensali*, because in both cases it was customary to give some financial reward for personal service and mediation.¹²⁶ The

¹²⁵ The role of professional matchmakers is discussed by Fabbri, *Alleanza matrimoniale*, 50–55, 159–166.

¹²⁶ On the blurred distinction between the occasional matchmaker [*mezzano*] and the professional one [*sensale*], see *ibid.*, 143–159.

mediators accompanied the matchmaking process throughout, from the search for the candidate, the inquiries, the family contacts, the financial negotiations, and the signing of the matchmaking agreement between the families. Using mediators was imperative because any direct approach to another family would have entailed a blatant infringement of the social etiquette, attesting to the suitor's marginal status. Hence, until both parties understood that the signing of a matchmaking agreement was imminent, they did not engage in direct negotiations but involved wide social circles. Since rejecting a matchmaking offer entailed an affront to the family, it was considered less offensive that the rejection be received by its representative.

Individuals outside the immediate family circle who were involved in the matchmaking process did not see themselves as merely passive agents in the family's service but as having their own say concerning the candidates' suitability. Exclusivity was taken away from the parents, and certainly from the youngsters. Marriages based on personal feelings evoked strong criticism. It was claimed that they isolated the couple from the family and group concerns that would later enable their normative functioning. The creation of a new family places important group interests on the agenda: a significant transfer of the family's assets to the next generation, the possibility of creating professional and political connections, the preservation of family tradition and the family name.¹²⁷ Congested urban life created a tight network of dependence within the city, into which the family had to integrate. Marriages based on the youngsters' personal choices were perceived as a scandalous act, which excluded the family from this network of mutual links. These needs naturally led to guidelines for action, or clear criteria, in the choice of partners. The basic guideline was homogamy—marriage between parties similar in status, wealth, political connections, and family traditions. Matchmaking signaled the most crucial moment in the continuation and preser-

¹²⁷ On the crucial role of political-economic considerations in the choice of marriage partners, see *ibid.*, 35–48: “The structure of the population and of society, the crucial institutional role of family, the legal, political, and economic context, the mentality and the cultural values, and finally, the very organization of the matrimonial system: all these elements coalesced so that choosing a marriage partner meant respecting a series of prescriptions and proscriptions leading toward more acceptable social combinations”; *idem*, “Trattatistica e pratica dell’alleanza matrimoniale,” in De Giorgio and Klapisch-Zuber, eds., *Storia del matrimonio*, 91–117; Molho, *Marriage Alliance*, 132–137.

vation of the present even beyond the next generation. Hence, it was at this stage that heads of families exerted their strongest authority to enforce their decisions on the young. Their success depended on the scope of the assets to be transferred to the next generation, on the changing political circumstances, and on the youngsters' considerable chances to operate independently.

The pressure to abide by communal expectations when creating a family was particularly evident concerning the marriage of daughters. A daughter's birth could represent the beginning of the family's deployment on the subject of marriage. The head of the family could choose between marrying off his daughters or destine them, from a young age, to life in a convent, thus pre-empting family life for them. The choice was part of overall family considerations and a family strategy on the division of wealth. Matchmaking arrangements for daughters began with the first signs of sexual maturity.¹²⁸ From this moment on, female celibacy was perceived as a threat and a danger to the family. The image of women in Italy, as it appears in Renaissance literature and beyond, stresses the dangers of their sexuality, given their volatility and lack of restraint. The daughter's loss of virginity evoked strong fears concerning the honor of the family's men, who had failed to protect her. The beginning of sexual maturity made the daughter's marriage an urgent family concern. Sexuality outside a defined framework represented a threatening potential, to be defused by removing the daughter from the house. She could be sent to a convent, or to work as a servant, or transferred from the male family tutelage (father, older brothers, uncles, guardian) to another male guardianship (the groom and his family). Failure to arrange a match for a young daughter within a relatively short period evoked fears of rumors and suspicions staining the girl and her family, lessening even further her chances of finding a suitable candidate. Anthony Molho found that one way of preventing such rumors and "gaining time" was to falsify the girls' ages.¹²⁹ As the girls approached normative marriage age, fathers

¹²⁸ On the tendency to set an early date for the marriage of daughters due to fears of female sexuality that was not channeled into the marriage framework, see Molho, *Marriage Alliance*, 137–143; Fabbri, *Alleanza matrimoniale*, 117–120.

¹²⁹ Molho exposed fathers' deception concerning the age of their marriageable daughters. See *Marriage Alliance*, 225–232; idem, "Deception and Marriage Strategy in Renaissance Florence: The Case of Women's Ages," *RQ* 41 (1988): 193–217

would lie when reporting this datum in urban population surveys. Marriage age for girls was a function of several elements and varied in different Italian regions and social groups. The definite trend, however, was for girls to marry young, at a considerable younger age than men.¹³⁰

In the case of men, marriage added to their maturity and their personal independence, since it marked an additional move toward their integration in city life.¹³¹ Men of various classes in the city tended to postpone marriage until they had achieved basic economic independence, acquired status and a profession, and could offer the bride a place to live. Marriage age for men, therefore, rose until close to thirty, leading to a significant age gap between men and women in first marriages. The man reached marriage when he was already established and mature, and had accumulated extensive sexual experience. Together with the advantages married life offered to the man, it also placed limitations on behavior that had been considered acceptable in his single life. In several Italian cities toward the end of the Renaissance, male opposition to married life led to a drastic decrease in the rate of marriages and to a demographic crisis.¹³² Male hostility to marriage is evident in fiction and in popular culture in Italy.

Negotiations between the parties could proceed over long periods, with each testing the other's intention and power. At the center was the extent of the intended assets transfers: the bride's dowry, and the groom's presents and counter-dowry. The value of the candidate's family, the advantages of marriage, and the potential partners' per-

¹³⁰ Molho, *Marriage Alliance*, 137–143, including references. See also Fazio, "Percorsi coniugali nell'Italia moderna." The linkage between the age gaps separating husbands and wives and social instability in Renaissance Italian cities was suggested by David Herlihy, "Some Psychological and Social Roots of Violence in Tuscan Cities," in *Violence and Civil Disorder in Italian Cities 1200–1500*, ed. Lauro Martines (Berkeley: University of California Press, 1972), 129–154.

¹³¹ On age discrepancy in first marriages in Italy, see Francesco Benigno, "The Southern Italian Family in the Early Modern Period: A Discussion of Co-Residential Patterns," *Continuity and Change* 4 (1989): 165–194. See also Herlihy and Klapisch-Zuber, *The Tuscans and their Families*, 83–88; Guido Ruggiero, *The Boundaries of Eros: Sex Crime and Sexuality in Renaissance Venice* (Oxford and New York: Oxford University Press, 1985), 13–14.

¹³² Herlihy and Klapisch-Zuber, *The Tuscans and their Families*, 221–231. On the propensity of men to delay marriage, and the effects of these trends on their sexual habits, see Ruggiero, *The Boundaries of Eros*, *passim*.

sonal details were evaluated with the composure and shrewdness of traders about to embark on an important deal, seeking to avoid likely traps. In letters and personal diaries, matches are described in terms used for goods or for the market, where every item has a price. The terms mentioned parallel economic transactions: the deal (*parte*) or the mutual understanding preceding the deal (*compromesso*).¹³³ The importance of the terms of engagement with the other party lies not only in the prospective economic advantages, but is also evidence of the family's status in the city and its ability to ensure the future of the next generation. Hence, an additional consideration throughout the negotiations was to uphold family honor.¹³⁴ This consideration, which cannot be fully exchanged or translated into money, lessens the power of the "marriage market" model as an explanation of matchmaking. Economic considerations were not the only decisive element when choosing marriage partners. Family rank and political connections were crucial in a society where assets were important insofar as they could be translated into political influence through personal connections. Personal qualities—beauty, health, modesty, industriousness—also affected the sifting of the candidates.

Matchmaking among poor urban artisans or groups without any assets is not documented to the same extent. Legal documents from the Toscana area show that popular classes also resorted to mediators in order to bring marriage proposals before other families. Matchmakers in these cases were not professionals charging a certain percentage of the dowry for their services, but men from the close circle of acquaintances in the neighborhood.¹³⁵ Often, the youngsters themselves initiated contacts in surroundings close to their families,

¹³³ The term "marriage market" is discussed in Molho, *Marriage Alliance*, 18–19; Fabbri, *Alleanza matrimoniale*, 131–139. See Witthoft, "Riti nuziali e loro iconografia," 125–128, alluding to what Antonio Landi wrote in the sixteenth century "Matchmaking resembles the sale of leather or clothes, insofar as it requires marketing" [*Un fidanzamento rassomiglia a una vendita di cuoio o di panni, tanto c'è da mercanteggiare*].

¹³⁴ On honor as significant consideration when choosing a partner, see Molho, *Marriage Alliance*, 225–232: "Everyone implicated in these exchanges was not so much concerned with the lack of suitable male candidates from the marriage market; nor, arguably, did the issue of dowries loom as large as one might have thought, although quite obviously some very hard bargaining took place on this issue. The key was honor: the principal fear being that marriage negotiations would undermine it, the main hope being that a good marriage would help to solidify it"; Fabbri, *Alleanza matrimoniale*, 43–48.

¹³⁵ Lombardi, *Matrimoni di antico regime*, 185–188.

such as the neighborhood or other professional and social circles. Legal documents from urban and ecclesiastic courts show great informality in these marriages. Possibly, the limited scope of the property at stake did not require long negotiations or the involvement of many mediating agents.

Summary: Matchmaking (Stage One)—A Separate “Field of Action”

The search for appropriate marriage partners and the verbal negotiations between the parties are copiously documented, especially in letters. These records clearly show that families interested in finding suitable partners for the next generation, as well as adults seeking partners for themselves, must relinquish other pursuits and devote efforts and full attention to this matter, which cannot be approached casually. Thus, we read in a legal document describing a confrontation between a senior partner at a credit loan bank and his colleagues:

And it happened to come [Ruth 2:3] that the leading partner, who is very busy and involved in the business [of directing a credit loan bank], lost his wife, and was left alone and lonely, without a wife or children. He was dejected, because he wanted to marry a woman to observe the commandment to be fruitful and multiply. Due to his ties to the place and his commitments to the partnership, he could not travel in order to find a help to match him [a suitable partner], an esteemed, modest, and respected woman, as his soul yearned for . . . because as long as he was committed and enslaved to this business, he could not find a suitable woman. Hence, the senior partner wanted to retire from this position and have his colleagues choose another leader to deal with the business until the end of the partnership deal.¹³⁶

The main reason for the wishes of the senior partner to reduce his involvement in the running of the bank was his desire for greater freedom of movement, apparently in order to examine potential candidates for a second marriage by himself. But freedom of movement was precisely one of the advantages of directing a bank, and certainly of banks based on a partnership and belonging to a chain with branches in several places. Neither time nor movement limitations hindered this banker, then, but the inability to devote himself

¹³⁶ Azriel Dienna, *Responsa*, vol. 2, #261, 453.

entirely to the matchmaking business, as he had so far “committed” himself to the credit loan business.

This is an interesting testimony for the understanding of matchmaking, precisely because it concerns a widower who had already experienced the matchmaking process in his first marriage and was familiar with this endeavor. In Bourdieu’s terms, we could say that he is planning his entry into the matchmaking “field” (on this concept, see the Introduction). The banker develops expectations concerning the profits a second marriage may yield (“a woman is only for children and for other ulterior reasons he knows of”),¹³⁷ and deploys for the effort he will have to invest for this purpose over a defined period of time (“the marriage time,” “his/her time had come”). Marriage, for halakhic and communal reasons, was not only the sole legitimate avenue for a sexual partnership and for parenthood, but also the precondition for legal independence, for attaining assets (the dowry) and new family contacts, or for enjoying all the rights that the Jewish community in Italy could offer: a respectable seat at the synagogue, an “preferential call” for a Torah reading, a role in the community or in a ritual association.

None of the documents from the many dealing with the first stage of matchmaking explicitly mentions how the candidates or their families should behave, but all parties clearly understood the practical “do’s” and “don’ts.” This is equally true for Christians and for Jews living in Italy’s big cities during the sixteenth and seventeenth centuries. A family should be discrete, meaning it should not reveal its intentions, mention other candidates with whom it was conducting simultaneous (secret) negotiations, or discuss the material assets at its disposal until the appropriate moment. Writers and readers of matchmaking letters often used allusive language that avoids mention of explicit details (such as the names of the parties or of accords concluded verbally), or resorted to agreed codes.

The border between deception and shrewdness is not always clear to the parties. Exposing the family’s economic situation, or declaring marriage intentions at an early stage attests to weakness, as in the case of poor families requiring financial support to marry off their daughters (the Jewish commandment of providing for poor brides [*hakhmasat kallah*] or the Christian parallel of *monti delle doti*).

¹³⁷ Ibid.

The desire not to expose the opening move, together with misgivings about the other party rejecting matchmaking proposals, led the candidates' families to refrain from direct approaches, involving instead additional circles of mediators. A direct approach was evidence of the person's or the family's exclusion from the circles of power and influence relevant to urban society, and was met with forceful and unequivocal rejection. Until the end of the sixteenth century, urban society in Italy, both Jewish and Christian, resorted to intermediaries (matchmakers, "brokers," *mezzani*) to find suitable candidates and to conduct initial negotiations. The activity of these mediators was perceived as a further extension of the family's power or its use of social contacts, and their fees were therefore not preset. Only toward the end of the sixteenth and in the course of the seventeenth centuries was the practice of matchmaking institutionalized in Jewish Italian communities, as it had been in Ashkenaz communities several centuries before, and matchmakers no longer saw themselves as representatives of the family. The obligation to turn to mediating agents narrowed the family's ability to control the matchmaking process.

The considerable symbolic gains accruing from the matchmaking situation (which leads to marriage) are already obvious at this stage, in the obligation to conduct negotiations so that the parties will merit the main symbolic reward provided by this society: honor. Family honor underwent a crucial test in the "matchmaking field." Honor reflected the family's ability to find suitable candidates, as measured by their wealth, class, family tradition, prestige, political contacts, or to conduct successful negotiations with the other party or with mediators. Honor is not an element divorced from wealth, since economic advantages increase the family's honor, while the family's prestige increases the value of a marriage candidacy. Honor is the connecting link between the economic advantages underlying the marriage ethos, and the style, the culture, and the endurance through which the economic and political advantages are presented. At a time when the family's interests (assets, the tradition of the familial dynasty, education, contacts, prestige) are clearly tested, and when adults exert their strongest pressure on the next generation to concretize the family strategy in a suitable marriage, we find prominent emphasis on a style and social etiquette imposing limitations on the participants. The matchmaking period, like the wedding day, are the only two stages of marriage accompanied by extensive rhetorical

activity, verbal and written. The ability to write letters in Hebrew using a high, literary style is an important "entry ticket" into cultural circles that could bestow concrete advantages, such as finding a suitable candidate or mobilizing the support of additional people.

The honor consideration was particularly prominent in first marriages of women. The practice of "child marriage" or "premature marriages" is not widespread in Jewish Italian society. Years could elapse between the first signs of sexuality and the consummation of the marriage. Fears of having a young, sexually mature girl living in her parents' home encourages prompt conclusion of the matchmaking arrangements, and the "labeling" of the girl as a member of a group of "women about to marry." Different constraints were at work concerning the marriage of boys, unrelated to unfulfilled male sexuality.

Bourdieu's concept of "field" is highly useful in pointing to the main tensions surfacing during the matchmaking stage, and also helpful in pointing to the wider social and cultural circumstances of matchmaking in Jewish Italian society, and their close links with modes prevalent in the host urban-Christian society. Self-control when steering time and navigating the negotiation appears important precisely because the characteristic feature of the first stage is uncertainty. Matchmaking letters recurrently report feelings of low self-esteem, temporary public exposure, and prolonged power struggles with other families and additional wider circles. Distress is a feeling typical of transitional stages or of liminal situations. In these situations, the individual (or the collective) who lose their previous identity and have not yet acquired a new one, are uniquely vulnerable. Distress, however, points to tensions caused not only by the matchmaking process. The need to find (quickly!) suitable candidates and conclude the terms of the accord point to the social mechanisms through which families promote interests of various types. In a densely populated society, characterized by daily contacts and personal acquaintance, no economic or symbolic advantage can be attained without activating a social network of dependence or service provision. In Bourdieu's terms, we can find a homology between activity in the "matchmaking field" and in other "fields," which yields additional advantages (charity for brides, a political appointment in the community, tax evaluations, shared interest loans businesses, acceptance of youngsters at educational institutions, membership in associations). Finding a suitable partner ensured the family's status

in the community or, alternatively, conveyed its ability to break beyond close local circles. Affection and love between the spouses as a motivation for marriage was alien to this social ethos because it removed the young couple from commitment to wider family circles, or clashed with family discipline. Hence, the family's effective control of the matchmaking process decreases as the possibility of environmental intervention and influence, formal or informal, increases. Spectators, neighbors, relatives, or plain strangers who had heard about it, all thought they had a right to intervene. The intervention may have begun as an offer to help, or as an informative question, and end in blatant communal pressure to conclude the match.

The main tensions surface already at the opening stage of the marriage—halakhic injunctions as opposed to family traditions, anxieties about time pressures, controlling sexuality and its risks, power struggles between individuals and families, young vs. adults, assets as ensuring security and social status, issues of style and refinement in social behavior, the power of the community vis-à-vis the individual/the family—all will accompany the other stages of the ritual (and the next chapters) until its culmination.

CHAPTER TWO

“MATCHMAKING IS MUCH LIKE BETROTHAL”:¹ MATCHMAKING (STAGE TWO)—SIGNING AND PUBLISHING THE TENAIM

The first stage of matchmaking, when families sought marriage partners for members of the young generation and tested the candidates' suitability to the family demands, was conducted in secret. The second stage was designed to institutionalize the alliance, setting the terms of the future marriage in a legal writ and presenting it publicly. Deliberate exposure, then, replaces secrecy. This stage culminated in a public celebration attended by many guests, where the families published their agreement to the marriage and signed the *tenaim* writ or the *tenaim*. In many of its ritual characteristics, this celebration resembled the wedding ceremony, due to the vast importance ascribed to the signature of the agreement.

The Transition from Secrecy to Public Exposure

In most cases, the transition from secrecy to public exposure was simple and natural. The agreement between the families and the signature of the *tenaim* ended the secret negotiations, and the time came to make the alliance public. In special circumstances, however, publication became an additional, explicitly agreed issue. When one of the parties felt uneasy about publication, they agreed on a delay or on gradual exposure. Thus, a mid-eighteenth century writ states:

The parties have agreed that, for the next three years, they will not publish this match as is customary in this city, when the groom goes to the bride's house with his relatives and friends and all hold a joyful celebration called *kinyian*. During this time, the parties will not be allowed to visit each other, meaning that the groom may go to the

¹ The phrase appears in Modena, *Responsa Ziknei Yehuda*, #108, 154–156, in a responsum dealing with the legal status of matchmaking.

bride's house or the bride to the groom's house only as ordinary guests, as if no connection existed between them. After three years, they will be allowed to hold the aforementioned *kinyian* if they so wish, and after three more years, namely, six years from today, they will, may it please God, be married in the groom's house and at his expense.²

Beside economic and legal provisos common in *tenaim* writs (see below), this writ stressed the precise timetable until the wedding. The signing of the writ was to remain secret for three years, and both families would behave as if they had not entered an alliance ("as if no connection existed between them"). This "as if" pretension misleads the public by using accepted ritual signs in ways contrary to convention; the lack of a public celebration or of mutual visits ("the parties will not be allowed to visit one another") is a distinctive sign of estrangement. Three more years would then elapse from the publication of the *tenaim* until the wedding. The writ does not explain this decision, although a six-year waiting period until the wedding, even according to local practice, is exceptionally long. This is probably a case of "child marriage," involving a girl who has not yet reached sexual and legal maturity. Since this is an unusual occurrence, the parties may have preferred to hide the agreement between the families (out of shame?) until the *kinyian* ceremony, when the girl would reach the customary matchmaking age.

The Legal Status of the Matchmaking Agreement

Exposing the agreement between the families changed the community's perception of the couple's personal status. Although matchmaking has no binding legal status and retraction is possible without an official court procedure (as required in a divorce), the public viewed it almost as a betrothal. A question addressed to Moses Basola describes the situation of a girl whose prospective groom had disappeared:

The lament of this poor furious woman in sorrowful spirit,³ Mrs. Diamante, wife of the honorable Eliezer of Fano, has reached us today here, in Fano. She cries over her beloved daughter, Miss Consola,

² New York Ms., JTS 3924 (IMHM # 29729), no pagination, *tenaim* writ from Siena 1741. Signatories are Gallico and Castelnovo, which are *lo'azi* surnames.

³ 1 Samuel 1:15.

because on January 19, 1623, her father, the honorable Eliczer, arranged a match for her with the honorable Samuel . . . as recorded in the writ agreed between them [the bride's father and the groom] here in Fano on that day, and the *tenaim* and *condizioni* [conditions] between them were specified one by one, as is the custom. . . . One of the conditions stated that the marriage would take place within a year. And Samuel, may God keep him and watch over him, did not come on the appointed day to celebrate the wedding, as had been agreed in the *kinyian* between them . . . This poor girl, Miss Consola, is as an abandoned wife [*agunah*] . . . Yet, oral and written evidence makes clear that we do not suspect betrothal in these circumstances, despite the *sivlonot* [gifts that were exchanged] . . . or on any other grounds . . . and Miss Consola can be married to another, as her father and mother wish. And the pledge was retroactively rescinded, by itself, as it were, and do not give this any further thought. [Written] on Sunday, February 10, 1626 . . . Moses Basola, b. Mordecai Basola.⁴

Finding a candidate and reaching agreement on a match was an obligation incumbent on the father, as noted in the passage above. Since the groom had breached the matchmaking agreement by failing to appear on the wedding day, we would expect the father again to be the dominant figure in the struggle for the family's interests. But the father was speechless and invisible. The bride's mother, the "poor furious woman in sorrowful spirit," is the one turning to the public and to Moses Basola in a "lament." The matchmaking agreement is legally binding, and the party in breach will be penalized

⁴ Moscow Ms., Ginzburg Collection 251 (IMHM # 45716), 187b–188a. On Basola, see Ruth Lamdan, "Two Writings by R. Moshe Basola" (in Hebrew), *Michael: On the History of the Jews in the Diaspora* 9 (1985): 171–193. See also Oxford Ms., Roth Collection 210 (IMHM # 15350), 51a: "Before us [the undersigned witnesses] came the young man . . . [and this document is given] as attestation and evidence that, some time ago, a matchmaking writ was concluded between him and the honorable and chaste . . . as shown in the agreed *tenaim* writ. And now, because I am troubled and constrained by various reasons, I cannot bring it [the agreement] to successful conclusion. Therefore, so as not to let the aforementioned chaste maiden remain a deserted wife [*agunah*], I exempt her from all the vows she took upon herself in the aforementioned matchmaking writ . . . Verona 1643." For an attempt to translate this attitude into legal terms, see London Ms., Jews' College, Montefiore Collection 464 (IMHM # 5364), 11a, dealing with doubts concerning a secret marriage and discussing whether the *tenaim* writ had been written and signed: "Someone who knows that the *tenaim* have been agreed should be asked how he knows, whether he saw or heard, and whether it had been witnessed, because if no witnesses were present, who can guarantee that the *tenaim* are valid?"; Vienna Ms., National Library 24 (IMHM # 1303), 48a–53b: in a query from 1561 addressed to Rabbi Isaac Lattes, a youth cunningly uses a matchmaking writ worded so it could be read as a *kiddushin* writ.

and socially ostracized, but this does not affect the personal status of the couple, who are still unquestionably single. The community, however, no longer views them as eligible for marriage. The gap between the halakhic norms and the public feeling that “something did happen” created a legal opaqueness, which allowed the woman to intervene in male territory and present a mother-daughter front of female solidarity. In such cases, the mother could resort to a commonly available female pattern, such as addressing the community through a “lament” and creating a public scandal. The source of the distress is the time pressure, which is uniquely damaging to young women (see previous chapter). The matchmaking agreement was signed in January 1623, and the rabbi’s ruling was issued in February 1626, implying that more than three years had elapsed before the girl was set free from her presumed status in the agreement. These are three long years, which lower the young girl’s value as a marriage candidate. The prospective groom failed to appear on the wedding day, which had been set to take place a year after the signing of the *tenaim*. For the following two years, he disappeared without trace. Why, in the course of these two years, did the girl’s parents not cancel the agreement and find another groom for her? Had anything hindered the contact with another candidate? The halakhist and the community members had no doubt that the couple had never been engaged (“we do not suspect betrothal in these circumstances, despite the *sivlonot* . . . or on any other grounds”). Not only is there no suspicion of a betrothal, but R. Basola holds that the matchmaking agreement had been retroactively rescinded once the groom failed to show up at the wedding. The impediment hindering the girl’s parents is not at the formal or halakhic level but in the popular perception of this agreement. For the community, the girl’s status approximates that of a married woman, and she cannot enter a new relationship as long as she lacks a written rabbinic authorization freeing her to marry any man, resembling the terms of a divorce writ.⁵

⁵ An indication could be the inclusion of the intended groom, after the match had been agreed, within the group of family members to whom the prohibition on gambling does not apply. See Hirsch Perez Chajes, “Un Cherem di R. Mosè Zacuto contro il giuoco,” *Rivista Israelitica* 5 (1908): 95–97: “No man or woman in this city [Mantua] and within a five-mile environ will gamble, except on the pre-ordained dates, during the coming five years . . . and the groom may gamble with his fiancée and all members of her family throughout their betrothal period.”

This perception was widely accepted not only by the public. Local sages too, held that betrothing a woman, who had previously been party to a matchmaking agreement with another man, was an act bordering on adultery with a married woman:

Leah had been intended in a matchmaking writ . . . to be Naphtali's wife. One day Eliav, a young boy, surrendered to the incitement of his young friends and betrothed her, taking her away from her man Naphtali. . . . This betrothal is a dishonest deed, prompted by the lustful passion and recklessness of youth. . . . Matchmaking is not such a frivolous matter but a step much like betrothal . . . *since matchmaking, because of the gifts that the parties usually exchange after the match-making agreement, is much like betrothal.*⁶

In this responsum, Leon Modena mentioned only one halakhic argument for the closeness between matchmaking and betrothal: the custom of exchanging *shivlonot* at the conclusion of the matchmaking negotiations. As I show in detail in Chapter Five below, the fear that these gifts unintentionally create a betrothal alliance between the parties ("we fear *shivlonot*") was painstakingly discussed in Italy

⁶ Modena, *Responsa Žiknei Yehuda*, #108, 154–156. On other cases, see Jerusalem Ms., Ben-Zvi Institute 4001 (IMHM # 37910), 63b: "You asked about a rich youth who, enchanted by what he saw, dared to take what had been prepared for another and betrothed a beautiful maiden who had already been promised to a poor youth, her cousin. When the brothers and relatives of the betrothing youth heard about this, and especially his grandfather who had replaced his late father, they regarded this as a wicked act and chased him away. Then they sought legal grounds to release his betrothed through a divorce, even against her will"; Moscow Ms., Ginzburg Collection 251/11 (IMHM # 27955), 174a–b, on the case of a woman involved in a "doubtful betrothal" to two men, and an attempt to invalidate the second betrothal on the grounds that it had been performed with a woman who had been promised to another in a matchmaking agreement [*meshudekhet havero*]; Budapest Ms., Kaufmann Collection 582 (IMHM # 15821), 46: "she did everything in her power, together with her brother, to arrange a match with Eli, until a rumor spread in the town that a match had been agreed between Peninah and Eli. All would have been well, were it not for Eli's relatives, who disagreed and refused, and the rumor simply vanished." In this case, the woman is viewed as "breaching the first match-making agreement" with a previous man, to whom she had already been committed, who is thereby released of his obligation to marry her; Strasbourg Ms., National and University Library 4087 (IMHM # 3962), 193: "I have studied this wicked affair in Ferrara, about a youth from a well-to-do family, who cunningly and deceitfully seduced and betrothed a woman destined and promised to another, in a childish prank, heedless of having done wrong to please his lust. Nor did he think he would live to regret this, as those who act first and think later. Now he turns to the rabbis asking what he should do, and whether he can divorce her even against her will, so that she might return to the first man, whom she had legally vowed to betroth."

from the end of the fifteenth until the seventeenth centuries. Most of the leading local rabbis, and Modena among them, ruled there was no fear that the local practice of exchanging *shivlonot* resulted in betrothal. Hence, he does not use the familiar halakhic term “doubtful betrothal” [*safek kiddushin*] but the vague, legally meaningless concept of “a step much like betrothal” (discussed in the next chapter). The responsum provides him with a further opportunity to rebuke youngsters for disturbing the social order. Betrothals of this type (to a girl who had been promised to his friend) breach family authority and call into question the obedience that youngsters owe adults. They are dishonest because they encourage competition and strife between youngsters. The act is close to adultery with a married woman not only in the eyes of the community but also in the eyes of God, because breaching a matchmaking agreement leads a man to live with a woman “who is not of his [astrological] sign.”⁷ Marriage is a further arena for the considerable influence of astrology on human life,⁸ which destines every man and woman a suitable partner even before their birth. Recording the matchmaking in a *tenaim* writ is tantamount to ex-post-factum evidence of the partners having been intended for each other even before their birth. A man marrying a woman who had been promised as a match to his friend breaches the cosmic harmony within the couple.

Even at the semantic level, no clear-cut categorical distinction separated “matchmaking” from “betrothal.”⁹ In *tenaim* writs in Italy, a clear distinction was drawn between the legal status of the parties at the first stage (matchmaking, *tenaim*) and a non-reversible state (betrothal/*kiddushin*, engagement).¹⁰ This distinction relies not only on

⁷ Strasbourg Ms., National and City Library 4087, 194; Modena, *Responsa Žiknei Yehuda*, #108, 154–156.

⁸ On the astrological beliefs of Italian Jews, see David B. Ruderman, *Kabbalah, Magic, and Science: The Cultural Universe of a Sixteenth-Century Jewish Physician* (Cambridge Ma.: Harvard University Press, 1988), passim; Cecil Roth, *The Jews in the Renaissance* (Philadelphia: Jewish Publication Society, 1959), 231–235. The interest in astrology grew during the late Renaissance. See Germana Ernst, *Religione, ragione e natura: Ricerche su Tommaso Campanella e il tardo Rinascimento* (Milano: F. Angeli, 1991), 167–279.

⁹ The semantic opaqueness had linguistic precedents in Genizah documents. See similar cases in Avraham Hayyim Freiman, *Betrothal and Marriage after the Talmudic Period* (in Hebrew), (Jerusalem: Mosad Harav Kook, 1945), 2–9.

¹⁰ Awareness of the need for semantic distinctions does not preclude infringement. See London Ms., British Museum 26942 (IMHM # 5483), responsa of Isaac Halevi Vali (Valle), 59a–62a: “Concerning time, there are three periods, abiding by different rules: one before the engagement, the second while she is betrothed,

the halakhic norm, but largely entails a translation of legal terms in use in the Italian-Christian surroundings (*fidanzamento* vs. *sponsalizio*). In some documents, however, we find a semantic use that blurred or disregarded these legal distinctions.¹¹ The confusion was at times a cynical ploy, designed to impose on the bride's family a betrothal rather than a matchmaking pledge,¹² and at others reflected a careless linguistic usage that failed to draw rigorous distinctions. R. Judah

and the third when she is married . . . and I do not doubt that the betrothals mentioned by the rabbis are the *kiddushin* mentioned in the Bible and in sages' sayings, but our betrothals are matchmaking agreements and not engagements." On the author, see Marco Mortara, *Indice alfabetico dei Rabbini e scrittori israeliti di cose giudaiche* (Padua: F. Sacchetto, 1886), 67.

¹¹ Modena Ms., Estense Library 58 (IMHM # 14965), 18b–19a: "[concerning] gifts from the *fiancé* to his *fiancée*. We, the undersigned, witness that so-and-so told us, 'be my witness at the *kinyian*, and write [this writ], and sign it, and give to so-and-so, the daughter of so-and-so, my *fiancée*.'" See London Ms., British Museum 9152 (IMHM # 6590), 237a: "The custom is to refer to a woman as 'engaged' after the match has been agreed"; Jerusalem Ms., Mosad Harav Kook, 20, 135 (IMHM # 20112), letter manual *Mar'ot ha-Tsov'ot*, #366, an invitation letter to an engagement ceremony: "With these lines, I wish to inform you that we have set the *engagement* and the *kinyian* of the blessed so-and-so, may God keep him and watch over him, on such-and-such a day." This is followed by an invitation to the wedding. Florence Ms., Laurenziana 2.40 (IMHM # 17802), 37a–40a; London Ms., British Museum 27129 (IMHM # 5804), list of R. Joseph Colon's responsa, #134, 55a—no fine is due for the cancellation of a matchmaking agreement after the woman went insane; the oath is abrogated even if he had sent her marriage gifts, and even if she had been his fiancée; Modena, *Historia de' riti ebraici*, part 4, ch. 3, section 1, 85; Budapest Ms., Kaufmann Collection 269, writ 1, 73: "Form for an authorization writ (for matchmaking) . . . I have appointed him as my envoy and proxy to arrange a *match* and an *engagement* with Miss Colomba, daughter of the honorable Moses of Ternari, may God keep him and watch over him, currently living in Mantua, and from now on I grant him clearance . . . to pledge for me and on my behalf, and obligate me concerning all the details pertaining to parties to a *match*, to set time and limits to the marriage, God willing, as well as all other issues customary in Italy." For another illustration of the semantic blurring between matchmaking and betrothal, see Oxford Ms., Bodleian Library 274 (IMHM # 20996), seventeenth century responsa collection, 3b–13b: "The cry of the lovely maiden Regina . . . has reached us. . . . She was betrothed to a youth called Moses . . . six years ago, and she was betrothed for two years, and after they had made all the preparations for the wedding and the bride's father had delivered the dowry . . . the young man became ill." The distinction between six years and two additional ones clarifies that the phrase "she was betrothed" means that a match had been arranged. See also *Letters of Jews in Italy*, #267, 321: a man addresses the youth with whom a matchmaking agreement for his daughter has been arranged as "my son the groom."

¹² Vienna Ms., National Library 24 (IMHM # 1303), 48a–53b, a question from 1561 addressed to Isaac Lattes: "A case in which the man obviously intends to mislead . . . through wiles and cunning," when the future groom purposely used the term "betrothal" instead of "matchmaking" in a matchmaking writ.

Minz dealt with the case of “a decent, honest man” who had arranged a match for his daughter and, whether inadvertently or in a slip of the pen, wrote “how I [the father] give away my precious one [the daughter] to be *betrothed* . . . to the dear one [the groom].”¹³ Although this man had no intention of annulling the matchmaking writ or of retracting from his intention to eventually proceed with the marriage of his daughter to the man mentioned in it, he was anxious to clarify that in the next three years, until the wedding, his daughter would not be betrothed but had merely agreed to the match. The lack of legal transparency concerning the definition of the couple’s status after the matchmaking had led to this semantic ambiguity.

The sense that the shift of the match from the private/family domain to the communal arena changes the legal status of the couple evoked hard feelings when a match was annulled. *Tenaim* writes specified the fine incumbent on the party cancelling the match, but the cases discussed in the legal literature hardly ever dwell on this issue, stressing instead feelings of anger, humiliation, a desire for revenge, and mainly fears for the family’s good name and its future matchmaking prospects. In order to limit the scope of the injury, it was necessary to turn to a public authority—a scholar, arbiter, or judge—and ask him to release the girl for marriage, or ask the court to issue an official writ. Such a writ could be publicly exhibited as evidence that the match was not cancelled in shameful circumstances. Thus, in the case of an endogamic marriage, when parents sent their young daughter to live in the house of a nephew with whom a match had been arranged, they required a legal writ confirming that the match had been cancelled due to a personal conflict rather than because of some flaw in the girl (“it appears they do not get along as a couple . . . no flaw or blemish was found in the girl . . . who is modest and pious”).¹⁴

¹³ R. Judah Minz, *Responsa* (Cracow: Fisher and Deutcher Print, 1882), #2–3, 5a–6b: “[Form of a matchmaking writ] I, Isaac [the bride’s father] of my own will, without any constraints or coercion, readily and wholeheartedly, and being of sound mind, betroth my precious one . . . to the dear one . . . and give her 300 florins for her dowry . . . Isaac, the girl’s father, being a decent, honest man, wishes to prevent any possible complications arising due to the aforementioned word ‘betroth’ [which appears in the form of the matchmaking writ], lest a strict rabbi should one day claim that she is betrothed. Therefore, I [R. Minz, who is writing the responsum] wish to make my opinion known, and clarify that this claim would be wrong, and the word ‘betroth’ pertains only to a husband saying so to the woman or to her proxy, but not to the bride’s father, even if she is still a minor.”

¹⁴ Los Angeles Ms., California University 779 bx.4.6 (IMHM # 32359), no pag-

The Uniqueness and Importance of the Tenaim Writ in Italy

The use of matchmaking writs is mentioned in talmudic sources and in geonic literature. These writs were known as *pesikta writs* or *pesikta*.¹⁵ When Jews moved westward to Europe and north Africa at the beginning of the Middle Ages, the practice of documenting marriage agreements in a writ and imposing a penalty on transgressors spread

ination: "The case before us, the undersigned, concerned the honorable Moses Jacob, may God keep him and watch over him, son of the late Salomon Pacifico, who stays here occasionally after having lived in Padua for several years. He brought charges against his brother-in-law, the honorable Jacob Israel Ashkenazi, and accused him concerning his lovely daughter, Berakhah, may she be blessed, who had been invited by the said Jacob Israel. He [Jacob Israel] sent letters to her father to bring her here, to his home, promising he would watch over her and she would be as a daughter to him. Her father, believing that he intended to marry off his son to her, an honorable youth named Raphael, agreed and consented to send her here. After the young woman and her mother spent several months at the house of the said Jacob Israel, they had another spirit with them [Numbers 14:24] and young Raphael refused the match. Jacob Israel answered that the separation was not due, God forbid, to any flaw or blemish in the girl, who is modest and pious. Rather, experience had shown that they do not agree and, and it would be better if this match were not to be. We, the court, after investigating and inquiring into this matter, sought and tried to draw the hearts together . . . but to no avail, and it seems their match would not succeed. Although neither party had made any vows or commitments, we have issued this document for the benefit of the young woman . . . in response to the requirement of the honorable Moses Jacob, may God keep him and watch over him, and the honor of his daughter Berakhah, as sign and proof that no fault, flaw, or blemish is to be found in her, and she is one of the modest and decent daughters of Israel, and this [the court document] will be hers as evidence and testimony of her merit. And so we have signed this, here in Ancona." The document carries no date, and the writing is typical of the late sixteenth century. Anger, in a style exceptional in its sharpness and in the direct form of address, appears in the Oxford Ms., Roth Collection 701 (IMHM # 15514), 9a-b: "I will not be ashamed then to stare at your scheming deeds . . . I was still waiting, keeping the *tenaim* writ . . . and you acted against all law and custom. Who has ever heard of such a thing, of two men for one woman at the same time? You arranged a match for a girl who was already promised. Now I see there is no wisdom nor understanding against money, for money answers all things, and it sufficed to mislead a wise and discerning man like you, and all your wisdom did not save you from this grave error. And though I am young and deem myself little, do know that I will not forgive you, until you are brought to judgment with me before God, to whom vengeance belongs, and He will fight my fight against you . . . Know that all this anger and rage were evoked by your vile act, before the *tenaim* writ was torn to pieces." On a dispute shifting from Italy to Ashkenaz in 1467, following the breach of a matchmaking promise, see Yuval, *Scholars in their Time*, 262. On the grievous offense entailed by the breach of a marriage promise see Kenneth R. Stow, *Alienated Minority: The Jews of Medieval Latin Europe* (Cambridge Ma. and London: Harvard University Press, 1992), 203.

¹⁵ On the use of matchmaking writs during the talmudic and geonic periods, see Schremer, *Jewish Marriage in Talmudic Babylon*, 211–217.

further.¹⁶ *Genizah* sources show how copious their copious use among both Jews and Karaites.¹⁷ These writs included routine provisions, beside others accepted in local practice, referred to as “the known conditions.”¹⁸

Immigrants arriving in Italy brought with them traditions typical of their places of origin. Spanish Jews used to add the *tenaim* writ to the marriage contract [*ketubbah*].¹⁹ Among Ashkenazi Jews, who began immigrating to Italy during the fourteenth century, it was common practice to record the economic agreement between the families in a separate document—the *tenaim* writ. This writ specified all the preliminary financial agreements concluded between the parties, and the division of assets in the event of the family’s dissolution due to death or divorce. They also added the parties’ expectations from their shared life: mutual affection, respect for the woman. These conditions call to mind the tradition of the Palestinian marriage contract, recorded in documents from the Cairo *Genizah*, where it was common to note marks of affection between the spouses, setting down the conditions and commitments incumbent on both sides (rather than only the obligations the wife owes her husband), and emphasizing the wife’s control of the assets she brings to the marriage.²⁰

¹⁶ See Maimonides, *Responsa*, #49, 71, 84, 88, 196, 331; Rashi, *Responsa*, #238; Rashba, *Responsa*, part B, #35.

¹⁷ Matchmaking writs of various types are mentioned in Goitein, *A Mediterranean Society*, vol. 3, 124–125, 142–146. The Palestinian tradition was preserved in *Genizah* documents. See Mordechai Akiva Friedman, *Jewish Marriage in Palestine: A Cairo Genizah Study* (Tel-Aviv and New York: Tel-Aviv University, 1980), vol. 1, passim. Karaite traditions are discussed in detail by Judith Olszowy-Schlanger, *Karaite Marriage Documents from the Cairo Genizah: Legal Tradition and Community Life in Medieval Egypt and Palestine* (Leiden: E. J. Brill, 1998), vol. 1, 215–217.

¹⁸ This theme was discussed in Friedman, *Jewish Marriage in Palestine*, vii–viii, 47, 206–212, 288–309. See also Maimonides, *Responsa*, #49, 71, 88, 331.

¹⁹ Sephardi traditions in Italy are mentioned in the commentary by Abraham Josef Salomon Graziano on the *ketubbah* in Moscow Ms., Ginzburg Collection 343 (IMHM # 47665), 146a: “The Spanish and Portuguese, after signing the *ketubbah* and after the witnesses’ signature, usually dictate the conditions they have stipulated with their brides.” See also Freiman, *Betrothal and Marriage*, 60–61.

²⁰ The Ashkenazi tradition is mentioned in several *tenaim* writs and *tenaim* renewal writs. These are the items specifically noted: the practice of not mentioning the sum of the dowry in the *ketubbah*, the sum added to the *ketubbah* “according to Ashkenazi practice,” the renewal of the *tenaim* under the canopy, the inheritance of property when “no seed” remains, the division of property in case of divorce. See Oxford Ms., Roth Collection 210 (IMHM # 15350), 50a–b; Moscow Ms., Ginzburg Collection 278 (IMHM # 45715), 138b; New York Ms., JTS Rabbinica 1068 ENA 1908 Acc. 02494; (IMHM # 43182), 52a–54b; Milan Ms., Ambrosiana Library

Among Jewish traditions from outside Italy, the influence of Ashkenazi *tenaim* writs is the most remarkable, both in the wordings and in the provisos included. Some of the manuscripts compiling various types of legal writs include models of local (*lo'azi*) *tenaim* writs, beside others that “follow Ashkenazi practice.”

The use of *tenaim* writs is a permanent feature of marriages in Italy. Their absence indicated that the marriage had been performed outside the control of the family and of the adult males charged with arranging the match. The writ is particularly necessary at the end of the matchmaking stage due to the crucial role of the assets transferred to the next generation, particularly the dowry. Marriages to which the wife brought no assets were inconceivable. Most of them were included in the dowry, which was at the focus of the negotiations between the families and was noted as the main and opening item in the list of financial provisos mentioned in the *tenaim* writ. The scope of the assets transferred from one family to the other, from the parents' to the children's generation, was one of the main reasons for homogamous marriages. The groom was supposed to reciprocate the dowry payments with his own gifts, directly proportionate to the scope of the assets brought by the wife (see Chapter Seven below). The betrothal took place after an exact determination of the assets that the bride would bring with her. The dowry included several elements: cash, rights to a dwelling place, other valuables (bonds, financial partnerships), furniture, and the bride's personal effects. These were noted in detail in the *tenaim* writ, beside a proviso stating that experts would be involved in the financial evaluation of the various items. Most writs state an expectation that, until the day of the wedding, dowry commitments would be settled in full. The high value of dowries in Jewish Italian society²¹ meant that the bride's family was not always able to meet its pledge before the wedding. Marriage stories recorded in responsa literature show that payments were sometimes spread over several years after the wedding.

Financial negotiations ended with the signing of the *tenaim* writ.

X124 Sup. (IMHM # 12346), 7a–10b; Paris Ms., Alliance Israelite A.149 (IMHM # 3397), 34, 72, 97, 101, 189, 194, 200, 203; London Ms., Jews' College, Montefiore Collection 466 (IMHM # 5366), 19a–22b. For expressions of mutual affection in *Genizah ketubboth*, see Friedman, *Jewish Marriage in Palestine*, vol. 1, 19, 189–191.

²¹ Luciano Allegra, *Identità in bilico: Il ghetto ebraico di Torino nel Settecento* (Torino: S. Zamorani, 1996), 165–208.

These writs included all the conditions that could eventually be significant for the future life of the couple. Routine provisos included: the groom's commitment and the bride's consent to the betrothal; the time and place of the wedding; the period to elapse between the signing of the *tenaim* and the wedding; the sum and components of the dowry; the mode of payment; a pledge from the groom or his representatives to sign the Hebrew or "Christian" dowry writ (*atto dotale*);²² the addition to the dowry; the wedding expenses; the bride's waiver of any further claims to her family's assets; "in conflict or absence"—the fate of the couple's assets should they quarrel or should one of them die; a guarantee of payment on the dowry; the value of the marriage contract [*ketubbah*] and the "addition"; a *halitsah* [levirate marriage] writ to be given to the bride at the wedding; a guarantee by the appropriate parties; a list of the dowry's items and the gifts "on the table," and the shared administration of the assets.

Several hundred *tenaim* writs of various kinds, from the middle of the sixteenth and until the end of the seventeenth centuries, have survived. No ritual aspect of marriage is documented to a similar extent, except for the illuminated marriage contracts that, were it not for their artistic and material value, community members would probably not have saved in communal archives. By contrast, the *tenaim* writ is a legal document that the community has no particular interest in preserving. It lacks any aesthetic or material value, and its importance lies in its contents, which is privately agreed between two families. The unusual extent of documentation for these agreements requires an explanation. At the time, people viewed *tenaim* writs as important evidence of the marriage, as an alternative or a complement to the marriage contract. Both types of documents played a similar role in the marriage ritual. Originally, the marriage contract had been intended to protect the wife's property rights and establish her status as a legal spouse ("a wife with a *ketubbah* and a concubine without a *ketubbah*")²³ and to prevent hasty divorces. Yet, the development of a standard form for the marriage contract, which followed the Babylonian model, limited its role as a legal writ doc-

²² *Atto dotale* is a dowry writ signed before a city notary, attesting to the assets transferred from the bride's to the groom's family, in cash or goods, before the wedding or on the wedding day itself.

²³ TB Sanhedrin 21a.

umenting a specific agreement between a husband and wife. Whereas the wording of the marriage contract was formulaic and meant to be delivered by the husband to his wife, the *tenaim* writ spelled out the terms of the “real” marriage agreed by the parties. Its validity was tested in real time, when conflicts surfaced. When the need arose for enforcing the performance of the marriage at the preset date, to collect the rest of the dowry, to compel guarantors to meet their obligations, to ensure the upbringing of children from a previous marriage, or to enforce matchmaking pledges even when the marriage never materialized, the parties relied on the *tenaim* writ rather than on the marriage contract.²⁴ The two documents were mutually complementary, as evident in the Italian practice of joining them together. At times, the contents of the *tenaim* writ were copied below or beside the illuminated marriage contract.²⁵

²⁴ On the legal validity of the *tenaim* writ, see Budapest Ms., Kaufmann Collection 158, 213–214: a ruling imposing a fine on the party intending to breach the terms of the matchmaking writ is approved by three signatories; Budapest Ms., Kaufmann 153 (IMHM # 32247), *responsa* collection, #1: a woman brings only part of her dowry, the matchmaking writ is used to prove the bride’s father outstanding debt to the groom; London Ms., Jews’ College, Montefiore Collection 110 (IMHM # 4624), 5–6: the groom’s father swore and signed in a matchmaking writ to a commitment to transfer property to the bride with a “guaranteeing mediator,” who would guarantee delivery of the dowry. After the husband’s death, the widow sues her father-in-law and the guarantor demanding payment of her *ketubbah*, the additional sum, and her dowry; Budapest Ms., Kaufmann Collection 150 (IMHM # 32246), 25a: “Reuven arranged a match between himself and Simon’s daughter, and they set a time for the wedding, and Reuven took an oath before us, as follows: ‘We, the undersigned, witnessed that Reuven vowed, God and community members consenting, and we, without any deceit accepted from him a pledge to marry so-and-so, Simon’s daughter, on the first day of the coming month of Tamuz, and Simon now demands that Reuven should marry his daughter for the time has come’”; New York Ms., Columbia University 236 (36) 94 (IMHM # 20641), 120a: “Question: Dinah, Jacob’s daughter, was orphaned from her father. Her mother Leah then married Reuven, when she [Dinah] was two years old. In the writ between them, and to please Leah, Reuven agreed to house and feed the aforementioned Dinah for several years, on condition that he could monitor her property. . . . Now, Reuven’s sons demand that Dinah should pay for the years during which she stayed at their father’s house.” On a demand to implement the obligations assumed in a matchmaking writ, even though the marriage never took place, see R. Moses Provinzallo, *Responsa*, #86, 143a–b. On the importance of the witnesses to a *tenaim* writ, see New York Ms., JTS Rabbinica 1372 (IMHM # 43473), 70b–71a: “About a widow who was married off by her relatives, with her consent. When the match was agreed, they set the terms [or signed a *tenaim* writ], signed by both parties in the presence of witnesses, including three conditions in case of death.”

²⁵ See extensively below, ch. 7.

Reliance on the urban, Christian legal tradition and on local courts reinforces the validity of the *tenaim* writs. Many include a formula stating that the Hebrew writ “follows, as it were, the laws of the nations.”²⁶ The similarities between the *tenaim* writ and notarized writs surface in the use of legal terms that were widespread in the urban, Christian tradition of the surroundings, in the level of exactitude and detail when specifying the various provisos dealing with the exchange of assets and the value of each item. The preservation of writs in communal archives in such large numbers is an endeavor parallel to the attempt of Italian cities to establish orderly urban archives. Family papers were often kept in communal archives, either in the original version or in a copy. Jewish patresfamilias saw no reason to hide, explain, or lessen the extent of their links to the Christian urban judiciary system and its legal traditions. Hence, they often wrote “Hebrew writ” on the heading, turning later to a local Christian notary to sign a translated “Christian writ” in his presence. The *lo‘azi* (or Italian) writ signed in the notary’s presence is sometimes more detailed than the original Hebrew version.²⁷ This duality strengthened the writs’ legal validity. Signers knew that breaching the *tenaim* could lead not only to social ostracism and revenge by the victims or to the imposition of a fine, but also to litigation “before Gentile judges,” namely, in the Christian urban courts.

²⁶ For some examples of the linkage of Jewish writs to the Christian urban legal system, see Strasbourg Ms., National and University Library (IMHM # 391), 325–326, a writ “according to all the mores and customs of the city of Ferrara”; Budapest Ms., Kaufmann 155 (IMHM # 32249), 193–196, a ruling by Samuel del Vecchio “about Rachel, who was betrothed to Jacob and pledged to bring such-and-such a sum at the marriage. It was agreed between them that, concerning the dowry, her husband or her father would be obliged to return it to her or to her heirs, according to the custom of the city. A writ to this effect was signed in a Gentile court, before jurists and with the consent of the city governor”; see also *ibid.*, 343–373; Jerusalem Ms., Ben-Zvi Institute 4002 (IMHM # 37911), 41a–51a. On urban and canon law on these issues, see Kuehn, *Law, Family and Women*; Manlio Bellomo, *Ricerche sui rapporti patrimoniali tra coniugi: Contributo alla storia della famiglia medievale (xii–xiii sec.)* (Milano: Giuffrè, 1961); *idem*, *La condizione giuridica della donna in Italia: Vicende antiche e moderne* (Torino: Eri, 1970).

²⁷ As noted by Maddalena Del Bianco Cotrozzi, “La vita privata degli ebrei nei territori italiani della casa d’Austria e nei Friuli Veneto in età moderna,” in *Il mondo ebraico: Gli ebrei tra Italia nord-orientale e Impero asburgico dal Medioevo all’Età contemporanea*, ed. Giacomo Todeschini and Pier-Cesare Ioly Zoratini (Pordenone: Studio Tesi, 1991), 189–191. For an example of such detailed listing, see a case mentioned in Michele Luzzati, “Matrimoni e apostasia di Clemenza di Vitale da Pisa,” in *La Casa dell’ebreo: Saggio sugli Ebrei a Pisa e in Toscana nel Medioevo e nel Rinascimento*, ed. Giacomo Todeschini and Pier-Cesare Ioly Zoratini (Pisa: Nistri-Lischi, 1985), 74.

Various matchmaking writs, as noted, had already been common in the Jewish world as early as the geonic period, and Italian communities are not exceptional on this count. Yet, their use of the writ was unique. Outside Italy, the *ketubbah* (compelled by Jewish law), and the *tenaim* writ (common in local practice), were the only legal writs that accompanied the ritual throughout. In Italy, the matchmaking writ (or the *tenaim* writ) hinted at another writ that would follow, and sometimes at several. A marriage story from the beginning of the seventeenth century brought this practice *ad absurdum*:

He took the honored lady as his wife in a second marriage . . . and they drew up a *tenaim writ* where she pledged to transfer her dowry to him at the wedding . . . and she also pledged in the same writ to deliver to him a *gift writ* and the debts owed to her by so-and-so . . . who had vowed to pay her one hundred ducats throughout her life, which now he, her husband [her second husband] would collect for himself every year, for as long as she lived. Should he, God forbid, die before his wife, her husband's heirs would be forced to *return this writ* . . . Once they agreed on the sum of the dowry and the gift, they *were apparently joined through a matchmaking writ* agreed between them on the 15 of the month of Shevat 5364, then 6 February 1604. After the marriage was performed, he gave his wife a *dowry lien writ* of five hundred ducats, adding one hundred ducats of his own, and she gave him the *writ* of his one hundred ducats gift, as she had pledged to do in the matchmaking writ. On 9 February 1604, they drew up an *acknowledgement writ*, in which the honorable Daniel admits that, in addition to the five hundred ducats she had brought as her dowry, Mrs. Simha had also brought with her 1733 Milanese ducats, pearls and precious stones, furniture, and all remain hers to do as she wishes without any interference. All this is *clarified in the Christian writ*, according to their customs. Then, on 1 July 1604, they agreed on an *acknowledgement writ*, admitting that the honorable Daniel and his son received a deposit from Mrs. Simha . . . with a lien to return this at her request, and on 4 March 1605 *pledged in a kinyan* to Mrs. Simha the profit of eight percent they had received from it. . . . Then the husband and wife quarreled, and on 3 June 1605, they *agreed in a writ* that Mrs. Simha would leave her husband's house and set up home for herself, and *she admitted* that on her leaving . . . she received from her husband and his son. . . .²⁸

²⁸ My emphasis. Budapest Ms., Kaufmann Collection 155, 399–408. For a similar account, see Oxford Ms., Bodleian Library, Michael Add. 67 [= Neubauer 2317], 169a–174b. In this event, even when one of the parties, in a burst of generosity, consented to add to the original agreement, the gift's delivery was recorded: "When the time arrived to pay the dowry, Jacob's spirit [the bride's father] graciously

The question reports in detail the story of a marriage between a widower and a widow. Often, widows enjoyed better economic circumstances and a higher personal status than young girls marrying for the first time. A widow had greater bargaining power vis-à-vis the man and his family. Hence, this woman insisted on her right to record in writing every stage of the marriage process and, at a later stage, record the division of assets when they separated. One cannot dismiss the possibility that the parties' mutual suspicions, and the need to record every transfer of assets in writing, left little room for a life of sharing, and the marriage therefore ended within a year.

In most cases, the parties had no need for so many documents and confined themselves to only one more—the *tenaim renewal writ*.²⁹ It was signed “at the wedding, right before it,” and was viewed as an additional sign of the growing closeness between the families as they approached the moment of marriage. This was not a literal repetition of the terms agreed in the *tenaim* writ, but an opportunity to add significant provisos dealing with personal status (the *halitsah* agreement) or with property issues. The use of writs of this kind attested to the deliberate postponement of the finalization of the marriage terms to the wedding day itself, at times up to the actual marriage ceremony. The halakhic saying, “there is no *ketubbah* without a quarrel” (TB Shabbat 130a) assumes additional meaning here. Italian Jews configured the circumstances of the wedding day so that the “quarrel,” the clash and tensions, would be inherent. The *tenaim* agreement, despite its importance and the grave social prohibition of infringements, is merely temporary. Final consent to the agreement, or the need to add details, was purposely delayed until the last minute. The negotiations, and the ability to protect the family's interests at the expense of the “rival” one, accompanied the marriage ritual up until the wedding. The ability to face up to a public confrontation in the course of the negotiations, even if it does

moved him to add to his daughter's dowry. . . . On everything [including the addition to the dowry] they signed a Christian writ [at a Gentile court] . . . and Hanokh pledged that, should his wife die childless, he would immediately return half the dowry to Jacob, his father-in-law, or to his representatives.”

²⁹ *Tenaim* renewal writs appear in Milan Ms., Ambrosiana Library X124 Sup. 8b–10b; Paris Ms., Alliance Israelite 149 (IMHM # 3215), 126, 177, 181, 201, 205, 219; Jerusalem Ms., Ben-Zvi Institute 4002, 41a–51a; Budapest Ms. Kaufmann Collection 99, 71–76, 91–97; London Ms., British Museum 12342 (IMHM # 8286), 15b–16b, 61a; London Ms., Montefiore Collection 466, 21a–22b.

not imply a functional addition to the ritual in the perception of a modern observer, is still relevant to the course of events. Family honor, and the honor of the *patresfamilias* conducting the ritual, was publicly tested.³⁰

Signing writs at the meaningful moment of assets transfers between the parties strengthened the formalistic aspects of the marriage ritual. The recurring use of various types of writs, however, weakened their validity. The need to repeat the terms of the *tenaim* writ in a *tenaim* renewal writ or in others reveals that users of these writs viewed them as having limited validity because they only led to the next writs, which placed conditions or limitations on the previous ones. Hence, beside the formalization and the written documentation of property agreements before the wedding, the oral aspect was no less significant. Oral agreements corroborated by witnesses remain as relevant as the use of written documents. The oral element originates in the extensive personal and family involvement that had accompanied the matchmaking stage throughout, at meetings with the “family, friends, neighbors” circles, or with patrons.

The *Tenaim* Ritual

After the parties agreed on the terms of the alliance and decided to endow it with legal validity through a notary writ, the widespread

³⁰ London Ms., Montefiore Collection 110, 2a–4b: “They made vows concerning the dowry and other details as customary, but the groom did not vow that, at the wedding, his bride would waive all her rights to the assets of her father’s, mother’s, and brother’s household, namely, a *dinunzia in forma*. At the wedding, Simon [the groom, who is also the bride’s uncle] demanded from Leah [the bride’s mother] that she should also make such a *dinunzia*, but the bride refused. . . . Quarrels and squabbles continued until the wedding, he saying this and she saying that. People persuaded her to agree to the *dinunzia*, which had already been written up in the *tenaim* renewal writ, and to the *dinunzia* in the Christian writ of the *ketubbah* at the local city notary. Against her better interests, she surrendered. He [Simon] obtained her agreement to the writ and the wedding was performed.” For a marriage cancellation on the wedding day due to financial disputes, see Ferrara Ms., Community Library 24 (IMHM # 2397), no pagination (see p. 367 [ch. 7, n. 93], for an account of this case). On a case of a *tenaim* writ signed and delivered during the wedding day, see Moscow Ms., Ginzburg Collection 359 (IMHM # 27970), 25a-b; on a threat to prevent renewal of the *tenaim* writ as a preliminary stage to the collapse of the entire matchmaking agreement, see London Ms., British Museum 27209 (IMHM # 5869), 9a–10a.

practice in Italy was to hold a public celebration to sign the *tenaim* or the *tenaim* writ. The gathering was known as the *tenaim ritual* or the *kinyian ritual*,³¹ because the parties assumed a legal obligation “involving *kinyian*” [property]. The signature of the *tenaim* writ was the first public event in the marriage ritual. Several family affairs followed, witnessed by neighbors, friends, and the entire community: visits of the groom and his family at the bride’s house, the youngsters’ courtship, gift exchanges. These stages greatly expanded the number of people involved in the wedding ritual—as spectators or as participants—beyond the selected and limited social circles that had dealt with the choice of the partner until the *tenaim* celebration. Their presence is important, to legitimize the marriage and confirm the couple’s acceptance by the community.

The Italian practice of marking the signature of the *tenaim* writ with a public affair strongly resembles the tradition of Ashkenaz Jews, which held a lavish celebration and invited many guests. Evidence of the Ashkenaz tradition appears in Jewish sources and in books by Christian Hebraists who showed interest in Jewish folklore:

Usually, the penalty [the fine to be paid by the party breaching the contract] is deposited at the rabbi’s house, and immediately after breaking the pot at the “penalty” [the penalty ritual], people go to the groom’s home to greet him, and may also go to the bride’s home if they wish. The bride’s mother leads women neighbors and relatives to the groom’s home, to greet the groom. The custom is that the fathers of the groom and the bride dish out sweet cakes after the “penalty.” On the day of the “penalty,” the groom hosts a meal, called the *knas mahl* [“penalty meal”].³² And he [the groom] invites his fellows for drinks and sends drinks to his family, relatives, and neighbors, to the rabbi, the cantor, the sexton, and whoever. And on *Lag ba-Omer* and on the fifteenth [editor’s note: the fifteenth of the month Av or of Shevat], he must give his mates a present called *portel* [a wine measure].³³

³¹ The term *kinyian* for the ceremony of signing the *tenaim* agreement is explicitly mentioned in the 1616 Venice sumptuary laws, noting the events at which luxurious clothes are permitted. See Carla Boccato, “Ordinanze contro il lusso e sul ‘suonatore de Sabato’ nel Ghetto di Venezia nel secolo XVII,” *RMI* 45 (1979): 249, “le feste di nozze, Vigilie, Besidod, Spinholts, *Quignian* o *Cheduchim*.”

³² *Knas Mahl* (Yiddish, literally, penalty celebration): fine to be paid by the party infringing the terms agreed during the festive celebration of the *tenaim*.

³³ *Wormser Minhagbuch des R. Jousep (Juspa) Schammes*, ed. Erich Zimmer (Jerusalem: Mifal Torat Chachme Aschkenos, Machon Jeruschalajim, 1992), vol. 2, #227, 1–2. See also Abrahams, *Jewish Life in the Middle Ages*, 176–185. Testimony by a con-

The Ashkenazi *tenaim* ritual is highly public, involving the participation of family and friends, who are aware of the sanction to be imposed on the party in breach. A separate female event takes place beside the male ceremony. The peer group of unmarried youngsters [*bahurim*] is given a share in the bounty of the celebration so that they will refrain from disturbances during the ceremony.³⁴ The signature of the *tenaim* takes place within the family space, to which officials in the community (the rabbi, the cantor, the sexton) are invited, but their presence is not mentioned as an imperative requirement in a ritual that is mainly domestic.

Several descriptions of the *tenaim* signing ceremony in Italy have been preserved in responsa books, and in works describing Jewish customs. The variegated documentation attests to the importance of this ritual occasion, and to the public interest in preserving it in the collective memory. The most detailed description of the *lo'azi tenaim* ritual appears in the responsa of R. Moses Provinzallo. His responsum is so long and detailed that it could almost be viewed as a halakhic mini-monograph on the subject of *tenaim*. It was written as a counter-reaction to the ruling of an anonymous sage who had claimed, in the name of a groom's family, that the *tenaim* ritual was equivalent to a betrothal. Provinzallo strongly rejected this claim, relying on a series of arguments proving, unquestionably in his view, that the ritual's role was to announce and publish the parties' intentions:

This is not a betrothal but merely an announcement about the arrangement of the match, and they [the couple and all their guests] gathered according to local practice, since it is customary for the rabbi or the

temporary Hebraist appears in Johann Buxtorf, *Synagoga Judaica* (Frankfurt: J. P. Kraussen, 1738), ch. 28: "Von der Juden Hochzeit," 513–514. Ashkenazi Jews in Germany were also familiar with the Italian *tenaim* ceremony. See Josef b. Mordechai Gershon Katz, *Responsa She'erit Yosef* (Cracow: Josef Fisher, 1893), #33: "A question from the holy community of Padua, where they ask as follows: we are arbitrating between two parties, who have assumed a binding legal commitment to marry one another, involving penalties for breach, and have also eaten the sweets known as *confetti* in Italian. And the scribe was lazy, and failed to record the writs." On the ceremony marking the signature of the matchmaking writ in Sephardi communities, see R. Joseph Ibn Migash, *Responsa*, ed. Abraham Hasida (Jerusalem: Machon Lev Same'ah, 1991), #135; Maimonides, *Responsa*, #85.

³⁴ On the role of unmarried youths on the wedding day, see below, ch. 6, including a discussion of payments in money or food to "the boys" [*giovani*] for refraining from outrageous behavior at the wedding's important moments.

cantor to ask both parties. . . . Most certainly, matchmaking is not concerned with marriage issues, but with obtaining the couple's mutual consent to their eventual alliance.³⁵

These events have no legal significance. They are a public celebration attesting before the many guests that the two families have drawn closer. To prove this claim, Provinzallo presents several aspects of the *tenaim* ritual, focusing on the verbal formulae used by the participants:

The question is usually formulated in Italian, and I have heard at an actual ceremony that the bride is asked the following: “*Siete voi contenta di tor per vostro legittimo marito il tale?*” [Would you be pleased to take this man as your legitimate husband?]. This question, then, is intended to obtain her consent to the match and to her eventual marriage to this man. The question, however, is complemented by a condition, namely, that he will [in the future tense] give her a “*ketubbah ve-kiddushin*” [a betrothal and a marriage contract]: “*il quale vi darà Ketubbah e Kiddushin,*” by the laws of Moses and Israel. This pledge [*promessa or verba de futuro*]³⁶ is formulated in general terms, without specifying when the marriage contract will be delivered. And the rabbi wrote that the betrothal was not meant to take place then . . . but that she will be betrothed in the future, at the time of the marriage.³⁷

The set question addressed to the bride has no basis in Halakhah or in the Ashkenazi precedent of the *tenaim* ritual. It belongs to the local tradition of the *tenaim* ritual celebration, which is why it is worded in Italian rather than in Hebrew, as is the custom in Jewish

³⁵ R. Moses Provinzallo, *Responsa*, #78, 124–131. For further descriptions of the *tenaim* ritual, see Budapest Ms., Kaufmann Collection 106 (IMHM # 2984), 331–332, the commentary of Abraham Graziano on *Shulhan Arukh* (*Even ha-Ezer* 22:2): “It is inadvisable for a man to spend time alone with his bride to be. . . . The groom and the future bride should be protected by the bride’s mother, or her father, or her sister, and brothers, and aunt, or any of her relatives, who should be loyal guardians, lest they come to no good by embracing and kissing and intimacy. . . . For this reason, leading rabbis have issued many rulings . . . to forbid men entry to the homes of their intended brides . . . pointing and hinting at the communities’ custom to arrange a match and *kinyian* for the girls and keep the groom under close guard”; R. Josef b. Shlomo Colon [ha-Maharik], *Responsa* (Jerusalem: n.p., 1973), #170–171, 192–207, especially 192–193: “Among the *lo‘azim*, the custom was for the groom to send a gift to the bride right after the *kinyian* . . . for they do the *kinyian* with great publicity and solemnity.” I have relied on the new edition of Colon’s *responsa* rather than the old ones (Venice, 1519; Cremona, 1556) because it includes more sources; Modena, *Historia de’riti ebraici*, part 4, ch. 3:1.

³⁶ On the term *verba de futuro* and its legal implication, see the next chapter.

³⁷ R. Moses Provinzallo, *Responsa*, 124.

weddings. Provinzallo could rely on this question to point to the core of a ritual that unites the various local customs. The *tenaim* ritual publicly demonstrates that the parties had exercised free will when consenting to the match, as they will do when finalizing the agreement. When describing the betrothal stage below, I will discuss why the halakhist considers the parties' free will so important. These are the grounds for inferring that this ceremony denotes the parties' consent to eventual marriage rather than the creation of a new personal or legal status for either the man or the woman.

Provinzallo's responsum is exceptional in the mode of the discussion and the ruling on a concrete halakhic question: Was this a valid betrothal? The responsum does not rely mainly on legal precedents from the Talmud and case law, as is usually the practice in responsa literature, but on the meaning that participants and spectators assigned to the ritual. His approach in this discussion resembles a modern anthropological perspective, which attempts to understand a ritual occurrence in oral societies through the interpretation of the ritual as reported by its participants.³⁸ Provinzallo insists on a subtle distinction between the halakhic interpretation that evaluates the legal status of acts according to a series of precedents from responsa literature and case law rules, as opposed to an interpretation that views ritual acts as a series of signs, or signifiers, whose meaning is determined by the observers' interpretation. The community is the creator of the ritual, and the one authorized to endow it with meaning ("the signified"). The use of verbal formulae according to local practice is a clear instance of this outlook. When the bride was asked whether she wanted the young man as her lawful husband ("*tor per vostro legittimo marito*"), the intention was not to confer on him the status of a groom or to turn her into his betrothed. Instead, the occasion was meant to convey their mutual desire for an eventual marriage through an accepted verbal formulation. In other words, the literal content of the question addressed to the bride has no meaning from a legal point of view. The verbal expressions are an additional element among other performative acts, all of them conveying consent to the selection of a partner. Provinzallo analyzes in

³⁸ For another example of an "anthropological" perspective, see Elliot Horowitz, "Religious Practices among the Jews in the Late Fifteenth Century According to the Letters of R. Obadiah of Bertinoro" (in Hebrew), *Pe'amim* 37 (1989): 31–40.

similar terms other elements of the ritual (the gifts to the bride, ascertaining her view, the publication, the announcement, the witnesses, the blessings, “the customary practice”), pointing to their integration in the broad ritual web of Italian Jewry. He also makes each element the subject of a detailed legal discussion meant to demonstrate that, even in halakhic terms, no betrothal took place. The legal layer, however, is subject to the overall guideline endorsed by Provenzallo, whereby the entire ritual and its various elements must be interpreted according to its performers’ intentions. The legal aspect is less crucial than the “anthropological,” leaving the impression that the halakhist and his audience consider it marginal.

Provenzallo wrote his inclusive tract as a response to a halakhic manuscript that has not survived, although he cites passages from it in order to refute it. The anonymous writer claims that, due to the *tenaim* ritual, the parties have made a betrothal commitment. This ritual occurrence, then, leads to contradictory interpretations among various participants and observers. Contrary to Provenzallo’s view, the anonymous halakhist upholds the conventional view (see pp. 131–133 above) stating that, once the matched parties have signed the agreement, “from this day on, for all intents and purposes, she is as his wife.”³⁹ This approach is also confirmed at the ritual level. Key elements of the *tenaim* ritual, the first public event in the wedding ritual, support this interpretation. The signature of the *tenaim* took place in the presence of family members and of an audience, and marked the parties’ intention to eventually implement the provisos agreed during the matchmaking, a situation the Talmud describes as “he speaks to her about matchmaking matters.” In such circumstances, a transfer of assets from the groom to the bride in the form of gifts [*sivlonot*] could easily be interpreted as an ordinary *kiddushin* ritual.⁴⁰ A late seventeenth century *pragmatica* of the Roman community mentions *tenaim* customs partly resembling wedding practices:⁴¹ reading the *tenaim* writ, touching the bride’s hand [*toccata della mano*], breaking a vessel as a sign of joy and abundance, dancing and music, restraints on the amount spent on gifts during the engagement [sump-

³⁹ *Letters of Rieti Family*, #253, 271, *tenaim* writ from 1550.

⁴⁰ See the discussion in TB Kiddushin 6a: “if he speaks to her about divorce or *kiddushin*. . . .”

⁴¹ Emmanuel Rodocanachi, *Le Saint-Siège et les Juifs: Le Ghetto à Rome* (Bologna: Forni, 1972; offset of 1891 Paris edn.), 84–95, 101–102.

tuary ordinances]. Such celebrations were accompanied by a communal meal, a crucial element in European *sociabilité* during the early modern period. In a late sixteenth-century letter manual, we find a detailed description of such a meal.⁴² The *kinyian* or *tenaim* meal and the ritual wedding-meal are the only two stages of the Jewish wedding rituals in Italy during the early modern period in which the close family circle joins “friends and lovers” for a meal. The fascination of the letter writer with the copiousness and variety of the food will only recur in descriptions of wedding feasts.⁴³

The *tenaim* ritual and the wedding day are the only occasions in which the rabbi or the synagogue cantor is present. Rabbis and teachers had been involved in the first stage of matchmaking. Their personal prestige and their extra-communal contacts, rather than their sacral position, ensured them an advantage as matchmakers. Now as well, at the stage of the *tenaim* ritual, the presence of the rabbi, the cantor, or the teacher is not connected to any official role during the ritual, or with any attempt to endow it with greater validity. The honor of the family and of the couple is enhanced by the presence of eminent guests.

Drawing together the various elements of the *tenaim* ritual will enable us to see the obvious similarities with central components of the wedding ritual:

Tenaim Ritual Customs

Gathering of family and neighbors
Distinguished community members (rabbi or cantor) are present.
Breaking a vessel for luck
Exchanging gifts

Wedding Day Customs

Inviting guests and family further removed from the ritual's venue
Desirable for rabbi or another notable to perform the wedding
Breaking of the glass wine by the groom
Pledging to transfer assets in the *ketubbah*, “gifts on the table”

⁴² New York Ms., JTS Acc. 73837 (no. 3759) (IMHM # 29564), 68b–69a. See also Budapest Ms., Kaufmann Collection 106, 331, Abraham Graziano's commentary on *Shulhan Arukh* (*Even ha-Ezer* 22:2): “and he should arrange the match and the *kinyian* as customary, and prepare a banquet, as R. Colon wrote.”

⁴³ In the Yiddish literature of Ashkenazi Jews in Italy, the “Ahashverosh Banquet” hints at the limitless culinary abundance of wedding feasts. See Maria Mayer Modena, “Leggi in Yiddish ma mangia all'italiana: assimilazione gastronomica degli Ashkenaziti nell'Italia Rinascimentale,” *RMI* 62 (1996): 125–136, esp. 134–135.

Table (*cont.*)Tenaim *Ritual Customs*

Signing the *tenaim* writ
 Asking the bride whether she consents to the match
 Touching the bride's hand
 Plenty of food
 Dancing and music
 Sumptuary ordinances limiting expenses
 Leading the groom

Semantic identification between matchmaking and betrothal [*kiddushin*]

Wedding Day Customs

Signing and reading the *ketubbah*
 Ascertaining whether the bride has freely agreed to the betrothal
 Placing a ring on the bride's finger
 Plenty of food
 Dancing and music
 Sumptuary ordinances limiting expenses
 Procession leading the groom or the bride to the place of the ceremony
 The expression "marriage and betrothal" [*huppah ve-kiddushin*]

Anyone coming to a *tenaim* signing ceremony could easily mistake it for a wedding. These are two parallel versions of the same event, the early one of more limited scope, and the later more luxurious. From a ritual perspective, the signing of the *tenaim* is a "mini-betrothal" or a general rehearsal of the "big" wedding ritual: the considerable similarities do not cancel the significant difference between the two stages: the matchmaking stage had marked mutual consent concerning the assets to be transferred between the parties, a new and irreversible state, whereas the wedding ritual marked the actual establishment of the family, transferring authority over the bride from the father to the groom.

Rhetoric at the Matchmaking Stage

The *tenaim* writ documents the legal agreement between the parties and backs it with the authority of the court, if necessary. In striking contrast with other Italian legal writs, the *tenaim* writ opens with long and florid rhetorical formulae. This practice was so common in Italy that letters and writs manuals also included formulaic openings for *tenaim* writs.⁴⁴

⁴⁴ Moscow Ms., Ginzburg Collection 289, 227a; London Ms., British Museum 12343 (IMHM # 8287), 26b–28a, 36a–38a

The *tenaim* writ had a defined legal status, corroborating the validity of familial and financial pledges. Many Italian manuscripts citing formulae for common legal writs tended to include the *tenaim* writ beside others, such as bonds writs, promissory notes, envoys appointments, partnership agreements, dowry writs. In all these writs, because they are legal documents, exact wordings are important. Someone writing a promissory note, or documenting in court the establishment of a partnership when founding a loan bank, would hardly think of decorating the writ or attempt to improve its external appearance. This is also true of the urban-Christian legal traditions known to Jews. The *tenaim* writ, however, is an exception to this rule. Many *tenaim* writs opened with long rhetorical passages, and then proceeded to familiar and binding legal formulae.

The transposition of this rhetoric into the legal realm attests to the significant role of rhetoric in in the course of the matchmaking stage. In this context, the term “rhetoric” does not merely describe learned traditions originating in antiquity—Aristotle, Quintilian, Cicero—or later elaborations that created a written and oratory corpus. The erudite, “academic” aspect is one facet of this broad domain. In the wake of the “New Rhetorics” school, there is room for considering the role of rhetorics as a form of social interchange. Beside other means that various social groups implement to promote their interests—open or disguised violence, economic pressure, enticements—rhetoric is also used to persuade others. The extensive social exchange aimed at making people abandon their original stance to adopt another is the core of social rhetorics. Chaim Perelman, the pioneer and founder of this approach, distinguished between logical, systematic means of persuasion (argumentation), and other modes (demonstration) relying on social conventions, emotional manipulations, or quasi-arguments. Whether relying on argumentation or demonstration, social rhetoricians require a style and rules they share with their audience. For their needs, they use the expectations or the tacit consent of those they are seeking to persuade. Stylistic rules or literary formal means are not always the chief element of “practical” rhetoric.⁴⁵

⁴⁵ Chaim Perelman, “The New Rhetoric: A Theory of Practical Reasoning,” in *The New Rhetoric and the Humanities: Essays on Rhetoric and its Applications* (Dordrecht, Boston, London: D. Reidel, 1979), 1–42.

Rhetoric had played a crucial role in European culture at the end of the Middle Ages and the early modern period, which it lost with the transition to industrial society.⁴⁶ For humanism, rhetoric was a significant component of the *vita activa*; the use of oral and written language is a means for expressing the human essence and influencing the environment. Through language, individuals convey their rational side, create contacts with family and friends, and participate in urban life. During the sixteenth century, handbooks on rhetoric aimed at various social and professional groups proliferated in Italy. Letter writing was an important element in these books, as a typical literary instance of direct communication. The letter, beyond conveying information, was meant to influence feelings and predispose the reader in the writer's favor.⁴⁷

One of the first Renaissance books dealing with different aspects of rhetoric was actually written in Hebrew, for an audience of Italian Jews: *Nofet Tsufim* by Judah Messer Leon.⁴⁸ Rhetoric played a valuable and significant role in Jewish Italian culture, and deserves separate examination. An understanding of the rules of rhetoric binding participants will shed new light on important aspects in the public life of Italian Jews. The wedding ritual, in which community members took part as observers or as active participants, included obvious rhetorical elements throughout, particularly at the matchmaking stage. Letters are the main rhetorical element. As noted, letter writing is a prime channel of information, used by patresfamilias and their supporting circles to enlarge the pool of potential candidates and inquire about them and their families. But letters are also an "entry ticket" to a cultural circle including adult, married males, who

⁴⁶ Walter J. Ong, "Rhetoric and the Origins of Consciousness," in *Rhetoric, Romance, and Technology: Studies in the Interaction of Expression and Culture* (Ithaca and London: Cornell University Press, 1971), 1–22, especially 1: "Until the modern technological age, which effectively began with the industrial revolution and romanticism, Western culture in its intellectual and academic manifestations can be meaningfully described as a rhetorical culture." See the comprehensive works of Marc Fumaroli, *L'âge de l'éloquence* (Geneva: Droz, 1980), 116–230; idem, ed., *Histoire de la rhétorique dans l'Europe Moderne, 1450–1950* (Paris: PUF, 1999).

⁴⁷ Brian Vickers, *In Defence of Rhetoric* (Oxford: Clarendon Press, 1988), 214–293. Vickers refers to Montaigne's claim that he had collected more than a thousand letter-manuals from Italy.

⁴⁸ Judah Messer Leon, *Nofet Tsufim on Hebrew Rhetoric, Mantua ca. 1475*, introduction by Robert Bonfil (Jerusalem: Jewish National and University Library Press and Magnes Press, 1988), v–xii, 7–69.

are capable of conveying through these letters their fluency in a language not used for day-to-day communication. Lack of this cultural skill could preclude access to a channel of communication and information that played a crucial role at the pressing time of matchmaking. Uneducated men or women who wanted to use letters for matchmaking purposes turned to people whose profession it was to write letters for others, or to an influential, well-connected patron. Beyond the cultural declaration implied in the writing of high-level Hebrew and the concrete information about matchmaking and matchmaking candidates, the letter is an important element in the web of contacts between adult males, ensuring mutual services and support. Matchmaking was one issue among others, and rarely the subject of an entire letter. Such letters dealt in the same breath with matchmaking and financial issues, such as administering a loans bank:

Our business [so far the subject of the letter] is in place, as you know. I am sure we will conclude the partnership we have discussed, and I will shepherd the flock of my reason after the herds,⁴⁹ as Heaven will direct me. And may God be willing to bring the auspicious time for me to marry a woman of my age in joy and happiness. Amen.⁵⁰

The small group of people that directed the banking businesses of Italian Jews also provided, in this case, information about marriage candidates. The same means of communication (letters in high-level Hebrew) may serve the dual needs of money and family affairs.

Marriage evoked avid social discussion in Italy; was much talked and written about, and hence underwent extensive cultural elaboration. Beside matchmaking letters, we find a broad front of rhetorical activity spreading over a variety of literary genres: prayers, commentaries on “a woman of valor,” ethical literature, homilies, biblical exegeses, prayers, greeting cards, fiction, magic.⁵¹ Most of the

⁴⁹ A pun on the Hebrew word *adarim*, referring both to herds and to the writer’s lack of discernment. The etiquette of letter writing requires a young person addressing an older one to be self-deprecating.

⁵⁰ *Letters of Jewish Teachers*, #6, 61–62. The letter dates from 1579. A prologue to a *tenaim* writ that includes, in the same sentence, economic terms for setting up a family, and a metaphor for matchmaking that resorts to traditional religious formulations. See Oxford Ms., Roth Collection 701, 74b.

⁵¹ Parma Ms., De Rossi Collection 3480, Stern 43 (IMHM # 13988), Isaac Berakhia Fano, *Hanokh la-Na’ar* homilies, s.v. *zivug*, 161a; Parma Ms., De Rossi Collection 2651 (1395) (IMHM # 13566), David b. Judah Messer Leon, commentary on “a woman of valor,” 110b–119b; Budapest Ms., Kaufmann Collection 409 (IMHM # 14725), Hananiah Elyakim Rieti, *Pri Megadim*, 185–189, 268–269; London

sayings repeated commonplace statements from the Jewish canon—the Bible, the Talmud, the Midrash—on the importance of marriage, choosing the right woman, and begetting children. Writers claim to repeat conventions from the traditional repertoire, but the tensions and distress accompanying the matchmaking process surface between the lines. The wealth of rhetoric allows us an interesting glimpse into the gap between the reality involved in choosing a spouse and establishing a family, as opposed to declarations on ideal norms. The considerable rhetorical effort, of which only faint echoes have reached us, was designed to reconcile the traditional view of one partner destined for each of us even before birth, with the conscious, cunning efforts invested by the family in an effort to find partners suited to the family's rank and honor within a short period of time.

The gap between Heaven's will and human deeds, between the heavenly voice joining a particular man to a particular woman in contrast with a concerted deployment and an active initiative leaving little to chance, is not easily discernible. The "matchmaking rhetoric" reflects a sense that the families' agreement about the match is the *ex post facto* sign that this match was also wanted in Heaven. This sense is typical of a cultural mentality that reduces the gap

Ms., British Museum 27122 (IMHM # 5788), 56a: "to predict the fate of a match, calculate the name of the man and the woman, add 15, and 'throw' them on each other"; Oxford, Bodleian Library, Reggio 3 BPA 1860 (IMHM # 22117), tractate by Abraham Yagel-Gallico, 91a–93b, on whether a person has a way of knowing "whether his wife is the one that Heaven has destined for him and the other half of his body, or she is one of his "second matches," in a question asked by a close friend"; London Ms., British Museum 27145 (IMHM # 5821), selected topics for homilies, 47a–51b: "Women, mating, marriage, weddings, and *shoshvimot* [female wedding escorts]"; Oxford Ms., Bodleian Library 54 (IMHM # 22464), homilies of Samuel b. Elisha Portaleone, 38b–41b, 185b–187a, 277a–282b; Oxford Ms., Bodleian Library 91 (IMHM # 27435), letter 10, 5b–6a, letter after a wedding; New York Ms., JTS 5063 ENA984 (IMHM # 29860), no pagination, a kabbalistic commentary on marriage. The theme of matchmaking and mating is mentioned beside other aspects of the marriage ritual: the couple's modesty, the *kiddushin*, the virgin's blood, the seven blessings, the groom's kiss to the bride, the first sexual encounter; Cambridge Ms., University Library 537(8) (IMHM # 16827), 43–44, 47–48, 70, 150; Ruderman, *A Valley of Vision*, 193–199, esp. 196; Moscato, *Nefutsot Yehuda*, #26, 110a, #43, 198a; Isaac Abrabanel, *Commentary on the Bible*, Genesis 6:1, 142–146; New York Ms., JTS 3763 (IMHM # 29568), no pagination, a letter congratulating someone who entered into a match, which turns into a mini-homily on the subject; *Letters of R. Moses Zacuto* (Livorno: Abraham Isaac Castello and Eliezer Gideon, 1780), #9: "On the duty of intention in everyday prayers and on the Sabbath, and also on the issue of finding a mate." Zacuto reports he has written a special prayer on finding a suitable mate.

between Heaven and Earth, viewing human acts as an additional arena for the revelation of the holiness of life. The slide from a request for Heaven's mercy onto concrete instructions to those dealing with matchmaking is almost imperceptible. Sacred and profane are on one sequence and the transition from one pole to the other is continuous rather than involving categorical skips. One instance of this are the Italo-Jewish homilies of the kabbalist Mordecai Dato (the English sections in the passage below are in Hebrew in the original): "*Dunque il matrimonio*, if decreed by Him, may He be blessed, and if the decree is true, then reality is false and prayer useless, *e questo si risponde con la autorità di true sages* [the kabbalists] *che due sorte di matches vi sono*: a first match and a second match"⁵² [Hence, if marriage has been decreed by Him, may he be blessed, and if the decree is true, reality is false and prayer useless. And this corresponds to the tradition of the true sages [the kabbalists], claiming that there are two types of matches: a first match and a second match].

Faced with the tension between the "classic" approach, whereby everyone has a partner predestined before birth, and the need for considerable family efforts to conclude these marriages, Dato resorts to a midrashic solution. The first match (the "ideal" one) is arranged in paradise and is impervious to human influence, and this is the match extensively described in traditional Jewish literature. By contrast, the second match is entirely in human hands. Sometimes, the first and the second match are identical, and people marry the person "truly" intended for them. In most cases, sin and the circumstances of life prevent a man from living with his intended wife. For Dato this is a punishment, at least for the man.⁵³ Another preacher, Jacob Poggetto, also holds that God assigns each man one worthy partner. Yet, the decision of whether a man will marry the woman assigned to him at birth is contingent on human deeds. A good, suitable woman is a prize or a reward for accumulated rights.⁵⁴

⁵² London Ms., British Museum 27050 (IMHM # 5726), 28a–30b, at 30a. On the life and works of Mordechai Dato, see Yoram Jacobson, *Along the Paths of Exile and Redemption: The Doctrine of Rabbi Mordecai Dato* (in Hebrew) (Jerusalem: Bialik Institute, 1996), 11–70.

⁵³ As was the case with Samson, whose sin was *lussuria* [luxury] and, as punishment, was given Delilah as a mate, or a pious Jew praying for a second mate, asking to find the woman who was destined for him, or at least to avoid finding a bad woman (London Ms., British Museum 27050, 29a).

⁵⁴ New York Ms., JTS 1588 ENA 846 (IMHM # 10686), homilies of Jacob Poggetto, *Divrei Yaakov*, 19b–24b: "A perfect match can only be attributed to the

The Matchmaking Agreement in Christian Urban Society

After choosing a suitable candidate, families moved to the next stage of matchmaking and opened direct negotiations with the other family,⁵⁵ which focused on the dowry's amount.⁵⁶ Numerous discussions in Christian-urban society in Italy were devoted to the issue of the dowry, without which the establishment of a new family was inconceivable. The size of the dowry was determined by the family's status and the social expectations accompanying the marriage. In this densely populated urban society, everyone knew how much each of the involved families paid or received. The assets transferred provided a precise indication of status and prestige. Determining the exact sum required extreme caution: too low a sum was humiliating, demanding too high a sum evoked criticism and contempt for those unaware of their place in the social hierarchy.

The negotiations were conducted by the men of the family, without the presence of the youngsters whose future was at stake. Successful conclusion of the negotiations was expressed through ritual bodily

will of God, who 'makes the lonely ones dwell in a house' [Psalms 68:7], according to their deeds. . . . This is the woman that God destined to make every man whole, to become one flesh, to leave his father and mother and cleave unto his wife [Genesis 2:24]." This homily is dated Hanukkah 1579. See also Budapest Ms., JTS 217 (IMHM # 47145), 34a, a letter about matchmaking issues, including a mini-homily: "A man is not given a mate at birth but according to his deeds, which will bring him closer to the holy bond, His deeds are splendid and glorious [Psalms 111:3], He who mates pairs."

⁵⁵ A description of the second phase of matchmaking appears in Christiane Klapisch-Zuber, "Zacharias or the Ousted Father, 183–187; Witthoft, "Riti nuziali e loro iconografia," 119–128; Fabbri, *Alleanza matrimoniale*, 53–55, 154–155.

⁵⁶ Molho, *Marriage Alliance*, 17: "In either case, dowries were symbolic barometers of families' status. The reason for the efficiency of that barometer's gauge was that knowledge about dowries was widely circulated in Florence. In an urban culture in which so much of what we assign to the private realm was readily in the purview of public knowledge, and was eagerly commented on in informal oral exchanges and in more formal written communication, the curious could not refrain from keeping a sharp eye over negotiations of dowry deals. A family's standing in society was confirmed, it rose, or it was undermined by the public knowledge of its fortunes in the dowry market. There is, in fact, an enormous amount of contemporary literature in which dowries figure prominently"; Fabbri, *Alleanza matrimoniale*, 66, quoting from Alessandra Strozzi's letters: "Nei matrimoni è prima da considerare la quantità delle dote e poi la donna, perché non arricchiscono le case le virtù delle donne, ma le facoltà ch'elle in casa del marito portano" [In marriages, the foremost consideration is the woman's dowry and then the woman's qualities, because houses do not become rich through the women's virtue but through the wealth they bring to their husbands' home].

gestures, such as a kiss on the mouth or a touch on the palm of the hand [*toccamano, impalmamento*]. The parties sometimes preferred to keep their verbal agreement secret in order to enable the couple and the families to become used to one another, to devote efforts to the collection of the dowry, or to obtain a wedding permit from the Church.

Meanwhile, a notary drew up an official, binding legal writ [*istrumento delli futuri sponzalitii*], detailing the sums of the dowry and the mode of payment. The agreement included the names of guarantors and arbiters, who were responsible for fulfilling the terms of the contract and implementing the ritual's next stages. The high sums set for dowries made it impossible for many families to pay outright, so they spread the payments over several years. Due to the influence of Roman law, marriages that were not accompanied by property transfers between the parties were not considered lawful, so that the agreement had to ensure that at least a sizable part of the dowry arrived with the bride on the wedding day. Quarrels and conflicts accompanied the marriage rituals sometimes until the last minute, and the dowry was at the focus of the tension.⁵⁷

The use of legal writs for documentation and as evidence that the matchmaking stage had ended was widespread throughout the center and north of Italy, during and after the sixteenth century. Scholars studying the Italian Christian family had at their disposal tens of thousands of notarized writs documenting pre-nuptial property agreements.⁵⁸ These documents reveal that not only patrician or wealthy

⁵⁷ On the importance of transferring the dowry at the betrothal stage or after it, see Christiane Klapisch-Zuber, "The Griselda Complex: Dowry and Marriage Gifts in the *Quattrocento*," in *Women, Family and Ritual*, 213–246. Under the influence of Roman law, the transfer of the dowry became a necessary condition of legitimate marriage in canon law as well, as opposed to concubinage. See Pierre Toubert, "La théorie du mariage chez les moralistes carolingiens," in *Il Matrimonio nella società altomedievale*, 258–268. The dowry is the most important means for the integration of women pushed to the margins of society (poverty, mendicancy, prostitution) into "respectable" family life. See Luisa Ciammitti, "Quanto costa essere normali: La dote nel conservatoria femminile di Santa Maria del Baraccano (1630–1680)," *QS* 53 (1983): 469–497; Lucia Ferrante, "L'onore ritrovato: Donne nella Casa del Soccorso di S. Paolo a Bologna (sec. xvi–xvii)," *QS* 53 (1983): 499–527.

⁵⁸ An entire issue of *MEFR* 95 (1984) *Moyen Ages-Temps Modernes* is devoted to the extensive use of official legal documents to record pre-nuptial financial agreements between families. See mainly the articles of Flavia Luise, "Famiglia e società a Solofra tra il 1640 e il 1676 nei capitoli matrimoniali e nei testamenti," 299–338, and Carolina Belli, "Famiglia, proprietà, classi sociali a Montefusco nella prima metà del XVII secolo," 339–392. See also Jean Bautier, "Les 'Notizie diverse'

bourgeois families used them, but also families of artisans and, at times, the urban “working class” as well.⁵⁹ This agreement is definitely binding and cannot be infringed without serious affront to the prestige of the breaching party, and without risking acts of violence and revenge. It attested to the key role played by the adult family circle in the choice of partners and in setting the terms of the alliance, oblivious to the youngsters’ personal wishes. After signing the contract, the family and the community viewed the couple as practically married. Note that the marriage was perceived as a private affair, reflecting a decision of the entire family. For this reason, both the couple and the family tended to refrain from involving in the matchmaking or the marriage any representatives of the Church or the urban government. Drawing up an agreement specifying the personal and economic terms of the future marriage in the presence of a notary, or its registration as a notarized document, was a private act originating in the family’s decision and not in urban law. Prior to the tridentine council, people confined themselves to this official act without registering at the parish church, or postponed it until the last stage of the marriage ritual, or even to a later time, following years of cohabitation. This agreement has longstanding historical roots in Italy. The commitment of the bride’s family to deliver her to the groom at an appointed date was acknowledged in legal Germanic traditions known in Italy from the times of the Lombards as the basis for legal marriage (as opposed to concubinage).⁶⁰

The agreement was published at a joint celebration, to which both

de Niccolo Gondi (1652–1720): À propos de la memoire et des strategies familiales d’un noble florentin,” *MEFR Moyen Ages-Temps Modernes* 98 (1986): 1127–1151.

⁵⁹ On the wide recourse to legal documents among working people, see Cohn, *The Laboring Classes*, 19–25; Alessandra Villone, “Contratti matrimoniali e testamenti in una zona di latifondo: Eboli a metà 600,” *MEFR Moyen Ages-Temps Modernes* 95 (1983): 231; Klapisch-Zuber, “Zacharias, or the Ousted Father,” 181–182. For a similar situation in France, see Molin and Mutembe, *Le Rituel de mariage en France*, 77–135.

⁶⁰ On traditions of Germanic law regulating the pre-nuptial stage, see Klapisch-Zuber, “Zacharias, or the Ousted Father,” 182: “Two traits in particular show what we might call the archaic quality of traditional rituals in Italy, which remains under the influence of the Roman and the Lombard and were, by and large, insensitive to Church action.” For an extensive discussion, see Schröter, “*Wo zwei zusammenkommen in rechter Ehe*,” passim. This tradition was preserved until early modern times. See Van Dülmen, “Fest und Liebe,” 79–82. On the influence of Germanic law on European family traditions, see Jean-Claude Bologne, *Histoire du mariage en Occident* (Paris: J. C. Lattes, 1995), 25–28, 116–123, 133–134.

parties invited many relatives and friends. Food was a marginal aspect of this gathering, and included only sweets (*confetti*).⁶¹ The only guests were men related to the family by blood or by marriage, and even the bride's presence was not imperative. The men who were in charge of her—particularly the father, brothers, relatives, or guardian—promised to deliver her in marriage in the future, while the groom committed himself to take her for a wife according to the agreed terms. They conveyed their agreement, again, through a physical gesture such as a kiss. A notary invited to the ceremony prepared a writ specifying the terms of the alliance and the date of the wedding.

The ritual was called *giuramento grande* [great oath] *fidanze*, or *sponsalia* [*sponsalium* in Latin legalese]. The most important act in creating a link between the two families is the two-sided pledge ["oath"] to transfer assets and deliver the woman. Priests were not present at the *giuramento* because it was considered a family affair, and clerics invited to the ritual came as friends or relatives but not in their official capacity. Priests could have been expected to officiate at the ritual, since the Church had declared all marriages between men and women too closely related by blood invalid, and considered itself the sole institution authorized to rule on this matter. Yet, families that had an interest in avoiding forbidden alliances potentially harmful to the status of the descendants and to the family's reputation took care to assess lineages by themselves, relying on genealogical documents kept at home.

Daniela Lombardi's comprehensive book includes additional descriptions.⁶² After the parties reached an agreement through a process involving only men, the groom "went to see" the bride [*andare a vederla*]. On this occasion, they promised each other they would marry in the future, touched each other's hand, and repeated the familiar verbal formulae. The bride's father shook hands with his future son-in-law, embraced him, and took him by the hand toward his daughter,

⁶¹ Christiane Klapisch-Zuber, "Les noces florentins et leurs cuisiniers," in *La socialité à table*, ed. Martin Aurell, Olivier Dumoulin and Françoise Thelamon (Mont-Saint-Aignan: Rouen, 1992), 193–199.

⁶² Lombardi, *Matrimoni di antico regime*, 58–59, 70–71, 180–181, 188–201. Since no clear line separates the *fidanzamento* from the *sposalio* (the affirmation of the agreement between the families in an act of legal significance), I have directed attention in this chapter only to those aspects related to the publication of the agreement between the parties.

saying to them: "This is your husband, this is your wife!" The ancient gesture of joining their right hands [*unctio dextrarum*] conveys the parties' intention to implement the agreement between them. The next significant stage of the ritual, giving the ring, could be performed then and there or postponed for a later time. No clear or uniform ritual pattern characterizes this stage, all the more so since the gestures of joining hands or giving a ring could be repeated several times, before different witnesses and spectators.

Summary

The term "matchmaking" does not appear in the Bible in any one of its many family stories, and a procedure prior to the *kiddushin* is seldom mentioned in either Talmud. The topic first emerges for more extensive discussion in halakhic medieval literature, although the term *shidukhin* (or its synonyms in Hebrew and other languages) is imprecise in its content and legal meaning in this period as well. This legal vagueness, even in the late Middle Ages, follows from the essential family character of this stage. Searching for partners, inquiring about them, negotiating the marriage terms, and the agreement between the parties—all took place in family circles and relying on oral traditions or "rules of the game" known to the parties, without requiring formal instructions.

Many of the local matchmaking practices are patently Ashkenazi in character. The *tenaim* writs included provisos "according to Ashkenazi custom"; the closing event of the matchmaking stage—a public signing of the agreement between the parties—is known as *kinyian*, or *kinyian ritual*; the ritual in both traditions has shared elements: inviting relatives and many guests, a big meal, the presence of community officers (rabbi, cantor), breaking a vessel as a sign of good luck and to ward off evil magical influences, signing the *tenaim* writ on the occasion, stipulating the penalty on the breaching party.

Another significant milieu for understanding the matchmaking stage in the Jewish Italian community in the Middle Ages and the early modern period is the non-Jewish circle, namely, the urban family patterns in Italian Christian society. The closeness is so pronounced that we could speak of a cultural-social continuum, which does not draw a clear-cut distinction between Jewish and Christian society in Italian cities. Both engage in a complex, long, and subtle ritual act.

In Bourdieu's terms, matchmaking can be described as a social "field" where acts are performed over a defined period of time in search of specific advantages, material and symbolic (a large dowry, prestige, new family contacts), according to behavior patterns acquired in that society. Matchmaking is the art of the possible, of seizing opportunities, negotiating, and resisting pressures. As in urban Christian society, the issue of marriage partners and the means to find them evoke keen reactions in Jewish society, as evident in many letters, in homilies, in fiction and ethical literature. Reacting quickly to the maximum amount of information and negotiating with the other party requires activating all the social circles known to the family. These tasks would be impossible without abiding by the social and cultural etiquette that participants share in common.

Records of the first stage of matchmaking—finding marriage partners and inquiring about them—are found mainly in letters that fathers and householders sent to other men. Beside the oral negotiations, which left no direct documentation, letters were the main vehicle for breaking through the local circle and reaching candidates in other cities or areas. Beside the functional and purposeful dimension of conveying information, the letter is also a cultural form of expression. Both aspects serve a similar purpose: learned men fluent in the rules of the literary genre and Hebrew's various registers had an additional advantage when involved in promoting family interests. Rhetoric was the "entry ticket" to the male circle charged with conducting the negotiations, which demanded commercial shrewdness beside style and knowledge of the social etiquette. The influence of the urban lifestyle is evident in the importance that Italian Jews assigned to rhetoric. The profusion of written material available, in various literary styles, made matchmaking an object of social discussion. Familiar sayings speaking of marriage and finding marriage partners drawn from canonic Jewish literature, some of them adapted to the changing needs, were joined by new ones, reflecting the real expectations, tensions, and fears that accompany this delicate stage in the family life cycle.

Public interest in the marriage candidates took the shape of rumors, hearsay, gossip, and interference in the choice of partners, as well as overt and covert pressure to conclude arrangements quickly. Synagogue sermons, written and oral exegeses of Scriptures, ethical literature, writings on magic and Kabbalah—all discussed various aspects of the search for appropriate mates, presenting demands to

the suitable partners, and conducting the negotiations between the families. The most prominent expression of the wider social interest and concern with matchmaking is a long responsum by R. Moses Provinzallo. The length of the responsum and the extensive discussion of various aspects of the *tenaim* ritual turn it into a mini-monograph on matchmaking. Its uniqueness lies in the modern quasi-anthropological analysis of the recommended combination of matchmaking's various ritual components. Beside the halakhic concern with legal precedent, the gist of the responsum digresses to the parties' interpretation of the ritual's elements.

Provinzallo's responsum is a scathing reaction to an anonymous tract. This tract has not survived in writing, and its content can only be partly reconstructed from various passages mentioned in Provinzallo's responsum. As he unwillingly attests, the parties could choose from a range of options how to conduct and interpret the various ritual stages. The communal interest, the unique situation, the families' interests, the parties' ability to use the "rules of the game" according to their social experience and skills, all affected, each time anew, their performance and understanding of the ritual. Vagueness is also built into the *tenaim* or *kinyian*, the ritual that sums up the matchmaking stage, concerning a critical question: does the matchmaking publicly attest only to a financial agreement or to a relationship akin to *kid-dushin*? The answer emerged out of the specific circumstances and the parties' ability to persuade the community to accept their view.

The practice of resorting to mediators was the institutionalized expression of the dense social network so intensively used at this time. Both Jews and Christians turned to family friends and patrons to act as mediators [*mezzani*], or to professional matchmakers [*sensali*] who worked for a fee. These two categories were usually hard to draw apart since for most matchmakers, even those working for a fee, this was not a steady, fixed occupation. A direct approach to the other party evoked harsh responses because it clearly attested to the initiator's social isolation and his detachment from a network of contacts and associations vital to everyday life. Only at the end of the sixteenth century did matchmaking become a profession among Italian Jews. Matchmakers set new demands on the families—setting fees in advance and imposing a monopoly. From means in the family's service, matchmakers became an anonymous power expressing the community's increasing ability to interfere in family and match-making affairs.

Italian Jews knew about child brides but, as R. Judah Minz categorically stated, "it is not the Roman custom to arrange *kiddushin* for child brides." Marriage age was not determined by biological concerns of fertility and birth, but by social considerations. Match-making arrangements for girls began with the appearance of the first signs of sexual maturity. Feelings and fears reflected in Jewish sources are also known from contemporary Christian Italian literature. The single woman's sexuality is a danger to the family because of the potential affront to family honor, to the father's honor, and to male honor. Young girls at home evoked strong feelings of insecurity and fear of rumors injurious to the women's status and to the family's prestige.

The materialization of the match was sometimes delayed for several years. In the long interim period, the personal status of the woman remained unclear. She was no longer in the category of an available candidate, but was not yet in a clear couple relationship. The opaqueness of this situation is reflected in expressions of fear and concern by the men responsible for the young girls. This is a ritual transition that leaves a trail of tension and dissatisfaction behind, which a modern observer might consider dysfunctional and inefficient to the girls and their families. The long time lapse preceding the wedding required ritual solutions that will be discussed in the following chapters. Incidentally, this aspect is not the only one during the matchmaking period that the modern observer may view as dysfunctional, even to the interests of the parties involved. Others are, for instance, the signing of the *tenaim* renewal writ, which complements the *tenaim* writ, and actually weakens the legal power and validity of the original document, or the postponement until the last minute of the negotiations concerning financial and personal issues, which could evoke scandals and quarrels at the wedding.

Matchmaking for boys began at a later age, for various reasons. The license and the relative ease enabling young men—Christians and Jews—to satisfy their sexual needs before marriage did not prompt a need to find partners for the boys as soon as signs of sexual maturity appeared. In fact, contemporary sources presenting mainly a male perspective point to the need to preserve an age gap between men and women at marriage. The woman should be several years younger than her husband. This gap is meant to express and institutionalize the hierarchical structure of the family and the authority and primacy of the *paterfamilias*. Hence, matchmaking for

boys began in Jewish society at eighteen, although it is questionable that the mishnaic instruction “at eighteen, for marriage” was the reason for this practice.

The resemblance to the urban Christian pattern and the expectations that guided family life could explain the age gap between men and women. Furthermore, contemporary sources indicate great male resistance to attempts by women in the family to arrange early marriages for boys, as was common for girls. Fathers felt that such marriages put too heavy a burden on the boys and exposed them to female dominance. Clear echoes of actual demographic trends in the Christian city resonate in these demands: young men tended to marry later, or refused to marry claiming that the drawbacks of marriage exceeded its advantages.

Time, in its various rhythms, is a fundamental element in the course of matchmaking. The first stage is marked by serious fears of exceeding the time frame set for the marriage of girls (and largely also of boys). Exceeding the normative age for matchmaking (“the matchmaking period”) attests that the family’s plans went awry, or that the girl is not a successful candidate, or that her own or her family’s reputation had deterred suitable candidates. In such cases, the family was forced to arrange a match with a candidate that had not met earlier expectations. The time factor and its influence on human life is one of the most developed themes in Italian and European humanism. Hundreds of volumes, almanacs, and periodization calculations show that time loomed large in contemporary consciousness. Time is the axis joining the two stages of matchmaking, because control of time is an important element in the family’s power to run its affairs and insist on its demands. The urgent, pressing time of the first stage was replaced by the slow, easy time of the second stage, when the matchmaking agreement was revealed to the family. The period separating the end of the matchmaking stage and the *kiddushin* stage (see next chapter) fulfilled significant ritual roles for the families and the youths.

The matchmaking stage, more than any other stage in the marriage ritual, attests to the clear and unquestioned primacy of families and their male adult members. The choice of partners, the negotiation, the setting of terms for the alliance, all were a matter for the group. The couple’s affection, love, or attraction were alien considerations to the heads of families. In their view, marriage serves interests significant to the family (honor, economic advance, politi-

cal liaisons). Hence, once candidates were chosen and agreement was reached concerning the terms, it was important to present them to the community that would be the couple's future home with maximum publicity, obtaining its approval for the marriage. This legitimation, however, is not an *ex post factum* recognition of a *fait accompli*, but a legitimation that defines or creates a new legal-personal status. The participants at the matchmaking stage follow "oral" family traditions that do not rely mainly on canonic law or on Halakhah. The latent assumption is that the marriage situation is not constituted at a defined, unique ritual moment. It depends on a series of secondary events, involving expanding social circles. The publicity and recognition given to the couple strengthened the marriage alliance between them. The most important ritual occasion in this sequence took place within the close family circle. The agreement between the families, both in Jewish and Christian society, reached closure without involvement of outsiders such as rabbis, clerics, or state representatives. The presence of a notary, or of reliable witnesses, is more important than that of a priest at the *giuramento*, or that of a rabbi at the *tenaim* or the *kinyan*. One approach even argued that, after the agreement was published and signed by a notary, "she is, for all intents and purposes, as his wife," a perception with semantic and legal implications in Jewish society. The border between the separate concepts of matchmaking and *kiddushin* becomes blurred. Marrying a girl that had been matched to another man is considered an act bordering on adultery with a married woman. Rescinding the validity of a matchmaking writ requires official approval by a rabbinic authority, almost as a divorce writ between the parties.

The matchmaking stage culminates in the *tenaim* agreement, celebrated with the family and invited guests. The event attested to the centrality of the economic element in the process leading toward the creation of a family. During the first stage of matchmaking, the dowry was the main issue on the negotiations' agenda. The rebuke of Italian Jews in *Ma'avar Yabok*, scolding them for choosing marriage partners for their children guided exclusively by dowry considerations, should not be taken at face value. In other Jewish communities as well, the size and composition of the dowry were a central consideration in arranging matches. The critic, however, was not wrong when he discerned the style of the negotiations. Clearly resembling Christian urban society, Italian Jews described the match-making as an economic deal between tradesmen, resorting to language

from the commercial realm [*compromesso, partito*]. Marriages without a dowry were unthinkable and, influenced by Roman law, were considered invalid. The amount of the dowry strictly defined the status of the family and publicly attested to its economic resources. The custom requiring the groom to bestow a lavish counter-dowry on the bride created social pressure for economically homogamous marriages.

The *tenaim* ritual in Italy was a stage that preceded the wedding day, a kind of “mini-wedding.” Its festive and public character was clearly influenced by family traditions brought by Ashkenazi immigrants to Italy more than by the local Catholic tradition, which tended toward a brief and solid ritual, limited to the family. Both ritual patterns, however, shared one common element: free will. In his reponsum, Provinzallo argued that the *tenaim* convey “her consent . . . to her eventual marriage to this man.” The importance of consensus for the creation of a marriage will be discussed in the next chapter. At this stage, it was important to the parties to publish their agreement to the match to gain public approval “the custom there . . . to pronounce the same words to *publicize* the match.”⁶³

The use of legal writs for recording the marriage agreement was frequent and widespread in both Christian and Jewish society. To endow it with further validity, local Jews used to translate the *tenaim* writ and have it signed by a public notary so that it could serve as a valid document at the local urban court. The formalistic approach is even more prominent in the practice of signing an additional document, the *tenaim* renewal writ, close to the wedding. These writs were a further indication of the adult control of the matchmaking stage, and of the marginalization of emotions within the family strategy.

The Jewish matchmaking ritual in Italy in the early modern period, as noted, belongs to a local cultural sequence that cuts across religious borders, but local Jews also belonged to a wider cultural Jewish circle. The separate halakhic tradition, practices influenced by Jewish migrations, and the deep emotional attachment to the Jewish diaspora, created significant differences between Jewish and Christian rituals. In Jewish matchmaking practices, the magical element is largely neutralized. Finding a partner and the pressure to conclude

⁶³ Provinzallo, *Responsa*, 130.

the match within a given period resulted in an ongoing situation of uncertainty and fear. Magic practices or “folkloristic” customs could provide a partial answer to these pressures. In Italian Christian society, there were folk traditions for identifying the suitable groom, or for predicting the number of children that would be born, or determining whether the future husband would be faithful to his wife.⁶⁴ Although Jewish society faced similar family pressures during the matchmaking stage, no recording of similar practices has survived. Does this point to a more general trend concerning reservations about magic practices?

The dowry sums mentioned in *tenaim* writs attest to the stratification of Jewish society. The gaps between the considerable sums noted among wealthy bankers’ families and among poor families is far smaller than in the parallel classes in urban Christian society. The dowry sums in the family of wealthy Christian bankers or merchants would be hundreds of times larger than those of artisans. Jewish society was more homogeneous economically, and its ritual pattern also tended to greater uniformity. As opposed to the diverse ritual patterns known from Christian society—rural vs. urban, rich vs. poor, north vs. south—the Jewish matchmaking pattern is distinctively urban and performed by the middle classes: artisans, guild members, and average property owners.

⁶⁴ Angelo de Gubernatis, *Storia comparata degli usi nuziali in Italia e presso gli altri popoli indo-europei* (Milano: L. Niccolai Tipografia, 1878; offset 1990), 23, 30–48.

CHAPTER THREE

“THE ISSUE IS NOT THE RING, BUT THE PUBLICITY”:¹ *KIDDUSHIN*—PUBLIC AND HIDDEN

The legal status of *kiddushin* or engagement [*erusin*]² is well defined in the Talmud and in halakhic literature. Unlike the matchmaking stage, the *kiddushin*, including its legal implications and the normative patterns guiding its performance, is discussed at length in several talmudic treatises.³ The opening of Tractate Kiddushin in the Mishnah prescribes its ways: “the woman is acquired in three ways . . . by money, by writ, and by intercourse.” The analogy between the acquisition of property (“the woman is *acquired*”) and the act of *kiddushin* attests, *inter alia*, that the act of *kiddushin* is irreversible once performed by the parties, just as a purchase resulting in a transfer of ownership from one party to another cannot, under ordinary circumstances, be cancelled.⁴ The moment of the *kiddushin* categorically distinguishes between two legal situations that define the personal status of the couple before and after: before it, they had been free to marry any partner; after it, the couple, and particularly the woman, is bound by all the obligations incumbent on married women. From a legal perspective, the *kiddushin* is the significant moment that marks the “creation” of the marriage.

To ensure strict adherence to halakhic injunctions concerning *kiddushin*, the sages demanded that “whoever is not knowledgeable in

¹ Leon Modena, *Examen Traditionis [Behinat ha-Kabbalah]* (Gorizia, Novis Tapis Joh.Bapt. Seitz, 1852; offset: Jerusalem, 1968), 63.

² In this chapter I will use the terms “betrothal” [*kiddushin*] and “engagement” [*erusin*] interchangeably, following the talmudic usage. See TB Kiddushin 6a: “Our Rabbis taught: ‘[If one declares:] Behold, thou art my wife,’ ‘Behold thou art my *arusah*,’ ‘Behold, thou art acquired by me,’ she is *betrothed*.” On the affinity of these two terms see, *Encyclopedia Talmudica*, vol. 2, s.v. *arusah*, 182–186.

³ Benzion Schereschewsky, *Family Law in Israel* (in Hebrew), 4th edn. (Jerusalem: Rubin Mass, 1992), 25–30. See also *Encyclopedia Talmudica*, *ibid.* On the blurred legal status of the matchmaking stage, see the opening passage in ch. 1.

⁴ On the central role of intention [*Gmirut ha-Da’al*] when transferring ownership of an asset, see Shalom Albeck, *The Law of Property and Contract in the Talmud* (in Hebrew), (Tel-Aviv: Dvir, 1976), 112–178.

matters of divorce and *kiddushin* should have nothing to do with them” (TB Kiddushin 6a). The issue of *kiddushin* became the exclusive concern of experts, scholars and rabbis, who monopolized control of *kiddushin*, marriages, and divorce.⁵ Lurking in the background was the fear that acts of *kiddushin* (or divorce) performed without compliance with normative dictates might cause irreparable damage, such as the birth of bastard children or women becoming forbidden to their husbands. Hence, descriptions of *kiddushin* in halakhic texts, or in prayer books containing instructions on the marriage ceremony [*seder hatanim*], carefully repeated the legal and formal requirements or copied the accepted literal formulae. Thus, for instance, Johanan b. Joseph Treves writes in *Kamha de-Avishona*, one of the most comprehensive interpretations of the prayer rituals of Italian Jews:

He who betroths the woman with a ring does so before two or three qualified witnesses . . . He places the ring in her hand and says: “With this ring, you are betrothed to me by the law of Moses and Israel” . . . and this is the engagement blessing . . . The one pronouncing the blessing, the groom, and the bride, all drink and break the glass . . . this is the [formula of the] bridegroom’s blessing . . . and the groom and the bride drink, and he gives her the *ketubbah* and says, here is your *ketubbah*, [as required] by the law of Moses and Israel.⁶

This and other similar descriptions led Cassuto to his view that Jewish marriage practices in Italy follow set patterns.⁷ No gap prevailed, in his view, between halakhic injunctions and the actual performance of the *kiddushin* stage (or any other stage in the marriage ritual) among Italian Jews. My main argument in this chapter is that the legal-halakhic perspective, although providing the main cultural frame of

⁵ Bonfil, *Rabbis and Jewish Communities in Renaissance Italy*, 66–67, 149–152, 170, 235–236. See also idem, “Le savoir et le pouvoir: pour une histoire du rabbinat à l’époque pre-moderne,” in Trigano, *La société juive à travers l’histoire*, vol. 1, *La fabrique du peuple*, 115–195, especially 184; For a document licensing a rabbi to deal with conjugal law, excommunication, and marriage, see 176.

⁶ Johanan b. Yosef Treves, *Kamha de-Avishona, seder hatanim*, vol. 2, no pagination. A similar description appears in a comprehensive prayer book for the High Holidays [*mahzor*] according to the Italian rite, Parma Ms., De Rossi Collection 2738 (814) (IMHM # 13673), 310a–311b, dating from the late sixteenth century and was “bought in Carpi, 1608” (8b). A common description of betrothal and marriage appears in Jehiel b. Yekutiel b. Benjamin Ha-Rofeh, *Sefer Tanyia Rabbati* (Warsaw: Isaac Goldman, 1879), 193–197. The issue of betrothal does not appear in *Sefer ha-Agur* and *Shibolei ha-Leket*, two central books of Italian halakhic tradition.

⁷ Cassuto, *Gli ebrei a Firenze*, 220–221.

reference, is one of several elements in the ritual. Longstanding and variegated local traditions also guided the ritual's participants, and even led them to reinterpret the written legal tradition, allowing them free rein to promote the family's interests. At every *kiddushin*, participants had to decide on the legal meaning of the occasion and on the modes of action: Is the bride's or the groom's party more dominant? Should the ritual be open and public or should it be hidden from the community and the neighbors? How much control of the ritual can shift from the adults—parents, the extended family, rabbis, and community office holders—to the young? To what extent is the legitimation of the *kiddushin* ritual split between rabbinic authority and the public? Underlying the accompanying tension and ambivalence are two key questions: to what extent does the *kiddushin* stage differ from the ritual stage that precedes it (the matchmaking) and the one that follows it (the wedding)? Is the *kiddushin* a single event, or a multi-staged sequence in which each stage reinforces the validity of the previous one?

Kiddushin as a Separate Stage

The description in *Kamha de-Avishona* indicates that the *kiddushin* took place on the wedding day, under the wedding canopy. The research literature on the Jewish family in the Middle Ages has accepted as a given that the *kiddushin* was attached to the wedding and united with it.⁸ The implication was that, in Italy too, marriage took place in two stages: matchmaking, followed by the *kiddushin*-marriage. At the matchmaking stage, families chose a candidate and set the per-

⁸ On the expansion and institutionalization of the practice to join the betrothal and marriage ceremonies during the Middle Ages, see Freiman, *Betrothal and Marriage*, 29, 31–33, 41–42, 52, 68, 105, 127, 180, 210, 218, 234; Friedman, *Jewish Marriage in Palestine*, vol. 1, 192–202; Herman H. Pollack, “Why the *Erusin* and the *Nissuin* Were Combined? A Study in Historical Causation,” *WCJS* 9, C (1986): 47–53; Zimmels, *Ashkenazim and Sephardim*, 175–181; Abrahams, *Jewish Life in the Middle Ages*, 176–185; Samuel b. David Halevi, *Nahalat Shiv'ah* (Warsaw: Moses b. Mordechai of Landsberg, 1883; offset: Jerusalem 1969), 47, alluding to testimonies in *Sefer ha-Kolbo, ha-Bach, ha-Turim*. For evidence from Jewish art, see Therese Metzger and Mendel Metzger, *Jewish Life in the Middle Ages: Illuminated Hebrew Manuscripts of the Thirteenth to the Sixteenth Centuries* (New York: Fine Art Books, 1982), 227–233; Guttman, *The Jewish Life Cycle*, 10–12.

sonal and economic terms of the marriage through the *tenaim* writ; the *kiddushin*-wedding stage conferred on it legal-halakhic validity and created the marriage state. This binary division was common during the Middle Ages in Jewish communities in northern Europe and along the Mediterranean. Sixteenth and seventeenth century sources attest that, in Italy too, the *kiddushin* and the wedding were sometimes united.⁹ Most contemporary sources, however, indicate that the separation between the *kiddushin* and the wedding was a known and no less acceptable ritual option. One instance appears in the notes recorded in a family book [*libro di famiglia*] passed on from generation to generation. Recording shared memories in writing and transmitting them to the next generation “marked” and internalized the borders of the family’s identity, in line with the widespread custom in Christian urban society in Italy during the Renaissance and the early modern period. Italian Jews noted the main family events—births

⁹ R. Moses Provenzallo, *Responsa*, #78, 124; Moscow Ms., Ginzburg Collection 160 (IMHM # 6840), 5a, a letter requesting charity for a poor bride; New York Ms., JTS Rabbinica 1355, no. 7084, 110b–111b: “About Reuven, who arranged a match between his daughter and Simon’s son . . . and Reuven vowed, in writing, to arrange the wedding with Simon’s son at an appointed time . . . and the time for the wedding was not set.” We learn from this that the *kiddushin* and the wedding were set for the same date. Moscow Ms., Ginzburg Collection 563 (IMHM # 43059), miscellanea of sixteenth century religious rules, 107b–109a, rules of betrothal and marriage blessings . . . the author emphasizes (“an innovation to which I agree . . .”), that “the custom at present is to perform the *kiddushin* only under the canopy”; Moscow Ms., Ginzburg Collection 278 (IMHM # 45715), miscellanea of religious rules, 136b: “Now that people perform the *kiddushin* under the canopy, the custom is that the *kiddushin* witnesses are also the *ketubbah* witnesses” Azriel Dienna, *Responsa*, vol. 2, #215, 258, where a description of the wedding stages does not refer to the betrothal as a separate phase; Louis Finkelstein, *Jewish Self-Government in the Middle Ages* (New York: P. Feldheim, 1964), 316–319, an ordinance from the Corfu community, 1642: “No man will be allowed to perform a betrothal except close to the seven blessings, so that [the betrothal and the wedding] will be joined, unlike the previous practice.” The performance of the *kiddushin* on the wedding day was sometimes explicitly stated in *tenaim* writs. See New York Ms., JTS 3924 (IMHM # 29729), a writs collection from Siena, no pagination, a writ from 1662: “On the wedding day, the honorable Elijah . . . will give away his daughter Diamante”; a writ from 1687: “on the time we will set, God willing, she will enter the canopy with him, and will receive the *kiddushin* and the *ketubbah*”; Milan Ms., Ambrosiana Library X124Sup. (IMHM # 12346), 7a–8b; New York Ms., JTS Rabbinica 1094, ENA 4199, Acc. 02525 (IMHM # 43206), formulae for writs by Abraham of Ancona, 86a; London Ms., British Museum 12342 (IMHM # 8286), 3a, 11a, 15b–16b, 18a–b; Copenhagen Ms., Royal Library 115/4 (IMHM # 6928), no pagination; London Ms., British Museum 9152 (IMHM # 6590), rulings of R. Jacob Finzi, #140, 235b–238a: “The custom in the city of Ancona and in other places . . . is that the *kiddushin* takes place at the wedding, only publicly and with a ring.”

and deaths as well as, though less frequently, marriages—in the holy books in their possession that were then, by special request, transcribed to manuscripts that were highly valuable financially and the family could even sell in times of need. In a manuscript from the early sixteenth century, which included the Five Scrolls and the Psalms, a groom-to-be recorded the *kiddushin* in a book belonging to the wife's family: "Celebrating that today, Friday, on the 10th of the month of Second Adar 5299 [in the year 1539], Amen, I betrothed Beata, daughter of His Honor, the late R. Eliav . . . written by Benjamin, son of His Honor, R. Joseph d'Arignano, resident in Rome, may God keep him and watch over him."¹⁰

The groom-to-be was also allowed to record the event in the family book, because the bride's mother was a widow.¹¹ The new male (now joining the family) assumed shared responsibility for recording family memories. The *kiddushin* marks the moment at which the future groom joins the family and the license to record this in the family book. Obviously, had the *kiddushin* taken place together with the wedding, the event would have been noted down explicitly, since this would have strengthened the groom's standing within the family. The separate *kiddushin*, rather than the later wedding, is the meaningful memory recorded in the family history. The ritual separation between the *kiddushin* and the wedding day is clearly indicated in various literary sources: responsa literature, *tenaim* writs, court depositions, community ordinances, legal collections, engagement writs, ethical literature, and letter manuals.¹² This was not the exceptional

¹⁰ Rome Ms., Vatican Library 7 (IMHM # 8546), 128b–129a. On the genre of family books, see Angelo Cicchetti and Raul Mordenti, "La scrittura dei Libri di Famiglia," *Letteratura italiana*, vol. 3ii (Torino: Einaudi, 1984), 1117–1159; Christian Bec, *Les marchands écrivains, affaires et humanisme à Florence 1375–1434* (Paris: Mouton, 1967). This genre has hardly been discussed in the Jewish Italian context, but see Davis, "Fame and Secrecy."

¹¹ Rome Ms., Vatican Library 7, 128b–129a: "To remind me, Graziosa, wife of the honorable Eliav, may his soul rest in peace, who died on Sunday, on the sixth of the month of Kislev in the year 1548, when my daughter, may she be blessed, was betrothed."

¹² Moscow Ms., Ginzburg Collection 251 (IMHM # 45716), responsa of Hayyim Finzi, 179a, on a young woman who was betrothed to a youth who was declared insane after the betrothal. Her family then arranged her betrothal to another youth, and then recanted and returned to the first youth. On this affair, see also Moscow Ms., Ginzburg Collection 251/11 (IMHM # 27955), 173a–179a; Strasbourg Ms., National and University Library 4085 (IMHM # 3960), 84–85, a question from Modena 1661: "They reached a compromise [concerning the terms of the match]

occasion of a *kiddushin* ritual performed “secretly” or arranged against the family’s wishes, but a normative ritual move. The practice was mentioned routinely in *tenaim* writs, or as part of the *kiddushin* and courtship practices common among youths. In most cases, about a year would elapse between the *kiddushin* and the marriage although,

until the young man . . . performed a full *kiddushin* ritual with the girl . . . after these events, they suddenly noted that the young man was not at home and then realized he was gone . . . to Venice”; New York Ms, Columbia University X893T67 (IMHM # 20659), responsa of Jehiel Trabot, #34: “Gifts are sent after a match was arranged with Rivka, who is ‘betrothed to Reuven’; Mantua Ms., City Library 52 (IMHM # 832), Jehiel Trabot, #27, 26b–27a: “A woman was betrothed in the presence of ten witnesses, and they recited the betrothal blessing, and all this time she was considered betrothed. Many days passed, and a quarrel ensued between the fiancé and the fiancée. After inquiring, they found that, of the ten witnesses, some had been ordinary people, and some had been the brothers of the man, and some had been the brothers of the girl. . . .” This information is relevant if they want to cancel the betrothal, because relatives are not qualified witnesses. The same case is also discussed in Budapest Ms., Kaufmann Collection 149 (IMHM # Photostat 8), in responsa of Raphael Joseph Treves “the Young” and responsa of Jehiel Trabot, 425–428; New York Ms., JTS 1356 (IMHM # 43360), responsa *Me-Arvei Nahal Avot*, #125, 197b–207a, a question from Modena 1579: “The witnesses also said that the aforementioned Simon betrothed the aforementioned Suraleh [Yiddish diminutive of Sarah] through a window, with a golden ring, even though Simon well knew that a regulation was in force throughout the Monferrato region since ancient times . . . stating that neither an inhabitant of the region nor a foreigner would be allowed to betroth a woman without the presence of ten adult men, two of whom had to be her relatives”; Paris Ms., Alliance Israelite 149A (IMHM # 3215), 200, *tenaim* writ from 1609: “This is testimony and evidence that, in good will and without any constraint, we undertake to comply with all that has been agreed, that the honorable Dinah, and her sons and daughter-in-law have arranged a match between the pious maiden Leah, may she be blessed, daughter of the honorable Naphtali, of blessed memory, to the youth Berakhiah, may he be blessed . . . and she will accept gifts and the *kiddushin* from Berakhiah [on a given date], and will be married to him on . . . [another date]”; Frankfurt-am-Main Ms., City Library 92 (25914), 151a–153b, a widow is betrothed to “a fine lad,” and celebrates the marriage within a few days; Vienna Ms., National Library 24 (IMHM # 1303), 113b–114b, an affidavit about the Abrabanel family, “The distinguished Doña Veleida arranged a match for her daughter, the distinguished Doña Gracia, may she be blessed of women . . . and she was betrothed to him in 1568”; Oxford Ms., Bodleian Library 274 (IMHM # 20996), a seventeenth-century responsa collection, 3b–13b; Budapest Ms., Kaufmann Collection 157 (IMHM # Photostat 40), 196–197: “Reuven betrothed a woman, before the wedding day, in the presence of qualified witnesses and, concerning the laws of ritual purity, he should behave toward her as if she were a married woman”; Modena, *Historia de’ riti ebraici*, 85–88; *Eleh ha-Devarim: The Events of the Youth Samuel b. Moses of Perugia and his Fiancée of Venice* (in Hebrew) (Mantua: n.p., 1566), 1a: The match was arranged, “and we have fastened it with the bolts of betrothal” at the behest of the bride’s parents. See also a source attesting to the inconsistency of local habits in Moscow Ms., Ginzburg Collection 563, 107b–109a, *supra*, note 3.

in specific circumstances, the custom was to shorten the gap to several weeks, or extend it to a period lasting several years.

Most researchers categorically endorse the view that Italian Jews, influenced by the spread of this trend among many Jewish communities toward the end of the Middle Ages, had also joined the *kiddushin* and the wedding together.¹³ The practice of Italian Jews during the early modern period, which failed to change even after the migrations from Spain and Ashkenaz, appears even more exceptional in these circumstances. The separation of the *kiddushin* had a precedent of long standing in southern Italian communities according to *Megillat Ahima'az*, and in Karaite communities during the early Middle Ages.¹⁴ While this practice was disappearing in most of the Jewish Diaspora, it was preserved in Italy until the seventeenth century. This is a clear instance of a unique *longue durée* family pattern. An explanation of the role of the *kiddushin* as a separate ritual stage is attempted below.

Community Ordinances, Secrecy-Publicity

As noted in previous chapters, the dominant status of the paterfamilias assigned to him the role of choosing partners for his children suited to the family's demands, and determining the personal and economic circumstances of the couple's future life. The family maintained control of the *kiddushin* stage through three tracks: (1) By conducting an institutionalized legal struggle against loss of the family's control over the ritual. (2) By performing the ritual in the domestic space. (3) By assigning ritual responsibility to a "private" person, close to the family.

¹³ Cohen and Horowitz, "In Search of the Sacred"; Kenneth R. Stow, "Innovation through Conservatism: *Me'un* (Refusal to Marry) in the Roman Ghetto in the 16th and 17th Centuries" (in Hebrew), in Bartal and Gafni, eds. *Sexuality and the Family in History*, 131–143.

¹⁴ In the late geonic and early medieval period, communities still separated the betrothal from the wedding. See Schremer, *Jewish Marriage in Talmudic Babylonia*, 10–11. On the tradition of Qayrawan Jews, see Ben-Sasson, *The Emergence of the Local Jewish Community in the Moslem World*, 122–138. This custom was recorded among Italian Jews in *The Chronicle of Ahima'az* (see passage quoted in ch. 1 above, n. 30). The tradition was also preserved among the Karaites. See Olszowy-Schlanger, *Karaite Marriage Documents*, 123–126.

Since *kiddushin* or a status of “doubtful *kiddushin*” cannot be revoked except through a full divorce procedure, youngsters were subject to extensive family pressure at this stage. The fear that youngsters would choose partners without consulting their parents and place them before a *fait accompli* through secret *kiddushin*, or that young “dowry hunters”¹⁵ would seek to join rich families to enhance their personal and economic status by forcing deceitful, secret *kiddushin*, or that maids would try to force marriage on young men through paternity claims,¹⁶ was a permanent concern to fathers during this period. The most important weapon in the struggle against these events were the community ordinances forbidding betrothals without the family’s knowledge and without their presence at the ceremony. Since the family is one of the cornerstones of communal order, patresfamilias, community leaders, and rabbis joined in common action. Against the threat to the family’s authority, they set up communal ordinances forbidding secret *kiddushin*. The best known of these ordinances was issued by R. Judah Minz and his Padua court in 1554, forbidding *kiddushin* unless performed in the presence of ten adult witnesses, among them two relatives of the bride.¹⁷ This ordinance was reaffirmed in 1610, with added stringencies.¹⁸

The sages’ mobilization in the struggle against *kiddushin* ceremonies performed without the family’s consent did not end with the enactment of these ordinances. The tone of the legal rhetoric against individuals breaching the social order was extremely harsh. Transgressors faced the ultimate threat that the *kiddushin* would be declared legally

¹⁵ The expression is mentioned in Bonfil, *Jewish Life in Renaissance Italy*, 260.

¹⁶ Elliot Horowitz, “Between Masters and Maidservants in the Jewish Society of Europe in Late Medieval and Early Modern Times” (in Hebrew), in Bartal and Gafni, eds., *Sexuality and the Family in History*, 193–211.

¹⁷ These ordinances were published and discussed in Robert Bonfil, “Aspects of the Social and Spiritual Life of the Jews in the Venetian Territories at the Beginning of the 16th Century” (in Hebrew), *Zion* 41 (1976), 68–96. See 70: “Due to the fact that many wicked men from our people cunningly deceive women and betroth them unlawfully, we rule that no man will betroth a woman except in the presence of her father, or her mother if her father is absent, and with the woman’s consent, or in the presence of two of her relatives . . . or in the presence of ten adult men . . .” For the discussion of this rule, see 75–82.

¹⁸ Finkelstein, *Jewish Self-Government in the Middle Ages*, 306–307, mentions a 1610 ruling in responsa *Me-Arvei Nahal*, similar to the one issued in 1554 by R. Judah Minz. For evidence of repetition of a similar ruling in the Monferrato region, see New York Ms., JTS 1356, responsa *Me-Arvei Nahal*, #125, 197b–207 (cited in note 12 above).

invalid, leaving the girl free to be betrothed at will, and depriving them from the advantages that they had hoped for. In principle, the sages' power to invalidate the *kiddushin* relies on the talmudic saying, "whoever performs a betrothal relies on the rabbis," namely, the legitimacy of a marriage rests on rabbinical authority¹⁹ and, therefore, they have a legal option to rescind the validity of a *kiddushin* arranged against their will. The "annulment [*hafkaa'ah*] of *kiddushin*," one of the most complex and fascinating problems in the history of Halakhah since the geonic period and throughout the Middle Ages, has not been sufficiently explored.²⁰ Rabbinic sources in several periods and different places repeatedly discussed the possibility of actually exercising this privilege, although they consistently refrained from doing so when faced with actual cases.

Italy is not exceptional concerning false threats to annul *kiddushin*. Local rabbis never wielded this authority. In an isolated instance that was brought to their attention, granting a man permission to marry a woman whose *kiddushin* had been rescinded, R. Joseph Colon issued what for him was an unusually irate ruling against R. Moses Capsali for "multiplying the numbers of bastards in Israel."²¹ Still, the warning that the rabbis would rescind *kiddushin* performed against the rules was not a vain threat. It conveyed the power actually wielded by sages and heads of families to mobilize public consensus

¹⁹ TB Gittin 33a, and parallel references. Rashi, *ad. loc.*, s.v. *be'ilat znut* [forbidden intercourse].

²⁰ The annulment question is discussed by Freiman, *Betrothal and Marriage*, 39, 66–71, 91, 95–97, 105–110, 112–113, 160, 179. The question is hardly mentioned in an Italian context, except for a passing remark in Kenneth Stow, "La storiografia del Ghetto Romano: Problemi, metodologici," in *La Storia degli ebrei nell'Italia medievale: Tra filologia e metodologia*, ed. Maria Giuseppina Muzzarelli and Giacomo Todeschini (Bologna: Istituto per i beni artistici, culturali, naturali della Regione Emilia Romagna, 1989), 46.

²¹ Colon, *Responsa*, #84, 91: "The dealings of this man, Capsali, have resulted in many fatal incidents in Constantinople . . . resulting in profanity and the birth of bastards . . . and I, though young, bear no responsibility for him . . . I have come to clear the obstacles he has placed on the path, and cleanse the sacred utensils from the filth of his abominations." This rage is not typical of Colon's writings. Another instance of it is found in another responsum, also dealing with family law (see below, ch. 5). The issue of rescinding betrothals evoked extensive discussion and halakhic uproar in Italy, although betrothals performed against the rabbis' wishes or contrary to communal regulations were not actually annulled. A decision threatening ostracism and excommunication of participants in secret betrothals is a more typical response than annulment. See Daniel Carpi, ed., *Minutes Book of the Council of the Jewish Community of Padua: 1603–1630* (Jerusalem: Israel National Academy of Sciences and Humanities, 1979), #396, 227–228.

against youngsters who had betrothed girls in secret, isolating them in the community. In a tight, dense environment, where everyone depended on the opinion and support of others for daily pursuits, this sanction represented a real threat.²² Sages did not exert their revoking authority in regard to *kiddushin*, but a similar legal rhetoric (“he behaved unfairly, so we do . . .”) was actually applied when sages allowed the cancellation of matchmaking agreements or *tenaim* writs by which one of the parties was no longer willing to be bound.²³

As in the matchmaking stage, the family tried to control the extent of publicity (or concealment) at the *kiddushin* stage. Despite the ordinance stating it should be performed in the presence of ten witnesses, the practice of “secret” *kiddushin* persisted in Italy, and was even encouraged by the patresfamilias. Rabbis attest that the families preferred to perform the *kiddushin* within a closed circle without the presence of “strangers.” Prominent Italian rabbis aware of this practice, including R. Colon, did not deplore it: “The usual practice in the *lo‘azi* community is always to hold the *kiddushin* in a room in the presence of witnesses and without a quorum because they fear witchcraft. I am told they then repeat the ceremony in the presence of ten people and in company, and then recite the engagement blessing [again].”²⁴ Until the seventeenth century, local rabbis cited

²² This issue is discussed in detail in ch. 4 below, focusing on hearsay, rumors, and their power in the course of the marriage ritual.

²³ Cases where matches are annulled claiming “he behaved unfairly” are mentioned in Stow, “Innovation through Conservatism,” 139. On the use of this rhetoric in Eastern Europe, see Horowitz, “Between Masters and Maidservants,” 208.

²⁴ Colon, *Responsa*, #170–171, 192–193. This citation is in one of two long responsa (192–207) dealing with marriage gifts. For a case in which the families initiated a secret betrothal, see Moscow Ms., Ginzburg Collection 251, 179a: “Simon agreed to a match with Ahino‘am through her uncle Ahitofel, [her guardian] since she was an orphan, and they set the terms for the dowry and the wedding, with the girl’s consent. The date set for the wedding passed and they did not enter the canopy, another year passed and still they did not marry, and both lived at their aunt’s house. . . . And [then] Hanokh [another man] betrothed her with a gold ring with diamonds, in the presence of reliable witnesses, and said to her: ‘With this ring, you are betrothed unto me by the law of Moses and Israel,’ and she stretched her hand and accepted the ring placed on her finger by Hanokh, and she lowered her eyes to see the ring, and placed it on her finger so that it would not fall. Immediately, they covered her head, as is customary for married women, and Hanokh sent her wedding gifts. . . . Although the community’s rabbi and community council members warned repeatedly to beware from enticing the girl into returning to Simon’s house after she had been betrothed by Hanokh, so that the issue would be discussed in a court of law, they [her family] nevertheless returned her to Simon’s house, and arranged her betrothal secretly and privately, under the canopy, and

R. Joseph Colon on this issue in open agreement.²⁵ They did consider that this practice contradicted the ordinances issued by R. Judah Minz and others, to perform the ritual in the presence of ten witnesses. To the first (“secret”) *kiddushin* they invited only those acting as witnesses,²⁶ but most of those present belonged to the immediate family. The question of how to celebrate the *kiddushin*—in a public display witnessed by neighbors and friends, or in secret, away from those who did not belong to the closest family circle—was discussed *ad hoc*, according to the changing circumstances. Secrecy or publicity could serve the aims of the family or the participants in the *kiddushin* to the same extent.

The local practice of performing the *kiddushin* in the presence of a few family members or witnesses numbering less than ten is incompatible, as noted, with the ordinance of R. Judah Minz. Patresfamilias who had pressured the rabbis to issue this and similar ordinances, regularly breached them. The ordinance was a means for pressuring others who are not explicitly mentioned in it, or disregard it at their convenience. A secret *kiddushin* was an explicit ritual expression of the family’s will, particularly the bride’s family, to retain control of the symbolic-economic monopoly. The daughter’s wealth, her honor, her virginity, the family’s honor—all are the property of the bride’s family. The ordinances, without stating so openly, were intended against the youngsters, as I note below.

The family’s plans were threatened not only by outsiders. Differences within the family could also lead to loss of control, turning exposure into a scandal involving the entire community, as it happened in the case of a bride’s family trying to arrange her *kiddushin* while

behind closed doors” (192–193). The respondent in this case, R. Hayyim Finzi, died in mid-seventeenth century, see Leningrad Ms., Russian Academy, Oriental Studies Institute A87 (IMHM # 52889), 119a, a eulogy on the anniversary of his death in 1653.

²⁵ Budapest Ms., Kaufmann Collection 146 (IMHM # 14527), miscellanea of religious rulings, section on betrothal, gifts, and fines, 202: “The regular practice among the *l’azim* is to perform the betrothal in a [closed] room, before witnesses, due to fear of witchcraft [side note: relying on Colon, *Responsa*, #171].” For the same reference by Abraham del Vecchio, see New York Ms., JTS Rabbinnica 1025 (IMHM # 43144), *Likutei Orot*, customs and rulings, 36a. Hence, perhaps, the tendency to avoid documenting the betrothal ceremony in the family books. In all the long lists of births, deaths, marriages, and property acquisitions, I found only one reference to a *kiddushin* act per se.

²⁶ According to Halakhah, betrothal is valid only in the presence of two qualified witnesses. See Schereschewsky, *Family Law in Israel*, 29.

she was still a minor. The girl's family was continuing a tradition that was common outside Italy (in Ashkenaz, Spain, and the eastern Mediterranean), where child marriages were widespread. The more obvious cause, however, was a family dispute between the father (the patrilineal faction) and the mother's family (the matrilineal faction). The father wanted his daughter to marry a young man who was not a family member, whereas "the daughter's relatives" wanted a marriage within the family (endogamous marriage). The guests arriving at the house became the judge and ruler in a family dispute, naturally tending to lend their support to the father. Each side used the crowd's presence for its own purpose: the father was inclined to arrange the *kiddushin* in the absence of his minor daughter, the mother found reason to hide the daughter from the candidate she did not care for. The scandal and the publicity became the main issue.²⁷

In addition to family apprehensions about secret *kiddushin* initiated by the youngsters or about family disputes, another important concern was to remove the *kiddushin* from the public arena lest witchcraft ["they fear witchcraft," in R. Colon's formulation] mar the delicate ritual moment marking the creation of the couple. Anthropologists have noted at many wedding ceremonies a fear of magical-demonic forces at the sensitive moment of the ritual marking the change.²⁸ In the *kiddushin* ritual of Italian Jews, the family's fears of magic are added to its apprehensions about problems in performing the ritual according to its original intentions and losing control of it to outsiders.

²⁷ New York Ms., Columbia University X893Is II (IMHM # 20620), Isaac Shabbetai b. Yedidia Urbino, halakhic miscellanea from the eighteenth century, 138b–139b: "When the entire congregation came to the daughter's betrothal with Simon, they entered the house where she [the bride] had hidden herself, following her mother's advice. The entire congregation said: 'Let the father assume responsibility for his daughter's betrothal, for she is a minor' . . ." See also Ferrara Ms., Community Library 24 (IMHM # 2397), no pagination, a betrothal story where the youngsters rebel against the family's wishes: "In the end, they went for a feast at the teacher's school, and all his books were locked up, and tables placed in front of them, and the entire congregation was bustling, a big crowd of men, women, and children celebrating, all happy and cheerful."

²⁸ Edward Westermarck, *Histoire du Mariage*, trans. Arnold van Gennep, vol. 4, *Ceremonies nuptiales: Les rites du mariage* (Paris: Mercure de France, 1938), 201–213, 247–248. I used the French translation because the original English version was not available.

The Domestic Scene

The tendency to avoid involving people that cannot be directly influenced by the family is manifest in the steering of the ritual to the domestic space. On this matter as well, the research literature has adopted the convention that *kiddushin* rituals at the end of the Middle Ages were performed at the synagogue.²⁹ In some cases, *kiddushin* ceremonies and weddings were indeed performed at the synagogue.³⁰ Most testimonies, however, clearly indicate that *kiddushin* rituals and weddings took place at home. To cite one instance:

On this *ketubbah* I wrote the whole text of “a woman of valor” all around [the text of the *ketubbah* writ] . . . And I heard that the blessed sage and kabbalist, His Honor, our distinguished teacher R. Jehiel Mondolfo, may he rest in peace, used to read these verses before reading the *ketubbah* at the wedding home, as was the custom in the city of Pesaro, to read it at the home of the groom and the bride before the holy congregation of Israel.³¹

This testimony appears in a manuscript containing dozens of *ketubbah* writs copied by Abraham Graziano, most of which he himself had written in the original. In the margins of every *ketubbah*, he noted comments on the version of the text, on the contents, and on the practices that were customary in seventeenth century Italy. Concerning the *ketubbah* mentioned in the passage above, Graziano attested to practices common in Pesaro, where the kabbalist Jehiel Mondolfo³² performed the wedding and read the *ketubbah* at the “home of the

²⁹ Abrahams, *Jewish Life in the Middle Ages*, 186–210; Cohen and Horowitz, “In Search of the Sacred”; Bonfil, *Jewish Life in Renaissance Italy*, 260–264.

³⁰ Oxford Ms., Bodleian Library 54 (IMHM # 22464), sermons of Samuel b. Elisha Portaleone, 282b–288b: “And we, in our own way and according to the times, will comment on [the verse] ‘the wisdom of women builds her house’ [Proverbs 14:1], referring to this honorable young woman who married the son of this honorable householder, and was fortunate to inaugurate the synagogue as she entered the marriage canopy. It is a good sign for this house that, with this important commandment, a woman entered the canopy in this house.” For a comparative perspective, see *seder hatanim* in a Byzantine prayer book from 1491, Oxford Ms., Bodleian Library Reggio 49 (IMHM # 21860), 93a–95b: “Betrothal blessings . . . marriage blessing. When the bride is brought into the synagogue, they start [reciting] ‘He who finds a wife finds a good thing, and obtains favor of the Lord’ [Proverbs 18:22].” In the Byzantine church, performing the wedding at the church was a pre-condition for its validity. See Ritzer, *Le mariage dans les Eglises chrétiennes*, 163–217.

³¹ Moscow Ms., Ginzburg Collection 343 (IMHM # 47665), 140b.

³² On Jehiel Mondolfo, see Mortara, *Indice alfabetico dei Rabbini e scrittori*, 41.

groom and the bride.” Other testimonies report *kiddushin* of relatives performed at home, secret *kiddushin* behind closed doors, the practice of reciting the seven blessings at the same place where the *kiddushin* took place, a scandal at a family home during a *kiddushin* conflict, or the consent to hold the ritual “in the house and within the confines” of one of the parties’ homes, stated in dozens of *tenaim* writs. In this context, the expression “*beth hatanim*” [grooms’ home] mentioned in some contemporary sources, is not a generic term for the joys of the wedding day, but a specific term literally referring to the venue of the *kiddushin* and the wedding, at the groom’s or the bride’s home.³³

³³ Budapest Ms., Kaufmann Collection 581 (IMHM # 15820), 53: “Responsa from our honorable teacher, R. Moses Provinzallo, may he live a good long life, which I personally heard from him . . . guests are not regarded as ‘new guests’ concerning the seven blessings recited at the *groom’s house* [at the wedding], unless they came, for the same groom, for the purpose of testifying *at that house* [guests who came for the seven blessings of the groom’s first wedding, served as witnesses at the second wedding performed at home].” See also Budapest Ms., Kaufmann Collection 159 (IMHM # 14528), 96. In dozens of *tenaim* writs, the groom takes upon himself to organize the wedding “at his home, within the confines of his home.” See also Oxford Ms., Bodleian Library 15 (IMHM # 17673), 279b–286a: “*Seder hatanim* . . . and the *shoshwinim* [the groom’s escorts] would cover themselves with beautiful prayer shawls and silk-clothes and the like, and would create a canopy *in the house where the wedding was held*, which the groom and the bride enter and there he betroths her”; Moscow Ms., Ginzburg Collection 251, 179a, see note 24 above; Jerusalem Ms., Ben-Zvi Institute 4051 (IMHM # 27717), a query from Salomon David del Vecchio to Daniel b. Moses David Trani: “Question. A metal candelabrum found here in Lugo, which is customarily placed *in the bride’s house* . . . and is not an exact copy of the one at the Temple”; Moscow Ms., Ginzburg Collection 278 (IMHM # 45715), 131a: “As the people of Israel fasted, so the groom fasts [on the wedding day] . . . ten men gather *at the groom’s house*”; Moscow Ms., Ginzburg Collection 563 (IMHM # 43059), 107b–109a, a discussion of “betrothal and wedding blessings.” None of the injunctions on this subject mention that the ceremony must be performed at the synagogue; Ferrara Ms., Community Library 24, no pagination (see note 27 above). In the long story spelling out in detail the local rabbi’s deep involvement in a wedding scandal, it is nowhere mentioned that the wedding was performed at the synagogue. The synagogue is the venue for the wedding feast, but not for the betrothal and the wedding; New York Ms., Columbia University Library X893Is II, 137b–139a (see note 27 above), on a marriage scandal involving members of the community coming to the bride’s house for the betrothal; New York Ms., Columbia University Library 236(36) (IMHM # 20641), 55a: “I was asked about . . . Simon who married Levi’s sister and after the wedding, which was performed *at the home* of her honorable brother. . . .” In this responsum, Jehiel b. Azriel Trabot [with two consenting opinions] opposes the performance of weddings outside the family home; Modena, *Historia de’riti ebraici*, 86: “At the set time, the bride and groom gather *at a home or at a room* under a canopy accompanied by musical instruments. . . .” Cohen, *The Autobiography of a Seventeenth-Century Venetian Rabbi*: “There [at home] in Cologne took place the wedding of my [half] brother

Who Performs the Ritual?

In most cases, the celebrant at the wedding and the *kiddushin* was a family member or a person they wished to honor with the observance of this commandment rather than a rabbi. This practice was so common that instructions for it were included in the local versions of *seder hatanim*:

He who betroths a woman tells her before two or three witnesses, “you are thereby . . .” followed by the engagement blessing. The groom’s father or the expert [a professional performing the ritual] takes a glass full of wine and devotedly recites the blessing, and all repeat after him, *le-hayyim*, and then he says . . . “Who created the fruit of the vine . . .” and he, the groom, and the bride all drink.³⁴

The man blessing the wine and performing the *kiddushin* ritual immediately after is not the rabbi but “the groom’s father or the expert.” If a community representative was at all involved in the *kiddushin* ritual, it was often the cantor³⁵ rather than the rabbi, although the lat-

Samuel to Giuditta . . . with banquet and celebrations,” 83–84; Renzo Toaff, *La nazione ebrea a Livorno e a Pisa (1591–1700)* (Florence: L. S. Olschki, 1990), 299–302. Performing the wedding ceremony outside the home evoked objections. See Moscow Ms., Ginzburg Collection 1320 (IMHM # 48406), rulings by sixteenth and seventeenth century Italian rabbis, 178b: “We now perform *betrothals at the synagogue, even though this is not our tradition . . .*” A much earlier text, central to Italy’s halakhic tradition, notes the practice of celebrating betrothals and weddings at the groom or the bride’s house. See Jehiel b. Yekutiel *Tanya Rabbati*, #89–90, 183–195.

³⁴ Oxford Ms., Roth Collection 3 (IMHM # 15237), 266a–267b. For similar evidence in other variations of *seder hatanim*, see Parma Ms., De Rossi Collection 3004(483) (IMHM # 13728), 179b–180a; Parma Ms., De Rossi Collection 2738(814) (IMHM # 13673), 310a–311b; Parma Ms., De Rossi Collection 2740 (IMHM # 13675), 297a–299a; Parma Ms., De Rossi Collection 3530, Stern 15 (IMHM # 14037), 192b–194a; Moscow Ms., Ginzburg Collection 679 (IMHM # 47910), a yearly prayer book according to the Roman rite, 191–194b; Jerusalem Ms., Meir Benayahu Collection 6, 141 (IMHM # 44579), 4b. See also Oxford Ms., Bodleian Library 132 (IMHM # 20508), a list of templates for letters to be sent before the wedding, 31a: letter 94, inviting an honorable man to your wedding; letter 95, his response; letter 96, asking an important man [*adam gadol*, see TB Gitin 7a] to recite the marriage blessing; letter 99, inviting your loved ones to your daughter’s wedding; letter 100, inviting your relatives to your daughter’s wedding; Ferrara Ms., Community Library 24, no pagination: despite the rabbi’s deep involvement in the detailed account cited, he is not mentioned as the one who performs the ceremony (see note 27 above).

³⁵ Jerusalem Ms., Ben-Zvi Institute 30 (IMHM # 26553), 80b–82b: “Liturgical poems for *kiddushin* . . . the groom betroths the bride with a golden ring, and then the cantor says . . .”; New York Ms., JTS Lutzki 988, Hirsch 69 (IMHM # 24195), 30a–35a: a homily “for a groom as he steps out of his canopy . . . the cantor usu-

ter's training and ordination would ostensibly make him the most qualified person in the community for dealing with marriage and divorce. Local *lo'azi* practice did not change significantly despite traditions that Ashkenazi and Spanish migrants had brought to Italy. Nor did the transfer to ghettos, which begins on the second half of the sixteenth century, change the practice of leaving marriages within the realm of "domestic religion."³⁶

The performance of the *kiddushin* as a separate ritual stage, and its preservation within the domestic space, make this seventeenth-century Italian pattern unique. The custom of marrying at home rather than at the synagogue, in a ceremony under the control of the community or its appointed officials, and the handing over of the ritual's performance to a man chosen by family, was known since the early Middle Ages. Whereas communities in Ashkenaz, Spain, and Northern Africa moved the ritual to a public venue, Italian Jews sustained their original tradition. *Lo'azi* marriage customs preserved a surprising vitality and cultural continuity, with some of the ritual's patterns persisting for centuries.

Secret Kiddushin among Youngsters

During the second half of the sixteenth and in the course of the seventeenth centuries, evidence of *kiddushin* ceremonies conducted by youngsters without the presence of their families or even the knowledge of their parents increases considerably. One case is painstakingly documented in court proceedings recorded in 1617 at the community of Vercelli. The story of the secret *kiddushin* is told by the groom, and again by one of the two witnesses to the ceremony. The gap between the two versions exposes the participants' manipulation of the story. No clear, consistent account is available, and all that has remained are partial and variant reports, half-truths compatible with

ally stands and blesses the bride and groom under their canopy"; Modena, *Historia de' riti ebraici*, 86. See also Bonfil, *Rabbis and Jewish Communities in Renaissance Italy*, 149–150, alluding to R. David ibn Jehiah's testimony, who mentions betrothals among the functions he has voluntarily agreed to perform when assuming his role as community rabbi.

³⁶ The only attempt to shift the ritual to the synagogue is recorded in a late seventeenth-century or early eighteenth century document, discussed in ch. 7 below.

the interests of different parties. The story line in the groom's testimony is simple: he betrothed the girl with her full understanding and consent, after the two had previously agreed to perform the *kiddushin* at the synagogue courtyard. In his account, the girl had agreed to the *kiddushin* after dispensing with the prior consent of her uncle (who served as her guardian), and after she had understood from the witness that the object she had received was meant as evidence of the *kiddushin*. When the *kiddushin* witness was interrogated, the issue of the uncle's consent was discussed again:

He [the witness] asked her, and told her she should beware of acting against her uncle's consent, since after the *kiddushin* she would be unable to retract even if her uncle was against it. Then Judah [the groom] told her that she had the freedom and authority to do as she wished, and she said, yes indeed, she had the freedom and authority to do whatever she wished whenever she wished . . . and this is all true. He did not mention, however, that Judah had asked her to let him speak to her uncle.³⁷

According to the witness' version, the groom had flattered the girl and had encouraged her desire for independence against her uncle's wishes. Her reaction, however, had been far from unequivocal. She did repeat the groom's remarks that she could do as she wished, but it was not clear that she was indeed willing to proceed with the *kiddushin* without her uncle's consent, or to accept an object from the young man for the purpose of *kiddushin*. Will she go beyond the "line in the sand" and pursue the *kiddushin*? Her answer presents her as a self-assured young woman, convinced of her ability to act on her own, but this is not tantamount to explicit and clear consent to Judah's request to be betrothed to him. The witness' testimony also clarifies that Judah had pledged to receive the uncle's prior consent to the *kiddushin* ("Judah asked her to let him speak to her uncle"). When these versions are confronted, we note that deceit, tacit consent, and partial responsiveness to the seducer have come together. Recurring encounters between young men and women without other family members being present left room for situations of doubtful or secret *kiddushin*, as fear of adult authority (the uncle, the guardian) weakened.

Increasing evidence of secret *kiddushin* among youngsters evoked

³⁷ Freiman, *Betrothal and Marriage*, 143–149.

the attention of scholars of Italian Jewry, who argued that the change reflected actual growth in the scope of a social problem: the attempt of young “dowry hunters” to join rich, prominent families.³⁸ The damage to the livelihood of Jews and their confinement within dense, restricted dwelling areas in the ghetto undermined the family framework and the adults’ ability to control the young. True, young men sometimes exploited their advantage over women to impose deceitful *kiddushin* by force, eluding the family’s control. This explanation, however, is too narrow an account of the course of events. Most of the legal documentation suggests that secret *kiddushin* were not performed in a hurry, exploiting the ignorance of young and inexperienced women. Most were preceded by a more than casual acquaintance between the man and the woman, and both parties were tempted to persist in their secret encounters despite the dangers involved. Their meetings took place during a courtship raising expectations on both sides of culmination in an eventual *kiddushin*, with mutual or tacit consent. At every meeting, they faced the question of whether to institutionalize their personal closeness in some formal act, or proceed with a courtship devoid of legal implications. In some cases, the youngsters played games of “quasi-*kiddushin*,” and the events in Vercelli and other similar cases suggest playfulness with dangerous overtones. Generally, these encounters did not end in outrage or in some “marriage scandal,” nor did they lead to long-term relationships.

Courtship between unmarried youths is not an exceptional or marginal phenomenon in Christian society at the end of the Middle Ages and the early modern period, but part of a youth sub-culture. The young demographic profile placed clear limitations on the adults’ ability to supervise young men and women before marriage. Despite the family’s desire to fully implement the family strategy concerning their children’s marriages, the youngsters continued to initiate meetings with the opposite sex and, sometimes, even placed the families

³⁸ Ibid., 133–135: “The cases brought up before contemporary rabbis patently clarify that the 1506 ruling [of R. Judah Minz] did not spread throughout Italy, and could not restrict failures of compliance. . . . The venue of this event [the secret betrothal mentioned in Jehiel Trabot’s *Responsa*], Urbino, and especially the court of the Urbino duke, was a well-known center of “Renaissance” culture in Italy in all its aspects, including that of morality and virtuousness.” Similar statements appear in Bonfil, “Aspects of the Social and Spiritual Life of the Jews in the Venetian Territories,” 75–78; Joseph Green, “Betrothal Scandal in Alessandria (1579): A Crucial Source for the Community’s History” (in Hebrew), *Asufot* 5 (1991): 267–308.

before a *fait accompli*. This was a highly significant occurrence in a Catholic society because, in most cases, divorce could not annul a lawful marriage sacrament. These youths did not tend to create a unique set of behavioral norms for themselves; instead, they took patterns familiar to them from the “adult” world and then tilted them in their favor or performed some cultural variation in them. Jewish Italian communities are characterized by features resembling those of the pan-European youth sub-culture.³⁹ At the *kiddushin* stage too, youngsters used the secrecy vs. openness dimension, which is one of its more ambivalent features, in their favor. As noted, *patres-familias* spoke in two voices in this area. They demanded the presence of ten adult men at the *kiddushin*, including at least two of the bride’s relatives, but also threatened to annul rituals performed in secret. When they had to act, however, they performed the ritual in hiding and invited only members of the close family. Youths understood this double meaning as a partial license (or a semi-tacit approval) to exploit the secrecy pattern in their favor whenever adults and families stood in their way.

Parents certainly opposed the youngsters’ independent marriage plans, although sometimes we sense that the parents were somehow aware, or deliberately ignorant, of these projects. The extensive documentation of these cases is not necessarily proof of real growth in the scope of this phenomenon. The marginal concern with the issue of secret *kiddushin* confirms this view. During the second half of the sixteenth and in the seventeenth centuries, fiery struggles erupted in Italy around issues of marriage and divorce. Some of them went on for years, at great cost to all the participants, and the parties incurred damages even when victorious. The number of people involved in these scandals was considerable and included some of Italy’s prominent rabbis, who took sides and hurled insults at each other. None of these scandals hinged on the secret *kiddushin* of youngsters, and most dealt with confrontations between adults on both sides. We can

³⁹ On youth sub-culture, see Roni Weinstein, “Rituel du mariage et culture des jeunes dans la société Judéo-Italienne 16^e–17^e siècles,” *Annales: Histoire Sciences Sociales* 53 (1998): 455–479; idem, “‘Thus Will *Giovani* Do’: Jewish Youth Sub-Culture in Early Modern Italy,” in *The Premodern Teenager: Youth in Society 1150–1650*, ed. Konrad Eisenbichler (Toronto: Toronto Center for Reformation and Renaissance Studies, 2002), 51–74. This article includes further references. For an extensive discussion, see ch. 6 below.

deduce that, due to their limited scope, the phenomenon of youngsters' secret *kiddushin* did not pose a threat to the honor or interests of the family. Yet, while increasing evidence of secret *kiddushin* does not necessarily denote a parallel expansion in their actual scope, it does nevertheless point to the increasing *sensibilité* of the parents to transgressions of discipline and to the rejection of authority.

“Engagement” in the Christian Marriage Ritual in Europe

The ritual course of marriage in the Christian tradition included, from the outset, a clear distinction between full marriage (*matrimonium*), and an intermediate stage (*sponsalium*) at which the spouses were not yet considered married but were no longer single. This distinction is anchored in the law and in Roman custom, which stipulates the performance of the marriage in two stages.⁴⁰ The Byzantine Church and other Eastern Churches distinguished between a temporary engagement, which is not tied to a transfer of property between the parties, and a full engagement, which bound the parties and was very close to full marriage.⁴¹ To ensure the validity of the marriage, the spouses had to be married according to the ritual directives imposed by the Byzantine Church, among them participation in a pre-set liturgy and the presence of clergymen at both the engagement and wedding stages. Early on, the Catholic Church also drew a distinction between two stages in the marriage alliance.

In his *Letter to the Bulgarians*, where he specified the views of Catholicism on the issue of the family to new adherents to the faith, Pope Nicolas I separated “engagement” from “marriage.”⁴² During the first centuries of Christianity, the involvement of the Western

⁴⁰ On the separation of the marriage ritual into two distinct phases in Roman law, see Gaudemet, *Le mariage en Occident*, 29–39; Susan Treggiari, *Roman Marriage: Iusti Coniuges from the Time of Cicero to the Time of Ulpian* (Oxford: Clarendon Press, 1991), chs. 3–5.

⁴¹ Betrothal patterns in Byzantine and Oriental churches are discussed by Ritzer, *Le mariage dans les Eglises chrétiennes*, 127–212, esp. 144: “By contrast, in the East, the betrothal functions as *sponsalia de praesenti*. . . . The effects of the relationship established through the betrothal resemble those of marriage. The fiancée is considered as a wife, although positive marriage rights begin only with the wedding meal, and the wife’s entry into the husband’s realm.”

⁴² The Letter was issued in 891. For an analysis of this letter, see Gaudemet, *Le mariage en Occident*, 117–119.

Church in marriage was still limited; it did not impose a clear liturgy for the ritual, nor did it encourage the presence of clerics at lay betrothals.⁴³ From the beginning of the Middle Ages until the early modern period, the Church intensified demands for the presence of a priest at the betrothal or wedding ritual. The Catholic Church, however, did not change its basic stance about marriage as basically a family affair. This position derived from its fundamental understanding that the marriage is constituted by the couple rather than by the Church, through their very desire to share their lives, and they are the ones who bestow upon each other the sacrament of marriage. The implication is that the ritual at the church building, in the presence of priests, was only the symbolic ending of a far more significant and meaningful ritual sequence that had already been concluded in the “secular”-family-communal circle.⁴⁴

Detailed studies of marriage rituals in various European areas—Flanders,⁴⁵ England, Germany,⁴⁶ France,⁴⁷ and Italy⁴⁸—pointed to a variety of marriage practices and to different patterns in the ritual’s

⁴³ Ritzer, *Le mariage dans les Eglises chretiennes*, 47–121.

⁴⁴ The family-like character of betrothal rituals is a pan-European phenomenon. See Ritzer, *Le mariage dans les Eglises chretiennes*, 127–132, 194; Schröter, “*Wo zwei zusammenkommen in rechter Ehe*,” 102–103, 276–277, 346–347, 373–375; Greilsammer, *L’envers du tableau*, 133–164; Bologna, *Histoire du mariage en Occident*, 123–129; Molin and Mutembe, *Le Rituel de mariage en France*, passim.

⁴⁵ To bestow added validation on the betrothal, couples would usually go to a notary to sign a marriage contract binding both parties. The Church also viewed local betrothal patterns as binding. See Greilsammer, *L’envers du tableau*, 89–93, 133–164.

⁴⁶ In German marriages, old Germanic traditions remained valid beside ecclesiastic patterns. The personal legal status of the woman changed following the agreement between the families and with the symbolic act of her “delivery” [*Trauung*] to the groom or his family. Several additional gestures and a symbolic transfer of assets, limited in scope, created the new legal status, without necessarily resorting to the Church ritual. See Schröter, “*Wo zwei zusammenkommen in rechter Ehe*,” passim; van Dülman, “Fest und Liebe.”

⁴⁷ In Trois (France), two different modes of betrothal were common—according to Church requirements, or according to a local tradition called *Créantailles*. In this ritual, the groom gave the bride a symbolic object, parallel to a promise of marriage. Shortly after, sexual consummation took place. This local tradition was gradually weakened during the seventeenth century, due to Church opposition and to the increased strength of the Roman law tradition. See Jean-Louis Flandrin, “Les créantailles troyennes (xv^e–xvii^e siècles),” in *Le sexe en Occident: Évolution des attitudes et des comportements* (Paris: Éditions du Seuil, 1981), 61–82.

⁴⁸ Urban betrothal rituals of the merchant class in the late Renaissance period are extensively described in Klapisch-Zuber, “Zacharias, or the Ousted Father”; Lombardi, *Matrimoni di antico regime*, passim.

stages. Central to all, however, is the performance of the ritual in the presence of household members and people from the neighborhood, the professional guild, or the family's friends. After the families or the spouses were acknowledged by the social circles in which they would eventually live, the marriage ritual ended. In many areas in Europe, the formality of marriage rituals was minimal, and was basically summed up in a marriage vow and a sexual act, or in the very fact of the couple's shared dwelling [*cohabitatio*]. The ritual was clearly "secular," and the Church's presence was redundant.

An urban tradition for performing the engagement ritual developed in Italy during the Middle Ages, combining the demands of the Church, Lombard legal traditions, and the inventiveness of urban traders. The place of clerics at this stage was rather marginal and most of the ritual took place in the domestic space, without any outsiders and often without priests. As noted in the previous chapter, the agreement between the families was considered the most important step in establishing the couple's new status. The matchmaking stage was finalized in exclusively male surroundings, without the bride's participation. In its Christian-Italian version, the engagement took place in a ritual called "the day of the ring" [*dì dell'anello*], in which the groom gave the bride a ring. The relationship between the parties was expressed in a series of gestures, such as a kiss, drinking jointly from one glass and breaking it, exchanging gifts, or through the gesture of the groom and bride holding each other's right hand [*iunctio dextrarum*].⁴⁹ In Italian Renaissance paintings, this gesture describes the engagement scene;⁵⁰ originating in the Roman marriage ritual, it conveyed the spouses' mutual consent to the engagement agreement. Sometimes, the girl's father or guardian held her right hand and sent her forward toward the groom for him to place the engagement ring. The ritual was often celebrated in a domestic space in the presence of an urban notary, without a priest.

Family traditions were exposed to criticism by the Church during

⁴⁹ See Lombardi, *Matrimoni di antico regime*, 180, 204–205, 246–247. Lombardi points out that gestures played a more important role than oral formulae, because the latter were open to conflicting interpretations.

⁵⁰ The motif of joining hands and handing the ring is common in betrothal depictions in Italian paintings. See Hall, *The Arnolfini Betrothal*, 33–37, 54–60, 89–94. In contrast, contemporary Flemish paintings describing marriages usually depict the couple holding each other's right hand. See Greilsammer, *L'envers du tableau*, 93–113.

the sixteenth century. The Council of Trent undertook a comprehensive examination of Catholic theological beliefs and attitudes then challenged by Protestantism, and many discussions were devoted to marriage and the family.⁵¹ Despite the pressure of French and Spanish representatives, the Church retained the basic approach represented by Italian clerics, arguing that the spouses are the ones who constitute the marriage, and a lawful engagement cannot be annulled even if the families disapprove. Control and supervision of the institution of marriage, therefore, cannot be handed over to “secular” political settings and must remain under control of the Church, which is in charge of the marriage sacrament. Yet, even when it was aware of marriages performed in secret or in private family circles, the post-Trent Church was still relentless in its sharp critique of them, seeking to place them under its full control. The Council of Trent ruled that, in order to be valid, the ritual must take place in the parish church, in the presence of priests, and after publishing banns on the impending wedding. People who knew the couple were invited to give evidence about possible hindrances [*impedimenta*] to the ceremony. Marriages performed without complying with Church demands were invalid, unlawful, and deserved punishment and Church sanctions to be imposed on the affected families. The power of a marriage vow was weakened in favor of a more formal wedding procedure. Church synods and strong urban legislation acted in tandem to strengthen this trend.⁵² Control over the family grew, parallel to the shift of the engagement and the marriage from the domestic space to the Church locale. The Counter-Reformation Church, therefore,

⁵¹ On the tridentine resolutions concerning family and marriage, see Jean Gaudemet, “Legislation canonique et attitudes séculières à l’égard du lien matrimonial,” *Dix-Septième Siècle* 102–103 (1974): 15–30; Idem, *Le mariage en Occident*, 286–363. The heated debate between delegates from different countries are well described in Bologne, *Histoire du mariage en Occident*, 210–230.

⁵² On the positions of the Church and the state concerning marriage after the sixteenth century, see Daniela Lombardi, “Fidanzamento e matrimoni dal concilio di Trento alle riforme settecentesche,” in De Giorgio and Klapisch-Zuber, eds., *Storia del matrimonio*, 215–250; Gaetano Cozzi, “Padri, figli e matrimoni clandestini,” in Manoukian, ed., *I vincoli familiari in Italia*, 195–213. On Church interference in various aspects of family life, see Giorgia Alessi, “Il gioco degli scambi: seduzione e risarcimento nella casistica cattolica del XVI e XVII secolo,” *QS* 75 (1990): 805–832; Sandra Cavallo and Simona Cerutti, “Female Honor and the Social Control of Reproduction in Piedmont between 1600 and 1800,” in *Sex and Gender in Historical Perspective*, ed. Edward Muir and Guido Ruggiero (Baltimore and London: Johns Hopkins University Press, 1990), 73–109.

sought to weaken the status of engagement as a separate stage and attach it to the wedding day, as well as establish control of the courtship and erotic intimacy practices prevalent among young men and women. Young people who had already agreed to marry saw no hindrance to immediate sexual intimacy. This was not considered dubious sexual morality but an alternative way of constituting a marriage: a marriage vow and a sexual act were perceived by most people as a legitimate way of beginning a family. The ecclesiastical struggle against these phenomena after the Council of Trent shifted to the urban arena through the legislation of local synods, sermons of friars and charismatic priests, or activities at the parish level.⁵³

Contemporary testimonies from several Italian cities show that the Church's ability to implement decisions agreed at the Council of Trent was limited. Folk traditions remained in force, and instances of "secret" marriages failing to comply with the Church's demands of openness, were still numerous. Even during the seventeenth century, families preferred the services of a notary to document the agreement between the parties and to perform the ceremony privately and only later resorted to a priest as the only mean to validate the marriage in church and hence in civil law. The attempt to formalize the ritual, shift it to the public arena, and weaken the power of popular ritual formulae (gestures, transfer of symbolic assets, verbal marriage vows, sexual intercourse before the Church's blessing) remained limited even at the power centers of the post-Tridentine Church. The engagement in the domestic or neighbourhood space, persisted as a separate ritual stage during the seventeenth century as well, despite the pressure from the Church and other elements, and took place mainly in the domestic or neighborhood space city authorities.

The Role of Kiddushin as a Separate Stage

In Jewish Italian society too, the *kiddushin* ritual belongs to the family space and to traditions and practices informally transmitted through

⁵³ On the spread of the Trent legislation through local level councils and parochial activity, see Lombardi, "Fidanzamento e matrimoni dal concilio di Trento." An examination of Romagna as a case study, see Angelo Turchini, "Legislazione canonica e tradizioni locali nella Romagna nel XVI secolo, in fatto di celebrazione matrimoniale," *Aevum* 50 (1976): 411–435.

the family, and not only through formal halakhic channels. Centuries old *lo'azi* family customs persisted despite Jewish migrations from Ashkenaz, Spain and Portugal, North Africa, or the Land of Israel, which had brought different traditions with them. Why did Jewish Italian society preserve *kiddushin* as a separate stage for so long? What cultural needs did this pattern meet? Not only was this local custom inconsistent with Jewish marriage practices in Europe and outside it but, ritually, it also appeared to entail a superfluous repetition. As the previous chapter showed, for members of the community, the family, and the couple, the matchmaking and the signature of the *tenaim* were considered a state close to *kiddushin*, entailing a commitment breached at one's peril. Semantics also attested to this; the terms "matchmaking" and "engagement" were either blended or used interchangeably. The implementation of the matchmaking agreement, then, could be expected to take place in a ritual act joining the wedding and the *kiddushin*, as was customary outside Italy.

Contemporary individuals also felt a need to explain and justify the *kiddushin* as a separate stage that also lengthens the time lapse leading to the performance of the marriage. Thus, for instance, R. Moses Zacuto notes:

Question. If the alliance is dissolved after the matchmaking agreement, must the groom and the bride's father reimburse each other for the expenses they have incurred in the meantime? [after the matchmaking agreement and before the *kiddushin*].

Responsum: Most recent and ancient halakhists and most responsa literature concur in the ruling that custom should be followed on this issue, and this is preferable. Let me say, then, that *the current Italian practice of agreeing to a match without an engagement for a year or two, or for a decade [metaphor for a very long time]*, is intended to found the marriage home on a firm basis, weighing over this time the wisdom and consequences of past decisions, ensuring they will not cause harm to each other, either physically or mentally, in their finances or in their dealings, profits or losses. *Time reveals the clarity and truth of these matters.* Dissolving these alliances after the agreement is a daily occurrence, at times because the male side suffers from the female side, and at times because the female side suffers from the male side, and on such issues we find that the Talmud notes in several places: go and see how the people behave.⁵⁴

⁵⁴ R. Moses Zacuto [ha-Ramaz], *Responsa* (Moshav Bithah; Kol Bithah Al Shem Ha-Ramaz, 1993), *Even ha-Ezer*, #2, 133–134 (my emphasis).

Zacuto was asked concerning an issue common in Italy at the time: what to do with the gifts that the parties had exchanged, after it was decided to dissolve the match? He devotes most of his responsum to this issue, analyzing the role of gifts in the wedding ritual. He specifically emphasizes that he is not only relying on halakhic injunctions but also on close knowledge of local practices and their meaning to the participants (“current practice in Italy . . . go and see how the people behave”). The main purpose of these gifts, according to Zacuto, is to lengthen the time lapse enabling the parties—the families and the couple—to become mutually acquainted. The slow and protracted rhythm of time is important to both parties. Personal closeness between the spouses is the basis of good family life, and the possibility of either one retracting must therefore be taken into account.⁵⁵ The longer their mutual acquaintance, the higher the chances of a stable and successful marriage. The time gap between the matchmaking and the *kiddushin* allowed the parties to “weigh . . . the wisdom and consequences of past decisions,” and was extended even further with the separation between the *kiddushin* and the wedding. According to Zacuto, the entire Jewish-Italian ritual is designed to lengthen the period leading to the establishment of a family without rushing into the final stage. The long period had an additional advantage, which is not mentioned in the responsum. Families could prepare for the wedding during this time, and the bride’s family could complete the dowry by adding money and personal effects.

The “Cumulative Effect” of the Kiddushin Ritual

Participants in the Jewish-Italian marriage ritual made deliberate use of the time element throughout. Ritual time has different rhythms: the urgent, fast, “commercial” time of the matchmaking stage contrasts with the familial, personal, “epic,” slow time of the *kiddushin* stage. The long time that elapses from the signature of the *tenaim* to the wedding day makes the *kiddushin* an additional stop, beside others, serving to strengthen the alliance between the spouses and hindering

⁵⁵ The issue of refusal to marry or coerced betrothal is discussed by Stow, “Innovation through Conservatism.”

breaches of the agreement between them. The *kiddushin* stage is thereby deprived of its uniqueness as the crucial moment in the creation of an irreversible legal alliance. In Jewish law, the transition from the status of single or free for marriage to *kiddushin* entails a categorical shift. No intermediate or third legal definition is available. The Jewish Italian ritual, however, shows signs of what Michael Schröter, who studied the history of the family in Germany, called *Der kumulative Effekt* [the cumulative effect].⁵⁶ According to his analysis, a clear gap prevails between the Church's approach and the practices accepted by most "laymen." The Church holds that the spouses enter an alliance at a precise ritual moment, separate from others and defined in canonic law (distinguishing "before" and "after"). In fact, however, many places in Europe sustained a tradition of marking the increasing closeness of the couple by a series of "small" events that drew their power from the cumulative sequence rather than from a one-time event. This series of events turned the marriage ritual into a protracted process, involving an increasing number of people from various social circles. As the exposure of the couple to various groups within their community intensified, their new legal status became legitimized, recognized, and established. The "cumulative effect" is a feature common to many marriage rituals in Europe in the early modern period. The main legitimation of the betrothal act and of the family life that followed it did not rest on an abstract legal definition or an institutionalized legal tradition (canon law, urban law, royal law), but on the community that would be home to the couple and their future family. Lombardi reaches a similar conclusion: "Marriage as a process unfolding in a sequence of stages more or less close in time (but not necessarily equal), as opposed to its reduction to a single act, emerges clearly in Florentine trials."⁵⁷

⁵⁶ "The cumulative effect, created through a series of promises, can only be understood in a neighborhood context. Giving out the bride in church, repeating an act that had already taken place within the family or in a private context, became easier or possible due to the 'principle of cumulative reinforcement.' Although seemingly hard to understand, this duplication is explainable because the marriage is not constituted at a clear, fixed point. A broad definition of the union between a man and a woman in marriage, in a commitment before witnesses, was perceived as a strengthening of the link. This too, is another aspect of the weak institutionalization of the marriage at the time." Schröter, "*Wo zwei zusammenkommen in rechter Ehe . . .*," 224, 330–334.

⁵⁷ Lombardi, *Matrimoni di antico regime*, 228. Lombardi devotes a special discus-

The marriage promise led to ritual repetitions, in which the parties proved their commitment to the agreement before various sections of the community. The legal differences between the various stages of the ritual (*sponsali* as opposed to *matrimonio*) are not entirely clear to the participants, and the semantic distinctions between them tend to be blurred. Contrary to canonic doctrine, the alliance was not a product of a specific pronouncement or gesture occurring at a defined time and place, but rather the result of a series of acts at various times and different venues, gradually creating a new couple.⁵⁸

A similar tension affects the *kiddushin* ritual in Italy. Beside the basic approach that defines *kiddushin* as a one-time event relying on halakhic categories,⁵⁹ it also has recourse to Christian traditions in Europe and Italy. Hence, Jewish communities in Italy tended to perform betrothals more than once.⁶⁰ This repeated marking of the *kiddushin* evoked strong rabbinic opposition, due to the fear it might “cast doubts on the first *kiddushin*,”⁶¹ namely, a fear that doubts might be cast on the halakhic legitimacy of the original *kiddushin*, suggesting

sion to this issue in a section entitled “Il matrimonio come processo” [Marriage as a process], 228–241.

⁵⁸ Idem, 230.

⁵⁹ See the opening of this chapter. Situations of “doubtful *kiddushin*” [*kiddushei safek*], which appear frequently in Jewish-Italian sources, are not an additional category. These are situations leaving unclear whether the legal definition of betrothal applies to them, or the act performed did not create a new personal-legal state.

⁶⁰ On repeated celebrations of betrothals, see Budapest Ms., Kaufmann Collection 146 (IMHM # 14527), 73: “If one betrothed a woman in the presence of less than ten, he should betroth her again at the wedding . . . hence, when standing under the canopy, they should recite the betrothal benediction a second time. [signed] Benjamin b. Mattathias”; New York Ms., Columbia University Library X893T67 (IMHM # 20659), responsa of Jehiel Trabot, #102, 82a–86b: “When he was still alive, he arranged the match of his daughter Donina . . . after about six or seven years the witnesses were investigated in court . . . among them Joseph b. Arojo (Aroyo), the mediator who performed the betrothal twice”; Moscow Ms., Ginzburg Collection 251/11 (IMHM # 27955), 173a–179a, a question on a double betrothal, after the first groom became insane; Parma Ms., De Rossi Collection 2228 (1187) (IMHM # 13394), miscellanea of fifteenth century religious traditions, 45b–47a: “*Seder hatanim*”. After the betrothal, if he wishes to recite the betrothal blessing, he does so immediately. The marriage blessing, however, is recited only under the canopy, and some have adopted the custom of reciting the betrothal and marriage blessings when entering the canopy.”

⁶¹ See, for instance, TB Sanhedrin 44b, on casting aspersions [*hotza'at la'az*] on the court and the witnesses. In medieval literature, this term conveys apprehensions about casting aspersions on writs in general, and on divorce writs in particular, as in Caro, *Shulhan Arukh, Even ha-Ezer*, #66, 1.

it was not legally valid. Furthermore, repeating the betrothal blessing while invoking the divine names raised fears of a “blessing in vain.”

The local practice of first performing the *kiddushin* in secret for “fear of witchcraft” and then repeat the ritual in public on the day of the wedding resulted, *ex post factum*, in a division between the (first) *kiddushin*, as a legal act performed within the family, and the (second) *kiddushin* as a religious-sacral act performed on the day of the wedding. Abraham Graziano’s testimony in the seventeenth century confirms that the practice of reciting the betrothal blessing twice was still common:

If a man had betrothed a woman a long time ago, the *lo‘azim* would perform the *kiddushin* again at the wedding, so that it would be close to the engagement and wedding blessings. Thus, His Honor, our rabbi and teacher R. Nethanel Trabot, son of our distinguished teacher R. Benjamin, my relative, of blessed memory, ruled that he should perform the *kiddushin* again when reciting the betrothal and *kiddushin* blessing under the canopy. . . . So it was with Mrs. Nehamah, the widow of His Honor Baruch Camerino of Carpi, of blessed memory. R. Jacob, the son of His Honor, our teacher Menachem, of blessed memory, had betrothed her many months before the wedding. I thought that at the wedding he would repeat the *kiddushin* of his betrothed for the reasons I noted, unlike those whose custom is to refrain from repeating the *kiddushin* of the betrothed at the wedding so as not to recite the engagement blessing, as held by the former view.⁶²

All the elements conferring definitive validity on halakhic rulings appear in this brief answer. The halakhist mentions the theoretical stance that he supports, cites a rabbi and halakhist who ruled that this is the correct behavior, refers to a concrete case where a blessing was pronounced a second time, and then relates to the opposite view and rejects it.

The ruling of Graziano and other sages relied on halakhic arguments to allow the *kiddushin* blessing at the wedding. In the popular ritual perspective of those less familiar with halakhic views, the “cumulative effect” of the *kiddushin* act was interpreted more radically. Some repeated the *kiddushin* act with the same man several times, before different witnesses and in different circumstances. Following is an eighteenth-century testimony: “A man from the market, named Jacob,

⁶² Budapest Ms., Kaufmann Collection 106 (IMHM # 2984), Abraham Joseph Salomon Graziano, commentary on *Shulhan Arukh, Orah Hayyim*, #34, 3.

works at his craft at Reuven's house. While there, he wrote an anonymous letter to Simon, Reuven's father-in-law, informing him that Dinah, Reuven's maiden sister, who is an orphan and already mature, *has been betrothed several times.*"⁶³

Surfacing in Graziano's responsum is the male network discussed in Chapter Two above: an anonymous letter, which may rely on actual fact or on a desire for revenge, reports that a certain girl has been betrothed several times. The recurrent *kiddushin* could be interpreted in several ways: (1) The girl was betrothed to several men on different occasions. (2) She was betrothed several times to the same man. The wording in the text that follows, "she has performed the *kiddushin* ritual several times, but he [the writer] did not explicitly note *who the man was*," indicates that the writer was speaking of one man. The girl, then, had been secretly betrothed several times to the same man. For our purposes, it is irrelevant whether this actually happened. The writing of an anonymous letter attests that such an accusation carries social credibility.

Possibly, this was the accepted practice in Italy and its surroundings for centuries, as indicated by the evidence from a *responsum* by Isaiah di Trani (1180–1250):

Question: On what you wrote to me about a man who recited the engagement blessing and the seven blessings in public, and he has been with his wife for a long time and wishes to reaffirm his joy on whether a man can repeat the engagement and marriage blessings.
 Responsum: This is not an appropriate question for a wise man like you.⁶⁴

⁶³ Copenhagen Ms., Royal Library 115/1 (IMHM # 6925), no pagination, s.v. "*hatsa'at ha-ma'aseh le-khol rosh mitnaseh*," a case from Cortemaggiore 1764 (my emphasis). See also *ibid.*, s.v. "*he'etek ha-igot*," a similar story from 1761, about a woman who was betrothed to the same man three or four times, in the presence of witnesses, and now the man wishes to divorce her against her will. See also New York Ms., Columbia University Library X893T67, #102, 82a–86b: a mediator repeated the betrothal twice, and the case is discussed in court six or seven years later; Budapest Ms., Kaufmann Collection 146 (IMHM # 14527), 73: "If he betrothed a woman without the presence of ten men, he should betroth her again at the wedding"; R. Moses Provinzallo, *Responsa*, #88, 124–133, mentioning the approach of an anonymous rabbi whereby the *tenaim* include an act of betrothal, which should be repeated on the wedding day; Colon, *Responsa*, #170–171, 192–207.

⁶⁴ R. Isaiah di Trani the Elder, *Responsa [Teshuvot Ha-Rid]*, ed. Abraham Joseph Wertheimer (Jerusalem: Rabbi Herzog World Academy, 1967), #30. For a brief analysis of this responsum, see Simha Assaf, "Family life of Byzantine Jews" (in Hebrew), in *Be'oholei Yaakov: Essays on the Cultural Life of the Jews in the Middle Ages*

Di Trani categorically rejects the request to hold a *kiddushin* celebration to renew their marriage vows. The question, however, asking permission to perform an act so drastically incompatible with the demands of Halakhah, attests that this practice was actually observed, and that it was widespread to the point of trying to endow it with halakhic legitimacy. Recurrent celebrations increase the “cumulative effect” in the social circles that will be home to the couple in the future (neighbors, professional colleagues, family, friends). The *kiddushin* act lost some of its power as a one-time constitutive event of the man-woman relationship, and came to be perceived as part of a long ritual sequence with blurred borders. The blurring applies to the previous stage [the matchmaking] as well as to the subsequent one [the wedding]. The matchmaking stage was perceived as a commitment close to *kiddushin*, both legally and semantically, and the wedding was an opportunity for repeating it.

Consensus as Constitutive of Kiddushin

The repetition of the *kiddushin* fulfilled an additional role: it demonstrated to increasingly larger circles the partners’ free consent to the marriage. Yet, this role of the *kiddushin* act is problematic in halakhic tradition. The partners’ free consent is certainly not constitutive of the *kiddushin*. Free consent to live with a partner is not even a basic and necessary condition of family life in Jewish law and in post-talmudic halakhic discourse. Talmudic sages, Babylonian geonim, and medieval rabbis and halakhists reacted to the surrounding social circumstances as they did, for instance, when enforcing child marriages. Free will was considered a basic condition for validating financial and property agreements, but the Babylonian and Palestinian Talmuds seldom deal with the voluntary element in the betrothal, an act Halakhah presents as analogous to the acquisition of property.⁶⁵ The

(Jerusalem: Mosad Harav Kook, 1943), 105–106. On the respondent, see Israel Ta-Shema, “R. Isaiah di Trani the Elder and his Connections with Byzantium and Palestine” (in Hebrew), *Shalem: Studies in the History of the Jews in Eretz-Israel* 4 (1984), 409–416; Mordechai A. Piatelli and Hillel M. Sermoneta, “Commentary on the Book of Kings from the School of Isaiah di Trani” (in Hebrew), *Memorial Volume: Menachem Emmanuel Hartom* (Tel-Aviv: Kedem, 1996), 212–230.

⁶⁵ On the meager scope of the debate about the parties’ free will as a precondition for betrothal in the Babylonian Talmud, see Olszowy-Schlanger, *Karaite Marriage*

Babylonian Talmud even discusses the possibility of imposing *kiddushin* on the man (not on the woman!).⁶⁶ The *ketubbah* writ that the man must give the woman at the wedding did not include, in the Babylonian version, expressions of the man or the woman's agreement to the marriage. By contrast, *ketubbah* writs based on Palestinian, Karaite, and Byzantine Jewish traditions emphasized the woman's consent to the *kiddushin* and indicated the partners' mutual commitments.⁶⁷ But these wordings became marginal in medieval traditions and disappeared altogether toward the twelfth century, except for Italy and Byzantium.

The voluntary element in the marriage was not crucial because the early age of marriage in Babylon and elsewhere considerably lessened the independence of the marriage partners vis-à-vis their parents. According to R. Tsemah Gaon, girls had no right to choose their partner and opposition to the father's wishes was considered insolence:

In our belief, the custom is that a Jewish girl, even when living at her father's home as an adult, *and even when she is twenty*, if she has a father she obeys his authority. A Jewish girl is not brazen and insolent and

Documents from the Cairo Genizah, 173–180. For further halakhic discussion of this theme, see Friedman, *Jewish Marriage in Palestine*, 131–132. Babylonian sages held that the woman is more interested in marriage than the man and, therefore, her ability to exercise her freedom when choosing a mate is not important.

⁶⁶ See for instance the discussion in TB Bava-Batra 48b: "Amemar stated that, if a woman consented to her betrothal under pressure of physical violence, the betrothal is valid. By contrast, Mar, son of R. Ashi, said: 'This betrothal is certainly not valid.'" For the discussion, see Olszowy-Schlanger, *Karaite Marriage Documents*, 178–180, and Friedman, *Jewish Marriage in Palestine*, 131–132.

⁶⁷ Verbal formulae conveying the man's and the woman's will to enter the betrothal and the marriage can be found in *ketubboth* of Palestinian orientation. See Friedman, *Jewish Marriage in Palestine*, 189–191. According to Friedman, these traditions were preserved in Italy as well, in the formulations of the "Palestinian *ketubbah*," which were in use there until the fifteenth century. On Karaite traditions, see Olszowy-Schlanger, *Karaite Marriage Documents*, 173–175, 178–183. In Corfu, they were still in use during the eighteenth century. See New York Ms., JTS 8544 (IMHM # 53257), eighteenth century matchmaking writs, writ 1, 2a: "Both parties have fortunately reached an agreement to marry . . . on the following terms: the woman, Malkah, may she be blessed, volunteers to give her daughter, the maiden Viola, may she be blessed, to be the wife . . . of the aforementioned honorable Daniel, who agreed to this match with the blessing of his mother. Two distinguished local people then went to ask the [intended] bride whether she is pleased with this match and she said 'yes.'" A similar writ is mentioned in Finkelstein, *Jewish Self-Government in the Middle Ages*, 317.

will not openly disclose her views to say, I want this one, but will rely on her father.⁶⁸

Marriage was not supposed to express personal feelings, freedom, and individual autonomy, but rather acceptance of parental authority and compliance with the discretion of the wider family. Opposition, even from adult daughters aged twenty and more, was “brazen and insolent.” Centuries later, R. David b. Abi Zimra attests to similar circumstances in Jewish communities in the Eastern Mediterranean.⁶⁹

These traditions reached Italy with the arrival of Jewish migrants from Spain. A case from the Livorno community in 1655 tells a story about *kiddushin* between *marranos*. The betrothing man is near death and half-conscious:

Before his death, the patient lost his mind and was confused. Over these twelve days, he [the witness testifying at court] used to visit him and found him hardly coherent. The distinguished doctor Cohen-Vali, who then appeared before us [the court gathering evidence], said he had been at the house of this patient at the time of the *kiddushin*, and testified that he was insane. . . . We also heard the doctor was amazed that they had seen [agreed]⁷⁰ that this man, who had lost his mind, should betroth a woman . . . The community scribe came to write the will . . . and he [the witness] heard the scribe himself say he did not understand how the rabbi could have come for this man to betroth a wife, asking in Spanish: *Un hombre de esta manera que ocurre a dar kiddushin?* [A man in his state could perform a betrothal?] And he [the witness] said that the rabbi replied that his [the man’s] relatives wished this. This was the testimony of witnesses giving evidence for the woman [who sought to revoke the *kiddushin*].⁷¹

The interest in preserving control of their property led a family of *marranos* residing in Livorno to arrange the wedding. The fact that the groom was dying, unconscious or lacking independent judgment

⁶⁸ Benjamin M. Lewin, ed., *Otsar ha-Geonim: Thesaurus of the Geonic Responsa and Commentaries* (Jerusalem: Mosad Harav Kook, 1940), vol. 9, #284, 125–126. The geonic stand on this issue is extensively discussed in Schremer, *Jewish Marriage in Talmudic Babylonia*, 95–114, 199–201.

⁶⁹ Lamdan, “Child Marriage in Jewish Society in the Eastern Mediterranean,” 44, mentions rabbinical testimonies, suggesting that cases of a woman refusing to accept a candidate chosen by their fathers were extremely rare.

⁷⁰ As in the talmudic saying, “I can see your position.” See, for instance M. Rosh Hashanah 2:8.

⁷¹ Moscow Ms., Lenin Library 282 (IMHM # 47604), 155a–171b. The respondent is Simha b. Gaon Isaac Katzigin, Casale 1655, during a mission to Italy on behalf of the people of the Holy Land.

did not prevent the family from proceeding with their plan. The local rabbi came to their aid and showed no opposition to the *kiddushin*. Even the opposition of local people did not stop the family, since the event took place in a community where Spanish presence was dominant.⁷² Imposing the *kiddushin* on the woman was not exceptional by local Spanish norms, and only a new family interest brought this matter before the court: the brother of the groom, who had died in the meantime, wanted to marry the young widow. For this purpose, he had to prove, *ex post facto*, that the *kiddushin* had been invalid because the groom had been without judgment or discernment. This family knew how to manipulate local traditions and halakhic law. When they had wanted the groom to betroth the woman, the mental state of the dying man had not deterred them. When they now wished to annul the *kiddushin*, they raised the contrary argument, which was also appropriate to local tradition, stating that without the groom's free will (not the bride's), the marriage was invalid. Hence, the "Spanish" tradition coexists with the *lo'azi* one, which perceives free will as a basic and constitutive element of the betrothal. The ritual conveys this in the external features, necessarily leading to tensions with halakhic injunctions, as the following case shows:

This is how it happened: On his wedding day, after he had received the engagement blessing, and *wishing to betroth the woman with whom the match had been arranged for him*, Reuven said to her the following exact words: *Questo anello è per far veder al mondo che voi sete mia moglie e io sono vostro marito!* [This ring is to show the world that you are my wife and I am your husband!] instead of "Behold, thou art betrothed unto me" as was the Jewish custom. . . . In this case, when saying to her, "the ring is to show the world that you are my wife and I am your husband," he is saying to her [to the bride] that he would not have given her the ring so that she could give herself to him in exchange for the ring, but rather to show the world, and so forth. Hence, he held that *the ring is given to show the world, believing that this was the actual deed of kiddushin*. Since he had misunderstood, this means he had never betrothed her and she is free as she had been before he gave her the ring. . . .⁷³

⁷² The names of the people mentioned in the responsum (Salomon Sierra, Isaac Castero, Mordechai of Soria) clearly show most of them were of Sephardi extraction. Others were Italian Jews (Emmanuele Piemontel and "The Sage Malachi," referring to Malachi b. Jacob Hacoen, writer of *Yad Malachi*).

⁷³ Strasbourg Ms., National and City Library 4087 (IMHM # 3962), 489–490, a responsum of Menachem Samson b. Salomon Basilea, late seventeenth century.

This *kiddushin* ritual was not celebrated in secret but in the presence of witnesses and the public, as required by R. Judah Minz's ordinances. As is customary, the young man gave a ring to his betrothed. The dispute arose because of a slight change in the wording of the *kiddushin*. Instead of using the accepted halakhic formula in Hebrew, the groom preferred to use an Italian wording, stressing that the ring was meant to *show* the betrothal to the world [*“far veder al mondo”*] rather than *perform* the ritual as an act of acquiring property. In these circumstances, the personal wish exposed before others is perceived as the constitutive element of the *kiddushin*.

This story, conveying a voluntary view of the creation of the *kiddushin*, fits the local tradition as described above. An officiating rabbi is conspicuously absent. The ignorance displayed by other participants regarding basic halakhic issues indicates that no one close to the rabbinic world had been present. The event unfolded according to accepted practice, or according to oral knowledge preserved within the family. No one among those attending found it necessary to react to the groom's statement, or to demand that he repeat the appropriate *kiddushin* formula. The Halakhah and the rabbis were replaced in this case by a tradition clearly originating in the Christian surroundings and in canon law. Both the participants and the halakhist understand that at the center of the ritual is the consensus of the participants and their agreement to share their lives. According to halakhic requirements, the *kiddushin* formula was invalid. Even so, the halakhist could have accepted the groom's erroneous wording had he used the future rather than the present tense:

The groom must use a language pointing to the future, and if he did not use a language pointing to the future she is not betrothed, as is shown in the Talmud . . . and in this case, the groom said *voi sete* [you are], namely, she is already his wife . . . and he should have said *voi sarete* [you will be].⁷⁴

The meaning of this seemingly marginal distinction will emerge below.

Consensus was discussed not only in the legal discourse of responsa literature. Verbal formula stressing consensus fit the social reality. The views of youngsters about to marry and their free consent were legally important in the rulings of contemporary Italian rabbis. A girl's refusal to a match chosen by her father was considered sufficient

⁷⁴ Ibid.

reason for canceling a match, without resulting in acts of revenge or high penalties. Stow pointed to the new meaning that the term “refusal” assumed in Italian halakhic literature: from a term of limited legal scope—the power of an orphaned “minor” girl to refuse a *kiddushin* performed in her name by her mother or her brother—it expanded into an argument allowing a girl of any age to refuse a match settled against her will or opposed to her desires. The attempt to annul a *kiddushin* ritual performed against the family’s wishes could be attributed to a woman’s explicit refusal, or to her failure to state her wishes.⁷⁵ In such cases, young girls resorted to blatant words. At times, they referred the dispute to the public arena and created a scandal designed to mobilize the public’s help to annul forced *kiddushin*.⁷⁶ Free choice was legally anchored as a basic condition

⁷⁵ New York Ms., Columbia University X893T67, #102, a court inquiry on the validity of a match agreement, conducted six or seven years after the event, “and we have evidence that she was not pleased with the match arranged by her father, and she was already grown-up at the time”; London Ms., British Museum 9152 (IMHM # 6590), ruling of Jacob Finzi, #142, 239a–242a, a woman does not agree to implement the *tenaim* writ, “and then Reuven [the woman’s father] retracted from the match agreement claiming that he [the intended groom] had cheated him, and he had not found what he had expected. His daughter Leah does not want Simon, saying that she abhors him and does not want him nor his *ketubbah*, even though he is handsome. . . . And now you ask whether Leah should be coerced into a marriage, or Simon should be coerced to give her a divorce writ.” Jacob Finzi rules for the woman. See also Cincinnati Ms., HUC 74 (IMHM # 34862), 9a–12a, for a case from Modena, 1773.

⁷⁶ The young women’s consent could play a central role when determining the validity of a betrothal. See New York, JTS Rabbinica 1356, no. 7085, responsa of Jehiel Trabot, *Me-Arvei ha-Nahal*, #122, 187a–193b, a case of doubtful *kiddushin*, Ascoli 1583. A youth gave an object to the woman, and only later recited the betrothal formula: “It is fair that, if [the woman says] it is true that she did not understand the holy tongue, she can be trusted on that, as wrote my grandfather Rabbi Trabot Tsarfati of Macerata, of blessed memory: ‘Even if two witnesses testify to a betrothal, and she does not claim this never happened but claims that she did not agree to the betrothal and only kept silent due to her ignorance of Hebrew, she can be trusted on that.’ Furthermore, he said: ‘Even in this case, then, when two witnesses attest to a valid betrothal, she can be trusted if she says she did not understand the *kiddushin*, since the witnesses cannot confute that’”; Leningrad Ms., Oriental Studies Institute B381 (IMHM # 53599), letters and responsa from the seventeenth and eighteenth centuries, 1a–2b, a responsum by R. Nethanel Trabot (the case is discussed in chapter 6). In another case (21a–29a), R. Eliezer Nahman Foa issues a stringent ruling, whereby the woman should get a divorce writ in a case of doubtful *kiddushin*. A man was paying a debt and a girl named Rachel grabbed a coin from him. “The man asked her to return it and, when she refused, he said before witnesses, ‘I betroth her with this coin.’ She was quiet and returned the coins . . . thereby proving she had no intention of keeping the money as a betrothal asset, since otherwise she would not have returned it to that youth”;

of *kiddushin* in a community ordinance from 1610, which added a further limitation to the 1554 ordinance of R. Judah requiring the presence of ten adult males, stating that *kiddushin* should not be performed “unless she [the bride] has consented.”⁷⁷

Will as a Constitutive Element: Marriage in the Christian Ritual

Goody described the marriage policy of the Christian Church at the end of antiquity as a revolution that upended most family traditions of the pagan world. Prohibiting divorce, or expanding the levels of family closeness forbidden in marriage, were among the factors that shaped family traditions unique to Christian Europe.⁷⁸ Control of the marriage ritual was a crucial instrument in this significant change. For this purpose, clerics and theologians had to decide what creates the marriage: is it a single or a cumulative act, a sacral or a “secular” familial act? Does the sacrament of marriage allow lay intervention, or are clerics the only ones with the right and authority to grant it?

During the Middle Ages, the Church had categorically stated that the partners create the marriage state by the very act of conveying their mutual wishes for a shared life. Thus, in a chapter entitled “*Solus Consensus Facit Matrimonium*” [Only Free Will Creates a Marriage] in *Summa Confessorum*, a popular medieval confessionary, Thomas of Cobham writes as follows: *Patet igitur quod vir et mulier possunt contrahere matrimonium per se, sine sacerdote et sine omnibus aliis in quocumque loco, dummodo consentiant in perpetuam vite consuetudinem* [Quite obviously, a man and a woman can marry on their own, without a priest or anyone else, anywhere, as long as they agree to a shared, lasting life].⁷⁹

Mantua Ms., City Library 52 (IMHM # 832), 26b–27a: “A woman was betrothed and was long held to be betrothed. Time passed and the couple quarreled.” Her family then claimed that the betrothal had been invalid. When ruling for a divorce, R. Raphael Joseph Treves claimed that “he [the groom] had not intended to deceive the woman, making her believe she was betrothed while she is not, and we go by him in this case, accepting he had truly, not in jest, intended this to be a betrothal.” For another ruling in a similar case, see London Ms., British Museum 9152, #142, 239a–242a, mentioned in the previous footnote.

⁷⁷ Finkelstein, *Jewish Self-Government in the Middle Ages*, 306–307: “May no one perform *kiddushin* . . . unless the woman has consented, and in the presence of ten Jewish men, two of them the woman’s relatives.”

⁷⁸ Jack Goody, *The Development of the Family and Marriage in Europe* (Cambridge: Cambridge University Press, 1984), *passim*.

⁷⁹ Michael M. Sheehan, “Choice of Marriage Partner in the Middle Ages:

Although marriage was recognized as a sacred act belonging to the sacraments that can neither be revoked nor dismissed [*indelebile*], and although the stable relationship between a man and a woman was described as a commitment resembling the marriage between Jesus and the Church, the Church recognized that the sacrament of marriage is not conferred by the priests, the parents, or other figures of authority, but by the partners themselves. For this purpose, they do not require a ritual act or a ritual space; all they need to do is express agreement to marry each other and, thereby, they are actually married. This view was formulated after long discussions between different schools of canon law, reflecting various ethnic or local European traditions. At the Council of Trent, where the Church re-examined its basic theological outlooks, including its views on the family, French and Spanish representatives wanted to constrain the power of consensus as a necessary condition for the validity of the marriage. The Church representatives at Trent partially accepted these reservations, and agreed to limit the partners' power to exchange marriage vows between them without obtaining the consent of adults or of the family. The basic approach, however, did not change, despite strong criticism from "secular" political elements or from Protestants, who felt that the consensual stance was grievously harmful to public order and family authority.

The view of the Church exerted strong influence on various aspects of family life in Europe, during the Middle Ages and beyond. The central role of free will weakened the power of feudal *signiori* to impose marriage partners on their peasants, and the authority of families over their younger members.⁸⁰ From the twelfth century onward, the marriage ritual conveyed the power of the young to

Developments and Mode of Application of a Theory of Marriage," in *Marriage, Family and Law in Medieval Europe: Collected Studies*, ed. James K. Farge (Toronto and Buffalo, University of Toronto Press, 1996), 107–109. Another definition by Anselm of Laon is mentioned in Ritzer, *Le mariage dans les Eglises chretiennes*, 378: "*Coniugium est consensus maris et femine in carnali copula, secundum decretum ecclesiae factum*" [Marriage is the agreement of both husband and wife to carnal copulation, performed in abidance with Church law]. Consensus was an increasingly important component of the European marriage ritual. See Gaudemet, *Le mariage en Occident*; passim; Molin and Mutembe, *Le rituel de mariage en France du xii^e au xvi^e siècle*, passim.

⁸⁰ On feudal *signiori* imposing marriage partners on their serfs, see Michael M. Sheehan, "Theory and Practice: Marriage of the Unfree and the Poor in Medieval Society," in *Marriage, Family and Law in Medieval Europe*, 211–246; Schröter, "*Wo zwei zusammenkommen in rechter Ehe*," 200–203.

choose partners independently. The “consensus” stance had wider effects as well, beyond the choice of partner or the actual wedding ceremony, and extended to married life. Doctors, jurists, priests, and fiction writers discussed whether the husband could impose intercourse on his wife and tended to rule out violence against women, proposing mutuality in sexual relationships and marital affection [*affectio maritalis*] as a model of married life.⁸¹ Centuries before the Council of Trent, the Church had struggled against views or traditions that disregarded will as a significant element in the creation of the marriage. The Byzantine ritual had not included expressions of the spouses’ consensus, although civil law did assign importance to their agreement.⁸² Imperial law compelled marriage rituals based on the official liturgy of the Church, denying validity to marriages performed otherwise. Family traditions brought by Germanic tribes also ascribed only marginal importance to the will of the partners, and particularly to the woman’s. At the focus of the marriage ritual in Germany was the agreement between males in the groom’s and the bride’s families, and its external manifestation in the “transfer” [*Trauung*] of the bride from her father to the groom.⁸³

The power of the Church to impose its view was limited. Important family interests were put to the test in the course of marriage—transferring assets, ensuring political contacts, continuing the family lineage—and restricted the ability of the Church to intervene. Mutual agreement was indeed a noteworthy element in European marriage traditions, but should not be interpreted to mean that the young-

⁸¹ Angeliki E. Laiou, “Sex, Consent, and Coercion in Byzantium,” in *Consent and Coercion to Sex and Marriage in Ancient and Medieval Societies* (Washington D.C.: Dumbarton Oaks Library, 1993), 109–221. In the same collection, see John W. Baldwin, “Consent and the Marital Debt: Five Discourses in Northern France Around 1200,” 257–270. The influence of canon law on family life is discussed by Michael M. Sheehan, “The European Family and Canon Law,” in *Marriage, Family and Law in Medieval Europe*, 247–261.

⁸² Expressions of consent were marginal in the Byzantine betrothal ritual. See Ritzer, *Le mariage dans les Eglises chretiennes*, 211–212.

⁸³ See the comprehensive analysis of Schröter, “*Wo zwei zusammenkommen in rechter Ehe*,” passim. The family’s consent came to the fore in the transfer of symbolic objects and the presence of people from the social circles to which the families belonged, and not necessarily through verbal formulae. Following the sexual act, the couple was considered to be fully married. According to Schröter, the increasing importance of the couple’s (and mainly the woman’s) consent to the marriage toward the end of the Middle Ages was accompanied by a weakening of the symbolic and actual role of the *Trauung* as the constitutive marriage act.

sters were granted a free hand in the choice of a partner contrary to the family's decision. Through ritual gestures, the young usually conveyed their agreement to the choice made for them because of overall family considerations. The rich sign-language of Christian ritual, a legacy of the Roman world, acquired new meanings. When the father led his daughter toward the groom for her to accept the ring, spectators had no way of knowing whether she was thereby expressing her personal wishes or obeying her father's. The question of how to express free will was widely discussed: Does it require explicit verbal formulation? Does the parties' very presence at the ritual occasion signify tacit compliance? Could ritual gestures be an expression of free will? Does a girl's silence when asked whether she wishes to marry convey denial, or is it an expression of the female modesty encouraged from an early age?⁸⁴ Many traditions and practices directed spectators at the betrothal-marriage ceremony not to take the spouses' verbal agreement as evidence of their will, but to rely instead on other visual signs—placing a ring, joint meals, ritual crying, holding out a hand, or mere participation at the ritual occasion.⁸⁵

The Church's position was not far removed from the traditions of most of the population, which viewed the engagement as mainly a family event.⁸⁶ The Church's participation in the ritual was required

⁸⁴ Arturo Carlo Jemolo, *Il matrimonio nel diritto canonico: Dal Concilio di Trento al Codice del 1917* (Bologna: Il Mulino, 1993), 81, mentions a decision from the council of Amelia, 1605: "If the young girl, when asked by the priest concerning her wish to marry, remains silent due to her maidenly shame and her father answers on her behalf, her silence will be read as consent to the marriage." The issue of the girls' embarrassment during the marriage ritual is discussed by Schröter, "*Wo zwei zusammenkommen in rechter Ehe*," 95–97, 167–178.

⁸⁵ The crucial role of body gestures and external signs is emphasized by Schröter, "*Wo zwei zusammenkommen in rechter Ehe*," 83–84, 224–235; Molin and Mutembe, *Le Rituel de mariage en France*, 74–77; Gaudemet, *Le mariage en Occident*, 165–171, 183–185, 191.

⁸⁶ For descriptions of various betrothal rituals in Europe, see Molin and Mutembe, *Le Rituel de mariage*, pp. 49–61. In particular, see the ruling of a French jurist: "The marriage starts with the matchmaking, confirmed with the betrothal or a present-tense promise and, finally, accomplished through carnal intercourse" (53). Schröter notes that, in Germany, marriages were also performed through a future-tense promise followed by a sexual act. Marriage was not constituted through a formal act but by an open partnership "of bed and table" ("*Wo zwei zusammenkommen in rechter Ehe*," 217–220). For other betrothal patterns, see Gaudemet, *Le mariage en Occident*, 96–97, 361–365, 117–119; Beatrice Gottlieb, "The Meaning of Clandestine Marriage," in *Family and Sexuality in French History*, ed. Robert Wheaton and Tamara K. Hareven (Philadelphia: University Pennsylvania Press, 1980), 49–83; Greilsammer,

at a later stage, by which time the community viewed the parties as fully married. The religious liturgy was less significant to the parties than the public demonstration of their consent to a shared life. The ritual at a church could be an additional way of publicizing the new alliance in the presence of many witnesses rather than a significant addition to the preceding stages. The church was not the only convenient venue, and the betrothal was sometimes made public and celebrated with neighbors and acquaintances at the local inn or tavern.⁸⁷

Despite this closeness, a wide gap still prevailed between the Church's stance and popular traditions. The Church found that the traditions of different places and ethnic groups were insufficiently uniform, and blurred the borders between legal situations that should be differentiated. Verbal formulae used by families, the courtship language of the youngsters and the wording of marriage vows were sometimes too vague, and failed to clarify to the parties whether they had indeed created a marriage. The Church warned young women against men trying to seduce them with vague marriage vows that were not valid in a court of law.

Vagueness is a conspicuous feature of the popular ritual, because the married state is created gradually and cumulatively, through a series of ritual acts or small celebrations attesting before increasingly wider circles that the agreement between the families and the alliance between the partners is progressively institutionalized. In this perspective, no clear ritual moment separates the single state from the betrothal/marriage state. Since mutual consensus is the legal basis of marriage, it must be displayed to different audiences in order to

L'envers du tableau, 89–93, 133–164. On the nexus between youth courtship practices during and prior to the betrothal and wedding day, see Flandrin, “Les créantailles troyennes,” 61–82.

⁸⁷ On betrothal festivities in taverns, see Pierre Toubert. “La théorie du mariage chez les moralistes carolingiens,” in *Il Matrimonio nella società altomedievale*, 275–276, mentioning descriptions of ninth-century marriages. See also Susan Dwyer-Amussen, “Feminin/Masculin: le genre dans l’Angleterre de l’époque moderne,” *AESC* 40 (1985): 278; Molin and Mutembe, *Le Rituel du mariage*, 49–53. The tavern is an appropriate venue to publicize contracts of all sorts, when celebrants invite everyone present for drinks. See Robert Muchembled, *La violence au village: Sociabilité et comportements populaires en Artois du x^e au xvii^e siècle* (Brussels: Éditions Brepols, 1989), 207–209. On betrothal parties at taverns, or on the tavern-owner officiating at betrothals, see Greilsammer, *L'envers du tableau*, 89–93; Flandrin, “Les créantailles troyennes,” 65.

strengthen its validity. The Church, however, and mainly those involved in canon law, have a different perception. Marriage is indeed a sacrament conferred by the spouses, but delivered at a defined, unique ritual moment. To differentiate between marriage vows lacking the power to establish a marriage and an irreversible commitment, clerics drew a distinction between a “vow in future tense” and a “vow in present tense.” The “vow in future tense” [*verba de futuro*] is made at the time of the matchmaking agreement between the parties and meant to be implemented in the future, whereas the “vow in present tense” [*verba de presenti*] is made at the wedding, when the spouses make a commitment to live from then on as a married couple.⁸⁸ The legal division was designed to set clear boundaries between reversible and irreversible situations. Even so, the Church was unable to pour popular traditions into the legal moulds of canonic law. Since the marriage relied on an expression of will, the difference between vows made in the present or in the future was often unclear, blurring the gap between betrothal and marriage. As soon as a promise is given, the married state begins to take shape.⁸⁹

Without retracting its basic support for the consensual approach, the Italian Catholic Church at the Council of Trent did place severe limitations on the power of consent. Youngsters who married without their parents' agreement faced increasingly serious sanctions. The new message reached the faithful through the decision of regional Church synods, through friars' sermons, and mainly through the activity of the Church at the parochial level. The Church emphasized the need to abide by the decisions of the parents and the family. The widespread tradition of a vow in future tense followed by

⁸⁸ On the distinction between *verba de futuro* and *verba de praesente* and their historical background, see Klapisch-Zuber, “Zacharias, or the Ousted Father,” 191–192; Moulin and Mutembe, *Le Rituel du mariage*, 49–61; Gaudemet, *Le mariage en Occident*, 165–171.

⁸⁹ On the closeness between betrothal and marriage see the statement by an Italian jurist, Berardi, mentioned in Jemolo, *Il matrimonio nel diritto canonico*, 73–74: “betrothal is like marriage, and a betrothed woman is not far from a married woman.” See also the statement by the noted French jurist, note 86 above. In Oriental churches, betrothal is binding because it is constituted through specific formulae, and accompanied by the transfer of assets. See Ritzer, *Le mariage dans les Eglises chrétiennes*, 127–129, 144, 183–184, 178–179. In Germanic traditions too, withdrawal from a betrothal commitment is not possible. See Susan F. Wemple, “Consent and Dissent to Sexual Intercourse in Germanic Societies from the Fifth to the Tenth Century,” in Laiou, ed., *Consent and Coercion to Sex and Marriage*, 227–243.

a sexual act was presented as an irresponsible act, lacking legal validity. Petitions to the ecclesiastical courts submitted by women seeking to enforce marriage vows made to them by men were increasingly often dismissed. From a sympathetic attitude toward women who had lost their virginity and their honor, becoming pregnant to men they had trusted, the Church changed its stance and presented them as loose women who had sought to ensnare a good husband.⁹⁰

In Italy, the freedom of men and women to choose a spouse was mainly a function of the assets to be transferred at the marriage, or of other family interests put to the test. In urban circles of artisans, merchants, or the urban leadership, the power of youngsters to participate in the choice of partners or affect family considerations was extremely limited. A detailed description of this stage emerges in the studies of Klapisch-Zuber.⁹¹ At the meeting sealing the matchmaking stage, called *sponsalitium* or *fidanzamento* in legal circles (see Chapter Two above), the bride's family promised her hand in the future [*verba de futuro*]. The expression of the youngsters' will, or their consent to the family decision, was necessary to the marriage ritual, but preserved for a later stage. The families then met again, this time with the youngsters, to give the bride the ring (an act known as *anellamento*, from *anello*, or ring). The bride was asked whether she consented to the marriage, and the parties exchanged vows in present tense.

For social groups that had no property, betrothals were less formal. Every marriage vow was considered sufficient to enable intercourse and establish a family without the need for additional rituals. As soon as a young man promised a girl they would live as a married couple, she considered herself free to engage in sexual relationships with him without any risk to her honor, and could even turn for remedy to the ecclesiastical courts if the man retreated from his promise after the sexual act.⁹²

⁹⁰ Lombardi, "Fidanzamento e matrimoni dal concilio di Trento alle riforme settecentesche," in Klapisch-Zuber and Di Giorgio, eds., *Storia del matrimonio*, 215–250. On the limited capability of the post-tridentine church to enforce its demands concerning family life, see Ferrante, "Il matrimonio disciplinato," 901–927.

⁹¹ The betrothal ritual in Italy is described in detail by Klapisch-Zuber, "Zacharias, or the Ousted Father," 181–196. This important work focuses on urban elite groups. On betrothal patterns in wider social strata, see Cohn, *The Laboring Classes*, 16–17; Brucker, *Giovanni and Lusana*, 16–21; Ivan Dujcev, "Tradizioni etniche dei paesi slavi nel matrimonio nell'epoca altomedievale," in *Il Matrimonio nella società altomedievale*, 853–859.

⁹² Alessi, "Il gioco degli scambi"; Guido Ruggiero, "'Più che la vita caro': onore,

The Kiddushin Turns to the Public

The story about the mistaken *kiddushin* ["to show the world"] emphasizes the ritual's visual dimension. Displaying the *kiddushin* intention to the people present at the ritual appeared important to the groom because, in his view, the legitimation that the members of the community bestowed on the marriage is no less significant than the legal act performed with the delivery of the ring (the *kinyan*). The tacit cultural guideline endorsed by the ritual's participants, which may explain this seemingly puzzling occurrence from a halakhic perspective, was explicitly formulated by Leon Modena in a work describing halakhic laws according to their division in the *Shulhan Arukh*:

[Laws] of *kiddushin* and *ketubbah*. What needed to be clarified and legislated through the *kiddushin* was that a man would be able to betroth a woman only before a presiding judge or five important witnesses. And if she is a maiden, also in the presence of one of her close relatives, or as required by these ordinances: the issue is not the ring, but the publicity.⁹³

Modena, whose close acquaintance with local leaders is beyond doubt, attempted to explain here the ordinances issued by R. Judah Minz and others, forbidding the performance of *kiddushin* without the presence of numerous witnesses ("five important witnesses" rather than the ten required in the ordinance), as well as relatives in the case of a maiden (first marriages of young girls). Beside the suspicion of secret *kiddushin*, which these ordinances were explicitly meant to oppose, Modena explained the presence of witnesses as part of the public conferring legitimacy on the *kiddushin*, rather than in their legal capacity. The public space is important because the publicity creates the *kiddushin*.

The centrality of the consensual element characterizing the Jewish Italian ritual led to problems similar to those troubling Christian clerics. Thus, for instance, what conveys the bride's free will? Can free will be discerned only through verbal expressions? The shyness of young girls, together with their habit of refraining from speaking up in the company of adult men or strange guests, could lead a

matrimonio e reputazione femminile nel tardo Rinascimento," *QS* 66 (1987): 753–776; Cavallo and Cerutti, "Female Honor and the Social Control."

⁹³ Modena, *Examen Traditionis* [*Behinat ha-Kabbalah*], 63.

daughter to stubborn silence when asked by her father or by another man whether she agreed to the *kiddushin*.⁹⁴ Verbal consent should be combined with another element conveying agreement. The *kiddushin* of Italian Jews retained a ritual gesture originating in the Roman world—the girl’s father or her guardian placed her right hand on the groom’s right hand, resembling the *unctio dextrarum*, to receive the engagement ring. To witnesses and guests, it was not clear whether this movement conveyed the girl’s consent to the *kiddushin* or, alternatively, the father’s authority to impose his will. Scandals raised by girls adamantly opposed to matches arranged by their fathers repeatedly demonstrate that formal signs of acquiescence by men or women could not vouch for their free consent to the marriage.⁹⁵

Verbal formulae were used to convey the will of the parties at the Jewish betrothal ritual, beside visual means such as gestures or familiar signs. These included the placing of the ring on the finger, covering the girl’s head after the *kiddushin*, having the groom rather than the celebrant recite the engagement blessing, or having gifts delivered on the eve of the *kiddushin* by a young boy carried piggyback by an adult:

⁹⁴ The issue of the woman’s silence during the betrothal is intimated in New York Ms., JTS Rabbinica 1025 (IMHM # 43144), Abraham del Vecchio, *Likutei Orot*, 35a–40a, rulings on *kiddushin*, gifts and penalties, especially 36a: “Holding out a finger is like saying ‘accept your betrothal,’ namely, the father holds out his daughter’s finger [when she remains silent when asked about her will to marry].” The bride’s embarrassment or shame before a male audience is mentioned in Abraham Menachem b. Jacob Cohen Rafa, *Minhah Belulah* (Verona: Francesco Delle Donne Print, 1594), commentary on the biblical portion *Ki Tetsah* [Deuteronomy 21–25], 189a: “‘And the girl’s father said [Judges 19:5],’ we learn from this that a woman should not herself address the court, but the girl’s father would speak, so that she would not be ashamed, especially in front of her husband.” The exegete transposes the original meaning of these verses from court procedures to the marriage event.

⁹⁵ Kenneth Stow, *The Jews in Rome*, vol. 1, 1536–1551 (Leiden: E. J. Brill 1995), #131, 48: “When Laricia was married, that is, when a ring was given to her, seeing that the others said nothing on this matter . . . Gratiola [her mother] told him that she [the bride] had not consented and had been forced . . . partly by obedience or partly by fear.” In the next section, it turns out that the bride had told the groom that her brothers had forced the *kiddushin* upon her. On the day after, she told another woman that she was the saddest woman on earth. See also Mantua Ms., City Library 52, #60: “I have read all the letters that she sent to me and considered them carefully. In my humble opinion, her brother-in-law, Isaac of Perugia, has treated her and her daughters unfairly because, for some reason, he wishes to force his niece to marry his son. And she cries and screams loudly that she does not want him or his son. . . . As for the matter that Isaac of Perugia, her brother-in-law, has asked to remove her [the bride’s mother] from the role of guardian of the orphan girls, to which her late husband had appointed her in his will.” The same case is also discussed in New York Ms., JTS 1356, #88, 137b–140a.

That is why they [the wedding presents] are delivered by a minor [a small boy] riding piggyback on an adult, rather than by an adult alone or a minor alone, to show that the *kiddushin* do not begin at this moment, and both of them can still retract, all through that night and until the next day after the woman is delivered to the groom and the throwing of the wheat."⁹⁶

The stress on the visual (beside the verbal) dimension to convey agreement to the *kiddushin* is important in an oral society where memory is linked to visual signs. On this issue, Jewish Italian society during the early modern period should be seen as an oral society, even two hundred years after the invention of print.⁹⁷ Various stages in the marriage ritual (the matchmaking, the transfer of assets, the wedding) were documented in writs. Some of them were drawn up and written by professional urban notaries, be it Jews or Christians, and signed in the presence of witnesses. By contrast, the *kiddushin* stage relied on the witnesses' visual memory and did not use a document specifically prescribed by Halakhah for this purpose, namely, a *kiddushin* writ. Although different versions of such a writ and of a *kiddushin*-envoy writ appear in anthologies including templates for different documents, these writs were not actually used. The *kiddushin* continued to rely on collective memory and on visual signs.

Betrothal with a Ring

The placing of a ring on the bride's finger and her agreement to receive it clearly indicated the parties' consent to the *kiddushin*. The

⁹⁶ R. Joseph Colon, *New Responsa and Rulings*, ed. Elijah Dov Pines (Jerusalem: Jerusalem Institute Or ha-Mizrah, 1984), #46, 204–217. On the use of children as *ketubbah* witnesses, see Israel Ta-Shma, *Early Franco-German Ritual and Custom* (Jerusalem: Magnes Press, 1992), 42–46.

⁹⁷ The issue of visual memory is debated already in the Talmud (TB Gittin 89a), in connection with a *kiddushin* ceremony. On the importance of body gestures in oral societies, see mainly Jean-Claude Schmitt, *La raison des gestes dans l'Occident médiéval* (Paris: Gallimard, 1990), and Raoul Merzario, "La Buona memoria: Il ricordo familiare attraverso la parola e il gesto," *QS* 51 (1982): 1003–1019; Jacque Revel, "The Uses of Civility," in Chartier, *A History of Private Life*, vol. 3, 167–168; Mark Franke, "Ritual Conduct Literature and the Basse Danse: The Kinesis of Bonne Grace," in Trexler, ed., *Persons in Groups*, 55–66. Mediterranean societies ascribe great importance to gestures, as signs of deference or affront. See Salvatore D'Onofrio, "Il Gesto e l'onore," in *Onore e storia nelle società mediterranee*, ed. Giovanna Fiume (Palermo: La Luna, 1984), 61–84; Thomas V. Cohen, "The Lay Liturgy of Affront in Sixteenth-Century Italy," *Journal of Social History* 25 (1992): 857–877.

main advantage of this gesture, however, derives from the halakhic analogy between *kiddushin* and the acquisition of property. As in an acquisition, the buyer (in this case the groom) must grant the seller (the bride, who “sells”/transfers herself) a symbolic object of his own in exchange for the main object changing ownership. By the beginning of the sixteenth century, *kiddushin* through a ring were already the regular practice of Italian Jews, as attested in many sources.⁹⁸ Earlier Italian sources are less definitive about this practice, which had replaced an earlier one.⁹⁹ *Kiddushin* through a ring were indeed a new practice. It is not mentioned in the Talmud, and little is known about it at the time of the geonim.¹⁰⁰ The process of its absorption from pagan or Christian traditions to become a binding norm lasted centuries. During this period, the ring was used in several ways in Jewish communities in Europe and in Islamic countries.¹⁰¹ Since giving the ring was the core of the acquisition/*kiddushin* act, the sages set several basic guidelines for the use of a ring: (1) the groom must use a ring of his own rather than a borrowed one;

⁹⁸ New York Ms., Columbia University X893T67, #101, 81b: “On what you asked about Eliezer, son of the late Dan, who spread a false rumor . . . claiming he had betrothed Sarah . . . and you set up a court on this matter . . . and their main evidence is worthless, because they [the betrothal witnesses] saw the delivery of the ring, but they neither heard nor understood what he said when giving the ring”; Copenhagen Ms., Royal Library 115/4, no pagination (the story is also mentioned in Leningrad Ms.—see note 76 above); Rabbi Meir [Maharam] of Padua, *Responsa*, #32, 67a–68a, a question addressed by R. Elijah Capsali from Crete, concerning a young man who called upon a young woman at her window and betrothed her with a ring. See also the testimony of Julio Morosini, *Via della fede* (Roma, Stempria delle Sacra Cong. de Prof. Fide, 1683), 984–993, and Graziano, commentary on the *Shulkhan Arukh*, Budapest Ms., Kaufmann Collection 106, 333: “One need not look for a smooth, golden earring. This was the opinion of R. Baruch Abraham Foa [who took off] a diamond from a ring, at the marriage of the daughter of Asher Halevi from Reggio, so that the beadle of the Sephardi synagogue would use [the earring] to betroth the aforementioned woman.” See also the testimony of R. Moses Provinzallo, *Responsa*, #88, 124, a case from 1561.

⁹⁹ Cambridge Ms., University Library 374 (IMHM # 16293), a prayer book and halakhic rulings from the late fourteenth century, 436a: “Our custom is to betroth with a ring.” See also Parma Ms., De Rossi Collection 2999 (147) (IMHM # 13735), 40a, a citation from *Sefer ha-Tadir*.

¹⁰⁰ Abrahams, *Jewish Life in the Middle Ages*, 183–184.

¹⁰¹ On various traditions concerning the use of rings in Ashkenaz, Spain, Greece, Babylon, and Palestine, see Friedman, *Jewish Marriage in Palestine*, vol. 1, 206–212; Idem, “Matchmaking and Betrothal Agreements in the Cairo *Genizah*”; Adler, *Laws of Marriage*, vol. 1, 213; *The Jewish Encyclopedia* (New York and London: Funk and Vanglass Company, 1904), s.v. *marriage ceremonies*, 340; Zimmels, *Ashkenazim and Sephardim*, 175–181.

(2) only gold rings were to be used, so that their value could be definitely established, and rings with gems were forbidden.¹⁰² These guidelines were not always carefully followed in Italy, as a case from the early seventeenth century attests:

My opinion has been sought on the matter of a groom who was ready to enter the wedding canopy with his bride, and when he showed the guests standing there the ring that he intended to use for the *kiddushin*, they told him it was not appropriate to betroth with a ring that has a gem. Since the ceremony had to end and the guests were ready for the marriage blessings, a married woman who was there approached the groom and gave him a ring without a gem, and the marriage was concluded. And it was not clear whether she had lent the groom the ring for the *kiddushin*, or had given it to him as a gift. Later, the woman's husband found out about it and shouted at his wife because she had given away her ring, and although his wife had appeased him by telling him the groom would pay for the ring, the husband still did not calm down and requested the ring back from the bride.¹⁰³

We would probably not have known about this or similar questions were it not for the conflict or the “scandal” provoked by the husband of the woman who came to the groom's rescue. On this occasion, the groom breached both halakhic injunctions: he used a ring with precious stones that had not been appraised, and he betrothed his bride with a ring that could not be said for sure was his. The story attests to a milieu of weddings performed without halakhic experts or accredited officers representing the community. When the groom showed the ring to the bride and the public, responses did not come from rabbis or scholars but “they [the guests] told him it was not appropriate to betroth with a ring that has a gem.” The choice to betroth with a gem, as well as the rejection of this choice by the guests reflect local custom, traditions stating what is “appropriate”

¹⁰² Schereschewsky, *Family Law in Israel*, 30–31; Adler, *Laws of Marriage*, vol. 1, 213.

¹⁰³ Budapest Ms., Kaufmann Collection 581 (IMHM # 15820), 16–19, the respondent is Gur Arie Halevi, Mantua 1661. The same case is mentioned in New York Ms., JTS Rabbinica 1318, no. 7064 (IMHM # 43340), 5b–6b. See *Ibid.*, 4b–5b, for a similar case addressed to Joseph Halevi. The respondent is mentioned in Moscow Ms., Ginzburg Collection 214 (IMHM # 27952) as one of the owners of this manuscript, which was copied in 1649. See also R. Yom-Tov b. Moses Zahalon [= Maharitatz], *Responsa* (Venice: Vendramin, 1694), #191, 150b: “Once upon a time, Reuven wanted to betroth a woman. He took a ring from Simon's little boy, and betrothed her.”

and “not appropriate” rather than clear halakhic directives. The couple and their families chose whether to follow halakhic injunctions, ignore them, or manipulate them according to their needs.¹⁰⁴

The Ritual Use of Rings Among Italian Jews

When knowledge of such cases reached halakhic authorities, they naturally rebuked transgressors, and rightfully so. A mistake in the delivery of the ring considerably weakened the legal validity of the *kiddushin*, creating a situation they were keen to avoid at all costs: doubtful *kiddushin*. Recurring instances, however, show that this was not merely halakhic deviance but the ascription of different meaning to the act of giving the ring. This meaning was not derived from talmudic laws but from the role that the ring played in the long sequence of the marriage ritual.

Giving a ring to a woman was not limited to the *kiddushin* occasion. As noted in Chapter Five below, the marriage ritual of Italian Jews was accompanied by a mutual exchange of gifts, after the stage of signing the *tenaim*.¹⁰⁵ During the long period that elapsed between the matchmaking agreement and the wedding, grooms would give their future brides several rings, usually three, as evident from *tenaim* writs documenting assets transfers between the parties,¹⁰⁶ or from

¹⁰⁴ For an instance of “manipulation,” see the story in note 12 above, on the groom who went insane. For rich documentation of this affair see Lampronti, *Pahad Yitzhak*, s. v. *safek kiddushin*. For a case where a betrothal is not invalidated although a ring with gems had been used, see Mantua Ms., City Library 52, #29, 28b.

¹⁰⁵ Among Greek Jews, whose marriage traditions resembled those of Italian Jews, the custom during the seventeenth century was for the groom to give several gifts to the bride, among them rings, which were called *nisu'in* [marriage] or *symbolon*. The betrothed would wear, even before the wedding, a ring she had received from her future husband. The groom also received a ring from the bride's parents before the wedding. On these traditions, see Abrahams, *Jewish Life in the Middle Ages*, 176–185.

¹⁰⁶ On *tenaim* writs mentioning rings as gifts to the bride before the wedding, see Copenhagen Ms., Royal Library 115/4, no pagination: “Half of the estimated value of the gifts on the table, as customary, and half of the estimated value of the rings [mentioned in the] *ketubbah*, and the *kiddushin* ring, on all this he [the groom] will make a dowry-writ to satisfy the brothers of the aforementioned bride”; Copenhagen Ms., Royal Library 115/3 (IMHM # 6927), no pagination, s.v. *befanenu edim*; Mantua Ms., City Library 150 (IMHM # 2278), responsa miscellanea, 12a–14b: “The groom undertook [in the *tenaim* writ] to prepare . . . a dowry writ, Jewish and Christian . . .

women's wills detailing their property.¹⁰⁷ A similar custom is known from Ashkenazi communities.¹⁰⁸ As the account of the matchmaking stage showed, and as the description of gift exchanges between the parties will corroborate, all parties assumed that the larger the scope of the assets exchanged between them, the stronger the marriage bond and the lesser the likelihood of retractions. Indeed, if the ring was only an addition to a previous series of gifts, they saw no need to relate to it with the strictness required by Halakhah. Like other gifts, it expressed visually and concretely (to others and through material objects) the strengthening bond between the partners. The ring drew most of its power from the local ritual repertoire of body language and physical gestures. The act of giving the ring implied a twofold message: it constituted the marriage according to the consensual approach, and relayed it to others. In contemporary language, "the issue is not the ring, but the *publicity*" and "this ring is to *show* the world that you are my wife" [*questo anello e per far veder al mondo che voi sete mia moglie*]. Since the ring is the agreed sign of a mutual desire to marry, giving several rings with deliberate publicity and on different occasions implies a clear ritual advantage. Giving several rings adds to the "cumulative effect" by creating a commitment between the parties. Not surprisingly, paintings of weddings in fifteenth and sixteenth century Jewish manuscripts in Italy feature the giving of the ring at the center. This description parallels the important artistic phenomenon identified by Greilsamer.

The ring, symbolizing the man's loyalty to the woman and his desire for eventual commitment and marriage, played a role at the courtship stage that precedes the wedding. Young people, therefore, gave a ring rather than another object in cases of doubtful *kiddushin*

[promising the bride] the *kiddushin* ring, the *diamanto* and the *rubigo* [two more rings with a diamond and a ruby], and half of the wedding gifts on the table, given at the wedding banquet or before, as customary. . . ." The famous Forlì regulation forbids women to wear several rings together. See Finkelstein, *Jewish Self-Government in the Middle Ages*, 285.

¹⁰⁷ Cecil Roth, "The Will of a Jewish Businesswoman of the 17th Century" (in Hebrew), *Zion*, n.s., 2 (1937): 125–136; the rings are noted together with other assets she has accumulated. See also Del Bianco Cotrozzi, "La vita privata degli ebrei," 195, a woman's will from 1674, bequeathing two diamond rings and one golden one.

¹⁰⁸ Daniel Sperber, *Jewish Customs: Sources and History* (in Hebrew), vol. 4 (Jerusalem: Mosad Harav Kook, 1995), 147–148, note 16.

or *kiddushin* through the window.¹⁰⁹ In one case, the suitor gave the girl a ring known as *mani in fede*, namely, a ring shaped as hands holding each other as a symbol of friendship and closeness, and alleged he had betrothed her with it. He claimed that the girl had lowered a ribbon [*bandello*] through the window, and pulled up the ring with it after hearing the *kiddushin* formula.¹¹⁰ Giving a ring together with a love letter, which is not unusual in Christian culture, was also widespread among Italian Jews, despite the considerable suspicion that this act could lead to a state of doubtful *kiddushin*.¹¹¹

Giving a ring has a definite role in halakhic literature: through the ring, the man acquires the woman and the woman delivers herself to the man. In Jewish-Italian wedding rituals, this act is loaded with a rich symbolism that is not always compatible with halakhic demands. The ring was an additional component of the assets the parties exchanged before the wedding. Its public delivery brought together the body language and the rich gesture language that were part of the ritual. The ring was an important material object in the courtship of youngsters before the wedding.

The Use of Big Wedding Rings

The unique use of the wedding ring in Italy is particularly prominent in the use of lavish rings that included large and complex structures.¹¹² These rings were too large and complicated to be worn. David Davidovitch, a scholar of Jewish art, suggests that these rings were usually kept at the synagogue and lent to the couple on the wedding day. After the wedding ceremony, the borrowed ritual ring was returned to the synagogue.¹¹³ The structures on these rings—

¹⁰⁹ Copenhagen Ms., Royal Library 115/4, no pagination; New York Ms., JTS Rabbinnica 1356, #125, 197b–207a, a case from Modena 1579; R. Meir [Maharam] of Padua, *Responsa*, #32, 67a–68a (question by R. Elijah Capsali).

¹¹⁰ Green, “Betrothal Scandal in Alessandria,” 297–298.

¹¹¹ See the long discussion in Colon, *New Responsa and Rulings*, #46, 204–217. Reuven sent gifts to a woman with whom he had agreed to a match and, after the *tenaim* ceremony, “sent a gold ring through his envoy and wrote her a letter in his own handwriting asking her, lovingly and affectionately, to accept the gift, and she did.”

¹¹² Gutmann, *The Jewish Life Cycle*, Exhibits XXIXb–d.

¹¹³ David Davidovitch, “Jewish Marriage Customs,” *Ariel* 30 (1972): 81–82, argues

apparently synagogues—lend credence to this hypothesis. Conjectures on this issue exceed certainties, since the place and time at which these rings were produced is hard to determine. To gauge their role at the *lo'azi* ritual, it is important to combine material and written evidence, and examine the role of the ring vis-à-vis other elements of the ritual. Some of the repeated warnings in books known as *sidrei hataninim* calling against the performance of the *kiddushin* ritual with a borrowed ring are intended against this practice. This *lo'azi* practice has a parallel in the tradition of Greek Jews.¹¹⁴

Further support for this interpretation appears in a halakhic question from the mid-eighteenth century. Local wedding practices are mentioned in a discussion of a prohibition to create artifacts resembling sacred objects from the Temple:

Question: On the metal lamp found here in Lugo, which is customarily placed in the groom's house during the wedding . . . and whether this is forbidden since it was used in the Temple, and we know it is forbidden to copy them. If to copy them exactly is forbidden, is it also forbidden to make similar lamps?¹¹⁵

Opulent lamps were part of the household objects attesting to wealth and abundance.¹¹⁶ But this lamp was not meant for private use.

that, in northern Italy, Germany, Bohemia, and southern Poland, the bride received a special ring to wear during the ceremony, in the shape of a big structure resembling a synagogue or a palace. These rings were lent to the bride by the community, and do not replace the wedding ring. Davidovitch does not substantiate his arguments, nor does he relate them to the ritual process. See also the long discussion in Sperber, *Jewish Customs*, vol. 4, ch. 17, "Wedding Rings that Are Not Wedding Rings," 143–149.

¹¹⁴ Abrahams, *Jewish Life in the Middle Ages*, 176–185, claims that, for betrothals, Greek Jews used rings with big structures although the bride did not wear them, and they may have served as flower holders.

¹¹⁵ Jerusalem Ms., Ben-Zvi Institute 4051 (IMHM # 27717), 69b–70b. Daniel b. Moses David Trani, in a *responsum* to a question addressed by Salomon David Del-Vecchio, both from mid-eighteenth century.

¹¹⁶ For descriptions of candelabra in use by Italian Jews, see Metzger and Metzger, *Jewish Life in the Middle Ages*, 102–107; Annie Sacerdoti et al., *Arte e cultura ebraiche in Emilia-Romagna* (Ferrara: A. Mondadori, 1989), 66–70; Dora L. Bemporad, "Jewish Ceremonial Art in the Era of the Ghettos," in *Gardens and Ghettos: The Art of Jewish Life in Italy*, ed. Vivian B. Mann (Berkeley, University of California Press, 1989), 118–119. See also Ferrara Ms., Community Library 48 (IMHM # 2428), commentary on Song of Songs by Jacob b. Isaac Zahalon, 122a: "The fifth thing to do during *kinyan* and *kiddushin* is the betrothal feast . . . and Levites sing during the meal, which includes the meat of fowl and pigeons used in sacrifices, the wine used in libations, the fine flower of offerings, the smell of incense, the basin to wash their hands, and a *candelabrum* to lighten during the night of the feast" (my emphasis).

During the year it remained in the synagogue, except for the wedding's festive events, when it moved to the "groom's house." Lavish trays, used for the *pidiyon ha-ben* ritual [redeeming the firstborn son], were similarly borrowed from the synagogue.¹¹⁷ Borrowing objects for use in the wedding ritual (rings, the lamp) strengthened the links between the ritual and the synagogue during the seventeenth century. The spinning of a thin web linking the family event and the synagogue fitted in well with the trend of increasing community supervision over these rituals. Essentially, during this period, the ritual remained within the domestic space and in the realm of domestic religiosity.

Summary

The categorical talmudic statement, "whoever is not knowledgeable in matters of divorce and *kiddushin* should have nothing to do with them" (TB Kiddushin 6a), sums up the considerable differences between the *kiddushin* and matchmaking stages. Gone is the semantic, ritual, and legal vagueness, replaced by an unequivocal rabbinic demand to monopoly in the performance of the ritual and its legal interpretation.¹¹⁸ The act of *kiddushin* is the highlight of the Jewish marriage ritual because it creates an irreversible state that can only be rescinded through a full divorce procedure, like a wedding. Personal law, including laws of *kiddushin*, was considered a highly delicate halakhic issue, and transgressions could lead to irreparable damage (bastard children, wives forbidden to their husbands). One way of ensuring observance of Jewish law was to unify the *kiddushin* and the wedding, and perform them in the presence of an audience and a rabbi.

Italian Jews preserved the local tradition of separating the match-making-*kiddushin*-wedding stages. The time that elapsed between the *kiddushin* and the wedding was considerable, and could stretch for

¹¹⁷ On the custom in Italian communities of lending a tray for the *pidiyon ha-ben* ritual, see Simonetta M. Bondoni and Giulio Busi, eds., *Cultura ebraica in Emilia-Romagna* (Rimini: Luise, 1987), 319.

¹¹⁸ Rashi on TB Gittin 5b, s.v. *memuneh a-getei*: "And they appointed an important man to instruct them on what to do."

weeks or months, and sometimes years. Even when they celebrated the two stages on the same day, Italian Jews still insisted on a separation of several hours between them. This custom was not only exceptional vis-à-vis other European communities, but raises questions regarding the place of the *kiddushin* in the complete ritual sequence. After the betrothal, the woman was bound by all the prohibitions incumbent on married women, but she was still forbidden to her future husband until after the wedding. Extending the time lapse between the engagement and the wedding creates an intermediate state, which does not grant the parties the advantages of life as a couple, but subjects them to serious limitations. This separation between the stages is also inappropriate to the ritual course that precedes the *kiddushin*. For the families, for the couple, and for the community, the matchmaking stage and the signature of the *tenaim* writ is a stage close to *kiddushin*, and withdrawing from it entails great difficulties and sanctions against the transgressor. Hence, we could have expected *kiddushin* to lose its independent role as the stage creating an irreversible bond between the parties, as was indeed the case in contemporary communities in Spain and Ashkenaz. The insistence on preserving it as a separate event is due to the significant role it played in the ritual.

The *kiddushin* stage is part of the domestic circles and of practices transmitted verbally within them. The ritual, therefore, was performed mainly at home rather than in public venues (communal buildings, synagogues). The person performing the ritual and reciting the engagement blessing was usually someone the family wanted to honor rather than a rabbi, like paying respect to a godfather at a circumcision. Until the mid-seventeenth century, families reserved the option of choosing between a public ritual conducted before witnesses and many guests, and a limited ceremony including only the *kiddushin* witnesses and a small number of close family members. Community ordinances forbidding “secret” *kiddushin* without ten witnesses present and including two relatives did not prevent distinguished families or the rabbis who assisted them from breaching these rules.

Jewish tradition in Italy fitted into a wider cultural-geographical context, known from Christian society in Italy and from many European regions. Engagement [*sponsalitium*] as a separate stage involved several advantages: it could be performed in the domestic

space and presented to various social circles in successive ritual events, enabling the parties' mutual acquaintance. Engagements were usually performed within the family circle without the present of clerics. The last stage of the ritual, in the church building and with priests present, did not create the married state; rather, it contributed a sacral, public dimension to a state already established. The agreement between the families or within the couple, and the ritual expression of their "consensus" before witnesses—family, friends, neighbors, colleagues from the guild or the fraternity—was considered by the participants and the witnesses as the most significant moment in the creation of the bond. Withdrawal was difficult and involved an affront, resulting in acts of violence and revenge.

The constitutive foundation of the *kiddushin* in the tradition of Jewish law was the transfer of assets. As in a transfer of property, this is an irreversible act, with the parties attesting to completion through external signs. In Italian *kiddushin* rituals, however, we find clear evidence that the consensus of the families or of the couple is an additional legal basis of the *kiddushin*. Consensus as a constitutive element of *kiddushin* is a notion alien to Halakhah, obviously originating in canon law and in prevalent popular approaches. In several cases, discussed in the courts or in responsa literature, a clear difference emerged between the Jewish *kiddushin* ritual (property) and the Christian approach (consensus). Jewish men who performed the ritual according to the pattern known through their Christian neighbors created a state of doubtful *kiddushin*. Neither the participants nor the courts discussing their problem could be sure that the *kiddushin* had also met halakhic requirements. In other cases, the families knew how to manipulate both traditions: to use Christian tradition within the close family, and turn to Jewish law when one of the parties wanted to retract and prove that the ritual lacked legal validity. The gap between the Jewish and Christian versions of the *kiddushin* dictated the families' freedom of action, the choice between various patterns, and their ability to manipulate when they wanted to annul the alliance.

This duality also emerges clearly in the use of rings as an object in the *kiddushin*. European society continued a pre-Christian tradition to betroth with a ring as an expression of fidelity and commitment to the marriage. This tradition was also absorbed in Jewish communities in Europe, including Italian Jews. Despite the prohibi-

tion against betrothing with a borrowed ring or using rings with gems, local Jews did not refrain from breaching halakhic demands in family rituals. The ring served not only for the act of acquisition (“the woman is acquired in three ways”) but was also a component in the set of assets transferred in the course of the marriage ritual throughout. The groom was supposed to give the bride three rings until the wedding day, among other customary gifts. Usually, the holdings (money, assets, and benefits) exchanged between the parties were rigorously documented in notarized writs. The tacit assumption emerging from the *kiddushin* stories is that the larger the scope of the transferred assets, the greater the commitment of the parties and the more limited their ability to retract. Giving a ring (or rings) together with other jewelry was a means of ascertaining and confirming the parties’ intention to marry, and the property-*kiddushin* progression of the act became at times marginal. Viewing the ring as one more transferred asset, they refrained from enforcing the injunction that the ring should have no gems, because they thought that precious stones raise the ring’s value and attest to the wealth of the groom and his family. Hence, Italian Jews also allowed themselves to use a borrowed ring. The practice of borrowing expensive objects for the wedding to display wealth and status at a gathering of many people, or to seek help from others to raise money for the wedding, is well known in Jewish and Christian society in Italy.

Despite the tendency to keep the *kiddushin* within family circles and to establish it on consensus, the parties resorted to public witnesses as the main source of legitimation for the establishment of a new family. As Modena explicitly states, “the issue is not the ring, but the publicity,” suggesting that the public, rather than the formal legal act, create the *kiddushin*. Italian Jews, then, like their Christian neighbors, tended to mark the *kiddushin* in several celebrations or ritual events, attesting to the couple’s new status before various groups in the Jewish community. These celebrations created a “cumulative effect” that gradually constituted the *kiddushin* toward its signature at the wedding. This pattern points to a tension with halakhic tradition, and unequivocal opposition to the halakhic perception of the *kiddushin* as a single act separating two legally clear categories: single vs. married. The repetition of the *kiddushin* is problematic due to fears of “casting aspersions” on the first *kiddushin*, undermining the authority of rabbinic rulings, and reciting an unnecessary blessing

(taking God's name in vain). In Italy, however, they did not refrain from performing the *kiddushin* ritual twice, once in secret, and again at the wedding before a large audience. In some cases, they repeated the engagement blessing including "the Name and the Kingship," despite the suspicion of reciting an unnecessary benediction, and sometimes they repeated even the *kiddushin* ritual more than twice. Families reserved the option of choosing one of the two ritual patterns. This type of choice, as Bourdieu explained, reflects the changing circumstances and the participants' ability to exploit them and the rules of the game in their favor.

The ability to choose between publicity and secrecy, or between family or community control of the event, characterizes Jewish and Christian engagement rituals in Italian cities at the end of the Renaissance and the early modern period. The duality granted various types of advantages. The family pole stressed the father's authority, the collective considerations that guided families when choosing partners for their children and the benefits the family expected to yield from the alliance. At the other end, public participation conveyed, in the course of the ritual itself, the couple's integration into the community and their ability to function as adults. Shifting between these various possibilities was not a clear or easy task, neither for the family nor for the couple.

A period lasting months or longer could elapse between the *kiddushin* and the wedding. This time gap, however, served the parties well. The consensual element strengthened the resilience of young men and women vis-à-vis their parents in the choice of partners. The time gap also allowed the families and the adults "to found the marriage home on a firm basis, weighing over this time the wisdom and consequences of past decisions, ensuring they will not cause harm to each other, either physically or mentally, in their finances or in their dealings, profits or losses," in the words of R. Moses Zacuto. The moment of the *kiddushin* is part of a time sequence, wherein a series of events gathers strength toward its culmination at the wedding day. The "cumulative effect" of the *kiddushin* stage deprived this moment of its singleness and uniqueness, which is required by halakhic tradition, and placed it as one more event beside others. On these grounds too, it should not surprise us that Italian Jews used to mark the *kiddushin* more than once. Exceptionally, they did so several times in order to enhance its impact on various social circles.

The time gap between the *kiddushin* and the wedding also served the needs of unmarried youngsters. Beside wooing patterns familiar to and permitted by the adult patresfamilias, Italy had a longstanding tradition of youth courtships. Casual encounters, stolen moments, and institutionalized settings allowed youngsters to meet without the strict chaperonage of their families. Sometimes, young “dowry hunters” exploited these occasions to cheat young girls and force them into *kiddushin* without their consent or that of their families. Mostly, however, the very encounter and closeness between the youngsters was a sufficient and pleasurable goal in itself. These meetings gave youths a rare opportunity for erotic closeness, which authors of ethical treatises perceived critically as not far removed from the closeness of a married couple. The struggle of Jewish communities against visits of young men at the homes of their betrothed or against practices of erotic intimacy among youngsters parallels the Church’s struggle against the prevalent marriage pattern in Italy and Europe. A man’s promise to a woman to marry her in the future, given privately and without witnesses during a brief period of acquaintance and courtship, sometimes led to a sexual act. For most of the population, this concluded the marriage and no further ritual acts were required. After the Council of Trent, the Church launched a fierce attack against the sexual morality of some of the faithful, who allowed themselves to engage in sexual relations before marrying at church, or even created the marriage through a sexual act. A close erotic relationship before receiving the blessing of the priest was now considered invalid. To supervise the betrothal, the Church in Italy tried to attach this stage to the wedding. The Church required that the entire ritual be performed at the parish, enabling stricter control of the couple and enforcement of rigorous sexual mores.

The *kiddushin* ritual raises fears of magical-demonic forces (“they fear witchcraft”), in situations threatening the family’s ability to conduct the ritual according to its original intentions without losing control of it to other elements. Conducting the *kiddushin* in secret within the family circle largely neutralized such fears. Fear of evil forces and their harmful influence will resurface only at the end of the ritual, with the consummation of the marriage in the first sexual act. The magical dimension in the *kiddushin* stage and throughout the marriage ritual is minor. The ritual has an earthly, urban, sober tone, and does not leave much room for magical dimensions. The limited role of these dimensions in the *lo‘azi* ritual is easily

demonstrated when compared with marriage practices in Ashkenaz.¹¹⁹ or with the wealth of “folkloristic” customs in Christian Italian society.¹²⁰

¹¹⁹ Descriptions of Ashkenazi marriages can be found in Buxtorf, *Synagoga Judaica*, R. Jacob b. Moses Moellin [Maharil], *Sefer ha-Minhagim* [Book of Customs], ed. Salomon J. Spitzer (Jerusalem: Machon Yerushalayim, 1989), and in Zimmer, *Wormser Minhagbuch*. On the important role of magic in Ashkenazi culture see Yuval, *Scholars in Their Time*, 87–89, 287–291, 302; Joseph Dan, *The Esoteric Theology of Ashkenazi Hasidism* (Jerusalem: Bialik Institute, 1968), 259. The centrality of magic in the Ashkenazi world is also discussed in Richard I. Cohen, “The Visual Image of the Jew and Judaism in Early Modern Europe: From Symbolism to Realism” (in Hebrew), *Zion* 57 (1992): 296–304; Emanuel Etkes, “The Role of Magic and *Ba’alei-Shem* in Ashkenazi Society in the Late Seventeenth and Early Eighteenth Centuries” (in Hebrew), *Zion* 60 (1995): 69–104.

¹²⁰ De Gubernatis, *Storia comparata degli usi nuziali in Italia*, passim.

CHAPTER FOUR

“A WOMAN’S VOICE IS LEWDNESS”:¹ GOSSIP, HONOR, AND SOCIAL CONTROL IN THE MARRIAGE RITUAL

An argument developed in a sixteenth century Italian synagogue over a fixed seat, which became available with the death of one of the worshippers. A young man, the dead man’s son, claimed he was entitled to inherit his father’s place. An “old man” opposed this, refusing to give up the seat that had become vacant:

Question: Reuven had kept a fixed seat at a the synagogue for a long time. When Reuven died, his son Simon *took his father’s place*, despite objections. Levi is demanding Reuven’s place, claiming he is *older* than Simon, Reuven’s son. He therefore wishes to sit *at the top*, and does not wish to sit *below* Simon. You ask whether Simon can prevent this and occupy his father’s place, since the seat had belonged to his father.²

What was the crux of the argument? Ostensibly, the subject was a fixed seat at the synagogue.³ Both parties, however, were well aware of the true bone of contention—not the place but the symbolic baggage attached to it. “Symbolic property” acquired its significance from three different circles: family, age differences, and the gap

¹ The expression is taken from “Quarrels at the Gates,” 284: “An incessant voice was spread about her, claiming she was formally and lawfully betrothed, and it has already been determined that a woman’s voice is lewdness.” “A woman’s voice is lewdness” is a talmudic expression (see, for instance TB Berakhot 24a, Kiddushin 70a) used to justify a prohibition on women to sing in public. In this case, however, it denotes a “voice” (*voce* in Italian), meaning a rumor referring to a woman. See also *ibid.*, 284, n. 5, where the editor mention that this pun also appears in Azriel Dienna, *Responsa*.

² My emphasis. London Ms., Jews’ College, Montefiore Collection 113.1 (IMHM # 4627), Jacob Finzi, *Responsa*, #109, 129a. On this manuscript, see Hartwig Hirschfeld, *Descriptive Catalogue of the Hebrew Mss. of the Montefiore Library* (New York: Macmillan, 1904), 27.

³ On the importance of synagogue seats, see Bonfil, *Rabbis and Jewish Communities in Renaissance Italy*, 76–77. See also Roni Weinstein, “Until Juvenile Fury Subsides”: *Childhood, Adolescence, and Growing Up in Sixteenth Century Jewish Italian Society* (in Hebrew), (MA Thesis: The Hebrew University of Jerusalem, 1989), 63–65. On a parallel phenomenon in a church with a small but long-standing congregation see Paul H. Stahl, “L’onore e il sacro: Strutture sociali e spazi sacri,” in *Onore e storia nelle società mediterranee*, ed. Giovanna Fiume (Palermo: La Luna, 1984), 23–45.

between single and married men. A fixed seat at the synagogue was assigned to the paterfamilias, who represented the extended family to the community. The youngster argued that he was continuing his father's role and representing the family in the same role and at the same place. According to the older man, young Simon had lost his claim due to another important factor: age. In a confrontation between a younger and an older man, the symbolic advantage should shift to the older man, and the youngster should acknowledge his inferiority in the public arena. Seating the older man *below* the youngster in the same synagogue pew was an affront to his age. The third element in the confrontation was the difference in their marital status. Simon, who staked a claim to his father's seat, may have been unmarried and thus unworthy of sitting in a place reserved for a family man.

Several open and hidden claims surfacing in this question assume a set of common principles shared by the direct participants in this discussion, the sideline spectators, and the halakhist asked to rule: the "ethos of honor" prevalent in Italian Jewish society at the end of the Middle Ages.⁴ Some of its central elements are intimated in this question: the importance of the public arena (synagogue), relishing a "good fight" between adult men in the presence of spectators, the stress on the hierarchical features of community life (according to age or family status), the ability to take a quarrel almost to breaking point, together with the option of concluding it through a joint approach to a mediating agent. In this case, confrontation focused on a "symbolic property" conveying to all present the honor of those involved, and granting them a clear social identity. No wonder that the space of the synagogue is described in value-laden terms ("at the top," "below"). Honor could be measured or estimated through a series of external signs such as place, clothing, bodily gestures (which are not explicitly mentioned in this question), or other ritual contexts.

"Honor" had been an entrenched part of Jewish culture since the outset. Biblical stories frequently allude to the honor of the faithful

⁴ Roni Weinstein, "'An Honorable Death is Better than A Shameful Life': Honor, Ethos, Family Life, and Community Control in Jewish-Italian Society During the Late Middle Ages and the Early Modern Period" (in Hebrew), in *WCJS* 12, B (2000): 111–125. See also Donatella Calabi, "Les Quartiers Juifs en Italie entre 15^e et 17^e siècle: Quelques hypothèses de travail," *Annales HSS* 52 (1997): 777–797.

or the honor of the Jewish people.⁵ The honor of the individual, or humiliations unwittingly or deliberately inflicted, are mentioned in many talmudic discussions dealing with injuries to the person's body or honor, and with the damages to be paid for the humiliation suffered by the man or the woman.⁶ As in most cases, the Talmud does not engage in a systematic discussion of the foundations or basic elements of individual honor. Attempts by scholars of Jewish law to retrieve from these occasional talmudic discussions an underlying core approach, stress mainly the personal nature of the injury to the other's honor, namely, an additional instance of "moral baseness" in personal relations. The broader sociological or cultural dimensions, which turn an individual's degradation into a significant communal affair, do not feature in these discussions.⁷ Precisely these dimensions, which surfaced in the sociological and anthropological literature and, in their wake, in historical research as well, are more significant in the present context.

My focus will be on the significant role of honor at the various stages of the Jewish marriage ritual in Italy. Since this is a cultural tradition common to Jews and Christians, the discussion must begin with the main features of the honor ethos in Mediterranean societies and in Christian Italian society in particular. This is a superb instrument for informal social control, working through rumors (hearsay), and rituals of punishment and humiliation. Honor was intensively used in the marriage ritual to promote personal and family interests.

⁵ See, for instance, 1 Samuel 17:26: "What will be done to the man that kills this Philistine and takes away the reproach from Israel"; Psalms 119: 22: "Remove reproach and contempt, for I have kept your testimonies."

⁶ *Encyclopaedia Talmudica*, vol. 3, s.v. *boshet* [shame], 42–50.

⁷ Hayyim Ze'ev Reines, "Shaming Acts in Halakhah" (in Hebrew), *Sinai* 55 (1964): 216–223: "Though honor and shame have an actual sociological denotation, their meaning is symbolic and ideal because they are based on subjective feelings and manners"; idem, "Insult in the Bible and Aggadah" (in Hebrew), *Sinai* 56 (1965): 203–211; Gerald I. Blidstein, "'Great is Human Dignity': The Peregrination of a Law," *Annual of the Institute for Research in Jewish Law* 9–10 (1982–1983): 127–185, esp. 131. Scholars of Jewish law have not shown interest in the question of why the defamation of a man or someone in his household, especially regarding sexual behavior, are so central in talmudic debates about damages. See *Encyclopaedia Hebraica* (in Hebrew), vol. 32, s.v. *shem ra'* [defamation], 326–345.

“*The Honor Ethos*” In Mediterranean Christian Society

What characterizes societies in which personal and group honor are highly prominent? This prominence means greater power to the public arena—the *agora*, the market, the street, the yard, the *piazza*, public gatherings. “People of honor” live with a sense of being judged by the surroundings, constantly undergoing tests to preserve their standing, their reputation, their honor. Men live with a sense that the public arena is a forum for endless confrontation and competition over their honor, which is acquired over a long period. People who lose their honor due to their actions, or due to the public judgment, lose their social identity and their ability to establish relationships with other adults. The requirements of honor preclude consideration of the other person’s motives or altruistic behavior. Antagonism and constant competition rule out an ethos of cooperation or of “social contract.”⁸

Anthropologists studying modern Mediterranean societies disagree on whether the Mediterranean basin functions as cultural unit that shares central features of the honor ethos. Michael Herzfeld argues that ethnic, religious, cultural, and ecological differences between the inhabitants of the Mediterranean basin are too vast, and honor patterns too varied, to be included in one category. But most scholars in this field claim that, despite obvious differences, the underlying deep structures are surprisingly similar. Members of different religious and ethnic communities can point to their common heritage, or find common ways of affronting the honor of others.⁹ The his-

⁸ Bourdieu, *Outline of a Theory of Practice*, 42: “The honor ethos is opposed, by definition, to a formal universal morality that affirms the equality and dignity of all human beings and, consequently, the identity of rights and obligations.” See also John K. Campbell, “Honour and the Devil,” in *Honour and Shame: The Values of Mediterranean Society*, ed. John G. Peristiany (London: Widenfeld and Nicholson, 1965), 141–157.

⁹ Michael Herzfeld, “‘As in Your Own House’: Hospitality, Ethnography, and the Stereotype of Mediterranean Society,” in *Honor and Shame and the Unity of the Mediterranean*, ed. David D. Gilmore, (Washington D.C.: American Anthropological Association, 1987), 75–90. For an opposite view, see Lucia Ferrante, “Differenza sociale e differenza sessuale nelle questioni d’onore (Bologna sec. xvii),” in Fiume, ed., *Onore e società nella mediterranea*, 105–127; Julian Pitt-Rivers, “Mariage par rapt,” in *Le prix de l’alliance en Méditerranée*, ed. John G. Peristiany, (Paris: Éditions du CNRS, 1989), 53–71; Julian Pitt-Rivers, *The Fate of Shechem or the Politics of Sex: Essays in the Anthropology of the Mediterranean* (Cambridge: Cambridge University Press, 1977); idem, *Honour and Shame: The Values of Mediterranean Society*; Ida Fazio and Gabriella Gribaudo, “Onore e storia nelle società mediterranee,” *QS* 73 (1990): 277–284.

torical dimension of the stance stressing Mediterranean unity was obviously added by the historical school that developed in the wake of Fernand Braudel.¹⁰ In various Mediterranean societies, “honorable behavior” frequently includes a specific combination of elements. All males, regardless of status or wealth, share a sense of participating in an honor competition. Unlike martial societies of the European feudal variety, honor in these societies is not the prerogative of a small and dominant group holding the reins of political power. The public arena is open to all members of the community, excluding some deviant and marginal elements, and sometimes also ethnic minorities. Honor is conveyed through externalized and theatrical means, and public events provide good opportunities for displaying the family’s wealth and opulence to others, whereas poverty weakens individual and family honor. Verbal terms and body language create a wide repertoire enabling the display of one’s honor to others, or its denial from an adversary. Although not learned in orderly or systematic ways, this rich cultural repertoire is widely known and accepted, and its meaning is obvious to all.

This ritualized, externalized behavior developed in a densely populated society, where the network of contacts and the dependence of individuals and families upon the immediate environment was a daily event. Honor is a superb tool for regulating societies in which the presence of the central government is discontinuous or not felt. Services or benefits (food, work, jobs, taxes) derive directly from the network of contacts the individual is able to activate. Patron-client relationships served the desire of both parties to be protected from violence and to exert pressure on the government to promote a common interest. Although patronage ties were essentially partisan, they were presented in terms of personal friendship, emotional commitment, or a bond of honor. Even in the absence of direct dependence, honor was an element present and sensed in social relationships. A society where people are forced to meet neighbors, colleagues, fellow parishioners and fraternity brothers on a daily basis, develops a

¹⁰ On the role of the Mediterranean in Braudel’s historiosophical outlook, see Eliada, “Fernan Braudel and the Total-Global Vision,” 71–81. See also *Magazine Littéraire* 212 (1984), an issue wholly dedicated to Braudel. For a lucid presentation of Braudel’s thesis, see *La Méditerranée*, ed. Fernand Braudel (Paris: Flammarion, 1986).

high degree of social cohesiveness leading to solidarity and cooperation, but also to endless tensions and confrontations.

The egoistic aspect of male behavior would seem credible only if the parties believed it could be consummated through an ultimate instrument, namely, by turning to violence and revenge [*vendetta*]. Revenge enjoyed considerable legitimation in most Mediterranean societies. Its drawback was that it opened up a blood cycle and acts of counter-revenge whose end could not be foreseen. To lower the level of hostility, community members tended to become involved in confrontations between parties so as to prevent them from escalating into irreversible violence. Social peace is an important value in a community wherein conflict is not limited to two parties but includes most of its members, be it as participants, supporters, or active spectators. The subtle border between intimate and personal family affairs on the one hand, and the public realm on the other, is re-examined in every public confrontation. When the entire community felt its honor had been injured due to a blatant transgression of unwritten social rules, counteraction was swift, with pressure accompanied by progressive sanctions if faced with a stubborn refusal to get back into line. The community also had informal means at its disposal, including mainly public degradation rituals or a system of spreading rumors and slanderous information.

Honor, according to Bourdieu, is a product of social practice rather than a set of clear rules:

What we call the sense of honor is no more than a cultural disposition, a *habitus* allowing every agent to generate, from a small number of implicit principles, all the behaviors abiding by the logic of challenge and response, relying on inventions that do not require in any way a pre-set ritual pattern . . . The scale of values of honor rests on action more than on thought, and the grammar of honor can inform action without requiring formulation.¹¹

A complex and dialectical relationship prevailed between honor and the formal set of laws (canon law, urban law). An adult man could comply with the demands of official law and lose his honor and vice-versa, he could infringe institutionalized legal norms and preserve his honor and that of his membership group.¹² This duality

¹¹ Bourdieu, *Théorie de la Pratique*, 31–32, 41.

¹² Frank H. Stewart, *Honor* (Chicago and London: University of Chicago Press,

applies mainly to acts of revenge and violence, the ultimate instrument for protecting class and honor. In extreme cases, refraining from violence was viewed as an act that negates manliness and honor, pushing the victim to a situation of shame and social marginality. Men faced problematic and contradictory demands on this count. Beside the obligation to defend his honor, a man was also required to exercise restraint and moderation so that the family interest would not be harmed in an endless chain of violence and revenge.¹³ An increasingly stronger central government in Europe eventually denied legitimation to open violence and acts of revenge, channeling them into ritual frames, such as duels. In the European humanistic tradition, shame and the focus on inner feelings grew in importance at the expense of externalized or violent behavior.

Manliness and manly honor were most prominent concerning sexuality. A man's duty to protect his name is not separate from his duty to protect his family, the common property, the domestic space, and particularly the women in the house. Whereas the public arena, where he tested his powers, was the most appropriate place for a man, the home was the most suitable environment for women in most Mediterranean societies. This gender based role division fostered and paralleled other pairs of opposites, such as honor-shame, inside-outside, wealth-poverty, death-fertility. Although the woman does not add to the honor of the family, she can easily harm it. The fears and suspicions men expressed about women focused on female sexuality. Honor struggles between men or between family clans often took advantage of an adversary's vulnerability, namely, female sexuality, or the husband's betrayal that turned him into a cuckold [*cornuto*]. Images of horns or similar associations are well known in all Mediterranean societies.¹⁴ A man whose wife made him a cuckold would sooner or later have to confront other men hurling this accusation at him and expecting his response. Once the accusation became public, it could not be ignored. The husband had

1994), 79–85, pointed to the gap between law and honor. See also Julio Caro Baroja, "Honour and Shame," in Pitt-Rivers, ed., *Honour and Shame*, 83–93.

¹³ Edward Muir, "The Double Binds of Manly Revenge in Renaissance Italy," in *Gender Rhetorics: Postures of Dominance and Submission in History*, ed. Richard C. Trexler (Binghamton, NY: Medieval and Renaissance Texts and Studies, 1994), 65–82.

¹⁴ See D'Onofrio, "Il Gesto e l'onore"; John Davis, "Col divorzio c'è differenza?" in Fiume, *Onore e storia nelle società mediterranee*, 47–48.

to react by expelling the woman, murdering for honor, or confronting the accusers. To pre-empt this shame, which could cling to the family for years or for generations, men carefully kept women within the domestic space. The home is the female space, hidden, hallowed, a source of fertility, plenty, and birth. It is closed to others, and even inside it, it is sometimes split between male space and female space.¹⁵

Honor in Christian Society in Italy

Studies about honor in European society during the early modern period focus substantially on Italy.¹⁶ This scholarly concern, rather than merely coincidental, reflects the central role of honor in the cultural images of Italian society, in public life, and in the family circle. Contemporary legal sources in Italy clearly show that God was perceived as a male figure, whose honor was hurt by the transgressions of mortal creatures, particularly in the sexual domain.¹⁷ Urban and ecclesiastical courts would therefore overreact to instances of adultery with nuns, or to crimes committed near sacred objects, or statues of Jesus and Mary. The city and the community were also perceived as a living body, which must protect itself from affronts to its honor by submitting public enemies to rituals of humiliation. The urban government used and encouraged a series of public rituals intended to disgrace internal and external foes.¹⁸ Pictures degrading the city's enemies were hung on the walls, and their bodies were

¹⁵ On the division of the house between a masculine and feminine space as a reflection of a division of roles on the basis of gender, see Pierre Bourdieu, "The Kabyle House or the World Reversed," in *The Logic of Practice*, 271–283.

¹⁶ From the vast literature on honor in late Renaissance Italian society, I will refer to the following: Cohen, "The Lay Liturgy of Affront in Sixteenth-Century Italy," 857–877; Kuehn, *Law, Family and Women*; Cavallo and Cerutti, "Female Honor and the Social Control of Reproduction," 73–109. Additional studies will be mentioned in coming notes.

¹⁷ Ruggiero, *The Boundaries of Eros*, 17–19, 70–88; idem, "Constructing Civic Morality, Deconstructing The Body: Civic Rituals of Punishment in Renaissance Venice," in Chiffolleau et al., eds., *Riti e rituali nelle società medievali*, 175–190.

¹⁸ These rites are presented and analyzed in Richard C. Trexler, "Correre la terra: Collective Insults in the Late Middle Ages," *MEFR: Moyen Ages-Temps Modernes* 96 (1984): 845–902; Andrea Zorzi, "Rituali e cerimoniali penali nelle città italiane (secc. XIII–XVI)," in Chiffolleau et al., eds., *Riti e rituali nelle società medievali*, 141–157; Edgerton, *Pictures and Punishment*.

delivered to the mob. Conquered cities were settings for victory parades, at which local men were put to shame. Language is a reliable indication of the intensity of public competitiveness in contemporary Italy. Men had at their disposal a rich repertoire of words, gestures, and body language to express honor for others, shame them, or despise them. Cases discussed at urban courts reveal that the winning side took pains to deny the adversary any sign of deference, along a well-staged course that played to an audience of spectators versed in the sign language of the theater of honor.

Honor seems to have become formalized in Italy before it did so in the rest of Europe. Many books were published in Italy during the sixteenth century, channeling honor into a rigorous set of social rules. The institutionalization of honor thus became part of a wider trend involving the refinement of urban life in limited social strata.¹⁹ Instinctual behavior, craving struggle and revenge, evolved into a social etiquette or into rules of behavior that conveyed the city's honor and status in ritualized, sublimated ways. In Italy, as part of the growing trend to channel direct violence into urban and Church-controlled frameworks, we note efforts to turn to courts of law instead of engaging in *vendetta*.

This ambiance of competitiveness was also evident in the marriage ritual, as described by Anthony Molho:

Everyone implicated in these exchanges was not so much concerned with the lack of suitable male candidates from the marriage market: nor, arguably, did the issue of dowries loom as large as one might have thought, although quite obviously some very hard bargaining took place on this issue. The key was honor: the principal fear being that marriage negotiations would undermine it [family honor], the main hope being that a good marriage would help to solidify it.²⁰

At the matchmaking stage, the connection between the families was extremely cautious and accompanied by strong fears for the family's honor and reputation. The woman's status before the marriage and her ability to find a suitable marriage partner were largely determined by honor considerations. Virginity was the ticket to marriage.

¹⁹ Peter Burke, "L'art de l'insulte en Italie aux xvi^e et xvii^e siècles," in *Injures et Blasphèmes*, ed. Jean Delumeau (Paris: Imago, 1989), 249–261; Werner L. Gundersheimer, "Renaissance Concepts of Shame and Pocaterra's *Dialoghi Della Vergogna*," *RQ* 47 (1994): 34–56.

²⁰ Molho, *Marriage Alliance*, 226–227.

Its loss before the wedding pushed the woman into a distressing situation, from which rescue was possible only through marriage to the seducer or by him providing her with a dowry that would enable her to marry another man. Should neither one of these options materialize, she might be relegated to a marginal situation, or even pushed into prostitution. Italian cities established institutions concerned with restituting the honor of women who had been forced into prostitution, financed by patrons who granted the women protection and paid their dowries, as relatives would have. A dowry is a basic condition of marriage, not only because of its monetary value. It conveys the woman's honor and her membership in a family or protective framework that provides these assets toward her marriage. The wedding day was one of the most suitable events for displaying the wealth, status, and honor of the family clan. As will be noted below, the customs of the first night put male sexuality to a test of honor.

*Honor, Rumors, and Hearsay as Instruments of Social Control
in Jewish Italian Communities*

Italian Jews were a distinctively urban community. Although considerably spread geographically until the mid-sixteenth century, most of them still lived in cities. Living conditions for Jews in Italian cities at this time were no different from those of their neighbors, resulting in a social dynamic similar to the one described in the previous section. The power of the honor ethos and its actual translation in the community's daily life patterns intensified substantially with the segregation of Italian Jews in separate neighborhoods, or ghettos, during the second half of the sixteenth and through the seventeenth centuries. The Jewish ghetto, like the Christian urban neighborhoods [*gonfalone, quartiere*], was not only a geographical framework. It was also, and mainly, a human environment leading to close, dense, and daily contacts between its members. The creation of separate neighborhoods for Jews created a space where the daily involvement of the city government in the lives of Jews was limited and discontinuous. The current running of affairs, including the control of discipline and public order, was incumbent on the Jewish inhabitants.

The urban geography and the external conditions of life in Jewish neighborhoods exposed the individual to the surrounding public. The densely packed alleys and the shared yards where people constantly

crossed paths, or the rooms with facing windows, left individuals and families unprotected from probing eyes and attentive ears. Life in the neighborhood, be it Jewish or Christian, rested on the clear assumption that the community has a legitimate right to intervene in the lives of individuals and families. Abraham Farissol writes in his commentary on M. Avot:

Although a man must study Torah ceaselessly, he must also be occupied in his free time and be a disciple of peace-loving Aaron,²¹ strengthening and sustaining peace between people, between friends, between a man and his wife, or making peace between them if it had not been there before. This is to love peace, to bring people together, that all should be one, and they should not be drawn apart by their views, as we will see in the next chapter [of Avot], when he says: “Do not separate yourself from the community.”²² Even if peace is at times far, [one must] bring together friends, and man and wife when in conflict . . . and ultimately, the peace they made will bring love, not for vain glory but for the true purpose, since making peace will bring their hearts closer to the Torah.²³

The classic formulae of Jewish culture (following in Aaron’s steps to make peace between people) report on the needs and social norms

²¹ According to M. Avot 1:12.

²² Ibid., 2:4.

²³ R. Abraham Farissol, *Commentary on Avot*, 10, on Avot 1:12. On Aaron as a peacemaker, see M. Avot 1:12: “Be of the disciples of Aaron, loving peace and pursuing peace, loving your fellow creatures and bringing them close to the Torah,” and TB Sanhedrin 6b: “Aaron . . . made peace between man and man.” For additional instances of institutionalized community intervention, see R. Samuel ben Abraham Aboab, *Sefer ha-Zikhronot* (Prague: n.p., c. 1650), 38b: “. . . and they keep a watchful eye on our Jewish brothers. One of the young scholars told me about a worthy practice, which should be recorded. They [the young scholars] agreed on an important rule, namely, to go on periodic visits at set times, to see the houses and the rooms, to inquire and ask about who lives there, who they are, who are their neighbors, and who comes and goes. If they are alerted to the suspicion of some forbidden and shameful intimacy, they remove from there what appears as the source of sin/impurity and carry it elsewhere, and they do this on certain fixed days. They act righteously, for God’s honor, to ensure amendment before defilement, and this is the path of the sages of Israel, to anticipate events so as to prevent desecration. This is a safe and easy way that can be adopted everywhere, and especially when we have our own courtyard [*hatser*, the local term for the ghetto]. In some of them [courtyards], space is limited, causing people to become too close, but not every closeness is desirable or necessary. Whoever wishes to bring amendment can do so, and God will further him”; Ferrara Ms., Community Library 16 (IMHM # 2390), 54a–55a, an ethics tract, including a section of “rebuke to a man living without a woman”; Ferrara Ms., Community Library 24 (IMHM # 2397), no pagination, the story of Shlomit b. Divri.

prevalent at the writer's times. Social peace granted legitimation to outside intervention in couples' fights or in relationships between adult neighbors ("bring together friends"). Fears of separation from the congregation conveyed opposition to the divisive tendencies so typical of urban life. Involvement in the family affairs of neighbors was considered normative, since peace and quiet in a neighborhood were viewed as a basic condition for life in dense human surroundings.

External involvement in the life of a family could be informal, such as neighbors intervening in a fight, or more institutionalized, in the shape of arbitration. Arbitration laws were extensively discussed in medieval halakhic literature, particularly in the original context of their appearance in the Talmud, civil law. The use of mediators agreed by the parties in family quarrels or neighbors' disputes was greatly expanded in Italy. Even tensions between Jews and Christians were discussed in arbitration settings.²⁴

This informal jurisdiction of community members, neighbors, or fellow congregants at the synagogue was effective and significant because of the cultural sensitivity of adult men to their own honor and that of the family clan. Honor cannot be preserved by withdrawing from the public arena. Only in the space where males met could honor be enhanced or denied. In the competitive public environment of constant struggle and power confrontations, adults are forced to respond to the challenge of masculinity, reputation, status. In the absence of a fixed, centralized source of coercive power, the community's shared life was regulated by rumors and informal judgments, which were efficient means for exerting pressure on those breaching social harmony and thwarting shared expectations.²⁵

²⁴ On the important function of compromise and arbitration in Italian cities, see Kuehn, *Law, Family and Women*, passim. On a similar phenomenon in France during the Ancien Régime, see Nicole Castan, "The Arbitration of Disputes under the 'Ancien Régime,'" in *Disputes and Settlements: Law and Human Relations in the West*, ed. John Bossy (Cambridge: Cambridge University Press, 1983), 189–217. The enclosure of Jews in ghettos made arbitration more important. See Kenneth R. Stow, "Sanctity and the Construction of Space: The Roman Ghetto," in *Luoghi sacri e spazi della santità*, ed. Sofia Boesch Gajano and Lucetta Scaraffia (Torino: Rosenberg and Sallier, 1990), 593–607. Arbitration was extended to further legal domains due to the limits that city governments imposed on independent Jewish courts. See Bonfil, *Rabbis and Jewish Communities in Renaissance Italy*, 207–269.

²⁵ Fear of "voices" [rumors, gossip] and their substantial impact on family life strengthened misogynous trends in local Jewish culture. In a male perspective, gossip is a social activity typical of women, hence the fear of the informal power they

The street or the square were not the chief setting for male honor in the Jewish community. Usually, quarrels developed in another public forum, the synagogue. This was the fixed meeting place for adult men at their daily prayers and on festivals. No other place was more suitable for dispensing honors or evincing public opprobrium:

Concerning what you asked me about Reuven, who slandered his wife Leah and said she was a wanton woman because *one man there had called him a cornuto* [cuckold]. On these grounds, he decided to divorce her and deceitfully led her to another city by telling her he wanted to live there. Reuven then returned to his city and, *at the synagogue, said to everyone* that he did not intend to go back to Leah his wife, accepted she was now forbidden to him, and then vowed and took an oath on this. Now Leah screams and cries bitterly and says she is pure, she was never defiled, her husband had never suspected her, and she had never broken the law. Hence, she does not want a divorce under any circumstances, *nor does she wish to be slandered, her name reviled*. On this matter, she asks for justice from all knowledgeable judges.²⁶

The synagogue, like the Church in Europe during the early modern period, fulfilled several roles in the Jewish community.²⁷ It was here that the main religious rituals in the Jewish life cycle were performed, legal courts and a center for Torah study functioned. No

wield. The “bad woman,” the antithesis of the “woman of valor,” is characterized as loquacious. See Abraham b. Hanania Yagel-Gallico, *Eshet Hayil* [Woman of Valor], (Venice: Daniel Zanetti, 1606), 15a: “Let her voice not be heard outside, loud as that of women who wish to be like men and speak audaciously, crowing like roosters, raising their voice, their tongue sharp as a sword. But she [the woman of valor] will not open her mouth, unless wisely . . . and will not engage in vain womanly chatter. . . . And let us not think she is as those of black bile [melancholy], lacking spirit and will to speak due to their despair and their sadness, naturally making the little they say sound as a rebuke . . .” These fears and stereotypes are also well known in Christian surroundings. See Carla Casagrande and Silvana Vecchio, *I peccati della lingua: Disciplina ed etica della parola nella cultura medievale* (Roma: Istituto della Enciclopedia Italiana, 1987), passim; Burke, *The Art of Conversation*, 130–135. The devastating effect of rumors on family life is demonstrated in Azriel Dienna, *Responsa*, vol. 1, #140, 561–564, dealing with a case in which rumors about a young woman could not be dismissed, although the entire community agreed they were completely unjustified.

²⁶ My emphasis. London Ms., British Museum 9152 (IMHM # 6590), rulings of Jacob Finzi, #47, 70b–73b. See also New York Ms., JTS D456 (IMHM # 29638), #115, 159: “It is said about your wife that she is a wanton woman, and you are a cuckold [literally: “growing horns”], and the goat sees the horns with his own eyes and pays no attention. . . . Where is your jealousy and your valor, maybe you’ve forgotten what you learned in your youth.”

²⁷ Bonfil, *Jewish Life in Renaissance Italy*, 219–230.

less important was its role as a venue for social gatherings and as a place for exposing the human and social tensions of the Jewish community. Reuven, a regular worshipper at the synagogue, had heard the insult most offensive to a married man. “One man,” whose name is not even mentioned, voiced the collective scorn for a man whose wife had betrayed him and turned him into a cuckold. Since this affront to the honor of the man and head of the family was made publicly, Reuven reacted with a parallel measure of publicity and exposure in the presence of the synagogue’s worshippers (“at the synagogue, [he] said to everyone”). After being dared in front of other worshippers, disregarding this challenge would have raised the threshold of insults, undermining Reuven’s standing in the synagogue and among adult men in the community. Reuven’s reaction was plausible in the contemporary setting. He took his wife away to another community and returned to the synagogue, the arena of his opprobrium, to give public notice that he had separated himself from this source of shame through a vow and an oath (“accepted she was now forbidden to him”).²⁸

Beside the synagogue was a female space, where an informal public judiciary functioned: the *mikveh* [ritual bath]. Unlike the synagogue, where men met openly, the ritual bath is a concealed place where discretion marks all comings and goings. The following case will attest to the power of the ritual bath in the feminine milieu:

Rumor spread that Leah, Reuven’s wife, had engaged in sexual intercourse with a Gentile and, in a sinful act, the suspected Gentile had killed Reuven. Leah was immediately arrested by the authorities and

²⁸ For further instances of the synagogue as the scene for conflicts of honor exposing family quarrels, see the extensive discussion in ch. 7 below of a responsum in Jerusalem Ms., Yad Ben-Zvi 4044 (IMHM # 27710), 27a–28a. See also Strasbourg Ms., National and City Library 4087 (IMHM # 3962), 215, on punishing women by forbidding them to attend synagogue (see p. 240); London Ms., Jews’ College, Montefiore Collection 464 (IMHM # 5364), 11a, voicing concern about a betrothal: “we also hold that it [the betrothal] must be proclaimed in all the other synagogues, and that all those present [during the purported betrothal] should speak up.” A long list of synagogue quarrels is mentioned in the autobiography of Yitzhak Min-Halleviyim, *Medabber Tahapukhoth*. The tradition of *Ikkev Tefilah* [suspension of prayer] remained in force in Italy even in the sixteenth century (see Milan Ms., Ambrosian Library III25G93X118 [IMHM # 12035] 5a–6a), though not uncontested (see Carpi, *Minutes Book of Padua*, #39, 87, a ruling from 1579). Women also suspended synagogues prayers to demand justice or to curse those who had wronged them. On suspension of prayer as denoting the weakness of the Jewish legal system in local communities, see Bonfil, *Jewish Life in Renaissance Italy*, 207–208, 219–222.

imprisoned, because of tales spread about her that she had asked the Gentile to kill her husband. In the interrogation, Leah admitted that she had been violently raped by the Gentile, but had never agreed to the killing of her husband and knew nothing about it, and God forbid that she should ever do this and that she should ever agree to this terrible deed. Her husband's killing is bitter than death to her, and because of her confession that she had engaged in sexual intercourse with a Gentile, the *corte* [the urban authority] imposed a high fine on her, forcing her father Jacob to pay this penalty to the *corte* to release her from jail and ease her pain. . . . They [the husband's relatives] say that they do not wish to accept the son [Leah's son] because he is not Reuven's child but the Gentile's, and Leah now says that everything she told the court was not true, and she said all these things because she feared she would be tortured. According to her, this is a legitimate child and he is the son of Reuven, her husband. Furthermore, *she has witnesses to prove that she immersed in order to have intercourse with her husband, as Jewish women are commanded to do.* She also says that her brother-in-law Simon, Reuven's brother, slandered her at the court because he hates her, and he is the one who caused all this damage and shame, and Jacob her father has already demanded from Simon to return the money he had paid for his daughter Leah, as the law on slanderers dictates.²⁹

The woman was suspected of several serious crimes: adultery, having assisted in her husband's murder, and intercourse with a Gentile. The wording of the question does not fully clarify how true was the accusation of assistance in the husband's murder. The urban authorities

²⁹ My emphasis. London Ms., British Museum 9152, #76, 125b–130b. In other cases, women avoided going to the ritual bath due to their fears of being shamed by other women. See Copenhagen Ms., Royal Library 115/1 (IMHM # 6925), no pagination: “You asked for my opinion as to whether a concubine is allowed in our times, and whether *she should not be ashamed to immerse* [in the ritual bath]”; R. Elijah Capsali, *Wolves that Savage Benjamin: The Book of Beauty and Bonds* (in Hebrew), ed. Meir Benayahu (Tel-Aviv: Tel-Aviv University, 1990), 165, an Arta community ordinance, 1544: “A man should keep away from sin, when a fiancé enters the house of his wife-to-be, he desires her and she desires him, and they become habituated to sin . . . and worse still, he has intercourse with her [before marriage] while she is menstruating, *for she is ashamed to immerse . . .*”; Judah Minz, *Responsa*, #7, 12b: “Greetings to you, my dear scholars in the holy community of Treviso, may God protect you. . . . Concerning the matter of the ritual bath, it should be built where Jews dwell, in a discreet location, so that a woman can immerse in her due time and return to her home in the dark, and wash and immerse without haste, or fear, or anxiety, or dread when coming or going, neither from Gentiles nor from [Jewish] hoodlums.” See also *ibid.*, 7b. See also the resposum of Isaac Novera on a betrothed couple engaging in sex, in ch. 6, note 63 below; Ferrara Ms., Community Library 24, no pagination, on Shlomit b. Divri: the rabbi officiating at the marriage doubts whether this woman is permitted to her husband even after she has immersed.

[*corte*] did not intervene until it established that the woman had been involved in a sexual relationship with a Christian, contrary to canon law. In order to dispel the rumors, the woman sought to enlist every direct or circumstantial piece of evidence attesting to her innocence and her reputation. She admitted partial guilt to the accusation of sexual intimacy with the Gentile, but claimed she had been raped and had not freely chosen to have a sexual relationship with him. Her admission at the court ensued from her fear of torture at the interrogation, an accepted procedure in urban and ecclesiastic courts during preliminary investigations. So far the justifications, quite natural when adducing innocence. She does bring one circumstantial piece of social evidence in her favor, from the female circle of the *mikveh*. According to her, the fact that women allowed her to come to the *mikveh* and immerse proves they had felt the accusations against her were groundless. This answer takes for granted that personal life, and particularly in the sexual realm, is exposed to review by other women. Informal judgment by the women of the community would have excluded one whose behavior was considered too brazen.

Women could exploit their legal and personal weakness vis-à-vis men by directing conflicts to the public arena more common in Christian society: the street. Scandals and screams evoked immediate reaction and brought the conflict to the attention of the entire Jewish neighborhood. The social image of the woman as weak did not allow men to hush up these public quarrels quickly, because the weak also have a right to convey their distress. To return communal peace, they had to intervene and deal with the grievances of the woman who had provoked the scandal.³⁰

Violence was a constant threat, the shadow accompanying all honor confrontations. Conflicts could easily slide into open physical

³⁰ Azriel Dienna, *Responsa*, vol. 1, #122, 413–414, on a woman recurrently creating public scandals in the town and involving Jews and Gentiles in her conjugal troubles. These situations could work either for or against the woman's interests. In any event, they compel male interference, as the responsum attests. See also *ibid.*, #121, 411.

The parties had to decide whether to make family disputes public since, once disclosed, men were expected to abide by the social codes of honor. See Judah Minz, *Responsa*, #34, 70a, on a woman who had confessed to her husband that she had committed adultery. Following his mother's advice, the man decided to keep silent in order to allow for reconciliation. On the husband's vow to refrain from conjugal intimacy and avoid making the suspicions public, see New York Ms., JTS 1356, #42, 70a–71b.

violence that sometimes ended in murder, but knowing that the other side could also respond with violence and enlist additional forces, acted as a restraining element in social relationships. *Vendetta* was known in Italian Jewish society and enjoyed social appreciation and legitimation. Clear evidence of this can be found in the writings of Isaac Abrabanel, who easily shifted to Italy the sense of honor and revenge that had marked his Spanish upbringing:

So that Dinah would not be as a licentious whore, for whom you do not kill, and after what they [Dinah's brothers] said about this shame, they had to take this risk, since an honorable death is better than a life of shame and scorn. And God, blessed be He, agreed with their deeds, because the fear of God was in all the cities around them . . . and so was this story written . . . to tell you also that when men of honor and rank suffer affront and shame, they must risk their lives, they, their wives, and their children and all that is theirs, to exact revenge from their enemies.³¹

Abrabanel's long commentary on the story of Dinah's rape and the ensuing *vendetta* presents to the reader, at length, all the elements making up the ethos of honor in Mediterranean societies. The tie binding the story's elements in this commentary is the sensitivity to the reactions of outside observers. They examine the extent to which the family is capable of reacting to a grave affront to its honor (the rape of a daughter or a sister). In a case of this type, the obligation is to affront the other's honor, deny him any standing, and leave him ashamed. The *vendetta*, as it emerges from Abrabanel's commentary, is the last and most drastic response to the affront to one's honor, and particularly to the honor of the woman. A man must be alert to what is said about him and respond. Indifference is impossible in a society where every person must stake a place in the public arena and defend it. In the regular course of life, measures less dramatic, though not essentially different, were adopted.

³¹ Abrabanel's comment on Dinah's story in Genesis 34 encapsulates the honor ethos in this culture, and Pitt-Rivers made it the leit-motif of his book. For a detailed analysis of the Jewish exegesis of this story, see Weinstein, "'An Honorable Death is Better than A Shameful Life.'"

Hearsay and "Honor" in the Marriage Rituals

Considerations of honor emerged repeatedly at all significant stages of the marriage ritual. The participants were exposed to other members of the community, and their honor was tested when choosing partners, transferring assets, protecting female modesty, or displaying generosity and extravagance toward their guests. The families were in need of anonymous public opinion, but also feared acts of criticism such as rumors, hearsay, or humiliation rituals of the *charivari* or *mattinata* variety.

The Matchmaking Stage

During the matchmaking period, families marshaled wide circles of contacts and examined candidates according to social expectations or preset images. Finding a candidate for a young girl was an act requiring a great deal of thought and effort. As soon as the girl displayed the first signs of sexual maturity, the people who were in charge of her began an eager search for a marriage candidate. Female sexuality shook the family and compelled it to redefine the social identity of the girl-woman. Molho's commentary about matchmaking patterns in urban families in Christian Italy (p. 221 above) could be repeated verbatim regarding the Jewish community.

Time pressures were a source of distress for the girl's family. Delays and hindrances surrounding the finding of a suitable partner caused apprehensions about the honor of the family and the men, following rumors that ascribed the failure to some flaw in the behavior of the family or the woman. These were perceived as a threat to the family's integrity, ominous enough to disturb sibling solidarity.³² The distress of those involved in matchmaking arrangements for girls reflects the contradictory demands that guided the family. Choosing a suitable candidate symbolized the family's value and its standing vis-à-vis other families. The fear of choosing a candidate who would fail to meet the family's expectations justified devoting considerable

³² On a sibling dissension on this question see, for instance, *Letters of Jews in Italy*, #105, 151–152. This case is discussed above, p. 64 (ch. 1, n. 36).

time and effort to this endeavor, but time was precisely what the family did not have at this stage.

The anonymous verdict on the value of the girl and her family largely determined her chances of finding a suitable partner. Relatives were aware of the considerations guiding men when finding partners, and tried to reduce their importance when these considerations worked against them. Some of these issues emerge in a letter Leon Modena wrote at the request of an older man dealing, *inter alia*, with finding a match for the man's son:

On what we heard about his father's sister [the father of the marriage candidate], it is indeed so and it has been made public in writing. I will not deny that *she did not honor her family* by taking her servant for her husband. As the ancients have taught, every family is a forest where many trees grow, and you do not appoint a public leader, etc.,³³ and this negligible issue should be completely disregarded.³⁴

The boy's chances of finding a suitable match were significantly diminished due to his aunt's shameful act, which also became known in letters exchanged between men ["it has been made public in writing"] and in anonymous rumors. The aunt, a respected and well-regarded woman, had married her servant in a *misalliance* that thwarted her family's expectations. The indignity and the affront to the family's honor extended to everyone in her family, and the young man seeking a bride would find many doors closed due to an act for which he was not responsible. Since the facts could not be denied, Modena tried to minimize damages through a rhetoric appealing to the reader with contradictory arguments. Besides ignoring the act ["should be completely disregarded"] or minimizing it ["this negligible issue"], he tried to separate the aunt's act from the value of the marriage candidate ["every family is a forest where many trees grow"], clearly hinting that every family in the community bears some dishonor ["you do not appoint a public leader . . ."]. This attempt was doomed to fail precisely because it does acknowledge the power of the public to judge and ban those who harm the family's honor. Furthermore, a public refusal of a matchmaking pro-

³³ The saying, according to TB Yoma 22b, reads: "You do not appoint a public leader, unless he has a box of creeping creatures hanging behind him" [a shady past].

³⁴ My emphasis. *Letters of Rabbi Leon Modena*, #156, 197.

posal offended the family that was refused, whereas acquiescence to a matchmaking proposal and its confirmation in an official legal act—the signature of the *tenaim* writ—attested to its acceptance as an honorable partner:

We know that no branch has ever been barren in your family tree . . . and on this day I will cling, before the entire nation, to the brothers of my beloved future wife, may she be blessed, finding signs of purity and chastity for their *honor and glory*. How *honored will I be* before Judah and Benjamin who, looking at me, will see such a long dynasty, an entire family to show and light up a path for me to *be proud of her*.³⁵

Female sexuality that is not channeled into married life evoked heavy fears for the family's honor. Matchmaking for girls, therefore, began with the appearance of the first signs of sexual maturity. Men, however, began the matchmaking process later, toward their twentieth birthday. This age gap between men and women at marriage, which was common in contemporary Christian society in Italy as well, was also justified in terms of family honor, and mainly the honor of the paterfamilias. The conduct of family life and the division of roles within the couple relied on the unquestioned priority of the man, and on the woman's obedience, compliance, and deference. Deviations from this pattern were perceived as harmful to the foundations of family life:

³⁵ *Letters of Rieti Family*, #145, 176 (my emphasis). See also Oxford Ms., Bodleian Library, Michael 13 (IMHM # 21598), 347a–354b: “Reuven has retracted from his commitment to marry his betrothed and wishes to divorce her, with or without her consent, saying he does not wish to take as a wife a woman about whom such vicious rumors have been spread . . . and, what is more, he has now found that his betrothed has a niece who is a wanton woman, and it would be disgraceful to him to draw near her.” For further illustrations of the link between personal/family honor and the choice of marriage partners, see Budapest Ms., Kaufmann Collection 409 (IMHM # 14725), 268–269: “Why did the Lord show such kindness to this family, leading them to quarrel with this other family, of slightly suspicious ancestry, so that they would separate? . . . The Holy One, blessed be He, removes stumbling blocks from the path of His people to preserve the purity of the holy seed. He divided between them so that no peace would prevail between them, they would harass each other, and would not agree to a match that God knew would fail”; Azriel Dienna, *Responsa*, vol. 1, #134, 528; Judah Minz, *Responsa*, #6, 9a, on rumors spread about a betrothed girl, claiming she was behaving promiscuously before her wedding: “After the groom’s family heard this libel they placed guards, namely, they had her watched and decided to clarify this matter and find out whether the rumors were true . . . since we may presume that no man will drink from a cup unless he has first examined it and found it satisfactory [according to TB Ketubboth 75b, or Eruvin 99b].”

Although our rabbis, of blessed memory, said at eighteen to marriage, they only said so to inform us that, at eighteen, he is already capable of fathering children, but they did not mean that a man should then take a wife. A wife taken at a young age would lead him astray and subdue him too much. Learn from Samson and his women, who caused him so much trouble, and from Solomon [King Solomon], whose wives diverted his heart . . . because taking a woman is a grave danger, requiring divine help, and a settled mind, and great wisdom to avoid its perils. That is why our sages, of blessed memory, have already said, who is the man who built a house, and who is the man who planted a vineyard, and who is the man who betrothed a woman, since it is fitting for a man to first buy and build a house, then plant a vineyard and last take a wife, and that is why Isaac delayed taking a wife until he was forty years old.³⁶

The injunction in the Mishnah compelling marriage at eighteen is accepted with a clear reservation [“Although our rabbis, of blessed memory, said . . . they only said so to inform us”], overturning the meaning of the original saying. Eighteen is not the age of marriage but the beginning of the search for a suitable candidate. Family patterns in Italy known to the writer of this passage lead him to conclude that the age gap in the couple is important to enable the man to control his wife and express his manly honor. Relying on the man’s primacy, the woman is strictly forbidden to affront his honor, as Queen Vashti had offended her husband, King Ahasuerus, in front of his guests. The husband was expected to restrain his authority over the woman, respect her despite her weakness, and fulfill her desires concerning the running of the household and the purchase of jewelry and clothes.³⁷

³⁶ Abrabanel, *Commentary on the Torah* (Genesis 25), 295. See also his commentary on Leviticus 21:10: “The virgin has known no man. She will therefore be satisfied with either much or little intercourse, and he may lead her as he pleases. He will not be able to do so with a widow, however, who may have been otherwise accustomed by her first husband.”

³⁷ Budapest Ms., Kaufmann Collection 266 (IMHM # 14712), 21: “Honor your wives, for their honor is your honor, keep your grip on their morals and do not let them govern you, their honor is within [Psalms 45:14]. The less you see them, the lesser their damage; do not disclose to them the secrets of your hearts. Serve your loved ones and your kin with all your bodies and all your might, but beware lest you serve them with your soul, for it [the soul] is the divine part”; Paris Ms., Alliance Israelite 40/10 (IMHM # 2746), homilies attributed to Joseph b. Matitya Treves, 71a: “It is appropriate for the woman to heed the man and honor him with all her might. She should beware of cursing him in his presence, as did the wicked queen [Queen Vashti who cursed King Ahasuerus]; she not only refused to come but also cursed him and reviled him, an act for which she was punished with

The man's control over his family and his ability to impose his authority on his wife, or the dominion of a strong woman over a weak man, were a prominent motif in the popular European culture of the time. Carnival events presented, in theatrical manner, the reversal between Carnival and Lent, between rich and poor, between hunger and plenty, between princes and the masses, and beside them also the reversal between men and women. The figure of the strong woman ruling her husband and handling him "as a man should a woman" is one of the basic instances of role reversal.³⁸ In contemporary male discourse, male control of women was perceived as a precondition for the adequate functioning of the family. Marriages where the wife's social standing or her ancestry are

death, even though she was such an illustrious queen. Hence, *every woman in the world* should respect her husband and fulfil his wish and desire, whatever he commands . . ."; *ibid.*, 71b: "It is appropriate for every wise person to acquiesce with her punishment [Vashti's] to prevent the plague and malice [of disobedience] from spreading in society, for women who shame their husbands are a malignant plague, and every house where the husband is shamed collapses"; Moscow Ms., Ginzburg Collection 160 (IMHM # 6840), 6a–b: "A brief homily by the late R. Lattes, may his just soul rest in peace . . . on the naming of a daughter born to a certain Jew in the city of Bologna in 1558. The topic was that . . . the creation of the female ensured the continuation of the species . . . therefore, to continue the species, He ordered in His wisdom to help him [the male] by creating the female, as is apparent from the end of the verse: "I will make him a help to match him" [Genesis 2:18]." Even a male discourse presupposing female inferiority within marriage is aware of women's real power. Men were required to exert their authority cautiously and moderately. See Budapest Ms., Kaufmann Collection 409, Hananiah Elyakim Rieti, *Pri Megadim*, 256–258: "Sometimes she lights a candle during the Sabbath and cooks after darkness because she fears him, and he knows nothing of this. We learn from this that a man should conduct himself wisely with women, avoiding too much or too little reverence, due to their inanity . . . We may presume that if this woman is gripped by hunger or by the obsession to eat something [euphemism for sexual intercourse], the threat of a police officer or of the governor will be of no avail, because she will hide and eat in secrecy." See also *ibid.*, 243–244, admonishing a man to heed of his wife's honor, providing her with suitable clothing and jewelry; Oxford Ms., Bodleian Library 1418 (IMHM # 22442), Pinhas Barukh Monselice, *The Glory of Youth [Tif'eret Bahurim]*, 31a–32a: "Every woman wishes her husband to honor her, so that they may live with much love . . . a woman to her husband is as a queen to a king, and he should honor her, as David intimated: 'Upon thy right hand stands the queen in gold of Ophir [Psalms 45:10]' . . . A man should always heed his wife's honor, for a man is blessed only because of his wife . . . and should indeed honor her more than his body. One rule of honor incumbent on the husband is to let his wife be the mistress of her home in all ways, especially in matters of charity in the measure of his means. He should not hinder her, and should remember that the charity of women is more desirable [to God] than the charity of men."

³⁸ On the motif of role reversal, see Natalie Z. Davis, "Women on Top," in *Society and Culture in Early Modern France*, 124–151.

higher than those of the man should therefore be avoided. In order for the man to be able to express his superiority within the family and to ensure that the woman would accept his authority, they supported homogamous marriages.³⁹ The homogamous ideal does not lead to equality in the life of a couple but to the woman's voluntary internalization of the hierarchical structure of family life, and her willing acceptance of a gender-based division of roles.⁴⁰

The parties were cautious about conducting direct negotiations and sought the help of intermediaries [*mezzani*]. A direct approach "invited" immediate refusal because it implied a clear breach of the social etiquette requiring complex and protracted negotiations, and every refusal offended the dignity of the rejected party.

The community's presence is sensed at all stages of the match-making process, even if not explicitly mentioned. Envoys sent by the family, letters exchanged between heads of families, or approaches made to people of standing, required the involvement of wide social circles in the matchmaking arrangements. The family's attempt to keep the matchmaking arrangements secret, with knowledge of them confined to a small circle, was only partly successful. Information about available marriage candidates spread between men and women in informal settings, such as conversations in the synagogue or the *mikveh*, or in letters. The ability of the candidates' families to direct

³⁹ Oxford Ms., Bodleian Library 1418, 15a: "the secret of cleaving is in the element of affinity and similarity [between husband and wife], as it is written: 'You that did cleave to the Lord your God [Deuteronomy 4:4],'. . . . He should behave decently so as not to discredit himself or his family, and will thus find a decent girl like him. It is then that the phrase 'those who are alike cleave together' appears pertinent." See also *ibid.* 17a: "If he takes a woman for money, who will withstand her rage? How will he endure her conceit over the money that she gave him?" *Ibid.* 14b: "He should not seek to marry a woman from a higher ranking family, so that he may rule over her . . . if he marries a woman for lust, he will be enfeebled by excessive intercourse, and she will hold sway over him."

⁴⁰ A sixteenth-century letter manual traces a typological sequence in the establishment of a family through a series of letters, beginning with courtship, through marriage and the birth and circumcision of the first child. The second letter is by an adult woman to the new bride. See Budapest Ms., Kaufmann Collection 494 (IMHM # 14985), letter 2: "Let your face be graceful to please him. . . . Listen to me, daughter, and see what the Midrash tells us about what a clever woman told her daughter while leading her to her husband's house. She said: 'My daughter, stand up in the presence of the king [the husband] and serve him. If you act like a servant he will be your servant and will serve you as the mistress of the house, but if you are haughty, he will force his mastery upon you, and you will then be as ignoble as one of the maids . . . pay heed to your husband's honor, and let his honor be as precious to you as your own.'"

the spread of the news or control their contents was limited. Members of the community thought themselves free to intervene in the match-making process, to offer candidates of their own, and to increase the joint pressure to conclude the matter. Through the same social mechanism of spreading rumors and information about the candidates and their families, informal pressure was applied on those deviating from the community norm.

Transferring Assets: The Dowry and the Exchange of Gifts

Among the various criteria measuring the candidates' marriage value, wealth was crucial. Once the parties shifted from the first stage of brokering through representatives or mediators to the next stage of face-to-face meetings, negotiations focused on the size of the dowry and the payments schedule. The size of the dowry was a basic parameter, which removed most of the candidates failing to meet the family's demands and left only a few. The fact that in urban Italian society, both Jewish and Christian, considerable assets were transferred by both parties and not only from the bride's to the groom's family, largely justified the demand for economic homogeneity.

The assets transferred in the course of the marriage ritual conveyed the tightening of the bond between the parties and largely sealed off their chance of retracting from their previous commitment. The exchange of presents, therefore, was extremely significant to Italian Jews. Despite a century of persistent pressure exerted by Jewish immigrants, local Jews refused to renounce their unique tradition of *shivlonot*. Both householders and halakhists defended the youngsters' practices of gifts accompanied by love letters, or exchanging personal effects, not always with the full supervision of the bride's parents. The gift was an accepted and institutionalized ritual means for displaying the family's wealth to other community members.⁴¹ Acts of generosity, squandering, or lavish giving, added to the family's honor. Expensive gifts from the groom's or the bride's family attested that the assets the couple would later bring to their shared life would

⁴¹ Strasbourg Ms., National and University Library 4086 (IMHM # 3961), 274, on a betrothal through the balcony. See above, pp. 285–288. See also R. Joseph Colon, *Comprehensive Responsa* (Jerusalem: Machon Torani-Sifrutit Oraitit, 1988), #170, "The link between *shivlonot* and rumors [*kolof*]."

be considerable. Personal and family honor was described in Italian society, both Christian and Jewish, in material, physical terms; it could be accumulated, measured, or lost. Alternatively, affronts to honor required compensation, sometimes financial.

Failure on the part of the bride's family to meet its financial commitments threatened not only the match, but also risked shaming the extended family. In a letter from the end of the sixteenth century, the rich branch of the family asks the poor branch not to delay a dowry payment they owe to the groom's family:

Since your heart is trembling because you fear for your word should you, God forbid, spoil the match and suffer *humiliation*, I could not restrain myself from writing these lines to you, wishing to *protect the honor of your name, lest it should be tarnished*. And my master and father, may God keep him and watch over him, has also asked me to urge you and plead with you that, *for the sake of your father's honor, your honor, and our honor, since we are your flesh and blood*, you should not breach this agreement. Please know that this honorable man [the groom's father] cannot do without these monies. Should he approach us to lend them to him in your name, we will do so *for the sake of your honor* and no conflict will ever arise between you and us. We also help him to pay this dowry. . . . If you were to write a few words asking us to give them to him, we will do as you say, and you can take your time to pay us back, so that *your honor might be respected*.⁴²

The extended family mobilized to lend money to the bride's father to prevent him from doing anything that could also hurt the honor of the bride's relatives, and their ability to find matches for their own children in the future.

Annulling the agreement between the parties evoked anger and hostility, mainly because of the affront to the honor of the refused

⁴² My emphasis. London Ms., British Museum 9024, 99b. See also Moscow Ms., Ginzburg Collection 160 (IMHM # 6840), 5a, in a letter seeking help for a bride's dowry: "He [the bride's father] may not be ready on time; the intended groom will then go bankrupt and, God forbid, dissolve the matchmaking agreement, woe to this shame, woe to this disgrace"; *Letters of Jewish Teachers*, # 146, 278–279. Beside the family wealth, clothes were a distinctive sign of honor. See Cambridge Ms., University Library 636 (IMHM # 15868), commentary on Song of Songs, attributed to David Abraham Provenzallo, 32b: "Because at first, when the lover saw his beloved without jewels, bereft of any finery or ornaments, tired and exhausted from working in the vineyard, nothing looked good in her except the beauty of her body . . . and even after he had been with her in her mother's house, her beauty and splendor were not evident because she was not from a royal home, and her clothes were not regal"; Yagel-Gallico, *Eshet Hayil* 13b, on a talmudic dictum stating that clothes project the person's honor; *Letters of Carmi Family*, #36, 85.

party and his/her family. The publication of the match enhances the families' honor, and its annulment entailed a glaring offence because of the publicity.⁴³ The desire to respond with a *vendetta* could lengthen conflicts between the parties for many years. The Tamari-Vinturizo divorce affair is a prominent instance of a conflict in which both parties incurred damages because they could not find a compromise to stop the maelstrom of revenge. To avoid such situations, the parties had to find an honorable exit that would justify the annulment of their alliance and prevent shame [*vergogna*] to the other party. Jehiel b. Azriel Trabot was asked to rule on the annulment of a match:

Reuven pledged to Simon to marry him off to Rivka, who was his wife's sister and a widow, or pay an agreed penalty. But Rivka refused and said she did not wish to abandon her children, since she was their guardian, and Simon is now demanding the penalty that Reuven had pledged to pay in a writ and before witnesses. . . . In my humble opinion, Reuven had not pledged to pay Simon anything on this score, since Reuven had not gone back on his promise, and he stands by his word to implement it. He is not thereby shaming Simon, and Rivka is the one who has withdrawn, but she had not pledged to pay any penalty . . . and Reuven did not mean to shame him, and even objects to her withdrawal.⁴⁴

Reuven had promised to give his sister-in-law Rivka to Simon in marriage, and had even committed himself in a *tenaim* writ. The party breaching the commitment must pay the other one an agreed

⁴³ Colon, *Comprehensive Responsa*, #29, 61, a case of doubtful betrothal after giving *sivlonot*: "Simon demanded from Reuven to give his daughter a divorce, as the Padua rabbis had ordered, and Reuven is reluctant because of the scorn that was heaped on him . . . when she shamed him and refused to take him [as her husband]."

⁴⁴ New York Ms., Columbia University X893T67 (IMHM # 20659), #87, 62b–63a. In his responsum, Jehiel Trabot quotes tosfist Isaiah di Trani, who argues that a party withdrawing from an arranged match is guilty of shaming the other. See also Los Angeles Ms., California University Library 779 box 4.6 (IMHM # 32359), no pagination, a court writ attesting that the match was cancelled due to a disagreement between the parties and not because of any flaw ascribed to the bride; Budapest Ms., Kaufmann Collection 582 (IMHM # 15821), 45–47. See also Elias S. Artom and Humbertus M. D. Cassuto, eds. *Statuta Iudaeorum Candiae eorumque Memorabilia* (in Hebrew), (Jerusalem: Mekizei Nirdamim, 1943), 142–143, a ruling from 1561 forbidding men to offer families who had already arranged a match for their daughter a higher dowry than the one agreed with the first party because, *inter alia*, "the daughters of Israel [Jewish women] are thereby slandered, and rumor spreads that so-and-so was reluctant to abide by the matchmaking agreement, and disgrace ensues . . . the world cannot bear this."

penalty. At the focus of the halakhic discussion, however, is not the money payment, but the honor of the men, and particularly the honor of Simon, who had been refused. "Saving face" in Simon's case was easy: the one refusing to fulfill the agreement was not Reuven but Rivka, who had made no pledge and was even outside the male honor system. For Simon and Reuven, and for other adult males like them, the affront is significantly lessened because inflicted by a woman. Together with the trend seeking to soften the affront to adult men resulting from a refusal to implement the *tenaim* writ, families did not refrain from honor confrontations but delayed them until the wedding day, at the signing of the *tenaim* renewal writ. The direct confrontation between men evoked respect, even if it led to the dissolution of the match.

Courtship among Youngsters

Meetings between young men and women before marriage were a source of tension and anxiety for the families as well as for the youngsters. Limitations imposed on the parties made the couple's encounters exciting and intimate, but also tense and problematic. For families and adults, the meeting and the acquaintance between a man and a woman before marriage played an important role in bringing the couple closer and in creating trust and emotional closeness between them. Yet, it also evoked suspicions that the youngsters would not act according to adult expectations and would breach limitations that could offend the parties' honor. To facilitate these encounters, some conventional norms had to be set aside, such as, for instance, the existence of separate male and female domains. The place of the man, according to Leon Battista Alberti, a foremost Italian humanist, was "in the squares, in public . . . involved in men's affairs with his fellow citizens, or sharing life and discourse with upright foreigners . . . not closed up in the house with the women."⁴⁵ Men's expectations in Italian Jewish society were quite similar:

We have awakened to this ongoing sacrilege with our women and no one protesting against them . . . they go to the market like loose women, with their hair uncovered, and they eat in the market . . . and they do

⁴⁵ For Alberti's saying in historical context, see Kuehn, *Law, Family and Women*, 222.

not fear for the honor of the children of Israel, who have been called God's children, and all who saw them would recognize them and say, they are a seed blessed by God. . . . [The community has issued an ordinance stating that a woman] will not walk in the street with her hair uncovered and disheveled . . . and women will not stand outside *botteghe* [shops], even if covered and wrapped, but will modestly stay only inside, as noted. If, God forbid, they should not listen to us, we declare that they will be separated from the community of Israel and will not be allowed to come to the synagogue with the other dear women. If they are charity recipients, we have agreed that no charity will be given to them, and they will not be helped in any way they may require.⁴⁶

Women working at a credit loan bank or shopping in the market evoked male protests. A respectful attitude toward women could be replaced in this case by contempt from Christian men "outside" or from Jewish men in the community. The ordinance also alludes to ritual and financial sanctions: removal from the synagogue, and reductions in charity monies. The perspective endorsed in this source is particularly interesting. It combines the male outlook and the stance of wealthy community patrons, in an attempt to control the lifestyle of poor women. Might the perspective have been different had women written the sources discussing the matter of women going out of their homes? We cannot answer this, since no documents or testimonies written by women are available on this issue. A partial answer, however, could rely on the educated adult men speaking in the women's

⁴⁶ Strasbourg Ms., National and University Library 4087, 215. See also Cambridge Ms., University Library 636, commentary on Song of Songs attributed to David Abraham Provinzallo, 19b: "Because my father had slaves at home, keepers of the vineyard, and I would stay home, as an honored princess. She thereby attests that she is distinguished and of noble birth. . . . She turned toward her beloved and, in a law voice, said to him: 'Tell me,' that is, 'tell only me, by hint or in secret, where you will be grazing the herd at mid-day.' She said this for it did not become her to go out by night and, being unadorned, she knew she was not fit to go to his palace. That is why she said: 'Set a meeting place during the day, and I will come and speak to you there; no one will know about this, for if you do not tell me your exact location, I will have to go out covered and turn to the herdsmen of your friends and peers and ask them where you stay, and this would cause me shame and disgrace.'" Ibid., 29a: "Seeing that her lover was late, she feared that passers-by would see her, and this would cause her shame and disgrace because they would suspect her and might try to harm her [sexually]"; Judah Minz, *Responsa*, #7, 12b, Jewish "hoodlums" harass women returning from the ritual bath. Ibid., #26, 60b, rebuking members of the Casalmaggiore community for letting women go out on their own to trade in markets.

name and “representing” the female voice in some of the sources. Fathers of young girls explained to the male reader the importance of ongoing human and social contacts between men and women, without which no urban cultural refinement is possible.⁴⁷

Concerning outings of young, single girls, heads of families held views slightly more rigid. The ability to control them was considerably lessened as they left the closed, familiar, protected domestic space. In Jewish society too, female honor was identified with the domestic space and its immediate surroundings. The woman’s honor is enhanced the more she is concealed from other men who are not her relatives. But even the house is not safe unless protected by an adult man of honor and standing (a father, an elder brother, relative, or guardian) or an older woman who represents the ethos of male honor. The notion of young women living alone without adult supervision was inconceivable. It endangered the social hierarchy that regulates relationships between men and women, and family relationships based on compliance and obedience to authority, as the following case attests:

I heard a rumor claiming that the wise and distinguished sage, our honorable teacher Moshe Norzi of Mantua, may God keep him and watch over him, is extremely angry. . . . How is it possible that your excellencies have allowed your three precious orphaned granddaughters, so unfortunate and grief-stricken, to live alone in a separate home away from yours . . . and be there alone, banished, without the guardianship of “a woman who fears the Lord, she shall be praised” by the law of Moses and Israel (even if they do remain at home in splendid isolation). My heart sorely hurts about this, and I could not spare myself from saying this. . . . Nor is it proper to send to them any young man even from their relatives, even if he is their uncle, in order to urge them to perform their tasks at home or buy and sell anything

⁴⁷ *Letters of Jewish Teachers*, #163, 302, a letter from a young bride’s father to her new husband: “About the bride stepping beyond the threshold of her home. On what King David said, ‘The king’s daughter is all glorious *within*’ [Psalms 45:14], God may know why he said this, for all agree that extremes are always bad and one should keep away from them as far as possible. Beware especially from the worst, and the ultimate, and do not fall into the net of Simon’s sister [Dinah, Jacob’s daughter] and of his Canaanite wife, God forbid. But I swear that the former [closing up the wife] is extremely harmful, since it will make her insensitive and unfriendly to other women her age, kindling cowardice and timidity, and damaging her health and her beauty due to her staying in for many days. So, for my sake, be graceful and allow her to go out from time to time to breathe the fresh air with women her age . . .”

that is necessary for them when careful protection is not available to them (although we do know that, God be praised, they are chaste, and pious, and well spoken of).⁴⁸

The halakhist rebukes an adult man for neglecting to supervise the women of his family (“your granddaughters”). Women can be properly supervised only when the authority of an adult man is evident, and certainly not in a house that is not within his field of vision (“a separate home away from yours”). The writer’s fear does not reflect any suspicion about the girls’ character or their chastity. Young single girls living independently transgress a basic social agreement, a breach the halakhist could not condone. Rumors and the social image (“I heard a rumor”) that might emerge as a result of these circumstances are more important than the “truth” about the girls’ behavior. Female chastity is largely a social construct ensuing from a wave of rumors. A negative image could considerably damage the ability of these orphans to find a marriage partner suitable to their standing. Only the house and adult protection could shield them, after they have lost their natural shield, the father.

Rumors ebb and flow in waves—some can be refuted, while others

⁴⁸ Parentheses in the original. Strasbourg Ms., National and University Library 4086, 24, the responsum is by Abraham Graziano. For other instances of the practice of male custody of women, see London Ms., British Museum 27129 (IMHM # 5804), # 32, 46b: “. . . the custom has now spread, and a woman will only leave her house escorted by three men . . .”; R. Joseph b. Hayyim Jabez, *Collected Works* (Jerusalem: Gitler Brothers, 1990), commentary on Ruth 1:6 (p. 5) and 3:13 (p. 16); Oxford Ms., Roth Collection 704 (IMHM # 15517), summary of Israel Hezekiyah Bassani’s sermons: “‘The king’s daughter is all glorious within’ . . . not out on the street . . . this is a duty incumbent mainly on the husband. If a man’s wife goes astray [Numbers 5:12] it is because he has allowed another man to cast eyes upon her. Rabbi Yose said, ‘when a woman secludes herself inside the house,’ that is, even inside the house [her husband does not let other men cast eyes upon her], as I explained above . . . she is worthy of marrying the High Priest . . . but a stupid chattering woman . . . is not worthy of even a vulgar man.” At times, however, rabbis preferred to entrust custody and control of young daughters to women. See Budapest Ms., Kaufmann Collection 149 (IMHM # Fotostat 8), 531–534, a query as to whether a daughter should remain in her mother’s or her brother’s custody. The respondent Moses Novera rules in favor of her mother: “the main goal of education is the virtue of modesty fostered by her mother, since there is no better virtue than modesty, as the rabbis taught [see TB Sukkah 49b] on the verse [Deuteronomy 23:15] ‘let your camp be holy.’” He then mentions a responsum by R. Meir of Padua on the same issue; R. Moses Provinzallo, *Responsa*, #84, 140, on a query about a daughter, who is entitled to inherit the family property and whether she should remain in the house of her mother’s or her father’s kin. Provinzallo stresses that she should not be left with single adult male relatives without her father.

are more stubborn. But this is not so concerning an irreparable loss—the loss of virginity before marriage, whether willingly or through rape. Virginity is the distinctive physical sign of the woman's compliance with the demands of chastity and shame incumbent on her, and of the family's ability (or failure) to protect young women and preserve their honor before marriage.⁴⁹ Virginity was a precious "symbolic property," which the woman preserved for the man she was about to marry, a sign of a male monopoly of female sexuality and fertility, added to the assets the woman brought with her to the marriage.⁵⁰ Fear of the harsh consequences ensuing from the loss of virginity is common to both Jewish and Christian society in Italy. Hence the meticulous care, or perhaps obsession, with which Italian Jewish communities documented the loss of virginity among young girls due to accidents or falls [*mukat ets*, literally "hit by a tree" in rabbinic language]. The rich and detailed documentation of daily life in the Roman community reveals, over brief periods, a considerable rise in the number of accidents entailing a loss, or a suspicion of loss of virginity.⁵¹ Was this indeed a random leap in the rate of domestic

⁴⁹ On the close link between a woman's honor before marriage and her virginity, see Parma Ms., De Rossi Collection 2534 (29) (IMHM # 13498), 270a, the commentary of Mordecai Dato on *haftarot*, *Shemen ha-Mishhah*, on *be-Shalah* [Exodus: 13–17]: "Why did Yael kill Sisera [see Judges 4]. She should have turned him over to Barak alive, and the people of Israel would have punished him and enhanced their glory. The story tells us that she wanted revenge, for he had defiled her against her will, and she did not cry out for there was none to save her and make him run away even if she had" [Deuteronomy 22]; Cambridge Ms., University Library 636, 35a: "The verse describes her honor and her chastity, and how despite all her wanderings hither and thither to guard the vineyards, she nevertheless preserved her honor and kept herself as a sealed garden . . . and allowed no one to enter except him"; Strasbourg Ms., National and University Library 4085 (IMHM # 3960), 84–85, on a case from Modena 1661, where a young man is forced to betroth a woman after taking her virginity. On this case, see p. 344 above (ch. 6, n. 86).

⁵⁰ On sexual relationships in contemporary Italian lower classes and on the attitude of the Church, see Givanna da Molin, "Family Forms and Domestic Service in Southern Italy from the Seventeenth to Nineteenth Centuries," *Journal of Family History* 15 (1990): 503–527; Cavallo and Cerutti, "Female Honor and the Social Control of Reproduction"; Lucia Ferrante, "Honor Regained: Women in the Casa del Soccorso di San Paolo in Sixteenth Century Bologna," in Muir and Ruggiero, eds., *Sex and Gender in Historical Perspective*, 46–72; Susan Dwyer-Amussen, "Feminin/Masculin: le genre dans l'Angleterre de l'époque moderne," *AESC* 40 (1985): 269–287.

⁵¹ Stow, *The Jews in Rome*, vol. 1, #414, 428, 696, 942, 954, 971; Kenneth Stow, *The Jews in Rome*, vol. 2 (Leiden: E. J. Brill, 1997), #1039, 1149, 1227, 1252, 1349, 1419, 1441, 1504, 1522, 1736, 1947, 1987. I discuss the issue of "wood-stricken"

accidents, or could these be waves of family hysteria affecting many families with daughters on the brink of matchmaking?

Hearsay, Rumors, and Kiddushin

Two ritual procedures lead toward *kiddushin*. The first is actually performed according to Jewish law and the accepted tradition of the man delivering an object to the woman for *kiddushin* purposes, accompanied by the appropriate verbal formula. A second procedure, which could be described in modern terms as “virtual *kiddushin*,” was performed mainly in the public consciousness. It was accompanied by hearsay, innuendo, rumors from sources unknown to community members, half-truths, and quasi-knowledge of events that may never have happened. At times, the rumors originated in a “true” event; at other times, the second type of *kiddushin* exists only in the public consciousness. Even so, a “virtual *kiddushin*” does have legal meaning and validity. The situation it creates, known in Jewish law as “doubtful *kiddushin*,” excludes the woman from the circle of marriage candidates and removes any other potential partners. Release from it requires all parties, and particularly the woman, to go through a full and entirely real divorce procedure. In the *kiddushin* accounts described below, rumors and hearsay propel the narrative development and explain the motivations of the participants or protagonists of the story.

The use of such terms as “narrative” or “protagonists” is not accidental. It follows from the literary character of these documents. Family life, and particularly its problematic aspects, was a frequent topic in Italian literature at the end of the Renaissance. Plays, novels, and folktales integrated patently realistic elements dealing with the encounter between men and women.⁵² Jewish sources present legal cases but, no less, they “tell” a tale in a level of detail that was not prevalent in Hebrew legal documents from the Middle Ages. Writers stamped these documents with narrative and literary fea-

[*mukat ets*] in “Impotence and the Preservation of the Family in Jewish-Italian Communities during the Early Modern Period” (in Hebrew), in Bartal and Gafni, eds., *Sexuality and the Family in History*, 170–171.

⁵² Lauro Martines, “Séduction, espace familial et autorité dans la renaissance italienne,” *Annales HSS* 53 (1998): 255–290, and references.

tures. Some of these cases were published in “real time,” to enlist public sympathy and support during a legal confrontation. The publishing party obviously saw to it that the story was presented in a manner compatible with its own interests. The narrative character of the documents exposes family life in Italy in ways not found in the adapted versions of stories mentioned in *responsa* literature.⁵³ The advantage of these sources is that the facts emerging in the course of the story are woven without unraveling the parties’ legal, social, and emotional manipulations. As in other instances of “social rhetoric,”⁵⁴ the ‘real’ facts are only a partial and not always significant element in the parties’ attempt to persuade the community.

Documents from the sixteenth and seventeenth centuries report marriage conflicts involving dozens of people, important rabbis of the period, the wealthy and leading families of the communities, as well as people from lower social classes and rabbis of lesser standing. Like every legal document presenting conflicts, these documents bring conflicting versions, and even attempt to “direct” the truth in favor of the parties. The following analysis of these documents focuses on the social rhetoric used in them to persuade the reader or the court of that party’s version, on the use of rumors, and on the honor considerations guiding the participants.

(1) The “Quarrels at the Gates” Affair. The manuscript describing this affair was published by Boksenboim.⁵⁵ No conflict in the entire history of the Jewish family in the Middle Ages, not only in Italy, seems to have been so painstakingly documented. The entire affair lasted about five years (1534–1538) and was described in detail, beginning with the *tenaim* writ and ending with reconciliation and a settlement [*compromeso*] between the parties. The most important Italian rabbis during the second quarter of the sixteenth century were involved in the issue of the *doronot*⁵⁶ received by the widow who was a party to the match. Words were sometimes far from pertinent,

⁵³ Washofsky, “*Responsa* and Rhetoric,” 360–409.

⁵⁴ I use the term “social rhetoric” in the sense noted in ch. 2 concerning the rhetoric of matchmaking.

⁵⁵ See “Quarrels at the Gates.” In 33–37, Boksenboim traces the course of this long dispute.

⁵⁶ Gifts exchanged between the bride and groom, mainly prior to the betrothal. See a detailed discussion in ch. 5 below.

and spilled into personal controversies and insults that the parties hurled at each other, while the halakhists that the parties had recruited in their favor followed their example. The story begins at a usual juncture in the Italian matchmaking ritual—the exchange of gifts—that was later interpreted in two different ways, according to the parties' contrary interests.

Three respected men, including a rabbi, came to Rosa's house as envoys of Isaac Danuti, the man with whom a match had been arranged for her, to deliver presents and try to perform a *kiddushin* ceremony, if she were to consent. Even before their arrival, Rosa had firmly decided she did not wish to marry and, therefore, she refused to accept the gifts. Widowhood left a woman greater freedom to determine her personal destiny. Rosa was afraid that accepting gifts could be interpreted as agreement to the *kiddushin*, and to the spreading of rumors claiming that the *kiddushin* had already taken place on this occasion (as indeed happened later). The groom's delegation, which came to the widow's mother, reached a compromise:

The mentioned sage [the rabbi heading the delegation] was very insistent in his attempt to persuade her, but Rosa would not hear of taking a man such as Isaac Danuti as her husband. These men had brought with them gold jewelry and gifts from our honored Isaac Danuti to give to her, and although they tried to convince her to take them, she adamantly refused this request as well. Rosa remained stubborn and kept saying no. After the great sage, the mentioned rabbi, as well as the people who were with him, saw that she was heartless and they would be unsuccessful, they lodged the presents they had brought with them with her mother, Mrs. Brunita, who also said: "You must understand I will not hold on to them except in trust for the honorable Isaac Danuti, and they are not to be for Rosa, under any circumstances."⁵⁷

As the story proceeded, Rosa was revealed as a strong woman, able to express herself forcefully and without fear of the men around her. At that moment, however, she conceded, foundered, and tied herself to long years of exhausting battles. Why did she stumble into the situation she had so feared? In the situation that put Rosa to the test, she was about to receive some of the wedding presents in public. As I explain in Chapter Five below, the refusal to receive the presents was interpreted as a deliberate affront to the donor,

⁵⁷ "Quarrels at the Gates," 260.

humiliating him before all those witnessing the event. This is also the version of the delegation members.⁵⁸ The delegates relied on this convention rather cynically, presenting the gifts as affectionate presents with no *kiddushin* implications. Thus, three distinguished men found themselves negotiating with the candidate's mother on the delivery of presents from the groom, in an event attentively followed by all the courtyard's neighbors. In a confrontation between a distinguished delegation of men and two lone women (Rosa and her mother), it may seem redundant to ask who will win. Rosa, even if her widowed status granted her a significant social edge over younger women, was not used to confront other men and was therefore forced to concede her advantage.

The "Quarrels at the Gates" affair involved a deceitful *kiddushin* ritual, which was not initiated by youngsters but by a group of householders and rabbis willing to help them.⁵⁹ Having failed at its main task of arranging the *kiddushin* with Rosa, the delegation tried to tie her by delivering the presents to her mother. They would certainly have succeeded, or the quarrel between the parties would have continued much longer, were it not for the contrary social ethos favoring the widow: consensus as the basis for marriage.⁶⁰ Once the widow managed to enlist prominent rabbis such as R. Azriel Dienna in her favor, she reiterated through their mediation the claim she had maintained throughout. After the match had been arranged, she understood that her brother had deceived her: the groom was a cripple, she did not want him, she expressed this view publicly, and she could not be betrothed against her will. Due to this stance, even the gold jewelry entrusted to her mother changed its legal status, from an asset accepted for *kiddushin* purposes to the deposit of a "gift" entailing no suspicion of *kiddushin*.

⁵⁸ *Ibid.*, 254: "The said Salomon Hacoen replied and testified that, on his visit to the said distinguished rabbi [who had headed the gifts' delegation] when the rabbi had been ill with the disease that led to his death a day later, he found him furious. The rabbi said he had wanted to dictate to his son an excommunication and ban writ on the woman, the said Rosa, for she had dishonored God's word and broken her vows, had made void the words that had proceeded out of her lips [Numbers 30:13], and had affronted his honor and the honor of the people who had come with him."

⁵⁹ On Abramo Scazzocchio—lawyer, arbitrator, inciter, and rabbi—see Stow, *The Jews in Rome*, vol. 1, lviii–lxiv. In de Sommi, *A Comedy of Betrothal*, Master Greedy is a fictional character based on actual rabbis who would take sides in disputes.

⁶⁰ See ch. 3 above.

The story would have unfolded as did many other cases of “suspected gifts” discussed in contemporary legal literature in Italy, were it not for a casual event working against the woman. The rabbi involved in the sending of the gifts, who had headed the delegation, died soon after. No unquestioned evidence of this event remained, and rumors spread instead. The agreement to accept the objects in trust was replaced by rumors that these objects had been gifts, suggesting that a lawful act of *kiddushin* had been performed. The same social mechanism of the “honor ethos,” compelling the woman to agree to a compromise formulated by men to take the gifts in trust, made the rumors appear valid to the community.

(2) A case of doubtful *kiddushin* (1583):⁶¹ A court interrogation was intended to decide whether a girl requires a divorce or is free to marry in a case of doubtful *kiddushin*. The amount of detail in this manuscript is unusual for contemporary legal documents. The interrogation has remained in dialogue form and includes the questions of the judges and the answers of all the various witnesses: the girl, the young man, and the two witnesses at the *kiddushin*. Such detail is not typical of Jewish contemporary legal documents outside Italy,⁶² or of responsa literature, which usually cites brief summaries of the events. The recording of legal protocols in dialogue form, including a confrontation between the parties, was common in Gentile legal settings such as Inquisition documents and urban courts. Dialogue had also secured a role in Italy as a literary form enabling representation to various points of view and to a variety of contending voices.⁶³ In this genre, heretical or semi-heretical viewpoints can be represented, even if only in order to be rejected, in a classic subversive ploy.

The contradictory testimonies are not a *Rashomon* story, with each party delivering its account separately. The protagonists gave their version, but also tried to influence others to give an account compatible with theirs. Every testimony reveals a partial version, at times that of an interested party seeking to provide only those details he found convenient. The combination of all versions enables us to

⁶¹ New York Ms., JTS 1356, # 122, 187b–193b.

⁶² For an example of a detailed court inquiry that includes the testimonies of the various parties, see Elijah b. Abraham Mizrahi, *Responsa* (Jerusalem: Darom, 1938), #24. Even this responsum does not come close to the level of detail in Italian sources.

⁶³ Peter Burke, “The Renaissance Dialogue,” *Renaissance Studies* 3 (1989): 1–12.

understand the complex story, including the parties' contradictions and different perceptions, as well as the deep impact of hearsay in the realm of *kiddushin*.

This case can be described through what I will call the "small circle," the "large circle," and the "mediating circle." The "*small circle*" is a series of events taking place between a man and a woman in the presence of witnesses. This circle was planned and staged according to a pre-set script, where all details fit each other and create a clear narrative sequence. The sequence will later have a clear legal meaning, serving the interests of one party, the groom. The "*large circle*" is the story as delivered to the target audience, the local community, after considerable manipulations. This version is designed to coerce the girl to marry. Only selective details from the original story passed on to this circle, details able to leave in the reader's imagination the impression sought by the storyteller. The "*mediating circle*" stands in between. Testifying in court is one of its accepted means, though not the only or even the most important one and social pressure, as conveyed through hearsay and rumors, was much more significant.

The plot unfolds during the visit of a young man at the house of a female relative of matchmaking age. As could be expected in these circumstances, the visitor and the girl were not alone: the girl received him in the company of two adult female relatives. Families with single girls of matchmaking age living at home discouraged visits by young men to preclude temptation to both sides. In this case, the young man entered the house easily because he was the girl's relative. In all his previous visits, he had usually gone up first to the top floor of the house, where the girl's mother could be found. This time, he refrained from doing so and, instead, asked the girl to come down to him together with her two relatives:

The three of them came down and stood at the bottom of the stairs, and she was between them and slightly behind them [the relatives], because she was usually shy when Abraham Rubio came to visit, and she never saw anyone else. He told her: "I was happy to hear that you became a bride [after a match was agreed], and you did not want me and left me." He also said: "Your grandmother was very angry because you said nothing to her about the marriage, and after you did not send her *confetti* she sends you these *marzipino* [marzipan]." The girl did not want to accept the gift, but he insisted saying that her grandmother wanted her to have it. While holding the *fazzoletto* [the cloth wrapping the marzipan] in her hands, she was so shy and distressed

that she could not remember later whether she had opened it. She appeared to think that her aunt had taken the *fazzoletto* and given it to her. When she opened it, she saw the *marzipino* and wanted to return the *fazzoletto* to him, but when she gave it to him he did not want to take it and said: "You keep it, your grandmother wants you to have it." Therefore, she kept it to return it with *confetti* to her grandmother. Meanwhile, two beggars came asking for alms and she told them to go upstairs or call Dinah [the maid] to bring alms. He said: "I will give" [alms to the beggars] and turned away.⁶⁴

The two beggars requesting alms had entered the house at a delicate moment: a young man is giving something to a girl who is not betrothed. Was this a mere coincidence? Later, it transpired that these two men, who entered a *strange house* under the pretext of collecting alms, had been invited by the young man, Abraham Rubio, to witness the *kiddushin*. When they entered, Abraham quickly mumbled the *kiddushin* formula. No one present heard or understood clearly what had happened: neither the bride, nor her relatives, nor the *kiddushin* witnesses.⁶⁵ The bride's relatives even held they had not yet met their charity obligations toward the beggars. Finally, Abraham himself gave them alms. Why? After receiving their due, the "beggars" left and Abraham left right after them.

Here too, as in the previous case, a relative exploited the obligation of household members (women in particular) to host other family members (in this case men), to create a situation forcing the girl to accept gifts from him. The girl understood that she must be cautious and accepted the gift through other women in the house. The young man adopted a double deception: (1) He staged a situation convenient to him, leaving the girl no retreat route. (2) The meaning of the event and its gravity was not obvious to the participants. None of the participants in the event, except for the man who had "staged" it, understood what had happened until it was actually revealed. The girl felt she had received gifts from her "grandmother" for the match that had been arranged for her; the relatives never

⁶⁴ New York Ms., JTS 1356, 193b.

⁶⁵ *Ibid.*, 193a: "And when he said, 'thou art betrothed to me,' he did not say with what [object] he was betrothing her. He only looked at the witnesses and said 'thou art betrothed to me,' as noted. And the women were then suggesting to each other that these men were asking for charity, and Abraham gave them each a *ceccchino* [a coin]. Then all three of them left." Abraham took advantage of the absence of the girl's mother, for the mother would have been more careful about the girl than the relatives.

heard the *kiddushin* formula; the witnesses believed the boy and the girl had made an honest agreement beforehand to perform the *kiddushin* and “no *intrigo* [deceit] was involved.” One of the witnesses never saw the delivery of the gifts because he had remained outside and had not understood the young man’s words to the girl. The young man and the two “beggars” left the house and turned to document the event, according to the youth’s version. So far the “first circle.” At the stage of the “mediating circle,” Abraham Rubio urged the *kiddushin* witnesses to accompany him to a Christian notary and give evidence. On this occasion, however, he gave his account of the story and they tacitly acquiesced. No other active evidence existed except for his testimony, or its non-denial. At the stage of the “large circle,” the young man was able to parade a signed and valid evidence writ, reporting on a lawful act of full *kiddushin* performed at the bride’s house in the presence of two adult female relatives. Under these circumstances, the girl could obviously not marry another man (“I was happy to hear that you became a bride, and you did not want me and left me”), unless she received a divorce writ from Abraham Rubio, the relative who had betrothed her and staged the entire event.⁶⁶

(3) *Kiddushin* through the balcony: In many details, these cases resemble the staged event mentioned in the previous section, although with a much more prominent erotic element. Here too, men knew how to use the social mechanism of rumors, disseminating information from the “small circle” to the “large circle” as it served their purposes, to raise doubts or suspicions that a *kiddushin* ritual had been performed. This suspicion sufficed to compel the girl and her family to bow to the young man’s dictates, or to open a full divorce procedure:

⁶⁶ An additional case is from Fossano, 1682, where another complex swindle was devised. See Moscow Ms., Ginzburg Collection 286 (IMHM # 47605), 29a–72b: a youth comes to visit a young girl and takes advantage of the momentary absence of her aunt, who had gone to fetch wine for the visitors, to give her a *scatolio* for her to keep for him. This story also shows that the young man had made inquiries and found that the girl’s mother would be away from the house at the time, and he came to deliver the object in the presence of witnesses and murmured some Italian words. The transition from the “small circle” to the “large circle” was created in this case by forging documents, bribing witnesses, and through pressure exerted by the man’s family and the Christian notary. On another case (Vercelli, 1637) presented through the witnesses’ interrogation in court, see Freiman, *Betrothal and Marriage after the Talmudic Period*, 143–149.

Question: This is what happened. For some time now, a rumor has spread that Abraham betrothed Sarah and the witnesses were Isaac and Jacob, and that Abraham took the witnesses to a Christian public notary. The notary asked the witnesses and they testified that, on May 17, 1594, when they happened to pass under Sarah's window, they saw her standing by the window talking to Abraham. Abraham threw a scarf into the window and said: "Behold, I am giving you this for the purpose of *kiddushin*." Sarah took the scarf into her hand and left. The notary recorded the testimony in Christian [Italian]. Yet, this deed and this testimony were not taken down by the ruler and judge of the city, only by the said notary. In response to Abraham's request, the notary interrogated the witnesses and recorded everything, but neither he nor the witnesses signed this testimony, and he only wrote that the testimony was valid. We cannot know from it who was the investigator and the interrogator, only that this testimony is in the notary's possession, and that he delivered it to the Jewish judges elected to adjudicate this case after they asked for it.⁶⁷

The story in its elaborate, "large circle" version, is mentioned in the "Christian writ" recorded by a Gentile town notary and delivered to the Jewish arbitrators discussing a case of doubtful *kiddushin*. This writ was set down on paper following the interrogation of witnesses who said that Sarah, a single girl, had received through the window an object from Abraham for the purpose of *kiddushin*. The end of the "large circle" story is well documented, and attests that a full *kiddushin* ceremony was performed in the presence of two fit witnesses, as certified in the "Christian writ" in the possession of the town notary, and later in the Jewish court.

A more comprehensive investigation, conducted by the Jewish court, questioned the account reported in the groom's elaborate version. In the "small circle" version, the plot had included several layers. Here too, the groom was the only one familiar with all aspects

⁶⁷ Moscow Ms., Ginzburg Collection 251 (IMHM # 45716), 3a–b, responsum of Hayyim Finzi Finzino. On other cases of betrothal through the window, see Strasbourg Ms., National and University Library 4086, 273–274; New York Ms., JTS 1356, #125, 193b–207a, a case from Modena 1579, a young man spread rumors claiming he had betrothed a girl through the window with a golden ring, although he had known about the community ruling forbidding betrothals unless in the presence of at least ten men, and even collected evidence of this act; Ferrara Ms., Community Library 24, no pagination, the story of Shlomit b. Divri, promising her betrothal secretly through the window without her parents' knowledge; R. Meir [Maharam] of Padua, *Responsa*, #32, 67a–68a, a case from Crete; *Letters of Jews in Italy*, #162, 215–216, a letter from 1549.

of the story and, very cunningly, had created a situation whereby each of the parties had known only part of it, and had interpreted it erroneously to serve the groom's needs. What emerged is that the young man had not given the girl an object for the purpose of *kiddushin*. Instead, he had returned a scarf of hers that had remained in his possession, and had chosen to do so in circumstances convenient to him, namely, when he was in eye contact with the girl at the window and with two *kiddushin* witnesses standing beside him. From where they had been standing, the witnesses could not see whether the girl or her maid had taken the object. Nor could they have heard the conversation between the young man and the girl, and they assumed that a *kiddushin* formula had been involved. The girl's testimony tells a different story:

Sitting as a court of three judges, we went to Sarah's house to investigate and listen to her version of this matter, and she said that this was the truth: she had been standing by the window, but when she saw that Abraham had thrown the scarf at her, she moved away from the window and entered the house. Meanwhile, Abraham threw the scarf up, which entered through the window, but she did not pick it up because she feared a marriage act and sent her maid, who took it to see what it was. *When seeing the scarf, she recognized it as hers and knew Abraham had once taken it because, as a relative and as the brother-in-law of her brother, may God keep him and watch over him, he had been a frequent guest at the house and had taken it from her. She never saw witnesses or anyone else, nor did she hear anything that Abraham may have said about kiddushin when throwing the scarf, and he had never spoken to her before about a match between them. Abraham asked her why the servant of her future groom had come from Modena, and whether he had come to discuss marriage with her, and she said she knew nothing about it. Meanwhile, he threw the scarf up, as noted. We also asked Esther, her maid, whether she had seen anything. Esther answered she had seen nothing except for the scarf on the floor under the window, which she picked up because Sarah told her, since she herself feared to do so. When seeing the scarf, Esther noticed it had once been Sarah's. All these things we heard, and wrote down, and signed . . .*

What "really" happened? Did the young man slyly create a situation that appeared to a sideline observer as a full *kiddushin* ritual (delivering an object and pronouncing the *kiddushin* formula)? Did he cheat the girl by returning to her an object that was actually hers, betraying her trust in him as a relative? Or had the girl agreed, in a moment of weakness, to become his betrothed and then, after understanding the meaning of this act, she retreated and invented a

cover up story? Does her coming to the balcony imply she has partially agreed to the young man's advances, or was she simply clinging to a past sweetheart? Here too, the girl's impending *kiddushin* push the young man to hasty action. Does the fact that both are named after a biblical couple—Abraham and Sarah—show that the writer of this document holds they had been involved in a romantic relationship? The historian need not decide. Let me note that, in this case, the court fully accepted the girl's version and exempted her from a situation of doubtful *kiddushin* without a divorce.

These *kiddushin* cases would not have occurred were it not for a rich reality of courtship encounters between young men and women. Meetings between young people were usually chaperoned by adults and by the families, but young men often courted marriage candidates without the presence of a supervising, constraining adult. Their emotional, intimate closeness, and their playful atmosphere, were an attractive feature of these encounters. Most of them ended without any family or halakhic complications, precisely because of the limitations the participants imposed on themselves, or because other young men took care of supervising their peers and ensured compliance with the "rules of the game," preventing the exploitation of these brief encounters to impose *kiddushin* on young women. The minority of men seeking long-term advantages from the courtship moments turned to sophisticated deceptions. To impose their will, they created a situation resembling *kiddushin* (delivering an object, making a verbal declaration, summoning witnesses). After matters had gone beyond the close circle of the youngsters and spread through rumors and hearsay, the story assumed substance in the eyes of the community, creating a new legal situation—"doubtful *kiddushin*."

In all the cases documented in Italy during this period, "bride chasers" resorted to complex schemes, creating and "staging" a well-coordinated plot. Outside Italy, these deceptions among youngsters seem to have been less common. Instead, we find attempts to force young girls into marriage through physical violence, or through false witnesses.⁶⁸ Incidents of deception and doubtful *kiddushin* prevail

⁶⁸ See, for instance, R. Moses b. Lev [Maharival], *Responsa* (Bnei-Brak: n.p., 1988), part 1, #20, 81: "Reuven came to court and brought witnesses to testify he had betrothed Simon's daughter on a certain day, and their testimony was accepted in court. The girl and her brothers deny this and claim he is lying. He had desired her and they had not agreed to give her away to him [as a wife], so he hired false

between the parents of the groom and the bride, not among the youngsters.

The Wedding Day

On the wedding day, the celebrating families hoped to impress guests and spectators through a display of wealth, abundance, and the ability to “waste” considerable sums of money in a brief period of time. The wedding meal, the bride’s entry procession, speeches, and wedding songs and riddles made for a theatrical occasion, unusual and rare in community life. Wedding presents were placed on a table for everyone to assess. One of the event’s pinnacles, the couple’s first sexual encounter, tested the honor of both groom and bride: the groom was required to prove his virility, and the woman, through a stained sheet, was expected to prove she had been a virgin at her wedding. Evidence appears in a case wherein the parties’ expectations failed to materialize:

Most certainly, everyone knows so-and-so, who is from a priestly family, and also the groom Nethanel, his son, and they surely know that *his honor is more important to him than all the money in the world. He takes unique pride in himself, in his honor, and in his duty, and he would not defile himself with a woman unworthy of him, of his honor, and of his priestly ancestry.* Although her dowry is fair, thousands of gold and silver pieces are not enough to force an *honored man* like him to say that, *because of the sizable sum*, he married a woman for money.⁶⁹

witnesses. Some time later, the witnesses were utterly refuted”; *ibid.*, 18, 21, 23; *ibid.*, part 2, #8, *ibid.*, part 3, #100; R. Moses b. Joseph di Trani [ha-Mabit], *Responsa*, ed. Meir Benayahu (Jerusalem: Yad Ha-Rav Nissim, 1990), part 1, #299, 149c; R. Moses Alsheikh, *Responsa*, ed. Yom-Tov Forges (Bnei-Brak: Ha-Mesorah, 1982), #40, 104; Elijah b. Abraham Mizrahi, *Responsa*, #24, 26; Joseph Caro, *Responsa Beit Yosef* (Jerusalem: Tiferet Ha-Torah, 1960), *Dinei Kidushin* [betrothal rulings], #2; Benjamin b. Mattathias of Arta, *Responsa Binyamin Ze’ev*, ed. Meir Benayahu (Jerusalem: Yad Ha-Rav Nissim, 1989), #32, 35, 111. Exceptional in this context is the case in Moses b. Joseph of Trani, *Responsa*, part 1, #227, 106d, about a youth taking advantage of the carnivalesque atmosphere of Purim to perform a secret betrothal. See also Yoshiyahu Pinto, *Responsa Nivhar Mi-Kessef* (Damascus: A. Ch. Sasson, 1869), *Even ha-Ezer*, #26, 31, 32.

⁶⁹ My emphasis. London Ms., Jews’ College 94 (IMHM # 4609), 47a–54b, “A speech by the most distinguished Rabbi Abraham Provinzallo, Monferrato 1546.” Women attested to the girl’s honor: “And we examined them [the women who had checked the bride on her wedding night], and all unanimously replied it is true, and testified to the honor of the aforementioned bride, namely, may all daughters of Israel be as honorable when they come to marry.”

A man's claim that he found his wife had not been a virgin on the wedding night is dismissed on several counts, among them the claim that, had it been so, male honor does not allow him to go on living with her after the wedding, despite the allurements of her substantial dowry. Even after the wedding day, the new couple needs the community's confirmation of their status. The next ritual stage—the groom's prayer at the synagogue on the first Sabbath after the wedding and the week of "seven blessings"—conveyed the couple's integration into the life of the community.

The most important ritual object on the wedding day is the illuminated *ketubbah*. Illuminations became very elaborate by the end of the sixteenth century, requiring considerable financial investment. The custom of reading the *ketubbah* aloud under the wedding canopy also dates from this period. Beside the other luxury objects, the *ketubbah* writ attests to the families' economic status, to family solidarity (use of family symbols), and to their network of social contacts.

Summary: Honor as an Essential Element of the Wedding Ritual

Were a Christian man to move to a Jewish ghetto during the early modern period, he could have stumbled into difficulties in several areas denoting differences in the daily lifestyle of believers in the two religions. *Kosher* food separated the Jewish from the Christian kitchen, the city's Jews spoke more often in a local Jewish dialect than in the local Italian vernacular, and the yearly calendar and the liturgical schedule stressed different points in time. On one basic issue, however, crucial to his identity as an adult male and head of a family, he probably would not have found differences: the sensitivity to honor. Sensitivity to the honor of the family and of the *paterfamilias* cuts across the religious border. A series of bodily gestures, sign language, and verbal expressions conveyed the honor of men meeting in the public arena—the street, the piazza, the synagogue, the fraternity. Outside the public circle was the protected, closed, secret family space. For the men, it was clearly identified with the female world, with fertility, birth, the family dynasty, and the continuity that is to be protected at all costs. Female sexuality was a blessing, but also awakened fears that the women of the household could affront the honor of the men. Women whose behavior breached social expectations concerning sexual chastity, brought shame [*vergogna*] upon the

house. Reactions could be harsh, up to the murder of the deviant woman.⁷⁰

Honor was not an issue limited to individuals and families. Larger settings—cities, urban neighborhoods, guilds—protected their honor. God was also described as a male figure whose honor could be offended. Members of the Jewish community saw themselves as a group possessing a shared honor.⁷¹ Hence the certainty in the right of community members to become involved in “private” family matters. Every person in this society is exposed to the aggressive judgment of the surroundings and to harsh sanctions if disdainful of its unwritten norms. Censure could take the form of a slanderous poster [*pasquinata*] hung by adversaries at the synagogue,⁷² or of a printed book documenting a quarrel (obviously from the viewpoint of the publishing party). Like Italian cities, Jewish society also provides social guidelines on the conduct of a quarrel, or on how to finish it without offending the parties’ honor. Nor is revenge [*vendetta*] alien to this culture, which accepts that one pays for grievances, in cash or in human life.⁷³ Violence and revenge were the last means for putting pressure on community members. “Singling out” a target for group pressure began with the spread of hearsay. Rumor’s power stems mainly from its anonymity, and someone facing a wave of rumors

⁷⁰ Moscow Ms., Ginzburg Collection 129, 57a–63b: “On an unusual case that happened to the son of Ishmael who killed his sister because she had behaved licentiously while still at her father’s house. This happened in Ferrara, in 1578.”

⁷¹ See for instance Colon, *Responsa*, #188, 223–224, rebuking members of a community who prevented an elderly man from reading the Torah in the synagogue because of a suspicion that a woman had been made pregnant by him, and “*were it not for the respect I bear for this distinguished congregation, I would expand on this matter in way that would not enhance your praise, for you have failed to heed the Rabbis in your district, all of whom ruled in favor of Aaron, this elderly man, and insisted upon his honor . . .*”

⁷² “Quarrels at the Gates,” 30–41, defamation posters were displayed in synagogues during conflicts between families. When the conflict ended, the rabbis ordered that all the posters be burnt. *Ibid.*, 290–291, a poster is placed on the walls of an Ancona synagogue slandering a woman, and R. Azriel Dienna asks that his response be hung next to it. *Ibid.*, 292–294, the text of the posters; *Letters of Jewish Teachers*, #113, 217–218. On the use of defamation posters in Italian cities, see Ortalli, *La peinture infamante du xii au xvi siècle*; Edgerton, *Pictures and Punishment*.

⁷³ New York Ms., JTS 1072, ENA 1040 Acc. 02498 (IMHM # 43186), 24a–27b, a collection of writs, among them an “authorization concerning the souls of blood avengers” [see Numbers 35:21–24], “the removal of the blood avenger and compensation payments.” Sources dealing with *vendetta* in the Jewish communities of Rome, Milan, Umbria, Piedmont, and Sicily appear in the series on Jews in various regions of Italy edited by Simonsohn.

harming him and his family often found it hard to stop it or dismiss it. Attempts to struggle against the accusations often evoked additional waves of rumors, helping to spread them even further. The social construct may be stronger than the facts known to community members.

In the course of the marriage ritual, families required assistance from broad social circles, and mainly public legitimacy. Various stages of the ritual were performed with deliberate publicity, to expose them to many observers and obtain their tacit agreement. The greater the numbers involved in the ritual, as observers or active participants, the smaller the parties' ability to withdraw from the agreement. The need for public legitimation, beside the fear of derisive reactions, hearsay, and rumors, is already evident at the matchmaking stage that opens the marriage ritual. To prevent the refusal of a match affronting someone's honor, families conducted negotiations at preliminary stages through mediators or brokers [*mezzani*]. The status of the mediators at the family's disposal was an important indication of its prestige and social ranking. Through their very involvement in the matchmaking process, they guaranteed that the parties would meet their pledge. The gradual alliance between the parties was accompanied by a series of external signs that increased their commitment, mainly through a symbolic exchange of assets. The assets conveyed the family's honor and status in the community, particularly through the size of the promised dowry. The dowry was at the center of many family quarrels, not only because of the substantial sums to be handed over, or because of the absence of due procedures for transferring them. In the background was the suspicion that failure to comply with the agreement would expose the yielding party's weaknesses, shaming him before the community's adult males.

The intermediate period between the signing of the *tenaim* and their implementation through the marriage could last several months and sometimes several years. During this period, heads of families or other men responsible for the women of the household intensified their supervision of young girls, particularly those for whom matches had already been arranged. Their power was limited, given the youthful practice of courting girls in the course of personal encounters, sending gifts and love letters or initiating erotic intimacy without the parents' knowledge. The family's apprehensions focused on an irreversible act: the girl's loss of virginity before the marriage and the

man's refusal to marry her. In this situation, the woman and her family faced deep shame [*vergogna*] before the entire community.

Honor considerations are particularly prominent during the *kiddushin* stage. The parties' sensitivity derived from the stringent limits set by halakhic tradition concerning cases of "doubtful *kiddushin*." I called them "virtual *kiddushin*" because they were created mainly in the public consciousness, through a shared construct of community members in the wake of rumors, quasi-information, and partial testimonies. In the eyes of the community and of halakhic sages, these apparent *kiddushin* were legally valid. Concerning most of the doubtful *kiddushin* documented during the sixteenth and seventeenth centuries, halakhists ruled they could only be annulled through a full divorce procedure. Householders, adults, rabbis who assisted them, and youngsters, all used the power of rumors to stage situations of doubtful *kiddushin*. Against the pressure and the threats posed by spreading rumors, families placed their status, their prestige, and their social contacts (with halakhic figures as well) to dispel them.

In cases of normative *kiddushin* too, families could choose between a public event with many witnesses, or a secret one within the limited family circle. Ordinances issued by R. Judah Minz and others that followed him, stated that the *kiddushin* ritual must take place in the presence of ten fit witnesses, including two relatives. The tension between the local practice of first betrothing within the family circle in absolute secrecy, and the trend toward publicity, was resolved by repeating the *kiddushin* ceremony. The *kiddushin* process is an additional arena where a community decision is crucial to the individual's personal status. Whereas halakhic tradition described in detail the available ritual options for performing the *kiddushin*, popular perception offered an additional source of authority and legitimation: the community. In other words, a couple is betrothed if the community confirms this. Hearsay, social recognition, and public knowledge turned a man and a woman into a married couple no less than the placing of the ring and the *kiddushin* declaration "by the law of Moses and Israel." In the tight ghetto where no family could function except through daily and mutual involvement in the lives of others, the marriage ritual becomes a preparatory stage in a process socializing them toward life in a human and ecological environment that is both dense and intensive.

This popular perception of the *kiddushin* act and of family life is close to the Christian popular perception in the pre-tridentine period,

which stressed the parties' consensus as the basis for establishing a family, and lessened the importance of the religious ritual taking place in the space of the church and in the presence of a priest. Publishing the mutual desire for marriage or cohabitation was accepted in Christian Italian society no less than the official ritual at the church. Marriage was a private matter, and the state's or the Church's intervention were not prominent.

The link between sexuality and the honor of the family and of the men was an important focus at the wedding. The bride's family demonstrated its ability to protect the women of the household, ensure their chastity, and deliver a virgin bride to the groom. The man was required to demonstrate virility and potency during the first sexual act. A series of events (speeches, wedding riddles, a meal, presents on the table, reading the illuminated *ketubbah*) displayed the status and wealth of the celebrating families, and particularly their ability to be generous and thrifless.

Rumors, hearsay, sensitivity to personal and family honor are ongoing elements of Italian social life. In the course of the marriage ritual, families used these elements intensively, during a defined period of time, to promote their common interests: finding partners, publishing the *tenaim*, and mainly obtaining the community's approval for the new family status. The ritual prepared the couple toward their shared life. The regulation of power relationships within the family and the division of roles between husband and wife were determined in an early socialization process that developed already during the marriage ritual. The honor ethos is not egalitarian. Quite the contrary, it legitimized and preserved the social hierarchy. The family is the first setting for education and socialization toward life in a society that perceives inequality as natural and unquestionable. The family has several axes of hierarchy, each with its own rules of behavior or deference: husband-wife, parents-children, family-servants, adults-young. The main hierarchy axis separates the paterfamilias from his wife.

The ways in which honor considerations accompanied the marriage ritual throughout, the socialization of the couple toward their life together, and the division of roles within the family already in the course of the ritual, conferred on its Italian version a unique character that was also apparent to the people of the time. A comparison between local tradition and the practices that Jewish immi-

grants had brought with them sharpened these differences. A widower considering a second marriage heard the following advice:

Certainly more so if you had thought of being absorbed into the jumble of fearless Ashkenazim, with whom you had considered competing, and choosing to build your family with them. These women have brought trouble to Jews in general, and to *lo'azim* [editor: *Italiani*] like us in particular. With stretched forth necks, they pursue their infidelities, making a tinkling with their feet [Isaiah 3:16], *on their forehead the plume of insolence and shame*, luring us into sin with yarns of temptation and idle talk.⁷⁴

⁷⁴ My emphasis. Shlomo Simonsohn, "On the History of Bankers from the Rieti Family in Tuscany" (in Hebrew), *Studies in the History of the Jewish People and the Land of Israel: In Honor of Azriel Schohat* 4 (1978): 191. The letter was re-typed in *Letters of Rieti Family*, #293, 309.

CHAPTER FIVE

“TO GIVE HER GIFTS AND BETROTH HER BY THE LAW OF MOSES AND ISRAEL”:¹ GIFTS AND THE MARRIAGE RITUAL

Marriages of children² and the death of parents were the two significant opportunities in a family's life to transfer property to the next generation through dowries, bride payments, gifts, legacies, or wills. The arrangement in Jewish medieval society regulating the transfer of property is a complex legal-halakhic and historical issue, which has not been widely investigated.³ In Italian Jewish ritual, property considerations guided the participants in the choice of partners and in the conduct of negotiations between the parties, until the formulation of a binding agreement. The size of the dowry and the schedule of payments were at the focus of the preliminary negotiations. Contemporary sources and the modern research literature describe this stage in terms of a trade agreement. This chapter does not deal with the “economic” or financial aspect but with a parallel way of transferring property, which can be described as a “ritual exchange,” namely, gifts. Gifts were a fixed and mandatory element during the matchmaking, *kiddushin*, and wedding stages. They completed the main transfer of property documented in the *tenaim* writ, but played a different ritual role. It is precisely this role that was at the focus of an halakhic controversy that continued unabated for about one hundred and fifty years, forcing the *Italiani* into a vigorous defense of local custom.

¹ The phrase appears in a writ authorizing the bearers to sign a *tenaim* writ on the groom's behalf. See Oxford Ms., Roth Collection 210, 55a–59a.

² On the link between marriage and property transfer, see John L. Comaroff, ed., *The Meaning of Marriage Payments* (New York and London: Academic Press, 1980); Joan Thirsk and E. P. Thompson, eds., *Family and Inheritance: Rural Society in Western Europe, 1200–1800* (Cambridge: Cambridge University Press, 1976); Jack Goody and Stanley J. Tambiah, eds., *Bridewealth and Dowry* (Cambridge: Cambridge University Press, 1973).

³ Exceptional in this context is the article by Yuval, “Matrimonial Financial Arrangements in Medieval Ashkenaz,” 191–207.

The Legal-Halakhic Status of Gift Giving

Biblical stories (Genesis 24; 34) mention the gifts that the groom's family gives the bride's family, as was customary in the Near East. This practice is also known at the time of the Mishnah and the Talmud, and is also discussed in rabbinic literature, focusing on the legal definition of the gifts that the groom gives the bride. In an analogy to an acquisition act, the *kiddushin* takes place through the transfer of an asset from the selling side (the bride's family or the bride) and a counter-transfer, symbolic and more limited in scope, by the buyer (the groom), in line with the principle: "the woman is acquired . . . by money, by writ, and by intercourse" (M. Kiddushin 1:1). The "writ" is the *kiddushin* writ, namely, a valuable material object (due to the parchment's cost and the scribe's wages). This writ might explicitly hint at or remind us of the next writ, the *ketubbah*, stating the man's financial commitment to his wife. The "money" given to the woman could be coins, bills, or property worth at least a *perutah* [small coin]. "Intercourse" is also a way of transferring assets in a society that attaches financial value to virginity, forcing the man who takes it to pay the woman's father a set sum.⁴ In halakhic terminology, the question is whether we "fear *sivlonot*" [fear the legal implications of wedding gifts], namely, whether gift giving leads to a situation resembling *kiddushin*.

The similarity between the *kiddushin* ritual and an act of acquisition raises a basic legal question: how to distinguish one from the other? How to differentiate a transfer of assets between unmarried men and women that is substantially a commercial or economic transaction, from a transfer of assets with an entirely different legal meaning, namely, a change in their personal status? Moreover, how can a woman be protected from men seeking to impose a *kiddushin* arrangement on her, claiming they had given her money for *kiddushin* purposes and she had accepted it?⁵ The Talmud drew an obvious

⁴ See, for instance, Tosefot on Kiddushin 3b, s.v. *ha-av zakai be-vito*: "The Palestinian Talmud implies that he [the girl's father] has a legal claim on betrothal through intercourse, since he is paid for it." On the importance of virginity in Jewish marriage law, see *Encyclopedia Talmudica*, vol. 20, s.v. *ta'anat betulin* [virginity claim], 617–656. See also Meir Grusman, "On the Halakhic Development that Led the Blood of Deforation To Be Treated as Ritually Unclean" (in Hebrew), *Sidra: A Journal for the Study of Rabbinic Literature* 5 (1990): 47–62.

⁵ A derived question (see TB Kiddushin 6a) is whether intercourse between a

distinction between two categories of property transfer from a man to a woman, based on the parties' intention. When the behavior of the two parties attests to their wish to marry, the transfer of property or the act of intercourse have a different meaning than that applying in ordinary circumstances. The sages, therefore, stressed the importance of a matchmaking stage publicly attesting to the parties' marriage intentions, a ritual stage to which the sages refer as "he speaks to her about matchmaking matters." An assets transfer at this time could easily be interpreted as an act of *kiddushin*.

The issue of *sivlonot* [the gifts the groom gives the bride before the wedding] is discussed in detail in TB Kiddushin 50b. R. Pappa sums up: "Wherever the *kiddushin* precedes the *sivlonot*, we fear" [if the local custom is to hold the *kiddushin* and only then give *sivlonot* we fear, since the gifts could be viewed as evidence of a *kiddushin* agreement, creating at least a suspicion or a "doubtful *kiddushin*"]. In other words, local custom determines the gifts' legal status. If all parties understand that the custom calls for an exchange of gifts even before the *kiddushin*, we need not fear that the gift will arouse a suspicion of *kiddushin*. The dictum is simple and unequivocal, and concludes the talmudic discussion. Although this principle appeared to provide halakhists ruling on "*sivlonot* fears" with a sufficiently clear criterion, the controversy persisted throughout the Middle Ages. Evidence from the tosafists indicates they had worked with different manuscripts of the Talmud, which could have led to opposite halakhic conclusions.⁶ Discussing the issue, Rashi and the tosafists differ on their arguments for endorsing stringent rulings.⁷ Whereas Rashi views the actual giving of *sivlonot* as an act of *kiddushin*, the tosafists (following R. Hananel) view them as a token or as *ex post factum* evidence of a previous *kiddushin* act. Despite the hermeneutical controversy, Rashi and the tosafists contributed to the development of the trend prevalent in early medieval Ashkenazi communities toward stringent

man and an unmarried woman ("forbidden intercourse") is legally binding on the man, as a case of betrothal by intercourse.

⁶ See Tosefot on Kiddushin 50b, s.v. *hakhi garsinan*: "It means that the *kiddushin* precedes the gifts . . . and Rabbenu Hananel understands it the other way round . . . but Rabbi Isaac [Gironi] found another written version." Compare Colon, *Comprehensive Responsa*, #170, 359, 364: "Thus wrote Rabbi Meir [of Rothenburg], and even this version is not supported by all halakhists, since there are three versions."

⁷ See Rashi on Kiddushin 50b, s.v. *hosheshin le-sivlonot* [we fear that the gifts will create a *kiddushin* situation]; Tosefot, *ibid.*, s.v. *mekadshei ve-hadar mesablei pshita*.

halakhic rulings concerning cases of “*sivlonot* fear.” R. Meir of Rothenburg epitomizes this trend with a sweeping ruling, stating that all instances of *sivlonot* giving are presumed to be cases of doubtful *kiddushin*, to ensure they would not be allowing a married woman to engage in relationships with other men.

The *rishonim* discussed various aspects of *sivlonot* giving, involving the determination of local custom, the appropriate givers and recipients, the formulae accompanying the giving, and the witnesses to the event.⁸ Influenced by Ashkenazi tradition, halakhists such as Jacob b. Asher [Asher is Asher b. Jehiel, known as *Roshi*] widely prohibited gifts: “Hence, it is best to fear according to both interpretations [Rashi’s and R. Hananel’s] and rule stringently, as concluded by my master and father, the *Roshi*, may he rest in peace.”⁹ Beside the stringent Ashkenazi precedents, we find major Sephardi halakhists who tended to lenient rulings wherever the custom was that the “*sivlonot* precede the *kiddushin*.”¹⁰ Two contrary trends, then, are prominent in the judicial literature. The lenient trend relies on local custom and on a detailed discussion of the specific circumstances of *sivlonot* giving. This trend engages in a concrete, factual examination of each case, is aware of the local perception of *sivlonot*, and particularly of the overt ritual dimensions and the latent assumptions known to participants and observers. By contrast, more stringent halakhists feared that the variety of local customs does not allow a sure determination of local practice and the conditions under which it is valid. Given the fear of allowing a married woman to engage in relationships with other men, they felt that issuing a far-reaching prohibition was best.

Toward the end of the Middle Ages, the lenient trend became dominant. The most prominent halakhists in Ashkenaz stated that the contemporary local custom was stable and well known, leaving

⁸ For a long and detailed list of views by *rishonim* [the leading halakhic authorities until approximately the fourteenth century] concerning various aspects of *sivlonot* fears, see Caro, *Beth Yosef, Even ha-Ezer*, #45, and the Commentary *Mishneh la-Melekh* on Maimonides, *Mishneh Torah, Hilkhot Ishut*, 4:20.

⁹ *Arba’ah Turim, Even ha-Ezer*, #45. The general trend of strictness concerning these gifts was also supported by Rabbenu Hananel (following the Geonic tradition) and by R. Isaac Alfasi.

¹⁰ See Maimonides, *Mishneh Torah, Hilkhot Ishut*, 9:28; *Shulchan Arukh, Even ha-Ezer* 54:1–2. Further arguments for leniency in this matter appear in the commentary of R. Moses Isserles *ad. loc.*

no room for doubt or fear concerning *sivlonot*. R. Solomon Luria (known as Maharashal) stated:

The claim used to be that *sivlonot* were given for *kiddushin* purposes, unlike the practice stating that *sivlonot* are only personal gifts and tokens of affection . . . But in our times [contrary to early Ashkenazi practice], when the custom is to give many *sivlonot*, and most [grooms] send the bride a ring, golden coins, rubies, and other finery two or three times, this is obviously immaterial.¹¹

He was joined by other important halakhists, such as Elijah Mizrahi, Moses Alashkar, Benjamin b. Mattathias, David ben Zimra, Joseph Caro, Samuel Medina, Moses Isserles, Elijah ben Hayyim, and Joseph Trani.¹² Some of them stated that, in principle, rulings should be lenient, contrary to the trend toward stringency known from the early Middle Ages. Those occasionally issuing stringent rulings refrained from formulating a general, overall prohibition. In the larger communities of Spanish Jewish migrants in Turkey's main cities, the trend toward rigorous demands of compliance concerning the giving of *sivlonot* widened.¹³

¹¹ R. Salomon b. Jehiel Luria [Maharshal], *Responsa* (Jerusalem: Yahdav, 1993), #21, 70–75. On the shift of Ashkenazi rulings from their early medieval stringency to the greater leniency of early modern times, see Dinari, *The Rabbis of Germany and Austria at the Close of the Middle Ages*, 111–112. This shift also affected patterns in Eastern Europe, where the couple used to exchange gifts during the *tenaim* ceremony. See Jean Baumgarten, “Amour et famille en Europe centrale.”

¹² Elijah Mizrahi, *Responsa* (Jerusalem: Darom, 1938), #17; *ibid.*, #18, the respondent is Abraham b. Ya'ish; Moses Alashkar, *Responsa* (Jerusalem: I. D. Stitzenberg, 1959), #52; Benjamin b. Mattathias of Arta, *Responsa Binyamin Ze'ev*, #48, 101a–104a; R. David b. Zimra [Radbaz], *Responsa*, part 1, #382, part 7, #55–56; Joseph Caro, *Beth Yosef, Dinei Kiddushin*, #1; R. Samuel Medina [Maharashdam], *Responsa*, #14, 16; R. Joseph b. Moses di Trani [Maharit], *Responsa* (Tel-Aviv: Kulsum Print, 1959), #28; Moses Isserless [Rema], *Responsa* (Jerusalem: Hemed Print, 1971), #30; Israel Isserlein, *Trumat ha-Deshen* (Jerusalem: Ha-Mosad le-Idud Limud ha-Torah, 1992), #207, allows a woman who has received gifts from a man to marry another without obtaining a divorce from the first one, although “this lenient ruling does not come to me easily.”

¹³ See for example R. Moses of Trani [Ha-Mabit], *Responsa* (Venice: 1629), offset: ed. Meir Benayahu (Jerusalem: Yad Harav Nissim, 1990), #41: “Although Tsova would be a place for first sending *sivlonot* and then betrothing, we should bear in mind Rashi's dictum and Rabbenu Hananel's stringent rulings concerning a location where even a minority adopts the custom of betrothals first and then *sivlonot*.” This is not a doctrinal ruling, see *ibid.*, #338. Another strict requirement is suggested by Isaac b. Samuel Adrabi, *Responsa Divrei Rivot* (Venice, 1587; offset edn. Jerusalem: n.p., 1970), #2. He forbids a woman who has received gifts to enter a betrothal with another man without a divorce from the first one, since local cus-

The Halakhic Controversy in Italy Concerning Sivlonot

The discussion about *sivlonot* began in Italy toward the end of the fifteenth century, giving rise to an halakhic controversy that faded only gradually during the seventeenth century. Italian rabbis, who were repeatedly asked during these one hundred and fifty years concerning the fear of creating a *kiddushin* situation by giving gifts, wrote long tracts and exchanged letters and opinions on the subject. Tones were often harsh and shrill, attesting to the controversy's bitterness.¹⁴

tom in Constantinople, where the first man had come from, is to betroth and then give *sivlonot*. On the general trend toward stringency on this issue, see Salo W. Baron, *A Social and Religious History of the Jews* (New York: Columbia University Press, 1983), vol. 18, 62–67. The stringent Sephardi attitude prevailed until well into the nineteenth century. See Esther Yuhas, "Marriage: Objects and Customs" (in Hebrew), in *The Sephardi Jews in the Ottoman Empire: Aspects of their Material Culture*, ed. Esther Yuhas (Jerusalem: Israel Museum, 1989), 197–198.

¹⁴ Following is a list of authorities and writings on the subject:

1. Rulings mentioned in R. Joseph Colon's various responsa collections: *Comprehensive Responsa*, #28–29, 101, 171; *New Responsa and Rulings*, vol. 1, #46, 204–217; *Responsa*, #101, 114–115.
2. New York Ms., Columbia University X893T67 (IMHM # 20659), #74, 55a–56b, responsa of Jehiel Trabot, a case from Pesaro 1511.
3. Budapest Ms., Kaufmann Collection 150 (IMHM # 32246), #17, 65–77, responsum of Abraham b. Moses Ha-Cohen, a case from the Lamarca region 1511. Regarding the same case, see *ibid.*, #12, 441–443. The manuscript contains a collection of responsa on "*sivlonot* fears" (*ibid.*, 41–76).
4. Budapest Ms., Kaufmann Collection 134 (IMHM # 4506), #5, 93–95, a case of doubtful betrothal due to the bestowal of gifts, Rome, month of Iyar 1518. A court ruling on the same case, Rome, month of Shevat, see *ibid.*, #102, 272–281.
5. In the last responsum, the halakhist mentions a responsum by R. David Pizzighittone (*ibid.*, 94), a Padua rabbi from the first half of the sixteenth century.
6. Budapest Ms., Kaufmann Collection 150, #15, 57–60, a ruling by R. Judah Minz adopted by a court of three judges, another case from Rome, month of Adar.
7. *Ibid.*, #16, 63, anonymous responsum, probably from the same period.
8. "Quarrels at the Gates," 234–345. For summary of the affair, see 32–41. For further sources, see Yaakov Boksenboim, ed., *Responsa Matanot ba-Adam* (Tel-Aviv: Tel-Aviv University, 1983), #115, 196–201; R. Meir [Maharam] of Padua, *Responsa*, #28, 61a–63a. This collection contains three responsa by local rabbis, claiming that "*sivlonot* fears" are proper even according to local tradition: (1) R. Jacob of Corinaldo (*ibid.*, #22, 275–284). (2) R. Obadiah of Sforno (*ibid.*, #24, 286). (3) R. Kalonimos b. Elazar of Montegna (*ibid.*, #25, 287–289).
9. Budapest Ms., Kaufmann Collection 150, two responsa by R. Jacob b. Emmanuel [Bonet De Lattes] Provinzallo, #13–14, 45–56. The responsa refer to another case from Rome.
10. R. Moses Provinzallo, *Responsa*, #78, 124–133, a case from 1561.

Italy's most important rabbis and halakhists were involved in this prolonged halakhic dispute.

The controversy began, as noted, toward the end of the fifteenth century in a community in northern Italy. It transcended the local setting and became a topic in the Italian public agenda when the question was addressed to a rabbi outside the community, R. Joseph Colon b. Solomon Trabotto (Maharic), an eminent halakhic authority in Italy at the beginning of the sixteenth century and a foremost representative of Ashkenazi halakhic tradition.¹⁵ Despite his Ashkenazi origin, Colon is the most important chronicler of the traditions of *lo'azi* Italian Jews. Clearly, his motivation for this documentation was not ethnographic, but meant to defend local custom against those questioning its halakhic legitimacy. The three long responsa he wrote on this issue combine into the hitherto most comprehensive halakhic monograph on the subject,¹⁶ which was widely quoted by halakhists in Italy and then outside it, after Joseph Caro included it in his *Beth Yosef*.

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11. Vienna Ms., National Library 24 (IMHM # 1303), 48a–49a, a responsum by Isaac b. Emmanuel de Lattes from 1561.
 12. London Ms., British Museum 9152 (IMHM # 6590), #140, 244a–245b, responsum by R. Jacob Israel b. Raphael Finzi.
 13. R. Menachem Azaria of Fano, *Responsa*, #81, 143–144, a case from Ferrara.
 14. New York Ms., JTS 7085, Rabbinica 1356 (IMHM # 43360), #122, 187b–193b, responsa of Jehiel Trabot, a case from Ascoli 1583.
 15. Strasbourg Ms., National and University Library 4088 (IMHM # 3963), 141–162, a responsum by Doctor David Salomon, alias *Vital Meidal de-Yatmi* [protector of orphans].
 16. Strasbourg Ms., National and University Library 4089 (IMHM # 3964), 61–68, responsum of Salomon Hayyim b. Raphael Jehiel Cohen.
 17. Strasbourg Ms., National and University Library 4086 (IMHM # 3961), 273–274, an anonymous halakhist in a late seventeenth century responsa miscellanea.
 18. Moscow Ms., Ginzburg Collection 286 (IMHM # 47605) 29a–73a, records of legal proceedings discussing a doubtful betrothal, Fossano 1682.
 19. Moscow Ms., Ginzburg Collection 251/11 (IMHM # 27955), 173a, a responsum by R. Samson b. Joshua Morpurgo. For copious documentation on this affair, see Lampronti, *Pahad Yitzhak*, s.v. “*safek* [doubtful] *kiddushin*,” 76a–123b.
- ¹⁵ Biographical details on Colon, his ancestry, and his halakhic traditions. See Jeffrey R. Woolf, *The Life and Responsa of Rabbi Joseph Colon b. Salomon Trabotto (Maharic)* (Ph.D. Dissertation, Harvard University, 1991).

¹⁶ Colon, *Responsa* (Jerusalem: n.p., 1973), #101, 114–115. For earlier responsa, see Colon, *Comprehensive Responsa*, #28–29, 60–62, and also idem, *New Responsa and Rulings*, #46, 204–217. Colon's doctrinal rulings are mentioned in *Beth Yosef* and *Shulhan Arukh*, *Even ha-Ezer*, #45, through which they gained circulation beyond the Italian communities for which they had been originally intended. As doctrinal and legal discussions, they are even longer and more comprehensive than the long debate in *Beth Yosef*.

Colon's responsa join a halakhic discussion that had begun before him, and the initial stages of the controversy are recorded in later treatises. The longest of Colon's responsa was written in reaction to a work by an anonymous sage. In this work, which Colon quotes extensively, the anonymous writer tried to show that there are many and varied causes for "*sivlonot* fears." Colon wrote his reaction at the request of "our brethren, the holy community of Firenze,"¹⁷ emphasizing he had confined his discussion to a specific ritual situation, namely, giving *sivlonot* in the course of the *tenaim* ritual or closely after it.¹⁸ In this context, and only in this context, Colon claims that no reason can be adduced for fearing that the *sivlonot* were given for *kiddushin* purposes (as Rashi had held), or that they represented *ex post facto* evidence that *kiddushin* had preceded them (as the *geonim*, R. Hananel, and the tosafists had held), or that they could underlie a general concern of allowing marriage to a married woman (as R. Meir of Rothenburg and strict halakhists after him had held). For his ruling, Colon relied on such prominent talmudic exegetes as Maimonides, Jacob b. Asher, Solomon b. Adret, Perez b. Elijah of Corbeil, and Mordecai b. Hillel (author of "*The Mordecai*").

In his long responsa, Colon notes the arguments adduced by the more stringent halakhists, considers them, and rejects them one by one: evidence of the giving, the elders' testimony about local custom, losing *sivlonot*, determining local custom, *sivlonot* as love tokens, precautions when giving *sivlonot*, the communities' agreement, the injunction against allowing what earlier authorities had forbidden, actual judicial precedents, placing limits on a woman's claim, the link between the gift and assets leading to *kiddushin*, the verbal formula used in the giving, the comparison between *sivlonot* fears and the *ketubbah* laws, condemnation by stringent halakhists, the need for stringency concerning laws of doubtful *kiddushin*.¹⁹ Every argument

¹⁷ Colon, *Comprehensive Responsa*, #170, 357. The printed version is incorrect, and should be amended according to Budapest Ms., Kaufmann Collection 135 (IMHM # 4507), 561, where the community name is explicitly mentioned as Firenze. At the beginning of the question, the name of the community appears as Florenz, according to the German spelling.

¹⁸ Colon, *Comprehensive Responsa*, #171, 370: "I stated precisely in my first/previous responsum that *sivlonot* are given on the day of the *kinyian* or on the following day, so as to preclude the notion that I am suggesting allowing other types of gifts, and this issue is explained at length in my first responsum."

¹⁹ *Ibid.*, #171.

favoring a stricter ruling is ultimately rejected on similar grounds: the clear, open, and uniformly accepted practice in Italy is to give *sivlonot* before the *kiddushin*.

According to the contemporary custom in *the whole of Italy*, as I am told, *all* are used to giving these *sivlonot* after the *kinyian*, on the same or the following day, and this is a *fixed and inalienable law*. . . . We all know that Italians have *never* resorted to divorce or *halitsah* because of these *sivlonot*, as *elders and honored members of the community have attested and written*.²⁰

Colon's broad generalization ("the contemporary custom in the whole of Italy") is confirmed by evidence from many Italian regions or isolated communities: Lombardy,²¹ Lamarca,²² or communities in Ancona,²³ Bologna,²⁴ Florence,²⁵ and the main community in Rome:

²⁰ Ibid., 369, 383. Colon's responsa on the subject of gifts [*doronot*] persistently resort to this claim.

²¹ Ibid., #101, 206: "You may clearly see that the halakhist [R. Solomon b. Adret or Rashba] ruled that local custom should be relied upon, even when a minority follows the custom of *kiddushin* first and then *sivlonot*, and even more so when the custom is for everyone to give *sivlonot* first and then betroth, as I am told is the case in Lombardy."

²² Copenhagen Ms., Royal Library 115/4 (IMHM # 6928), #17, 65–76, a responsum of Abraham b. Moses Ha-Cohen from 1511: "A case from the Lamarca region, dealing with a woman called Dolce Pirna, who arranged a match for her daughter and vowed to bring her to the canopy . . . Obadiah [the intended groom] sent *sivlonot*, and once even sent a *ducato* through another man . . . when the said Obadiah from Cesena was passing through there. . . ." The halakhist rules that no "*sivlonot* fears" apply in this case since "in this region, we do not even have a minority that customarily holds the *kiddushin* first and then gives *sivlonot*."

²³ R. Moses Provinzallo, *Responsa*, #78, 124a–b, refers to "Ancona and elsewhere."

²⁴ Colon, *Comprehensive Responsa*, #171, 370–371: "Many great and distinguished rabbis have allowed this, as I did five years ago, relying on what my erudite and trustworthy soulmate, Joseph Trabot from Bologna, wrote to me about his daughter . . . as well as on other eminent figures from our area such as the leaders of the holy community of Bologna and others, whom you asked. . . . Joseph, may God keep him and watch over him, wrote to me in his own hand that, about five years ago, six rabbis had already licensed the giving of *sivlonot*, and his formulations are copied in the margins of this script, to the letter. So why did you [the person addressing Colon] write that I licensed what my colleagues proscribed?" See also Budapest Ms., Kaufmann Collection 134 (IMHM # 4506), #102, 277–278, a 1519 decision by Israel b. Jehiel Ashkenazi, together with a Roman court: "An instruction was issued in Bologna, according to the late R. Samuel and other rabbis who are still alive . . . stating it is even more so in this case, since it is known that the custom in his city of origin, namely Bologna, is to give *sivlonot* first and then betroth, and an order has already been issued that we do not fear *sivlonot*, neither there nor in the whole of Italy."

²⁵ Colon, *Comprehensive Responsa*, #171, 370–371: "Perhaps he meant the case of

Certainly so here, in the main city of Rome, where the rabbi is strict with one who wishes to have the *kiddushin* first, even if unintentionally, and repeatedly asks whether *shivlonot* have already been given. For over fifteen years, the ordinance in force in all communities has been that *shivlonot* must be given before the *kiddushin*. Due to claims about *shivlonot*, they sent a question to the *yeshiva* of R. Judah Minz and then issued an ordinance to give *shivlonot* first, binding all circles in the Roman community. Many have confirmed this, and I have heard that the ordinance was recorded in the community book. The rabbi asks every time whether *shivlonot* were given first, and will not consent to perform the *kiddushin* unless it is so, and this custom has already spread and is ["a simple matter"].^{26, 27}

Colon was certainly one of the foremost, if not *the* most prominent halakhic authority in Italy at the end of the fifteenth and beginning of the sixteenth centuries. His ruling relies on the talmudic injunction and on crucial halakhic precedents stating that, if giving *shivlonot* before the *kiddushin* is the prevalent local custom, all "*shivlonot* fear" is obviously unwarranted. Colon also relied on trustworthy witnesses. After the publication of such an unequivocal ruling, one might expect the *shivlonot* issue to be relegated to the margins of halakhic discussion in Italy, but this was not the case. The matter continued to occupy Italian sages and heads of families through the sixteenth and seventeenth centuries. Italian and Ashkenazi rabbis, including prominent and less important contemporary figures as well as some anonymous ones, wrote dozens of responsa on the subject, and many tracts and rejoinders. Colon's responsa were used by all participants in the discussion, including his opponents. A majority of halakhists, following Colon, ruled that the local *shivlonot* practice entailed no fear of *kiddushin*, repeating the same halakhic arguments that, as expected, led to identical conclusions. Only in the seventeenth century did this controversy ebb in halakhic and responsa literature. Evidence shows

Zekharia Delamir's daughter, for whom a match was arranged with Matzliah, may God keep him and watch over him. An issue then arose between them concerning *shivlonot*, and rabbis from Florence approached me about this matter, and she obtained a divorce. Yet, as is well known, this was not by virtue of a court ruling but by virtue of a compromise between the parties."

²⁶ See Rashi on TB Eruvin 62b, s.v. *be-kotah*: "It is a simple matter."

²⁷ Budapest Ms., Kaufmann Collection 134, #102, 277–278. See also *ibid.*, 280: "Even more so here in the city of Rome, where a general ordinance was issued in all the congregations of this city, stating that *shivlonot* come first. Whenever a betrothal is arranged, the rabbi requires it should be preceded by *shivlonot*."

that Italian communities continued the practice of giving *sivlonot* before the *kiddushin* during the sixteenth and seventeenth centuries, and local rabbis allowed this. The following question seems inevitable: why the persistent objection to local practice? Alternatively, if objection to local practice persisted, why the stubborn adherence to it?

The style of the halakhic discourse is also puzzling. The discussion of the *sivlonot* issue could be harsh and acrimonious, and often slid into vicious slander. Even Colon, who is inclined to understatement, is sometimes not beyond sharp and offensive attacks against an anonymous objector:

God forbid you should be one of those legislating sinful laws and writing evil, like this writer, who engendered iniquity and delivered sin, intending distortion with his wicked tongue. He wrote in your name and opened up [his mouth] without savor or flavor, as aimlessly flowing water, only in darkness, and deceit, and provocation . . . thereby revealing his shame to all and showing he had never understood anything I said. . . . Furthermore, how can any madman or fool reading the words of a rabbi be so mistaken . . . and I say that what he wrote in my name is a barefaced lie. . . . He is so wild and senseless that he does not even understand what he writes, as the following will attest when, beside all the other mistakes filling his writings . . . he adopted the craft of the snake,²⁸ adding to my own words to make them less.²⁹

Colon suggests concluding the *sivlonot* controversy though a ban: “He is famous in places far and near so that, with God’s help, I can reciprocate and proclaim a ban³⁰ on him, endorsed by rabbis in Ashkenaz and France who care for my honor.”³¹ Not only was his honor as a scholar put to the test on this issue, but the honor of the entire community.³² Why do *sivlonot* evoke such antagonistic responses in Colon and others, and what is the source of this affront to the per-

²⁸ See Rashi on Exodus 4:3, s.v. *va-yehi*: “hinting that he had slandered the people of Israel.”

²⁹ Colon, *Comprehensive Responsa*, #171. These phrases appear throughout.

³⁰ Colon resorts to the expression *silu de-lo maba da’ma*. See Rashi, TB Ketubboth 91a, s.v. *silu de-lo mab’a dema*: “a thorn that does not draw blood when it pricks the flesh, namely, ban and excommunication.”

³¹ Colon, *Comprehensive Responsa*, #171, 379.

³² *Ibid.*, #170, 364: “And you, eminent heads of the holy community of Firenze, I have clarified what I think is proper here, in my humble opinion, since I saw that your souls thirst for Torah. . . . As for the *evil some people have spoken of you, calling you an impertinent court*, I wondered about their words, and have pondered why they *defile your honor*, since you acted for the sake of heaven . . . and you *shall not be put to shame* but shall speak with enemies in the gates [Psalms 127:5]” (my emphasis).

sonal and collective “honor”? Gift exchanges in the course of the marriage ritual fed one of the longest halakhic controversies in Italy because, besides bearing on sensitive halakhic points, they touched on basic cultural demands. The use of gift exchanges to convey messages between groups (families, communities) is not limited to marriage rituals. Their role and significance in Italian Jewish society during the early modern period can be assessed in comparison to patterns of giving, generosity, and gift exchanges discussed in anthropological and sociological literature.

Gift Exchanges in Anthropological and Sociological Research

Modern Western societies tend to obscure the fact that gift giving is one of the most significant and widespread means for transferring assets between groups and individuals. Instead, they emphasize the nature of the gift as a free and personalized expression of the connection between giver and recipient. The gift differs from other objects or commodities, hence its power. Commodities carry a price tag; they can be replaced by other commodities, and do not bear their owner’s personal stamp.³³ This division is based on the assumption that the assets a person accumulates originate in two separate circles of activity. An anonymous market is at work in the economic circle, where commodities are exchanged to maximize gain and according to their market value. The encounter between buyer and seller is transient, and ends when the transaction ends. By contrast, in the personal-family-community circle, the exchange of assets serves to strengthen long-term relationships that convey the degree of emotional closeness. This dichotomy between economic and personal circles assumes that giving a gift is mainly an arbitrary act of will and an expression of personal feeling, lacking broader social or cultural

³³ Ralph Waldo Emerson, “Gift,” in *The Logic of the Gift: Toward an Ethic of Generosity*, ed. Alain D. Schrift (New York: Routledge, 1997), 25–27, esp. 26 “The only gift is a portion of thyself . . . This is right and pleasing, for it restores society in so far to its primary basis, when a man’s biography is conveyed in his gift, and every man’s wealth is an index of his merit.” This is also the stance in James G. Carrier, *Gifts and Commodities* (London: Routledge, 1995). The distinction between a “world of commodities” vs. gift giving recurs in many modern works. See also David J. Cheal, *The Gift Economy* (London: Routledge, 1988); Lewis Hyde, *The Gift, Imagination, and the Erotic Life of Property* (New York: Vintage Books, 1983).

dimensions. This distinction, however, seems questionable concerning industrialized societies,³⁴ and is certainly invalid concerning non-industrialized, pre-capitalist societies. What, then, distinguishes the gift from a transfer of assets through sale, borrowing, bribery, or inheritance?

Modern discussions of the gift question turn recurrently to the pioneering research of Marcel Mauss.³⁵ Mauss argued that gift giving is subject to a system of rules and social expectations. Rather than a one-time event based on a personal decision, gift giving is an act that leaves a trail of expectations, and particularly an expectation of reciprocity. The construct, then, involves three stages: giving, reciprocating, recurring giving. The recipient is in an inferior situation vis-à-vis the giver for as long as s/he fails to reciprocate. Describing the exchange of gifts as a three-staged structure was meant to point to a wide-ranging process of exchange in archaic societies. In a later work, Mauss argued that gift exchanges were not exclusive to archaic societies but were also a feature of European societies at the dawn of the Middle Ages. The reciprocity created after gifts are exchanged was added to other forms of social exchange, such as mutual services and help, the exchange of women, children growing up in other families, military service, and joint celebrations where the parties give each other gifts and assets or exchange other mutual ritual gestures.³⁶ In a society lacking a continuous or uniform political framework and failing to provide services on an egalitarian-civic basis, establishing long-term relationships between various groups in the social hierarchy by giving and receiving services was important. Exchanging gifts enhanced the service and reciprocity ethos.³⁷

The weakening of older structures of government in Europe dur-

³⁴ Maurice Bloch and Jonathan Parry, "Introduction" to *Money and the Morality of Exchange*, ed. Maurice Bloch and Jonathan Parry (Cambridge: Cambridge University Press, 1991), 1–32, esp. 23: "What money means is not only situationally defined but also constantly re-negotiated."

³⁵ See Marcel Mauss, *The Gift: Forms and Functions of Exchange in Archaic Societies* (London: Cohen and West, 1954). For a lucid presentation of Mauss' view, see James G. Carrier, "Gifts, Commodities, and Social Relations: A Maussian View of Exchange," *Sociological Forum* 6 (1991): 119–136.

³⁶ Marcel Mauss, "Gift, Gift," in Schrift, *The Logic of the Gift*, 28–32.

³⁷ On gifts in the early Middle Ages, see Jürgen Hannig, "Ars donandi: Zur Ökonomie des Schenkens im früheren Mittelalter," in *Armut, Liebe, Ehre: Studien zur historischen Kulturforschung*, ed. Richard van Dülmen (Frankfurt am Main: Fischer Taschenbuch, 1988), 11–37.

ing the early modern period placed on the agenda the issue of gifts and their place in the political tradition of the Ancien Régime.³⁸ Gifts were given in order to “honor” or “gain the friendship of” patrons. Without them, playing a role in royal courts or enlisting the support of powerful figures was simply impossible. Due to the blurring of the borders between gift giving and open bribery, gifts could assume many meanings. Gift giving was accompanied by a rich body language and by familiar gestures, as well as by words and forms of courtesy that gave the gifts added grace and social depth, besides serving to oil the wheels of politics and power. At the same time, the critique of gifts as a necessary component of social communication intensified. Patron-client relationships were described as yielding to others at the cost of self-deprecation, and gift giving was presented as unquestioned bribery. Doubts emerged in the religious realm as well, concerning the gifts given to the Church to propitiate saints or buy prayers for the soul of the dead, and an attempt was made to add a measure of rationalization when dividing Church property. Intimacy and personal friendship, issues, prominently discussed in Montaigne’s writings, raised doubts concerning the role of gifts and personal gain in true friendship.

Some of the basic assumptions in Mauss’ pioneering work have been criticized in more recent studies dealing with gift exchanges in industrialized modern societies or simple societies affected by the international market economy. Anette Weiner draws a distinction between reciprocal gift exchanges according to Mauss’ model on one hand, and a transfer of assets that expresses the identity of the group giving them away but without renouncing the option of recovering them at a later stage on the other. In her book, she refers to this option as “keeping-while-giving.” This type of giving neutralizes the destructive and wasteful aspects ascribed to gift giving.³⁹ This model is discussed below in the context of demands by the groom’s or the bride’s family to return gifts that were borrowed or given in the course of the marriage ritual. Viviana Zelizer has persuasively shown how even money, the impersonal and abstract instrument of capitalist economy, could serve as a personal gift.⁴⁰

³⁸ Natalie Z. Davis, *The Gift in Sixteenth-Century France* (Madison: University of Wisconsin Press, 2000).

³⁹ Anette B. Weiner, *Inalienable Possessions: The Paradox of Keeping-While-Giving* (Berkeley: University of California Press, 1992).

⁴⁰ Viviana A. Zelizer, *The Social Meaning of Money* (New York: Basic Books, 1994).

Pierre Bourdieu criticizes Mauss's position from a different perspective.⁴¹ The presentation of gift exchanges as a three-staged process assumes a preset, binding structure. According to Bourdieu, however, the gift's considerable power derives precisely from the uncertainty surrounding reaction times. Delays in reciprocating the gift will probably evoke curiosity and expectation, together with disappointment and anger over an unfulfilled duty, but reciprocating a gift too quickly could also be interpreted as a refusal and a rejection of the original gift. No clear rules exist as to when to hasten or delay but only very general guidelines that, in different circumstances, could lead to antithetical responses. The main characteristic of the gift is its ambivalence—free, generous giving together with an expectation of reciprocity, gratuitous giving accompanied by the desire to control the gift's recipient.⁴² These contrary trends can co-exist due to a “deception” or an “open secret” accepted and known to all: we give moved by generosity but await a reward, expect a gift but fear its consequences. This approach removes the exchange of gifts from the category of individual, arbitrary acts, and confers meaning on them in a society that appreciates and encourages generous acts. All community members internalize this judgment from an early age:

All of them [social agents] have always been immersed in a social universe in which gift exchange is *instituted* in the form of an economy of symbolic goods. This quite distinctive economy is based both on specific objective structures and on internalized, embodied structures, *dispositions*. . . . Concretely, this means that the gift as a generous act is only possible for social agents who have acquired—in social universes in which they are expected, recognized, and rewarded—generous dispositions.⁴³

⁴¹ Pierre Bourdieu, “Marginalia: Some Additional Notes on the Gift,” in Schrift, *The Logic of the Gift*, 231–241; Bourdieu, *Outline of a Theory of Practice*, 8–15, 53–54.

⁴² Bourdieu, “Marginalia,” 231: “The major characteristic of the experience of the gift is, without doubt, its ambiguity. On the one hand, it is experienced (or intended) as a refusal of self-interest and egoistic calculation, and an exaltation of generosity—a gratuitous, unrequited gift. On the other hand, it never entirely excludes awareness of the logic of exchange or even confession of the repressed impulses or, intermittently, the denunciation of another denied, truth of generous exchange—its constraining and costly character (‘a gift is a misfortune,’ the Kabyles say).”

⁴³ *Ibid.*, 232–235.

Generosity and education toward generosity have an important place in a society that emphasizes and educates toward the translation of social and economic achievements into symbolic advantages such as respect, reputation, or honor:

Like the sense of honor (which can be the starting point for a series of murders), this disposition is acquired by being deliberately taught . . . or through early and prolonged exposure to social worlds in which it is the undisputed way of behavior. For someone endowed with dispositions attuned to the logic of the economy of symbolic goods, generous conduct is not the product of a choice made by free will, a free decision made at the end of a deliberation that allows for the possibility of behaving differently; it presents itself as “the only thing to do.”⁴⁴

The gift is a form of social communication in pre-modern societies, powerful because of the habits it instills in people, the physical behavior, the attendant rituality, and the strong feelings accompanying the central institutions of that community, rather than because of its conscious intentions:

It [the gift] transfigures economic capital into symbolic capital, economic domination (of the rich over the poor, master over servant, men over women, adults over children, etc.) even devotion, filial piety, or love. . . . For they [exchanges of gifts] to become inscribed in the body itself in the form of belief, trust, affection and passion.⁴⁵

In simple societies, people exchange not only assets but also bodily gestures, rituals, women, mutual help, dances. Gifts are one dimension of intensive forms of exchange. Economic activities such as depositing, borrowing, acquiring, or lending, which modern society views as different and mutually discrete, remain united in the gift. Giving a gift creates a link of commitment and social dependence. Acceptance is sometimes filled by fears from the magic power of the other's property, and his power to affect the real and the divine world. The gift is the cardinal tool for breaking borders between strangers and enemies. The combination of these dimensions turns the gift, in Mauss' terms, into a “total social phenomenon”⁴⁶ This description enables us to discern how important gift giving was to Italian Jewish society in the late Middle Ages, and how it served to

⁴⁴ Ibid., 233.

⁴⁵ Ibid., 238–239.

⁴⁶ Mauss, *The Gift*, 1.

tie together several crucial dimensions of local culture (property, honor, family, sexuality).

The Culture of Gifts Among Lo‘Azi Jews in the Early Modern Period

In his responsa, as noted, Colon confines his authorization to give *sivlonot* to the *tenaim* ritual: “I have myself clarified at the opening, the midst, and the conclusion, beginning, end, and middle, and I have explained that I decided to allow *sivlonot* only after the *kinyian*, as I wrote at the opening.”⁴⁷ As we will see below, this pattern of *sivlonot* giving is compatible with the familial and economic interests of householders, patresfamilias, or heads of families. Not surprisingly, in order to lend further credence to this ruling, Colon relies on “elders and honored members of the community.”⁴⁸ Concerning the elementary question as to what prevents observers and participants at the *tenaim* ritual from assuming that the gifts have created a new legal reality, his unequivocal answer relates to the character of the *tenaim* ritual and the strict precautions incumbent on the parties: public delivery, through mediators, and using known ritual formulae. Concerning gifts given in ways that deviate from this defined pattern, Colon concurs with his anonymous opponent and inclines toward a stringent ruling:

We do not fear these *sivlonot* because everyone is used to them, but this does not extend to *sivlonot* sent later, whenever the groom might wish. The elders probably saw that the *rishonim* did not fear them and, therefore, did not require divorce or *halitsah* [exemption from levirate marriage] concerning *sivlonot* exchanged on the day of the *kinyian*. Hence, we should certainly be more lenient concerning these *sivlonot*

⁴⁷ Colon, *Comprehensive Responsa*, #171, 379. Colon recurrently emphasizes that he only allows *sivlonot* in the course of the *tenaim* ceremony. See also *ibid.*, #170.

⁴⁸ *Ibid.*, #170, 383. See also *ibid.*, #171: “The eminent elder, Isaac Finzi, wrote well on this . . . According to what many honorable people have attested before me, this is common and well known . . . and even according to distinguished leaders close to us, such as those in Bologna and in other communities whose opinion I requested. . . . It is common knowledge that Italians were never accustomed to demand a divorce or *halitsah* [dispensation from a levirate marriage] due to *sivlonot*, as the revered and illustrious elders of the land have attested. Since I wrote my first responsum, the respected elder Isaac [Finzi] has continued to write to me.” See also Colon, *New Responsa and Rulings*, #46, 206.

and this was my intention, as I clarified above. As for the *svlonot* sent every year on the festival of *Purim*, known as *ma'ot Purim*, I tend to allow them, but I still preferred not to refer to them at all.⁴⁹

As resolutely as he had allowed gifts as part of the *tenaim* ritual, so was Colon determined to forbid them outside the ritual framework or during holidays. Even *Purim*, a time when Jews tended to flippancy and to relaxation of accepted social restrictions,⁵⁰ a pattern usually common among their Christian neighbors during the Carnival, was not considered a suitable occasion for the couple to exchange gifts while engaging in the common practice of “*ma'ot Purim*”. A doubtful *kiddushin* is no laughing matter.

The careful preservation of borders when transferring assets required additional precautions. Gifts had to be delivered through an envoy and given to the bride's representative, never to her personally.⁵¹ The gift is a purported expression of closeness between groups rather than between individuals. Colon, therefore, forbade the enclosure of love letters. Affectionate forms of address used in personal letters could, in his view, easily be interpreted as *kiddushin* formulae.⁵² Despite Colon's categorical statement that Italian Jews had a practice of giving gifts before the *kiddushin* and did not “fear *svlonot*,” his ruling belongs mainly within the stringent Ashkenazi tradition of the early Middle Ages.⁵³ He was strongly opposed to gifts given occasionally rather than at a fixed and regulated time. Although Colon was not in the category of those “afraid to rule,” he opted for silence (“preferred not to refer to them at all”) and refrained from issuing a general ruling concerning gifts that did not comply with the strict and limiting patterns stated above.⁵⁴

⁴⁹ Colon, *Comprehensive Responsa*, #171, 370.

⁵⁰ Elliott S. Horowitz, “The Rite to be Reckless: On the Perpetration and Interpretation of Purim Violence,” *Poetics Today* 15 (1994): 9–54.

⁵¹ Colon, *Comprehensive Responsa*, #170, 359: “The practice is simple, namely, wherever it is customary to give *svlonot*, it is done after the *kinyan*, and the *svlonot* sent with an envoy are never received by the bride herself but by another woman . . . since the gifts could themselves constitute a form of *kiddushin*”; *ibid.* #171, and also *idem*, *New Responsa and Rulings*, 215. On the use of children as *ketubbah* witnesses, see Ta-Shma, *Early Franco-German Ritual and Custom*, 42–46.

⁵² Colon, *New Responsa and Rulings*, 204.

⁵³ On Colon's apprehension that his words might be misinterpreted as a sweeping license to give gifts, see Colon, *Comprehensive Responsa*, #171, 370.

⁵⁴ *Ibid.*: “Even more so if the groom occasionally later sends *svlonot* to the bride, as he pleases rather than on set and agreed occasions. Strict rules should be enforced in this regard, as I told my friend when I wrote my first responsum.”

The stubborn silence of the lead Ashkenazi halakhist in Italy at the end of the fifteenth and beginning of the sixteenth centuries concerning *sivlonot* and gifts in the course of the marriage ritual was hardly fortuitous. Colon knew that gift exchanges were not restricted to the *tenaim* stage. Rather, they were a persistent feature of the marriage ritual throughout, part of an extensive “gifts culture” that cannot be stripped of elements incompatible with halakhic injunctions. Crucial evidence of the local “*lo‘azi*” tradition of gifts appears in a writ documenting a transfer of assets between two wealthy families entering a marriage alliance. The writ records every single gift that the bride’s family gave to the groom and his family, beside the assets that the bride received from her own family:

[Second column on the same page] *Lista* of the gifts they received from us, the brothers PM”I and GM”I [Pethyiah Monselice and Gamaliel Monselice], given to our sister and our brother-in-law from the time the marriage was agreed and until the wedding, which was performed on 6–7 of the month of Heshvan, October 22, 1633.

For the *kinyian* gift, a silver gold-plated tray weighing about four ounces, assessed at one *cecchini*, and a couple of *fazzoletti laureati* [embroidered kerchiefs] assessed at about one silver *ducatoni*, and a festive meal for the guests and relatives to the best of our ability.

For *ma’ot* Purim, one gold ring bought for two *ducati*, beside the customary sweets. For the wedding, we gave the groom six golden *cecchini*.

For the setting of the wedding date, on the table is a gift from the bride, one silver *salarino* of two *ducatoni*; in the name of his pious honor, our master and father, of blessed memory, one new Pentateuch book with the *haftarot* [chapters from the prophets included in the Torah reading at the synagogue], including the Five Scrolls, covered in turquoise and white *dalamascho* [cloth from Dalmatia]. In the name of our mother, may she be blessed of all women, amen, a pair of new *nizzi* [?] with two pairs of *trizzi* [?], covered by golden *cordella* [thread]. In PM”I’s name, a new *mahzor* [High Holidays prayer book] in two volumes, covered in turquoise and white *dalamascho*, and in the name of my dear brother GM”I, a *cuchiaio* [teaspoon] and *peron* [?] weighing one and three quarter ounces. In the name of our aunt, Mrs. Cintia, one silver *ditalla*, and in the name of my beloved wife, Mrs. Eva, may she be blessed, one new and beautiful *drappetto* [cloth] *laureato* [brocaded] of black silk, and in the name of one of my sons, who is to be a *shoshvin* and recite one of the wedding poems, one silver coin worth a quarter *ducato*. For the night before the ritual immersion, a gift to the groom, one new, beautiful *camicia* [shirt] and another one like it for the groom’s father, and another one like it for the groom’s mother, and another one like it for the bride, our sister, with two beautiful *drappi* and one new *collaro* [collar] and a new pair of *faz-*

zoletti for the groom's brother and a small gilded prayer book for our sister, with the Psalms and the weekly Torah portions.

On the evening she left my house, after arranging for the best banquet I could provide and in the presence of the guests—her father-in-law, her mother-in-law, the groom, his brothers, and his other relatives—I gave her a silk-covered *scatto* [box] containing a *ducato* in twenty two *grossi* [coins] and I accompanied her to her husband's home with joy and *torci* [torches], may God grant her and us the blessing of life and peace, Amen.

And these are the customary clothes I gave her, besides the *mobilo* [furniture], which were not included in the dowry, estimated in the *dotali* [dowry] writ at ten *scudi* . . . [a list of the clothes and their value as well as the boxes that contained them follows]. Witnesses to the *ketubbah* and the *kiddushin* were . . .⁵⁵

The *lista* documented the usual normative practices of well-established Jewish families in Italy during the first half of the seventeenth century. These family patterns were neither marginal nor exceptional. Quite the contrary, the writ attests to the accepted pattern in a long process leading to the establishment of a new family, in which property played a central role. The gifts writ was one of several writs that accompanied the marriage ritual. The *lista* was copied in script after the two families settled the *tenaim* writ, which detailed their financial agreements. The list ended with a hint at the next writ, the *ketubbah*, which concludes the ritual (“witnesses to the *ketubbah* and the *kiddushin* were . . .”). Gift exchanges are recorded, as are other exchanged items of property or money. Delivery is a group matter, planned and calculated to take place in public and leaving no room for personal, emotional expression.⁵⁶ The parties carefully noted the value of the gifts and the circumstances of their delivery, as well as the other items of family property transferred in the course of the marriage and noted in the previous agreement, the *tenaim* writ; the graphic aspect of the writ attest to the prominent economic role of gift exchanges. The list of gifts is written out in two parallel columns, resembling the lists kept at the time by Jewish moneylenders, with a credit and a debit column.⁵⁷

⁵⁵ Copenhagen Ms., Royal Library 115/4, no pagination.

⁵⁶ For another instance specifically mentioning the public delivery of gifts during the *tenaim* ceremony, see Stow, *The Jews of Rome*, vol. 2, #1215, 509–513, a testimony from April 1552.

⁵⁷ For pages from the notebook of a Jewish moneylender, see Daniel Carpi, “On

Families did not abide only by Colon's halakhic injunctions. The *lista* mentions that the bride's family gave presents to the groom on several occasions. The first was the *kinyian* gift, namely, the gift given at the *tenaim* ritual, which Colon does allow. This gift, however, was followed by others on different occasions, up to the wedding day: a banquet for guests on the *kinyian* day, "*ma'ot Purim*,"⁵⁸ a gift when setting the wedding date, a gift to the groom on the eve of his ritual immersion, gifts to the bride when leaving home for her wedding, and wedding gifts displayed on the table on the wedding day.

This list, as noted, is one of the writs kept by the bride's family, which is why it records the gifts that the bride's family gave the groom. Once the match was agreed, a bilateral sequence of gifts developed, with the groom and his family also bringing gifts to the bride and her family. Explicit evidence on this is provided by R. Moses Provenzallo:

The simple custom prevailing in *Ancona and elsewhere* . . . is first to arrange the marriage and record a writ with all the conditions . . . and as soon as the match has been arranged, *the groom visits the bride's home and keeps bringing her gifts*, including refreshments and jewelry, and we are not stringent with him concerning *shivlonot*.⁵⁹

Further testimonies⁶⁰ complement the detailed *lista* and lay out before us a rich and variegated local tradition of mutual gift exchanges between the groom's and the bride's families.

the History of Jewish Lenders in Montepulciano during the Fourteenth and Early Fifteenth Centuries" (in Hebrew), in *Jews in Italy: Studies Dedicated to the Memory of Umberto Cassuto*, ed. Haim Beinart (Jerusalem: Magnes Press, 1988), 254–257.

⁵⁸ The term "*ma'ot Purim*" [Purim coins] appears in Colon's *responsa* as well, as a further instance of a gift that the groom is forbidden to give the bride.

⁵⁹ R. Moses Provenzallo, *Responsa*, #48, 124.

⁶⁰ London Ms., British Museum 9152 (IMHM # 6590), a responsum from Jacob Finzi, #140, 236b–237a: "He [the future groom] often went to the bride's house, and sent her food, drinks, clothes, and jewels, and they ate and drank together, sometimes alone and sometimes with others, and he gave her food, and drinks, and jewels in their presence. . . . We should not accept his version that these *shivlonot* were given for *kiddushin* purposes, unless he brings clear evidence that he actually betrothed her through these gifts"; Modena, *Historia de' riti ebraici*, part 4, ch. 3; R. Moses Zacuto [Ha-Ramaz], *Responsa, Even ha-Ezer*, #2, 133–134, a question concerning the return of *shivlonot* if wedding plans fail to materialize: "We have never heard or seen that, after returning the gifts and *shivlonot*, one side should defray the other's expenses, neither those incurred by the bride's side on the banquet and receptions for guests, for the groom, and for other visits of the groom and his kin, nor the expenses incurred by the groom's side on horses, carriages, food, hosting guests, and on messengers, clothes, and other fine things and gifts not visible to the eye . . ."

During the lively debate surrounding “*sivlonot* fears” in sixteenth century Italy, Provinzallo wrote another significant responsum that should be viewed as continuing and complementing Colon’s rulings. This responsum painstakingly documents local practice concerning wedding gifts, and adds a detailed ritual interpretation of the *tenaim* signing stage (see Chapter Two above). It is exceptional in its length and specification, far exceeding those in other responsa and rulings issued by contemporary Italian rabbis. Like Colon’s responsa, it can also be seen as a local halakhic monograph on the subject of *sivlonot*. In this case as well, the long responsum is a reaction to the work of an anonymous sage, whom Provinzallo quotes at length in order to refute him. Unlike Colon, however, Provinzallo’s style is mild, and he ends with a hope for peace with his anonymous adversary, “and all who seek peace will be blessed by the Lord of peace, who blesses his people with peace. The mouth that speaks with righteousness. . . .”⁶¹ The contents of the answer and the halakhic discussion also differ from those in Colon’s responsum. Provinzallo seems to have tired of a century of deliberations on this question, raising the same arguments and reaching the same foregone conclusion, whereby local practice need not evoke “fear of *sivlonot*.” This could be the reason for the brief space devoted to the discussion of halakhic-formal arguments and their relegation to the end of the responsum relying on previous rulings, and mainly, as expected, on Colon.

One of the central elements of the *tenaim* ritual evident from Provinzallo’s responsum is the practice of giving *sivlonot* in the presence of witnesses, and the interpretation ascribed to these gifts. The elements of the ritual prove that, according to Provinzallo, this act lacks legal significance except for the parties’ expression of consensus, as shown by the verbal formulae accepted in local tradition. The *tenaim* ritual is a preliminary stage before the *kiddushin*, marking the agreement of the groom, the bride, and their families to the eventual implementation of the legal agreement just concluded. The wording of the question shows that the girl must give an explicit [and affirmative!] answer and accept the gifts in order to proceed to the more significant ritual station, the wedding day, as another verbal formula Colon reports clearly demonstrates:

⁶¹ R. Moses Provinzallo, *Responsa*, #78, 133a–b.

According to what they told me, the usual practice is that the envoy tells her [the bride, during the *tenaim* ritual] in the foreign language [Italian], as follows: “*Kallah, come ti piace [questo] dal parte del Chatan*” [Bride, how do you like this act of the groom] *which is exactly the formulae [including at the wedding day]* that relatives and gift bearers use when placing their gifts on the table.⁶²

Colon and Provinzallo contributed the most significant and exhaustive texts to the halakhic discussion in Italy on the issue of “*sivlonot* fears” Their responsa, however, attest how far the halakhic discussion had changed in the course of time, in both content and form. Colon had set the terms of the halakhic discussion for over a century, through his categorical ruling that the Italian Jewish practice of “giving gifts before the *kiddushin*” is understood and widely accepted. No fear of doubtful *kiddushin* arises, then, due to *sivlonot*. The influence of the early Ashkenazi tradition (Rashi, the tosafists, R. Meir of Rothenburg) is evident in the fact that Colon granted his permit to follow local custom by relying exclusively on formal legal considerations. The license to give *sivlonot* was confined to one ritual occasion, and was to be accompanied by precautions: giving the gift through an envoy, to the girl’s parents, forbidding affectionate exchanges between the parties, and requiring publicity. Colon refused to discuss other gift patterns that were known to him, although he was not “afraid to rule” and despite his prominence among local rabbis. By contrast, Provinzallo chose another course, although he was well versed in the arguments of previous halakhists. His acquaintance with local practice did not rely only on the testimony of “elders and honored members of the community” but on first-hand knowledge. In his view, issuing an opinion on the halakhic-legal status of gifts requires an understanding that the gift given during the *tenaim* ritual is only one of many. From a legal perspective, this ritual occasion is not unique or unusually significant. The fears evoked by later *sivlonot* would have justified forbidding gifts at the *tenaim*, and vice-versa, if *sivlonot* are allowed at the *tenaim*, then gift giving should also be permitted at a later stage, without fear of *kiddushin*. This is not an arbitrary analogy, since the role of the gifts is determined by the consciousness of the participants and their interpretation of the giv-

⁶² Colon, *Responsa*, #170, 194. In his wake, see also New York Ms., Columbia University X893T67, responsa of Jehiel Trabot, #34, 25a.

ing no less than by formal halakhic considerations. Provinzallo thus issued an a priori lenient ruling concerning all gifts exchanged until the wedding:

The same applies to the publication of the match and to the giving of these or other gifts later, as *sivlonot* and as presents . . . The law concerning the matchmaking period is that these days are not taken into account, and are thought of as if he were speaking with her about *kiddushin*, and we should not fear that the *sivlonot* given at this time will lead to *kiddushin*.⁶³

Despite the differences between them, Colon and Provinzallo share an implicit assumption in their view of gifts as a communal matter and as the expression of a shared interest. Gifts, rather than a token of emotional ties between the spouses, exposed the shared interests of wider circles participating in the creation of the marriage. Giving gifts is not a secret act but a public matter witnessed by many. The impersonal character of gift giving is not only a matter of consciousness, but came to the fore in two institutional features: (1) The practice of “assessment,” or precise estimate of the gifts’ value. (2) The custom of returning many of these gifts after their use in the ritual. The gifts given during the courtship were displayed beside those that the groom and his family gave the bride up to the wedding and beside gifts given by relatives from both sides. All gifts were collected and displayed “on the table” for all guests to see on the wedding day:

The groom committed himself to sign a Hebrew and a Christian writ [at the town’s notary] for the entire sum [of the dowry], adding a tith [a supplement of about ten percent of the dowry added by the groom], the *kiddushin* ring, and a *diamante e rubino* [two rings with a diamond and a ruby] and half of the gifts placed on the table at the time of the wedding banquet or before, as customary.⁶⁴

⁶³ R. Moses Provinzallo, *Responsa*, 130a, 132b. See also *ibid.*: “And if he sent her *sivlonot* daily, if the custom in this place was to give *sivlonot* and then perform the *kiddushin* . . . we have no *sivlonot* fears at all.”

⁶⁴ Mantua Ms., City Library 150 (IMHM # 2278), *responsa* collection, 12a. See also London Ms., Jews’ College, Montefiore Collection 466 (IMHM # 5366), *tenaim* renewal writ, 22a; Paris Ms., Alliance Israelite 149 (IMHM # 3397), 70, a *tenaim* writ from Padua 1715; Milan Ms., Ambrosiana Library X124Sup. (IMHM # 12346), 9b; Copenhagen Ms., Royal Library 115/3 (IMHM # 6927), collection of *tenaim* writs, no pagination; Moscow Ms., Ginzburg Collection 251 (IMHM # 27955), 3b, the bride’s father, after generously increasing her dowry, insisted on recording the

Every gift was carefully appraised by two experts agreed by both sides, as was every item in the dowry the bride brought to the groom's home (by "arbiters' estimates").⁶⁵ The appraisal was recorded in the *lista*, a list detailing every item beside its estimated value.⁶⁶ These lists, of which a detailed example was noted above, were kept by both sides exchanging *svilonot* between them. The lists were added to the "tenaim writ," or to the *tenaim* renewal writ drawn up and signed on the wedding day.

Despite the careful accounting procedures, *svilonot* retained their special, unique character as gifts, although families placed stronger emphasis on the role of gifts as means of communication than on their "sentimental" value. Gifts were viewed as part of the family's assets and, therefore, were often returned to the giver after their use for ritual purposes at the wedding or at any other event displaying the family's wealth.⁶⁷ Leon Modena attests to this:

Gifts are not presents [presents in the "full" sense of the term] and they are returned. They will certainly be returned to their place in the household property. Trustworthy witnesses have already told me

gifts "on the table," which were to be returned to the bride's father or his representative if the couple divorced or the woman died childless. For a similar case see Oxford Ms., Bodleian Library, Michael Add. 67 [Neubauer 2317], 169a–174b; Budapest Ms., JTS 217 (IMHM # 47145), 2b.

⁶⁵ New York Ms., JTS Rabbinica 1094 (IMHM # 43206), *tenaim* writ from 1452, 58b: "The dowry, her clothes, her jewels, the wedding gifts, the cost of her clothes and her jewelry as assessed by arbiters . . . one chosen by the bride's father and the other by so-and-so, the groom." For further examples of a detailed and rigorous evaluation of assets during the wedding day, see New-York Ms., Columbia University X893T67, a case from 1511, #74, 55a–b; Oxford Ms., Roth Collection 210 (IMHM # 15350), 58a–b; Mantua Ms., City Library 150, 12a; London Ms., Jews' College, Montefiore Collection 466, 22b; Oxford Ms., Bodleian Library 67 (IMHM # 21009), 164a–174b; Jerusalem Ms., Ben-Zvi Institute 4001 (IMHM # 37910), 25b; New York Ms., JTS 1356 (IMHM # 43360), 55a–59a.

⁶⁶ Detailed accounts of wedding gifts [*lista*] are mentioned in Budapest Ms., Kaufmann Collection 99 (IMHM # 4195), 72–73, 111; Budapest Ms., JTS 217, 2b; Milan Ms., Ambrosiana Library X124Sup., 7b; Moscow Ms., Ginzburg Collection 289 (IMHM # 27960), 245a; Mantua Ms., City Library 150, 12a; London Ms., Jews' College, Montefiore Collection 466, 19a–b; Jerusalem Ms., Ben-Zvi Institute 4001, 25b; London Ms., British Museum 27131 (IMHM # 5805), 145a. On the practice of the Turin community to record the gifts in detail in a separate list and in the *tenaim* writ, see Luciano Allegra, *Identità in bilico: Il ghetto ebraico di Torino nel Settecento* (Torino: S. Zamorani, 1996), 170–174.

⁶⁷ On the theme of returning wedding gifts, see TB Bava Bathra 146a; *Shulhan Arukh, Even ha-Ezer* #50/3–4; *Mishneh Torah, Hilkhot Zekhyiah u-Matanah* 6:21; *Turim, Even ha-Ezer, Hilkhot Kiddushin* #50, #91.

that this has become common practice in our town. They have often heard from others that their fathers gave gifts of gold, precious stones, and clothing to their wives before and at the wedding.⁶⁸

The gifts are part of the family's assets or the "household property," namely, of a wider setting including the family members, the servants, the house, the family name, and the shared family assets. In cases discussed in responsa literature and in notarized documents, no clear-cut determination is made as to whether the borrowed gifts originate in the bride's family (the matrilineal side) or the groom's (the patrilineal side). Sometimes, the gift was given on the explicit condition that it would be returned after its use. "Borrowing" a gift served short-term needs, at a time when displaying wealth and enhancing the personal and family's honor was important: "At that time, when the said Jacob gave gifts to Reuven's son, all freely and wholeheartedly agreed to acclaim him and his son—as a man, so his greatness."⁶⁹ To impress the spectators and guests at the wedding day, they lent-borrowed-gave (temporary) gifts, just as they used other ritual means to convey wealth, luxury, and social status: lavish clothes,

⁶⁸ Leon Modena, *Responsa Ziknei Yehuda*, #120, 169a. See also Mantua Ms., City Library 38 (IMHM # 818), responsa of Abraham Menachem b. Jacob Hachohen Rapoport, 79a: "A groom who gives gold and silver jewelry as *siylonot* to the bride so that she may appear beautiful, whether he gave them to her at the wedding or during the betrothal, this is not fully a gift, even if he sends it and announces 'the groom gives this to the bride.' This is not fully a gift, and I have never heard anyone doubting this." For a detailed discussion on the return of gifts, see R. Moses Zacuto, *Responsa, Even ha-Ezer*, #2, 133–134. For an interesting testimony by a dying man, see Stow, *The Jews of Rome*, vol. 1, #712, 291: "We further asked him whether he wishes to give the betrothal object to his wife, Stella. . . . And he himself said, with a clear mind, that he did not wish to leave any of the betrothal objects to her, that is, to Stella, and everything would return to his mother." See also *ibid.*, #723, 295–296; New York Ms., JTS 1356, #31, 45a; Budapest Ms., Kaufmann Collection 106 (IMHM # 2984), commentary of Abraham Graziano on *Shulhan Arukh*, 33; Paris Ms., Alliance Israelite 149, a *tenaim* writ (Padua 1615), 70; Milan Ms., Ambrosiana Library X124Sup., 9b; London Ms., Jews' College, Montefiore Collection 466, 22b; Budapest Ms. Kaufmann Collection 146 (IMHM # 14527), 203; Jerusalem Ms., Ben-Zvi Institute 4001, 25b. On the shame to the men when a woman takes the family property, see R. Azriel Dienna, *Responsa*, #124, 428–429. See also the homilies by Abraham Menachem b. Jacob Cohen Rafa, *Minhah Belulah*, 100a: "And they came, both men and women [Exodus 35:22] means that, usually, women do not have full control of the jewelry they bring from their fathers' house without their husbands' involvement, but here [to create the golden calf], men and women agreed to donate them."

⁶⁹ New York Ms., JTS 1356, responsa of Jehiel Trabot, #163, 312b. See also Moscow Ms., Ginzburg Collection 251, 173a–179a.

sumptuous meals, speeches, music, and dance. Hence, the sumptuary laws limiting the expenses allowed at the wedding also included the use of unduly expensive gifts.⁷⁰ Italian Jews did not think it unbecoming to negotiate the monetary value of the gifts the groom would give the bride before the *kiddushin*. A letter from the first half of the seventeenth century recording the negotiations surrounding a match (which ended in failure), shows that the value of the gifts required by the parties was directly proportionate to the size of the assets that would be eventually be exchanged between them.⁷¹

A series of gifts between the families and the couple accompanied the marriage ritual throughout. Their importance is evident from the timing of their delivery at significant stages of the ritual: the setting of the wedding date, the groom's visits at his fiancée's home, the groom's or the bride's ritual immersion, the bride leaving home, the eve of the wedding. Gifts included chocolates, refreshments, personal boxes, rings or other jewelry, handkerchiefs, cloths, prayer books. Their main value is not their nominal cost but the role they played in the social communication and their semiotic value, attesting to the tightening family bond. Their value increased because other members of the community witnessed the delivery. No gift is given secretly or in hiding; the gift draws its power from a deliberate and emphasized publicity. Gifts are the more negligible financial element within the marriage transaction, which prepares the participants toward the main assets transfer (the dowry) at the wedding.

Notwithstanding the social role of gifts, the sensitive halakhic issues surrounding them could not be ignored. The endless halakhic controversy in Italy on the *sivlonot* issue attests that objections to local practice persisted throughout the sixteenth century. The more stringent halakhists raised anew the issues that Colon had refused to rule on: the recurrent giving of gifts, before *kiddushin*, accompanied by love letters, personally delivered by the groom to the bride, with limited parental or family supervision. All these features raise questions concerning the creation of an unintentional *kiddushin* alliance. By contrast, the consistent rulings of scholars and rabbis rejecting "*sivlonot*

⁷⁰ On the limitations imposed by sumptuary laws on the maximum amount to be spent on wedding gifts, see Rodocanachi, *Le Saint-Siège et les Juifs*, 84–95.

⁷¹ Oxford Ms., Roth Collection 701 (IMHM # 15514), a letter from 1638, 20a: "... concerning the wedding gifts that I gave later because I did not accept his [the bride's father's] offer of less than 200 *ducatoni*."

fears” attest that the defense of local practice was no less adamant. The *lo‘azi* pattern of gift giving played too significant a role to be renounced, despite halakhic apprehensions. First, it emphasized free will (*consensus, voluntas*) as the foundation of the *kiddushin* (see Chapter Three above). The exchange of assets attested that both parties had remained faithful to the commitment they had publicly expressed in the original *tenaim* ritual. The time lapse between the signing of the writ and its full implementation on the wedding day and the first sexual encounter could extend for months, and sometimes even years. This (ritually) “empty space” was filled by a series of secondary ritual acts, among them the giving of gifts. Furthermore, because these acts were public, they reiterated and reconfirmed a previous commitment. Gift giving in the presence of neighbors or relatives, or wearing the jewels the groom had sent to the intended bride, activated an informal mechanism of social control through “hearsay”: rumors played a significant role in the marriage ritual. Some of the more controversial family affairs in Italian Jewish society during the sixteenth and seventeenth centuries began with the delivery of gifts to the bride that, through “hearsay,” were interpreted as acts of *kiddushin*.

A symbolic transfer of assets, in small but repeated doses, strengthened the “cumulative effect” of the transition from a single to a *kiddushin* status. In other words, to the extent that property passed between the parties, the couple were viewed as betrothed.⁷² This exchange of gifts served not only to attest to the ongoing mutual consensus between the families, but also established and implemented the *kiddushin* act in stages. The analogy between the *kiddushin* and an act of acquisition was valid not only in regard to the one-time act of formal *kiddushin* effected through the transfer of a material object (mainly a ring), but could also be applied to a series of small gifts that gradually and cumulatively create the *kiddushin* situation.

Gift exchanges were so crucial in the sequence leading to the establishment of a family that Italian Jews ended up with a narrative whereby marriage is impossible without gifts. One story in the anthology of novellae *Gei Hizzayon* adapted for a Jewish audience a well-known tale from international folk literature about a destitute girl who achieved greatness (meaning she married) despite her poverty.⁷³

⁷² On the “cumulative effect,” see ch. 3 above.

⁷³ Ruderman, *A Valley of Vision*, 184–187. On the book and its literary orientation, see *ibid.*, 1–68. Ruderman identified the literary source of these stories: a collection

This tale appeared in several literary versions and is known in Italy as “the story of Griselda.”⁷⁴ It crosses the seam between the Christian and the Jewish-Italian storytelling cultures, acquiring new narrative features in the process, such as parallels to the story of Ruth and the story of Joseph in Egypt. The girl is poor and her father cannot afford a dowry for her. In the social conditions then prevalent in Italy, she would have remained single for many years or would have married someone unsuitable. The girl’s outstanding personal qualities compensate for the family’s poverty, raising her value as a marriage candidate. Since the bride has no assets at all, the groom gave her his. The *shivlonot* to the bride (“and he gave me two bracelets and a golden necklace”) are given after the *kiddushin*, contrary to local custom. The *shivlonot* element is thus retained in the story of the “good” marriage.

Halakhic sources show that this was the practice in Italy in the exceptional circumstances of hasty *kiddushin*, which reversed the usual ritual course. In the Tamari-Vinturizo divorce, two men were involved in a bitter and sustained confrontation: the father of a young girl of marriageable age, and the intended groom who managed to arrange a betrothal. The will to prevail in this tangle and humiliate the adversary led to endless squabbles about every detail. The story of the betrothal was one of the details on which they agreed:

In 1560 . . . the matchmaking agreement succeeded and we affirmed it with the bonds of *kiddushin*. I also gave my betrothed *shivlonot* for more than 150 *scudi*, although it was my father-in-law who provided me with this money on several occasions, and I committed myself in writing to return this money to him at his request. We made a verbal agreement to add this money to the dowry account to be given at the time of the wedding, with a gain of twelve in one hundred

of novellae by Nicolao Granucci (1522–1603). On the significance of *shivlonot* as a necessary component of the marriage bond, see another literary source, Budapest Ms., JTS 34 (IMHM # 47029), biblical exegeses, 35a–b: “Previously, Jacob had thought he could use the money given to him by his mother and father to take them both [Leah and Rachel] . . . that is, that he would have enough assets to give one dowry to Rachel and one to Leah. But when Elifaz, son of Esau, took all his money away, he was left with nothing . . . and since Jacob went to Laban’s house empty-handed, he had to work twelve years. This is puzzling. Could not Jacob have dispatched a letter to his father and mother to send him *shivlonot* to give to the women? You must therefore conclude that their intention was to send him to take a wife through the power of Torah and prayer.”

⁷⁴ See Klapisch-Zuber, “The Griselda Complex.” The author notes that this motif is mentioned in the Aarne and Thompson list of folktales motifs in various cultures.

[twelve percent], and whatever was left of the mentioned *sivlonot* was for me and I gave it to her. . . . But my father-in-law then sold my *sivlonot*, until he recovered almost the entire debt.⁷⁵

A hasty betrothal was arranged to expedite the agreement between the bride's father and the groom, but even then they still insisted on giving wedding gifts after the *kiddushin*, contrary to local practice. If the honor of the house, the family, and the groom were to be preserved, this stage could not be skipped. The groom's father, therefore, lent the groom a sum of money (with interest!) to buy the bride *sivlonot*.

Sivlonot were given not only at the *tenaim* ritual, as Colon's responsum might suggest. They were a feature of the entire marriage ritual, at significant ritual landmarks or at preset times, when the groom or his family visited the bride's home. A lavish tradition of gift giving was then prevalent in Italy. The way of delivery, the personal hints concealed in various gifts, the verbal formulae, and the ritual gestures created a unique social etiquette. The gift was part of a rich web of social communication during the marriage ritual. It attested to closer and closer bonds, and to the parties' continued commitment to their eventual *kiddushin*. At the same time, it significantly reduced the parties' ability to withdraw their pledge, and gradually established the *kiddushin* status. This is why the "good" marriage story, in the folktale version, includes the giving of *sivlonot* as a necessary component. *Sivlonot* and marriage are inseparable, as attested by the *tenaim* writ where the groom promised the bride and her family to "to give her gifts and betroth her by the law of Moses and Israel."⁷⁶

⁷⁵ *The Chronicle*, 2a. On the affair recounted here, see Bonfil, "Some Trifles on the Tamari-Vinturizo Divorce Affair" See also Moscow Ms., Ginzburg Collection 251, 173a-179a, the groom became temporarily insane and the bride was therefore quickly betrothed to another man, but they still received gifts after the hasty *kiddushin* ceremony. Another case appears in Mantua Ms., City Library 88 (IMHM # 874), responsa collection, no pagination: Reuven arranged a match between his daughter and Simon's son and set aside a dowry for her, and Simon undertook that his son would shortly come to the bride's place and set up house there, and would bring one hundred florins with him "from his father's assets, to buy gifts for the bride, and buy goods to earn a living from them and save his life [Genesis 19:19], since the said hundred florins were his assets, given to him by his father."

⁷⁶ The phrase appears in Oxford Ms., Roth Collection 210 (IMHM # 15350), in a writ authorizing the bearers to sign a *tenaim* agreement, 55a-59a.

Gift Exchanges Between Youngsters

When Colon examined the *sivlonot* practice in Italy, he turned to the “elders and honored members of the community” as a source of legitimate information. Other contemporary documents also reflect, in general, the viewpoints of *patresfamilias*, heads of households, and rabbis who supported them. These descriptions clarify that gift giving is not a personal activity but a channel of communication and exchange between families, expected to take place on defined and preset ritual occasions—the *tenaim* ritual, the day of immersion, or the bridal procession to the groom’s town. The families of both parties are involved in all such events, which are attended by guests and members of the community. Supervising the delivery of gifts and interpreting their legal meaning, therefore, remains a task incumbent on adults, part of the family strategy on the choice of a partner.

Sources do not describe the exchange of gifts out of specific interest in this pattern, but in an attempt to define more clearly the borders between the normative and the forbidden, or the common and the exceptional. They thereby provide an insight into another style of gift giving not fully controlled by adults but inherent in the “youth culture” of Italian Jews, which strongly resembled the lifestyle of youngsters in European Christian society in the early modern period. Europe’s demographic profile was extremely young. Large groups of youngsters were no longer directly supervised by their families of birth, but had not yet established families of their own. During the many years preceding marriage, they created a sub-culture of cliques with different leisure patterns and a separate lifestyle. Youths did not mean to subvert familiar social norms. In fact, they often were these norms’ most loyal protectors, punishing transgressors in collective rituals. The tension between youngsters and adults was not channeled into a counterculture of protest, but into an alternative use of the familiar cultural patterns.⁷⁷

Marriage was a natural area for confrontation or cooperation between adults and youngsters. Although they wished to control the ritual and impose the family strategy, adults also acknowledged the

⁷⁷ Elliot S. Horowitz, “Mondi giovanili ebraici in Europa, 1300–1800,” in *Storia dei giovani*, ed. Giovanni Levi and Jean-Claude Schmitt (Roma e Bari: Laterza, 1994), 101–157. For a description focused on Italian youth subculture, see Weinstein, “Thus Will *Giovani* Do.”

youngsters' power to express their personal desires and influence the ritual's course. The use of assets throughout the marriage ritual was another means for controlling the younger generation. Personal gifts between young men and women were assigned a place in the ritual, obviously controlled and supervised by adults. The first step was at the *tenaim* ritual: the two families met and allowed the youngsters to meet face to face, often for the first time. The duty of female modesty or the protection of the family's and the father's honor, which required the segregation of young men and women, was relaxed or suspended during the brief period of the *tenaim* celebration. The parents allowed brief physical contact between the future bride and groom. An anonymous sixteenth century halakhist described the occasion: "When he himself [the groom] gives the *sivlonot* to the bride, this leads to "*sivlonot* fears," and even more so when he himself places the *sivlonot* on her body, and other *licentious matters*."⁷⁸ What had hitherto been perceived as *vergogna* [dishonor] to the paterfamilias and the girl, served the interests of both families. This first, brief contact was probably very exciting to the young couple, but also fulfilled another crucial ritual role that served to justify it to the adults as well. Though this contact, the youngsters conveyed their unequivocal consent to the agreement and to their future marriage. What the halakhist had critically described as "licentious matters," or as an act creating a doubtful *kiddushin*, is merely an attempt on the part of adults to include the courtship in the family ritual. Its removal could be far more costly, as attested by contemporary marriage scandals.

The venue for giving the gifts epitomizes the power struggles within the family between several controlling figures (the father, uncle, or elder brothers) and the unmarried youngsters. In Jewish society, as in other Mediterranean societies, the woman must remain in her home under the protection of the men to ensure her personal safety, and to preserve her virginity and her reputation. Meeting outside the house was problematic because of the restrictions affecting the girl, and meeting in the house was totally forbidden. As a default option, courtships often proceeded in some middle course, in a liminal

⁷⁸ Boksenboim, *Responsa Matanot Ba-Adam*, #115, 199–200. Apprehensions about the possibility of physical closeness being interpreted as a betrothal act surfaces in Colon's responsa cited above (Colon, *Comprehensive Responsa*, #170, 359); idem, *New Responsa and Rulings*, 215.

area of the house where the outside—the street—and the inside—the domestic space—meet. In some of the more controversial sixteenth-century courtship stories, the couple met through the window:⁷⁹

True guidelines to dismiss the groundless slander claiming that *sivlonot* were given for *kiddushin* purposes. The first is that he spoke to Miss Luna, who was his intended, and told her from the hole in the basement of his house, from which Miss Luna's house was visible, that he wished to send her *sivlonot* for *kiddushin* because her father was a liar and he feared he might steal her from him. He then wrote in his notebook that his brother had spoken with her from the window of his house, which was only half a cubit away from her window.⁸⁰

The plot, only partially reported above, describes a power struggle between fathers and their unmarried children. The girl's father had arranged a match with a young man and then decided to breach the agreement. The match was probably cancelled for a better one, or new details became known about the previous candidate that prompted the bride's father to retract. The youngster feared that the match was about to slip away from him and acted to thwart the father's plan. As noted in Chapters One and Two, a matchmaking agreement was viewed in Italy as close to *kiddushin*. Its cancellation caused grievous harm to the family's honor and required monetary compensation. The intended groom reacted to what he saw as an injustice in a manner typical of youngsters, using the ritual's normative components in alternative ways. He succeeded in persuading the girl to act against her family's interest and accept *sivlonot* through the window of her house. The venue of the delivery and its legal meaning transcended the customary implications of *sivlonot*. The gift was given through the window for the purpose of *kiddushin*. The ritual shifted from the inside of the house to the liminal border, and the gift turned from an instrument of courtship into a *kiddushin* act imposed on the parents.

Repeated gifts of small objects or refreshments could blur the border between a *doron* [present], implying a personal gift, and *kiddushin*. This blurring served the interests of men hoping to impose *kiddushin* on women, as well as cynical "dowry hunters."⁸¹ The cases that occu-

⁷⁹ On the window as a location of courtship and betrothal, see chapter 6.

⁸⁰ Strasbourg Ms., National and University Library 4086 (IMHM # 3961), 273.

⁸¹ New-York Ms., Columbia University X893T67, #74, 55a-b, responsa of Jehiel Trabot, a case from 1511: "About four years ago or more, he sent through the

pied Italian rabbis throughout this period are an exception in the many courtship encounters between women and men who exchanged personal gifts without fear of *kiddushin*, and without any intention of forcing the woman into an unwanted marriage. The gifts were accompanied by words of affection and closeness such as “my love” or “to remind you of my love” or “you are mine” [*tu sei mia*]. Even geographic distance did not prevent youngsters from keeping a stream of gifts going through envoys or accompanied by love letters.⁸² Love letters between youngsters about to marry were culturally recognized within the creative spectrum of Italian Jews. In *Ma’ayan ha-Ganim*, one of the most important sixteenth-century letter manuals, Samuel Archivolti devoted an entire section to letters of courtship and love, including letters of youngsters:

In the fifth section [of the manual], which is last but not least, women will gather courage and learn how to answer sensibly the ardors of their wooers, to love a lover and hate an enemy . . . A lover writing to his beloved will beg for her favors saying, “it is love or death.” You should understand the intense passion of these sayings. Responding to the lover, the gazelle will stoke the flames of his love for her, ensnare him in the net of her words, beguile him with glibness, and lure him with her smooth tongue.⁸³

A love letter was viewed as a gift in itself due to the considerable effort of conveying it personally and discreetly to the girl, and given

said David *svilonot* to Hannah, with whom a match had been arranged. He sent a *tassoto* [small tray] with gold and pearls, and later testified that he personally gave to her in his presence a *corallo* [coral], estimated by him to be worth around one *ducato*. While giving her the said object, he said to her ‘I have sent to you the said *svilonot* through my envoy, David, and now I give this object to you directly so that you will remember my love.’ She took it gladly, and they were then joined by two esteemed individuals [the betrothal witnesses].” See also Budapest Ms., Kaufmann Collection 134, 274: “She also took it as a gift, since she told us, the witnesses [the women who had witnessed the delivery of the gift], ‘Look, my fiancé sent this cotton cloth as a gift [rather than saying it was a *kiddushin* token],’ and she also said so about the necklace [as she had said about the previous gifts] . . . the witnesses, then, did not know that he had intended these for *kiddushin* purposes but rather as a gifts.”; Budapest Ms., Kaufmann Collection 150 (IMHM # 32246), #17, 71, the man gives a gift to the woman with whom a match had been arranged for him “as a token of love and affection and to become his beloved.”

⁸² Colon, *New Responsa and Rulings*, 204. Budapest Ms., Kaufmann Collection 134, a responsum from 1519 by Israel b. Jehiel Ashkenazi, 93, when giving the *svilonot*, the man said, “take them, *tu sei mia* [you are mine].”

⁸³ Samuel b. Elhanan Archivolti, *Ma’ayan Ganim* (Venice: Aloise Bragadin Print, 1553), 5b–6a. On the importance of love letters and the role of love during youth, see idem, *Degel Ahawah* (Venice: Daniel Edelkind, 1511), introductory page.

the sense that the couple had created a special and intimate space, unknown to others. These letters were accompanied by small objects and personal gifts [*doronot*]. The link between hidden love letters and the exchange of *doronot* is also clearly evident in the Purim play *A Comedy of Betrothal*. The play was a burlesque representation of family life and of the obstacles hindering the establishment of a new family. It hinges on the intrigues against adults by young people looking to be rescued from the marriage plans their parents had tried to impose on them. Throughout the play, the youngsters meet in secret, address each other affectionately, and give their beloved letters and gifts.

For adults, the gift became part of the assets transferred during the marriage and well documented in the various legal writs (the *tenaim* writ, the gifts writ, the dowry writ, the *ketubbah*). The gifts were given under well-defined conditions and “signaled” to the public the increasingly close bonds between the families. The youngsters added another layer, personal and emotional. Colon had been aware of this dimension when he described the characteristics of the Italian gift: “We learn from R. Samuel⁸⁴ that he did not send the gifts to the betrothed but to the house of his father-in-law in her honor, though not as a *special gift to her* as Italians do, even if the gift included jewelry *meant for her*.”⁸⁵ Youngsters did not send the gift to the parents’ home but to their intended bride, as a personal gift, “special for her.” For many early modern Jewish youths, a distinction is required between an adult gift, which is *simulata e finta* [deceit and falsehood]⁸⁶ and the true gifts given by youngsters.

Personal gifts belongs to the intimate space shared by the youngsters, where the control of parents or other power holders in the

⁸⁴ The reference is to the amora Samuel, who describes in TB Bava Bathra 146a the practice whereby the groom sends gifts to his father-in-law.

⁸⁵ My emphasis. Colon, *Comprehensive Responsa*, #171, 371.

⁸⁶ The expression appears in Vienna Ms., National Library 24 (IMHM # 1303), a gift writ from a brother to his sister after a match had been arranged for her, Ferrara 1561, 120a: “A full gift, open and public, everlasting and not to be returned, the sum of 500 *scudi* . . . and not a simulation and fake with ulterior motives, known in their language as *donazione simulata e finta*, but an indisputable and uncontestable gift.” For a very early definition of a full gift, see Modena Ms., Estense Library 58 (IMHM # 14965), from a fourteenth century writs collection, a writ listing the gifts from a fiancé to his fiancée, 18b: “A clear and public gift, absolute and indisputable, of which she will have complete ownership, to inherit, bequeath, and give to whom she pleases.”

community remains limited. The marriage ritual is an economic contract between heads of families, but also an intensive time for the youngsters to discover their personal feelings and erotic needs, and for creating close contacts outside the family circle. A new space of privacy and intimacy developed in the seventeenth century within the growing European bourgeoisie. Love letters became widespread, and whole rituals developed around them to express emotional closeness. Personal letters were accompanied by small personal objects, jewelry, or gifts, whose meaning and secret signals only the couple could understand. Gift giving as a personal expression conveyed the uniqueness of the lovers' relationship. Evidence are the thousands of contemporary medallions with images of the beloved, which grooms and brides wore as pendants or concealed in private hiding places.⁸⁷ Jewish youngsters also sent personal pictures directly, or through the family. A youngster sending a letter to his future father-in-law entreats him to send him a picture of his beloved:

May it please your honor [the father of his fiancée] to answer my request and send me, as you had promised, a picture of my bride, my undefiled, may she be blessed, so that I may delight in her splendor, until it pleases God to hasten the delivery of my soul from the torture of this long wait to possess her and for us [the young couple] to relish the raptures I long for more than any other joy or pleasure. May you stand by your promise and may this count in your favor and may you revive my soul by answering my request.⁸⁸

The stylized letters, secret encounters, and the objects exchanged between Jewish youngsters in Italy during the courtship were also part of these love rituals.

⁸⁷ On the culture of gifts in early modern Europe, see Orest Ranum, "The Refuges of Intimacy," in *A History of Private Life*, vol. 3, 217–258; Davis, *The Gift in Sixteenth-Century France*; Simon Schama, *The Embarrassment of Riches: An Interpretation of Dutch Culture in the Golden Age* (New York: A. A. Knopf, 1987), 444–454.

⁸⁸ Oxford Ms., Roth Collection 701 (IMHM # 15514), letters collection, 5b. On the growing importance of portraits and their use in early modern Jewish culture in Europe, see Cohen, "The Visual Image of the Jew and Judaism in Early Modern Europe"; see also Richard I. Cohen, "'And Your Eyes Shall see Your Teachers': The Rabbi as Icon" (in Hebrew), *Zion* 58 (1993): 407–452. See also Anne Brener, "Portrait of the Rabbi as Young Humanist: A Reading of Elijah Capsali's 'Chronicle of Venice,'" *Italia: Studi e Ricerche sulla Storia la Cultura e la Letteratura degli Ebrei d'Italia* 11 (1994): 37–60.

Gifts in the Christian Marriage Ritual in Italy

Urban society in Italy during the Middle Ages created a unique “economic” ethos on the accumulation and use of wealth.⁸⁹ No longer a tool for redemption or for charity to the needy, the accumulation of wealth came to be perceived as a self-justifying end, a means for acquiring political status in the city, or for conspicuous consumption. This attitude to wealth in Italian urban society is evident from many sources, including family memoirs [*libri di ricordanze*] written by paterfamilias or handbooks to youths.⁹⁰ The preservation of accumulated wealth and its transfer to the next generation were recurrent themes in family guidelines to children. Marriage was presented as an optimal opportunity to preserve the family’s wealth and connections, and even expand them through the appropriate communication. Considerations of family strategy in the choice of spouses and in the conduct of the negotiations resemble the brokering that precedes financial transactions. Alessandra Strozzi, whose letters to her family in exile often dealt with family issues and matchmaking, categorically rules, *chi to’ donna vuol danari* [he who marries a woman wants money].⁹¹

Studies by Klapisch-Zuber and others show that despite the prominent emphasis on economic interests that underlie the creation of a new family, the urban marriage ritual in Italy was accompanied by numerous gift exchanges.⁹² The dowry system granted considerable

⁸⁹ On the attitude to property in late medieval Italian society, see Raymond De Roover, *San Bernardino and Sant’ Antonino of Florence: The Two Great Economic Thinkers of the Middle Ages* (Boston: Baker Library, 1967); idem, *Business, Banking, and Economic Thought in Late Medieval and Early Modern Europe: Selected Studies of Raymond de Roover*, ed. Julius Kirshner (Chicago: University of Chicago Press, 1976), esp. 273–305. See also Samuel K. Cohn, *Death and Property in Siena, 1205–1800: Strategies for the Afterlife* (Baltimore: Johns Hopkins University Press, 1988); Amintore Fanfani, *Le origini dello spirito capitalistico in Italia* (Milano: Vita e Pensieri, 1933).

⁹⁰ On family books [*libri di famiglia*], see Cicchetti and Mordenti, “La scrittura dei Libri di Famiglia; Bec, *Les marchands écrivains, affaires et humanisme à Florence 1375–1434*.”

⁹¹ The reference appears in Fabbri, *Alleanza matrimoniale*, 66. See also *ibid.*, a moral lesson by a paterfamilias from a novella by Giraldo Cinzio (second half of the sixteenth century).

⁹² Klapisch-Zuber, “The Griselda Complex”; idem, “Les femmes dans les rituels de l’alliance et de naissance à Florence,” in Chiffolleau et al., eds., *Riti e rituali nelle società medievali*, 12–19. On a marriage extensively documented in legal testimonies and describing gifts to the groom and bride, see Brucker, *Giovanni and Lusana*, pas-

economic advantages to the groom's side. Until the end of the Renaissance, however, all social classes in Italy preserved older marriage traditions that had been in force before the dowry system became dominant.⁹³ The groom was responsible for providing his wife a counter-dowry [*controdotte*] of clothes and jewelry, and for preparing a conjugal room. His expenses could oscillate between a third and two thirds of the dowry's value. The assets brought by the husband balanced the dowry payments on the bride's side. Beyond its economic role, however, the *controdotte* also had a symbolic value in its integration of both families' assets. The conjugal room that the husband prepared symbolized the wife's passage from her family to the husband's lineage [*lignage*]. The groom also bought the trunks [*cazioni*] needed to transport the bride's trousseau to his house. The bridal procession carried the trunks, publicly displaying their new shared lodgings and the consummation [*consummatio*] of the marriage. Following the symbolic assets given as gifts [*donora, donationes*], the potential economic advantages that the man could draw from the marriage diminish significantly. The rules of the "marriage market," based on monetary supply and demand, do not fully explain the process of choosing a bride even in the wealthy urban classes. The symbolic transfer of property remained a necessary element in the Italian marriage ritual.

The man's gifts to the woman play a clear role in the marriage traditions of Europe and Byzantium. The creation of a legal marriage—as opposed to prostitution, concubinage, or relationships with women who were serfs or slaves—was always accompanied by a property transfer of defined value, or symbolic assets. Betrothal rituals in Byzantium and in various areas of Europe were accompanied by various kinds of gifts from the groom to the bride or to her family.⁹⁴ In Italy as well, different social classes marked the betrothal

sim. See also Enrico Besta, "Gli usi nuziali del Veneto e gli statuti di Chioggia," *Rivista Italiana per le Scienze Giuridiche* 26 (1898): 205–219.

⁹³ Diane Owen-Hughes, "From Brideprice to Dowry in Mediterranean Europe," *Journal of Family History* 3 (1978): 263–296.

⁹⁴ Ritzer, *Le mariage dans les Églises chrétiennes du I^{er} au XI^e siècle*, 127–129; George Duby, "The Aristocratic Households of Feudal France," in *A History of Private Life*, ed. Philippe Aries and George Duby (Cambridge, Ma.: Harvard University Press, 1988), vol. 2, 130–132; Schröter, "Wo zwei zusammenkommen in rechter Ehe," 90, 102–103; Alan Macfarlane, *Marriage and Love in England: Modes of Reproduction 1300–1840* (Oxford, Basil Blackwell, 1986), 291–317; Van Dülman, "Fest und Liebe," 79–90.

through an exchange of property and gifts, delivered at a festive occasion even before most assets were transferred, when the bride moved to her husband's home.⁹⁵ Engagement rings were given to create a new and binding legal status [*fidanzamento*], but were counted among the gifts that the groom gave the bride. At times, a distinction was drawn between the two roles of the ring, and the ring was only given as a gift after the wedding ceremony.⁹⁶ In wearing the groom's gifts, mainly jewelry, the bride conveyed her agreement to the future marriage. Girls who refused the family's matchmaking arrangements rejected the groom's gifts as well, despite the outrageous consequences of this act.⁹⁷ These practices were perhaps later evolutions of traditions found in Roman and Lombardian law. Roman law did not recognize marriages that did not include assets transfers between the parties. Children born from such marriages were not entitled to inherit family assets, as if they had been illegitimate.⁹⁸ The Lombardian conquest of Italy in the early Middle Ages added a layer of Germanic traditions. The gift known in this tradition is the *Morgengabe*, given to the bride after the wedding night as a sign of or a price for her virginity.

The types and value of the gifts were largely dictated by local traditions, gender differences, or class. Most of the documentation was obtained from adult males belonging to wealthy urban families. An important source is the book by Marcantonio Altieri, a Roman aristocrat from the late sixteenth century, who devoted a long and detailed treatise to the description of the marriage ritual.⁹⁹ The more

⁹⁵ Steven Epstein, *Wills and Wealth in Medieval Genoa 1150–1250* (Cambridge, Ma.: Harvard University Press, 1984), 103–107.

⁹⁶ Witthoft, "Riti nuziali e loro iconografia," 132. She refers to the marriage of Bartolomeo Sasseti, who wrote, "Priore la sposò e diedele l'anello" [first I married her, and then I gave her the ring].

⁹⁷ Lucia Ferrante, "Il matrimonio disciplinato," 917; Lombardi, *Matrimoni di antico regime*, 205–209, 246, 271. The refusal to accept a gift could combine with other gestures, such as crying or turning away from the intended groom, to denote the girl's opposition to the candidate chosen by her parents or her family.

⁹⁸ Jean Gaudemet, "Les legs du droit romain en matière matrimoniale," in *Il Matrimonio nella società altomedievale*, 139–179.

⁹⁹ The description of Altieri's book appears in Christiane Klapisch-Zuber, "An Ethnology of Marriage in the Age of Humanism," in *Women, Family and Ritual*, 247–260.

common wedding gifts in wealthy urban classes are in a *sui generis* category. These expensive gifts were considered part of the family property and recorded in a *lista* that was sometimes added to the dowry agreement or noted in the family book. Givers often expected the gift, which was considered household property, to be returned. Property was the public expression of the family's wealth and honor, and should therefore be returned to the original owners after use. Giving it to the bride for a limited period conveyed the bride's detachment from her family of birth and her integration in the new family. Gift traditions followed known rules in Italy's different regions, and were given at every significant stage in the marriage ritual, publicly "signaling" its progress. Celebration in the marriage ritual were marked by family gatherings, gift giving, and an additional display of generosity—festive banquets.¹⁰⁰

A different type of documentation are the legal proceedings of urban and ecclesiastical courts,¹⁰¹ which reflected the family traditions of the city's large and varied population: servants, poor artisans, youngsters living alone, without their parents. The encounter between men and women in the Italian cities of the late Renaissance was sometimes extremely violent, and women lacked all protection. In fixed communal settings, however, a non-violent style of courtship developed. Meetings of youngsters often led to marriage, with the families' partial knowledge or despite their opposition. The gift was a way of meeting and of drawing closer in a process of "socialization of lovers"¹⁰² toward a confirmation of the bond between them and its proclamation to other youths. The gifts were of small value, since unchaperoned meetings between youngsters were mainly a lower class event. They included personal objects or small items of clothing. In these cases, the gifts were considered the woman's property and she was not expected to return them to her husband after she had entered his family.¹⁰³ A current practice in Tuscany was for the intended bride to give gifts to her future husband, to convey her

¹⁰⁰ Klapisch-Zuber, "Les noces florentins et leurs cuisiniers."

¹⁰¹ On courtship gifts among the less wealthy and other "folkloric" traditions concerning wedding gifts, see Ruggiero, *The Boundaries of Eros*, 157–161; De Gubernatis, *Storia comparata degli usi nuziali in Italia*, 112–121.

¹⁰² The expression is taken from Schama, *The Embarrassment of Riches*, 444–454.

¹⁰³ Lombardi, *Matrimoni di antico regime*, 208–209.

agreement to the marriage. Some of the wedding presents were given only by women.¹⁰⁴

Summary: The “Gifts Culture” of Italian Jews

The *sivlonot* the groom gives the bride before the wedding caused a wide halakhic turmoil in Italy, which seems to have begun in the late fifteenth century and subsided only in the first half of the seventeenth century. Many sources, including letters, responsa literature, and halakhic writings of monographic scope, were written in the course of an halakhic controversy that involved the most prominent Italian rabbis. The variety of sources unquestionably attests to the importance of this issue in the local perception.¹⁰⁵ The one who actually opened up this matter for public discussion was an Ashkenazi rabbi, Joseph Colon, who recorded the main practices of *sivlonot* giving in Italy and issued a ruling accepted by most Italian halakhists. Relying on the crucial talmudic passage on this question, which states that the decisive consideration concerning *sivlonot* is local practice, Colon categorically ruled that since the Italian practice of giving *sivlonot* before the *kiddushin* is well known, we do not fear *kiddushin* as a result of it.

Colon’s unequivocal ruling and his high standing among Italian halakhists at the beginning of the sixteenth century could ostensibly have stopped this discussion at the outset, but this is not what happened. Why the protracted controversy? According to Colon, the stir was caused by “upstarts,” French sages who are “not of the elders of this land and its inhabitants,” and whose practice was to hold the

¹⁰⁴ Klapisch-Zuber, “Les femmes dans les rituels de l’alliance et de la naissance à Florence,” 3–22. These gifts, mainly rings, symbolized the wife’s integration in the feminine wing of her new family. The rings were part of an extensive network of feminine gifts, marking important moments in family life that granted women ritual primacy, such as birth and nursing, the baby’s baptism, marriage, and the woman’s move to the groom’s house. Gifts marked the lines of family identity.

¹⁰⁵ Hayyim Soloveitchik, *Pawnbroking: A Study in the Inter-Relationship Between Halakhah, Economic Activity, and Communal Self Image* (in Hebrew), (Jerusalem: Magnes Press, 1985), 16: “One thing is clear: a marginal profession [money-lending] could not have developed into such an extensive and intricate realm in the history of Halakhah producing, in a usually laconic literature, hundreds of pages of debate around some simple lines in the Talmud.”

kiddushin first and then give *sivlonot*.¹⁰⁶ This claim, however, is hard to accept. At best, it may explain the beginning of the dispute at the end of the fifteenth century. Why would the halakhic objection of a small and relatively non-influential community of immigrants (like those from Ashkenaz or Spain) sustain a hundred-year controversy?

Despite reservations about the direct link between the *sivlonot* controversy and the French sages, there is some truth to it. New immigrants to Italy undermined local customs. This hypothesis is supported by the fact that the sharpest writings and public controversies around *sivlonot* erupted in the larger communities, which were the main arena of communal tensions: Rome, Florence, Ancona, and perhaps also Padua.

The Rome community was made up of various groups worshipping in separate synagogues. The *sivlonot* cases recorded here all took place mostly around the 1520s, the time of the harsh battles between the *Italiani* and the *ultramontani* that ended in the compromise mediated by Daniel of Pisa (1524). The *sivlonot* controversy was an appropriate tool for emphasizing the differences between the communities and sharpen other conflicts as well. *Sivlonot* practices could serve as a convenient excuse to undermine communal authority without directly attacking the leaders. In the course of these conflicts, which had already transcended ethnic identity, some raised a claim unusual in the Italian context, stating that the Roman practice left room for “*sivlonot* fears.”¹⁰⁷ The diversity of the communities in Rome, the

¹⁰⁶ Colon, *Comprehensive Responsa*, #170, 357. See also idem, *New Responsa and Rulings*, 206, 217: “Some of the upstart French teachers have questioned it [local practice] . . . [Ashkenazi practice] is different from this [*lo‘azi*] practice, as I wrote above, and the *lo‘azim* unquestionably give *sivlonot* first and then betroth.”

¹⁰⁷ Budapest Ms., Kaufmann Collection 150, #13, 45–55. The responsum records two cases in Rome, within a span of two years, of “doubtful betrothal” [*kiddushei safek*] due to bestowal of gifts. Following the first case, “the said rabbis and other sages called the people in charge and the community leaders . . . to an inquiry, and they took an oath while holding the Torah scroll in the synagogue. They then asked whether anyone in the congregation knew that the practice of this community was to betroth first and then give *sivlonot*, and trustworthy people testified that they had seen and known congregation members who had first betrothed and then given *sivlonot*.” The outcome was still the same, namely, dismissing any fears concerning the legal implications of *sivlonot*. The second case deals with a more serious infringement of community regulations “by community leaders, and the more prominent and respectable among them, not once but several times, one of them going as far as creating a precedent concerning his daughter and then his granddaughter within one month, and although an elder sent him a warning [*hatra‘ah*] before witnesses the first time, he did not fear repeating this.” For further evidence of the contemporary

central city in the consciousness of Italian Jews, may have led to the stringent trend, resembling the halakhic dynamics that developed in the Izmir community.¹⁰⁸

The original founders of the Ancona, Padua, and Florence communities were Jewish *Italiani* bankers, and later immigrants questioned their authority. Provinzallo wrote his essay to the Ancona community when immigrants from Sicily, from the kingdom of Naples, and mainly *marranos*, were arriving in the city in response to an invitation that had been issued for economic reasons.¹⁰⁹ Sources attest to a struggle for authority in the Padua community as well, between the older bankers' leadership and the Ashkenazi rabbinate, newly strengthened in the late fifteenth century by the arrival of a large wave of Ashkenazi immigrants.¹¹⁰ Florence preserved its "Italian" character at this time, as evident from the local prayer books. The *sivlonot* controversy attests to the power of local custom and the desire to cling to it,¹¹¹ and Colon wrote his two long responsa at the request of this public. The questioning of local practice led communal leaders to request his first ruling. After the public refused to abide by an anonymous ruling advocating stringency, they approached Colon again in order to confirm his lenient ruling concerning *sivlonot*.

Roman ordinance forbidding *kiddushin* before *sivlonot*, see *ibid.*, #15, 57–60. See also Stow, *The Jews in Rome*, vol. 2, #1203, 1381. On contemporary inter-ethnic relationships in Rome, see Ariel Toaff, *The Ghetto of Rome in the Sixteenth Century: Ethnic Conflicts and Socioeconomic Problems* (in Hebrew) (Ramat-Gan: Bar-Ilan University Press, 1984), 11–41; Stow, *The Jews in Rome*, vol. 1, xi–lxix. On the increase in inter-ethnic marriages, see *idem*, "Ethnic Rivalry or Melting Pot: The 'Edot' in the Roman Ghetto," *Judaism* 41 (1992): 286–296.

¹⁰⁸ See the testimony of Caro, *Responsa Beth Yosef, Dinei Kiddushin*, #1.

¹⁰⁹ R. Moses Provinzallo, *Responsa*, #78, 124, referring to Ancona. On Ancona, see Renata Segre, "Nuovi documenti sui Marrani d'Ancona (1555–1559)," *Michael: On The History of The Jews in The Diaspora* 9 (1985): 130–159; Laura Astrology-Fonzi, "Das Autodafe der Marranen von Ancona im Lichte der Beziehungen zwischen italienischen und portugiesischen Juden," *Studia Judaica Austriaca* 13 (1992): 135–144, including further references.

¹¹⁰ Colon, *Comprehensive Responsa*, #29, 61, concerning the rabbis of Padua compelling a divorce. The text remains ambiguous as to whether the ruling issued by the Paduan rabbis relates to the specific circumstances or sets a principle, regardless of concrete details. On ethnic interaction in Padua, see Carpi, *Minutes Book of the Council of the Jewish Community of Padua, 1577–1603*, 14–16; Daniel Carpi, *The Jews of Padua during the Renaissance, 1369–1509* (in Hebrew) (Ph.D. Dissertation: Hebrew University of Jerusalem, 1967), 82–107.

¹¹¹ Colon, *Comprehensive Responsa*, #170–171. On the ethnic composition and the management of the Florence community, see Cassuto, *Gli ebrei a Firenze*, 30–37, 212–220.

According to immigrants who came to Italy from Ashkenaz, Spain, North Africa, and the East, local practice entailed a breach of Halakhah and created a situation of doubtful *kiddushin*. Rabbis approached conjugal law as one of the most sensitive areas of Jewish law due to the fear of marrying a woman already married, and the consequent birth of bastard children. Hence the need for a rigorous distinction between a “perfunctory” assets transfer (“perfunctory” because irrelevant to personal status), and an assets transfer creating a marriage bond. According to the immigrants, the practice of Italian Jews blurs halakhic boundaries and creates, unintentionally and unwittingly, situations of doubtful *kiddushin*.

External observers detected a considerable difference between lo‘azi practice and other family traditions originating in Spain, Ashkenaz, or the East. Italian Jews did indeed develop a unique “culture of gifts” around the marriage ritual. The exchange of gifts was not limited to the *tenaim* stage; every important ritual stage—from the match-making agreement until the wedding—was “signaled” through an exchange of gifts. Communal tradition dictated that the groom and his family transfer various objects to the bride and her family, but the tradition was not unilateral and the bride’s side also gave gifts to the groom. All important and valuable gifts were recorded in an orderly list, stating their exact cost, and added to the dowry or property list that exchanged hands in the course of the marriage. After the ritual use of the gifts, donors expected them to be returned, since the gifts belonged to the household. To local people, the full and complete story of the marriage could not unfold unless accompanied by gifts.

Beside the gifts that were exchanged between groups and families, youths also gave each other personal presents, some under adult supervision and some in secret. The youth culture known in Europe during the early modern period cuts across religious barriers, and behavior patterns of Jewish youngsters in Italy were surprisingly similar to Christian ones. Gifts, personal letters, love messages, and secret signs, all created a personal, intimate space for these youths before marriage. *A Comedy of Betrothal* presents on stage the power struggles between youths and adults who try to impose on them the family’s decisions concerning marriage. The youngsters react with secret meetings, counterplots, courtship arrangements unknown to the parents, and by giving gifts different from the group ones. Gifts of the adult variety, designed to enable a gradual transfer of the family assets, were for them *simulata e finta* [deceit and falsehood].

The uniqueness of local practice is clearly manifest in the local linguistic use of Hebrew terms for gift and giving. Talmudic commentators,¹¹² halakhists,¹¹³ and responsa writers¹¹⁴ did not differentiate between the various terms, and refer to all gifts given after the match was agreed as either *sivlonot* or *doronot*. Italian Jews, however, drew a clear distinction between these terms: “We must be aware of three distinctions in the language: *doronot*, *sivlonot*, and *kiddushin*.”¹¹⁵

She too accepted this as a *doron*, and testified to this effect, “my fiancé gave me as a *doron* the *fiocco e balocco*” [an object wrapped in cloth], and she also said the same about the necklace . . . the witnesses, then, knew that he had not intended this for *kiddushin* but as a *doron*.¹¹⁶

Her *kiddushin* ring will always be hers, as well as half the *doronot* on the table from their relatives, and the *sivlonot* from each family will be returned to each side.¹¹⁷

Even though semantic uniformity is not consistent throughout, most sources do distinguish in passing between these two terms, and a minority explicitly emphasizes the semantic difference. The *sivlonot* are the ritual gifts exchanged between the partners to confirm the

¹¹² Rashi on TB Kiddushin 50a, s.v. *sivlonot*.

¹¹³ *Shulhan Arukh, Even ha-Ezer* 31:9.

¹¹⁴ See the noted responsa by Elijah Mizrahi, Joseph Caro, Salomon b. Jehiel Luria, Isaac Adrabi, Moses Isserles.

¹¹⁵ Colon, *New Responsa and Rulings*, 204, cites R. Meir of Rothenburg.

¹¹⁶ Kaufmann Collection 134, a 1519 responsum by Israel b. Jehiel Ashkenazi, 274.

¹¹⁷ London Ms., Montefiore Collection 466 (IMHM # 5366), a *tenaim* renewal writ, 22b. For further distinctions between *sivlonot* and *doronot*, see New York Ms., JTS 1356, #31, 45b: “In this case, when Jacob sent his bride both *sivlonot* and *doronot* . . .”; *ibid.*, #122, 181a: “He gave her the *fazzoletto* as a *doron*, in the name of others and not his own, and he did not mention *kiddushin* until after the bestowal . . .”; Leon Modena, *Responsa Žiknei Yehuda*, #120, 168–169; New York Ms., JTS Rabbinica 1094, *tenaim* writ from 1452, 58b: “The dowry and her clothes and jewels, as well as the *doronot* she will receive on the wedding day, and the cost of her clothes and jewels, according to assessment of the arbiters, and the *doronot* that the bride will receive at the wedding and the additional sum, and the cost of the clothes and the jewels and the *doronot* . . .”; Paris Ms., Alliance Israelite 149, a *tenaim* writ (Padua, 1615), 70: “The *doronot* placed on the table at the wedding will be equally divided, but *sivlonot* exchanged between the groom and bride will be returned to the original donors”; Budapest Ms., Kaufmann Collection 152 (IMHM Photostat 69), responsa collection, 155–156: “Reuven had two sons, Simon and Levi. Simon married, and his father Reuven gave him things to give his bride as *sivlonot*. Then Levi also married, and his father Reuven also gave him things and *sivlonot*, as he had done for his brother Simon.” See also the account in *The Chronicle*, 2a, p. 291 above.

match, and are the subject of Colon's responsa. The *doronot* are the gifts given at all other stages of the long marriage ritual.

The difference between an "outside" and a "local" perspective of the Italian Jewish gifts tradition is largely reflected in the gap between Colon's and Provinzallo's rulings. Both wrote long and detailed halakhic essays on the question of *shivlonot*, in response to anonymous opinions stating that "*shivlonot* fears" are valid in Italy as well. Colon opened up the discussion and set its parameters, and Provinzallo is one of the last authorities to deal with it. Colon categorically licensed *shivlonot* but confined his ruling to one ritual stage—the *tenaim*, delivery under adult supervision, through an envoy, using familiar linguistic formulae. Colon's ruling distinctly belongs to the Ashkenazi world, which takes a stringent view of the matter and imposes serious limitations on gifts. He refused to discuss local traditions failing to comply with the halakhic requirements he had set, despite his unquestioned personal authority and his prominent status as an halakhist. Provinzallo's responsum emphasizes the ritual interpretation bestowed on gift giving by the participants in the *tenaim* ritual, which is valid even beyond this specific event. Hence, he does not refrain from allowing gifts after the match is agreed, on different occasions and from both sides. Between the lines of his responsum we can read the native's personal familiarity with prevalent customs, including such practices as courtship and gifts in the youth subculture.

The prolonged halakhic controversy during and after the sixteenth century attests to the adamant resolve of Italian Jews to defend local practice. Recurrent rulings did not dismiss the objections of Jewish immigrants arriving in Italy. Halakhists were recurrently forced to rely on the same halakhic grounds, and cite Colon's thesis repeatedly. The protests and halakhic arguments awakened Italian Jews to a resolute defense of their traditions. But this cultural choice is not free of ambivalence because, even according to local traditions, defending the practice of *shivlonot* after the match has been agreed is not an easy task. As noted, the matchmaking stage and the *tenaim* juncture were presented as situations close to marriage. Any transfer of assets from this stage onward could easily be interpreted as an act of *kiddushin*, as Colon's and Provinzallo's anonymous challengers indeed chose to do.¹¹⁸

¹¹⁸ See "Quarrels at the Gates," #22, 24–25, 275–289, rulings by Jacob of

The role and the legitimation of gift giving in the course of the Italian-Jewish marriage ritual rely on the local context common to Jews and Christians. Gifts of various kinds were exchanged in both Jewish and Christian marriage rituals in Italy, from the conclusion of the *tenaim* [*fidanzamento*] up until the wedding, and sometimes even later. Gifts were given at the crucial ritual stages, such as the publication of the marriage, setting the marriage date, the ritual immersion, the bridal procession to the groom's house and the wedding day itself. The gifts' main strength and significance was in the high symbolic meaning that both givers and receivers ascribed to them. Gifts are the less significant elements accompanying the "real," more comprehensive assets transfer. Wealthy families used to record the important gift items, indicating each one's monetary value in a meticulous list [*lista*] or in the family books. The sums of the dowry and the counter-dowry included the presents transferred by the parties on various occasions, together with the hosting and food expenses. The youngsters' courtship practices also transcended religious boundaries; youngsters gave their brides small gifts and love letters under the window or outside the domestic space.

The strong resemblances in the patterns of gift giving and their attendant meanings, however, need not dismiss the differences between the two traditions. As far as contemporary sources attest, the Jewish ritual totally lacks a tradition of gifts between women. The nominal value of the gifts is relatively small, never surpassing a third or half of the dowry's value, as in the Christian ritual. Gift giving, therefore, involves no competition or attempts by one side seeking to prove it can overwhelm the other by giving a more expensive gift. The more considerable difference, however, lies in the legal meaning of gift giving. The Christian marriage tradition is founded on the parties' mutual agreement (the consensual approach), whereas the Jewish marriage ritual is analogous to an acquisition.

The recurrent transfer of symbolic assets is significant as long as it is public. The involved parties thereby attested to their ongoing commitment to the marriage intentions recorded in the *tenaim* writ:

Corinaldi, Obadiah of Sforno, Kalonimos b. Elazar of Montegna. See also Stow, *The Jews in Rome*, vol. 2, #1212, 507. The lawyer claims, on behalf of the groom, that the *siilonot* were given for the purpose of *kiddushin*, since the Roman tradition to give *siilonot* first and then betroth is only valid in the big city, whereas the gifts were given in Sermoneta, a small town.

gifts promoted the ritual to the next stage, and further limited the parties' ability to retract from their commitments.¹¹⁹ Like the "cumulative effect" of the *kiddushin* stage, the impression is that the link between the parties grows in direct proportion to the scope of the assets exchanging hands. This applies to "real," large-scale assets (the dowry, the counter-dowry, considerable hosting expenses), as well as to symbolic assets [*doronot*]. The transferred assets gradually and cumulatively establish the *kiddushin* link between the parties, according to the halakhic analogy between *kiddushin* and acquisition.

The protection of the local tradition of gift giving was intended to preserve the right of the *lo'azim* to exchange gift on several occasions, as well as involve spectators in them (family, neighbors, friends). No less, it also supports the youngsters' tradition of courtship and gift exchanges before marriage. Gift giving as a way of coercing a woman into *kiddushin* was the exception. At most meetings, personal gifts were given without any immediate purpose. The gift could ritually channel the encounter between the youngsters. In societies marked by gender segregation, and not only at a young age, encounters between men and women before marriage may entail difficulties and embarrassment. The gift provides a bridge between the male and female realms, between images of external "honor" and the "modesty" limiting the woman to the domestic space. The partial legitimation that adults, householders, and rabbis gave to the youths' courtship practices is evident in published handbooks teaching their readers, *inter alia*, how to write courtship and love letters, which were usually accompanied by personal gifts.

Gift giving in Italian Jewish society in the early modern period is broad in its social and ritual scope, and creates a complex and multifaceted social etiquette. The gift's money value and the way of giving and receiving the gift convey clear ritual messages about the link between wealth and property, about ways of courtship and love, about different and competing uses of the gift by adults vs. youths, and about the conjugal relationship as a social framework in tension between the broad community circles and the narrow family

¹¹⁹ *Letters of Jews in Italy*, #72, 123–124, a youth asks the girl's father not to withdraw from the matchmaking agreement claiming, *inter alia*, that he had given her money to buy a Purim gift: "and you gave it to her as a memento, a love token around the neck of your daughter, my bride, may she be blessed, during the Purim fest."

circle. In Jewish Italian society the gift is, in Mauss' terminology, a "total social phenomenon." Protecting the local variety of the "gift culture" prompted a sharp rhetoric, even among rabbis and halakhists usually known as moderate. At stake was not only the honor of fathers, families, and the women of the household, but the honor of the entire community:

As for those "champions of virtue" who caused resentment by casting aspersions on our daughters when matches were cancelled without a divorce after *sivlonot* had been given, I feel obliged to embark on a *holy war to thwart their intent*. May my lot be with those who rule leniently, without fearing the gossip on *kiddushin*.¹²⁰

¹²⁰ R. Meir [Maharam] of Padua, *Responsa*, #28, 63a.

CHAPTER SIX

“SHAME ON THE YOUTH WHO ACHES FOR WOMEN”:¹ THE MARRIAGE RITUAL AS SEEN BY THE YOUNG

The involvement of young people in the marriage ritual was noted in previous chapters at the matchmaking stage (the courtship, open and concealed love letters), the *kiddushin* stage (hidden and deceitful *kiddushin*, encounters at the window), and in exchanges of gifts and rumors about women’s honor. In the next chapter, dealing with the wedding day, other aspects will be mentioned: the *mattinata* ritual, the *shoshvinim* [escorts] custom, or that of accompanying the couple to the nuptial bed. The combination of all these elements makes the presence of youngsters at the marriage ritual a set feature, active and influential at all stages.² Youngsters add the playful, fun-filled dimension, not always compatible with adult plans. In this chapter, I discuss the “youth subculture” of Italian Jewish communities in the early modern period. Many elements of this culture are channeled to the marriage ritual, and I will focus on pre-marital erotic ties between youths.

Playfulness, Youthful Play, and the Marriage Ritual

In 1634, R. Nethanel Trabot was asked a question concerning the following event:

Reuven used to *play* with Rachel, and this was his way with women. One day, he told her *in jest*: “If you wish to become my betrothed, I will give you this ring.” Simon was there too, and he said to her: “Say yes,” and he [Simon] took her hand in his hand and said to Reuven: “Put the ring on her finger and say, ‘With this ring, you are betrothed unto me.’” Reuven took the ring, placed it on her finger, and said:

¹ The expression appears in a letter derisively describing the courtship manners of a young man who pursues unmarried girls. See *Letters of Rieti Family*, #294, 312–313.

² Weinstein, “Rituel du mariage et culture des jeunes.”

“Behold, you are betrothed,” but he did not say “to me.” After they finished *the merriment and the laughter*, she returned his ring to him. When this became known, some people said that the woman needs a divorce, because of the doubt . . . even if Reuven says that *this was not his intention*.³

Two young men, the suitor and his companion, and a young woman, all single, meet without any adult supervision, in an encounter described as “playful” (“Reuven used to *play with* Rachel, and this was *his way* with all women”). What is the nature of this playfulness? The discussion of this case through a distinctively legal genre, such as responsa literature, confines the discussion of “playfulness” to legal-halakhic dimensions, the more so because it gave rise to a grave issue such as doubtful *kiddushin*. The formal discussion preserves terms such as “merriment” and “laughter,” although with mainly negative connotations, in order to contrast them with *seriousness*, or *equanimity*, or *intention*.⁴ The youngsters’ behavior, entirely out of adult control, created a situation of doubtful *kiddushin* and strengthened the position of adults critical of the youngsters’ “playfulness.” Were this case described through a perspective other than that of adults encumbered by family concerns, or that of legal specialists, it would have seemed different. For this purpose, we need to understand youth culture and the role of play in Jewish Italian society and in early modern European society.

³ Leningrad Ms., Oriental Studies Institute B381 (IMHM # 53599), 1a–b. Nethanel Trabot ruled that the girl does not need a divorce writ to marry another man. (On Nethanel Trabot, see Joseph Green, “Rabbi Nethanel Trabot, His Biography, and Several of His Rulings” (in Hebrew), *Asufot* 2 (1988): 91–156. This responsum appears also in Copenhagen Ms., Royal Library 115/4 [IMHM # 14558], no pagination). Trabot’s ruling is followed by another responsum (*ibid.*, 1b–2b), written by R. Eliezer Nahman Foa [Arnan], which endorses a more stringent approach and requires the girl to obtain a divorce on grounds of doubt. For another responsum documenting ludic encounters among the young, see *ibid.*, 21a. See also Strasbourg Ms., National and University Library 4087 (IMHM # 3962), 193, for a case discussed in p. 117 (ch. 2, n. 6 above); R. Moses Provinzallo, *Responsa*, #177, 99, a case from 1571 about “someone who tricked a woman into a betrothal against her will”; Leon Modena, *Responsa Ziknei Yehuda*, #108, 154–156; R. Meir [Maharam] of Padua, *Responsa*, #24, 59a–60a.

⁴ See the formulations in Trabot’s responsum, Leningrad Ms., Oriental Studies Institute B381, 1a–b: “They are true and their words are true: ‘Jesting and frivolity lead a man towards lewdness’ [M. Avot 3:17] . . . yet he has given her this object and she is now betrothed, but when you consider this issue with *equanimity* and without *cunning* . . . [you understand] she did not receive the object for the purpose of *kiddushin*, and when the *jesting* had ended. . . .”

Johan Huizinga, Roger Caillois, and other historians, anthropologists, and sociologists view play as a crucial element inherent in human existence.⁵ Play, stated Huizinga, is an aim in itself, an autonomous realm of activity that serves no further end. Hence the direct and immediate pleasure displayed by participants in play, which cannot be reduced to other needs. Participation is not only a matter of joy and merriment. Some forms of play provide an indication of the participants' personal status in the community, and determine their fate. Some are life and death games that may prove fatal, when crucial issues in the player's life are decided in their course. Sometimes, they accompany transitions or liminal states: play is an amoral medium that is not judged in terms of good and evil, or by distinctions between truth and falsehood, or wisdom and folly. Its essence is successful participation, and the exploitation of each participant's advantages while respecting the limitations imposed on the players. According to Don Handelman, play may add a subversive element to society because it casts doubt on the central cultural assumptions necessary to a shared social life, pointing to their absurdity through irony, allegory, paradox, and a carnival atmosphere.⁶ The transition from childhood to adulthood is one of the distinct social opportunities inviting play and frivolity. Youngsters use the social hierarchy and accepted social distinctions as material for play and fun.

Hebrew lacks the separation between two semantic fields familiar from most European languages distinguishing games—conducted according to rules known to the parties, during a defined period of time, and within a preset space—from play—a free activity allowing expression to society's creative and innovative forces. Play is the semantic field that concerns us in the present discussion. No research has yet been attempted on the role of play in Jewish culture in theological and normative domains, or of the semantic field of terms close to "play," such as fun, laughter, or prank. Scholars will find rich

⁵ Johan Huizinga, *Homo Ludens: A Study of the Play Element in Culture* (London: Paladin, 1971); Roger Caillois, *Les jeux et les hommes* (Paris: Gallimard, 1958). From the extensive literature on games, I will mention Don Handelman, *Models and Mirrors: Towards an Anthropology of Public Events* (Cambridge: Cambridge University Press, 1990); Mihai I. Spariosu, *The Wreath of Wild Olive: Play, Liminality, and the Study of Literature* (Albany, NY: State University of New York, 1997).

⁶ Handelman, *Models and Mirrors*, 67–72.

sources in biblical and talmudic texts, in medieval exegeses, or in literature.⁷ The Jewish God who never laughs, never dances, and never plays with others, casts a long and heavy shadow over play. Play, then, is a humble pursuit in need of justification and apology, especially because of the ethos stating that joy and fun are allowed only sparingly after the destruction of the Temple.

As R. Nethanel Trabot's responsum attests, the distinct cultural pastime called "play" is allowed and valued in Italian Jewish communities, particularly among young "fellows" in the years preceding marriage. Play is not an arbitrary, "wild" activity without rules. Meetings of youngsters are called "play" because they allow the joy of freedom from adult supervision, the chance to express personal emotions and erotic longings, and the knowledge of how to act in a charged situation of this type. Young men and women who are ready to assume risks and participate in the encounter acknowledge the guidelines and rules that limit their behavior, which are not imposed by outside agents but intrinsic to the play situation. Usually, youths supervised their contemporaries to ensure they would not breach accepted norms in playful meeting or during their courtship. These encounters lacked any element of direct violence. Although aims central to the youngsters' life were at stake—finding a spouse, courtship, removing potential rivals, reaching intimacy, avoiding supervision by parents or other adults,—not all means were considered legitimate. Relationships between youngsters underwent a civilizing process, which channeled encounters between them onto social and cultural frameworks typical of Italian urban life. The play metaphor refined these relationships and directed them to set courses, according to the cultural code. Youths who infringed the accepted parameters of playful courtship faced a hostile reaction and the sanctions of their peers.

⁷ See Ecclesiastes 7:3; M. Sotah 1:4; TB Sabbath 30b, TB Avodah Zarah 3b; Rashi on Sabbath 66b, s.v. "*humrah de-ahfah*"; David Kimhi's commentary on Isaiah 44:20. On the different meanings of the word "game" in Italian, see *GDLI*, vol. 6, s.v. *gioco*, 795–801.

"Youth Culture" in European Christian Society in the Early Modern Period

The population in Europe in the early modern period was young. Young people could not be ignored, be it in the streets, at festivities, or at various public events.⁸ Many youngsters found themselves living for many long years in interim circumstances: they had left a situation of absolute dependence on their family, but had not yet acquired an established social status. In the two crucial circles of work and family, they remained marginal. Gradual entry into a profession at apprenticeship level continued for many years, marked by dependence and acceptance of adult authority in the guild. Their unmarried status also deprived them from the material and symbolic advantages enjoyed by married people.

The most prominent characteristic of European youth culture was the youngsters' organization in age groups.⁹ These age cliques enjoyed great prestige and authority among youngsters. Youths in rural and urban environments spent a considerable part of their time, even after work hours, with people of their age. Some of these youth cliques were official and institutionalized, bore names, and compelled their members to display agreed external signs, but in most cases they were less formal. The obligation to abide by the traditions of the group was clear. Membership was not a matter of personal choice or of "spending leisure time." A single young man did not have many other choices beside joining other men of his age. The age group was the most significant framework in the youngsters' socialization toward adulthood. As in other *rites de passage* or liminal states, adults tolerated youthful behaviors that were considered deviant or forbidden beyond this age: violence, communal drunkenness, gambling, property squandering.

The clique did not limit itself to male sociability but included meetings with women as well. It was here that young men learned to approach girls and obtain their consent to marriage. At meetings

⁸ Among studies in this area, see Michael Mitterauer, *A History of Youth*, trans. Graeme Dunphy (Oxford and Cambridge, Ma.: Basil Blackwell, 1992) and Levi and Schmitt, eds., *Storia dei giovani*. In this volume, see Norbert Schindler, "I tutori del disordine: Rituali della cultura giovanile agli inizi dell'età moderna," 303–374. On the role of youth as a channel to the world of the dead, see Ginzburg, *Ecstasies*, 182–193; idem, "Charivari, associazioni giovanili, caccia selvaggia," *QS* 49 (1984): 164–177; Zorzi, "Rituals e cerimoniali penali nelle città italiane," 142–143.

⁹ Mitterauer, *A History of Youth*, 153–234.

organized by the youngsters and attended by both men and women, they met suitable marriage candidates. Dancing was a central feature of courtship, beside other traditions originating in European rural society.¹⁰ The long courtship tested the man's faithfulness and his ability to control sexual urges. Custom in many areas of Europe accepted that erotic intimacy between youngsters would increase as they drew closer. The will to live as a couple enabled greater sexual freedom. In the perception of the surroundings, erotic intimacy strengthened the couple's commitment.

For long periods, youths lived in a situation that Victor Turner called liminoid, having left childhood behind but before integrating into full adulthood. Nevertheless, the youth subculture did not develop as a counter-culture intended to subvert the foundations of the adult order. Youngsters endorsed patterns of action and behavior that were familiar to them from the adult world, and often implemented them more boldly and vigorously. The frameworks they established copied institutions known from the Church and from urban politics. The youngsters were those who conveyed the community's wishes in areas where, in their view, the formal legal system (rural feudal justice, Church courts, urban courts) was not sufficiently prompt and forceful. According to Mitterauer:

What is surprising is the degree to which traditional rural society allowed its male youth to exercise an independent jurisdiction over the entire local community. It may be tempting to see here an institutionalizing of potential youth protest. But this interpretation misses the mark. The rural fraternities were seldom the source of pressure for social change. Rather, this counter-jurisdiction, restricted as it was to certain festivals, should be seen as a safety valve, just as more generally the upside-down world of the carnival served to support the established order, not to undermine it.¹¹

Youths exerted informal pressure against various individuals whose acts they perceived as harming communal norms and expectations: widows and widowers who had remarried, battered husbands, miserly godfathers, strangers failing to pay their communal dues, frivolous

¹⁰ Ibid., 155–182. Mitterauer notes the considerable similarity in the leisure patterns common among urban youths working as apprentices, and those endorsed by youths in rural areas. See *ibid.*, 188–189.

¹¹ Ibid., 167; Natalie Z. Davis, "The Reasons of Misrule," in *Society and Culture in Early Modern France: Eight Essays* (Stanford, Ca.: Stanford University Press, 1975), 97–123.

girls, adulteresses, inveterate drunks, people who stirred up trouble in the neighborhood or the village, informers.¹² The youngsters' pressure could be extremely violent, sometimes leading to harsh physical abuse and even to death. The mixture of mockery, merriment, and violence, of the serious and the grotesque, of oral (rural and urban) traditions and formal community frameworks, the links between the world of the dead and the needs of the living, all show the deep entrenchment of the youth subculture in celebrations and carnivals in Europe during the early modern period.¹³

The youngsters' traditions and their separate organizations began to decline with the Reformation. An increasingly stronger central government, at the urban or state levels, viewed these longstanding practices as a source of violence, social unrest, and magical "superstitions" harmful to the Christian faith. The "popular justice" that the youngsters epitomized came to be perceived as delinquency. The limitations on the youths' freedom and on their behavior strongly resembled police measures, similar to those adopted against marginal social groups (migrants, criminals, prostitutes, paupers).

The "Youth Subculture" in Christian Italy during the Early Modern Period

Records dating as far back as the thirteenth century attest to the organization of youth fraternities [*associazioni giovanili*] in the cities.¹⁴ In the fourteenth and fifteenth centuries, these organizations played a significant role in Italy's urban political life.¹⁵ Adult attitudes to youths were ambivalent. The willing acceptance of the role of youths as informal supervisors of deviants and disturbers of communal discipline did not prevent fears of their strength and use of violence, or of their involvement in quarrels between political factions or

¹² Mitterauer, *A History of Youth*, 166.

¹³ The tradition of popular festivities and ritual in early modern Europe and the role that the young played in them are comprehensively presented in Muir, *Ritual in Early Modern Europe*, 81–116, including a comprehensive bibliography.

¹⁴ Giuseppe-Cesare Pola Falletti di Villafalletto, "Le associazioni giovanili a Roma e nel Lazio," *Lares* 16 (1950): 40–67; idem, *Associazioni giovanili e feste antiche: Loro origine*, vols. 2–4 (Torino: Comitato di Difesa Dei Fanciulli, 1938–1942); idem, *La gioventù attraverso I secoli* (Milano: F.lli Bocca, 1953). Mitterauer, *A History of Youth*, 187, noticed that the earliest allusions to youth groups come from Italy.

¹⁵ Charles de La Roncière, "Tuscan Notables on the Eve of the Renaissance," in Chartier, ed., *A History of Private Life*, vol. 2, 243–244.

squabbling families. The youngsters' actions, including their violent deeds, benefited the community and the urban authorities. Beyond the military role of youth groups in the city's defense, youngsters punished the city's enemies in highly violent ways.¹⁶ Their spontaneous deeds expressed "popular justice," outside the official judicial frameworks. Their actions were considered "holy signs," reflecting divine will and future political developments.¹⁷ Youth was a period thought to be endowed with qualities of purity and revitalization, influencing the universe and society and increasing fertility and abundance in the world. This perception was further intensified following widening interest in the figure of the child Jesus, and in religious activities devoted to the adoration of the early stage of his life.

Youngsters "marked" the borders of the urban quarter and, together with its other dwellers, defended it against external enemies or against the infiltration of outsiders. In city processions, youth fraternities would sometimes represent the quarter from which they came. In several Italian cities, ritual competitions between youths from different quarters were a common event, providing weeks of interest and conversation topics to the neighbors. Fistfights on Venetian bridges attracted an audience from among the city's dwellers and from tourists who came from outside to see them.¹⁸ These competitions could easily slide into violent struggles that laid aside all the rules agreed by the parties. What had begun as a competition could quickly spill over into a political rebellion. The violent, uncontrollable slant finally led, at the end of the sixteenth and in the course of the seventeenth centuries, to the imposition of strong limitations on the activity of these fraternities in many Italian cities.

The tension, the instincts, and the masked violence, together with the sense of play and fun, were transposed to gender relationships

¹⁶ On youth violence directed against those designated as city enemies, see Ottavia Niccoli, *Il seme della violenza: Putti, fanciulli e mammoli nell'Italia tra Cinque e Seicento* (Roma-Bari, Laterza, 1995); Zorzi, "Rituali e cerimoniali penali nelle città italiane," 141–157. Fears about violence led city authorities to preempt youths' attempts to organize. See Elisabeth Crouzet-Pavan, "Un fiore del male: i giovani nelle società urbane italiane (secoli xiv–xv)," in Levi and Schmitt, *Storia dei giovani*, 219–220.

¹⁷ Niccoli, *Il seme della violenza*, 50–55.

¹⁸ Robert C. Davis, *The War of the Fists: Popular Culture and Public Violence in Late Renaissance Venice* (New York: Oxford University Press, 1994), *passim*. On ritual competitions in other Italian cities, see Giovanni Ciappelli, "Carnevale e Quaresima: rituali e spazio urbano a Firenze (secc. XIII–XVI)," in Chiffolleau et al., *Riti e rituali nelle società medievali*, 159–174.

and to encounters between unmarried men and women. Courtship practices common in the Italian countryside moved to the cities with the steady migration from rural areas.¹⁹ Possibilities for meeting, becoming acquainted, and courting the partner before the marriage were largely dependent on “class” membership. Patrician and merchant families guarded their daughters closely and did not allow meetings without adult chaperoning. The considerable family interests guiding the choice of partners and the setting of marriage conditions were too important to be left to the youngsters, whereas in other social groups—artisans, servants—youngsters tended to meet more freely. Since the marriage ritual was viewed as a “private” or “family” affair, many youngsters who did not belong to rich families established a family through a promise of marriage the man gave the woman during the courtship, and its consummation at their first sexual encounter. When the Church tried to change family patterns after the Council of Trent and, implicitly, the ritual leading to them, it had to cope with marriage traditions known and accepted for generations, involving minimal formal requirements. To protect women from men who vowed to marry them, seduced them, and then retracted their promise, the Church acted to lessen the strength of a personal promise as a legal basis for marriage.²⁰ The many personal documents dealing with family topics, however, indicate that many youngsters were still preserving this tradition during the seventeenth century. Despite the rise in the number of out-of-wedlock pregnancies during the seventeenth century, premarital erotic

¹⁹ Ruggiero, *The Boundaries of Eros*, 65–66, daringly suggests that medieval patterns of courtly love originated in rural traditions of courtship that were transferred, re-elaborated into poetry, and translated into the literary genre of “courtly love.” See also De Gubernatis, *Storia comparata degli usi nuziali in Italia*, 22–65. On rural traditions of courtship in southern Italy, see David Gentilcore, *From Bishop to Witch: The System of the Sacred in Early Modern Terra d’Otranto* (Manchester: Manchester University Press, 1992), 215–217.

²⁰ On the long tradition of constituting marriages through a wedding promise and sexual consummation, see Lombardi, “Fidanzamento e matrimoni dal concilio di Trento alle riforme settecentesche”; De Giorgio and Klapisch-Zuber, *Storia del matrimonio*, 182–184, 210–219, 301–305, 359–375, 412; Ferrante, “Il matrimonio disciplinato.” On the significance of preserving virginity for the intended groom, though not necessarily until wedding day, see Elisabeth Storr Cohen, “La verginità perduta: autorappresentazione di giovani donne nella Roma barocca,” *QS* 67 (1988): 169–192; Ruggiero, “‘Più che la vita caro’”; Cavallo and Cerutti, “Female Honor and the Social Control of Reproduction,” 73–109.

intimacy lost none of its legitimacy in some sections of Italy's rural population.

Whereas the encounter between men and women belonging to a set and known community (a quarter, a shared profession, a parish) was accompanied by supervision and mutual expectations, women who were not members of a known circle or were not under defined male supervision were exposed to blatant and violent sexual behavior. When youth fraternities identified unprotected young women, they would engage in collective rapes that followed preset rules, known in the literature as "ritual rape."²¹

Policing and law enforcement were a direct way of contending with the youth groups' potential for violence. But supervision during the Catholic Reformation relied on a broader course of action, with long-term effects.²² Ecclesiastic and lay educators argued that, to change society, one must first change the education of children. The city increased its involvement in education in three areas: the body, observable gestures, and public behavior. The widest school network for the teaching of the catechism, serving most of the city's youngsters, was established in Bologna. During the Catholic Reformation, these schools taught not only prayers and principles of faith but also behavior patterns and social etiquette. The dissemination of the new educational message began in these institutions. The duties of a good Christian came to include ways of walking, speaking, eating, dressing, and politely addressing other adults or people in authority. Texts dealing with education assigned teachers a new role. Transmitting the known cultural heritage is no longer sufficient; teachers must supervise and monitor their students, scrutinize their virtues and failures, remonstrate them and punish them in order to change them. For this purpose, youngsters must be removed from their familiar socializing venues (the street, ritual wars, carnival and other ceremonies, areas of prostitution) and remain under their teachers' close supervision. Parents were also required to assume a new

²¹ Ruggiero, *The Boundaries of Eros*, 89–108. Acts of blatant sexual violence against defenseless women, including "ritual rape," were first discussed by Jacques Rossiaud, "Prostitution, jeunesse et société dans les villes du Sud-Est au xv^e siècle," *AESC* 31 (1976), 289–325.

²² Ottavia Niccoli, "Éducation et discipline: les bonnes manières des enfants dans l'Italie de la Contre-Réforme," in *La ville et la cour: Des bonnes et des mauvaises manières*, ed. Daniela Romagnoli (Paris: Fayard, 1995), 185–218; Niccoli, *Il seme della violenza*, 14–16; Ferrante, "Il matrimonio disciplinato."

educational role, in harsher and stricter style, to fear God, and to accept the social hierarchy.

*“Youth Subculture” in Jewish Italian Communities
During the Early Modern Period*

In Jewish Italian society as well, youth groups played a significant role in the transition process from childhood to adulthood. Many youngsters left home at a relatively young age in this society as well, and were no longer under the direct control of the paterfamilias. Youths training for a trade lived with the artisan. Employment contracts between the boys' families and their employers have remained, attesting to the life circumstances of the youngsters over a long period, until reaching legal adulthood. The employer transmitted to his young apprentice not only the secrets of the trade. He also functioned to a great extent *in loco parentis*, as a powerful authority figure imposing discipline.²³ The small educational frameworks left many parents no alternative but to send their sons (sons and not daughters!) out of home in order to further their education beyond elementary levels. The Jewish ideal of “serving scholars” also required staying close to the teacher, learning by example and by practicing adult behavior. *Yeshiva* students of different ages lived in other communities during their studies, which lasted many years. Children (boys and girls!) of poor families were forced to serve at strangers' homes for many years in order to accumulate property to establish a family. Most young men and women in the middle years between young childhood and adulthood, then, found themselves outside their parents' home and beyond the direct supervision of parents or adult relations. During this long period, from the beginning of sexual maturity until the moment of marriage, young men stayed together for most of the time. For Jewish youngsters too, joining an age group was not a matter of choice or a free decision to spend “leisure” time together, but a compulsory socialization track. Older members of the group tutored those younger than them in the significant concerns of the age group, training them to cope with the challenges awaiting them

²³ Stow, *The Jews in Rome*, vol. 2, #1025, 422, an agreement allowing an artisan to hit his young apprentice in the course of the training.

in the transition toward life as adult males. Youngsters of the same age acquired the personal identity and the characteristic behavior patterns of the age group.

The youth group often served as an identification focus parallel to the family. During the marriage ritual, its members at times fulfilled roles reserved for the family, such as accompanying a fellow to his bride's home:

We spoke to the dear beloved fellows, as you said, to find out whether they wish to honor you before your elders when you go to the betrothal dinner at your father-in-law's house. They too will be there with you if you ask them on the day agreed for you to go there, for who would they wish to honor more than you. But all will be according to the place and the time that will be then.²⁴

The street was the youngsters' main venue of activity.²⁵ In the street or in other public places—the *piazza* or the synagogue courtyard—they could test their strength and their personal courage, showing off their young manhood. The street is a crucial arena, because the community's ability to control the youngsters in a space common to all—adults and children, Jews and Christians—was small. For adults, spending time in the street was “loitering,” a waste of time leading to sin and licentiousness. Not so for the youngsters. The sense that many were watching them and could appreciate their behavior, their physical strength, their beauty, sexuality, and male honor, encouraged them to acts of violence in order to prove themselves. Jewish communities in the big cities and in ghettos witnessed fights between individual young men or between entire groups. When the parties found no possibility of compromise, or when they chose *vendetta* from the start, the struggles ended in direct physical violence and even in

²⁴ New York Ms., Columbia University X893M582 (IMHM # 23331), letters collection, 48a.

²⁵ On the street as the domain of youth and the on the attempts of adults to keep them away from this tempting arena, see Horowitz, “Mondi giovanili ebraici in Europa,” 118–121; idem, “A Jewish Youth Confraternity in Seventeenth Century Italy,” *Italia: Studi e Ricerche sulla Storia la Cultura e la Letteratura degli Ebrei d'Italia* 5 (1985), 42–43. Torah study is explicitly mentioned as a means to keep the young away from the streets (ibid., 76): “Seeing that young children run away from school to wonder around the markets and the streets, ‘let the young men come forward and sport before us’ [2 Samuel 2:14].” For specific community regulations in this regard, see Yaakov Boksenboim, ed., *Minutes Book of the Jewish Community of Verona*, vol. 1, 1539–1584 (Tel Aviv: Tel Aviv University, 1989), #144, 148–149.

murder.²⁶ The violence typical of these groups was particularly prominent at night. The night was the domain of youngsters walking the streets armed with knives and daggers, seeking confrontation with anyone happening to pass their way. The signs of anger mixed with impotence that surface in various communal regulations against the night behavior of “felons” is intended against these groups, which had no hesitations about wrecking even communal and synagogue property. In the Verona ghetto, an armed “patrol” was set up to protect the synagogue: “We have our synagogue, may its glory be exalted, whose honor and greatness must be protected,²⁷ and we also fear bandits and thieves and night robbers, God forbid . . . and particularly at these times, when thieves and criminals have multiplied, as we know, and a word to the wise is enough.”²⁸

The power of Jewish youngsters is also a function of the lack of enforcement powers in Italian Jewish communities. Bonfil described the crucial impact of the ruling issued by urban authorities forbidding the Jewish community to set up legal courts in Jewish Italian communities, or to impose bans on criminals, without the explicit permission of the government. In order to enforce public discipline, local Jews often resorted to *arbitratio* [arbitration proceedings]. Its

²⁶ See for instance Horowitz, “The Autobiography of a Seventeenth Century Venetian Rabbi,” 118–122.

²⁷ As was true of the Temple. See TB Pesahim 64b.

²⁸ Isaiah Sonne, “Material on the History of the Jews in Verona” (in Hebrew), *Zion*, n.s., 3 (1938): 132. See also Boksenboim, *Minutes Book of the Jewish Community of Verona*, vol. 2, #336, 525; and especially #244/13, 185–190: “No one, neither man nor woman, will be allowed to wear a mask in the ghetto at night, be it married women or virgins, except for children until the age of ten.” For further evidence of disturbances of the communal order during the night because of people carrying arms or breaking doors and windows, see Renata Segre, *The Jews in Piedmont*, vol. 1, 1297–1582 (Jerusalem: The Israel Academy of Sciences and Humanities and Tel Aviv University, 1986), #145, 257; Shlomo Simonsohn, *The Jews in the Duchy of Milan*, vol. 2, 1477–1566 (Jerusalem: The Israel Academy of Sciences and Humanities, 1982), #3167, 1381–1382; vol. 3, 1566–1788, #4041, 4318; Ariel Toaff, *The Jews of Umbria*, vol. 1, 1245–1435 (Leiden: E. J. Brill, 1993), #499, 710, 784. In the late sixteenth century, night hours assumed new dimensions of sacrality due to religious activity. See Elliot Horowitz, “Coffee, Coffeehouses, and the Nocturnal Rituals in Early Modern Jewry,” *AJS Review* 14 (1989), 17–46. On the rise of criminal activity in Europe during night hours, see Muchembled, *La violence au village*, 118–126; Piero Camporesi, *Bread of Dreams: Food and Fantasy in Early Modern Europe*, trans. David Gentilcore (Oxford: Polity Press, 1989), 23, 95–99. In Italian cities, the night was sometimes related to youth homosexuality. See Ruggiero, *The Boundaries of Eros*, 137–138.

effectiveness depended on a high level of solidarity and social cohesion, capable of exerting veiled pressure to accept the arbitrator's ruling. It relied on the cultural and social values shared by the arbitrator and his clients, not necessarily in the halakhic realm. The youngsters' activity was another informal and non-institutionalized way of enforcing collective and communal norms on deviants. As in Christian quarters of the city, neighborly peace was an important value to people living in densely populated areas. The bonus was the incessant pressure applied on deviants, who were punished by the youngsters in public humiliation rituals. Community ordinances, halakhic tracts, and literary works attest that the powerful in the community knew how to profit from the youngsters' violence, and often turned a blind eye to their actions.

Competitions or sport games were one way of sublimating violence and confrontation, channeling them to more controllable patterns. But competitions could also easily slide into confrontation or open violence when no one was found to mediate between the parties and contain the escalation: "As the fellows do, who fool around having fun on the Sabbath afternoon, and Yedidia's hand was on Daniel in jest and not in order to harm him . . . [a compromise was devised], so that no hatred would prevail between them, and not to make a big deal out of a trifle."²⁹ What had started as "fooling around" and "fun" on the Sabbath, accidentally (?) turned into light pushing and slapping ("Yedidia's hand was on Daniel"). Is the fleeting quarrel only an inoffensive bit of fun, or a way of "measuring" the other's power and examining how ready is he for a more serious confrontation? This document is too short and generalized to be a basis for a decision. All parties clearly understand that, without a compromise mediated by a third party, the row may spin out of control. In this case, they presented the light pushes as foolishness, and the offended party was supposed to accept this version. The argument could thus end without injury to any of the parties' honor.

Jewish youngsters developed their lifestyle during their shared stay, which led to leisure patterns not considerably different from those of their Christian peers in the dense common environment of the city. Christian holidays, public events, and carnivals appealed to

²⁹ Stow, *The Jews in Rome*, vol. 1, #165, 60 a case from 1537. On sport activities and youth matches, see Horowitz, "Mondi giovanili ebraici in Europa," 122–124.

Jewish peer-groups such as the one that, showing no fear of transgressing idolatry laws, went to watch the religious procession on St. Peter's day at the square symbolizing Catholic power and faith more than any other place in Italy.³⁰ We only know about this event by chance, because of an accident involving a Jewish youth.

This shared stay encouraged emotional closeness between youngsters during the years preceding marriage, and extended friendship ties beyond the family circle. Contemporary letters, many written by boys and youths, sometimes deal with the fear that the friendship between them may not withstand the test of time due to the marriage, the new commitments, and the geographical distance. Friendship did not lead to homosexuality in Jewish society, but provided a significant arena for training toward adult sexuality through the temporary stages of deviant, marginal, or violent sexuality. Legal and literary testimonies show that Jewish youngsters going to Christian prostitutes were not an unusual phenomenon:

I have reprimanded this man as a father would his son. But he was extremely stubborn, aloof and unmoved, deaf and heedless of any lesson, because he was angry and vain, thinking no one was like him in the whole of Israel, a splendid fellow, handsome and stunning and charming, and the child was young³¹ . . . But his sins have lately worsened, and last Wednesday, on the fourth of this month, this sad low-down went with another young loiterer, may God protect him, and they were both naked and were not ashamed,³² and they met in the house of a prostitute and rose up to make merry,³³ and did with her things that should not be done . . . After they were satisfied, they thought it a pity to pay the worker for her toil and to pay the prostitute her dues. This angered her tremendously, and she rose in fury and came to town to speak to my elder brother Judah, saying: "These are the treacherous things that people from your household have done, so-and-so and so-and-so, and now, to atone for Jacob's sin, if indeed the forfeit money³⁴ is returned and my wage is paid, I will keep a curb on my mouth.³⁵ And if not, you will hear my voice in the streets before the officer and the governor, and they will know of their lewdness" . . . [since they had violated urban and canon law by having

³⁰ *Letters of Jews in Italy*, 182–183.

³¹ See 1 Samuel 1:24.

³² Genesis 2:25.

³³ Exodus 32:6.

³⁴ 2 Kings 12:17.

³⁵ Psalms 39:2.

sexual intercourse with a Christian woman]. And after all this, your son Joseph added insult to injury by going to the prostitute's house in great fury and speaking to her harshly . . . he thereby caused the city to fill from end to end and, had he not run away, he might now be shackled in irons.³⁶

Like Christian youths in contemporary Italian cities, Jewish youngsters also went to prostitutes. The long courtship period and the relatively late marriage age for men led to similar solutions, aimed to ensure men sexual relief. Going to the same prostitute is a test of the youth's manhood and assertiveness. To show he was better than her, he refused to pay her. The woman knew exactly what to do: she knew the youth's name, the names of his relatives, and where they lived. In a densely populated urban environment, it is not surprising that a prostitute could identify the name and address of her Jewish neighbors. She threatened to spread rumors and provoke a public scandal, or inform the city authorities about the offense, since sexual relationships between Jews and Christian women were forbidden by both canon and urban law. Not only was the youth not deterred by these threats, but he went back "speaking to her harshly." The confrontation between the parties did turn into a public scandal that reached the street and too many people. By then, the youth had no option but to run away from the city to prevent his arrest.

*Courtship, Eroticism and Sexual Intimacy Between Youngsters
Before Marriage*

Going to prostitutes, or other patterns of sexual behavior pointed out by Ruggiero, were supposed to be a temporary stage on the way to the normative sexuality recommended for adults within the framework of marriage. Youngsters were just as interested in marriage, and urged their fathers, or other adults in charge of them, not to linger and marry them off as soon as possible.

³⁶ *Letters of Jews in Italy*, #185, 239–240. Inquisition files dealing with Jews were hardly concerned with this offense. See Pier-Cesare Ioly Zoratini, "The 'Inquisition' and the Jews in Sixteenth Century Venice," *WCJS* 7 (1981): 83–85; idem, "The Inquisition and the Jews in 17th and 18th Century Venice," *WCJS* 10 (1990), 191–192.

I am now eighteen for marriage, and all delay is wrong,³⁷ as taught by them, of blessed memory . . . And if not now, when I am in the days of my youth, when will I build a house and marry a woman? So now, father, go out on my account [for me] and take a woman for me. . . .”³⁸

Marriage is the most crucial station on the way to integration into adult life, acquiring status in the community, and accepting additional social and ritual roles.

A further advantage of the married state is that youngsters were no longer stigmatized by the critical stereotype attached to the “fellows.” Childhood was frowned on rather than appreciated in Italian Jewish culture, and was presented as a period in life to be concluded as soon as possible,³⁹ and a similar attitude prevailed regarding adolescence [*adolescenza*] and youth [*gioventù*]. The long gap from the beginning of sexual maturity until marriage and the establishment of a family was perceived as an age without inhibitions, driven by sexual instincts and tending to promiscuity and unruliness. Moral instruction treatises emphasized the sexual transgressions of youth, in thought and deed, when youngsters are driven by instincts and do not control them. For this reason, youths were seldom offered the honor of leading prayers at the synagogue. In the Verona community at the end of the seventeenth century, they were not allowed to carry the Torah scroll in the synagogue because they were considered impure.⁴⁰

Given the negative image of youthful behavior and the youngsters’ marginalization from circles of political, economic, and cultural power, they exerted informal pressure to be given the main key to adult life. The activity of Jewish youths, alone and in groups, focused

³⁷ As prescribed, and as the writer himself adds: “until the twentieth year, the Holy One, blessed be He, waits for the man to marry a woman.”

³⁸ Oxford Ms., Bodleian Library 91 (IMHM # 24735), #72, 32b. For the full text of this letter and a discussion of the role reversal between father and son, see p. 68 (ch. 1, notes 43–46) above.

³⁹ Weinstein, “‘Until Juvenile Fury Subsides,’” 26–56. See also Bonfil, *Jewish Life in Renaissance Italy*, 129–132.

⁴⁰ Horowitz, “Mondi giovanili ebraici in Europa,” 110–118; idem, “A Jewish Youth Confraternity in Seventeenth Century Italy,” 42–43, 50, 63–65. See also Boksenboim, *Minutes Book of the Jewish Community of Verona*, vol. 3, #193, 153, an unmarried man cannot hold a community position. Youths occupied with their beauty were assigned a special place in hell in the play of R. Moses Zacuto, *Toftah Arukh* [Hell Prepared], (Josepef: Baruch Setzerau, 1881), 172.

on a search for mates, on courtship, and gaining intimacy, all perceived as means or stages leading to the partners' mutual commitment and to married life. The meeting between Jewish youths in early modern Italy was largely neutralized from the violent element well known in Christian urban society. The wild, aggressive streak was channeled into a behavioral code known to and accepted by all participants, toward a course of gradual acquaintance. Courtship was an important form of "play," promising its participants the prize most crucial to the youngsters' expectations, married life. To attain it, they had to honor the rules. Cases of doubtful or deceitful *kid-dushin* noted in previous chapters show how carefully men refrained from using violence to impose their will, resorting instead to sophisticated manipulations. Courtship was an art, an event bordering on the theatrical, featuring the young man courting the young woman as the protagonist. Without the latent, perceived presence of a broader audience, the extroversion, vanity, and arrogance that young men showed during the courtship are hard to explain:

I will not take pity or cover the shame of the cunning youth who aches for the women that are at ease.⁴¹ Idle and listless, in his bosom lie countless loving maidens . . . who will adore him and delight him in a plethora of embroidered blue and white [royal apparel]⁴² and his hands dropped myrrh. . . .⁴³ He is everyone's laughing stock. He will imagine his countenance like the Lebanon,⁴⁴ and his stature as a palm tree . . . *and when seeing women talking to one another, he will presume they speak of him and of his beauty*, saying, do you know [so-and-so who is] white and ruddy,⁴⁵ excellent as the cedars, his locks are wavy. . . .⁴⁶ With a flower and a rose *he waves his hands in the streets of the city, peers through the lattice*⁴⁷ until he glances a loving doe,⁴⁸ and the one he loves he will greet with smart words to see whether the vine had blossomed⁴⁹ and whether her passion is for him . . . And all other pursuits are despised and melt away, becoming nothing in his eyes. . . . And now,

⁴¹ Isaiah 32:9.

⁴² Esther 8:15.

⁴³ Song of Songs 5:5.

⁴⁴ *Ibid.*, 5:15.

⁴⁵ *Ibid.*, 5:10.

⁴⁶ *Ibid.*, 5:11.

⁴⁷ *Ibid.*, 2:9.

⁴⁸ Proverbs 5:19.

⁴⁹ Song of Songs 6:11.

after he had been there a long time,⁵⁰ his abuse went even further, adding to the insult the injury of the prostitute, the one with her eyes on the road, and he pledged his heart to her and took what he had, wool and linen to cover the flesh of her nakedness.⁵¹ His heart yearns for her because she brings life to him and he prays to her saying, save me because you are my god. . . . Therefore, brother, after seeing the multitude of his sins, let us deal wisely with him,⁵² let us look for a maiden with a Jewish father, be it a pauper or a rich man, and let us put him in a small corner and let her be his wife. The turbulence of his passion will then be subdued, and he will gradually become accustomed and leave the beguilement behind him, because it is good for the man to be alone, it is even pleasant.⁵³

The letter describes in detail the courtship practices of Jewish young men (and women) in Italy. Since the writer and the addressee are both older men, the description is blatantly critical. This value judgment, however, need not be taken at face value, and an attempt should be made to reconstruct these events from the youngsters' perspective. At first, courtship is a public act taking place before a broad audience, and particularly before single young girls ("women that are at ease . . . loving maidens . . . who will adore him and delight him"). Clothes and physical beauty were important signs emphasizing virility, playful love, and courtship, even at the expense of temporarily canceling adult values. The refusal to work and earn a living ("all other pursuits are despised and melt away, becoming nothing in his eyes") evokes strong anger. During the courtship, Jewish and Christian urban youngsters tended to spend considerable sums on personal gifts, meals, or clothes, against the strong opposition of adults who abided by a merchants' ethos. Thrift as opposed to extravagance, restraint as opposed to extroversion, and emphasis on blatant sexuality as opposed to its concealment, distinguished adults from youngsters. Since courtship could be an extended process ("after he had been there a long time"), the Jewish youth adopted a course acceptable to the "sexual counterculture" described by Ruggiero: prostitution. Like other Jewish youngsters, he probably sought the services of a Christian prostitute. Ties with prostitutes could sometimes focus on a specific woman and develop into a commitment

⁵⁰ *Ibid.*, 26:8.

⁵¹ Exodus 28:42. See also *Yalkut Shimoni, Tetsaveh*, #380, s.v. *tannu rabbanan*.

⁵² Exodus 1:10.

⁵³ *Letters of Rieti Family*, #294, 312–313.

lasting several years, until the marriage, involving considerable expense (“and he took what he had, wool and linen to cover the flesh of her nakedness”). The letter ends in the expected solution for problems similar to those of this youth—marriage. Marriage will subdue “the turbulence of his passion” and integrate him into a life pattern convenient to him and to those surrounding him (“he will gradually become accustomed”).

Courtship was not described as an act intended for immediate gratification (marriage), and its pleasure lies in the act itself and in the display of virility. Hence, it is not focused on one specific girl but appeals to every young woman watching him (“when seeing women talking to one another”). At the next stage, courtship shifts to a more personal and intimate twosome meeting. These encounters are invariably charged and tense. A young man and a young woman are together, separate from others—where should they lead the situation? In the direction of a “*pseudo-kiddushin*,” or an actual *kiddushin*? All cases of doubtful *kiddushin* from the second half of the sixteenth century onwards take place in the course of an encounter between youths alone, without the presence or supervision of parents or other representatives of the communal order. Youngsters’ peer-groups tested the limit between forbidden and allowed on the subject of *kiddushin*. Cases of one betrothing a woman who was “his friend’s match” are a result of crossing a border, of pressure on one of the group’s members to try the forbidden, although doubtful *kiddushin* still remain the exception. Most youth encounters and courtships did not step beyond the forbidden borders, and were obviously not documented in writing. Youths’ encounters were not always compatible with family decisions and with the parents’ choice of partners for their children:

Shlomit b. Divri has breached Jewish law, speaks with everyone in the market, and shows her arms to people. Men have come into her gates too, because she is an expert in stitching furrows [euphemism for sin],⁵⁴ and some of them have even complained about her to the teacher, claiming that she winks at them and lewdly invites single fellows through the window. The teacher too saw her playing with them from window to window and, in particular, making love to Zimri. According

⁵⁴ An ironic allusion to TB Berakhot 63a, TB Kiddushin 82b: “A man should always teach his son a clean and easy trade . . . stitching [*mehtah*] furrows.” The word *mehtah* involves a double entendre of stitching and sin (from the root *h-t-a*).

to the people, they have sworn to marry each other. And because her father had not heard her vow, he agreed to her marriage to Naphtali. But Zimri still came to her door every day and every night, and she consented to this, always telling Zimri she was not afraid, until Naphtali became jealous and was angry with her two, three times, and more. And now there is no peace between them, because of the ugly things he was told, and because she yearned for her beloved [Zimri].⁵⁵

Two marriage plans were devised at the same time, by the parents and by the youngsters. Shlomit managed to speak with several young, single men, despite the supervision imposed on young girls and the limitations on their freedom of movement. She became particularly attached to one of them, Zimri, and promised to marry him. The father, who knew nothing about this, arranged a match for her with another man, Naphtali. The father's decision did not prevent the young lovers, Zimri and Shlomit, from pursuing their plans independently. The young man chosen by the parents, Naphtali, began to court Shlomit after the match had been arranged, as was the custom among youths and their families: "But Zimri still came to her door every day and every night," enraging Naphtali and injuring his honor as a young man. The gap between the parents' plans and the youngsters' independent possibilities of actions had to lead, in this case, to a confrontation and a public scandal, and to the rejection of one of the plans.

Beside its erotic function, courtship also conveyed a limited measure of the youths' independence vis-à-vis their family and an avoidance of adult supervision.⁵⁶ To retain control over courtship patterns, some Jewish communities offered youngsters the possibility of spending time together without breaching limits, in mixed dancing.⁵⁷ Youth

⁵⁵ Ferrara Ms., Community Library 24 (IMHM # 2397), no pagination.

⁵⁶ On youth courtship conducted independently of adult control, see de Sommi, *A Comedy of Betrothal*, 74–80, 84–87, 91–100, 103–107, 114–121, 136–137. On significant staging dimensions in this play, see Ahuvah Belkin, ed., *Leone de Sommi and the Performing Arts* (Tel Aviv: Tel Aviv University Press, 1997), passim.

⁵⁷ On mixed dancing in Italy, see Bonfil, "Aspects of the Social and Spiritual Life of the Jews in the Venetian Territories," 84–86. See also Zvi Friedhaber, "Dance in the Jewish Communities of the Duchy of Mantua in the Seventeenth and Eighteenth Centuries" (in Hebrew), *Pe'amim* 37 (1989): 67–77; idem, *Dance in Jewish-Mediterranean Communities From the Expulsion from Spain until the Beginning of the 19th Century* (Ph.D. diss., Hebrew University of Jerusalem, 1986), 82–88; Barbara Sparti, "Dancing Couples behind the Scenes: Recently Discovered Italian Illustrations, 1470–1550," *Imago Musicae* 13 (1996): 9–37. On community regulations prohibiting mixed dancing, see Boksenboim, *Minutes Book of the Jewish Community of Verona*, vol. 3, #486, 358–359; Boccato, "Ordinanze contro il lusso."

leisure patterns in Ashkenaz may also have affected Jewish Italian communities. Ashkenazi immigrants to Italy continued a tradition that dated back to the twelfth century, of hiring or buying halls to hold dancing events on every Sabbath or holiday.⁵⁸

The partial legitimation that adults granted to the patterns of premarital courtship is also evident in the use of motifs from canonic literature to describe sixteenth century reality. The letter describing how “white and ruddy, excellent as the cedars” courts “a loving doe” relies mainly on Song of Songs. The moving and sensual love descriptions in the book have been the subject of various commentaries in Midrash literature and in later medieval commentaries. Most of them explain the intimacy between the beloved and her lover in allegorical or symbolic terms, as a deep link between the Holy One, blessed be He, and the people of Israel, or between the soul and the body.⁵⁹ The various physical and sensual dimensions (smells, touch, the playfulness of love, the longings) were presented as rhetorical repetitions or literary emphases to convey the intensity of the link between the masculine symbol (God, the soul) and the feminine symbol (the Jewish people, the Torah, the body). This hermeneutical perspective implies that Song of Songs has no narrative sequence describing various stages of a love relationship leading to climax and realization, or the ups and downs of courtship between a young man and a young woman. An alternative exegetical tradition developed in sixteenth-century Italy, which viewed Song of Songs as a real love story alluding in many of its details to stories of young love and courtship, familiar to contemporary Jews and Christians living in Italian cities. This is a prominent trend in the commentary of R. Jacob ben David Provinzallo:

Because of her great love for him, she yearned to embrace him and kiss him in public, until all knew of her love for him. Yet, since this would be indecent and everyone would blame her if it were so, she told her lover: “I wish you were my brother.” She did not mean for

⁵⁸ Friedhaber, *Dance in Jewish-Mediterranean Communities*, 19–31; idem, “The *Tanzhaus* in the Life of Ashkenazi Jewry during the Middle Ages” (in Hebrew), *Jerusalem Studies in Jewish Folklore* 7 (1984): 49–60.

⁵⁹ On the allegorical exegesis of Song of Songs in Jewish and Christian medieval traditions, see Yair Zakovitch, *Song of Songs* (in Hebrew), (Tel Aviv: Am Oved, 1992), 32–36; Ann W. Astell, *The Song of Songs in the Middle Ages* (Ithaca: Cornell University Press, 1990); E. Ann Matter, *The Voice of my Beloved: The Song of Songs in Western Medieval Christianity* (Philadelphia: University of Pennsylvania Press, 1990).

him to actually be her brother, since she would then be forbidden to him, but that he should be thought of as her brother. If people believed he was her brother, she could kiss him every time she met him at the market and those who saw her, believing she was kissing her brother, would not despise her. Furthermore, she could openly take him to her mother's house and her mother would teach her how to serve him, as she [her mother] had done for her husband, and she could openly help him to sweet-smelling wine and to juice from her pomegranate, and she would not be ashamed of doing all these things if he were held to be her brother.⁶⁰

The love story between the young woman and her "beloved" (described as a young man)⁶¹ begins with a courtship, in secret meetings, waiting for the lover and following him, together with fears of exposure when she leaves home lest she become a victim of male violence. The growing erotic closeness between the lovers culminated in a close encounter that seems to have led to sexual intimacy. The young man then withdrew and she saw much less of him. In an attempt to return his love, she saw fit to bring him closer to her home and her family, this time more openly, but the end is not spelled out. The loose narrative structure of Song of Songs may have influenced the exegete, although it is also possible that he did not think that the courtship and the erotic atmosphere required a "happy ending" in the shape of marriage. The sacredness attached to this book (M. Yadayim 3:5: "All books are holy, but the Song of Songs is the Holy of Holies") did not preclude the sensual-earthly exegesis, attesting to the extent to which premarital courtship was considered a widespread and legitimate phenomenon in Jewish Italian communities. The exegeses of Song of Songs speak of pre-marital sex. Did youths engage in sexual intercourse in some of their intimate encounters? Contemporary responsa show that premarital sex was indeed not exceptional:

⁶⁰ Oxford Ms., Trinity College F12.4 no. 46 (IMHM # 12148), commentary on Song of Songs, attributed to Jacob b. David Provinzallo 81a. See also 7a. On Provinzallo, see Heinrich Gross, *Gallia Judaica* (Amsterdam: Philo Press, 1969), 383–394. See also Ferrara Ms., Community Library 48 (IMHM # 2428), a series of homilies on Song of Songs by Jacob b. Isaac Zahalon, 7b–8a, 18a, 61a–62b, 69b, 118b–123b.

⁶¹ Oxford Ms., Trinity College F12.4 no. 46, 65a: "I am for my beloved, means that I am the one fit for my beloved, and my beloved is mine, and he is also fit and worthy, and *he is of my age and I am of his age.*" For another aspect of this story, see p. 67 (ch. 1, n. 42).

On the audacity of the bad practice common in many places of the Jewish diaspora [in various Italian cities], whereby after the *tenaim writ* is signed between groom and bride, and after they have reached an agreement and drawn up the matchmaking writ, the bride and groom usually meet with their loved ones and set a date for a feast of merriment they call “the day of the *kinyan*.” After that day, the groom is allowed to visit his bride whenever he wishes, and they become unsuitably close, embracing and kissing and fondling and other indecent acts shameful to humanity in general, and even more so to the holy people of Israel, things it is forbidden to write and even more to see or hear about. And whoever resists, and refrains from this transgression, appears to them as extremely pious and as acting beyond the letter of the law. They have no doubt or hesitation and, sometimes, since one sin leads to another, they engage in sexual intercourse, and even that is not considered a transgression. Ultimately, the partners to the match hold that, after it has been agreed that they would marry, they are as husband and wife, even if the wedding and the *kiddushin* are not yet concluded,⁶² and they will not fear closeness and intimacy even if she is menstruating. And this sets my heart ablaze and I fear they are transgressing a prohibition from the Torah. I have reviewed all the details of this dispensation and found nothing for them to rely upon, and can see no way of condoning it, and it is incumbent on the zealots to hurt them and prevent their stray ways.⁶³

The responsum deals with practices of premarital courtship and erotic intimacy in the course of discussing another halakhic question: sexual intimacy with a menstruating woman. The responsum is divided into six “inquiries,” five of which consider the serious offence of sexual intercourse with a menstruating woman, or one who has not immersed as Halakhah requires. Only the sixth and last inquiry touches on

⁶² A pre-condition for making the woman sexually permitted to the man.

⁶³ Verona Ms., Seminary Library 36 (IMHM # 32866), no pagination, a responsum by Menachem b. Isaac Novera. The same responsum appears in Oxford Ms., Bodleian Library 91, no pagination, and Verona Ms., Seminary Library 25 (IMHM # 32860), no pagination. For more similar testimonies, see Florence Ms., Laurenziana Library 88.18 (IMHM # 17844), 25a–b; Oxford Ms., Bodleian Library 1418 (IMHM # 22442), Monselice, *Tiferet Bahurim*, 8a: “Chapter Three, On the ban on intercourse with his bride before he stands under the canopy and performs the *kiddushin*, and before drawing up the *ketubbah writ*”; Budapest Ms., Kaufmann Collection 157 (IMHM Photostat 40), 196 (includes only the beginning of the responsum): “Reuven betrothed a woman, and married in the presence of trustworthy witnesses before the date that had been set for the wedding. A man must behave with his betrothed when she is menstruating, during the ritual purification period, and in all other matters, according to the stringent rules incumbent on married women”; Modena, *Historia de’riti ebraici*, part 4, ch. 3, section 1.

courtship and intimacy between young men and women, under the title of “how is the woman acquired by the man to be called his lawful wife, and without which she is called single.” We thus learn that, even for the strictest halakhists, or for those who rely on the normative halakhic position, the greatest fear is not the courtship or the accompanying erotic circumstances, but the breaking of the more serious taboo of sexual purity. We may infer that, if youngsters were careful about these prohibitions, adults would turn a blind eye to the couple’s physical intimacy after the matchmaking and the signing of the *tenaim* writ.⁶⁴ These practices fitted in well with attitudes that surfaced at earlier stages of the ritual. After signing the “*tenaim*,” the relationship between the partners was considered close to a full marriage (“after it has been agreed that they would marry, they are as husband and wife”); Erotic intimacy, or even sexual intercourse, is a way for the man to convey his commitment to the woman, parallel to the halakhic way; the more the groom’s and the bride’s parents enabled this growing intimacy, or as the youngsters assumed this freedom on their own, so did they and the community come to view the tie between them as a commitment. The justification for this behavior relied also on Christian marriage practices prevalent in wide sections of the urban and rural populations in Italy, where a marriage vow and its consummation in a sexual act were a common ritual course for establishing a marriage.⁶⁵

⁶⁴ For an instance of a sexual act taking place after the matchmaking agreement and before the wedding and the *kiddushin*, see Oxford Ms., Bodleian Library 36 (IMHM # 20358), 13a: “A case of a doubtful firstborn [child] . . . An event that happened here in Modena . . . in 1670: a son, presumably his first child, was born to Raphael Raba, son of the late Joseph, may God avenge his blood, from the city of Reggio, by his wife Hadassah b. Menachem b. the late Abraham. People had slandered Hadassah and suspected she had been promiscuous before marrying Raphael, and might have given birth to a son or a daughter. The son born to the said Raba. . . [then] was not his firstborn, and his father was not obliged to redeem him, all the more so since she had been pregnant when she married the said Raphael Raba, and said she had become pregnant by her [future] husband, who had taken her virginity.” The husband later confirmed her version. Note that the query emerged around a formal legal issue, namely, whether to recite the firstborn blessing, rather than around the issue of pre-marital sex.

⁶⁵ See Ferrante, ‘Il matrimonio disciplinato’; Lombardi, *Matrimoni di antico regime*, 412–421.

Do Youngsters Continue a Palestinian or a Romagnotti Tradition?

Halakhist Menachem Novera, who discussed the issue of youngsters “embracing and kissing and fondling” before marriage, shifted from a legal ruling to moral condemnation of “other indecent acts shameful to humanity in general.” Did other halakhists, or even lay-people, share his strong censure? Novera does not substantiate his view by relying on other halakhists or on tradition. His exclusive reliance on formal arguments (five “inquiries”) strengthens the presumption that this behavior was not considered exceptional, scandalous, or a reason for “shame” [*vergogna*] to the participants and their families. What conferred legitimacy on the youngsters’ courtship patterns faced with halakhists’ attacks? Should we look for it in the Christian circle (Italian or European), or rather in orally transmitted Jewish traditions?

Courtship patterns called *kiltgang* or *bundling* are known from rural society in France and England. Young men would spend the night in the bed of the women they were about to marry, as a test of the young man’s ability to control himself and refrain from injuring the honor of the woman he was courting. It allowed the youngsters an expression of personal intimacy and closeness without full sexual consummation. Even at the most intimate moments, other youngsters were present who ensured that the couple would not cross the last border and would refrain from full sexual intercourse during these nights. This type of courtship was a social mechanism that functioned successfully for centuries.⁶⁶ Despite the similarity in the youngsters’ premarital sexual freedom, these customs differ from those mentioned in Menachem Novera’s responsum. In the former case, courtship took place in groups, and a couple engaging in sexual intercourse was viewed as breaching the rules of the game. In the Jewish-Italian case, the couple engaged in courtship alone, without other youngsters present, and could sometimes engage in full sexual intercourse.

Is this a long-standing oral tradition of Jewish origin? The first cultural circle that could explain these patterns of behavior is the

⁶⁶ Jean-Louis Flandrin, “Repression and Change in the Sexual Life of Young People in Medieval and Early Modern Times,” in Wheaton and Hareven, eds. *Family and Sexuality in French History*, 27–48; idem, *Le sexe en Occident: Evolution des attitudes et des comportements* (Paris: Éditions du Seuil, 1981); idem, *Les amours paysans (xvi^e–xix^e siècles)* (Paris: Gallimard, 1975).

tradition of Romagnotti Jews: Jews from Byzantium, Southern Italy, Greece and the islands (mainly Crete and Corfu). Until the last few years, this tradition had been one of the least explored areas in Jewish studies. Jews in Greek-speaking countries created a separate tradition of prayer, ritual poetry, mysticism, and halakhic-scientific-philosophical creativity.⁶⁷ The absence of the Romagnotti link from scholarship until recent years could be due to the paucity of written evidence concerning this culture.⁶⁸ Philological and methodological problems hamper the definition of the creative literary corpus of Jews from Byzantium, Southern Italy, and the neighboring islands. Many works have remained anonymous, and their authors' identification is problematic. The Ottoman policy of population expulsion led many Jews to move from many areas to Constantinople, the capital, cutting them off from their centuries-old cultural and geographic sources. The arrival into the Ottoman Empire of many Jewish immigrants from Spain put local traditions to a hard test, which they often failed to pass. The determination of Spanish exiles, in all their destinations, to continue their traditions, marginalized local practices of prayer and communal organization as well as local family traditions.⁶⁹ The power and uniqueness of local tradition surfaces in many controversies between Romagnotti laymen and rabbis and Jewish immigrants from Spain, and even from Italy. The documentation of

⁶⁷ Steven B. Bowman, *The Jews of Byzantium, 1204–1453* (University of Alabama: University of Alabama Press, 1985): 121–170. On this halakhic legacy, see especially Israel Ta-Shma, "History of Rabbinical Literature in Greece during the Fourteenth Century" (in Hebrew), *Tarbiz* 62 (1993), 101–114.

⁶⁸ A similar process affected the cultural heritage of Sicilian Jewry. Sermoneta's claim about Sicilian Jews is largely relevant to Byzantine Jews as well. See Giuseppe Sermoneta, "The Liturgy of Sicilian Jews" (in Hebrew), in Beinart, *Jews in Italy*, 134–135: "The practices and liturgy of Sicilian Jews reflect a certain weary continuity in the popular customs and ancient traditions, which survived without self-reflection. Ossification into a rigid, 'self-conscious' custom strong enough to remain distinct from other prayer practices was thereby prevented. A similar fate befell the Sicilian community founded in Rome during the sixteenth century."

⁶⁹ On the battle of Sephardi exiles against Romagnotti customs during the seventeenth century, see Minna Rozen, *In the Mediterranean Routes: The Jewish-Spanish Diaspora from the Sixteenth to the Eighteenth Centuries* (in Hebrew) (Tel Aviv: Tel Aviv University, 1993), 9–12, 118–122; Rebecca Cohen, "The Morea versus Salonica: A Threat to Salonican Hegemony in the Sixteenth Century," in *Then and Now: Annual Lectures on the Jews of Greece* (in Hebrew), ed. Zvi Ankori (Tel Aviv: Tel Aviv University, 1984), 55–65. For a detailed analysis of the polemics surrounding the ban of Rabbenu Gershom, see Elimelekh Westreich, "Polygamy and Compulsory Divorce of the Wife in Jewish Law in Italy during the 15th and 16th Centuries" (in Hebrew), *Bar-Ilan Law Studies* 9 (1992): 227–256.

this unique Jewish culture, then, appears mainly at the time of its decline and demise, toward the end of the sixteenth and the seventeenth centuries.

This legacy is one of the foundations of the *lo'azi* tradition of the *Italiani*. Greek and Italian Jews maintained extensive ties in the area of book printing, through rabbis' delegations, mutual help provisions to widows and poor brides, or prisoners' release. Rabbis from both circles remained in close touch, and evidence points to contacts lasting many years. Italian rabbis were often involved in halakhic controversies originating in Greek communities.⁷⁰ The prayer traditions of Italian and Greek Jews are also considerably similar.⁷¹

Isaiah di Trani the Elder had already attested during the thirteenth century to family customs specific to "the Jews of Romagna," namely, Romagnotti Jews. Sexual intercourse after the match had been agreed, or after the *kiddushin* (namely, before the wedding) was not considered an exceptional event:

On what you wrote to me about the minor girl whose father arranged her betrothal and performed the seven blessings according to the custom of Romagna. . . . As for the seven blessings, this was only to allow for him to be alone with her, and this was a custom common in the land of Judah, where they used to bring the bride and groom together, and to prevent a transgression when he sleeps with her, they would pronounce the seven blessings, as prescribed at the beginning of the Ketubboth treatise . . . *All the customs of Romagna appear to me to follow the customs of the land of Judah*: although you allow them privacy and pronounce the seven blessings, you only do so to prevent him from transgressing when he sleeps with her, but she does not thereby immediately become his fully wedded wife.⁷²

According to the traditions of the land of Judah (see Ketubboth 12a), the bride's parents allowed betrothed couples privacy. They assumed this would lead to sexual relationships and, therefore, pronounced the seven blessings after the betrothal (and before the wedding!) so that the first sexual act would not take place in contravention of halakhic demands. Isaiah di Trani's testimony is extremely impor-

⁷⁰ Meir Benayahu, *Relations between Greek and Italian Jewry* (in Hebrew) (Tel-Aviv: Tel-Aviv University Press, 1980), esp. 87–122, 149–222; idem, "Introduction," Benjamin b. Mattathias of Arta, *Responsa Binyamin Ze'ev*.

⁷¹ Sermoneta, "The Liturgy of Sicilian Jews," 141.

⁷² R. Isaiah di Trani the Elder, *Responsa*, #47, 219–228. The importance of this source was already recognized by Asaf, "Family Life of Byzantine Jews."

tant, not only because of the statement that these practices were not exceptional, or controversial, but mainly because of their conscious link to Palestinian tradition (“all the customs of Romagna appear to me to follow the customs of the land of Judah”). These customs continued to prevail and enjoy full legitimation in Byzantine communities. Erotic intimacy before full marriage, then, was not necessarily viewed as breaking a family taboo, but as a continuation of local traditions that approached premarital sexual relationships between youngsters as a legitimate means for bringing the marriage ritual to conclusion. An early testimony appears in southern Italy, in a ninth-century ritual poem by Amitai ben Shefatiah.⁷³

These practices were still prevalent in other communities during the sixteenth century, as indicated by the following testimony from the Arta community:

The betrothed would say that this agreement [the community’s agreement to the ruling forbidding a couple who are betrothed to meet] applies only within the house and under a roof. The fiancé would therefore pass by, and his wife-to-be would meet him at the crossroads so as not to infringe the agreement. And he would embrace her and kiss her and fondle her in front of all passers-by, be it Greek or Ishmaelite [Greek Orthodox Christians or Moslems], bringing shame and disgrace, because the Gentiles would ask themselves in wonder: “Why are they doing this at the crossroads?” And the answer would be that this was the proper religious way, and they would then despise this religion. . . . They would also go to gardens and orchards, because there are no houses there, and fondle and embrace there.⁷⁴

The main motivation for opposing the youngsters’ actions was the shame inflicted on the Jewish community before Moslems and Christian Orthodox. We also learn that youths viewed the community ordinance as irrelevant. Instead of forgoing their courtship, they moved it from private homes to the public space. Additional evidence from the sixteenth century appears in the ordinances from the Candia community [Crete]:

⁷³ Ezra Fleischer, “Examining the Poetry of Ancient Italian Liturgists” (in Hebrew), *Ha-Sifrut* 30–31 (1981): 131–167: “Amitai alludes to a weird tradition apparently in force in his time, whereby the groom has intercourse with his bride in a sacred act [*be’ilat mitzvah*] before the witnesses sign the *ketubbah*. The witnesses sign only after they have proof of the bride’s virginity.”

⁷⁴ Leah Bornstein-Makovetsky, “Life and Society in the Community of Arta in the Sixteenth Century” (in Hebrew), *Pe’amim* 45 (Autumn, 1991), 145.

Seeing . . . that some members of our community, who would be called Jews, have promiscuously surrendered to the basest passions and to the touch sense that shames us, saying, you are my life. . . . And they came, both men and women,⁷⁵ without wedlock and *kiddushin*, and worse even, without fearing the punishment for intercourse with a menstruating woman. . . . We have therefore agreed . . . that, from now on, every son that is born,⁷⁶ if conceived out of wedlock by the law of Moses and Israel, God forbid, cantors will not be allowed . . . to pray at the circumcision ceremony held at the synagogue, as is the custom in our community . . . or to hold the circumcision at the synagogue, which will instead be held at the house where the child was born, without music and song.⁷⁷

According to this testimony, then, youngsters engaged in sexual relationships even before *kiddushin*. Furthermore, youngsters did not fear intercourse with a woman who was ritually impure, which is a punishable act. The community could impose only a ritual sanction: preventing public honors at the baby's circumcision. Here too, the crucial drive behind the ordinance is the shame suffered by the Jewish community rather than the sin itself. Bearers of the Romagnotti tradition had to defend themselves not only before Gentiles, but mainly against the extensive criticism of Spanish exiles who had reached Turkey and the Mediterranean islands. Leah Bornstein-Makowetski has rightly indicated that the confrontation between Spanish and local Romagnotti traditions did not extend to all fronts but focused on specific issues, on which local Jews were unwilling to renounce their accepted customs.⁷⁸ To the new arrivals these customs appeared licentious but not so to the "locals," "for whom the ancestral cus-

⁷⁵ Following 1 Samuel, 35:22, alluding to the sin of the golden calf.

⁷⁶ Exodus 1:22.

⁷⁷ Artom and Cassuto, *Statuta Iudaeorum*, #81 (67), 95–97, a community ruling from 1526. See also #19 (15), 11: "Recently . . . the stone fence [of community regulations] has been destroyed. Villains have broken through, and have begun acting frivolously by leniently allowing themselves to enter the house of their fathers-in-law, eating and drinking there . . . until they became accustomed to transgression and had intercourse [with their future brides], and before long did not even refrain from blood [intercourse with menstruants], and she did not consider the consequences either." See also *ibid.*, #62–64, 64–66, regulations from 1475–1477.

⁷⁸ Bornstein-Makovetsky, "Life and Society in the Community of Arta," 150–151: "From the insistence of Puglia exiles on [preserving] their social customs, as evident in their vigorous opposition to the betrothal ordinances, we may infer that they also tried to preserve other customs. This also applies to exiles from Calabria and Sicily. . . . Probably, these communities went on adhering to their practices but did agree to abide, partially or fully, by Romagnotti practices on *ketubah* and inheritance."

tom was to allow the groom to enter the house of the betrothed to eat and drink together, and they should not ban this.”⁷⁹

Long-standing contacts between Italian Jews and Greek-speaking Romagnotti Jews follow from their shared roots in Palestinian traditions (“the custom of the lands of Judah”). Both circles legitimized, even if partially, erotic closeness between youngsters even before marriage. The courtship encouraged intimate closeness and answered emotional needs. It also fitted well into the course of the ritual, as a means of bringing the marriage to closure. The proximity was more cultural than geographical; it assumes a broad platform—most of it as yet not understood—of oral traditions or shared family patterns. Both stressed the offense of sexual intercourse with a menstruating woman more than that of sexual relationships out of wedlock. Ties to the woman were described in intense emotional terms (you are my life, you are mine, *tu sei mia*), and the punishment was ritual in character (preventing honors at the synagogue).

The Criticism and Struggle Against Youth Counterculture

A subtle balance of power prevailed between youngsters and adults. Beside the criticism of youth, of the rebelliousness and surrender to passion, of behavior patterns that endanger the peace of the community and the authority of adults, the “youth subculture” was also granted partial legitimation. Youngsters, for instance, were allowed to hold the *mattinata* ritual in Padua (see Chapter Seven below), to write and print letter manuals teaching youngsters how to write love and courtship letters, to engage in “erotic” interpretations of Song of Songs, or to protect the local custom of gift giving. Adults and heads of families accepted that they could not fully regulate the youngsters’ behavior, or that, barring alternatives, it was preferable to retain the existing frameworks of the youth subculture rather than break them up. The Jewish community, like Christian society, also knew how to use its youngsters’ energies to control those who breached the community’s unwritten norms.

⁷⁹ Ibid., 144. See also *ibid.*, 146, rejecting the ordinance changing the practice of women’s ritual immersion: “As for immersion, it should be kept discreet, and not with public clamor and torches.”

The balance between adults and youngsters was disrupted toward the end of the sixteenth century, with the expansion of the communal discipline imposed on unmarried youngsters. Elliot Horowitz's studies point to a sizeable growth in the scope and roles of the confraternities [*fraternitates*], some of which owned considerable property and functioned separately from ordinary community frameworks. Among the confraternities founded during the early modern period, some had been intended solely for youths.⁸⁰ Although they had been meant to function without direct adult intervention, they nevertheless remained under external supervision for most of their existence. The adult character of the confraternity's by-laws and its mode of performance attested to the youngsters' attempt to imitate adult modes.

Youth *havurot* were a sixteenth century innovation, meant to complement the established and familiar learning frameworks. Beside the traditional role of observance, Torah study, and immersion in the cultural legacy, education at this time also came to include social control and close surveillance of the youngsters' behavior. Educational frameworks where students and their teachers spent long hours in "seclusion" [*hesger*], as far away as possible from the street or from day-to-day contact with the other community members, created a new educational model combining a *beth midrash* [religious school] and a youth fraternity. A teacher presented his closeness and commitment to his students as a father's closeness to his children, in his ability to reprimand them, to write personal comments in their notebooks, to control their free time, and to devote himself to their education for long hours every day.⁸¹

Education was not limited to the study of holy books. Teachers also considered themselves responsible for the physical education of

⁸⁰ Horowitz, "A Jewish Youth Confraternity in Seventeenth Century Italy"; idem, "*Yeshiva and Hevra: Educational Control and Confraternal Organization in Sixteenth-Century Italy*," in Carpi et al., *Shlomo Simonsohn Jubilee Volume*, 123–147.

⁸¹ Ibid., 134: "R. Mordechai's [of Foligno, in a letter to his disciple] citation of Pharaoh's words to Joseph (Gen. 41:40) seems to have been no empty exercise in learned rhetoric, but a sincere expression of the companionate view of education which was the other side of the coercive one. Surveillance and supervision could be maintained more effectively when teacher and student were placed on an equal footing." For an example of parents-teacher co-operation on this issue, see *Letters of Jews in Italy*, #187, 241, about a father sending his son to a new teacher and advising him to be strict with the boy from the start, so that the boy would become accustomed to the teacher's authority.

their students—how they should walk, talk, eat, what clothes they should wear, and how they should address other people.⁸² Education toward adult life in a Jewish community included clear elements of a civilizing process, well known from other contemporary urban and ecclesiastic educational institutions. Sexuality was at the focus of physical control.⁸³

At the end of the sixteenth century, the interest of adults and teachers in premarital sexuality and on the need to control it and direct it to normative or agreed channels grew considerably. The control of youth sexuality was evident in the limitations imposed on the youths' behavior in areas with a direct bearing on the marriage ritual and on their part in it: forbidding independent, non-chaperoned courtships, and exerting control over extravagant spending during their single years or on going to prostitutes (Jewish or Christian). These intensified educational efforts invested in the training of youngsters toward adult life increased community pressure on the parents to refrain from interrupting their children's education at a young age, as had been common before the change at the end of the sixteenth century. Discontinuing studies after reaching *bar-mitzvah* age at thirteen was now viewed as too premature.⁸⁴ Legal aspect points to a similar trend. The liberation of youngsters from their parents' protection and their ability to run their lives and property independently was sometimes postponed until the age of twenty-five, "so that he will not throw off the yoke of *ubbidienza* [obedience]."⁸⁵

"Obedience," a key issue in the youngsters-adults relationships in Italy during the Catholic Reformation, is also a key issue in the subject of marriage and family. The wish to impose adult will on the

⁸² *Letters of Jewish Teachers*, #29, 85–90; see also 28–37, referring to *specula* [mirrors] written by teachers for their young pupils. For a discussion of the first *speculum*, see Roni Weinstein, "What Did Little Samuel Read in His Notebook?: Jewish Education in Italy during the Catholic Reformation Period" (in Hebrew), *Italia: Studi e Ricerche sulla Storia la Cultura e la Letteratura degli Ebrei d'Italia* 13–15 (2001), 131–168. See also idem, "'Until Juvenile Fury Subsides,'" 86–116; Horowitz, "Yeshiva and Hevra," 128.

⁸³ I am now pursuing a comprehensive study of this question, supported by the National Israeli Academy of Sciences and Humanities.

⁸⁴ Horowitz, "Mondi giovanili ebraici in Europa," 110–118.

⁸⁵ The expression appears in a woman's testament (Verona, 1642), stating that her son will continue to have a guardian until he turns twenty-five, even if he marries at twenty. For the full account, see ch. 1, n. 48. See Oxford Ms., Roth Collection 210 (IMHM # 15350), 43a–44b, #5. See also Segre, *The Jews in Piedmont*, vol. 2, #2151, 1065; Toaff, *The Jews of Umbria*, vol. 3, #1939, 1023–1024.

youngsters was important far beyond its usual social role. Obedience is a religious value, and subservience to the family and community hierarchy conveys loyalty to God. Fear of losing control over the youngsters' acts appeared far more serious and threatening to adults. This further reinforces the claim (see Chapter Three above) that ordinances against hidden or playful *kiddushin*, or the courts' concern with these matters, do not attest to actual growth in the number of these events but to a change in the adults' cultural sensitivity toward these acts, which now appeared far more serious and threatening to the communal order than in the past.

In the Jewish community too, discipline infringements of duties toward adults or families faced more blatant responses. During this period, we find evidence of a second attempt to force a youth to marry a girl pregnant with his child:

He must not be pardoned since he defamed the girl . . . and particularly such dear, worthy families, because this man acted wickedly with a Jewish maiden and this shall not be done . . . the crown of their house has fallen due to this . . . So they came to an agreement, and the young man, the mentioned Isaac Feiss, admitted to it openly and without shame, and *without duress*, willingly and wholeheartedly, fully betrothed this girl before a quorum of Jewish men . . . We also found that the great, wondrous rabbi, His Honor, R. Eliezer ben Elijah Ashkenazi, the Physician, author of *Ma'aseh Adonai*, of blessed memory, who headed the academy in Venice in 1572, banned, together with other rabbis, any man or woman who had heard about the *kiddushin* between R. Wolf from Marcherea and Miss Brunita from Gorizia, *in order to force him to marry this woman*, and all the more so since she was pregnant. Furthermore, we may say that it is proper and fair *to force this man* [Isaac Feiss] to marry this girl as noted, and not to divorce her.⁸⁶

When it emerged that a single woman was pregnant following sexual relationships with a single man (after a marriage promise?), the youngster was coerced to perform a *kiddushin* ceremony. Why *kiddushin* rather than marriage? After all, marriage would have closed the circle, returning the girl her honor. The forced *kiddushin* was an act that conveyed the community's authority and implemented the compromise agreed with Isaac Feiss, who had previously refused to marry the woman he had made pregnant. A wedding enabling full sexual

⁸⁶ Strasbourg Ms., National and University Library 4085 (IMHM # 3960), 84–85, a case from Modena 1661.

relationships might be postponed for a later stage. A similar event, noted in the responsum, dates from ninety years previously.

Summary

A Comedy of Betrothal, by Leone di Sommi, used burlesque ploys and the carnival setting of *Purim* to highlight the tensions and problems of Jewish society toward the end of the sixteenth century. This is not exceptional, and other contemporary Gentile playwrights in Italy also criticized the government and surrounding society in carnivalesque plays. Ruzzante, one of the most famous, was forbidden to stage his plays in Venice because of his critique of the oligarchic, isolationist government.⁸⁷ The Jewish carnival play also focused on a problematic and tension-ridden social issue—establishing a family, or the different aspects of the marriage ritual. It thereby exposed the economic, familial, and personal pressures affecting adults during the matchmaking stage of searching for partners, the negotiations between the families until the signing of the *tenaim* writ, and the legal entanglements ensuing from complex *kiddushin* subterfuges. As in similar contemporary Italian plays, the play opens at a turning point that subverts the protagonists' original intentions: the paterfamilias, who died away from his home town, surprisingly decides before his death to disinherit his son Yedidia and bequeath all his assets to his servant. The main thread in the plot is the struggle between the adult generation—the heads of families, the fathers of sons and daughters of marriageable age, and their assistants—and the youngsters who try all along to disrupt the adults' marriage plans. The generational struggle around the matchmaking and the *kiddushin* drives the plot forward.

Leone di Sommi's play is one of the first testimonies of the development of a *commedia dell'arte* style in contemporary Italy.⁸⁸ Beside a long tradition of religious theater in Italy, which had spread from

⁸⁷ Linda L. Carrol, *Angelo Beloco (Il Ruzante)* (Boston: Twayne, 1990). On the didactic characteristics of early modern Italian theater, see Bernadette Majorana, "Governo del corpo, governo dell'anima: attori e spettatori nel teatro italiano del XVII secolo," in Prodi, *Disciplina dell'anima, disciplina del corpo*, 437–490.

⁸⁸ Michele Castagnola, *The Early Commedia dell'Arte (1550–1621): The Mannerist Context* (New York: American University Studies, 1994).

the monasteries to the cities, the new style offered plots that did not deal with Christ's passion or with saints' lives but with "trivial," everyday life issues. The "low-brow" burlesque style is presented on stage by several stereotypical characters whose struggle propels the play; the flippant, classless protagonists ceaselessly mock the "serious," pretentious characters. In the Hebrew play too, the youngsters present adult deeds in a ridiculous light, and use the adults' foibles to their advantage. Yedidia plays the lover [*amante*] whose plans were upset by his father's unexpected will. His intended bride, Beruriah, is torn between her wish to marry her true love and her duty to respect her parents' wishes, obey them, and marry another man. Beside them are a couple of servants, Yedidia's personal servant Pashhur, who openly and daringly courts Yekara, Beruriah's personal maid. Pashhur's talk and deeds are crude and blatant, as is typical of servants in *commedia dell'arte* plays. Anyone standing in his or his master's way, or ostensibly injuring their honor, evokes his unrestrained response. Pashhur does not refrain from direct physical violence either. Deception, a weapon typical of the weak in the play, is used not only by the youngsters. In all that concerns *kiddushin*, adults consider that deception is permitted, or at least legitimate. For this purpose, the play presents a parallel sub-plot, involving another young couple.

The young couple of the sub-plot are Assael, also a lover type, who wishes to marry Shifra, Yedidia's sister. Assael's father and Beruriah's parents decide to marry off their children and arrange their *kiddushin* without their knowledge and consent. Joining the parents' collusion is Master Greedy, a rabbi acting as the Jewish counterpart of the *pedante* character. The rabbi has two marriageable daughters and they too are involved, unwittingly, in their father's conspiracy.

A Comedy of Betrothal is one of the richest and fullest testimonies of the life of unmarried young men and women in early modern Jewish Italian communities. The range of topics and the quasi-realistic style turns it into a "social encyclopedia"⁸⁹ on the subject of youngsters-adults relationships, particularly during the marriage ritual. The inde-

⁸⁹ The phrase "social encyclopedia" is borrowed from Bonfil, "Una 'enciclopedia' di sapere sociale," 113-130.

pendence and conviction of the young protagonists on the eve of their marriage is made even more prominent through a deliberate comparison with other young characters appearing in the play, school children, or students in their early teens studying with a private tutor. They are marginal, and their appearance is designed to suspend the plot at its climax in order to raise tension in the audience. Contemporary stage performances were long events, interrupted by brief delays [*intermezzi*] cut off from the theatrical performance. Children do not propel the plot. Quite the contrary, they interrupt it at moments of tension by telling jokes, playing and betting, talking about their school experiences, attempting to avoid their watchful teacher, Master Greedy rabbi, and gossiping and commenting about other characters. Their acts or the conversations between them have no effect on the protagonists or on the advance of the plot. By contrast, the single “fellows” are the crucial element driving the story, changing the adults’ plans and bringing the play to climax and resolution.

All the elements of the contemporary Jewish “youth subculture” appear in the play. The men try to charm their beloved by giving them personal presents, and maintain secret ties by sending them love letters. In an exceptional event in the play that resolves the plot, Yedidia, who had been disinherited, meets secretly with his beloved and encourages her to meet him outside her home so that they can talk. At one of the meetings, he coerces her into having sexual relationships. After the Council of Trent, sexual relationships of this type could easily be labeled as rape [*stuprum*], which in Christian society was punishable by death if the act also involved violence. In the course of the play, it is not clear to the spectators to what extent this is a violent act or one in which the girl willingly cooperates, a legitimate means for attaining “their ends” in order to force the bride’s parents to accept him. The play has a “happy ending,” obviously “happy” in the youngsters’ perception. They succeed in bringing their emotional closeness to fruition in marriage. Shoval, the servant who had stepped out of his role and planned to inherit his master’s fortune and marry a girl of good family, was punished by the youths in a public humiliation ritual [*mattinata*].⁹⁰

⁹⁰ De Sommi, *A Comedy of Betrothal*, 137–140.

The youngsters' behavior in the course of the marriage ritual, then, is at the focus of the play. The encounter between young men and women extends over a broad range of feelings and behavioral alternatives to violence: courtship, emotional closeness, cunning stratagems against adult authority, pressure, sharp language [*lingua mordace*], puns, meetings at secret places, signs that only the lovers understand, swaggering arrogance of their youthful manhood and womanhood, and the creation of a private, intimate space. The behavior of unmarried youngsters is rich in fun [*bedihuta*] or games [*gioco*], while preserving the rules known and accepted by the parties. Playfulness unfolds during a very brief period, before marriage. Opportunities for choosing partners are limited, given the small numbers of youths in northern European Jewish communities.

Usually, youngsters were more effective than adults in preventing participants in the courtship ritual from breaching the accepted limits. Direct physical violence between men and women was almost unknown, despite frequent non-chaperoned meetings between the parties. As noted (in Chapter Three above), even when men tried to impose *kiddushin* on the girl, they resorted to sophisticated ploys [*burla*] rather than to direct violence. The few cases of direct physical violence against young girls for marriage purposes hint at cooperation on the part of the girl or her family.⁹¹ Love stories did not lead to romantic and dramatic elopements. Youngsters' meetings always took place in familiar surroundings in both human and physical terms: the local neighborhood, the veranda, the window in the ghetto's Jewish courtyard—all of them places where the girl was protected and able to withdraw and stop the game if she so wanted. The familiar scene largely neutralized the violent element from youngsters' meetings in Jewish Italian communities.⁹² *Kiddushin* stories featuring in non-Italian documents, in which young men forcibly imposed their will on single girls despite their explicit refusal, have no place in *lo'azi* surroundings.

Between youngsters and adults, circumstances were entirely different.

⁹¹ Segre, *The Jews in Piedmont*, vol. 2, #2425, 1211, a case from 1678. A woman was kidnapped on the way to her wedding and married the kidnapper with her family's consent. The first groom was compensated.

⁹² An instance of a romantic elopement of Jewish youngsters to the countryside is mentioned in Provence. See Leningrad Ms., The Oriental Studies Institute B381, 43b–48a, a case from 1634.

The ludic character is altogether gone, replaced by a direct and blatant power contest, sometimes even violent. In some cases—as noted in *A Comedy of Betrothal*—adults forced youngsters to betroth partners they had chosen for them, or arranged *kiddushin* without their knowledge, leaving the youngsters no choice but to accept a *fait accompli*.⁹³ The youngsters' reaction to the adult front sometimes deteriorated into a collapse of all rules, disrupting family and community identification by threatening to convert to Christianity for “romantic” reasons.⁹⁴

Contrary to the clear limitations that (Jewish) youngsters imposed on themselves at meetings with (Jewish) girls from their own social circles, meetings with Gentile women were wild, and sometimes violent. Young Jewish men went to Christian prostitutes, despite the prohibition against it in both urban and canon law. We have no evidence as to whether Jewish youngsters went to these prostitutes alone or in groups, or together with Christian youths. Jewish youths, however, apparently felt sufficiently comfortable in this situation, even as far as raising scandals and confronting the town's prostitutes. Within Jewish society too, the attitude of youngsters to a woman unprotected by a man or a family, or one whose personal status was unclear, could be violent or slide into acts of coercion and rape.⁹⁵

Support of youth practices was accompanied by a note of condemnation of their age and their rebelliousness against adult authority. The censoring tone is far sharper in Jewish communities in Italy than in the Christian surroundings. It includes no balancing elements ascribing to youngsters the power to revitalize the universe and society, or of youth as a source of abundance or a direct expression of divine will through magic signs. The sweeping negative image contributed to the new social trends that tried to increase control over youths and channel their energy to areas that could be controlled. At their service was a series of educational and institutional means. Youth cliques or confraternities were established in Italy at the end of the sixteenth century. Adults were involved in their creation, in

⁹³ For an instance, see Stow, *The Jews in Rome*, vol. 1, #131–132, 242, and p. 198 (ch. 3, n. 95) above.

⁹⁴ Simonsohn, *The Jews in the Duchy of Milan*, vol. 2, #2718, 1182–1183. See also #2787–2788, 1212–1214, a case from 1551, a fifteen-year old girl elopes with part of the family's wealth in order to convert and marry a Christian man.

⁹⁵ R. Judah Minz, *Responsa*, #5, 6b–9a.

formulating their by-laws, and in exerting pressure to accept new members. Educational frameworks where young teachers and students spent long hours together kept students away from the street bustle, from public religious celebrations, from betting games, or from prostitutes. The refinement process of the individual's physical and public behavior, extensively discussed by Norbert Elias and others, was not alien to Jewish teachers. Contemporary letters and ethical writings that teachers prepared for their students include guidelines not only about how to honor parents or other people in authority, but also instructions on how to walk, dress, and on personal hygiene. External etiquette was an expression of the soul's virtues and a component, as in the Christian parallel, of a civilizing process that does not distinguish social or interpersonal behavior from the religious element [*civiltá cristiana*]. Obedience became the key concept for describing the relationship between youngsters and adults.

In this context, the tradition of youngsters' encounters was placed under greater limitations. We cannot determine whether adults did succeed in preventing youngsters from meeting under the window, exchanging words of love, or behaving as those who "promiscuously surrendered to the basest passions and to the tactile sense that shames us, saying, you are my life. . . . And they came, both men and women, without wedlock and *kiddushin*." The reduction of the youngsters' free time, the increasing control over the youths' sexuality (particularly pre-marital sexuality), and the new circumstances resulting from the Kabbalah's presence in Jewish life toward the end of the sixteenth century, influenced the traditions of Jewish youth, just as the atmosphere of the Counter-Reformation weakened youth groups in Christian society. The meeting between young Jewish men and women was still a non-violent "game" [*gioco*], to which a serious, inhibiting countenance was now added.

CHAPTER SEVEN

“MIRTH AND CLOWNING ON THIS MATTER”:¹ THE WEDDING DAY—BETWEEN PIOUS JOY AND CARNIVAL

When holding their wedding celebration, the groom and bride have already gone through a long ritual road, mapped out in the previous chapters. Not much new, whether legally, economically, or personally, laid ahead. Yet, to rely on this analysis to assume that the wedding day was ritually “superfluous” would be mistaken. Loose ritual ends were tied and sealed on this day. Issues crucial to the establishment of a family that had been central to previous ritual stages—honor, sexuality, family property and status, the youth culture—were woven together in the course of a densely packed and multivalent ritual event. The occasion was meant to enable the participation of large sections of the community, whether as onlookers or participants. For this reason, the visual element is highly prominent on the wedding day, be it in a unique body language or in the use of material artifacts, such as the illuminated *ketubbah*. The presence of guests and spectators raises anew the question of the community’s role in the legitimation of the marriage, beside the official legal modes of Halakhah.

More than other stages, the wedding day highlighted material, cultural, and ritual gaps between various groups in the Jewish Italian community. Between rich and poor, differences are evident between refined (“civilized”) and coarse elements, between the features confined to a wealthy and erudite group and the popular culture common to most of the population. Nevertheless, several characteristics are still specific to the local *lo’azi* ritual, as opposed to traditions introduced by Jewish immigrants.

For brevity’s sake, I have focused only on wedding practices significant to the anthropological analysis, or those pointing to major and long-term cultural phenomena.

¹ The expression appears in a homily describing the wedding ambience. See London Ms., Jews’ College, Montefiore Collection 480, 426b–427b.

Toward the Wedding Day: Preparations and Excitement

A proper wedding celebration, meaning one meeting the expectations of the couple's social class, could sometimes require months of preparation. The families began their preparations as soon as both parties declared their unequivocal intentions when signing of the *tenaim* writ, and held a public celebration to mark the occasion. Many *tenaim* writs stipulate a long time lapse until the wedding, which served both sides and enabled them to proceed with the arrangements at a suitable pace. The bride and her family completed items missing from the dowry, whether cash or personal belongings [*corredo*]. Preparing food for the guests required separate planning. Since foodstuffs could not be kept for long, arrangements had to ensure the provision of large quantities of varied food to be served over a brief period. Despite the thousands of documents describing in detail various stages of the ritual, hardly any pointers are available on this issue. Since the preparation of food was considered a role distinctively assigned to the woman managing the household affairs,² we may infer that the lack of sources is not accidental. The sources, written mostly by men and for men, conceal and suppress the female role in the wedding preparations.³

By contrast, letters exchanged between men mention the rumors about the impending wedding and the growing excitement: "I have heard the voice of a multitude⁴ in your holy camp, the happy voices of wedding, upon thy right hand the queen⁵ you have taken, *thou*

² Caroline W. Bynum, *Holy Fast, Holy Feast* (Berkeley: University of California Press 1987), 73–112.

³ In a unique letter, referring to the arrival of the bride's mother a month or two before the wedding ceremony, her role in the preparation of food is not even mentioned. See London Ms., British Museum 9024 (IMHM # 6582), 114a–b. In another letter, stressing the need for action according to a tight schedule, essentially due to food preparations, the feminine role is also suppressed. See Frankfurt am Main Ms., City Library 92 (4489) (IMHM # 25914), #89, 32b: "Writing to his father-in-law and asking him to hurry and set a date for the wedding. Many days have I been waiting for the day I long for, and I see you are not anxious to join in on this . . . all my kin are waiting for this day as a happy occasion, to see my joy and your daughter's joy on my wedding day. And through the trustworthy envoy you can order this, and it will be, and do not delay *for everything is ready for the banquet* (my emphasis)."

⁴ Psalms 42:5.

⁵ *Ibid.*, 45:10.

*didst set a bound*⁶ *to your joyful day* soon to come.”⁷ From the day “a bound was set to the joyful day,” namely, from the moment a precise date was set for the wedding in the *tenaim* writ, tension began to rise within the families and among community members who knew of the imminent date. In the time that elapsed between the *tenaim* signing and the wedding day, expectations and strains soared to new heights.

Wedding Invitations: Rhetoric, Honor and Social Etiquette

The male role in the wedding preparations was documented in hundreds of contemporary letters. The paterfamilias was responsible for the wedding invitations, and sent a personal letter to each guest and his family. The preservation of these letters in communal archives, personal journals, and students’ notebooks denotes their importance. This exceptional volume of documentation requires explanation. At work is the same cultural mechanism that had been so active at the matchmaking stage, linking high-ranking heads of households through a network of contacts. The high rhetorical style of the invitations again attests to the writer’s erudition, and to his ability to show an “entry ticket” to a closed club of men of similar knowledge and education. The invitation is supposed to make an impression because it is a one-time letter, even when including formulaic statements, and personally addressed.⁸ An issue of great relevance to the wedding ritual and to everyday life, recurring in hundreds of wedding invitations, is the family’s honor. The attendance of honored guests lends weight to the occasion in the eyes of others. Important guests bestow honor on the families organizing the ceremony, on the couple, on other guests, and on the entire ritual. Through their very presence, the guests visually concretized the social network that had surrounded the new couple’s upbringing and would be theirs in the future. Prestigious, eminent guests added to the honor [*onore*] of the household

⁶ *Ibid.*, 104:9.

⁷ London Ms., British Museum 9024, 81b.

⁸ The text is built around the addressee’s name. See London Ms., British Museum 27209 (IMHM # 5869), 26b–27a; the guests’ names are Joseph, Moses and Eliezer. Joseph’s name (*ibid.*, 26b) is intimated in a phrase speaking of silos full of grain, hinting at the “seven good years” in Egypt.

and the family, and responsibility for inviting them was therefore assigned to the paterfamilias, who wrote to his peers:

This is my task because, as one calling his loved ones by name, so will a man call upon his family and request his kin to join him on a festive occasion. . . . Come and honor me before all my people, because I have made you leader and commander of the wedding day. And you will have brought joy to my heart, and be my treasure from among all peoples,⁹ because you are the one I wanted and the one I longed for. Place on my head a splendid crown, and all the peoples of the earth shall see that my name is with you,¹⁰ my beloved, in whom I will be glorified.¹¹

The official reason for inviting the guests is spelled out at the opening: participating in the joy of a commandment and meeting guests coming from far. But the writer cannot avoid adding that his invitation is also driven by another argument: important guests contribute to the honor of the event in the perception of the audience, which will certainly appreciate their presence. Often, rabbis and scholars were invited to the wedding in order to honor the couple by signing the *ketubbah* writ. Their honor lies in the cultural significance of Torah study and in the sacrality attached to the rabbinical role.¹²

Letters sent to family members differ in their rhetorical register from those sent to outsiders. Since the family's attendance at the wedding ritual is assumed to be self-evident, less honor accrues from their presence, and the invitation's deferential tone is considerably weaker:

⁹ Exodus 19:5.

¹⁰ Deuteronomy 28:10.

¹¹ The expression "in whom I will be glorified" is from Isaiah 49:3. New York Ms., JTS Acc. 73836, no. 3824 (IMHM # 29629), letter of Salomon b. Elijah of Poggibonsi, 44a-b, a letter from 1562. See also *ibid.*, 100b-101a. By the same author, see Oxford Ms., Bodleian Library Arch.Seld.A.52, Neubauer 2223 (IMHM # 20506), #17, 15a-b: "The generous and the pure-hearted will lead, and their sight will bring me honor. Hence, I asked myself, whether there is any other man like you, in whom is God's spirit . . . answer through a messenger that you will come." See also *ibid.* #23, 18b-19a, and #90, 59b-60a: "A letter inviting an eminent man to the wedding of my dear daughter . . . that is why I have called upon you, so that you would answer, and I have for many long years built this seat of love and you are my chosen people, and will preside at my joy in the marriage of my dear daughter, which will take place on such-and-such a day, *to honor me before the elders of my people*, for you I trust, being of the mighty ones. . . ."

¹² The issue is extensively discussed in Bonfil, *Rabbis and Jewish Communities in Renaissance Italy*, *passim*. For further aspects, see *idem*, "Le savoir et le pouvoir: pour une histoire du rabbinat à l'époque pre-moderne," 115-195.

I do not think I need extensive introductions telling you of my esteem for someone like you, because you are my flesh and blood through your wife, your shrine. Hence, my dear brother-in-law, I will be brief. I eagerly seek to remind Your Honor: may it be your pleasure to come by my home here in Ferrara, on day so-and-so, God willing, for the gathering rejoicing with the groom and bride, my eldest daughter. . . . Honor us with your presence, pay heed and come to me with your distinguished wife, and may your light shine upon us here, in my home, on day so-and-so, God willing. . . . I will be brief, and I kneel before you and before this pure light, your mother, may she be blessed, and before my distinguished sister-in-law, your wife, and take leave of you.¹³

Brief, purposeful writing is not suitable for wedding invitations, since the rhetorical tone encouraged length and complex puns. In this case, the writer allows himself to dispense with “extensive introductions,” mentions at the very beginning that he “will be brief,” and immediately proceeds to detail the reason for his writing. The guest’s honor is merely intimated, since he is a relative whose presence at the wedding is taken for granted. A deferential tone was emphasized when the relatives belonged to a large and wealthy family clan that might come to the wedding accompanied by heraldic banners, as was customary among aristocratic and patrician families in Italian cities.¹⁴

¹³ London Ms., British Museum 27209, 27a.

¹⁴ For an invitation letter creating an analogy between the itinerant sanctuary [*mishkan*] that the tribes of Israel carried around in the desert, placed at the center when they set up camp, and the wedding canopy around which the wedding guests will gather, grouped in extended families carrying their heraldic banners, see Oxford Ms., Bodleian Library Michael 132 (IMHM # 20508), #178, 103b: “And to whom among the holy will I address today [my letter], asking them to come and honor my name on the wedding of my son, may God keep him and watch over him together with so-and-so, and where then are those around the sanctuary of my dwelling, who will set their banners on the walls of my home to give honor and glory, as on that day, and I will turn to my family and to my mother’s house . . . Do not send others as a replacement, only you yourself, Your Honor.” See also London Oxford Ms., Bodleian Library Michael 391 (IMHM # 20519), 159b–160a: “Another letter calling his kin to join him at the wedding. It is time to act [see Psalms 119:126], to show affection and to let the voice resonate between two relatives like us . . . and you, Sir, will be at the head of all the guests . . . do not refrain from coming because we will not accept excuses . . . thou shalt rise up before fondness and honor the face of the loyal friendship between us [see Leviticus 19:32], and will be rewarded for your grace”; London Ms., Valmadona Trust 31 (IMHM # 45812), #2–3, 28a–b; Oxford Ms., Bodleian Library Neubauer 2223, 18b–19a; Oxford Ms., Roth Collection 207 (IMHM # 152347), 4a, signed by “The Young Hezekiah Salomon Kotseri.”

A wedding ceremony without honored guests attested that the groom and bride were to a great extent homeless, and thus members of marginal groups. To prevent the shame of a wedding without families, the groom turned to anyone whose presence might suggest kinship, such as a former teacher or tutor.¹⁵ People from the groom's youth clique during his single years were not counted among the guests of honor. The few letters to "beloved friends" or "fine young men" are written in a more restrained style, and do not highlight or emphasize the honor of the guests.¹⁶

Sending a letter of invitation to an honored guest was a delicate matter. The sender—the paterfamilias who represents the consensus of the broader family circle—knew that the addressee would exhibit the letter publicly. As was the case concerning gift exchanges, a wedding invitation demanded a response through a return letter.¹⁷ Together with a desire to have honored individuals attend the wedding and

¹⁵ Oxford Ms., Bodleian Library Michael 391, #64, 133a–b: "A letter inviting a man to the wedding, and he is our teacher and rabbi, who formerly used to teach him. . . . I remember drinking the water from your well, which you poured for me in Bologna, when teaching Torah in Israel. . . . I will bless you and praise your name, to preside at my joy, and all the families of the earth will be blessed in you. . . . Therefore, your honor, this is the sign of the covenant, a commandment dearer than a gem, and worthy of a man like you"; *ibid.* #17, 114a: "A letter of invitation to his wedding addressed to a man who used to teach him Torah, this is our master, Rabbi. . . . I said to my beloved, Your Highness, placing you at the head to preside over my joy. . . . It is proper to bring together people of renown and ask the most noble among the people of Israel to honor me before my elders"; Oxford Ms., Bodleian Library Neubauer 2223, #74, 46b–48a, a rabbi invited to his student's wedding, answers: "My dearest son."

¹⁶ London Ms., British Museum 27209, 25b; Budapest Ms., Kaufmann Collection 540 (IMHM # 12687), sixteenth century letter manual, 67. Reliance on the peer group predates the wedding day. See *Letters of Carmi Family*, #278, 274, a youth is escorted by his peers when going to meet the girl with whom a match had been arranged.

¹⁷ For examples of responses, see Oxford Ms., Bodleian Library 391, #26, 116b–117a: "A response to the above letter. . . . Who am I, your servant, that you have brought me this far. . . . the joy of your son's wedding is reflected in your letter, and it is me you have invited as leader and ruler. The messengers departed in haste, spreading the joyful news of bride and groom, I was among the chosen. . . ."; Moscow Ms., Ginzburg Collection 162 (IMHM # 6842), 192b: "To Joseph the ruler. The might of your kindness is much too great, showing me great love and affection, and you have remembered to include me among the honorable ones. . . . to be invited among the people, and be with you on your joyful day, when you go out to welcome the bride. . . . I am willing to hold the train of your gown and run for the sake of your name, and bless your name. I will indeed come and bless you on the sixth of the coming month of Heshvan, as you have commanded me and ordered me."

increase the family's prestige, the inviter feared refusals. A refusal is never a personal matter between inviter and invitee. It spread to further circles and extracted a price: injury to the inviter's honor, pushing him into a situation of shame [*vergogna*], and eliciting perhaps further negative reactions. Clear evidence of this appears in examples of letters declining invitations to participate at weddings. The letters open with the writer's declaration of sincerity and goodwill toward the inviter, despite the refusal. The reasons noted for declining the invitation removed any responsibility from the invitee, and ascribed the refusal to external circumstances. These were always grave and ominous: the writer is at the height of the agricultural season, or mourning a son's death, or his wife has just given birth, or claims illness. Note that refusal is never outright and the invitee accepts the invitation, even if only partly. Acceptance was manifest in the sending of wedding gifts or of a replacement suitable to the occasion.¹⁸ Beside the offense to those whose invitation was turned down, we also find echoes of the affront inflicted on those who waited for a wedding invitation that never came.¹⁹

¹⁸ Frankfurt am Main Ms., City Library 92 (4489), #106, 35b: "You have brought gladness into my heart, Your Eminent Honor, filled my soul with your joyful tidings, [asking me] to come to your son's rejoicing. Alas, Sir, I cannot honor you at this time, for urgent affairs prevent me from doing so now, as you will hear and understand, and I speak the truth. Yet, so that my memory should not be blotted out from your holy site on that day, I will send instead a small gift for the bride, such-and-such an object, and you will forgive, absolve, and excuse your servant, and will accept the truth from me as I present it, for I would not deceive you, and you know that even the Lord will forgive unavoidable obligations . . ."; New York Ms., JTS D456 (IMHM # 29638), #66, 142a; London Ms., British Museum 27209, 28a; Oxford Ms., Bodleian Library 91 (IMHM # 24735), #78, 33b-34a; London Ms., Jews' College, Montefiore Collection 464 (IMHM # 5364), 31b; Moscow Ms., Ginzburg Collection 472 (IMHM # 27979), 208a; Budapest Ms., Kaufmann Collection 540 (IMHM # 12687), 115-116; Oxford Ms., Roth Collection 701 (IMHM # 15514), 6a.

¹⁹ Los-Angeles Ms., University Library 779 bx. 4.7 (IMHM # 32360), 12b-13a: "Having heard the good news that you have done well to match your daughter, may she be blessed of all women, to the learned and fine youth so-and-so, my second cousin, may God keep him and watch over him, whom I love dearly, I could not remain silent . . . and I have greatly rejoiced in his happiness [the joy of the groom rather than that of the bride's father, to whom the letter is addressed], and I pray to God that he may marry and be blessed with male offspring, and may they be fruitful and multiply."

*Toward the Wedding**The Bridal Entry Procession*

Several events preceded and heralded the wedding. The entry of the bridal procession to the groom's city was the first and the most public. The strong impact of these processions led people commissioning Jewish manuscripts to ask for the addition of paintings, where the event could actually be seen rather than merely talked or written about.²⁰ The bride, sometimes on horseback, was accompanied by mounted men and pedestrians, and sometimes also by young torchbearers. These processions required considerable financial investment, which the communities' sumptuary laws sought to limit. The wording of the laws and the illustrations in the manuscripts clarify that the bride was always escorted when entering the groom's city. Relying on an *argumentum ex silentio*, it is plausible to assume that no parallel procession accompanied the groom's entry into the bride's city.

The rise in the number of processions in European cities in the early modern period was so remarkable that a prominent scholar of "popular culture" called this "the golden age of processions in Europe."²¹ The entire city, including the various buildings, the main streets, the squares, the large avenues in front of palaces or government buildings, and the cathedrals, all were venues for different processions. Religious processions on saints' days, monks' processions, processions of the entire city at times of distress, and entry processions [*Trionfi*] of important political leaders or senior churchmen, were all frequent events.²² The procession tended to involve many

²⁰ For illustrations in manuscripts depicting the entrance of the bride's procession into the groom's city, see Shalom Sabar, "Bride, Heroine and Courtesan: Images of Jewish Women in Hebrew Manuscripts of Renaissance Italy," *WCJS* 10, D2 (1989): 63–70, see 65; Elliot Horowitz, "The Way We Were: Jewish Life in the Middle-Ages," *Jewish History* 1 (1986): 75–90, see 79–80; Metzger and Metzger, *Jewish Life in the Middle Ages*, 227–233.

²¹ Jean Delumeau, *Rassurer et protéger: Le sentiment de sécurité dans l'Occident d'autrefois* (Paris: Fayard, 1989), 121–122.

²² On religious and political processions in Italy [*trionfi*], see Anne Jacobson-Schutte, "'Trionfo delle donne': tematiche di rovesciamento dei ruoli nella Firenze rinascimentale," *QS* 44 (1980): 474–496; Weissman, *Ritual Brotherhood in Renaissance Florence*, 48–52. The role of these processions in early modern Europe is discussed in Ginzburg, *Ecstasies*, 182–186; Ralph E. Giesey, *Le roi ne meurt jamais* (Paris: Flammarion, 1987); Michele Fogel, *Les ceremonies de l'information* (Paris: Fayard, 1989),

participants from various sections of the population. These were described as limbs or elements of the diverse urban web, all functioning as one body [*corpus*] for the sake of a common goal. The procession, however, was not conducted on an egalitarian basis. Quite the contrary, it emphasized and reshaped the political hierarchy. In Italian cities, processions indicated the participants' shared Christian identity and their membership in the town's citizenry, together with their separate identity as guild members, neighborhood dwellers, or a particular age group or religious fraternity. The division between the procession's spectators and participants is blurred because large sections of the city's population participated in processions, and bystanders were engaged in an animated dialogue with marchers.

Marchers participating in procession rituals did so not as isolated individuals, but mainly as members of the groups making up the complicated urban mosaic. City districts, professional groups (guilds) or fraternities conducted separate processions, which delimited a different ritual space and created a separate liturgical order for each one of them. The procession of the Jewish minority was not a ritual or cultural exception; it added the Jewish piece to the urban mosaic. The bride's entry procession into the groom's city was intended to add honor to participants in the Jewish wedding ritual, resembling the early modern rituals intended to extol royal personages entering Italian cities. The ritual means are also similar: horse riding, armed escorts, family symbols. This was also the perception of Christians watching the procession, hostile and opposed to Jews daring to stray from the humiliating fate that Christian theology had assigned them.²³ For its Jewish participants, the procession's public character, with its proud display of the status of the bride and her family, only added to its value:

It would be an auspicious sign if you were to come, *honoring me and exalting me* . . . ennobling me with your grace, I have trusted you, let me not be ashamed²⁴ . . . on Sunday *we march to bring a woman* to her husband's house, to enter the bridal canopy with her worthy peer . . . come and see the intimacy and joy at the wedding . . . and satisfy my

135–165; Natalie Z. Davis, "The Sacred and the Body Social in Sixteenth Century Lyon," *Past and Present* 90 (1981): 40–70; Jean Chiffolleau, "Les processions parisiennes de 1412: Analyse d'un rituel flamboyant," *Revue Historique* 284 (1990): 37–76.

²³ Bonfil, *Jewish Life in Renaissance Italy*, 255–264.

²⁴ See Psalms 25:2.

wish, because I fervently wish you to *stand with the camp of the bride*, my daughter, may she be blessed, when her time comes to enter the wedding canopy. This would assure me that I, your servant, have found favor in your eyes . . . for you to *be part of the bride's camp* going to the prince of her youth . . . on the New Moon of Tamuz in the city of Ferrara, when she meets her husband and *becomes his wife*.²⁵

As noted concerning the wedding invitations, the guests' participation at the wedding fanned out the social network of the couple's future life. At times, some of the guests were asked not only to participate at the wedding but also to escort the bride when she entered the city and to participate in all the interim processions until the wedding day.²⁶

In the course of the wedding day, the participants held several secondary processions, but the main and most important was obviously the first, when the bride entered the city.²⁷ The "royal" entry included, from the start, all the elements that would eventually reappear in the rest of the ritual: the accompaniment of *shoshwinim*, torches, music, and dance. Holding the main procession as the bride entered

²⁵ These expressions appear throughout. London Ms., British Museum 27209, 21b–28b. See also Moscow Ms., Ginzburg Collection 472, 208a: "The numerological meaning of groom is 'the grace of women' . . . he [the groom] will send his envoy ahead to announce 'I am coming' . . . do not hold a grudge against me [for not coming to participate in the groom's procession] for it is not in my way." The expenses of these processions were an item in the *tenaim* writ. See Copenhagen Ms., Royal Library 115/3 (IMHM # 6927), no pagination, s.v. "*Baruch asher yatsar*" [Blessed be He who created], *tenaim* writ from 1634: "He [the groom] will take to his house his wife and her companions, with all her property, at his expense"; New York Ms., JTS Rabbinica 1094, Acc. 02525, ENA 4199 (IMHM # 42306), writs formulae of Abraham of Ancona, 58a–60a; Budapest Ms., Kaufmann Collection 217 (IMHM # 47145), 1a–2b.

²⁶ London Ms., British Museum 27209, 22a: "For all your kin, from the oldest to the smallest, I will call upon the chariots of salvation to turn around my home, to glorify me in your grace. I trust I will not be ashamed [by the guests not coming], and if you, Your Honor, wish to grant this wish of mine that I so long for, please come to your servant's house with all those of your descendants who eat at your table on the next Sabbath, the twenty-sixth of the month of Sivan, because on the following Sabbath *we are travelling to bring the woman to her man's house* [her future husband] by the wish of He who says and does [God]. And to a man like you, of eminent fame and glory, my long-time beloved, I will tell no more, for I know your goodness to me and all further words are redundant"; Oxford Ms., Bodleian Library 132, #98, 27b–28a; Oxford Ms., Bodleian Library Neubauer 2223, 18b–19a.

²⁷ The Forli rulings (1418) limiting the number of escorts in the bride's procession, relate to the entrance stage rather than to the later, secondary processions. See Finkelstein, *Jewish Self-Government in the Middle Ages*, 282–287.

the groom's city in the presence of the entire community attested to the significant role assigned to the spectators, further confirming the popular perception already envisaged at the *kiddushin* stage: marriage is constituted through public agreement and communal legitimation no less than by a legal act abiding by halakhic tradition. This interpretation of the entry procession is not necessarily antagonistic to Jewish law, if we remember that one exegesis of the term "the canopy sealing the *kiddushin* act" involves leading the bride to the groom's house in the presence of a maximum number of spectators.²⁸

The uniqueness of this Jewish Italian practice emerges through the comparison with other Jewish communities on one hand, and with Christian urban wedding practices on the other. The traditions of Jewish communities in Ashkenaz and Spain, brought by Jewish immigrants, did not emphasize the "royal" entry into the groom's city. The Ashkenazi wedding unfolded in several venues, moving from one to the next in secondary processions involving candles, songs, and dances, and accompanied by professional musicians, sometimes even on horseback.²⁹ No one procession, however, dominated the event. Among Spanish Jews living in Italy—in Livorno, for instance—or outside Italy, in Salonica, the stage of leading the bride to her husband's house *after* the wedding played a central role.³⁰

In the urban Christian wedding ritual in Italy, the procession became important only toward the end. After the stages of the *giuramento*, entailing mainly the exchange of marriage vows "in the future tense," and the *matrimonium*, where both parties expressed before family members and a notary their willingness to marry "in the present tense" (see Chapter Three above), the procession stage of the ritual began, when the bride was festively led to the groom's house [*menare*

²⁸ For different meanings of the canopy [*huppah*] in Jewish law, see Adler, *Marriage According to Halakhah*, vol. 1, 242–257. See also *Encyclopaedia Talmudica*, vol. 16, s.v. *huppah*, 417–423; Shmuel Glick, *Light has Dawned: The Relation between Marriage and Mourning Customs in Jewish Tradition* (in Hebrew) (Jerusalem and Efrat: Keter, 1997), 161–168.

²⁹ Friedhaber, "The *Tanzhaus* in the Life of Ashkenazi Jewry during the Middle Ages," 49–60; idem, "Dance in Ashkenazi Jewry as Reflected in the Ethical Literature and the Communities Sumptuary Laws of the 17th–18th Centuries" (in Hebrew), *WCJS* 10, D2 (1990): 21–28.

³⁰ Idem, *Dance in Jewish-Mediterranean Communities*, 77–82, a ruling from Salonica (1559), which forbids leading a bride to her husband's house with lighted candles (torches?) and dances. On the tradition of the Sephardi Livorno community, see Toaff, *La nazione ebrea a Livorno e a Pisa*, 299–302.

la donna].³¹ The Christian procession conveyed the transfer of authority over the woman from her father (or any other male guardian) to the husband, and was *always* virilocal, moving from the bride's to the groom's house. All the means used highlighted the public nature of the move from the woman's to the man's house through the streets of the city. Two central elements in married life, usually carefully preserved in the privacy of the home, were briefly exposed to the public: sexuality and family wealth. The procession was arranged in the knowledge that the couple's first sexual act was imminent. The various elements of the dowry [*dote, corredo*] moved into the possession of the husband and his family in special boxes [*cassoni*].³²

The *lo'azi* Jewish ritual, then, differs from the practices of other Jewish communities in Italy, which placed equal emphasis on all the interim processions, and from Christian wedding customs, which laid particular stress on the woman's move to her husband's house as an expression of his authority and dominance. Jewish Italian documents contain no evidence indicating that the move to the husband's house was marked through any particular ritual, possibly because of the local custom of sexual relationships beside the wedding canopy. The only two exceptions to this rule describe the Jewish ritual using the Christian ritual semantics.³³ One deals with the divorce proceedings, conducted in a Christian court, of a Jewish husband from his wife after she converted to Christianity, and the other is mentioned in a book by Giulio Morosini, a Jewish convert to Christianity who described Jewish customs to Italian Christian readers.

The bride's entry procession was the first and most important of all wedding day processions. The minor ones that followed it (leading the bride to the ritual bath, leading the groom and the bride to the canopy, leading the couple to the nuptial room, the procession to the synagogue on the Sabbath of the seven blessings) lacked the "royal" trappings of the entry procession. They demonstrated to the

³¹ On the role of the procession in the Christian marriage ceremony, especially the one leading the bride to her new home, see Klapisch-Zuber, "Zacharias, or the Ousted Father," 189–190. The procession plays an important role in contemporary Slavic weddings. See Dujcev, "Tradizioni etniche dei paesi slavi."

³² Jacobson-Schutte, "Trionfo delle donne."

³³ Michele Luzzati, "Matrimoni e apostata di Clemenza di Vitale da Pisa," in *La Casa dell'ebreo: Saggi sugli Ebrei a Pisa e in Toscana nel Medioevo e nel Rinascimento* (Pisa, Nistri-Lischi, 1985), 74; Morosini, *Via della fede*, 984–993.

audience that the couple had taken additional ritual steps leading to the peak moment under the canopy. At every minor procession of this kind, the groom and bride were escorted—he by men and she by women. The music, the escorts singing and holding torches, indicated to Jewish and Christian spectators they were witnessing an unusual event, and the audience reacted with the usual signs of joy.³⁴ The Jewish procession was not necessarily virilocal; the wedding venue was determined in prior negotiations between the two families.

The Bride's Immersion in the Ritual Bath

Halakhah requires the bride to immerse in a ritual bath before the wedding. This obligation turned into a female celebration and a procession leaving from the bride's home to the *mikveh* [ritual bath], of which a description has remained from an Italian community in the periphery, Crete:

The immersion [of the bride] should be modest, no loud voices and lights [torches?] in public. . . . Our custom is well known: making music with instruments is altogether forbidden except at home, and the bride will leave her house [where music is allowed] with only five women. Drums and other musical instruments of the Ishmaelites [Moslems] are forbidden even at home, and only violins and harps are allowed since they are not accompanied by song.³⁵

A large group of women accompanied the bride to the *mikveh*. The torches, the song, and the music made the retinue an event that could not be ignored. The female procession going to the immersion is an externalized event meant for the public arena. The assumption underlying the immersion ritual is that the *mikveh* is a place for women to monitor other women. Social criticism and social ratification

³⁴ Ferrara Ms., Community Library 48 (IMHM # 2428), commentary on Song of Songs of Jacob b. Isaac Zahalon, 122b–123b. See also the description in Azaria Pigo, discussed in Friedhaber, *Dance in Jewish-Mediterranean Communities*, 138: “When the bride leaves the canopy to go to the synagogue or to her father-in-law’s house, women companions escort her. Two lines of people form on each side, from the door of her house up to the entrance to the synagogue, and all gaze with deep attention at the glory of their beauty and the splendor of their clothes.”

³⁵ On the customs of Crete Jews, see Capsali, *Wolves that Savage Benjamin*, 1991, 35–36, quoting from *Responsa Binyamin Ze'ev*, #308. The issue of women's immersion on the eve of their wedding was extremely controversial. See *ibid.*, #139.

share the same venue: just as women who had deviated from contemporary sexual norms feared going to the ritual bath lest they become exposed to scorn and mockery, so going to the *mikveh* was an act of female social ratification of the bride's legitimacy.³⁶ Although the bride's immersion belongs to the female circle, it was an event that men present at the wedding remembered or were asked to describe to others, together with other class symbols such as the number of guests, their rank, or the food that was served:

Upright women who go veiled and covered [*prufot*],³⁷ with their test cloths, will not be forgotten either. The order of the blessing is to first wash their hands and feet by immersing in a basin, as will be done by the bride, daughter of so-and-so, with the other women who step out before her covered by a veil . . . All these matters belong in the category of remember and keep.³⁸

Female and male memories of the same event are not driven by the same motives nor do they serve the same needs. The men's interest in the bride's immersion follows from their wish to preserve immersion practices in general and the local traditions of family purity in particular. Attempts to impose other traditions on local *lo'azi* Jews in these sensitive areas led to controversies and bitter anger.³⁹ Beyond these concerns, however, the bride's reputation has an immediate and direct effect on the honor of the men charged

³⁶ On the ritual bath as a setting under female informal control, see above, pp. 226–228, especially the case mentioned in London Ms., British Museum 9152, #76, 125b–130b.

³⁷ On the Hebrew term used in the letter [*Prufot*], see Rashi on TB Shabbat 65a, s.v. *Prufot*: “[Jewish-Persian women] cover themselves with a shawl and hold its string in their mouth.”

³⁸ *Letters of Rieti Family*, #98, 138–140. The writer urges the addressee to describe and remember the sexual act from a male perspective, resorting to the metaphor [remember and keep] used concerning the Sabbath.

³⁹ On the bitter dispute surrounding the ritual bath in the community of Rovigo, see Abraham Ya'ari, “An Unknown Document Regarding the Rovigo Polemics” (in Hebrew), *Studies in Hebrew Booklore* (Jerusalem: Mosad Harav Kook, 1958), 420–429. See also Adelman, *Success and Failure in the Seventeenth Century Ghetto of Venice*, 375–390. See also the testimony of Obadiah of Bertinoro about Palermo Jewish women, who were extremely lenient concerning these laws, in Assaf, “Family Life of Byzantine Jews,” 101. See Judah Minz, *Responsa*, #7, 12b, and p. 227 (ch. 4, n. 29) above. On a decree from Verona 1583, requiring the lessee of the ritual bath to ensure that women are accompanied on their way to the bath and upon their return home, see Brakhah Ardos-Rivlin, *Mutual Responsibility in the Italian Ghetto: Holy Societies 1516–1789* (in Hebrew) (Jerusalem: Magnes Press, 1991), 106. See also R. Benjamin b. Mattathias of Arta, *Responsa Binyamin Ze'ev*, 187a.

with preserving her virginity until the wedding, and the honor of the groom who agrees to marry her. Female immersion, like the Sabbath commandment, requires “remembering and keeping.” The groom’s immersion on the eve of the wedding, however, evoked only minor reactions—the family met privately at the house and brought the groom presents.⁴⁰ Since male sexual modesty was not at stake in the course of the wedding, no celebration was called for, either at the *mikveh* or on the way to it.

Sealing Economic Negotiations between the Families

Guests arrived at the wedding venue, the food had already been prepared for this joyous commandment, the bride and groom had already immersed, and everything seemed ready. Another stage, however, had to be completed before performing the wedding ceremony. The last financial details of the marriage agreement between the families remained open for last minute negotiations. Because of the crucial role of assets transfer in the process of establishing a new family, a definite and final agreement could have been expected earlier, as was indeed customary in the Christian Italian ritual. Continuing negotiations until moments before the wedding ceremony may appear puzzling, since most of the brokering had taken place at early stages of the marriage ritual, and had even been certified in a valid legal document witnessed by guests at the *tenaim*.

The result of the last discussions was an additional legal document, which they called the *tenaim* renewal writ, which usually reiterated previous agreements. It was not, however, merely a copy of the *tenaim* writ. New provisos were often added to the agreement: a release writ from levirate marriage given to the bride by the groom’s brother, a commitment by the groom to sign a dowry writ at a Christian notary, an undertaking to deliver a writ detailing the money

⁴⁰ Copenhagen Ms., Royal Library 115/4 (IMHM # 6928), no pagination, a writ from 1633, specifying the gifts brought by the bride’s family: “In the name of one of my sons who was a *shoshwin* and chanted one liturgical chant, one coin, worth a quarter ducat. On the evening of the immersion, a gift to the groom, one new beautiful shirt of ornamented fine linen [*rènsa*] [see *GDLI*, vol. 15, s.v. *rènsa*, 816], and another of fine linen for the groom’s father, and another one of fine linen to the groom’s mother, and another to his sister. . . .”

and household items included in the dowry, or even specifying sums in the dowry and the mode of payment. Unquestionably, these issues too, bearing on the bride's personal status and her control of the assets she was bringing to the marriage, could have been finalized at the matchmaking stage and in the *tenaim* writ, as was indeed the custom in the Christian marriage ritual in Italian cities. Postponing the last stage of negotiations to the last minute, right before the wedding ceremony, *prima facie* contradicts the natural course of the ritual and could appear functionally redundant to the modern onlooker. Not so to people then, who did not object to this practice. The confrontation between the two families, the ability to engage in shrewd negotiations, the antagonistic atmosphere that had marked the matchmaking stage, all culminated in this moment. In the culture of Italian Jews, struggles, quarrels, and confrontations, are intrinsically valuable.⁴¹ Standing up to the "rival" family and running the risk of canceling the marriage unless the new demands were accepted were not perceived as extortion but as astuteness, typical of smart merchants. The urban life of Jewish society was pervaded by antagonistic feelings, and the marriage ritual was not free of them either. The party with the highest self-control could earn additional material or economic advantages:

Reuven died . . . leaving a widow, Mahla, as well as three daughters and a son in the charge of his brother, Simon. . . . After two years, the said Simon, with the agreement of his brother Reuven's widow Mahla, arranged a match for Dinah, Reuven and Mahla's daughter, to Levi. They made vows concerning the dowry and other details as customary, but the groom did not vow that, at the wedding, his bride would waive all her rights to the assets of her father's, mother's, and brother's household, namely, a *dinunzia in forma*. At the wedding, Simon demanded from Levi that his bride should make such a *dinunzia*, but the bride refused saying: who knows what will be in the future, life and death are in God's hands, and my brother may die childless and I will then inherit him with my sisters, and why should I have less than them? Have we not all one father? Simon, her uncle, answered:

⁴¹ The number of confrontations recorded in the legal literature of Italian Jews is surprising in its scope and detail, and indeed merits further examination. The modes of confrontation, the escalation, the humiliation of adversaries, or, alternatively, the paths of compromise and negotiation, surface in several of the detailed contemporary tracts published as a way of presenting arguments. See, for instance, "Quarrels at The Gates" and the Tamari-Vinturizo affair mentioned in previous chapters.

this is our custom, and you will do the same. Quarrels and squabbles continued until the wedding, he saying this and she saying that. People persuaded her to agree to the *dinunzia*, which had already been written up in the *tenaim* renewal writ, and to the *dinunzia* in the Christian writ of the *ketubbah* at the local city notary. Against her better interests, she surrendered. He [Simon] obtained her agreement to the writ and the wedding was performed. A match was then arranged for her sister Sarah with Judah, the son of the said Simon, and she also made a *dinunzia* as her sister Dinah had, and their third sister died before marriage, without a will.⁴²

Male interests are obviously at stake here. Simon, the uncle, pressured Dinah and her sister to waive any further claims to the family assets, intending to inherit the rest of them himself. Only at a later stage, when she was already married and independent, did Dinah demand the annulment of her consent, “which had not been given willingly.” In other cases, when neither party would give up, the wedding would be cancelled or the bride married off to another man at the last minute.⁴³

These last minute power contests did not spoil the day’s joy, since the wedding ceremony and financial matters do not belong to separate realms requiring different emotional attitudes. Nor is the modern division between business matters and matters of the heart

⁴² London Ms., Jews’ College, Montefiore Collection 110 (IMHM # 4624), 2–4. The respondent is Isaac b. Asher Pacifico. The practice of women waiving any further rights to the family property after receiving the dowry surfaces in a dowry writ from 1561, Budapest Ms., Kaufmann Collection 99 (IMHM # 4195), 71–76. On the pattern of *exclusio propter dotem* in Italian cities during the fourteenth–sixteenth centuries, see Kuehn, *Law, Family and Women*, 238–240; Fabbri, *Alleanza matrimoniale*, 56.

⁴³ Ferrara Ms., Community Library 24 (IMHM # 2397), no pagination “The day came and it was due time for Leah and Judah to stand under the canopy . . . and since there is no signing of *ketubbah* without strife, they could not reach a compromise from mid-day to midnight, and Zimri’s brothers, Leah’s friends, endeavored with all their might, and with the assistance of God fearing people, to bring the matter to an end, but all was to no avail, for Judah did not wish to renounce the dowry he has been promised, not even a penny . . .”; Budapest Ms., Kaufmann 106 (IMHM # 2984), commentary by Abraham Joseph Salomon Graziano on *Shulhan Arukh* 72–73, *Orah Hayyim* 192:3: “And so it happened to a man here in Modena, who was to be married to a girl in Reggio, and he quarrelled with the bride’s relatives over the dowry. His father and mother were there and they were unable to reach a compromise quickly. The Sabbath [when no weddings are allowed] was drawing close, and R. Baruch Abraham b. Elhanan Foa married the aforementioned bride to the local beadle of the Sephardi synagogue, and they performed the wedding on that same Friday, and the year was 1668.”

appropriate to early modern European society, Neither shame nor unease moved the families to conduct negotiations discretely, in order to spare themselves or their guests the attendant embarrassment. Quite the contrary, postponement until the last minute takes into account the possibility of a “scandal” or public confrontation before the guests, deliberately intended to pressure the other side. The creation of a new family does not rest on a romantic, conjugal ethos but on a collective-familial one, insisting on shared interests.

Although the *tenaim* renewal writ usually reiterated the settlement agreed between the parties at the matchmaking stage and signed at the *tenaim*, the renewed signing was not an empty ritual step. The parties considered it added legal validity to their agreement. The wedding day brought together the families and guests, whose presence was felt to add legal validity to the ritual. This is an obvious cultural expression of an oral mentality, which assumes that signed legal agreements acquire further validity through the very presence of many witnesses to their signature.

The Wedding

Male and Female Shoshvinim

A defined group from among the guests gathering for the wedding deserves special attention: the male and female *shoshvinim* [escorts]. They will play a special role in the course of the wedding day and in the subsequent week. Their presence is already evident in the separate minor processions, which are gender exclusive.

The term *shoshvin* has several meanings in the Talmud and Midrash. The *shoshvinim* are the guests close to the groom, who come to celebrate with him and bring food. They accompany the groom and the bride to the nuptial room, protect the bride, and attest to her virginity. Metaphorically, the angels that accompany the human soul on its way to this world are described as *shoshvinim*.⁴⁴ This talmudic-

⁴⁴ On the term *shoshvin* in Halakhah, see N. H. Tur-Sinai, *shoshvin*, in *Homage to Asaf: An Anthology Honoring Prof. Simha Asaf*, ed. Moses David Cassuto, Joseph Klausner, Joshua Guttman (Jerusalem: Mosad Harav Kook, 1953), 316–322. See also Adler, *Marriage According to Halakhah*, 361–363. In sixteenth century responsa the term *shoshvin* refers to persons escorting the bride or the groom at the marriage ceremony. See

midrashic semantics was certainly familiar to Italian Jews, and even recurs in contemporary documents.⁴⁵ In Italian Hebrew documents from the late Middle Ages, however, the term assumed a different meaning. *Shoshwinim* referred to a group of men chosen to escort the groom to the wedding venue, who remained close to him until the end of the ritual and the return to everyday life a week later. Except for the moments of privacy with the bride, the groom was accompanied by the *shoshwinim* at all the important ritual stages: singing ritual poems under the canopy, wrapping themselves in their prayer shawls beside the groom and bride, acting as witnesses to the *ketubbah*, participating in the games and the meal at the wedding, escorting the groom to the nuptial room, saying the seven blessings, “protecting” the groom during the week after the wedding, accompanying the groom to the synagogue on the Sabbath after the wedding, and being called to the Torah after him.⁴⁶ The groom, then,

Adler, *Marriage According to Halakhah*, 361–363. In sixteenth century responsa literature, *shoshwin* refers to the bride’s or the groom’s escorts. See Caro, *Responsa Beth Yosef, Dinei Ketubboth*, #2; Samuel di Medina [= Maharashdam], *Responsa, Yoreh De’ah*, #202.

⁴⁵ See, for instance, Moscow Ms., Ginzburg Collection 563 (IMHM # 43059), miscellaneous sixteenth-century ruling, 107b–109a, rulings on betrothal and marriage blessings. The term *huppah* [canopy] is explained as “a special place, resembling a baldachin, where both [the bride and groom] sit with their *shoshwinim*, and this is the marriage”; Budapest Ms., JTS 34 (IMHM # 47029), anonymous sermons, 94a: “The Holy One, may He be blessed, arranges pairs in the celestial palace of the God of Israel, and when they descended down the various palaces, two angels come to escort these souls to their place . . . and these angels are called *shoshwinim*, who escort the bride and groom to these palaces, and that is why we also need two *shoshwinim* down below, to escort the bride and groom wherever they go.”

⁴⁶ Oxford Ms., Bodleian Library 15 (IMHM # 17673), *seder hatanim*, 279b–286a: “The *shoshwinim* and the groom would wrap themselves in beautiful shawls and silk cloth and the like, and in the house where the wedding is celebrated they build a fine canopy, which the groom and bride enter . . . the *shoshwinim* wrap themselves and sing ‘To the groom on his wedding day.’” See also Budapest Ms., Kaufmann Collection 380 (IMHM # 15141), *seder hatanim* from 1481, 230a–233b; London Ms., British Museum 26968 (IMHM # 5633), 336b–340a. On the practice of the seven blessings, see Ferrara Ms., Community Library 24, 5a–b, for the Italian custom of dividing them among seven people, perhaps the *shoshwinim*. On the *ketubbah*, see Amsterdam Ms., Gans Library 36 (IMHM # 3441), commentary on the *ketubbah* by Abraham del Vecchio, opening page: “[quotation from R. Simeon b. Tsemah Duran] and it was customary for the groom to sign [the *ketubbah*] before witnesses. . . and the *shoshwinim* also sign.” On the role of the *shoshwinim* during the seven days of festivities, see Modena, *Historia de’riti ebraici*, part 4, ch. 3, 91. On their role in the synagogue on the Sabbath following the wedding, see Parma Ms., De Rossi Collection 2588 (1213) (IMHM # 13595), prayer customs, 67b–68a: “When they

was constantly surrounded and escorted, through the wedding day and during the week that followed. As a result, a ritual identification developed between the groom and the *shoshwinim* as if they were also marrying on that day, as it were. This perception surfaces in two seventeenth century accounts: the writings of Isaac Rocca and the *seder nissu'in*, namely, the section in the prayer book dealing with the wedding ritual and its blessings:

Marriage poems praising the groom and bride written by the wise and exemplary friend, our honored teacher R. Elijah of Recanati,⁴⁷ may God keep him and watch over him. I begin with a prayer fit for the groom to recite at the marriage blessing. While still standing under the canopy, he will wholeheartedly say . . . “May my canopy, though low and humble, find pleasure and acceptance when set against your lofty, supreme, and towering canopy, and may my canopy be a counterpart to yours. . . . *I, the groom so-and-so, will today step under my canopy through my shoshwinim together with my bride. May we be a counterpart to the supreme couple, to the groom who, through the shoshwin, steps in with the bride under the heavenly canopy.* Set me there safely, let no harm befall me, may no wizard tamper with the pestle and mortar [harm the first sexual encounter], God forbid.”⁴⁸

In the prayer, which draws an analogy between the earthly canopy and the heavenly one joining the heavenly male and the heavenly female, the groom mentions the *shoshwin* “through” whom he has entered it. Since *shoshwinim* were not the celebrants at the *kiddushin* act, the term “through” should not be understood instrumentally but

[the priest and the levite] finished [reading the Torah] the groom is called up with his *shoshwinim*, and after the groom has recited the last blessing when reading the Torah, the cantor begins . . . and then the *shoshwinim* say. . . . and then he also calls up the *shoshwinim* and other guests, whether they had already been called up to read the Torah, such as the priest and levite, or had read after the groom, all of them are told [by the cantor], ‘Rise up so-and-so, son of so-and-so, the *shoshwin*’ . . . and each one is twice given the ‘He who blessed’ [*mi-she-berekh*] blessing, one on his own account, and one on account of the charity he [*the shoshwin*] has pledged. The reading of the Torah is divided up in short sections, according to the number of *shoshwinim* . . . and he [the cantor] would thus read as many times as he needs to include all the *shoshwinim* present.” On prayer practices, see also Paris Ms., Bibliotheque National 599 (IMHM # 11472), 137b–139a; Jerusalem Ms., Schocken Institute 66 (IMHM # 45512), prayer book with Yiddish glosses, 27a–29b.

⁴⁷ No biographical information was available on Elijah of Recanati.

⁴⁸ Budapest Ms., Kaufmann Collection 457, part I, 144b. Because of the closeness between the groom and the *shoshwinim*, they were granted the concessions given to the family, such as a license to gamble during the wedding festivities. See Chajes, “Un Cherem di R. Mosè Zacuto contro il gioco,” 95–97.

as reference to a closeness enabling the *shoshvin* to bring the groom to the canopy. The *shoshvinim* are part of the magic defense insulating the groom, at a delicate moment, from evil influences and satanic forces threatening his sexual powers.

Additional testimony appears in a version of *seder hatanim* that avoids the usual formulations:

Before reciting the blessing, he [the celebrant] should say: "To the chief Musician of roses, a Psalm of the sons of Korah, to the chief Musician on strings, I will bless, I am ready." Then he will say: "With the sanction of the Supreme Hallowed King, and with the sanction of Their Highnesses, the priests, and *with the sanction of the groom and the bride and the shoshvinim*, and with the sanction of His Honor the sage, and the friends, and the scholars, and all the guests, let us bless the Lord, in whose abode is joy, and of whose bounty we have partaken . . ."⁴⁹

The celebrant requests the sanction of four groups in the audience, and mentions as a separate, identified category, "the groom, and the bride, and the *shoshvinim*."

Shoshvinim at Jewish weddings were not a random, unidentified blurred group. They were carefully chosen, because their presence

⁴⁹ Jerusalem Ms., Meir Benayahu Collection 6,141 (IMHM # 44579), *seder nisu'in*, 4b. See also New York Ms., JTS ENA 1396, no. 4653 (IMHM # 25556), prayer book according to the Roman rite, written in Ferrara 1492, 481b–484a; Budapest Ms., Kaufmann Collection 159 (IMHM # 14528), responsa, #99: "The groom and the *shoshvinim* give the synagogue significant sums in charity, and whoever seeks to change [this custom] negates the honor of the Torah and rescinds one of the practices of our ancestors and increases discord in Israel." For a comparison between the *siilonot* the groom gives the bride and those given by the *shoshvinim*, see New York Ms., JTS Rabbinica 1068, Acc. 02494, ENA 1908 (IMHM # 43182), 32b–33b. For a decision formalizing the *shoshvinim*'s role, see Carpi, *Minutes Book of the Council of the Jewish Community of Padua, 1577–1603*, #69, 120, a decree from 1582: "A decree was issued by the community leaders, may God keep them and watch over them, authorizing R. Samuel Archivolti and two others with him from this holy community to allocate a seat in the synagogue to whoever needs it, and also to displace any man or woman from their allocated seats. . . . It is indeed the case that the men seated in the first two chairs near the candelabrum that faces the entrance will have to give up their seats at the meetings of the community committee, or for the groom and the *shoshvinim* during the Sabbath following the wedding." On the role of the *cicisbeo*, the wife's intimate male friend, see Romano Canosa, *La restaurazione sessuale: Per una storia della sessualità tra Cinque e Settecento* (Milano: Feltrinelli Editore, 1993), 97–114, 360–361. On the special role of the groom's peers in the competitions between married and single youngsters on the wedding day, see Jean-Michel Mehl, *Les jeux au royaume de France du xiii^e au debut du xvi^e siècle* (Paris: Fayard, 1990), 224–226, 243–246.

remained etched in the memory of onlookers and participants at the wedding ritual:

I again beseech you not to forget to write in the *libro di ricordanza* all that pertains to the celebrations taking place with great fanfare . . . and also the names of his *shoshvinim* walking ahead of him, holding burning torches. Recording their names in the books by their families and by their fathers' houses⁵⁰ is a good deed, since they are certainly of good ancestry.⁵¹

The participants and the audience of the ritual appreciate the importance of the *shoshvinim* according to their class, wealth, and social pedigree, as well as their role in the community, their learning, and their scholarship. The group of *shoshvinim* also has a hierarchy, and is led by the "head *shoshvin*."⁵² The hierarchy was particularly prominent on the Sabbath after the wedding when the groom, accompanied by his *shoshvinim*, came to the synagogue for the morning prayers. During the reading of the Torah, the groom was honored by being called third, immediately after the priest and the levite. He was then allowed to distribute the honors of calling up all the *shoshvinim* to the Torah according to their ranking.

The bride was also escorted in the secondary procession leading to the wedding venue. The few records available mentioning these female escorts do not refer to them as *shoshvinot* and note only their ritual role. These sources indicate that the group escorting the bride was not organized hierarchically, in line with Caroline Bynum's findings concerning differences between female and male religiosity in the late Middle Ages. While male images are pervaded by symbols of dominance and hierarchy, women tended to describe their religious experiences as a gradually unfolding experience leading to

⁵⁰ Numbers 4:38.

⁵¹ *Letters of Rieti Family*, #98, 138–140. On the honor of being chosen as a *shoshvin*, see Copenhagen Ms., Royal Library 115/4 (IMHM # 14558), no pagination: "In the name of one of my sons, who was a *shoshvin* and sang one liturgical chant, [a donation] of one silver coin, worth a quarter ducat"; *Letters of Carmi Family*, #97, 119.

⁵² Parma Ms., De Rossi Collection 2740 (1212) (IMHM # 13675), 297a–299a: "*Seder hatanim* . . . the bride and groom drink [the benediction wine], and later he hands her the *ketubbah*, saying 'Here is your *ketubbah* by the law of Moses and Israel'. . . and [the cantor] sings 'May they be fertile and multiply, fresh and young, and may they live to see sons of sons,' and the *shoshvinim* wrap themselves up and the head *shoshvin* begins singing 'the groom on his wedding day.'"

woman's integration in the female group surrounding her, which tended to be egalitarian.⁵³

Hence, except for a brief period of privacy that was also closely monitored by family members, guests, and the community's youth, the bride and groom were never alone at the wedding and in the following week. The groom was with the men and the bride with the women. The two circles met briefly under the canopy and in the nuptial room, and the couple then returned to their circle of *shoshvinim*, male or female.⁵⁴ This ceaseless chaperoning emphasized the group character of the *kiddushin* act and extracted it from the conjugal domain, or from its definition as a bond resting on the couple's will, stressing instead, like the matchmaking stage, the couple's social network.

The Wedding Location

The convention that weddings in Italy toward the end of the Middle Ages were performed only in synagogues is well entrenched in the scholarly literature.⁵⁵ This assertion transposes to Italy the practice common in most Jewish communities in the late Middle Ages: performing the *kiddushin* and the wedding in one sequence at the synagogue.⁵⁶ The synagogue in Italy was a significant meeting place for adult men, frequently used for communal discussions and for the public teaching of the Torah. Not surprisingly, then, some families chose to celebrate wedding and *kiddushin* ceremonies at the synagogue, in the presence of the entire community or with the participation of the congregation. Evidence, however, indicates that most preferred the family home (either the bride's or the groom's) as a venue.

Hence, whereas in Ashkenaz, Spain, and North Africa the wedding location shifted during the Middle Ages from the home to a public venue, be it the synagogue or a communal hall, the *lo'azim*

⁵³ Caroline W. Bynum, "Women's Stories, Women's Symbols: A Critique of Victor Turner's Theory of Liminality," in *Fragmentation and Redemption: Essays on Gender and the Human Body in Medieval Religion* (New York: Zone Books, 1991), 27–51.

⁵⁴ Modena, *Historia de' riti ebraici*, 87.

⁵⁵ Abrahams, *Jewish Life in the Middle Ages*, 186–210; Cohen and Horowitz, "In Search of the Sacred," 225–231; Bonfil, *Jewish Life in Renaissance Italy*, 260–264.

⁵⁶ See above, ch. 3, pp. 156–160, 166–169.

preserved the original practice of marrying at home. Rather than conservatism or rigidity, this reflected a cultural effort to preserve local custom vis-à-vis waves of Jewish immigrants and despite persistent pressure to shift the ritual to the synagogue.

The Celebrant

The family's desire to control the most significant halakhic moment, beside the fears from magical influences, at times led to the celebration of the *kiddushin* away from the public eye. Recurring community ordinances to the contrary did not prevent many families from holding secret celebrations, without resorting to a rabbi even on the wedding day. The ritual, then, was not always performed by a rabbi, since this was a matter of family choice. Leon Modena attests:

The local rabbi, or the cantor at the synagogue, or the closest relative in their family, takes a wine glass and blesses the kiddushin to God that created man and made him a helpmate, commanded marriage, and commanded us concerning forbidden marriages, etc., and then offers from the blessed wine to the groom and bride. The groom then places the ring on the bride's finger before two witnesses, who are usually the local rabbis, and says to her: "With this ring, you are betrothed unto me by the law of Moses and of Israel." Then they read the ketubbah.⁵⁷

Kiddushin performed by a rabbi is mentioned as a choice rather than as an obligatory practice. The wording "or . . . or . . ." presents all these as equal options, without granting the rabbi primacy over the cantor or over a relative. Modena then adds that rabbis were invited to the wedding not as responsible for the ritual but as witnesses to the giving of the ring, or to sign the *ketubbah*. The honor and sacrality of the occasion were enhanced by the rabbis' presence, but control of the ritual remained in the family's hands.

In Chapter Three above, I claimed that the *kiddushin* venue (the family home) and the ritual's celebrant (a family relative) placed this ritual within the family context. This claim is also valid for later stages of the ritual, which involved family and communal circles in public celebrations as broad as possible. Inviting community officials or rabbis was a family decision, prompted by concerns of honor and dignity rather than by halakhic considerations. Other practices intro-

⁵⁷ Modena, *Historia de' riti ebraici*, 86.

duced by Spanish or Ashkenazi immigrants, or the move to the ghettos from the end of the sixteenth and during the seventeenth centuries, did not have significant impact on this practice. Marriage remained in the realm of “domestic religiosity.” This is an important instance of a *longue durée* cultural pattern, resilient to changes prompted by political circumstances and preserving basic family values.

Only toward the end of the seventeenth century do we find records of a first attempt to force the family in Jewish Italian communities to hold the wedding at the synagogue rather than in the family space:

The groom and the bride will face East . . . “Let us pray” . . . “created the fruit of the vine” . . . “and hast commanded us concerning forbidden marriages; who hast disallowed unto us those who are betrothed.” The celebrant will taste the wine and then give the groom and the bride to taste. The groom shows the witnesses a ring worth at least a *perutah* [small coin]. Then the groom will place the ring upon his bride’s finger and will say: “With this ring, you are betrothed unto me by the law of Moses and of Israel.” Then, if she is pure, he will remove the prayer shawl from her head . . . *Ever since they issued an ordinance stating that the wedding should be performed at the synagogue, instead of breaking a glass they say: “Give thanks unto the Lord; for he is good” in memory of the destruction of the Temple, and then the verse, “If I forget thee, O Jerusalem, may my right hand be forgotten.”*⁵⁸

I have cited this source at length because it includes important practices (the use of the ring, the prayer shawl on the bride’s head, breaking a glass under the canopy), which attest to close familiarity with the course of the wedding ritual. The attempt to transfer the wedding from the family home to the synagogue is part of a struggle to set aside “popular” practices lacking any halakhic basis. Hence the attempt to neutralize the magic element in the ritual, favoring instead the familiar prayer (“instead of breaking a glass they say: ‘Give thanks unto the Lord; for he is good’”).

This trend resembles changes in urban, early modern Christian society in Italy. Most weddings were performed within the domestic space, seeking to preserve the family’s primacy at the ritual’s decisive stages. Even when the couple and their families did reach the church to seek a priestly blessing, the wedding was by then largely over. Attending mass in church or blessing the couple added nothing

⁵⁸ My emphasis. Jerusalem Ms., Benayahu Collection VI, 141, 1b–3a.

from a legal point of view. After the families had agreed to the marriage, and after the spouses had expressed their mutual agreement [*consensus*] to a shared life and had sexually consummated the relationship, they were considered fully married. The ritual was entirely controlled by the families because the interests involved in the association with another family were too important to be left to chance or to ecclesiastical control. Most significant stages took place in the domestic space, without too much priestly involvement. After the Council of Trent, the Church in Italy exerted increasing pressure on the families to hold the ritual at the church. Legal files from ecclesiastical courts dealing with family issues indicate that the Church attained only limited success in its struggle against the family traditions and the superstitions accompanying the ritual, even in cities that were home to prominent Counter-Reformation leaders.

The Kiddushin Ring

The practice of marrying a woman by giving her a ring became common during the Middle Ages, and is mentioned routinely in sixteenth century Italy. R. Moses Provinzallo categorically states:

I have seen a written testimony about local practice, signed by many well-known people, as follows: "The simple practice in the city of Ancona . . . is that they hold the *kiddushin* only at the wedding, only publicly and with a ring. At the time of the *kiddushin*, the groom says in everyone's presence, "with this ring": "With this ring, you are betrothed unto me by the law of Moses and of Israel."⁵⁹

Provinzallo's resolute wording, relying on the testimony of local Ancona people, is not consistently found in all the sources. Since the fourteenth century, expressions such as "the custom *now* is to betroth with a ring"⁶⁰ appear recurrently, indicating awareness of the

⁵⁹ R. Moses Provinzallo, *Responsa*, #78, 124, a responsum from 1561. See also the testimony of Morosini, *Via della fede*, 984–993: "When this is the practice, the groom places the ring on the bride's finger saying . . . 'With this ring I thee wed by the law of Moses and Israel.'"

⁶⁰ Parma Ms., De Rossi Collection (IMHM # 13735), 40a, citing *Sefer ha-Tadir*: "The custom now is to betroth a woman with a ring; before witnesses, he places the ring on her finger, 'With this ring I thee wed.'" On this book, see Yehuda Nello Pavoncello, "Collection of Rulings and Customs by Moses de Rossi, Rabbi and Liturgist in Rome during the Fourteenth Century" (in Hebrew), *Sinai* 61 (1967): 25–29. Cambridge Ms., University Library 374 (IMHM # 16293), prayer book and

practice as a product of historical development, or as replacing a previous one.

Halakhic injunctions concerning the use of a betrothal ring (the groom's ring, without precious stones) were not always observed when the *kiddushin* was performed as an independent stage (see the discussion in Chapter Three) nor during the *kiddushin* under the canopy. The gap between the lenient local practice concerning the use of rings and the halakhic demands requires an explanation, particularly in the light of its implications for such a delicate area of Jewish law as conjugal relationships. Early modern Italian Jews were no less concerned than others about their reputation and their family's status in the community that depended, *inter alia*, on an impeccable genealogical record. If any moment in the course of the ritual required strict adherence to halakhic requirements, it was the moment of delivering the ring at the *kiddushin*. Were Italian Jews unaware of the gap between their practice and halakhic requirements? Why were the rabbis silent on such a sensitive issue?

These questions describe local custom in terms of a "deviation" or "breach" of halakhic norms. But the unique use of *kiddushin* rings in Italy was not a way of opposing or defying Halakhah. Its legitimation relies on the symbolic space common to Jews and Christians in Italy. The use of wedding rings in Christian Europe dates back to the Roman era, when delivering rings was considered the most important sign of the couple's loyalty.⁶¹ The ring is therefore called *signum* or *fede* [a sign or trust]. When nuns were mystically wed to Jesus, they wore a ring as a symbolic expression of their devotion and the dedication of their lives to a spiritual quest. The ring was one of the objects sanctified by the priest during the wedding ritual, before delivering it to the bride. In their comprehensive study of marriage practices in Europe, Jean-Baptiste Molin and Protais Mutembe show that the practice of giving a ring, again in keeping with Roman

liturgy rulings from the late fourteenth century, 434a: "The sages stated that a woman is acquired in three ways, by money, by deed, or by intercourse, and once he has betrothed her in one of these ways she is forbidden to all as sacred ground [*hekdesht*], and our custom now is to betroth with a ring by saying. . ."

⁶¹ Giovan-Battista Pellegrini, "Terminologia matrimoniale," in *Il Matrimonio nella società altomedievale*, 82–85; Réginald Gregoire O.S.B., "Il matrimonio mistico," *ibid.*, 711–712, 725–726; Dujcev, "Tradizioni etniche," *ibid.*, 853–859; Klapisch-Zuber, "Zacharias, or the Ousted Father"; Brucker, *Giovanni and Lusana*, *passim*; Molin and Mutembe, *Le Rituel du mariage*, 135–178.

tradition, symbolized the transfer of the woman from the father to the groom. The father took his daughter's right hand and extended it to the groom, who gave her a ring. The ring delivered on the wedding day was the last in a series exchanged between the parties toward the engagement.

Rings played an important role in the Christian wedding ceremony in Italy.⁶² Following the families' agreement to the terms of the marriage, a brief ceremony was arranged on the *di dell'anello* [day of the ring], in which the man gave the woman a ring. Retracting from this mutual commitment without injuring the other family's honor was almost impossible. Giving a ring also implied a clear legal commitment, conveying the couple's agreement [*consensus*] to the wedding. The studies of Christine Klapisch-Zuber show how important this exchange of rings was in the wedding traditions of fifteenth-century Florence to the establishment of a link between the families. The parties exchanged several rings from the beginning of the ritual and up to the wedding day, all recorded in the family journals or in legal notarized documents. In the female branch of the extended family, rings were passed between the women at such events as births, christenings, and weddings, as an expression of female solidarity and commitment, and as a way of "marking" the borders of family membership. Lombardi emphasizes that the ring, even more than verbal expressions, was one of several gestures designed to demonstrate the couple's commitment to the marriage. These gestures act as "external signs" of the inner will, and will therefore recur more than once. An ongoing discussion between canon law specialists during the sixteenth and seventeenth centuries hinged on whether the ring creates the marriage status [*ad substantiam*] or merely exhibits it to others [*ad solemnitatem*]. In the Jewish Italian wedding ritual, giving a ring carries a meaning resembling that accepted in the surrounding Christian society. First, it is not a one-time event, limited to the *kiddushin* or the wedding, and the exchange of gifts and *sivlonot* persisted despite the "*sivlonot* fear." Although a ring is a

⁶² Klapisch-Zuber, "The Griselda complex"; idem, "Zacharias, or the Ousted Father," 180, 183–184, where she stresses the important function of body gestures in establishing the legal status of the new couple; Brucker, *Giovanni and Lusana*, 16–21, 83–89. The ring is one more in a series of ritual signs that enhance the role of the family and the community in the event. See Merzario, "La Buona memoria," 1015–1019.

typical *kiddushin* object, fiancés went on giving rings to their intended brides as personal gifts. Due to its relatively high value, the ring was considered, above all, part of the assets transferred between the parties. This practice is recorded in *tenaim* writs documenting the transfer of assets between the parties and the division of the property in cases of divorce or death, or in women's wills that itemize their personal wealth to be preserved for the next generation.⁶³

Reading the Ketubbah Aloud

Scholars of the *ketubbah* noted as a truism that the practice in Italy, as early as the mid-sixteenth century, was to read the *ketubbah* under the canopy, reflecting Ashkenazi and Spanish influence.⁶⁴ This practice, which attests to the importance assigned to the *ketubbah*, was supposed to explain why local Jews began to use illuminated *ketubboth* during this period. As contemporary sources indicate, particularly in manuscripts, the practice had not been entirely widespread at the beginning of the seventeenth century, and most *lo'azi* Jews adopted it only after the 1650s. The most important source for dating this change are handwritten prayer books, dozens of which were written in the fifteenth and sixteenth centuries and, in a smaller scale, in the seventeenth century as well. The source concerning wedding customs cited above at length, notes: "If she is pure, he will remove the prayer shawl from her head. *Some now read the ketubbah aloud . . .*"⁶⁵

The wording ("some *now*") indicates that the practice was indeed widespread by then, but not acknowledged as imperative. Another testimony from the seventeenth century also hesitantly mentions the reading of the *ketubbah*.⁶⁶ Only Abraham del Vecchio, who wrote a

⁶³ The role of the ring in publicizing the links between the families and the couple's consensus were discussed in ch. 3 above.

⁶⁴ Guttman, *The Jewish Life Cycle*, 12–15 explicitly notes the adoption of an Ashkenazi tradition in sixteenth century Italy. See also Shalom Sabar, *Ketubbah: Jewish Marriage Contracts of the H.U.C. Skirball Museum and Klar Library* (New York: Jewish Publications Society, 1990), 12.

⁶⁵ See Jerusalem Ms., Benayahu Collection 6, 141, 2a. See also Budapest Ms., Kaufmann Collection 149, 64.

⁶⁶ Budapest Ms., JTS 203 (IMHM # 47155), halakhic rulings, 37a: "[In regard to] the *ketubbah*. It is recommended to read it [aloud] before the groom hands it to the bride. See what Caro wrote on *Tur, Even ha-Ezer*, #2, concerning the two [wine] glasses [for the blessing]." See also Moscow Ms., Ginzburg Collection 343 (IMHM # 47665), commentary of Abraham Joseph Salomon Graziano on the

commentary on the text of the *ketubbah*, mentions the practice in unequivocal terms: “They were lenient concerning witnesses signing the *ketubbah* even without having read it because *the ketubbah was read under the canopy, since they read it publicly*, and the readers were afraid of lying. This is not to be done concerning writs [other writs, which are not read aloud].”⁶⁷ Witnesses to the *ketubbah*, unlike witnesses to other writs, need not read its content before signing since the writ is usually read in public, dismissing suspicions of forgery or fraud.

Limited illustrated evidence from the fifteenth century,⁶⁸ Italian prayer books from these and previous eras,⁶⁹ and others written in the sixteenth century,⁷⁰ attest that the widespread contemporary prac-

ketubbah, 140b: “I heard that the godly kabbalist, His Honor, my uncle R. Jehiel Mondulfo, used to read the *ketubbah* in the house of the bride and groom before the holy community.” On Jehiel Mondulfo, see Mortara, *Indice alfabetico*, 41.

⁶⁷ Moscow Ms., Ginzburg Collection 278, del Vecchio’s commentary on the *ketubbah*, 147a.

⁶⁸ For an early testimony in a 1452 prayer book, see London Ms., Jews’ College, Montefiore Collection 249 (IMHM # 5215), the groom delivers the *ketubbah* to the bride folded up and closed. See also Guttman, *The Jewish Life Cycle*, 12–13; Shalom Sabar, *The Beginnings and Flourishing of Ketubbah Illustrations in Italy: A Study in Popular Imagery and Jewish Patronage during the Seventeenth and Eighteenth Centuries*, (Ph.D. Dissertation: University of California, 1987), 84–85; idem, “The Beginning of the Ketubbah Decoration in Italy: Venice in the Late Sixteenth to the Early Seventeenth Centuries,” *Journal of Jewish Art* 15 (1989), 96–98.

⁶⁹ Parma Ms., Palatinate Library 3569(2) (IMHM # 14070), 280a–b: “The groom and the bride drink [the benediction wine] and later the groom hand the *ketubbah*, sealed, saying “Here is you *ketubbah* according to the religion of Moses and Israel,” and all the people present chant loudly “May they be fertile and increase as fresh ones.” On fourteenth century prayer books see Rome Ms., Casanatense Library 2721 (IMHM # 23); Budapest Ms., Kaufmann Collection 428 (IMHM # 15810); Paris Ms., Bibliothèque National 604 (IMHM # 11477), 348b–390a, dates around 1399. On fifteenth century prayer-books, see Budapest Ms., Kaufmann Collection 380 (IMHM # 15141), from 1481, 230a–233b; Oxford Ms., Bodleian Library 8^o 15 (IMHM # 17673) [for its dating see *ibid.*, 291a]; Parma Ms., De Rossi Collection 3004(483) (IMHM # 13728); Modena Ms., Estense Library 242 (IMHM # 27768); Modena Ms., Estense Library 93 (IMHM # 12972); Philadelphia Ms., Free Library Lewis Oriental 142 (IMHM # 15048); New York Ms., JTS 4653, ENA 1396, prayer-book according to the Roman rite, from Ferrara 1482; Padua Ms., Seminary Library 201 (IMHM # 772); Moscow Ms., Ginzburg Collection 679 (IMHM # 47910), a yearly prayer book according to the Roman rite, 191b–194b; Budapest Ms., Kaufmann Collection 359 (IMHM # 14718); Parma Ms., De Rossi Collection 1759(973) (IMHM # 12995), 164a–166a.

⁷⁰ On early sixteenth century prayer books, see Parma Ms., De Rossi Collection 2884(62) (IMHM # 13777); Paris Ms., Bibliothèque National 599 (IMHM # 11472), 137b–138b: “Among some, the practice is to bring her [the bride] to the canopy in the morning, and the seven blessings are recited in the morning and in the evening, and he [the groom] gives her the *ketubbah* in the evening. Others bring her to the canopy in the morning, recite the seven blessings and give her the *ketubbah*

tice was still to hand over the *ketubbah* under the canopy without reading it. Since the practice became widespread among Italian Jews in the mid-seventeenth century, dating the change to the beginning of the seventeenth century appears plausible. The *ketubbah* was not given to the woman, but was delivered in the presence of witnesses and guests in a distinct and independent ritual act. The distinction between “giving” and “delivering” relies on Abraham Graziano in his commentary on the *Shulkhan Arukh*:

The pious tend to be careful, saying that the groom should not *give* the bride the *ketubbah* under the canopy due to fears that she may be ritually impure, and a husband should not give his wife anything when she is impure. . . . This is apparently a fair and legitimate practice, however, and was the custom of the *lo'azi* and *Italiani*, whereby the groom *delivers* the *ketubbah* to the bride, *unlike Ashkenazi practice*.⁷¹

The local practice of giving the bride the *ketubbah* writ before the wedding disappeared toward the end of the sixteenth century, and was replaced by the new rite of delivering the writ in public. Later, the public reading of the writ became the rule.

right away, and all is according to the local tradition”; Cambridge Ms., University Library 642(6) (IMHM # 16865). On late sixteenth century prayer-books, see Oxford Ms., Roth Collection 3 (IMHM # 15237); Parma Ms., Palatinate Library 3530, Stern 15 (IMHM # 14037), rulings on blessings; Moscow Ms., Ginzburg Collection 742 (IMHM # 48040), yearly prayer book and High Holidays prayer book according to the Roman rite, 390b–392b; Vienna Ms., National Library 24 (IMHM # 1303), 50b; Parma Ms., Palatinate Library 3493, Stern 14 (IMHM # 14001), rulings on holidays, 932b–938b; New York Ms., JTS 4248, Acc. 0842, (IMHM # 25151), 6b–16a; London Ms., British Museum 26968 (IMHM # 5633), 336b–340a; Parma Ms., De Rossi Collection 766(969) (IMHM # 12992), 290a–293a; Parma Ms., De Rossi Collection 767(970) (IMHM # 12993), 285b–289b; Parma Ms., De Rossi Collection 1908(1193) (IMHM # 13065), *seder hatanim*, no pagination; Parma Ms., De Rossi Collection 2740(1212) (IMHM # 13675), 297a–299a. See also Johanan Treves, *Kamha de-Avishona*, vol. 2, *seder hatanim*, no pagination.

⁷¹ Budapest Ms., Kaufmann 106 (IMHM # 2984), commentary of Abraham Joseph Salomon Graziano on *Shulkhan Arukh*, 405. For a comparison with Ashkenazi practice, see *ibid.*, 336: “Indeed, the Ashkenazi practice is that they write the *ketubbah*, celebrate the *kinyan*, and the witnesses sign it, mentioning sums for the dowry and the movable assets. Later, the *ketubbah* is given to the bride, or to her father and mother, as is the law concerning any deed that the witnesses deliver to the owner . . . The ruling is not strict concerning the groom handing over the *ketubbah* deed to his bride or about saying to her ‘Here is your *ketubbah*,’ and of such things it is said ‘each river runs its course.’”

Dance and Music at the Wedding

“Sumptuary laws” [*pragmatiche*] and community ordinances indicate that dancing at weddings and in the celebrations before and after it was widespread.⁷² Wedding dances marked the culmination of large-scale dancing common throughout the year in Jewish Italian communities. Children’s education included dance classes in special frameworks and with professional teachers. A “teaching artist” was highly esteemed and well rewarded for teaching young boys to dance, and sometimes young girls as well. Leon Modena attested that one of his many occupations had been teaching young boys to dance. Christian boys sometimes came to these special dance classes and vice-versa, Jewish boys sometimes attended classes at Christian dance schools.

In Christian medieval tradition, dancing was considered an erotic activity leading to sin. From the fourteenth century onward, dancing became part of princely court life in Italy and was one of the most popular amusements at parties and widely attended events.⁷³ Courtly love, the unconsummated yearning for the woman that refines the man as he draws closer to her, found suitable expression in new dances at court, which provided a tacit, sublimated form of catharsis. Dance was also viewed as a paramount educational tool for personal refinement and for the acquisition of a civil code of behavior, because it attested to inner spiritual qualities.⁷⁴ Dance as a significant component of the civilizing process is already mentioned in the fifteenth century in the writings of Guglielmo Ebreo, a Jewish dance teacher and choreographer who converted to Christianity and wrote

⁷² Friedhaber, *Dance in Jewish-Mediterranean Communities*, 33–38, 43–65, 72–76, 82–91, 138–139; idem, “Dancing Practices in the Jewish Community of Arta as reflected in Responsa Literature” (in Hebrew), in *The Culture of Sephardi Jews*, ed. Aviva Doron (Tel-Aviv, Levinski College, 1994), 183–189; Zvi Friedhaber and Giora Manor, “The Jewish Dancing Master in Italy during the Renaissance,” in *Guglielmo ebreo di Pesaro e la danza nelle corti italiane del xv secolo*, ed. Maurizio Padovan (Pisa: Pasini, 1990), 11–25; Sparti, “Dancing Couples behind the Scenes,” 9–38.

⁷³ Alessandro Ugucioni, “La danza nella pittura di cassone,” in Padovan, *Guglielmo ebreo di Pesaro e la danza*, 235–250.

⁷⁴ On dancing as part of the civilization process, see Mark Franke, “Ritual Conduct Literature and the Basse Danse: The Kinesis of Bonne Grace,” in Trexler, *Persons in Groups*, 55–66. See also the works of Alessandro Arcangeli, especially his *Davide o Salomè?* The *giaranzana*, a dance common at aristocratic weddings, required close acquaintance with a complex social etiquette. See Christiane Klapisch-Zuber, “An Ethnology of Marriage in the Age of Humanism,” in *Women, Family and Ritual*, 247–260.

one of the first theoretical treatises about dance in Europe. Dancing, according to Guglielmo, is not meant for coarse peasants, whose vulgar romps arouse the basest passions. Harmonious dancing bound by rules, as that developed from the fifteenth century onward, shapes an aesthetic and ethical courtly life, implanting in the dancers refined dispositions, insight, and good manners.⁷⁵

Important dance traditions reached Jewish communities in Italy through immigrants from Spain,⁷⁶ and particularly from Ashkenaz.⁷⁷ In Ashkenazi communities, buying or renting a “dance house” [*Tanzhaus*, *Spielhaus*] to hold dance soirées for youths who had learned to dance with professional teachers was common practice. The synthesis between the various dance traditions—of *lo‘azi* Jews, Jews from Ashkenaz and Spain, and Christian Italian dances—crystallized into two dancing patterns: the social and the artistic.⁷⁸ Occasionally, week-day dance events were arranged, attended mainly by family members and others close to them (neighbors, friends). Holidays or public events marked the height of dancing activity in Italy. During the holiday of *Simhat Torah*, and especially on *Purim*, men and women danced together, sometimes married women with unmarried men. Guests from outside the neighborhood or the Jewish ghetto joined this Jewish version of a carnival, donning masks like all other dancers. Masks blurred the borders between men and women, married and single, and Jews and Christians.

Communal ordinances vainly trying to struggle against local custom

⁷⁵ Françoise Syson Carter, “Dance as Moral Exercise,” in Padovan, *Guglielmo ebreo di Pesaro e la danza*, 169–179.

⁷⁶ On Spanish dances in which dancers impersonate figures, on the influence of Morisco dances, and on the dancing customs of Sephardi communities in Italy, see Friedhaber, *Dance in Jewish Mediterranean Communities*, 36–37, 68, 99–101; Friedhaber and Manor, “The Jewish Dancing Master,” 19–20.

⁷⁷ On Ashkenazi dance traditions, see Friedhaber, *Dance in Jewish Mediterranean Communities*, 19–28; idem, “The *Tanzhaus* in the Life of Ashkenazi Jewry,” 49–60; idem, “Dancing Customs in the Jewish Community of Fürth as reflected in a Sumptuary Law Book of 1728” (in Hebrew), *WCJS* 11, D2 (1994): 23–28; idem, “Dance in Ashkenazi Jewry,” 21–28; idem, “Mitzvah-Dance. Their History, Forms, and Dancers” (in Hebrew), *Mahol be-Israel* 9 (November 1996): 56–60.

⁷⁸ Friedhaber and Manor, “The Jewish Dancing Master in the Renaissance,” 13: “Dance among Jews in Italy [during the Renaissance] and later periods developed on two separate levels: the social and the artistic dance. The first was confined to the inner social life of the communities themselves, the second reaching into, and interacting with the life of the Gentiles, in performance on festive occasions. In both spheres a need for professional tuition was felt, thus creating the role of the dancing-master.”

attested to the strong resemblances between *Purim* and the wedding day. See, for instance, the following ordinance from the Padua community, dated 1580:

We thereby order that no one, whether man or woman, young or old, youth or maiden, is to hold *festi* [dance or celebration], except on the following dates: the eight days of the month of Adar [when *Purim* celebrations take place], close to Passover and until the twenty-first of that month, on the *veglia* [wakeful] nights on the eve of a boy's circumcision at the mother's house, on the Sabbath before the wedding, on the Sabbath after the wedding, at the marriage home or at another venue chosen by the bride and groom, and on the Sabbath after publishing the *kinyian* [*tenaim* celebration] of the groom and bride. Except for these days, no dance *festi* will be held without the consent and sanction of community leaders.⁷⁹

As in *Purim*, which was celebrated with two weeks of dancing in the month of Adar, the significant events surrounding the wedding were marked by dancing. Participants at these events—families, neighbors, guests, the groom's peer group—danced not only at the wedding but also on the Sabbath before and after it. Musical fraternities, established in Italy since the end of the sixteenth century, added the musical element to the wedding day. These fraternities appeared at events celebrating, for instance, doctors' graduations, circumcisions, bringing to a close the study of a talmudic treatise, or the establishment of a synagogue. They added a unique dimension to the liturgy of Sabbath prayers at the synagogue. Israel Adler's studies show that musical fraternities took part in the wedding and played music characteristic of the Italian baroque.⁸⁰

Consummating the Marriage

The Male Response

The wedding day ritual did not end with the *kiddushin* ceremony, the reading and delivery of the *ketubbah*, and the wedding meal. One

⁷⁹ Carpi, *Minutes Book of the Council of the Jewish Community of Padua, 1577–1603*, 97.

⁸⁰ Israel Adler, *La pratique musicale savante des quelques communautés Juives en Europe aux XVII^e et XVIII^e siècles* (Paris: Mouton, 1966), 43–154, esp. 53, 63–64, 74, 80, 88, 113–115, 129.

last act sealed the ritual: the first sexual encounter between groom and bride. The marriage was “consummated” while the wedding guests were still seated at the tables rather than postponed for a later time.

The sense that the sexual act is a necessary component of the marriage is based on halakhic tradition. The term “canopy” [*huppah*] was interpreted in several ways, one of which referred to the nuptial room.⁸¹ The wedding day, then, on which the groom takes the woman under the canopy and the *kiddushin* ceremony is performed, will also probably include their first sexual encounter. The Mishnah even rules explicitly that intercourse is one of three options for the performance of the *kiddushin*. The other two—a deed or a money payment—are largely alternatives to intercourse or derived from it. This approach is also expressly mentioned in early modern Italian halakhic texts: “A woman who is not a virgin is not acquired under the canopy but only through intercourse, and not on a Sabbath. Hence, they are left alone to engage in sexual intercourse before the Sabbath, but privacy alone without intercourse is not valid, as ruled by. . . .”⁸² In line with the legal approach that the *kiddushin* is a kind of acquisition, the halakhist rules that the man does not acquire the woman before they have engaged in sexual intercourse, meaning that the *kiddushin* becomes valid only then. Only the sexual act seals the bond between them, leaving no option for withdrawal. His reliance on foremost halakhists (Caro, Ba‘al Ha-Turim, Maimonides, The Mordecai) indicates that the writer considers this ruling irrefutable.

Events in the nuptial bedroom were not concealed; instead, they were ritually elaborated and integrated into the wedding day, as the following description from *seder hatanim* clarifies:

Seder hatanim . . . Blessed art thou, O Lord our God, King of the universe, who created a nut in the Garden of Eden, so that no stranger will claim dominion . . . a poem recited at the groom’s door after he goes to sleep [euphemism for the sexual act]:

Thy sword mighty warrior thy sword mighty warrior thy sword mighty warrior
gird upon your hand

⁸¹ Adler, *Marriage According to Halakhah*, 243–244.

⁸² Oxford Ms., Bodleian Library 1418, 22b. See also Moscow Ms., Ginzburg collection 563, seventeenth-century halakhic rulings, 117a–b, laws of the first night.

Ride thy chariot ride thy chariot ride thy chariot fare thee well
 rider
 When thou comest near a city⁸³ when thou comest near a city when
 thou comest near a city sapphire and diamond
 Heed and proclaim heed and proclaim heed and proclaim peace
 unto it
 And the walled city and the walled city and the walled city if you
 come near
 Slowly slowly slowly slowly slowly slowly slowly slowly slowly
 Peace to the girl⁸⁴

Recite the following prayer thrice purely and virtuously, by your bed on the night of the union, and you will be successful: “May it be thy will, eternal Rock, for the sake of thy exalted name . . . that you should bestow on me the grace of thy spirit and give me courage and power and strength in my limbs and in my body to observe the commandment of my conjugal obligation at all times. Let no weakness, no laxness, no pressure, no pondering, no confusing thought, and no weariness hinder my limbs and my passion, preventing me from consummating my desire whenever I wish, without any setback or any flabby limb, from now to eternity. Amen.
 End.⁸⁵

Beside mentioning routine blessings and ritual poems, *seder hatanim* reports on the community’s involvement at the preliminary stages of the erotic situation. The groom was actually accompanied to the nuptial room, and perhaps even to the nuptial bed (“a song as sung at the groom’s door after he goes to sleep”). According to this account, only men participated in a procession to the nuptial room, accompanying the groom with the reading of an erotic poem. The description of the first sexual encounter between the man and the woman begins with a metaphor of the siege and conquest of a city in war, but ends by advising the man to be gentle (“slowly slowly slowly [draw near] the girl [in ways of] peace”). The war metaphor reveals the tension in the male camp before the first sexual encounter. This war can be lost, hence the fears of the groom and of his male surroundings lest he fails to meet their expectations. The tension is par-

⁸³ Deuteronomy 20:10.

⁸⁴ *Ibid.*

⁸⁵ Parma Ms., De Rossi Collection 2740, 297a–299a. The manuscript was written during the early seventeenth century. See 300a, birth registrations from the years 1615–1617. See also Budapest Ms., Kaufmann Collection 428 (IMHM # 15810), 230, 233.

tially relieved by the prayer preceding intercourse, "let no weakness, no laxness . . . no pondering, no confusing thought . . . preventing me from consummating my desire whenever I wish." Only after the male mission is accomplished, the word "end" (in a separate line) indicates that the ritual is now "concluded."

Among the blessings recited on the wedding day is also a "virginity blessing," ("Blessed art thou, O Lord our God, King of the universe, who created a nut in the Garden of Eden . . .").⁸⁶ Scholars disagree concerning the source, the orbit, and the role of this blessing. Israel Ta-Shma holds that the blessing had been sanctioned by the *geonim* and by early authorities in both East and West,⁸⁷ and disappeared from Jewish Spanish tradition due to Maimonides' vigorous opposition to its recitation in public. In Ashkenaz, the practice of reciting the virginity blessing continued during the fifteenth century. Ruth Langer, who devoted a comprehensive study to blessings and prayers formulations, holds that the virginity blessing is distinctly Palestinian, and its emergence in Babylon is questionable.⁸⁸ Both these analyses indicate that the reciting of this blessing had waned from Spanish tradition toward the sixteenth century, and in Ashkenazi tradition it receded from the public arena to the privacy of the nuptial room, until its gradual disappearance.⁸⁹ Due to the opposition of sixteenth century halakhists, it ceased to appear in prayer books and was no longer recited.

⁸⁶ Ibid., 229–230: "A virginity blessing recited by the groom on the night of their mating . . . and then he recites the blessing . . . A fine ritual poem sung before the groom's chamber, after he went to sleep . . ."; Budapest Ms., Kaufmann Collection 89 (IMHM # 2971), 25: "A virginity blessing to be recited by the groom on the night of their mating . . ."

⁸⁷ Israel Ta-Shma, "A Maimonides Responsum on the Virginity Blessing" (in Hebrew), *Maimonidean Studies* 2 (1991): 9–15, see 10: "The blessing itself, which Maimonides considered redundant, was endorsed by the *geonim* and by the early authorities in east and west, and also by the communities, and Maimonides' responsum was undoubtedly the main factor in its gradual eradication from Oriental communities."

⁸⁸ Ruth Langer, "The *Birkat Betulim*: A Study of the Jewish Celebration of Bridal Virginity," *PAAJR* 61 (1995): 53–94, esp. 69–73. See 72: "The appearance of our ceremony in Babylonia is equally difficult to establish. The possibility exists, because of the lack of confirming manuscripts, that the text in *Halakhot Gedolot* published by Hildesheimer is itself a medieval European gloss. The *birkat betulim* as it appears only in the Oxford manuscript of Seder Rav Amram Gaon is a direct citation of this *Halakhot Gedolot* passage and is clearly a gloss." For further evidence of the spread of this blessing, see Glick, *Light has Dawned*, 300–310.

⁸⁹ Langer, "The *Birkat Betulim*," 85.

In Italian *sidrei hatanim*, both those in handwriting and in print, the “who created a nut” prayer was still a regular part of the marriage ritual during the sixteenth century. It was recited, as were other prayers, in public and in the presence of guests, apparently close to the sexual act, either before the groom entered the nuptial room or upon his return holding proof of the bride’s virginity.

The *seder hatanim* just noted, as all the many others from this period, was supposed to provide the ritual’s participants with clear guidelines on how to proceed through the various stages of the wedding day. After it was written, and even more so after it was printed and distributed beyond its original surroundings, local practice attained legitimation and was institutionalized. Yet, since this text was written by adult men for adult men, ritual elements that the author had thought improper to record were either dismissed or repressed. The passage from the *seder hatanim* cited above leaves several questions open: Were there other community responses? Did the women have any way of contending with the suspicions and fears evoked by the first sexual act? Did the youngsters who had been so active at the courtship stage become quiet and passive? Are the magic dimensions of sexuality, so common in early modern Europe, altogether absent from Jewish ritual? A contemporary testimony in the book by the Jewish apostate Giulio Morosini represents a significant addition to the understanding of the community’s response:

After these actions [the *kiddushin* under the canopy, delivering the *ketubah*, pouring the wine, and breaking the glass] had been completed, and if the bride had already been at the immersion pool and observed the rules of the ritual . . . she [the bride] is led by a procession of women, with voices, dancing, and songs, to the room where the nuptial bed is ready. After the women undress her, she lies on the bed. When the groom is advised of this, he arrives surrounded by his young friends among much banter, and they lead him to the room’s threshold, leave him inside, and return to their homes.⁹⁰

The moments leading to the sexual encounter evoke much joy and merriment among the participants. The sense that the guests are witnesses to an irreversible act enabled the breaching of limits usually considered unassailable. The company allowed themselves to enter the house, up to the bedroom. A female procession leads the bride,

⁹⁰ Morosini, *Via della fede*, 984–993.

while a male group leads the groom. The female procession, singing and dancing, goes as far as the room, and even up to the nuptial bed, where the women undress the bride. Banter is mentioned on the male side without any further particulars, since its content is known to readers, who neither need nor wish for details. Here too, the barrier that distinguishes the intimate space from external intervention is blurred. The youngsters come up to the threshold where, as at the window, outside and inside meet. The groom's escorts are not a random group, but rather the *shoshvinim* who have been with him throughout the wedding day and will still be with him for several more days.⁹¹

The importance of this evidence from the *sidrei hatanim* and from Morosini's book lies in their report of practices common to large sections of the population, characteristic of *lo'azi* "popular tradition." The ritual emphasizes sexuality and presents it openly, without fear of affronting the couple's modesty or privacy. The wedding day was not the only occasion at which erotic issues were openly discussed. Frank talk or writing about the couple's sexuality, about the first sexual act, and about the fears surrounding it were not exceptional. In fact, they were absorbed into familiar cultural frameworks. Contemporary letter manuals discussing the wedding day are sometimes characterized by sharp erotic overtones, without parallel in other early modern Jewish sources.

Chapter 18: Written for a man who has betrothed a woman, and will have intercourse with her and subdue her . . . Blessed be our Lord, who destined her for you today and kindled her loving passion for you. . . . Let me advise you, heed my words, do not postpone your marriage for tomorrow, act now, do not tarry, meet your commitments swiftly, lest she become ill. . . . Before going to your wedding, make sure your *ketubbah* is written and you give the *damim*.⁹² . . . Beware of the sin of performing the *kiddushin* through intercourse, [instead, wait] until the time of your wedding, performed through *kiddushin* under a fine canopy. Then pour the fire of your passion upon her, and let the blood of her virginity bring redemption, and the betrothed maiden cried out, but there was none to save her [Deuteronomy 22; 27], and

⁹¹ Moscow Ms., Ginzburg Collection 563, 117a–b. See also sources mentioned above on the role of the *shoshvinim* in the course of the wedding ceremony.

⁹² A pun on the double meaning of the Hebrew word *damim*, alluding both to the blood (of virginity) and to money.

lovingly take her virginity, and do not spare her, because this is the law of the deer with the doe, and the commandment to be fruitful and multiply.⁹³

The manual from which this letter was taken includes a group of letters on various subjects, in the form of an epistolary dialogue. Dialogue was a literary genre that enabled the presentation of a range of views and attitudes not always fitting literary conventions. Chapter Eighteen is devoted to a young man who is engaged to a woman but not married, a widespread practice in Italy (see Chapter Three above). The writer warns his friend: (1) Beware of sexual relationships before the wedding (“beware of the sin of performing the *kiddushin* through intercourse”). (2) Hasten to observe the commandment to be fruitful and multiply after the wedding. The religious obligation is a convenient excuse for adding direct and blatant sexual instructions (“pour the fire of your passion upon her . . . take her virginity . . . because this is the law of the deer with the doe”).⁹⁴ As in the ritual poem accompanying the groom to the nuptial room, the sexual behavior described in this “erotic” letter sways between male assertiveness intended to subdue the woman (“have intercourse with her and subdue her”), and a quality of caution and moderation as a basis for a long term conjugal relationship. In Chapter

⁹³ Florence Ms., Laurenziana Library 88.18 (IMHM # 17844), 24a–b. See also Modena Ms., Campori 687 (IMHM # 40182), 98a, a letter from the groom to the bride’s father, describing his expectations from married life: “. . . among stars will I place my nest . . . and there will I bestow on her my [sexual] powers . . .”; London Ms., British Museum 27209, 21b–28b, wedding invitations: “In the city of Ferrara will she mate with her husband and become his wife.” See also *Letters of Rieti Family*, #98, 138–140.

⁹⁴ Florence Ms., Laurenziana Library 88.18, 25b–26b: “Chapter Nineteen, how to write to one who married a woman, had intercourse with her and wrote her a *ketubbah*. . . Go to your room and do not close the door behind you, rejoice in the wife of your youth and lust for her. Caress the breasts of the virgin, and hide there during the day, lest shame should cover your face. Gird your loins like a man, let the voice of your shoots be heard in the land, and aim your arrows at her. . . . Uncover her core, and crush her foundations until her walls fall, for this is the way with the virgin. When you approach a city to wage war on it, open its tents, and let them forever be open . . . Be careful when performing the commandment of intercourse, for it is a fragile matter, and visit your wife and you will not sin, and if [the obligation to supply your wife] food, dear groom, is hard to fulfill during bad times, let the fulfillment of the conjugal obligation not be wild. Then let your words be calm, and make it your duty to mate twice every night, not once every seven days like the religious scholars . . . and the wife of your youth will forever cling to you and rejoice, and you will become one flesh.”

Nineteen of the manual, the addressee is already a married man, and the tone of the writing is even more open and direct (“let your words be calm”). The advice given at the end of this letter resembles that found in contemporary Christian guidebooks in Italy:⁹⁵ how to overcome the difficulties of the transition from bachelorhood to married life, and how to develop a satisfactory relationship. The borders between the personal-intimate-family space and public intervention are blurred, not only because *rites de passage* and moments of transition tend to suspend usual prohibitions. Even in routine circumstances, sexuality was not considered a private affair but part of the family functioning, which the community is supposed to regulate (including through ritual intervention). This intervention is less threatening because sexual functioning is an additional advantage that can be exploited for the benefit of the family or the individual.⁹⁶

Not only was the “virginity blessing” in Italy not relegated to the private realm, but the communal monitoring of sexuality was expanded even further. Prayers, and especially the blessings recited in the nuptial room, were the subject of detailed and extensive halakhic discussion: when to say the blessing, should one get dressed first, what should a groom do if “his heart is still engrossed,” is the washing of the hands and body required before the blessing. From the sixteenth century onward, and particularly in the first half of the seventeenth century, several works appeared including guidance to young grooms about their behavior on the wedding night. These works remained in manuscript and were not printed, either then or later. Appealing to youths through written moral guidance is part of a larger cultural effort to control their sexual behavior.⁹⁷

What is the origin of these Italian traditions? Why is talking and writing about these issues more blatant and direct than in other Jewish communities? Why is the first sexual act viewed as a necessary

⁹⁵ Rudolph M. Bell, *How to Do It: Guides to Good Living for Renaissance Italians* (Chicago, The University of Chicago Press, 1999).

⁹⁶ Storr Cohen, “La verginità perduta”; Guido Ruggiero, “Marriage, Love and Renaissance Civic Morality,” in *Sexuality and Gender in Early Modern Europe: Institutions, Texts, Images*, ed. James G. Turner (New York, Cambridge University Press, 1993), 10–30. In sixteenth-century Italian, the verb *negoziare* meant both conducting business negotiations, and making love (see ch. 4 above).

⁹⁷ The theme of sex and sexuality in early modern Jewish Italian communities is discussed in another study I am presently conducting, supported by the Israel Academy for Sciences and Humanities.

element of the wedding day, and why the ritual emphasis on the moments leading toward it? Clearly, these patterns are not modeled on Ashkenazi tradition. In Ashkenaz, the sexual act is dislodged from the ritual, and everyone present understood that the couple did not engage in sexual intercourse when left alone in the nuptial room:

R. Yaakov Segal said: The custom is that, after the blessing, the groom and bride eat together an egg and a hen. The ancient custom was to leave them alone in a room during this meal while everybody else went out, and this was done so that the groom would become used to her.⁹⁸ Only a woman, one of her relatives, stayed there to serve them, and then all the relatives and whoever wanted went in to eat and rejoice with them. This custom has now been forgotten; all go in from the start, leaving them no privacy, and this is wrong.⁹⁹

The remnants of the ancient practice, leaving the young couple alone with a servant “so that the groom would become used to her,” assume a certain measure of intimacy after “everybody else went out.” But these moments of privacy did not lead to sexual intercourse. “Now” (in R. Jacob Moellin’s times),¹⁰⁰ even this limited measure of privacy has also disappeared, since “all” go in freely from the start.

To understand the basis for the centrality of the sexual act in the Italian wedding day ritual, we need not go as far as Ashkenaz and Spain, or examine the traditions that Jewish immigrants from these countries had brought with them. Crossing the street to observe the wedding customs of their Christian neighbors in Italian cities will suffice.¹⁰¹ The ritual culminated in the leading of the bride to the

⁹⁸ See, for instance, TB Ketubboth 12a: “In the land of Judea they used to leave the bridegroom and the bride alone one hour before entering the bridal chamber, so that he may become intimate with her. . . . In the land of Judea, they used to assign two *shoshvinim*, one for him one for her, to examine the groom and the bride upon their entry into the bridal chamber.”

⁹⁹ R. Jacob b. Moses Moellin [Maharil], *Sefer ha-Minhagim*, #6, 468. See also Elazar of Worms, *Sefer ha-Rokeah* (Jerusalem, n.p., 1960), #352, 239, who claims that intercourse is not necessary for the consummation of the marriage: “After standing under the canopy and reciting the blessing, she is his wife for all intents and purposes.” See also Buxtorf, *Synagoga Judaica*, 513–518. Many of the features noted below (hanging/showing the sheet, the virginity blessing, “erotic” chants, the involvement of women on the first night), hardly feature in the Ashkenazi ritual.

¹⁰⁰ R. Jacob Moellin [Maharil]. On this rabbi, see Dinari, *The Rabbis of Germany and Austria*, 251–286.

¹⁰¹ On the “first night” in the fifteenth and sixteenth-century Christian wedding in Italy, see Klapisch-Zuber, “Zacharias, or the Ousted Father”; idem, “La ‘matti-

groom's home. The procession was accompanied by much noise and joy, and by the spectators' brazen sexual remarks. The couple entered the room and was not left alone until the priest had blessed the bed [*benedictio in thalamo*] and the room, and until they had dined with the guests and escorts. The sexual act was neither hidden nor bashfully concealed. Rather, the wedding could not take place without it.

The license to intervene in the erotic realm, which people in the community or the neighborhood considered their entitlement, was not exceptional or limited to the time of the wedding. During the early modern period, the community played a significant role in the monitoring of its members. Men or women who deviated significantly from accepted family patterns in their marriage unions, or whose sexual relationships failed to abide by the norms, risked public rituals of humiliation. These rituals were common throughout Europe in different variations, and are known in the modern research literature as *charivari*, in their French version.¹⁰² The *charivari* ritual, like other elements of European popular culture, was strongly condemned during the early modern period. The tendency to slide into violence and humiliate the victims moved urban authorities to limit it, marginalize it, and label it as quasi-criminal. The central role of youths in this ritual turned it into a redundant political risk, potentially harmful to the newly emerging social order.¹⁰³

nata' medievale d'Italie," in *Le charivari*, ed. Jacque Le Goff and Jean-Claude Schmitt (Paris: EHESS, Mouton Éditeurs, 1981), 149–163. For a detailed description of a Florentine wedding, see Brucker, *Giovanni and Lusana*, passim. On the experience of the first night in weddings outside Italy, see Greilsamer, *L'envers du tableau*, 165–187; Molin and Mutembe, *Le Rituel de mariage*, 255–270.

¹⁰² Rinaldo Comba, "'Appetitus Libidinis coherceatur': Structure demografiche, reati sessuali e disciplina dei comportamenti nel Piemonte tardomedievale," *SS* 27 (1986): 552–554; André Burguière, "The Charivari and Religious Repression in France during the Ancien Régime," in Wheaton and Hareven, *Family and Sexuality in French History*, 84–110; James R. Farr, *Hands of Honor: Artisans and their World in Dijon, 1550–1650* (Ithaca: Cornell University Press, 1988), 214–222; Daniel Fabre, "Families: Privacy versus Custom," in Chartier, *A History of Private Life*, vol. 3, 531–569; Castan, "The Arbitration of Disputes under the 'Ancien Régime'"; Martine Grinberg, "Charivaris au Moyen-Ages et à la Renaissance: Condamnation des remariage ou rites d'inversion du temps?," in Le Goff and Schmitt, *Le charivari*, 141–147; Martine Boiteux, "Deraison et deviance: à propos de quelques coutumes romaines," *ibid.*, 237–249.

¹⁰³ On the campaign against the *charivari* and the attempt to marginalize it in early modern Europe, see Burguière, "The Charivari and Religious Repression"; Fabre, "Families: Privacy versus Custom"; Grinberg, "Charivaris au Moyen-Ages et à la Renaissance"; Natalie Z. Davis, "Charivari, honneur et communauté à Lyon et à Geneve au xvii siècle," in Le Goff and Schmitt, *Le charivari*, 207–220.

The sense that people living in densely populated societies are to some extent accountable to their surroundings and cannot ignore accepted norms came to the fore in *charivari* rituals at weddings. Sometimes, these rituals were also performed at weddings involving no deviation, and youths would not leave the scene until they were paid.¹⁰⁴ A ritual of this type was not meant to interfere with the wedding. Quite the contrary, it served important purposes in the building of the marriage bond, contributed to the couple's fertility, and protected them from harmful forces. The groups of youngsters represented the world of the dead, which must be appeased with money payments, hence the youngsters' black costumes or dark make-up at *charivari* rituals.¹⁰⁵ The *charivari* was part of the annual ritual cycle, which ensured the link with the world of the dead and was shaped in the model of the agricultural cycle of birth and death, fertility and decline.

These rituals were also performed in Italy, but in slightly different ways and under the name of *mattinata*.¹⁰⁶ Mocking rituals accompanied the marriages of widows and widowers, or were directed against battered or betrayed husbands. Animal horns [*cornia bestiarum*] were hung at the door of the house, hinting at the adultery of one of the partners. In Italy too, the custom was to perform *mattinata* rituals at many weddings, even when they involved no exceptional features. Participants included not only youngsters but also relatives, friends and neighbors. The *mattinata* was an accepted part of the ritual, and added to the couple's honor. The delivery of the bride's presents to the groom on the eve of the wedding, and the stage of leading the bride to the groom's house for the nuptial night were accompanied by loud music, great commotion, and bold sexual insinuations. To ensure that disturbances at the wedding would not be too troublesome, the custom was to pay the youths off, giving them a certain percentage of the dowry. Already during the Renaissance, urban

¹⁰⁴ Greilsamer, *L'envers du tableau*, 165–187.

¹⁰⁵ On the magical dimension of the *charivari* rituals, see Ginzburg, *Ecstasies*, 126–128, 191–193; idem, “Charivari, associazioni giovanili, caccia selvaggia,” *QS* 49 (1984): 164–177.

¹⁰⁶ On the *mattinata* from the Middle Ages to the late nineteenth century, see Klapisch-Zuber, “La ‘mattinata’ medievale d’Italie”; idem, “Zacharias, or the Ousted Father,” 207–209; Alberto Sobrero and Tullio Tentori, “L’étude des coutumes successorales et dotales en Italie,” in Peristiany, ed., *Le prix de le l’alliance en Méditerranée*, 203–223.

authorities in Italy tended to monitor these rituals or channel them toward political aims. The local ritual thereby became part of a highly developed culture of shaming in Italian cities, where the public vilification of sources of potential danger to the community—political adversaries, criminals, animals, objects—was quite common.¹⁰⁷ In some places in Italy, local *charivari* practices were preserved until the beginning of the twentieth century.

Italian Jews were not only familiar with *mattinata* practices, but also knew it by its original name. A 1630 ordinance from the Padua community, seeking to institutionalize the youngsters' behavior and monitor them during the wedding, attests to this:

Every widower marrying a widow will be required to give half a *ducati* for every one hundred *ducati* of the cash included in the dowry, half to be given to the study house to buy candle wax, and half to the young fellows from his neighborhood after they drink their coffee. The widower must deposit these coins with the community leaders on the day before the wedding. No one, whoever he may be, will be allowed to rattle with any instrument at the widower's wedding. The penalty for transgressing this order is twenty-five *ducati*, *applicati* [to be used] half for the city poor and half for the legal clerk. The said widower, after depositing the said coins, is entitled to make a declaration on this matter, proclaiming a higher fine. Parents will be liable for their children, and masters for their servants; and if the said widower fails to deposit the coins with the community leaders on the day before he steps under the canopy, anyone who so wishes will be allowed to rattle and *do him a mattinata as is the law in Padua*.¹⁰⁸

¹⁰⁷ On humiliation patterns in Italian cities, see Trexler, "Correre la terra"; idem, "De la ville à la cour: La deraison à Florence durant la République et la Grand Duché," in Le Goff and Schmitt, *Le charivari*, 165–176.

¹⁰⁸ My emphasis. Carpi, *Minutes Book of the Council of the Jewish Community of Padua, 1603–1630*, #17/50, 473. See also *ibid.*, #643, 361, minutes from 1627. For further evidence of *mattinata* practices in Jewish communities, see Oxford Ms., Bodleian Library 391, #83, 139b–140a: "A letter rejoicing with a widow who took a husband . . . a woman should not stay alone at home, without a shepherd, as a ship's mast without a beacon, no light will shine on her affairs without an honorable mate. Then will all rumors and high-speaking tongues cease, and slanderers will stop . . . and I will rejoice a widow's heart." See also New York Ms., Columbia University X893Is II, 128b–131a, a ruling stating that even when a widower marries a widow, the seven blessings should be recited. On a Jewish *charivari* song mocking a groom who was revealed as impotent, see Moscow Ms., Ginzburg Collection 735 (IMHM # 48238), 169b. For a discussion of this song and of the pressures on the groom during the first sexual act, see Roni Weinstein, "Impotence and the Preservation of the Family in Jewish-Italian Communities during the Early Modern Period" (in Hebrew), in Bartal and Gafni, *Sexuality and the Family in History*, 159–176.

Horowitz and Cohen, who first discussed the *charivari* phenomenon in Jewish Italian society,¹⁰⁹ noted the importance of this document and saw it as a further indication of opposition to the marriage of widows. Second marriages of widows were indeed a frequent pretext for these rituals. Yet, the fixed sum that the couple was required to pay the youths—half a percent of the cash dowry (“half a *ducato* for every one hundred *ducati* of the cash received in the dowry”)—was equivalent to the set payments to youths at Christian weddings, pointing to a context broader than mere opposition to the weddings of widows. This practice was also a potential component of “ordinary” weddings, which had breached no community norm. The legitimation of these practices relies expressly on traditions well known in the Christian city (“*mattinata* as is the law in Padua”). The following source may corroborate this claim:

At night [after the *kiddushin*], when Reuven *publicly* entered the nuptial room with the bride, he found that Simon was there, and he [Simon] would not leave unless Reuven gave him some sweets, *as was customary*. However much Reuven asked Simon to leave, Simon refused to go, so Reuven took his bride and both went to another room and spent the night there.¹¹⁰

The issue is a public ceremony of *kiddushin*, involving no deviation from convention. An unexpected mishap then occurred: the groom substituted an Italian formula for the conventional *kiddushin* wording, evoking doubts as to whether the proper procedure had been followed. In passing, the questioner seeking advice adds interesting details about Italian wedding practices. On the wedding night, the groom “publicly” entered the nuptial room accompanied by guests present on the occasion: family, neighbors, friends, *shoshwinim*. If we add other details to this description, known from other Hebrew documents mentioned above and from what we know about Christian weddings, we may assume that the escorts did not leave when they reached the room. Banter, sexual innuendo, music, and the singing of ritual poems continued up to the threshold, and occasionally

¹⁰⁹ Cohen and Horowitz, “In Search of the Sacred.” 242–248.

¹¹⁰ Strasburg Ms., National and University Library 4087, 489–490. At the end, the responsum states: “From me, here, in Allesandria. . . bowing to R. Menachem Samson b. Salomon Basilea.” On this rabbi, see Shlomo Simonsohn, *History of the Jews in the Duchy of Mantua* (Jerusalem: Kiryat Sefer, 1977), 538, 579–581, 622–623, 651, 696–698.

beyond it. Even then, the couple was not left alone and was exposed to an additional “attack” from the community’s youths or one of their representatives who demanded, “as was customary,” food for his other friends. This “ransom” demand, required so that the youngsters would allow the ritual to proceed properly, was made at a normative *kiddushin* ceremony between a young groom taking a young bride as his first wife.

Rabbinic reactions to these practices were not all negative. On the question mentioned above, the halakhist answered the specific question (“Is the *kiddushin* formula valid?”) and ignored other details irrelevant to his responsum. The *mattinata* practice in its Jewish version was not considered an exceptional event that could not be ignored or should be condemned in writing. Rabbis would sometimes openly praise it, even enthusiastically:

On the blaring and the *shofar* noises at the wedding of a widower marrying a widow. . . . Our sages made no “approximate” rulings, and if they allowed mirth and clowning on this matter [referring to the wedding of a widower and a widow], they allowed it all the way. . . . Hence the custom of blowing horns and trumpets and clanking and rattling since they held that, with a *shofar*, all noises are permitted. If only the questioner had written to ask about the mirth and clowning of R. Levitas¹¹¹ and how far it reached. . . . Anyone now willing to engage in such mirth would be stoned to death, since the mirth and clowning now surrounding a marrying widow is truly like a drop in the sea compared to R. Levitas’ acts. Moreover, we learn there [in the *Zohar*], in the *Mishpatim* portion, that the ghost of her first husband rattles in his wife’s entrails, because that is his place of rest and he is the one accusing and quarreling with the spirit of her second husband who now comes to join her. If the spirit of her second husband who now comes to join her vanquishes and defeats her first husband and his spirit, the spirit of the first abandons his place and leaves. . . . Hence, we should not wonder about the clowns and the noises at widows’ weddings, and we may rely on R. Levitas. *This is not a Gentile law. Quite the contrary, they learned it from us, and we should not abandon the custom of our forefathers because they have taken our customs, as they have taken may things from us. . . . Besides, no woman is a more fitting wife than a widow.*¹¹²

¹¹¹ The clowning of Rabbi Levitas is mentioned in *The Zohar, Mishpatim*, vol. 2, 104b.

¹¹² London Ms., Jews’ College, Montefiore Collection 480 (IMHM # 7281), 426b–427b. The respondent is R. Abraham Menachem Porto Ha-Cohen.

R. Abraham Menachem Porto Hacoheh was asked concerning the custom of loud music at the weddings of widows or widowers. He holds that this practice should not only be allowed, but we should also regret it is not far more popular. In line with a Jewish cultural perception that was widespread during the Renaissance, he considers the *mattinata* a practice that Christians learned from Jews.

The cultural attitude of the Jewish community to these wild practices at weddings was ambivalent, and characterized by tension. On the one hand, it accepted them and included them in the wedding day as part of mainstream Jewish traditions appearing in *The Zohar*. On the other, it feared that control of the ritual, and particularly the wedding day, would slip away from the householders and the wealthy families. In this context, adults escorting the couple to the nuptial room not only exercise a form of social control, but also represent an attempt to channel the patterns of the “youth subculture” into familiar social courses.

Showing the Stained Sheet

The sexual act was the element sealing the marriage act, and its outcome was shown to the guests. As the couple left the nuptial room, the sheet or the gown stained with the bride’s blood, proof of her virginity, was publicly exhibited. The importance of this act can only be appreciated within the context of the cultural discourse on virginity in European culture during the Middle Ages and in the early modern period. Medical literature in the Middle Ages associated virginity with the phenomenon of “hysteria” among virgins or widows.¹¹³ The cult of the Virgin Mary and the monastic ideal prevalent since the beginning of Christianity reinforced each other, enhancing the importance of both male and female virginity. Celibacy was an expression of full devotion to God’s will, of personal chastity, self-control, and inner perfection. Its outward sign was virginity.¹¹⁴ For laypersons [*laici*] and householders living in a secular environment

¹¹³ Daniel Jacquart and Claude Thomasset, *Sexuality and Medicine in the Middle Ages* (Princeton, NJ: Princeton University Press, 1988). On sexuality and perceptions of the female body, see Catherine Bynum, “The Body of Christ in the Later Middle Ages: A Reply to Leo Steinberg,” in *Fragmentation and Redemption*, 79–117.

¹¹⁴ On virginity in medieval theological perceptions, see John M. Bugge, *Virginitas: An Essay in the History of a Medieval Ideal* (The Hague: Martinus Nijhof, 1975), *passim*.

[*saeculum*], virginity is important as an expression of control over female sexuality and over the family's young daughters, before handing them over to another male protector. The loss of virginity means the loss of the young woman's previous social identity. A marriage promise, followed by a sexual relationship that led to a legitimate marriage, were a good "price" to pay for virginity. If the woman's expectations were not met, however, the loss of her virginity lowered her ability to marry a partner from her own class that would meet her family's expectations.¹¹⁵ Not only was she hurt, but so was the honor of the family purportedly charged with the protection of its grown-up daughters. After the Council of Trent, this "sign" increased its value because the taking of a woman's virginity was viewed as an act bordering on rape [*stuprum*], for which the woman was to be compensated through marriage or a dowry.¹¹⁶

The anthropologist of Mediterranean societies, Julian Alfred Pitt-Rivers, noted that, the stronger the ethos of family honor, the greater the interest in the sexual aspect of the couple's behavior on the wedding day.¹¹⁷ The marriage ritual, which brought together honorable guests and was witnessed by community members, is a crucial opportunity for protecting the family's honor at its most vulnerable point: female sexuality. Showing the sheet stained with blood provided

¹¹⁵ On the close relationship between virginity and honor, see Storr Cohen, "La verginità perduta"; Fabbri, *Alleanza matrimoniale*, 117–120. A similar phenomenon can be detected in other Jewish communities around the Mediterranean basin. See a case from Corfu in Salo Baron, "The Community of Corfu and its Organization," in *Studies in Memory of Moses Schorr*, ed. Louis Ginzburg and Abraham Weiss (New York: The Professor Moses Schorr Memorial Committee, 1944), 36, a ruling issued by the Italian community in Corfu in 1686: "Mrs. Leah, widow of the late Mr. Samuel Senior, the son of the honorable Don Emmanuel Senior, rose up on the Rosh Hashanah prayers as they were taking out the Torah scroll [in order to suspend the ritual of the reading] crying with distress and complaining to the community leaders and to the rabbi about Abraham b. Haim Pipi. She said that she had left her virgin daughter Sarah in his home when she had accompanied her sister to Naples, and upon her return had found her [the daughter] pregnant. . . ." The ruling stated that the restitution of the daughter's honor would be accomplished by providing her with a dowry, thus enabling her to marry another man.

¹¹⁶ Alessi, "Il gioco degli scambi."

¹¹⁷ Julian A. Pitt-Rivers, "Amitié et autorité: jardins moulins et relations sociales dans un village andalou," in *Les sociétés rurales de la Méditerranée*, ed. Bernard Kayser (Aix-en-Provence: Edisud, 1986), 22–35; idem, "Mariage par rapt," in Peristiany, *Le prix de l'alliance en Méditerranée*, 53–71. For an instance of a symbolic re-enactment of the tearing of the hymen during the marriage ceremony, see Giulia Sissa, "Subtle Bodies," in *Fragments for the History of the Human Body*, ed. Michel Feher, Ramona Naddaff, and Nadia Tazi, vol. 3 (New York: Zone Books, 1990), 143–154.

ultimate proof of the men's ability to protect the women of the household and preserve the bride's virginity until the wedding day. The power of this practice lies in its common adoption by several religious and ethnic groups in the Mediterranean basin.¹¹⁸ A further advantage, from a male perspective, was that it offered proof of the man's sexual prowess. The public display of virility was necessary not only for a proper family and for reproductive life, but was also crucial for the groom's social image and his honor as a young man. The stained sheet attested that the groom had won a virgin bride and that, when agreeing to be her partner, had not forsaken his honor.

The practice of presenting the stained sheet is documented in Jewish Italian society already in the ninth century,¹¹⁹ and is described in a ritual poem by Amitai ben Shefatyah:

How fitting for the groom on his wedding day
 To show the purity of his wife's virginity,
 With bowed head, the witnesses to his *ketubbah* sign
 And delight in his joy,
 Until he leaves his canopy.

According to this testimony, the groom signed the *ketubbah* only after he himself had verified his wife's virginity and shown proof of it to those present. This practice is incompatible with halakhic instructions to "consummate" the marriage only after the *kiddushin* and the delivery of the *ketubbah* to the bride. A similar custom was preserved in Greek communities at least until the seventeenth century. The *kiddushin* was considered the decisive stage of the ritual, after which the seven blessings are recited, the couple consummate the marriage and then enter the canopy to deliver the *ketubbah*. The core of the ritual then—the *kiddushin* blessing, the sexual union, the seven blessings—all preceded the *ketubbah* and the ceremony under the canopy.¹²⁰

¹¹⁸ Yom-Tov Assis, "Sexual Behavior in Medieval Hispano-Jewish Society," in *Jewish History: Essays in Honor of Chimen Abramsky*, ed. Ada Rapoport-Albert and Steven J. Zipperstein (London: P. Halban, 1988), 33; Cecil Roth, "Sumptuary Laws of the Community of Carpentras," *JQR* 18 (1928): 357–383.

¹¹⁹ Ta-Shma, "A Maimonides Responsum on the Virginity Blessing," 13.

¹²⁰ On the Greek custom to allow the couple privacy [*yihud*] after the betrothal, see Asaf, "Family Life of Byzantine Jews," 99; Bornstein-Makovetsky, "Life and Society in the Community of Arta in the Sixteenth Century," 126–155. On Sephardi weddings in Greece, see Friedhaber, *Dance in Jewish-Mediterranean Communities*, 77–82, 92–138.

The Female Response

These practices had long disappeared in Italy by the early modern period, when sexual intercourse after the blessings and the delivery of the *ketubbah* became the institutionalized norm. Adult men supervised the wedding day very closely, since crucial family interests were at stake. Concerning the examination of virginity, however, not only after the sexual act but mainly before, the women retained a special role. Older women carefully prepared the first sexual encounter: they examined the bride, spread the sheet, examined it, and presented it to others after the couple's sex act:

*In order to dismiss any doubts or suspicions evoked by past rumors, these dear women, the bride's relatives, called the groom's mother and sister and said to them: "Please, search and examine the nuptial bed well," which the groom's mother and sister did. They themselves removed the sheets, the pillows, the covers, the bed, and everything else there, considering every possible conceit.¹²¹ They also took out from the box [the *cassone* the bride had used to bring her dowry] two sheets, and examined them well, and they themselves carefully made the bed and arranged everything. They also took out from the box a white gown which they chose and carefully inspected, and they themselves undressed the bride, and presented her naked upon the bed and dressed her in the gown they had examined, ensuring themselves no fear or suspicion of fraud or trickery were involved. The groom then entered the room and lied on the bed with his dove, his undefiled, whom he found pure, after the examination he himself conducted.¹²²*

¹²¹ Rashi on TB Menahoth 41a, s.v. "*ela hakhi ka'amar lei, tazdekei lemiftar. . .*" *Tazdekei* means conceit or trickery.

¹²² London Ms., Jews' College, Montefiore Collection 94 (IMHM # 4609), 48a-54b, a responsum from R. Abraham Provinzallo, 1546. For extensive discussion of this source, see ch. 4 above. For other instances of female control in the course of the wedding ceremony, see New York Ms., Columbia University Library X893T67, #74, a case from 1511: "And the said Obadiah brought them [the *kiddushin* witnesses] to the court of the Duke of Urbino, may he live a long life, and told them: 'Stay and see, for I wish to perform *kiddushin* with Hannah (with whom a match has been arranged for me) by intercourse.' He then showed them a sheet, all white and unstained, and the aforementioned Hannah went past and they knew her well. She entered a room with a lady in waiting, and the lady called the aforementioned Obadiah and let him in, and before entering he told them: 'Be witnesses, and understand well that I intend to betroth her by intercourse.' And they saw the three of them, that is, the lady in waiting, the aforementioned Obadiah, and the aforementioned Hannah, all of them together and no one else with them. . . . They [the two *kiddushin* witnesses] stayed there for about half an hour, and later Hannah came out, and the witnesses recognized her, and they entered the room right away and found the aforementioned Obadiah who had betrothed her by intercourse . . . and

Past rumors about a young woman surfaced toward the wedding day. In order to dispel them, careful and strict control of the preparations toward sexual intercourse was required. In passing, we are provided with a detailed description of the role of female relatives and “dear women” on the night of the wedding: they took off the sheets, spread new ones, undressed the bride naked and dressed her in the gown that would remain on her when engaging in sexual relations. This testimony might be thought atypical rather than normative. Another testimony shows that the women’s involvement in the events on the nuptial bed was not exceptional. The *loʿazim* tended to resort to the testimony of experienced women in ordinary, “legitimate” marriages:

Concerning a young man . . . who married a young woman and then claimed he found she was not a virgin. He clearly repeated that no stain was found on the first, or the second, or the third time, either on her robe or on the sheets on which they had lain. He also said she did not deny this, and he also said some of the women who checked, found no signs of blood anywhere . . . *I was also told that, in the case of this groom, no previous inspection had taken place, as is usually the custom among the loʿazim. The loʿazi practice is to call five women who inspect the sheets and the bride’s gown to see that no deceit is involved, and this one was examined only by one woman and by her mother-in-law.*¹²³

The groom claimed that the bride was not a virgin on her wedding day. Further corroboration was the absence of expected bloodstains on her gown or on the sheets. This is not the individual report of a man seeking for pretexts to divorce his wife. Other women confirm his testimony, and even his wife “does not deny this.” *Prima facie*, this should have been sufficient to enable the court to rule against the woman, who was not a virgin on her wedding day. The rabbi, however, ruled against the groom, because he did not seek assis-

they saw no other sheet, and recognized the signs of the sheet he had shown them earlier”; *ibid.*, #150; *Letters of Rieti Family*, #98, 138–140. See also Abraham Menachem b. Jacob Cohen Rafa, *Minhah Belulah*, 189a: “We learned that a woman should not address the court herself but the girl’s father [should do so instead], so that she should not be ashamed and especially in front of her husband . . . formerly, they would place the groom and bride into the room and the witnesses would wait outside . . . and when they separated, the witnesses would enter and take the robe on which they had laid and show [or see] the blood.”

¹²³ My emphasis. New York Ms., Columbia University Library X893T67, #149. See also *ibid.*, #63.

tance from an established and recognized social agency: five experienced women. They would have carefully examined the groom and the bride before and after the sexual act, to ensure no trickery had been involved. The testimony of two women is not sufficient evidence of the groom's accusation, even more so when one is the groom's mother and her testimony is thus suspicious.

When this groom or others like him required evidence concerning the bride's virginity, identifying these experienced women was easy. These "dear women," "old women," or "wise women" also dealt with problems of family purity or fertility. In cases of girls who claimed to have lost their virginity when "hit by a tree" [*mukat ets*], or when male impotence was suspected, people approached them at the same time that they sought help from male doctors.¹²⁴ They transmitted the accumulated lore or practice from generation to generation. These women enjoyed a strong position because of their precise knowledge about the intimate life of couples in the community.¹²⁵ The wedding ritual brings to the surface the powerful status of women in early modern Jewish society as those responsible for the wondrous and awesome realm of fertility and birth, virginity, and honor. Not only families and individuals turned to the "wise women": Italian rabbis conferred legitimation on them by the very appeal of the rabbinic authorities for their testimony on "blood issues," parallel to their consultation with professional doctors, obviously men.¹²⁶

The process of increasingly excluding women from medical fields

¹²⁴ Weinstein, "Impotence and the Preservation of the Family," 167–172.

¹²⁵ Elderly women knew precise details about the intimate life of younger women. See, for instance, Oxford Ms., Bodleian Library 36 (IMHM # 20358), 13a, a case from Reggio 1670, where women testify in court about sexual relations between a young man and a woman prior to their marriage.

¹²⁶ London Ms., British Museum 27127 (IMHM # 5802), #76, 129b–130b: "I was asked by a God-fearing man what to do about his wife who, several times after intercourse, 'found' blood . . . and they [the couple] told the doctors, but to no avail, [and they also told] old women skilled in this matter who are all [religiously] strict about it . . . and I [the respondent] asked advice from the famous doctor Benjamin Portaleone." On the "famous doctor," Benjamin b. David Portaleone [*Sha'ar Aryeh*], see Simonsohn, *History of the Jews in the Duchy of Mantua*, 142, 365, 404–405, 537, 646, 648. See also Azriel Dienna, *Responsa*, vol. 1, #147, 474–476: "I have asked for the advice of elderly, dear, and righteous women, one Ashkenazi and one French, and showed them the evidence [stained clothes]. . . . and [what they said] supports our position, for these elderly righteous women say that they would have seen themselves exempted had they seen anything like this."

that had hitherto been considered distinctively female, which was then unfolding in Christian society, is apparently not evident in Jewish society.¹²⁷ The removal of female healers and midwives served the needs of the Church and the interests of male doctors. It relied on a legal ban forbidding women to engage in these pursuits, parallel to the institutionalization of medicine as a male career. Male doctors described female knowledge and experience concerning sexuality and fertility as a collection of superstitions bordering on magical traditions or practices. Toward the end of the sixteenth century, women's power to testify before doctors or before ecclesiastical courts had considerably declined in Europe. In Jewish Italian communities, however, women retained their authority on issues of fertility, birth, or family purity. *Patresfamilias*, doctors, and rabbis still turned to them as "wise women" and accepted their testimony in court.

The Return to the Community

The Week of the "Seven Blessings"

No specific or clear-cut moment marks the end of the marriage ritual. A brief interim separated the intensive activity around the wedding celebrations and the everyday life that would follow. Several minor, secondary celebrations brought the man and the woman into the social circles that would be their surroundings as a married couple. The end of the ritual, then, just like its starting point, remains blurred and undefined.

For seven days after the wedding, the days of the "seven blessings," the couple had a possibility of meeting local people—neighbors, friends, and relatives living in the community. The appearance of new guests, or "new faces" in talmudic parlance,¹²⁸ allowed them to reconstruct the wedding, in small-scale, in a series of minor celebrations. At times, these "new" faces were indeed new guests who

¹²⁷ See the fascinating article by Jole Agrimi and Chiara Crisciani, "Savoir mental et anthropologie religieuse: Les représentations et les fonctions de la *vetula* (xiii^e-xv^e siècle)," *AESC* 48 (1993): 1281-1308.

¹²⁸ On the seven festive days following the wedding, see Bonfil, *Jewish Life in Renaissance Italy*, 262-263; Ariel Toaff, *Il vino e la carne: Una comunità ebraica nel Medioevo* (Bologna: Il Mulino, 1988), 26-28.

had come from out of town especially for the occasion. Rules of hospitality required the families of the groom and bride to host and feed these guests before the wedding, and not send them away immediately after. Traveling out of town was not easy, and their arrival was an unusual opportunity to spend time together.

These celebrations brought together several groups in the community, on which the young couple depended for their everyday life. These groups, therefore, marked the parameters of their membership. Leon Modena provided important evidence on what Italian Jews found acceptable: "The practice in some places is that the groom stays at home for seven days, from the day of the wedding, and is joyful and happy in the company of his friends. This is the widespread custom, and it may vary slightly in different cities in Italy."¹²⁹

Conjugal life did not begin with the conclusion of the marriage ritual. The wife's ritual impurity after the show of blood is noted as the reason for her separation from the groom. The groom was with his male "friends"—*shoshvinim*, neighbors, relatives, and especially youths his age, who had been his companions throughout his single years. The woman, of course, was in a parallel female circle. The atmosphere in the separate male and female surroundings during the week of the seven blessings evoked and continued the "big" event of the wedding day through a series of minor celebrations. A time of "fun and pleasure," when the groom does not work and enjoys an unusual relationship with his immediate surroundings, is typical of the transition period between a state of bachelorhood and membership in youth groups, and the married state that detaches the man from his former friends.¹³⁰ The renewed meeting between the groom and bride took place in the synagogue, on the Sabbath after the wedding.¹³¹ They came in and left escorted by two separate processions.

¹²⁹ Modena, *Historia de'riti ebraici*, 87.

¹³⁰ The fears of a group of youngsters that one of their members, who is about to marry, will draw away from them, is reflected in a letter they address to him. See New York Ms., JTS D456, #139, 62a: "Remember that, after being in the tent of the fine gazelle you are taking, you will forever be inspired by her love, you will not be able to go out and will cling to her, because that is what young men do. Therefore, brother . . . lead your chariot today to come and celebrate these happy days with us . . . and spend some days in our company. . . ." See also *ibid.*, #123, 56b, a letter exchange between young men, one of whom is already married.

¹³¹ Leon Modena, *Historia de'riti ebraici*, 87: "On the following Sabbath [after the

The “split” of the wedding celebration into several minor ones, smaller in scope and in the financial and cultural investment required, was not exceptional in the wedding traditions of various areas in Europe, and particularly in Italy.¹³² In the fifteenth-century Christian wedding ceremony in Florence, the bride would usually return to her family’s home after the first night, and then arrived finally to the husband’s house accompanied by a special festive procession.¹³³

The Sabbath After the Wedding at the Synagogue

After their first sexual encounter and their separation, the couple’s first meeting often took place at the synagogue on the Sabbath of the seven blessings. Whereas the house was the focus of developments during the matchmaking-*tenaim-kiddushin*-wedding stages, the synagogue is the fittest venue for welcoming the couple into the community, due to all the public activities taking place there, and the mixture of sacred and profane.¹³⁴ The synagogue, which served as a focal place of identification for each of the different congregations within the community, was also the public arena for such events as “suspending prayer,” power contentions, hanging slanderous posters, “marked” seats, and shaming rituals (as discussed extensively in Chapter Four above).

The ways in which the community marked the reception of the new couple on the Sabbath after the wedding reflected their status.

wedding], the groom goes to the synagogue in the morning, and so does the bride accompanied by women. . . . After prayers, the people [the men] accompany the groom and the women accompany the bride to the houses, and they congratulate one another.”

¹³² On the phase of integration into the community, following the wedding ceremony, see Greilsamer, *L’envers du tableau*, 165–187.

¹³³ On the woman’s return to her family home after the first sexual act, before her final move to her husband’s home, see Klapisch-Zuber, “Zacharias, or the Ousted Father,” 189–190.

¹³⁴ See Kenneth Stow, “Outmarriage and Immigration: Sixteenth Century Roman Jewry” (in Hebrew), *Pe’amim* 51 (Spring, 1992): 99–106; Anna Esposito, “La comunità ebraica di Roma prima del sacco (1527): Problemi di Identificazione,” *Henokh* 12 (1990): 165–189. On the importance of the synagogue in the Sephardi diaspora in Turkey, see Joseph Hacker, “The Sephardi Exiles in the Ottoman Empire during the 15th–18th Centuries” (in Hebrew), in *The Jewish Sephardi Diaspora after the Expulsion*, ed. Michael Bitbul et al. (Jerusalem: Zalman Shazar Center, 1993), 27–72; Yaron Ben-Naeh, *The Jewish Society in the Urban Centers of the Ottoman Empire during the Seventeenth Century (Istanbul, Salonica, Izmir)* (in Hebrew), (Ph.D. Dissertation: Hebrew University of Jerusalem, 1999), 215–233.

Any deviation from the usual ritual course was perceived as a serious affront. The message on such occasions, even if only implicit, left no room for doubt:

I was asked to issue a ruling on the case of an aged, elderly widow who had a married son from her first marriage. After remaining a widow for many years, she changed her mind and became engaged to a young fellow who lived in her city. Her son was greatly angered by this, and they had many arguments about it. After realizing that he could not dissuade her and this was her wish, he thought that, since the synagogue was in his home, he would show his disapproval of the groom and bride on their wedding day by making the community abstain from following the city customs regarding all grooms. The usual practice was to sing ritual songs and preach homilies when the groom was called to the Torah, and when reading the portion from the prophets on the Sabbath of a wedding [on the first Sabbath after the wedding]. The son claimed he was the *mara de-atra* [the owner of the place], and could do whatever he wished at his synagogue. The other members of this holy community pointed to the agreement that all had signed, including the son, stating that his ownership of the synagogue would continue, but so would the customs of their forefathers, and they could not change this at all. Hence, the groom as well as all other members of this holy community argue that he [the son] has no authority to change any custom, and particularly the custom of calling a groom to the Torah *with all due honors, as is proper and as done everywhere, according to local practice . . .* Since the son cannot bear the sight of his mother belonging to another man, all he can do is leave them and go to another land. But *he should not affront her honor because of this or any other reason, and no greater affront could be inflicted on his mother and her husband, whom he is committed to honor.* He should thus refrain from this in front of them . . . so that others may not behave improperly toward them and fail to honor them *as they would honor even the humblest of grooms on his wedding day and on his day of joy, by showing them contempt and anger. . .* Whoever seeks change negates the honor of the Torah, repudiates our forefathers' customs, and increases dissension in Israel since he *publicly shames his fellow, wishing to separate him from the rest of the community so that he will not be honored, as are all other grooms.* You have no greater instigator than the one who seeks a quarrel and, worse yet, with those he is obliged to honor. *As if failing to honor them were not enough, he also seeks their repudiation and ruin, which is certainly unforgivable.* Hence, whoever protests against this and preserves the holy practice is to be praised.¹³⁵

¹³⁵ Jerusalem Ms., Ben-Zvi Institute 4044 (IMHM # 27710), 27a–28a. For a slightly different version of the same query, see Budapest Ms., Kaufmann Collection 159, 96.

The marriage of an elderly widow, particularly to a single, younger man (“an aged, elderly widow who . . . became engaged to a young fellow”), was a clear reason for a *charivari/mattinata* ritual at the wedding. These marriages threatened the status of children from previous unions. The deviance from unwritten norms caused uncontrollable rage in the widow’s son, who felt that his mother’s wedding had offended his honor, and he reacted immediately by depriving the groom from his ritual rights on the Sabbath of the seven blessings. The wording of the question recurrently emphasizes that the son was not motivated by fears about his status in the family or about his assets, but by the affront to his honor. In response, he intended to exploit his position as the synagogue’s *mara de-atra* and inflict shame [*vergogna*] on the groom. His reaction as a man overrode the halakhic duty of respect to his mother (and stepfather). *Prima facie*, the struggle focused on a number of negligible, ritual changes in the Sabbath morning prayers. But the wedding guests, the marrying couple, and the congregants understood the harsh and relevant meaning of the social message. Depriving the couple of their ritual rights meant that their integration in the congregation could be fraught with problems from the start.

As during holidays or celebrations—such as the New Moon, a circumcision, or calling a bar-mitzvah boy to the Torah—the liturgy at the synagogue changed on the Sabbath after the wedding.¹³⁶ The changes included the cantor reciting liturgical poems, honoring the groom by calling him third to the Torah (after the priest and the levite), “alphabetical” songs between verses, reading from Isaiah in the concluding reading from the prophets, greeting the groom when he returned to his seat, reciting a congregational blessing for the groom. In some places, the custom was to take a separate Torah scroll from the ark, for the groom to read on that Sabbath.

¹³⁶ Parma Ms., De Rossi Collection 2588, 67a–68a: “When a marriage is performed on a regular Sabbath, which does not coincide with a circumcision or a New Moon and the like, and includes no other innovation except for the marriage, prayers on the eve of the Sabbath are conducted as on any other night. . . .” For further descriptions see Parma Ms., De Rossi Collection 3530, 192b–194a; Jerusalem Ms., Schocken Institute 66 (IMHM # 45512), 27a–29b; Parma Ms., De Rossi Collection 3008(959) (IMHM # 13732), *Seder Hatanim*, 390a–391a; Paris Ms., Bibliotheque National 599 (IMHM # 11472), 137b–139a; London Ms., Jews’ College, Montefiore Collection 217 (IMHM # 5187), 301b–303a; Leon Modena, *Historia de’riti ebraici*, 85–88.

During the ritual, the *shoshvinim* escorted the groom not merely by their presence but by their own parallel ritual performance. All the *shoshvinim* were called to the Torah, even if each was allotted only a few verses from the Torah portion. They sang with him, received a congregational blessing after the groom, and, like him, donated to charity. This event marked the height of the ritual identification between the groom and the *shoshvinim*, which had begun with the wedding procession. The ritual message at the synagogue emphasized social legitimation as a crucial element; the *shoshvinim* were the social identity card of the groom's past, and of the future awaiting him as a married man. During that entire Sabbath, the attitude to the groom was as to a privileged ritual figure, a king:

I remember noting in many holy communities that, on the Sabbath of the wedding, the groom is ruler and master. He decides how to do the honors, or the order of calls to the Torah, or how to dispense charity, since this is his feast and the groom is as a king. And whoever wishes to change this practice . . . is unfair . . . and the groom and his *shoshvinim* contribute generously in the groom's honor.¹³⁷

The description of the groom "as a king" is already found in the Midrash, particularly in order to justify the groom's exemption from work.¹³⁸ In Italy, "royalty" awarded the groom extensive ritual rights in the course of the Sabbath prayer, and he was allowed to decide who would be called to the Torah. The charity monies contributed during the ritual also "belonged" to him, and he was allowed to destine these sums to causes he considered worthy. This ambivalence between seriousness and fun, between calls to the Torah and the distribution of money (and possibly other unrecorded ritual rights) added a playful note to the prayers on the Sabbath of the "seven blessings."¹³⁹ A parallel phenomenon can be detected in European

¹³⁷ Jerusalem Ms., Ben-Zvi Institute 4044, 27a–28a. See also Budapest Ms., Kaufmann Collection 152, 84–85.

¹³⁸ In the midrashic tract *Pirkei de-Rabbi Eliezer* (Warsaw: n.p., 1852), ch. 9, the similarity between the groom and the king is mentioned in order to justify exempting the groom from work. On the expansion of the analogy to include the groom's fast during the wedding day and the wedding banquet, see Glick, *Light has Dawned*, 88, 141.

¹³⁹ A similar mood may have prevailed in the synagogue on the Sabbath before the wedding. See Bonfil, *Jewish Life in Renaissance Italy*, 262: ". . . they [the wedding guests] would plan to arrive on Friday before the wedding so as to be present at the solemn ceremony in honor of the groom celebrated next Saturday in the synagogue. . . ."

contemporary games; the winner at parlor games was called king and was entitled to specific ritual privileges. Leaders of youth groups and carnival organizers were also given executive titles such as “king,” “duke” or “bishop.”

The Wedding Day: Rich and Poor

The evidence about the wedding day in early modern Jewish communities in Italy shows a definite bias toward patterns common at weddings of the rich. In passing, we learn about the material objects that rich people used on the wedding day, about the substantial material investment in a brief period, and about the patterns through which the Jewish elite tried to differentiate itself from the rest of the community. No other stage in the long marriage ritual shows such a clear gap between patterns common among the rich and educated, as opposed to those adopted by the majority of the Jewish population.

The Wedding Banquet

The wedding meal was the most important tool for conveying the honor of the families according to their ability to feed the guests “as befits his and her honor,” namely, the groom and bride, who represent the honor of the entire family.¹⁴⁰ Through food, the hosting families revealed not only their wealth but also their ability to share their affluence with others. Food expenditures were a significant component of the wedding day costs. Hence, sumptuary laws dealing with wedding expenses generally imposed limitations on the number

¹⁴⁰ See New York Ms., JTS 3924 (IMHM # 29729), *tenaim* writ from 1662, no pagination: “The expenses of the wedding banquet will be covered by Mordecai, as befits his honor and her honor, from his own money and his own pocket”; Oxford Ms., Bodleian Library 1418 (IMHM # 22442), *Tif’eret Bahurim* [The Glory of Youth], a guidance manual for young men about to marry, ch. 7, 20a: “All halakhic authorities have agreed that if the groom does not wish to hold a wedding banquet, the bride’s family can compel him in a court-of-law to arrange for a banquet according to his honor and her honor”; Budapest Ms., Kaufmann Collection 106, commentary of Abraham Graziano to *Shulhan Arukh* 72–73, *Even ha-Ezer* #339: “Should the groom not wish to hold a wedding banquet according to his honor and her honor, this would bring him disgrace . . . since she [the bride] rises with him and does not descend [in honor] with him. To prevent the disgrace, therefore, they will come to compel him.”

of guests and on the amount of money spent on food.¹⁴¹ This use of food to enhance family status in Jewish communities in Italy resonates with echoes of Christian wedding customs.¹⁴² Abundant and varied food at the wedding feast is the most significant expression of magnanimity, and of a largesse based on the chivalry ethos. In urban Christian society as well, generosity in food is a sign of the links between patrons and clients.¹⁴³ The Christian influence is also evident in the emphasis on refinement and variety in the food, sometimes including up to twenty different dishes, and in the use of exclusive and expensive tableware:

Tell us all about the size of these feasts and their costs. I already know about all those calves and foals that you said were served in gold trays and bowls, as if they were sacrificial offers brought before the said notable, with wine served in gold vessels. All will pale by comparison with the wonders to be shown on the days of the feast. Light will then shine upon all the guests sitting before him for the first time, and the ears of the deaf shall be unstopped,¹⁴⁴ he will leap as a hart.¹⁴⁵ Passover, *Purim*, all the festivals, and the *Hanukkah* of the Hasmonean and his sons, will no longer be remembered—no room for the small where the great dwell.¹⁴⁶

¹⁴¹ Carpi, *Minutes Book of the Council of the Jewish Community of Padua, 1603–1630*, #684, 377–378, restricting the number of guests. See also *ibid.*, #17/34, 469, limiting the amount of food to be served; #17/53, 475, restraining the extent of the support provided to poor brides; Boksenboim, *Minutes Book of the Jewish Community of Verona*, vol. 2, 1584–1600, #521, 451; vol. 3, 1600–1630, # 244, 185–190.

¹⁴² On the closeness created between the wedding host providing food and his guests, see Abrabanel, *Commentary on the Torah*, Genesis, 322b: “Laban gathered all the local people and held a banquet in honor of the wedding. In the middle of the night, he brought his daughter Leah and placed her under the canopy. And pay attention [addressed to the reader] to Laban’s deceitfulness, that for Leah’s wedding he gathered all the local people and made a banquet for them, but he did not do so for Rachel’s wedding. Had Jacob wanted to divorce Leah [whom he had married through her father’s deceit] when he became aware of the fraud, *he would have been rebuked by all the people who gathered for his wedding and ate with him*, and this might prevent him from divorcing her. Regarding Rachel, however, due to Jacob’s great love for her. . . he [Laban] did not act cunningly to hold a banquet for her, nor did he gather all the local people for the wedding.”

¹⁴³ For an example of a patron who, at his expense, feeds a sports team representing the neighborhood in fist fights on Venice’s bridges, see Davis, *The War of the Fists*, 131–140.

¹⁴⁴ Isaiah 35:5.

¹⁴⁵ *Ibid.*, 35:6.

¹⁴⁶ *Letters of Rieti Family*, #98, 138–140. See also Budapest Ms., Kaufmann Collection 540, 115–116: “You excelled at the wedding of your son, may God keep him and watch over him . . . as far as I was told and as my elder son confirms, telling me

All of Europe imitated then the refined Italian table of the sixteenth century, both in its ingredients and in its manners. The eating patterns characteristic of medieval aristocracy, in which quantity had been more important than quality, were replaced by a new emphasis on types of food, cooking methods, spices, and elegant presentation. Food is one more element in a lifestyle that consistently encouraged refinement throughout: in clothing, personal hygiene, body movements (walking, sitting, concealment of the body's "ugly" parts), and the use of personal and household objects stressing the aesthetic.¹⁴⁷

Wedding Poems

Many wedding poems were written in Italy during the sixteenth and seventeenth centuries. A wedding poem is written for a specific, one-time event, meant to be read only at the wedding for which it was composed. The broad diversity of these poems, both in the range of their genres and in their numbers, makes them a central component of non-liturgical contemporary Italian poetry.¹⁴⁸ Most of these poems were written by professionals commissioned for this purpose, while a few were written as personal gifts to the couple.¹⁴⁹ Some

I have not been told half of what was on Your Honor's tables, and the number of servants, and the food served to the distinguished guests. . . ."

¹⁴⁷ On the civilizing of table manners in Italy, see Piero Camporesi, *La terra e la luna: Alimentazione, folklore, società* (Milano: Garzanti, 1995); idem, *L'officine des sens: Une anthropologie baroque* (Paris: Hachette, 1989); Allen J. Grieco, "Les plantes, les régimes végétaires et la mélancolie à la fin du Moyen Ages et au début de la Renaissance italienne," in *Le Monde végétale (xiii^e-xvii^e siècle): Savoirs et usages sociaux*, ed. Allen J. Grieco, Odile Redon, Lucia Tongiorgi Tomasi (Saint Denis: Presses Universitaires de Vincennes, 1993), 11-29; Jean-Louis Flandrin, "Les légumes dans les livres de cuisine française du xiv au xviii siècle," in Grieco et al., *Le Monde végétale*, 71-85; idem, "Distinction through Taste," in Chartier, *A History of Private Life*, vol. 3, 265-307.

¹⁴⁸ Dvorah Bregman, "Changing Stylistic Trends in Hebrew Poetry in Italy" (in Hebrew), *Tarbiz* 61 (1992): 505-525, esp. 518, and Joseph B. Sermoneta, "Due Canti nuziali di Rabbi Yaakov Joseph Caivano" (in Hebrew), in *Scritti in memoria di Enzo Sereni*, ed. Daniel Carpi, Attilio Milano, Umberto Nahon (Jerusalem: Fondazione Sally Mayer, 1970), 189-192.

¹⁴⁹ On writing a wedding song as a marriage gift, see Oxford Ms., Roth Collection 701, miscellanea of Salomon of Candia, 28a: ". . . a gift sent to rejoice the bride and the groom, the kind and lovely fellow. . . and his mate, Miss. . ." See Cohen, *The autobiography of a Seventeenth Century Venetian Rabbi*, 160-162, stating that one of Leon Modena's various occupations had been writing "poems for weddings and gravestones."

contemporary *ketubboth* included wedding poems or ritual poems by famous writers, which local practice had adopted.¹⁵⁰ This poetry lost its popular character during the seventeenth century, and became the hallmark of a limited oligarchic circle,¹⁵¹ due to the limitation of erudition to a small group, a significant reduction in the standards of Hebrew knowledge, and the economic polarization of the ghetto. Religious elements were removed and replaced by cryptic, elaborate formulations in the spirit of baroque poetry. Unlike the situation regarding other Jewish traditions, hardly any record has remained of popular wedding poetry in Italy,¹⁵² since the cultural elite thought that only its own refined products deserved the title of wedding poetry.

Wedding Riddles

Wedding guests often received a printed page with a riddle they were asked to solve during the meal. Wedding riddles were a game with clear rules, familiar to the participants. The riddle included a written text (“the form of the riddle”), and beside it a painting hinting at the solution (“the painting of the riddle”). The riddle had only one solution, and only the author of the riddle, or someone the author had appointed, was allowed to determine whether it had indeed been solved. A prize awaited the riddle solver, contributed by the families or by one of the honored guests present at the wedding. Riddles were written separately for every wedding, and included hints related to the names of the groom and bride¹⁵³ or topics central to the wedding day.

¹⁵⁰ Sabar, *The Beginnings and Flourishing of Ketubbah Illustrations in Italy*, 217–232; Moses Gaster, *The Ketubbah: A Chapter from the History of the Jewish People* (Berlin: Rimon, 1923), 52–53; Guttman, *The Jewish Life Cycle*, 12–18; Liliana Grassi, ed., *Italian Ketubboth* (Milano: Associazione Italiana Amici dell’università di Gerusalemme, 1984), 235–240.

¹⁵¹ Sermoneta, “Due Canti nuziali”; Robert Bonfil, “Change in the Cultural Patterns of a Jewish Society in Crisis: Italian Jewry at the Close of the Sixteenth Century,” *Jewish History* 3, 2 (1988): 11–30, esp. 18–21.

¹⁵² On popular wedding songs, with marked sexual overtones, see Friedhaber, “Dance in Ashkenazi Jewry as reflected in the Ethical Literature,” 22; Assis, “Sexual Behaviour in Medieval Hispano-Jewish Society,” 33.

¹⁵³ Dan Pagis, *A Secret Sealed: Hebrew Baroque Emblem-Riddles from Italy and Holland* (in Hebrew) (Jerusalem: Magnes Press, 1986). Marriage riddles was one of the elements to be remembered and reported in letters to those who had not attended the wedding. See *Letters of Carmi Family*, #97, 119.

The riddle, in various forms, has been known since biblical times and continued in the Midrash.¹⁵⁴ During the Middle Ages, particularly under Moslem influence, Jewish society developed a long tradition of riddles.¹⁵⁵ As for its linguistic variety, its inner complexity, and the social interest it evoked, this genre unquestionably reached its peak in the early modern period. Verbal riddles lacking all visual elements were known in Italy from the beginning of the sixteenth century, some daring and blatant in their themes and wording.¹⁵⁶ “Popular and learned” riddles were common during the holidays, particularly on *Purim* and on festive occasions. According to Dan Pagis’ comprehensive study, however, the Italian riddle combining a text and an illustration began at the Jewish-Spanish community in Amsterdam, from where it moved to Italy with the arrival of Jewish-Spanish immigrants. The first record of a form riddle in Italy dates from 1647, in an anthology of echo songs.¹⁵⁷

The *lo‘azi* wedding riddle became part of the milieu of parlor games, puns, and wordplays that became increasingly popular in Europe in the sixteenth and seventeenth centuries. Riddles are known in popular culture as a way of conducting dialogues about love between men and women, or as part of the courtship culture that enabled youths to express their mutual feelings and wishes through preset formulae and puns.¹⁵⁸ The refined parlor games of urban high society and princely courts in Italy, however, created a separate cultural world from that of lower class games. The game underwent a

¹⁵⁴ Galit Hasan-Rokem, *Web of Life: Folklore and Midrash in Rabbinic Literature*, trans. Batya Stein (Stanford, Ca.: Stanford University Press, 2000), especially ch. 3.

¹⁵⁵ On medieval Hebrew riddles during the Middle Ages, see Abrahams, *Jewish Life in the Middle Ages*, 384–387.

¹⁵⁶ Dan Almagor, “A ‘Pornographic’ Riddle-Song of a Poet and Rabbi of the Sixteenth Century. A Riddle of A Father and his Three Daughters, or the Rabbi, the Father and his Three Daughters. First Publication of Four Poets by R. Joseph Sarfati” (in Hebrew), *Moznayim* 70 (1996): 27–30; Pagis, *A Secret Sealed*, 81–83.

¹⁵⁷ Pagis, *A Secret Sealed*, 27–28, where he also states that “It appears to me that the first to compose an emblem-riddle was R. Moses b. Mordecai Zacuto (Ha-Ramaz), one of the leading contemporary kabbalists, halakhists, and poets.”

¹⁵⁸ On the riddle as part of the game culture of the European Renaissance, see Madelaine Lazar, “Ventes et demandes d’amour,” in *Les Jeux à la Renaissance*, ed. Philippe Aries and Jean-Claude Margolin (Paris: J. Vrin, 1982), 133–149. In the same volume, see also François Lecerclé, “Innocenzo Ringhieri et le Petrarquisme,” 185–200, and Valerio Marchetti, “Le desir et la regle: Recherches sur le ‘Dialoghi del Giocho’ de Girolamo Barbagli (1572)” 163–183. On the riddle in other cultural contexts, see Galit Hasan-Rokem and David Shulman, eds., *On Riddles and Other Enigmatic Modes* (New York: Oxford University Press, 1996).

formalizing process, with participants agreeing to abide by preset rules. Games were led by a “game master” [*Signore del Gioco*], who presented the riddles to the participants and decided who was the winner.¹⁵⁹ The riddle, according to Jose Antonio Maravall’s description, is an important element of baroque culture.¹⁶⁰ Tension and release, a tendency to manipulate the feelings of spectators and listeners, and a yearning for the dark and the mysterious, are known from other dimensions of this culture as well. As handled by Jesuit teachers in Italy, the riddle became a first-order educational tool. Moses Zacuto and others pointed to the power of the riddle to shape consciousness and be part of children’s education.¹⁶¹ More than a game, the riddle is a metaphor for human life, and this could be the reason for Sommi calling his play “A Riddle of Lovers.”¹⁶²

Wedding Sermons

Wedding sermons were not a new cultural phenomenon for Italian Jews. Their careful preservation and compilation, however, attest to the new interest in this endeavor at the end of the sixteenth and the beginning of the seventeenth centuries. Mostly handwritten, documents from this period include dozens of wedding speeches differing in length, language, and level of detail¹⁶³ The topics of the speeches

¹⁵⁹ See Marchetti, “Le desir et la regle.”

¹⁶⁰ On the riddle as part of Baroque cultural atmosphere, see Jose Antonio Maravall, *Culture of the Baroque: Analysis of a Historical Structure* (Minneapolis: University of Minnesota, 1986), 215–217, 222–224. For similar expressions in contemporary Hebrew poetry in Italy, see Ariel Rathous, “‘Amore per il ritratto’: due sonetti ebraici del Seicento,” *Italia: Studi e Ricerche sulla Storia la Cultura e la Letteratura degli Ebrei d’Italia* 2 (1981): 30–47.

¹⁶¹ Robert Bonfil, “Rabbis, Jesuits and Riddles: A Tentative Consideration of the Cultural World of Rabbi Moses Zacuto” (in Hebrew), *Italia: Studi e Ricerche sulla Storia la Cultura e la Letteratura degli Ebrei d’Italia* 13–15 (2001): 169–189.

¹⁶² The expression “To pose a riddle of lovers” appears as part of the title in the original Hebrew version of de Sommi, *A Comedy of Betrothal*. See Judah Sommo, *Tsahut Bedihuta de-Kiddushin*, ed. Yefim Schirmann (Tel-Aviv: Dvir, 1965), 26.

¹⁶³ On early modern wedding speeches in Italy, see Leningrad Ms., Oriental Studies Institute B291 (IMHM # 53404), collection of Judah Messer Leon, 93a-b; Leningrad Ms., Oriental Studies Institute B173 (IMHM # 53091), 1a–6b, wedding speech of Hezekiah Foa, suffused with kabbalistic terminology; New York Ms., JTS Lutzki 988, Hirsch 69, 30a–35a; Ferrara Ms., Community Library 16 (IMHM # 2390), 15b–16b; New York Ms., JTS ENA 990 (IMHM # 10711), 95a–98b; Budapest Ms., JTS 34, 19a–21a, 24a–26b, 35a–36a, 94a; London Ms., British Museum 27122 (IMHM # 5788), 101a–103a; Budapest Ms., Kaufmann Collection 153 (IMHM # 32247), 87–88, 95–97; Moscow Ms., Ginzburg Collection 91 (IMHM # 32562),

vary, but the images and metaphors consistently seek inspiration in the canonic midrashic repertoire: the similarities between human marriages and the link between God and Israel, or between “acquiring” a woman and “acquiring” the Torah, advice on choosing a wife, the need to father legitimate children, the virtues of the good woman, the education of children, the family as a hierarchical framework in which the woman listens to her husband. As in Christian speeches from the late Middle Ages touching on marriage and conjugal life, the need to address the speech to both the man and the woman, offering them a model for a shared life, reduced the misogynous declarations so common in the contemporary literature. Instead, they intensified the concrete message, based on the life experience and the social expectations common to the preacher and his audience,¹⁶⁴ as evident, for instance, in one of Leon Modena’s wedding speeches:

Mourning for the mother will always be greater than mourning for the father, whenever either of them happens [regardless of the parents’ age at their death]. I wish to say that, should a man lose his father while his mother is still alive, he will still have a comforter and assistant, as is written, “as one whom his mother comforts . . .”. Should he [the father] die after his mother’s death, he will derive some comfort from having become the ruler in his house and heir to the family’s name and wealth, or from the fact that he no longer needs to fear he who had governed him and ruled over him [the father]. But should his mother die while his father is still alive, besides losing her care and love, he will also now worry lest his father marries another woman and sires other children, or lest she [the stepmother] tyran-

speeches of Elisha Katzigin, 62a; Moscow Ms., Ginzburg Collection 319 (IMHM # 47891), 28a–31a, 34a–36a, 39a–b; Budapest Ms., Kaufmann Collection 466 (IMHM # 34769), speeches of Judah b. Eliezer Bariel, part 1, speech 6, no pagination; Oxford Ms., Bodleian Library 54, speeches of Samuel b. Elisha Portaleone, 38b–41b, 138b, 185b, 201a, 205b–211b, [change in enumeration] 222–228, 272–288, 331–332, 339–348; London Ms., British Museum 27050 (IMHM # 5726), speeches of Mordecai Dato, 24b–30b; Judah Moscato, *Derashot* “*Nefutsoth Yehuda*,” #26, 110a–113a. On teaching a young boy a wedding speech by heart, see *Letters of Jewish Teachers*, #151, 287–288. Compare with a unique fifteenth-century match-making speech: Umberto Cassuto, “Un rabbino fiorentino del secolo xv,” *Rivista Israelitica* 4 (1907): 225–229.

¹⁶⁴ Rüdiger Schnell, “The Discourse on Marriage in the Middle Ages,” *Speculum* 73 (1998): 771–786, especially 784–786: “The discourse on marriage is important for the history of the sexes precisely because it is so different. But it is also important for the *histoire des mentalités*, and perhaps for social history as well, because in the discourse on marriage, models of living together are developed that are found nowhere else.”

nizes him. And if after his father's death he is left alone, having lost both the ruler of the house and great affection, it will seem to him as if both had died on the same day.¹⁶⁵

Family tensions surface in this speech in a mode unusual in other contemporary sources. The clear division of roles between the father and the mother concerning the children gives the father, the *paterfamilias*, the role of family ruler and disciplinarian. The mother is in charge of the more tender, emotional side. This division becomes clear when one parent dies and the children can openly show their feelings. After the father's death, the youth can enjoy the independence he had been denied as long as the head of the family was alive. The intergenerational struggle stems from the fear that the father's remarriage might push aside the children of the dead woman in favor of other heirs born from the recent marriage, or that the new wife will tyrannize the children.¹⁶⁶ By contrast, the biological mother not only poses no threat to the son's independence and young manhood, but is also a source of love and comfort. Medieval Jewish culture is usually sparing in intense emotional expressions that bring to the surface rancor, tensions, and conflicts between parents and children. These feelings remain hidden and unrecorded because of the understanding that they are incompatible with the biblical command to "respect your father and your mother." Leon Modena, a highly ranked seventeenth century preacher, is not afraid of stating that sorrow for the death of the parents differs in the case of the father's or the mother's death.

¹⁶⁵ Leon Modena, *Midbar Yehuda* (Venice: Daniel Zanetti Print, 1602), 51a. For another source reflecting the reality of family life, see Oxford Ms., Bodleian Library 54, 201a-203a: "Since the woman exists for the preservation of the species, a man should love his wife as his body, no less than his body, since it is unworthy of him to humiliate her or make light of her honor, for a man's wife is like his body and that is why she was created from his rib. Yet, he should not respect her more than his body, making her essential and himself of little account, and everything [should be conducted] in the right measure. He should love her as his body and abide by her wish concerning fair and worthy matters. In regard to honor . . . meaning clothes, or her seat at the table . . . she should sit at his right side, and also possess fine jewels . . ."; Leningrad Ms., Oriental Studies Institute A87 (IMHM # 52889), 7a-8a, a speech from 1654.

¹⁶⁶ On apprehensions about recurring marriages and the threat posed by stepmothers, see Klapisch-Zuber, "The Griselda Complex," 213-246.

*The Visual Aspect**Maiolica Plates*

Among the personal objects the bride brought with her, whether as a dowry that her family had accumulated or as *sivlonot* and gifts from the groom, his family, and other guests, were the maiolica plates.¹⁶⁷ These plates are not “practical,” and their main value is as home ornaments and status symbols. Some were especially painted for the wedding day and the custom was, apparently, to keep them on shelves or in glass cupboards. Two marriage plates have remained, one dated 1575 from Faenza, with the verses from the passage in Proverbs about a woman of valor, and the other from about 1600, where the bride appears in her wedding gown. The painter probably used the bride as his model. The clear association between these two sixteenth century maiolica plates and the wedding ceremony through a verse hinting at the duties of a married woman (“a woman of valor”) or through a painting of the bride, shows they were especially created for, and apparently exhibited on, the wedding day. These plates joined the rest of the family property shown to the guests: the bride’s dowry and the box [*cassone*] where it was kept, the gifts and *sivlonot* exchanged between the groom and bride or their families, and the gifts that relatives and guests had given the couple.

Maiolica plates had already become highly popular in Italian Jewish society during the fifteenth century, and they became a permanent feature among the household objects possessed by wealthy urban groups. Pictures and other sources allowing us a glimpse into the interior of late Middle Ages urban homes in Italy reveal that few domestic items were meant simply for comfort. During the Renaissance, when efforts were made to make life easier and more pleasant, such items became necessities. The homes of well-established urban classes changed considerably during the Renaissance, with the introduction of additional furniture for the family or for personal intimate use.

¹⁶⁷ Shalom Sabar, “The Use and Meaning of Christian Motives in Illustrations of Jewish Marriage Contracts in Italy,” *Journal of Jewish Art* 10 (1984): 47–63; Idem, *The Beginnings and Flourishing of Ketubbah Illustrations in Italy*, 298–313; Guttman, *The Jewish Life Cycle*, 12–18.

Interior design now included decorative “artistic” objects, some of which were hung on the walls.¹⁶⁸ Among other elements now featuring permanently in rich homes were maiolica plates bought by the family over the years, or received as wedding gifts. They were exhibited in expensive cupboards or arranged in rows on shelves, and in the course of the marriage ritual were shown to the guests to display the family’s wealth and status (a custom known as *piatti di pompa*).¹⁶⁹

The Portrait

The portrait appears at the very early stages of the marriage ritual in Italian Jewish society: during the youngsters’ courtship, a portrait of the bride was sometimes sent to her suitor.¹⁷⁰

The perception of the beloved’s portrait as an alternative to face-to-face intimacy fits in well with the period. Hundreds of non-Jewish portraits remaining from the sixteenth century attest to the popularity of the custom of ordering small portraits and giving them as love tokens. Usually, miniature portraits were hung as pendants. The literature of the period describes in almost religious terms the excitement that these exchanges evoked.¹⁷¹ The portrait, which had served as an important mnemonic device, a device used for meditation and religious inspiration, gradually underwent a process of secularization. Portraits were also hung on the walls of the house, as an additional way of creating a pleasant home environment.¹⁷²

The portrait as a tool for commemorating significant moments in

¹⁶⁸ De la Roncière, “Tuscan Notables on the Eve of the Renaissance,” 157–309, esp. 170–201, 212–220. See Chartier, *A History of Private Life*, vol. 3, passim, and especially Ranum, “The Refuges of Intimacy,” and Flandrin, “Distinctions Through Taste.”

¹⁶⁹ On the interior decoration of homes owned by wealthy families in Italy, see Peter Thornton, *Italian Renaissance Interior 1400–1600* (New York: H. N. Abraham, 1991); Cathy Santore, “Julia Lombardo, ‘Sumptuosa Meretrize’: A Portrait by Property,” *RQ* 41 (1988): 44–83; Lauro Martines, *Power and Imagination: City-States in Renaissance Italy* (London: A. A. Knopf, 1980), 318–321, 358–362.

¹⁷⁰ Oxford Ms., Roth Collection 701, 5b.

¹⁷¹ Ranum, “The Refuges of Intimacy,” 246–252. Leon Modena mentions that he sent his portrait as a gift to a friend, and viewed the printing of portraits as a way of drawing closer to Christian society and lower inter-religious hostility. See also Cohen, “The Visual Image of the Jew and Judaism in Early Modern Europe.”

¹⁷² Santore, “Julia Lombardo,” 54–57. For the political use of portraits stamped on princely objects, see Martines, *Power and Imagination*, 318–321.

the family's history appeared in the maiolica plates and in *ketubboth* writs. A 1728 *ketubbah* from Ferrara carries clear portraits of the groom and bride.¹⁷³ The rabbis' recoil from "graven images" ebbed away in seventeenth century Europe, after Jews became increasingly exposed to books, coins, or everyday objects bearing human figures.¹⁷⁴

Wedding Day Medals

Several Jewish medals have remained from the beginning of the early modern period, none related to the marriage ritual.¹⁷⁵ These medals are themselves quite exceptional, as Cecil Roth has already pointed out. The first Jewish medals appeared only two hundred years later, bearing the figures of distinguished personalities who had served in princely courts in Italian cities. One lone record of the practice of minting wedding day medals has remained, however, in a late sixteenth-century manual:

May your Lordship forgive us if we do not attend the wedding feast this time. Aiming to have our name remembered in honor and glory among those of the wedding guests, however, we have sent a gift to be brought as a timely burnt offering to your pure table, and may its sweet savor please the two olive saplings, the groom and bride. On the gold medal we have engraved our names, those of the brothers, and this gold shield will be brought as an offering upon your pure altar by our honorable and distinguished mother, may she be blessed, and may it find favor.¹⁷⁶

¹⁷³ For a portrait of the groom and bride on a *ketubbah* from Ferrara (1728), see Sabar, *The Beginnings and Flourishing of Ketubbah Illustrations in Italy*, 259–263. Both are dressed in a manner typical of urban patricians. The *ketubbah* also includes scenes from the wedding ceremony.

¹⁷⁴ For further debate see Cohen, "'And Your Eyes Shall See Your Teachers'"; Weinstein, "What Did Little Samuel Read in His Notebook?"

¹⁷⁵ On sixteenth-century Jewish Italian medals, see Daniel M. Fridenberg, *Jewish Medals from the Renaissance to the Fall of Napoleon (1503–1815)* (New York: C. N. Potter, 1970), 42–46, especially 42: "It [the Jewish medal] is similar to many personal medals then in vogue among the rising bourgeoisie of the Gentile community." A medal bearing the portrait of Moses Benjamin Foa, an agent at the court of Modena, was coined in Italy in 1780, "engraving his name round the printer's mark of Tobias Foa, formerly the family badge of this, his sixteenth-century ancestor" (*ibid.*, 57–58). Outside Italy, former *marranos* also minted medals (*ibid.*, 26–32). For clear photos of late Renaissance Jewish Italian medals, see Bemporad, "Jewish Ceremonial Art in the Era of the Ghetto," 110–135, Exhibits 167–169; Norman L. Kleeblat and Vivian B. Mann, *Treasures of the Jewish Museum* (New York: Universe Books, 1986), 54.

¹⁷⁶ New York Ms., JTS D456, #66, 142b.

To ease the discomfort of refusing the invitation, the invitees offered to send a gift, showing the other guests that their absence was not meant to affront the inviter's honor. The wording does not clarify whether the writer is offering to send a medal as a gift in his and his family's name, or whether the celebrating families are those commissioning the "gold medal" for the wedding day.

The custom of minting medals for important events was widespread in princely courts during the fifteenth century, and was adopted in wealthy bourgeois circles.¹⁷⁷ From a political and propaganda device intended to strengthen the government's legitimacy, the medal shifted to a more intimate use and came to mark important events in the family's life cycle.

The Illuminated Ketubbah

From its first appearance in the late sixteenth century, and mainly in the first half of the seventeenth century, the Italian illuminated *ketubbah* included a wealth of artistic elements. Sources of inspiration were traditions in the ornamentation of Hebrew manuscripts prevalent in Italy since the Middle Ages, beside those introduced by Spanish exiles, and ornamental arts from the Renaissance and the Baroque. Shalom Sabar analyzes these artistic motifs in his comprehensive and seminal studies.¹⁷⁸ Ornamentations surrounding the

¹⁷⁷ On the princely practice of minting medals, see Strong, *Art and Power*, 21–28; Martines, *Power and Imagination*, 318–321.

¹⁷⁸ On illustrated *ketubboth* in Italy, see the works of Shalom Sabar mentioned thus far. See also idem, *Mazal Tov: Illustrated Ketubboth from the Israel Museum Collection* (in Hebrew) (Jerusalem: Israel Museum, 1993); idem, "Spanish Exiles and the Beginning of *Ketubbah* Decoration in Italy" (in Hebrew), *Rimonim* 4 (1994): 32–45; idem, "Fakes and Forgeries of Jewish Marriage Contracts Then and Now," *Journal of Jewish Art* 15 (1989): 44–60. See also Fritz Landsberger, "Illuminated Marriage Contracts: With Special Reference to the Cincinnati Ketubbahs," *HUCA* 26 (1955): 503–542; Iris Fishof, *The Iconographical Origins of the Venetian Ketubbah* (M.A. Thesis: Hebrew University of Jerusalem, 1982); David Davidovitch, *The Ketubbah: Jewish Marriage Contracts through the Ages* (in Hebrew) (Tel-Aviv: Lewin-Epstein, 1968); Bezalel Narkiss, *Hebrew Illuminated Manuscripts* (in Hebrew) (Jerusalem: Keter, 1984); Joseph Guttman, *Beauty in Holiness: Studies in Jewish Customs and Ceremonial Art* (New York: Ktav Publication House, 1970); idem, *The Jewish Life Cycle. Ketubboth* collections appear in Shalom Sabar, *Ketubbah: Jewish Marriage Contracts of the H.U.C., Skirball Museum and Klar Library* (New York: Jewish Publications Society, 1990); Grassi, *Italian Ketubboth; Ketubbah: The Jewish Marriage Contract (Cecil Roth Collection)* (Ontario, Art Gallery of Ontario, 1981). See also the collection of *ketubboth* at the National and

ketubbah writ (and the *tenaim* writ) included several elements: *the names of the bride and groom* were mentioned in biblical verses or intimated in paintings of biblical scenes involving figures bearing the names of the wedding couple. In other *ketubboth*, the artist painted the *portraits of the groom and bride*.¹⁷⁹ The custom in Italy, as noted, was for the couple and their families to send personal portraits during the courtship. Sometimes we find descriptions of the *wedding ceremony* itself, or scenes from *family life*, representing the pre-bourgeois social ideal of conjugal life.¹⁸⁰ Most *ketubboth* of the period also bear the *family seal*, sometimes even two family seals,¹⁸¹ beside other elements (zodiac signs, a gate made up of an arch and columns, allegorical figures, Jerusalem, Renaissance or Baroque buildings, the Temple, drawings of flowers, animals, mythological figures, biblical verses, micrographic illustrations, medals, wedding poems, blessings).

Sabar notes that the illuminated *ketubbah* is not a fifteenth-century “Renaissance” phenomenon. Rather, it should be dated later and explained against the background of social and artistic needs that emerged in the late sixteenth century. The illuminated *ketubbah* would not have spread had Spanish exiles not come to Italy, and particularly to Venice.¹⁸² Ornamentations, however, were immediately adapted to local demands and elaborated according to Italian artistic styles,

University Library in Jerusalem, Heb. 8^o901. On this collection, see Isaschar Yoel, “Italian Marriage Contracts in the Library” (in Hebrew), *Kiryat Sefer* 22 (1945–1946): 266–304.

¹⁷⁹ Sabar, *Ketubbah: Jewish Marriage Contracts of the H.U.C.*, 13; idem, *The Beginnings and Flourishing of Ketubbah Illustrations in Italy*, 234–240, 259–263; idem, *Mazal Tov*, #11 (Padua, 1732), #23 (Padua 1728); Fishof, *The Iconographical Origins of the Venetian Ketubbah*, 1–2, 12–13 (on biblical illustrations).

¹⁸⁰ For visual representations of family life and of the wedding ceremony in *ketubboth*, see Sabar, *Ketubbah: Jewish Marriage Contracts of the H.U.C.*, 46–49. See also idem, *Illustrated Ketubboth from the Israel Museum Collection*, #11 (Padua, 1732), #24 (illustrated by the Italian painter Shalom Italia, Rotterdam 1648).

¹⁸¹ Sabar, *The Beginnings and Flourishing of Ketubbah Illustrations in Italy*, 234–235, 271–285; idem, *Ketubbah: Jewish Marriage Contracts of the H.U.C.*, 18–19; Fishof, *The Iconographical Origins of the Venetian Ketubbah*, 8–9. On heraldic signs, see the collection at the National and University Library in Jerusalem, #272 (Venice, 1707); *Italian Ketubboth*, #10, *ketubbah* from Turin, 1706, where the vignette intended for the family seal remained empty, as in Sabar, *Jewish Marriage Contracts of the H.U.C.*, #3, from Ancona, 1692.

¹⁸² Sabar, “The Use and Meaning of Christian Motives in Illustrations of Jewish Marriage Contracts in Italy,” 62–63; idem, “The Beginning of the *Ketubbah* Decoration in Italy,” 100–110; idem, *The Beginnings and Flourishing of Ketubbah Illustrations in Italy*, 79–82, 132–143.

and no specific Spanish element can be isolated within the Italian tradition of the illuminated *ketubbah*. Except for a few instances, then, Spanish families incorporated Italian Renaissance and Baroque motifs into their *ketubboth* from the outset. To understand the artistic splendor of the *ketubbah* writs, then, the encounter between Spanish and Italian traditions is more significant than the independent Spanish elements.

The close integration between the figurative and the written, the wealth of motifs, the quantity of the paintings, the size of the *ketubbah*, the visual hints explaining the text—all turn the Italian *ketubbah* from the late sixteenth and the seventeenth centuries into a distinctive baroque artifact.¹⁸³ The Italian *ketubbah* is baroque primarily because of its amazing size, which cannot be conveyed in the photographs of *ketubboth* found in exhibition catalogues. *Ketubboth* in Italy became increasingly larger during the seventeenth century, parallel to the practice of illuminating them and to the proliferation of artistic motifs. The written text becomes secondary, as it were, in the large-sized *ketubbah* writ, which is increasingly filled with large paintings. In some *ketubbah* writs, the text is relatively small in graphic terms, “drowning” in a sea of large, colorful, and varied decorations. For instance, in a *ketubbah* from an Ashkenazi community in northern Italy (Verona 1686), the motif of the gate and the arch is barely intimated. The main decoration focuses on the frame that surrounds the text, which includes dozens (!) of medals with small paintings and blessings. Given the dense ornamentation, the eye cannot focus clearly on the overall concept and drifts helplessly among all the burdensome decorative elements.¹⁸⁴ As in other baroque objects, *ketubbah* creators use the *maniera grande* exaggeratedly and tending to extremes.¹⁸⁵ The visual impression is even stronger because every *ketubbah* is a one-time creation, written and decorated according to

¹⁸³ See Mario Praz, *Studies in Seventeenth-Century Imagery* (Rome: Edizioni di storia e letteratura, 1964); Heinrich Wölfflin, *Renaissance and Baroque* (London: Collins, 1964); Christine Poletto, *Art et pouvoir à l'âge Baroque: Crise mystique et crise esthétique aux xvi^e et xvii^e siècles* (Paris: L'Harmattan, 1990); Maravall, *Culture of the Baroque*.

¹⁸⁴ The *ketubbah* photographed in Sabar, *Ketubbah: Jewish Marriage Contracts of the H.U.C.*, #122, 209–211.

¹⁸⁵ On the baroque tendency to big dimensions, see Wölfflin, *Renaissance and Baroque*, 38–39, 49–50.

the instructions of those who commissioned it, and only then considered a worthy financial investment.¹⁸⁶

Decorations in the *ketubbah* writ hint not only at the written text, but also direct observers to cultural contexts vital to the understanding of the wedding day. The *ketubbah* is burdened with artistic elements originating in Christian art and in the tradition of the Catholic Church.¹⁸⁷ Sabar claimed that the “high” visual art of seventeenth century Italy was largely barred to Jews. Artistic influence was attained through personal or family objects that wealthy urban families tended to commission.¹⁸⁸ These artifacts were certainly influenced by ecclesiastic art, but their family context generally neutralized their “Christian” character and turned them into functional utensils.¹⁸⁹ These personal objects are indications of the bourgeois lifestyle developing in Italy and Europe. Artistic formulae and design models of household objects could have moved from the wealthy, urban Christian society to its Jewish counterpart. Architectural decorative details in Italian *ketubboth* are not medieval, but based on the baroque decorative art of house interiors.¹⁹⁰

¹⁸⁶ Landsberger, “Illuminated Marriage Contracts,” 515–520; Sabar, *Ketubbah: Jewish Marriage Contracts of the H.U.C.*, 17.

¹⁸⁷ This theme is discussed extensively in Sabar, “The Use and Meaning of Christian Motives.”

¹⁸⁸ For a fascinating discussion about “Christian influences” and their absorption in Jewish Italian culture, see Robert Bonfil, “Preaching as Mediation between Elite and Popular Cultures: The Case of Judah del Bene,” in *Preachers of the Italian Ghetto*, ed. David B. Ruderman (Berkeley, University of California Press, 1992), 67–88; Idem, *Jewish Life in Renaissance Italy*, 101–124.

¹⁸⁹ Jacobson-Schutte, “Trionfo delle donne,” 474–496. For a similar phenomenon in Jewish Italian society, see Marianne Haraszti-Takacs, “Fifteenth Century Painted Furniture with Scenes from the Esther Story,” *Journal of Jewish Art* 15 (1989): 14–25. See also Sabar, *The Beginnings and Flourishing of Ketubbah Illustrations in Italy*, 151–154; idem, *Jewish Marriage Contracts of the H.U.C.*, 13–14.

¹⁹⁰ Shalom Sabar, “The Golden Age of the Ketubà Decoration in Lugo,” in *Ebrei a Lugo: I contratti matrimoniali* (Imola: Galeati, 1994), 104–108: “Naturally, the architectural details in the typical Italian *ketubboth* are not medieval but modelled after popular designs found in the decorative arts and buildings types of the time. Especially popular were Baroque façades, domes and globes, columns and capitals, which are familiar not only from actual monuments but also from contemporary minor arts and decorative objects (for example, fireplaces, pieces of furniture, mirror and picture frames). The makers of the *ketubboth*, however, did not imitate the three-dimensional monuments directly but preferred the small and schematic illustrations appearing on the title pages of printed books, which were inexpensive and readily available in every Jewish home.”

Adopting the Visual Language of the Baroque

The maiolica plates, the portrait, the medal, the illustrated riddle, personal and family objects imprinted with the family seal, all belong to a new visual language, rich and diverse, which developed in Europe during the baroque period. Anne-Elisabeth Spica describes the increasing strengthening of the visual aspect in baroque trends, not only within the artistic domain:

The change . . . evolved around 1560–1580. It was a function of several crucial facts noted briefly below under four categories. First, changes affecting medieval symbolism since the *Quattrocento*. Second, the rich contribution of Christian kabbalistic theories. Third, at the intersection of these two approaches, the metamorphosis that commemoration patterns underwent during the sixteenth century, and the recording, in writing, of striking, significant images. Finally, synthesizing all these trends, the stance the Church adopted toward iconoclastic movements during the 1560s. Rather than as historical references, these brief allusions are intended to show how, over a period of several decades, everything converged to highlight an increasingly dominant pattern: the visual symbol and the figure constitute a general decoding principle, a universal epistemic instrument at the heart of a renewed symbolism. Different meaning was now bestowed on the old semiotics, based on a new concept of the symbol, no longer anagogical, as in the Middle Ages, nor magical as in the Renaissance, but as a category of thought. The image, the mode of the symbol's emergence, is a material visual representation, which is also coded as a verbal sign.¹⁹¹

The visual is a more reliable source for the intuitive, direct knowledge of the world, such as the one Adam had possessed before the fall and the expulsion from Eden. Given this is no longer possible, visual symbols are the best alternative for appreciating the world or drawing closer to God. From the late sixteenth and during the seventeenth centuries, the use of two visual means for understanding

¹⁹¹ Anne-Elisabeth Spica, *Symbolique humaniste et emblématique: L'évolution et les genres (1580–1700)* (Paris: H. Champion, 1996), 92 (our translation). See also 10, 14–16, 51–54, 60–65, 69–70, 139–141; Yves Delègue, *La perte des mots: Essai sur la naissance de la littérature aux XVI^e et XVII^e siècles* (Strasbourg: Presses Universitaires de Strasbourg, 1990), 11: “On the one hand, figurative representations become more important. So far strictly controlled, they now simultaneously become the support as well as the exercise of some kind of revelation. Theater, painting, anything focusing on sight, is reputed to actualize truth in some mystical way. The repetition of images elicits little daily miracles.” See also Praz, *Studies in Seventeenth-Century Imagery*, esp. 14–19.

and transmitting the secrets of reality increased dramatically: the symbol and the emblem. After the spectator's decoding, the visual symbol delivered the message that language had been unable to transmit, while the emblem [*impresa*] adds text to a visual image in which the written text and the illustration explained one another. These two means cannot be separated because, even in an image without text, decoding relies on a knowledge of painting and writing traditions that are part of their cultural creation and interpretation. External signs were thus perceived as a more credible and significant mode of thinking than the written or printed word.¹⁹²

The late sixteenth century, and even more so the seventeenth century, is the golden age of the great European emblematisers, particularly in Italy, where Andrea Alciati and Cesare Ripa wrote the works that inspired hundreds of books and anthologies on emblems.¹⁹³ Ripa's anthology provided the reader an alphabetical dictionary of emblems, and sought to create an orderly, normative code of the visual language that Europe had inherited from the ancient world, the Middle Ages, and humanistic literature.¹⁹⁴ By linking the textual (whether implicit or explicit) to the visual, emblems were able to reach a much wider public. Michel Pastoureau's studies describe the media and the means through which the emblematic approach spread beyond a cultured and literate circle.¹⁹⁵ Pastoureau claims that the medal acted as the distributing agent of the *emblems culture*, from the fifteenth century and until the cultural reversal of the late sixteenth century.¹⁹⁶ From the start, the medal was a distinctively Italian phenomenon, and the greatest medal minters, such as Antonio di Puccio Pisano (Pisanello), whose influence extended over the entire continent, worked in Italian cities. The medal involved, from the outset, unique procedures of acceptance, "reading," and decoding, which made it an adequate tool for disseminating the emblematic tradition

¹⁹² On the increasing trust in the visual medium and the mistrust of language and written texts, see Spica, *Symbolique humaniste et emblématique*, 51–54.

¹⁹³ On the spread of emblems in Europe, influenced by the books of Alciati and Ripa, see Spica, *Symbolique humaniste et emblématique*, 291–304; Praz, *Studies in Seventeenth-Century Imagery*, 23–24, 39–40, 51–61.

¹⁹⁴ Spica, *Symbolique humaniste et emblématique*, 305–319.

¹⁹⁵ Some of the major works are collected in Michel Pastoureau, *Couleurs, images, symboles* (Paris: Le Leopard d'Or, 1990).

¹⁹⁶ *Ibid.*, 139–140, 147–153.

beyond the circles of the educated or the princes for whom most medieval medals had been minted.

The *medal* is an emblematic product by definition, since it has two sides. One is devoted to the family seal or a to an allegorical-symbolic-emblematic scene, and the other bears the portrait of the person for whom the medal was coined. A fifteenth century *portrait* is still mainly a visual means, which does not necessarily represent a person through his "actual" external features but mainly through preset visual formulae. The decline in the use of *family seals* (heraldry), which had begun at the end of the Middle Ages, was reversed in Italy and other areas in Europe during the Baroque.¹⁹⁷ The heraldic symbolism that had been so important to the aristocracy and to feudal royalty spread to wider circles in the seventeenth century. Objects belonging to the family and displaying its status were the crucial channel for the dissemination of family symbols. The visual dictionary included also the language of the *rebus*, which conveys words or entire expressions through paintings¹⁹⁸ such as, for instance, a golden lion [*lion d'or*] to mean a guesthouse that includes beds [*lit on dort*]. This genre spread at the end of the sixteenth century and was popular in *parlor games*, or as a kind of *riddle*.

A series of personal or family objects used in the Jewish marriage ritual in Italy during the sixteenth and seventeenth centuries clearly attests that baroque visual language had wide resonance in Jewish communities as well. The *ketubbah*, the riddles, the portrait, the medals, the maiolica plates and the family seals, all share a common assumption: texts and images become intelligible and meaningful when placed next to each other. The *ketubbah* is the richest instance of this phenomenon. *Ketubbah* paintings hinted at its content, presenting in visual and narrative ways the conclusions one could draw from it about the families and their wealth. In the *wedding riddles*, the "form of the riddle" (meaning its verbal content) was accompanied by the "painting of the riddle," as was common in the Italian version of the emblems or the *imprese* genre. At times, the solution relied on the

¹⁹⁷ Michel Pastoureau, "Strategie Heraldique et changements d'armoiries chez les magnats florentins du xiv^e siècle," *AESC* 43 (1988): 1241-1254. See also Praz, *Studies in Seventeenth-Century Imagery*, 23-24. The political use of the visual medium is discussed in Maravall, *Culture of the Baroque*, 251-263.

¹⁹⁸ Jean Ceard and Jean-Claude Margolin, eds., *Rebus de la Renaissance: Des images qui parlent* (Paris: Maisonneuve et Larousse, 1986), vol. 1, 200-219.

picture attached to the text of the riddle, which was given as a hint. Wedding riddles in a Jewish marriage are part of the culture of play and leisure common in Italy during the early modern period, when the *rebus* was a popular element.¹⁹⁹ Contemporary letters provide the sole evidence of a trend involving the sending of the bride's *portrait* during courtship. The paintings themselves have not survived. Female portraits (did grooms also send theirs?) were probably created according to the same artistic formulae then in use in Italian cities. Wedding *medals* have not survived in material form, so we can only assume that they included, as their Christian counterparts, a painted side and a textual side, describing the wedding affair. *Maiolica plates* that have survived include a painting of the bride or verses describing her obligations as a wife ("a woman of valor"). In this context, we may add the *family seals* that rich families tended to stamp upon objects belonging to the extended family or on *ketubboth*.

The ritual dictionary of Italian Jews during the early modern period included the possibility of celebrating marriages in a playful, theatrical atmosphere (riddles, dancing, music, speeches), and adopting the visual language of the Baroque. The wedding was a theatrical event, well staged, and including all the elements of a rich baroque language. A cluster of sixteenth-century letters describes a baroque wedding:

Had you been here on the wedding day, you would have seen wonders, and particularly the shapes of the twelve zodiac signs on the tables, and burning torches between them to light up the scene for the guests. On the four corners were also four mountains with rounded summits, from which angels came out to pour water. This was done with pulleys, with some device inside them that enabled this trick. I will not go on about all the other wonders and pleasures, and will only say that everything was utterly perfect.²⁰⁰

Isaiah Sonne noted the importance of these letters and published them. The wedding described here was organized as an event that

¹⁹⁹ On the similarities between the riddle and interfacing visual genres, such as the emblemata, the *impressa*, the printer's trademark, print ornamentations, hieroglyphics, and the rebus, see Pagis, *A Secret Sealed*, 114–125.

²⁰⁰ Isaiah Sonne, "Eight Sixteenth Century Letters from Ferrara" (in Hebrew), *Zion* n.s. 17 (1952): #5, 154; #6: "I was greatly vexed because I did not go to see this great vision, but in my imagination I saw it as if I had been there . . . and my eye saw everything, and certainly now that you have written and told me clearly how things stood . . ." See also *Letters of Jewish Teachers*, #130/10, 246–247. On the use of astral symbols during royal weddings, see Strong, *Art and Power*, 27–28.

included all the elements of baroque theater: stamping all the wedding paraphernalia with emblematic images in the shape of stars, torches for illumination, architectural structures designed to amaze the spectators, and “other wonders and pleasures” involving mainly food and stage performances. Spectators were indeed meant to feel they were attending a show at a contemporary Italian theater.²⁰¹

Unquestionably, the cultural investment, the ability to understand the value of these cultural patterns, and the considerable financial investment required in order to produce an illuminated *ketubbah*, commission a wedding poem, and organize a wedding riddle competition, limited them to a small group. The financial investment in objects for one-time or limited use marked the borders between this group and the rest of the population. The lifestyle of this group relied on different cultural codes in almost every realm: leisure, recourse to complex, cryptic poetry, adding items of comfort and aesthetics to the interior of the house, clothing, or a moderate body language suited to a “civil” etiquette of behavior. Even if this was a small group within the Jewish community, its importance lies in its cumulative influence over the community in general, and particularly in its reshaping of the educational system.²⁰²

Neutralizing the Magical Element: Kabbalah's Marginal Role

The wedding day was largely neutralized from magical beliefs or customs. In this sense, the *lo'azi* ritual is surprisingly different from both the traditions that Ashkenazi Jews brought to Italy,²⁰³ and from the practices prevalent in the urban and rural Christian surroundings.²⁰⁴

²⁰¹ See Massimo Ciavolella, “Text as (Pre)Text: Leone de Sommi’s *Three Sisters*,” in Belkin, *Leone de Sommi and the Performing Arts*, 145–153. In the same volume, see Kristine Hecker, “The Concept of Theatre Production in Leone de Sommi’s *Quattro Dialoghi* in the Context of his Time,” 189–209, and Dunbar H. Ogden, “De Sommi in 88: Dynamics of Theatrical Space,” 231–245.

²⁰² Weinstein, “What did little Samuel read in his Notebook?”

²⁰³ See wedding descriptions in Buxtorf, *Synagoga Judaica*, 513–518. On Ashkenazi wedding practices as pervaded by magical influence, see Ta-Shma, “Law, Custom, and Tradition in Early Jewish Germany,” 110–130; Glick, *Light has Dawned*, 104, 127–128, 131–141, 184, 316–321. On magical elements in German weddings, both Jewish and Christian, see Naomi Feuchtwanger, “Interrelations between the Jewish and Christian Wedding in Medieval Ashkenaz,” *WCJS* 9, D2 (1986): 31–36.

²⁰⁴ De Gubernatis, *Storia comparata degli usi nuziali in Italia*, 30–48, 153, 165–166, 174–179.

The few magical practices that were nevertheless absorbed into local rituals underwent a “softening” process, which neutralized visibly magical elements and reinterpreted them. Some of them include throwing rice at the newly-weds, breaking a glass under the canopy, and encircling the canopy with torches.

1) The custom was to throw rice at the bride on the wedding day, when she was on her way to the groom’s house. The practice of calling forth plenty and fortune by spoiling food is well known from contemporary wedding practices in Slavic areas and in southern Europe.²⁰⁵ This practice was also common in Ashkenazi weddings, despite the rabbis’ displeasure. I have found no evidence indicating that throwing money or rice was customary in sixteenth-century Spanish weddings. In Italy, a new justification was adduced for this practice:

The fourth thing they do at the time of the *kinyian* and the *kiddushin*, when the bride goes to the groom’s house . . . is that *everyone makes way for her and honors her*. . . . As when the bride goes and they throw wheat kernels at her as a sign of good fortune and abundance, so did God rain manna, which was like coriander seed, on the children of Israel, as is written: “Behold, I will rain bread from heaven for you” (Exodus 16:4). . . . And just as they *honor the way* for the bride, so did God light the way for them in the desert with a pillar of cloud, or as the sages, of blessed memory, have said, with the heavenly clouds, and may it be so in the future.²⁰⁶

The magical explanation of using plenty to bring forth abundance, in an analogy to the manna raining in the desert, is mentioned first. But others are then noted, and the practice is explained as a sign in “honor” of the occasion and of the families that have the means to spend on it, and mainly on the route that the bride will cover (“*honor the way*”).

2) The practice of breaking expensive utensils on the wedding day to lessen the joy and frivolity of the occasion is already mentioned

²⁰⁵ See Buxtorf, *Synagoga Judaica*, 513–518; Friedhaber, “The *Tanzhaus* in the Life of Ashkenazi Jewry,” 56–60. On the customs of the community of Carpentras, see Roth, “Sumptuary Laws of the Community of Carpentras,” 357–383. On Slavic traditions, see Dujcev, “Tradizioni etniche.”

²⁰⁶ Ferrara Ms., Community Library 48, 122b–123b. See also the evidence in Colon, *New Responsa and Rulings*, #46, 204–217: on the night after the *shivlonot*, the bride goes over to the groom’s house and rice is thrown upon her as she goes by.

in the Talmud.²⁰⁷ In the tradition of Ashkenazi weddings, this practice was developed and expanded beyond the talmudic account.²⁰⁸ Ashkenazi Jews used to throw the glass used in the first blessing at the external, northern wall of the synagogue. At times, they marked the wall with a known sign, or with an unidentified magical sign. The wine in the glass used in the second blessing was spilt on the floor. The shape of the glass or the vessel that was used for the blessing and then thrown at the wall was different if the bride was marrying for the first time (a maiden's wedding) or remarrying (the wedding of a widow or a divorcee). In the Spanish diaspora, this practice was adopted during the sixteenth century only partially and with great reservations: they did not throw the glass at the wall but put it on a tray and then stepped on it. Spanish Jews did not use different glasses for the weddings of maidens or widows.²⁰⁹

This custom has obvious magic connotations. Like similar European customs—breaking glasses, ceramic vessels, or eggs—it was meant to protect the couple from harmful influences and ensure success in their first sexual encounter [*consummatio*].²¹⁰ In order to confer legitimation on this practice and soften its evident magical connotations, Jewish exegetes, particularly from the sixteenth century onward, tried to present it as a sign or as commemorating the destruction of the Temple.

The custom of breaking a glass at weddings moved from Ashkenaz to Italy. On the wedding day, they spilt the wine in the glass used for the first or second blessing, and then broke it:

They bring a glass full of wine and give it to the person reciting the blessing, who says: “who created the fruit of the vine . . . and has com-

²⁰⁷ TB Berakhot 30b–31a, PT Berakhot 37a, 5:1.

²⁰⁸ On the Ashkenazi practice of breaking a glass, see Davidovitch, “Jewish Marriage Customs,” 82–84; Samuel Hertz, “Breaking a Glass under the Canopy” (in Hebrew), *Sinai* 103 (1989): 248–260. For later signs of this practice, see Buxtorf, *Synagoga Judaica*, 518; Sirkes, *Responsa Bah ha-Yeshanot*, #62: “The wicked custom of throwing glass vessels against the wall has sneaked in, and could cause harm if practiced in places where many people pass by.” Further references are mentioned in Glick, *Light has Dawned*, 205–221.

²⁰⁹ On the Sephardi custom of breaking a glass, see David Davidovitch, “Breaking a Glass on the ‘Wedding Stone’: Jewish Matrimonial Customs that have Disappeared in Recent Generations” (in Hebrew), *Israel: People and Land* 4 (1987): 253–268. On this practice in the Sephardi community of Livorno, see Toaff, *La nazione ebraica*, 299–302.

²¹⁰ On breaking vessels as a way of ensuring easy consummation, see Westermarck, *Histoire du Mariage*, vol. 4, 201–213.

manded us concerning forbidden marriages and forbidden us those who are betrothed. . . .” The celebrant drinks, and then the groom and bride drink, and the rest of the wine [in the glass of the second blessing] is poured at the feet of the groom and bride to gladden them, and then the glass is broken, to rejoice with trembling—at the place of joy will be the trembling.²¹¹

Contrary to the Ashkenazi ritual, weddings in Italy were performed in private homes; hence, the glass was broken on the floor rather than thrown at the wall. In the sixteenth century, Italian Jews still remembered that the source of this practice was in Ashkenaz, but they were also aware of the change it had undergone when it was adopted locally:

Under the canopy, he asks for two glasses, one for the betrothal blessing, and one for the wedding blessing. For a maiden, they take a flask with a narrow opening, indicating she is still a virgin. For a widower or widow, *Ashkenazi custom* is to take an open clay flask or vase,²¹² indicating her opening is unobstructed. They do not take an open plate, however, lest someone should pass later, see the broken shards, and think a virgin had married, and perhaps mistakenly testify to this later.

But if the groom is a young fellow and the bride is a widow, or if he is a widower marrying a maiden, the law that applies is that of a young man and a maiden. If the groom is young and the bride a widow, as noted, they take a clay vessel for the reasons I noted. Indeed, *Spanish Jews and lo'azim do not insist* on using different vessels at a widow's and a maiden's wedding, since the Talmud contains no evidence for this practice, and this matter can be established through the *ketubbah* or the testimony of witnesses. A man is anyway forbidden to be with his wife without a *ketubbah* . . . so that even if the practice of using different vessels were abandoned, we would not, God forbid, be at fault.²¹³

Whereas we do find evidence in the Talmud for the practice of breaking a glass, “the Talmud contains no evidence” for the Ashkenazi

²¹¹ Budapest Ms., Kaufmann Collection 428, early fifteenth century prayer book, 210–228. See also Budapest Ms., Kaufmann Collection 380: “*Seder Hatanim* . . . he pours a glass of wine and recites the betrothal blessing . . . the groom and bride drink and break the glass to fulfill what is written, “rejoice with trembling” [Psalms 2:11]. He then takes another glass and recites the wedding blessing.” Breaking a glass is part of the wedding's ritual script, and appears in most versions of *seder hatanim* during the sixteenth and seventeenth centuries.

²¹² Rashi on Numbers 5:17, s.v. *be-kli heres* and on Jeremiah 46:19, s.v. *kli*; TB Sanhedrin 103a, s.v. *kodatei*.

²¹³ Budapest Ms., Kaufmann Collection 106, commentary of Graziano on *Shulhan Arukh*, 339.

custom of drawing a distinction between a maiden's and a widow's wedding, since the woman's legal status is documented in detail in the *ketubbah* writ. Throwing the vessel at the synagogue wall is not mentioned at all in this source as a ritual option. The text emphasizes that this is a lay practice without any talmudic support, thereby justifying its selective adoption by Spanish and *lo'azi* Jews. The addition of this practice to the Italian ritual is justified on two counts: "to gladden them," and "to rejoice with trembling." The joy could stem from the performance of a rare act, such as breaking a household object. The expression "to rejoice with trembling" is explained in the Midrash²¹⁴ as the bringing together of opposites, which entails risks but also significant opportunities. Rejoicing with trembling speaks of a joy rooted in suspicions, a mixture of happiness and sadness, of life out of death, of death's presence even in moments of joy. Breaking a glass could be interpreted as a temporary and symbolic break of conventional mores—the possibility of bringing together realms that would remain apart in ordinary circumstances, suspending borders and social norms, and the joy that comes from displays of waste and extravagance typical of carnival times. Indeed, breaking vessels was a common practice in Italy during the most carnivalesque of times, the *Purim* holiday.²¹⁵ Testimonies from Christian and Jewish sources show that *Purim*, more than any other time, was characterized by the breaking of rules and inner taboos. Jews allowed themselves to say what they thought about Christians and their faith, not always politely or sympathetically.

Various versions of the *seder hatanim* in Italy did not justify the breaking of a glass to commemorate the destruction of the Temple. When Leon Modena tried to explain to a Christian audience the meaning of this custom, he resorted to the medieval topos of human fragility:

²¹⁴ For exegeses of the expression "rejoice with trembling," see TB Berakhot 30b–31a; Yoma 4a; PT Berakhot 37a, 5:1; Midrash *Tanhuma* (Jerusalem: 1969), Noah, #19:1, 19a; Midrash *Tehilim*, ed. Salomon Buber (New York, n.p., 1948), #100, ch. 3, 213a–b; *Zohar*, vol. 3, 56a. The expression is also found in a congratulatory letter addressed to a father who has just arranged a match for his daughter. See Jerusalem Ms., Mosad Harav Kook 135 (IMHM # 20112), letter collection *Mar'ot ha-Tzov'ot*, #16: "What is done is done . . . and rejoice with trembling."

²¹⁵ Budapest Ms., JTS 50 (IMHM # 47035), anonymous sermons, 58a: "A homily for Purim: It is a Jewish custom to break clay vessels during Purim feast." On the carnivalesque atmosphere of Purim, see Horowitz, "The Rite to be Reckless."

Then, on the one glass of wine they recite six other blessings, seven in all, and the groom and bride again drink, and the wine is spilled on the ground as water, signifying joy and kindness. The empty glass is then given to the groom who throws it on the ground and breaks it in memory of death, which breaks us and tears us apart like glass holders, which cannot be made whole again, so that he will not become vain on his wedding day, his day of joy. All then congratulate him and leave.²¹⁶

Even in their joy, people must remember the threatening presence of death, think of it [*recordatio mortis*] and of the passage to the world to come. This explanation also continues the long-standing midrashic tradition of an association between the wedding day and the day of death,²¹⁷ a tradition given ritual expression in Italy in the practice of recording people's death according to the time that had elapsed since their wedding.²¹⁸

The various explanations given in Italy for the Ashkenazi practice of breaking the *kiddushin* glass point to a basic discomfort, given the obvious magic connotations of this practice. The only attempt in Italy to shift the wedding ceremony to the space of the synagogue, where the Ashkenazi practice of breaking the glass was common, stressed that it should be abolished and replaced by prayer.²¹⁹

3) During the fifteenth century, the custom in Ashkenaz and in Eastern Europe was for the bride to circle the groom under the canopy.²²⁰ In Italy, according to one sole surviving testimony, the custom was for seven torchbearers to circle the canopy seven times.

²¹⁶ Leon Modena, *Historia de'riti ebraici*, 86–87.

²¹⁷ The links between the wedding day and the day of death are the subject of the book by Glick, *Light has Dawned*. On this tradition in the Midrash and in popular literature, see Galit Hasan-Rokem, "The Snake at the Wedding: Semiotic Reconsideration of the Comparative Method of Folk Narrative Research," *Scandinavian Yearbook of Folklore* 43 (1987): 73–87.

²¹⁸ Budapest Ms., Kaufmann Collection 380, 230a–233b: "*Seder Hatanim* . . . the *Seder Hatanim* for grooms and brides is concluded, and in order for a man to pay attention to his end, and in order for him not to forget [death] on his day of joy, meticulous scribes used to record the course of a man's sickness until his death counting from his wedding day, the joy of his heart."

²¹⁹ Jerusalem Ms., Benayahu Collection VI, 141, 1b–3b: "From the day that it was established [in community regulations] that marriages should take place in the synagogue, instead of breaking the glass they recite 'Thank the Lord for he is good' [Psalms 100:5], in memory of the destruction of the Temple, and the verse 'If I forget thee, O Jerusalem, let my right hand wither' [Psalms 137:5], and a liturgical chant written by R. Archivolti for grooms, 'Take a violin' . . ."

²²⁰ On this habit and its magical roots, see Glick, *Light has Dawned*, 194–196.

Inspired by the Kabbalah, a parallel was drawn between the heavenly and earthly canopies:

The canopy for the concrete actual bride is not only for joy, but to resemble the mystery of the Tabernacle. . . . All this hints at the *Shekhinah* and at various ways of honoring it, so that the *Shekhinah* may reign between them. Hence, in my view, *the custom in Italy of lighting seven wax torches and circling the canopy is meant as a parallel to the seven heavenly seraphs* who stand around the heavenly canopy. After standing under the canopy, the groom and bride should say: May it be the will of God in Heaven, that the *Shekhinah* should reign between us, and may the grace of our God be upon us and upon our deeds . . . since the canopy stands for the Tabernacle.²²¹

Surrounding the canopy with torchbearers creates a barrier or a protection cover between outside and inside, and between the magical circle and whatever is alien to it. These symbols are known in many cultures, and the writer could have been expected to mention them. Instead, the number seven (seven circles, seven torches, seven torchbearers) and the male-female contrast, are explained as a parallel or an analogy between an earthly and a heavenly canopy or celestial temple. The magic potential of this interpretation is not fully exploited either. The analogy between a heavenly and an earthly canopy is not meant to bring forth divine plenitude or grace, an explanation that would have turned this into a magic-sympathetic ritual. Rather, honor is again mentioned as the hermeneutical key to this practice, an earthly value known to local people.

In all the three items mentioned here, we found that practices originally designed for the purpose of contacting and influencing magic forces were absorbed in the Italian marriage ritual in ways that neutralized and limited their magic dimensions. The main emphasis remains on the family, "civilian," earthly aspects of the ritual events. The marriage, however, is not completely lacking in magical elements. All the fears and suspicions that had surrounded the entire ritual cluster together in one single moment: the first sexual act [*consummatio*]. The hidden fears focus on the specific moment of assessing whether the woman is indeed a virgin, which will test the man's sexual powers before all. All the magical practices and beliefs

²²¹ Mantua Ms., City Library 128 (IMHM # 2256), 74a. My thanks to Joseph Avivi for this reference.

known to Jewish-Italian culture are channeled into the most sensitive, exposed, and least controllable link in the ritual. The first sexual act is also the stage in the marriage ritual at which the Kabbalah's presence is strongest. The limited, minor influence of the new kabbalistic myth and rituals on the stages of matchmaking-courtship-*kid-dushin*, contrast with its dominance at this stage. Italian kabbalists composed new prayers for the moment of consummating the marriage. Given the fears of magic and potential harm to the man's virility, they offered practical means of assistance. The old reinterpreted practices together with the new rituals informed the sexual act with new dimensions, beyond the conjugal, familial, or communal realms. The pronounced kabbalistic influence on the sexual domain, greater than on any other stage of this long and diverse ritual procedure, could be a case study of the Kabbalah's modes of influence on the life of contemporary Italian Jews. The focus on the precise moment at which the participants felt most vulnerable and exposed supports Bonfil's claim, whereby the Kabbalah's greatest strength lied in ritual innovations that could provide answers to deep needs and questions in real life. At this stage, its contribution to the many public events of the marriage ritual was not evident. It functioned mainly behind the scenes, changing the participants' consciousness and their attitudes toward sexuality. These seeds would later ripen into a significant culture transformation of the relationship toward the body, sexuality, and social discipline.

The Wedding Day: An Attempt at a Synthesis

In 1589, Grand Duke Ferdinando I of Medici married the French princess Christine de Lorraine, the niece of King Henri III.²²² Organizing the wedding celebration and all the public events that preceded it required many months of preparation. The wedding day was planned to the last details, as a major artistic production. Urban authorities enlisted hundreds of artists, poets, and artisans to prepare

²²² On the marriage preparations see James M. Saslow, *The Medici Wedding of 1589* (New Haven: Yale University Press, 1996), *passim*. For additional detailed descriptions of the marriage practices common in Florence's urban elite, see Klapisch-Zuber, "Zacharias, or the Ousted Father."

an appropriate setting for the bride's entry ritual, to write and stage theater shows, decorate the streets, erect new architectural structures, sew the clothes of all the guests at the various events, and rehearse the processions. Few contemporary wedding rituals are described in such detail. The overall thematic concept was determined in a series of meetings, minutes of which were kept in the city archive. The artistic side was assigned to writers and painters, who worked according to an agreed plan. Employees of the Medici family closely supervised the progress of the work and ensured it met the family's expectations. This wedding was certainly unusual in its artistic sophistication and in the scope of the investment, even for princely or patrician families in urban Italy, but the elements of the ritual were well known. Most wedding rituals in aristocratic families were celebrated with lavish entry processions, accompanied by family flags and a long row of escorts, dressed in clothes symbolizing the aristocratic dynasty. The ceremony was often performed in the cathedral or in one of the city's larger churches, in the presence of important guests. The joyful celebrations around tables laden with various kinds of food included plays, *tableaux vivant*, music, and dance according to contemporary fashions.

Artisans or modest merchants could not even dream of such costly projects. Their weddings included a series of meetings between the families of the parties, as described in previous chapters, signing the appropriate legal documents, a gathering of the close family when giving the ring, and a celebration accompanied by food on the wedding day, according to the families' economic means. The family took pains to keep most stages of the ritual within the domestic space, under the supervision of the expanded family clan.

Legal documents and records of benevolent societies enable us to reconstruct the wedding day practices of another urban group: servants, the destitute, wanderers, strangers, and orphans.²²³ In many cases, the ritual elements were limited, and conjugal life actually began by establishing joint residence or with the sexual act. The entire event appears hurried and almost unplanned: they meet the

²²³ On marriage rituals of marginal groups in Italian cities, see Guido Ruggiero, *Binding Passions: Tales of Magic, Marriage, and Power at the End of the Renaissance* (Oxford and New York: Oxford University Press, 1993), passim; Angelo Turchini, "Legislazione canonica e tradizioni locali nell'Romagna nel XVI secolo, in fatto di celebrazione matrimoniale," *Aevum* 50 (1976): 411-435; Ferrante, "Il matrimonio disciplinato."

partner, decide to live together, and move in after the sexual act. When the *fraternitas*, a patron, or a benevolent organization sponsored the couple, the ritual adopted the marriage patterns of artisans.

More than any other stage in the marriage ritual, the wedding day attested to class gaps in Italian society. As a result, separate ritual patterns typical of different classes emerged, such as the three noted above. The wedding day indeed includes “marriage rituals,” in plural, rather than one sole “marriage ritual.” The legal relationship between the partners, the financial and cultural investment, the circle of participants—all were directly determined by the couple’s social class and the expectations from them. These three wedding patterns, however, including the variations within each one, were not entirely different. They retained a number of overlapping areas, and pointed to cultural assumptions common to the Italian urban population in general. Hundreds of people participated in the preparation of the 1589 Medici wedding, requiring the mobilization of various population groups. A large part of the ritual was intended for the city’s inhabitants, clearly assuming they would appreciate the investment and would be able to decode most of the rich symbolism in the works of art displayed during the wedding day. In other words, even if artisans or laborers could only dream of investing sums even approximating those that the rich spent in one wedding day or in a very brief period, they could appreciate the cultural investment involved.

These remarks are also largely valid for early modern Jewish society. Three basic ritual patterns emerge, typical of three groups in the Jewish community: 1) The rich families, leading the larger communities. 2) The householders making up the community’s backbone. 3) The poor and those pushed to the social and economic margins (strangers, people without families, or servants). The first pattern, which I have called *civilisé*, involves a significant financial investment, not only in the economic but also in the cultural realm. The ritual repertoire strongly resembles that of the parallel social group in urban Christian society in Italy during the baroque era. Rich Jews thereby created a deliberate gap between themselves and the rest of the population. Most weddings followed the second pattern, which I have called *ludic*. It combined wedding practices known from Jewish tradition and also relied on local Christian traditions reminiscent of the carnival. The third pattern surfaces in brief mentions in *responso* literature involving marriages of servants or youths

without families, away from the public eye. This pattern is only scantily documented and we can only assume, by analogy to what was accepted in urban Christian society, that its ritual elements were extremely limited. In the following discussion, I focus on the contrast between the two main wedding day traditions: the ludic, "popular" pattern in carnivalesque style, as opposed to the rich, *civilisé* pattern.

The Ludic Wedding Day Pattern

Many elements of the Jewish wedding day belong to a rich and diversified ritual language common to Jews and Christians in Italy, across religious borders. On religious holidays, family celebrations, or events shared by the entire neighborhood or city, the ritual language was fully exposed.²²⁴ Against a background of hunger, need, basic insecurity and, above all, the ubiquitous presence of death, these celebrations carried powerful meaning and value. The height of these celebrations were religious or agricultural festivals.²²⁵ At the time of the carnival, a peak of these celebrations, many social taboos were suspended. The social hierarchy was presented in reverse; men changed places with women, rulers with ruled, adults with youths. Youth groups crowned a "king of fools" or a "bishop of folly." The deeper pagan layers of this culture were described by Mikhail Bakhtin, in his inspiring analysis of François Rabelais' *oeuvre*.²²⁶ The carnival, according to Edward Muir's analysis, is not limited to the holiday time before Easter; characteristic motifs were displaced to other Renaissance festivities and created a quasi-carnivalesque ritual language

²²⁴ See the profound discussion in Isambert, *Le sens du sacré*, 126–163. On various games during the Renaissance, see Mehl, *Les jeux au royaume de France*; Jean Heers, *Fêtes, jeux et joutes dans les sociétés d'Occident à la fin du Moyen Age* (Montreal: Insitute d'études medievals, 1971); Ceard and Margolin, *Rebus de la Renaissance*, vol. 1, *Histoire du Rebus*.

²²⁵ On carnivals in Europe, see the seminal work of Natalie Z. Davis, "The Reasons of Misrule: Youth Groups and Charivaris in Sixteenth-Century France," in *Society and Culture in Early Modern France* (Stanford, Ca.: Stanford University Press, 1975), 97–123; idem, "The Sacred and the Body Social"; idem, "Charivari, Honor and Community in Seventeenth Century Lyon and Geneva," in *Rite, Drama, Festival*, ed. John J. MacAloon (Philadelphia: Institute for the Research of Human Issues), 53–54. For further aspects, see David I. Kertzer, *Ritual, Politics and Power* (New Haven: Yale University Press, 1988), 144–150; Grinberg, "Charivaris au Moyen-Ages et à la Renaissance," 141–147; Camporesi, *La terra et la luna*, 25–28.

²²⁶ Bakhtin, *Rabelais and his World*.

in which sacred and lay images mingled, enabling the shattering of taboos.²²⁷ As a “performing genre,” it teaches its participants to internalize latent cultural assumptions about social hierarchy, borders between women and men, the honor ethos, and the link to sacrality.²²⁸ The carnival, therefore, also bore the violent and harsh visage of contemporary social life in general. Executions of criminals were postponed to carnival time to increase the merriment. Mistreatment of people, animals, or objects generally hated was common during the carnival.²²⁹

Holidays, and mainly the carnival, created a ritual language evident in many communal events:

Migrations of motifs from Carnival proper into other holidays “Carnivalized” much of Renaissance festivity, which in many places thrived on the mixings of sacred and profane images. . . . The carnivalesque constituted a kind of ritual language that could be employed outside the calendrical series of holidays to serve a variety of festive purposes. It gave persons access to the forms for taboo breaking, creating a liminal moment when new associations or alternative ideas could be asserted, in part through turning the usual values of normal life upside down. By bringing the private parts of the lower body into public recognition, carnivalesque and rule-breaking behavior made certain experiences stand out in memory and prepared persons for radical changes in their public loyalties.²³⁰

The wedding day in Italian Jewish communities during the early modern period was described in carnivalesque terms, as an event that suspends and temporarily breaches common prohibitions. What would be viewed as folly and licentiousness in ordinary time was now encouraged and appreciated. Thus in two wedding speeches from the same period:

The usual custom at ordinary weddings is for fools to gather together to gladden the groom and bride, to fulfill the saying of King Solomon,

²²⁷ Muir, *Ritual in Early Modern Europe*, 93–98.

²²⁸ For a theoretical discussion of public festivities, see John J. MacAloon, “Cultural Performances, Cultural Theory,” in *Rite, Drama, Festival*, 1–15; Isambert, *Le sens du sacré*, 126–140.

²²⁹ On the brutal aspects of the carnival in Europe, see Davis, *Fiction in the Archives*, 32–35. On parallel aspects in Italy, see Luigi Lazzarini, “Le radici folkloriche dell’anatomia: Scienza e rituale dell’età moderna,” *QS* 85 (1994): 193–233; Stephen Mannell, *All Manners of Food: Eating and Taste in England and France from the Middle Ages to the Present* (Oxford: Basil Blackwell, 1985), 23–24.

²³⁰ Muir, *Ritual in Early Modern Europe*, 96–97.

may he rest in peace, “the heart of fools is in the house of mirth”. . . . For the wedding guests, the main reward and the pious deed is the more the merrier, namely, *more foolish deeds, more joyful things that make the wife beloved to her husband*, such as no kohl, and no blusher, and no coiffures²³¹ . . . These are matters of modesty, but they were allowed in the wedding home to make the bride beloved to the husband, as it should truly be. And so it is with other such matters—one is allowed to tell stories to gladden the groom and bride—this is a pious deed, and these are called foolish deeds. Since *a tinge of folly is even more priceless than wisdom and honor and, when the need arises, folly is wisdom*, as we learn in Ketubboth²³² . . . As for that sage [R. Judah b. Ilai, mentioned in TB Ketubboth] who used to allow pious men like himself [foolish acts] without fearing the evil disposition, he meant this as an act of devotion, although Halakhah does not rule like him on this question . . . At ordinary weddings, we find only jesters, and the saying “the heart of fools is in the house of mirth” had them in mind.²³³

R. Zira said [about R. Samuel b. R. Yitzhak] . . . that *he would behave as a fool* [dancing before the bride with a myrtle branch] himself fulfilling what David had said, “therefore will I play before the Lord and I will yet be more lightly esteemed than this, holding myself lowly” [2 Samuel 6:21–22]. *So with this pious sage, who would behave in ways unbefitting his honor* in order to gladden the groom and bride.²³⁴

These two homilies, describing the wedding milieu in Italy, take the stories in TB Ketubboth 17a as a starting point. The preachers do not view the wedding practices as reflecting “foreign influences” originating in alien customs, but as an experience at the heart and soul of Jewish tradition dating back to the talmudic period. The criticism hurled at R. Samuel b. R. Yitzhak for dancing before the bride and amusing her with his *jongleur* act of throwing up “myrtle branches” into the air and catching them, was viewed in Italy as a reason to praise him. On the wedding day, even a sage like him was allowed to engage in foolish acts. The preacher, however, was not talking about the Babylonian sages but about his contemporaries, including respected community leaders. Behaving in carnivalesque fashion was not only allowed but even required, since “a tinge of folly is even more priceless than wisdom and honor . . . folly is wisdom when the

²³¹ TB Ketubboth 17a; TB Sanhedrin 14a.

²³² TB Ketubboth 17a.

²³³ Oxford Ms., Bodleian Library 54, 331a–332b. For a discussion of this phenomenon, see Cohen & Horowitz, “In Search of the Sacred,” 242–248.

²³⁴ New York Ms., JTS ENA 990, 95a–98b, a wedding speech in Jewish-Italian dialect mixed with Hebrew. The quotation is from 98a.

need arises and *at the right time.*” Duties of modesty that forbid public closeness between men and women were suspended during the wedding dances. The rigorous insistence on personal honor, male honor, and the honor of the Torah and its bearers were replaced by foolery, light-heartedness, and “ways unbecom[ing] [his] honor.” But the homily does not hide its ambivalence concerning these circumstances. Breaching limits may arouse evil dispositions, meaning “sexual licentiousness” and forbidden intimacy between men and women. Fears also stemmed from the identity of the organizers and supporters of “foolish deeds,” referring to the *mattinata*. These were not the adult, honored members of the community but the youngsters or neighbors, who viewed wedding celebrations as an opportunity for meetings and intimacy with the other sex.

The atmosphere of the wedding day may have reminded people of another joyful event, the *Purim* holiday, which also involved role reversals. On the days preceding and following the wedding, conventional social taboos were disregarded. Gambling, a common pastime usually forbidden,²³⁵ was allowed during the days of the wedding.²³⁶ Profligacy and waste are allowed at the carnival, and gambling is a constant at joyous events. At certain times, gambling is actually thought to ensure increased prosperity throughout the year.²³⁷ The wedding day, then, is described as an event close in spirit to the

²³⁵ For a long discussion of gambling in Jewish Italian communities during the early modern period, see Leon Modena, *Responsa Žiknei Yehuda*, #78, 100–114; Abrahams, *Jewish Life in the Middle Ages*, 390–398.

²³⁶ Frankfurt am Main Ms., City Library 135 (IMHM # 23153), 21a–22a: “Under penalty of excommunication, we order that, from this day onward, no man or woman older than ten will be allowed to gamble in any form—whether cards, dice, or any other—in the city or five miles around it, except for games of chess that do not involve bets, only for free. This ruling will be in force until the month of Nissan 5336 [1576]. This decree does not apply on days when no *tehimot* [supplication prayers] are recited, when gambling will be allowed, or when a wedding is celebrated in the city, when gambling is obviously allowed at the wedding home on the day of the wedding and on the preceding and following days. If there is a circumcision in the city, gambling is permitted on the *veglia* night and on the day of the circumcision, but only at the place where the child’s father is staying . . .” On the *veglia* night and its special atmosphere, see Elliot S. Horowitz, “The Eve of the Circumcision: A Chapter in the History of Jewish Nightlife,” *Journal of Social History* 23 (1989): 48–69.

²³⁷ On the frequency of gambling during certain times of the year, see Mehl, *Les jeux au royaume de France*, 76–98, 152–176, 232–234; Achile Olivieri, “Giuoco, gerarchia e immaginario tra Quattro e Cinquecento,” in *Rituale, cerimoniale, etichetta*, ed. Sergio Bertelli and Giuliano Crifo (Milano: Bompiani, 1985), 167, 171–172.

carnavalesque atmosphere of public celebrations in Italian cities or to their Jewish parallel, the *Purim* holiday. No wonder, then, that Christians also showed interest in Jewish weddings and came as the families' guests.²³⁸

The Civilisé Wedding Day Pattern

According to Peter Burke, in the transition from the Middle Ages to the early modern period, the character of play and celebrations in Europe changed in three main ways:²³⁹ (1) The "commercialization of free time," namely, celebrations became more professional due to the increasing use of actors and theater professionals, while spectators became more passive. (2) The "rationalization" of play (in the Weberian sense), meaning formalization, codification, and unification of the rules of the game. Game books appeared in Italy, instructing players how to play "correctly." (3) An increasing differentiation between the games of the urban elite, which became more refined, and popular games. The will to play or spend leisure time enjoying new parlor games, different from the "rude" games of the rest of the population, was an additional expression of the increasing gap between the lifestyle of the urban elite and other groups. A distinct "play-culture," typical of the urban aristocracy and the rich bourgeoisie, became one more feature in the civilization process of contemporary European society. The refinement of behavior created a new lifestyle in patterns of eating, dressing, body language, and use of personal objects. Norbert Elias held that this process is one of the most significant for the understanding of European culture and its uniqueness.²⁴⁰

Elias' thesis was acknowledged as a crucial contribution to the understanding of Europe's transition to modernity, although it was

²³⁸ *Letters of Jewish Teachers*, #130/10, 246–247: "I beseech you to turn away from all affairs, and participate in the wedding celebrated in my house. . . . in the joy, the gambling, and the banquets, but let no Gentile men and women come to dance for the ensuing danger is imminent." For further testimonies, Simonsohn, *The Jews in the Duchy of Milan*, vol. 3, #3488, 3642, 3663, 4590.

²³⁹ Peter Burke, "Le Carnaval de Venise: Esquisse pour une histoire de longue durée," in *Les Jeux à la Renaissance*, 55–63.

²⁴⁰ Norbert Elias, *The Civilizing Process*, trans. Edmund Jephcott (New York: Urizen Books, 1978–1982); idem, *The Court Society* (Oxford: Basil Blackwell, 1983).

also strongly attacked. Elias' critics argued that this civilization process is not linked to a defined political framework, such as the court at Versailles, and is certainly not as late. Instead, the process was much more prolonged, and began with educational trends instituted by the Church during the Middle Ages. Italian cities during the Renaissance provide clear evidence of various refinements required by the density of urban life.²⁴¹

Play and celebrations demarcated more clearly the borders between these different and mutually alienated lifestyles. They thereby transcended their previous categorization as pastimes or religious events and, increasingly, became a political tool that rigidifies the social hierarchy. The number of public and celebratory events increased considerably during the sixteenth and seventeenth centuries,²⁴² while urban authorities and the royal court also deepened their political exploitation of these events. The monumental entry processions into the city [*trionfi*] represent a prominent example, demonstrating the strict control that urban Italian authorities exerted over local celebrations and traditions. The Italian court was well known for its detailed and lavish ceremonies, which in the fifteenth and sixteenth centuries were imitated throughout Europe. Italy was also an important arena for innovations in the use of large spectacles in the political realm, and for the emergence of the modern theater. The Jesuits, too, made wise use of the theater and other visual means in their vast educational network in Italy and Europe in general.

This process was also evident in the *civilisé* marriage pattern of rich Jewish families in Italy. The riddle sheets given out to the wedding guests, the baroque wedding songs, the fine food aesthetically presented, the guests' clothes, the family wealth exposed to others,

²⁴¹ Daniela Romagnoli, "La courtoisie dans la ville: un modèle complexe," in *La ville et la cour*, 185–218. See also C. Stephen Jaeger, *The Envy of Angels: Cathedral Schools and Social Ideals in Medieval Europe, 950–1200* (Philadelphia: University of Pennsylvania Press, 1994); idem, *The Origins of Courtliness: Civilizing Trends and the Reformation of Courty Ideals, 939–1210* (Philadelphia: University of Pennsylvania Press, 1985), passim. For a methodical and comprehensive criticism of Elias' thesis, see Hans-Peter Duerr, *Nudité et pudeur: Le mythe du processus de civilisation* (Paris: Éditions de la Maison des Sciences de l'Homme, 1998); Niccoli, "Éducation et discipline."

²⁴² On the intensification of public festivities toward the close of the sixteenth century, see Silvia Carandini, *Teatro e spettacolo nel Seicento* (Roma e Bari: Laterza, 1990), 12–19; Roy Strong, *Art and Power: Renaissance Festivals 1450–1650* (Woodbridge Suffolk: Boydell Press, 1984), 7–28; Maravall, *Culture of the Baroque*, passim; Martines, *Power and Imagination*, 321–331; Bonner Mitchell, *The Majesty of the State* (Firenze: L. S. Olschki, 1986), 3–9.

all were designed for a refined audience capable of appreciating their value. The celebration sometimes resembled a carefully staged theatrical event.

The rich visual language of the Baroque was also conspicuously evident in the ritual through the material objects used at the wedding: the illuminated *ketubbah*, the portraits of the groom and bride, the maiolica plates, and even the riddle sheets resembling Italian *imprese*. Letters describing the wedding meals in detail show the strong resemblance to the practices dominant in Christian urban elites, and the refinement in eating and serving patterns. Jewish fraternities that staged plays or played music participated in the wedding day celebrations. All stages of the marriage ritual entailed a rhetorical element, including the preparations (invitations to the guests), and the wedding day in particular: long wedding homilies that presented the ideal of family life beside descriptions of Italian reality, *tenaim* writs that include long rhetorical formulae, riddles that tested fluency in various registers of the Hebrew language. Rhetoric was an important means in the elaboration and cultural stylization of communication among adult, well-established, and cultured men. All these elements gave weddings of the *civilisé* variety, which only a small number of families within the Jewish community could celebrate, a distinct character.

The gap between rich and householders' weddings during the fifteenth and sixteenth centuries was less pronounced in the Jewish community than in Christian society. Mutual acquaintance and mingling in a small community were greater, and the religious and social solidarity of a minority group brought rich and poor closer. The local *lo'azi* community had to invest deliberate cultural efforts in protecting family and marriage patterns from attack and criticism by Jewish immigrants. The wide differences in style and cultural investment between "popular" and "refined" patterns did not remove these shared grounds. The cultural assumptions of the ritual's participants concerning the choice of partner, the central place of honor, the use of assets, or the need for communal legitimation remained the same. The basic elements of the wedding day—the centrality of the sexual component, the wedding venue, and the celebrant's identity—are specific to *lo'azi* tradition, and differ from those prevalent in other Jewish communities outside Italy. They can be explained within the Christian urban context, and within the neighborhood space. Both patterns evoked mutual reactions and served as imitation models.

Following is a detailed account of the shared elements:

1) On the wedding day, the role of the community is passive but central in the legitimation and acceptance of the young couple.

2) Hence the extroverted and theatrical character of the wedding day. At the time, the term “theatrical” would not have sounded strange, since the separation between spectators and participants at theatre performances was still blurred.²⁴³ Spectators could intervene in the show, and players at princely courts might come down from the stage after the performance to serve the audience dressed in their stage outfits. Extroversion as a feature of the wedding day was already evident in the ritual of the bride’s entrance on horseback into the groom’s town escorted, in royal fashion, by a procession. The family assets, usually hidden from strangers, were publicly exposed. The illuminated *ketubbah* was passed around to show the impressive ornamentation and allowing everyone to read, in passing, the attached *tenaim* writ. The bride’s dowry, collected and prepared over a long period of time, as well as the gifts exchanged between the families and those brought by the guests, were placed “on the table.”

3) All the elements of the wedding day show to others the honor of the males and the families being joined in marriage: the invitation letters, the guests’ rank, the publicly displayed wealth, the expensive meal, the hospitality provided to out of town guests, the last minute quarrels. The wedding day revealed how crucial a consideration the family’s honor had been from the start. As I note below (under item 7), the honor element is rational in that it serves the basic interests of people living in a densely populated environment.

4) Sexuality is a necessary element of the wedding day and is not postponed for a later stage, when the involvement of the guests and the community is less obvious. The wedding day allowed the ritual and cultural elaboration of sexuality into familiar and controllable frameworks. The guests accompanied the couple with songs and poems to the nuptial room, scene of the actual sexual act [*consummatio*]. The youngsters’ version of involvement was more daring and invasive, in the *mattinata* rituals common in Italy. After the act, the stained sheet was displayed, proof of the male’s virility and the

²⁴³ Dunbar H. Ogden, “De Sommi in ’88: Dynamics of Theatrical Space,” in Belkin, *Leone de Sommi and the Performing Arts*, 231–245. In the same volume, see Alfred S. Golding, “A Comedy of Betrothal: Some Suggestions for a Reconstruction of its Premiere Performance,” 133–144.

female's virginity. At stages preceding the wedding day, we find open exchanges on the subject of the couple's erotic intimacy in personal letters. Shame about sexuality had not yet become part of the culture of Italian Jews in the late sixteenth century. This time, however, marks the turning point, because sexual behavior became an important part of the social discourse. Guidebooks for young men, halakhic case discussions, and kabbalistically inspired homilies point to the community's increasing concern with the control of male sexuality, particularly among young men.

5) The wedding was celebrated in the domestic space. The place (a private home) and the celebrant (a relative or a person they wished to honor, or a cantor, or a rabbi) allowed families to conduct the ritual according to family traditions, which are not necessarily identical or entirely compatible with formal halakhic requirements. The synagogue played a secondary role in the ritual. Only after the couple had been legally married and had engaged in sexual intercourse did they come to the synagogue to obtain community sanction, but not to perform a formal or legal marriage procedure. The *lo'azi* tradition, then, differs from all other European Jewish communities where, during the Middle Ages, the ritual shifted away from the family to be performed by rabbis in a public setting. This is a unique and significant instance of long-standing local traditions that were preserved until the seventeenth century (the uppermost time limit in this work), despite the pressure of "foreign" Jewish immigrants who had sought to change them.

The *lo'azi* ritual, although an exception in the Jewish space, integrates naturally in the urban-Christian space in Italy. Christian families performed the ritual in the domestic space, with full control of its entire course. The influence of the Church on the ritual was quite limited, even after the Council of Trent and even in cities that were home to prominent Counter-Reformation figures.

6) The bride's entry procession into the groom's city marks the festive opening of the wedding day. After this stage, the groom and bride will be constantly surrounded by other men (and women). The *shoshvinim* escorted the groom up to the wedding canopy and later as well, throughout the week that followed, while the bride's female escorts stayed with her. During the ritual, we find clear hints suggesting a ritual identification between the groom and the *shoshvinim*, suggesting that not only is the groom marrying but the *shoshvinim*, as it were, are marrying with him. After the sexual act, the bride

and groom were forced to separate due to ritual purity considerations, and spent the entire week of celebrations accompanied by their escorts. This group represented the circle to which the couple belonged, or would join after the ritual. The group of *shoshvinim* stressed the communal, group character of the wedding ritual, unlike that of the romantic model.

7) Rank, honor, and social importance in this culture hinge largely on the ability to display wealth and give gifts, of various kinds, to others who depended on patronage. Food is perhaps the main gift in a culture where hunger is so close and commonplace and food is not steadily available. Food was a gift given in lavish gestures, in quantities unusual for the recipients. George Bataille claims that the penchant for wasting large amounts of resources in a short period is no less dominant in human culture than the tendency to accumulate resources toward rainy days.²⁴⁴ Even shrewd merchants in Italian cities of the sixteenth and seventeenth centuries recognized the social power of “waste,” or of investing resources in projects promising no economic gain, such as palaces, opulent churches, or the patronage of artists. In a pre-capitalist world, social and personal contacts played a crucial role in commercial or other activities that modern parlance calls “economic.” In these circumstances, the ability to engage in “wasteful” and ostentatious displays of wealth attested to the power of the family and strengthened its image as economically solid. Wealth and a network of social contacts are two of the three elements determining the status of the individual and the family in the city, next to honor. Honor is concrete, tangible. It can be measured, exchanged for money. The ability to display wealth is a concrete expression of the family’s honor.

“Waste” has clear social meaning in a culture where the ability to engage in wealth displays of this type strengthened the individual’s status in a crowded environment. A lavish meal providing abundant food served aesthetically in special dishes, or the presentation of the family’s wealth “on the table” for all to see (the bride’s dowry, the guests’ gifts, and the gifts and *sivlonot* exchanged between the bride and groom) are such displays. In Italian Jewish society too,

²⁴⁴ George Bataille, “The Notion of Expenditure,” in *Deconstruction in Context*, ed. Mark C. Taylor (Chicago: Chicago University Press, 1986), 360–374. On the abundance of food at various stages of the fifteenth century Florentine wedding ritual, see Klapisch-Zuber, “Les noces florentins et leurs cuisiniers,” 193–199.

which is undergoing a slow and steady process of pauperization in the early modern era, these acts are important in the way they differentiate an elite able to grant patronage from the rest of the population dependent on its generosity.

8) Whereas the wedding rituals of Ashkenazi Jews or of Italian Christian society were suffused with magic elements, the local Jewish ritual is singularly devoid of them. Magical elements were absorbed into the ritual only after a softening or blurring of their more blatant features. A prominent example is the transition of the glass breaking ritual from Ashkenaz to Italy, while removing the anti-demonic dimension and providing a different cultural explanation for the practice. An important indication is the marginal role of charity in the wedding ritual. Charity was perceived in Jewish culture, including that of Italian Jews, as an important way of ensuring individual protection from disaster. The practice, then, was to give charity at times that tended to evoke great anxiety (funerals, fasts) or on festive events (a call to the Torah, holidays) that draw the individual closer to sacral forces.²⁴⁵ Only the last stage of the wedding ritual, the Sabbath of the seven blessings that marked its ending, was an occasion to give charity at the synagogue.

The participants felt particularly vulnerable to uncontrollable forces at the time of the first sexual encounter [*consummatio*]. The fears and the required means of protection turned this moment, more than any other in the long ritual sequence of the marriage, into a clear liminal stage, the most exposed to demonic influences or to magical spells cast on the groom's sexual potency. The responsa literature attesting in detail to the preparations toward the sexual encounter reports on the precautions taken by both sides to preclude cheating concerning the bride's virginity or the groom's virility, but not about magical or pre-emptive means.

9) The absence of the Kabbalah from the Italian wedding ritual could be viewed as a "deafening silence," given that kabbalistic practices had resulted, at the time, in "a reformation of religious ritual and prayers. . . . the transformation of the practice, study, and uses of Kabbalah from esoteric to exoteric, and its resulting spread through

²⁴⁵ Marc Saperstein, "Italian Jewish Preachers: An Overview," in Ruderman, *Preachers of the Italian Ghetto*, 34.

all levels of the Jewish social body.”²⁴⁶ The presence of the Kabbalah is minimal and limited mainly to the rhetorical level, in homilies dealing with matchmaking or in wedding speeches. In these homilies, the rich exegetical level of the Kabbalah could be added to the broader infrastructure of the midrashic literature on marriage.

10) The parallel between the group of male *shoshvinim* accompanying the groom and the female escorts accompanying the bride is one instance of a female ritual axis alongside the dominant male axis. Since the sources describing the wedding day were all (with very few exceptions) written by men, documentation about the female axis is extremely limited. Its value and significance, however, should not be dismissed or blurred, since even sixteenth century men recognized its importance. “Wise women” were asked to monitor the behavior of the couple toward and after the first sexual contact. A groom untested by these women could raise no objections concerning his wife’s virginity. From a female perspective, the woman’s immersion in the ritual bath before the wedding attested to her acceptance and propriety in the eyes of other women.

11) Patterns from the *civilisé* ritual spread to the “popular” variation: wedding songs, music, wedding riddles. The number of surviving songs and riddles suggests that this was not an exceptional phenomenon limited to *civilisé* weddings, but a cultural expression that had spread to wide sections of the populations. Possibly, fraternities that staged plays or dealt with music participated not only in the lavish affairs, but also in the more modest weddings of fraternity members.

The split between two ritual patterns—the “ludic” vs. the *civilisé*—was a further expression of the transformation affecting the local ritual during the early modern period. Migrations of Ashkenazi Jews and the Spanish traditions put local traditions to the test. Elements from these rituals became imperceptibly attached to the local ritual. Marking clear borders between the *lo’azi* ritual and those of other communities is not always possible. At times, however, sources point to an awareness and a conscious will to preserve the *lo’azi* version in the wedding celebration or to sustain unique family traditions.²⁴⁷

²⁴⁶ Bonfil, *Jewish Life in Renaissance Italy*, 169–172, 230–232. See also idem, “Change in the Cultural Patterns of a Jewish Society in Crisis: Italian Jewry at the Close of the Sixteenth Century,” *Jewish History* 3, 2 (1988): 11–30.

²⁴⁷ For an admonition warning Italiani men against marriage to Ashkenazi women,

Pressures from immigrants were unsuccessful in changing the gist of the ritual or the latent cultural assumptions that guided it up to the sixteenth century. In the last third of this century, signs of change in basic elements begin to emerge. As Italian Jews moved to larger communities in northern cities, and particularly with their concentration in ghettos, the ritual also shifted to a far more crowded social framework, humanly and ecologically.

The change in the residence patterns of Italian Jews, however, was itself part of a broader change during the Counter-Reformation.²⁴⁸ As in Christian society, the public supervision of the ritual increased. The community tried to weave a thin web that would increase the families' dependence on public institutions. The loan of communal objects kept in the synagogue—a lamp to the groom's house or ritual wedding rings for *kiddushin*—eliminated the family monopoly of the ritual, undermining centuries-old traditions for conducting the ritual in the domestic space.

An institutionalized expression of the communal desire to intervene in the wedding ritual can be found in a long series of "sumptuary laws": the large expenses entailed by lavish meals and other forms of ostentation, evoked a communal counteraction. "Sumptuary laws" [*pragmatiche*] forbade extravagant waste. These ordinances appeared as the natural response of a community most of whose members could not spend such sums, and sought to place limits on its wealthy minority. But the sumptuary laws are far from uniform in their themes, their basic trends, and their rhetoric. Reuven Bonfil pointed out that, beside looking "outward" to the Christian society and its reaction to displays of material wealth in Jewish society, these laws also played a significant role in the organization of internal communal life and the imposition of discipline.²⁴⁹ This statement is corroborated by the fact that, except for the Forli ordinance (1418), sumptuary laws appear with increasing frequency only later (1550–1650). Chronologically, a gap of about a hundred years separates a

see, *Letters of Rieti Family*, #293, 309: ". . . they will humiliate their exalted husbands, opening their mouths beyond measure and always raising their voice to degrade them, even is the husband is a priest or a prophet [distinguished man]." This document is discussed at the close of chapter 4 above.

²⁴⁸ Weinstein, "*Segregatos non autem eiectos* [Segregated yet not Ejected]"; idem, "The Jewish Ghetto in Relation to Urban Quarters in Italian Cities."

²⁴⁹ Bonfil, *Jewish Life in Renaissance Italy*, 104–111.

wave of sumptuary laws published in Christian urban society²⁵⁰ and the legislation in Italian Jewish communities. The topics of the laws connected with marriage do not overlap either. As opposed to the focus on the expensive dresses worn by women in Christian society, the laws in Jewish society spread over a larger range of ritual manifestations: the cost of the *ketubbah* writ, the number of meals, the number of guests, the value of the dowry, prohibiting mixed dancing, wearing jewelry in the year before and after the wedding. Sumptuary laws in Italian communities in the early modern period result from intra-Jewish social conflicts, and their link to parallel laws in Christian society is, therefore, only partial. In order to enforce the sumptuary laws, they even encouraged denunciations: “denouncers will not be considered informers.”²⁵¹ This wording shows the discomfort evoked by this ordinance, which contradicted a long-standing Jewish ethos of suspecting slanderers and informers. Community leaders assumed an authority hitherto reserved to the family or its representatives, and participated in the assessment of the dowry to ensure it did not exceed the permitted limits. Families that breached one of the sumptuary laws faced real sanctions, such as a denial of community assistance in collecting funds for the dowry.

Community supervision also addressed another crucial element of the ritual: sexuality. The extensive halakhic and ethical literature made youth sexuality a subject in the communal cultural discourse. We need not conclude that trends of sexual repression were on the rise, but this increased attention attests, at least, to the search for a new balance between the controlling attempts of the powerful in the community, and the youth culture that was an accepted and legitimate part of local tradition.

²⁵⁰ For a discussion of the motivations and the circumstances for legislating the sumptuary laws and their social meaning, see Diane O. Hughes, “Sumptuary Law and Social Relations in Renaissance Italy,” in Bossy, *Disputes and Settlements*, 69–99; Klapisch-Zuber, “The Griselda Complex”; Greilsamer, *L’envers du tableau*, 165–187; Pastoureau, *Couleurs, images, symboles*, 33–37.

²⁵¹ Carpi, *Minutes Book of the Council of the Jewish Community of Padua, 1603–1630*, #17/53, 475.

SUMMARY

MARRIAGE RITUALS ITALIAN STYLE

The opening question of the book—how does ritual turn two single people into a married couple?—may now be answered from a broader perspective that presents it as a unified experience, after gaining knowledge of the ritual's various stages and their underlying socio-cultural assumptions.

Several basic questions still await further discussion: What is the ritual's contribution to the understanding of Jewish culture in general and of social history in particular? What might explain the surprising scope of documents describing different stages of the marriage preparations in early modern Jewish Italian communities? Can we point to significant changes in ritual performance during this period? From what cultural circles does the ritual draw its meaning in the perception of its participants, and how are the different circles integrated? Finally, what do we learn about Jewish Italian society and its main cultural and communal structures after studying its marriage rituals?

The Marriage Ritual

Scholars have recently shown growing interest in the history of the family in Europe. Various aspects emerge in the studies of historians, sociologists, and anthropologists,¹ such as the structure of the family, family strategies in the choice of marriage partners, the use of marriage for political needs, the transfer of assets to the next generation, family semantics, images of the family. My focus on in this book was the ritual perspective on the history of the early modern Jewish family in Italy, but some of these other issues did emerge in passing.

¹ For an example of family research integrating both historical and anthropological methods, see Burguiere et al., eds., *Histoire de la Famille*.

Out of the various approaches to the study of rituals I chose that of Bell, who emphasizes strategies or modes used to distinguish ordinary acts from ritual acts. A ritual act is not an essentially different phenomenon, but one of several modes of drawing cultural, religious, or social borders or distinctions. Hence, no "correct" or original ritual can be defined, deviations from which are due to mistakes or memory lapses. Improvisation is vital to the performance of rituals, according to the unique circumstances in which it is performed and according to its participants (men vs. women, laypersons vs. specialists, center vs. periphery, and so forth).

In the light of this approach, a question that Humphrey and Laidlow² raise in their important conceptual study of rituals can be added here: why do participants in rituals continue to perform them even after casting doubts on the role or the importance they ascribe to them? This fundamental puzzle is significant for the present study because of its implications: rituals do not bear religious truths, nor can they be paralleled to a language whose inner grammar or basic structures must be decoded. Primarily, a ritual is a feature or characteristic of action that differs from everyday, functional action. The lack of an overall interpretation, therefore, is essential to ritual. Anthropologists come across confused and varied responses from participants asked to explain their actions. In many cases, researchers tend to present this situation as a flaw reflecting ignorance, forgetfulness, or lack of faith, rather than as an expression of varying closeness to the ritual or as a legitimate interpretation. Competing interpretations, instead of denoting ignorance or inadequate access to the holy books, are the prevalent pattern. By definition, rituals tend to dispersed meanings. Ritual consensus is not a given, factual situation, but a historical-social product created by authoritative bodies.

A ritual, then, is not a type of communication, a transmission of truths in theatrical form, or a mythologizing of proto-scientific perceptions. The linguistic/verbal foundation of ritual is usually marginal. Performing a ritual does not necessarily require a precise, explicit set of beliefs. Hence, a set ritual script is not always provided. Although believers mention the existence of ritual rules, actual performance shows wide variety. The full ritual sequence is hardly ever performed and, generally, only some of its basic units are brought into play.

² Humphrey and Laidlow, *The Archetypal Actions of Ritual*.

Basic units can also be used in various ways, repeating some, and shortening, lengthening, or changing the order. Ritual "structure" is sometimes revealed as a list in which the order of the items is not significant. Up to a point, believers can show tolerance toward others performing a ritual in a different order. The "messiness of ritual performance" is not a type of personal or social failure; it belongs to the ritual space in all its variety.

Rituals are not learned from theoretical treatises nor shaped by conceptual definitions. Inspiration and apprenticeship in the performance of rituals relies on praxis, on the imitation of others or on a teacher's example. Usually, theoretical aspects are acquired after actually experiencing performance. Despite proud proclamations about the antiquity of rituals and their recording in holy books, most believers never consult these texts when performing them. The memory of performance relies on basic bodily skills that accompany execution. Recurring activities are imprinted in the bodily movements that accompany each basic ritual unit.

Rituals, therefore, rely on the creation of distinctions between different realms, and can only be understood as an activity that overlaps other social and cultural domains. A ritual tends to spread foci concerning its interpretation as well as its procedures of performance and use, according to the circumstances. It is shaped through competition between ritual specialists and laypersons, between rich and poor, men and women, center and periphery, written and oral. Hence its importance to social history in general and, in our case, to the social history of Italian Jews, as an event unfolding in time and space with relatively defined means and allowing cooperation between large sections of the population, though in different modes.

The Jewish marriage ritual in Italy is particularly suited to this type of analysis because it is prolonged and requires substantial investments, economic and cultural, from all population groups. Documents report not only on the performance of various ritual stages, but also on the participants' reactions and comments. They thus pave the way for the "anthropological" interpretation of rituals, relying on local informants who supply "inside" interpretations. Occasionally, the participants' emotional reactions to events and their direct influence upon onlookers are also revealed, enabling the "mapping out" of the ritual's more significant stages or peak moments.

The importance of ritual in general and of the marriage ritual in particular, as a cultural phenomenon shared by all members of the

community, is not an anachronistic view or a reading imposing an alien interpretation on the past. Some contemporary sources show awareness of ritual events, and an understanding that these situations demand a different “reading” from the participants and from the rabbis relating to their halakhic standing. For instance, in a responsum on gifts exchanged at the *tenaim*, R. Moses Provinzallo ruled that every ritual component must be interpreted as part of an accepted and familiar semiotic system, which had mainly been intended to publish the event rather than to change the participants’ legal status.

When setting the ritual’s time limits and its contents, I included not only legal halakhic components. Relying on Bell’s multifocal reading, as well as on the approach of Humphrey and Laidlow, I suggested including all those elements the participants view as contributing to the creation of the married state, or as hindering retreat from it. This suggestion takes into account the characteristics of ritual mentioned so far: the readings of ritual specialists vis-à-vis those of laypersons, the degree of freedom or manipulation in the performance of rituals, and the deviation from rules.

The Scope of Records

To avoid the risk of arbitrariness when interpreting the ritual, and mainly to preclude anachronistic perceptions, all interpretations of rituals should be anchored in a factual and significant starting point in this context, namely, the unusual scope of written documentation. When writing this work, I consulted, without exaggeration, thousands of documents. Most are still in manuscript, some even unread and unrecognized by modern librarians or archivists. Others appeared in print during the sixteenth and seventeenth centuries or in recent publications. They cover all the literary genres familiar in Hebrew culture, from various forms of fiction and up to various branches of halakhic literature, autobiographies, community ordinances, ethical and kabbalistic works. Hundreds of contemporary letter compilations and letter manuals, where writers and copyists reported on family practices and on fears surrounding rituals, had a special place. Some of the sources are brief and perfunctory, and convey specific information. Others are extremely long, running into hundreds of pages and reporting rich and detailed information on various aspects of

the ritual, or describing family situations in a lively and intimate way, enabling us to retrieve important particulars. The sources differ in their linguistic and literary merits, ranging from basic Hebrew up to the highly literary and complex style characterizing local writing. Aside from a few exceptions, these documents were written in Hebrew and meant for a Jewish audience. Most of them—the responsa literature, the wedding riddles, a *Purim* play, and others—were meant for public distribution.

No study of parallel scope has yet been attempted on marriage rituals in other medieval and early modern Jewish communities. Studies that refer in passing to marriage practices outside Italy,³ however, seem to indicate that the scope of available sources is far smaller, and unable to describe in similar detail the various stages of the ritual or the various agents participating or expressing opinions on it. This issue emphasizes even more sharply the question of what in the marriage ritual of Jewish Italian communities merited such focused attention and such rigorous documentation efforts. In this summary chapter, as noted, I will contend with this puzzling issue, noting the ambivalent place of Halakhah in the performance of the ritual, the importance of the family or “private” circle, the centrality of the community and its deep level of involvement, the link to non-Jewish circles, and finally, the profound changes in ritual as the force behind the expanded documentation. A more general question will emerge in the wake of these issues, bearing on the typical and unique features of Jewish Italian culture.

³ On marriage ceremonies in Jewish society, see Mordechai A. Friedman, “Developments in Jewish Marriage and Family Law as Reflected in the Cairo *Genizah* Documents,” in *Proceedings of the Founding Conference of the Society for Judaeano-Arabic Studies*, ed. Norman Golb (Amsterdam: Harwood Academic Publishers, 1997), 123–133; Lamdan, “Child Marriage in Jewish Society in the Eastern Mediterranean during the Sixteenth Century,” 37–59; Baumgarten, “Amour et famille en Europe centrale,” 413–433; Joseph Kaplan, “Familia, matrimonio y sociedad: los casamientos clandestinos en la diáspora sefardi occidental (s. XVII y XVIII),” *Shazar* 2, 2 (1994): 18–38. See also Yuval, “Matrimonial Financial Arrangements in Medieval Ashkenaz,” 191–207; Leah Bornstein-Makovetzki, “Marriage and Divorce in Jewish Society in the Eighteenth and Nineteenth Centuries” (in Hebrew) *Michael: On The History of The Jews in The Diaspora* 14 (1997): 139–169; David Kramer ed., *The Jewish Family: Metaphor and Memory* (Oxford: Oxford University Press, 1984); Steven M. Cohen and Paula E. Hyman, eds., *The Jewish Family: Myths and Realities* (New York: Holmes e Meier, 1986).

The Place of Halakhah in Ritual Performance

The stress on social or “anthropological” aspects in the interpretation of rituals could lead to the impression that Italian Jews view Halakhah as a marginal element in ritual performance and, by implication, in their family life. No mistake could be greater. Halakhah is the ritual’s core, the central system of reference in all realms: in legal terms, when ruling whether fit or unfit, valid or invalid; in cultural terms, as the system that identifies and singles out the Jewish minority vis-à-vis the surrounding Christian world, and in emotional terms, due to the deep fear of breaking the sensitive taboo concerning family matters, resulting in relegation to a marginal status. Halakhah is perceived as the crucial border that distinguishes the Jewish collective abiding by its traditions [*More Judeorum*], from what is alien, threatening, external. At every significant stage of the ritual sequence matchmaking-*kiddushin*-marriage, Halakhah serves as the central criterion for differentiating between forbidden and allowed, even if the participants do not say so explicitly since they assume this to be self-evident. Laypersons were not supposed to deal with conjugal relationships. Action contrary to halakhic injunctions could lead to irreversible consequences, such as making a wife forbidden to her husband, situations of doubtful *kiddushin*, or suspicions of halakhically illegitimate progeny [*mamzerut*]. Marital relationships, therefore, were controlled by those charged with preserving, transmitting, and renewing Halakhah in every generation, namely, rabbis and scholars. They would be consulted concerning every query, and solve the doubts and unexpected problems besetting families.

Precisely because the ritual “follows Halakhah,” it is important to understand how contemporary Jews perceive “Halakhah” and how it merges with other cultural, economic, and legal elements in the specific historical context of their lives. Two aspects have been overemphasized in modern research, whose validity and scope merit reconsideration: 1) Halakhah develops mainly within the world of scholars, so that halakhic discussions belong to the history of Jewish law or, in a wider meaning, to the “history of ideas” in the Jewish world. Participants in the halakhic discourse draw their main inspiration from these traditions of discourse, namely, the legal precedents, the literary style, and the ways of argumentation common in rabbinic circles. Participants in this discourse, therefore, will invariably belong to an extremely narrow, male, and erudite world, versed in Hebrew

and possessing defined professional skills. For writers of rulings or halakhic responsa, their main interlocutors would be their professional contemporaries, beside halakhic authorities from the past and potential future readers of the written product. 2) Essentially, Halakhah is a collection of legal injunctions or laws of limited and defined scope, specifying the religious obligations incumbent on a Jew who assumes the yoke of Torah. In a slightly popularized formulation, religion could be summed up in a list of 613 commandments [*mitzvot*], or in their orderly compilation in books of commandments or in halakhic codes.

It is questionable whether these two assumptions are valid, not only for the understanding of Halakhah today but also for the study of Jewish social history in the late Middle Ages. The first assumption excludes from the discussion the broader Jewish community and its hardships in various historical circumstances. Hence, a discussion of halakhic literature only in terms of its authors and recorders does not take into account the problematic status of rabbis in Jewish communities in general, and in Italian communities in particular. A rabbi's ability to enforce his ruling or halakhic injunctions is directly contingent upon his personal status among those seeking his advice, and is not only a function of his scholarship. Furthermore, most discussions of family matters in Italy involved the cooperation of several rabbinical figures who, usually, sought broad consensus before enforcing a ruling. Every ruling can be perceived as a stage in the struggle for mutual influence between the professional [the Torah dimension] and the social [communal consensus element].

The second assumption deals with the border between elements included within Halakhah and those excluded from it. Religious obligations and their precise limits, as the Talmud and its subsequent commentators stipulate them, do not describe religious life fully and comprehensively. Identification with halakhic tradition, or with the collective who bears it, are also possible in other forms, which might strengthen commitment to Halakhah without unequivocally differentiating or clarifying the borders of the religious obligation. Jacob Katz's model on the issue of recourse to Gentiles on the Sabbath [*goy shel Shabbat*]⁴ and other studies, pointed out further dimensions, indispensable for explaining significant phenomena in community life

⁴ Jacob Katz, *The "Shabbes Goy,"* 227–241, esp. 231.

and in the religious life of individuals. Katz described this through a somewhat vague term, “ritual instinct,” which relies on non-verbal and undefined inclinations and feelings that widen the cultural circle surrounding the religious act (“the commandment”). In this way, laypersons may decide for themselves whether or not their behavior meets halakhic standards without directly relying on books or on experts’ opinions. Halakhah as a defined, closed, final code is a relatively new term in Jewish culture, developed mainly after the *Shulkhan Arukh* appeared in print, and even in the halakhic world this is not the exclusive stance. Halakhah should be understood not only from within the rabbinic world, which preserves it and fosters it through the generations, but also in the context of its function in the lives of laypersons who are not professional scholars, in family life, in engaging in conflicts and solving them, or in the integration between halakhic injunctions and parallel or even contradictory norms (such as, for instance, long-standing oral family traditions, or contradictory legal traditions, such as urban and canonic family law).

The analysis of the marriage ritual indicates that *formal* halakhic instructions are an element in the determination of the family story, certainly a crucial and significant element serving as a reference system, but not the only one. In any marriage, and at every stage of the marriage ritual, families have the option of choosing between various systems, or of integrating them in other ways. As noted, families sometimes chose to disregard halakhic instructions or explicitly opted for an alternative. Does this indicate that local Jews did not accept the Talmud’s authority? Rather than in a broad, general context, I pose this question within the defined family context of this book, particularly due to the apprehension noted above concerning irreversible acts, or to the fear that these matters are holy or border on the core of the shared identity. Several instances show that rabbis and scholars clearly understood that local traditions, although definitely contradicting halakhic injunctions, are still upheld. Thus, for instance, in the case of wedding gifts (“*sivlonot* fear”), in the use of borrowed *kiddushin* rings, or in the return of a dowry to a widow:

On the issue of the widow whose husband’s heirs do not pay her alimony, and she is suing them in Gentile courts in a place where no Jewish court exists. She is also demanding her *ketubbah*, and the husband’s heirs refuse, claiming *they do not have to pay her ketubbah since no woman in the whole of Italy has ever demanded it and the ketubbah custom has not taken root*. All they agree to return is the sum in the dowry writ

but not the sum in the *ketubbah* writ, which is two hundred, and they also claim that she has lost her right to the alimony since she is demanding her *ketubbah*.⁵

Parallel to Jewish law, urban "Christian-secular" law is a known and available system for dealing with family matters. Usually, recourse to this system is not perceived in Italian communities as an instance of "turning to Gentile courts," an action that is traditionally deplored as recourse to an agency seeking to undermine Jewish law and communal religious solidarity. The urban legal system is a constantly tempting competing element, and families and individuals might turn to it if they hold they stand to profit from this. Even in ordinary circumstances, many families turned to local courts or to Christian notaries to bestow further validity on contracts valid within Jewish law (dowry agreements, *ketubah* writs).

In the wake of studies in the anthropology of law,⁶ I suggest considering the role of Halakhah in the Jewish Italian marriage ritual during the early modern period not only through the formal perspective of whether an act abides by halakhic injunctions recorded in books of Halakhah and its commentators, or by rabbinic rulings to which they turned for opinions, or even by judicial rulings. This approach confines Halakhah to the role of issuing official instructions or formal rules distinguishing between forbidden and allowed, and turns the transgressor into a religious or communal offender. It also limits our analysis because, in the normative-legal realm, consciousness of guilt or acceptance of a guilty role changes the circumstances of the situation. People who do not consider themselves offenders, or feel they have the support of the community or of long-standing tradition, develop a different attitude toward formal breaches of discipline, which results in the implementation of an alternative cultural mechanism. This mechanism, which could be called "social litigation" or "social discourse," involves an elaborate pattern of negotiations between various groups or individuals seeking material or symbolic advantages. Concerning the marriage ritual, competition

⁵ My emphasis. *Responsa Matanot Ba-Adam*, #155, 213. The question refers to a case from 1556.

⁶ See the articles in *Law and Anthropology* 1 (1986), as well as Lawrence Rosen, *The Anthropology of Justice: Law as Culture in Islamic Society* (Cambridge: Cambridge University Press, 1989); Robin Fox, *Reproduction and Succession: Studies in Anthropology, Law, and Society* (New Brunswick: Transaction, 1993).

develops around the choice of partner, the assets transferred from the parents' to the children's generation, the honor and prestige of the family, and the legitimation of the marriage. Within the social litigation mechanism, Halakhah must be viewed as one element competing for the participants' attention, because it is shared by all and equally accepted by all. Precisely for this reason, we find that men and families (and to a lesser extent women) knew how to manipulate Halakhah for their own purposes, in line with the changing circumstances. Thus, for instance, in the course of an inheritance dispute in a family, each party might assess the relative advantages of litigating before a Jewish court to be tried according to halakhic rules, or turn to an urban court to be tried according to other rules. In another case, when one party wanted to annul a *kiddushin* agreement that no longer served the family interest, the families suddenly demonstrated meticulous halakhic knowledge that exposed the *kiddushin* as invalid. This use of Halakhah is not necessarily "cynical," but denotes that all members of the community share a similar sense of unquestionable identification with the religious tradition and with joint communal frameworks. A manipulative use of halakhic norms, then, derives from personal-family needs. Paradoxically, even while breached, these norms emerge as strengthened.

The relationship between the public—or the group that actually observes halakhic traditions—and the halakhic traditions themselves, is central to an understanding of Halakhah's role. I discuss this issue below, when dealing with the oral traditions of Italian Jews. In this context too, however, it is important to consider to what extent *Italiani* view themselves as a holy community, whose existence and public life bestow sacrality on their shared acts and on common local traditions. Studies of Ashkenazi Jews revealed highly surprising findings on the importance of custom. Even in the prestigious *yeshivot* of Mainz and Worms, where the hermeneutical traditions of the *tosafists* developed, custom was foremost in religious life and sometimes more authoritative for religious praxis than talmudic study.⁷ These studies, however, lack an historical dimension of understanding and comparison with the Christian-European context, and do not probe the deep meaning of "custom" in the governing of communal and family life.

⁷ Ta-Shma, *Early Franco-German Ritual and Custom*, passim.

The Centrality of the Community

Community members are present at the marriage ritual in varying degrees. Except for the first stage of the matchmaking, which is clouded in secrecy, all other stages take place with deliberate publicity. Obviously, secrecy is also a response, although negative, to the constant presence of "strangers" in the family ritual, as evinced by the striking substitution of secrecy and concealment with a public *tenaim* ritual. Different stages of the ritual turned to various social circles significant to the couple's life, such as family members, neighbors, friends, or worshipers at the synagogue. They served as passive witnesses and preserved important details of the ritual in their memory. At times, they went beyond their role as passive observers and interfered in the ritual, influencing its course. This feature is particularly prominent in the local practice of exchanging gifts up until the wedding. As noted in Chapter Three, this practice was not abandoned despite the criticism of Jewish immigrants from outside Italy who feared that, unwittingly, a status of "doubtful *kiddushin*" would thereby emerge. Italian Jews continued to deliver gifts in stages, or at important stations in the course of the marriage ritual. Adults did so, and youngsters adopted their own way of giving gifts, accompanied by personal messages. Gift giving is not, in any event, a private matter, and is meaningless unless it takes place in the presence of others who appreciate how the gift advances the ritual, what it means for the couple's relationship, and, indeed, its monetary value. The gift's value was institutionalized in the practice of listing all the gifts exchanged by the families, beside their monetary worth, adding this to the other assets exchanged by the parties from the signature of the *tenaim* writ.

The presence of the entire community at all stages of the ritual shows how far Jewish society in Italy had preserved oral features, even during the sixteenth century. At the time, Italy was still the main center for the printing of Jewish books and for the publication of works hitherto preserved in manuscripts, including the well known example of *The Book of the Zohar*. Nevertheless, oral traditions sustained within the family and the community remained significantly strong. In oral societies, human presence is the safest way of preserving the communal memory of significant events, such as marriage rituals. In the preservation of this memory, oral delivery conflicted with written legal documentation. At various stages of the ritual, the

parties would record the agreement between them in a signed legal writ, before witnesses, and validate it in a Jewish or Christian legal setting. Formalization was paramount at the *tenaim* stage and in the early hours of the wedding at the signing of the *tenaim* renewal writ, an additional document beside the *ketubbah* writ. Note that the *tenaim* renewal writ has no parallel, either in other Jewish communities or in the urban Christian surroundings from which Jews drew considerable inspiration. The addition of a writ, and in extreme cases even several writs, or the postponement of the dowry negotiations until the last minute, clearly weaken the power of the written documents. If the written legal documentation is entirely trustworthy, further discussion of the terms or re-signing is unnecessary. Trust in written documents, then, was evidently ambivalent, and replaced at the “moment of truth” by the old and dependable pattern of living witnesses.

The fixed, felt presence of the community at important stages of the ritual is significant not only for memory. The community is considered a basic source of legitimation in the validation of the marriage. Conducting the ritual according to halakhic instructions, then, is not sufficient; without the community’s tacit agreement to the marriage and the acceptance of the new couple, the ritual is not complete. The couple and/or their families will do everything possible to please the community and obtain its consent. For instance, participants sometimes used ritual formulations denoting they were more interested in showing to those present that they wished to marry than in repeating the halakhic procedure of the *kinyan*. From this perspective, the community is explicitly competing with the rabbinic guild or with the authority of halakhic tradition to validate marriages, by “sanctioning” them in its own terms and according to local tradition.

This division of ritual power centers between Halakhah and the community in Jewish Italian society relies on a cultural mechanism that Michael Schröter, a scholar of the German medieval family, called “the cumulative effect” (see Chapter Three above). Since the addition of many circles of witnesses strengthens the gradually accumulating communal legitimation, the categorical halakhic ritual act marking the transition from single to married status collapses into a series of several secondary ones. The higher the cumulative number of participants at these minor celebrations, the greater the communal legitimation bestowed on the newly emerging conjugal relationship. Ritually, this stance translates into the performance of repeated

kiddushin celebrations. This position is clearly in tension with Halakhah, as is indeed evident in legal proceedings at which the parties are called to report on these actions before the court, or in halakhic responsa documenting the "deviation."

This shift in emphasis, from halakhic injunctions to the communal dimension, provides the social historian with an incalculable advantage. The ritual brings to the surface some of the basic social mechanisms of Jewish Italian society that are normally unrecorded. Thus, for instance, the interior of the Jewish home is exposed to strangers. Interior in this context is not the plan of the house, or the decoration, or the household wares, but the rules of behavior bounding its dwellers. In ordinary circumstances, the house is closed to the outside because this is a taboo area kept mainly for the women. The need to find partners for the family's sons and daughters and introduce them to strangers forces the exposure. These subtle social mechanisms are the cornerstones of the most basic behaviors (or "dispositions" in Bourdieu's terms) of Jewish Italian society. Their documentation and analysis is a necessary condition for the understanding of other typical cultural phenomena. Ritual, and particularly the marriage ritual, emerges as a key tool for becoming acquainted with the early modern Jewish Italian "mentality," and for tracing *longue durée* processes of change.

Intensive (and, fortunately for the historian, well-documented) use of the informal control mechanisms at the community's disposal characterizes the ritual. Usually, through its various circles, the community ensures that basic halakhic injunctions are observed and that deviations do not result in irreparable damages. These mechanisms are extremely significant for an understanding of "ordinary" family life after the marriage, but they are already at work before. This intimates to the couple and their families that the marriage ritual is a long process of integration into the community, or of socialization into adult conjugal life. Among these mechanisms, discussed above in detail, are the "honor ethos," the power of rumor and "hearsay," and the behavior patterns typical of youth groups. At one of the ritual's high points, the youngsters or one of their representatives might burst into the nuptial room and demand money or valuables from the couple in order to leave. This tradition is known in Jewish Italian communities as the *mattinata*, and was even presented as an original Jewish custom that Christians copied from Jews. Like in its urban Christian parallel, the community conveys, through its youngsters,

its agreement to the marriage act, and protects the couple from demonic forces.

The marriage ritual is not uniform. It would be more accurate to speak of "marriage rituals" in plural, namely, of various modes of conducting, influencing, or interpreting them. Different groups leave their mark on these rituals. Thus, for instance, the competition between adults and youths, women and men, rich and poor, *Italiani* and bearers of non-Italian traditions (Ashkenazi and Spanish Jews). The tension and the competition between youths and adults emerges in one of the most fascinating social and literary documents of the period, the play *A Comedy of Betrothal*, a burlesque on the family theme within the evolving tradition of the *commedia dell'arte* that dramatizes the tension between adults and youths. Adults try to impose the family marriage plans, while youths use all means at their disposal to thwart them. This ritual, in Clifford Geertz's terms, emerges as the arena of various social tensions because what is tested in its course is crucial to private life, to the family's status, and to the shared identity and tradition.

The Family Circle

Another element significant to the performance of the ritual must be added to the communal power center: the family circle. Marriage in Jewish Italian society is mainly a "private" institution, conducted within the family space rather than at the synagogue, and usually without a rabbi. This mode of conducting the marriage ritual was also known in other communities in the early Middle Ages. This practice, however, had largely vanished in most of them during the medieval era, while it remained alive in Italy at least until the end of the seventeenth century, which is the top limit of the period considered in this book. *Ex post facto*, local Italian practice remains the exception. But the preservation of the ritual within the family is only the tip of the iceberg, turning our attention to traditions characteristic of family life. Although most of them will come to the fore only after the marriage, clear signs of them are already visible during the marriage ritual.

In this case as well, no conscious and deliberate tension can be detected between familial and halakhic traditions, particularly those

that were recorded in writing and were the subject of study. Bearers of family traditions did not always abide by formal halakhic injunctions, and their knowledge concerning certain details of the ritual was not always accurate. The gap was evident concerning the use of rings at the wedding ceremony. Although knowledge was basically sound, the absence of rabbis during the ritual and the substitution of such statements as "this is the custom" for halakhic rules, paved the way for mistakes. Moreover, communal mechanisms of informal supervision and family traditions were constantly readapted, following negotiations and pressures exerted by participants and spectators, whose behavior could not be predicted.

The Historical Context

Until the mid-sixteenth century, documentation of the marriage ritual is scanty, sporadic, and inconsistent. Had this been a characteristic of all the available sources, any significant analysis of the marriage ritual would have been impossible. From the mid-sixteenth century, however, we see a dramatic rise in the scope and variety of records. Rather than a gradual increase in the quality and volume of the documents, we see a leap within a short and defined period. Descriptions of the Jewish Italian marriage ritual between the twelfth and the mid-sixteenth century, therefore, rely on reconstructions of centuries-old traditions preserved in later testimonies. The marriage ritual described in this book, then, is socially and culturally well established, but the communal concern with the ritual is a new phenomenon, parallel to the considerable increase in its documentation. Written discussions of all aspects of the ritual attest to a sense that long-standing traditions, or such that had been preserved in memory and were considered long-standing, were about to undergo fundamental change. It was necessary to protect them, discuss them in detail, consider their legal status, record their details more carefully, because what had seemed normative and commonplace concerning the family was no longer stable. As Stephen Jaeger showed when analyzing another medieval phenomenon, the leap in the level of written documentation could be a sign of general cultural change. His studies discussed such subjects as culture-creating institutions, modes of memory, personal charisma, as opposed to the

authority of books, refinement, and body language.⁸ Concerning Jewish marriage rituals in Italy, the change in the scope of the documentation also points to transformations in fundamental cultural structures.

The common feature of these ritual transformations is a tendency toward increased control over various aspects of family life, visible in changes in the family-“private” character of the ritual, such as the attempt to link it to the synagogue, to involve rabbis as celebrants, or to register marriages or *ketubbah* writs in communal archives. Ordinances repeating an earlier ordinance of R. Judah Minz forbidding the performance of the *kiddushin* ritual unless in the presence of ten witnesses, or the long series of contemporary sumptuary laws, attest to the same trend. This change is particularly prominent in Italy, because local marriage traditions had been preserved for centuries.

The most significant change in the trend seeking to monitor family life seems to focus on the sexual realm, and particularly on the sexual behavior of the community’s youngsters, namely, on erotic or sexual intimacy as a legitimate element in the process of building a family. Intimacy between youngsters evoked opposition mainly due to fears that it could lead adults to lose control and create irreversible situations (loss of virginity, pregnancy), which would hurt family plans or drastically lower the daughter’s value as a marriage candidate. This is particularly significant in a society where the honor ethos is so prominent, where female modesty and bashfulness, and by implication pre-marital virginity, are the feminine parallel of masculine honor, both required to maintain family prestige. The suggested solution is obviously to postpone erotic intimacy in general, and the sexual act [*consummatio*] in particular, until after the wedding. This solution involves visible advantages: it enables control of sexuality, and reinforces the ethos that directs sexual activity to the conjugal framework for reproductive purposes rather than for personal pleasure. Despite this declared intention, however, which serves the interests of social order and the concerns of family men, sources also show that the youngsters’ erotic intimacy was granted partial legitimation, either by turning a blind eye to it or by accepting it *post factum* (see Chapter Six). Adults found this behavior convenient because they also thought that sexuality was a significant component

⁸ Jaeger, *The Origins of Courtliness*, passim; idem, *The Envy of Angels*, passim.

of the marriage, as evident in the virginity blessing recited at the wedding and in the display of the stained sheet. The sheet attests to the woman's virginity and the man's potency, showing that both parties have fulfilled their duties. From the end of the sixteenth century, the sexual behavior of unmarried youngsters began to evoke growing interest. Prescriptions in this area multiply, and fit in well with the *zeitgeist* that views sexual behavior as a central model or archetype of obedience, and as a symbol of moral behavior in general. Furthermore, sexuality is one of the most significant ways of shaping physical behavior and creating a more "civil" pattern.

Several causes for these changes have been suggested above, although transformations in the marriage ritual point to far broader patterns. In the communal realm, for instance, we see the emergence of larger communities and changes in their mode of organization. The move to the ghetto created a new urban environment with different needs, and encouraged the development of a social dynamic similar to that of early modern urban neighborhoods in Italy.⁹ A further addition was the noted trend toward closer social monitoring. As Bonfil's studies indicate,¹⁰ other important elements of religious life are also undergoing significant change at this time. Philosophical tradition is pushed to the sidelines, and its public role is assumed by the kabbalistic myth. Kabbalists created a mini-revolution in religious texts and in the social frameworks dealing with pietistic activity, all one generation after the publication of *The Book of the Zohar* in Italy. The religious space, the borders between sacred and profane, or between "high culture" and "low culture," were redrawn.

One element promoting this change were the continuous waves of immigration into Italy since the beginning of the fourteenth century, particularly from Ashkenaz and Spain. Although traces of Ashkenazi practices are evident throughout, they had no crucial impact on the course of the ritual nor, particularly, on its underlying socio-cultural assumptions. The absorption of Ashkenazi practice into local marriage patterns was manifest mainly in its inclusion into

⁹ Weinstein, "Segregatos non autem eictos."

¹⁰ See the important synthesis by Robert Bonfil, "A Cultural Profile," in *The Jews of Early Modern Venice*, ed. Robert C. Davis and Benjamin Ravid (Baltimore: Johns Hopkins University Press, 2001), 169–190. See further references in this work.

the long ritual script, and in its “Italianization” in line with the needs of the new users. By contrast, considerable influence can be ascribed to the immigration of Spanish Jews, dating back mainly to the late fifteenth century. Their influence was not necessarily evident in the inclusion of new practices but in their cumulative effect. Spanish Jews brought with them extensive political experience in the governing of large communities and in the establishment of supra-communal political frameworks. They then exploited their economic and political influence in their contacts with the rulers of Italian cities, largely bypassing local leaders. The Spanish community in Venice is, in this sense, paradigmatic. Upon their arrival, a new ghetto was set up for them, and their traditions were preserved in separate synagogues. Spanish immigrants were more determined to enforce their own traditions wherever they settled. The confrontation between local and non-Italian traditions emerged clearly in the delicate issue of gifts. The local practice of “*shivlonot* first and then *kiddushin*,” namely, exchanging gifts before the *kiddushin* but denying them any status as assets entailing legal significance for *kiddushin* purposes, was well-known. But the immigrants questioned it persistently and justifiably so, since the repeated and reciprocal exchange of gifts made this practice extremely problematic in halakhic terms. Local Jews, however, insisted on preserving their tradition, and the result was a halakhic controversy lasting more than a century on the issue of *shivlonot*. This controversy illustrates the confrontation between local oral traditions and others, which rely mainly on written documents and halakhic books.

Changes in the marriage ritual, as in other local traditions, fit into a trend that Muir describes as the crisis of ritual in early modern Europe.¹¹ Ritual and its significance for understanding the link between God and the individual, its role in the experience and shaping of the believer’s world, and the need for a mediating framework to administer the sacraments, were at the crux of the controversy between the Catholic Church and the Protestant Reformation. Protestantism had resulted in a climate that, generally, lowered the value and importance of rituals. Endorsing the overall European perspective will open up for discussion the question of the link between ritual changes in Jewish Italian society and ritual innovations introduced

¹¹ Muir, *Ritual in Early Modern Europe*, passim.

by the Counter-Reformation Church in Italy. Most ritual changes in the Jewish community were initiated by people close to the Palestinian kabbalistic tradition. The discussion can thus focus on the link between Italian Kabbalah and Gentile cultural trends, and on the contribution of Kabbalah, together with other elements, to modernization and to the creation of new cultural frameworks that, unwittingly, seek to dissociate from medieval tradition.

The Christian-Italian Context and Others

If we accept the assumption that significant changes in Jewish Italian religious practices are part of an all-European process, the test case before us should also be considered in this light: In what cultural circles does the marriage ritual function, and why is it considered the appropriate way for turning two single individuals into a married couple? We noted the halakhic context that serves as a reference point for all the approaches and tensions surfacing in Jewish society, regardless of its dominant traditions. Throughout the book, however, the Christian-Italian context surfaced in the Jewish Italian marriage. Certain stages can obviously be singled out, in which ritual formulae from the “Christian world” penetrate the “Jewish” ritual. Thus, for instance, at the *kiddushin* stage, when the groom expresses his will to marry the bride rather than “acquiring” her, he is influenced by his neighbors’ consensual approach to marriage. The Christian ritual is a definite reference model for every Jewish ritual, and its basic cultural assumptions serve local Jews as well. In this sense, we could speak of a shared “Italian” ritual cutting across religious lines as attested, for instance, by a document describing how a Jewish householder celebrated the marriage of his Christian maid (obviously, in a “Christian” marriage). Not only did he adopt a pattern widespread among urban patricians of employing young maids for years and paying them by providing them with a dowry, but he also sponsored a ritual meant for a Catholic couple, whose language and symbols were well known to him.¹²

The closeness between ritual elements used in Jewish and Christian

¹² *Letters of Jews in Italy*, #189, 244–247.

weddings evokes basic questions about Christian-Jewish relationships in the early modern period. This issue merits discussion not only from the perspective of religious tension, theological polemics, or a tendency toward segregation, which culminated in the closure of Jews in ghettos in Italy's northern cities. Daily contacts and life in a dense urban environment led to the development of shared traditions and similar patterns in significant communal structures. Another issue surfaces due to the penetration of the *mattinata* ritual. It is worth noting that this ritual, beside its direct social roles of monitoring and punishing deviants from unwritten communal norms, relies on old pagan traditions, some even pre-Christian, which view youths as a power that revitalizes nature, society, and the world. Youths generate abundance and growth, due to their ability to bring the world of the dead and the world of the living closer together. Hence, in some of the *mattinata* rituals, youths blacken their faces (like the dead) or dress up as animals that symbolize the earth's teeming power (bears, wolves). How was such a pagan practice incorporated into Jewish culture? Was it absorbed without these aspects, or did these aspects actually enhance its attraction in the eyes of Jews?

The main similarity between Jewish and Christian rituals rests in their family-private character. Despite the Church's declarations, its involvement in Italian marriage rituals until the mid-seventeenth century remained limited. Until the late Middle Ages, the Church had no definite policy for monitoring marriages nor any intention to do so. Even after the Council of Trent, at which the Church initiated a deliberate, conscious struggle to change the marriage habits of the faithful, its achievements were rather limited. This was true even for such cities as Milan and Bologna, home to prominent Counter-Reformation figures. Changes are visible only from the end of the seventeenth century. Families often conducted the ritual at home, without outsiders, and went to the church to obtain the priest's blessing only after it was finished and no retreat was possible.

Until the late sixteenth century, the ecclesiastic role of preventing marriages between close relatives [*Impedimenta*] was fulfilled by the community's informal supervision system, be it the rural village, the urban neighborhood, the fraternity, or the parish. At the community's disposal were such mechanisms as the *mattinata*, gossip, or affronts to honor, which deterred too blatant offences against conventional norms. Sexual controls stand out prominently in this context, and include youths monitoring each other during courtship, or

control of the couple's sexual norms after marriage, and mainly on the wedding day when youngsters performed the *mattinata* ritual.

Enforcing discipline and social order are central topics in the ethical literature of the Church and in Italian urban legislation during the early modern period. Inspections [*visitationes*] by Church representatives and frequent visits by preachers and catechism teachers strengthened the Church's presence and the message of the Council of Trent. The reform the Church tried to introduce in the lives of believers focused on several areas, among them family mores it found inappropriate, and mainly the constitution of marriages outside its direct supervision, as well as pre-marital courtships and sexual practices. The Church set up a new model for conducting marriages, splitting the ritual into two main stages: (1) The couple's alliance and agreement to the marriage terms. After this stage, banns were to be published in the parish church to ensure that no obstacles prevent the marriage by announcing it to the local community. (2) Performing a ritual in which the couple publicly proclaimed in church their wish to live as a married couple. Only after this stage did the Church allow sexual intimacy. Both stages evince the will of the Church to conduct most of the ritual in the "religious" space, and entrust its performance to priests.

Two significant institutional means for increasing discipline [*disciplinamento*] were placed at the Church's disposal during the Counter-Reformation.¹³ The duty of confession was expanded, turning it into an accepted religious obligation rather than a sporadic procedure. The inner world of the faithful was thereby more fully exposed to the priests, and became more pliable to change and influence, including personal, family, and intimate issues. The Inquisition's involvement in family matters was one of the main change agents. In the late sixteenth century, the Inquisition shifted from a struggle against various forms of heresy to deal with offenses in the personal and familial realms. People guilty of bigamy, or of sexual behavior considered deviant, could be summoned for questioning. The direct connection between these two forms of supervision emerged when the Church forbade priests to grant indulgences for certain sins, unless the sinner voluntarily turned to the Inquisition to ask for forgiveness

¹³ Prodi, *Disciplina dell'anima*; Adriano Prosperi, *Tribunali della coscienza: Inquisitori, confessori, missionari* (Torino: Einaudi, 1996).

and agreed to cooperate by informing on other participants in these acts. Family and marriage matters were thus expropriated from the private, familial, and communal circle, and became a matter of legislation, preaching, education, and inquiries by public bodies.

Are there other cultural circles that inspired the Jewish ritual, beside the close Christian circle? The Mediterranean circle deserves further probing on such issues as honor (a basic consideration at every stage of the marriage ritual) and sexual practices. The influence of the Byzantine circle and its unique family traditions, a cornerstone of Jewish Italian culture, were also intimated throughout the book. For centuries, the Byzantine Empire ruled southern Italy, which was home to most Jews in Italy until their migration to the north and the establishment of new communities there. For instance, the practice in Italy until the fifteenth century was to record *ketubbah* writs in the "Roman" rather than the Babylonian rite. The question is whether this might be a Byzantine or Palestinian practice that persisted in Italy longer than in other parts of the European Jewish diaspora.

What Do Marriage Rituals Imply for Jewish Italian Culture?

We could make a list of the practices that make the marriage ritual in Jewish Italian culture unique. Yet, beyond the ethnological or folkloric interest in documenting *rites de passage* in various Jewish communities, a singular cultural perspective and a special local tradition are revealed. A fundamental conclusion emerging from an analysis of the ritual through anthropological tools is that Italian Jewry is a separate cultural unit, with its own independent patterns for governing basic structures of shared life (such as marriage and family life), and conscious of its uniqueness. This unit should be added to others in the Jewish Diaspora, such as the cultural traditions of Babylon, Palestine, Ashkenaz, Eastern Europe, Spain, Provence, Egypt. Despite the ceaseless waves of Jewish immigration to Italy over the centuries, a unique and different cultural-religious experience did emerge there, crystallizing in a basic element of group identity during the Middle Ages: the prayer rite. The early identification of a prayer book as following the "rite of Roman Jews" will attest to this. An additional sign is the conscious and uncompromising struggle for the preservation of some local practices, against "alien" traditions

introduced by the immigrants. To outsiders, some of the Italian family practices appeared to breach basic halakhic rules (gift giving or using borrowed rings, as accepted in local practice, creates a situation of doubtful *kiddushin*), or border on licentiousness. Local Jews who followed their traditions, or rabbis familiar with local practices, often rejected accusations of sin and did not consider themselves halakhic deviants.

Underlying the confrontation between various approaches we can identify a tension familiar from other European contexts, not necessarily Jewish, between an authority relying on the power of the group or on someone's personal charisma, and one relying on the book, the written text, and its implications for study according to rational rules.¹⁴ On this question, research on the cultural traditions of medieval Jews is extremely limited, but the triumph of written culture is obviously assured in the long range because of its ability to create more resilient cultural frameworks: institutions, books, and comprehensive systems. Written culture also wields an advantage in the area of documentation, and the control of memory. The documents that have survived represent, in most cases, the trend inclining toward the written, and only through this prism do we gain access to the remnants of oral traditions. Moral judgments of past achievements also adopt this stance. On this count, modern research has followed sixteenth and seventeenth century sources, when it denied a central role to Jewish-Italian tradition because it had failed to produce famous Torah scholars or comprehensive treatises on Halakhah or Kabbalah. In order to become acquainted with *lo'azi* culture, including its unique lifestyle, its particular web of relationships with Christians, and especially the varieties of its cultural creativity, efforts must be invested in an attempt to reconstruct and understand the missing oral layers, hidden under the "written" stance. In this way, for instance, we may come to understand the emotional and religious role of liturgy in religious life, instead of making the study of Torah the central and sole experience. The traditions of Sicilian Jews in the studies of Giuseppe Sermoneta are particularly illuminating.

¹⁴ See the works by Jaeger noted above. For an example of a similar process in contemporary Jewish Ashkenazi society, see Ivan G. Marcus, *Rituals of Childhood: Jewish Acculturation in Medieval Europe* (New Haven: Yale University Press, 1996).

Another element that accompanies the ritual and has not merited sufficient scholarly attention is the seam between the written and the oral—the use of rhetoric in speech and writing. At various stages of the ritual, we see a conscious effort to add rhetorical dimensions, even when they make no “real” legal contribution to the situation. Rhetorical formulations accompanying the *tenaim* writ or the illustrations of the *ketubbah* are not merely decorations or superfluous additions to a legal writ. These are indirect validations of the signatories’ status, attesting to their membership in a community of knowledge that can create and appreciate these modes of expressions. Local Jews who encountered the humanistic traditions of their cities of residence were obviously deeply impressed by them.

Writing and speaking according to broadly supported rules or instructions become part of a larger “refinement” trend in various dimensions of human behavior. The food served at rich wedding ceremonies imitates the refined eating culture that had developed in Italian princely courts and spread to local cities, and later to other areas in Europe. Physical behavior in such areas as walking, talking, dress, addressing others, laughter, and expressions of emotion, contributed to the Jewish civilizing process.¹⁵ Clearly, this process did not proceed at the same pace throughout the Jewish population; the rich and educated class, which had created a lifestyle separating it from the rest of the community, incorporated these practices and the material culture of the Baroque into the family circle. The marriage ritual provides further evidence of the large material and cultural gaps that characterized Jewish life in the ghettos.

Changes in marriage rituals are a trustworthy indication of broader shifts in Jewish Italian society. The *lo‘azim* managed to carve a unique tradition, distinct from both Ashkenazi or Sephardi rituals, yet combining elements from both. While committed to the borders separating them from their Christian neighbors, they nevertheless adopted several marriage patterns typically non-Jewish. Different versions of celebrating marriages or managing different phases reflected the tensions that prevailed between various segments within the local communities. Marriage rituals in Jewish Italian communities thus emerge as a *speculum* that reflects this society’s cultural variety.

¹⁵ Weinstein, “What Did Little Samuel Read in His Notebook.”

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