CHAPTER ONE

INTRODUCTION

Only within some context, itself a mental construct of persuasive authority, can the work of art have significance and a place in history. Only then can it become worthy of those efforts of interpretation and analysis that constitute the discipline of art history and shape its scholarly goals.

—Richard Brilliant[1]

This book stems from the dual realization that Hebrew and Aramaic texts often include important information on the history of art, but that the great majority of those able to make sense of these references cannot read them. The responsa (written questions and answers largely dealing with civil, public, and criminal law, but also on religious and exegetical issues),[2] for example, have been the province of halakhists, scholars of the theory and practice of Jewish law. They are unknown to art historians outside a small circle of specialists in Jewish ceremonial art.[3] Occasionally, a few halakhists have published texts concerning art from the responsa and codes of law whose import they recognized.[4] More often, the references to works of art have been glossed over or misunderstood, leading to distortions of the legal cases presented in the responsa.[5]

The classic responsum form of Jewish legal text consists of a written question posed to a rabbi who is considered an authority on Jewish law together with the rabbi's answer, which sets forth his reasoning and usually includes citations of similar cases in prior halakhic literature. Responsa have been writ-

ten in both Hebrew and Aramaic or in a combination of both languages and, occasionally, in the vernacular. They incorporate legal terminology and discussions from the Mishnah (a codification of Jewish law arranged by subject that was redacted before the end of the second century CE), and also from the Talmud (the text of the Mishnah together with discussions on it, redacted ca. 500 CE). Scholars consider the earliest responsa to be those written by the Geonim (Sages) in Babylonia shortly before the middle of the eighth century.[6] Many of these were very brief, giving only the author's conclusion. Toward the close of the geonic period in the eleventh century, however, Babylonian rabbinic decisions began to include a statement of the reasoning behind the authority's decision, a common feature of later medieval responsa.[7] By the High Middle Ages, responsa were written in most of the diaspora, from North Africa to western Europe. Many examples of the twelfth and thirteenth centuries survived due to their incorporation into other texts of their respondents or in the responsa collections of later rabbis. The invention of printing with movable type in the fifteenth century increased the number of texts available to individual scholars, with the result that both the language and use of sources in their responsa became increasingly complex.[8]

In the second half of this century, historians have begun to mine this literature for original material related to specific subjects or historical themes.[9] The computerized index to the responsa, published in 1981 by Bar-Ilan University in Israel, has resulted in their greater utilization by both general historians and art historians concerned with Jewish art. Yet only a single compendium of excerpts from the responsa on an art historical subject has appeared. This publication by Brigitte Kern-Ulmer includes only those portions of the texts cited that are devoted to its subject – the architecture and decoration of the synagogue – translated into German.[10] However, the full range of artistic topics incorporated into the literature on halakhah (Jewish law), and the very significant information on general art history to be gleaned from it, have not yet been appreciated or published in translation. Nor have the historical and art historical contexts of the Hebrew and Aramaic texts been explicated.

Although the texts presented here are new translations primarily drawn from Jewish legal sources, the book also includes abstracts from chronicles, letters, and documents, either previously published in obscure sources or as

yet unpublished. Only a few twentieth-century texts, first printed in mainstream periodicals, have been included, because of their relevance to two themes of this work: the role of the artist and the collecting of Jewish art.

Artistic Themes in Rabbinic Texts

In all periods, rabbinic attitudes toward art were shaped by the writings of antiquity: the Bible, the Mishnah, and the Talmud, and their later interpretation in legal codes and in responsa. Since Jewish law ultimately derives from the Bible, it is not surprising that many of the responsa, even those of the late twentieth century, reflect issues first articulated in biblical texts. Iconoclasm, the role of the artist, the ideal house of worship, and the art of the Other are some of these core themes.

Crucial historical developments in antiquity, such as the emergence of the synagogue as an institution for communal study and prayer, the destruction of the Second Temple in 70 CE, and the exile of many Jews from the Land of Israel as a result of the Roman wars, led to new concerns about art in rabbinic literature. The suitable decoration of the synagogue and the use of various types of Jewish ceremonial art are two issues articulated in the Mishnah and the Talmud.[11]

Later historical developments broadened the discourse on Jewish art to include the role of artists. The appearance during the High Middle Ages of Jewish painters of retables in the employ of the Church[12] and of Jewish weavers fabricating textiles designed with crosses (p. 57)[13] raised questions about the appropriateness of their art – whether, as Jews, they were permitted to create such works. In the modern period, a similar absence of Jewish content in the work of emancipated Jewish artists caused critics to write that Jewish art as a category no longer existed, only Jewish artists.[14] The question of permissibility within the bounds of Jewish law is rarely raised today.

Even before the Emancipation brought civil rights to European Jewry, a portion of the Jewish community had distanced itself from the practice of Judaism. Some of these Jews turned to collecting works of Jewish art as a means of maintaining ties to tradition, even if they were only ties arising from nostalgia.[15] Earlier evidence for collections of art connected to the Jewish experience is rare. Maimonides (1135–1204), for example, appears to have known

Palestinian antiquities, but whether his own or someone else's is unclear.[16] For Jews of the late nineteenth and twentieth centuries collecting, exhibiting, and creating works of Jewish art were expressions of an intellectual interest in the past or of nationalism, a means of asserting the parity of the Jewish people with nations residing in their own lands who possessed long-established traditions of art.[17] However, for one of the earliest collectors of Jewish art, the Court Jew Alexander David of Braunschweig (1686–1765), collecting was not divorced from piety, but was an individualized emulation of the courts' formation of great private collections that were the forerunners of public museums.[18] Thus, various historical factors of the eighteenth and nineteenth centuries – the emulation of court culture by Jewish officials, nationalism, the nostalgia of assimilated Jews, and the interest of savants – stimulated a new genre of writings on Jewish art: statements on collecting.[19]

Artistic Themes in the Bible

Although the entire Hebrew Bible has been known through the ages due to its early translation into Greek and its later translation into Latin and vernacular languages,[20] the passages mandating iconoclasm have often been emphasized in nineteenth- and twentieth-century writings that mention Jewish attitudes toward art.[21] An expanded reading of the Bible suggests additional themes that inform subsequent rabbinic writings on artistic creativity by and for Jews: the role of the artist, the ideal form of a house of worship, and the art of the Other.

ICONOCLASM

The most famous biblical passages on art are those that restrict the creation and use of works of art. The classic statement on iconoclasm is the Second Commandment:

> You shall have no other gods besides Me. You shall not make for yourself a sculptured image, or any likeness of what is in the heavens above, or on the earth below, or in the waters under the earth. You shall not bow down to them, or serve them. (Exod. 20:3–5)

This injunction presumes that the image has power that influences its viewer.[22] That the Bible affirms the symbolic role and inherent power of images is con-

firmed by the passage in Ezekiel in which the prophet is commanded to draw an image of Jerusalem:

> And you, O mortal, take a brick and put it in front of you and incise on it a city, Jerusalem. Set up a siege against it, and build towers against it, cast a mound against it; pitch camps against it, and bring up battering rams roundabout it. (Ezek. 4:1–3)

Written in Babylonia in 593 BCE, seven years before the destruction of the First Temple, this text begins the process by which Ezekiel enacts the imminent fall of Jerusalem. The engraved city becomes an active element in the symbolic tragedy, the victim of Ezekiel's dramatized siege.

The biblical prohibitions against images were not due to an insensitivity to the appeal of visual forms. Rather they stemmed from the opposite – the realization of "the power of images" to lead their viewers to the worship of other gods. The people of Israel were forbidden both to depict idols and to depict the God of Israel, who is incorporeal.[23]

THE ROLE OF THE ARTIST

> And Moses said to the Israelites: "See, the Lord has singled out by name Bezalel, son of Uri son of Hur, of the tribe of Judah. He has endowed him with a divine spirit of skill, ability, and knowledge in every kind of craft and has inspired him to make designs for work in gold, silver, and copper, to cut stones for setting and to carve wood – to work in every kind of designer's craft – and to give directions." (Exod. 35:30–34)

Bezalel, the first Israelite artist, was creative, able to design works that embodied the commission of his Divine patron, something that Moses, the Lawgiver, was unable to do.[24] The earliest Hebrew text to describe an artist celebrated Bezalel's abilities to think visually and to create that which he envisaged. This artist was accomplished in a number of métiers: metalwork, stone carving, and carving in wood; the description of his abilities is augmented in additional passages, which relate how he and his colleague, Oholiab of the tribe of Dan, taught metalworking and woodworking, as well as the arts of embroidery and weaving, to others (Exod. 35:34–5). A whole cadre of artists

and artisans was trained to create the elements of the Tabernacle, the center of Jewish worship in the wilderness. By his instructions to these craftsmen, God plays the role of architect, precisely setting forth the dimensions and decoration of the first Israelite house of worship (Exod. 25:9), and thereby establishes the Tabernacle, and the later Temple in Jerusalem, as paradigms for Jewish (and Christian) houses of worship through the ages.[25]

The Tabernacle, fashioned in the relative isolation of the wilderness, is the first recorded attempt to create an ensemble of artistic and architectural elements within the strictures of the Second Commandment.[26] Other books of the Bible provide details of later, creative responses to the limits imposed by the Commandments. In one of the most famous of these accounts, King Solomon, whose rule was marked by broadening international relations, became the patron of foreign artists who built and decorated the First Temple in Jerusalem (Fig. 1). Hiram of Tyre – described as a man "endowed with skill, ability, and talent for executing all work in bronze," a characterization reminiscent of Bezalel – created all of the metalwork of the Temple, including the giant bronze laver, a basin supported by figures of twelve oxen (I Kings 7:13–51). Other naturalistic forms found within the first permanent center of Israelite worship were lions, pomegranates, flowers, palm trees, and the cherubim. The description of Solomon's Temple is preceded by an account of the building of his palace out of stone and cedar wood (I Kings 7:1–12). There the king sat and judged the people from "a large throne of ivory . . . overlaid with refined gold. . . . Six steps led up to the throne and the throne had arms on either side of the seat. Two lions stood beside the arms, and twelve lions stood on the six steps . . . [six] on either side" (I Kings 10:18–20).[27]

The descriptions of Solomon's Temple and of his palace provided later architects and artists with a basic catalogue of acceptable forms and decoration from which to draw in creating synagogues and churches.[28] The repetition of spatial forms, proportions, furnishings, or even the reuse of names for parts of the Temple within a new house of worship, suggested its relationship to the ancient center in Jerusalem and endowed the new building with symbolic

Opposite: Fig. 1. Image of the Temple in Jerusalem, *Haggadah*, Amsterdam, 1712, p. 30. Printed on paper. Courtesy of The Library of the Jewish Theological Seminary (Rare BM675 P483 1712).

value. Examples are numerous: Ezekiel Landau of Prague (1713–93) was asked to rule on the permissibility of expanding a synagogue in such a way that the resulting building would be polygonal, and would then no longer have the customary rectangular shape [of the Jerusalem Temple];[29] Sephardim call the Torah ark of their synagogues by the name *heikhal* after the Temple sanctuary; the form and placement of synagogue candelabra were designed to replicate the forms and placement of the original menorah.[30] Christians concretized a parallel metaphor by installing large menorot in churches as early as the Ottonian period.[31]

THE ART OF THE OTHER

A third biblical description of architecture and its decoration is that of the palace of Ahab, who ruled the Israelite Kingdom from 874 to 852 BCE (I Kings 22:39). His palace in Samaria had walls or furniture, or both, decorated with ivory plaques (Fig. 2).[32] Ivories found at the site were either based on Phoenician and Egyptian models or were fashioned by foreign artists.[33] Among their motifs are Egyptian deities, a reminder of the paganism fostered by Jezebel, Ahab's foreign queen. The king's incorporation of the "art of Others" into an official residence (admittedly a building of different character and location than Solomon's Jerusalem Temple and palace) is an early instance, documented both by texts and finds, of a practice that was to be a subject of debate in Jewish religious circles into the modern era.[34]

In passages such as this one and those cited above, the Hebrew Bible sets forth basic themes which reappear through the centuries in halakhic discussions on art: the role of Jews as artists and the role of non-Jews as artists in the service of Judaism; the impact of iconoclasm on their work; the definition of an ideal architectural form for a house of worship; its appropriate decoration; and Jewish receptivity to the art of other cultures.

Diachronic Themes

Viewed as a corpus stretching across time, the texts in this volume – despite their disparate origins and dates – yield unifying insights on the interaction between Jews and art. Although the character of a single text is formed by the particular moment in history when it was written, and an understanding of

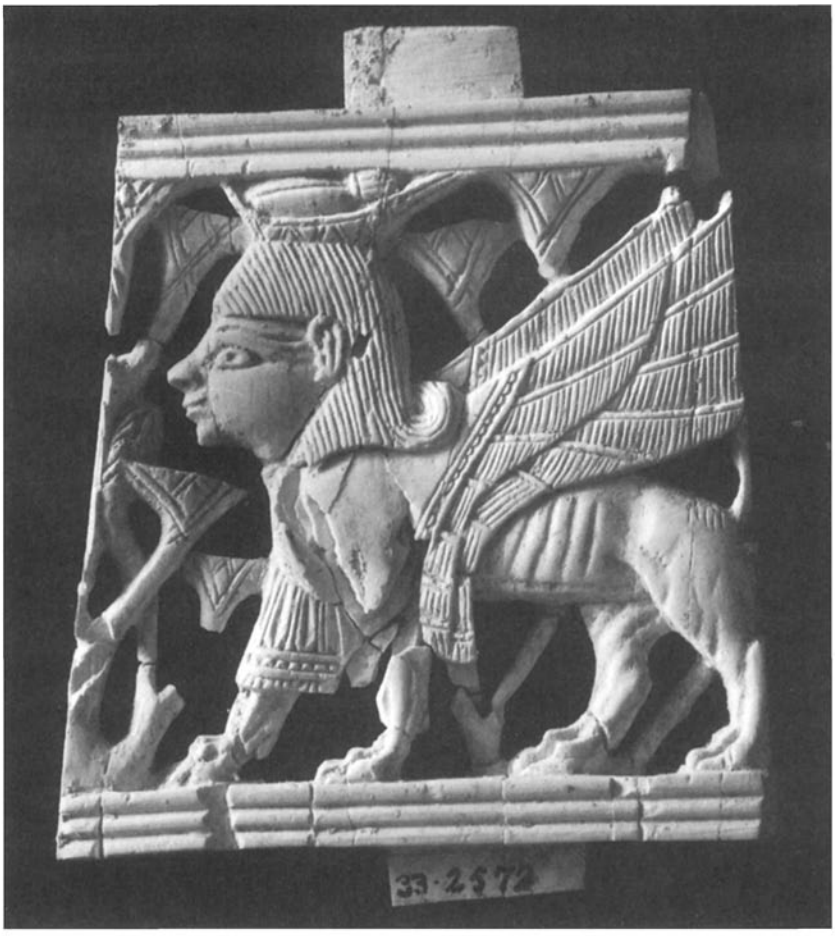

Fig. 2. Ivory Relief of a striding sphinx, Samaria, 9th century BCE.
Ivory. Courtesy of the Israel Antiquities Authority.

that moment broadens our comprehension of its contents, some basic conclusions may, nevertheless, be drawn from the corpus as a whole.

First, the constancy of basic issues in a corpus that originates in the biblical period and stretches to the end of the twentieth century is remarkable. The theme of iconoclasm articulated in the Second Commandment, for example, is likewise the subject of a responsum written by Rabbi Isaac haKohen Kook

(1864–1935, pp. 34–6) and of many other texts written in the intervening centuries. The constancy of fundamental concerns is a consequence of the nearly universal acceptance of the authority of the Torah in communal Jewish life until the modern era.

Another factor linking the later legal literature with earlier texts is their common language of discourse. As Peter Haas has noted, the codes and responsa are written in the academic language of rabbis:

> This choice of language . . . restricts readership on the synchronic plane, it increases readership on the diachronic plane. It ensures that rabbis at all times and in all places will have access to the literature. At the same time, the language links the discourse of responsa linguistically to all other rabbinic literature, and to Torah itself.[35]

The employment of a stylized literary style can also mean that not every statement within a responsum pertains to the case at hand.[36] The reader must distinguish between the fact and the affect, a problem exacerbated by the rabbis' predilection for casuistic reasoning – the exploration of all possible ramifications of a case in addition to the real situation presented for judgment.

The second diachronic theme is Jewish interaction with the "art of the Other," the art of the majority culture. Since all rabbis and their congregants (until 1948 and the establishment of the State of Israel) were living within another dominant religious culture, either Christian or Muslim, rabbinic texts on this subject offer invaluable information on the appearance and interpretation of forms of Christian and Islamic art, sometimes centuries before the first extant example of the form.[37] The responsa often specify details of the work in question: how it was used, and how it was interpreted by the public, both Jewish and non-Jewish. Even more significant is the record the responsa provide on the types and forms of medieval Judaica, whose extant corpus is exceedingly small.[38]

Sometimes, Jewish interaction with the "art of the Other" resulted from a Jew commissioning work from a non-Jewish artist. When Solomon hired Hiram of Tyre, he turned outside the nation for expertise. Their collaboration, between a Jewish patron and a non-Jewish artist, has been repeated through time, for example, in the commission given to the silversmith Robin Asard by the Jewish community of Arles in 1429 (pp. 111–14).