Rabbi Levi Ibn Habib and the rabbinical ordination debate

Rabbi Levi ben Habib was born in Zamora, Spain, approximately in 1480. At the age of five he managed to escape to Portugal, with his father, the famous rabbi Ya'aqob ibn Habib, and his immediate family. In Portugal, when he was about seventeen years old, he was compelled to submit to a forced conversion. At the first opportunity he and his father fled to Salonica, where he could live as a Jew in safety.

In Salonica, he studied Tora from his father and from many other teachers. In those days, Salonica was one of the most important centers of Tora, if not the most important, in the new Sephardic world. In Salonica Rabbi Levi met rabbi Yosef Caro and many other giants of Tora. In a short time Rabbi Levi became very famous and respected, and numberless of Halakhic questions were addressed to him from many communities around the world. Rabbi Levi was known as an exiguous Talmudist who showed preference for the use of meticulous textual reading, as opposed to casuistry (pilpul). He admitted that he was not well versed in Qabbala, but he was proud of his knowledge of science. Rabbi Levi was an expert in astronomy and a great mathematician. This knowledge allowed rabbi Levi to have a deep understanding of the intricacies of the Jewish calendar, as it is clear from the superb commentary he wrote on Maimonides' Hilkhot Qiddush haHodesh. Like many other Sephardic rabbis at the time, he was also a physician.

After the passing of this father, Rabbi Levi decided to leave Salonica and settle in Erets Israel. He was then more than 50 years old. From Salonica he arrived to Aram Tsoba (Aleppo) in Syria. He writes with admiration about the rabbis of the city: "I found there [in Aleppo] very wise men, with whom I had the opportunity to study Tora. Every day they learn Halakhot and I studied with them with fraternity and love". From Aleppo,

rabbi Levi traveled to Israel. First he settled in Tsefat (Safed) and finally, he settled in Jerusalem, where his fame and knowledge won him the position of chief rabbi of the city.

Many Megorashim, refugees from Spain and Portugal, were still coming to Jerusalem in the 1530's. Many among these Megorashim were forcefully baptized and forced to practice Christianity for a while. They believed that the ultimate atonement (kapara or tiqqun) for their forced conversion was to settle in the land of Israel, mainly in Jerusalem.

As we have mentioned before, the rabbis of Safed wanted to renew the semikha, the original rabbinical ordination to apply the punishments (malqut) that would atone for these sins, and allow the tormented souls of the former conversos to start over their Jewish life. Rabbi Levi ben Habib was a strong opponent , the strongest, to the renewal of the Semikha project initiated by rabbi Ya'aqob Berab. Rabbi ben Habib refused to accept the authority of Rabbi Berab and accused the latter of disgracing the honor of Jerusalem.

Rabbi ben Habib together with rabbi David ben Zimra, Chief rabbi of Egypt at the time, who also opposed the new Semikha, wrote a small booklet *qunteres hasemikha*, in which they explained the reasons for their opposition to the new semikha.

The main objections were

1. We do not have in our days Rabbis that are ordained with the original Semikha of Moshe Rabbenu, but they are still called "rabbis" and act as rabbis of every practical purpose. The renewal of the Semikha will create an elite of rabbis, with the privilege to sentence laws which would be mandatory for all the Jewish people, and that will diminish the honor and capabilities of most rabbis in the world who are holding a rabbinical position in their communities.

2. At the end of the famous paragraph in which Maimonides

explains the ways to renew the Semikha there are three problematic words, which Maimonides does not use very frequently : □□□□ □□□□ □□□□□ , which means that “this matter still needs to be settled”. From these words rabbi Levi ben Habib inferred that the matter of the renewal of the semikha necessitates more than a majority of rabbis in favor of the project. It is worth to remember that at the time, Safed had more rabbis than Yerushalayim, “most” rabbis of Israel lived in Safed. But Rabbi ibn Habib was saying that according to Maimonides words a majority of rabbis was not enough. The renewal of the Semikha, Rabbi Levi said, requires a “consensus” of all rabbis, particularly of the rabbis of Erets Israel, the only place where the Semikha could be renewed. And that consensus did not exist.

3. The new proposed semikha will create new challenges for which there is no easy solution. For example: are we going to come back to the system of declaring the beginning of the months (qiddush hahodesh) via testimonies (‘edut) and establishing the leap years, as they did in the times of the Mishna? In light of the precision of our present calendar, it seems that the renewal of the Semikha will bring more challenges than solutions.

4. One of the reason explicitly mentioned by rabbi Berab and his students in support of renewing the Semikha related to an urgent problem which needed to be solved: there were thousands of marranos or *anusim*, Jewish or conversos refugees, who were forced or pressured to convert and to accept baptism in Spain and Portugal. Now, this type of apostasy is a very sever sin, and the punishment reserved for those Jews who willingly converted is “karet” a “divine cut-off of the sinner from the people of Israel”. However, a Jewish High Court or Sanhedrin had the authority to apply a more lenient punishment (malqut) which will dispense the more sever punishment for the converso Jews. However, for rabbi Ibn Habib this was unnecessary because there was no hatra-a (legal warning) and not valid

witnessing at the times these Jews were forced to convert to Christianity. Thus, the severe punishment was not technically applicable.

5. The original Semikha was discontinued in the times of Rab Ashe, 1108 years ago (counting from the time of rabbi Ibn Habib). Rabbi Levi asks: how come no other rabbi ever thought about the possibility of renewing the Semikha? For Rabbi Levi the Semikha should be renewed only in the times of the Messiah. And perhaps the Messiah himself or Eliyahu the Prophet will be the ones that will grant a new ordination to the disciples they will see fit.

In any case, the opposition of rabbi ben Habib, together with other factors, prevented the renewal of the Semikha from becoming a long term project. It ended after four generations.

In his youth Rabbi Habib edited his father’s book En Yaaqob (Constantinople, 1516). He also wrote: She’elot u-Teshubot, a collection of 147 responsa; Pirush Qiddush HaHodesh, a brilliant commentary on the rules governing the method of the Hebrew calendar in Maimonides code of law. All these works were published together in Venice (1565).