

DRAFT

Mikdash Me'at

An English Language Abridgement of *Adderet Eliyahu*

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with help from Baroukh Ovadia and Shawn Lichaa

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Questions and Comments:

Please email any questions or comments to MikdashMeatComments@gmail.com. Even if I cannot always guarantee a response, questions and comments help us improve future segments of this project. They let us know how many people are interested in *Mikdash Me'at* and what their particular interests are. My ultimate goal is to create something useful for English speaking Karaites, so I will modify or annul the project according to reader interest.

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Introduction

Ideally this work will comprise a summary of all the major topics covered in Rav Eliyahu ben Moshe Bashyatzi's masterpiece *Adderet Eliyahu*¹. Written in late 15th and early 16th century Turkey, *Adderet Eliyahu* is the most renowned compendium of Karaite law. Although never completed, *Adderet Eliyahu* covers many aspects of Karaite halakha in both breadth and depth. Rav Bashyatzi's clear and well-organized exposition of the proofs for the legal positions he discusses and their practical consequences has given his work its high standing in the Karaite legal tradition.

Adderet Eliyahu is sometimes misunderstood as primarily being an attempt to bend Karaite legal practice and theory to make them more consistent with their Rabbanite equivalents². Certainly Rav Bashyatzi does in some important matters argue for *halakhic* conclusions in line with Rabbanite *halakha*. For instance, he differs from earlier Karaites and permits the burning of fire on Shabbat. He further advocates the use of the Rabbanite Torah reading cycle. Finally, he suggests that the Karaite Rabbis have inherited some of the authority granted to the kohanim and judges of ancient Israel (*see Deuteronomy* 17). This is similar to the way that the Rabbanites contend that their sages are the spiritual successors to Israel's leaders of biblical times.

Nevertheless Rav Bashyatzi's work is unmistakably Karaite. Despite the *halakhic* positions enumerated above, his work remains extremely similar to and is heavily based on Rav Aharon the Younger's *Gan Eden*. This is despite *Gan Eden*'s reputation as a particularly conservative and stringent approach to Karaite law.³

Furthermore, Rav Bashyatzi frequently digresses from the exposition of Karaite law to issue what are often quite lengthy point by point refutations of Rabbanite challenges to the standard Karaite practice. Additionally, he meticulously cites the opinions of all his famous predecessors on nearly every topic and sub topic covered in the *Adderet*. It therefore seems unlikely that Rav Bashyatzi's intent was to uproot the Karaite legal tradition in order to make it conform to Rabbanite standards. Were this the case, he would not have dedicated his time to preserving and propagating the opinions of his predecessors whose commitment to traditional Karaite thought has never been questioned. In recommending a curriculum for young Karaite scholars, Rav Bashyatzi even suggests that the students use either his work or *Gan Eden*⁴ to study *halakha*. His reluctance to show a marked preference for his own work suggests that Rav Bashyatzi did not intend to uproot prior Karaite *halakha* or even perceive his work as revolutionary.

Rav Bashyatzi does at times provide his personal perspective on the law (as of course, do all his predecessors) and at times his opinion resembles the Rabbanite conclusion. Yet, he remains loyal to the

¹ As further explained below (see the subsection "organization of the work") I will publish this work serially. My continued publication of this work depends on whether readers are interested in the project.

² See for instance the preface to the 1966 Edition of *Adderet Eliyahu* by Prof. Zvi Ankori

³ Karaite Anthology p. 170

⁴ *Adderet Eliyahu* the ten principles of faith, the sixth principle part II

three Karaite legal pillars (*katuv*, *hekeish*, and *sevel hayerusha*), described in the Introduction to the *Adderet*. Even when arguing for a conclusion in line with Rabbanite *halakhah*, he arrives at that conclusion through these distinctly Karaite methods. Further, he does not rely on *sevel hayerusha* (the pillar that has become most controversial and is most misunderstood in recent years) any more extensively than do his predecessors. More than anything else, his work is an attempt to clearly summarize the opinions of his great predecessors and the “standard” Karaite *halakha* that had been refined by generations of Karaite sages studying the *peshat* (or “plain meaning”). Indeed, in the introductory poem to his work, Rav Bashyatzi compares his role in the Karaite legal tradition to that of the Israelite poor who would gather their food behind the reapers:⁵

“I, Eliyahu Bashyatzi, have set out in search of the sheaves, just as those who gather the dropped ears of corn behind the reapers, to gather the scattered sayings of our sages/ and to compile them together”

Rav Bashyatzi’s work is a lucid summary of prior Karaite achievements, not a radical, uprooting force as is sometimes claimed.

Mikdash Me'at

The state of Karaite religious education today is unfortunate especially outside of Israel. Access to traditional Karaite works is restricted to those who have a certain proficiency in medieval Hebrew and/or medieval Arabic. Any English partial translations or descriptions of the traditional works are extremely short and prepared by historians. English speaking students are certainly indebted to the work of these Historians, however, the focus of historians is different from the focus of persons interested in practicing Karaite Judaism. Historians are generally more concerned with the evolution of the Karaites as a community and especially their place in larger Jewish history than with the actual textual arguments made by Karaite scholars. While studying Karaite works through the lens of social history is an important concern, it was not, of course, the original concern of the Karaite works themselves.

There are some English language websites which approach *halakha* from a Karaite perspective. Yet these websites too are lacking. Often times they cite only the opinion of the author which differs from the traditional Karaite opinion. This is not inherently problematic, but any Karaite would benefit greatly from access to the traditional opinions that were challenged and refined over the centuries. These websites also do not cover the full breadth of Karaite *halakha*. Not unexpectedly, *An Introduction to Karaite Judaism: History, Theology, Practice, and Culture* provides a good introduction to Karaite Judaism. It is lucid and direct in its summary of Karaite law and I highly recommend reading this book before reading *Mikdash Me'at*. Yet, it does not expound in depth the legal thought and textual proofs behind Karaite practice.

Mikdash Me'at is an attempt to begin to address the dearth of English-language Karaite *halakhic* works. I hope to provide an English abridgement *Aderet Eliyahu* in order to make the traditional opinions and their underlying logical and textual proofs accessible to English speakers. A pure translation would be

⁵ See Leviticus 19:9-10

preferable, but this is beyond my capabilities. In the course of my summary, I will omit certain details of *Adderet Eliyahu* and reorganize some segments. This will be done for the sake of brevity and clarity. Sometimes, these omissions will be entire groups of chapters. For example, I intend to omit a significant portion (nearly half) of the section on setting the calendar because it deals with the highly technical specifics of setting the calendar when lunar sighting is not possible. These details, based more in astronomy than in *Tanach*, are of little interest to most readers who will not be personally setting their own calendars. When omitting large portions, I will do my best to inform the reader.

Furthermore, Rav Bashyatzi often summarizes all traditional opinions on a given issue, but I will usually focus on only the most widely accepted opinion. I will also frequently omit the refutations of the Rabbanite positions or of Rabbanite challenges to the Karaite position. My primary goal is to provide the reader with a strong basis in the “standard” Karaite *halakha* and its underlying rationale from which the reader will then be able to better evaluate other opinions and form his own opinions. As such, I will sometimes sacrifice the discussions on the merit of differing Karaite positions or on the merit of the Karaite position versus that of the Rabbanite position. While these discussions are important, I would also like *Mikdash Me'at* to be completed in a timely fashion. The reader should keep in mind that when I cite “the Karaite opinion” or claim that “the sages hold” some opinion, there are likely several dissenting Karaite opinions that I am not discussing.

I should also mention that when I do discuss or critique the Rabbanite position it is only to better clarify why the Karaites adopt the position they do. Determining whether the Karaite or Rabbanite position is more plausible requires careful understanding of both positions both in theory and in practice. One can reasonably assume that either the Karaite or Rabbanite theoretical approach is correct, but if the approach does not work in practice to determine a complete code of *halakha* that can practically be followed, its theoretical appeal is meaningless. Thus, thorough study of the Rabbanite and Karaite exegetical theories as well as their actual legal conclusions is needed to determine which position is more correct. I have no intent to undertake this study anywhere in *Mikdash Me'at*, my goal will always be to clarify the “standard” Karaite *halakha* and explain how it is derived (which is also the primary purpose of *Adderet Eliyahu*). Any mention or critique of the Rabbanite position is to this end. I am fully aware that rejecting the Rabbanite system would require a much lengthier discussion. Were this my intent, I would first explain both the Karaite and Rabbanite positions in the best light possible, then attempt to determine which is more plausible. The reader should not view any part of this work as an incomplete refutation of Rabbanite *halakha* that does not give fair hearing to the Rabbanite position. My goal in *Mikdash Me'at* is simply to clarify the Karaite position, not to thoroughly refute the Rabbanite system or any specific Rabbanite *halakhic* conclusion.

At times, I will also add some comments of my own. I will not formulate any complete halakhic conclusions or explicitly argue in favor of a given position. My comments will be restricted to clarification and speculation. I will offer perspective on Rav Bashyatzi's work, suggest potential applications to modern issues, suggest supplemental arguments for or against the positions described in the *Adderet*, offer clarifying comments, and reference other sources within or outside the *Adderet* that may be relevant to the topic at hand. My comments will always be clearly delineated from my summary

of the text. They will usually be in footnotes or in subsections labeled “Notes on X”. To be especially clear, I will always use a different font and highlight them with a grayish blue background.

That being said, even the parts which are based on the *Adderet* will reflect in some ways my personal reading of the text. This is not a translation so the wording is entirely my choice. What I choose to omit and how I choose to organize or reorder certain information will also reflect my own view of what is important and how it should be presented. Although *Mikdash Me'at* is heavily based on *Adderet Eliyahu* the reader should always keep in mind that it is not equivalent to a collection of excerpts from the original.

Although this part abridgment, part commentary format may seem undesirable when compared to a direct translation, I find comfort in the fact that it finds precedent in Karaite literary tradition. *Yeriot Shlomo*, *Gefen Ha'aderet*, *Maayan Chayim* are all widely used Hebrew language abridgments of the *Adderet*.⁶

I should note that the choice of author for this work is also regrettably far from optimal. I do not have any sort of ordination nor am I particularly religious in belief or observant in practice. Nevertheless, I believe the Karaite community has been entrusted with a rich intellectual tradition that is at risk of being lost. I also see many people who are genuinely interested in Karaite Judaism without access to any comprehensive description of traditional Karaite *halakha*. Therefore, despite my lack of religious conviction, I will do my best to meticulously and clearly summarize the *Adderet*. I hope that this abridgement will allow at least partial access to the classical Karaite *halakha* for English speaking Karaites. It will neither match nor properly reflect the extensive scholarship and genius evident in the classical Karaite works, but I hope it will be of some use to the community in English-speaking nations. May it be for them a diminished sanctuary, a “*mikdash me'at*”, in their exile.

Organization of the Work

Mikdash Me'at will retain the general structure of *Adderet Eliyahu*. *Adderet Eliyahu* is divided into numerous sections enumerated in the table below. These sections are further divided into chapters. I will retain the division of sections in my abridgment although not of chapters. The subsection divisions found in *Mikdash Me'at* are my own doing. Note that the section on prayer (*tefillah*) originally included sections 9-14, but was split up in the 1966 Ramla edition into the sections seen below. I will retain the sections as seen in the 1966 Ramla edition.

The sections were published separately over the course of about ten years.⁷ The first 19 were prepared by Rav Bashyatzi himself and the last 3 were prepared by Rav Bashyatzi's pupil and successor Rav Calev Afendopolo after Rav Bashyatzi's death. Another two sections (on vows and on the Nazirite laws) were intended to be published but never completed since Rav Calev died before being able to complete the *Adderet*.

⁶ *Yeriot Shlomo* was not technically intended an abridgement, but it is very heavily based on *Adderet Eliyahu*.

⁷ See Prof. Zvi Ankori's intro to the 1966 Edition.

I hope to publish Mikdash Me'at online, in separate installments. I expect the project should take between 1 and 2 years. This is the best case scenario for this project. The degree that this work is completed, however, is entirely dependent on whether or not people are interested in what I write. I hope to create something which is useful to people and thus reader interest, comments, and feedback are very important to me. I will modify or annul the project in accordance with reader interest.

I will not necessarily publish the sections in the same order as the *Adderet*, but this should be without ill effect as *halakha* is often learned in a modular fashion. The sections of the *Adderet* themselves were published in a different chronological order than the order in which they appear in the final work.

The sections of the *Adderet* are listed below. I have given the number of chapters so that the reader will have some idea as to how expansive each section is. I have given a list of some of the topics covered in each section because sometimes the title of the section is vague or surprising sub topics are covered within that section. For example, the laws of Purim are found in the section entitled "Yom Kippur"⁸.

Section No.	Title	No. of Chapters	Some of the Topics covered	Author
1	Introduction	N/A	Narrative vs. Legal sections of the Torah; Positive vs. Negative Commandments; The Origin of the Rabbanite Movement; The Pillars of Karaite law (<i>Katuv</i> , <i>Hekeish</i> , and <i>Sevel Hayerusha</i>); A list of the 7 kinds of <i>hekeish</i>	R. Bashyatzi
2	Sanctifying the Month	42	Setting the calendar: days, months, and years.	R. Bashyatzi
3	Shabbat	22	The laws of Shabbat; "Torah terms;" Direct and Indirect "Work"	R. Bashyatzi
4	<i>Pesach</i>	9	The laws of the <i>Pesach</i> sacrifice; Definition of " <i>bein ha'arbaim</i> ;" Differences between the <i>Pesach</i> offered in Egypt and the one required of latter generations	R. Bashyatzi
5	<i>Chag HaMatzot</i>	7	Definition of " <i>Chag</i> ;" Definition of " <i>chametz</i> ;" Laws of <i>Chag HaMatzot</i> ; Yom Tov vs. Shabbat	R. Bashyatzi

⁸ While covering Yom Kippur, R. Bashyatzi also addresses the 4 fasts of mourning for Jerusalem, which were not commanded in the Torah. This leads him to discuss Purim, another holiday not commanded in the Torah.

Section No.	Title	No. of Chapters	Some of the Topics covered	Author
6	<i>Chag HaShavuot</i>	10	Proofs for why <i>Shavuot</i> is always on Sunday; The <i>Shavuot</i> sacrifice	R. Bashyatzi
7	<i>Yom Teruah</i>	2	Laws of <i>Yom Teruah</i> ; Reason for <i>Yom Teruah</i> , determining the start of the year and whether the start of the year is on <i>Yom Teruah</i> or in <i>Nissan</i>	R. Bashyatzi
8	<i>Yom Kippur</i>	5	Laws of <i>Yom Kippur</i> ; The 4 Fasts; Purim; Fasting in Times of Distress	R. Bashyatzi
9	Sukkot	5	Sukkot; Shemini Atzeret	R. Bashyatzi
10	Ten Principles of Faith	10	The Ten Principles of the Karaite Faith	R. Bashyatzi
11	Idolatrous Practices and Sanctifying God's name	8	Laws of Cutting Hair, Shaving, Cutting Oneself, and Tattoos	R. Bashyatzi
12	How a Man should Behave towards Himself, his Fellow Man, his Parents, his Teachers	9	Respectful Conduct	R. Bashyatzi
13	Prayer	9	The Requirement to Pray; The Liturgy; The Role of the Cohen and Levite in the Exile	R. Bashyatzi
14	Shechita	27	Proper Slaughtering of Beasts, Birds, Fish, and Insects; Why <i>Shechita</i> is not Described Explicitly in the Torah and Why This Does not Suggest the Existence of an Oral Torah.	R. Bashyatzi

Section No.	Title	No. of Chapters	Some of the Topics covered	Author
15	Impurity and Purity	23	Impurity of Animal Carcasses; Impurity of Menstruation; Impurity of Child Birth; Impurity of other Vaginal Bleeding and Discharges; Impurity of Semen; Impurity of other Male Genital Discharges; Impurity of Human Corpses; Impurity of Skin Disease; Impurity of Growths on Buildings; Which objects are liable to becoming impure and which are not	R. Bashyatzi (with a section at the end about the red heifer by R. Afendopolo)
16	Incest	7	Why <i>Hekeish</i> Should be Applied to the Laws of Incest; The Principles of Incest arrived at through <i>Hekeish</i>	R. Bashyatzi
17	Marriage	16	Laws of Engagement; Laws of Marriage; laws of sex, Forbidden women; Laws of divorce	R. Bashyatzi
18	Circumcision	5	Laws of Circumcision	R. Bashyatzi
19	Mourning and Inheritance	9	Laws and Customs of Mourning and Inheritance	R. Bashyatzi
20	Sabbatical and Jubilee	19	Laws of the Sabbatical and Jubilee Years	R. Afendopolo
21	Forbidden Mixtures	17	Forbidden Cloth Mixtures; Forbidden Animal Mixtures (<i>i.e.</i> , breedings), forbidden plant mixtures (<i>i.e.</i> , breedings)	R. Afendopolo
22	Oaths	16	Valid Oaths; Swearing falsely by God's name; Using God's name in vain; Oaths made Mandatory by Kings, by Prophets, by Priests, by Elders, and Other Community Leaders	R. Afendopolo
23	Vows	N/A	N/A	Not completed
24	Nazirites	N/A	N/A	Not completed