

Elisheva Baumgarten, *Practicing Piety in Medieval Ashkenaz: Men, Women, and Everyday Religious Observance* (Philadelphia: Penn Press, 2014) – Reviewed by David Shyovitz

Writing history on the basis of medieval halakhic sources is a notoriously tricky enterprise. Not only are the relevant source materials inherently difficult—suffused with technical terminology, complex, often terse exposition, and assumed prior knowledge—it is extremely challenging to escape from the orbit of the sources themselves, and to draw firm conclusions as to how they reflect or intersect with the lived reality of historical actors. Exegetical tracts (such as Talmudic commentaries and super-commentaries), for example, tend to confine their analysis to the particular texts under consideration—it is not easy to utilize the narrow explication of a particular phrase or argument in the Talmud as a means of recovering broader data about the particular historical moment in which it was generated. Halakhic codes, as prescriptive texts, by definition tell us more about rabbinic ideals than they do about communal and individual practices. And responsa, ostensibly the genre most transparently reflective of historical reality, have oftentimes undergone redactional and editorial processes so extensive that it is impossible to recover the historical “facts” that underlie the surviving documents.

For scholars of medieval Ashkenaz, efforts to present a descriptive, rather than prescriptive account of lived religious reality have been particularly fraught. Long entrenched assumptions concerning the “talmudocentrism” or “halakhocentrism” of medieval Ashkenazic rabbinic culture has privileged elite legal sources, and obscured the non-elites who had no facility with—and perhaps no interest in—the dictates of halakhic texts. As a result, medieval Ashkenazic contributions to “the history of halakhah” have often been limited to precisely that—the historical analysis of (abstract, elite) halakhah *itself*, rather than an attempt to write a broader history that utilizes halakhic texts without accepting their own claims to normativity and authoritativeness.

In her new book *Practicing Piety in Medieval Ashkenaz: Men, Women, and Everyday Religious Observance*, Elisheva Baumgarten seeks to escape from this interpretive morass, and models a new approach toward using halakhic texts for historical ends. She mines halakhic sources composed in medieval Ashkenaz (between roughly 1096 and 1348) for the evidence they reveal concerning “pious practices”—the concrete actions and observances that were important and accessible to both rabbinic elites and the laity, men and women, members of the upper and lower classes. By focusing on practice rather than theory, Baumgarten seeks to transcend the prescriptive nature of halakhic sources, and to bridge the gap between halakhic and other (narrative, moralistic, polemical) sources. Rather than treat halakhah as an insular and independent construct, she seeks to reconstruct what halakhic texts reveal about the religious values and commitments of Jews who left no independent records of their lives and experiences. What she recovers, in short, is a Jewish “lay piety,” akin to (and as we shall see, bound up in) the lay piety and popular devotion that has been the subject of much recent attention among scholars of medieval Christianity.

Practicing Piety is in many ways a path-breaking book: conceptually sophisticated, methodologically complex, the product of prodigious research and nuanced, creative readings of often familiar (and sometimes over-familiar) texts. Its argument is for the most part extremely persuasive. To be sure, all important books give rise to as many questions as they answer, and Baumgarten's book is no exception—particularly because it intersects with varied overlapping fields: the history of halakhah, gender studies, Jewish-Christian relations, and others. In what follows, I shall lay out some (by no means all) of Baumgarten's major claims, raise some questions concerning her findings, and point to some avenues of future research that her stimulating book opens up.

Practicing Piety's introductory chapter guides the reader through the multiple interpretive axes on which the study turns. In order to reconstruct the piety of non-elites—the laity—and not merely the rabbinic scholars who produced the sources that have survived, Baumgarten reads those sources with an eye toward their gendered dynamics, and with comparative attention to the contemporary, predominantly Christian setting in which they were composed. Her attention to gender serves not merely to highlight the heretofore obscured experiences of women (an approach modeled virtuosically in her earlier *Mothers and Children*). Rather, by comparing the practices of *men and women*, Baumgarten seeks both to uncover the experiences of non-elites (since women can be said to reflect the sectors of society who were outside the rabbinic elite) as well as to locate moments of particular social conflict, since “conflicts regarding identity and institutional control are often imposed on and reflected by women” (2). At the same time that she is attentive to the differences and overlaps between men and women, Baumgarten is constantly aware of the Christian setting within which Jews lived and practiced. She harnesses the abundant recent scholarship on Christian “lay piety” as a means of both understanding currents within Jewish communities, as well as identifying the sources and resonances of changing Jewish practices within their socio-cultural context. Finally, Baumgarten constantly toggles between the public and private spheres; her analysis reveals that ostensibly private acts of devotion and spirituality tended to manifest themselves publicly, and to play a role in constituting the shared ideals and identity of the community as a whole.

The main body of the book applies these overlapping lenses to six case studies. Chapters One, Two, and Three focus on presence in the synagogue, fasting, and charity—all quotidian elements of Jewish life, and yet spheres of religious experience that underwent significant shifts over the course of the Middle Ages. In Chapter One, Baumgarten focuses on the custom, first attested in the *sifrut de-bei Rashi*, of women absenting themselves from the synagogue while menstruating. The sources that detail this practice have been subject to extensive historical analysis, mainly by scholars interested in the history of *halakhah* and *minhag*—in tracing the textual attestations of this practice, many scholars have assumed that the custom reflects new awareness of existing Palestinian texts like the *Beraita de-Nidah*. Baumgarten finds such textual genealogies unconvincing, and argues that the original impetus for abstention from synagogue services came from pious women themselves. But what began as an optional pious practice was soon normalized by rabbinic decisors, rendering

it “a justification for the marginalization of women in the synagogue” (48). Here, her comparative attention to both male and female piety bears fruit—as she shows, the newfound preoccupation with female menstrual impurity was not accompanied by concern with male impurity due to seminal emissions (*keri*); on the contrary, men generally attended synagogue regardless of their purity status. Baumgarten seeks to anchor the custom in high medieval anxieties—among Jews and Christians alike—over impurity and access to sacred spaces. Christian thinkers had debated the issue of menstruating women attending mass and taking communion since the early Middle Ages, and while the high Middle Ages saw more concern over (male) clerical purity than over menstrual purity, “the resonance between the discourses conducted by these two sets of religious leaders is significant” (41). Indeed, Christians were deemphasizing menstrual purity at precisely the same moment that Jewish leaders were elevating *nidah* observance as a covenantal sign, “the defining symbol of the Jewish people and Jewish women’s covenant with God” (47). Jews and Christians were likely aware of one another’s purity practices, an awareness that manifested itself in this “competitive piety.”

This doubly-comparative methodology, with attention to both gendered and interreligious relations, also informs the discussion of fasting in Chapter Two. Just as the ostensibly private observance of *nidah* regulations had public, communal implications, so too fasting became an increasingly ubiquitous, and visible, element of the pious landscape in medieval Ashkenaz, where older fasts that had been minimized by the Geonim were revived, and where fasting became increasingly associated with penitence. The rise of fasting paralleled the simultaneous growth of fasting in Christian lay piety, and had gendered implications as well—Jews and Christians alike subordinated pious practice to a “common gendered ideology,” which assumed that women’s role as caregivers, and even their biological workings, limited the options for pious expression available to them. The fact that fasting occupied a prominent place in Christian penitence helps us to understand the development of Jewish penitential fasting—although both faiths anchored their practices in ancient texts and traditions, they harnessed those sources in the service of “complex structures of repentance whose theoretical and ritual overlap is too extensive to be coincidental” (101).

Chapter Three continues in the same vein, but utilizes a unique surviving source, the Nürnberg *Memorbuch*, in an attempt to delve more deeply into the particular social and economic settings in which pious practices were expressed. The *Memorbuch* preserves the liturgy Ashkenazic Jews recited for donors *pro anima*—those who contributed to communal institutions on behalf of their souls—and lists the names of donors and amounts of their donations over the course of several centuries. Baumgarten’s statistical analysis of this surviving data is a revelation—she tracks the amounts donated by men and women, the various currencies utilized by members of different socio-economic classes, the ends for which contributions were utilized, and the ways in which external events, from the inauguration of a new synagogue to the Rindfleisch and Black Death attacks on the community, impacted upon charitable norms and practices. The upshot of this analysis is a growing, and increasingly universal desire “to commemorate each and every soul” (128)—

regardless of gender and class. The popularity of *pro anima* almsgiving drew on the late antique tradition of redemptive almsgiving (that Alyssa Gray and others have reconstructed), but was also spurred by Christian charitable norms. Indeed, the very literary structure and communal function of the *Memorbuch* as a physical artifact represented a Jewish response to the martyrologies and necrologies in use among Christians: “another case in which Jewish culture appropriated elements from the Christian majority while tailoring them to harmonize with the Jewish frameworks of practice and belief” (115).

The juxtaposition of ostensibly familiar Jewish sources alongside elements of Christian lay piety is most productively utilized in Chapter Four, which deals with the question of women’s performance of positive time bound commandments (*mitsvot aseh sheha-zman grama*). Ashkenazic decisors by and large allowed women to perform, and recite benedictions upon, commandments that were obligatory on men alone, such as hearing the *shofar* and shaking the *arba minim*. When it came to *tsitsit* and *tefillin*, however, early allowances gave way to increasing restrictions over the course of the Middle Ages, as women were discouraged and then prohibited from wearing and making *tsitsit* and *tefillin*. This is a familiar story to scholars of medieval Ashkenaz, and the sources that describe the process have been well trod. But the originality of Baumgarten’s approach is her juxtaposition of this data alongside the sources indicating that men in the high Middle Ages by and large did not perform the commandments of *tsitsit* and *tefillin*. Only as the Middle Ages progressed did a self-conscious campaign of top-down encouragement lead more and more men to adopt these practices. The comparison of men’s and women’s experiences, then, reveals that the limitations on women’s pious expression were coterminous with the encouragement of men to perform previously neglected commandments. The turning point in this process was the thirteenth century, a period in which we find critiques of women’s “arrogance” in a wide array of halakhic and moralistic sources. The desire to limit women’s options for independent religious expression led to varied articulations of the core differences between men and women: men could keep their bodies clean (or “pure”) long enough to wear *tefillin* while women were incapable of bodily purity; women were akin to “deficient men,” since, like blind men, they were exempt from certain commandments; or, as Maharil categorically put it based on a Talmudic precedent, women are “a people unto themselves” (164). The exaggeration of gender differences, and concomitant attempt to limit women’s options, mirrors precisely developments underway in thirteenth century Christendom, which saw the repression of the Beguines, the rise in accusations of female heresy, and so on. “The sanctions and suspicions of the Christian hierarchy differed little from the rabbi’s concerns...the reactions led by these male authorities to women’s more active agency in religious life are remarkably similar” (170). The inclusion of both men’s and women’s experiences, and the contextualization of Jewish concerns within their Christian surroundings, thus leads to a fresh take on a long-debated episode in the history of halakhah.

Chapter Five, which explores the ways in which piety would have been publicly visible in medieval urban settings, contains surveys of the hairstyles, garments, and fashions of Jew and Christians. This chapter is, to my mind, the least compelling in the book. Some

of the sources contained here will be familiar to scholars of medieval Ashkenaz, but Baumgarten's approach is less successful in recontextualizing the material than elsewhere in the book. A number of her specific claims are original and provocative—e.g., the notion that Jewish tailoring practices would have subtly distinguished Jews' garments from ostensibly identical Christian ones, an "internal code of sorts" (189) that made Jewish fashions simultaneously identical to and distinct from those of their neighbors. But this argument is based on scanty (and chronologically late) evidence. Moreover, much of her discussion in this chapter deals with prescriptive sources (e.g. halakhic discussions of the laws of *shaatnez*) which seem to reflect more the desires of rabbinic elites than the implemented practices of pious laypeople.

Chapter Six, however, fascinatingly extends Baumgarten's approach from halakhic sources to narrative ones. In a compelling analysis, she shows that "tales of pious pretenders"—rabbinic narratives in which ostensibly pious actions are discovered to be fraudulent and hypocritical—were retold and reinterpreted by medieval Ashkenazic authors in ways that accentuated female hypocrisy while eliminating that of men. That is, the male "pious pretenders" in rabbinic literature were rehabilitated by storytellers at precisely the moment when ostensibly sincere female characters were deemed devious and duplicitous. Again, this development tracks on to currents in contemporary elite Christian conceptions of lay piety—male religiosity was lionized as female piety was increasingly subject to surveillance and control, assumed to be fraudulent and self-interested rather than sincere and well-intentioned.

Chapter Seven concludes the book by drawing together the multiple threads of the argument—threads that Baumgarten elsewhere describes as making up "a bricolage" (87), or "a tapestry" (42). Indeed, a tapestry is an apt analogy for the overall argument of the book. In its large contours, the notion that Jewish piety ought to be approached via pious practices and with attention to the lay men and women who comprised the majorities within Jewish communities is compelling, and the overall picture that emerges is highly convincing. But a close inspection of the reverse side of the tapestry, where the actual work of drawing linkages takes place, reveals a more complex and complicated picture—particularly when it comes to anchoring Jewish lay piety in its broader surrounding context. To be sure, the scanty surviving documents from medieval Ashkenaz inevitably preclude clear and unidirectional conclusions regarding causality, and if the book leaves certain details regarding transmission and interreligious interaction unclear, it is nonetheless to the author's credit that there are no simplistic overgeneralizations in the book, no attempts to quash the messy realities of daily life and religious beliefs into overly rigid categories or frameworks.

To begin with, the most pressing challenge to reconstructing the pious practices of the laity is one of sources. Medieval Christian culture left behind myriad documents—written by, for, and about the laity—that historians have utilized in order to get beyond the normative and prescriptive image that emerges from top-down pronouncements. The available Jewish source materials are far slimmer. Thus, although Baumgarten "[takes] the vantage point of

those who performed rituals rather than those who penned their descriptions and prescriptions” (216), it is those very descriptive and prescriptive texts that comprise the primary source base for her study. Baumgarten is well aware of this methodological challenge, but never provides an explicit articulation of the method she utilizes to tease out real practices and values from the prescriptive sources in which they are reflected. Occasionally, this leads to slippage between elite texts and the lay reality that they are assumed to describe—as when it is assumed that “increased adherence to these pious practices (*tsitsit*, *tefillin*, and *shaatnez*) coincided with greater attention to them in the writings of the rabbis who promoted heightened religious observance” (193). When the sources that attest to the “increased adherence” are themselves “the writings of the rabbis,” how can we be certain that this coincidence of text and practice was not, on the contrary, a rabbinic conceit, an exclusively elite, literary development disconnected from the interests and actions of everyday Jews?

A similar complexity is manifested in *Practicing Piety*'s approach to Jewish-Christian relations. Baumgarten's illustrations of similarities between developments in Jewish and Christian piety are on the whole quite convincing—the “theoretical and ritual overlap” in the ideals, anxieties, and practices she charts are, as she puts it, “too extensive to be coincidental” (101). But how to account for that overlap is not always clear, or at least consistent, throughout the book. Her overall claim, as expressed in the context of Chapter Five, seems to be that “Jews wore distinctive clothing and they dressed like their neighbors” (275 n. 20): that is, that their similarities were, paradoxically, simultaneously constitutive of distinctiveness. At times, such similarities between Jewish and Christian practices are taken to indicate a kind of bi-directional awareness and polemically inflected “competitive piety” (8 and *passim*)—as in the suggestion in Chapter One that Christian de-emphasis of menstrual impurity was dialectically related to Jewish privileging of *nidah* as *the* covenantal sign of Jewish fidelity. Baumgarten recurrently gestures to Ivan Marcus's theory of “inward acculturation,” and argues that Jews and Christians “harnessed shared rituals to express religious difference” (99). Such commonalities in ideals and practices can thus be “simultaneously read as [appropriations] of Christian practice and as [polemics] against it” (112). But at other points, Baumgarten limits herself to the more general observation that “the medieval Christian environment provides essential data for understanding the development of Jewish customs and ideas” (22)—that is to say, that the Christian atmosphere helps us understand Jewish developments, but was not necessarily the cause of them. In this view, “awareness of Christian conduct is *not* synonymous with appropriation of its ideology or practices” (87, emphasis added), and Jewish and Christian pious practices might not have responded to one another so much as sprung from the same contextual environment, or “common ‘ritual instinct’” (44). It would have been helpful to distinguish these two approaches from one another more carefully, especially since the polemical valences of the “appropriation” approach occasionally come across as strained. To take just one example, in Chapter Three the similarities between the Jewish *Memorbuch* and Christian martyrologies and necrologies are understood to reflect not just “shared ritual instinct,” but conscious polemical appropriation. The liturgical use of such necrologies during the Mass is thus juxtaposed with

“the decision to remember the dead and their donations between the Torah and the Musaf services—with Musaf connoting sacrifice in the ancient Temple,” and read as polemically intended, as “an expression of the inward acculturation that typified medieval Jewish life” (112). One could question whether “polemics” (micro-polemics?) of this sort were really intended or perceived as such, or whether the choice of placement of memorial rites simply obeyed the internal logic of the Jewish liturgy, in which the junction of Torah reading and Musaf was a moment when interruptions to the standard service were licit.

The ambiguity in terms of precisely how Jewish and Christian currents intersected with one another is mirrored in a certain vagueness concerning the precise factors that led to change over time. Time and again, Baumgarten convincingly demonstrates that developments in Jewish piety—as practiced by lay Jews and as regulated by elite rabbis—mirrored developments in Christian Europe. But a huge body of scholarship has sought to account for *why* Christian piety (and especially female piety) shifted and became increasingly regulated over the course of the High Middle Ages. Much of that scholarship is referenced in *Practicing Piety*, but it is not wholly clear how those broader causal developments impacted upon the shifts in Jewish practice. Put differently, did Jewish piety undergo changes over the course of the Middle Ages because Christian piety did, or were certain external factors impinging upon both religious communities, living as they did in the same cultural ambit? And if the latter was the case, what were those external factors? Baumgarten convincingly shows that change was afoot in the high Middle Ages, but the reader is not always certain as to why.

Baumgarten’s stimulating book thus spurs its readers to consider the extent to which Jewish piety adapted, competed with, or was indistinguishable from Christian piety—and further research by scholars of medieval Ashkenaz will no doubt engage with and extend the arguments that are so productively introduced here. Indeed, *Practicing Piety* opens up numerous such avenues of future research. To highlight just one, the very category of “lay piety,” as applied to the Jews of medieval Europe, demands that scholars revisit entrenched assumptions concerning rabbinic leadership and social structures within Jewish communities. In medieval Christian culture, “the laity” could be contrasted with “the religious”—the priests, monks, and clerics who occupied (at least in theory) a defined and circumscribed position within society. When, in the high Middle Ages, Beguines, tertiary Franciscans, “heretics,” and others challenged the boundaries between the religious and the laity, they were responding to real, deeply embedded socio-religious structures. But is it safe to assume that the lines between Christian clerics and the laity tracked onto those separating the rabbis from other members of the community? How could we determine whether the medieval Ashkenazic rabbinic elite comprised a socially and politically distinct “religious class,” with which a “laity” can be contrasted? *Practicing Piety* models a way to combine moralistic and narrative sources with halakhic ones, and to use them to sharpen and deepen our notions of how social structures within Jewish communities impacted upon religious observance.

By productively, and provocatively, challenging the entrenched “top-down” model of medieval Jewish piety, *Practicing Piety* sheds new light upon the social, gendered, and interreligious dynamics of Ashkenazic religious practices. Scholars of medieval halakhah, spirituality, and Jewish-Christian relations will find it to be an indispensable resource in their continued exploration of the complex, messy, and immensely fruitful religious culture of medieval Ashkenaz.

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