Nasty Women of the 13th Century:
Jewish Women, the Halakhic System, and Conversion to Christianity in Medieval Europe

She’elot Utshuvot haRitva, no. 179. (R. Yom Tov Asevelli, Seville, 13th-14th cent.)

Question: You asked further about an unlearned person who mistakenly slept with a woman who is of a secondarily prohibited relationship according to the words of the scribes, and she had a child by him and she lives with him. The man says he wants the community to permit him to marry her (with chuppah and kiddushin) like any person in order to legitimate the child, and then he would immediately divorce her with a get; and if the community does not permit this, they will convert (literally “they will destroy themselves”). Do we listen to him or not?

Response: It seems to me that you should not do this, and it would be better if he and others like him were lost and we do not uproot even a single word of the words of the sages, because we do not mix with swindlers and wicked people. And this is preferable that this should happen rather than that the community will sin and create a stumbling block to others, causing them to sin, that someone might see this and think that it is permitted to marry someone of a secondary relationship that is rabbinically prohibited. And the words of our sages need strengthening more than those of the Torah! Rather, we should prepare the man in question until the woman leaves on her own or he sends her away, or if they stay together and he goes ahead and marries her, we will not be responsible for his sin. And the evil declaration that he made is sufficient to punish him or imprison him, or give him other punishment according to the view of the beit din.
Question: You spoke about someone who came from Seville with a woman. And witnesses testified about him that he slept with her while she was married to another man and the two of them had converted to Christianity, and afterward she had received a get from her husband. And now they are in Tolitola (Toledo?) under the presumption of being Jews and man and wife, and you have the ability to hand them over to the non-Jewish authorities. What should be done with them?

Response: You already know that the woman slept with someone else while she was married and there were witnesses to her impurity, she is forbidden to both the husband and the lover. Whether she has children from the husband or from the alleged lover, she must leave both of them. Even if they repented, we compel them against his will, and she cannot live with him or in his vicinity. But to hand him over to the authorities to be killed - that is not up to me, that is up to you! If you see according to the testimony of the witnesses that the matter is truly that he converted and committed adultery with this woman. And you see there is a limit to the matter of handing him over to the authorities, as I already wrote to you, whether it will stop the matter or not, you can hand him over and whip him, and bring him back in your midst. Each one of them in a separate place so that they will not be together anymore, and he will go back from his corruption. Indeed I know that the elders in your city and your noble friends have counsel and wisdom - according to what they see they will do and it is permitted for them to do as the hour requires, as I have said.

Piskei Maharik, No. 143 (R. Yosef Colon ben Shlomo Trabotto, Germany/Italy, 15th century)
Question: On the matter of the wife of a Kohen who left husband’s house in the heat of an argument, and an evil spirit came upon her and led her to the house of her non-Jewish neighbor and she said she wanted to convert. The hegemon (either a bishop or other leader) and two people from the city came, and the woman was sitting with them and two other non-Jewish women for two hours. Then they led her to a convent that is particularly ascetic, where the nuns are so separated from men and closed in so that no man comes there, except when the bishop comes occasionally at times of great need or a doctor comes when they are ill. And there they led the woman so that she could meditate and settle her mind according to their law and that the matter would not be done out of fear. When she was walking there, two of the people of the city escorted her and four non-Jewish women and she was there all day and night. In the morning a different spirit was with her and she sent to the bishop saying that she desired to return home because she said I am the wife of a priest, and if I stay here a day or two I will not be able to go back to him and he will divorce me. These things became known to the Jews by the bishop, and after he heard her words and knew her heart, that she wanted to go back to her people and her God, he returned her to her home, and she was crying about her sin and asking forgiveness from God and atonement. And the kohen came to request instruction if his wife was forbidden or permitted to him.

Response: This woman is not forbidden to her husband the priest, because the seclusion in the house of her Gentile neighbor was with the bishop and two people from the town and her neighbor. It is obvious they were not just average gentiles, and even if she had been secluded with regular gentiles, because she wasn’t handed over to them and she was only with them a short time. Her reason for going there is known to us, because she wasn’t handed over for sexual impropriety, she does not become prohibited for this. And even though she said she wanted to convert, we don’t judge her as someone who converted to idolatry. And there is reason to suspect that she did this for a reason, since she only did this with mere words. And because her seclusion in the convent with the sisters does not prohibit her, even though she was there part of the first day when the bad thing happened to her, and the whole night and whole next day, and because she was enclosed by the nuns so that no male gentile could enter except for rare occasions for great need and by request, there is no suspicion here, and there is no suspicion regarding being secluded with women where men don’t go at all.

She’elot Utshuvot Maharam MiRotenburg, Prague Printing, Part 4, No. 946
(R’ Meir of Rothenburg, Germany, 13th century)
Question: Leah rebelled against her husband A, the son of Mendel Kern. When warned that she might lose her ketubah and her dowry (which she brought in upon her marriage) and that she might be forced to wait for many years for her divorce she threatened, among other things, to go and live among the gentiles. Since the women of Regensburg were always arrogant in their relations to their husbands and now are even more supercilious than ever, Leah should be dealt with in a manner that would serve as a warning to her haughty sisters. A. should be permitted to remarry immediately in accordance with the view of R. Eliezer b. Nathan, while Leah should be forced to wait for her divorce for many years. However, Leah should not be left entirely to the mercy of her husband who, after marrying another woman, might demand an exorbitant sum for Leah’s divorce, or might refuse to divorce her altogether. We therefore, leave it to you to decide upon a proper punishment for Leah.

Response: In order to curtail the possibility of Jewish women leaving to an evil culture, and in order that people might not say: “This one is A’s wife and this one is his prostitute,” we should not permit the husband to remarry before he divorces his rebellious wife. Therefore, A should receive a limited amount of money and give Leah her divorce, or, he should give Leah a divorce on condition that the divorce become valid twelve months, or two years, after date. After the delivery of such a conditional divorce, A may be permitted to remarry immediately. If, however, Leah had good reason to detest her husband, she should be dealt with more leniently. Therefore, you should use your judgment in determining the severity with which Leah is to be punished. (Translation adapted from Irving A. Agus, Rabbi Meir of Rothenburg: his life and his works as sources for the religious, legal, and social history of the Jews of Germany in the thirteenth century. Philadelphia: Dropsie College Press, 1947.)

Additional Reading:

