**Chapter 1: What was the 19th century Agunah phenomenon?**

 This chapter is an attempt to map the 19th century Agunah phenomenonby looking at the main sources of information and by dividing Agunot into several categories. This will enable us to clearly map our information on Agunot.

* 1. **The sources**

 The sources describing such phenomenon are vast, but most have not been researched until now. There are four main databases on Agunot: newspapers, especially Jewish ones; rabbinical sources, especially responsa books; official Russian rabbinical documents; and letters and documents in private archives.

 These different sources offer alternative and sometimes conflicting narratives regarding Agunot. We will discuss the different narratives, later in this chapter.

**Jewish and General Newspapers**:[[1]](#footnote-1)

 2,880 cases appeared in Jewish Newspapers between 1851 and 1900. 267 cases appeared in General Newspapers between 1851 and 1900

 While the Jewish newspapers dealing with Agunot were mostly in Hebrew[[2]](#footnote-2), there were some in Yiddish[[3]](#footnote-3) and various local Jewish newspapers.[[4]](#footnote-4)

 Much information regarding Agunot is found in the Jewish newspapers. Indeed, the first Hebrew newspaper *Ha-Magid*, published from 1856 to 1903, first in Lyck, Prussia, and, later, in Berlin, Krakow and Vienna,[[5]](#footnote-5) put the matter of *Agunot* very high on the agenda. While Mark Baker’s research on *Agunot* in *Ha-Magid* is restricted to the period between1867 and 1870, [[6]](#footnote-6) our investigation covers all issues of this Newspaper since March 1857, when the first advertisement on Agunot was published. Information on *Agunot* is also available in other Jewish newspapers, particularly in those published after 1860. [[7]](#footnote-7)

 Information regarding Agunot in the newspapers appeared in two main forms: advertisements and news reports.

**Advertisements**:

 The initiator of publishing advertisements concerning Agunot was Eliezer Lipman Zilberman, the Publisher and editor of the first Hebrew newspaper - *Ha-Magid*. [[8]](#footnote-8) Other Hebrew newspapers (*Ha-Melitz*, *Ha-Carmel* and *Ha-Zefira*), appearing since the early 1860's followed Zilberman's initiative.

 Theadvertisements, placed by women or their relatives, mostly fathers, sought information on the whereabouts of husbands. They were published only after the editors verified the validity of the information.

 The editors were very much aware of possible manipulation by the parties concerned. On June 28, 1871, the editor of *Ha-Magid* reported on some instances of women approaching the newspaper a few weeks after husbands went away on business, and, by the time of publication, the husbands had returned.

 To avoid such problems, the newspapers specified the information such advertisements should include, and stated:

"We will not advertise any advertisements concerning *Agunot* if the matter is not being presented to us by the rabbi or communal officials of the place where the *agunah* resides." [[9]](#footnote-9)

 The usual procedure was to ask the local rabbi to confirm the woman's version. As the editor of *Ha-Magid* wrote on June 23, 1869, he had been deceived by two women, a few years earlier.

 These women used the newspaper to achieve better gains in their divorce. Ha-Magid's editor decided, therefore, that advertisements would not be published without rabbinical consent. This policy was accepted by other Jewish newspaper editors as well. In many cases, the rabbis[[10]](#footnote-10) would write the advertisements. See for example, the following advertisements:

1. Regarding the deserter Elhanan Shwartz, signed by Rabbi Shaul Yosef Nathanzohn. [[11]](#footnote-11)
2. Regarding Sarah, signed by Rabbi Yaacov Yosef of Odessa and the communal leader Yehiel Tzvi Halperin.[[12]](#footnote-12)
3. Regarding Rachel, signed by Rabbi Moshe Shor of Yassi, Rumania.[[13]](#footnote-13)
4. Regarding the deserter Itzik Hirsch Shraga, signed by Rabbi Avraham Kluger of Brody[[14]](#footnote-14).
5. Regarding Yuta bat Itzhak and her deserting husband Dov Beril ben (the son of) Mordechai, signed by Rabbi Isaac Shor of Bucharest, Rumania.[[15]](#footnote-15)
6. Regarding the deserter Leibsch Wenitzman, signed by Rabbi Shmuel Mohaliver of Radom, Poland.[[16]](#footnote-16)

 These advertisements resemble the advertisement regarding Yuta bat Isaschar from Warsaw was published by an administrator of the Warsaw Jewish community, Benyamin David Rabinowitz and asked that information regarding the deserter was to be sent to the chief rabbi of Warsaw - Rabbi Dov (Doberosh) Meizlish.

"I write again to the editor of *HaMagid* begging for his assistance once again regarding a case of an *Agunah*. This regards a young man aged around twenty-three years. His name is Itzhak, the son of rabbi Arie Leib Rappaport the Cohen, from here, Warsaw. He became obsessed by his desire to travel, left, and was not heard from for a year. He left his wife, Yuta bat rabbi Isachar Dov Berish, alone and suffering. And since I know that the editor of *HaMagid* is seeking to advertise such cases, and he is publishing this in all countries, I know that he performs miracles finding people that are in the dark. Therefore, this gentle young woman implores the distinguished readers of *HaMagid* everywhere to try and find the above mentioned Itzhak Rappaport and convince him to give her a Get and to send it to genius the head of the religious court (Beit Din) [Rabbi Dov Doberosh Meizlish] here, Warsaw and free her from her chains. The deserter signs (Simanei in Hebrew) are as follows: has a thin face, black hair, long nose, and blue eyes, and of medium height. He works as holy scripts maker (Oshe Humashin in Hebrew), and may be found at his uncle rabbi Benyamin Shtifzohn, in the city of Arad (Érd**)** in Hungary.

I trust the great people of Israel to notice this Agunah's request and they will be blessed by God. I, his friend, bless him (the editor),

 Benjamin David Rabinowitz,

 Secretary, Warsaw Sacred Community"[[17]](#footnote-17)



Ha-Magid, July 18, 1866

 Sometime a bigamist deserter left two, or more, wives. The following advertisement was published by rabbi Isaac Shor, is a good example.

"A WOMAN'S CRYING VOICE

A woman [named] Pesia, daughter of David Levy, is seeking Israel Ber, born in Berditsov[[18]](#footnote-18), Russia. [Israel Ber is] the son of Yehoshua Heschel Shapira, grandson of the famed Leah Menasche. Having married in the town of Hamla, Galicia, [the said Baer] lived in Yassi[[19]](#footnote-19), Romania, for several years but ran off, not to be found. I have been traveling for three and a half years, looking for him without success. Therefore, I beg all those who have a connection with HaMagid to try and make him send a *get* to his above-named wife. This is how he looks: He is about forty-four years old, of medium height; his hair and beard are black [giving his face] a round [appearance]. On one foot, he has a [birth] mark, and, on his lower [back… a scar from] a healed blow. He took along Yaacov, his [now] 15-year-old son from this marriage. The son is bleary-eyed and has a dark, dappled face due to blisters; he has thick lips. Now I know, as a matter of certainty, that this betrayer has abandoned another wife in the city of Tchernowitz[[20]](#footnote-20), Romania. Her name is Yenta, and she is divorced from her first husband, Mihel Tandetnik. She resides at a baker's place near the military hospital. It is a religious commandment to force him to release both his wives from their chains. A *Get* for each of them should be addressed to me, care of my aid Yosef ben Itzhak or care of the rabbis in the above-mentioned cities.

Itzhak Aizik Shor, Chief Rabbi of Bucharest"[[21]](#footnote-21)



Ha-Magid, April 20, 1873

Indeed, Special attention was given to cases of serial deserters like Israel Ber (mentioned in this advertisement). The following cases are a sample of serial deserters.[[22]](#footnote-22)

* David Segal deserted Gitel and two children in the Crimean town of Keriç. He went to a small town near Mogilev, where he married another wife. When Gitel discovered his new residence, she tried to persuade him giving a Get.[[23]](#footnote-23)
* Mordechai Haimov (AKA Meir Edelmote) deserted Yehudit in Minsk, Belarus and after arriving to New York, married and deserted Milli Mizenthrop. The first desertion was reported in *Ha-Magid* 1876 & 1877, The second was reported by the American Yiddish Journal *Der Menshenfreind.* [[24]](#footnote-24)
* Hayyim Meir Kotlovirski left one wife in Russia when he left for Paris and another in Paris when returning to Russia.[[25]](#footnote-25)
* Avraham Noravski, ex-soldier, deserted two wives in Kaunas and Panevėžys, while taking all their money. In the second marriage he left after two weeks, returned for eight months, and left again.[[26]](#footnote-26)
* Hannan Weitz’s wife Rachel Perla from Chernihiv found out that Hannan married another wife in Kaunas. After she started tracing him, she discovered that he was planning to marry a third wife in London. Chief rabbi Adler was informed that Hannan was already married, did not license the marriage, and reported London police that Weitz was a bigamist.[[27]](#footnote-27)
* Avraham Wallershtein was married to two women in Warsaw, Haya and Rachel who were unaware that he was married to both. In 1887 a third woman Tzirl Shternlicht deserted her husband, Efraim, and escaped with Wallershtein, while taking from him 1,004 silver Rubles and belongings. Thus, Haya and Rachel became Agunot and Efraim, whose wife run away became an Agun.[[28]](#footnote-28)
* Forty-year-old Yosef Fux, deserted pregnant Zissel in a small polish village, went to Warsaw where he married another wife. When the Warsaw wife realized he was married she received a divorce and informed Zissel. Yosef meanwhile disappeared. [[29]](#footnote-29) Yosef Zeltzer claimed that he divorces his wife and married a young girl. When his first wife heard this, she initiated his arrest. Zeltzer was forced to divorce both wives.[[30]](#footnote-30) The tailor Baruch Ginzburg came to Kiev where he showed a forge Get and when asked to present proof, he brought to local Beit Din a young woman that claimed to be the divorcee. Only after the second marriage the rabbis found out that the young woman was an imposter.[[31]](#footnote-31)
* Moshe Sherman left wife Mindl and two daughters in Dubna. After arriving to a small town near Odessa[[32]](#footnote-32) he married Tzipe. A few months after the second marriage, Tzipe found out on the first marriage and demanded a Get. Sherman escaped, leaving both wives Agunot.[[33]](#footnote-33) David Gershon Verbalovski married Golda and left her pregnant after four months. he arrived at a small town near Kaunas, married Hashe Berkowitz, whom he left a day after the wedding on his way to Riga. Each time he deserted taking with him the wife’s belongings.[[34]](#footnote-34)
* Shmuel Yachlewitz deserted three wives in three different places (Jelgava & Mitau in Latvia & Vilnius in the Ukraine) within the Russian empire.[[35]](#footnote-35) Baruch Grosman also married two wives in Russia and one in Lublin. [[36]](#footnote-36) Izik Greenblatt was married to three wives and was planning to marry a fourth in Biržai.[[37]](#footnote-37) Yaacov Tzicker married three wives in Galicia. He was waiting for trial as a bigamist. The local rabbi’s request to make him give Get to the three women as rejected by the Russian local court. The judge decided that the women will have to wait for their Get after the bigamy trial will end.[[38]](#footnote-38)
* Menahem Mones Levin deserted two wives in Russia in 1877 and another two in France, before leaving for New York in 1878.[[39]](#footnote-39)
* Hirsch Birenbaum used three surnames (Greenbaum & Shtoliman) while abandoning three wives in Nowy Sącz, Galicia.[[40]](#footnote-40) Moshe Kersch deserted two wives, as did Tzadok Esterman, Eliezer Bielski, Noah Motzkin. Zanwil Morris deserted Tzipe and Alte in Russia.[[41]](#footnote-41)
* David or Daniel Piantkovksi also known as David Davidowitz deserted three wives in Krakow & Budapest in 1888.[[42]](#footnote-42) Sixty-year-old Meir Bernshtein deserted at least three wives in Simferopol and Chicago.[[43]](#footnote-43)
* Mordechai Mitelsman deserted two wives, Libe & Risie, in Soroca, as did Alter Grozak (in Brest [Brisk]) and Baruch Bentzion Gintzburg.[[44]](#footnote-44) Neta Ber Tzuhanski deserted two wives in a space of fifteen years in Poltava district.[[45]](#footnote-45)
* Itzhak Arian left three wives in Radaškovičy, Belarus and Vilnius in 1894, as did Avraham Mendelewitz in Płońsk & Łódź. Mordechai Beilis left one wife in Poland and two in Russia, before leaving for India. [[46]](#footnote-46) Yaacov Skalier deserted three wives in Russia. His adventures were exposed by local rabbis. He managed to marry a fourth wife, before fleeing to Turkey.[[47]](#footnote-47)
* Zalman Ber Momshewitz left five wives, four in Russia (near Kherson) and one in London. Israel Dov Rabinowitz deserted four wives in Latvia.[[48]](#footnote-48) Hirsch Bilder also married four wives, all daughters from rich families.[[49]](#footnote-49)
* Israel Balsam left six wives; as did Mendel Levin.[[50]](#footnote-50) Yehiel Knishnick deserted seven women in a short time in Slonim and near Minsk.[[51]](#footnote-51)
* Zeev Margaliot abandoned seven wives in Kaunas and Suwalki,[[52]](#footnote-52)and his namesake Alexander Sender Margaliot, deserted three wives.[[53]](#footnote-53)
* Shmuel Milichiker left Libe, his third wife, in 1856 and after sending her some letters[[54]](#footnote-54). He died in Vilnius in 1888, and the report states that he was forced to become a soldier. The wife tried to find his and was informed by the army that he died. Rabbis allowed her to remarry in 1863. Vilnius rabbis were dissatisfied when they were informed that Shmuel was alive while they were informed that he died.[[55]](#footnote-55)
* Asher Zaltzman deserted his wife Livia and went from Russia to Syria finally arriving to North America. In Syria he deserted another wife. He went to Izmir, Turkey on his way to North America.[[56]](#footnote-56)

 In most cases, the advertisements were published free of charge.[[57]](#footnote-57) In rare cases, the advertisement was published in more than one newspaper. The case of Yocheved looking for her husband Avraham Meyer Aphter was published in Hebrew and in German.[[58]](#footnote-58) The Advertisement in the German Jewish Orthodox newspaper was published two years after the Hebrew one. Indeed, the advertisement in *Der Israelit* was a rare reference to *Agunot* in non-Hebrew journals and was the only onein there in 1875.

 Beile bat Shmelke from Brody searched for her husband Shlomo Itzhak Borer from Płock, who left for Romania, ending up in Jerusalem, using several newspapers. [[59]](#footnote-59)

 If a woman wanted to publish a series of pleas, she had to pay for it. The best-known case of paid advertisements is of Bassia Freizetova from Ekaterinoslav, who published her requests in three newspapers in Hebrew and one in Yiddish, in 1883-85.[[60]](#footnote-60) Freizetova also tried other routes, i.e., appealing to rabbis and to local Russian authorities. [[61]](#footnote-61)

 In some cases, women would publish an advertisement, and, after a while, even after a decade or more, publish another one. The wife of Gerson Shtern from Brest (Brisk) published in *Ha-Magid* 1863, *Ha-Carmel* 1864 and *Ha-Melitz*, 1867; Haya, wife of Yesha'ia Horowitz from Mogilev, published in *Ha-Magid* in 1872 & 1876 and thirteen years later in *Ha-Melitz*, 1889; Miriam bat Itzhak, wife of Nissan Laizer Ostrovaki from Stawiski, Published in *Ha-Magid*, 1873 & 1874 and in *Ha-Lebanon*, 1874.[[62]](#footnote-62)

 Haya bat Moshe looked for her husband Avraham Minsker from Rechitsa[[63]](#footnote-63) for eleven years. [[64]](#footnote-64) Haya Goldshtein tried for fourteen years to find her husband Leib Borsuk who left her in Iznayi, Romania, went to Istanbul, where he married another wife, and finally was found in Bagdad.[[65]](#footnote-65) Gendil from Zhitomir looked for her husband Yaacov Itzhak Borshtein for 11 years, and finally found him in Chicago.[[66]](#footnote-66) Libe bat Benyamin searched for Eliezer Taheb from Romania for five years until he was found in Vienna,[[67]](#footnote-67) & Beile looked for Yaacov Shtein for more than four years.[[68]](#footnote-68)

 Others published regularly for a long period looking for the deserter. For example, Rashe Zeliger from Vilnius advertised regularly seeking her husband, Yaacov, who left for Australia, in Hebrew and German; Sheindl from Janów looked for her husband, Avraham Diamant (or Diamond) for four years until he was finally found in Hanover. Rivka from Daugavpils (Latvia) looked for her husband Michael Reiner for nearly thirty years, before finally found him in Turkey, & Hannah Shaulzohn from Minsk looked for her husband Israel Bernshtein for a decade until he was found.[[69]](#footnote-69)

 Occasionally, a woman or her relatives offered financial rewards. Tzila Beile offered 25 Rubles to the cover of expenses of finding her husband Yaacov Kantiger. Tzipa Abramovitz offered 500 Rubles as a payment to her husband in exchange for her release and Miriam Tabirski offered 50 Rubles to anyone who would help her to find her runaway husband. Slava offered 50 Rubles for information regarding her husband, Avraham Skilevsi from Kryva, Ukraine.[[70]](#footnote-70) Israel Hoke offered money if his deserting son Nahum from Kempen, Pozen will be found and send a Get to his daughter in law.[[71]](#footnote-71) Twenty-five silver Rubles were promised for any information regarding Hirsch Immergot from Warsaw.[[72]](#footnote-72) Hannah offered Twenty-five silver Rubble to anyone who will help to locate her deserter, Moshe Barski from Krakow.[[73]](#footnote-73) However, such offers were rare.

**News reports:**

 Newspapers had local correspondents and they were, sometimes, assigned to write follow-ups to the advertisements. Many correspondents helped to trace deserting husband across borders, notably: Ber Dov Goldberg in Paris; David Fishman in Tiberias; and Shlomo Behor Hutzin in Bagdad[[74]](#footnote-74).

 The editors encouraged their correspondents to pursue elusive husbands. Such was the case of Libbe Marcus. David Meir Marcus from Stawiski left his wife Libbe twice[[75]](#footnote-75). In the second abandonment, he emigrated from Russia to France. The Paris correspondent of *Ha-Magid*, Ber Dov Goldberg, was very helpful in finding Marcus and preparing the *Get*. The editor helped Libbe to reach Paris and receive the *Get* (Divorce paper).[[76]](#footnote-76) Goldberg was very helpful also in the seven years case of Israel Breitman from Minsk and Gitel Sheine.[[77]](#footnote-77)

 In some cases, readers added information that helped with the deserters’ apprehension. Such was the case of Frieda and Levy Itzhak Frankel from Iași, Romania, an advertisement was published.[[78]](#footnote-78) The editor asked local rabbis to intervene,[[79]](#footnote-79) and the final piece of information, that enabled to find the deserter was provided by a reader. [[80]](#footnote-80)

 Occasionally, editors asked editors of Jewish newspapers in other countries help in locating a deserter.[[81]](#footnote-81)

 Sometimes the editors published incorrect information in attempts to locate the deserter. Itzhak ben Moshe the Cohen disappeared. His family published an advertisement *Ha-Magid*.[[82]](#footnote-82) The publication detailed the route Itzhak took in 1881 from Breslau through Italy, England, and Egypt. In his final letter sent to his family, he stated that he intended to go to Bombay, India. By late 1881, all connection with him was lost. The advertisement was published in early 1884, and, meanwhile, the family moved from Breslau to Serbia. In April 1884, the *Ha-Magid* [[83]](#footnote-83) correspondent in San Francisco wrote that Itzhak came there from the East Indies, and then moved to Los Angeles. However, the original advertisement was republished, five months later, in September 1884.[[84]](#footnote-84) This indicated that Itzhak was not found.

 A possible explanation for republishing the advertisement is that Itzhak did not return nor send a *Get*. Another explanation may be that, since the name Itzhak the son of Moshe the Cohen is very common, the San Francisco correspondent was reporting on another Itzhak. In my view, the second explanation is more feasible, since some details were added that were different to those given in the original advertisement.

 In some instances, the newspaper editors were very eager to publish stories of *Agunot*, without checking their sources. This was the case of the alleged deserter Yehuda Kahalan from Teltz (Telšiai). Kahalan was accused of abandoning Rachel Friedel. The newspapers published both sides of the story: the wife accused Kahalan of desertion, and Kahalan denied the accusation. However, Ha-Magid’s editor insisted that it was a desertion case even when it became clear that Kahalan had not deserted his wife.

 The first piece accusing Kahalan of desertion was published in *Ha-Magid* in July 1878.[[85]](#footnote-85) The publication originated from Vilnius. In November 1878, the newspaper published a retraction by the board of the Jewish community of Teltz (Telšiai).[[86]](#footnote-86) in January 1879, the Vilnius version of the story was published again, with many more details. In April 1879, another retraction, this time from New York, appeared in *Ha-Magid*.[[87]](#footnote-87)

 Kahalan's case was not the only one, where the husband denied desertion. Rivka claimed that her husband, a famous Hebrew writer, Hayyim Shalom Selukin from Kėdainiai, Lithuania, deserted her. He denied it and argued thar she was mentally ill. The case was published in *Ha-Melitz* & *Ha-Zefira*. *Ha-Melitz* advocated the wife's point of view, and *Ha-Zefira*, the husband's one.[[88]](#footnote-88)

 Editors were clearly looking for *Agunot* even if there were none and were much criticized for this. Cases of wrong reports[[89]](#footnote-89), like Kahalan’s case presented the editors as unreliable. As a result, from 1879 onward, *Ha-Magid* published far fewer dispatches about *Agunot*, and only if the editors were certain that the wives were indeed deserted.[[90]](#footnote-90)

 In very rare cases, the Hebrew newspapers cited cases published earlier in Non-Hebrew Jewish newspapers. The article “America” in *Ha-Magid*, December 1862, quoted the *Jewish Record*, misspelling the name of the newspaper. Another article by the same name in *Ha-Magid*, August 1868, was translated from the *Hebrew Observer*. The case of Itzhak Luria, who left Odessa to New York was reported first by the *American Israelite* and by Hebrew newspapers in Europe: *American Israelite*, August 1867; *Ha-Magid*, November 1869, & January 1871.[[91]](#footnote-91) This usually occurred in cases that the deserted emigrated to a distant country or continent.

 The editors also referred cases to rabbis, encouraging them publicly to help *Agunot*. They even published articles condemning rabbis who were reluctant to do so. [[92]](#footnote-92)

 The media's interest in Agunot made it to become a very important in the Jewish public Sphere. Indeed, awareness of the issue of the plight of Agunot in the public sphere had side effects.

 Some dishonest people would try and make a living from such a matter. Moshe Goldstein of Cairo, Egypt, claimed that he was carrying a Get from Itzhak Finkel from Rostov to his wife Ester Zissel. Goldstein claimed that Finkel asked him to deliver a get to his wife. According to the Jewish law, a get must be sent via a messenger, if the husband and wife were living in places far away from each other. Finkel was supposed to be living somewhere near the Caspian Sea, while Ester lived in Russia. In each city Goldstein passed through, he requested Jews to pay for his expenses, since he was performing a mitzva [holy commandment]. [[93]](#footnote-93) Goldstein had no intent to deliver any Get to Ester. It was an easy way to earn a living.

 Similarly, the above-mentioned case of Bassia Freizetova became so famous that two criminals, presenting themselves as her father and husband, tried to profit from her plight. The older one, who posed as Bassia’s father, asked Jews for money to help him to take the deserter back to his deserted wife.[[94]](#footnote-94)

 Some wife deserters were professional criminals. For Hirsch Denmark[[95]](#footnote-95) from Danzig, wife desertion was just one of an assortment of criminal activities.[[96]](#footnote-96) Some deserters were actually engaged in trafficking women, and sold deserted wives to brothel owners.[[97]](#footnote-97)

 Another indication that the phenomenon of *Agunot* was becoming an important issue among the Jewish public was that some husbands threatened to leave their wives without granting a *Get*, thus making them *Agunot*.[[98]](#footnote-98)

 Analysis of Newspaper Information Concerning *Agunot* clearly shows, in the five decades investigated, about 75% of the mentions in media sources on *Agunot* were advertisements. However, on the one hand, the advertisements dropped from 88.9% in the first decade to 60.2% in the fifth. On the other hand, the number of news reports on *Agunot* rose from 31 in the first decade to 330 in the fifth, possibly reflecting the professionalization of Jewish media.[[99]](#footnote-99)

**The agenda of Hebrew Newspapers and the issue of Agunot**:

 The Agenda of Hebrew newspapers regarding Agunot was set be Eliezer Lipman Zilberman the publisher and editor of *Ha-Magid*. Other publishers and editors followed his lead. As Baker showed, Zilbermann declared that this subject was one of the most important topics in *Ha-Magid*.[[100]](#footnote-100)

 In September 1865, in a very long editorial, Zilbermann proclaimed that *Agunot* was one of the most important matters that should be discussed in the Jewish press. He also stated that *Ha-Magid* would put pressure on rabbis who hesitated in taking up the cause.[[101]](#footnote-101) He claimed that helping Agunot was the duty of rabbis. Newspapers had to engage in this because rabbis did not perform in the manner Zilbermann expected from them.[[102]](#footnote-102)

 In the 1870's and 1880's the Agenda of *Ha-Magid* changed, and more newspapers became involved in the Agunot plight. As for *Ha-Magid*, David Gordon became the new editor and publisher of *Ha-Magid*, promoted from deputy editor, in which position he had served since the mid-1860's. Gordon was more concerned with the Jewish national movement and settlement of Jews in Palestine, and less focused on social issues.[[103]](#footnote-103) After Gordon's death in 1886, his son Dov, who was the editor until 1890, continued his father's editorial policy.

 In 1890, Yaacov Shmuel Fux became publisher and editor, and continued along those lines, until *Ha-Magid* closed, in 1903. Under Fux's leadership, *Ha-Magid* concentrated solely on cultural and political issues, altogether neglecting the social problems in the Jewish community.[[104]](#footnote-104)

 Since 1880, *Ha-Melitz* (founded by Alexander Zederboim in Odessa, in 1860, and moved later to St. Petersburg)[[105]](#footnote-105) became a leading journal reporting on Agunot. Zederboim was also the initiator and publisher of the first Yiddish weekly *Kol Mevaser*, published in Odessa between 1861 and 1872. However, *Kol Mevaser* made very little mention of the issue of *Agunot*.[[106]](#footnote-106) Zederboim remained very much involved in helping Agunot. In 1878, one of his associates in the *Haskalah* movement in Russia, Israel Denski, deserted a wife, found, apologized, and even covered her expanses. Denski asked Zederboim’s to forgive him for his mistake. Zederboim stated: “No Jewish journal will accept any public plea for forgiving… No one can forgive a deserter, and no reason can justify desertion, no matter how badly the wife behaved towards him. If the journal will forgive him, others will be encouraged to desert.”[[107]](#footnote-107)

 Another important newspaper dealing extensively with Agunot was *Ha-Zefira* (founded in Warsaw in 1862).[[108]](#footnote-108) Both *Ha-Melitz* and *Ha-Zefira* became daily newspapers in the late 1880's, giving the matter widespread coverage.[[109]](#footnote-109)

 Zilbermann and other editors/publishers (Alexander Zederboim - *Ha-Melitz*; Haim Zelig Slominski[[110]](#footnote-110) - *Ha-Zefira*; Shmuel Yosef Finn - *Ha-Carmel*) were Maskilim (members of the Jewish Enlightenment movement known as Haskalah). Orthodox newspaper editors disagreed with was, in their view, an over-emphasis of the issue.

 The most known orthodox editor was Yehiel Brill, the editor of *Ha-Lebanon*.[[111]](#footnote-111) Brill who accused Zilbermann of reporting on *Agunot* even in simple marriage disputes between husband and wife. In March 1870 and again in July 1879, Brill published editorials in which he stated that the issue should be dealt with exclusively by the rabbis, and not in the media.[[112]](#footnote-112) Roni Beer Marx suggested that important rabbis, especially from Lithuania, feared the increasing influence of the media. They were looking to establish newspapers that supported the rabbinical establishment. [[113]](#footnote-113)

 *Ha-Lebanon* was not the only Orthodox media organ. More important in the orthodox scene were *Mahazikei Ha-Dat* and *Kol Mahazikei Ha-Dat*.[[114]](#footnote-114) These newspapers represented the non-Lithuanian style of Orthodoxy in Austro-Hungarian Galicia.[[115]](#footnote-115) These journals were not as reprehensive in publishing Agunot advertisements

 The issue of Agunot was mainly addressed in Hebrew newspapers, and rarely in the Yiddish ones. For example, between 1862 and 1872, while the Hebrew *Ha-Melitz* published sixty-five advertisements on Agunot, its Yiddish edition *Kol Mevaser* published only seven. American Yiddish newspapers, which began to appear only in late 1880s,[[116]](#footnote-116) published more information, mostly referring to North American Agunot.

**Rabbinical Sources**:

 Agunot became an ardent issue in the Jewish community, mainly in Eastern Europe, as evidenced by the vast amount of information on the subject in nineteenth century rabbinical sources, mostly found in published responsa[[117]](#footnote-117) or rabbinical questions and answers (332 responsa books were consulted)[[118]](#footnote-118). This research also consulted rabbinical archives,[[119]](#footnote-119) and rabbinical courts records.[[120]](#footnote-120) While the Agunot issue became prominent in responsa in the nineteenth century, it was a major topic of discussion in rabbinical literature long before.[[121]](#footnote-121) However, as we shall see both the tone and subjects of discussing Agunot in rabbinical sources were influenced by the new actor on the scene - the media

 Rabbinical material is an important source because in traditional Jewish society, family issues were usually handled privately and discreetly (although, of course, the disappearance of husbands was known in the shtetl and the community). All such cases went through the rabbinical establishment - be it a singular rabbi's decision, or a case deliberated in a rabbinical court (Beit Din).[[122]](#footnote-122)

 Responsa books are most valuable to our research. However, information in the responsa is partial, in many cases, and does not provide precise data regarding persons and places involved, in some cases. In many of the cases, even the date is not specified. Another methodological problem is that many responsa books were not published by the authors, and only long after they were written.[[123]](#footnote-123)

 Responsa literature mostly deals with the second, third and fourth categories of Agunot (that are defined in the next section of this chapter), i.e., *Halitza*, identifying the dead, and *Get* completion issues.

 One note of caution when using responsa books for social historical research. Since responsa books were basically judicial guides, many of the cases described represent not real cases, but are more prototypes portrayed to illustrate a legal point.[[124]](#footnote-124) In this research this methodology was adopted: cases in which a year is not mentioned were ignored and left out of the database, whereas instances in which only a place or a name was missing went into the database, while if both the place and name were missing, they were not included.

 Responsa books went through a significant change as far as their audience is concerned in the 19th century.[[125]](#footnote-125) It was aimed no longer to rabbinical students and junior rabbis only. New readers, especially moderate Maskilim joined the traditional followers of this nonfiction. These readers also read Jewish newspapers. Thus, issues like the flight of Agunot appeared in both medias, mutually influencing each other.[[126]](#footnote-126) This meant that dealing with the phenomenon was not restricted to the rabbinical establishment, as it was before[[127]](#footnote-127).

 Indeed, the rise of journalism offered *Agunot* a new way to try and solve their situation. Requesting the aid of rabbis was practically the only avenue open to the abandoned wives until the mid-nineteenth century. Discussion on Agunot widened to more public scenes like the Hebrew and Yiddish literary scene.[[128]](#footnote-128)

 Thus, rabbinical sources since the 19th century reflects not merely judicial decision making but also social changes that occurred in Jewish society. Here are a few examples of the effect of the new public scene on the major East European rabbis' decisions.

 David Friedman - a famous Lithuanian[[129]](#footnote-129) rabbi, referred to several mentions of *Agunot* in *Ha-Magid* of 1873.[[130]](#footnote-130) Rabbi Naphtali Tzvi Yehuda Berlin, head of the famous Volozin Yeshiva, referred to *Ha-Melitz* of 1887 as a source of information on *Agunot*.[[131]](#footnote-131) In another instance, Rabbi Berlin referred to *Ha-Zefira*.[[132]](#footnote-132) However, he stated that rabbinical decisions should not appear in the newspapers unless necessary[[133]](#footnote-133).

 Rabbi Hayyim Berlin, the son of Rabbi Naphtali Tzvi, referred to *Ha-Lebanon[[134]](#footnote-134)* (not very surprising reference since it was an Orthodox journal that published an addendum of rabbinical literature)[[135]](#footnote-135). He also mentioned to his father's habit of reading the debates about religion in the newspapers, which he claimed was a common thing to do on Shabbat.[[136]](#footnote-136)

 Indeed, understanding their limitations, many times rabbis referred Agunot to publish advertisements in newspapers and even witnessed as to their authenticity. In some cases, rabbis based their ruling on data received from newspapers. Rabbi Shalom Mordechai Schwadron, in a responsum on the *Agunah* Hava Sateshny from Bonyhád, Hungary, even based his decision on information he found in a newspaper.[[137]](#footnote-137) Collecting information regarding the case of another *agunah* Reizel Laysten from Tarnów in 1895, whose husband drowned in a ship on its way to America via Western Europe, Rabbi Schwadron also relied heavily on newspaper reports, even claiming that had the husband survived, he could have sent a note via the newspapers. In the case of Hannah Golda from Odessa, again in 1895, he encouraged her to advertise her case in the newspapers [[138]](#footnote-138)

 Rabbis occasionally even voiced their opinions on Agunot using the newspaper's platform. Rabbi Yosef Shaul Nathanzohn, as well as other rabbis, published their requests regarding *Agunot* in *Ha-Magid*, urging the readers to assist these women. so, did other rabbis, including Rabbi Mordechai Weisman Hayut, Rabbi Hayyim Nathan Dambitzer, and the renowned Rabbi Shlomi Kluger, who published advertisement via his son Avraham Benyamin Kluger. [[139]](#footnote-139)

**Official Russian rabbinate papers**:

 From 1844 onward, officially recognized rabbis of the community became officers of the state in the Russian Empire. Many communities continued to employ unofficial rabbis alongside the official ones. However, many of those living in Jewish communities were prepared to assent to administration by the official state rabbis (Rabbanim Mi-Taam in Hebrew).[[140]](#footnote-140)

 Research on these sources[[141]](#footnote-141) is just beginning. In some cases, rabbis refused to accept the *Get* written by rabbis who were appointed by the state, but whose ruling was deemed improper because they did not have rabbinical training and formal rabbinical education.

**Philanthropical organizations information concerning Agunot**:

 Philanthropical organizations, including Jewish organizations were not allowed to operate in the Russian empire. Indeed, most of these organizations operated in democratic countries, mainly the United Kingdom and the United States. The most important organization holding information concerning Agunot was the Jewish Board of Guardians, operating in the United Kingdom.[[142]](#footnote-142) All cases in these records were anonymous. In a later period, after the turn of the 20th century more organizations, especially operating in France, North America, and South America, but this in outside the scoop of this book.

**Table 1**: Sources of Agunot cases, 1851-1900.[[143]](#footnote-143)

|  |  |  |
| --- | --- | --- |
| % | Number | Source |
| 58.29 | 3147 | Jewish and General Newspapers |
| 34.32 | 1853 | Responsa and Rabbinical Sources |
| 0.20 | 11 | Official Russian rabbinate papers |
| 7.19 | 388 | Philanthropical organizations  |
| 100.00% | 5399 | Total |

* 1. **The extent of the phenomenon**

 All the data for the scope of the phenomenon of Agunot are estimates. Most Agunot were not reported, as such, either due to shame or despair. Furthermore, although most Agunot lived in Eastern Europe, much of the data refer to post-migration reports, particularly to North America and the United Kingdom, in the late nineteenth century.

 The common assumption is based on *Ha-Magid* correspondent Ephraim Deinew’s statement in a footnote in *Ha-Magid*: "Readers of the Jewish journals need not think that the published cases of *Agunot* in newspapers are all the cases. Indeed, if all *Agunot* would wish to publish their troubles, all the journals would not suffice. In fact, only one in a hundred is mentioned."[[144]](#footnote-144) Arthur Hertzberg claimed that, during the period of the Great Immigration (1881-1924), 100,000 Russian Jews deserted their wives and families, but he did not cite his sources. ChaeRan Freeze rightly doubted this estimate.[[145]](#footnote-145)

 Figures given by Jewish organizations in Great Britain and the United States might give some hints. The British Jewish Board of Guardians’ report for 1870 gives the number of Agunot as 103.[[146]](#footnote-146) Their report for 1871 refers to 105 cases.[[147]](#footnote-147) These are huge numbers, if the size of the Jewish population in Great Britain (less than 300,000 in 1870) is considered. In the 1880's, the figures were much higher. The report for 1881 cites 151 cases:[[148]](#footnote-148) and, for 1886, 214.[[149]](#footnote-149) The number for the 1890's was even higher. The report for 1892, for example, gives 353 *Agunot*.[[150]](#footnote-150)

 My estimate, based on the number of identified Agunot in our research (5,399) and estimating that similar figures to those found in United Kingdom sources can found in France, Germany, and North America, is that at least 40,000 Jewish Agunot lived in Eastern Europe during the second half of the nineteenth century. Many of the deserting husband leaving to other countries.

* 1. **Categories[[151]](#footnote-151) of Agunot**

 Our database allows us to identify 7 basic categories (some categories include subcategories bringing it to 9 categories altogether[[152]](#footnote-152)), of Agunot.[[153]](#footnote-153)

Category 1: **Wives deserted by husband who disappeared**.

 This is the most common category[[154]](#footnote-154). It refers to husbands who abandoned wives, either intentionally or leaving with intend to return, but eventually deserting their wives and families. We even found cases of desertion being a familial heritage. Yaacov ben Noah Ashkenazi from Persia, deserted a wife in Kaunas. His father, Noah, deserted a wife in Russia at the same time[[155]](#footnote-155).

 Sometimes deserters were planning their deeds and even were working as a group. Two deserters, thirty-two-year-old Yaacov and twenty-one-year-old Shimon arrived together at Yelisavetgrad and married two women in the city. Yaacov, Shimon and their wives left town two days after the marriage and went by train to Kremenchug, where they left both wives at the train station stealing their belongings. They tried to misinform the young women as for their destination, but with the assistance of the train manager and police they were caught after three days.[[156]](#footnote-156)

 In most cases, the wife searched for the husband either by turning to rabbis or to the Jewish media looking for the husband. As we shall see in chapter two, in many cases desertion was due to immigration, either international or local.

 Advertisements were essential in trying to locate the deserters. The first advertisement in a Hebrew newspaper was published in *Ha-Magid* in March 1857. Entitled "Catch him!" a woman Dvorah the daughter of the late Rabi Nachman asked the editor to help her find her disappearing husband. She has been deserted for a while by her husband Yosef ben Mordechai the Cohen. He was 65 years old and is rumored to have gone to America.

 They were married for a short while. Most likely that for him, at least, it was a second marriage. He stole from her money and valuables. She described him as bald man with gray and black facial hair, had a long nose and callus on his neck. At the end of the report, she claimed that he was accompanied by another deserter, a tailor named Shmuel ben Zeev, a short guy, who left a wife and six boys.[[157]](#footnote-157)



Ha-Magid March 9, 1857.

Two women publishing a single advertisement looking for their husband was a common practice.

* Miriam Dvorah and Yehudit looked for their husbands Yoel Yehiel Tanenbaum and Arie Leib.[[158]](#footnote-158)
* Tz. Margaliot - a clerk at the Jewish community of Łomża in Poland - advertised about two deserted wives from Łomża & Warsaw, Poland, Haya Reizle & Sarah repectively.[[159]](#footnote-159)
* Hannah Haya & Hava Yocheved looked for husbands and brothers-in law Shmuel Zelig and Shmuel ben Katriel from Ludmir.[[160]](#footnote-160)

 Other advertisements were published with many details portraying the abandoning husband, but with very few details regarding the wife and her family, if any. What we have usually is physical information on the deserter and very little information on the wife and children. In many cases we do not even have the wife's name and never the name of children.

 Some cases, like the mentioned above case of Bassia Freizetova[[161]](#footnote-161), were kept in the public eye for a long period of time. Bassia was a very persisted women, appealing to rabbis, state officials and publishing in a few journals simultaneously. But in most cases an advertisement was published once or twice and was not followed up by the media.

 Isaac Waldorf is probably the most publicized case of desertion. Isaac Walddorf's story is unique, but as we shall see, cases of Agunot with immigrating husbands were quite common. According to the newspapers (general American followed by some Jewish newspapers[[162]](#footnote-162)), after deserting his East European wife in Vienna in 1870, he went to New York and remarried. When his second wife died leaving three young children, he appointed an 18-year-old girl, who came from Vienna, to look after his children, and later married her. The bride invited her mother (the Agunah) from Vienna to come to New York. The mother recognized her son-in-law as the husband who deserted her. The daughter (and third wife) was born a few months after Waldorf deserted his wife in Vienna.

 The story was much publicized for about a few weeks in July-August 1888. The newly elected chief rabbi of the orthodox community of New York dealt with the case shortly after he was elected to office. He, and others, were doubtful if it was really a case of Agunah[[163]](#footnote-163).

 In most of the cases known to us, the husbands were not found. There were also 53 cases of wives deserting their husbands that are covered at the database[[164]](#footnote-164). Thus, Haya Brayne deserted Leib Berger in 1871, but he reported it only in 1874.[[165]](#footnote-165) Leah, Isaac Bloch's wife was found in New York, 10 years after eloping from Poland,[[166]](#footnote-166) and Fruma Leah, the wife of Yehoshua Naftalewitz from Krakow, disappeared in 1871, taking with her a son and a daughter.[[167]](#footnote-167) In another 43 cases men asked for *Heter Meah Rabbanim*, [permission, signed by 100 rabbis (from three countries)] since they could not be released from the marriage (categories 2 & 5, below).

 Here we encounter one of the many ways women were discriminated compared to men in Jewish matrimonial judicial processes. Deserted husbands[[168]](#footnote-168), who were still married, could apply for a *Heter Meah Rabbanim[[169]](#footnote-169)* to marry another wife, while still married. Men would look for rabbis willing to sign such permissions.[[170]](#footnote-170) In a very peculiar case, in 1857, Itzik Wallershtein from Hungary went on a mission to collect 100 rabbis’ signatures for Israel Landsburg, whose wife became insane. While looking to help his friend, Wallershtein disappeared, making his very own wife an *agunah*.[[171]](#footnote-171)

 According to the Jewish law, wives could not receive such permission. This created a problem in countries where bigamy was illegal.[[172]](#footnote-172) In some cases of couples married according to Jewish law, but without having recorded the marriages by the state, husbands would even deny the marriages altogether.[[173]](#footnote-173) Still, since they were married according to Jewish law, the wives would remain *Agunot*, although the whereabouts of the husbands were known. Since women could not receive *Heter Meah Rabanim,* their only option was *Heter Agunah* [permission to the *agunah*]. To gain such permission was the principal goal of *Agunot*. However, rabbis could only grant such permission within the framework of Jewish law.[[174]](#footnote-174)

 In many cases, the newspapers applied pressure on the rabbis to be more liberal and issue written permissions to enable women to re-marry more frequently. Rabbi Avraham Hanalish of Minsk referred to this in a letter published in *Ha-Melitz* in February 1886 complaining, that some rabbis do yield to such pressure.[[175]](#footnote-175)

Category 2: **Wives who refused to receive or were not granted (sometimes because of the husband or wife's illness) a *Get***

2.1 Men refusing to grant a Get

 According to the Jewish law (Halacha) divorce can only be granted by the husband. The process of preforming the Get requires the husband to hand the writ of Get (either directly or by a messenger), and the wife needs to state that she accepted the Get. Precondition to validate the get is that the two parties had to be healthy in body and mind. Men were required to provide for their divorces[[176]](#footnote-176).

 Thus, the procedure of providing the get was exclusively up to the men. However, a Get had to be accepted by the wife. If she refused the couple were in a stalemate. Rabbinical courts cannot either give the couple the Get papers, or to force the husband to do this. This complicated process offered men many possibilities to refuse to grant a Get. In much of the cases, refusing to grant a get made women Agunot[[177]](#footnote-177).

 Hayyim Polyakov from Odessa agreed in 1887 to grant a Get to Ester but reneged when he found out the cost of the divorce. He left Russia but returned in 1891. Upon returning he was demanded by the local rabbi to keep his promise, but he refused. Thus, despite rabbinical pressure Ester remained Agunah.[[178]](#footnote-178) Laizer Ha-Levy from Burdujeni, Romania, declared, after providing the Get, that he was forced to give the get, and spoke about this in public with the intent to make void the act.[[179]](#footnote-179)

 Another sub-group is of husbands, unable to provide a Get because of physical or mental handicap. According to the Jewish law these men are not fit to grant a Get, and the wife remained an Agunah.[[180]](#footnote-180) Some husbands who refused to grant their wives permission for divorce were imprisoned or deported (Usually to Siberia[[181]](#footnote-181)) by the Russian state.

 In some cases, the husband left, but was found. When found he was asked to grant a get. He agreed but demanded a large sum of money for his agreement. Many times, the wife was unable to pay, and remained an Agunah. Sometimes men added, verbally, a condition that the divorcee could not marry before her former husband, thus making her an agunah.[[182]](#footnote-182)

 Sometimes the Get's validity was contested be others. In one case the father of the divorcing man claimed that he was insane, and not eligible to grant the Get.[[183]](#footnote-183)

2.2 Women refusing to receive a Get

 The only weapon women had facing men granting a get was refusing to accept it. The last phase in validating a Get, is that the wife must state verbally that she accepts the Get. In some cases, women were not willing to accept the get on men's term. In these rare cases the husband became chained to the marriage[[184]](#footnote-184) (the Hebrew term is Agun - the male version of Agunah), though, he could get out of it using the "*Heter Meah Rabanim*" method, mentioned above.

 Cases of imprisoned or deported women unwilling to receive a *Get* were much fewer. In 1885, a responsa book cites a case of a wife who refused to accept a *Get* for such reasons.[[185]](#footnote-185) Some women refused to receive it for other reasons, particularly economic considerations. In 1869, a woman sent to prison for four years refused to receive a *Get*. The husband’s request to marry another wife (again, using *Heter Meah Rabanim*) was refused.[[186]](#footnote-186)

 In another case a woman refused to receive a Get sent from America unless she received payment.[[187]](#footnote-187) Yosef Gutman’s wife from Melnitsa, Ukraine,refused to receive a Get sent from America, despite promising to accept it.[[188]](#footnote-188) In some cases, women refused to receive the Get, because husbands tried to force or intimidate them to accept the Get.[[189]](#footnote-189)

 In a peculiar incident the wife stated that the husband, who meanwhile disappeared, signed in front of witness and he was revoking the Get. The wife appeared before the rabbinical court claiming that she is still married but submitted forged papers to the court and the Get was withheld.[[190]](#footnote-190)

 Another sub-group is of wives, unable to accept a Get because of physical or mental handicap[[191]](#footnote-191). According to the Jewish law these women are not fit to receive a Get, and the husband became and remained an Agun (the male version of Agunah) who couldn't marry. Eliezer Lender's wife got mentally ill and couldn't be served with a Get.[[192]](#footnote-192) Yosef ben Ha-Rav Aaron Yehuda's wife from Berezne, Ukraine, Beile Gitel, became mentally ill and he requested permission to re-marry without divorcing his ill wife.[[193]](#footnote-193)

 Yehezkel ben Yaacov, who also requested to marry another wife while still married to the mentally ill Beile bat Mordechai was refused. After the refusal he left Russia and emigrated to Chicago and later to Manchester, looking for rabbis to supply him with the permission to remarry[[194]](#footnote-194) Here again, men had the prerogative to use the *Heter Meah Rabbanim* system and were able to marry a second wife.

 Category 3: **Halitza - Widowed Women whose Brother-in-law refused to grant them permission to marry others**[[195]](#footnote-195)

 According to Halacha, when a husband dies and has a surviving brother, the widow, if she does not have children, is obliged to marry the brother, unless she is released from this duty. This is done through a ceremony called *Halitza* (Levirate marriage), involving the widow’s taking off the brother in law's shoe, whereby she receives the brother-in-law’s permission to marry another man. Thus, he is released from the obligation to marry her, and she becomes free to marry whomever she desires[[196]](#footnote-196).

 In one peculiar case, a brother of a deceased man went to give his sister-in-law *Halitza*, but disappeared, so that his own wife became an *Agunah* as well.[[197]](#footnote-197) Sometimes, the brother-in-law could not be found. Gitel was unable to locate her brother-in-law and did not know where he went to.[[198]](#footnote-198) Raize Kaufman, from Chișinău (Kishinev), who searched her Husband's brother Itzhak Kriotman – a soldier in the Russian army – and could not locate him.[[199]](#footnote-199) and the much-publicized case of Leah, the widow of Israel Brahan from Sochaczew, who tried to locate her brother-in-law Itzik.[[200]](#footnote-200)

 Henia, the widow of Itzhak Meir from Zalishchyky, Ukraine, needed Halitza. However, her husband's brother was just 5 years old. She asked, and finally received a special permission of the rabbis to remarry without the brother granting her a Halitza.[[201]](#footnote-201) Peril Londin from Minsk, managed to locate her soldier brother-in-law using army archives and publish an advertisement looking for him.[[202]](#footnote-202)

 Malka’s brother-in-law Hayyim Rozenfeld from Odessa migrated to America. When the wife's family found out that he was not behaving according to the Jewish tradition, rabbis refused to accept his Halitza, and for a few years Malka could not marry.[[203]](#footnote-203)

 In other cases, the brother refused to give permission,[[204]](#footnote-204) or like the brother of Yoel Yosefson who demanded money from the widow[[205]](#footnote-205) and others who demanded large payment for it.[[206]](#footnote-206) Roza Varshvski’s brother in-law from Zhytomyr demanded five hundred Rubbles for the Halitza.[[207]](#footnote-207)

 Tzipe, widow of the soldier Pinhas from Zhytomyr, was looking for Shmuel her brother-in-law assisted by rabbi Shmuel Brodsky. When found he didn’t to grant the Halitza because he feared that it will enable army authorities to forcefully recruit him.[[208]](#footnote-208)

Category 4: **Wives whose Husband died, and his remains were not found are not recognized.**

This is the second largest category[[209]](#footnote-209). Men died in various ways:

* Avraham Tzvi Komieayer was killed in a collapsed building and his remains were not identified.[[210]](#footnote-210) Zelig was burned in a building consumed by fire.[[211]](#footnote-211) Yosef was burned while doing business and the same happened to Yosel Brietman from Focșani, Romania.[[212]](#footnote-212)
* In another case rabbis were not willing to accept information provided by hospitals regarding a dead person. Rabbi Schwadron reported on men who died in a hospital, but the records cited their non-Jewish name. Rabbis were not willing to accept this a trustworthy document and the wives remained Agunot. Meir Berger from Brody died in a hospital in 1863.[[213]](#footnote-213) Shmuel Oppenheim from Kozienice was declared dead by the local court, but the ruling was not accepted by the rabbis, so Finkl, his wife, remained Agunah.[[214]](#footnote-214)
* Dov ben Yeruham, Shindel's husband, served in the Austrian army and disappeared while fighting in Italy. Izik (Elias) Kamir's from Stary Dzików case is similar. Itzhak Tortokswoske, died during the Crimean war as did Moshe Rosenthal.[[215]](#footnote-215) Kania remained an Agunah since information regarding the death of her soldier husband Enshil from Makariv, Ukraine, was not decisive.[[216]](#footnote-216) In some cases, enlisted husbands didn't return home, sometimes by choice.[[217]](#footnote-217)
* Some, like Israel Leiber who was killed while conducting business with non-Jews, and his body got thrown in the river, but the evidence given by Jewish witnesses was not convincing. Leibush ben Tzvi's and Yesha'ia Kroit's cases were similar. Shmuel David, died while walking in the snow and some of the witnesses were non-Jews.[[218]](#footnote-218)
* In some cases, like in the case of Shmuel Mivchem from Bila Tserkva, husbands were murdered, but their bodies were found on a later date. Israel Abisch's from Łowicz body was found a few months after he died but could not be identified. Moshe ben Israel's body was found a decade after his disappearance, Fruma from Orsha, Belarus, Zeev Wolf's wife came up with witnesses reporting on his death 22 years after he disappeared. [[219]](#footnote-219)
* Some drowned while at sea or in rivers. David and Yehuda drowned in a river and their body were not recovered. [[220]](#footnote-220) Yeshai'hu Abramskoya from Odessa drowned in 1896 and his body was not found.[[221]](#footnote-221) Yaacov Maridian also from Odessa drowned in 1896, probably together with Abramskoya.
* [[222]](#footnote-222) Moshe Kenigser from Kaunas was a captain of a ship drowned after colliding with another vessel.[[223]](#footnote-223)
* Avraham Rozenberg drowned on a ship heading from Hamburg to New York, and the local rabbi looked for people who were on the same trip at give evidence concerning the drowning of the ship. Testimony by the ship’s agent didn’t suffice.[[224]](#footnote-224)
* The drunk Aaron Akerman from the town of Nagykanizsa, Hungary, died, and his body was not recognized.[[225]](#footnote-225) Other - like the teacher Tzvi Shtern from Mád, Hungary, committed suicide and it took a while until the body was recovered.[[226]](#footnote-226) Itzhak Levinson from Suwalki, and his two sons Yehiel and Yaacov drowned on a ship near St. Louis, and the bodies were not recovered. Feige, Itzhak's wife and Sarah, Yehiel's wife, remained Agunot.[[227]](#footnote-227)

 Others were killed while traveling to work, killed by criminals, and other ways. in all cases the body was not found or mutilated beyond recognition[[228]](#footnote-228). wives became Agunot and couldn't remarry until the husbands were officially pronounced dead by the local rabbinical authority.

Category 5: **Improperly or incorrectly written Get[[229]](#footnote-229).**

 Here again, we encounter the overwhelming advantage of men in ending marriages. If a Get was improperly incorrectly written, this could prevent finalizing the divorce. Improper writing meant the existence of a wrong detail regarding names (of people mentioned in the Get, or the name of the place where the get was written). Another impropriety was if the Get was prepared by unauthorized rabbis.

 Incorrectly written Get includes mistakes in spelling, or incorrect writing of letters.[[230]](#footnote-230) This is literally demonstrated in Yehuda Leib Gordon's famous Poem "Kotzo shel Yod" (Literally the tip of the letter Yod).[[231]](#footnote-231)

 During the latter part of the 19th century, frequently, men gave a Get and left for distanced places. Such were the cases of the wife of Moshel, and the name was misspelled Mischel, and Avraham Abba Kowlaski from Sejny, Poland, who left his wife Shayne and a young son and went to Russia and send her an incorrect Get. He left then for London,[[232]](#footnote-232) not knowing that they provided an improper case.

 Other such cases: Yaacov Eliezer gave an incorrect Get to his wife Genshee and left Russia to America in 1856; Yaacov Bernshtein and wife Perl, Russia to England in 1859; Moshe Shivanski from Kaunas left wife Gitel and went to England 1869; Yehoshua Heschel and wife Rivka and went from Vilnius to Cairo 1871; Tzvi Hirsch Rozenblat and wife Rivka, went from Warsaw to America, 1884; Morris Gotlib and wife Fania, Russia to New York, 1897.[[233]](#footnote-233) This occurred more regularly in periods of immigration. Here, again women became agunot, with no mal intention by the husband.

 Itzhak Fireman from Lublin gave in 1867 a Get to his wife Hannah, but when it was found to be incorrect, he refused to correct it unless he was reimbursed for it[[234]](#footnote-234). Others, like Leib ben Elhanan of Kamianets-Podilskyi, claimed that since he was coerced to give a Get, he deliberately put some false information into the Get.[[235]](#footnote-235)

 Shprintze, Israel Kontiflut's wife of Khodoriv, Ukraine, tried to manipulate the court in 1873 to provide her with a Get, on different terms that were stipulated by the husband.[[236]](#footnote-236) Leah bat Gershon tried to force husband Yaacov Henich of Vilnius to provide her with a Get. He finally gave her a Get but asked the local chief of the rabbinical court (Av Beit Din) to declare that it was a forge Get (Get Meuse) and Leah stayed married and couldn’t marry another.[[237]](#footnote-237)

 Hayyim Poltz deserted a wife when in hospital and threw a Get at her.[[238]](#footnote-238) Hillel Sheinberg from Łosice threw it on at home.[[239]](#footnote-239) Meir Engel of Siedlce and friend forcefully put the Get in wife’s cloths.[[240]](#footnote-240) Moshe and two friends did the same in 1887.[[241]](#footnote-241) Yosef Hacohen of Slonim threw a handkerchief containing the Get at wife.[[242]](#footnote-242)

 Rabbi Israel Yaacov of Łomża annulled a Get he signed because he was misled by both husband and wife. They didn’t inform the rabbi that the husband was mentally ill and the Get he gave was invalid.[[243]](#footnote-243) Reuven Leib misled the local rabbi of Siemiatycze,

Lithuania, and received his signature on a Get. Reuven left wife Ida and planned to marry lover Rachel, but another rabbi disqualified the Get. Reuven left town and wife couldn’t get out of the marriage.[[244]](#footnote-244)

 Occasionally the need for Get rose when young man fooled around with young women, giving them a ring and a paper, mimicking the act of wedding in the presence of two male witnesses. If the witnesses testified that they were not aware it was a false wedding ceremony the young woman needed a Get. One of Moshe Itzhak and Miriam Bluma's witnesses claimed he was not sure if it was a valid wedding. Moshe Itzhak had to give Miriam a Get, but he was gone and couldn't be found. Rabbi Fredkin decided that the marriage was void, and Bluma could marry. [[245]](#footnote-245) Zalman Hutner could not give Bracha a Get because he was mentally ill. After a few months the local rabbis annulled the wedding, and Bracha needed no Get.[[246]](#footnote-246)

Category 6: **Wives whose Husband became mentally ill or severely handicaped and was not competent to grant a Get[[247]](#footnote-247)**

 In these cases, wives were unable to get a Get since people who are not mentally sound could neither receive nor grant a Get. In such a case a wife could ask the rabbinical court to issue a *Heter Beit Din* (permission of the rabbinical court) to be released from the marriage. Such permissions were rarely granted[[248]](#footnote-248).

 Yakel Ber of Pińczów couldn't provide his wife Feigl with a Get because of his mental illness.[[249]](#footnote-249) Yente, known as the Agunah of Kamianka-Buzka couldn't receive a Get from her paralyzed husband Moshe Hayyim[[250]](#footnote-250). Shlomo Shwartz of Botoșani, Romania was hospitalized for mental illness and his wife remained chained to the marriage.[[251]](#footnote-251) Gershon Beltzvinik escaped from Vilnius Mentally ill asylum, and wife Malka became Agunah.[[252]](#footnote-252)

 Sarah Leah from Łomża, Poland tried to convince rabbis in various towns that her mentally ill husband, Shalom Meir Liaske granted her a Get while he was still healthy, but with no avail. During Itzhak and Miril's wedding ceremony, the groom got mentally ill, and the bride's family asked the marriage to be annulled.[[253]](#footnote-253)

 Other cases concerned physically handicap men.[[254]](#footnote-254) Menril ben Meir of Warsaw had multiple handicaps including epilepsy and couldn’t give a Get for eleven years.[[255]](#footnote-255)

Category 7: **Converts refusing to grant a Get[[256]](#footnote-256)**

 Until recently the issue of conversion and its effect on the Jewish community in modern times was under researched. Todd Endelman's research[[257]](#footnote-257) is but a first step, but future research is desired, especially regarding Eastern Europe, and the Russian Empire in particular. ChaeRan Freeze[[258]](#footnote-258) referred to the effects of conversion on East European Jewish family, but much more research is needed here.

 Both men and women converted to Christianity, however according to the Jewish law, men, though converted, still had to provide their wives with a Get. The cases appearing in the database are mostly of men who refused to grant a Get and left their wives Agunot. Shmuel Transalter converted in 1854 and refused to grant his wife a Get. Rabbi Shlomi Kluger tried to convince him to free his wife, and after failing to do so, gave her permission to marry (*Heter Agunah*).[[259]](#footnote-259)

* Tzvi Hirsch ben Gerson refused to grant his wife Henia a Get. Henia's husband converted, gave a defaulted Get, but it was not delivered since the messenger disappeared.[[260]](#footnote-260)
* Zondel Zachs of Kazan simply refused to grant wife Rivka a Get, after conversion.[[261]](#footnote-261)
* Gitle Mogiovskia even applied to the clerical authorities, asking them for help.[[262]](#footnote-262)

 Converts sometimes gave defaulted Gets and disappeared, living the wife an Agunah. In these cases, rabbis provided the wife permission to remarry, despite the incorrect get.[[263]](#footnote-263)

 David Levin of Panevėžys converted to Christianity and married a Russian Orthodox wife, whom he left after twelve years. He returned to the Jewish community and married a Jewish wife. Only when he was apprehended by the police without proper documents, he admitted that he already decided to leave his Jewish wife and go to America. His Jewish marriage was illegal according to the Russian law and he was arrested as a bigamist. He was not allowed to give his Jewish wife a Get, so she became an Agunah.[[264]](#footnote-264)

 In other cases, men migrated from Eastern Europe to Islamic countries, converted to Islam and ignored their wives altogether. Thus, Israel Menashe Finkelshtein (also known as Goldshtein) left his wife in Chișinău (Kishinev), to Turkey, where he converted, and later went to Palestine.[[265]](#footnote-265) Some of the converts to Christianity became anti-Jewish agitators, such as Israel Aaron Birman of Krakow, also known as Dr. Yustus.[[266]](#footnote-266)

 Tzvi Hirsch Hanigberg became a missionary, tried to convert Jews to Christianity, operating in Poland and Sweden. He deserted his wife Tzipe.[[267]](#footnote-267)

 In some cases, conversion affected Halitza. The most famous instance involving Halitza was of Sarah Leah, the widow of Mechel Alter Gener of Odessa, who became an *agunah* because she and her husband had no children. Mechel Alter Gener's two brothers converted to Christianity and were not willing to grant Sarah Leah a *Halitza*.[[268]](#footnote-268) Thus, she needed special rabbinical permission to remarry. The case[[269]](#footnote-269) was much debated in newspapers, rabbinical responsa, and civil courts in Odessa.

 The rabbinical debate was conducted by Rabbi Avraham Yoel Abelson of Odessa. The correspondents included major rabbinical authorities in the Russian empire: [[270]](#footnote-270) Israel Issar Shapira, Aaron Zeev Wolf Wail, Itzhak Elhanan Spector, Mordechai Aaron Gimple, Leib Frankel, Yosef Zechraia Shtern, Naphtali Tzvi Yehuda Berlin, Shimon Arie Schwabacher - the State rabbi of Odessa[[271]](#footnote-271), and Shmuel Mohaliver.

 The debate concentrated on the fact that Sarah was misinformed by her late husband. Mechel Alter Gener who did not inform his wife that he has two converted brothers, who may not supply her with a Halitza in case he will die. The main issue discussed by the rabbis if in such circumstances rabbis were free to grant her to re-marry without a Halitza.[[272]](#footnote-272) State rabbi Schwabacher finally allowed Sarah to remarry, despite the objection of several Odessa Beit Din members.[[273]](#footnote-273)

**Table 2**: categories of Agunot

|  |  |  |  |
| --- | --- | --- | --- |
| Percentage | Number | categories of Agunot |   |
| 66.01 | 3,564 | Wives deserted by husband who disappeared | 1 |
| 2.82 | 152 | Wives who refused to receive or were not granted (a Get | 2 |
| 4.07 | 220 | Halitza | 3 |
| 15.19 | 820 | Dead | 4 |
| 7.85 | 424 | Improperly or incorrectly written Get | 5 |
| 2.9 | 157 |  Husband mentally ill/severely handicap  | 6 |
| 1.16 | 62 | Conversion | 7 |
| 100 | 5,399 | Total |   |

 The two main sources (Newspapers and Rabbinical sources), provides information on 5,000 out of 5,399 cases. These sources offer two different narratives of the Agunot, as can be seen in the following table.

**Table 3**: Reports on Agunot in Jewish and General newspapers and Rabbinical sources

|  |  |  |  |
| --- | --- | --- | --- |
|   | Rabbinical sources | Jewish Newspapers |   |
| Total | Desertion | Death | Religious Issues | Desertion | Death | Religious Issues |  Period |
| 319 | 17 | 123 | 104 | 63 | 5 | 7 | 1851-1900 |
| 990 | 57 | 187 | 184 | 515 | 21 | 26 | 1861-1870 |
| 1128 | 62 | 175 | 172 | 646 | 23 | 50 | 1871-1880 |
| 1351 | 55 | 111 | 197 | 838 | 43 | 107 | 1881-1890 |
| 1212 | 70 | 118 | 221 | 699 | 28 | 76 | 1891-1900 |
|   | 261 | 714 | 878 | 2761 | 120 | 266 |   |
| 5000 | 1853 | 3147 | Total |

 While newspapers portray the Agunah issue as primary a question of desertion (2,761 out of 3147 cases, 87.7%), rabbinical sources refer to this group in only 261 cases out of 1853 (14.1%).

 Regarding Religious Issues: Get, Halitza, conversion and health problems, 266 cases (less than 8.5%) of media reports deal with those issues, while rabbinical sources discuss this in 878 cases (47.4%).

 Death appears in 120 cases in the journals (3.8%) and in 714 cases in rabbinical sources (38.5%).

 The reason for creating a different rabbinical narrative will be discussed in the chapter on rabbinical attitudes to the Agunah plight.

 The rabbinical authorities and the media viewed Agunot for conflicting perspectives. While the rabbinical perspective was a legal one[[274]](#footnote-274), the media perspective was a social one[[275]](#footnote-275). The different figures representing the breakdown of Agunot in the media and rabbinical sources reflects the differing perspectives. As demonstrated above, very few cases of deserted wives appear in rabbinical sources compared to newspapers, where desertion was the main topic. Desertion was considered a social rather than a legal issue. Rabbinical rulers (Poskim in Hebrew), dealt with Get and other categories, that were of a halachic nature. I claim that only investigating all sources, allows us to fully understand the phenomenon.

 The data and the various narratives discussed here portrays a much more complex Agunot phenomenon. About one third of Agunot we identified, became agunot not because the husband left them. Some died and the wife could not prove it and remained unable to remarry. Many wives became Agunot because of the inflexibility of the religious laws and the basic inferiority of women within the Jewish law and the patriarchic system that run Jewish society.

 It was only in Mid-nineteenth century that the Agunot phenomenon ceased to be a legal issue and became a social one. A major force that brought to issue to the public arena was Jewish journalism. The very existence of a Jewish media meant that many issues that hitherto discussed in closed quarters, now became openly and vigorously debated. The status of women, including the plight of the Agunah, was a focal point in this public debate. The rising number of educated young women made strengthened this even further.[[276]](#footnote-276)

1. On Newspapers as a reliable source see, Mordechai Zalkin, *Beyond the Glory: Community Rabbis in Eastern Europe***, (**Oldenbourg:De Gruyter, 2021), 13-17 [↑](#footnote-ref-1)
2. Items 396-424 in the bibliography of this volume. See: Oren Sofer, 'Why Hebrew? A comparative analysis of language choice in the early Hebrew press', *Media History*, 15,3 (2009) 253-269 [↑](#footnote-ref-2)
3. Items 425-443 in the bibliography of this volume. Basie from Kherson looked for her husband Yosef Dorfman, *Kol Mevasher*, June 4, 11, 16, 25, & 30, July 7, 1864.Yehudit from Berdycziv looked for her husband Shlomo Zieler. *Kol Mevasher*, March 16, 23, & 28, April 4, 1872 [↑](#footnote-ref-3)
4. Items 444-463 in the bibliography of this volume. [↑](#footnote-ref-4)
5. Menucha Gilboa, *Hebrew Newspapers' Lexicon in the Eighteenth and Nineteenth Centuries*, (Tel Aviv: Mosad Bialik, 1992), 119-135. (Hebrew) (hereafter Gilboa) [↑](#footnote-ref-5)
6. Mark Baker, 'The Voice of the Deserted Jewish Women, 1867-1870', *Jewish Social Studies,* 2 (1) n.s., 1995, 98-123, (hereafter Baker, voice) see also his: 'Diagnosing the Jewish Condition: Medical Discourse and Social Reform in *HaMagid*, 1860-1881', in Mark Baker (ed.), *History on the Edge: Essays in Memory of Julius Foster (1944-1994)*, Melbourne: University of Melbourne Press, 1997, 117-140 [↑](#footnote-ref-6)
7. A total of 29 Hebrew newspapers and 19 Yiddish Newspapers (most of those of the late 1890s) were consulted. 13 newspapers in English, 3 in German and 4 in Russian were also searched. [↑](#footnote-ref-7)
8. Baker, voice. [↑](#footnote-ref-8)
9. Editorial notes, *Ha-Magid*, August 7, 1862; See *Ha-Magid*, August 14, 1862 & June 14, 1865 [↑](#footnote-ref-9)
10. Some advertisements were signed by State rabbis (on these see chapter 4, later), *Ha-Yom*, July 1, 1886. *Ha-Melitz*, December 29, 1892. [↑](#footnote-ref-10)
11. *Ha-Magid*, July 22, 1858. [↑](#footnote-ref-11)
12. *Ha-Melitz*, February 9, 1865. [↑](#footnote-ref-12)
13. *Ha-Magid*, January 6, 1866. [↑](#footnote-ref-13)
14. *Ha-Magid*, July 5, 1865. [↑](#footnote-ref-14)
15. *Ha-Magid*, April 13, 1870. [↑](#footnote-ref-15)
16. *Ha-Magid*, July 28,1875. [↑](#footnote-ref-16)
17. *Ha-Magid*, July 18, 1866. Rabinowitz wrote many advertisements on behalf of the Warsaw community, for example: *Ha-Magid*, September 11, & December 18, 1862; June 28, 1871; October 22, 1873. [↑](#footnote-ref-17)
18. Berdyczów [↑](#footnote-ref-18)
19. Iași [↑](#footnote-ref-19)
20. Cernăuţi in Rumanian, Czernowitz in German [↑](#footnote-ref-20)
21. *Ha-Magid*, August 20, 1873. [↑](#footnote-ref-21)
22. Haim Sperber, *A Social History Database of Jewish Deserted Wives, 1851-1900*, Brighton, Chicago & Toronto: Sussex Academic Press, 2022 (hereafter Sperber, Database), cites more around 200 men leaving more than one wife. Hertz Schtick deserted Haya and another unnamed wife in Russia. *Ha-Zefira*, November 30, 1892, & December 1, 1895 & *Ha-Melitz*, May 12, 1895. A similar case was that of Pesach Klimatovski, *Ha-Zefira*, December 11, 1892 & February 14, 1893. Avraham Sagat deserted four wives in Russia in 1888, *Ha-Zefira*, July 10, 1888. [↑](#footnote-ref-22)
23. *Ha-Melitz*, March 14, 1870. [↑](#footnote-ref-23)
24. *Ha-Magid*, September 9, & November 11, 1876 & January 31, 1877, *Der Menshenfreind*, January 17, 1890. [↑](#footnote-ref-24)
25. *Ha-Melitz*, July 3, & August 23, 1887. [↑](#footnote-ref-25)
26. *Ha-Melitz*, October 8, 1883. [↑](#footnote-ref-26)
27. *Ha-Melitz*, January 31, 1889. [↑](#footnote-ref-27)
28. *Ha-Zefira*, February 24, & March 3, 1887. [↑](#footnote-ref-28)
29. *Ha-Zefira*, November 7, 1886. [↑](#footnote-ref-29)
30. *Ha-Lebanon*, June 15, 1881. [↑](#footnote-ref-30)
31. *Ha-Melitz*, September 25, 1887. [↑](#footnote-ref-31)
32. Steven J. Zipperstein, *The Jews of Odessa: A Cultural History, 1799-1881*, (Stanford: Stanford University Press, 1985). [↑](#footnote-ref-32)
33. *Ha-Melitz*, July 1, 1879, *Ha-Zefira*, July 1, 1879. [↑](#footnote-ref-33)
34. *Ha-Melitz*, July 8, 1879. [↑](#footnote-ref-34)
35. *Ha-Magid*, May 30, & June 13, 1877. [↑](#footnote-ref-35)
36. *Ha-Magid*, September 6, 1876, January 31, 1877. [↑](#footnote-ref-36)
37. *Ha-Melitz*, July 14, 1884. [↑](#footnote-ref-37)
38. *Ha-Zefira*, December 9, 1889. *Mahzikei Ha-Dat,* February 6, 1890. [↑](#footnote-ref-38)
39. *Ha-Lebanon*, February 1, & April 5, 1878 & *Ha-Magid*, January 1, 1878. [↑](#footnote-ref-39)
40. *Kol Mahzikei Ha-Dat*, May 27, 1892. [↑](#footnote-ref-40)
41. Moshe Kersch's case, *Ha-Zefira*, January 24, 1888. Tzadok Esterman, *Ha-Melitz*, November 18, December 17, 18, 18, 21, 23, 26, 1892. On Bielski, *Ha-Zefira*, December 24, 1893. Motzkin's case, *Ha-Melitz*, July 26 & August 5, 1894. Zanwil Morris's case, Ha*-Melitz*, June 28, 29, and July 13, 1892. [↑](#footnote-ref-41)
42. *Ivri Anochi*, July 13, 1888 & *Mahzikei Ha-Dat*, June 1, 1889. [↑](#footnote-ref-42)
43. *Ha-Melitz*, March 25, 1879. [↑](#footnote-ref-43)
44. *Ha-Zefira*, July 30, 1894; *Ha-Melitz*, July 11, 1895, *Ha-Zefira*, July 23, 1895; *Ha-Melitz*, October 30, & November 3, 1900. Serial desertion was also reported in Responsa. Leib Kobil lefts two wives Miriam and Hannah Haya, in 1890. Shmuel ben Zeev Engel, *Shu"t* *Ma'arash*, Jerusalem, 1980, part 5, sign 21. Shmuel Shwartz deserted four wives, using seven different names (hereafterMa'arash). Only one wife (Mary Golb) was mentioned by name. Shraga Tzvi ben Zeev Wolf Tanenbaum, *Sefer Shelot Ve-Teshuvot Neta Sorek*, (Mukachevo (Munkács), 1899), signs 18-19 (hereafterNeta Sorek), also reported by his brother, Yaacov ben Zeev Wolf Tanenbaum, *Sefer Shelot Ve-Teshuvot Na'arei Afarsemon*, (Paks, 1911), sign 52, (hereafter Afarsemon). [↑](#footnote-ref-44)
45. *Ha-Melitz*, January 15, 1883, July 26, August 4, 7 15, 1898. *Ha-Zefira*, January 16, 1883. [↑](#footnote-ref-45)
46. Arian, *Ha-Melitz*, August 16 & October 14, 1894. Mendelewitz, *Ha-Melitz*, March 5, 1896. Belis, *Ha-Zefira*, January 28, & April 20, 1897, January 14, 1898, & October 30, 1900. [↑](#footnote-ref-46)
47. *Ha-Melitz*, April1, & 4, 1887, May 29, & June 1, 1899. *Ha-Yom*, March 13, & 15, April 28, 1887. [↑](#footnote-ref-47)
48. On Momshewitz, *Ha-Zefira*, June 7, 1886, *Ha-Yom*, May 18, 1886. *Ha-Melitz*, March 13, & 15, April 1, 4 & 28, 1887.On Rabinowitz, *Ha-Melitz*, April 30, 1893. [↑](#footnote-ref-48)
49. *Ha-Zefira*, November 12, 1886. [↑](#footnote-ref-49)
50. *Ha-Melitz*, May 28, 1886, January 5, 1893: *Ha-Melitz*, July 6, August 3, & 10, 1865 [↑](#footnote-ref-50)
51. *Ha-Melitz*, August 30, 1887. [↑](#footnote-ref-51)
52. *Ha-Magid*, February 24, 1874, and *Ha-Lebanon*, March 25, 1874, and August 26,1874; *Ha-Zefira*, August 5, 1874. See also: Israel ben Avraham Rappaport, *Sefer Shelot Ve-Teshuvot Ma'ar"I HaCohen*, second edition, Lemberg [Lviv], 1875, part Even Ha-Ezer, answer 13, (hereafter Ma'ar"I HaCohen). Zelig Rozner also deserted seven wives in Galicia, *Ha-Zefira*, October 12, 1896, as did Avraham Raicherson, *Ha-Zefira*, December 21, 1893. Avraham Goldenberg deserted eight wives in Romania and Hungary, *Ha-Magid*, February 14, 1866. [↑](#footnote-ref-52)
53. *Ha-Magid*, July 6, 1859, August 30, 1859, October 6, 1859, December 7, 1859, & March 21, 1860, in Bialystok,Mogilev & Karlin (near Pinsk). [↑](#footnote-ref-53)
54. *Ha-Magid*, December 28, 1859 [↑](#footnote-ref-54)
55. *Ha-Melitz*, December 16, 1888. [↑](#footnote-ref-55)
56. *Ha-Magid*, August 26, & September 29, 1857, December 21, 1858, & February 23, 1859. Benyamin Mordechai ben Efraim Navon, Bnei *Beniman Ve-Karev I"sh*, (Jerusalem, 1876), signs 11-12. Hayyim ben Yaacov Palachi, *Sefer Ruach Hayyim*, part 2, (Izmir, 1878), signs 11-12. Shmuel ben Tzvi Hirsch Salant, *Sefer Torat Rabenu Shmuel Salant,* (hereafter Salant), vol.2, Nissan Aaron Tokinsky, (Ed.), Jerusalem, 1998, sign 92. Yaacov Shaul Elishar Archive. NLI, ARC. 4\* 1271, Correspondence by Rabbi Shmuel Salant 1857, record: 3470461\_0038\_0001 [↑](#footnote-ref-56)
57. Most papers stated this at the top of the front page. For example, *Ha-Magid*, February 12, 1858, and September 12, 1860. *Ha-Magid* even published some advertisements simultaneously, see for example, the issues of July 10, August 7, & October 3, 1862, July 27, 1864, March 8, October 18, & December 27, 1865, February 14, & August 1, 1866, May 15, & August 14, 1867, April 22, (7 advertisements), & August 5, 1868, August 4, 1869, and many more. [↑](#footnote-ref-57)
58. *Ha-Magid,* June 11, 1872, September 11, 1872, May 28, 1873; and *Der Israelit,* January 20, 1875. [↑](#footnote-ref-58)
59. *Ha-Magid*, February 5, 1873, February 23 & March 22, 1876, *Havatzele*t, July 14, 1876, *Ivri Anochi*, February 28, & March 13, 1873, April 30, 1875, & January 21, 1876. Feige Tzvia looked for Gershon Shtern for five years, advertising in *Ha-Magid*, December 2, 1863 & July 7, 1869, *Ha-Carmel*, February 25, & March 11, 1864, *Ha-Melitz*, May 16, 1865. Breindl looked for Shlomo Rapaport for fifteen years via *Ha-Magid*, September 21, 28, 1864, & November 19, 1879; *Ivry Anochi*, June 3, 1870, February 15, October 31, November 21, & 28, December 5, & 12, 1879. *Kol Mevaser* (Yiddish), April 19, 1864; September 2, 9, & 28, 1864. The case was also dealt by rabbi Itzhak Yehuda ben Hayyim Shmelkish, *Beit Itzhak, Helek Even Ha-Ezer*, (Przemyśl, 1901), part Gitin, sign 37. [↑](#footnote-ref-59)
60. Advertisements were published in: *Ha-Magid*, May 17, 1882; January 4, & 24; February 7, 14, 21, &28; March 7, 14, 21, & 28; April 5, 11, & 18; May 9, 16, 23 &30; June 6, 13, 20, & 27; July 11, 18, & 25; August 1; September 13; November 9, December 17, & 28, 1883; December 18, 1884; *Ha-Melitz*, March 13; April 2; July 13, 16, 23, & 27; August 3, 20, 24, & 27; September 3, 17, & 24; October 1, 5, 8, 15, & 19; November 3, 5, 9, 19, & 23; December 7, & 10, 1883; March 13, & 31, 1884; January 5, 1885; *Ha-Zefira*, January 5, 1884; *Yudishes Folksblatt* (Ukraine) March 30, 1883. Vera Portugalova also approached Russian authorities, Freeze, *Jewish Marriage and Divorce in Imperial Russia*, (Hannover, NH: Brandeis University Press, 2001), 232-233. [↑](#footnote-ref-60)
61. Bassia Freizatova's case (1883), Russian State Historical Archive, (hereafter RGIA), Rossiiski gosudarstvennyi istoricheski arkhiv, St. Petersburg, f.821, op, d12, II. 2-3 ob. ChaeRan Y. Freeze, *Making and unmaking the Jewish family: marriage and divorce in imperial Russia, 1850-1914*, (Ph.D. Dissertation, Brandeis University, 1997), 336 & Idem, *Marriage*, 235-236. [↑](#footnote-ref-61)
62. Wife of Gershon Cohen, *Ha-Magid*, December 12, 1863 & July 7, 1869; in *Ha-Carmel*, February 25, & March 11, 1864; and in *Ha-Melitz*, May 15, 1867; Haya Horowitz, *Ha-Magid* July 17, 1872 & June 28, 1876, Ha*-Melitz*, September 9, 1889 & October 2, 1889. *Ha-Magid*, July 30, 1873; May 26 & July 1, 1874. [↑](#footnote-ref-62)
63. Albert Kaganovitch, *The Long Life and Swift Death of Jewish* *Rechitsa: A Community in Belarus, 1625–2000*, (Madison: University of Wisconsin Press, 2013) [↑](#footnote-ref-63)
64. *Ha-Magid*, January 6, 1858 & August 11, 1869. [↑](#footnote-ref-64)
65. *Ha-Magid*, April 3, October 3, 1862; Feb 12, March 12, June 3, 1863 & January 31, 1877. [↑](#footnote-ref-65)
66. *Ha-Magid*, November 11, 18, & 25, 1863; September 12, 1866, & March 10, 1874, *Ha-Lebanon*, September 25, & October 21, 1874. [↑](#footnote-ref-66)
67. *Ha-Lebanon*, November 9, 1871; *Ha-Magid*, November 15, 1871, February 23, 1876; *Ivri Anochi*, July 23, & 30, August 1, (two announcement at the same issue) 6, 13, 20 27, 1875, September 10, 17, & October 8, 1875. [↑](#footnote-ref-67)
68. *Kol Mahzikei Ha-Dat*, December 17, 1891, June 6, & 21, July 5, & 19, 1895; *Mahzikei Ha-Dat*, May 27, July 12, 1895. [↑](#footnote-ref-68)
69. Rashe Zeliger, *Ha-Magid*, April 23, June 3, July 3, August 29, September 5, & 26, October 3, 10, & 17, November 6, 14, 21, & 31, December 19, 1862; January 9, 22, & 30, February 13, 1863. *Der Israelit*, June 6, July 4, 11, 18, & 25, August 15, 1862. Sheindl Diamant, *Ha-Magid*, August 7, 1862; September 19, 1865; August 1, 1866 & *Ha-Lebanon*, October 5, 1865. Rivka Reiner, *Nesher*, November 30, & December 16, 1864; *Ivri Anochi*, November 2, 1866; *Ha-Magid*, December 14, 21 & 28, 1893; *Mahazikei Ha-Dat*, August 17, 1893. Hannah Shaulzohn, *Ha-Magid*, June 27, 1866, January 7, & September 18, 1867, November 8, 1876; *Ha-Melitz*, February 7, July 8, & 18, 1870; *Ha-Zefira*, November 1, 1876. [↑](#footnote-ref-69)
70. Tzila Beyla Kantiger, *Ha-Zefira*, June 7, 1881; Tzipa Abramovitz, *Ha-Magid*, June 25, 1873 & August 30, 1873. Miriam Tabirski, *Ha-Magid*, January 24, 1874. Skilevsi, *Ha-Magid*, June 26, August 21, September 18, 1867, & September 7, 1873. [↑](#footnote-ref-70)
71. *Ha-Magid*, February 22, 1871. [↑](#footnote-ref-71)
72. *Ha-Zefira*, August 2, 1886. [↑](#footnote-ref-72)
73. *Ha-Melitz*, September 15, & 20, 1898. [↑](#footnote-ref-73)
74. Lev Hakak, 'Shlomo Bechor Hutsin: l'itinéraire d'un Juif "Maskil" de Bagdad', *Revue Européenne des Etudes Hébraïques*, 5 (2001) 193-213 [↑](#footnote-ref-74)
75. Twice deserting was a common practice. Moshe Hersch deserted Hannah two times in 1866 and again in 1870. In 1870 he was willing to grant a Get if Hanna's family will reembrace him. When refused he left again. *Ha-Magid*, August 16, 1871. [↑](#footnote-ref-75)
76. *Ha-Magid*, June 10, 1864, September 7, 1864, December 12, 1864, February 1, 1865, June 21, 1865. [↑](#footnote-ref-76)
77. *Ha-Magid*, December 26, 1866, February 27, 1867, September 8, 1869, October 9, 1872, & April 23, 1873. [↑](#footnote-ref-77)
78. *Ha-Magid*, April 19, 1865, April 26, 1865. [↑](#footnote-ref-78)
79. *Ha-Magid*, May 2, 1865, February 7, 1866. [↑](#footnote-ref-79)
80. *Ha-Magid*, March 21, 1866 [↑](#footnote-ref-80)
81. *Ivri Anochi*, July19, & 26, 1889, May 30, 1890. [↑](#footnote-ref-81)
82. *Ha-Magid*, January 17, 1884 [↑](#footnote-ref-82)
83. *Ha-Magid,* April 3, 1884. [↑](#footnote-ref-83)
84. *Ha-Magid*, September 24, 1884 [↑](#footnote-ref-84)
85. *Ha-Magid*, July 18, 1878, [↑](#footnote-ref-85)
86. *Ha-Magid*, November 20, 1878. [↑](#footnote-ref-86)
87. *Ha-Magid*, January 29, & April 30, 1879. [↑](#footnote-ref-87)
88. *Ha-Melitz*, November 10, December 17, 27 & 31, 1891; *Ha-Zefira*, February 7, & 20, 1894. *Ha-Melitz* presented the wife's point of view, and *Ha-Zefira*, the husband's narrative. [↑](#footnote-ref-88)
89. Yaacov Barg also was wrongly accused of deserting wife, *Ha-Melitz*, January 28, & March 25, 1879. [↑](#footnote-ref-89)
90. From 45 cases on average between 1871 and 1878 to 20 cases on average between 1879 and 1881. This drop is due also because a new editor, David Gordon, managed *Ha-Magid*, and he was less interested in the Agunah issue. See: Yosef Salmon, 'David Gordon and "Ha-Maggid": changing attitudes toward Jewish nationalism, 1860-1882', *Modern Judaism*, 17,2 (1997) 109-124 (hereafter Salmon) and later in this chapter. [↑](#footnote-ref-90)
91. *Ha-Magid*, December 18, 1862, *Ha-Magid*, August 29, 1886, Itzhak Luria, American *Israelite*, August 30, 1867; *Ha-Magid*, November 10, 1869, January 4, 1871. [↑](#footnote-ref-91)
92. See the public appeal by the editor of *Ha-Magid* to Rabbi Shlomo Kluger of Brody, *Ha-Magid*, July 11, 1866. In an earlier instance, Rabbi Kluger responded to the challenge by *Ha-Melitz* with a very long response, *Ha-Melitz*, April 25, 1864, & August 3, 1864. Rabbis were sometimes reprimanded by the editors: For example: editorial, *Ha-Melitz*, October 15, 1872. [↑](#footnote-ref-92)
93. *Ha-Magid*, March 10, 1869. [↑](#footnote-ref-93)
94. *Ha-Magid*, December 18, 1884; *Ha-Melitz*, January 5, 1885. [↑](#footnote-ref-94)
95. He was named Denmark because he emigrated to Copenhagen. [↑](#footnote-ref-95)
96. *Ha-Magid*, August 17, 1864; September 13, 1865; & September 28, 1870. Hirsch Frankel from Łódź

 was another professional criminal who deserted his wife, *Ha-Magid*, May 26, & October 21, 1874 [↑](#footnote-ref-96)
97. *Ha-Lebanon*, April 9, 1873. [↑](#footnote-ref-97)
98. *Ha-Melitz*, September 11, 1889*.* [↑](#footnote-ref-98)
99. Analysis of data from the database, Sperber, Database. [↑](#footnote-ref-99)
100. Baker, voice, passim. [↑](#footnote-ref-100)
101. *Ha-Magid*, September 13, 1865. [↑](#footnote-ref-101)
102. Ibid and another editorial, June 23, 1869.This creating a highly publicized dispute between Zilberman and Yehiel Brill, see below. [↑](#footnote-ref-102)
103. Salmon. [↑](#footnote-ref-103)
104. Gilboa, "Ha-Magid". [↑](#footnote-ref-104)
105. Steven J. Zipperstein, *The Jews of Odessa: A Cultural History, 1799-1881* (Stanford: Stanford University Press, 1985), 81-82; Michael Stanislawski, *For Whom Do I Toil: Judah Leib Gordon and the Crisis of Russian Jewry*, (London and New York: Oxford University Press, 1988), 81-82, and 218-219. On the newspaper see: Gilboa, 138-149. [↑](#footnote-ref-105)
106. Shmuel Versses, '[The] Woman's Voice in the Yiddish Weekly *Kol Mevaser*' (Hebrew), *Huliot* 4 (1997): 53-82. Between 1881 and 1889, Zederboim published another Yiddish weekly, *Yudishes Folksblatt*. [↑](#footnote-ref-106)
107. *Ha-Melitz*, December 25, 1878. An earlier correspondence between the two, ibid, October 30, 1878. [↑](#footnote-ref-107)
108. Gilboa, 167-181. Zef Segal & Oren Sofer, 'One journal, one decade, 3,797,592 words: computational analysis of HaTzfira's discourse (1874-1883)', *Journal of Jewish Studies*, 72,2 (2021) 369-396 [↑](#footnote-ref-108)
109. Ella Bauer, 'The Race for a Hebrew Daily: How Did "*Hatzfira*" Become a Daily Newspaper' (Hebrew), *Kesher* 32 (2002): 87-96 [↑](#footnote-ref-109)
110. Ela Bauer, 'In Warsaw and Beyond: The Contribution of Hayim Zelig Slonimski to Jewish Modernization', in: Glenn Dynner & François Guesnet (eds.), *Warsaw. The Jewish Metropolis. Essays in Honor of the 75th Birthday of Professor Antony Polonsky*, (Leiden & Boston: Brill, 2015), 70-90. [↑](#footnote-ref-110)
111. Roni Beer-Marx, *Fortress of paper: the Newspaper Ha Levanon and Jewish Orthodoxy*, (Hebrew), (Jerusalem: Zalman Shazar Center, 2017). (Hereafter Beer-Marx, Fortress). Gideon Kouts, 'Le Libanon à Paris (1865-1870)', *Revue Européenne des Etudes Hébraïques*, 7 (2002) 39-85 [↑](#footnote-ref-111)
112. *Ha-Lebanon*, March 21, 1870 & July 17, 1879. [↑](#footnote-ref-112)
113. Roni Beer-Marx, '“Halevanon'': zur Neuinterpretation eines Orthodoxen Organs' in: Susanne Marten-Finnis and Markus Winkler, eds., *Die jüdische Presse im Europäischen Kontext, 1686-1990*, (Bremen: Edition Lumiere, 2006), 89-99 [↑](#footnote-ref-113)
114. Menachem Keren-Kertz, 'Decline of Jewish orthodoxy at the turn of the 20th century as viewed through Galicia's ultra-Orthodox newspaper', (Hebrew), *Kesher, Journal of Media and Communications History in Israel and the Jewish World*, 49 (2017), 126-142 [↑](#footnote-ref-114)
115. Shanes discusses Jewish Galicia's background of these journals. Joshua Shanes, *Diaspora Nationalism and Jewish Identity in Habsburg Galicia*, (New York: Cambridge University Press, 2014). [↑](#footnote-ref-115)
116. *Der Emet* (Boston, 1895-1896); *Der Folksadvukat* (New York, 1888-1889); *Der Taglicher Herald* (New York, 1894-1900); *Forverts* (New York & Philadelphia, 1897-1900); *Yudishes [Yidishes] Tageblatt* (New York, 1885-1900) [↑](#footnote-ref-116)
117. Segal & Blondheim offer another aspect ofthe importance of responsa as an historical tool, Zeff Segal & Menachem Blondheim, 'America on the Responsa Map: Hasidim, Mitnagdim, and the Trans-Atlantic Social Network of Religious Authority', *American Jewish History*, 102 (1), (2018), Map 1, 139. [↑](#footnote-ref-117)
118. Haim Sperber, 'Responsa books as a source for the investigation of the Phenomenon of Agunot', *Quntres: An Online Journal for History, Culture, and the Art of the Jewish Book*, 2(1), 2010, 47-58. <https://taljournal.jtsa.edu/index.php/quntres/article/viewFile/63/29>. (hereafter Sperber, Responsa). See, rabbinical sources, items 60-392 in the bibliographical list of this book. [↑](#footnote-ref-118)
119. Items 17-51 in the bibliographical list of this book. See for example the archives of Rabbi Moshe Nahum Yerushalimski, Schocken Institute Jerusalem: <http://www.schocken-jts.org.il/library4.htm>. See: Silke Schaeper, 'Rabbinical Letters from Eastern Europe - The Moses Nahum Yerusalimski Collection, *Made Ha-Yahdut*, 40, 2000, 85\*-95\* [↑](#footnote-ref-119)
120. Items 52-59 in the bibliographical list of this book [↑](#footnote-ref-120)
121. Noa Shashar, *Vanised Men. Agunot in the Ashkenazi Realm, 1648-1850*, (in Hebrew), (Jerusalem: Carmel Press, 2020). (hereafter Shashar). A search at the online responsa project, <https://www.responsa.co.il/default.aspx> (December 2021), came up with 1851 references to the terms: Igun (desertion); 1847 Agunah; 304 Agun; 926 Agunot; 712 Iguna. [↑](#footnote-ref-121)
122. Shashar, 164-165. [↑](#footnote-ref-122)
123. Shmuel Glick, 'Changes, Omitting and Inner Censorship in Responsa Books', (Hebrew), *Quntres: An Online Journal for the History, Culture, and Art of the Jewish Book* 1:1 (2009): 40-76, <https://talijornal.jtsa.edu/index.php/quntres/article/viewFile/40/8> [↑](#footnote-ref-123)
124. On the usage of responsa as a tool for historical investigation in Eastern Europe, especially Galicia, see: Haim Gertner, 'New Uses of an Old Tool - The Scope of Influence of 19th Century Galician Rabbis according to Statistical Analysis of Responsa Literature', (Hebrew), *Papers of the 12th World Congress of Jewish Studies* (Hebrew Section), vol. 2 (Jerusalem: World Congress for Jewish Studies, 1990), 127-136. [↑](#footnote-ref-124)
125. Sperber, Responsa. [↑](#footnote-ref-125)
126. On the role of the media in changing the Jewish public sphere, see Derek J. Penslar, “Introduction: the Press and the Jewish Public Sphere,” *Jewish History* 14:1 (2000): 3-8. [↑](#footnote-ref-126)
127. The influence of this on the status of the rabbis will be is discussed in chapter 4 in this book [↑](#footnote-ref-127)
128. See chapter 3.2 in this book. See also: Naomi Seidman, 'Gender and the Disintegration of the Shtetl in Modern Hebrew and Yiddish Literature,' in Steven T. Katz, ed., *The Shtetl: New Evaluations in its History and Character* (New York: New York University Press, 2007), 193-210. [↑](#footnote-ref-128)
129. The most influential Lithuanian rabbinical authority was rabbi Itzhak Elhanan Spector. See: Aaron Rakeffet- Rothkof, 'Rabbi Yitshak Elhanan Spector of Kovno: Spokesman for Agunot', *Tradition* 29 (3), 1995. 5-20 & Ephraim Shimoff, *Rabbi Isaac Elchanan Spektor: His Life and Works*, (New York: Yeshiva University), 1959 [↑](#footnote-ref-129)
130. David ben Shmuel Friedman, *Sefer Sheilat David*, (Hebrew), (Piotrków Trybunalski [Pietrokov], 1913), part Even Ha-Ezer, sign 16. (Hereafter, Sheilat David). [↑](#footnote-ref-130)
131. Naftali Tzvi Yehuda Berlin, *Shu"t Meshiv Davar,* (Hebrew) part B, (volume 2),sign 8,(Warsaw: 1894). (Hereafter Meshiv Davar). [↑](#footnote-ref-131)
132. Meshiv Davar, part D (volume 2), sign 49. [↑](#footnote-ref-132)
133. Meshiv Davar, part B, (volume 2),sign 9 [↑](#footnote-ref-133)
134. I decided to use the spelling Ha-Lebanon, not Ha-Levanon because this was the spelling used in the journal itself. [↑](#footnote-ref-134)
135. Berlin, Hayyim ben Naftali Tzvi Yehuda, *Sefer Nishmat Hayyim - Shelot Ve-Teshuvot Barbaa Helki Shulhan Aruch*, part Even Ha-Ezer, sign 137, (Hebrew), Yaacov Kosovsky-Schhor (ed.), (Bnei Brak: No publisher, 2003). (hereafter Nishmat Hayyim). *On Ha-Lebanon* see Beer-Marx, Fortress. [↑](#footnote-ref-135)
136. Nishmat Hayyim, sign 24. See: Eliezer Brodt, 'Corrections and Clarifications on Two Editions of R. Chaim Berlin's Responsa: An Egregious Example of Censorship', *The Sofrim Blog* (12 October 2009), [www.sofrim.blogspot.com](http://www.sofrim.blogspot.com). [↑](#footnote-ref-136)
137. Shalom Mordechai ben Moshe Schwadron, *Sefer Shelot Ve-Teshuvot Ma'arsha"m*, (Hebrew), Shalom Mordechai Schwadron [grandson] ((Ed.), (Jerusalem, 1974), part 7 (volume 7), sign 40. (Hereafter Schwadron, vol. 7) [↑](#footnote-ref-137)
138. Shalom Mordechai ben Moshe Schwadron, *Sefer Shelot Ve-Teshuvot Ma'arsha"m*, (Hebrew), Shalom Mordechai Schwadron [grandson] ((Ed.), (Jerusalem, 1974), part 1 (volume 1), sign 8. (hereafter Schwadron, vol. 1) The case of Hannah Golda: Schwadron, vol. 7, sign 150. [↑](#footnote-ref-138)
139. *Ha-Magid,* June22, 1858, June 20,1860, July 3, 1861, August 28, 1871, October 1, 1871; Rabbi Mordechai Weisman Hayut, *Ha-Magid*, July 28, 1860, August 14, 1860; Rabbi Hayyim Nathan Dambitzer, *Ha-Magid*, August 21, 1862; Rabbi Shlomi Kluger, *Ha-Magid*, September 21 & 28 1864. [↑](#footnote-ref-139)
140. Michael Stanislavski, 'Reflections on the Russian Rabbinate', in: Jack Wertheimer, ed., *Jewish Religious Leadership; Image and Reality*, vol. 2, (New York: Jewish Theological Seminary, 2004), 429-446. See for example Shalom Mordechai ben Moshe Schwadron, *Sefer Shelot Ve-Teshuvot Ma'arsha"m*, part 2 (vol. 2) Shalom Mordechai Schwadron [grandson] ((Ed.), (Jerusalem, 1974), sign 110 (hereafter Schwadron, vol. 2). [↑](#footnote-ref-140)
141. For example, items 12, 16 in the bibliography of this book. [↑](#footnote-ref-141)
142. Ms 173 1/12, Special Collection, Hartley Library, Southampton University. Information on Agunot sometimes appeared in different sources. Nache looked for her husband Yaacov Heschin (Mendelson) and we are informed on her via the Montefiore census of 1875, Moses Montefiore census 1875, item 3330, <https://www.montefioreendowment.org.uk/census/>. The case appeared in journals: *Ha*vazelet, May 26, & June 8, 1883, February 18, & March 4, 1885; *Ha-Zefira*, June 27 & July 3, 1883; *Ha-Magid*, March 5, & June 18, 1885; *Ha-Melitz*, February 17, 1885, and in responsa: Salant, sign 96 (1). [↑](#footnote-ref-142)
143. Source: Database, Sperber. [↑](#footnote-ref-143)
144. *Ha-Magid*, April 21, 1869. [↑](#footnote-ref-144)
145. Freeze, Marriage, 231. [↑](#footnote-ref-145)
146. Ms. 173 1/12/2, 1870, 11 in *Special Collection, Hartley Library, Southampton*. See also *Jewish Messenger,* May 25, 1871. [↑](#footnote-ref-146)
147. Ms. 173 1/12/2, 1871, 37, ibid [↑](#footnote-ref-147)
148. Ms. 173 1/12/4. 1881, 45, ibid. See also: "Runaway Husbands," *Jewish Messenger,* October 22, 1880. [↑](#footnote-ref-148)
149. Ms. 173 1/12/4, 1886, 51, ibid. [↑](#footnote-ref-149)
150. Ms. 173 1/12/5, 1892, 42, ibid [↑](#footnote-ref-150)
151. Anther categorization from a halachic perspective was offered by Michael J. Broyde, *Marriage, Divorce, and the Abandoned Wife in Jewish Law*, (New York: KTAV, 2001), 73-74. [↑](#footnote-ref-151)
152. Sperber, introduction to database, v. [↑](#footnote-ref-152)
153. Haim Sperber, 'Agunot, Immigration, and Modernization, from 1857 to 1896', in: Leonard J. Greenspoon, (ed.), *Mishpachah: The Jewish Family in Tradition and in Transition,* (Studies in Jewish Civilization, Vol. 27), (West Lafayette, IN: Purdue University Press), 2016, 79-108 (hereafter Sperber Modernization). & Idem, 'The Agunot Phenomenon from 1851 to 1914 - an introduction', *Annales de démographie historique*, 136, (2), 2018, 107-135. (hereafter Sperber, Phenomenon). [↑](#footnote-ref-153)
154. According to Sperber database, 3564 cases of Abandoned people were found. We even found cases of desertion being a familial heritage. [↑](#footnote-ref-154)
155. On Yaacov see: *Ha-Zefira,* November 23, & December 16, 1886; *Ha-Melitz*, November 24, December 1, 1886, July 15, 1887; Ha*-Magid*, December 2, 1886; *Ha-Melitz*, August 29, 1889. On Noah see: *Ha-Magid*, December 2, 1886, *Ha-Melitz*, July 15, August 12, & 19, & October 17, 1887 [↑](#footnote-ref-155)
156. *Ha-Melitz*, September 25, 1887. [↑](#footnote-ref-156)
157. The first advertisement was published by two women - only Dvorah bat Nachman is mentioned by name - looking for two husbands. *Ha-Magid*, March 9, 1857. The first advertisement in *Ha-Melitz* was published on February 14, 1861, and in *Ha-Zefira* April 10, 1862. [↑](#footnote-ref-157)
158. *Ha-Magid*, June 17, 1858 [↑](#footnote-ref-158)
159. *Ha-Magid*, December 27, 1865, January 10, July 18, & August 1, 1866. Margaliot also reported on a third deserter, Zalman Hilel and his wife Sarah. This appeared only in the first two reports. [↑](#footnote-ref-159)
160. *Ha-Zefira*, May 26, 1889. [↑](#footnote-ref-160)
161. Notes 57-58, above. [↑](#footnote-ref-161)
162. The case was much publicized in General newspapers but was also covered by Jewish newspapers: *Ha-Magid*, August 2, 1888. *Ha-Melitz,* July 31, 1888. *Ha-Zefira*, July 30, 1888. *Ha-Tzvi,* August 17, 1888. *Ivri Anochi*, August 10, 1888. *Mahzikei Ha-Dat*, July 11, 1888. (Hebrew). *American Israelite,* July 20, 1888; News on the case can be found in General newspapers: *New York Tribune*, July 11, 1888. *Sun* (New York), July 12, 1888. *The Ledger* (Warren, Pennsylvania), July 13, 1888. *Sioux County Herald*, July 19, & August 9, 1888. *Sioux Valley News,* July 19, & August 9, 1888. *Le Mars Semi-Weekly Globe*, July 21, 1888. *Summer Gazette*, July 19, 1888. *Carroll Sentinel,* July 27, & August 10, 1888. *Northern Vindicator,* July 20, & 27, 1888. *Emmet County Republican,* July 19, 1888. *Van Wert Republican* (Ohio), July 19, 1888. *Democratic Chronicle News Herald*, July 19, 1888. *Geneva Gazette* (Ohio), July 13, 1888. *Burlington Hawk-Eye* (Iowa), July 12, 1888. The *Ottawa Daily Citizen*, July 11, 1888. *Aurora Daily Express,* July 11, 1888. *Chicago Daily Tribune,* July 11, 1888. *Omaha Daily Bee,* July 12, 1888. *Washington Critic,* July 12, 1888. *St. Paul Daily Globe,* July 11, 1888. *Atlanta Constitution,* July 13, 1888. *Warsaw Daily News* (Indiana), July 11, 1888. *Indianian Republican*, July 12, 1888. *Evening World*, August 15, 1888. *The News Herald*, July 19, 1888. *Lancaster Daily Intelligencer*, July 11, 1888. Even New Zealand newspapers published it: *Wanganui Chronicle,* September 6, 1888. *Otago Witness*, September 28, 1888. [↑](#footnote-ref-162)
163. Jeffrey S. Gurock, 'How “Frum” was Rabbi Jacob Joseph's court? Americanization within the lower east side's orthodox elite, 1886–1902', *Jewish History*, 8 (1994), 255-268. See also Kimmi Caplan, 'Rabbi Yaakov Yossef, the Communal Rabbi of New York: New Dimensions', (Hebrew), *Hebrew Union College Annual*, 67 (1996), 1\*-43\* [↑](#footnote-ref-163)
164. Sperber, Database. In many cases the husband remained unnamed, Schwadron vol. 7, sign 98 [↑](#footnote-ref-164)
165. *Ha-Magid,* May 5, 1874 [↑](#footnote-ref-165)
166. *New York Times*, June 1, 1878 [↑](#footnote-ref-166)
167. *Ha-Magid*, July 12, 1871 [↑](#footnote-ref-167)
168. Of 3641 cases of abandonment found in Sperber database, 53 cases report on husbands abandoned by their wives. [↑](#footnote-ref-168)
169. Many incidents of *Heter Meah Rabbanim* are discussed in chapter 2 of this book. [↑](#footnote-ref-169)
170. See for example: Itzhak ben Naftali Tzioni, *Sefer Shelot Ve-Teshuvot Olat Itzhak*, (Vilnius, 1885), sign 191 & Schwadron, vol. 7, sign 202, reporting on a wife who went to live with a gentile and was unwilling to receive a Get. The husband asked permission to marry another wife. [↑](#footnote-ref-170)
171. Shaul Yosef Natanzohn, *Sefer Shoel U-Meshiv*, first edition, (Lemberg [Lviv], 1866), answer 279. (hereafter Shoel U-Meshiv, vol. 1) [↑](#footnote-ref-171)
172. Examples include the case of Ludwig and Augusta Cohen, *New York Times*, July 30, 1886, & the case in Russia cited in *Ha-Melitz*, February 1, 1886. [↑](#footnote-ref-172)
173. Avraham ben Zeev Nahum Borenshtein, *Sefer Shelot Ve-Teshuvot Avnei Nezer*, Parts 5-6, Annotated by Shlomo Yaacovzohn, (Jerusalem, 2006). Original 1926, sign 134. (hereafter Avnei Nezer, part 5). [↑](#footnote-ref-173)
174. Bernard S. Jackson, '*Agunah* and the Problem of Authority', Manchester unit of Agunot research, [http://static1.1.sqspcdn.com/static/f/784513/11612709/1302164223207/BSJ+Agunah+and+the+Problem+of+Authority+2001.pdf?token=rW58WKgckihjG1wxP8zcAMZb5gM%3D](http://static1.1.sqspcdn.com/static/f/784513/11612709/1302164223207/BSJ%2BAgunah%2Band%2Bthe%2BProblem%2Bof%2BAuthority%2B2001.pdf?token=rW58WKgckihjG1wxP8zcAMZb5gM%3D); Idem, *Agunah: the Manchester Analysis*, (London: Deborah Charles Publications, 2011). On the "halachic basis for "Heter Agunah", see Shashar, 132-165 [↑](#footnote-ref-174)
175. A letter entitled "A truthful answer", *Ha-Melitz*, February 19,1886. [↑](#footnote-ref-175)
176. See, for example, Keshet Starr, 'Scars of the Soul: *Get* Refusal and Spiritual Abuse in Orthodox Jewish Communities**',** *Nashim: A Journal of Jewish Women's Studies & Gender Issues*, 31, 2017,37-60. In one case a man even annulled a Get after sending it to the wife, Itzhak Elhanan ben Israel Issar Spector, *Sefer Be'er Itzhak*, (Kenigsberg, 1859), part Even Ha-Ezer, sign 17. (hereafter Spector, Beer). [↑](#footnote-ref-176)
177. Sperber, database: 9 cases for the years 1851-1860; 18 cases for the years 1861-1870; 30 cases for the years 1871-1880; 26 cases for the years 1881-1890; 8 cases for the years 1891-1900. Altogether 82 cases. The drop of cases in the last decade is a result of the decline of number of Agunot in Eastern Europe and the rise of the number in North America. [↑](#footnote-ref-177)
178. Freeze, Marriage, 178 & 207. [↑](#footnote-ref-178)
179. Avraham Menahem ben Meir Shteinberg, *Sefer Shelot Ve-Teshuvot Mahaze Avraham*, part 2, (Brody, 1924), part Even ha-Ezer, sign 52. (hereafter Mahaze) [↑](#footnote-ref-179)
180. 142 such cases are to be found in Sperber database. see also our discussion below. Elimelech Emmanuel was, occasionally mentally ill, and could not provide wife, Miriam, with a Get, Schwadron, vol. 7, sign 164. Another, unnamed affair in Shaul Yosef ben Arie Leibusch Natanzohn, *Sefer Shoel U-Meshiv*, sixth edition, (Lemberg [Lviv], 1889), sign 159. (hereafter Shoel U-Meshiv, vol. 6). [↑](#footnote-ref-180)
181. Abby M. Shrader, 'Unruly Felons and Civilizing Wives: Cultivating Marriage and in the Siberian Exile System, 1822-1860', *Slavic Review*, 66 (2) (2007), 230-256. [↑](#footnote-ref-181)
182. Schwadron, vol. 1, sign 201. On men setting conditions for a Get, Itzhak Elhanan ben Israel Issar Spector, *Sefer Eyn Itzhak*, vol. 2, (Vilnius, 1894), sign 28. And another case Ibid, sign 47. (hereafter Spector Eyn). Eli David added that his divorcee cannot remarry before him. Rafael Israel Issar ben Dov Shapira, *Sefer Ezrat Israel*, (Warsaw, 1891), sign 25. (hereafter Ezrat Israel). [↑](#footnote-ref-182)
183. Ezrat Israel, sign 26. [↑](#footnote-ref-183)
184. Sperber, database. 2 cases for the years 1851-1860; 3 cases for the years 1861-1870; 3 cases for the years 1871-1880; 1 case for the years 1881-1890 & 1 case for the years 1890-1900. Total 10 cases. In one case a wife left her husband claiming that he was an impotent and unable to have sexual relations with her. She fled to her parents’ house but refused to accept his Get. Nathanzohn, vol. 7, sign 133, Dov Berish ben Shmuel Rappaport, *Shelot Ve-Teshuvot Derech Ha-Melech*, (London, 1903), sign 34. (hereafter Derech ha-Melech). Blaming man for impotency was not rare. Yehuda ben Israel Asud, *Sefer Teshuvot Mary'a*, *Yehuda Ya'ale*, part 2, (Lemberg [Lviv]: Kugel Levin, 1880), sign 116. (hereafter Asud, Yehuda). [↑](#footnote-ref-184)
185. See the responsa of Yaacov Weidenfeld, *Sefer Shelot Ve-Teshuvot Kochav Mi-Yaacov,* Ammended edition, (Jerusalem, 1999), sign 40. (hereafter Weidenfeld). [↑](#footnote-ref-185)
186. Eliahu ben Shlomo Gutmacher, *Aderet Eliahu,* part 2, sign 43, Yosef Shmuel Kriger (ed.), (Jerusalem, 1984). (hereater Gutmacher). [↑](#footnote-ref-186)
187. Shlomo Yehuda ben Pesach Tzvi Tabak, Sefer *Shelot Ve-Teshuvot Teshurat Sha"y*, first edition, (Máramarossziget, 1905), sign 60. (hereafter Tabak). The case of Hayyim Klein from Körösladány, Hungary, see: Schwadron, vol. 1, sign 219. In 1858, Risia refused to accept the Get sent by her husband Eliakum, Israel Yaacov ben Meshulam Ya'avetz, *Teshuvot Ma'aris"h*, (Jerusalem, 1907), sign 67. (hereafter Ya'avetz). [↑](#footnote-ref-187)
188. Arie Leib ben Avraham Yosef Broyda, *Sefer Shelot Ve-Tesuvot Mitzpe Arie*, (Lemberg [Lviv]: Solot Press, 1880), part Even Ha-Ezer, sign 38. [↑](#footnote-ref-188)
189. F. refused to be intimidated by her husband. See: Moshe ben Efraim Teomim, *Sefer Shelot Ve-Teshuvot Dvar Moshe*, first edition, (Lemberg [Lviv], 1864), question 79. (hereafter Teomim, Dvar Moshe). Shmuel Elazar's son threatened that he will withhold alimony if his wife did not accept the Get. Avraham ben Tzvi Teomim, *Sefer Hesed Le-Avraham*, second edition, (Lemberg [Lviv], 1898), sign 31. (Hereafter Teomim Hesed). Hirsch Brochman from Krakow tried to force a Get on wife Pesia. *Ha-Zefira*, 23.7.1878. [↑](#footnote-ref-189)
190. Rafael Yom Tov Lipman ben Israel Halperin, *Oneg Yom Tov*, part Even Ha-Ezer, (Vilnius, 1880), sign 161. (hereafter Yom Tov). [↑](#footnote-ref-190)
191. 26 such cases were found. Sperber database. [↑](#footnote-ref-191)
192. Shaul Yosef ben Arie Leibusch Natanzohn, *Sefer Shoel U-Meshiv*, third edition, Lemberg [Lviv], 1876, part 1, answer 122. (hereafter Shoel U-Meshiv, vol. 1). [↑](#footnote-ref-192)
193. Moshe Nahum ben Benyamin Yerushalimsky, *Sefer Be'er Moshe*, Warsaw, 1901, part Heshiv Moshe, sign 3. (hereafter Be'er Moshe). [↑](#footnote-ref-193)
194. Spector, Eyn, vol. 1, part Even Ha-Ezer, sign 2 & Salant, sign 103. [↑](#footnote-ref-194)
195. 220 Halitza cases were found. See Sperber, Database. Thou Halitza is considered belonging purely in the religious realm, 57 of 220 cases (25.9%) were reported in non-rabbinical sources. [↑](#footnote-ref-195)
196. On the term see: Ruth Lamdan, *A Separate People:* *Jewish Women in Palestine, Syria, and Egypt in the Sixteenth Centur*y, (Leiden-Boston-Köln: Brill, 2000), 211-223. [↑](#footnote-ref-196)
197. *Havatzelet*, January 29, 1886 & February 5, 1886. [↑](#footnote-ref-197)
198. *Ha-Magid*, April 21, 1879. [↑](#footnote-ref-198)
199. *Ha-Melitz*, May 31, 1869. [↑](#footnote-ref-199)
200. *Ha-Magid*, October 20 & 27, 1880 November 3, 10, & 17, 1880; *Ha-Zefira,* June 22 & 29, 1880; July 13, & 20, 1880. [↑](#footnote-ref-200)
201. Shalom Mordechai ben Moshe Schwadron, *Sefer Shelot Ve-Teshuvot Ma'arsha"m*, part 5 (vol 5), Shalom Mordechai Schwadron [grandson] (Ed.), (Jerusalem, 1974), sign 66. (hereafter Schwadron, vol. 5). [↑](#footnote-ref-201)
202. *Ha-Melitz*, February 22, 1881. [↑](#footnote-ref-202)
203. Yaacov ben Eliezer Widenfeld, *Sefer Shelot Ve-Teshuvot Kochav Mi-Yaacov,* Amended edition (Jerusalem, 1999), sign 41 (hereafter Kokhav). [↑](#footnote-ref-203)
204. So did A the brother of the late husband of Roza Wisotzky, *Ha-Melitz*, July 23, 1894 [↑](#footnote-ref-204)
205. Spector, Eyn, vol. 1, sign 32. So did the brother-in-law of Sarah bat Eliezer. Menahem Mendel ben Yehezkel Font, *Sefer Avnei Tzedek Al Even Ha-Ezer*, (Mukachevo (Munkács), 1886), signs 47 & 49 (hereafter Font). and Shlomo Zalman ben Shalom Ulman, *Sefer Yeriot Shlomo: Shelot Ve-Tshuvot*, part 1, (Vilnius, 1905), sign 29. (hereafter Ulman). [↑](#footnote-ref-205)
206. *Ha-Zefira*, November 28, & December 1, 1893. [↑](#footnote-ref-206)
207. Freeze, Marriage, 239. *Ha-Melitz*, July 13, & 23, 1894. [↑](#footnote-ref-207)
208. Yaacov Shmuel ben Avraham Yeshai'a Brodsky, *Sefer Shelot Ve-Teshuvot Tiferet Shmuel,* (Berdychiv: Yaacov Sheftil Press, 1889), part Even ha-Ezer, sign 47. [↑](#footnote-ref-208)
209. Sperber, database provides us information on 820 such cases, making it the second largest category after desertion. [↑](#footnote-ref-209)
210. Hayyim ben Arie Leibush Halberstam, *Sefer Shelot Ve-Teshuvot Divrei Hayyim*, (Zhovkva, 1864), vol. 2, sign 53. (hereafter Halbershtam, vol.2), & Teomim, Hesed, Yosef of Karlin was also burnt, seeSheilat David, part Even Ha-Ezer, sign 10. Another case from 1869, Eyn, vol. 1, sign 33. Avraham Yosef died in a burning of a neighborhood, Mordechai Dov Ber ben Meshulam Twersky, *Emek She'ela*, (Piotrków Trybunalski [Pietrokov], 1906), part Even Ha-Ezer, sign 65. (hereafter Twersky, Emek). Israel ben Azriel from Krakow burnt in a barn while conducting business, Ezrat Israel, sign 13. [↑](#footnote-ref-210)
211. Derech ha-Melech, sign 37. [↑](#footnote-ref-211)
212. Shalom Mordechai ben Moshe Schwadron, *Sefer Shelot Ve-Teshuvot Ma'arsha"m*, vol.6, Shalom Mordechai Schwadron [grandson] ((Ed.), (Jerusalem, 1974), sign 155. (hereafter Schwadron, vol. 6). Hayyim ben Shalom Toybsch, *Hayyim Shel Shalom*, part 2, (Drohobych, 1903), sign 5. [↑](#footnote-ref-212)
213. Schwadron, vol 1, signs 48 & 51. The same happened to Leib Berger from Brody, see Meir Tzvi ben Gavriel Wittmayer, *Sefer Shelot Ve-Teshuvot Ramat"z,* vol. 2, (Przemyśl, 1872), sign 11. (hereafter Ramatz). This also happened to Hayyim Israel, ibid, sign 84. [↑](#footnote-ref-213)
214. Mohaliver, sign 4. [↑](#footnote-ref-214)
215. Avraham Yehuda Leib ben Pinhas Zelig Shwartz, *Shelot Ve-Teshuvot Kol Arie*, (Szilagysomlyd [Shimloy], 1904), sign 87. (hereafter Kol Arie). On Izik (Elias) Kamir's case see Halberstam, vol. 2, sign 33, and an unnamed soldier, Ibid, sign 38. Itzhak Tortokswoske's case, Menahem Mendel ben Shalom Schneerson, *Sefer Tzemach Tzedek Shelot Ve-Teshuvot MiShulchan Aruch Even Ha-Ezer*, part 1, (New York, 1995), sign 85. (hereafter Tzemach). On Rosenthal, Meshulam Issaschar ben Arie Leibsch Horowitz, *Sefer Shelot Ve-Teshuvot Bar Livay*, part 2, (Lemberg [Lviv], 1876), sign 20. (hereafter Bar Livay). [↑](#footnote-ref-215)
216. Baruch Bentzion ben Alter Rappaport, *Bracha Mi-Tzion*, (Zhytomyr, 1902), answer 35. (hereafter Bracha). [↑](#footnote-ref-216)
217. *Ha-Magid*, November 12, & 19, 1873. *Ha-Melitz*, May 2, 1884. Schwadron, vol. 7, signs 32 & 37. Hayyim Elazar ben Avraham Yehuda Wax, *Nefesh Haya*, (Piotrków Trybunalski [Pietrokov], 1876), Even Ha-Ezer, Takanat Agunot, sign 11. (hereafter Wax). Yeruham ben Dov did not return from military service in 1859. Kol Arie, sign 87. [↑](#footnote-ref-217)
218. Halberstam, vol. 2, sign 28. Leibush's case, ibid, sign 31, and also, Yesha'ia Kroit's death in 1854. Ibid, signs 36-37. Shmuel David's case, see: Schwadron, vol. 1, signs 157 & 218. [↑](#footnote-ref-218)
219. *Ha-Melitz*, June 10. 1865. Israel Abisch's case, see Halberstam, vol. 2, sign 29. Moshe ben Israel's case, see ibid, sign 32. Fruma's case, see Tzemach, sign 48. Similar cases, ibid, sign 49 & 50. [↑](#footnote-ref-219)
220. *Ha-Magid*, July 9, 1873, *Ha-Melitz*, February 28, 1888 & March 28, 1889. David's case, see Halberstam, signs 39-40. Avraham also died in similar circumstances. Ibid, sign 41. Yehuda Markowitz from Kisvárda, Hungary, drowned in 1897, Ibid, sign 64. [↑](#footnote-ref-220)
221. Yeshai'hu Abramskoya's case, see Schwadron, vol. 1, sign 37, Avraham Yoel ben Itzhak Abelson (ed.), *Knesset Hachmei Israel,* Booklet 1,Odessa, (Berdychiv, Piotrków Trybunalski [Pietrokov]: Belinson Press, 1893), sign 121, (hereafter Abelson, Knesset), & David Meir ben Israel Moshe Feder, *Sefer Shelot Ve-Tesuvot Imrei David*, (Lemberg [Lviv]: Solot press), 1886, part Even Ha-Ezer, sign 13. (hereafter Imrei). [↑](#footnote-ref-221)
222. Shalom Mordechai ben Moshe Schwadron, *Sefer Shelot Ve-Teshuvot Ma'arsha"m*, vol.7, Shalom Mordechai Schwadron [grandson] ((Ed.), (Jerusalem, 1974), sign 150. (hereafter Schwadron, vol. 7). [↑](#footnote-ref-222)
223. *Ha-Melitz*, November 20, 1891. [↑](#footnote-ref-223)
224. *Ha-Zefira*, February 21, 1893. [↑](#footnote-ref-224)
225. Shalom Mordechai ben Moshe Schwadron, *Sefer Shelot Ve-Teshuvot Ma'arsha"m*, part 3 (vol. 3), Shalom Mordechai Schwadron [grandson] ((Ed.), (Jerusalem, 1974), sign 183 (hereafter Schwadron, vol. 3), & Hayyim Elazar ben Tzvi Shapira, *Minhat Elazar*, Vol. 2, (Mukachevo (Munkács), 1907), sign 25. (hereafter Minhat). [↑](#footnote-ref-225)
226. Tzvi Shtern's case, see Schwadron, *Sefer Shelot Ve-Teshuvot Ma'arsha"m*, part 6 (vol. 6), Shalom Mordechai Schwadron [grandson] ((Ed.), (Jerusalem, 1974), sign 156. (hereafter Schwadron, vol. 6). [↑](#footnote-ref-226)
227. *Ha-Magid*, March 20, & 22, 1870 [↑](#footnote-ref-227)
228. See Moshe Feller's death in 1858. Halberstam, sign 35. Other cases see Tzemach, signs 87 & 88. Aaron Brayman a naval officer drowned in 1875, but the body was not recovered. Wax, sign 15. [↑](#footnote-ref-228)
229. Sperber database, cites 424 such cases. Sometime a Get got defaulted by the messenger and not by the husband. Schwadron, vol. 1, sign 146. In one incident the husband claimed that since the couple's marriage was not reported to the state, he is forced to divorce her. Rabbi Spector agreed with the wife, who feared that such a Get was invalid. The husband disappeared and the wife remained chained to the marriage. Spector, Eyn, part Even Ha-Ezer, sign 10. Warning about improper Get were published regularly in Jewish journals. Gershon of Kaunas gave such a Get and left the city in 1860, *Ha-Magid*, April 17, 1860. [↑](#footnote-ref-229)
230. Shmuel ben Yehuda Leib Mohaliver, *Shu"t Maras"h Mohaliver*, Yehuda Leib Maymom (Ed.), (Jerusalem, 1980), part Even Ha-Ezer, answer 4. (hereafter Mohliber). The wife of Moshel's case, see Halberstam, vol. 2, sign 56. In another case letters of the Get were unreadable, and the Get was declared void. Schwadron, vol. 3, sign 166. A husband who left his wife Fridel, for New York but was traced and gave a Get. It was found incorrect, but the husband left New York and she remained chained to the marriage, Nathanzohn, vol. 2, signs 169-170. The same happened to Yaacov’s wife, ibid, sign 183. [↑](#footnote-ref-230)
231. Stanley Nash, 'Kotso Shel Yod', *Central* *Conference of American Rabbis [CCAR] Journal*, 53 (3), 2006, 107-112 & Michael Stanislawski, *For Whom Do I Toil: Judah Leib Gordon and the Crisis of Russian Jewry*, London & New York, (Oxford University Press, 1988), 127-128. A name misspelled was a common ground for making the Get void and the wife an Agunah. See Schwadron, vol. 1, sign 85. [↑](#footnote-ref-231)
232. 105 out of 424 cases (24.8%) were of husband immigration to another country. Avraham Abba Kowlaski's case, *Ha-Magid*, February 12, 1858. [↑](#footnote-ref-232)
233. Cases 118, 263, 1041, 1353, 3043, 5128 in Sperber database. Other similar cases, Mordechai Yehuda and Etil (case 299: Poland to Galicia 1860), Michael Reiner and Rivka (case 592: Russia to Turkey 1864), Mendel Reif (case 683: Hungary to America, 1865), Itzik Lantziman and wife Zelda (case 917: Russia to Turkey 1867), Daniel Navinski and wife Rachel Leah (case 2162: Russia to America, 1877), Itzik Kline and wife Feige (case 2306: Galicia to Hungary, 1879), Leibusch ben Shmuel and wife Devorah (case 3227, Russia to America, 1886) [↑](#footnote-ref-233)
234. Case 919 in the Sperber, Database. So did Reuven David Soslin from Novogradac to his wife Leah in 1868, and in the unnamed case brough by Halberstam, vol. 2, sign 84. [↑](#footnote-ref-234)
235. Case 1048 in Sperber, database. See the long responsa of rabbi Yosef Landa on this case. Yosef ben Menahem Mendel Landa, *Sefer Shelot Ve-Teshuvot Birkat Yosef*, (Lemberg [Lviv], 1869), part Even Ha-Ezer, sign 29. (hereafter Landa). So did Bendit Axelrod from Chernivtsi, case 1059, Sperber Database. A similar case: Halbershtam, vol. 2, 1864, sign 64. In another case the husband left Galicia to England and instructed the witness to fault the Get, Derech Ha-Melech, sign 49. [↑](#footnote-ref-235)
236. *Shoel U-Meshiv*, part 1, answer 457. [↑](#footnote-ref-236)
237. *Ha-Zefira*, April 12, May 29, July 3, & 15, 1891. [↑](#footnote-ref-237)
238. *Ha-Magid*, December 1, 1875, *Ha-Zefira*, November 23, 1875. [↑](#footnote-ref-238)
239. *Ha-Zefira*, September 4, 1883. [↑](#footnote-ref-239)
240. *Ha-Zefira*, June 24, 1884. [↑](#footnote-ref-240)
241. *Ha-Zefira*, June 1, 1887. [↑](#footnote-ref-241)
242. Malkiel Tzvi ben Yona Tanenbaum, *Sefer Shelot Ve-Tesuvot Divrei Malkiel*, (Biłgoraj, 1905), part 5, sign 177. (hereafter Malkiel 5). [↑](#footnote-ref-242)
243. *Ha-Zefira*, August 13, 1889. [↑](#footnote-ref-243)
244. *Ha-Melitz*, July 20, 1891. [↑](#footnote-ref-244)
245. Shneor Zalman ben Shlomo Fredkin, *Sefer Torat Hesed*, part 2, (Jerusalem: Unknown, 1909), sign 8. See also: *Ha-Yom*, July 1, & 2, 1886. Other cases, Fredkin, ibid, sign 6. Israel Yehosua ben David Trunk, *Sefer Shu"t Yeshu'ot Malko*, (Piotrków Trybunalski [Pietrokov], 1927), part Even ha-Ezer, sign 9. [↑](#footnote-ref-245)
246. Yehuda Leib ben Moshe Tzirelson, *Sefer Gvul Yehuda*, (Poltava, 1912), part Even ha-Ezer sign 38. (hereafter Gvul). [↑](#footnote-ref-246)
247. 157 cases appear in the Sperber database. See the case of Shmuel Epshtein and wife Hinka. Spector, Eyn, vol. 1, sign 20 & *Ha-Magid*, July 13, & September 14, 1864. The same happen in 1890 to Leib Sender. Itzhak Yehuda ben Hayyim Shmelkish, *Beit Itzhak, Helek Even Ha-Ezer*, (Przemyśl, 1901), sign 80. (hereafter Beit Itzhak). [↑](#footnote-ref-247)
248. Michael J. Broyde, *Marriage, Divorce, and the Abndoned Wife in Jewish Law*, (New York: KTAV, 2001); Julie Lieber, 'Infidelity and Intimacy in Nineteenth-Century Vienna: Gender and Orthodoxy as Reflected in the Responsa of Rabbi Eleazar Horowitz', *Nashim: A Journal of Jewish Women's Studies & Gender Issues*, 21, 2011, 24-45; Aaron Rakeffet-Rothkof, 'Annulment of Marriage within the Context of Cancelation of the *Get*', *Tradition*, 15 (1/2), 2000, 173-185. [↑](#footnote-ref-248)
249. Shoel U-Meshiv, part 1, answer 257.con [↑](#footnote-ref-249)
250. This case was referred to by several rabbis' including Itzhak Yehuda ben Hayyim Shmelkish, Beit Itzhak signs 139-140; Dov Berish [Dobrisch] ben Shmuel Rappaport, Derech Ha-Melech, sign 43; Itzhak Aaron ben Mordechai Zeev Etinger, *Sefer Shu"t Mariy'a Halevy*, (Lemberg [Lviv], 1893), part 2, sign 20, (hereafter Etinger, HaLevy), & Natan ben Hayyim Goldberg, *Sefer Meorot Natan*, (New York, 1944), sign 7, page 37 onwards. (hereafter Goldberg). [↑](#footnote-ref-250)
251. Tzvi Hirsch ben Mordechai Zeev Orenshtein, *Sefer Shelot Ve-Tshuvot Birkat Ratz'e*, (Lemberg [Lviv], 1889), sign 102. (hereafter Orenshtein). [↑](#footnote-ref-251)
252. *Ha-Melitz*, April 15, 1891. [↑](#footnote-ref-252)
253. *Ha-Melitz*, March 29, & 31, 1889; *Ha-Zefira*, May 14, 1889. Itzhak and Miril's case, Avraham Yoel ben Itzhak Abelson, Knesset *Hachmei Israel,* vol. 17, (Odessa, 1900), signs 321-325, Moshe Schwadron, *Sefer Shelot Ve-Teshuvot Ma'arsha"m*, part 6 (vol. 6), Shalom Mordechai Schwadron [grandson] ((Ed.), (Jerusalem, 1974), sign 160. [↑](#footnote-ref-253)
254. Schwadron, vol. 1, sign 220. A man with epilepsy could not give a Get to the wife. Itzhak ben Naftali Tzioni, *Sefer Shelot Ve-Teshuvot Olat Itzhak*, (Vilnius, 1885), sign 30. (hereafter Olat Itzhak). [↑](#footnote-ref-254)
255. Yehuda Leib ben Benyamin Groybert, *Havalim Baneymim*, part 1, (Piotrków Trybunalski [Pietrokov], 1901), signs 23-24. (hereafter, Havalim, part 1). [↑](#footnote-ref-255)
256. 62 cases appear in Sperber, Database. [↑](#footnote-ref-256)
257. Todd M. Endelman, *Leaving the Jewish Fold: Conversion and Radical Assimilation in Modern Jewish History*, (Princeton & Oxford: Princeton University Press, 2015). [↑](#footnote-ref-257)
258. ChaeRan Y. Freeze, 'When Chava left Home: Gender, Conversion and Jewish Family in Czarist Russia', *Polin: Studies in Polish Jewry,* 18, (2005), 152-188 [↑](#footnote-ref-258)
259. Shmuel Transalter's case see Shlomo ben Yehuda Aaron Kluger, *Shelot Ve-Teshuvot Sheva Eynaim*, (Lemberg [Lviv], 1864), sign 101. (hereafter Kluger, Sheva). Itzik Klein of Brody, a soldier, converted and ignored his wife's requests to send her a Get. Shoel U-Meshiv vol. 3, answer 188 & idem, vol. 1, answer 141. [↑](#footnote-ref-259)
260. Tzvi Hirsch's and Henia's cases, Tzemach, part 2, sign 145. Similar case, ibid, sign 166. A similar case in 1867 was reported be Spector, Eyn, vol. 2, sign 38. [↑](#footnote-ref-260)
261. Zondel Zachs', Ha*-Melitz*, December 27, 1894 & February 2, 1896. Avraham David's Daughter, Teomim, sign 55. [↑](#footnote-ref-261)
262. Gitel Mogilevskia's petition (1893), RGIA, Rossiiski gosudarstvennyi istoricheski arkhiv, St. Petersburg, f.821, op. 9. D. 21, II. 6-36 ob. See: Freeze, Marriage, 238. & *Ha-Melitz,* December 6, 1895. [↑](#footnote-ref-262)
263. Uri Shraga Faivel ben Shmuel Toybsch, *Ori Ve-Ishe'y*, (Lemberg [Lviv], 1886), sign 132. (hereafter Toybsch). Another case from 1869, David Dov Berish ben Aaron Meizlish, *Sefer Shelot Ve-Teshuvot HaRaDa"D*, first edition (Piotrków Trybunalski [Pietrokov], 1903), sign 28. [↑](#footnote-ref-263)
264. *Ha-Zefira*, October 18, 1893. [↑](#footnote-ref-264)
265. Halbershtam, vol. 2, sign 42. [↑](#footnote-ref-265)
266. *Ha-*Melitz, October 22, 1883; *Mahzikei Ha-Dat*, March 25, & May 19, 1885; *Ha-Magid*, January 8, & February 26, 1885. The case of Birman was published also in Jewish journals in North America, *American Israelite*, July 25, 1884 [↑](#footnote-ref-266)
267. *Ha-Magid*, August 17, 1864, September 13, 1865, September 28, 1870, December 11, & 18, 1872. [↑](#footnote-ref-267)
268. The Genner case was a famous case but was not unique. Shoel U-Meshive, vol.2, sign 191. Bathia's husbands brother converted but was also deaf. Deaf people could not preform the Halitza. Shneor Zalman ben Shlomo Fredkin, *Sefer Torat Hesed*, part 2, (Jerusalem: Unknown, 1909), sign 20. [↑](#footnote-ref-268)
269. Freeze, Marriage, 266 & note 171, page 365. The issue was much discussed in the Hebrew newspapers: *Ha-Melitz,* April 12 & 30, May 10 & 14, June 11, July 22, & November 9, 1886, December 4, 1889, & March 27, 1890; *Ha-Zefira*, April 12, 1888, March 25, 1890. *Ha-Magid*, August 9, 1888 & January 16, 1890. *Ivri Anochi*, April 4, & August 12, 1887. [↑](#footnote-ref-269)
270. The debate took place mainly in 1885 and 1886, Avraham Yoel ben Itzhak Abelson, *Kuntras Vayehan et Pnei Ha'ir*, part 1, (Odessa, 1886) & *Kuntras Takanot Agunot: Bedin Halitzat Mumar ubdin Get Shote*, part 2, (Odessa, 1887). The responsa were published in Odessa, in 1886 (Part 1), and 1887 (Part 2). Part 1 includes 8 letters from rabbis, and Part 2 includes 46 letters from more rabbis. The most prominent rabbi in the Russia empire, Itzhak Elhanan Spector also participated in the discussions, see: Amiram Mordechai Waldenberg (Ed.), Itzhak Elhanan ben Israel Issar Spector, Teshuvot *Rabenu Elhanan*, (Jerusalem, 2010), signs 152-154, & Eyn, sign 58. [↑](#footnote-ref-270)
271. Tobias Grill, 'Odessa’s German Rabbi -The Paradigmatic Meaning of Simon Leon Schwabacher (1861–1888)', *Simon Dubnow Institute Yearbook*, 2, (2003), 199–222. [↑](#footnote-ref-271)
272. Though the debate went on since 1885, a decision was made only in March 1890. See Ellie R. Schainker, 'A Grass Widow in Odessa: Gender and Jewish Law on the Russian Frontier', *JQR*, 109 (2), 2019, 233-264 [↑](#footnote-ref-272)
273. *Ha-Melitz*, March 27, 1890. [↑](#footnote-ref-273)
274. Haim Gertner, 'New Uses of an Old Tool - The Scope of Influence of 19th Century Galician Rabbis according to Statistical Analysis of Responsa Literature', (Hebrew), *Papers of the 12th World Congress of Jewish Studies* (Hebrew Section), vol. 2, (Jerusalem: World Congress for Jewish Studies, 1990), 127-136 & Jackson. See as this was reflected in the responsa of the Viennese rabbi Eliezer Horowitz. See Julie Lieber, 'Infidelity and Intimacy in Nineteenth-Century Vienna: Gender and Orthodoxy as Reflected in the Responsa of Rabbi Eleazar Horowitz', *Nashim: A Journal of Jewish Women's Studies & Gender Issues*, 21, 2011, 24-45 [↑](#footnote-ref-274)
275. Mark Baker, 'Diagnosing the Jewish Condition: Medical Discourse and Social Reform in *HaMagid*, 1860-1881', in Mark Baker (ed.), *History on the Edge: Essays in Memory of Julius Foster (1944-1994)*, (Melbourne: University of Melbourne Press, 1997), 117-140 [↑](#footnote-ref-275)
276. Eliyana R. Adler, 'Out of the Ghetto? Historiography on Jewish Women in Eastern Europe', *Polin: Studies in Polish Jewry*, 29 (2017), 301-317 [↑](#footnote-ref-276)