

CURRENT TALMUD PASSAGE

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BH

NEAR THE END OF RABBI AKIBA'S LIFE

Near the end of Rabbi Akiba's life, he was imprisoned for teaching Torah. Yet, even in jail, he continued to teach. Our piece of Gemara comments on the following mishnah:

[If] she performed the rite of halitsah before two judges or before three, one of whom turned out to be a relative or otherwise invalid, her performance of halitsah is invalid. Rabbi Shimon and Rabbi Yohanan Hasandlar validate it. It is told that a certain man performed halitsah with his childless brother's widow by themselves in prison. And when the case came before Rabbi Akiba he validated the rite. (M. Yebamot 12:5, 12d)

If a man dies and his widow is childless, it is the duty of the man's brother to marry the woman and raise up a child in his brother's stead. If the man refuses to do so, he must submit to a humiliating ritual called halitsah which, properly, should be performed by a rabbinical court. Here, the man has performed halitsah without proper witnesses and Rabbi Akiba validates it, even though a proper court is not present. (Although, given the degree of persecution at this time, there may indeed have been enough rabbis in prison to make up a proper court!) The Gemara goes on to tell how Rabbi Akiba taught Torah by stealth while in prison.

The case took place [when Rabbi Akiba] was in prison. And the case came to the prison. Rabbi Yohanan Hasandlar pretended to be a peddler. One day he chanced to come by the prison in which Rabbi Akiba was kept and he shouted out saying, "Who needs needles? Who needs pins? If a girl performed the rite of halitsah just with the man alone [without judges present], what is the law? Rabbi Akiba looked out of the window and said to him, "Do you have spindles? Do you have it is valid?" (Y. Yebamot 12:5)

We can see from this story that Rabbi Akiba is not daunted by the physical strictures that bind him and that his love of Torah is unchecked.

Discussion Questions:

1. Do you think that Rabbi Akiba's trip to the "pardes" helped him overcome the rigors of prison? How?
2. Rabbi Akiba's view here is extremely lenient, perhaps due to the violent nature of the times. What can this teach us about leniency and strictness in our approach to Judaism?