

Yemen & the 9th of Av

by: Rabbi Jeremy Rosen

Ever since I first visited a Yemenite community in Israel way back in 1958, I have had a soft spot for and a very strong affiliation to Yemeni Jews for their warmth and deep religious devotion. And, of course, their food and dress. I was impressed to see how Yemeni children could read the Torah from any angle. Back in Yemen there was a shortage of printed books. They studied sitting around a single text and had no choice but to read from various angles. I found their pronunciation of Hebrew so much more beautiful and accurate than the Germanic Israeli style pronunciations we are familiar with today. Altogether, they seemed to me to be so much more authentic than the western acculturated Jews I had grown up amongst.

Most Jews today know little about the incredible suffering they had to endure under oppressive Muslim rule in Yemen. One often hears it said that Jews had it better under Islam than they did under Christianity. Sadly, that is not entirely true – and the Jews of Yemen, like those of Persia, suffered far more than the rest.

A thousand years ago, the Yemeni community came under pressure from Muslims to convert. A false Messiah promised them relief and, instead, he was beheaded. They turned to Moses Maimonides (Rambam) in Egypt for spiritual guidance and support. In his *Iggeret Tayman* you can read how he tried to strengthen their resolve by demolishing the claims of Islam and the False Messiah. He became their authority and he wrote more letters and responsa to the Jews of Yemen than to any other Jewish community. In return, they venerated him so much they added a special line in the Kaddish asking God to protect him.

The most traumatic experience in Yemeni Jewish life was the exile, the Galut of Mawza, in 1679 and 1680. Imam Al Mahdi Ahmad drove all the Jews out of their homes, stole their property and exiled them to a dry and barren area called Mawza to live or die. Many, including their greatest rabbis, did. It was a miracle that any survived. But survive they did, together with their loyalty to Torah. Eventually, the remainder reconstituted the community in a much-reduced state.

In the eighteenth century, Yemenite Jewry had recovered sufficiently to split. It was divided between two competing rabbis and halachic authorities. R. (Mori) David Mizrahi was the author of important books of Yemeni law and

customs under the name *Shetiley Zeytim*. R. Mizrachi insisted that, as the rest of the Jewish world had come to accept the authority of R. Yosef Karo's *Shulchan Aruch*, Yemeni Jewry should fall into line and accept his customs over theirs.

Against him, R. (Mori) Yicheh Tzalach, although he did not negate the *Shulchan Aruch*, argued that they had always followed Rambam and where the two authorities differed Rambam should take priority. Those that followed R. Mizrachi were called the *Shami*. Those who followed R. Tzalach were called the *Baladi*. Their disagreement divided Yemeni Jewry into two conflicting religious camps that still exist in Israel today.

In the nineteenth century, a third school, committed to Rambam, emerged under the leadership of the brilliant and saintly R. (Mori) Yosef Kapach who lived in Sana. He fought fiercely for the integrity and survival of the Yemeni community. In addition to his Talmudic and Maimonidean scholarship, he challenged the authenticity of the Zohar and said it could not have been written by R. Shimon Bar Yochai but was written much later. As indeed have other authorities such as the Chatam Sofer (R. Moshe Schreiber).

Those who followed R. Yosef Kapach were called the *Dardaim* (*Dor Dea*, the knowledgeable generation) but those opposed him called them the *Ikashim* (the stubborn ones). They seem to have been very fond of giving people nick names in Yemen!

His great grandson, also Yosef, had been orphaned and was brought up and taught by his grandfather R. Yichya. R. Yosef Kapach came to Israel in 1943. He followed in the family footsteps as a Maimonidean. He was a brilliant student and scholar and served on Israel's Supreme Religious Court. R. Yosef's wife, Bracha, was (according to my mother) one of the most charitable, self-effacing saints of her generation who devoted her life to the poor of Jerusalem.

Although some Yemeni Jews came to the Land of Israel in the nineteenth century, most of the Yemeni community arrived in Israel on the famous "Operation Magic Carpet" in 1949 and 1950 which brought the majority of Yemeni Jews to safety. This was in response to massacres of Jews (82 killed in Aden alone) and the destruction of most of their property in the Arab riots that followed Israel's independence. Those who remained were isolated in the mountains and deserts to the north and continued to be vulnerable to attack, rape and murder. The last nineteen remaining Jews in Yemen were airlifted to Israel on March 21, 2016, by the Jewish Agency.

The Yemeni Aliyah did not have it easy in Israel initially. They were treated condescendingly by the (supposedly) more sophisticated and secular European Zionists. Not to mention the scandal that still rankles of Yemeni babies who mysteriously disappeared from clinics and hospitals in Israel (we now know some were given up for adoption). But they were resilient and after years of poor living conditions and discrimination for holding on to their traditions, the Yemeni Jews are now fully integrated into Israeli society. Ashkenazis are honored and delighted to have Yemenis married into their families. And it's the Ethiopians who now experience what they did.

There was however another challenge. In Israel, the Yemeni community came under pressure from R. Ovadyah Yosef, the greatest Sephardi authority of the previous generation. He argued that Yemenite Jews should fall into line with all the other Sephardi communities. The leading Yemenite authorities at that time, R. Yitzchak Rasabi and R. Yosef Kapach, fought back and insisted that Yemeni Jews stand firmly by their specific customs and traditions.

Now you may ask why am I telling you all this – and why this week in particular? This coming Saturday night and Sunday we commemorate the destruction of two Temples and two Jewish States. These are the most cataclysmic and formative tragedies of our history prior to the Holocaust.

The laws of the Three Weeks and the Nine Days of mourning from the 17th of Tamuz to the Ninth of Av are amongst the most contentious in Jewish Law and custom. The Mishna only talks about reducing joy from the beginning of the month of Av. During the week in which the Ninth of Av falls not cutting hair or washing. And only on the eve of the fast not eating meat or drinking wine.

The Yemenite custom based on the Talmud and Maimonides has always been to not eat meat at the meal before you begin the fast (the *seudah hamafseket*). Whereas the rest of the Jewish world now has the custom to not drink wine or eat meat from the 17th of Tamuz until after Tisha B'Av. Many Yemenites maintain this custom to this day. And they are right. The Bible and the Talmud warn us not to abandon the customs of our forefathers.

So here we are about to start the Fast of the Ninth of Ave on Saturday night. This fast commemorates the destruction of the two Temples and blames conflict between rabbis for the disaster. The rabbis could not tolerate differences and lacked sensitivity to others.

Yemenite Jews were made to feel bad for their different customs, even in our times. Instead we should delight in the survival of Yemeni Jewry and the

variety of their customs. We should validate them. Instead, each different community seems to think that it, alone, is right and looks down on all the others. And I say -good for the *Baladis*, though I respect the *Shamis* and Long Live the *Dardaim*. And may we all use the fast to think about how we should respect differences.

Thanks to R. Meir Weiss for corrections and this important Youtube about the life of R.Yosef Kapach. <https://youtu.be/uyr9Cj6tJeA>