



## GIFTS OF WISDOM: THE HISTORICAL TRADITIONS AND VALUES OF THE ETHICAL WILL

*Dr. Stefanie Siegmund*

### Sources:

1. **Hebrew Ethical Wills**, ed. Israel Abrahams (Jewish Publication Society, 1924, 1957), 2 vols. “Elazar ben Samuel of Mainz” pp. 208-218
2. **Maimonides, Mishneh Torah, Sefer ha Maddah 4:23**
3. **Testament of Ginevra Blanis, 1574, trans. by the speaker (Florentine State Archives)**

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Dr. Siegmund’s book *The Medici State and the Ghetto of Florence: The Construction of an Early Modern Jewish Community* (Stanford University Press, 2006) received the American Historical Association’s 2006 Herbert Baxter Adams Prize in European history and the Helen and Howard R. Marraro Prize of the Society for Italian Historical Studies. Her current research interests are in conversion in 16th-century Italy and in the history of Jewish symbols

Dr. Siegmund has been a fellow at the Center for Advanced Judaic Studies, received a Mellon Fellowship in the Humanities, and has won grants from the National Endowment for the Humanities and the National Foundation for Jewish Culture and is an active presenter at conferences in the U.S. and in Israel. She received her master’s degree in Judaic Studies and doctoral degree in Jewish History from the Jewish Theological Seminary. She is a third-generation New Yorker.

## Excerpts from Ethical Will of Eleazar of Mainz, c. 1357

### Excerpt A

“Every Friday morning they shall outfit themselves for honoring the Sabbath, in the morning preparing to kindle the lamps while the daylight is still strong, and in the winter to light the fire in the stove while daylight is strong, to avoid desecrating the sabbath. And the women should make beautiful candles, in honor of the Sabbath...

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### Excerpt B

**משאם ומחנם באמונה וביושר עם הבריות ואפילו עם הגוי**

Abrahams: “Their business must be conducted honestly, in their dealings both with Jew and Gentile.”

*or, corrected:*

“Let their business dealings be conducted in good faith and honesty (or righteousness) with God’s creatures, *even with the non-Jew*”

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### Excerpt C

“My sons must be very modest and not have truck with women. They must not go to the baths, or to the mixed dancing.... and my daughters must not speak with strangers or joke around with them...; indeed they should always be inside, and not hanging about the doorways.

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### Excerpt D

**בניי ובנותיי אם יוכלו בשום פנים ידורו בקהילות למען ישמעו ולמען ילמדו**

**בניהם ובנותיהם תורה**

And my sons and daughters, if they can arrange it in any way, they should live in communities so that *their* sons and daughters may hear and learn Torah.

**Maimonides, Mishneh Torah, Sefer ha Maddah (Book of Knowledge, or of Human Disposition)] 4:23**

כָּל עִיר שֶׁאֵין בָּהּ עֲשָׂרָה דְּבָרִים הָאֵלֶּה אֵין תַּלְמִיד חָכָם רִשְׁאֵי לְדוֹר בְּתוֹכָהּ. וְאֵלֶּה הֵן: רוֹפֵא.  
וְאַמֵּן. וּבֵית הַמְּרַחֵץ. וּבֵית הַכֶּסֶּא. וּמִים מְצוּיִין כְּגוֹן נְהַר וּמַעְיָן. וּבֵית הַכְּנֶסֶת. וּמְלַמֵּד  
תִּינוּקוֹת. וְלִבְלָר. וְגַבְאֵי צְדָקָה. וּבֵית דִּין מְכִים וְחוֹבְנֵשִׁים

In any city where these ten things are not found, a scholar is not permitted to live there: and there are they:

1. a physician
2. a surgeon
3. a bath-house
4. a lavatory
5. **running [found] water such as a river or spring [this is for ritual ablutions, a mikveh]**
6. **a house of worship,**
7. **a school teacher**
8. a scribe
9. **a treasurer for the distribution of tzedakah**
10. a court with power of corporal punishment and fines

**Last Will and Testament of Ginevra Blanis**, Florence, 1574. Source: Florentine State Archive (ASF) Not. Mod. 7767, 167r-v. Translated from the Latin and Summarized by Dr. Stefanie Siegmund, Jewish Theological Seminary

Her universal heir was her husband, after eight specific bequests.

This follows the formulary preamble and identification of the testatrix and her witnesses.

“As nothing is as certain as death and nothing is as uncertain as the hour of death, hereupon present is the said Domina Ginevra, daughter of the deceased Doctor Angelus Blanis hebreo, and at present the wife of Angelus Moise of Perugia, living in the city of Florence and healthy, thanks to God, in body, sense, and intellect, wishing while still of sound mind to dispose of all her temporal wealth... according to the mode and way by law and form ...she was able to render her last oral testament, dictated without writing, to make her last will. She served as her own procurator, she enacted it, undertook it, and set it in order in this mode and form:

1. First, she recommends her soul to God Most High, and wishes her body to be buried in the usual **place where all the Jews are accustomed to be buried**, with those ceremonies as shall be seen as fit and pleasing to her stated heirs.<sup>i</sup>
2. Item, [in conformity with] the law of legacy<sup>ii</sup>, she bequeaths to the Opera of Santa Maria del Fiore of the city of Florence three small lire, in accordance with the ordinance.
3. Item, by the law of legacy, she bequeaths that her stated heirs shall spend for the remediation of the soul of the testatrix, within ten days from the day of the death of the testatrix, **ten scudi** [of 7 lire per scudo] in **oil, or candles, or torches**.
4. Item, by the law of legacy, she leaves and bequeaths to the Society of the **Misericordia** of the Jews of the City of Florence **10 scudi** [of 7 lire per scudo].<sup>iii</sup>
5. Item, she leaves and bequeaths that her stated heirs shall be held to disburse **ten scudi** [of 7 lire per scudo] for the **instruction of Jewish boys**.
6. Item she leaves and bequeaths, for the love of God and the remedy of her soul, **ten scudi to Jewish paupers**, which thirty scudi of these three bequests [i.e. this one and the two just listed above] her heirs must expend within two years from the day of her death
7. Item, by the law of legacy she bequeaths that her stated heirs shall be held and obliged to disburse for the **marriage of eight Jewish girls, 80 scudi** of 7 lire per scudo; that is, one-fourth of the 80 scudi each year -- 20 scudi for the dowries of the two above-said girls. But they shall not be required to initiate the disbursal of the said dowries until two years have elapsed from the day of the death of the said testatrix, so long as in the end the result is that there shall be scudi for each of the said girls and that each year two will be married.
8. Item, by the law of legacy, she leaves and bequeaths that her stated heirs should be held, after six years from the very same day of her death, to **expend 20 scudi on a silver lamp and a curtain for the Ark** that, as she states, however, the Jews shall call “mine”.

**Maimonides**, Mishneh Torah, Sefer ha Maddah (Book of Knowledge, or of Human

Disposition]) 4:23 [duplicate of page 2]

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\*the bolded items are institutions that are necessary for religious observance (5 and 10 are complicated)

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<sup>i</sup> I translate “infrascriptis suis heredibus”, “infrascripti sui heredes” (and other declensions) as “her stated heirs” throughout. These heirs are named in the last section of this translation. Here and in a few places in this translation where no loss of meaning is risked, very awkward Latin legal formulas have been rendered into plainer English. The student interested in the notarial usage should consult the Latin transcription.

<sup>ii</sup> For an excellent discussion of the relationship between Italian notarized wills and rabbinic considerations, see David Malkiel, “Jews and Wills in Renaissance Italy: A Case Study I the Jewish-Christian Cultural Encounter” *Italia* (1996):8-69. The reference to “law of legacy” here shows that Blanis, like testators whose wills Malkiel considered, makes use of the law of gift-giving to side-step potential conflicts with testamentary law (Jewish or local). By halakhah, a woman is inherited by her husband, but the Jewish codes of law recognize the right of individuals to make gifts that effectively modify the laws of succession. In a rabbinically drafted document, however, the use of the word “heirs” would have to be avoided.

<sup>iii</sup> This is the first known documented reference in Latin, Italian, or Hebrew to any organized Florentine Jewish confraternal or charitable society in the sixteenth century. The *Misericordia* is the common name for the Christian charitable and burial society in Florence at this time.