

The ‘Pesaqmatic Oath’:

Good Faith Presumption in the Spirit of Religio-Legal Rulings

SHOSHANA RAZEL GORDON GUEDALIA

Doctoral Candidate, Comparative Theology and Religio-Legal Theory
Harvard Divinity School

Introduction

The aim of this paper is to underscore the import of trust in the heart of the *poseq*, or, *halakhic* decisor — who must approach the act of issuing a religio-legal (*halakhic*) ruling with a presumption of good faith on the part of the individual for whom or as to whom the ruling of this individual is being issued. The ‘Pesaqmatic Oath,’¹ if you will, calls for the utilization of utmost sensitivity towards and respect for practices, which may seem ‘other’ to the judicial beholder. The spirit of *pesaq* must, first and foremost, be one of: ‘Do no harm,’ which is just what the hasty *othering* as ‘*non-halakhic*’ of customs and practices, which happen to vary from those of the critical decisor, may indeed inflict.

In the spirit of this oath, it behooves the decisor to seek out a legitimate proof-text and/or precedent for said practice, to seek embrace rather than alienation. A responsum, written by R. Jacob Ettlinger of Altona, Germany (1798–1871) — regarding the common practice, reported by his son-in-law, R. Dr. Joseph Isaacsohn of Rotterdam (1815–1885), of rabbis not only condoning the marriage of *nashim qatlanivot*, twice-widowed women, but officiating at such weddings — will be scrutinized with the aforementioned principle in mind. It is precisely due to the fact that both father-in-law and son-in-law

1. Credit for this term goes to Ray Kosarin of Brooklyn, NY, brainstorming with whom yielded this title.

Keren I

seem to endorse the prohibition against the marriage of so-called *qatlanivot*, in spirit, that this particular responsum is worthy of attention as a fine example of the plea to heed what this paper calls, the Pesaqratic Oath.

R. Ettlinger begins (*Binyan Tz'ion* 131):

ב[עזרת] ה[שם] אלטאנא, יום ה' כ"ו סיון תרכ"ד לפ[רט] ק[טן]. לחתני הרה"ג וכ"י מ"ה יוסף איזאקזאהן, נ[רן] י[איר], א[ב] ב[ית] ד[ין] דק[הילה] ק[דושה] ראטטערדאם, י[גן] ע[ליך] א[לקים].	With the help of God, Altona, Thursday, the 26 th of the month of Sivan in the year 5624 (June 30, 1864); to my son-in-law, the esteemed (etc.) Rabbi Joseph Isaacsohn, may his light shine, head of the rabbinical court of the holy community of Rotterdam, may God protect you.
---	--

As we see from this language, both father-in-law and son-in-law are in positions of political rabbinical power in their communities, and are certainly able to exert influence and make waves in directions of their choosing.

Part I

R. Ettlinger begins the substance of the responsum with a description of his son-in-law's question, an inquiry into the practice of rabbis in his (R. Isaacsohn's) community of officiating at weddings of twice-widowed women.

אשר שאל חתני, נ[רן] י[איר], על מה סמכו הרבנים לסדר קידושין לנשאת לשלישי אשר נתאלמנה כבר מב' אנשים.	As to that which my son-in-law — may his light shine — asked: Based on what do rabbis perform a marriage for a woman who is marrying a third [husband] after having been widowed already from two men?
---	--

R. Isaacsohn's question is really tri-pronged. He wants to know what *source* there might be, upon which this practice may be based — a textual source of some kind. He wants to know what *authority* it might be based on — perhaps a pivotal political rabbinical figure has endorsed this practice. And finally, he wants to know what *argument* this position might be based on — what analytical or political or logic of social expedience, perhaps, might be at play here, which could explain this local rabbinic behavior, which seems to baffle Rabbi Isaacsohn. In this form of questioning, it is fair to say that Rabbi Isaacsohn

is already hoping to find out that the behavior of these rabbis has a basis of halakhic integrity. Let us pause for the moment, to inquire as to what seems to be halakhically at stake in this matter.

The Responsum up for discussion pertains to the matter of ‘Lethal Wife,’ as articulated — for example — in the Babylonian Talmud (b. *Yebamot* 64b) in which it states that a woman whose first two husbands died, is presumed ‘lethal’ to any future husband, and should therefore not be remarried.² The Talmud does not argue as to whether or not this concept of *qatlanit* should be viewed as law or lore — true danger or superstition. It merely ventures to guess as to whether the risk — taken for granted — derives from her *mazal* (her astrological sign) or from her *ma‘ayan* (her ‘wellspring’, a euphemism for her womb).

Be that as it may, this prohibition was simultaneously absorbed into the canon as law. Nevertheless, the issue was treated with some dubiousness by some rationalist rabbis. For example, Moses Maimonides discussed this matter in a responsum (#218) on the topic, as he sought to help a woman, whom the inquirer assumed was stuck — never able to remarry — due to her posing a risk to future husbands. Maimonides chides the poor inquirer,

והיותר תימה בשאלה הוא	Even more astonishing in your question is your
השוואתכם ספק נפשות הבא	comparison of probable, directly caused mortal
בידיים שדוחה מילה לספק נפשות	danger, which trumps the obligation of circumci-
שחוששים לו על דרך הניחוש	sion, and mere <i>fear</i> of mortal danger based on
והכישוף והדמיונות והדימויים	conjecture, magic, superstition and fancy, which
אשר במקצת הזמנים יקבלו	may overcome those of weak constitution.
פעולתם הגופות חלושי הבנין.	

It is essential to note that even while *Maimonides* felt such distaste for this supposed prohibition, he nonetheless enumerated it amongst the laws of the canon, in his *Mishneh Torah* (“*Issurei Biah*” 21:31), and therefore felt obligated — though not before ridiculing the questioner — to guide the man as to how the woman in question might circumvent this law, so that she may be allowed to remarry.

Rabbi Ettliger’s responsum comes at this issue from an alternate angle in

2. The text borrows from the legal precedent of circumcision, whereby a baby born after his two brothers died due to circumcision is prohibited from being circumcised due to a statistical likelihood of risk to his life.

three distinct ways. First, in terms of premise, R. Ettliger deems the Talmudic prohibition to marry a *qaṭlanit* to be law, and not lore or superstition. Second, in terms of audience, R. Ettliger discusses the question with his son-in-law as a conversation between decisors about a general matter. This differs greatly from the tone of Maimonides' piece, as he is speaking privately about a problem pertaining to an individual case. Third, in terms of ultimate tactic for resolving the situation, R. Ettliger is thinking about a global solution for R. Isaacsohn's community, perhaps even for society as a whole, whereas Maimonides is discussing how to solve the situation for one woman.

Part 2

Returning to the responsum, R. Ettliger seeks to anchor what he deems to be the desired stance in such a situation upon scholarly predecessors, who also found themselves in such predicaments.

מסתמא סמכו על מה	I would assume that they base their actions upon that
שכתב התרומת הדשן	which the <i>Terumat ha-Deshen</i> ³ wrote (#211) that
שכבר בזמנו ראה כמה	already in his time [that of <i>Terumat ha-Deshen</i>] [the
ת[למיד:] ח[כמים] גדולים	questioner] saw several esteemed Torah scholars and
ואנשי מעשה הגונים דלא	men known for the integrity of their actions, who were
הוי קפדי לישא אשה	not meticulous about [the prohibition against] marrying
שמתו לה ב' אנשים.	a woman who was widowed from two former
	husbands...

This is very interesting. Note that the source brought here by R. Ettliger paints a social picture akin to the picture occurring in his time in Rotterdam. There is halakhic *gravitas* — he seems to be saying — to the actions of Torah scholars who are known for their integrity of comportment. In fact, we might say that this serves as another form of text to live by. The questioner makes clear here,⁴ however, that he sees the marriage of the twice-widowed woman as a prohibition, about which Torah scholars at the time were not being *meticu-*

3. This is the name of a book of responsa authored by R. Israel Isserlein of Austria (c.1390–1460).

4. Note that it is widely held that R. Isserlein wrote his own questions, which led R. Shabtai ha-Kohen, for instance, to claim that even the small details and phrasing

lous. That is to say that these rabbis, while they were indeed Torah leaders of integrity, *fell short* in their observance of this particular realm of halakha, despite their stature.

This is different than saying, as Maimonides seems to indicate, that this very widow marriage taboo is based in lore, and is a practice that crept into our canon, and which we would do well to circumvent on a case by case basis, so that a travesty of justice does not transpire. Both R. Ettlinger and R. Isaacsohn, and likely, R. Isserlein, give more credence to the *qaṭlanit* belief in spirit than does Maimonides, who would have been more than happy to accept a reality in which the community around him — much as he says of his very own Andalusia — ignored the apparent dictates of the widow marriage taboo.

R. Ettlinger is quick to emphasize that the laxity in this matter, witnessed by Isserlein, is not to be viewed as desirable, but as a lesser level of observance. In fact, Rabbi Isserlin himself bemoaned this practice in his heart.

ואף שהוא כתב 'יראה דלאו
שפיר עבדי; מכ[ל] מ[קום]
למד זכות עליהם שסמכו על
אור זרוע שכתב שאינו רק
ספק חששא ולא חיישי לספק
חששא כמו שאין אנו נוהרים
מכמה מילי דאזהירו רבנן
עליהו משום חשש סכנה,
ד'שומר פתאים' ד!

And even though he (R. Isserlein) wrote 'one should note that what they do is not ideal,' in any event, he gave them the credit that they based their action on the *Ohr Zarua*,⁵ who wrote that this [prohibition] is nothing but a doubtful [or far flung] concern, and we do not concern ourselves with doubtful concerns, much as we are not cautious about a few words of warning from rabbis, which stem from a [mere possible] concern of danger, since [it is known that] 'God protects the fools' (Ps. 116:6).

R. Ettlinger makes himself very clear. Even as he demonstrates to his son-in-law that R. Isserlein, their predecessor, dealt magnanimously with a similar situation, he stresses that R. Isserlein did not find this cavalier attitude toward the *qaṭlanit* matter ideal. Much like R. Ettlinger and R. Isaacsohn, Rabbi Isserlein seems to have a legal preference for the enactment on the ground of a prohibition against the remarriage of the twice-widowed woman. However, rather than find fault with the rabbinic scholars in his time who

of a question in the *Terumat ha-Deshen* should be accorded significance (see his glosses on the *Shulḥan Arukh, Sha"kh* YD 196:20).

5. This was an important work of halakha written by R. Isaac son of Moses of Vienna (c.1200-c.1270).

acted otherwise, rather than create a rift, R. Isserlein gave these rabbis credit — or, the benefit of the doubt — that they were likely relying upon an alternate halakhic position.

This is an important distinction — that of the difference between the ‘ideal’ and that which may not be up to snuff, as per the opinion of the responsum writer, but which is, nonetheless licit, in accordance with a precedential canonical halakhic source. R. Ettlinger is guiding R. Isaacsohn in the way of the halakhic world. He is showing him that such dynamics have occurred before — in the 15th, and, as we now see, in the 13th century as well — and that earlier rabbis also made a point of differentiating between the ideal that one might hold, and other legitimate positions.⁶ R. Ettlinger is conveying another important halakhic principle here, that of assuming the best of people’s practice, and giving them the benefit of the doubt. The onus of finding a source upon which to anchor their position falls upon the rabbi before he dare impugn the actions of others, especially in public. There is, after all, a Pesaqrat Oath to uphold.

Part 3

Back to the responsum. The nature of this alternate halakhic position is, in and of itself, worthy of our attention. The *Ohr Zarua*, cited as a possible source for the actions of these rabbis, does not say, as Maimonides does, that this *qaṭlanit* belief is the stuff of witchcraft. He does not discount the supposed risk to the lives of men who may choose to marry a *qaṭlanit*. His stance is one which minimizes the *statistical probability* of risk to such a man, reducing it to such a negligible likelihood that it can be covered under the insurance policy of the verse from Psalms that says that *God protects the fools* — the fools being, not those who *believe* in the risk of *qaṭlanit*, as Maimonides might say, but those who *utterly discount* the possibility of risk in this scenario.

In fact, we can understand and sympathize with these ‘fools’ further when we realize that there were other issues at stake at the time that made it necessary and even expedient to choose amongst competing oughts. R. Ettlinger continues the quote from R. Isserlein:

6. These opinions are “legitimate” in that they too can be found anchored in canonical sources.

Shoshana Razel Gordon Quedalia

וגם נראה מתוך שאנו מתי מעט
וצריכין אנו לישא מאשר נמצאו
דשו בה רבים ושומר פתאים ד'.
And also, it seems that since we are so few [in
numbers] and we need to marry from amongst those
who are available to us, therefore, many ventured
this way, and God protects the fools.⁷

Be the risk as it may, when we have before us the competing oughts of the scarcity of Jewish brides, and the negligible chance of a twice-widowed woman constituting a health risk to her husband, we can understand the favoring of the scarcity of brides 'ought' to the unlikely risk of the *qaṭlanit*. In a flourish that qualifies as both a halakhic and a socio-demographic insight, R. Isserlein muses that it is possible, "since we are so few [in numbers] and we need to marry from amongst those who are available to us." It may well be that since the demographic pool from which to marry was so small, that people shrugged off this prohibition, perhaps as mere taboo, and figured that the God-protects-the-fools principle would cover them if it were to turn out that this was no mere taboo.

And for good measure, just to *prove* that the risk is indeed negligible, R. Ettlenger moves from the quote from R. Isserlein to a quote from R. Isaac of Vienna.

גם באור זרוע כתוב: "יעוד
דמעשים בכל יום שאנו רואים
שנשאת לשלישי ומאריכין
ימים ומולידין בנים ובנות."
ע[ד] כ[אן] ל[שונו].
Furthermore, in the *Ohr Zarua* it is written: "We see
that these occurrences happen every day, that we
see such women marrying a third husband, who
then lives a long life and brings forth sons and
daughters."

R. Isaac suggests we look at the facts on the ground. If we closely examine the outcome of such supposedly dangerous marriages, we do not find a multitude of tragic untimely deaths, but rather, long lives and fruitful families. This move seems to gesture towards the principle of *batel ha-ta'am batel ha-gezeira*, when the reason for a rabbinic enactment disappears, the rabbinic enactment

7. Meaning, many have disregarded the prohibition and gone forward with these marriages anyway. The phrase comes from b. *Yebamot* 72a, where the Talmud explains why Rav Pappa's prohibition to be circumcised or receive a blood-letting on cloudy days (or days where the south wind blows) has been ignored. The Talmud's claim is that despite the fact that Rav Pappa is correct and it is dangerous, since everyone does it anyway, God will protect the foolish.

Keren I

disappears as well.⁸ If, in fact, we could claim that this was a *gezeira*, it can be shown that the concern has been proven false. Nevertheless, the law appears to remain “on the books.” If one were to search through other responsa on this topic, even some contemporary responsa, one can still find intricate grapplings with questions like, how old was each husband? Might the deaths have been pure accident, fruit of a plague, etc.? R. Ettlinger’s responsum, however, does not resort to these specifics, since it comes to address a general matter — the plethora of such marriages being performed by rabbis in the community, with no apparent compunction.

As far as the focus of this paper is concerned — as far as loyalty to what we are calling the *Pesqratic* Oath goes — note, as R. Ettlinger takes pains to demonstrate to his son-in-law, the great length to which R. Isserlein goes to anchor the actions of the rabbis with whom he disagrees in both precedential proof text and solid “competing-oughts” argumentation. This approach is a far cry from the alienation of the *other* stance and its proponents, which we see all too often. Rabbi Isserlein not only went out of his way to give these rabbis the benefit of the doubt, not only was he careful to abstain from undermining them, but he went so far as to toil to bolster their stance as legitimate, even while not to his own liking.

Part 4

It is here, having adequately furnished precedential material for such woes as they currently face, that Rabbi Ettlinger shifts the focus of his words back to his time, and to that of his son-in-law R. Isaacsohn.

8. One could also throw in the related concept used by many modern posqim, *נשתנה הטבע* — nature has (apparently) changed.

Shoshana Razel Gordon Quedalia

ובזמנינו יש להוסיף עוד טעם
שאם נמחה בידם ידוּגוּ ע[ל]
פ[י] חקי המלכות בלא קידושין
או יקבלו קידושין מהפריצים
שאינם יודעים בטיב קידושין
ולפני עדים פסולים.

In our day, we must add another rationale [for this behavior], which is the fact that if we try to stop them, they will wed [anyway] in accordance with the [secular] rules of the land, without *qiddushin* [the Jewish sacrament of marriage],⁹ or, they might receive *qiddushin* from the *pritzim* [those who have ruptured the boundaries of the law], those who don't even comprehend the very nature of *qiddushin*, and [the ceremony may even take place] before false witnesses.

The concern here is for the greater harm that would come from insisting upon meticulousness in the lethal-wife matter. Facts-on-the-ground are significant, R. Ettlinger maintains; look around and take the pulse of the people. They will marry anyway. If we do not step in and perform proper *qiddushin* for them, they will have a state marriage, flagrantly disregarding the notion of *qiddushin* and living according to the norms of secular society. Alternatively, they will resort to simulating *qiddushin* in inadequate and invalid manners, by turning to the Reform rabbis, who, R. Ettlinger argues, either intentionally or due to ignorance, do not carry out the sacramental marriage procedures as per the halakhic letter of the law. The Pesaqratic Oath requires that before you respond to a situation, or to a query regarding a situation, you weigh the competing “oughts” in search of the lesser harm.

Having demonstrated his absorption of this lesson from previous generations, R. Ettlinger explains to his son-in-law how he is to assess the avoidance of harm in his own generation and community situation. There are considerations beyond the legal formulaic, or even the legal analytical extrapolative. Be the idealized legal/mathematical considerations what they may, there is reality to contend with, and this matter of reality forces us into the arena of competing “oughts,” or, the calculation of the lesser of two or more evils.

It is all good and well, R. Ettlinger seems to be saying, for us to theorize about what is and isn't permissible according to the strictest reading of the letter of the halakhic law. Nevertheless, if we insist upon enforcing this particular prohibition on the books, people will not pay any attention to it anyway. Enforcing this prohibition of *qiddushin* for twice-widowed women

9. He is almost certainly referring to the Reform movement, which was an up and coming threat at the time, against whom Ettlinger railed throughout his life.

will not stop them from seeking out intimate partners. Instead, it will only disenfranchise these women, and turn them away, causing them to live in real sin (non-halakhic marriage) — as opposed to transgressing the infraction of *qaṭlanit*. Permitting these women to marry halakhically may well be the lesser evil.

There are other factors at play here as well. We are not *only* concerned for the well-being, religiosity, and chastity of these women, who might wind up flouting the institute of Jewish marriage altogether. There are also significant religio-political concerns. Note the other problem that worries Rabbi Ettlinger: “Or, they might receive *qiddushin* from the *pritzim*, those who don’t even comprehend the very nature of *qiddushin* [of the sacramental bond of marriage], and [the ceremony may even take place] before false witnesses.”

Rabbi Ettlinger lived in 19th century Germany, at a time when the Reform movement was gaining influence and he was very involved in combating this movement. The *pritzim*, R. Ettlinger’s pejorative term for the Reform rabbis, were Jewish leaders to whom rejected “lethal wives” might well turn, seeking alternate Jewish wedding ceremonies to those from which they were excluded. This could lead to identity confusion, as people could be roaming around declaring themselves married in accordance with Jewish Law, even as their *qiddushin* ceremony may, in fact, have been null and void in the eyes of traditionalist rabbis like Ettlinger and Isaacsohn. Refusing to marry these women would end up making the Reform movement appealing to these once traditional couples.

Part 5

Given the problems referenced above, how does Rabbi Ettlinger advise Isaacsohn, or any other rabbi of integrity, to act when faced with such a reality? How might one approach this weighty task of public response to a behavior that one does not condone?

לכן דאי יש להזהיר ולהודיע
למי שבא לישא קטלנית שיש
סכנה ואיסור בדבר ואם
יעמוד במרדו אין למנוע ממנו
סידור קידושין במקום שיש
חששות כנ[זכר] ל[עיל].

Therefore, one must certainly issue a warning — and inform anyone who is about to marry a “lethal woman” — that there is both danger and transgression of prohibition in such an act; and then, if the individual remains obstinate in his rebelliousness, one should not withhold from him the performance of a halakhic marriage in a place where concerns akin to the aforementioned are in existence.

R. Ettlinger remains convinced that performing such marriages both flirts with danger and is inherently a transgression. As such, he recommends issuing a warning to these men, who may possibly, after all, *not* be educated as to this rule of *qaṭlanit*. It is important to look closely at his language here, when he speaks of warning them. Rabbi Ettlinger is explicitly *not* calling for a public outcry style of warning, which could, in fact, do harm. Rather, he says that one should warn “anyone who is about to marry a lethal woman...” The spirit of this warning is one of discreet inquiry as to whether or not this man understands the matter of *qaṭlanit*, that marrying such a woman violates a prohibition and is a personal risk. After all, he might be doing this out of ignorance.

And yet, note the language used by R. Ettlinger to describe the men who would persist in marrying such women: “if the individual remains obstinate in his rebelliousness.” To R. Ettlinger, such a marriage continues to be an act of laxity, and, in fact, an act of rebelliousness against the canon, and he wants to make sure that R. Isaacsohn — and all the other rabbis Isaacsohn may speak to — knows this. R. Ettlinger wants to make it clear that he is not speaking as a *liberal*, so to speak, but as one who greatly commiserates with R. Isaacsohn’s predicament of surprise and disappointment.

However — and this is very important, and how much more so in light of his strong sense that these men are committing acts of rebelliousness — says Rabbi Ettlinger, “one should not withhold from him the performance of a halakhic marriage *in a place where concerns akin to the aforementioned are in existence.*” At the end of the day, as much as Rabbi Ettlinger feels the need to insist that to be lax about the matter of *qaṭlanit* is rebellious, he concedes that these men are not to be actively stopped from marrying these women since, due to all the factors on the ground, delineated above, it is quite likely that more harm will come than good, if traditional (Orthodox) rabbis were to refuse to marry them.

It is worth pausing for a moment to consider the implications of what R. Ettlinger is suggesting. Rabbi Ettlinger is not merely saying that rabbis should turn a blind eye. In this case such a policy would be impossible since the rabbis themselves would need to do the weddings. In other words, R. Ettlinger is suggesting to R. Isaacsohn that when faced with an obstinate groom who insists that he wishes to marry this woman irrespective of her being a *qatlanit* and the requisite sin and danger, the rabbis in R. Isaacsohn's community — and perhaps even R. Isaacsohn himself — *should actually perform the wedding themselves.*

Conclusion

R. Ettlinger was very careful to promote the avoidance of several types of harm. As reported, his son-in-law, R. Isaacsohn, encountered a situation where rabbis were performing weddings for men marrying twice-widowed women, *qatlanivot*. Although R. Ettlinger himself, like his son-in-law, believes these weddings to be both sinful and dangerous, he spends the bulk of his responsum defending the practice of these rabbis to perform the weddings. He went out of his way to furnish these rabbis with both precedential and textual evidence for their possible motivation, which would cast them in a good, halakhically motivated light. He even made it his business to point out what social and ultimately halakhic fallout there would likely be, if all these rabbis actually stuck to their guns, like R. Ettlinger wished they could do, but understands that they most probably cannot.

His compromise stance was to suggest warning the grooms in private, and on a case-by-case basis. This method ensures that the individual at least understands what he is doing, but prevents a public conflict and the risk that taking a strict stand on this question will push the couple to join the Reformers or just to have a secular wedding. There seems to be a clear recognition on his part that the stance of these rabbis who have been performing these weddings is, in fact, necessary and should not to be tampered with. It is even possible that implicit in this responsum is an instruction to R. Isaacsohn to facilitate this process, perhaps even to do such weddings himself if faced with an obstinate groom.

This is how Rabbi Ettlinger finds the proper balance, which he conveys to

his son-in-law. First, one must know that there is precedent for this situation and for the behavior of these rabbis in the historical halakhic canon. Second, one should understand the nature of one's social reality. In this case, due to psychological, sociological, demographic and political reasons, one dare not be a stubborn formalist, for such a stance risks losing the people, and would cause more harm than good. It is enough, R. Ettlinger says, for R. Isaacsohn and the rabbis in his community to warn the potential grooms of the halakha and the danger of "lethal women." If they insist on continuing on their path, still the rabbis did what was necessary from a halakhic perspective, and they must now do the lesser of two evils by performing the marriage ceremony. If traditional/Orthodox rabbis were to refuse to perform these weddings, far greater harm would come from this — both halakhic harm as well as extra-halakhic harm.

It is here, inherent in the fact that the acts of these rabbis make R. Ettlinger feel uncomfortable in his gut, that we find the manifestation of the Pesaqrat Oath at its best, in that we get to watch him carefully weigh the competing "oughts" and the various types and levels of possible harm. In the end, R. Ettlinger grudgingly accepts that these rabbis may be right and should be supported, even as he admits to his son-in-law that he believes these marriages to be sinful and dangerous.

The words with which Rabbi Ettlinger concludes his responsum are very apt.

כ[ך] נ[ר]אחא לענ[ן] ית[ד] עת[י]. This is what appears [correct] to me, in my humble
הקטן יעקב. opinion — Jacob the diminutive.

These closing words of Rabbi Ettlinger's are no mere platitudes. If only other leaders today were as adept at living up to such humility, and ultimately, to the necessary Pesaqrat Oath, we might find more harmony in our camps today.¹⁰

10. I dedicate this article to my father, Rabbi Dr. Menachem Mendel Leib Martin Lewis Gordon z"l, whose love of people informed his every ruling.