

Killing the Golem in Halacha

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***Abstract:** this paper offers some insight to the parameters of murder in Jewish law, and how it relates to the killing of a Golem, specifically the one mentioned in the Talmud. This article will propose four categories of justifications, as well as offering a fifth category of reasoning that renders it unjustifiable on legal grounds to kill this creature. This article will try to present a case for the positions that a) the Golem was not killed, b) the Golem was not human, c) the Golem was dangerous, d) the form of killing did not qualify as murder, and e) will present a case for a reason to kill the Golem although it is murder, while elaborating on and helping to understand the reasoning of Rabbi Zeira's action in killing the Golem.*

The Golem

A Golem is “an artificial human being in Hebrew folklore endowed with life”. “The Hebrew ancestor of the word golem means “shapeless mass,” and the original mythical golems started as lumps of clay that were formed into figures and brought to life by means of a charm or a combination of letters forming a sacred word. In the Middle Ages, golems were thought to be the perfect servants; their only fault was that they were sometimes too literal or mechanical in fulfilling their masters’ orders. These days, the word golem is frequently used in the gaming world for a variety of foes and beasts made of materials ranging from ice to iron to even, in one game, candy.”¹ The Golem had an influence not only on Jewish religious culture but also on literature, pop culture and even music.² The Golem is

¹ "Golem Definition & Meaning - Merriam-Webster." 17 Sep. 2023, <https://www.merriam-webster.com/dictionary/golem>. Accessed 9 Oct. 2023.

² About the Golem, alternative and different Golems their effect on different cultural and artistic/academic works see:

often used as an example for something or someone growing or evolving and mutating out of control.³ The classic story of the Golem as told, has three parts: 1) the golem is created 2) the Golem is not very smart, and does or doesn't do something 3) the Golem is terminated. It is interesting to note that almost every story of the Golem ends with it being killed, classically by its creator.

Rabbi Judah Loew ben Bezalel also known as the Maharal of Prague is often credited as the creator of "the Golem". Legend has it that there were other Golems created by other great

Gershom Scholem, "Golem," in *Encyclopedia Judaica*, vol. 7 (Jerusalem: Keter, 1972), cols. 753-755. Print. And Kieval, Hillel J. "Golem Legend." YIVO Encyclopedia of Jews in Eastern Europe (27 October 2010, 9 October 2023). n. pag. Web. https://yivoencyclopedia.org/article.aspx/Golem_Legend. Also see: Abrams, Chaya. "Clinging To Golem: A Historical and Contemporary Protector." *Clinging to Golem: A Historical and Contemporary Protector* (2023): n. pag. Print. Vudka, Amir: The Golem in the age of artificial intelligence. In: *NECSUS_European Journal of Media Studies*, Jg. 9 (2020-07-06), Nr. 1, S. 101-123. DOI: Capeller, Ivan. "The Golem Allegories." *The International Review of Information Ethics* 26 (2017): n. pag. Web. https://www.academia.edu/48349634/The_Golem_Allegories. Baer, Nicholas. DEKEL, EDAN, and DAVID GANTT GURLEY. "Kafka's Golem." *The Jewish Quarterly Review*, vol. 107, no. 4, 2017, pp. 531–56. JSTOR, <https://www.jstor.org/stable/90016066>. "Messianic Musclemen: Homunculus (1916) and Der Golem (1920) as Zionist Allegories." *The Place of Politics in German Film* (2014): n. pag. Print. Bamberger, Josef. "The Golem and the Prophet - a Journey on the Thaces of a Mayse." *Yiddish Storytelling (Amsterdam Yiddish Symposium 4)* 4 (2009): 7–19. Print. Aryeh Yosef Krawczyk, *Insteyut Religioznawtwa UJ, MCMXCVII studia religiologica z. 40* (2007):n. pag. Print. Glinert, Lewis. "Golem! The Making of a Modern Myth." *Symposium: A Quarterly Journal in Modern Literatures* 55.2 (2001): 78–94. Web. https://www.academia.edu/30112979/Golem_The_Making_of_a_Modern_Myth. Koven, Mikel J. "Have I Got a Monster for You!": Some Thoughts on the Golem, The X-Files and the Jewish Horror Movie." *Folklore* 111.2 (2000): 217–230. Web. https://www.academia.edu/11261691/Have_I_Got_a_Monster_for_You_Some_Thoughts_on_the_Golem_The_X_Files_and_the_Jewish_Horror_Movie. Peter Schäfer, "The Magic of the Golem: The Early Development of the Golem Legend," *Journal of Jewish Studies*, vol. 46, no. 1-2 (Spring-Autumn 1995): pp. 249-261. Print. Nocks, Lisa. "The Golem: between the Technological and the Divine." *Journal of Social and Evolutionary Systems* 21.3 (1998): 281–303. Web. https://www.academia.edu/679899/The_Golem_Between_the_Technological_and_the_Divine. Hillel J. Kieval, "Pursuing the Golem of Prague: Jewish Culture and the Invention of a Tradition," *Modern Judaism*, vol. 17, no. 1 (February 1997): 1-23. Print. Gad Yair, Michaela Soyer, *The Golem in German Social Theory*, n. pag. Print. Валерий Мерлин, *Golem and Abracadabra: Rabbinical Scripturality Revisited*, n. pag. Print. Gershom Scholem, "The Golem of Prague and the Golem of Rehovot," *Commentary Magazine*, vol. 41, no. 1 (July 1966): 62-65. Print. In context of being put down see: Edward L. Greenstein, "God's Golem: The Creation of the Human in Genesis 2." *Journal for the study of the old testament supplement series* 319 (2002): n. pag. Print. See also: Geoffrey Dennis, *Golem, Judaism- Encyclopedia of the Bible and Its Reception*: n. pag. Print. I think it's also worth mentioning that Egon Erwin Kisch wrote a book called (translated to hungarian) *A gólem éledése*, about the golem (specifically from page 152), and it's also worth noting that besides for that character from the who that Ivan Capeller discussed in "The Golem Allegories", there is a very strong influence of the golem on modern days music, for example there is a Metal album and song from a band named "Protector" called "Golem" about and based on the Golem.

³ See: Wikipedia page for "Golem effect", in addition, see: Slater, Avery. "The Golem and the Game of Automation." 2021 IEEE Conference on Norbert Wiener in the 21st Century (21CW) (2021): n. pag. Web. https://www.academia.edu/60712272/The_Golem_and_the_Game_of_Automation. Ambrus, Gábor L. "THE GOLEM LEGEND AND THE ENIGMA OF FACEBOOK." *Zygon®* 55.4 (2020): 875–897. Web. https://www.academia.edu/100948642/The_Golem_Legend_and_the_Enigma_of_Facebook. Polonetsky, Jules. "Taming the Golem: Challenges of Ethical Algorithmic Decision Making." *Cyberspace Law eJournal* (2017): n. pag. Print. Rubin, Charles T. "The Golem and the Limits of Artifice." *The New Atlantis*, no. 39, (2013), pp. 56–72. JSTOR, <http://www.jstor.org/stable/43152757>. Grinbaum, Alexei. "The Nanotechnological Golem." *Nanoethics* (2010): n. pag. Print. Israel Belfer, "Golem and Modern Science" Presented in: "The Power to Detect and Create: Ethical Challenges Emerging from DNA Technology and Genetics: The Impact of Genetics on Jewish Living and Jewish Ethics", Bar-Ilan University, Tuesday, June 8, 2010. DRAFT. https://www.academia.edu/433229/Golem_and_Modern_Science. Vudka, Amir: The Golem in the age of artificial intelligence. In: *NECSUS_European Journal of Media Studies*, Jg. 9 (2020-07-06), Nr. 1, S. 101-123. DOI: <https://mediarep.org/server/api/core/bitstreams/611a97c8-d5a8-488a-a891-40bee931e9d6/content>. Koven, Mikel J. "Have I Got a Monster for You!": Some Thoughts on the Golem, The X-Files and the Jewish Horror Movie." *Folklore* 111.2 (2000): 217–230. Web. https://www.academia.edu/11261691/Have_I_Got_a_Monster_for_You_Some_Thoughts_on_the_Golem_The_X_Files_and_the_Jewish_Horror_Movie.

rabbis throughout history, dating back as far as Talmudic and even Biblical times.⁴ Rabbi Elijah Ba'al Shem of Chelm allegedly created his Golem “the Golem from Chelm” as did many other rabbis. They have a similar basic story line; the Golem became hard to control, so they had to kill it before it caused too much harm. This idea was adapted as the Golem paradigm in literary and cultural works. People use the Golem phenomenon or the “Golem effect” as an example for something growing in a surprising fashion or faster than expected. However the moral and ethical side of killing the Golem and how it relates to “murder” is often ignored. This article will discuss a story in the Talmud where Rabbi Zeira kills a Golem and the rabbinic and Halchik reasonings for this activity, as well as to present a case for justifying and explain the reasoning and legal ramifications as they relate to murder and the killing of Golems, specifically the one that Rabbi Zeira killed.

Rava’s Golem

The Talmud in b. Sanhedrin 65b states:⁵

“Rava says: If the righteous wish to do so, they can create a world, as it is stated: “But your iniquities have separated between you and your God.” In other words, there is no distinction between God and a righteous person who has no sins, and just as God created the world, so can the righteous.

Indeed, **Rava⁶ created a man**, a Golem, using forces of sanctity. Rava **sent his creation before Rabbi Zeira. Rabbi Zeira would speak to him but he would not reply. Rabbi Zeira said to him: You were created by one of the members of the group, one of the Sages. Return to your dust.”**

In this passage quoted above, the Talmud tells a story where Rava seemingly created a man and sent this man he had created to Rabbi Zeira. Upon realizing this man was created by a fellow scholar, Rabbi Zeira killed him by saying “return to dust”.

This man created by Rava is what we traditionally call a “Golem”.⁷ Rabbi Solomon Bar Isaac, generally known by the acronym Rashi or as “Yizḥaḳi” after his father, was a medieval French rabbi. He was the author of debatably the most crucial commentary on the Talmud and Hebrew Bible.⁸ In his commentary on the Talmud he explains that Rava created this man by using “the book of creation”.⁹ The book of creation is believed by many to be endowed with mystical supernatural qualities and has been utilized in bringing things into being. It is alleged to

⁴ See: Honigsberg, David M. “Rava’s Golem.” *Journal of the Fantastic in the Arts*, vol. 7, no. 2/3 (26/27), 1995, pp. 137–45. JSTOR, <http://www.jstor.org/stable/43308237>. See also: Rabbi Isaiah Horowitz, *Shenei Luḥot HaBerit*, Parashat Vayeshev, about the kids of Jacob creating female golems.

⁵ “Sanhedrin 65b:16 - Sefaria.” William Davidson Edition. <https://www.sefaria.org/Sanhedrin.65b.16>. Accessed 3 Oct. 2023.

⁶ It should be noted that some quote the story in the Talmud as Rabba not Rava, for instance the *Yad Ramah* on *Sanhedrin 65b*. https://www.sefaria.org/Yad_Ramah_on_Sanhedrin.65b.3?lang=bi&with=all&lang2=en.

⁷ See the articles quoted in footnote 2.

⁸ See: Jewish encyclopedia, Rashi.

⁹ “Rashi on Sanhedrin 65b - Sefaria.” https://www.sefaria.org/Rashi_on_Sanhedrin.65b.17.1?lang=bi&with=all&lang2=bi. Accessed 3 Oct. 2023.

be penned by none other than Abraham.¹⁰ Rashi explains that this is how Rava was able to create a man, he used the book of creation.

Why did Rabbi Zeira kill the Golem?

There are many complexities in this story, namely if this creation Rava brought into existence is called a “man”, how could Rabbi Zeira have killed him? Seemingly killing this man would be considered murder which is certainly not allowed nor tolerated in Judaism. The Talmud does not make mention of this being wrong, nor express any feelings of remorse on Rabbi Zeira’s account. The Talmud doesn't say that Rava was upset about Rabbi Zeira killing his “Golem”. In addition, Rabbi Zeira being a religious and observant Jew and a Rabbi, it would seem that if killing this man was equivalent to murder, Rabbi Zeira would not have killed him, or at least if he had there would have been some mention in the Talmud of others criticizing it or of him apologizing.¹¹

These questions would lead one to assume that what Rabbi Zeira did is not classified in Jewish law as murder, or at least it can be justified. Several explanations have been suggested by various Rabbinic authorities. This paper will compare the different opinions and show some of the ramifications of the differences.

It should be noted that although the Talmud doesn't clearly say that what Rabbi Zeira did was permitted, however the rabbinic explanations justify his actions in multiple ways:

There are five basic ways to justify Rabbi Zeira: a) Rabbi Zeira did not kill the Golem b) A Golem (due to a lack of humanness) is not subject to murder c) The Golem was dangerous, thus Rabbi Zeira killed him in self defense d) Killing by virtue of speech is not murder e) miscellaneous Halachic reasons.

¹⁰ "YEẒIRAH, SEFER - JewishEncyclopedia.com." <https://www.jewishencyclopedia.com/articles/4731-creation-book-of>. Accessed 9 Oct. 2023. And see proff. Tzahi Weiss, The Book of the Formation of the World: Sefer Yeşirah and Hilkhoh Yeşirah, The Journal of Jewish Thought and Philosophy, 27-2 (2019), pp. 168-179.

¹¹ It is worth adding that Rabbi Zeira as someone that was killed should have felt some remorse. b. Megillah 7b, William Davidson Edition. https://www.sefaria.org/Megillah.7b.8?vhe=William_Davidson_Edition_-_Vocalized_Aramaic&lang=en&with=all&lang2=en. And see Margalioth Hayam, b. Sanhedrin 65b para. 28 and many others that make a similar point, and understand that Rabbi Zeira killed the “Golem” after having been killed.

A) Rabbi Zeira never killed the Golem!

No mention that the Golem was killed!

Rabbi Abraham Erlanger who was a rabbi, teacher and rosh yeshiva in Yeshivas Kol Torah in Jerusalem,¹² in his book Birkas Avraham on tractate Sanhedrin (on p. 65b),¹³ discussed the Golem that Rava created, and suggested that perhaps the Golem belonged to him.

The reasoning for such a position has precedence. He quotes Rabbi Haim Soloveitchik the founder of the popular Brisker approach to Talmudic study,¹⁴ that when someone creates something new, the new thing belongs to him. Rabbi Soloveitchik explains the discussion in the Talmud¹⁵ regarding a craftsman that was given material to make a vessel, the craftsman then made that vessel, but as of yet has not given it to his employer nor has received payment. The Talmud discusses the ownership status of this vessel. Who does it belong to, the employer or the craftsman? Rabbi Haim Soloveitchik explained the dilemma in the following manner: on the one hand the craftsman created the vessel and therefore it belongs to him, for if someone creates something new, that new creation automatically belongs to him. On the other hand the new improvement and creation happened to something already owned to the employer, the material of which the craftsman made the vessel where given to him and arguably owned by the employer, therefore the argument could be made that although any new creation belongs to the creator, however when the new creation is an improvement in an already owned material or object, the improvement and the new creation belongs to the owner of the thing that is subjected to the change.¹⁶

Following this logic it seems as though the Golem, being as it was created by Rava, should belong to him. In which case killing him would be forbidden, as it is forbidden to damage other people's property¹⁷. This brings us back to our original question: how could Rabbi Zeira kill the Golem?

To answer this question Rabbi Abraham Erlanger points out that the Talmud only stated that Rabbi Zeira told the Golem "return to your dust", that doesn't mean the Golem then died. It doesn't even mean that his intention was to kill the Golem, it can merely be (possibly incorrectly) inferred. Rabbi Zeira was indeed not allowed to kill the Golem nor did he.

¹² "ויקיפדיה - אברהם ארלנגר (רב) - [https://he.wikipedia.org/wiki/אברהם_ארלנגר_\(רב\)](https://he.wikipedia.org/wiki/אברהם_ארלנגר_(רב)). Accessed 3 Oct. 2023.

¹³ "Birkas Avraham, Sanhedrin 65b -HebrewBooks." <https://hebrewbooks.org/pdfpager.aspx?req=47576&st=&pgnum=207>. Accessed 3 Oct. 2023.

¹⁴ "Chaim Soloveitchik - Wikipedia." https://en.wikipedia.org/wiki/Chaim_Soloveitchik. Accessed 3 Oct. 2023.

¹⁵ "Bava Kamma 98b:15 - Sefaria." William Davidson Edition. https://www.sefaria.org/Bava_Kamma.98b.15. Accessed 3 Oct. 2023.

¹⁶ "Hiddushei Rabbeinu Haim HaLevi Al-HaRambam -HebrewBooks."

<https://hebrewbooks.org/pdfpager.aspx?req=61915&st=&pgnum=389>. Accessed 3 Oct. 2023. He also references himself explaining this concept in length Birkas Avraham, b. B. K. 98b

<https://hebrewbooks.org/pdfpager.aspx?req=47520&st=&pgnum=148&hilite=>

¹⁷ Damaging others property is traditionally thought of as a sin but it is not that straight forward at all, Rabbi Abraham Erlanger doesn't address this point.

Regarding this prohibition see: <https://www.yeshiva.org.il/midrash/22998>.

The Golem's creation and death were metaphorical.

Rabbi Solomon Z̄adok in his book *Midrash Shlomo*,¹⁸ posits that it is a sin to create a man/Golem claiming that that “it is like interfering with God and Godliness”.¹⁹ Although according to him this is a moot point since he believes that it is not in the realm of possibility, claiming that only God has the ability to create life.

Genesis Rabbah,²⁰ a midrash comprising a collection of ancient rabbinical homiletical interpretations of the Book of *Bereshit*,²¹ in Parasha 39 on the verse “and the souls they made in Haran” (Gen. 12:5) (referring to Abraham and Sarah) comments:

“Rabbi Elazar bar Zimra said: "If all the inhabitants of the world were to gather to create even a single gnat, they would not be able to infuse a soul into it. Yet it says, 'And the souls they made.' This refers to the converts they made. But if so, why does it say 'they made'? Rather, Rav Huna said: Abraham would convert the men, and Sarah would convert the women.”

The midrash explains that when the verse states that: Abraham and Sarah have “made” someone, it doesn't mean that they have created someone, rather it refers to people that they converted. The “newcomers” they brought closer to their own way of life, are to be considered as though they “made” them.

Rabbi Solomon Z̄adok explains that when someone teaches Torah, he is not merely passing on information to his students, rather he is showing them how to behave and act through which he “brings them to completion”, which in turn “is as if he created” that man.

Thus Rabbi Z̄adok claims, that is precisely what Rava did. Rava did not create a man ex nihilo using the book of creation, rather he taught and educated a student, transforming him into a scholar. Rabbi Zeira never killed him, he simply sent him back to Rava. Rabbi Zeira saw that he grew significantly from Rava's influence, attaining the trappings of scholarship. However upon questioning, Rabbi Zeira noticed that he was ill equipped to respond sufficiently. That is when Rabbi Zeira realized this student was merely an “impersonator”, he had learned how to act and talk as a scholar but genuine scholarship alluded him. Therefore he sent him back to Rava.²²

¹⁸ *Midrash shlomo*, sanhedrin 65 p. תמז.

¹⁹ See: Cabrera, Daniel H. “The Soul of the Golem.” *Empedocles: European Journal for the Philosophy of Communication* 1.1 (2009): 107–121. Web. https://www.academia.edu/93901065/The_Soul_of_the_Golem: “This obligation entails a prohibition: do not act capriciously and with autonomy, do not pretend to be like God, carrying out human creativity on a whim.” In addition see: Stephen Kcenich and M. Elvira Luna Escudero-Alie, “Borges and Data Sciences in -The Golem”, *Journal of Interdisciplinary Sciences JIS* (2022): “Then, in Borges's poem, the Rabbi of Prague is ashamed of his imperfect creation, regrets his haughtiness, for wanting to compete with God by becoming a Creator. The last two lines of the last stanza of the poem: —”Who will say the things to us that God felt, at the sight of his rabbi in Prague?” brings to memory the last stanza of the poem “Chess” —”God moves the player as he the pieces But what god behind God plots the advent Of dust and time and dreams and agonies?”.

²⁰ “*Bereshit Rabbah* 39:14 - Sefaria.” https://www.sefaria.org/Bereishit_Rabbah_39.14. Accessed 3 Oct. 2023.

²¹ “*Genesis Rabbah* .” *Encyclopaedia Judaica*. Encyclopedia.com. (19 Sep. 2023). n. pag. Web.

<https://www.encyclopedia.com/religion/encyclopedias-almanacs-transcripts-and-maps/genesis-rabbah>.

²² He gives another alternative explanation of the term “return to your dust”, and that is as an insult. Rabbi Zeira was telling this “scholar” to return to his state of dust that he always was, before he started studying by Rava.

Rabbi Erlanger explained why it would be wrong to kill the Golem. He did not discuss the legal and ethical grounds of killing him/it as it relates to murder, but he did explain that killing the Golem would be wrong. Rabbi Zadok on the other hand, has an entirely different reason for Rabbi Zeira not killing the Golem, he believes the Golem never existed. The common denominator between the two rabbis is that they both were unperturbed by the killing of the Golem on grounds of murder, they seemingly had a different consideration for Rabbi Zeira not killing him/it.²³

The Golem was nothing more than an illusion.

A similar notion can be found already in the Rishonim.²⁴ Rabbi Hananel ben Hushiel, an 11th-century Kairouanan rabbi and Talmudist, was in close contact with the last of the Geonim. He is best known for his commentary on the Talmud, and is usually referred to as Rabbeinu Hananel.²⁵

His commentary on tractate Sanhedrin is incomplete, the manuscript was lost before its transcription was complete. Some of his writings were lost and later found. The same is true in our case, his commentary on b. Sanhedrin was missing from folios 56b to 89a. Scholars have consequently found some of these missing writings, which was then reprinted in a book called Sanhedri Gedolah.

Sanhedri Gedolah is a compilation of different works of Rishonim that had until then, been improperly printed if at all, specifically on the tractate of sanhedrin. In Vol. 9. Rabbeinu Hananel's commentary on the tractate was reprinted.²⁶ In this reprint Rabenu Hananel explains: when Rava said "If the righteous wish to do so they can create a world", means that if they ask God to create a new world for them, He would do so.

He goes on to explain that Rava created a man by virtue of "deceit of the eye". The way the Egyptians turned staffs to snakes. The traditional understanding of the sin of "deceit of the eye" is deception through creating an illusion. The deception created by Rava however was actually tangible. It could walk and was physical yet allusionary in a similar way to how black magic.

A similar explanation is offered by Rabbi Judah ben Barzillai, a Catalan Talmudist of the end of the 11th and the beginning of the 12th century, in his commentary on the book of creation.²⁷

²³ Rabbi Abraham Erlanger was not discussing the parameters of murder, therefore it is hard to prove that in his opinion on grounds of murder it is permitted to kill a Golem, however one can infer so.

²⁴ Rishonim were the leading rabbis and poskim who lived approximately during the 11th to 15th centuries, in the era before the writing of the Shulhan Arukh. See: "Rishonim." Encyclopaedia Judaica. . Encyclopedia.com. (18 Sep. 2023). n. pag. Web. <https://www.encyclopedia.com/religion/encyclopedias-almanacs-transcripts-and-maps/rishonim>.

²⁵ Jewish encyclopedia, HANANEEL BEN HUSHIEL.

²⁶ Rabbi Yehiel Gershon Grosberg in the introduction to Sanhedri Gedolah volume 9 Dated September 2018.

²⁷ "Judah ben Barzillai ("Ha-Nasi"), al-Bargeloni ." Encyclopaedia Judaica. . Encyclopedia.com. (19 Sep. 2023) n. pag. Web. <https://www.encyclopedia.com/religion/encyclopedias-almanacs-transcripts-and-maps/judah-ben-barzillai-ha-nasi-al-bargeloni>.

He claims:²⁸ when Rava said “If the righteous wish to do so they can create a world”, the intended understanding was that if they study (seemingly from the book of creation) and they ask for a man to be created, G-d will create a man. If they are studying about potentially anything and ask for it in a specific mystical way G-d will create it, so hypothetically they can have an entire world created.

Rabbi Judah ben Barzillai explains the story with Rava in the following way: Rava asked God to create a man, and that man was created. Rava sent this man to Rabbi Zeira. The man however could not talk, as “nothing new ever really comes into being”. Animals were born to animals, humans to humans. The world runs in such a manner that everything dates back to the six days of creation, subsequently nothing truly new ever comes into being. He quotes the verse from Ecclesiastes (1:9) that states “There is nothing new beneath the sun”²⁹ as support for this notion. Even though Rava was able to have a man created, in order not to integrate and confuse this man from others, God made him different, thus he could not talk.

It seems as though he understood that Rava did have a man created for him, but he merely caused God to create it for him and did not create it himself.

Rabenu Ḥananel seemingly understood that a person can not create a man altogether, and the meaning of “If the righteous wish to do so they can create a world” is just that if they pray for something even if it is as great as creating an entirely new world God would do so. However both of them understood that it is ultimately God who creates any man.

Following this explanation, Rabbi Judah ben Barzillai offers an alternative explanation; In this second explanation he too explains that this man God created for Rava was merely a realistic illusion that can be achieved through black magic and not an actual man.

If all the above is true Rabbeinu Ḥananel did in fact believe that the Golem was created, however in his opinion **it was not more than a realistic illusion.**

So, was the Golem created by the book of creation or was it an illusion?

Rabbi Meir Abulafia also known as the Ramah, was a major Sephardic Talmudist and Halachic authority in medieval Spain, he wrote a large collection of novellae on the Talmud, which are known as Yad Ramah.³⁰ In his commentary on b. Sanhedrin 65b, he explains the story with Rava,³¹ presenting two possible explanations:

²⁸ "Peirush Sefer Yetzirah -HebrewBooks." <https://hebrewbooks.org/pdfpager.aspx?req=21827&st=&pgnum=133&hilite=>. Accessed 3 Oct. 2023.

²⁹ "Ecclesiastes 1:9 - Sefaria." Tanakh: The Holy Scriptures, published by JPS <https://www.sefaria.org/Ecclesiastes.1.9>. Accessed 3 Oct. 2023.

³⁰ "Abulafia, Me'ir ." Encyclopedia of Religion. . Encyclopedia.com. (21 Sep. 2023) n. pag. Web.

<https://www.encyclopedia.com/environment/encyclopedias-almanacs-transcripts-and-maps/abulafia-meir>.

³¹ "Yad Ramah on Sanhedrin - Sefaria." https://www.sefaria.org/Yad_Ramah_on_Sanhedrin. Accessed 3 Oct. 2023.

The first one being **Rashi's** interpretation that Rava created the Golem using **the book of creation**, and the second one assumably **Rabbi Judah ben Barzillai** and **Rabbeinu Ḥananel's** that it was merely an **illusion**. Rabbi Meir Abulafia proceeds to question the position that it was an illusion, posing two questions: a) an illusion can only trick someone if they are both present at the time of the illusion. Consequently it would be impossible to create an illusion and send it to someone.³² How then did Rava send the illusion to Rabbi Zeira? b) if the man was merely an illusion what is the meaning of “return to your dust”.³³ Rabbi Meir Abulafia therefore concurs with Rashi's understanding of the Talmud, that Rava created the Golem using the book of creation. However one can infer from the second question he asked that putting down an illusion does not hold the same legal and ethical weight and consequence as killing a golem.

Rabbi Judah ben Barzillai and Rabenu Ḥananel believe that the Golem was just an illusion, this could potentially explain why Rabbi Zeira Killed the Golem. Getting rid of an illusion is not the same as killing, if it is an illusion it would seem obvious that it is not subject to life.³⁴ If that is true the argument could be made that ending the Golem was not murder. The definition of killing is “to deprive of life”³⁵, therefore if something doesn't have life ending it wouldn't be killing. The definition of murder is “the crime of unlawfully and unjustifiably killing a person”³⁶ if ending the Golem was not killing, it was not murder either. Rabbi Judah ben Barzillai doesn't make this point, and being that we are missing a big part of Rabenu Ḥananel's commentary (as mentioned above) we only have half of what he wrote on this passage, so there is no way of knowing how he justifies Rabbi Zeira's action, but it would seem logical to assume that he did not think of it as murder for he did not consider the illusion to have life, thereby ending it would be neither killing nor murder.

I believe, there is a strong case to be made that Rabbi Zeira **never killed the man** who Rava had created.

³² Rabbi Meir Abulafia did not quote a source to support the notion that illusions only work if done in presence of both parties. It also is not a logically dictated and necessary position, given as Rabbi Judah ben Barzillai made it clear that this was a realistic illusion that one can even eat. This would lead one to assume that it was a fully functioning man that can be sent to another person. Perhaps the Yad Ramah only saw Rabenu Ḥananel's commentary and did not see what Rabbi Judah ben Barzillai had written and understood the illusion in the traditional sense, that it was not real. In this case there can be a logical argument for the necessity of the presence of both parties.

³³ This too would support the notion that Rabbi Meir Abulafia understood the rabbis that claim Rava created an illusion to be saying that this illusion was not real at all. His question would be that there is no logic in **killing** or “returning to dust” the Golem if it is merely an illusion, but if it was a realistic illusion then it is the same as a Golem. The same way a Golem can be killed so too the realistic illusion can be killed.

³⁴ For the position that the Golem was not living at all, see also: Grinbaum, Alexei. “The Nanotechnological Golem.” *Nanoethics* (2010): n. pag. Print.

³⁵ "Kill Definition & Meaning - Merriam-Webster." <https://www.merriam-webster.com/dictionary/kill>. Accessed 4 Oct. 2023.

³⁶ "Murder Definition & Meaning - Merriam-Webster." <https://www.merriam-webster.com/dictionary/murder>. Accessed 4 Oct. 2023.

B) The Golem is not subject to murder.

As we have mentioned, in order for something to be categorized as murder, it requires an act of killing. There is space to broaden the innocence of the killer, and narrow the definition of murder. If someone does not kill he has not committed murder, nonetheless that does not mean that if someone does kill he committed murder. As mentioned above, the definition of murder is “the crime of unlawfully and unjustifiably killing a person”. In order for the killing to be defined as murder it needs to be **a)** unlawful and unjustifiable and **b)** the victim needs to be a person. Either of these two conditions being breached can prevent the killing from being classified as murder. The argument could be made that the Golem doesn't have sufficient “humanlike” criteria to justify categorizing the killing of it, as killing a person thus murder.³⁷

Rabbi Zebi Ashkenazi's dilemma

The famed rabbi, Rabbi Zebi Hirsch Ashkenazi also known as the Ḥacham Zebi after his responsa by the same title,³⁸ weighed in on this issue. In Ḥacham Zebi (responsa 93) he discusses this story in the Talmud.³⁹

He opened his analysis by quoting the story in the Talmud, referencing a Golem his grandfather Rabbi Elijah Baal Shem⁴⁰ created. Having found precedence for the existence of a Golem, Rabbi Ashkenazi proceeds to question the Jewish status of a Golem. Can he complete a minyan? (A minyan is the quorum of ten Jewish adult men from thirteen years and older required for certain religious obligations.⁴¹) On the one hand the bible states: “I may be sanctified **in the midst of the Israelite people**” (Lev. 22:32),⁴² The Talmud explaining the necessity of **not praying**

³⁷ Regarding the Golem not being human see: Bleich, J. David. “Survey of Recent Halakhic Periodical Literature: GENETIC ENGINEERING.” *Tradition: A Journal of Orthodox Jewish Thought*, vol. 37, no. 2, 2003, pp. 66–87. JSTOR, <http://www.jstor.org/stable/23262963>. And, Navon, Mois. Loike, John D., and Moshe D. Tendler. “Ma Adam Va-Teda-Ehu: Halakhic Criteria for Defining Human Beings.” *Tradition: A Journal of Orthodox Jewish Thought*, vol. 37, no. 2, 2003, pp. 1–19. JSTOR, <http://www.jstor.org/stable/23262960>. “Let Us Make Man in Our Image-a Jewish Ethical Perspective on Creating Conscious Robots.” *AI and Ethics* (2023): n. pag. Web. https://www.academia.edu/106527633/Let_us_make_man_in_our_image_a_Jewish_ethical_perspective_on_creating_conscious_robots. LOIKE, JOHN D. “Is a Human Clone a Golem?” *The Torah U-Madda Journal*, vol. 9, 2000, pp. 236–44. JSTOR, <http://www.jstor.org/stable/40914661>. Nachum Amsel, CHAPTER SANS SOURCES Jewish VIEW OF THE GOLEM (from the e book, “The Encyclopedia of Jewish Values” published by Urim) n. pag. Web. https://www.academia.edu/63367339/CHAPTER_SANS_SOURCES_Jewish_VIEW_OF_THE_GOLEM. Michael J. Broyde, “Cloning People: A Jewish Law Analysis of the Issues,” *Connecticut Law Review*, vol. 30, no. 2 (Winter 1998): 503-535. Print.

³⁸ “Ashkenazi, Zevi Hirsch ben Jacob .” *Encyclopaedia Judaica*. Encyclopaedia.com. (19 Sep. 2023) n. pag. Web. <https://www.encyclopedia.com/religion/encyclopedias-almanacs-transcripts-and-maps/ashkenazi-zevi-hirsch-ben-jacob>.

³⁹ “Sefaria: a Living Library of Jewish Texts Online.” https://www.sefaria.org/Chakham_Tzvi.93.1?lang=bi. Accessed 3 Oct. 2023.

⁴⁰ “Elijah Ba'al Shem of Chelm - Wikipedia.” https://en.wikipedia.org/wiki/Elijah_Ba%27al_Shem_of_Chelm. Accessed 4 Oct. 2023.

⁴¹ Jewish encyclopedia, Minyan.

⁴² “Leviticus 22:27 - Sefaria.” *The Contemporary Torah*, Jewish Publication Society, 2006 (JPS).

https://www.sefaria.org/Leviticus.22.32?vhe=Tanach_with_Ta%27amei_Hamikra&lang=bi&with=all&lang2=en. Accessed 4 Oct. 2023.

alone rather **with a minyan** quotes this verse.⁴³ Rabbi Ashkenazi suggests that perhaps a Golem would not meet the required criteria to fit the definition of “in the midst of the Israelite people” and therefore would not be eligible to complete a minyan.

On the other hand the argument could be made that the Golem does fill the required criteria, and thus is able to complete a minyan.

The argument for the Golem not qualifying as a legitimate member of the “Israelite people” would appear to be more intuitively correct. The initial assumption would be that the Golem is not Jewish and therefore unable to complete a minyan. Nonetheless, Rabbi Ashkenazi presents a case that could suggest the possibility that he possesses a certain degree of “Jewishness”, which could be sufficient for him to be included in “the midst of the Israelite people”.

Is creating a Golem like birthing it?

The bible states: “And the five sons of Michal, the daughter of Shaul who had bore them to Adriel, the son of Birzilai, the Mecholtite.” (II Sam 21:8)⁴⁴ It is clear from this verse that “Michal” gave birth to these five children, and that their father was Adriel.

The Talmud in tractate Sanhedrin 19b⁴⁵ is bothered with this, for seemingly Michal was never married to Adriel, it was Merab that married Adriel.⁴⁶

“And did Michal give birth to these children? But didn’t Merab give birth to them for Adriel? Rather, Merab gave birth to them and died, and Michal raised them in her house. Therefore, the children were called by her name, to teach you that with regard to anyone who raises an orphan in his house, the verse ascribes him credit as if he gave birth to him.”

The Talmud explains that if someone raises an orphan, the adoptive parent is considered like the birther of the child.

⁴³ The talmud states b. Berakhot 21b (William Davidson Edition - English): “Similarly, Rav Adda bar Ahava stated, in accordance with the second opinion: **From where is it derived that an individual may not recite *kedusha* alone? As it is stated: “And I shall be hallowed among the children of Israel” (Leviticus 22:32), any expression of sanctity may not be recited in a quorum of fewer than ten men.**” See also: b. Megillah 23b. The talmud (b. Sanhedrin 74b) discussing the definition of “public” defines it as something done in front of ten Jews. The Talmud derives this conclusion from the wording in this verse in a similar manner to the way in tractate Berakhot. although the talmud is not discussing the laws of a minyan, rather discussing the definition of an act being done in public, the argument could be made that this verse when used as a proof for the requirement for ten people for a minyan in tractate Berakhot, the intent was to specifically ten Jewish men.

⁴⁴ "II Samuel - Sefaria." The Metsudah Tanach series, Lakewood, N.J
https://www.sefaria.org/II_Samuel.21.8?ven=The_Metsudah_Tanach_series,_Lakewood,_N.J&lang=bi&with=all&lang2=en. Accessed 4 Oct. 2023.

⁴⁵ "Sanhedrin 19b - Sefaria." William Davidson Edition.
https://www.sefaria.org/Sanhedrin.19b.13?vhe=Wikisource_Talmud_Bavli&lang=bi&with=Quoting%20Commentary&lang2=en. Accessed 4 Oct. 2023.

⁴⁶ Merab and Michal were sisters and it was Merab that married Adriel, Michal married David. In addition the bible states: “to her dying day Michal daughter of Saul had no children.” (II Sam. 6:23) making the probable mother of Adriel’s kids Merab not Michal. In the Tanakh: The Holy Scriptures, published by JPS, 1985 the name was corrected from Michal to Merab and explained in a comment: “the five sons that Merab *So two Heb. mss., many Septuagint mss., and Peshitta; and cf. Targum, Sanhedrin 19b, and 1 Sam. 18.19. Most mss. and the printed editions read “Michal.” daughter of Saul bore to Adriel”

A similar idea is found regarding someone that teaches Torah to another's child. The Talmud in b. Sanhedrin 99b states “**Reish Lakish said:** With regard to **anyone who teaches Torah to the son of another, the verse ascribes him credit as though he formed** that student”. The Talmud credits one who teaches another's child, as though he had formed him. A more literal translation of the phrase in the talmud “כאילו עשאו” would be “it is as though he had made him”.⁴⁷ This idea that teaching someone else Torah would give the teacher credit as the “student former” or “student maker” is a very broad concept. The possibility has been raised, that being that the teacher or adoptive parent is considered to have made, formed or birthed the child, it is possible that by teaching or adopting a child the teacher or adoptive parent fulfilled the Mizwah/Biblical commandment of having offspring^{48, 49}.

Having accepted this premise, Rabbi Ashkenazi applies this logic to the Golem. The Golem was created by and “raised” by a Jew, and he is the “handiwork” of a “Zadik” (a righteous man), therefore should be considered his offspring. The two glaring similarities between the cases above where one adopts or teaches a child and it being considered as if he has birthed the child, to the creation of a Golem is in that **a) in both cases the “parent” did not physically birth the child and b) he created or significantly affected the child.**

We see how Rabbi Ashkenazi presents a case for this child to be considered an offspring of his creator (in our case Rava) and therefore a member of the “Israelite people”.⁵⁰

Does the Golem being Jewish affect the legal right of killing him?

Rabbi Ashkenazi continues; killing the Golem on grounds of murder is permitted whether or not the Golem is Jewish. The prohibition of **murder is only** subject to a person that was born **from a mother's womb!** Rabbi Ashkenazi derived this conclusion from the implication of the verse: “Whoever sheds human blood, **By human** [hands] shall that one's blood be shed” (Gen. 9:6).⁵¹ The verse can also be understood to be saying “Whoever sheds the blood of man **within man**”.⁵²

The Talmud points this out in a discussion regarding abortion, (in sanhedrin 57b):

“It is stated in that book of *Aggadot* that the Sages **said in the name of Rabbi Yishmael:** A descendant of Noah is executed **even for** killing **fetuses**. The Gemara asks: **What is the reason** for the opinion of **Rabbi Yishmael?** The Gemara answers: It is derived from that **which is written: “One who sheds the blood of a person, by a person [ba'adam] his blood shall be**

⁴⁷ See: "Jastrow | Sefaria." https://www.sefaria.org/Jastrow%2C_%D7%A2%D7%A9%D7%99.1?lang=bi. Accessed 4 Oct. 2023.

⁴⁸ Regarding the commandment see: The Universal Nature of Pru Urvu and an Analysis of its Implications, by David Neustadter from Tradition (Journal) Vol. 40, No. 4 (WINTER 2007), pp. 50-67. Print.

⁴⁹ Regarding fulfilling the biblical obligation by teaching or adopting see: Rabbi Shlomo Kluger, Hōchmas Shlomo (Even HaEzer) 1:1, also see: Avraham Yisrael Kohen, Imrei kohen, in the introduction.

⁵⁰ It should be noted that Rabbi Aharon Maggid, Bet Aharon Vol. 1 p. 6 (ערך: המליד אדם ע"י ספר יצירה) following the above mentioned information concludes that a Golem inherits his creator.

⁵¹ "Genesis 9:6 - Sefaria." The Contemporary Torah, Jewish Publication Society, 2006 (JPS). <https://www.sefaria.org/Genesis.9.6>. Accessed 4 Oct. 2023.

⁵² Author's translation.

shed” (Gen. 9:6). The word *ba’adam* literally means: In a person, and is interpreted homiletically: **What is a person that is in a person? You must say: This is a fetus that is in its mother’s womb.** Accordingly, a descendant of Noah is liable for killing a fetus.”⁵³

The Talmud offers an alternative reading to the verse; instead of understanding the verse to be saying “Whoever sheds human blood, by man shall that one’s blood be shed” the verse could be understood to be saying “Whoever sheds the blood of man within man, shall that one’s blood be shed”. Rabbi Ashkenazi takes this reading of the verse to a new level. He claims that murder is only subject to such a person that was in a person, as it is stated in the aforementioned verse. The act of murder is only forbidden if the subject of the killing is “human blood within man” (i.e. someone that was inside a womb) “as opposed to the man Rava created who was not made in a woman's womb”.

Nevertheless, Rabbi Ashkenazi concludes: if the man Rava created could have completed a minyan, Rabbi Zeira would not have killed him. Even though the prohibition of murder does not apply to killing a Golem, **if the Golem would have had the purpose and use of completing a minyan, it would have been wrong for Rabbi Zeira to kill him.** Following this reasoning Rabbi Ashkenazi concludes that a Golem is unable to complete a minyan.

Rabbi Ashkenazi’s full intent and understanding of the matter is unclear. His words can be understood and interpreted in many different and almost contradictory ways. For instance, questions like “did he consider the Golem to be human or not?”⁵⁴ Or alternatively, “on the one side of the dilemma, was the Golem considered to be Jewish, or did he just contain enough Jewishness to be included in the “Israelite people” and therefore complete a minyan?”. What is clear however, is that besides the prohibition of murder, there is another consideration to prohibit the killing of the Golem. The criteria required for the subject (in our case the Golem) to meet that would prohibit killing it, is having a use/purpose, specifically the use of completing a minyan. What remains unclear are the parameters, definition and reasoning of this prohibition. Questions like: “Is the prohibition of killing a potentially Jewish Golem forbidden as murder or bal tashchit”⁵⁵ and so on. One thing is certain, if the Golem is not Jewish one is allowed to kill it, but if the Golem is Jewish killing it would not be classified as murder but would be forbidden. Being that the Golem Rava created was not Jewish Rabbi Zeira was allowed to kill it.

⁵³ "Sanhedrin 57b:5 - Sefaria." <https://www.sefaria.org/Sanhedrin.57b.5>. Accessed 4 Oct. 2023.

⁵⁴ See: Rabbi Tzvi Hersh Spira, Darkei Teshuva Yoreh De'ah 7:11. Rabbi Shmaryahu Yosef Karelitz (the father of Rabbi Abraham Yeshaya Karelitz, the Hazon Ish), Hut Sheni laws of Passover Yoreh De'ah 141:4 p. 77, Rabbi Betzalel Stern, Btzel Hachochma Vol. 6, 99 and quoted by Rabbi David Sperber (the grandfather of Rabbi Dr. Daniel Sperber), Afarsekta De' Anya Vol. 4, 383. Rabbi Nathan Gestetner, Responsa Lehorot Natan Vol. 7, 11. Rabbi Ran Yosef Haim Abuchatzzeira, Yotzer Bereishit pp. 21-22. They make the claim that from what's written in the responsa (Hacham Zebi 93) it is evident that Rabbi Tzvi Ashkenazi considered the Golem to have full human status (with the exception of his life being protected). On the other hand Rabbi David Sperber himself (Afarsekta De' Anya Vol. 4, 383). Rabbi Aharon Maggid, Bet Aharon Vol. 1, p. 372. Rabbi Chaim Elazar Spira, Divrei Torah Vol. 4, 73. Rabbi Abraham Schachter, Machzeh Avraham, pp. 93a-99b (see also: Be'er Avraham). Claim it is evident from the responsa that the Golem is not considered human at all. The above can also be inferred from Rabbi Yehuda Assad, responsa Orach Chaim 26. And Rabbi Abarham Yeshaya Karelitz, Hazon Ish Yoreh De'ah 116:1.

⁵⁵ Bal tashchit is a basic ethical principle in Jewish law, the principle forbids one to destroy or waste anything if the destruction is deemed unnecessary.

https://en.wikipedia.org/wiki/Bal_tashchit

The Golem had no soul.

Rabbi Ashkenazi did not define the Golem, leaving us with the obvious question; “was the Golem human?”. If the Golem was not human that would justify its killing. Rabbi Zeira was permitted to kill the golem for this would not be construed as murder, being that the **Golem was not human**. As mentioned above, it is a key requirement for a killing to be of a person in order to classify it as murder. Although Rabbi Ashkenazi in this responsa did not discuss the humanness of the Golem, there are many rabbis that have made the claim that a Golem is not human. Even Rabbi Ashkenazi in a later letter made that point.

Rabbi Abraham Meshulam Zalman Ashkenazi was one of Rabbi Zebi Ashkenazi’s sixteen children. He printed a book called *Divrei Rav Meshulam* in which he printed twenty three original Halachic and Talmudic writings of his father, that he wrote after the printing of the *Hacham Zebi*. Due to the fact that they were not included in his responsa, his son printed them for him.⁵⁶ In responsa 10 he quotes his father as having commented on what he had written in his responsa *Hacham Zebi* regarding the Golem.⁵⁷ Rabbi Zebi Ashkenazi in this second letter, quotes Rabbi Moses ben Jacob Cordovero, a central figure in the historical development of Kabbalah, in his book *Pardes Rimonim* to have said that the Golem Rava created had no soul. If a Golem does not have a soul, surely it can not complete a minyan for “even a woman can not complete a minyan, how much more so a Golem that doesn't have a soul”. Rabbi Zebi Ashkenazi reaffirmed his position about the Golem not being able to complete a minyan, adding this new component. If the golem does not have a soul, surely killing it is not murder.

Indeed Rabbi Moses ben Jacob Cordovero (*Pardes Rimonim* 24:10) among others, claim that killing a Golem does not constitute murder because it does not have a soul. This justifies Rabbi Zeira killing the man Rava created, killing this man was not murder for “**the death of a Golem is like the death of an animal**”, thus lacking the sufficient criteria to classify the causation of its death as murder.⁵⁸

⁵⁶ Introduction to *Divrei Rabeinu Meshulem* by Avraham Yirmiyahu Branner and Chanoch Aryeh Klein, brooklyn, 5754 (1993/1994).

⁵⁷ "Divrei Rav Meshulam,10 -HebrewBooks." <https://hebrewbooks.org/pdfpager.aspx?req=45192&st=&pgnum=23>. Accessed 5 Oct. 2023.

⁵⁸ See: Rabbi Moses ben Jacob Cordovero, *Pardes Rimonim* 24:10. Rabbi Ezra ben Solomon, *Song of Solomon* 5:15. Rabbi Abraham ben Mordecai Azulai, *Hesed LeAvraham*, *Even Shetiya*, 40:30. Rabbi Joseph Rosen, *Zaphnath Paaneach* (Dwinsk) Vol. 2, 7. It can also be inferred from Rabbi Shmuel Eidels, *Hiddushei Aggadot b. Sanhedrin* 65b. Similarly in *Sefer HaBahir*, 196 (In the Wilna print 58) and Rabbi Meir ben Ezekiel ibn Gabbai, *Avodat Hakodesh*, 3:9 claim that the Golem doesn't have a soul, however they don't specify that as a reason for it to be permissible.

C) killing the Golem is justifiable as “self defense”

The definition of murder as mentioned above is “the crime of unlawfully and unjustifiably killing a person”. In order for something to be considered murder, the thing subject to being classified as murder requires to be **a)** a form of killing - if the victim was not killed then the subject matter upon question is not murder **b)** a “person” being killed - if the victim does not fit the required criteria to be classified as a person, the killing would not be murder **c)** “unlawful and unjustifiable” - if the killing can be justified, it is not murder. The argument for justifying Rabbi Zeira seemingly killing the Golem and not classifying it as murder, on grounds of **a)** he did not kill the Golem and **b)** the Golem is not a “person” and subject to being murdered, have been presented. However there is an argument to be made that even were we to categorize what Rabbi Zeira did as killing, and the Golem as a person, nonetheless killing the Golem was justifiable, and therefore does not fall under the prohibition of murder.

Rabbi Zadok ha-Kohen Rabinowitz of Lublin, a significant Jewish thinker and Hasidic leader,⁵⁹ authored a work titled *Divrei Chalomot*, in which he records novellae that he innovated while sleeping in a dream. He would typically proceed to analyze it once awake. The same is true in our case. In chapter six he dreamed about the responsa in *Hacham Zebi*. Rabbi Ashkenazi claimed that a Golem can not have the use or purpose of completing a minyan, for if a Golem would have had this purpose Rabbi Zeira would not have killed him. Rabbi Zadok ha-Kohen of Lublin in his dream refuted this proof. He quoted Rabbi Zebi Ashkenazi’s son Rabbi Jacob Emden, a leading German rabbi and talmudist,⁶⁰ as an alternative reason for Rabbi Zeira to have killed the Golem. Rabbi Jacob Emden in *She'elot Ya'beẓ* writes about his great grandfather Rabbi Elijah Baal Shem, claiming that he had built a Golem. He quotes his father (Rabbi Zebi Ashkenazi) to have said that Rabbi Elijah Baal Shem put the Golem he created down, because the Golem was rapidly growing. He was afraid it would destroy the entire world, so he killed the Golem in self defense.⁶¹ Rabbi Zadok ha-Kohen of Lublin justifies Rabbi Zeira’s killing of the Golem on account of self defense.⁶²

Rabbi Jacob Emden in *Mitpahaṭ Sefarim* also quotes his father to have said that Rabbi Elijah Baal Shem killed the Golem he created, because the Golem was rapidly growing. Had he not killed the Golem when he did, it would have become a mortal threat. He killed the golem by pulling a piece of paper off his forehead, when doing so the Golem scarred him.⁶³

⁵⁹ "Zadok ha-Kohen Rabinowitz of Lublin ." Encyclopaedia Judaica. Encyclopedia.com. (19 Sep. 2023) n. pag. Web. <https://www.encyclopedia.com/religion/encyclopedias-almanacs-transcripts-and-maps/zadok-ha-kohen-rabinowitz-lublin>.

⁶⁰ Jewish encyclopedia, EMDEN, JACOB ISRAEL BEN ZEBI ASHKENAZI.

⁶¹ "Sheilat Yaavetz, Volume II 82 - Sefaria." https://www.sefaria.org/Sheilat_Yaavetz%2C_Volume_II.82?lang=en. Accessed 5 Oct. 2023.

⁶² It is not entirely clear if he justified Rabbi Zeira killing the Golem only on account of self defense, or if he accepted the premise of Rabbi Ashkenazi that the prohibition of murder does not apply if the victim was not born from a mother, and the justification of self defense is only necessary to justify the killing on grounds of destroying something with purpose and potential use.

⁶³ "Mitpahaṭ Sefarim- (Ellipsis to chapter 8) -HebrewBooks."

<https://hebrewbooks.org/pdfpager.aspx?req=33319&st=&pgnum=122>. Accessed 5 Oct. 2023. See: also *Megilat Sefer: The Autobiography of Rabbi Jacob Emden*, p. 4.

If the Golem was indeed a fatal threat, the argument could be made that killing it is justifiable and wouldn't be subjected to the prohibition of murder.

D) Killing by virtue of speech is not murder.

In order for something to not fit the required criteria of murder, three possibilities have been presented. The subject was not killed, the subject was killed but causing its death is not murder (due to a lack of its personhood, or just because it was not born to a mother) or that its killing was justifiable. However there is a fourth and unexpected possibility. This posits that we can accept the premise that Rabbi Zeira did in fact kill the Golem, that regularly it would be classified as murder and even that even although the Golem did not pose any fatal threat, it would still not be classified as murder due to the method of killing. The argument could be made that for something to be classified as murder it requires more than just the cause of someone's death, it requires a specific form of causation. In order to classify a killing as murder it is necessary that what he did to cause the death was an active and direct cause. If someone causes death without having done an **action** that results in death, the argument could be made that the victim was not murdered, only killed. If we could accept this argument, then there could be some leeway whereby alternative forms of killing, such as cursing or staring someone to death⁶⁴ is open to debate. If murder requires a specific form of killing, perhaps causing death by declaring the victim's death or by cursing them in a manner that would result in their death is not murder. Rabbi Zeira did not kill the Golem, he merely caused its death by virtue of speech. The argument could be made that what Rabbi Zeira did would not be classified as murder and therefore permitted.

The Talmud in b. Ta'anit 24a quotes a story that Rabbi Yosei bar Avin tells Rav Ashi as his reasoning for leaving his previous teacher:

“Rav Ashi said to him: And didn't the Master sit before and frequent the study hall of Rabbi Yosei from Yokrat? Rabbi Yosei bar Avin said to him: Yes. Rav Ashi said to him: And what is the reason that the Master left him and came here? Rabbi Yosei bar Avin said to him: I was concerned and departed because he is so severe and unforgiving. He is a man who has no mercy on his own son, and no mercy on his daughter. How, then, could he have mercy on me? The Gemara asks: What is the incident involving his son? One day Rabbi Yosei from Yokrat hired day laborers to work his field. It grew late and he did not bring them food. The workers said to the son of Rabbi Yosei from Yokrat: We are starving. They were sitting under a fig tree, so the son said: Fig tree, fig tree. Yield your fruits, so that my father's workers may eat. The fig tree yielded fruit, and they ate. In the meantime, his father came and said to the workers: Do not be angry with me for being late, as I was engaged in a mitzva, and until just now I was traveling for that purpose and could not get here any sooner. They said to him: May the Merciful One satisfy you just as your son satisfied us and gave us food. He said to them:

⁶⁴ See: b. B. M. 59b, b. Shabbat 34a, b. Berakhot 58a, b. B. B. 75a.

From where did he find food to give you? They said: Such-and-such an incident occurred. Rabbi Yosei from Yokrat said to his son: My son, you troubled your Creator to cause the fig to yield its fruit not in its proper time, so too, you will die young. And indeed, his son died before his time. The Gemara asks: What is the incident involving his daughter? He had a very beautiful daughter. One day Rabbi Yosei from Yokrat saw a certain man piercing a hole in the hedge surrounding his property and looking at his daughter. Rabbi Yosei said to him: What is this? The man said to him: My teacher, if I have not merited taking her in marriage, shall I not at least merit to look at her? Rabbi Yosei said to her: My daughter, you are causing people distress. Return to your dust, and let people no longer stumble into sin due to you.”⁶⁵

Rabbi Yosei bar Avin tells two stories about Rabbi Yosei from Yokrat, stories that show and present Rabbi Yosei from Yokrat in a negative light. These stories caused Rabbi Yosei bar Avin to feel and think of his teacher as merciless and cold-blooded, and the reason he left him and went to study elsewhere. In the first story Rabbi Yosei from Yokrat said to his son: “My son, you troubled your Creator to cause the fig to yield its fruit not in its proper time, so too, you will die young” and indeed his son died young. The story does not prove that the cause of death was Rabbi Yosei from Yokrat’s words,⁶⁶ however Rabbi Yosei bar Avin’s reaction to the story and feelings of resentment towards him do indicate that his statement could have been a cause for his son’s earlier death. In the second story Rabbi Yosei from Yokrat said to his daughter “return to your dust” the same phrase Rabbi Zeira said to the Golem. This story as well does not clearly state if his daughter actually ended up dying, but the implication of the story is that he cursed his daughter to die so her beauty would not cause people distress.

Rabbi Moshe Moritz Neumann,⁶⁷ was a Hungarian rabbi before the war. He was originally from Pressburg and later became the rabbi of Shambakret, he was opposed to some rabbis finding comedic interpretations to talmudic passages, and believed that Torah writing should be done in the most logical and “true” fashion. He is famous for his book of responsa Halacha LeMoshe.⁶⁸ In this book of responsa Vol. 2 p. 64 he references the story in the Talmud where Rabbi Yosei from Yokrat said to his daughter “return to your dust” and understood the story to prove that if someone kills by virtue of speaking he has not transgressed the prohibition of murder. Based on this, **what Rabbi Zeira did** was merely a **causation of death not murder**.⁶⁹

⁶⁵ "Ta'anit 24a - Sefaria." <https://www.sefaria.org/Taanit.24a>. Accessed 5 Oct. 2023.

⁶⁶ It should be noted that Rabbi Shmuel Eidels, Hiddushei Aggadot b. Ta'anit 24a understands that Rabbi Yosei from Yokrat intended to curse his son to die, and it is as a result of this curse that his son died. And see: Rabbi Abraham Erlanger, Birkas Avraham b. Ta'anit 24a that Rabbi Yosei bar Avin did not lose any respect for his teacher, he was only afraid he would also be cursed and die.

⁶⁷ "R' Moshe Moritz Neumann, Rav of Shambakret (1856 - 1933) - Geni." 30 Apr. 2022,

<https://www.geni.com/people/R-Moshe-Neumann-Rav-of-Shambakret/4465590041660055026>. Accessed 5 Oct. 2023.

⁶⁸ "אפריון No. 1 5684 - (page 90 of 319) - HebrewBooks." <https://hebrewbooks.org/pdfpager.aspx?req=23067&st=&pgnum=90>. Accessed 5 Oct. 2023.

⁶⁹ See Tsevi Raizman, in the rabbinic medical journal Assuta p. 288, And the rabbinic journal Maor Hashemesh Vol, 1 pp. 252-253. Rabbi Yitzchok Zilberstein, Hashukei Hemed, b. Arakhin 28a. Rabbi Asher Weiss, Minchat Asher, Gen. 12.

E) Miscellaneous explanations to Rabbi Zeira's reasoning

Thus far we have presented four justifications for Rabbi Zeira killing the Golem, as well as his Halachic reasoning as it pertains to murder. There are however other explanations and interpretations as to Rabbi Zeira's reason for killing the Golem. Some rabbis have made the claim that Rabbi Zeira was obligated to kill it. A case can be made for the position that **justifies the murder**. One might argue that there was an external and independent reason or obligation to kill the Golem, outside the parameters of murder. For example: if there was a religious obligation to kill someone, all of the required criteria to define an act as murder would still apply to the killing of this victim. The need to kill someone for a religious or any other external reason, does not prevent the action from being classified as murder.

It is forbidden to enjoy the doings of a miracle.

The Talmud states: **“Rabbi Yannai said: A person should never stand in a place of danger and say: A miracle will be performed for me, and I will escape unharmed, lest a miracle is not performed for him. And if you say that a miracle will be performed for him, they will deduct it from his merits. Rav Ḥanan said: What is the verse that alludes to this idea? As it is written: “I have become small from all the mercies and all the truth that You have showed Your servant” (Genesis 32:11).”** (b. Ta'anit 20b).⁷⁰

Rabbi Yannai claims that if someone relies on a miracle, G-d will “deduct it from his merits”, implying **it is wrong to rely on a miracle** even if it is guaranteed to protect him.

We find a similar idea in the Jerusalem Talmud: “Nevertheless one was quoting for him the verse, if the Eternal does not build the house, etc. But was this not of the miracles which happened in the Temple? Rabbi Abun said, because of ‘you shall not try’” (y. Yoma 1:4).⁷¹ Rabbi Abun makes it clear that one should not rely on a miracle to have his construction finished. Rabbi Moses Margalioth author of the Penei Moshe on the Jerusalem Talmud,⁷² comments on the statement Rabbi Abun made: **“we derive from here that one should not rely on a miracle”**. One thing seems clear from both Talmuds is the notion of not relying on miracles.

Rabbi Solomon Bar Isaac in his commentary on the Talmud states: “and it is forbidden for a man to enjoy the doings of miracles” (Rashi, b. Ta'anit 24a).⁷³ Rabbi Yiṣḥaḳi claims that not only is it forbidden to rely on a miracle, it is also forbidden to enjoy and pleasure oneself from the doings of a miracle. He quotes Rabbi Yannai who said that one who relies on a miracle, God will “deduct it from his merits” as a source for the enjoyment of “doings of miracles” being

⁷⁰ "Ta'anit 20b - Sefaria." <https://www.sefaria.org/Taanit.20b>. Accessed 5 Oct. 2023.

⁷¹ "Jerusalem Talmud Yoma 1:4 - Sefaria." https://www.sefaria.org/Jerusalem_Talmud_Yoma.1.4. Accessed 5 Oct. 2023.

⁷² Margalioth, Mordechai, "Encyclopedia of Great Men in Israel" (1949-1950), "Moshe Margalioth".

⁷³ "Rashi on Ta'anit 24a:9 - Sefaria." https://www.sefaria.org/Rashi_on_Taanit.24a.9. Accessed 5 Oct. 2023.

prohibited. It seems as though Rabbi Yizḥaḳi understood that the problem with relying on a miracle, is in the fact that he is getting enjoyment from the miracle, that in itself is forbidden.

Rabbi Raḥamim Ben Jacob Ḥori was a Tunisian Rabbi from the city/Island of Djerba, grandson of the famous 18th century Djerbian Rabbi Isaac Haddad and author of a book called *Kise Raḥamim*.⁷⁴ In his book *Kise Raḥamim* he explains why Rabbi Zeira killed the Golem based on this precedent. **Rabbi Zeira killed the Golem** because it is **forbidden** to use the **doings of a miracle!**⁷⁵

A teleological explanation - The Golem was a Joker!

Besides for religious reasons and justifications for murder, there can also be personal ones. Rabbi Isaac Ben Nissan Reitbord in his work *Kehilot Yizḥaḳ* in his comments on the bottom *Pirḥei Nissan* (p. 19), delves into the issue. Explaining the story in the Talmud in a very novel way. He claims that Rabbi Zeira was grim and agelastic and Rava always tried to cheer him up. Rava created a funny Golem in order **to make him laugh**. This Golem supposedly had humorous qualities, Rabbi Zeira did not **appreciate the humor and killed the Golem**.⁷⁶ If the sole purpose of the Golem was to irritate him, one can understand and relate to the desire of killing him! This reason for killing the Golem does not change the nature of its killing and would still be classified as murder, there is however a reason for it.⁷⁷

Killing the Golem was murder.

Rabbi Matityahu Gabbai author of, among others, a book series called *Beit Matityahu*. In Vol. 3, 36:2 he quotes Shemaryahu Yosef Ḥaim Kanievsky, to have written to him in a letter that a Kohen (a priest) who kills a Golem loses his Kohen status as it pertains to the blessing that a Kohen gives, for he has committed murder. Rabbi Kanievsky did not actually write to him that it is murder, Rabbi Gabbai explained that Rabbi Kanievsky's position that the Kohen lost his status as a Kohen is because he committed murder. Rabbi Zera was a kohen,⁷⁸ seemingly the implication of asking Rabbi Kanievsky this question and declaring that the kohen lost his Kohen status, is that **Rabbi Zeira** subsequently **lost his status as a Kohen**.

⁷⁴ The introduction to *Kise Rahamim*, b. Ketubot.

⁷⁵ It is unclear if the reason for killing the Golem based on the premise "it is forbidden for a man to enjoy the doings of miracles" justifies murder, or if killing the Golem was not murder for a different reason and this reasoning only explained the necessity to kill him. The argument could be made that if killing is murder, one shouldn't kill it even if it is for the sake of getting rid of the "doings of a miracle". See: Rabbi Joseph Shalal, *Kohvei Ohr*, Vol. 2 p. 60. On the other hand the argument could be made that a being that is a "doing of a miracle" should be disposed of even if doing so would constitute murder.

⁷⁶ "Khikot Yitzhak (page 38 of 211) -HebrewBooks." <https://hebrewbooks.org/pdfpager.aspx?req=34762&st=&pgnum=38>. Accessed 6 Oct. 2023.

⁷⁷ Here too it is unclear if in his opinion the killing of the Golem was not murder for a different reason, or if in his opinion Rabbi Zeira chose to murder the Golem and he justified his action of murder by this reasoning.

⁷⁸ "Jerusalem Talmud Berakhot 8:5 - Sefaria." https://www.sefaria.org/Jerusalem_Talmud_Berakhot.8.5. Accessed 6 Oct. 2023.

If that is true, it would seem that **Rabbi Zeira committed murder**. Based on what has been explained there are four justifications for killing the Golem and none of them would apply to Rabbi Zeira if he lost his status as a Kohen: **a)** the Golem was an illusion and Rabbi Zeira never killed anything. If a golem is just an illusion then there would be nothing wrong with killing it. It would appear that Rabbi Kanievsky understands a Golem to be more than just an illusion.⁷⁹ **b)** The Golem did not have a soul therefore it was like the killing of an animal. Rabbi Kanievsky seemingly did not accept this either. **c)** The Golem was life threatening, hence Rabbi Zeira killed it in self defense. Rabbi Kanievsky did not accept this either, for if he did, Rabbi Zeira or any kohen that kills a Golem (if its nature is dangerous) should not lose their Kohen status.⁸⁰ **d)** Killing by virtue of speech is not murder. Yet again seemingly Rabbi Kanievsky does not accept this premise therefore he loses his status as a Kohen.

It would seem like there is a case to be made that Rabbi Zeira murdered the golem, and he had his reasons to. Whether they were religious or personal, murder is still murder. Rabbi Zeira having his reasons to kill the golem does not change it from what it is.

Closing statement:

I believe this article has presented a fair and reasonable justification for Rabbi Zeira's decision to kill the golem, and whether he was right or wrong is still up for debate. It is important to note however, that this paper does **not** include all opinions on the topics discussed, it is only trying to present a specific case. It is therefore possible that some information quoted in this article in the name of a rabbi, is disputed and argued with by another.

⁷⁹ The argument could be made however that Rabbi Kanievsky was talking about a hypothetical Golem and not the one in the Talmud, it is possible he understood the Talmud's Golem to be an illusion and therefore Rabbi Zeira did not commit murder, however killing a regular Golem would be classified as murder. Same logic could apply to the other possibilities, it is possible that the Golem in the Talmud possessed a fatal threat and Rabbi Kanievsky was referring to a Golem that does not possess any threat.

⁸⁰ See Mishnah Berurah, Orach Chaim, 128:128.

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