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HISTORICAL CONDITIONS OF JEWISH LAW FORMATION DURING PERIODS OF RISHONIM AND AHARONIM

Rabbinic era in the history of Jewish law originates from the second half of the Middle Ages and continues to the present day. After Gaon and exilarchs lost power in Babylonia, the Jewish people began to move massively to Europe. Instead of Palestine and Babylonia such countries as Spain, France, Germany and other European countries became new Jewish centers.

From the standpoint of Jewish law rabbinic period can be divided into two stages:

1) מִיְנוּשְׁאָר (“rishonim”) – in Hebrew means “the first”. The so-called period of the first rabbis continued from XI to mid XVI century.

2) מִיְנוּרְחָא (“aharonim”), which translates as “the last”. Period of last rabbis originates from the second half of XVI century and continues until XX century.

Historical conditions in which the rishonim took place were extremely difficult for European Jewry. This led to the fact that scientists-halachists were often forced to move and escape from Europe to Africa. The reasons for this fact were: 1) mass crusades; 2) formation of the judiciary authorities – “Inquisition” – at catholic churches; 3) adoption in a number of countries of the series of humiliating for Jews laws prohibiting Jews to

participate in public and political life, to practice Judaism and mass application of discriminatory measures; 4) the wave of expulsions of Jews from Europe.

The beginning of later rabbis’ activity coincided with the historic boundary between the “Middle Ages” and “modern age”. Historical events that took place not only in Europe but throughout the world caused changes in the life of the Jewish people. Turkish conquest of the Byzantine Empire, the discovery of America by Columbus, the beginning of the Reformation in Germany – all those historical events influenced the fate of the Jews, and therefore the development of their culture and lawmaking.

Thus, considering the historical conditions for the development of Jewish law during aharonim and rishonim periods, it is necessary to understand that because of the events that took place in the Middle Ages, the Jewish people did not have the opportunity to develop their legal system in such a way as other states did. Historical events in the world had evolved so that the Jews had always migrated from one state to another. The reason for this was the unstable political situation in the world, constant wars for territories and lack of democracy in its modern sense.