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Summary

This thesis is a study of ethical wills, with a translation and emphasis on the testaments of Abraham Danzig and Moses (Hatam) Sofer, neither of which have been previously translated into English. The testaments are compared and contrasted to the wills of two other influential thinkers of the same period, Israel Ba'al Shem Tov and Elijah (Gaon) of Vilna. Biblical and early rabbinic roots of ethical wills as well as testaments of the modern period are also discussed.

This study intends to illustrate the importance of ethical wills as a device for transmitting ethical admonitions to future generations. Children and students of the authors are immediate inheritors of the wills, but much can be learned by anyone who studies them. They are an important component of Jewish ethical literature which continue to be composed today.

This thesis is comprised of six chapters: (1) Introduction to Ethical Wills; (2) Early Roots of Ethical Wills: Bible and Talmud; (3) Analysis of Four Ethical Wills: The Besht, Elijah (Gaon) of Vilna, Abraham Danzig, and Moses (Hatam) Sofer; (4) Translation of the Ethical Will of Abraham Danzig; (5) Translation of the Ethical Will of Moses Sofer; (6) Conclusion.

The primary materials used were the Hebrew texts of Abraham Danzig¹ and Moses Sofer's² ethical wills as well as *Hebrew Ethical Wills* by Israel Abrahams.³

¹Danzig, Abraham. *Sefer Bet Avraham*. (Vilna, 1821; reprint, B'nai Barak, 1981).

²Moses ben Samuel Sofer. *Sefer Zavva'at Moshe*. (Vienna, 1863; reprint in Katz, Eliezer. *HaHatam Sofer*. Jerusalem: Mosad Harav Kook, 1960).

³Israel Abrahams, *Hebrew Ethical Wills* (Philadelphia: The Jewish Publication Society of America, 1926; reprint 1954, 1976).

THE HISTORY OF ETHICAL WILLS
WITH A TRANSLATION AND ANALYSIS OF THE TESTAMENTS OF
ABRAHAM DANZIG AND MOSES (HATAM) SOFER

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Thesis Submitted in Partial Fulfillment of
Requirements for Ordination

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Acknowledgments

When my mother, Silvia Berlin, learned in 1976 that she had been afflicted with an illness that would take her life two years later at the young age of 42, she began to write an ethical will in the form of a diary in order to leave her husband and four children (of whom I was the youngest at eight years) with a lasting record of what was important to her. Each time I turn the pages of her testament, memories of this beautiful woman come to the forefront of my mind, reminding me of how much I owe to her and how valuable her teachings remain. She wrote her testament in a simple yet profound manner, summarizing all her desires in one sentence: "My wish is the same for each of you: do your best, be kind, love each other." She continues to be my greatest teacher, and I am forever grateful for the few years which we were able to share together. She will always be a guiding presence in my life.

I happily named my son Daniel Tzvi (צבי משה) after my beloved mother (צביה) and grandfather (משה). He was welcomed into the world during the preparation of this thesis, and he has been a constant source of joy to me and to his mother.

Above all, I thank my wife, Julie, for her love, guidance, and inspiration. She sacrificed much of her own time in order to allow me to complete this project, and always remained immensely patient throughout the process. I am grateful for her presence in my life, and to the Creator who brought us together.

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Chapter One

Introduction to Ethical Wills

Judaism places great value on the obligation of parents to teach their children. Fulfilling the biblical injunction of honoring one's parents also weighs heavily upon the shoulders of men and women throughout their parents' lives. The duty of honoring parents is not only performed during their lifetime but after their death. Giving a proper burial, reciting *kaddish* during the period of mourning, and naming a child after a deceased loved one are a few of the ways in which Jews honor parents posthumously.

One of the most important ways in which people honor their parents is in listening to and following their teachings. Whether scholarly or simple, parents take great pride in teaching their children values by which to live. Parents impose ethical obligations upon their children, highlighting the values which they find most important to pass on to their descendants. It is an old tradition in Judaism which is still practiced today.

Examples of ethical testaments can be seen in the Bible and related near Eastern texts. While there is clearly a practice of transmitting documentary instructions involving property and other material goods, some parents also write out moral directions to their children. Fathers exhort their sons to choose the right course of life, and warn them against transgressing God's commandments. In the Talmud and other rabbinic literature, deathbed scenes are

recorded in which a father gives his last wishes to his children, or a sage provides his final words of wisdom to his students.

The first known ethical will written after the Talmud is that of Eleazar ben Isaac of Worms, known as Rabbi Eleazar the Great. Written about 1050, it became the pattern for a popular literary genre. From the thirteenth century to the present day, there has been a growing number of ethical wills. The gap between the Talmud and the eleventh century certainly should not lead one to conclude that parents did not impose ethical obligations upon their children for six hundred years. The nature of these moral instructions is oral, and one can assume that parents have always given oral admonitions to their children. It can only be said that no documents from this period are known to exist today. Perhaps they were written but did not survive, or they were strictly oral and were not recorded. Although no ethical wills have been found among the *geniza* fragments,¹ it is possible that such documents were lost over the course of time, or that parents made their desires known to their children orally.

Although he does not make the claim, Israel Abrahams² may have coined the expression "ethical will." He wrote that ethical wills, which are "the express directions of fathers to their children

¹S. D. Goitein, A Mediterranean Society: The Jewish Communities of the Arab World as Portrayed in the Documents of the Cairo Geniza (Berkeley and Los Angeles: University of California Press, 1988), 5:143.

²Israel Abrahams (1858-1924) succeeded Solomon Schechter in 1902 as Reader in Talmudic Literature at the University of Cambridge.

and of aged teachers to their disciples, constitute an important branch of Jewish ethical literature."¹ The subject became popularized through Abrahams' *Hebrew Ethical Wills* - צוואות גאונים ישראל, issued in 1926 by the Jewish Publication Society as part of the *Schiff Library of Jewish Classics*. In this two volume work, Abrahams collected ethical testaments from talmudic times through the nineteenth century.² Evidence of increased interest in this type of literature may be seen in the fact that the *Jewish Encyclopedia*, published in 1903 - 1905, contains no entry for "Ethical Wills," while the *Encyclopedia Judaica*, published in 1972, devotes three full pages to its article on the subject.

Abrahams' pioneering work in the subject identified a single literary class of related texts which had not been grouped together previously. Some, in particular those from the Talmud, are presented as deathbed instructions of a parent or teacher.³ Others are written while the author is aged but still apparently in good health.⁴ The common thread linking the texts is the wishes of the authors to stress to their students or children obligations which are to be studied and carried out after their death.

The topics discussed in any single text cover a wide range of religious and moral exhortations, but the authors see nothing

¹Israel Abrahams, "Jewish Ethical Wills," The Jewish Quarterly Review, o.s. 3 (1891): 436.

²Hebrew Ethical Wills was reprinted by the Jewish Publication Society in 1954, and again in 1976 with the addition of a foreword by Judah Goldin.

³See *Eduyyot* 5:6,7; *Berakhot* 61b; *Sanhedrin* 68a; *Ketubbot* 103 a-b; *Sotah* 48b; *Avodah Zarah* 18a.

⁴See *Avot De-Rabbi Nathan* 18; *Berakhot* 8a; *Pesahim* 112a-b, 113a.

incongruous about including a broad spectrum of admonitions, from washing of the hands to caring for the poor, from praying devoutly to rejoicing with bride and groom, from affixing a valid mezuzah to honesty in commercial transactions. For the most part, the content of these ethical wills can hardly be described as original. They stress time honored and frequently repeated moral injunctions such as the duty of honoring parents, giving charity generously, feeding the hungry, and avoiding pride. It is possible that the testators supposed that these final instructions would have a greater impact upon their children than referring them to already published works on Jewish ideals of conduct. Many of the texts call upon their children to read the wills regularly, even weekly or daily. If the children complied with their father's wishes, they would have been constantly learning proper behavior from them, even after the parent's demise.

When reading the wills in Abrahams' collection, one cannot be certain if each author was writing exclusively for the benefit of his immediate family or for a larger group.¹ Regardless of the original intent, the testaments were often made available to the community at large in printed form, especially to the authors' students.

The practice of writing ethical wills continues today, as is displayed by the testaments from the nineteenth and twentieth

¹Unlike most authors, Alexander Suesskind (d. 1794) explicitly expressed his desire to make his will available to a wide audience. His request that his testament be printed at the beginning of prayerbooks does not seem to have been fulfilled. However, his will was published in the year of his death and has been often reprinted. See Abrahams, Hebrew Ethical Wills 327f.

centuries compiled in two recent publications.¹ As one would expect, the language of modern ethical wills differs from the texts included in this study. For example, a man from Massachusetts in his 1982 testament writes, "I hope you will enjoy musical, artistic, and intellectual interests. One can live without these aspects, but they enormously enhance the quality of life."² Moses Sofer, however, admonishes his children to "keep away from the theatre, Heaven forbid."³ A New England man in 1950 writes to his children, "Carry your Jewish heritage with dignity. Though you may discard trivial ritual things, never discard your basic Jewish faith."⁴ Yet Abraham Danzig goes into great detail about the importance of wearing a valid *tallit katan*.⁵ Despite the differences, however, each text records and preserves the final wishes of a person to his family, students, and community. The legacy of each author lives on through his testament which is passed down through generations.

¹Jacob R. Marcus, ed., This I Believe: Documents of American Jewish Life (New Jersey and London: Jason Aronson, Inc., 1990); Jack Reimer and Nathaniel Stampfer, eds., So That Your Values Live On: Ethical Wills and How to Prepare Them (Vermont: Jewish Lights Publishing, 1991).

²Reimer and Stampfer 155. Ethical will by William Joseph Adelson.

³Paragraph 1.

⁴Reimer and Stampfer 125. Ethical will by Samuel Lipsitz.

⁵Paragraph 9.

Chapter Two

Early Roots of Ethical Wills: Bible and Talmud

It is natural for one generation to transmit that which it holds important to the next generation. Examples of testamentary directions can be found within the Bible, other ancient near Eastern texts, the Apocrypha, and the Pseudepigrapha. Advice on the conduct of one's life can be given by a leader to his nation, a ruler to his successor, as well as a parent to his children.

Texts from Emar

Among the texts (pre-1400 BCE) found in the vicinity of ancient Emar are five legal documents, four of them in the form of a will intended to insure financial security for wives and children. These documents, couched in legal terminology and witnessed, also discuss other obligations to children and spouses. Sons are charged to support their mothers after their fathers' death, lest they forfeit their inheritance. They are also instructed to build homes and acquire wives. Sons-in-law are encouraged to take another wife if their wives do not bear children. Both male and female children are commanded to serve the gods of their father.¹

¹John Huenergard, "Five Tablets from the Vicinity of Emar," RA, 77(1983): 27.

Bible

Both physical and figurative inheritance play an important role in the Bible, and different words are used to signify transfer from one generation to the next. Terms describing inheritance are נחל, ירש, אחרזה, and צוה. The laws regarding inheritance are described in Deuteronomy 21:15-17, Numbers 27:8-11, and Numbers 36:6-9.

נחל

נחל is used primarily to signify the transfer of property as an inheritance from one generation to another.

- Genesis 31:14 - העוד לנו חלק ונחלה בבית אבינו - *Do we still have a share in the inheritance of our father's house?*
- Numbers 27:9, 10, 11 - ... ונתתם את נחלתו ל - *You shall give the inheritance to...*

This phrase is used to describe the passing on of inheritance to someone. These verses explain the order of priority in inheritance.

- Deuteronomy 21:16 - ותיה ביום הנחילו את בניו את אשר יהיה לו - *On the day that he causes his son to inherit that which he has....*

In addition to acquiring physical property, נחל is also used for figurative inheritance.

- Psalms 119:111 - נחלתי עדותיך לעולם כי ששון לבי המה - *Your testimonies are my eternal inheritance; they are the rejoicing of my heart.*
- Proverbs 3:35 - כבוד חכמים ינחלו ובסילים מדים קלון - *The wise shall inherit honor; but fools will get shame.*

- Proverbs 11:29 - עבר ביתו ינחל רוח ועבד אויל לחכם לב -

He who troubles his household shall inherit the wind; a fool is a servant to the wise of heart.

- Proverbs 28:10 - משגה ישרים בדרך רע בשחתו הוא יפול ותמימים ינחלו טוב

He who causes the upright to go astray on an evil course will fall into his own pit; the innocent will inherit good.

ירש

ירש can be used to signify taking possession of an object as an inheritance, often by force.

- Genesis 15:7 - לתת לך את הארץ הזאת לרשתה -

...to give you this land as an inheritance.

- Judges 3:13 - ויאסף אליו את עמון ועמלק וילך וידך את ישראל ויירשו את עיר התמרים

[Eglon] gathered the Ammonites and the Amalekites together and went and conquered Israel and took possession [as an inheritance] of the City of Palms.

- Obadiah 1:20 - וגלת ירושלם אשר בספרד ירשו את ערי הנגב -

...and the exiles of Jerusalem that are in Sepharad shall inherit the cities of the Negeb..

- Numbers 36:8 - וכל בת ירשת נחלה ממשות בני ישראל לאחד

ממשפחת משה אביה תהיה לאשה למען יירשו

בני ישראל איש נחלת אבתיו

Each daughter from the Israelite tribe who takes possession of an inheritance shall be as a wife to one of the family of the

tribe of her father, so that the children of Israel can take possession of the inheritance of their fathers.

- Genesis 15:4 - ותנה דבר ה' אליו לאמר לא יירשך זה
כי אם אשר יצא ממעיך הוא יירשך

The word of the Lord came to him in reply, "That one shall not be your heir; none but your very own issue shall be your heir."

אחז

אחז usually means to grasp, take hold of, or take possession (Ex. 15:14; Deut. 31:14; Judges 16:3; Is. 13:8). When used in combination with נחל, it means to take possession by right of inheritance.

- Numbers 27:7 - ...ונתן חלק להם אחוזת נחלה בתוך אחי אביהם -
והעברת את נחלת אביהן להן

...You should give them possession of inheritance among their father's brethren; transfer the inheritance of their father to them.

- Numbers 32:32 - נחנו נעבר חלוצים לפני ה' ארץ כנען ואתנו אחוזת -
נחלתנו מעבר לירדן

We will pass over armed before the Lord , into the land of Canaan, that the possession of our inheritance will be ours across the Jordan.

- Numbers 35:2 - צו את בני ישראל ונתנו ללויים מנחלת -
אחוזתם ערים לשבת...

Command the children of Israel, that they give the Levites the inheritance of their possession, cities to dwell in...

- Ezekiel 46:16 - ...כי יתן הנשיא מחנה לאיש מבניו -
נחלתו היא לבניו תהיה אחוזתם היא בנחלה

...If a prince gives a gift to any of his sons, it shall become his son's inheritance; (it will become) their possession by inheritance.

צוה

The root צוה becomes in post-Biblical Hebrew the technical designation of a will (צוואה) conveying either physical property or moral obligations. Within the Bible, צוה is frequently used to mean *to set up, charge, command, or order* (Gen. 6:22; Deut. 4:5; Josh. 1:11; Isa. 55:4; Jer. 35:6;). It is also used when a person gives a charge (or a testament) to future generations.

- Genesis 18:19 - *למען אשר יצוה את בניו ואת ביתו אחריו ושמרו דרך ה' לעשות צדקה ומשפט...*

...That he may charge his children and his household after him to keep the way of the Lord by doing what is just and right

- Genesis 49:33 - *ויכל יעקב לצות את בניו ויאסף רגליו אל המטה ויגוע ויאסף אל עמיו*

When Jacob finished giving his testament to his sons, he drew his feet into the bed and died, and was gathered to his people.

- Genesis 50:16 - *ויצו אל יוסף לאמר אביך צוה לפני מותו לאמר - They sent a message to Joseph, saying "Your father charged us (gave us his testament) before his death saying...*

- Deuteronomy 32:46 - *אשר תצום את בניכם לשמר לעשות את כל דברי התורה הזאת*

[Take to heart all the words with which I have warned you this day]. Enjoin them upon your children, that they may observe faithfully all the terms of this Teaching.

- II Samuel 17:23 - ואחיתפל ראה כי לא נעשתה עצתו ויחבש את -
החמור ויקם וילך אל ביתו אל עירו ויצו
אל ביתו ויחנק וימת ויקבר בקבר אביו

When Ahithophel saw that his advice had not been followed, he saddled his ass, arose, went to his house, to his city, and he gave his last directions to his family,¹ and hanged himself. He died and was buried in the tomb of his father.

- Isaiah 38:1 and II Kings 20:1 - בימים ההם חלה חזקיהו למות -
ויבוא אליו ישעיהו בן אמוץ הנביא ויאמר אליו
כה אמר ה' צו לביתך כי מת אתה ולא תחיה

In those days Hezekiah fell mortally ill. The prophet Isaiah son of Amoz came and said to him, "Thus said the Lord: Give your last directions to your family, for you are going to die. You will not live.

Biblical "Ethical Wills"

The Biblical selections below serve as a foundation for the ethical wills of later generations of Jews through the modern period. It is doubtful that the authors of the Biblical passages would have termed their texts as "ethical wills," but the basic premise of a parent or leader's passing on obligations to future generations is a feature of ethical wills of later periods. They are

¹According to S.R. Driver, "It is a pity that the obscure 'set his house in order' has been retained in the RV." It should be translated as 'He gave his last directions to his family.' (The New JPS translation reads "he set his affairs in order").

S.R. Driver, Notes of the Hebrew Text of Samuel (London: Oxford Press, 1889; repr., Indiana: Alpha Publications, 1984) 326.

instances in which a father gives his deathbed testament to his children, a leader speaks to an entire nation, or a ruler charges his successor. Each narrative employs the metaphor of inheritance.

When Isaac was old and his eyes had become dim, he blessed both his sons. And then in response to Rebekah's concern, he called again for Jacob. ויקרא יצחק אל יעקב ויברך אתו ויצוהו. *Isaac called Jacob and blessed him and gave him his last directions, saying, "Do not take a wife from among the Canaanite women"* (Gen. 28:1). Unlike the incident in which Abraham makes his servant, Eliezer, swear that he will not choose a Canaanite wife for Isaac (Gen. 24:3), Jacob's charge uses the word ויצוהו, indicating that Isaac is placing an obligation on Jacob which is to be obeyed after the father's death. It becomes Isaac's testament to his son.

Genesis 49 is commonly referred to as "The Blessing of Jacob." As Ibn Ezra noted in his comment to 49:1, however, this designation is not accurate because the text contains a variety of material. The chapter includes blessings and curses, censure and praise, geographical and historical observations. For this reason, it is more appropriate to refer to this segment as the "Testament of Jacob" or "The Last Words of Jacob."¹

Scholars agree that this collection of poetic aphorisms is not a unity, and there is no thread of logic that binds the diverse sections together. Some passages refer to the past acts of the individual person for whom the tribe is named, and others allude to

¹Nahum M. Sarna, Genesis Commentary (Philadelphia: Jewish Publication Society, 1989) 331.

tribal history hundreds of years later. The passing of Jacob provides an appropriate framework in which to place the diverse material.¹

After Jacob speaks to each son individually and blesses them (49:28), he gives his last directions to all of them - ויצו אותם (49:29). The use of the root צוה emphasizes that this is Jacob's final testament to his sons. The root is used again to describe Jacob's final actions - ויכל יעקב לצות את בנו ויאסף

ויגלו רגליו אל המטה ויגוע ויאסף אל עמו *When Jacob finished giving his testament to his sons, he drew his feet into the bed and died, and was gathered to his people* (49:33). Jacob's last act was the deliverance of his ethical will to his sons. אצח, which can be used in reference to inheritance, occurs in 49:30, but here the phrase אצח קבר refers to Abraham's acquisition of a burial place and not to inheritance.

When Joseph's brothers fear his retribution after their father's death, they refer to a charge which Jacob left for them (Gen. 50:16). Jacob's words are not recorded elsewhere in the Biblical text, and Rashi comments that the brothers lied regarding Jacob's instructions. The use of צוה in this verse (אביך צוה) stresses that these words were Jacob's final testament - an obligation which he laid upon all of his children.

Just as Jacob addressed each of his sons prior to his death, Moses also spoke to the descendants of Jacob before his own death (Deuteronomy 33). The structure of Moses' departing words is

¹Ibid. 331.

similar to that of Jacob's.¹ Unlike Jacob's testament, however, mention of idolatry, intertribal rivalries, and criticism of each tribe is absent.

Like Jacob, Moses gives poetic instructions to each child to be carried out after his death. תורה צוה לנו משה מורשה קהלת יעקב
Moses charged us with the teaching; as the inheritance of the congregation of Jacob (33:4) Jacob's descendants become the inheritors of Moses' testament and of all his teachings. In his final hour, Moses gives them obligations to be carried out after his death, just as Jacob did before him. While the section is called "the blessing" which Moses gave to Israel prior to his death (וואת הברכה - 33:1), the structure, content, and language of the chapter resemble the "ethical will," the parting testament of the leader to his people.

When Moses' successor, Joshua, is old and near death, he summons all Israel to give them his final testament (Joshua 23). He does not address each tribe, as did Jacob and Moses, but speaks to the people as a whole. Unlike the chapters discussed above, the language of testimony and ethical inheritance is absent from Joshua's address. While צוה, the passing on of obligations, is not used, this chapter nonetheless contains Joshua's testament to the people. Joshua charges the nation faithfully to observe Moses' teaching, to reject idolatry, and not to intermarry with other nations.

¹See also the Song of Deborah (Judges 5) for additional structural comparisons.

Inheritance of land is mentioned in Joshua 23:4, but it is not in reference to an ethical inheritance from a leader to his people -
 ...ראו הפלתי לכם את הגוים הנשארים האלה בנחלה לשבטיכם... See, I have allotted you, by your tribes, the [territory of] these nations that still remain. צוה is used in 23:16, but refers to God's commandments, rather than an ethical inheritance.

As David neared his death (I Kings 2:1-9), צוה is used to indicate that he was passing on obligations to Solomon.
 ויקרבו ימי דוד למות ויצו את שלמה בנו לאמר. *When David's days drew near that he should die, he gave his last directions to Solomon, his son, saying...* Like Joshua (Josh. 22:4), David's ethical will includes the charge to walk in God's ways, to keep God's statutes, commandments, judgments, and testimonies as are written in the Law of Moses. Like Jacob, David recollects the past and warns his son Solomon to treat David's allies kindly, and to punish his father's enemies.

Apocrypha and Pseudepigrapha

Several examples of ethical testaments can be found within the Apocrypha and Pseudepigrapha. Before his death, Tobit instructs his son, Tobias to honor his mother, act charitably, marry within his father's tribe, pay honest wages, seek counsel from the wise, and bless God.¹ The fourteenth chapter also contains moral directions from injunctions from father to son. Scholars hold that chapter

¹See the Book of Tobit, chapter 4.

fourteen was written after 70 CE, and chapter four was probably written in the second century BCE.¹

The Book of Ahiqar gives further evidence of the existence of ethical testaments in the ancient near East. Ahiqar is dated in the seventh or sixth century BCE, probably antedating the post-exilic portions of the Bible.² Ahiqar, who did not have a son of his own, adopted his nephew, Nadin, as a son. According to the text, Ahiqar taught Nadin wisdom and trained him to succeed as scribe and keeper of the seal for King Esarhaddon.

The Testaments of the Twelve Patriarchs (second century BCE), which is modeled after Jacob's last words (Genesis 49), purports to be the deathbed speeches of the twelve sons of Jacob. Each son is depicted as gathering his offspring just prior to his death, reflecting upon his life, warning them to avoid his sins and recommending some particular virtue, predicting the future of Israel, and giving instructions for his burial.

The examples shown above illustrate that ethical wills were known in ancient Israel and the Near East. While the authors of these texts may not have called them "ethical wills," their content resembles later usage of the term. Like subsequent ethical wills, they transmit values and obligations to future generations.

¹Frank Zimmermann, The Book of Tobit, An English Translation with Introduction and Commentary (New York: Harper & Brothers, 1958)22-27.

²James H. Charlesworth, ed. The Old Testament Pseudepigrapha: Vol. II. (New York: Doubleday & Company, Inc., 1985). "Ahiqar," by J. M. Lindenberger, 491.

Talmudic Sources

Israel Abrahams included numerous Talmudic selections in his book, *Hebrew Ethical Wills*,¹ most of which describe deathbed scenes of heroic figures from the Talmud. The teacher is described as gathering his children or disciples around him for a final word of Torah. The teachings cover a wide spectrum, and their influence can be seen by the similarities with later ethical wills. Judah Hanasi charges his children to honor their mother;² Joshua ben Levi instructs his children to "rise up early and stay up late and go to synagogue in order to prolong their lives;"³ Eleazar ben Hyrkanos teaches his disciples to take heed to the honor of colleagues and to seat their children at the knees of wise sages.⁴ Some of the later wills in Abraham's collection even refer directly to deathbed scenes in the Talmud.⁵

Abrahams acknowledges that some of the Talmudic selections may be beyond the definition of ethical wills. In particular, he states that he did not plan to include a series of extracts containing the explanations given by rabbis of their longevity, but that he acquiesced to the desire of the committee responsible for the *Schiff Library of Jewish Classics* to do so. At least one modern scholar believes that Abrahams went too far in including other Talmudic

¹Abrahams, Israel, Hebrew Ethical Wills (Philadelphia: The Jewish Publication Society), 1926.

²Pesahim 112b.

³*Berakhot* 8a.

⁴*Sanhedrin* 68a.

⁵Compare the wills of Nathaniel Trabotti in his last hours to Judah Hanasi (p. 19 with p. 264) and Moses Rimos with Akiba (p. 15f with p. 247) in Hebrew Ethical Wills.

sections in his collection.¹ It is clear, however, that numerous accounts recorded in the Talmud illustrate the importance of the testament of a parent or teacher.

Talmudic examples of ethical wills are not the focus of this project. Still, their influence can be seen throughout wills of later periods. For more information on ethical wills of the Talmud, see the first chapter of *Hebrew Ethical Wills*. The rest of this study concentrates on the translation and analysis of the ethical wills of Abraham Danzig and Moses (Hatam) Sofer.

¹Peter J. Haas, "Ethical Wills," (Nashville: Vanderbilt University), n. d.

Chapter Three

Analysis of Four Ethical Wills: The Besht, Elijah (Gaon) of Vilna, Abraham Danzig, and Moses (Hatam) Sofer

As noted earlier in this study, no ethical wills are known to exist between the time of the Talmud and the mid-eleventh century. From the thirteenth through the eighteenth centuries, a growing number of ethical wills were written by prominent Jews. This period became the focus of Israel Abrahams' *Hebrew Ethical Wills*. Two of the latest writers in the collection, Israel ben Eliezer Ba'al Shem Tov and Elijah ben Solomon Zalman, stand out as examples of leaders whose views differed greatly from one another, but who shared some similarities in their testaments. The ethical wills of two other important thinkers, Abraham Danzig and Moses Sofer, also stand out as examples of testaments which have both clear parallels and sharp contrasts.¹

Israel ben Eliezer Ba'al Shem Tov (known as *the Besht*; c. 1700-1760) was the founder and first leader of Hasidism. He left no significant writings of his own except a few letters. His oral teachings began to appear in print by his students twenty years

¹While the wills of Israel ben Eliezer Ba'al Shem Tov and Elijah ben Solomon Zalman were printed and translated in Hebrew Ethical Wills, the testaments of Abraham Danzig and Moses Sofer were not included in the collection, apparently because they were written slightly after the date of the last will in the collection. Translations of Danzig and Sofer's wills can be found later in this study. No other translations of either work are known to exist.

after his death, and his ethical will is taken from the literary remains of Isaiah of Janova, as having been derived from verbal communications by the Besht.¹ Our main source of biographical information is based on the tales and legends of the Besht and his disciples in the 1814 publication, *Shivhei ha-Besht*,² in which he is portrayed as a man without extensive talmudic expertise but learned in the Kabbalah.³ Unlike most authors, he does not include any talmudic references in his ethical will, *Zavva'at ha-Ribash*.⁴

When the Besht taught that one can reach communion with God (*devekut*) through love and devotion, which was more important than the study of books, those opposed to the new movement protested strenuously.⁵ Elijah Ben Solomon Zalman (the "Vilna Gaon" or "Elijah Gaon"; acronym הגאון רבנו אליהו); 1720-1797), who believed that perpetual learning was the means to communion with God, became one of the Besht's fiercest critics.⁶ Although the Vilna Gaon was a student of Kabbalah, he opposed any suggestion of giving it precedence over Halakhah, and objected to new customs and changes in prayer which were being introduced by Hasidism. Under

¹Abrahams, Hebrew Ethical Wills 296.

²Republished and translated by Dan Ben-Amos and Jerome R. Mintz, eds. and trans., In Praise of the Baal Shem Tov: The Earliest Collection of Legends About the Founder of Hasidism (Bloomington: Indiana Press, 1970).

³Robert M. Seltzer, Jewish People, Jewish Thought. (New York: Macmillan Publishing Co., Inc., 1980), 488.

⁴The text used for this study is from Hebrew Ethical Wills, which is an edited version of *Zavva'at ha-Ribash*, first published in Zolkiew, 1820.

⁵Gershom Scholem, On the Kabbalah and Its Symbolism, trans. Ralph Manheim (New York: Schocken Books, 1965), 25.

⁶Seltzer 485.

his leadership, Vilna became the center of opposition to Hasidism. The community placed a ban upon the Hasidim and sent emissaries to other communities to arouse opinion against the movement. Around 1794, the Gaon gave instructions that *Zavva'at ha-Ribash* should be publicly burned in Vilna.¹ The Gaon's ethical will is a letter composed in Königsberg during a journey to the Land of Israel.² For unknown reasons, the Gaon traveled no further than Germany and then returned to Vilna.

Solomon Schechter depicts the Vilna Gaon as a severe father whose excessive occupation with the study of Torah and other religious works may have caused his family to suffer from hunger and cold. In his ethical will, the Gaon instructs his family to live an ascetic life, forbidding them from enjoying any of life's pleasures. He instructs his wife to discipline their children harshly, and demands that she live a secluded life. "The Gaon was a one-sided, severe ascetic, and would never have deserved the title of a good father, a good husband, an amiable man or any other appellation derived from those ordinary 'household decencies' which...half of the tombstones claim for those who lie behind them."³

Born in Frankfurt, Moses Sofer (known as Hatam Sofer; 1762-1839) was appointed in 1806 as rabbi of Pressburg, where he served

¹Israel Klausner, "Elijah ben Solomon Zalman," in Encyclopedia Judaica, Vol. VI, p. 653.

²Variant versions of the letter have been printed. Abrahams based his translation upon the text contained in an 1836 publication from Minsk.

³Solomon Schechter, Studies in Judaism (Philadelphia: Jewish Publication Society of America, 1917), Vol. I, p. 88f.

for the remainder of his life. He founded a famous yeshivah there which became his platform for waging a battle against the Reform movement. He is well known for invoking the talmudic dictum *חדש אסור מן התורה* (*Kiddushin* 38b) to teach that any innovation is strictly forbidden. Under his authority, the division between Orthodoxy and Reform grew as he became a leader among rabbis in Europe who organized themselves between 1817 and 1821 to oppose early efforts of the Reform movement in Berlin, Hamburg, and Vienna.¹ The influence of Sofer and his students had a lasting impact in Hungary, which became a "bastion of resistance to modernity" for generations.²

In the opening sentences of his ethical will, Sofer warns his family against any association with Reform Jews "who have distanced themselves from God and His Torah." Most of the will is devoted to his battle of religion and fear of modernity. *Ha-Lev ha-Ivri* (1864), a commentary of Sofer's will by Akiva Joseph Schlessinger, has been reprinted many times and is still popular among segments of the Orthodox community.

Abraham ben Jehiel Michal Danzig (1748-1820) is best known for two halakhic publications: *Hayyei Adam* (Vilna 1810), covering the laws of daily conduct in *Orah Hayyim*, with an addendum called *Nishmat Adam*, in which he explains opinions which were opposed to the accepted view; and *Hokhmat Adam* (Vilna 1812), explaining the laws in *Yoreh De'ah*, with an addendum called *Binat Adam*, which

¹Moshe Shrager Samet, "Sofer, Moses," in *Encyclopedia Judaica*, Vol. XV, p. 79.

²Michael A. Meyer, *Response to Modernity* (New York and Oxford: Oxford University Press, 1988), 158.

included discussions on various halakhic subjects and responsa.

Each work was written for students and educated laymen who had difficulties understanding the intricacies of the Shulhan Arukh.

Hayyei Adam was widely read during the author's lifetime, and many societies called *Hevrot Hayyei Adam* were formed throughout Polish and Russian communities for the purpose of studying the work.¹

Born in Danzig, Abraham studied in Prague and then left for Vilna at the age of eighteen. Though an outstanding talmudist, he refused to accept any salary as a rabbi, and instead earned his livelihood as a merchant, often traveling to Leipzig and Königsberg. In his old age, after nearly losing all his possessions in an accident, he accepted the position of *dayyan* in Vilna. His ethical will, *Sefer Bet Abraham*, was first published in Vilna in 1821 and has been reprinted many times. His testament, which admonishes his children to conform to Halakhah, is the longest and most detailed of the texts considered in this study. Although he frequently describes the minutiae of a particular Halakhah, he refers the reader to his other compositions when additional explanation is necessary.²

Danzig begins his testament by admonishing his children to serve God, an act which is stressed in most ethical wills. This service, according to Danzig, is motivated by the fear which overcomes a man when he contemplates God's power, and will lead the man to love God. Fear of punishment must not influence a man's love of God, for it is not true service of God and will inevitably lead

¹Louis Ginzberg, "Abraham ben Jehiel Danzig," in The Jewish Encyclopedia, Vol. IV, pp. 438f.

²See sections 3, 6, 15, 35, 41, 49.

one to misfortune.¹ In the opening sentence of Moses Sofer's will, the author also warns his children to serve God. Fear of God, according to Sofer, will contribute to one's longevity.² The Vilna Gaon's reputation as a diligent student is mirrored in his belief that one best serves God through study, a discipline which is incumbent upon both men and women.³

The animosity which led the Vilna Gaon to proclaim that the Besht's testament be burned may have been based on the latter's attitude towards Divine service. According to the Besht, the great rule of service is to avoid melancholy and serve God in joy. Concentrating on God, rather than worship or study, is the best way to serve God.⁴ In opposition to the Besht, the Vilna Gaon's ethical will takes a somber view towards life, which is a series of vexations and pains, only to lead to many penalties after death. The Vilna Gaon often refers to Ecclesiastes' "vanity of vanities," writing that "all this is vanity, for the only profit in sons and daughters is their Torah and good deeds."⁵ He instructs his children constantly to

¹Abraham Danzig 1 (Reference notations for the wills of Abraham Danzig and Moses Sofer refer to section divisions as indicated in chapters four and five of this study. Page references for the testaments of the Besht and Vilna Gaon refer to the page number of each text as printed in Hebrew Ethical Wills).

²Moses Sofer 4.

³Elijah (Gaon) of Vilna 319.

⁴Israel Ba'al Shem Tov 298f.

⁵Gaon 313. Danzig also refers to Ecclesiastes, instructing his children to pursue Torah rather than the vanities of this world (section 2).

read the Book of Ecclesiastes, for it exposes the vanity of temporal concerns.¹

Study was of primary importance to the Gaon, who left detailed instructions for the education of his sons and daughters.² His wife was to provide generous wages for a teacher to come into their home, and the Gaon made necessary arrangements so that finances would not stand in the way of his children's' education. Instruction was to be imparted gently, and financial rewards were to be given as an incentive for further study. If the children did not follow her moral instructions, however, she was instructed to strike them.³

Moses Sofer's children are to honor him through diligent study. They must serve God by teaching in Sofer's yeshivah, which he believed was home to the great teachers and scholars of Pressburg. They were instructed to immerse themselves in the Torah and its commentaries, but were forbidden to read the works of Moses Mendelssohn.⁴

Abraham Danzig stressed the study of ethical literature, which would instill the fear of God into one's heart, over the Mishnah and Talmud. Nevertheless, Talmud study is the "gateway to God," and one's service of God is incomplete without it. He also emphasized the talmudic rule of studying the weekly Torah portion twice in

¹Gaon 319f.

²Uncharacteristic of most ethical wills, the Vilna Gaon writes directly to his wife, stressing that she is responsible for their children's' education.

³Gaon 317f.

⁴Moses Sofer 1. Similarly, Abraham Danzig also prohibits the reading of Mendelssohn (section 5).

Hebrew and once in *Targum* every week.¹ In addition, one should make it a habit always to study during the time between the afternoon and evening prayers.²

Decorum in synagogue is a common subject in many ethical wills. Most authors agree that it is better to not attend synagogue at all than to go there and behave inappropriately. Abraham Danzig warns his children against any association with those who act irreverently, and orders them to find a place in the synagogue near God fearing people who conduct themselves properly. When in synagogue, they may never engage in idle chatter, but must always keep their minds on prayer and study. In addition, his children are instructed to arrive promptly at synagogue, for a man's prayer is only heard when he is part of a group.³

The Vilna Gaon writes that it is impossible to avoid hearing frivolous talk in synagogue, and it is therefore preferable for a man to pray at home. Even on the Sabbath or a festival, it is better not to pray at all than to go to a place where people speak idly. If one does go to synagogue, he should stay only for a short time and depart as soon as possible. He also warns his daughters not to go to synagogue at all, for they might become envious of other women better dressed than themselves and talk about it when they arrive home.⁴

Moses Sofer and the Besht each briefly mention prayer in their ethical wills. Sofer warns his children, apparently in response to

¹ *Berakhot* 8a.

² Danzig 41; 42; 43; 47.

³ *Ibid.* 11,17.

⁴ Gaon 321f.

Reform innovations in worship, not to make any changes to the service or the prayerbook. The Besht writes that if one is on a journey and is unable to pray in the regular fashion, he may find another way to concentrate on God.

Abraham Danzig is the only author who discusses prayer and religious duties which must be performed at home. Danzig describes rituals which must be performed on a daily basis, from the moment a person opens his eyes in the morning to the time he goes to sleep at night. Interspersed throughout these ritual laws are rules of business ethics, community responsibilities, zedakah, legal disputes, and sexual relations.¹

Another primary concern of each ethical will is the prevention of sin. While the authors overlap in their approaches to avoiding transgression, each stresses different methods. According to the Besht, a person's evil inclination is the greatest source of sin. Even if a man has done nothing wrong, the evil inclination could convince him that he committed a great transgression, which will lead him into despondency and make him unable to serve God in joy. If a man sins, he must say to his evil inclination, "I perceive your design to lure me from serving God...If indeed I have sinned a little, the more gratified will my Creator be if I refuse to let my offense interrupt the joyousness of my service."²

Moses Sofer's fear of modernity is manifested in his approach to the causes of sin. He warns his children that any deviation from the accepted practice will lead one to wickedness. They are

¹Danzig 3f

²Israel Ba'al Shem Tov 299f.

forbidden to change their names, style of clothing, or speech, and must cling to the traditions handed down to them.¹ Any association with Reform Jews "who have distanced themselves from God and His Torah" will cause one to stumble. Modesty, Sofer tells his children, will keep them away from transgression. His daughters are instructed to cover themselves with long clothing and to wear a head covering so that not even one hair is showing. Wigs are also strictly forbidden.²

Abraham Danzig and the Vilna Gaon both perceive vanity as the principal cause of sin, and refer to Ecclesiastes' concept that all our days are but vanity.³ The delights of this world are ephemeral; what gives us pleasure today may cause grief in the future, especially in the world to come. However, writes Danzig, when a person lives by the Torah and performs mitzvot, he enjoys some of the few delights of this world, and he will be rewarded accordingly in the world to come. If he were a righteous person, he will not be punished for his enjoyment in this world. If he pursued vain pleasures, however, he will be punished severely.⁴ The Gaon, on the other hand, sees no source for enjoyment in this world or the world to come: "Destined to worms, what is man's enjoyment, when the grave transforms all enjoyments into bitterness? Death is near and inevitable...life is a series of vexations and pains."⁵ Slander (*lashon ha-ra*), writes the

¹Similarly, Abraham Danzig warns his children that changing their manner of dress will lead to great wickedness (section 31).

²Moses Sofer 1, 5.

³Danzig 2; Gaon 313.

⁴See Abraham Danzig 2 for details of punishment.

⁵Gaon 314f.

Gaon, is equal to all other sins, and a man should therefore live in solitude as much as possible in order to prevent it. One should avoid leaving his house at all unless it is absolutely necessary so that he will not be tempted to engage in slander. When in solitude, a man should always be engaged in Torah study and a woman should practice modesty.

While the Vilna Gaon discusses the prevention of sins at length, he only briefly mentions repentance, which he believes is not brought about by fasts and penances. The only path to repentance is the restraint of one's speech and lust.¹ Like the Vilna Gaon, the Besht also neglects to instruct his children to atone for their sins. He writes that if a man sins, he should be saddened by his transgression but should turn back to God in joy.²

Abraham Danzig stresses the importance of atonement in his testament. He tells a story of his grandfather, who would approach a person who sinned against him and ask why he did not request forgiveness. Subsequently, his grandfather would grant forgiveness and become friends with the one who had wronged him.³ Danzig also instructs his children that neither Yom Kippur nor death will atone for sins between a man and his fellow. A man is only considered to have atoned when he approaches his fellow and is granted forgiveness.⁴

¹Ibid., 319.

²Israel Ba'al Shem Tov 300.

³Danzig 20.

⁴Ibid. 49, based on *Yoma* 8:9.

Finally, each author shares a desire to advise his descendants regarding association with other people. As noted above, the Gaon preaches solitude, instructing his family to leave the house only when absolutely necessary.¹ The Gaon stands alone in this regard, however; the other authors recognize the importance of community involvement. The Besht encourages association with other people, even at the expense of study or prayer, as long as one concentrates his thoughts on God. When his mind is focused in this manner, he will recognize God's love and serve Him in joy.² Abraham Danzig instructs his children to be good neighbors: being humble, avoiding quarrels, acting honestly in business, and performing charitable acts. They are to be active in their synagogue, for the one who does not attend the house of worship is a bad neighbor. They must distance themselves from wicked people, however, for association with them destroys a man's faith.³ Moses Sofer's community revolves around his yeshivah in Pressburg. He instructs his children to teach and study there, strengthening it with their wisdom and knowledge. Like Danzig, Sofer also admonishes his children to distance themselves from wicked people so that they will remain upon the correct path.⁴

¹Gaon 320f.

²Israel Ba'al Shem Tov 398f.

³Danzig 7; 19; 21; 35.

⁴Sofer 1; 4.

Chapter Four

ספר בית אברהם

הוא צוואת הרב הגאון ר' אברהם דנציג ז"ל

The Ethical Will of Abraham Danzig

1. Fear and Service of God

[God is] the foundation of fear and the pillar of love, that is to say we are to fear Him because of His greatness and majesty, for He is the master of all. As it is written, "When I behold Your heavens, the work [of your fingers, the moon and stars that You set in place, what is man that you have been mindful of him?]" (Ps. 8:4f). When man contemplates the great and awesome works of the Lord, then the fear of God comes upon him. And because of this fear, much love which many waters cannot quench comes upon him and he will always yearn for the service of the Divine. As it is written, "Fear the Lord your God" (Deut. 6:13; 10:20). And it is written, "Hear, O Israel [the Lord is our God, the Lord is One]. You shall love the Lord [your God with all your mind...]" (Deut. 6:4). That is to say that love arises out of your understanding that He is one in every aspect of His unity. Through this you will love God "with all your heart" (Deut. 6:5), that is with our entire body and soul. That is not so when love is contingent upon the benefits that God bestows upon one, for this is not disinterested service to God. For when all does not go well with one, then he will turn away from his service to God. Likewise, if the fear of God comes as a result of the fear of punishment, then when misfortune occasionally comes upon him, he will turn away

from his service to God. As it is written, "When he is hungry, he will rage and curse his King and his god" (Isa. 8:21). And as it is written in Menahem Azariah de Fano's *Ma'amav Yonath Eilem*¹ on chapter 24 of the Book Joshua, vv.. 16-21, "[The people] said to Joshua, 'far be it from us to forsake the Lord [and serve other gods!] For He brought us [and our fathers] up [from the land of Egypt...]." And Joshua replied, "'You will not be able to serve the Lord... '" Meaning that since you served God only because of the benefit which would come to you, but "He is a holy God He is a jealous God; [He will not forgive your transgressions and your sins...]." That is to say: at the time that things will be bad for you, then you will turn away from serving God. Therefore they responded [to Joshua], "No, we will serve none but the Lord," which is to say, without any hope of benefit.

In the same sense Satan said to God about Job: "Does Job not have good reason to fear God?" (Job 1:9). Which is to say that he does not fear You because of Your glory, only because "it is You who have fenced him round..." (Job 1:10). Which is to say that [Job fears You] because of fear of punishment, "But lay a hand [on his bones and his flesh, and he will surely blaspheme You to Your face]" (Job 2:5). And Job's wife said to him, "You still keep your integrity! Blaspheme God and die!" (Job 2:9). That is to say that she thought that his service of God was motivated only by a fear of punishment. Seeing that you have already suffered great afflictions, why serve God? Therefore, curse god and perhaps He will punish you even more until

¹Menahem Azariah de Fano (1548-1620) was an Italian rabbi and talmudist whose theological treatise, *Ma'amav Yonath Eilem*, received much praise.

you die. To this Job responded, "Should we accept only the good [from God and not accept evil]?" (Job 2:10).

Antigonus [of Sokho] said, "Do not be like those who serve their master in order to receive a reward. [Rather, be like those who would serve without that condition. Even so, let the fear of Heaven be upon you]" (*Avot* 1:3). Because when the good ceases they will not continue to serve. But serve God without expectation of receiving reward, and still, let the fear of Heaven be upon you," that is, because you recognize God's greatness. As it is written, "When I behold Your heavens, etc. (Ps. 8:4). But as for us, the lowliest of orphans, would that we must serve God out of our fear of punishment!

So Rabbi Yohanan ben Zakkai said to his students, "O, that the fear of Heaven would be upon you like the fear of human beings" (*Berakhot* 28b). For what the king refuses to eat are delicacies for the poor. And therefore, even though the greatest of the righteous declined [to serve God out of] fear of punishment, would that we could attain a fear that fear! It would be a delicacy for our souls.

2. Pursuit of Torah and Righteous Acts

And now, children, hear the instruction of your father¹ who desires to benefit you in this world and in the world to come. Listen and your souls may live in the world that is all of it life. Do not follow after vanity, deceitful acts which will consume your days: gathering money, enjoying yourself with the pleasures of this world,

¹Allusion to Proverbs 1:8: שִׁמְעֵנִי בְּנֵי מוֹסֵר אֲבִיךָ, "My son, hear the discipline of your father."

or vaunting yourself above [other] people. For a man's days are but vanity, and his end is to go down into the pit of destruction.

Humans were only created to treasure commandments and good acts. All of a person's actions and thoughts should always be on Torah and good acts. A person can also enjoy himself somewhat through from the goodness which God in His loving kindness has bestowed upon him, and then happy is he in this world and in the world to come. But if all his thoughts and actions are about the things of this world, even if by some chance that he performs some commandment, it will not accrue to his benefit.

This is like a man who travels to Leipzig to purchase some goods, and once he finishes buying the merchandise, then he also buys some jewelry for himself, his wife, and his children. When he comes to his house with his merchandise, then everyone in his family is happy. But when he acts the fool, and immediately upon his arrival in Leipzig he always goes to the markets to buy jewelry, and only by chance buys a few goods as well. When he comes home, he has in his hand very few goods, and not of the best quality. Seeing that he did not exert himself to buy merchandise, but bought [a few things] haphazardly, when his wife and children see him they ask, "What have you brought from all your burdensome travels to a great distance, placing your life in danger?" He takes out the jewelry which he bought and thinks that thereby he will win his wife's approval. His wife takes the jewelry and slaps his face saying, "Fool! For this you troubled yourself to travel such great distances! If you did not purchase the important goods which we need to

survive, what good is jewelry? Is it not 'like a gold ring in the snout of a pig ?'" (Prov. 11:22).

And so it is with human beings. The Holy One, blessed be He, sends us into this world in order to rectify ourselves through the Torah and righteous acts. He also did not prevent us from enjoying some few of the joys of this world. And all this joy comes when we acquire much good merchandise, Torah and righteous acts. Then when a person journeys to the world to come after death, everybody is happy for him. For everyone takes delight in the soul of the righteous man; he causes a profusion of good in all the worlds. He is not punished even for the few pleasures in which he enjoyed himself in this world for they were permitted to him, for everything was [allowed] so that his body might be strong and healthy in the service of the Lord, may He be blessed. And also the pleasures came [for the sake of] his happiness.

But when a person spends his time only in the vain pleasures of this world, and [only] by chance performs some commandment, then when he dies, they ask him what he has brought. He responds that he ate, drank, and enjoyed himself in this world. Everyone cries out, "Woe to you! Woe to you! Was it for such [vain pursuits] that you were created and that you trouble your Creator to create you and to give you life!" Then they judge him in the grave. His belly splits open and excrement falls upon his face. They say to him, "Go take what you have brought." And they judge him very harshly.

So it is written in the Mishnah: "If [on Shabbat eve] one found himself at dusk while he was on the way, he must give his purse to a non-Jew, and if there is no non-Jew with him, he must put it on the

donkey. When he has arrived at the outermost courtyard, he may take off such baggage that may be removed on Shabbat, etc." (*Shabbat* 24,1). The grave may be explained as "at the outermost courtyard, he may take off the baggage that may be removed on the Sabbath, etc." The grave may be explained as the outermost courtyard of the world to come. And therefore he takes all of the baggage which can be taken off in the world to come, which is called Shabbat. That which he cannot take off are acts which are not good. "Then he unties the ropes," these being the ligaments that connect the limbs. That is the meaning of punishment after death (חיבוט הקבר).¹ Then "the baggage falls." These are the evil spirits which were created by this. They are called baggage, and must suffer pain until all the evil spirits fall from them. Therefore scripture warns, "In all your ways acknowledge Him" (Prov. 3:6).

My precious children, pay attention to this matter, for it will be truth when it is fixed upon your hearts: A man who is created in this world is just like a merchant who travels to Leipzig to purchase goods. He exposes himself to a number of perils in order to purchase the goods, and after he purchases some merchandise, he is extremely careful not to lose it. When he becomes aware that there is some good merchandise [available] to purchase, he does not eat or sleep, but is always thinking about the bargains and exerting himself to search for middlemen who will assist him in acquiring the merchandise.

¹חיבוט הקבר refers to a three day period, immediately succeeding burial, of interrogations and beatings by the angel of death .

So it is with man. His heart always yearns, and he searches constantly and asks other people to tell him which commandment he should fulfill. He does not eat or sleep until he completes the commandment, for it [is truly] his life. When he has performed the commandment, he is very careful not to lose [the benefit from] it. For when a person sins intentionally, Heaven forbid, then none of his righteous deeds is remembered until he first receives punishment for the transgression, unless he repents. When you place this example upon your hearts and it is fixed upon his (the sinner's) heart, then his mind will be relaxed and quiet, regardless of whether he be poor or rich; if he have only bread and salt to eat or a fattened hen. [It is like] the merchant who is not worried whether he have a good or bad lodging place on the road, since his main concern about which he thinks incessantly, is that he may return in peace with his goods to his home, and that he will be unharmed, without any injury. So it is that a person will not be saddened about the days of his vanity which appear only like a temporary lodging. He should always think about gathering his good merchandise, namely Torah and righteous acts. He will give thought to the great joy of the other righteous people who are in the Garden of Eden and of all the angels, and of all the worlds when he comes to his abode, his holy dwelling place, upright of body, upright in his financial dealings. By this I mean that in the case of an evildoer, even if it appears that they are putting the whole of his body into the grave, in reality it is only the corporeal element, for the soul is not at all united with the body, though there is some relationship between them. However, each human has a middle receptacle which divides the soul and the body

into two. It is the soul's dwelling place, and is called the "body" of a person. But his material part is called the "flesh" of a person, and all of the punishments and laws associated with the grave and of Hell are pronounced upon this true flesh. It is buried in the chamber of death, which is reserved for the burial of bodies. As our sages of blessed memory said regarding Samuel: He went to the chamber of death to ask of his father where he left the money for the orphans, but it does not sat that went to the cemetery.

And therefore, do not be surprised that our eyes do not see that the whole body rests in the grave whether [the person] was righteous or wicked. For in reality everything is said only about the real body. Immediately all of the evil spirits take control of it, and all of the demons created from each and every limb, and each takes what is his. But of a righteous person it is written, "And your bones will be strengthened"¹. Such one is perfect in body, perfect in financial dealings. By this he means that when a person is wicked, then even the few commandments and good deeds which he has performed, since [fulfilling] each commandment is motivated by an impure thought and other [selfish] considerations, then the mitzvah is swallowed up by an outer covering (קליפות); it is not acceptable.

But if he is righteous then he comes [into this world], and his [study of] Torah and his mitzvot go before him and light up his way, as it is written, "And your righteousness shall go before you" (Isa. 58:8). And it is said, "Your word is a lamp to my feet, [a light for my path]" (Ps. 119:105). And our sages of blessed memory said, "Happy

¹Adapted from Isaiah 58:11, "[God] will give strength to your bones."

is the one who comes here with his learning in his hand."¹ For if he were wicked, then even a scholar would forget all that he had learned. On the other hand, if he were righteous [and forgot his studies], angels would come and remind him. This is meaning of "perfect in all that he has acquired."

3. God's Power; Morning Rituals

My precious, beloved children, for whose sake I sacrificed my life while rearing you, do not be ungrateful, for I do not ask you to support me. Even in my lifetime I did not trouble you. And now I long to benefit and help you, and through this I too will benefit. Therefore, do not follow your own heart's desires (Num. 15:39), to walk in the stubbornness of your own heart and after matters which are enticements of the heart. For "it has been clearly shown to you that the Lord," (Deut. 4:35) our God, He is the creator of the universe. He created everything from absolute nothingness. He oversees every human act. If a person hides in secret, everything is revealed and known to Him. Nothing is hidden from his eyes.

Therefore know the God of your father whom I have inherited from my father, and my father from his father, [tracing back to] the generation which left Egypt. They saw the miracles and the mighty acts which He performed for our sake when He took us out of Egypt and parted the Sea of Reeds. They saw with their own eyes the holy and awesome encounter before Mt. Sinai. We received the holy Torah through His faithful servant, Moses, our Master, the Master of all the

¹*Pesahim* 50a; *Moed Katan* 28a; *Ketubot* 77b; *Baba Batra* 10b.

Prophets. Therefore, there is no doubt in our perfect faith, since we have inherited all this from one another. More than 600,000 saw this with their own eyes. He made you, formed you, and brought you out of your mother's womb. He maintains and supports you, guards your soul within you, until your time [of death] is decreed by Him, may His name be blessed and exalted from generation to generation.

He enriches man in judgment, and impoverishes man in judgment. He humbles, raises up, and punishes all in judgment according to His holy wisdom even the fringe of which we cannot comprehend. "For the ways of the Lord are hidden" (cf. Isa. 41:27f), and "by Him actions are weighed" (cf. I Sam. 2:3), and "Praise befits Him" (Ps. 65:2). Therefore, in placing all this upon your heart, trembling will seize you and you will fear the splendor of His majesty.

Therefore, immediately when you wake from your sleep, place His love before your eyes. Say right away before you utter the least word, "I give thanks unto You, living and everlasting King, who have mercifully restored my soul within me. Your faithfulness is great."

Immediately rise and wash your hands three times in water. Conduct yourself according to all that is described in my book, *Hayyei Adam*. You must attend to your bodily needs for how can you bless [God] while your body is filled with excrement? As it is written, "All my bones shall say, etc." (Ps. 35:10). For everyone must give praise to the Lord with all his 248 limbs and his 365 sinews. After this he recites the blessing for washing the hands,

"who has created" (*Asher Yazar*), "My God, the soul" (*Elohai N'shamah*), and all of the morning blessings until *Parshat Hatamid*¹.

4. Birkhot ha-Torah

Be extremely careful not to study [Torah] or even recite Psalms until you recite *Birkhot ha-Torah* (the blessings for the Torah in the morning service). For it is a positive commandment of the Torah. Even if you are doubtful whether you said the blessing for the Torah, you must repeat it out of your uncertainty, just as is the law of everything that is doubtful in the Torah.²

5. Tefillah; Proper Study

Be exceedingly careful not to do any work until after [reciting] the *Tefillah*. I do not need to warn you that if the time for [the recitation of] the *Tefillah* has arrived or if it is close to the time, then according to the rule it is forbidden [to work]. But I give you the strictest warning: Unless you have an emergency on the road, or in a place of necessity, even if you arise before day break, you must not do any work until after the *Tefillah*. Even more I warn you to hold fast to the ways of *hasidut*, for it is to me under the general category of Divine commandments. Just as it is even forbidden to eat because of the regulation, "Do not eat until you have prayed,"

¹*Parshat Hatamid* (Num. 28:1-8) refers to the end of the *Korbanot*/offerings section of the morning prayers.

²See *Orah Hayyim* 47:5-7; *Mishnah Berurah* 47:5-7. If you are not sure if you already said *Birkhot ha-Torah*, you should say it just in case it was omitted. *Ahavah Rabbah* is a type of Torah blessing and *Birkhot ha-Torah* must be said before its recitation.

even at the risk of your life, for it is not proper to tend to your physical requirements until after you have taken care of your spiritual needs, unless there is necessity. Therefore it is proper to arise every day in the winter, at least some hours before sunrise and to concentrate on some study commensurate with what the Lord has favored you [and allowed you] to understand. Be it the Talmud, midrash, books of ethical literature, or even Psalms or works published in German.

Only this I warn and command under the category of the honor due a father: That you do not read any of the stories that are called "histories" that are published because of our great sins nowadays in German, and all the more so in books which the thinkers of our own time have published.¹ Even that which is based upon the style of books of *Musar* or *Hanhagot Tovot*, you must know of your own knowledge that they are an abomination and are in general in the category of non-canonical books. As our sages of blessed memory said, "He [who reads them] will have no portion in the world to come, because they serve only to remove one from the service of God, may His name be blessed" (*Sanhedrin* 90a). And I command you that you should not keep them in your homes temporarily, or even at all, for they are beyond redemption. Those who publish such books are to be included in the category of those who lead the majority to sin. But cling to those books which are published in German and promote the fear of Heaven. They are good for you.

¹Danzig may be referring to the works of Moses Mendelssohn.

6. Cleanliness

Take care, my children, with this, for it is the sure essential: When you enter the synagogue you must conduct yourself reverently and not speak frivolously there. Be extremely careful to wipe off all filth. You must also wipe the anus well so that it will be clean, for excrement in that region is forbidden. Heaven forbid that for that reason your prayer become an abomination and your punishment be doubled. For it is not enough that one does not accomplish the mitzvah of *Tefillah*, but that he should be deemed instead to have sinned. Therefore, wipe well with paper or with anything that would make it clean. Wash the fundament so that it will be completely clean. Be careful not to wipe it with your right hand for that is prohibited.

And thus at every holy matter, whether study or worship, be extremely careful that your body and clothing and the locale be completely clean so that there is no filth at all, namely excrement, a bedpan, or a chamber-pot for urine which emits a foul odor. Even the rest of the things which smell bad, including feline feces, all this must be moved far away from you as far as your eyes can see, and four cubits behind you. So also urine which gives off a foul odor.

The practice is objectionable to me when some people who intend to fulfill the mitzvah of sanctifying the moon do so in the middle of the street when it is known that herds of cattle [are corralled there] and they have to discharge their urine. Thus there can be there only a stench, and one must distance himself from it as from excrement. Even at night you must remove yourself [from a

place befouled by urine and excrement] as is explained in *Hayyei Adam*.

Therefore I caution you so that it will be preferable not to sanctify the new moon at all rather than to sanctify it in an unclean place. One who recites verses of scripture, speaks words of Torah, or debates a [legal] dispute in an unclean place, or if his clothes or his person are soiled, of such an one it is written, "Because he has spurned the word of the Lord, that person shall be cut off. [He bears his guilt]" (Numb. 15:31). Heaven forbid that some fool be found guilty in a trivial matter and be extirpated for something in which he has found no pleasure. Therefore, be cautious regarding this matter.

7. Congregational Prayer

Upon daylight, go to the synagogue to worship. Be extremely careful to worship in a prayer gathering, for the one who does not go to synagogue is called a bad neighbor, because good neighbors who like one another want to get closer with each other, and so occasionally they visit in their homes. But when the neighbors are bad, and do not like one another, then they do not visit the other's home.

And so it is with one who does not go to synagogue, which is the abode of the Protector of Jacob. A person's prayer is heard only if in synagogue, or at least in a prayer-quorum. It is not as most people think that the principal reason for public prayer is to hear the *Kaddish*, *Barekhu*, or *Kedushah*, and they are therefore strict regarding this matter. But that is a total error, though it is also

undoubtedly a great mitzvah. Rather the principal reason is that a person should recite the Eighteen [Benedictions] with a congregation. So it is termed congregational prayer. If a person arrives late at synagogue, it is better to skip the verses of song (*Pesukei de-Zimra*) in order to pray [the Eighteen Benedictions] with the congregation. He who gives himself license not to pray with a congregation is accounted as one who forsakes the Lord. The one who prays in a group [follows the paradigm of fulfilling] "one commandment leads to another," (¹מצוה גוררת מצוה), for he will respond [publicly] to the *Kaddish*, *Kedushah*, and the rest of the commandments [regarding congregational prayer].

8. Promptness at Synagogue

Be extremely careful to go to the synagogue at the announced time for worship, so that you may pray properly. I have already written to you that you should think of yourself as a man traveling to Leipzig. How careful he is during the time he is at the fair to get up in the morning so that he may purchase some articles of merchandise. And all the more so there are other concerns. He has some doubts regarding the goods: Whether they may be stolen from him while he is on the road, or if they will fall into water, or if he will lose money on his merchandise, even though he has been extremely cautious. How much the more so with the reward of [performing a] mitzvah, for you cannot lose it, but through [the mitzvah] you will receive [a place] in the world to come. How much the more so should you be careful not to lose great reward because

¹ *Pirkei Avot* 4:2.

of mere laziness, of which it is said, "How long will you lie there, sluggard?" (Prov. 6:9).

9. Tallit and Tallit Katan

9. After [you arrive to synagogue] wrap yourself in the fringes of a large prayer shawl, and even when you are on the road. Obviously you must be careful that all day you wear a small prayer shawl (*tallit katan*) which is made according to the law.¹ Be very careful that it is open on both sides, and the greater part of it visible. Most tailors are not scrupulous about this, and many do not even measure. [They] only [measure] so that most of the opening is perforated [so that] the hand may enter it. And this is a mistake, because he needs to measure the entire length of the clothing up to the top of the neck opening. For even a place in which the hand enters is thought of in clothing as if it were closed up. Even if he opens it up afterwards, most of the fringes are defective. Therefore, be very careful in this matter, and do not bear the inclination in a matter which has no benefit, for the mitzvah of *tzitzit* is very great. Every day check that the fringes are proper. Also be careful that the aperture into which the fringe is put in is above the thumb breadth, as it were from the thumb breadth to the top of the nail. If the aperture is smaller than this measurement

¹The *tallit katan* must be made of white lamb's wool, about three-fourths of a cubit in length and half a cubit in width; others hold that it must be a cubit square. Those who are accustomed to sew together the sides of the *tallit katan* should be careful to leave open on both sides the greater part that is visible, and it is not permitted to attach that part by hooks (*Kizzur Shulhan Arukh* 9:1).

then the fringes are defective. It is better that it be above the thumb breadth. Up to three fingers is defective.¹ Be careful about this matter for tailors are not careful about it, and you may find yourself negating the mitzvah of *tzitzit*, and reciting a benediction in vain, God forbid.

10. Tefillin

Afterwards lay *tefillin* for it is a great and supremely holy mitzvah. Be extremely careful that your *tefillin* are valid and beautiful, [made] by a scribe accounted as an expert by the many. It is especially proper that you [check the *tefillin*] yourselves or that you give them to a proofreader who will check the passages [on the parchment] before the scribe places them in the receptacles so that it may not contain any defect or even some erasure or something which was blotted out. For scribes are not well learned, and occasionally they make erasures in a place where it makes [the *tefillin*] unfit. When all this became known to me, it is a general rule to contract with the scribe not to rub a metal tool over the parchment, to correct a letter with a knife, since this would require consultation with a scholar.

The receptacles should be attractive and square. The [receptacle for the] head may not be made of four [separate] receptacles which are attached together, but rather only [one which is] separated [into four compartments]. Pay close attention [to make sure that] the brim and the stitching are both square. Take great

¹Cf. *Kizzur Shulhan Arukh* 9:1-3.

care with this because scribes make us stumble because of our many sins.

You must also take care to affix a *mezuzah* made by a skilled scribe on each and every doorway. Examine it [for mistakes] before [affixing it]. Do not try to economize on a few gold coins for the *tefillin* so that you can buy them cheaply. Rather you should be as a man who buys quality merchandise even if it is very expensive, for why buy inferior merchandise cheaply, when thereby one could lose everything, because buyers will not want it. How much the more so with a commandment from the Creator. If you are stingy, your *tefillin* may be unfit and you will lose your money and even worse the great reward of the world to come. Take care, my children, for this is your life. Be careful with the place where you lay the *tefillin*. The *tefillin* for the hand must be upon the biceps of the upper part of the arm. The knot of the *shel yad* may not move from the receptacle. Be careful about this. Do not reverse the straps of the *tefillin*. That is to say, that the black [should] be on the outside. The *tefillin* of the head must lay precisely opposite the brain so that the edge of the receptacle of the *shel rosh* is on the hairline. The knot of the *shel rosh* must be placed immediately opposite the indentation in the neck. If not, Heaven forbid, you have not fulfilled the mitzvah of *tefillin*, and that is your life. Be very careful whenever the *tefillin* are on your hand and head, do not treat them irreverently, with mockery or derision.

11. Proper Conduct During Prayer

After you put on your *tallit* and *tefillin* , prepare yourself for prayer. Be very careful not to stop for frivolous speech or for any break from *Barukh She'amar* through the end of the *Tefillah*.. This is prohibited from the point of view that it is forbidden to pause during praise of God, may He be blessed. Even if one prays in his own house and surely if he is in the synagogue, it is prohibited to engage in vain speech for the synagogue is a special house for God, blessed by He. For would it occur to anyone who is standing in the royal palace before the king, to speak with any other person or be frivolous? Certainly he would risk his very life! How much the more so before the King of Kings! For every day He awaits the prayers of Israel. As it is written, "You are the Holy One, enthroned, the Praise of Israel" (Ps. 22:4). In other words, God expects the prayers of Israel.

How can a person not be ashamed before his Creator? The Zohar dwells at great length upon the punishment for one who speaks idle chatter in the synagogue. Therefore, my precious children whom I love and yearn to bring to eternal life, be cautious in this matter and do not have relations with the wicked who engage in idle chatter in the synagogue, for woe be their souls! It is forbidden to stand near them, as it is written, "[Happy is the one who] who has not sat in the seat of the scornful" (Ps. 1:1). One who does not study Torah or engage in commerce, such are called scornful, as it is written, "Judgments are in store for the scornful" (Prov. 19:29). This is one of the four categories of those who do not receive the Divine presence. Choose a place in the synagogue and house of learning next to God-fearing people who do not speak [idly] at all. And do not go about in arrogance, standing only in a high place, and not caring

whether there is a wicked neighbor there who speaks in the synagogue. It is forbidden to stand within four cubits of him. Prayer is in place of sacrifice, and therefore be careful to pray quietly and not hastily. Otherwise the Holy One, blessed be He, will say, "What need have I of all your sacrifices?" (Isa. 1:11); "And when you lift up your hands, I will turn My eyes away from you" (Isa. 1:15). And it is written, "You have wearied the Lord with your talk" (Malachi 2:17). It is also written, "She raised her voice against me therefore, I have rejected her" (Jer. 12:8), because the prayer is not proper it rouses antipathy above and it causes evil to you. Therefore, pray quietly so that your prayer be true supplication.

12. Recitation of the Shema

Take great care to recite the *Shema* at its [proper] time. During the long days, namely during the three weeks prior to the equinox, and after the equinox its [proper] time is only up to six o'clock or a little longer. Therefore be sternly warned not to act leniently in this regard. Do not pay any attention to the majority who delay the time for the *Shema* in synagogue. The recitation of the *Shema* is a positive commandment of the Torah, and there is nothing comparable to the reward for doing it. All the more so when in the time of emergency and compulsion, one, by reciting the *Shema* at the proper time, thereby fulfills the mitzvah of meditating upon it day and night. [Recitation of the *Shema*] requires great concentration, and it should be read only with awe and great trembling. You must concentrate during the first verse [on the word] "Lord," for He causes everything to be; "our God," for He oversees

everything; "the Lord is One," for He is [the One who] creates and establishes the seven heavens, the earth, and the four winds of the world. Also you should concentrate and imagine that a great and mighty fire which burns before you and it is you who perish in fire as a martyr to sanctify the Name. Thereby you deliver your body and soul into His hand, may He be blessed. And you will say "Blessed is His glorious kingdom for ever and ever" with great concentration, as if it were the moment when your soul departs. One who does not concentrate upon the passage, "Hear O Israel" and "Blessed is His glorious kingdom for ever and ever" must go back and read it [again]. He will be punished for this, since he was not careful to read the first time with concentration. Afterwards, fix your mind to accept the yoke of the mitzvot. Take care to say "Blessed is His glorious kingdom for ever and ever" quietly so that it cannot be heard at all except on Yom Kippur. Also be careful to concentrate upon the verse "You shall love" and the verse "Set these words." Also concentrate prior to reading the *Shema* on your desire to fulfill the positive commandment of reading the *Shema*.

13. The Tefillah

Afterwards, prepare to stand and pray the Eighteen Benedictions. Pray them silently, even on Rosh Hashanah or Yom Kippur. Concentrate with all the force you can bring to bear on your prayer. Take great care to close your eyes during the Eighteen Benedictions or to pray from the prayer book without looking anywhere else, Heaven forbid. For the one who looks anywhere else

besides the prayer book during the Eighteen Benedictions is not worthy of seeing the divine countenance at the time of his death.

After the *Tefillah*, before עשה למען שמך,¹ pray each day with all your heart for what each person needs, whether it be for a livelihood or for someone who is sick in the household. Pray that all of your descendants will fear God and do His mitzvot. [Pray that] the Torah will not depart from your lips² or from the lips of your children and your children's children forever. And pray for all the essentials you need. Pray, then that He will save you from the envy of other people, and will give you your sustenance abundantly, liberally, and without worry, and that He will deliver you from the evil inclination, from the hatred of other people, and from the desecration of the Name. At any rate, do not forget to say the *Tefillah* at its proper time. If you cannot pray in Hebrew, you may even pray in German in order to fulfill the obligation of [praying the] *Tefillah*. For according to the opinion of Maimonides it is a positive commandment of the Torah. Pray so that He will set His love and awe upon your hearts, and bestow upon you scholarly and pious children, and that He will save you from slander, gossip, profanity, and empty things, and that He will truly fix the virtue of truth in your heart.

¹This is a quote from the *Elohai Nzor* prayer which concludes the *Tefillah*.

²Allusion to Josh. 1:8.

14. Study after Prayer

After prayer, "How good and pleasant" (Ps. 133:1) it would be if one would study immediately as much as possible. At least a chapter of Mishnah should be done in a relaxed way, and not in haste, and if he can, he should also study a unit of Talmud. [If] anyone does [more than the minimal requirement], length of life is granted him. At any rate, I enjoin upon you, with an injunction [so weighty that it comes under the category of] "Honor your father," to study each and every day immediately after the service a little of this will, and the abridged halakhot of Shabbat, entitled *Zikhro Torat Moshe* ¹ until you know it very well, almost by heart. And then you should review, and if you can, study another section, even for a short while, according to the demands of your time. At any rate, not less than every two months, review this commentary and always the commentary upon the laws of Shabbat.

15. Importance of Proper Eating; Blessings over Food

After that, go to your home to eat breakfast, and concentrate upon eating in order to be strong and healthy so that you may serve the Creator. For in these times weakness overpowers [us] because of our many sins. Listen, my children, to my words regarding fasting, for they are for the sake of righteousness and integrity. Fasting is only to subdue the body so that it should not rebel because of eating or drinking. Therefore, if a man sees that his evil inclination will overpower him, it is a great mitzvah that he fast and deny himself

¹*Zikhro Torat Moshe* is a halakhic treatise (Vilna, 1821) by our author.

[food or drink] so that he may be called saintly. But if a man surveys himself and finds that he is not liable to temptation and sees that fasting wakens his body, it is forbidden for him to fast, except for obligatory fasts, the Ten Days of Repentance, and the like. A man in poor health should not fast except during a public fast. But the great principle is that one's hunger should [be in proportion to] his eating, nor should anyone [ever] eat like a beast. Only one must prepare himself for eating and drinking and direct his mind to recite the Benedictions of enjoyment (*Birkhot ha-nehenin*) word for word. Then he may eat and it will be tasty for him. The great principle is that one should not gorge himself according to his hunger and should not sate his cravings by gluttony. Be extremely careful with the Benedictions of Enjoyment. Say the appropriate blessing as is explained in my book, *Hayyei Adam*.¹ At any rate, be careful to say the blessing after eating (*Berakkah Aharonah*) over the seven species which are described in the Torah (Deut. 8:8). At any rate [be sure to say] the Blessing after the Meal (*Birkat ha-Mazon*). And the authors of books on piety (*Sifrei Musar*) hold that the one who says *Birkat ha-Mazon* with concentration is assured that he will never lack food. What the sages said [must] always be before your eyes: Everyone who enjoys something in this world without reciting a blessing is kin to Jeroboam, son of Nebat (*Berachot* 35b). An how much the more so with *Birkat ha-Mazon*, for it is a positive commandment of the Torah to say the blessing word for word. At any rate, be careful to say at least a few words of Torah at the table, and make it a habit to have some Mishnah upon your lips. Do not say *Birkat ha-Mazon*

¹See note to section three above.

hurriedly, but give praise and thanks to His blessed name, [He] who gave you bread to eat. And how good it will be for you to be careful about the *Mayim Aḥaronim*.¹

16. Commerce

16. If you must go [away] for your livelihood and engage in commerce, say "Behold, I am going to engage in commerce, honestly, in order to support myself and my family. May it be Your will that you send a blessing upon the works of my hands and upon everything to which I turn, I and all those who work for my sake. May we succeed and prosper, for I cast my burden upon You. May I not be ashamed, for I have put my trust in You. And may You ordain that the angels appointed for sustenance lead buyers to me who will like my merchandise. Save me from desecration of Your name. And to not bring me into temptation. May your Name be sanctified by me."

17. Business Ethics

Be very careful not to be deceitful with weights and measures, Heaven forbid, for the penalty is very severe. And Heaven forbid that you will ultimately be impoverished. Know that the prohibition ascribed to weights and measures also includes the other nations, and its punishment is as severe because [the transgressor] also desecrates God's name. The general rule is that any money which is not honestly earned will certainly not remain in your possession. Therefore, be careful and pay close attention to everyone involved in

¹See *Orah Hayyim* 181:1-10 for laws concerning *Mayim Aḥaronim*, over which no blessing is recited (181:7).

your livelihood; they must also be very careful with this. There are also some reckless people who even have a correct cubit which may display as a cubit, but the measurement begins a little from the bottom. To sum up, be careful with those with whom you are not familiar. If a person purchases something from you which is weighed or measured, the weights and measurements must be honest. Be very careful that there is no deception, for in addition to a prohibition against deception, there is also a prohibition against doing business [with a deceitful person].

18. Dangers of Swearing Oaths

Be very careful not to take any oaths in commercial matters. How much blindness there is! For when a person makes a claim, is it not the case that the other party will compromise in order not to make an oath, and even if the oath is taken without mentioning [God's] name. How can one presume to swear many times without any necessity? And they take an oath by the name of God, as the world is in the habit of saying, "So may God help me." And it is known that this is an oath with God's name whether it is stated in the holy tongue or in a secular tongue. Thus, there are those who swear in Polish or Ukranian and say *יע באהו* or *דאלי באג*,¹ but that is also a mention of God's name and transgresses [the commandment] "You shall not take the name of the Lord your God in vain" (Ex. 20:7), for the entire world trembled at the moment "You shall not swear" was

¹These are all Ukranian, Russian, and Polish expressions that employ the name of God. Danzig is stressing that swearing in any language with God's name is reprehensible.

said. How can anybody dare mention God's name in vain without any necessity or compulsion at all? Woe be his soul! This matter is not only in that he accustoms himself to a point that the oath comes out of his mouth without his intention at all. Therefore, a man must be very careful to get in the habit of not uttering any oaths at all. Then he will be happy and things will be good for him. Know, my children, that just as the punishment is very great for an oath taken in vain, so much the more so for a lie, Heaven forbid, so is the punishment very severe for one who mentions God's name in vain. Also, there is no differentiation between Hebrew or any other language, whenever one transgresses [the commandment] "You shall not take the name of the Lord your God in vain" (Ex. 20:7). That is to say, do not speak God's name in any language, as it is written at the end of the "Reproof,"¹ "If you fail to observe faithfully [all the terms of this teaching that are written in this book], to revere this honored and awesome Name" (Deut. 28:58). How appropriate it is that a man's limbs tremble at his mention of God's name, for when it is mentioned, all of the heavenly hosts tremble. As it is written, "[You shall not swear falsely by the name of the Lord your God]; for the Lord will not hold guiltless one who swears falsely by His name" (Ex. 20:7; Deut. 5:11). The expression "swear falsely" does not only refer to an oath, but to speaking God's name at all.

19. Dishonesty; Jealousy; Business Ethics

¹תוכחה refers to the biblical pericopes Lev. 26:14-43 and Deut. 28:15-68.

Keep yourself very far away from speaking lies. It is one of the four categories for which liars do not receive the Divine presence. As it is written, "He who speaks untruth shall not be established before My eyes" (Ps. 101:7). It is the chief source of defilement and causes many evils. Because of our many sins, people stumble over this and deceive human beings through lies. Therefore, do not believe a person unless you have examined him yourself. For people speak insincerely and envy and lust drive a man out of the world. By this they mean that man is called "the soul," and man himself is called the "world," for he is a miniature world. Through envy and lust, the holy soul departs from the body even while it is still alive. As they say, "The wicked in their lives are called dead." Therefore, be very careful that you are not among those who are especially lustful, for what can it give you and what can it add if you desire thousands and it is not in your power to achieve them and it is not only from an illness of the heart and it shatters the strength of a human being.

Do not be jealous of your neighbor even if he is very wealthy. But if it is good in the eyes of the Lord to give him wealth and honor, whether it be for his goodness or wickedness, why should it not be good in your sight and why be jealous of him? This is not only wickedness and a lack of faith, for it appears to your mind that if it did not go to your fellow, then the wealth would belong to you. There is no greater foolishness than this for you. You transgress [the commandments] "You shall love your neighbor" (Lev. 19:17); "Do not covet" (Ex. 20:14); "Do not desire" (Deut. 5:18); and "Do not hate" (Lev. 19:17). It is proper for a person to be happy with what God has

graciously given to His creatures. Trust in God that He will supply what you lack, what has been allotted to you from Rosh Hashanah through Yom Kippur, and this will not be increased despite all your efforts. How much the more so you should not engage in any dishonesty in business dealings! Invading someone else's territory and the like will confirm a man in wickedness. "If a poor man is examining a cake and another comes and takes it away from him what then? He is called a wicked man" (*Kiddushin* 59a). Take care that you will [not] be called wicked. And it is written, that "if the wicked person is blameworthy" (Deut 25:2), pay attention so that you will not be wicked, Heaven forbid. Be careful of light transgressions as well as severe ones, and even a rabbinic prohibition. Then your way will succeed and then you will prosper. If your fellow has already bargained with you for a purchase or sale, do not cause him any harm. And if it is clear that he has already made a sale, do not harm him, Heaven forbid. And all the more so, do not cause any loss to your fellow, that money will be lacking in the hands of others.

20. Causing Humiliation; Forgiveness; Degrees of Sins

Take great care not to wrong someone with your words. It is a greater sin to injure someone with insulting words than by cheating him of money. It is written, "You shall not wrong...the stranger" (Lev. 19:25). How can you define this expression "insulting words?" If a person repented, one should not say to him, "Remember your prior deeds." Or if a person were the descendant of wicked people, one should not say to him, "Remember the actions of your ancestors."¹

¹See *Bava Mezi'a* 58b.

And how much the more so you should not embarrass any Jew, even the most insignificant. There is an explicit Mishnah: One who insults his fellow, even if he [knows] the Torah and has good deeds, has no portion in the world to come.¹ And how can a person fail to take into account that all will perish that he has earned by fasting and the performing of mitzvot for a simple thing like this?

And if, Heaven forbid, one stumbles in some matter, he may not rest until he seeks forgiveness [from the injured party]. The request for forgiveness will only suffice when the wrongdoer knows that he has been forgiven with a complete heart, as is explained in the laws of Yom Kippur. The [person's] evil inclination should not entice him by saying that he had really intended to do a mitzvah. Regarding this it is said, "A road may seem right to a man, [but in the end it is a road to death]" (Prov. 14:12; 16:25). All the more so, one may scorn a scholar, Heaven forbid. How much the more so for one who despises a scholar! Such an one is styled a heretic and derives heresies from the Torah. [Such a person] has no portion in the world to come and he is among those who bring others down and does not bring them up. Do not desecrate Shabbat for him. Woe be his soul! For he will be requited with evil until such time as he will have appeased the scholar.

My great grandfather would behave [in this manner]: When a person would sin against him, he would go to him and say, "Why haven't you asked forgiveness from me?" And through this they would become friends. My children, let those words not turn away

¹*Bava Mezi'a* 58b states that one who publicly shames his neighbor is as though he shed blood.

from your eyes. Be even more careful with this than with protecting your money. This is the expression of the Rokeach, may his memory be blessed, who in his book *Orhot Hayyim*¹ [wrote that] the one who despises his neighbor and embarrasses him, even if it is done privately, [the sin] is as harsh for him as death, and all the more so [if the embarrassment takes place] in public. What repentance is there for [the one who embarrasses] if he does not request forgiveness. He must prostrate himself under the soles of [the one whom he embarrasses] feet.

If one scorns his fellow it is crueler for him than if he struck him. The one who ruins [another person's] livelihood is worse than if he steals it from him. The one who refrains from giving *zedakah* is worse than the one who steals another's money. The one who steals a small coin from the poor is worse than one who steals from the rich. The one who tells lies is worse than all the others. The one who causes another to sin is worse than all the others. The one who ridicules others is worse than all the others. The one who mocks others is worse than the one who commits a sin. The one who provokes anger is worse than the one who hits another. The adulterer is worse than the one who wounds another. The one who takes an oath in [God's] name is worse than all the other sinners. The one who removes a border marker must pay restitution twice over. The one who gives his neighbor a bad name is as bad as the

¹ *Orhot Hayyim*, written by Rabbi Eleazar ben Isaac of Worms (Eleazar the Great) circa 1050, is the earliest ethical will included in Abraham's Hebrew Ethical Wills, p. 31-49. The section which Danzig is referring to is based on a paragraph reprinted in Hebrew Ethical Wills, p. 41.

adulterer. Be careful to comply with the verse, "That your brother may live with you" (Lev. 25:36) and "Do not remove your countryman's landmarks" (Deut. 19:14) and do not take any of his means of livelihood or anything, even his merchandise. And if another comes in order to take it from his fellow, this is not subject to forgiveness. Such a man is called wicked, and there is no other thief like him. This is the end of the quotation [from *Orhot Hayyim*].

21. Association with Unseemly Company; Reproof

Association with wicked people and with heretics, "a stock sprouting poison weed and wormwood," (Deut 29:17) destroys [a person's] faith. It is better for a man to meet a lion or bear that has lost its young¹ than to meet [a wicked man or heretic]. As it is written, "Sooner meet a bereaved she-bear than a fool with his nonsense" (Prov. 17:12), for the one slays only the body, while the other slays him and causes the loss of the soul's portion in the world to come. Therefore, Solomon warns, "My son, if sinners entice you, do not yield" (Prov. 1:10), which is to say, that you should not gather with them at all to debate any problematic texts or to seek solutions through casuistry. [You should] just say to them, "I do not agree with this view or these matters." It is better for a man to eat a morsel of bread with salt than to associate with these wicked people. Woe to their souls! For they have denied God and done evil to themselves and to their ancestors in the grave. And even if you see [a wicked man] who lays tefillin and performs all the mitzvot, do not

¹Since the animal lost its cubs it is embittered and dangerous.

associate with him at all. For this is only routine behavior learned from tradition [and therefore insincere], and disgrace is still upon him for denying God. But this is worse than apostasy, for the apostate's disgrace is already revealed, and certainly none associate with him, while the former devises evil in his heart. Also, association with evil, wicked men [is forbidden] even if they have faith, because consorting with them destroys the service that we are obligated to render God. Even one who is untrained in belief and service, if he associates with wicked people, it destroys his service [to God].

And all the more so with businessmen and merchants. When I was fourteen years old I traveled to various yeshivot. When the time came to bless me before my journey, my revered father would customarily say to me: "My son, you are young and tender. Give me your hand to seal an agreement that you will associate only with those who serve God." So I pledged to my father, and, thank God, I fulfilled his injunction. Some weeks later, while I was on that journey, [I was in] the company of bad people, and my feet almost slipped, but it was God's compassion that He immediately saved me from their hands. And just as association with the wicked causes one to lose and destroy his faith and service, so association with the righteous and those who serve God strengthens one's faith and service, for one learns through their actions, as it is written, "He who keeps company with the wise becomes wise" (Prov. 13:20).

However, if you see someone who flatters his neighbor and does not inform him that his ways are not good, this is not enough for him. But on the contrary, he tells his neighbor that everything he

does is good. No benefit comes about from association with such a flatterer, but on the contrary, he brings evil upon himself. But one who does not flatter his neighbor, if he sees in him something which is improper, he [should] say to him, "Know, my brother, that this is not the proper action to which your soul should cleave. About this they said, "Acquire a friend" (Avot 1:6).

I heard that the Gaon Gershon Askenazi of Metz (d. 1693) would maintain with him a learned and God fearing man, and would pay him to inform him when he saw Gershon doing something improper. A person must love reproof, as our sages said, "Love reproof, for the man who hates reproof is very far from repentance." As it is written, "He who loves reproof will be loved [by God]."¹ And it is said, "He who loves discipline loves knowledge; he who spurns reproof is a brutish man" (Prov. 12:1). And it is said, "The scoffer dislikes being reproofed. He will not resort to the wise" (Prov. 15:12). As it is written, "Dull that people's mind, stop its ears, and seal its eyes, lest, seeing with its eyes and hearing with its ears, it also grasp with its mind [and repent and save itself]" (Isa. 6:10). Which is to say that through three ways a person may repent, or that he has intelligence to understand that all the works of man are vanity.

And how can it be supposed that the Holy One, blessed be He, created a great world such as this, and all of it vanity? But when a person reflects that God created everything for His glory, to make us realize that He is high and exalted, there is no limit to his greatness. "His glory" occurs when a person fulfills all His mitzvot

¹This is a paraphrase of Prov. 15:9,10.

and His Torah. Then he will obviously repent of his [evil] ways, or if he has no understanding of his own, it is for him to go to wise men who will help him understand ethical matters. Or at any rate, when one sees with his own eyes that rich and poor alike die in their youth, and that they have never seen goodness, he will say to himself, "Who knows when I will die, or in what I should trust? [In order] to receive a good [portion] in the world to come." Then he will repent." As the prophet said, "Dull that people's mind," etc. (Isa. 6:10). He does not want to place anything before his eyes to take reproach lest seeing with his eyes or hearing ethical teachings, by virtue of this, his mind will comprehend of its own accord. Therefore it is a great obligation for a man to hear words of reproof and to study books of ethical teachings every day. And it is said, "A fool spurns the discipline of his father, but one who heeds reproof becomes clever" (Prov. 15:5). I already elucidated through Proverbs that morals are taught through ethical instruction which recall the day of one's death and the like in order to humble a person's heart. The reminder is not intended to reprove anyone. As it is written, "[Bear in mind that] the Lord your God disciplines you just as a man disciplines his son" (Deut. 8:5). And the *Targum* [translates "disciplines you"] as "teaches you." And this is the meaning of the text "A fool spurns" (Prov. 15:5): Even if his father speaks of only proper behavior, does the son not even discuss [the subject with] him, even though his father [admonishes him], and who else will care? But the one who hearkens to hear reproof, even if it is from someone other than his father, and he reproaches him to his face

saying, "Why have you done such," acts prudently, as Maimonides said, may his memory be blessed, in chapter six of *Hilkhot Daot*.

A person's health is prolonged by his thoughts and actions [which are influenced by] his neighbors and friends who behave according to the custom of people in his land. Therefore, one must associate with righteous people and always sit with wise men so that he may learn from their actions. And one must distance himself from the wicked who walk in the dark so that he will not learn from their ways. As Solomon said, "He who keeps company with the wise becomes wise, but he who consorts with dullards comes to grief" (Prov. 13:20). And it is said, "Happy is the man who has not followed [the counsel of the wicked]," (Ps. 1:1). And thus, if one were in a region in which [the residents'] customs were evil, he should go to a place where everyone is righteous. And if he is unable to do so, let him remain by himself. And if this does not bring him tranquillity, he should go out to caves or the wilderness, so that he will not behave like the wicked.

22. Pride

I already revealed the shamefulness of pride in the Forward to my book *Zichru Torat Mosheh*. I [discussed] it at length, as befits this serious failing. Those who want to investigate [the subject] further should look there.

23. Insolence; Shame

Insolence is a consequence of pride. For because of pride, it is not considered as important to anyone. It reviles, insults, and

publicly humiliates the young, the old, and even scholars. Someone who is insolent is not saved from dissension, hatred, and jealousy and is called wicked. As it is written, "The wicked man is brazen-faced" (Prov. 21:29). And it has already been said in the Mishnah, "The shameless [will go] to *Gehinnom*, [and the shamefaced will go to *Gan Eden* (Avot 5:20). There is no distinction between the righteous or the wicked, a scholar or an ignoramus, but his judgment is determined that he shall descend to *Gehinnom*. Just as the quality of insolence is very inferior, the quality of shame is exceedingly excellent. Our sages of blessed memory said that it is one of the qualities of Abraham our father, who was among those who were shamefaced. And they said that whoever has known shame, his descendants were standing at Mt. Sinai. The great principle regarding the quality of shame is that one should not speak harshly with anyone. When one is speaking with his fellow, he should not always stare at his face, but rather one time he should look and another time he should not look. This is [one of the] signs of shame.

24. Hate

Hate destroys our homes, expels us from Land, and transgresses many negative commands. As it is written, "You shall not hate your kinsfolk in your heart. [Reprove your kinsman but incur no guilt because of him.] You shall not take vengeance or bear a grudge [against your countrymen. Love your fellow as yourself]" (Lev. 19:17,18). And it is written, "He who rejoices in another's misfortune will not go unpunished" (Prov. 17:5). This is not the general character of Israel, but is the general character of Esau. As

it is written, "Esau hated Jacob" (Gen. 27:41). And even if his fellow behaved evilly towards him, at any rate he would not hate him in his heart. If his fellow asks forgiveness from him, [he should] forgive him and not be cruel. And if he robs him of his livelihood, he should think that no one takes that which is his neighbor's, and certainly such behavior is not decreed from Heaven. And if he wants to retaliate against one who injured him, he should think that all of the good which one does for his fellow is decreed by the Creator. If it is the Creator's will to do good to him, then God will implant the notion in his fellow's mind that he should be good to the other. But if this is not the Creator's will, God will implant the notion in his fellow's mind that he should not benefit the other. And it follows that the good or bad which one's fellow does to him is not of his own deciding. As King David, may he rest in peace, said when Shimei, son of Gera cursed him and his servants wanted to kill him (II Sam 5-14), responded to them, "[Let him go on hurling abuse], for the Lord has told him to" (II Sam. 16:11).

25. Compassion

While the quality of hatred is extremely disgraceful, the quality of compassion is excellent. With whatever ability a man has to be compassionate to his fellow man, whether it be in person or financially, he [should] gather his strength and strive with all of his ability. Just as a man wants [God] to have compassion upon him in his hour of need, so too [should he be] compassionate to his fellow man. This is the will of the Creator, may His name be blessed forever. He commanded us in His holy Torah, "Love your neighbor as

yourself" (Lev. 19:17). Abraham, our father, grasped this quality, as our sages of blessed memory expanded upon it. However one should not practice this at all times, because when a person has compassion for his son and does not punish him, the son falls into bad ways. Thus, if one shows mercy toward the wicked and does not punish them, that becomes a perverted judgment for the wicked become even more licentious. Our sages of blessed memory said that everyone who is compassionate towards the wicked will, in the end, be cruel towards the righteous. Therefore, a person must always be very cautious that his compassion should be the will of the Creator. And if he sees that the will of the Creator in this matter is to become harsh, then he makes himself zealous in honor of the Creator and he chastises his son with a rod or with words. As it is written, "Discipline your son" (Prov. 19:18) and it will bring you rest. And thus, punish the wicked. As it is written, "Bring down the wicked in their place" (Job 40:12). If you do so, then it will be good for you in the world to come.

26. Anger

Anger is an extremely disgraceful attribute. Every angry person is called a fool. As it is written, "Anger resides in the breasts of fools" (Eccles. 7:9). And it is known that their sins are more numerous than their virtues. As it is written, "[An angry man provokes a quarrel]; a hot-tempered man commits many offenses. [A man's pride will humiliate him, but a humble man will obtain honor] (Prov. 29:22,23). And [our sages] of blessed memory said "He who loses his temper, even the Divine presence is unimportant in his

eyes" (*Nedarim* 22b). And all types in *Gehinnom* rule over him and the Devil (*Sitra Aḥarah*) controls him. Regarding this it is said, "You shall have no foreign god" (Ps. 81:10). The one who speaks impulsively in anger is like one who offers a sacrifice to an idol. As [our sages] of blessed memory said, the one who speaks impulsively in anger is like an idol worshiper. He causes many evils by quarreling with people and by disgracing them. For the one who is angry does not pay attention to what he is saying or doing. And everyone fears him and refrains from telling him about the evil he is doing lest he becomes angry at him. The irascible one does not find favor in the eyes of others, even when he has the Torah and good acts in his hands. The world has nothing to learn from him. And even if his fellow reproves him, he should not do so in anger for the other will not accept it. And on the contrary, one should not be firm with him, but should rebuke him gently and calmly, even at a time when one must show anger. For example, to chastise the wicked, to intimidate one's children, or to scold students and the like. At any rate, everything must be done calmly, yet with the display of anger. And when someone's ways [of life] are devastated and he does not become angry at all, that is like Hillel.¹ This is great humility.

27. Proper Business Transactions

One must be extremely careful not to deliver, Heaven forbid, your fellow's money into the hands of a gentile. For if it brings harm to your fellow, and even if it only brings him distress, there is no atonement ever. Even Yom Kippur and the day of one's death do not

¹Cf. *Shabbat* 31a.

atone until one appeases his fellow [who may grant forgiveness]. As it is written, "A man oppressed by bloodguilt will flee to a pit; let none give him support" (Prov. 28:17). [The word] "blood" has two different meanings:¹ That the one who steals even a small coin from his fellow is as if he took his soul. And all the more so, if a person delivers, or Heaven forbid, causes his fellow's money to come into the hand of his oppressor, for this there is no atonement. And a *Baraita* considers him as among sectarians, *epikorsim*, and informers. *Gehinnom* is their end and they can never complete [their atonement]. If you stumble, Heaven forbid, upon some matter, be careful, for you risk your soul. Appease your fellow until he is satisfied, and ask for forgiveness from the Holy One, blessed be He, who will forgive you. This is the general principle regarding one who becomes involved in monetary dealings with a friend: permission can be granted only by a recognized rabbinic authority who will instruct you about money that you are allowed to take, and what is forbidden to you. Stay far away from money which is not yours and do not allow your hand to touch it. Do not think that one is not called a thief until he steals in secret from his fellow's home, or that one is not called a robber until he seizes his fellow's money from his hand. For there are many types of theft and robbery of your fellow's money. The rule is that any money which comes into your hand with permission and which you do not return is called "withholding what is due to one's neighbor." It transgresses the prohibition, "You shall not defraud your fellow" (Lev. 19:13), as well as the prohibition of "Do not steal" (Lev. 19:13). I have seen that

¹Cf. *Megillah* 14b.

this is common among store owners who buy goods from a merchant and afterwards pay him with gold coins. And against his will he gives him gold at a price greater than the market value. And the merchant shouts like a rooster, and what can he do? This is a transgression of [the commandment] "You shall not defraud your fellow. You shall not commit robbery" (Lev. 19:13). And thus, if one often buys something, many are accustomed to throw down some loose change, with which the seller is not satisfied. All this violates the two above mentioned prohibitions only if he pays the bargaining price from the coins as is the way of merchants.

28. Payment of Fair Wages

One must be even more careful to pay a craftsman according to the customary [amount] so that it is acceptable to him. If one does not do so, he transgresses the prohibition of "Do not defraud" (Lev. 19:13). And be very careful that, for the sake of your souls, you do not transgress the prohibition "The wages of a laborer shall not remain with you [until morning]" (Lev. 19:13). But immediately when a craftsman brings you his work and gives it to you, pay him at once. And even if you need to take out a loan on a pledge, or even if you need to postpone the Afternoon Prayer in order to obtain money to pay him, it is better that you do not pray. For once the craftsman submits his bill, you are obligated to pay him. If [you do not do so], you will transgress the prohibition of "Do not defraud" and "[The wages of a laborer] should not remain" (Lev. 19:13). Do not take these matters lightly, for your life [depends on them].

29. Payment of Zedakah

In a place where it is the custom to give from all garments a fixed amount to zedakah, as in our community, be extremely careful to pay according to the fixed amount. Do not delay on behalf of your relatives, for when zedakah is fixed, no one has the right to delay for the sake of his relatives.

30. Sha'atnez

Take great care that your clothing contains absolutely no mixture of linen and wool, Heaven forbid.

31. Proper Clothing

Changing the style of one's clothes from the dress of one's ancestors causes great wickedness, introduces pride into a man's heart, and leads him to sin, except in places where one must follow the general form of dress. At any rate, one must make [his garments] resemble the attire of a Jew as far as possible. For when a man wants to replicate the usual attire of his neighbors, and he will dress himself in garish clothing in order to make his neighbors envious. From this will come many obstacles, and one will err in several prohibitions, Heaven forbid. And for the merit of our ancestors in Egypt who did not change their names or mode of dress, they were liberated from Egypt. The prophet cried out, "I will punish [the officials and the king's sons], and all who don a foreign vestment" (Zephaniah 1:8). Be careful with this and all will be well with you. It is not proper for the children of the Germans, for they dress in the fashion of their forebears. But the one who abandons

the clothing of his fathers, does so only to make himself resemble one of the other nations.

32. Making Claims

When you make some claim with another person, be extremely careful even at your own peril. The most important advice is that you must not delay the time of the trial, nor waste money on excessive expenditures with non-Jewish laws. But if you must, follow their jurisprudence, but only after asking permission from God-fearing people or rabbis. For the one who wants to cause his fellow to forfeit money through the multiplicity of non-Jewish laws deliberately destroys himself. According to the general principle in the Talmud, he desecrates God and His Torah, and for him there is never any atonement. And be very careful not to make a false claim in order to win a judgment. For if you extract money through a false claim it is as if you have stolen it. And even if it appears to you that justice is with you, do not make a false claim besides violating the prohibition, "You must not shed a false rumor" (Ex. 23:1). Indeed, you will have robbed him. Just say the truth, and leave the judgment to God. If you incur a loss through the laws of the Torah, the One who gave the Torah can be trusted to repay you. And Heaven forbid, if you succeed in overturning the laws of the Torah by means of a lie, it can harm you. Be careful of refusing a summons to court. But when an officer of the court comes, then the very next day at latest go to court. Be careful not to scorn, and all the more, to curse the

messenger of the court. For that is one of the twenty four things for which excommunication is decreed..¹

33. Quarreling

Do not go out to quarrel quickly. If [another person] quarrels with you, laugh at them. If you must respond, do so with gentle words. See how many souls have died because of Jephthah's quarrel.² But Gideon responded with soothing words, "[And when he spoke in this fashion], their anger against them abated" (Judges 8:3). Those who hear themselves reproached and do not respond are called "lovers of the Holy one, blessed be He." About them it is said, "They who love God are like the sun as it goes forth."

34. Forgiveness

Do not bear a hateful grudge in your heart, for such is said about the children of Esau. "His anger was preserved forever" (Amos 1:11) for when he was captured, the separation became eternal, therefore each and every individual was reckoned separately. Therefore they are called in Scripture "souls." Not so with us, for we, the children of Israel are called "one soul," for everyone is cleaved out from beneath the throne of glory. Just as it is not proper for a man to hate one of his limbs, even if it pains him, so

¹Maimonides included "contempt of an officer of the court" as one of the twenty four offenses for which excommunication (*niddui*) was prescribed (*Hilkhot Talmud Torah* 6:14). He based his list on a more general statement from the Talmud mentioning but not listing the twenty four offenses (*Berakhot* 19a).

²Cf. Judges 12:1-6.

too it is not fitting for one to hate his fellow. Therefore, immediately when one asks forgiveness from you, pardon him. If he has not sinned against you, but bears a grudge against you, then on the contrary you should ask forgiveness from him and be cordial to him. The principle is, "You shall not hate your kinsfolk in your heart" (Lev. 19:17). For sometimes when a man needs to show hatred towards his fellow it is in order that he turn away from some evil which he thinks is upon him, and the like. And at any rate, do not hate him in your heart. Hate may only be on the outside. Do not judge your fellow as guilty if it is not as clear to you as the sun that his intent was evil. But do not [judge him] by guesswork.

35. Zedakah

Be extremely careful with the mitzvah of zedakah. Give with a complete and happy heart. Do not offend a poor person. And know that undoubtedly for each coin which you give to zedakah, it is as if you planted a seed in the ground which will sprout a hundred times. As it is written, "Sow righteousness (צדקה) for yourselves; reap the fruits of goodness" (Hos. 10:12). For certainly, all zedakah is like sowing wheat in the land, for it will surely sprout and multiply. And indeed, it all depends upon whether the sowing was good and if the land was cultivated well with a plow and fertilizer. And certainly the mitzvah of zedakah is like sowing. And indeed, not all zedakah [merits] receiving an equal reward, for everything is [in accordance with the good that one did. For certainly it is not comparable if one gives zedakah to someone who has only bread, or if the zedakah he gives purchases fish and meat, as against someone who gives

zedakah to a person who does not even have bread to eat. Therefore, if God has given you wealth, be among those who disperse zedakah generously. And if it is not in your ability to disperse [zedakah], then at any rate consider well that the little which you give to the poor is the most needed.

Do not take any pride in your zedakah, showing other people that you gave, and so much the more so that the zedakah be only for pride. Heaven forbid this! But let this principle apply: Relatives come first. And if someone is poorer and in greater poverty but is not your relative, first [give] to a relative even if he is less needy. And at any rate, do not give all [your zedakah] to relatives. Give half of what you want to relatives and the other half to non-relatives, as all is explained in my book *Hokhmat Adam*, [in the section regarding the] laws of zedakah. And how can it be that you will not have any inclination in the mitzvah of zedakah? Give as much as you are able and place before your eyes the saying of [our sages] of blessed memory: "A house which is not open to the poor will be opened for the physician."¹ Undoubtedly it is better to give to the poor than to give to doctors. How splendid it will be for the poor to be among those who eat at your table. And if it is within your ability, let [the poor] be a scholar, and all the more so on Shabbat or a holiday be very careful that there be a poor student of Torah among those who dine at your table. Accept him as an honored guest whoever he may be. And if you succeed in reading my book on ethics, [you will learn that] great is the punishment for one who does not feed the poor on a

¹Numbers Rabbah 9:13. Failure to give zedakah will bring ailments to come upon one's household.

holiday. Clothe yourself with trembling or it will not be pleasant for you to eat. And upon my life and soul, if the people in my household would permit me, I would eat on a holiday just as on Shabbat and I would distribute the surplus of good food which is prepared for my table to the poor. I would have a greater *Yom Tov* joy from this than from the variety of foods provided for me. For how can it be pleasing for me to eat large and tasty fish which is well cooked, dark roasts, and other delicacies, [when] I know that the poor who certainly are better than I have little meat or small fish, yet [the impoverished] are called vessels which are used by the Holy One, blessed be He. Therefore, at any rate, what is in your power, do. And do not say, "And shall I give the meat and fish that I have arranged for my own household to another person?" For certainly the poor are better scholars than I, because they are delivered from a number of transgressions such as pride, jealousy, hatred, and dishonest business transactions." The heart [of a poor person] is always on the Holy One, Blessed be He. Since I am not writing to you only for the sake of setting down words, let my words be upon your hearts. Be careful regarding this, and give honor to the Lord your God who has delivered you so that you will not need [the charity] of other people. Give to Him that which is His. Then it will be good for you in this world and in the [world] to come. In the matter of *zedakah*, if God has given you the privilege of giving be scrupulous to give according to the law, namely [to give] to close relatives first. And you should not work at this mitzvah, for yourself nor for your wife, for there are some who give *zedakah* according to the laws of the Torah, but their purpose is to gain a

good reputation. There is one who works with his wife and allows her to distribute charity to her relatives, but to his family he is stingy. In truth, his relatives have clear priority, [namely] his father, mother, brothers, and sisters. Yet this is not acceptable to God. The *zedakah* should only [be given] according to the laws of the Torah and without any favoritism, even though one's wife's relatives come before other people, but his relatives have precedence.

36. Loans; Generous Acts

Be very careful to be charitable as much as possible. Do some good, great or small to your fellow, either physically or with your money according to your ability. When you have some old clothing, do not let it lie and get worn out but give it to a worthy poor person. And if you can, make a loan to an individual who you know will certainly repay you, "Do not withhold good" (Prov. 3:27) from him, but if he is poor, give it to him as on security. If not, it will be on your mind that if he does not repay you then you, then you will not demand it from him, for it is better not to perform the mitzvah and to make a loan to him than to transgress the prohibition of, "[If you lend money to My people, to the poor among you], do not act as a creditor" (Ex. 22:24). Therefore, lend money only on a pledge. If you do make a loan to an individual and you decide not to ask him [for repayment], then be careful not to pass by him so that you do not embarrass him. To sum up, do all the good that you can. And how much the more so, for the poor; work for whatever he needs. Bestir yourself with all your strength. Distance yourself from the vice of

selfishness, stay very far away from it. Rather be generous. Then you will be blessed by Heaven and by mankind.

37. Repayment of Debts

When you are indebted to others, do not postpone by saying "Go away and come back tomorrow, and I will pay," if you have money in your possession to pay him. If not, then ask him to wait a few days for you, and as soon as you have [money] pay him.

38. Pledges

Keep very far away from being a guarantor [for someone else's loan]. If you are caught in a pledge, pay it without delay. Also, there are many matters between a person and his fellow which are impossible to put in writing. Therefore, keep your mind and your eyes on them so that you do not touch the money of your fellow, Heaven forbid. The great principle for you is to stay away as far as you can from your fellow's money. Do not do anything to your fellow which you would not want others to do to you. The great principle in this is that no lie should ever come out of your mouth. Through this you will be saved from all types of theft.

39 Lending and Interest

The laws of lending upon interest, woe if I say it, woe if I do not! And at any rate know that about all surplus it is said, "Can a man rake embers into his bosom without burning his clothes?" (Prov. 6:27); and "He who is pleasing to God escapes" it (Ecc. 7:26). And at any rate, be careful not to take a loan at an exorbitant rate of

interest, Heaven forbid. And at any rate, when you need some money say to the banker, "I have so many coins to sell," for the borrower and the lender know the permission regarding coins, that is that the borrower agrees that he has refined silver, so many coins. Each coin is really worth twenty gold coins, only he sells each coin for an additional ten gold coins and you sell him the money. From now the choice is in the hands of the lender when he wants you to give him the coins. If he wants to sell you the gold coins in return then pay him such and such interest. Whoever desires to save his soul from the pit of destruction should be learned in the laws of interest. And at any rate, each person must be learned in the laws of interest my book *Hayyei Adam*. Happy is the man who need not a borrower nor a lender. And at any rate, know that in your being a borrower or a lender you place yourself in great danger. The one who wants to be rescued from danger like this must examine and investigate how to ease the burden which is upon him. There is no remedy for it except to be learned in the laws of interest as mentioned above. He should place it upon his heart, preserve it, and do it. "For the paths of the Lord are right" (Hos. 14:10). One should do everything according to legal permission.

40. Physical and Verbal Abuse

Be very, very careful upon your souls not to raise a hand to hit any man or woman. For the one who does so is called wicked and transgresses a prohibition. Woe be his soul! For the Torah calls one who hits his neighbor "wicked." As it is written, "You strike with a wicked fist!" (Isa. 58:4). It is permitted to torment one who calls

his fellow "wicked" is permitted to embitter his life. For how can you be defiant if one has been called "wicked" by God, praised be He. Woe be his soul! And it is even [forbidden to hit] one's servant or maidservant, even if they do not do as you desire, it is forbidden to strike them. For since they serve you, are they lower in stature than you? And Job said "Did I ever brush aside the case of my servants, man [or maid, when they made a complaint against me?" (Job 31:13); "If I raised my hand against the fatherless, [may my arm drop off my shoulder; my forearm at the elbow]" (Job 31:21,22). And it is written, "The high arm is broken" (Job 38:15). Be careful of your soul, for you can injure your soul. If you are a gentle person, make it a fixed habit, so that it will not even come into your mind at all. Also, be very careful that you do not embarrass any person, young or old. Even if someone quarrels with you, for it is the custom of women to revile their neighbor, woe be to them!. For the one who embarrasses another in public has no portion in the world to come.

41. Transgressions of Speech; Books of Ethical Literature

Be careful, my dear, precious children whom I love, of the four factions who do not receive the Divine countenance: liars, mockers, slanderers, and hypocrites. Be very careful in these matters, for even if one has knowledge of Torah and good deeds [but follows these factions] he will be denied a place in the world to come, as [was the fate of] Doeg the Edomite who was expelled from the world to come

for speaking slander.¹ And anyone who speaks slander is as if he denied the existence of God. About this it is said "Let all mourn who are affected, and let our eyes bring down tears" (*Kiddushin* 81a). And it is written, "He who speaks untruth shall not stand before my eyes" (Ps. 101:7). It is not necessary to [discuss] at length the enormity of the transgressions of these four factions, for all of the books of ethical literature are full of them.

And I ask you and your children after you for all generations that you do not keep yourselves from studying ethical literature every day, at any rate, [at least] one page when you are in your homes. Studying [ethical literature should come] before the study of Mishnah and Talmud. It is better to neglect the study of a section of Mishnah than to neglect the study of ethical literature. For to the wicked God says, "How dare you speak of My statutes?" As for the one who studies but does not fulfill the law, it is better that his law be turned again upon his face." Therefore, it is better to study the ethical literature so that the fear of God will enter your hearts. The books *Messillat Yesharim*² and the small book *Orhot Zaddikim*³ will not depart from your eyes for they contain all the virtues. And *Sefer*

¹In *Sanhedrin* 90a Doeg, Balaam, Achitophel, and Gehazi are enumerated as having no portion in the world to come. Doeg's banishment is based on I Samuel 22:22.

²*Messillat Yesharim* is Moses Hayyim Luzzatto's chief work on ethics, written in Amsterdam in 1740.

³*Orhot Zaddikim* is an anonymous work in Hebrew probably written in Germany in the fifteenth century. It is a widely read book of ethical literature which has been published in nearly 80 editions.

ha-Yashar by Rabbenu Tam¹ from section six through the end, do not let that depart from your eyes. At least [once] each month review it, for it is full of reverence and ethics. And cling to my abridgment of *Sefer Haredim*,² for through it you will know all of the laws and customs of our time. For what use is a book of ethics if you do not know what to do? And study my book *Hayyei Adam* and some of the laws in it as described in its introduction until you are an expert in it. Happy is [the one who is learned in it]. And all this comes before [the study] of Mishnah and Talmud.

42. Torah Study

Be careful to go over the weekly portion twice [in Hebrew] and once in *Targum* each and every week, even if you are traveling.³

43. Study

I decree upon you with a stern injunction that you do not compel yourselves to study books of Kabbalah when you are sated with Talmud and Responsa. Know that the way of the Lord is to do all of His mitzvot. Be God-fearing, occupying yourself with God's Torah. Then happy is the one who merits this. So the wicked who reject the study of the holy Talmud which is our life. And on the basis of the words in the Talmud, God established a covenant with us

¹*Sefer ha-Yashar* was written by Jacob ben Meir Tam (Rabbenu Tam) who was the grandson of Rashi and a leading French scholar of the twelfth century.

²*Sefer ha-Yashar* is a spiritual and ascetic manual written by Eleazar ben Moses Azikri (1533-1600).

³*Berakhot* 8a.

and gave us the holy Torah. Cursed are the wicked who say that no benefit comes from studying the Talmud. But this is the gateway to God, for it is impossible for a man to enter into service of the Lord without the study of Talmud and the Posekim. Happy is the one who succeeds in both.

44. Hand Washing; Blessings over Food

When mealtime has arrived, be very careful to eat in a regular manner; namely, that the table be set with a clean tablecloth and clean utensils. And be very careful with washing your hands, for the one who disregards this is uprooted from the world. For a man's hands teach great things, and therefore they must be clean. Therefore our sages of blessed memory decreed that hands in general are unclean, for in any matter that involves holiness, the instruments pursue it in order to attach themselves to it. Therefore the punishment is great for one who disregards washing of the hands for he leaves an opportunity for uncleanness, and then the uncleanness adheres to his food. Of him it is said, "So do they eat unclean bread among the Gentiles."¹ Even when a person is traveling he must be careful with this. If he knows that he will arrive at water in four miles, which is [equivalent to] walking eight thousand cubits, he must wait [to eat so that he may wash his hands first]. And the conditions that make the water suitable for the washing of hands, are that no type of work may be done in the water, but vegetables or bread and the like may occasionally be soaked in the water, or a vessel which had cracked because of the heat may be

¹Cf. Ezek. 4:13.

placed in the water so that it might be repaired. All this [is classified as] "work done" [in the water], and the water becomes ritually unfit. Therefore, it is necessary that they do not change their appearance because of the warm water, or that something falls into it. Therefore, [the water] must come upon him by human agency. That is to say that he takes a vessel and raises his hands [in order to pour water upon them]. Or, his fellow may pour [water] upon his hands. In water from a pipe which is called *plumbum*, it is forbidden to wash your hands; one must close the faucet from which the water flows, each time water is drawn [for the ritual] pouring. The vessel must be intact, without any crack. It must be able to stand [on its own]. If it falls, it is not called a "vessel" [which is suitable for washing one's hands]. One must be strict [in making sure that] at least a *revi'ith* of water is poured each time on both hands.¹

Otherwise, there are many divisions of opinion [regarding washing of the hands]. Therefore, in order to satisfy every view, pour large quantities of water up to the joint which is attached to the wrist. It is also permissible to dip one's hands in a river. Also, if one is in a time of emergency while traveling in the winter and snow is on the ground, and he estimates that the packed snow is equivalent to 40 *seah*, that is to say that it is the height of three cubits; and so if there is a small river with pools adding up to 40 *seah*, it is permissible to dip your hands in the water.² Afterwards, dry your hands well, for the one who eats without drying his hands well is

¹*Orah Hayyim* 159:1.

² 40 *seah* is the minimum amount of water necessary for a *mikveh*.

also as if he ate impure bread.¹ Say the blessing *Ha-Mozi* with proper intention, and do not eat in a ravenous fashion. Take great care to speak some words of Torah at the table. Also, say *Birkat ha-Mazon* with proper intention. If three people are eating together say *Birkat ha-Mazon*. And it will be enhanced when it is done precisely over a cup [of wine]. Then go out to your work or your studies.

45. Prayer at Proper Time

After you have worked for your livelihood with conscientiousness and acceptable concentration, you must set yourself to recite the afternoon prayers. Let not your moral weakness entice you to let the proper time pass or to pray it too fast. For this principle will be in your hands, that no good will come to you from transgressing God's commandments. How can you not believe that God will give you what has been decreed for you? At the time when there is no necessity to transgress God's will, [to do so] is none other than the words of the evil inclination that wants to expel you out of this world and the world to come. Therefore, be careful that you do not listen to it. How good it is, and happy is the one who has set for himself fixed times to pray strictly in the synagogue or the house of study. May my portion be like his. If you think about this matter and many other matters about which I have written that I expound beautifully, but do not perform beautifully, know them, my children. If you set your mind to it, in general you will know how many things I did not do which I wrote about. It is

¹For the laws of hand washing, see *Orah Hayyim* 159:1-13.

for some reason which you will understand when you examine it carefully. Heaven forbid that I did not do anything deliberately or without examination. "Who can be aware of errors?" (Ps. 19:13).

46. Hand Washing before Prayer

Before each and every service, be warned to fulfill the intent of scripture, "I wash my hands in innocence" (Pss. 26:6; 73:13), which is to say: One should examine and search [to be certain that] there are no stolen goods in his possession. For when a man does not practice honesty, about him it is said, "Your hands are stained with crime" (Isa. 1:15). Behold, he is a religious hypocrite. About him it is said, "[Though you wash with natron and use much lye], your guilt is ingrained before me" (Jer. 2:22). And what help to you is the washing to remove the impurity if you again seize it with all your strength? But when a person deals honestly, then he will wash his hands according to the law [prior to] eating, and then he will pray [acceptably]. Dishonesty is one of the things which invalidates prayer, even if it is after the event. If he is in a place into which he could not bring water, then he should clean [his hands] with some other type of cleanser. And in the opinion of Rabbenu Asher ben Yehiel, one must say the blessing for washing the hands prior to prayer. And even if this had not been established for us, in any event all agree that it is necessary to wash the hands. Therefore, be very careful with this. If you inadvertently engaged in some [other] matter, you must wash a second time. And thus during prayer if one touches his body or a louse, he must wash a second time.

47. Afternoon Study; Wasting Time; Nighttime Prayers; Sexual Relations

Happy is the one who makes it a habit to study after the afternoon prayers through the evening prayers, even one who studies during the day. And so much the more so one who does not study during the day is obligated to study in any event after the afternoon prayers, for his concern [for his daytime affairs] has passed in order to allow at least a portion [of study] during both day and night. Pray the evening service and study that which God has been gracious to [give to] you. And at any rate, be very, very careful not to waste time with idle matters, with joking, or any other type of laughter. It is the supreme source of evil which pollutes mankind. And I decree upon you with the sternest injunction never to play cards (*karten*) at all, unless God forbid you do so in a secular place. This is the principle, for in *gematria* it equals *satan*.¹

When you go to sleep, recite the *Shema* with devotion. And say "Into Your hand I entrust my spirit"² with great devotion. Concentrate, for you have entrusted your soul into His hand and He will faithfully return it to you, may He be blessed. Do not forget to say *Birkat ha-Mapil*.³ Then, do not pause for anything in the world until you fall asleep.

And if it is the time for intercourse, be extremely careful not to have intercourse as long as there is light in the room. You can put

¹ששנ=359, as does קארטין spelled defectively, without *alef* and *yod*.

²The quote is from Psalm 31:6 which is included in the bedtime *Shema*.

³Final section of the bedtime *Shema*

a shade over [the light]. Or at any rate, raise a screen around the bed. But a curtain or drape which is not termed a partition (mehizah) is not permitted for marital relations in the presence of a light. So also if there is a sefer Torah or tefillin in the house and there is no partition, then you must cover the scroll. Be careful with this and in the matter of your marital relations. Happy is the man who sanctifies himself as much as possible. Just be careful for the sake of your soul not to engage in intercourse on a night close to her menstrual period. This one must be studied in the aforementioned text, section 189, where the matters are [discussed] at length. Therefore, study there the subject of examination and all of the laws applicable to all of Israel.

48. Sexual Relations

And now, my children, listen to me. Be very careful for your souls. Do not let it appear in your mind that it is permissible to do to your wife whatever your heart desires. The truth of the matter is that it is permissible to have marital relations with one's wife at any time. Nevertheless, our sages of blessed memory said that it is forbidden to have marital relations during the day or in the presence of other living creatures. But when it appears to a man that his evil inclination is overpowering him, it is better to have marital relations even during the day and darken the room by means of his garment. But Heaven forbid that he use vulgar language with his wife when he does not require intercourse, and all the more so with another woman. For the one who speaks obscenity deepens *Gehinnom* for himself. And it is written, "That is why my Lord will not spare

their youths, [nor show compassion to their orphans and widows; for all are ungodly and wicked], and every mouth speaks obscenity" (Isa. 9:16). There is no distinction between the one who speaks obscenely with his wife or with someone else, whether male or female. One transgression leads to another transgression,¹ that he will willfully arouse himself sexually, Heaven forbid, when he has no need of marital relations. And anyone who deliberately stimulates himself sexually is to be excommunicated, according to the laws of the Gemara. Woe be the man who is excommunicated according to the wise men of the Talmud. And who will undo excommunication? And one transgression leads to another, Heaven forbid, that through this, one's seed goes to waste. Woe be their souls, for they are repaid with evil. There is no evil in the world that is evil between man and God except for this transgression. So this evil is called wickedness, and it is written, "[You are not a God who desires wickedness]; evil cannot abide with You" (Ps. 5:5). This is the explanation of the acts of Er and Onan. As it is written, "But Onan, knowing that the seed [would not count as his, let it go to waste whenever he joined with his brother's wife, so as not to provide offspring for his brother]" (Gen. 38:9). And it is written, "[But Er, Judah's first-born, was displeasing to the Lord], and the Lord took his life" (Gen. 38:7). Behold, death had to be inflicted by Heaven. If you succeed in reading the books on ethical conduct, you will see and the hairs on your head will stand on end when you see the enormity of the transgression, to the point that it is said that it is almost beyond repentance. That is for the reason that when a man, Heaven forbid,

¹See Avot 4:2.

is accustomed to this, then when he transgresses and repeats it as a habit, then it becomes permissible, Heaven forbid. He cannot easily awaken himself to repent from it. But certainly you do not have anything that stands in the way of repentance. Be careful to study my *Yoreh De'ah*, from rule 125 through 129.

49. Atonement; Repayment of Damages; Zedakah

And to you, my precious children, I have already wrote about most of the laws of the Torah in my books *Hayyei Adam* and *Hokhmat Adam*. And it is my intention also to write about the laws between a man and his neighbor as you find in the existing commentaries. But I did not succeed in finishing, because my infirmities prevailed over me. Therefore, I only write to you in a general manner. Know that it is worse for a man to sin against his fellow than for a man to sin against God, for what is between a man and his fellow also involves God. For each and every thing there is a particular prohibition. Even if a person repents and humbles himself and Yom Kippur intervenes; and even death will not atone for him, until he seeks pardon and appeases his fellow. And let not the evil inclination teach you: Without doubt he will pardon me, as it is said in the Mishnah, even though it gives him regrets, his atonement is not accepted, until he obtains a release from the one who he has wronged. And indeed you also will not be harsh in granting forgiveness when you are asked.

Even with regard to financial matters, if a debtor cannot pay you then compromise with him as far as you can. And I have already said for the second and third time that any money which comes into a man's possession without his knowledge and good will is called

thievery, robbery, and exploitation. Therefore, keep yourselves far away from enjoyment of your fellow's money that is not according to his will and clearly without his knowledge. Even if one broke a small bottle or anything at all, even if it were an accident, he must requite his fellow. Even if his fellow did not know anything about it and did not make a claim, he must requite him. Also, if his cattle or chickens damage another's property, he must make financial restitution to his fellow, even if he did not know anything at all about it. Thus, do not pluck any fruit from your neighbor's garden, or else you are obligated to pay him.

Thus it is forbidden to take any fruit which is protected in a garden even if it is being taken for the sake of charity. And thus [is the case for] anything which is considered stolen. They even prohibited taking *zedakah* from women who have a husband except from a wealthy woman when it is known that her husband will approve of all that she does. And also from women whom it is known to them that their husbands do not approve of the *zedakah* they give, that she gives of her husband's property will not be considered *zedakah*, but a cry of anger [on his part]. Look at my book *Hilkhos Zedakah* 147:17 for what is commanded for women to give even if their husbands protest. And from this you will learn as an inference from minor to major that partners and all the more so agents may not give the money of their partner or dispatch money without the knowledge of the other, for that is deemed theft. Only if it is undoubtedly known that there will be advantage to the partner or employer may he give charity from their funds, and he will be blessed by Heaven.

50. Corruption of Public Leaders

Additionally, I demand of you, my dear and precious children, that you do not [accept] any appointment in the congregation or the community. For from this can come corruption, Heaven forbid, in this matter of being a leader of the community. For it is known that the sages of blessed memory said that the leader [tends] to lord over the public and thus casts special fear upon the community, which is not for the sake of Heaven; also the punishment for this is known. I decree upon you sternly, and you will decree upon your children. And thus my grandfather of blessed memory said to me that his grandfather, the rabbi and great luminary, our teacher, the Rabbi Shmuel commanded him that you must be congenial to God and to people.

51. Sanctifying God's Name

And you, my blessed children, [may you live long!]. Fear God and serve Him with all your heart and soul. Accustom yourselves to thinking that you are being martyred for the sanctification of God's name, may it be blessed. It [should] appear to your eyes as if a sword were resting upon your neck; or that a great fire burns before you and they [the persecutors] want to throw [you] into it for the sake of sanctifying God's name. For because of our many sins at this time one must be very sensitive to this, for what will accrue to a man whether he live long or briefly if he does not do the will of our King and Creator? Happy is the one who is worthy of being slain for

sanctifying God's name, may it be blessed. About him it is said "holy." Happy is the one who makes himself holy in this world.

Chapter Five

צוואת החת"ם סופר

The Ethical Will of Moses (Hatam) Sofer

With God's help, blessed be He

Thursday, 15 Kislev, 5597 [1837 C.E.]

1. Since a man does not know the time [of his death], he should devote his to the service of God. Intensify you Torah, exalt the house of our Lord, and repair its ruins. You, my sons, daughters, sons-in-law, and daughters-in-law, grandchildren and great grandchildren, listen to me so that you may live . Do not turn your hearts to devise evil, with people who work iniquity, namely the reformers who have recently distanced themselves from God and His Torah because of our many sins. Do not dwell in their vicinity and do not associate with them in any way. Do not lay a hand on the writings of Moses Mendelssohn for ever and ever, then your feet will not stumble forever and ever. Enjoy and teach to your children the Bible with Rashi's commentary, and the Torah with Nahmanides' commentary, for they come from the Holy spirit. Through them you will grow wiser than all men.¹ And if, Heaven forbid, you are subjected to the temptation of hunger, thirst, or poverty, may God deliver you. Endure that temptation. Do not turn to false gods. Do rely upon your own knowledge. As for the girls, let them occupy themselves with Yiddish books that relate to us, that are based upon

¹Cf. I Kings 5:11.

the legends of our sages, and nothing besides them at all. Keep yourselves from the theatre, Heaven forbid. [This] I forbid you totally, so that you will be worthy to see the pleasantness of the Lord and His joy with His children, speedily in our days, amen..

2. And if God makes you prosperous and takes pity upon you to favor you, as I hope, with God's help, blessed be He, do not lift up your heads in vanity or arrogance towards anyone who is worthy, Heaven forbid. Know that we are the children of Abraham, Isaac, and Jacob, the pupils of Moses our teacher, the servants of King David. Our father said, "I am but dust and ashes" (Gen. 18:27); our teacher said, "Who are we?" (Ex. 16:7); our king said, "But I am a worm, less than human" (Psalms 22:7); and the king for whom we hope will reveal himself in the image of a poor man riding on a donkey. If that be so, what have we to do with vanity and arrogance? Be strong and resolute¹ in wakefulness, and in careful examination of God's Torah. Let the yeshivah grow strong, and disseminate the works of the Torah to the many before you. And if there be only a few before you, from those few with whom God has favored you, teach many with all your strength and in a manner which you know in the sincerity of your heart, because the Holy One, blessed be He, knows that there is no spurious intention, other than to honor His great name alone and not to bring approach Him as a hypocrite. Be careful not to change your name, language, and Jewish attire, Heaven forbid. The way to remember this is "Jacob arrived complete/perfect (שלם)" (Gen. 33:18).

¹Allusion to חזק ואמץ in Deut. 31:6; Josh. 1:6, 9, 18.

3. Do not worry that I do not leave you wealth, for the father of orphans, namely God, takes pity and has compassion upon orphans. He will not forsake you for there is no obstacle to the Lord to deliver whether many or few. Do not make a crown or a spade out of God's law, Heaven forbid. For how much more is it forbidden to travel from place to place in order to preach like one who seeks payment or says "Accept me." For let them call you by name and let them seat you in your proper place and let them give you what is yours. Do not say, "The times have changed," for we have an old Father, may His name be blessed. He has not changed, and He will not change. No evil will befall you. And you will be blessed out of the dwelling place on high.

4. May you be blessed from Pressburg, the mighty city, adorned by the fear of the Lord. With His Torah, may the Lord bless you from the source of blessings. You strengthened me through Torah and worship, 1807, "wonderful"¹ years, raising up students by the thousands, scholars, and bearers of the Tradition throughout the world, good fruit, and understanding, praise be to God, may He be blessed! The community is filled with scholars and teachers, great and small, holy, praiseworthy fruit. You strengthened the yeshiva with wisdom, understanding, and knowledge, with every art for holy service. You carried upon your shoulders the burden of maintaining and providing for the students. You reared most of your children to the study of Torah. Prosper, and bear more fruit. You are supreme in

¹By *gematria* נפלאות equals 567, the short form of citing the civil year 1807.

your reputation and achievements. May there never come among you a destroyer of fences. Please do not allow the rabbinic chair to be vacant for more than two years and do not allow anyone except an eminent scholar to sit upon it, one noted for piety and righteousness; pre-eminent in the Law of Moses and Ravina and Rav Ashi. One who has not laid his hand upon heretical writings, and does not expound in the vernacular, for he will not prolong his days; they are a shadow [when] one does not fear the Lord, except in the manner which you heard from me; namely, the sermons and legends of the sages. Let [a rabbi] not show favor, or take a bribe, for bribery [helps one to win] honor, and status. And do not mislead people, but be humble and modest, teaching Torah to many. Make no change in the financial practices of the yeshivah nor alter the course of instruction, for the one who wants to destroy will be destroyed, and the one who wants to sustain will be sustained and strengthened. The foundation of prayer and the functions of the synagogue are as they have been up to today. So let them be, and so let them remain forever. Heaven forbid that any person would change them whether in their structure, or in the order of the prayer service, or in the [role of] the service leader from what has been [the custom]. Anyone who changes, his face will change. No evil will befall the righteous.

5. And you, God, will lift up the strength of your people in general, and the people of Pressburg especially with wealth, property, honor, and length of days in the fear of the Lord and His Torah until the coming of the Messiah, Amen.

6. My daughters and daughters-in-law, be careful that, Heaven forbid, you reveal even a handbreadth of your skin by wearing short clothing, as is the custom, Heaven forbid. Let there be nothing of this among the adults in my household. So much the more so, you must be careful of befriending wicked women, who allow even a single hair to show. In addition, I strongly forbid you to wear a wig. May God grant you favor and goodness, and may you rear your children and all of your descendants by the Torah and worship as the Lord our God commanded us. "May the Lord God be with us" (I Kings 57) and with our children forever.

7. My precious children and beloved students who are present, do not neglect the yeshiva and study every day in public in any event for twelve months. That is, on the appropriate day teach a lesson on Halakha and Tosefot. And how nice it would be if my beloved son, our teacher the Rabbi Abraham Samuel Benjamin would give a public lecture, and you will listen to him as you have up to now. May it be Your will, Giver of the Torah, may Your name be blessed, that the fountain not dry up, and the tree not be cut down but the fruit of the tree live and endure. Amen and Amen.

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Chapter Six

Conclusion

Much can be learned from the study of ethical wills. As was shown in this study, careful examination of wills can give a reader an insight into the life of the author, his family, and his community. Moses Sofer's contempt for modernity, the Besht's joy in the service of God, Abraham Danzig's emphasis upon ritual, and the Vilna Gaon's somber view of life are clearly illustrated through the texts. Differences between the authors, such as Danzig's stress on the importance of punctual prayer compared to the Besht's leniency on fixed prayer also give us a greater sense of each author's priorities.

Perhaps more importantly, we learn of the values which each author considered essential to transmit to the next generation. Many of the values advocated by the writers, such as humility, *zedakah*, honesty, and compassion are acceptable in every age. Others, such as the prohibitions against entering a theatre, reading Moses Mendelssohn, or allowing a strand of hair to show are not taken seriously by the Jews of modernity. Nevertheless, each testament, no matter how obsolete sections of it may be for most of us, has something to teach. Each can resonate within us, either positively or negatively, and help us clarify that which is worthy of passing on to our descendants.

The tradition of composing ethical wills continues. Interest in them has increased in recent years, as is evident by two recent publications on the subject.¹ Workshops are being given throughout

¹See note 1 on p. 5.

the country to teach people how to write their own wills, and many rabbis have preached sermons in the form of ethical wills in recent years

Rabbi Alexander M. Schindler presented his farewell address as President of the Union of American Hebrew Congregations in the form of an ethical will, during which he eloquently described the significance of such a testament:

To the one who writes it, an ethical will is a prayer for continuity...We all die but once. But if we leave no report of our character and values, if we leave none to remember and embody the best within us, why then we die a second death...For the one who reads it, conversely, the ethical will serves as a reminder that we do not really live only this one time - for our lives are rooted in the past and in turn drop seeds into the future. The ethical will is thus a seed packet from the past and a reminder of the communal nature of human reality. It is such a summary of the spirit that I want to offer you today, a communal ethical will, rooted in those values that have shaped my presidency and my consciousness as a Jew. I offer it not to impose my will on the future, but rather as a kind of love letter from the past, written to you, the members of my extended family, and in the hope that you will find one or another aspect of it sufficiently meaningful to accept and make it your own.¹

Wills are generally instruments for transferring the ownership of material possessions from the dead to the living, but often the beneficiaries squander their legacies. The spiritual legacy which we leave for children and students may endure and shape the lives of

¹Rabbi Alexander M. Schindler, *President's Address* at the 63rd General Assembly of the Union of American Hebrew Congregations in Atlanta, December 2, 1995.

many generations. For our own sake and for the benefit of those who come after us, we would do well to examine what is supremely precious to us, and to leave a written record of it for the moral guidance of the sensitive and questing children of another day.

Bibliography

Abrahams, Israel. Hebrew Ethical Wills. Philadelphia: The Jewish Publication Society of America, 1926; reprint 1954, 1976.

———. "Jewish Ethical Wills." The Jewish Quarterly Review, o. s., 3 (1891): 436-85.

Ben-Amos, Dan, and Mintz, Jerome R., eds. and trans. In Praise of the Baal Shem Tov: The Earliest Collection of Legends About the Founder of Hasidism. Bloomington: Indiana Press, 1970.

Botterwecke, Johannes and Helmer Ringgren, eds. Green, David E., trans. Theological Dictionary of the Old Testament. Grand Rapids, MI: William B. Eerdmans Publishing Co., 1990. "יִרְעָ" by N. Lohfink.

Charlesworth, James H., ed. The Old Testament Pseudepigrapha. New York: Doubleday and Company, Inc., 1985. "Ahiqar" by J. M. Lindenberger and "Testaments of the Twelve Patriarchs" by H. C. Kee.

Danzig, Abraham. Sefer Bet Avraham. Vilna, 1821; reprint, B'nai Barak, 1981.

De Vaux, Ronald. Ancient Israel. Translated by John McHugh. London: Darton, Longman, & Todd Ltd., 1961.

Driver, S. R. Notes on the Hebrew Text of the Book of Samuel. London: Oxford Press, 1889; repr., Indiana: Alpha Publications, 1984.

Ginzberg, Louis. "Abraham ben Jehiel Danzig," in The Jewish Encyclopedia, Vol. IV, pp. 438f.

Goitein, S. D. A Mediterranean Society: The Jewish Communities of the Arab World as Portrayed in the Documents of the Cairo Geniza. Berkeley and Los Angeles: University of California Press, 1988.

Haas, Peter J. "Ethical Wills," Vanderbilt University, Nashville, n. d.

- Huehnergard, John. "Five Tablets from the Vicinity of Emar," RA, 77-1983: 11-33.
- Kaminka, A. "Menahem Azariah da Fano," in The Jewish Encyclopedia, Vol. V, pp. 341-342.
- Klausner, Israel. "Elijah ben Solomon Zalman," in Encyclopedia Judaica, Vol. VI, pp. 651f.
- Marcus, Jacob R., ed., This I Believe: Documents of American Jewish Life. New Jersey and London: Jason Aronson, Inc., 1990.
- Meyer, Michael A. Response to Modernity. New York and Oxford: Oxford University Press, 1988.
- Rabinowicz, Tzvi M., ed. The Encyclopedia of Hasidism. New Jersey and London: Jason Aronson, Inc., 1996. S. v. "Elijah ben Solomon Zalman, Gaon of Vilna," by Mordecai Wilensky and Tzvi Rabinowicz; S. v. "Israel Baal Shem Tov," by Jacob Bernard Agus and Tzvi Rabinowicz.
- Riener, Jack and Stampfer, Nathaniel, eds. So That Your Values Live On: Ethical Wills and How to Prepare Them. Vermont: Jewish Lights Publishing, 1991.
- Samet, Moshe Shraga. "Sofer, Moses," in Encyclopedia Judaica.
- Sarna, Nahum M. Genesis Commentary. Philadelphia: The Jewish Publication Society of America, 1989.
- Schechter, Solomon. Studies in Judaism. 3 vols. New York: Macmillan and Co., 1896; reprint, Philadelphia: Jewish Publication Society of America, 1917.
- Schlesinger, Akiva Joseph. Ha-Lev ha-Ivri. Vienna, n. d. 2nd ed. 1863.
- Scholem, Gershom. On the Kabbalah and Its Symbolism. Translated by Ralph Manheim. New York: Schocken Books, 1965.
- Seltzer, Robert M. Jewish People, Jewish Thought. New York: Macmillan Publishing Co., Inc., 1980.

Sofer, Moses ben Samuel. Sefer Zavva'at Moshe. Vienna, 1863;
reprint in Katz, Eliezer. HaHatam Sofer. Jerusalem: Mosad
Harav Kook, 1960

Trachtenberg, Joshua. Jewish Magic and Superstition. New York:
Berman's Jewish Book House, 1939.

Waxman, Meyer. A History of Jewish Literature. 2nd ed., 5 vols.
New York: Thomas Yoseloff, Publisher, 1960.

Zimmerman, Frank. The Book of Tobit: An English Translation with
Introduction and Commentary. New York: Harper & Brothers,
1958.

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