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A TRANSLATION AND ANALYSIS OF MINCHAT KENAOT

by

SAUL P. BESSER

Submitted in partial
fulfillment of the
requirements for the
Degree of Master of
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and Ordination.

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DIGEST

Minchat Kenaot is a polemic against Reform Judaism written by Zevi Hirsh Chajes in 1845 shortly after the Frankfurt Conference; it was revised in 1848 and published for the first time in 1849. This thesis is a translation and an analysis of Minchat Kenaot.

The document can be divided into six sections. The first section, the introduction, is an expression of the purpose of the essay and an historical argument against Reform. The second section is a description of the judgment to be rendered against the Reform Jews and a halakic justification for the judgment. This section also includes a description of the innovations which the Reformers introduced. The third section is a halakic justification for the temperance of the judgment in regard to the Reform Jew in general and an argument for application of the judgment towards the leaders of the Reform movement. The fourth section is an appeal to the "pure" Rabbis of the Generation to stand against the Reformers, plus a refutation of the arguments of those Rabbis who refuse to rebuke the Reformers publicly. The fifth section is a halakic and historical refutation of the liberal contention that by reducing the burden of the law, many people who are almost totally estranged from Judaism will be motivated to return. The sixth section is the expression of faith in a messianic age when all Jews will be united.

Appended to the translation of the document are notes which explicate both the literary and historical references alluded to by the author. Along with these notes, references are included which will guide the reader to a fuller explanation of the subject under consideration.

An historical sketch of Reform Judaism through the time of Chajes and a biographical sketch of Chajes introduce the document. A systematic summary of Chajes' arguments follows the translation and an epilogue which discusses the intellectual setting of Minchat Kenaot and its relationship to the contemporary Reform scene concludes the thesis.

PREFACE

Minchat Kenaot was written by Zevi Hirsh Chajes in 1845 shortly after the Frankfort Conference; it was revised in 1848 and published in 1849. The document can be divided into six sections. The first section, the introduction, is an expression of the purpose of the essay plus an historical argument against Reform. The second section is a description of the judgment to be rendered against Reform Jews and a halakic justification for the judgment. This section also includes a description of the innovations which the Reformers introduced. The third section is a halakic justification for the temperance of the judgment in regard to the Reform Jews in general, and an argument for the application of this judgment to the leaders of Reform. The fourth section is an appeal to the "pure" Rabbis of the Generation to stand against the Reformers and a refutation of the arguments of those Rabbis who refuse to rebuke the leaders of Reform publicly. The fifth section is a halakic and historical refutation of the liberal contention that by reducing the burden of the law, many people who are almost totally estranged from Judaism will be motivated to return. The sixth and final section is an expression of faith in a messianic age when all Jews will be united.

A sampling of the copious notes which Chajes wrote accompanying this document follows the translation. Note A

is translated literally. Notes B, C, D, E, F, and G are paraphrases of the original notes.

The translation is introduced by a sketch of the history of Reform Judaism from its origin through the time of Chajes and a biographical sketch of Zevi Hirsh Chajes. A systematic summary of Chajes' arguments against Reform, plus an analysis of the intellectual setting of Minchat Kenaot conclude the thesis.

Though an attempt was made to communicate Chajes' intricate and often strange constructions, clarity always took priority over style. Chajes' language and chaotic method of organization often obscure his reasoning. In order to expose the reasoning underlying the complex sentence constructions, the reader is provided with a systematic summary of Chajes' arguments against Reform. The summary does not repeat the halakic or historical evidence which Chajes adduces to support his arguments.

In regard to the Rabbinical and Biblical references included in this document, the Soncino Talmud and Midrash translations, as well as the RSV and the Jewish Publication Society translations were consulted. In some cases these translations were employed in their totality; in other cases these translations were revised; and in yet other cases this author's own translation was substituted.

The explanatory notes appended to this translation

along with the historical and biographical introductions, the summary of Chajes' argument and the concluding section on the intellectual atmosphere of the time are designed as a unit and serve to make up the analysis of the document.

This thesis could not have been completed without the assistance of three people: Dr. Meir Ydit who pleasantly and skillfully explained some of the complexities of language and law. Dr. Jakob Petuchowski who was more than generous with his time and spent many hours explaining some of the enigmatic passages of the document and painstakingly reading the translation. And Annette, my wife, who rewrote, edited, typed, and sealed the experience with constant encouragement.

TABLE OF CONTENTS

Preface	i
Abbreviations	iv
Transliteration of Hebrew Terms	vi
Introduction	
An Historical Sketch of Reform Judaism from Its Origin through the Time of Chajes	1
A Biographical Sketch of Zevi Hirsh Chajes	13
The Title <u>Minchat Kenaot</u>	19
<u>Minchat Kenaot</u>	
Title Page	21
Author's Introduction	24
Translation of Minchat Kenaot	30
Chajes' Notes to <u>Minchat Kenaot</u>	
Note A: A brief survey of the history and the development of Jewish communities from the Exile to the present, and a compari- son of their differences and similari- ties	94
Note B: Early Reform	105
Note C: The Organ	118
Note D: The Transfer of the Sabbath to Sunday .	123
Note E: It is Time to Work for the Lord	126
Note F: <u>The Israelite of the Nineteenth Century.</u>	127
Note G: The Protest	128
A Systematic Summary of Chajes' Arguments Against Reform	131

Epilogue

The Intellectual Setting of <u>Minchat Kenaot</u> and Its Relationship to the Contemporary Reform Scene	135
Notes	138
Bibliography	152

ABBREVIATIONS OF PROPER NAMES

RaBaD	Rabbi Abraham ben David of Posquieres (1125-1198)
RADBaZ	Rabbi David ben Zimra (died 1573)
RaMBaN	Rabbi Moses ben Nachman (1194-1270)
RaSHBA	Rabbi Shelomo ibn Adret (1235-1310)
RaSHI	Rabbi Shelomo Yitzchaki (1040-1105)
ReMA	Rabbi Moses Isserles (1530-1572)
RIBaSH	Rabbi Isaac ben Sheshet (1326-1408)
ROSH	Rabbi Asher ben Yechiel (1250-1327)
SHaK	Shabbetai ha-Kohen (1621-1662) <u>SHaK</u> designates his commentary on the <u>Shulchan Aruk</u> , <u>Sifté Kohen</u>

ABBREVIATIONS FOR BOOKS FREQUENTLY CITED

<u>Mishna</u>	<u>M.</u> , followed by Maseket, chapter and section: <u>M. Shabbat 10:11</u>
<u>Palestinian Talmud</u>	in same manner as the <u>Mishna</u> , but with a <u>P.</u> instead of <u>M.</u>
<u>Babylonian Talmud</u>	in usual manner, <u>Sota 9A</u>
<u>Mishna Torah</u> of Maimonides	by titles of topics, <u>Halakot</u> (omitting names of books), chapter and section: <u>Eduť 1:2</u> . When the abbreviations appear in parenthesis, the letters <u>M.T.</u> will precede the abbreviation. (<u>M.T. Eduť 1:2</u>). When the name Maimonides appears with the <u>Halakot</u> , chapter and section, it also refers to the <u>Mishna Torah</u> . When the name Maimonides does not appear, the letters <u>M.T.</u> will precede the abbreviation.

Shulchan Aruk

by its four parts, section and paragraph, the parts being abbreviated thus:

O. CH.--Orach Chayim

Y.D.--Yoreh Deah

E.H.--Even he-Ezer

Ch. M.--Choshen ha-Mishpat

Tur

cited in the same manner as the Shulchan Aruk, except that each abbreviation is preceded by Tur.

Bet Yosef

cited in the same manner as Tur, but preceded by B.Y.

TRANSLITERATION OF HEBREW TERMS

Consonants

א -not noted
 ב -v, b
 ג -g
 ד -d
 ה -h
 ו -v
 ז -z

ח -ch
 ט -t
 י -y
 כ -k
 ל -l
 מ -m
 נ -n

ס -s
 ע -'f
 פ -p, f
 צ -tz
 ק -q
 ר -r
 ש -sh, s
 ת -t

Vowels

א -a
 א -a
 ו -e
 ו -e
 . -i

י -i
 ו -o
 ו -u
 ו -u
 ו -e

In most cases proper names and titles of books are spelled according to the spelling used in the Jewish Encyclopedia

INTRODUCTION

AN HISTORICAL SKETCH OF REFORM JUDAISM FROM ITS ORIGIN THROUGH THE TIME OF CHAJES

The Renaissance and the Reformation had passed; an industrial economy had been created; new scientific and philosophic thought had been introduced, but none of these had penetrated the walls of the ghetto. Almost overnight, however, the walls of the ghetto began to crumble. The Frenchmen's cry of "Liberty, Fraternity, and Equality" promised rapid freedom. To the Jews isolated in the ghettos of France, the words at first seemed almost incredible, but they greeted them enthusiastically and proceeded to take advantage of the new privileges they heralded. Within a brief span of twenty years, the Jews of almost every country of Western Europe attained some measure of freedom. The one outstanding exception was the Hapsburg Empire, which managed to stave off reform for a few more generations.

In Germany the slogan, "Liberty, Fraternity, and Equality" did not seem so unbelievable or unattainable to the Jews. At the advent of the French Revolution, leading Jewish spokesmen in various duchies of the Holy Roman Empire took courage from the emancipation of their brethren to the west and petitioned their monarchs for social and political equality. The German dukes, however, were reluctant to emancipate the Jews. They were encouraged by strong counter-petitions which were submitted to them by leading non-Jewish

citizens. Johann Fichte wrote, "The only way I see by which civil rights can be given to them is to cut off their heads in one night and set new ones on their shoulders, which would contain not one Jewish idea." Then, with the onslaught of French troops assaulting Germany and German pride, new vindictive chauvinism was directed against the Jews. However, by 1808, the French occupied most of Germany and began to rewrite and liberalize German laws. A decree was issued in Westphalia which granted Jews equal citizenship rights. Liberation spread to Baden, Hesse-Nassau and to a majority of the states of the Confederation of the Rhine.¹

In Prussia the process of liberation was different. In spite of economic and social restrictions, some of the wealthier Jewish families experienced some degree of social equality before the French Revolution. In the mid-eighteenth century a rebirth of German literature began which revitalized the entire intellectual environment of Berlin. The new intellectual atmosphere was breathed even into the Jewish section of the city where it was epitomized in the person of Moses Mendelsohn. Mendelsohn's brilliant writing made him sought after company in the top German literary circles of the day.² Through his eminence in these circles, he became associated with the wealthiest Jewish families in Berlin and under his inspiration, these families gained great prominence in circles of German culture. In fact, the first German salons were

founded by the women of these families. Mendelsohn's own home became a center of scientific and literary study.³ These Jews were prepared for what was to come.

French troops did not occupy Prussian territory, and consequently, the effects of the French liberation were slower in coming. Nevertheless, after a devastating defeat at Jena, Prussian officials voluntarily began to introduce reforms for the purpose of reorganizing and rebuilding their own state government. These reforms gradually extended to the Jews and by 1812 their emancipation was fully effected.⁴

It was during this period of confirmed freedom for the Jewish community of Berlin that the early seeds of Reform Judaism were sown by David Friedlander, a disciple of Mendelsohn.⁵ Previous to his reforms, many Jews of the younger generation turned to Christianity in hopes of there finding the freedom they sought. In 1799 even Friedlander published his famous "Open Letter of Some of the Heads of the Jewish Families to the Councillor Teller of the Consistory," and offered himself as well as others for Baptism, providing they would be free of the obligations of maintaining principal Christian doctrine.⁶ When Teller refused this request, Friedlander turned his efforts to introducing reforms within the framework of Judaism. He had already expressed the necessity of the people's understanding of the prayers and, therefore, translated the prayerbook into German.⁷ Shortly after emanci-

pation reached the Jews of Prussia, he published "A Word at the Right Time,"⁸ a pamphlet suggesting the need for urgent reforms in the worship service of the synagogue and in the education of the children. In this pamphlet Friedlander attempted to show that without reforms, Judaism could not endure. The changes he suggested ring a familiar bell throughout the history of the Reform Movement. He asserted that prayers which lamented the destruction of the Temple and beseech its rebuilding in Jerusalem as well as prayers for the advent of the Messiah had no place in the worship service of the day. He also suggested that it was impossible to pray in a language which was no longer understood by the majority of Jewish adults and children. He argued that the emancipation which the Jews were granted would have no effect unless adjustments to the times were introduced. Jews were unable to make any revisions until now because they were not considered as citizens and they themselves considered Palestine their native land. Now, he explained, Jews were citizens who loved Prussia and the German language and wanted to pray in German. Even those who understood Hebrew could not express their hopes in prayers which were from another spirit and time. Only by revolutionizing the worship service, he argued, would the young people who left the religion return.⁹

In 1814, following the collapse of the French regime in Westphalia, Israel Jacobson, a Brunswick banker, came to Berlin and there collaborated with Friedlander to introduce

reforms into the synagogue.¹⁰ Jacobson, however, was not a novice in bringing innovations into Judaism. He had already founded a non-sectarian school in Seesen in the province of Brunswick. In the school chapel he abbreviated the forms of worship and introduced prayers and hymns in the vernacular, the practices of a choir accompanied by an organ, and a weekly sermon. Later, as president of the Consistory in Westphalia, he introduced confirmation in a school he founded in Cassel.¹¹ In Berlin, Jacobson opened his home to be used as a synagogue where congregants prayed in German and a choir, accompanied by an organ, sang. Weekly sermons were delivered by Edward Kley and Leopold Zunz among other young men. When the attendance increased, other homes were thrown open. The Prussian government, however, objected to religious innovation and ordered these synagogues closed.¹²

The flames of Reform were diminished, but not extinguished. Sparks were carried to Hamburg where they ignited the community and the Hamburg Temple was founded. Two years later a branch of the Hamburg Temple was founded in Leipzig. The burning religious question which Reform provoked carried the spark to the Jewish community of Breslau where Abraham Geiger, a brilliant young reformer was appointed to the Breslau Congregation in spite of vigorous opposition by Abraham Titkin, the senior Rabbi of the congregation. Now the movement was aflame. A new edition of the Hamburg prayerbook was issued in

1841. Isaac Bernays, the Chief Rabbi of the orthodox community, issued a prohibition against its use.¹³ A dispute erupted. The principal point of the dispute was over the omission of the prayers regarding the national restoration of Palestine. Samuel Holdheim, who was to become one of the pillars of Reform, had already expressed himself and argued that the Temple represented a purely religious idea of Judaism as opposed to the nationalistic idea.¹⁴ Now he wrote a methodical disputation of Bernay's excommunication and a justification of the departure from the old forms of worship.¹⁵ More extreme reforms were expressed by the Frankfort Society of the Friends of the Reform which issued a declaration asserting the unlimited development of the Mosaic religion and denying the total authority of the Talmud and the obligation of the rite of circumcision.¹⁶

Simultaneously with the development of Reform in ritual and worship, a new intellectual spirit was breathed into the entire Jewish world. In Galicia, Krochmal and Rapaport were its principal representatives. In Germany Leopold Zunz introduced a new approach to Judaism in his book The Homilies of the Jews; Historically Developed. The new method was termed the "Science of Judaism" by Zunz and his followers,¹⁷ and its chief tool was historical analysis. Geiger and Holdheim were principal advocates of this method and attempted to apply it to Judaism and its institutions without fear of consequences. For them, historical analysis spelled change. The ideas and institution of

Judaism, as everything else, was subject to that principle.¹⁸
 Their conviction was that ideas and institutions develop and decline, and they were prepared to stand by it.

The burning religious question which vexed the Jewish communities of Germany were a reflection of the new intellectual approach to Judaism and its culture. The Jewish community of Germany was ripe for a Rabbinical conference where both the practical and intellectual issues of the day could be thrashed out, and the call was forthcoming.

Ludwig Phillipson recognized the need of the hour and issued the call in a column of his newspaper Allgemeine Zeitung des Judenthums. The purpose of the conference was to "consider the ways and means of the presentation of Judaism and the awakening of the religious spirit."¹⁹ A number of Rabbis had already declared themselves in sympathy with the idea and the result was the Brunswick Conference of 1844.

Though many important questions were introduced at this conference, the majority of them were placed in the hands of committees and were to be reported on at the next conference. The two major resolutions that were passed were in connection with the civil status of the Jews. One was in regard to the oath more Judaico. The conference resolved that "The oath of a Jew is binding without any further ceremony other than the invocation of the name of God. The prayer Kol Nidre is unessential; and the members of the conference were

to take steps to abolish it on the following Day of Atonement."²⁰
 The second resolution endorsed the Responsa of the French Sanhedrin with one major exception. They changed the responsum which declared that the marriage between a Jew and a Christian which had been solemnized by a civil officer must be considered valid to read, "The marriage of a Jew with a Christian--in fact, the marriage of a Jew with the adherent of any monotheistic religion--is not forbidden if the civil law permits the parents to rear the children issuing from such a union in the Jewish religion."²¹

The results of the Brunswick Conference were not startling, but the questions considered there laid the groundwork for the Frankfort Conference, which introduced enduring innovations. The Frankfort Conference convened on July 15, 1845, with an increased number of Rabbis present. A majority vote adopted the recommendation of the committee that the Barku with its responses, the first paragraph of the Shema, the first and last benedictions of the Amidah and the reading of the Scriptural passages should be read in Hebrew. The rest of the service was to be read in the vernacular. In regard to the Messianic question, the conference resolved by a majority decision that the "Messianic idea should receive prominent mention in the prayers, but all petitions for return to the land of our fathers and for the restoration of a Jewish state be eliminated,"²² as well as petitions for the

restoration of the sacrificial cult.²³ And a majority of the members also agreed to the triennial cycle of the reading of the Torah and the reading of the Haftorah in the vernacular. The admissibility of the organ into the synagogue was accepted unanimously and only a few objections were lodged against permitting a Jew to play the organ on the Sabbath. The questions on the Sabbath, circumcision, and mourning customs were placed in the hands of committees charged to make recommendations at the next conference.

Zecharias Frankel lodged strong objection against the decisions of the conference. Frankel took the position that the conference was to issue definite principle. Geiger and Holdheim led the opposition on the grounds that the foundation of definite principle would result only in antagonism and would not solve the religious issues of the day.

The third and last conference convened at Breslau on July 13, 1846. This conference considered and made resolutions concerning the most sensitive religious questions of the day; the Sabbath, the holidays, circumcision, and mourning customs. The resolutions finally adopted fell into four categories. The first group of resolutions dealt with the Sabbath. 1) The Sabbath was regarded as incumbent upon every Jew as a day of solemn observance and rest, and therefore, special care was to be taken to observe its solemnity in the home and in public worship. 2) Work was regarded as prohibited on the

Sabbath, except when it was in connection with the proper conduct of divine services or when it was required for a man's livelihood, material welfare, or human life. 3) The eruvim were found to be both superfluous and inadmissible. 4) Soldiers and public servants were permitted to attend to the duties of their office. Public servants, however, were charged to institute the solemnity of the day in their homes.

In regard to the holidays, the conference resolved 1) The second day of the holiday could be abolished, with the exception of the second day of Rosh Hashanah which deserved special consideration. 2) If there were serious objection lodged on the part of some of the congregation, public worship was to be held, but the prohibition against work on that day was not to be considered binding. 3) Permission was granted to eat bread on the eighth day of Passover. 4) The shofar was to be blown on a Rosh Hashanah which fell on the Sabbath, and the use of the four fruits of the Feast of Tabernacles was deemed permissible when that holiday fell on the Sabbath.²⁴

The question of circumcision provoked many declarations. Among the most important adopted were 1) Every mohel was required to take a thorough course of instruction from a competent physician and pass an examination on all matters regarding the operation. Also he was to be free of any physical defects which might hinder the performance of the opera-

tion. 2) The metzizah was to be discontinued. 3) A physician was to examine the infant before circumcision to decide whether the operation could be safely performed, and treat the child after circumcision. 4) If a previous child died or sustained lasting injury as a result of circumcision, the parents were permitted to postpone the circumcision of a second child until a physician declared that there was absolutely no danger involved from its performance.²⁵

The conference declared that the following mourning customs were repulsive to the religious feelings of the day and should be abolished: rending the garments, allowing the beard to grow for thirty days after the death, sitting on the floor, removing leather shoes, and the prohibitions against washing, bathing, greeting. It was agreed that the mourners should remain at home for three days and should abstain from business on the day of the funeral.²⁶

The Breslau Conference adjourned on July 24, 1846. Many important considerations were reserved for discussion at the next conference. But the tide was changing in Europe, and unrest was widespread. The revolution of 1848 was in the making and, consequently, the following Rabbinical conference was not convened until twenty-three years later.²⁷

The resolutions which the members of the conferences acted upon were drawn from careful consideration and scrutiny of the Judaism of the past. The Talmud and Decisors

were both scrutinized and debated. The atmosphere of the conference can be characterized by the word "change"; however, the burning question was "how much change?" There were basically two points of view. One argued that changes which did not affect the fundamental structure of Judaism as based upon the Talmud were permissible. The second point of view, and the most influential, was guided by Holdheim and Geiger. Holdheim expressed this philosophy in these terms: "Science has decided that the Talmud has no authority, dogmatically or practically...but even though the Talmud is not authoritative for us, we do not wish to disregard the intellectual activity of two thousand years. We say merely this: Anything which upon unbiased, careful criticism contradicts the religious consciousness of the present age has no authority for us."²⁸ "...The preservation of the essential is conditioned by the excision of the non-essential."²⁹

Judaism as was formulated at these conferences aroused opposition in every corner of the orthodox camp. And from the yet unliberated Hapsburg Empire came bitter opposition from Zevi Hirsh Chajes, the District Rabbi of the community of Zolkiev.

A BIOGRAPHICAL SKETCH OF ZEVI HIRSH CHAJES

Meyer Chajes, the father of Zevi Hirsh Chajes, was a descendant of a family of renowned Rabbis.¹ Though he was born in Brody in Galicia, he spent a considerable number of his early adult years in Florence, Italy. As a Florentine banker, he became an expert in international trade and well-versed in a number of languages,² a facility which was indispensable to a man of his occupation. With the expansion of trade in eastern Galicia and the developing role of the city of Brody as a trade center,³ Meyer Chajes returned there to pursue his banking business.⁴

About ten years after the French Revolution and during the dawn of the Haskalah, Zevi Hirsh Chajes was born in the city of Brody. The only son of a wealthy banker, he was provided with a good religious and secular education. Brody, being a large trade center, was also a center of Jewish culture. The Jews of Brody comprised a good percent of the population of the city and formed perhaps one of the largest Jewish communities in Galicia. It was there that Chajes received his religious instruction from prominent Rabbis of Galicia. His teachers were Zanwil Margaliot of Przemyśl, Ephraim Margaliot, and Elazar Landau of Brody,⁵ all of whom were frequent visitors to his father's home. He was taught secular subjects by unnamed maskilim who also frequented his father's home.⁶ Chajes showed great promise as a student.

It is related that at a very young age, he was proficient in Bible, Talmud, and the Decisors.⁷ In secular subjects his principle interests were geography, history, philosophy, and languages.⁸ While still a youth, he mastered German, French, Italian, and Latin.⁹ When he was twenty-two years old, he was designated Rabbi and a year later was appointed as District Rabbi of Zolkiev, Galicia.

The community of Zolkiev was second only to Brody as a center of Jewish culture, and it was particularly known for the vast number of Jewish books which were published there. Approximately four thousand Jews comprised the eighteen separate communities which Chajes served as District Rabbi of Zolkiev.¹⁰ Chajes took up residence in the small town also called Zolkiev.¹¹ Little is known about his wife except that she bore him six children: Solomon, Leon, Chayim, Wolf, Isaac, and one daughter, Miriam.¹² Isaac Chajes occupied a seat in the Rabbinate in Brody from 1894 until 1901. Solomon's son, Zevi Chajes, succeeded Dr. N. Guedemann as Chief Rabbi of Vienna where he served until 1927.¹³

Among the members of the Zolkiev community was Rabbi Nachman Krochmal, head of the congregation in the town of Zolkiev.¹⁴ Chajes and Krochmal, twenty years his senior, developed such an intimate friendship that when Krochmal moved from the city of Zolkiev after the death of his wife, he left his son, Abraham, in the care of Chajes and his wife.¹⁵ Judah Rapoport and Chajes also developed a close, but unlast-

ing friendship. Their friendship deteriorated both on the personal and intellectual level. On the personal level, Chajes and Rapoport clashed in competition for an appointment to the Rabbinate in Prague, and on the intellectual level, they clashed in their different approaches to the Rabbinic literature.¹⁶ Other well-known acquaintances of Chajes were Perl, Bloch, Jost, and other champions of the intellectual renaissance of his time.

His close friendship with men like these caused the Jews in Zolkiev to look upon him with some suspicion. Chajes was especially suspect in the eyes of the Chasidim. He, however, is reported to have removed some of their distrust and even to have won himself favor by not subjecting their Rabbis to severe academic examinations, a privilege granted to him by the government by virtue of his position as District Rabbi.¹⁷ However, in order to maintain the position of District Rabbi, he was required by the government to provide proof of his knowledge of secular subjects by taking an examination at the University of Lemberg.¹⁸ The language of instruction at Lemberg University was German, and the examination is reported to have included sections on the philosophy of German literature. Chajes satisfied the examiners and was awarded the degree of Ph.D. In fact, the results of his examination so impressed the governing officials that he was subsequently requested to make certain recommendations to the

government regarding the Jewish community which he did.¹⁹ In "A Memorandum to the Government" he made practical suggestions regarding the training of Rabbis and the responsibilities of their office in the community.²⁰ He also actively subscribed to Mayer Kalir's idea to encourage Jews to learn agriculture as a means of livelihood.²¹

His Rabbinical activities in Zolkiev were minimal as compared with his literary activities. All of his works were completed there. His first major work, Torat Neviim, was written when he was twenty-nine, and his last work, Minchat Kenaot, was completed when he was forty-three.²² During the last seven years of his life, he did not write anything for publication. In the twilight years of his life, Chajes was appointed Chief Rabbi of the community of Kalish. He served in Kalish for a short time; became ill and went to Lemberg for medical treatment where he died at the age of fifty.²³

Among his more important works are Torat Neviim also entitled Eleh HaMitzvot, thirteen essays on the authority, structure, and method of the Talmud; Iggeret Bikkoret, an examination into the Targumim and Midrashim, and included in this is a criticism of Rapoport and Zunz; Darke Moshe, a defense of Maimonides against the attack of Luzzatto; Darke Hora'ah, an examination of Talmudic rules in regard to deciding practical religious question; Mavo HaTalmud,²⁴ an intro-

duction to halaka and agadah; and Imre' Binah, six essays on the relation of the Babylonian and Palestinian Talmud, on lost agadah collections, on the Targumim, on Rashi's commentary to Ta'anit, and on Bat Kol.²⁵

The intellectual atmosphere in which these works were written was entirely new in the province of Galicia. Previous to this time, Chasidism had been the strongest dominating influence. The intellectual emancipation which the French Revolution had brought about found its way into Germany, gained a foothold in Galicia, and was expressed in the writings of Krochmal, Rapoport, and Zunz. Judaism was examined and reexamined until three basic approaches evolved and became distinguishable. The first approach was that of unflinching orthodoxy. This group was represented by such Rabbis as Ezekiel Landau and Moses Sofer. They were completely opposed to any scientific or historical method and stood firmly on the principle that the Torah as it was bequeathed through oral and written law was absolutely true and eternal.

The second group was represented by Krochmal, Rapoport, and Zunz. They argued for the free scientific analysis of the history and literature of Judaism. But they held fast to the traditional manifestations of the faith. "Krochmal in a letter defending his contacts with the Karaites, professes his piety: 'Thank God, it is well-known to all who come into the gates of my city that I have not cast off, God

forbid, the yoke of the precepts and of the words of the teachers of blessed memory, and that I observe all the minutiae of the law...."²⁶

The third approach was that of Geiger and Holdheim in Germany. They supported the free scientific analysis of the literature, but they insisted that the results of the analysis be applied to the practice of Judaism. Judaism represented a changing evolutionary spiritual expression for them. The law was adapted to the changing times and conditions. The scientific analysis of the literature "was to bring the Jews into harmony with the age and the countries in which they live by means of a development proceeding from within."²⁷ The result of adherence to this method led to radical reforms in theology, worship, and customs.

Chajes stood somewhere between the first two groups. His ideas and methods do not totally fit within either of these approaches. On the one hand, his relationship with Krochmal gave him a scientific bent. In addition to their intimate personal friendship, Krochmal and Chajes spent years together in the study of the Rabbinic literature. Krochmal, Rapoport, and Chajes have even been termed as "a triad of the school of historical research."²⁸ However, on the other hand, Chajes respected the ideas and methods of men like Sofer and Landau. And in turn, their esteem for him is reflected in Sofer's Chatam Sofer.²⁹

Chajes stood on the narrow ridge between the old and the new, tempted by the new, yet so saturated with the old he was unable to bring himself to follow the new to its necessary consequence. Geiger capsuled the character of Chajes' method when he wrote, "Though he was of sharp intellect and his research profound, his method was not built on a scientific basis. His views were autodidactic, and his religion presupposed his scholarship. Nevertheless, his examination of the Targumim is reliable, even when it is necessary to carry his analysis further. He built the foundation and left the door open for the conclusion of the scientist."³⁰ When the new could not be harmonized with the old, and when the scientific method clashed with tradition, Chajes chose tradition and came to its defense with skillful erudition.³¹

THE TITLE MINCHAT KENAOT

Minchat Kenaot is a prime illustration of Chajes' defense of the tradition. It was written in 1845 and published in 1849. Its title refers to the offering which was to be brought by a husband on behalf of his wife, a suspected adultress. "It is Minchat Kenaot, a meal offering of remembrance bringing the iniquities (of the leaders of the Reform movement) to remembrance,"³² a warning against the consequences of their teaching and a call to the Rabbis of the

Generation to stand firm against them. It analyzes the Reform Movement historically and halakically and attempts to publicize its errors on both levels. Chajes termed it, "An essay which speaks of weighty things and appropriate for its time."

MINCHAT KENAOT

(Title Page)

This essay,¹ Minchat Kenaot, along with an additional commentary² which I am publishing today is the third section of the Responsa of Rabbi Zevi Hirsh Chajes. This essay speaks of weighty things against the Men of the Assemblies who have gone forth in some of the districts of Germany to organize preachers, who call themselves "Rabbis," and introduce innovations and teach that things are permitted which our fathers and our forefathers prohibited. They are high-handed and impudent in dealing with ritual law. Also they present many wrong answers in regard to important principles and permanent foundations of the ritual law. Consequently, it is very urgent to bring judgment against them in our time. And, therefore, I present this essay in a category of its own.

These are the issues discussed in the notes:³

1. The⁴ avoidance of prayer in any language except Hebrew, even though the law states that one may pray in any language.

2. The prohibition of playing musical instruments on the Sabbath and Holy Days, and specifically the playing of the organ in the synagogue.

3. The prohibition of marrying with the people

from the nations which are not of the original inhabitants of Palestine.

4. The laws affecting the priesthood are as applicable to the presumed priests of our day as to the priests of certain legitimacy who lived during the days of the Temple.

5. The prohibition of traveling by train on the Sabbath and on Holy Days; and also the question of traveling to do business on the Sabbath or Holy Days.

6. It is impossible in our time to permit the transgression of the prohibition of pulse on Passover, even in a period of dearth. The reason is because the law is widespread among us,

7. The matter of transgressing the commandment of circumcision and its relationship to other transgressions of the Torah, even though the transgression of the commandment of circumcision is only punishable by Karet.

8. It is impossible for a Bet Din to permit the transgression of an explicit prohibition, even if there is an imminent suspicion that the people will openly transgress the law and convert to another religion.

9. The matter of taking an oath on behalf of a friend. It is impossible to annul the oath in any case. Even a Sage is not permitted to annul it.

10. Matters concerning the customs of the synagogue, the reading of the Torah and the Haftorah in order, and other

things which we are compelled to speak of today against the agitators of our time.

This essay is timely and appropriate for the condition of our people generally and individually. I began it in 1845 after the Frankfort Conference and the entire essay was completed on Sunday, the eleventh of Adar, 1849, in Zolkiev, by Zevi Hirsh Chajes.

(Author's Introduction)

"I have also made you contemptible and base before all the people because you do not keep my ways and show partiality in the law." (Malachi 2:9)

Dear reader, this essay which I present to you to-day is entitled Minchat Kenaot, because in it "I am exceedingly zealous for Zion and Jerusalem"¹ against the Men of the Assemblies² who have arisen in our time in some of the districts of Germany, and who have sinned presumptuously in regard to ritual law, and who teach the people to change the Mitzvah and to transgress high-handedly³ the religion of Judaism.

I conceived the idea for this essay and gave birth to it immediately after the Frankfort Conference in 1845. It was prepared for publication in the month of Elul, 1845. I thought it appropriate to render judgment against them at that time, because the efforts of the Rabbis, preachers, and friends of the Men of the Assemblies gained strength. Their movement appeared to bear fruit and present an imminent danger to the community. But at that time the restrictions of the censor were more stringent.

However, in the month of Adar, 1848, the Lord caused our master, His Majesty, the Kaiser,⁴ to have mercy on his people and to free them from bondage. He granted

permission to all the nations under his protection freely to publish their thoughts without fear. But it was not proper then to distribute this essay among the Jews. Though the external reason which prevented me from publishing this essay no longer existed, my personal restraints increased. All the people were elated over the many good gifts which were given to them. The importance of the human being was acknowledged. Every man was given his proper right and place in society. It was not appropriate at that time to denounce and incite hatred and discontent against our Jewish brethren. All the world was at peace. The Lord had declared liberty to all the peoples. Why should Satan have danced among us to estrange hearts and cause hatred among brethren? Consequently, I withheld publication of this essay and I carefully observed the development of the storms and commotion of our time in Europe in general and in the Empire of Austria in particular.⁵ During that time, I saw chaos and not order on earth. The majority of the people were not as mature as is required to comprehend the good which springs from the given freedom. Though the province officials wanted to benefit the people in every way, the people violated the laws of morality and caused unnecessary murder; (they will be recompensed in accordance with their deed). And I thought correctly, that we would see all the forgotten nations of old awake from their sleep and secure for themselves life and independence

and restore their crown to its original glory. Why should we now remain silent against those who grow stronger by permitting the violation of prohibitions? We shall be reduced daily by this conspiracy against us. Our opponents, who are from God's people and God's land, will destroy God's vineyard which was planted for the many, more than three thousand years ago.

Moreover, I considered the matter of our relationship with different nations which are settled in other provinces. We differ from them greatly. All the people who are settled in their original place which they once governed, but who are repressed now by a foreign power, did not lose any of their property; and even more important, they remained in the land of their origin. They covenant and marry with the citizens of the governing nation and live as well as the citizens of the governing nation. Like them, they are called to official and political service. Their language is the spoken language of the land. And in the matter of religion and faith, there is only a slight distinction between them. Nevertheless, we see them today making a strong effort to discover the precious events of their ancestors from generations ago. They seek to follow ancient customs. The very old customs which their ancestors possessed are more precious to them than all the other precious things of the world. This is the goal of all their talents, as the experience in

our province testifies. Once they do the will of their king with love and act faithfully toward the government, they are permitted to test their ancient customs and the ways of their forefathers, which they consider important.

What are we saying? We have been in exile for many years without being able to find any rest for our tired souls. We have no land, no common language, no king, no prophet, and no priest, except for our pure faith, the guard of our glory, which we have kept pure until now. And now why should the Men of the Assemblies cause trouble for us without leaving us a root or a branch from the memory of our past? For us, the faith and the nation are essentially the same. Both stem from the events of our past. And how can these Men of the Assemblies be so presumptuous as to attempt to persuade the people to forget matters of religion which are related to the events of the nation?

Furthermore, we have seen an astonishing thing in the revolutions which occurred fifty-six years ago in the province of France.⁶ The government had annulled all the festivals of the Lord. All the houses of worship were closed. And all public demonstrations of faith were prohibited to the citizens of France. They removed all the new and old rites in order that there be no memory of any accepted religious practice in connection with the social situation. As a result of this, we saw incredible slaughter. This is not so

in our time. Though social reforms have taken place this year which are unheard of in the history of the world, nevertheless the people do not openly deny divine faith in our time. On the contrary, even though they overthrew the King of France,⁷ they still honor their faith, and today they want to renew their relationship with the Pope of Rome.⁸

In any case, we have seen that faith and religion are embedded as a cornerstone in the entire world. And the Reformers from the sons of Israel are isolated today in their efforts to destroy the ancient building, built for strength, for honor and glory. Further, you will see that the practices which are preached in the Torah and which we have maintained until now, stood for our fathers and for us, for the glorification of the human being. And immediately when the foundation fell because of persecution and hatred, the building also fell. The people turned to improve our situation as before, but the sacrifice of the way of the Torah and the destruction of religion, bring upon us great evils from the government and the people, as we know from experience. We have seen that this is particularly true in the behavior of the Prussian government toward us. For in the year 1812, the Jews of Prussia were given political freedom.⁹ They were free to possess property, to make purchases in the villages and the cities, to make themselves accessible to all the services of the city, and to be teachers in

the schools. But from the year 1831 to 1847, their political situation was reduced in every way.¹⁰ And this was caused because of the Destroyers¹¹ who went out at first to sin presumptuously and high-handedly; (they will be recompensed in accordance with their deed), and who did not keep the ordinances of the Torah, though they had a standing oath to keep them. Consequently, the king also turned his promises against them. This is the meaning of the passage in the Bible which we quoted at the beginning of this essay¹² -- that because they do not keep the ways of the Lord and they show partiality in matters of Torah and religion depending on the conditions of the time, they are considered contemptible and base by the people -- and this is the cause of the hostilities.

Once I understood this, I decided that it is not a time to be silent, but rather a time to speak and publish my judgment which I have made against them. For it is appropriate now. However, I have guarded my language against insulting the honor of any individual person. I have considered the opinions of every one of the Reformers, and I have judged their words and errors alone.

I completed this essay on the first day of the Torah portion Ki Tisa, the eleventh day of Adar, 1849, Zolkiev.

Zevi Hirsh Chajes

"Do I not hate them that hate you, O Lord?
And do I not loathe them that rise up
against you?"

(Psalm 139:21)

Since ancient times, the love of the novel has caused the division of opinions and the multiplication of sects in every generation, in every period, and in every nation. This also occurred among our people Israel. In ancient times they were seen to differ in matter of religion. Dilettantes who considered themselves wise arose to try the novel and to render accounts of their own practices and the customs which were being practiced which had any relationship to society or religion as well as to other things. Their objective was to uproot that which was planted among the masses long ago. Their goal was to cause the people to forget their past, and to destroy the boundaries which their ancestors set in the legacy which is their inheritance. That was the aim of those Dilettantes in every generation. This is true among the people Israel and among the rest of the nations.

Among the scholars of ancient Greece, there were many philosophical groups with different basic theories of theology and morality. Each group's objectives were caused by different basic points of view. Some of them were motivated by the love of truth, which was made part of the nature

of man at the beginning of creation. Their purpose could not be satisfied until they achieved the true bases for theoretical matters. It appeared to them that in the passage of time, the views of the ancients were blemished and emptied. Others were motivated by the love of victory, honor and prestige. Each group longed to make a name for itself in the world, but each knew that it was not possible to accomplish completely its goal, except by selecting strong words to contradict the ancient practices or to refute theoretical opinions. They considered this method suitable so that they could receive honor and glory in the ruins which they built for themselves. (See the Guide of the Perplexed, chapter 31, for the first reason of the controversy.)

Also in our time, in Israel, I have seen chaos and disorder. It is caused by those who "proclaim unrighteous decrees and write iniquitous letters."¹ They strongly attempt to destroy the ancient building.² Each one builds a place of worship for himself in order to introduce innovations in his city and in his congregation. He makes changes in worship and in the arrangement of the synagogue. These Dilettantes³ imagine that they are the Bet Din Hagadol in Jerusalem, that the gates of understanding are open to them, and that they have the authority to reduce and change the conventions of Israel according to their own desire. They feel that the Torah is placed in their hands to do with it

what they wish, that they are the only ones who understand the truth, and that they are the only ones who desire to guard the good of their people. "Faith girds their loins, and reverence braces their waists."⁴ They have more dignity and strength in understanding and reverence than do the rest of the Rabbis and Geonim who dedicate all their time to Torah and testimony and who firmly grasp the customs of our fathers as it is fixed for us in the Shulchan Aruk by the two pillars of the Exile and the founders of ritual decisions, Rabbi Joseph Caro and Rabbi Moses Isserles.

Furthermore, you should know that these Dilettantes of our generation think themselves a legitimate Bet Din which is qualified to decide matters of Torah among the people of Israel by tearing down the ancient traditions. They are distressed to see the astonishing vision that, though for more than three thousand years we have suffered many sorrows and dispersion, our splendor and our glory was not darkened nor was the brightness of our faces turned to destruction. We have not changed the glory and the splendor of the commandment because of the spirit of the time. We continue to fulfill the personal religious obligations which were placed upon us by the written law and the ancient and pure oral law, as did our forefathers and our brethren who were dispersed into all the corners of the world. The written law and the oral law are regarded as one basic law by Jews. And the

Babylonian Talmud is regarded as the foundation of ritual instruction for all the Jews from one end of the earth to the other (except for the Karaites and a few Samaritans on Mount Gerizim who have already estranged themselves from us and no longer are called by the name of Israel). And until now we have not heard of men who would assemble and be impudent enough to teach the people contrary to the written law or who would impudently and high-handedly instruct the people contrary to the oral law and publicly say that the laws and ordinances which branch forth from the Talmud are not in accordance with the time and place, and because of this, they are not incumbent upon our people. We have indeed heard that our brethren, the sons of Israel who were expelled from Spain and Portugal ^(A) who live in the East and the West, differed from their brethren, the sons of Germany, Poland, and Lithuania, in arrangement and formulation of prayers and praises and also in the customs of the synagogue, marriage, comforting mourners, and similar things. Nevertheless, they differed only in customs. In matters which touched the very essence of ritual laws and which were founded on the written or oral law, and even in matters which are only rabbinical enactments and fences based upon the foundation of the Talmud and the Decisors, there are no differences or divisions among us. Specifically there is no breach or discontent with the foundations of the faith and the principles of the religion.

In regard to these precious principles, all Israel is united and agreed concerning the method which our teacher, Maimonides left us in his commentary on the Mishna, Sanhedrin 10:1 ("All Israel has a portion,") in thirteen principles. It is also set down for us in the prayers.

The unification of all the fragments of the nation on this one point is conclusive evidence concerning the Torah from Heaven and the particular conceptions concerning the people Israel, which have stood for our fathers and for us, for it has remained with us until now as a tribute to the higher glory of man. After we suffered different persecutions, and many agonies passed over our heads, and after we fought bravely against the stormy times which came upon us to wipe our name from the face of the earth and cause our remnant to be forgotten without leaving us a root or a branch, were it not for this Torah, which is still a crown for our heads at all times during our suffering and our downfall, then we would not be counted among the living.

These enemies of Israel, whom we referred to above, close their eyes to these revealed miracles, and that is why they attempt to make the people forget the appointed seasons of the Lord (on the earth) which testify to the purity of our root and our stock. They proclaim concerning us, saying: "Israel is the same as all the other nations. And all the unfortunate things that have happened to them is only coincidental. Israel is a stiff-necked people and morally

they have descended ten steps lower than the other nations." These corrupt people have said things like these. They are God's people who went forth from his land to submit the Torah and the people to reproach and ridicule. It was not enough that they had already violated the law, uprooted the traditions of the Torah, and gave instructions contrary to religion. But they stepped forward many paces and decided publicly that the time has come and the dawn has arisen to permit the violation of what our fathers and forefathers prohibited. The fundamental principle, according to their deceptive minds, is that these matters of Mitzvot and noble responsibilities are only handed down to the Sages of the Generation like them who see through the windows of heaven to whom the gates of heaven are open and for whom the world exists. They are the people whose responsibility it is to control God's people as they wish and to teach them that the matters of the Torah are not eternal, but are like a woman's old jewelry which is replaced by the new.

I have already expressed myself sharply in my book, Darkey Moshe which I published this year on the subject of these Reformers who began in our day to restore the forgotten things, namely those who founded the Hamburg Temple, about thirty years ago. In them the Scripture verse was fulfilled: "Israel forgot his Maker, and built temples."⁵ They presumptuously and high-handedly asserted that they would

pray in German and that they would change the Eighteen Benedictions which were ordained for us by the men of the Great Assembly, among whom were several Prophets. They also maintained that there would be no mention or reference in their prayers to the rebuilding of the Temple, the restoration of the Kingdom of David, the resurrection of the dead and similar things.^(B) However, praise God, their activities were forgotten about twenty-five years ago and their strange manner remained isolated. No congregation of Israel eagerly followed them to imitate them in their manners and customs, except for the small congregations of the Duchy of Weimar and this was because the secular authority was asked to interfere by Doctor Hess, their Rabbi, and they were forced into it.⁶ But many honorable people took it upon themselves to pay large penalties and lose their business licenses in order not to join with these arrogant people in one synagogue. We are obliged to give praise to the Geonim who together rose up like a mound to bring judgment against the synagogue and the founders to remove them from the community of the exile, They compiled their strong words in a book entitled "Eleh Divré Habrit."⁷ Nevertheless, Israel is not yet bereaved of these evil doers, and as before, these enticers go forth sometimes with deceit and malicious intent and at other times impudently to lure the people with their explanations and with their words in order to capture the hearts of Israel,

show them the foolishness of the old Rabbis and their evil ways and customs in matters of human conduct, seeing that they were so unmannered. And since they cannot be taken seriously, there is no reality in their teachings. Their (i.e. Reformers') purpose is to weaken the foundations of the faith in the hearts of the people so that later on they will be able to unite in a battle over every religious issue and win many people from us.

Behold, I am repeating the words which I stated before,⁸ but I am making many additions because of the situation of the time. During the last few years all the presumptuousness of their evil hearts was uncovered. And behold, our times are not like earlier times in the majority of things which touch the condition of the people of Israel. And what is more, the distinction between their condition and ours is recognizable. We must make an investigation and another examination of the events of the nation in general, and we must examine in detail with an open, searching, penetrating and critical eye, the way of the sects which were in Israel in earlier times, such as the Sadducees, the Boëthusians, and the Karaites, and evaluate their religious ideas with the ideas which have developed in our time. Though we may not like to, we are compelled to acknowledge and to utter the truth.

There is certainly no denying that the Lord has treated his people well in regard to their political position. He freed them from the servitude with which our enemies enslaved them. Praise God that in this time forced baptism, murder, destruction, and expulsion like we suffered in days gone by in Germany, Spain, France, Portugal, Naples, Sicily, are not heard of. It is completely reversed in our generation. All of them (the countries) speak honorably of us. And as regards the political policy of France, Italy, Holland, Belgium, and in most of the provinces of Germany, we are considered as citizens without any distinctions being made. There is also hope that in Austria and Britain the governments will not discriminate between us and the rest of the citizens any more. Nevertheless, in regard to what touches the practice of Torah, and in their relationship with the God of Israel, the Reformers have made abominable false accusations, the likes of which have not been seen among the earlier sects. Though we knew and saw that the earlier sects were extremely different from us in what they taught concerning the Mitzvot, and that their practices touched the roots and basic principles of the faith; like the first Sadducees who denied the resurrection of the dead and reward and punishment, and the Karaites who in the days of the Geonim and through Anan and Saul⁹ went forth and denied the oral law and the traditions of the Sages which were fixed

foundations of the roots of the religion without which the law of Moses could not exist; however, they did not set forth to separate completely from us, because they nevertheless held fast to the principle of Torah from heaven, its eternality, and the prophecy of Moses our teacher in order to establish their foundation. They were more meticulous in their observance of the Mitzvot than the Israelites. But these insolent people who set forth in these times are eager to change the Mitzvot. Behold, we recognize in their arguments, reasonings, and theories, which they imagine support their foundations, that this method is only the beginning of their way and their eyes look to the far future to destroy the entire structure. They do not satisfy themselves in dealing with the details of the Mitzvot alone, rather they argue from another point of view. They say that the entire Torah was said by Moses himself, and that he learned everything that he commanded from the magicians in the house of the Pharoah where he was reared and educated. They argue that Ezra counterfeited the Torah because it was not as complete during the time of the first Temple as it is today. The Biblical critics argue from their point of view that outsiders came at all times and added what they thought appropriate. And even today the Reformers subtract and add to the Torah and expound it in accordance with whatever thoughts happen to occur to them: They are the "little foxes who destroy the

vineyard of the Lord of Hosts."¹⁰ They are excessively impudent and proud with things that are difficult and bitter to listen to, and how much the more difficult it is to write these things down and double their impudence.

As we know and our fathers told us, there were additional sects among us. (They were separated from us and were not called by the name Israel. In every matter of holiness, they were considered as non-Jews among us. They did not enter into marriage with us, as will be explained below.) Some individual Dilettantes, who thought highly of themselves, argued with strange arguments and erroneous knowledge to annul the foundations of the Torah. For example, those who lived in the provinces of Spain and the Provence during the time of Rabbi Solomon ben Adret (1235-1310) and who held fast to the thinking of Aristotle concerning the belief in the eternity of the world. Maimonides had already written in the Guide of the Perplexed, Part 2, Chapter 22, that this type of thinking makes the Torah totally meaningless. According to this view, that which the Bible explains about the signs and wonders which the Lord performed for Israel before Pharaoh and his servants is meaningless. We have also seen that these Dilettantes who were wise in their own right thought themselves wise to explain allegorically the events of the nation which were set down in the Torah. Abraham and Sarah were considered as matter and form. The twelve tribes were considered as twelve constellations. Other events were similarly inter-

preted. They expounded the Torah contrary to halaka by explaining that the Mitzvot came only to teach different things and not to be actually performed. And by their explanation, they attempted to reinterpret every matter of faith. They decided not to believe in anything which could not be proved. Maimonides battled against them and declared war upon them in part of a paragraph of his introduction to the Mishna and many times in his book, the Guide. So did Rabbi Solomon ben Adret in his Reponsa, paragraph 416, and also other scholars of their time fought against them. Rabbi Aba Maari¹¹ in his book Minchat Kenaot excommunicated them. Though it cannot be denied that they were complete heretics, nevertheless, we did not learn of them that they behaved unfaithfully and attempted to nullify the Mitzvot in actuality or that they dealt presumptuously and high-handedly contrary to the Torah or that they separated themselves from us even slightly. For if they would have conducted themselves contrary to the religion, their adversaries would not have been silent about this, because the best way to disparage them and to make their way obvious to the eyes of the sun,¹² is to attack them on the ground that they conduct themselves contrary to the Torah. Why did they not attack the rebels from this point of view? We have seen that they took a stand against them for their ideas and words alone, but as I have sufficiently pointed out, their deeds were acceptable to the Rabbis of the Generation. And we do not find them accused as a result of their customs,

because they always conducted themselves in accordance with the Torah in matters which touched the personal obligations and in everything that had relationship to halaka. This is the reason why they were not a separate sect. There was no indication in their activities that they were not conducting themselves in accordance with the religion and the Torah, but there were extreme indications which would testify that they were different from the sons of Israel. They were not recognized externally as being a distinct sect, but rather by their sermons and their essays which they distributed among the Israelites. Because of this, the pure Rabbis had no authority to take a stand against them except from the point of view of their abominable ideas alone.

Now the cause of the sin is not the same. The people have committed two sins: their intentions and their acts. On the one hand, they have broken the fences of the law and insolently committed abominations which the Lord hates. They have not distinguished between the minor and major commandments. They do everything as if it were permitted. They profane the Sabbath before the eyes of all. They presumptuously transgress the explicit prohibitions of the Bible. On the other hand, from the point of view of their faith, they say that impudence is permissible. The Rabbis who are their leaders justify their activities by saying that the law is with them and that they are acting in accordance with the

Torah. They find their authority for their actions in a few isolated and different passages which were said in the Talmud and the Midrash in relation to other matters. They take these passages and they interpret them differently to fit their purpose, which they will place before the eyes of the people today in order to deceive the masses. They depend upon individual passages and theories which are found from time to time in discussions or in passages of doubtful language and which at first glance appear to be some far-fetched support and related to the matter which they are expounding and the result which is sought by them. But after thinking about the essence of these passages, we recognize that the Agitators and the Reformers did not go to the depths of the simple meaning and, moreover, that the matter is not as they explain it. We know that it is not right to reject the rest of the words of the Sages which are clear and explicit in their context ^(C) on the basis of a few isolated words and single sections like these. Nevertheless, these Men of the Assemblies satisfy themselves with blighted and shrunken evidence like this in order to justify their activities to the masses who have no part in scholarship and are unable to distinguish between truth and error. The Reformers seeks only to subvert the masses, cause them to wander from the right path, and blind their eyes, so that they can say that wisdom will come from them and that the law of the Lord is hewn in their hearts, that they have the priority of making decisions over

the rest of the Rabbis who sit on thrones of judgment and toil all their lives in the Torah to arrive at its foundation and to destroy its mound.

I have already stopped them¹³ in their attempt to combine strange and isolated sayings, and present evidence for their preconceived purpose. Their attempt is similar to that of the well-known apostate, Maestro Geronimo de Santa Fe, whom the Sages that debated with him before the Pope in Spain called "Blasphemer."¹⁴ This is explained in the books Shevet Yehudah and Yeshu'ot Meshicho. His Jewish name was Joshua ha-Lorki. He wagered before the Pope¹⁵ that he could bring evidence from the words of the Sages that show they believed that the Nazarene¹⁶ was the Messiah. He collected strange sections, like Avodah Zarah 8A: "Two thousand years Torah, and two thousand years, days of the Messiah"¹⁷ and others from the legends in Midrash Kinot¹⁸ and from the Jerusalem Talmud, Berakot 17A, "It once occurred that a Jew, while cultivating his field heard his bull cry out; an Arab who was passing also heard him: 'Son of a Jew,' he cried, 'Son of a Jew quit thy bull, quit thy plough, for the Temple is destroyed!' The bull cried out a second time. 'Son of a Jew,' said the Arab, 'Son of a Jew take back thy cow and thy plough, for the King the Messiah has just been born! 'What is his name?' 'Menachem.' 'And what is his father's name?' 'Chizqiyah.' 'And from where does he come?' 'From the royal

town of Bethlehem in Judea,"¹⁹ and other similar explanations of the Sages on the possibilities of the Messiah. See Yeshu'ot Meshicho of Rabbi Abrabanel who presents all of the traitor's arguments and the answers to them. And behold, he answers the lies of this apostate, the "Blasphemer," directly.

We see that the Sages dedicated all their time to teach and to instruct us in the essence of the practical Mitzvot and how to arrive at the goal of fulfilling the commandments of the Torah and the words of the Sages in every particular. They set down the principle of the eternality of the Torah as a foundation. And, God forbid, had they not done that, the ideas of the Christians would have annulled all the practical Mitzvot of the Torah of Moses. The general point of view comes to teach about the particular sections. Just as the purpose of the general point of view is the fear of Heaven and the walking in the ways of the Torah and the tradition of the Sages, so is the purpose of the particular sections. Their purpose is not different from the general purpose. These sections have a wise heart inlaid with a love of the secrets of the religion. And thus wrote Rabbi Abrabanel in the beginning of the second part of his book, Yeshu'ot Meshicho: "If it were true that the Sages established and believed in the principles that the Apostate, this "Blasphemer" expressed, why didn't they become Christians? How is it that they did not agree with him²⁰ and follow after

his message like the rest of the people, when it was so easy for them to do so? And specifically, why did they explain the Torah and its Mitzvot, and establish foundation for their customs day and night? Would they have asked and inquired in their academies, 'When will the Messiah come?' And how is it possible, if this is so, to say that our Sages believed in him,²¹ for according to him, his messengers, and his students, the Messiah had already come and the entire Torah was already annulled."

Thus the Agitators of our time want to present evidence from a few isolated passages in the Talmud, to show that commentators²² permitted the violation of many principles of the halakot. But we see from this that in innumerable places, the Sages did not desist from teaching the people to be meticulous about performing every positive rabbinical enactment and abstaining from every negative rabbinical enactment. Consequently, they developed many details and fences in order that a man would perform the Mitzvot according to the rabbinical enactment and adaptation. What is wrong with the Reformers' contention is that if the commentators would have been skeptical of the basic Mitzvot, God forbid, it would be impossible to fit all the Mitzvot together to build a large structure on an unstable and an unendurable foundation. Consequently, the details came unintentionally to teach about the foundation. Just as the aim of the details is the fear

of Heaven, the walking in the way of the Torah, and the obligation of obeying the Sages, so are all the passages which are strange at first glance aimed at these basic principles.

We propose to gather from our side reverent and perfected Rabbis who are liberally educated and from whom none of the secrets of the Torah are concealed and assemble them in one place and call an assembly of the people and their elders to show how the Reformers display their evil ways to arouse the masses. Because their every goal and purpose is to trap some of the precious souls of our people, they are hypocritical about the Torah and their hearts are full of deceit. Our brethren of whom we are speaking are like the seducers of today, the missionaries in Palestine, who pray in Hebrew, "wear a heavy coat for the purpose of lying,"²³ and say that they are the children of the Lord, the God of Israel, expound the Torah and the word of the Sages in the streets, in the synagogues, and the academies so that we fall under their control and afterwards, reveal their hearts²⁴ and efforts to us. Their purpose is to split Israel on the issue of religion and they are hypocritical because they bestowed honor on the Talmudists. This was true a few years ago when they sought reasons and opinions from the Torah and the Talmud.

But what shall we say now since in the last few years²⁵ they have added calamity to calamity by convoking

assemblies every year which little by little annul every matter of the Torah and the Jewish religion in general and in detail. Some German Rabbis arose in Brunswick, Frankfort, and in Breslau and attempted to convince publicly all the provinces of Germany that the people should conduct themselves according to the views of these Rabbis. They gave permission for a Jewish man to marry a non-Jewish woman, even if she did not convert. They also annulled the prohibition against transgressing the Sabbath limit and permitted a person to travel in a wagon on the Sabbath-- even with his own horses, though there is a negative commandment of the Torah which states that his cattle shall rest.²⁶ They also want to nullify the ceremony of Chalitzah and permit a woman who is obligated to enter into a levirate marriage to be free from the obligation, and to annul the prohibition of the Torah which forbids a Priest from marrying a divorcee. They also want to annul the matters of the Priesthood so that it will be permissible for a Priest to defile himself by a corpse. Also they permit a woman who does not definitely know where her husband is to marry another man without securing a bill of divorce from her husband, but merely by securing one from the Bet Din, and they permit the wife of a man presumed dead to be married to another.²⁷ Geiger added innovations like these at the Breslau Conference and the details are published in the newspaper Allgemeine Zeitung des Judenthums, 845 Number 27.²⁸ Doctor Herzfeld²⁹ from Brunswick established a halakah

and traveled by train on the Sabbath before they decided this at the Rabbinical Conference.^(D) Holdheim decided on his own authority that the Rabbinical Conference has the authority to move the Sabbath, the day of rest, to Sunday, in order to compromise with the ruling nation on the grounds that laborers could not afford to take two days out of the week.³⁰ And Hess³¹ in Langsfeld in the Weimar Province takes the rebellious position of teaching the people to violate the Holy Covenant and warns them not to permit the circumcision of their sons.^(E) Holdheim, in addition to wanting to annul all the laws of divorce and marriage,³² which are practiced among us in accordance with the Torah, and increase the number of bastards in Israel on the grounds of the fundamental principle: "The law of the land is the law,"³³ became even more wicked by arising to incriminate the Jews who were nurtured on the knees of the Sages when he said that their oaths should not be believed. He also said that, according to the teachings of the Sages of the Talmud, the practice of granting release from vows flies in the air, and they have nothing with which they can support their view, except their own invention that vows can be retroactively annulled by asking questions about their origin. He spreads the lie about us that also one who takes an oath for the benefit of his friend or one transgressing his oath, can have it nullified through questioning. He is troublesome and incriminatory

to us all the time, so that the government will not give us a "name nor remnant."³⁴

Behold, by their practices they have shown to the eyes of the sun that they have forsaken the first method of bringing shrunken and blighted evidence from the Talmudists to justify their actions. Today they have elected a new method. They say publicly that the words of the Sages are untrustworthy,³⁵ and they have bequeathed us a false and seductive burden; the law of Moses itself was only an historical document for the disposition in the land of Israel by those who lived there; and that all historical situations and places are not the same. The time has come today to unite with the peoples in one accord, and to conduct ourselves according to their way and, only to preserve a memory and token of the fact that we were once a distinct nation, have they left a few things which are related to prayer on the Sabbaths and the festivals. But besides this, they decreed, saying, "Everything is legally permitted; everything is forgiven; everything is ritually fit." On the contrary, there are no positive commandments nor negative commandments, no abstentions nor obligations. Just as everything is permitted according to the earthly court of Geiger, Holdheim, and Hess, so is it permitted by the Bet Din on High, because Scripture states, "Come to the judge who is in office in your days." He is the only judge and even if he shows you

that right is left and left is right, you are obligated to obey him."³⁶ They do not leave a root or a branch among us. They decide and decree concerning everything that now is not the time or the place for it.

Truthfully, all the time that they stood on the foundation of the faith and in any case appeared to give honor to the Torah of Moses and the Talmud of Rabina and Ashi, it was possible for the Sages of the Generation to present arguments against them and show, with proper and clear evidence which is obvious to everyone, that their way is impossible, and that they stray from the straight path. What they were doing did not appear to be right to us, even though their goal and purpose was only to change of few customs of the Synagogue. Although they began like this, we recognize that they came to us with a false charge. They sought to uproot everything. Nevertheless, they themselves said that they believed in the tradition of the Sages, and the Sages of the Generation used to be satisfied in criticizing the ideas expressed by their writers in books in order to show that according to the permanent halaka, there is no place for their thoughts or the meditations of their hearts. "What was in your mind will never come about."³⁷ And we decided to rebuke them and not to reject them with both hands, but rather to push them away with the left hand and draw them near with the right hand. For the Rabbis of the Generation

understood that now, because of the social situation and the behavior of the government, it is not prudent to set out with a spear and sword in matters of religion against those who are different from us in practice and theory. The fear of the government and the state officials is an alarming danger. This is also expressed in Y.D. 334. It is not the practice today to object violently to a transgressor, lest the government stand against us, endanger our lives for many lives are invested in this structure. Many have already drunk of the poisoned water, and all of them definitely decided that now is the time to negotiate prudently with pleasant words and level arguments, to display the truth with decisive proof founded in the depths of halaka against those who have gone forth to adjudicate on the basis of a few minutia. It is obligatory to pursue them with a pleasant staff and not with a destructive staff. We have seen by experience that scolding and censuring is not beneficial or successful today. Those who conduct themselves in this way bring a curse instead of a blessing upon the people and by this, they fail to achieve their purpose. Therefore, they content themselves by debating with the Reformers with words which the Sages bequeathed to us in the wisdom of the Talmud and by reproaching them verbally. Perhaps they will become ashamed of their idea and return to the strength of the Torah.

However, now that they have gone forth high-handedly saying the restriction is removed today and their

Rabbis decree and decide that all the words of the Torah were only stated for the emigrants of Egypt and are not an obligation in this time, ^(F) especially in the time of the diaspora, and they organize to form groups and develop reforms in every province of Germany, and they want to be a distinct sect, ³⁸ and they support the Reformers in Berlin who do not blow the shofar on Rosh Hashona nor recite the additional service and the afternoon service on Yom Kippur. In what area will we prepare war against them? Are not all the foundations of the oral and written law shattered and destroyed in their opinion? They are not only separated from us in that they deny the practical commandment, but they also stand against us in matters of faith and essentials of religion. They deny the oral law, the eternality of the written law, the coming of the Messiah, the resurrection of the dead, and the rebuilding of the Temple. Because of this, the only way left for us to oppose them is to render a judgment against them as is prescribed by the Torah and as was practiced by the Sages against the sects which flourished in their days. The Sages shall be our eyes in order that we can follow their footsteps to render a judgment against these Reformers, the members of the conferences held at Brunswick, Frankfort on the Main, and Breslau. And, as the Rabbis rejected the earlier sects that were different from us in every way, so shall we reject these Reformers decreeing that they shall not enter into marriage with us, that the animals which they slaughter

ritually are disqualified, that we should not recite the grace together with them nor participate with them in making an Eruv, that it is prohibited to be their guest, or mourn over them or eulogize them, that they are disqualified for testimony and oaths among us, and that we shall not circumcise their sons on the Sabbath. And their children who were born under the practices of Holdheim, who decided that the "Law of the land is the law" in regard to the testimony of a woman and in matters of marriage and divorce, are considered as complete bastards and their prohibition is eternal.

Go forth and see how the Sages behaved toward the sects. They decreed in regard to their bread and said (M. Shevi'it 8:10), "He that eats the bread of the Samaritans is like one who eats the flesh of swine." And see Rashi (Chulin 13A) commenting on the words, "his bread." See (Chulin 4A), the Tosafot commenting on the words, "a Samaritan's unleavened bread" and "his bread" (Chulin 13A) where they quote Pirké Rabbi Eliezer that, "Ezra and Zerubbabel, son of Shealtiel, and Joshua, the son of Zadok, banned them in the company of three hundred priests with three hundred shofarot and children and three hundred books of the Torah, and they used to blow trumpets and chant and conclude with, 'Anyone who eats the bread of the Samaritans is like those who eat the flesh of swine.'" Rabban Gamliel decreed against their ritually slaughtered animals, and Rabbi Meir against the use of their

wine (Chulin 2,5,6 A), and considered them as idolators, for the annulment of their property is not sufficient in matters of the Eruv and partnership, rather we must rent the property from them. The rabbinical enactment that we do not join him in the blessing after the meal nor answer "amen" after him is the halaka in regard to the Samaritan also. (Berakot 7A, M. Berakot 8:7) And specifically Maimonides' commentary on the Mishna, Berakot 8:8, for all the matters related to our behavior toward the Samaritans. What was their iniquity? They found that they had an image of a dove on Mt. Gerizim (Chulin 5A), but it was not yet clear to the Sages that they worshipped the image of the dove. And according to the opinion of Meor Enayim,³⁹ chapter 21, they said that the image of a dove was only a symbol of the flag of Assyria. Nevertheless, the Sages considered them as confirmed idolators, and how much the more so should we consider their grandchildren, the people in our generation who deny the principles of the Torah and the foundations of the faith and who publicly violate the Sabbath not for personal pleasure alone, but because of a strange idea that the violation of the Sabbath is not prohibited, as confirmed idolators. But our law is the same in regard to an apostate in respect to idolatry and to one who profanes the Sabbath. They are not trusted by us in regard to anything, (Chulin 4B and Eruvin 69B). And also the halaka among us is that an animal which is slaughtered by a mumar who profanes the Sabbath is ritually

impure. (Y.D. 2:5) And see Maimonides' M.T. Shechita 4:14 and see SHaK, 2:16-17. "One who violates the Sabbath in public even one time is called a mumar." Maimonides wrote on the subject in his commentary on the Mishna Chulin and in the M.T. Eruvin, 2:16, and see Y.D. 119:17 and SHaK 2:16; also see Maimonides, M.T. Avedah 11:2.

The sentence against Sadducees and the Karaites who deny the oral law and who do not believe in the words of the Sages and in the explanations of the Mitzvot that they bequeathed to us has already been made known by Maimonides in M.T. Teshuva 3:8. There are three types of mumarim: He who denies the written law and says, "Not even one letter of the written law is from God. If Moses said it, it was said by his own mouth." The one who denies the oral law, like Zaddok and Boëthus, and he who says that God replaces one Mitzvah with another and has already annulled the law even though it was originally from God, for example, the Moslems. And see Maimonides' commentary on (M. Chulin 1:2) "He who slaughters with a hand sickle," where he wrote the requirements of the butcher."⁴⁰ "The third condition is that he not be a Sadducee or a Boëthusian. They are the two sects who began to deny the tradition until their truth turned out to be a lie." And see Maimonides' commentary on the Mishna, Sanhedrin 10:11 the section of the Thirteen Principles. He wrote in regard to the eighth principle: "And like this also is the accepted

explanation from the mouth of God, and this that we do today about the form of the succah and the lulav and the shofar and the teffilin and fringes is also the form which God spoke to Moses. He was faithful in fulfilling his charge." And see Maimonides' commentary on the M. Sanhedrin 11:1, chapter Ha Nechanqin 11:1 and on the Mishna, Sanhedrin 11:3, regarding scribes where he wrote, "A rebellious elder is not one who destroys the wall of the Torah and contradicts the tradition like Zaddok or Boëthus, but a man who considers his words more highly than the words of the supreme Bet Din and who is punished by death... But Sadducees and Boëthusians who deny the tradition are not from this sect, but from those who say that the Torah is not from heaven and who are executed for their apostasy like those who deny God or the prophecy of Moses our teacher. Because anyone who destroys one foundation from those foundations which I have stated is not considered to be loyal to the Torah." And he wrote similarly in M. T. Mamrim 6:1 and see M. T. Avodat Yom Kippur 1 and M.T. Eruvin 2:10 and see Rashi, Eruvin 61B commenting on the words "A Sadducee once," in the Mishna, and see Y.D. 159-60 for the matter of taking interest from them. The SHaK wrote, "Now their sentence is like that of confirmed idolators." And see Y.D. 266, and SHaK's comment on this, quoting Teshuvot Ha Geonim. And if it is said "That the early Sadducees did not do much destruction." Our answer is that the Sadducees of our time are worse than idolators. See SHaK, Y.D. 2:24.

"And even if an Israelite stands by him and sees that he slaughters properly, what he slaughters is disqualified." See SHaK Y.D. 164:37 on the matter of not circumcising their sons on the Sabbath. See Y.D. 267 and SHaK 16, and Y.D. 115:7 and SHaK 16, for he who does not believe what the Sages wrote, his sentence is the same as a person who is suspected of idolatry and profaning the Sabbath. He is not trusted as a witness in any matter, and it is prohibited to be his guest. It is also established for us in Y.D. 281 that a "scroll written by an apostate should be burnt," and see Rashi (Gitin 45B) commenting on the words, "That a heretic wrote." "That is a Jew who does not believe in the words of the Sages." And as regards the matter of testimony and oath, they are certainly not to be trusted. For it is established for us in Ch. M. 34 that, "If he who transgresses a precept the violation of which is punishable by stripes is disqualified as a witness, how much the more so these heretics who are worse than idolators." "The Sages did not need to enumerate them, because the faithful ones of the nations of the world have a place in the world to come, but this is not true with these heretics." This is from the language of Maimonides, M.T. Edut, end of chapter 10. And also the matter of oaths is made clear in Maimonides, M.T. To'an and in the Ch. M. 92 that he who is disqualified in regard to testimony is also disqualified in regard to oaths. And behold, the Sadducees in any case acknowledged the written law and prophecy and the

Torah from heaven. And since the way of those whom we have been speaking about above is so much worse, there is no doubt that we do not trust their testimony and we do not give them any oaths.

And in regard to marriage with the Karaites, the matter is elucidated in the E. H. 4:37, that it is prohibited to make marriage with them because they are "uncertain bastards" as is explained at length in the Responsa of Rabbi Betzalel Ashkenazi,⁴¹ chapter 3 in the name of Rabbenu Shimshon, "And that is because of the suspicion of bastardship." Even according to the opinion of RADBaz in Teshuva, section 1:73 and Rabbenu Baruch in the Responsa Besamim Rosh, paragraph 220 and the Rav Noda Bihudah, first edition, the section E.H. 1. He mentions neither prohibition nor permission. This is true of the Karaites because it is not clearly known which of them were married by the consent of the Rabbis and trained in the way of the Karaites, for there are many who are doubtful, because they were disqualified in testimony and their marriages were not considered legal marriages and their divorces were not considered legal divorces. If this is so, there is no doubt that in the cases where the marriages were with the consent of the Rabbis and the divorces were with the consent of the Karaites, but there is a slight doubt whether or not their offspring is a bastard because now the exact nature of the matter is not clear to us. But with these marriages which we are discussing -- the marriages entered into with

the consent of the Rabbis according to the law of the Torah and the divorces of which were carried out on the basis of Geiger's and Holdheim's opinions on the law of divorce because they permitted a woman, the death or place of her husband being unknown, to marry another person -- behold, they increase "certain bastards" in Israel and not "doubtful bastards," and the prohibition against marrying a bastard is eternal. But if Maimonides was lenient, Mamrim 3:2, in the matter of the sons of the Karaites and those who were brought up by the Karaites by saying that it was proper to draw them near with words of love and to return them to us and to the strength of the Torah that is with the children of the Karaites, but the children of an Israelite who became a Karaite are in a worse category. And see Mishnah Lamelek, Malveh Lehasir 5 and the commentary of SHaK to Y.D. 159 and see B.Y. 74 and Maimonides, Mamrim 3:2 on the matter, "He who has become a Karaite."

Moreover, we should bring judgment against them for the matters which Maimonides mentions in the M.T. Teshuva 3:9 where he wrote, "There are two types of mumarim: the mumar in regard to one transgression, and the mumar in regard to the whole Torah. A mumar in regard to one transgression is he who persists in committing the particular transgression wittingly and who has become accustomed to it and well known for it even though it concerns one of the minor precepts. For example, he who wears wool and linen and shaves the corner of

his beard and considers the Mitzvot annulled. He is the same kind of an apostate as he who transgresses out of a spirit of defiance."⁴² M. T. Rotzeach 4:10 and also see M. T. Avedah 11:2. What is the matter of transgressing out of a "spirit of defiance" which our teacher mentions there in three places? Behold, I have found the words of our teacher poor in this place without any source and rich in sources in his book The Guide, Part 3, chapter 41. I shall copy all of his words in order that you, dear reader, will know that you should bring judgment against these Rabbis. "If a person sins presumptuously so that in sinning he shows impudence and sins publicly, if he does not sin only to satisfy his appetite, if he does what is prohibited by the Law not only because of his evil inclination but in order to oppose and resist the Law, he 'reproaches the Lord',⁴³ and must undoubtedly be put to death. No one will act in such a manner but such as have conceived the idea to act contrary to the Law, for no one worships a star unless he believes that the star is eternal,⁴⁴ as we have frequently stated in our work. I think that the same punishment applies to every sin which involves the rejection of the Law or opposition to it. Even if an Israelite eats milk with meat or wears garments of wool and linen or cuts his hair locks out of a spirit of defiance of the Law in order to show clearly that he does not believe in its truth, I apply to him the words, 'He reproaches the Lord,'⁴⁵ and I am of the

opinion that he must suffer death as an unbeliever, though not for a punishment, but in the same manner as the inhabitants of a 'city misled to idolatry'⁴⁶ are slain for their unbelief and not by way of punishment for a crime, wherefore their property is destroyed by fire and is not given to their heirs, as is the case with the property of other criminals condemned to death. According to my opinion, all the members of an Israelite community which has insolently and presumptuously transgressed any of the divine precepts must be put to death. This is proved by the history of the 'sons of Reuben and the sons of Gad'⁴⁷ against whom the whole congregation of Israel decided to make war. When warning was given to the supposed offenders, it was explained to them that they had relinquished their faith because by agreeing to transgress one particular law, they rejected the truth of the whole law. For they were addressed as follows: 'What trespass is this that ye have committed against the God of Israel, to turn away this day from following the Lord?' And they replied: 'The Lord knoweth, etc., if it be in rebellion or if in transgression against the Lord,'⁴⁸ and so forth.

See the Responsa of RaSHBA 415, where he praises the words of our Rabbi and writes, "who teaches as well as the Guide? It is the law of truth and righteous judgment." And see Sefer HaMitzvot of Maimonides', Negative Commandments 63, and also see RaMBaN's commentary on the Torah portion

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Tavo where he explains the meaning of the Scriptural verse,
 "Cursed be he who does not confirm the words of this law."
 He writes, "the intention is that one should acknowledge the
 commandments in his heart and consider them as truth. And
 one should believe that he who does them will receive a good
 reward, and he who transgresses them will be punished. And
 if he denies one of them or considers one of them as perma-
 nently annulled, he is subject to the principle of being
 cursed. But if he transgressed one of them for his enjoyment,
 for example: he ate swine or an unclean animal to satisfy his
 desire or if he did not perform the commandment of the succah
 or the lulav out of laziness, this rule does not apply because
 it is not written, 'He who does not do it is cursed,' but
 rather 'cursed is he who does not confirm...' ⁵⁰ this is the
 excommunication of the rebellious ones." The result of all
 this is he who transgresses all the commandments of the Torah,
 though it be the most stringent commandment of all the strin-
 gent commandments to satisfy his appetite or who annulled all
 the commandments out of laziness is still a Jew. As Maimoni-
 des wrote in his commentary of the Mishna, Sanhedrin 10:1
 after he enumerated all the Thirteen Principles, he concludes,
 "When a man believes all these foundations, and it is clear
 that he is faithful, he is part of the community of Israel,
 even he who transgressed because of his appetites and his
 strong natural inclinations. He is punished according to his

sin, but he remains a Jew. However, a man who destroys one of these principles is excluded from the general community of the religion." Thus we have seen that the matter of "the spirit of defiance" according to the system of Maimonides, our teacher, is that he who transgresses a prohibition because it is clear to him that this Mitzvah is untrue and that we are not commanded by the Torah to fulfill it is included in the category of one who "reproaches the Lord."⁵¹ And these Reformers about whom we are speaking are all included in this category. They transgress the Torah presumptuously because of a strange idea in which they are absorbed. And they are whitewashed by the Rabbis whom they have appointed. Moreover, they are a whole heretical congregation and their sentence is like that "of the inhabitants of a city misled to idolatry"⁵² according to the opinion of Maimonides, which I have mentioned. Therefore, there is no question that all the judgments which the Sages decreed against the Sadducees and Karaites also are to be applied to them.

There is also to add that an individual who sets himself apart from the ways of the community and is separated from the congregation of Israel, though he does not generally sin, but does not perform any of the Mitzvot of the community of Israel and does not share their trouble nor fast on their fasts and conducts himself as if he is not one of them has no portion in the world to come. (M. T. Teshuvot 3:11) and see

Ta'anit 11A. "In the time when the congregation is troubled ..., he who separates himself from the congregation will not see the consolation of the congregation." And it is stated more clearly (Maimonides Evel 1:10) "These are the people who throw off the yoke of the Mitzvah from upon their necks and are not included in the community of Israel in regard to the performance of the Mitzvot, and the honoring of the festivals, and attending the synagogue and the schools, but, instead, they consider themselves to be free from obligations. Therefore the law is that we do not eulogize them nor mourn over them, but rather their brothers and the rest of their relations wear white and feast and make merry, for the Scripture states, 'Do I not hate them that hate you, O Lord?'⁵³ This law is also recorded in the Tur and in the Y.D. 345:4, thus how much the more so these who conduct themselves in accordance with the Rabbinical Conference and who separate from their brethren and collaborate to present to the people new ideas which our forefathers did not imagine. I truly do not know what relationship they have to us in any matter other than that the majority of them still circumcise their sons. Except for this, they are distinct from us in every matter of faith and deed.

And behold, I shall not withhold the truth. My heart loathes to pass judgment upon them in this way and to remove from us a number of people among our brethren, the sons

of the Ashkenazim⁵⁴ who are perfected in wisdom and knowledge far beyond the rest of the sons of our people in other provinces, especially in this time when the majority of the governments proclaim liberty to all the people and draw the Israelites near with all kinds of honor and glory. They give them the rights of citizenship without drawing distinction between them and the rest of the people. In some provinces they are still negotiating this question in the assemblies of the leaders of the people. The anti-Semites⁵⁵ are preparing a battle against us to give Israel to devastation and ruin in order that our purposes and goals not be realized. And the majority of the newspapers will not desist from persuading the people of the great and overpowering evil which will result for them if the Israelites become citizens. And now if we render judgment against our brethren and make a contribution to those who hate us so that they can divide our hearts and kindle the fire of war between man and his brother, we would remove the children from the table of their fathers and drive them away with both hands. Behold, we have found that after Israel swore at Mitzpah⁵⁶ that they will not marry with the sons of Israel,⁵⁷ the people wept bitterly and said, "O Lord, why has this occurred in Israel that there should be today one tribe less in Israel?"⁵⁸ How can we do such great evil and behave unfaithfully toward our own brethren because they will not join us? We were commanded in the Bible to "seek

peace and pursue it."⁵⁹ The Sages expounded: "Great is peace, for in connection with all other precepts, it is written 'If you see'⁶⁰ and 'If there chance,'⁶¹ which implies: If a precept comes to your hand, you are bound to perform it, but if not, you are not bound to perform it. In this case, however, it says, 'Seek peace and pursue it,'⁶² meaning seek it for your own place and follow it to another place."⁶³ (Leviticus Rabah 9:9) Behold, since we are commanded to pursue peace in a far-off place, how much the more so shall we not divide hearts in a place where it is not necessary? And praise God, in our own province everything still is as it was in what regards faith and religion. Also in Germany, the Rabbinical Conference was abolished by itself. The Conference in Breslau was the last, and only had a few members, and they are mocked and scorned by the citizens of the city. And consequently, the Mannheim Conference was called off. Everyday their members resign. Also the Reformers in Berlin are isolated in their activities, and there is not any congregation here or there which follows them. Behold, even there they are negligent in their work and the critics and agitators are silent because "truthful lips endure forever, but a lying tongue is but for a moment."⁶⁴ All their activities were only for a short time because their eyes and hearts did not fear the true God as they themselves say. Their goal is only to blind the eyes of the masses and seduce them. Because of this, in a

short time, even their own people will reject them. And consequently, there is no alarming danger. It is not imperative for us to set forth to battle with them and separate a large congregation from our community. Behold, "peace is the central pillar upon which the world is founded. And they said in a Barita, Rabbi taught, 'Great is peace, for even if Israel practice idolatry, but maintain peace among themselves, the Holy One, Blessed be He, says as it were, 'I have no dominion over them; Ephraim is united in idol worship? Let him alone.'"⁶⁵ (Genesis Rabah 38:6) And further they said, "God seeks the pursued,"⁶⁶ even if a righteous man pursues a wicked man, God seeks the pursued." (Leviticus Rabah 27:5)

But the Torah wrote a fundamental principle concerning an enticer and deceiver. "Your eye shall not pity him; you shall not spare him; nor shall you conceal him."⁶⁷ (Deuteronomy 13:9) And tradition teaches we do not defend an enticer and we appoint an aged man, a eunuch, and a childless man to the court for his judgment. (Sanhedrin 36B) And our teacher Maimonides concludes, M.T. Sanhedrin 11:5, with the reason: "In order that they shall have no mercy and pity upon him, for cruelty to these who lead the people to vanity is mercy and pity for the world. As Scripture states, 'In order that the Lord will return from the fierceness of his anger and give you⁶⁸ mercy...'"⁶⁹ My purpose is directed at those leaders who harass the community and win profanators to

their side. Only toward those leaders is my purpose directed today. About them and people like them, Maimonides writes in Mamrim 3:5 "It is right to get rid of them." But those men who are not deceivers themselves, but are only drawn by the advice of the Agitators and the Dilettantes are not included in this category. For they are forced by their teachers, because the people think that the word of the Lord is true in the mouths of the Preachers of whom Scripture describes as those who, in drawing near to the city to battle against it, offer terms of peace to the people.⁷⁰ It is fitting to behave toward them as Maimonides instructed us in Mamrim (3:5) that with the children of the Karaites and those who were reared on their knees, it is proper to restore them in repentance and to draw them with words of love and peace to us, in order that they return to the strength of the Torah, because they did not rebel openly, but were deceived and trapped by what those who established a permissive Bet Din placed upon them. They were enticed and attracted by empty words, and this is considered as being forced. See RaMBaM on the verse, "A man who entices a virgin"⁷¹ and also Mishna Lamelek 5, Malveh Veloveh where he established the basic principle for the distinction between the enticers and those who are only attracted by their counsel. Our purpose also is not against the people, but only against the leaders who lead the people to follow vanity. They are few in number, but they do much

damage. These Rabbis and Preachers whom we have indicated sin even more in that they destroy family peace and harm greatly those among the people who are pure, and whose ways, until now, were upright in matters regarding Torah and worship. They were happy with their lot and pleased to walk on the high roads to the House of God. But these Dilettantes implanted doubts in them in regard to matters of religion, which had never before occurred to them. They transferred them from a life of pleasure, which until now was quiet and serene under the shadow of pure faith, to a troubled and regretful life. Their souls have sunk low because they were trapped for destruction by these soul hunters. And they are more perplexed now. They are unable to find the right way on their path. They do not know whether to continue on the same path on which they have gone until now or to remove the old path and be guided by these Men of the Assemblies. They have lost their peace of mind. They stand at the road of indecision, complaining about the misfortune of their lot that happened to fall in this orphaned generation, in which the sons often remove themselves from their father's table and their forefather's customs. The fathers and forefathers are a mocking in the mouths of their young capricious offspring. And in consideration of this point of view alone, in order not to destroy family peace, the Reformers should have been careful not to tear down rapidly all the old matters which

were implanted in the people's hearts long ago. In any case, the Reformers have something to learn from the behavior of Esau, the hunter. "The days of mourning for my father are at hand, then I will murder Jacob, my brother."⁷² And far be it from him to do it during his father's life out of honor for his father. But these Hunters in our time cause the children to abhor their father's customs, and are often greatly estranged from them, while the eyes of the father see and weep, and no one takes heed.

That which is said concerning Pharaoh can be applied even more appropriately to the Men of the Assemblies in our time. Pharaoh charged all his people saying, "Every son that is born you shall cast into the river."⁷³ Pharaoh said that Esau was a fool when he said "When the days of mourning for my father are at hand, I will slay my brother Jacob and inherit his portion."⁷⁴ But I will not act so unknowingly. Under the very bellies of their mothers, while they are yet new-born infants, I shall smite the children of Israel." Thus Pharaoh charged all his people, saying, "Every son that is born, you shall cast into the river."⁷⁵ (Midrash Psalms 2:3) But even Pharaoh decreed that only the males be put to death. As Scripture states, "All the daughters you shall keep alive."⁷⁶ But these Reformers seek to destroy everyone, both the young men and young women together, so that they will not remember nor recall that they are from God's people and that they came

forth from his land, because they will not be educated and reared on the knees of Torah. What will be their end? Moreover, Pharaoh decreed only physical death, because the children of the Hebrews who were cast into the river by his charge, in any event, received their portion "in the land of the living." For behold, the young people of Israel and even the still births have a place in the world to come. (Sanhedrin 110B, Ketuvot 113A, P. Shevi'it 32B) But these Reformers to whom we are referring cause the loss of many souls. They made the people taste the flavor of matters which were strongly prohibited long ago. These were tasty to the people's palates and they practiced these prohibitions as if they were permitted, and the people were inclined toward them. Consequently, the Reformers increased in number daily. Their Rabbis, in seeing that their activities would make an impression, became arrogant and added calamity to calamity by smiting and wounding the Sages of the time who were nurtured on the Torah and the Talmud. And if they do not succeed with all their activities the first time, they will not rest or desist from sending the fruit of their thoughts everywhere by way of the weekly newspaper, especially the newspaper called The Israelite of the Nineteenth Century, edited by Doctor Hess. And through varied ways they will entice the people in order to attract them to their counsel. Ostensibly the danger is very great. For if God forbid, they should realize their plan and there be nothing to halt them, to stand

against them, to rebute their counsel and destroy their thoughts, then the fire will grow and the upright and pure will fall under their power. We will be systematically reduced. And what will become of the Torah which we have guarded in its purity for more than three thousand years? Since they have behaved cruelly with us by destroying our peace and causing the sound of shouting and disloyalty to increase in our streets, we must render a legal judgment against them and remove them from us. The Sages have already said in Midrash Shemuel and in Yalqut Shemuel 1:15, "Rabbi Yehoshua, the son of Levi said, 'Everyone who has mercy on a cruel person, the result is that cruelty is done to the merciful ones. At the beginning of the story it states, 'Saul spared Agag'⁷⁷ and at the end it states 'And Nov, the city of the priest, he put to the sword.'⁷⁸"

I have observed and paid close attention to the activity which is being carried out in our province against the Rabbis who openly oppose the Torah. And I have found that though Israel will not be bereaved of righteous, faithful, scholarly Rabbis of understanding, great ones of the generation who dedicate their time to Torah and testimony and spend all their time being occupied with the ordinances of Horeb, to produce young and budding scholars in Talmud and the Decisors, I have found only here and there a few men in whom there is a steadfast spirit and who have made a conscious

effort to complain about the faithlessness of the diaspora and the condition of the people, generally and specifically. Yet, according to the decree of the Torah, the responsibility rests with the Sages of the Generation to heal the wounds of their people and to furnish medication for the ailment which infects the sons of their generation. The Sages have already said, "When a young scholar is resident in a place, all local matters are referred to him." (Moed Katan 6A) And it is specifically his responsibility to act against those who stand up against us today, whose spirit is like a storm-tossed sea which is unable to subside, and all day it attempts to break its boundaries and to annul matters of the Torah.

I made an effort to comprehend the way of the Sages of our province and the purpose that drives them to make a place for the Reformers and be silent at this time, when it is a duty to speak and to make known to the masses the cunning of these Rabbis, the Men of the Assemblies. And I learned that the way of the Rabbis differed one from the other. For some of them, the matter of the Reform practice was completely unknown. They think that in the provinces of Germany everything today is as before, and like earlier days, they were truly with us. They do not know anything about those who call themselves Reformers and make a strong effort today to destroy and not to build. The voice calling from a distant land that certain Preachers who call themselves

Rabbis have arisen and assembled groups in the cities of Brunswick, Frankfort, and Breslau has not yet reached them. The goal of these men is to give permission for the transgressions of the prohibitions of the Torah and to convince the people that they should conduct themselves according to their opinions. Behold, with these Rabbis to whom all this is unknown I have no concern, because I am certain that they do not fulfill the obligation which is placed upon them by virtue of their position in a congregation. Their position requires that they not be like animals who only make use of their instincts and things which appear to them in their immediate situation alone. It is their obligation to understand the events of their people of old and in former times, and especially to know what is happening in Israel now.

Rabbi Jacob Emden already wrote in his book Mor u-Ketziah, Shabbat 307⁷⁹ on the matter of studying the wisdom literature on the Sabbath. He wrote, "Therefore, I say that it is incumbent on every man of Israel to be an expert in the book Shevet Yehudah and in the rest of the books which relate the events of Israel and to remember the merciful and wonderful acts of the Lord in every generation, for they are not enumerated in any of the numerous ordinances, and, incidentally, he will learn suitable points for argumentation." And for the Rabbis of our province who make no effort to perfect themselves in the knowledge of the events of our people, I shall

not waste my words here. For after beginning like this, I know that they will be astonished about the thing which I have suggested and they will say, "Look, this man presents us with matters to which we can apply the verse 'much study is a weariness of the flesh.'" ⁸⁰ In their opinion, reading these books is a waste of time and consequently, all their beauty will be as a sealed book which they will not know how to read, and therefore, they will object to my suggestion.

Also, there are Sages in our province, Rabbis who are scholars and men of understanding whose ears heard the slander from the Reform movement and whose souls weep silently over the separation of hearts and the opinions which are developing in our time in German congregations. They understand the effects of this, but they let the matter remain as they are and they will not stand and attack the Reformers, and, as a consequence, calamity is approaching us also. We know that the masses are easily persuaded to follow appearances and imaginative and false matters. Already the Sages have testified (Avodah Zarah 27B), "It is different with the teaching of heretics, for it draws, and one having dealings with them may be drawn after them." And at the end of days who will be able to stand against the winds storming upon us from the East and the South, when the elders and leaders of our congregation are smitten by the plague? Perhaps, God forbid, there will be irreparable damage. Nevertheless, the

Rabbis take no action against them. "They bury their hand in the dish,"⁸¹ and do not stand in the breach where the plague begins to sprout, and where it is easier to annul the Destroyers' activities. Their reason and motivation is of three types:

1. Some of them are afraid to present the words of the Reformers to the masses in our province, because they know and recognize that, at first glance, the people will cry out bitterly about every new custom and every strange matter, for the strength of custom is greater among them than the strength of law. According to the masses, anyone who entertains impure thoughts about the customs entertains impure thoughts about the Shechina. Yet over a long period of time, they are more susceptible to accept uncleanness than educated men, and a matter which they see or hear frequently is considered among them as permitted. The result is that they begin to practice the reform customs as if they were their own customs and gradually they begin to like the prohibited customs. "Stolen waters are sweet."⁸² Therefore, according to these Rabbis, you have no better method of defense than silence. The people will not know anything about the enemies that battle at the gate. For to go forth to wage war against them is an imminent danger. We might cause large numbers of pious people to fall from our ranks, people who conducted themselves nobly up to now and to whom a doubt never occurred in

matters of religion. And because of this, these Rabbis think that it is best to leave the matters to fate and not to speak about it in the hearing of the people whether it be to have mercy on the Reformers or to discipline them. They save people's souls by not wanting to speak of the Reformers in the hearing of the people.

2. Some of them apologize for saying, "We have never walked on the path of argument and rhetoric, and we are not skilled in the art of war and consequently, we are unable to speak with the enemies at the gate. Perhaps our glory will not be served on the path which we would walk. And perhaps we will not repay them in accordance with their defiance and they will say that their hand is victorious and the result will be harmful to the nation as a whole."

3. Moreover, I have found some great men of the generation who are praiseworthy in every way and for whom the task is to show the Destroyers that the truth is not their object but rather that they want to permit the transgression of prohibitions "in order that the moist be swept away with the dry,"⁸³ nevertheless abstain from fighting this obligatory war, because they imagine that a war with men empty of knowledge would be considered as an insult, for these men never learned and understood Talmud or the Decisors. What honor will it give us and what glory will it give us if we defeat them in war? Will not we have been victorious over stupid men? It

is not fitting for elders and men of understanding to waste their time with matters like these.

In my opinion, these three approaches are not proper in the eyes of God and man, and the Rabbis do not fulfill their obligation according to the responsibility and the holy task which was placed upon their shoulders. If they do not fulfill their obligation out of fear of publication of the idea of the Reformers, behold the Reformers take advantage of every possibility to publish their opinion and their many activities. Although they have no Torah or reverence, they do have the art of speech. They are learned in the pure language which is spoken in their country, and they present their movement before the people in a way that is fitting for their purpose, and in order that their words will penetrate the ears of the people. Already their purpose is known among the living, by way of newspapers published every week, each with a different approach. The paper Orient, edited by Doctor Fürst⁸⁴ of Leipzig, opposes and accuses them. The paper, Israelite of the Nineteenth Century,^(F) edited by the scholar Doctor Hess, strongly supports them and presents their new opinions. The paper Allgemeine Zeitung des Judenthums, edited by the scholar Doctor Phillipson, takes a middle position. And though it was through him that the Rabbinical Conferences came about, nevertheless, his thoughts in the beginning were for the good and welfare of the Jews because he loves them and

desires their improvement. Afterwards, however, he was seduced by the Reformers, and adopted their views. These newspapers announce the activities of these Reformers to whom we are referring. "These for praise, and those for shame..."

And to those ignoramuses in our province from whom the Reform way is concealed, behold, if these papers were written in Hebrew and bound in a book, the masses of the people who have no interest in speculative matters should not understand them. If this is true, there could be no harm at all in debating the Reform position.

As for those who are afraid that they do not understand how to be victorious in the art of debate, this is also nonsense. They are the Sages of the Generation, and the Law of the Lord is inscribed on their hearts. They should not recoil from these men, and they should not be terrified of the sound of their words. They should gird up their loins and hasten to render judgment in accordance with the sentence of the Torah. God will help them bring forth praise for the sons of their generation, for it is known that the spirit of the Lord governs the activities of the righteous to help them with their purpose for the sake of Heaven. Their idleness causes them to misunderstand the strength of their soul and they imagine that the disposition of their soul is not adapted to fight the war of the Lord of Hosts.

And those who think that argument and resistance against the Reformers is a disgrace and reproach have shown

that they consider their own honor more important than the honor of Heaven. Why does not the way of the Tannaim, the Amoraim, the Geonim, the Tzadikim, and the Chachamim in every generation spur them to do as they did? They did not refrain at any time from going forth equipped to battle against the heretics. Rabbi Yochanan ben Zacai and Rabban Gamliel used to argue against the Sadducees and the Boethusians, and Rabbi Yehoshua ben Chananya and Rabbi Yehoshua ben Qarcha and Rabbi Abahu and Rabbi Simlai used to argue against the heretics.

(See Sanhedrin 38B, 39A, and 90B, Baba Qamma 115B, Menachoth 65A, and P. Berakot 62B, Genesis Rabah, Bereshit 25:1 and Leviticus, Rabah, Vayiqra 6:6. And also our teachers, Saadia Gaon, Maimonides, and RaBaD, who wrote a refutation of the Karaites, did not leave them a name or remnant until they subdued them. They considered these matters as an obligatory war.⁸⁵ The RaMBaN praised the deeds of Maimonides in an apologia.

"Praise and honor are his, for he has given the Karaites to plunder and removed them from the chamber of kings." RaSHBA and Rabbi Aba Mari stood against those who went astray in the province. In another time, the Geonim, Rabbi Jacob ben Saspertas⁸⁶ and Rabbi Jacob Emden stood against those who were attracted to the false messiah, Sabatai Zevi, and those who came after him. And all these were the Great Ones of the Generation, perhaps greater than the Sages of our time, but nevertheless, they forewent their own glory for the glory of

Heaven. They were not proud or arrogant, and they did not think that a war with men like these was disgraceful. They did not hide their heads in the ground, but they went forth equipped and they succeeded and won the masses. Consequently, those who refuse to go forth to battle are destined to receive a sentence.

On account of the practices of the Rabbis of our province, our opposition has found support for their charges against the old Rabbis. They say, "Behold, the sons of Israel who were reared on the knees of the Talmud are scattered in the cities like sheep that have no shepherd and no owner." The Rabbis are supposed to be the hands of God and to understand the demand of the time and the spirit of the day. All the Jews of the world generally and the Jews who dwell in the provinces of Germany particularly require that Rabbis do not only satisfy themselves with a life of pleasure as before, but they compel them to know the cunning of their opponents and to keep their eyes and hearts open for the benefit of their people, not like the Rabbis of Poland and Hungary today whose eyes and hearts are concerned only with superficial honors. They speak from on high like the sons of God, and they consider it too small to descend from their heights and care for their congregation in the preparation of the schools and teach the children at least the principles of the religion. They do not stand guard to seek the good of

the community of Israel in their relationship with the government, especially in a time like this when their situation is improved in all their dwelling places. They think they are damaging and destroying the activities of the Reformers in the cities and in their congregations and that by this alone they fulfill their obligation. But in spite of this, these Reformers progress and the time is opportune for them. Many large congregations in our province already have broken the boundary and have taken Preachers and Rabbis from these men, and they appear to be succeeding. Though they have not Torah or reverence for God, nevertheless, they have proper manners and are adept at the art of speaking. They know how to walk in accord with the spirit of the time, with a pleasant and a welcoming face. They have decided that scholarship is not of primary importance, but that everything is measured in terms of the number of activities and the amount of service in the community. All Torah and no work and service results in the nullification of the Torah. It was not long after some of them began to develop that immediately the newspapers made their nature known to the world, and many of the people were attracted to them and laid hold of their activities. And since the old Rabbis are quiet and silent concerning them, what will the people do at the end of days? To whom will they run for help and to whom will they run to save their honor without bowing to these leaders who every moment make a strong effort

to sway them toward their opinions.

I clearly know that the responsibility for the corruption of the generation rests upon the Rabbis of our time, and the obligation is to stand watch and examine the deeds which were performed in Israel in ancient days and to know the activities of the Jews now in every place of their dispersion. As it has been stated in Scripture, "If you will walk in my ways and if you will keep my charge and will also judge my house and will also keep courts, then I will give you free access among those that stand by." (Zechariah 3:7) And it also states, "If the watchman sees swords come and he does not blow the horn and the people are not warned and the sword comes and takes a person from among them, that man is taken away in his iniquity, but his blood I will require at the watchman's hand." (Ezekiel 33:6) And concerning these Corrupters, Scripture states, "My people, your leader misleads you and confuses the course of your paths," (Isaiah 3:12) And I feared that no one was concerned, and I understood that none of them was grieved about "the breach of the daughter of my people."⁸⁷ I said whatever happens, I will speak and I will be an associate of the workers of righteousness, those noble Rabbis in the provinces of Germany, Holland, Hungary, Bohemia and Morovia,^(G) and I will publish my judgment against those who trespassed the boundaries which the Elders set. Even if there were no conferences, but only innovations in prayer and in matters of the synagogue, I would have called

them Innovators and War Mongers, because these innovations alone would have been a transgression of the negative commandment of the Torah, "You shall not make factions,"⁸⁸ and tradition explains that they shall not form separate sects or two courts with different customs in one city. (Yebamot 13B, Maimonides Akum 12:14, and see RaSHI, Sukah 44A, top)

Nevertheless, they were not compelled to battle against them. But now that they teach to act high-handedly contrary to the Torah, again we need to publish a judgment against them among the people. And it is right to make their nature known to the world, what they do, and what is the intention of their efforts. And if with the loss of the life of an individual man it is written in the Torah, "You shall not stand by the blood of your neighbor,"⁸⁹ and it is a Mitzvah for every man of Israel to save his pursued friend, both in the case of murder and in the case of licentiousness, and it is an obligation to save him even at the expense of the life of the pursuer (Sanhedrin 73A), the same principle is all the more applicable to the loss of the soul of the community. We are bound now to save our brethren, the sons of Israel, who are pursued by these Men of Assemblies in order that they not immerse themselves in these thoughts. And if you ask why we should go to the trouble to defend God's cause and multiply the separation of hearts in Israel, is not the Lord able to take his vengeance out on them and find a place to punish them

in this world and in the world to come? I would answer that I have already stated that if they would have been satisfied with their congregation and the ones who follow them alone, we would have been silent. But now that they have arisen against us to destroy us and to incite the noble people among us to collaborate with them, then it is they who began to set forth to quarrel with us first, and because of this, they will be repaid in accordance with what they have done. Therefore, the time has now arrived to stand on the breach and to set out against them once with a pleasant staff and once with a destructive staff as the Sages of the time and the knowers of the season see fit.

I have heard some of their scholars apologize for their efforts today by saying that their reason and motivation for introducing reforms is for the good of the people. Many people in our time have little knowledge of any matter pertaining to faith and religion. God is not honored in their eyes and they high-handedly transgress all the prohibitions in the Torah. There is a danger that in time, they will convert to another religion and forsake Judaism totally. Because of this, they want to adjust the religion of the Torah to the time. It suits those men who have already uprooted the bonds of our society to say, moreover, that even though these reforms are against the Torah and the Talmud, nevertheless, we sometimes find that the "suppression of the Torah may be the foundation

of the Torah," (Menachot 99B) in order that we can strengthen some other matters of the Torah. And they add that their purpose is not to destroy the ancient structure and to introduce reforms to the noble ones of the generation who are still faithful to the Torah of Moses and the God of Israel, for they will remain with their practices as before, and "Far be it from us to lure and lead them to the right or the left. They can practice as before, and a blessing will come upon them. But there are found among our people many who are occupied all day at work and in business and are busy bringing impure foods to their homes all day. They are accustomed to turn from the way of the Torah. They are mixed with the non-Jews, and they learn their activities; they eat bread with them and work on the Sabbath and it is difficult for them to break the habit. But in spite of this, they have not forsaken the religion. They say, 'The Torah of Moses is comely and praiseworthy, but we are unable to fulfill its requirements in every detail which we are obligated to do. However, if you lighten the yoke of so many Mitzvot, then we will be able to fulfill them. You are the guilty ones and you are unjust, for you have caused us not to fulfill any of the precepts and consequently, the whole Torah is annulled.'" For the sake of these men, they try to reform and improve every possibility so that it will be some support to lead them in the paths of faith and religion -- Thus is the content of the words of some of the Agitators.

However, I have already rendered the judgment on the matter in my books, Darkey Horaah, that reform practices in matters of Torah also in this way are contrary to the law, for even if a rabbinical ordinance is imminently necessary to reverse some of the damage done long ago, it is not in our hands to be presumptuous in ritual matters and to instruct contrary to the Torah. It is permitted only for the need of the hour, and not to uproot the words of the Torah permanently. Even if it were decided that the Rabbis of the Generation had authority to forego certain matters which were prohibited by rabbinical ordinances and prohibitions for specific reasons of the Sages, the reasons no longer exist and do not apply in this case. Nevertheless, these Men of Assemblies do not intend good for the general community. They do not want the people to remain in the religion of Israel and not turn their backs on us. And if it is true, as they say, that they select a few precepts and annul them for the purpose of strengthening the majority of the precepts in order to change the transgressors, why have they decided to pray in German, not to mention the matters of the Messiah, the resurrection of the dead, the restoration of the Temple service, and the rise of the kingdom of the House of David in their worship service? What is this faith able to reinforce for those who waste their time with the vanities of the world? Behold, the truth of their intentions is to make the precepts easy for them. But

these investigations to see if the service is fitting in our time or not is not their true concern at all. All these observations are vanity and feeding on the wind.⁹⁰ Their purpose is to do only what their heart desires and from this we learn that they are not worried about these types of men. And if these contenders say that the reason they deleted some matters from the prayers is to avoid the anger of the government who says, "We treat these people who live among us very well, but they eagerly await the return to the land of their fathers; they consider themselves as foreigners here where they live." And if these contenders say that this is the reason they have deleted some matters from the prayers, and that their intention is not to deny the principles of the faith, this excuse is not true. It is certain that because the Sages formulated these matters in the prayers and they change the things which are the foundations of the religion, there is no doubt that they do this by reason of apostasy. And when they say that they do all this because of the fear of the government, behold, all the kings and princes know that our longing is strong for the land of the dwelling place of our fathers, and in any case, they do not consider us evil for this. And in France, Holland, in Belgium, and in similar places, we are considered citizen without differentiation from the other citizens of the provinces. No protest was made from the point of view that our people pray everyday for the return of the Temple worship and for the Kingdom of David. This

experience showed the opposite; even though they pray for final redemption, nevertheless, in every political function they show their strong desire for the welfare of the government. They are faithful to their leaders in every way, as they were commanded by the prophet, "Seek the welfare of the city where I have sent you into exile and pray to the Lord on its behalf, for in its welfare you will find your welfare."⁹¹ And also the Sages of the Mishna used to pray for the welfare of the government. Already the legislators of the provinces of Holland testified that the Jews are faithful and submissive at all times to the laws of their government and that they do not mix with "misfits"⁹² and rebels; they testified further that they were courageous and know how to be victorious in war as against the French in the Antwerp Fortress in the year 1831.⁹³ And we have seen that one time a decree was promulgated in Prussia that the Jews not be compelled to serve in the army. They thought this was a great insult, and all the Jews promptly submitted their request that they served in the army as free men.⁹⁴ Every nation knows our position on the question of national loyalty. Therefore, they do not criticize us on this point. The Reformers toil in vain to hide their hypocrisy in showing why they deleted mention of the faith in the Messiah and the return of the Temple worship from their prayers. Moreover, experience has shown that they did not succeed in removing the accusation of the accusers,

but that the result was exactly the opposite. In those provinces where it did not occur to the Rabbis and the Preachers to uproot the matter of Torah, the people like us, and give us the status of citizenship, as in France, North America and Holland where our brethren, the sons of Israel, still practice in accordance with the Torah. In our time, this is also true in Belgium and in Canada. Even though the people are not perfect in the performance of the Mitzvot, nevertheless, they are perfect in matters of faith and their thoughts are proper in any case. This is not true of some of our brethren, the sons of Israel, in Germany. They went out at first to destroy the matters of religion. What was their reward? All the false charges that have come upon us originated in Germany, and all the hatred and the cunning to treat us badly came only from them. Look at their situation in the provinces of Bavaria, Saxony, and Prussia before the days of the revolt of 1848. Even though the Preachers tried to flatter the German people and to permit marriage with them, and to show in the formulation of the prayers that it does not occur to them to believe in the coming of the Messiah and in the restoration of the Kingdom of David, but rather that only the land of Germany is their homeland, for there they were born and there they live and there they will die, nevertheless, their political condition was very bad. Not only did they not realize their purpose by this, but their position was

often reduced, as is made known to us by the conduct of the Prussian Empire from 1823 until the year 1843.⁹⁵ The Sages verified this (in Sota 9A), "Everyone who concerns himself with what is not his, what he seeks is not given to him and what he possesses is taken from him."

Our eyes still await the Savior of Israel, who will save Israel with an eternal salvation. For he will send us promptly the lord whom we seek. Elijah, the messenger of the covenant, will come with him and he will straighten the way before him, as Scripture states, "Behold I will send you Elijah, the prophet, before the great and terrible day of the Lord comes, and he will turn the hearts of the children to the fathers."⁹⁶ And the tradition teaches at the end of Mishna Edyot⁹⁷ that Elijah will come to bring agreement where there are matters of general or particular dispute in Israel in order that the voice of violence and war will not be heard anymore. He will restore peace among the families, and he will also turn the sons to conduct themselves in the way of the fathers and the hearts of the fathers that were far removed will be brought near to the sons. And their sons will await what is stated in Scripture, "And the earth will be filled with the knowledge of the Lord as the waters over the sea."⁹⁸ And all of them will unite to serve the Lord in reverence, and man will not lift up the sword of vengeance, hatred and competition against his neighbors over matters of

of religion, but all the people will be adorned and honored in the gloriousness of the knowledge and the precepts. Every man will come to his place in peace, happy with the gift of his portion and joyous with his fate, to see his people and the children of his religion and all the people of the world united and joined in the bonds of brotherhood and love, protected by the shadow of the Torah and wisdom performing the obligations placed upon them with pure and joyous hearts.

All the factions which were far-removed from us will return to us to glorify the holiness of Israel; the true Torah which we inherited stands forever. And those who went astray will say, "We have sinned and we will atone for our iniquities; we have turned from the right path, and we became ineffably worse, but now we see that Moses is true and his Torah is true and the words of the Sages are true and we are liars." I think that I have fulfilled my responsibility, therefore, I put an end to my words.

NOTE A: A brief survey of the history and development of Jewish communities from the Exile to the present, and a comparison of some of their differences and similarities.

Dear reader: I have said that I shall not refrain from presenting to you what I have gathered from writers, books, and daily newspapers which speak specifically about the people of Israel on matters of faith and religion and the differences in their ways, their practices, their languages, and their customs. Know that long ago our brethren, the sons of Israel, went into exile. At first they were exiled by Nebuchadnezzar, King of Babylonia. They dwelt in Babylonia about seventy years. There they learned to speak Aramaic and the Hebrew language ceased to be a spoken language among them. During the Babylonian exile, they spoke only the language of the state to which they were exiled. After the exile when they returned by permission of the king¹ to the land of their fathers with Ezra and Zerubabel, they did not cease to speak Aramaic. And during the entire period of the second Temple, they did not speak Hebrew. Only the teachers and the prophets and perhaps the princes and the judges of the state spoke Hebrew, but the majority of the people kept the language which they brought with them from Babylonia. Then interpreters were established to explain the meaning of the Torah to the people in a language which they understood, as is explained by the writer of Meor Enayim.² And after this,

under the rule of Alexander the Great and those who came after him: the Ptolemeans, Kings of Egypt, and Seleucides, the Kings of Syria, who spoke Greek, the people of Israel did not change their Aramaic language. Only the Jews who dwelt in Alexandria of Egypt and in its surrounding areas learned the language of the land and employed the Greek tongue in their books and in their speech. They were called the Alexandrian Jews by the Hellenists, that is to say, the Greeks. And after this, when the Roman Caesars conquered Israel and gained control over these cities and Herod and his sons were controlled by the Caesars of Rome, the princes spoke Greek or Latin, but the masses continued to speak Aramaic. However, when they were driven into exile a second time by the Romans (the first time was by Titus and the second time was after the destruction of Betar³ and was a complete dispersion executed by Trajan⁴ and Hadrian), the few people who remained in Palestine and the few who went to Babylonia maintained the Aramaic or the Syrian language - because the language of the Babylonians was different from the language of the Palestinians, (See Eruvin 53A, indeed the changes were minor) - but those exiles who were led by Roman officers to Rome joined their brethren who dwelt there since about one hundred years before the destruction of the Temple and became one community. Slowly they spread from the city of Rome into all the provinces of lower, upper, and middle Italy. They filled all

the provinces of Naples, Sicily, Lombardy, and also the free cities of Genoa, Florence, Venice, Pisa, Bologna, Ferrara and similar places. Some of our people also dwelt on the islands of Sardinia and Corsica. They grew and prospered there and became great communities, famous in the arts and in wealth. Since then the Aramaic language ceased to be used among them, and they changed to the language which was used in that land. The Latin language was corrupted in the course of time and became a vernacular. This language was Italian. From that time until now, our brethren, the children of Israel who dwell in Italy, maintain this language. The Italian community did not diminish and they did not go into exile, even though their social conditions were not good. The Jews of Italy had different customs and different poetry⁵ in their prayers from either the Ashkenazim or the Sephardim. They are called the Italian community and they follow Italian customs and Italian rites. The children of Israel have spoken this Italian language for almost two thousand years.

The exiles who went from Jerusalem to Spain and Portugal to join their brethren who dwelt in those lands before the destruction of the Temple also decided to cast away the Aramaic language which they spoke in Jerusalem and to accept the language of the provinces to which they came. The new languages were Spanish and Portuguese. There they grew and prospered in wealth and in the arts more than the rest of

the Jews in the other countries. They also had different customs and unique forms of prayer, different from the Italians and the Ashkenazim. After this, the Caliphs, who believed in the religion of Mohammed, conquered most of the provinces of Spain and introduced the Arabic language. They supported scholars so that they would enlarge the number of books on the arts and sciences in this language. Arabic also became the language of the king in governing the state. From then on, our brethren, the sons of Israel, endeavored to master the Arabic language. They wrote their books in Arabic and ceased to use Spanish. In those few districts which remained under Spanish control and did not come under the rule of the Arabs, our brethren, the sons of Israel, maintained their previous language, Spanish. But after this, when the Christians gained strength in Spain and slowly began to expel the Arabs, then our brethren, the sons of Israel, accustomed themselves to speak Spanish, while at the same time they were fluent in Arabic on account of the learned literature which they studied. The Rabbis and the Sages used both languages equally, as we know from the Rabbis who lived at the time of the expulsion: Rabbi Isaac ben Sheshet,⁶ Simon ben Tzemach,⁷ his son Solomon Bar Tzemach,⁸ Isaac Abrabanel,⁹ Levi ben Chaviv,¹⁰ and others. But the language of the masses was Spanish only. And when they were expelled by Ferdinand, the Christian and his wife Isabella, they went to the islands of Greece, the country of Turkey, the land of Palestine, and the provinces

of Barbary which are in Africa. However, here they did not change their language to Arabic or Turkish, but they faithfully maintained their language which they brought with them from Spain, and similarly, they held fast to their customs of marriage and the order of worship which they practiced in Spain. They are the exiles who founded the most famous communities in Turkey, for example, Constantinople, Adrianople, Sophia, Aleppo, Damascus, Bagdad, Smyrna, Salonicki, Jerusalem, and Safed. In Barbary they established communities in Algiers, in Tunis and in Tripoli. In Egypt they established communities in Cairo and Alexandria, and similarly famous communities in three parts of the world. These are the Sephardim who established themselves in all the eastern countries. They spoke Spanish and practiced their own rites and customs. Some of the older communities of Greek Jews and Arab Jews slowly diminished and eventually most of these communities spoke Spanish and prayed according to the Spanish rites. A few of the older Arabic-speaking communities still remained. They were called the Mist'arabim¹¹ communities. However, they were lacking in knowledge, bereft of science and understanding, and had not a portion in the Torah. Consequently, they were directed by the Sephardic communities. Not only in the cities of Turkey in Europe, Asia, and Africa did they establish famous communities, but they also gained strength in the rest of Europe. In France, Sephardic com-

munities are found in the cities of Paris, Bayonne, Brest, and
 Marseilles. In Britain they are found in the city of London
 and in the city of Gibraltar in Spain, which belongs to Britain.
 In Italy they are found in the cities of Leghorn, Venice, Man-
 tua, and others. In Holland they established large communi-
 ties in Amsterdam, the Hague, and Rotterdam where they have
 had outstanding Rabbis for a long time. This is also true in
 Hamburg, in the royal city of Vienna, in Hungary on the border
 of Turkey in the city of Temesvar and in the district of
 Walachi in the city of Bucharest. And there are a few more
 Sephardic communities in Denmark and Sweden. In particular,
 there are great Sephardic communities in North America. There
 are many Sephardim in Philadelphia and New York and in the
 states of Maryland and Massachusetts. There are also Sephardic
 communities in Quebec, Canada, and in the American Islands,
 which are called the West Indies. These islands belong to
 Britain and Holland. There are other Sephardic communities
 in parts of Australia. In Batavia in the East Indies, which
 belongs to Britain and to Holland, many communities were
 founded. In Africa, that is Barbary and Egypt, there are
 about six hundred thousand Jews and the majority of them are
 Sephardim. Some of them are Mist'arabim who speak Arabic.
 In Asia and Europe there are about two million Sephardim, and
 in Australia and America about ten thousand. Formerly there
 were also great communities in South America, especially in

Brazil, but they were expelled by the Portuguese.

The Ashkenazic communities number more than the Sephardic. They are the exiles who were driven out by the Romans. They were sold as slaves to the Germans by the captains of the Roman army.¹² After this the Lord showed favor to the people and caused them to grow and to gain strength, and the Sages of Babylonia and Italy flowed to them and established rites which were different from the Italians, the Sephardim, and the Babylonians. They adopted the German language. Similarly in an earlier period, even though RaSHI and the Tosafot spoke French, nevertheless, in matters regarding prayer and custom they were considered as Ashkenazim. After the Jews of France were expelled in 1566,¹³ the majority of them went to Germany. Some of them who were close to the border of Spain fled to Spain, and those who were close to the border of Italy fled to Italy. They assimilated with their brethren in these countries and adopted their customs and their language. From that time on, the French language ceased to be a spoken language among them. From Germany they went to Holland, Denmark, Sweden, Prussia, and Silesia. They also went to France, Britain and Hungary where they established large Ashkenazic communities. There were also scattered from Germany to Poland and Lithuania. And according to the testimony of gentile scholars, Jews came from Germany to the city of Posen, which was considered as part

of Poland in 1490. However, in the time of the ROSH, there were already communities in Poland--he called it Russia in paragraph 51 of his Responsa, because at that time the Russians or the Ruthenians ruled these states, but they were eventually conquered by the Polish people. See the Responsa of Rabbi Joseph Kolon,¹⁴ section 180. The city is called Lambert, that is Lemberg which belonged to Russia. The Jews in Poland, Lithuania and Russia increased in population and developed large communities. They maintained the Ashkenazic rite and the German language which they brought with them from Germany, but in their dress they took on the customs of the Polish people. However, they did not undergo further change, such as, speaking Polish and Russian. They achieved more in Torah and wisdom than their brethren, the Sephardim. From there they were also scattered to the provinces of Russia and Walachia, Moldavia, Crimea, Bessarabia, and to the rest of Turkey in the area of the Black Sea, which was conquered from the Turks by the Russians. All these Jews came from Poland to live there, and they developed wealth and prominence. These communities spoke a German, which was corrupted and mingled with many Polish and Russian words; every day new words were brought into the language from the languages of the people among whom the Jews dwell. In sections of Galicia and Posen, which was under the sovereignty of the Kings of Germany, pure new German words were added to the language of the Jews in accordance with the linguistic development of the

day. In sections where they were under the sovereignty of the Russians, Russian and Polish words were added. But in all these places, the order of worship remained in accordance with the Ashkenazic rite. Only quite recently did the Chasidim introduce the Spanish rite. However, they do not employ the Spanish rite in its entirety. The Kalirian Poems are kept in their place, for the Sephardim do not have poems in the Rosh Hashona liturgy. But they do have poems composed by Yehudah Halevi, Ibn Ezra, Maimonides, Moses ben Ezra,¹⁵ and Solomon Gabirol in their Yom Kippur liturgy. And for Hoshanna Rabbah they have even more poems than for Yom Kippur. They also blow the shofar then. This is not true in the case of the Chasidim. Beside the minor changes in the liturgy, everything is conducted in accordance with the Ashkenazic rite. The Ashkenazim also went to North America and established many communities in the cities of New York and Philadelphia. Their customs are in accordance with the Ashkenazic customs, but they speak English, the spoken language of that country. Even though the Sephardim and the Ashkenazim who live in Britain and France speak English and French respectively in matters regarding their homes and business, nevertheless, their language of prayer is Hebrew. This is also true in Holland and Denmark where they speak the language of the land, but are, nevertheless, Ashkenazim. The total number of the Ashkenazic community is about three million. There are six

hundred thousand in Russia and Poland. In the Austrian Empire there are about seven hundred thousand, in Prussia two hundred thousand, in Holland about forty thousand, in Britain about fifty thousand, in Denmark, Sweden, Belgium, and the provinces of Switzerland, there are also about ten thousand. All of these communities adhere to Ashkenazic principles in regard to lenient and stringent ritual restrictions.

Jews are also scattered in India, Persia, in land of the Tartars in the provinces of Bokhara, and in the province of Kiev. Some of the Jews who are scattered in district of Grozny in the city of Derbent speak Persian, while others speak Tartaric. Now they are importing books and teachers from Russia. These Jews number about one hundred thousand. Some world travelers tell us that there are Jews in China and that their Torah is written in Chinese; however, these matters still are not clear.

In any case, we have four primary communities in Israel. They are the Ashkenazic community, the Sephardic community whose language is called Portuguese or Ladino because they held fast to the pure Castillian dialect, the Mist'arabim community who still speak Arabic and live in Asia and Africa, and the Italian community whose membership is small and does not exceed sixty thousand. The Sephardim and the Ashkenazim are the majority. However, they differ from one another in the liturgical rites and in the reciting of the poems. The Sephardim also remain awake on the seventh

night of Passover, -- unlike the Ashkenazim. The Sephardim say the "Hallel" as part of the evening prayer in the synagogue during Passover. Also unlike the Ashkenazim, the Sephardim cause the bride and groom to sit under the wedding canopy all seven days of the wedding feast while the grooms-men stand before them and make every effort to cause the groom and bride to rejoice. Similarly, they are unlike the Ashkenazim in the order of shaking the lulav and in the order of lighting the Chanukah candles and in the rubbing of the adhesion of the lung.¹⁶ There is also a difference between the Ashkenazim and the Sephardim in that the Sephardim do not kindle a candle during the recitation of Lamentations in the synagogue. Also unlike the Ashkenazim, the leader¹⁷ of the Sephardic worship stands by the reading desk where they read the Torah and also conduct the worship service, for they do not have a special platform near the ark.¹⁸ I have seen this with my own eyes in the Sephardic synagogue in Vienna. They are also unlike the Ashkenazim in their customs of rejoicing on Purim and Chanukah, but I do not wish to speak of this at length.

My purpose here is to show that even though the children of Israel differ in many customs, nevertheless, they do not stray to the right or the left of the principles which touch the essence of the law and which were made permanent in the Shulchan Aruk by our teachers Rabbi Judah Caro and Rabbi

Moses Isserles. And even though the Sephardim always follow the decisions of Maimonides who was of the great ones of Spain, nevertheless, the latter-day Sephardim are extremely careful not to deviate a hair's width from the decisions of Isserles, either. This is the greatest evidence of the unity of the people of Israel when it comes to the foundation of the Torah.

Note B

Early Reform

The activities of the originators of the Reform movement are already well known. They began in the year 1813.¹ Included among the originators were David Friedlander from Berlin, Lazarus Bendavid, M. Hirsch, B. Lindau,² and other heads of families in Berlin who were well educated and had close contact with the government. These men and others assembled and decided to make various reforms in the religion which would make it more suitable for the time. The principle that they considered to be the most important was that the service be acceptable to the Christian. But the Torah was forgotten and their synagogues were empty. The children did not know that they were Jews. They learned every new language, but they refused to learn Hebrew or anything which

had connection with the Torah or the Jewish religion. They disliked being called Jews because they considered it to be a reproach to be known as Jews in the community. If I should ask them why they did not give up their Judaism until now, one of them would answer and say that the reason he did not forsake Judaism is because he feared that by doing this, he would jeopardize his position among the Jews and he also would be considered despicable by the non-Jews. The non-Jews would say, "Every people seek their own God and their own religion. Once a week everyone goes to his own place of worship and pours out his heart to God, but Jews in the famous cities of Germany have forsaken the religion of their forefathers." They, therefore, considered the Sabbath as a weekday, but they were not assimilated with the Christians. Although they did not work Sunday and they dressed in festive clothes, nevertheless, they did not cross the threshold of a church and consequently, they were deprived of both Judaism and Christianity. After this, they made an effort to silence their critics by attempting to improve the worship service of the synagogue. However, Friedlander published his well-known letter to Councillor Teller,³ and in it he revealed his real intention. He was already outside the fold of Judaism; yet, once he understood that he was unable to push aside the Torah perfunctorily, he withdrew his offer to convert.

"Then there came to Berlin, Jacobson, the honored

Sage, a prince in Israel, an inner councilor to the Duke of Brunswick and to the king of Westphallia." He was a perfect man who conducted himself by the advice of the Rabbis and according to the Torah and who strove to do good for his people. But in Berlin he changed and was misled by Friedlander and his associates.⁴ He decided to establish a new temple in Berlin and to introduce the practice of preaching in German and singing to the accompaniment of musical instruments. "Christians also took part in the worship and assisted in the singing." However, he did not introduce changes in the prayers or the blessings and the worship service was conducted in Hebrew.⁵ Jacobson, Friedlander, and their associates were not entirely successful in Berlin, and they contented themselves with the establishment of a synagogue in Seesen and another synagogue in Westphallia. A short time later the citizens of Hamburg founded a new temple. They continued the practice of preaching in German. They worshipped primarily in German and introduced changes in the prayers, and the small amount of Hebrew which they did retain in the worship service, they pronounced in the Sephardic pronunciation. "They deleted the prayer for the resurrection of the dead, the prayer directed at heretics, the prayer for the reestablishment of the Kingdom of David and the city of Jerusalem, and everything which had any relationship to the rebuilding of the Temple and the return of the sacrificial cult or the

coming of the Messiah." They introduced the accompaniment of the organ, even on the Sabbath and festivals when it is played by a non-Jew. The temple was dedicated on October 18, 1818, and the orthodox people of the community objected bitterly. They publicly proclaimed that the practices of the congregation were "in opposition to the Torah and the religion of Israel." When they saw that their protest was ineffective, they called on their brethren in the surrounding areas and published their protest in a book entitled "Eleh Divré HaBrit."⁶ In this book they evaluated all the innovations of the Reformers and called to the Rabbis of Germany, Poland, Hungary, Bohemia, Moravia, Italy, and the rest of the Geonim of the generation to excommunicate all the Reformers.

The Berlin Reformers had already published a book entitled Nogah Tzedeq with an appendix entitled Or Nogah.⁷ A man named Lieberman,⁸ who afterwards converted, was the editor of these books, which justify the innovations introduced into the temples. These authors maintain that it is permissible, according to the Torah, to pray in German and to play the organ in the temple. The well-known Rabbi Aron Chorin of Arad, Hungary, was among those who justified the Reform activities. Yet, all the famous Rabbis and Geonim like Moses Sofer⁹ and the Rabbis of Nikolsburg, Prague, Breslau, etc., plus many Rabbis from Italy rendered a severe judgment against them and showed that these innovations were in opposition to

the Torah and the Law. Their reasoning and arguments were published in the book Eleh Divre' HaBrit. Another book in answer to Or Nogah and Nogah Tzedeq was written by the chief rabbi of Emden, R. Abraham Loewenstamm. It is entitled Tzeror HaChayim and was published in Amsterdam in 1820. In it, he prepared a refutation of the justification for these innovations based on the foundations of the halakah, and I also will not abstain from adding my opinion to the matter.

We begin with the matter of praying in any languages other than Hebrew. The law is clear (Sota 32A) that the recitation of the Shema, the Amidah, and the Hallel all may be said in any language. Also see Maimonides' Qeriat Shema 2:10 and Berakot 1:6 and O.Ch 62 and 101. Nevertheless, it is explained in Maimonides Qeriat Shema 2:10 that one should be careful not to confuse words in translating them and he must be as meticulous with the words as if they were in Hebrew. And since we see different translations all the time and every translator thinks he has captured the true meaning of the prayers, we are confused as to which German translation we should authorize. Moreover, when we say, "In the Songs of David, Your servant, we will praise you," and also "We will give thanks and praise in the words of song and praise of David, the son of Jesse, your servant, your anointed one," if we say these praises in Hebrew then they are the words of David. But suppose we were to translate them into another language, perhaps we would translate them incorrectly and we

would not grasp David's intention. We would be saying that we are praising God with the prayers of David, but this would not be so. We would unintentionally be speaking falsehoods to God. Behold, the author of Tzeror HaChayim showed that the Reformers did not translate correctly. In the prayer Magen Avot, they translated Me'en HaBerakot as "The Holy One, Blessed be He, is the source of all the blessing." But any child in school knows that the blessing in Magen Avot are called Me'en HaBerakot because all seven Sabbath blessings are included in it in an abbreviated form. (See Sukah 46A)

Moreover, we can argue against them on the basis of what Maimonides wrote in Tefilah 1:4, "Since Israel was dispersed among the people and mixed among the nations, and their language became mixed with the languages of the countries to which they went and since they were unable to express all their needs in one language, but rather only in a mixture of languages..., when one of them prayed, he restricted himself to ask for his desires in Hebrew until gradually he would mix another language with the Hebrew. Consequently, Ezra and his court fixed the order of the Eighteen Benedictions." We have seen that the primary purpose of the Men of the Great Assembly was to attempt to keep the language of prayer pure and not to mix it with other languages. Behold, most of the other languages, and especially the German language, have many Latin and French words in them. You might even say that

these words are so much a part of the language that they have become essential to it. These Reformers conduct the worship service half in Hebrew and half in German. They have retained many benedictions in Hebrew, but they conduct the rest of the service in German. This is impossible from the standpoint of the law. And if you wish, you can say that there is no prohibition against mixing two languages which are both pure in themselves. Maimonides did not prohibit prayer in two languages, but rather he prohibited prayer in the language of the masses who do not speak clearly, like the people in our province who speak a corrupt and deteriorated language which is a mixture of Hebrew, Polish and German. There also is the argument that it is established for us that one must pray in a language which he understands. This is true in a case when a person does not understand Hebrew; however, in a case when the person knows both Aramaic and the vernacular, the majority of the decisors hold that he does not fulfill his obligation in the vernacular. See O. Ch. 590:10.

The preacher Salomon of Hamburg,¹⁰ at the Frankfort Conference, quoted Sefer HaChasidim 588 and 685, "It is better to pray in a language that you understand than in Hebrew." If this is so, why did the Reformers ordain that the first three and the last three benedictions be read in Hebrew? Why do they not read these blessings also in the language that they understand, for they are the essence of the Amidah?

See Maimonides Tefilah 1:9 and 2:2.

The Reformers also annulled the silent recitation of the Amidah and introduced the practice of the leader of the worship¹¹ saying the Amidah orally. They base their innovation on Maimonides who introduced a similar innovation in Egypt, as is quoted in his name in the Responsa of RADBaZ 1:14. "The listener does not pray, but only listens to the leader and thus fulfills his obligation." But in the situation which we are considering, the Hebrew language is of no benefit if the listeners do not understand it. See O. Ch. 193, "If one person knows how to make the benediction and the second person does not know, the first person makes the benediction, and if the second person understands Hebrew but does not know how to make the benediction, he still fulfilled his obligation. But if the second person does not understand Hebrew, then the first one does not fulfill the second one's obligation to make the blessing..." However, in the Reform houses of worship we know that the entire congregation stands and does not utter a sound. And since this is the case, they who do not understand Hebrew do not fulfill their obligation because they do not understand the first three benedictions or the last three benedictions. See Tzeror HaChayim and Eleh Divre HaBrit where this point is also argued. Furthermore, no benedictions which are translated into another language are valid unless they are copied literally or unless their contents are

transferred without any additions or omissions. But these Reformers change and omit many of the Eighteen Benedictions. They change the benediction against the heretic and the benediction for the resurrection of the dead and the coming of the Messiah and the restoration of the Temple and the return of the sacrificial worship service. The law is explicit in regard to this. (M. T. Qeriat Shema 1:7), "Anyone who changes the form which the Sages formulated in the benedictions errors." And in addition to this, it is established for us in O. Ch 126:1 that if one errs or accidentally omits one of these benedictions, that they remove him immediately, for they suspect that perhaps he is a heretic. And since it stated in Berakot 21A that if he errs only in the recitation of the benediction against the heretics they remove him, how much the more does this principle apply to the Reformers who reduce the intention of all these benedictions which are of primary importance to the Jew? "There is no doubt that their ways are wrong and they do not fulfill their obligation." If we say that we suspect one of being a heretic who accidentally errs, how much the more do we suspect these Reformers, like Salomon and his followers, who arranged the new service and who publicly say that the Temple will not be rebuilt and that it is impossible that God would desire the slaughter of animals and incense offering sacrificed to him...

All this is in the area of the law. But also by this custom of praying in German, they have broken the link

which connects all Jews who are scattered throughout the world. The Hebrew language unites Jews all over the world. It is the only thing which remains from all the precious things which were given to us in ancient times. Now these impudent men come and destroy this in order that nothing remain to testify to our holiness. The imminent danger is that with this practice, all the Torah will be forgotten. We have seen this in the early period of the Second Temple. The Babylonian captives who became accustomed to Aramaic forgot the Torah and the Mitzvot. They forgot even the appointed festivals and the holiness of the Day of Memorial. But Ezra replaced the crown to its original glory (Sanhedrin 21B). He read the Torah to them clearly and ordained that the prayers be recited in Hebrew and in one form. This is the principal reason why the Torah has stood for us and for our forefathers. This is why the Torah in all its particulars is still with us. But these Reformers want to uproot everything. And from this custom of praying in German, we recognize that their total objective is to cause us to forget everything which connects us with the Torah so that we may become one with the nations among whom we dwell. If they were faithful to the people Israel and their God as they deceitfully say they are, a rotten idea like this would never have occurred to them. They call themselves the Watchmen of Zion, but they actually desire to destroy our name and remnant. The Sages (Megillah 10B)

have already explained in connection with the verse, "And I will cut off from Babylonia name and remnant"¹² that name means script and remnant means language. "What will we do when this is said about us? If the people become accustomed to praying in the language of the land where they live, then in a short time, the language in which the Torah was written will be forgotten among us, and what will become of the Torah?"

They mention Megillah 29B in regard to reading the complete Torah one time in three years. "The people of the West divide the Torah into a three year cycle." This is also mentioned in Maimonides Tefilah 13:1, Meseket Soferim 16, and in Minchat Ya'akov, and besides these places, this custom is almost forgotten. I don't know what the Reformers will do with the ordinance of Ezra in Megillah 31B, "The curses in the book of Leviticus should be read before Shemini Atzeret and the curses in the book of Deuteronomy should be read before Rosh Hashona" because this is only possible according to our custom of reading the complete Torah in one year. In the book Mas'aot Rabi Benjamin,¹³ he relates that in one city in Egypt there were about one thousand Jews. They had two synagogues, one for the Palestinians and one for the Babylonians, and they did not have the same custom in regard to reading the Torah. The Babylonians read one Torah portion every week and completed the Torah every year. The Palestinians divided each Torah portion into three and completed the Torah every three years. But there was a custom among them

to pray together on Simchat Torah and on Shevuot. This is all that the book relates, but there is no doubt that they also were careful to observe the ordinance of Ezra regarding the reading of the "curses" and that they most likely prayed together on the Sabbaths before Shevuot and Rosh Hashana. I have written this only because I have seen that at the Frankfort Conference, they considered the question of how to celebrate Simchat Torah every year, for, according to their cycle, they would be able to celebrate it only once every three years and they would complete the Torah in midsummer or in midwinter. Everyone participated in this discussion, and I discovered that though the custom of the Palestinians was unknown to them, nevertheless, they attempted to imitate them.

And they also decided at the Frankfort Conference that they would read all the Prophets and the Hagiographa in seven years. Behold, they oppose an explicit Mishnah in this practice. (Shabbat 115A and 117B). "They do not read the Hagiographa on the Sabbath." In addition, there are many Haftarot which are to be read on special Sabbaths, like Shekalim, Zeakhor, Parah, Chodesh, and also the Haftarot of the Ninth of Av, the Sabbath of Chanukah, and the Sabbath of Chol HaMo'ed and the festivals themselves. All of them are explained in the Mishnah and the Gemara (Megillah 29B, 31B). Also there are the appropriate prophetic lessons dealing with punishment and consolation before and after the Ninth of

Av. If they read all the Haftarot only once every seven years, the Haftarot which I have mentioned will not be read on the day the Sages designated for them to be read, especially those Haftarot dealing with punishment, consolation and repentance. Yet why bring evidence from the Talmud against them? They have already publicly declared that the Torah of Moses is not incumbent upon them. However, I have brought this evidence to show those who hold fast to the words of the Sages that they should not follow these Reformers.

They have also ordained at the Frankfort Conference that the scroll of Esther should be read only at night and they have annulled the day reading. This is contrary to an explicit Gemara (Megillah 4A), "It is incumbent upon a man to read the Megillah at night and to repeat it in the daytime." And, moreover, ROSH wrote in the name of Rabbeinu Tam that the primary reason for the ordinance regarding the reading of the Megillah was so that it would be read in the daytime. For it is written, "These days shall be remembered and celebrated."¹⁴ And they also said, "He who eats the Purim feast at night does not fulfill his obligation." (Megillah 7B)...The practice of reading the Megillah at night was introduced by the Sages of the Talmud and is of less importance. The reason why we say the Shehecheyanu before the day reading is because reading it by day is the primary importance of the Mitzvah.... "These Men of Assemblies want to introduce an innovation

which is the opposite of the halakah, when they do not even know the laws upon which this is dependent."

Note C

The Organ

In the introduction to this book Child of Old Age, Aron Chorin¹ held that it is permitted for a Jew to play a musical instrument on the Sabbath in the synagogue. He argued that the principal reason for the prohibition is that one may prepare or repair the instrument and thus violate the prohibition against working on the Sabbath. However, he maintained, it is established for us in Megillah 29A that the synagogue is called a "small Temple."² And since "shevut legislation"³ is not considered binding in the performance of any service in the Temple,"⁴ it is also not considered binding in the performance of any service in the synagogue.

"Have you ever heard anything like this?" The application of the term "small Temple" to the synagogue was intended only to create an attitude of reverence toward the synagogue similar to the reverent attitude which the people held concerning the Temple. And it is impossible to apply the principle that the "shevut legislation is not binding in

the performance of any service in the Temple" to the synagogue. Even in the Temple, the priests who were extremely careful not to transgress a prohibition of the Torah were the only ones permitted to set aside the shevut legislation, while the people were always prohibited. Pesachim 36A. The Reformers, however, wish to make this principle applicable to all the people who perform a service in the synagogue, and this is extremely out of the question on the basis of the attitude expressed in Pesachim 36A. See RaSHI Eruvin 103A, "It is called a small Temple because it is holy." And even in the Temple itself, they did not permit all the shevut legislation to be set aside. See P. Pesachim 5:4. The Tosafot (Sukah 50A) wrote that the flute did not suspend the Sabbath regulations and that shevut legislation could be set aside only when it applied to necessary work in the Temple, but musical instruments do not fall into this category. The principal music in the Temple was singing, and if this is the case, how much the more is the playing of a musical instrument in the synagogue on the Sabbath prohibited? It is not sufficient only to argue that we were not commanded to play a musical instrument, on the contrary "I suspected that playing a musical instrument even on the weekdays in the synagogue was sin, since it is a custom which our fathers and forefathers did not practice. And also in Tzarur HaChayim, he is doubtful about the playing of an organ specifically because it is an instrument which is

played in churches and is, therefore, a violation of the negative commandment, "In their statutes you shall not walk!"⁵

Maimonides also wrote in Akum 11:1, "Anything which is unique in their service is prohibited among us." And in Gitin 7A there is a prohibition against singing at carousals on the authority of the scriptural verse, "Rejoice not, Israel, unto exaltation like the peoples."⁶ And if this is so, singing is forbidden on weekdays even in regard to matters which are necessary to glorify and praise our Lord's house. However, it is recorded in O. Ch. 560 that it is permitted to play musical instruments in the home of a bride and groom and in the synagogue. Moreover, the Rabbis of Verona added that they used to read the Shema to the accompaniment of music. There was also an organ in the synagogue in Prague. See Tazror HaChayim 1. Nevertheless, the playing of a musical instrument in the synagogue on the Sabbath, even by a gentile, is not permitted, "for instructing a non-Jew is an infringement of the shevut legislation." And even though a "prohibition twice removed is permitted in a place of necessity, nevertheless, here it is not a matter of performing a Mitzvah nor a matter of necessity."

Moreover, the principle of setting aside shevut legislation in the Temple applied only to Sabbath restrictions and not to other rabbinical prohibitions. For example, though offerings were made on the Sabbath, for Scripture states, "at its appointed time," even on the Sabbath⁷ and in regard to the

Temple service the Sabbath was considered as a weekday, nevertheless, in regard to every matter which was not connected with the service, all the stringencies of the Sabbath were observed in the Temple. That is why the priests were required to be extremely careful to distinguish between the matters which related to the service and the things which were not related to the service. See the Responsa of RIBaSH 163 and Maimonides' commentary on the Mishnah Eruvin 10:13 and also see Kesef Mishneh Hilkot Kli HaMikdash.⁸ It is certain that in the Temple public offerings were permitted on the authority of a biblical ordinance, but no prohibition of the Torah may be transgressed in the synagogue.

The Frankfort Conference has also permitted the playing of a musical instrument by Jews in the Temple on the Sabbath. They gave the reason (Shabbat 12B) that two men are permitted to read by candle light on the Sabbath because if one is inclined to turn the light brighter, the other will remind him not to, and they claim that this principle would also apply in the Temple. If the organist would want to repair the instrument, the people who are listening to the music would remind him that it is the Sabbath and prevent him from repairing it. But here also they are wrong. See Magen Avraham Shabbat 275, if it occurs to you that rabbinical Sabbath prohibitions do not apply to a situation like this where there are two people. For if this were so, there would be no prohibition against

riding on the Sabbath by reason that one might cut a twig,⁹
because if one were inclined to break a twig, the other would
remind him that it is the Sabbath. But Magen Avraham suggests
that one man may cut a twig before he meets the other person
when he is alone and unable to be reminded that it is the
Sabbath. This principle may also be applied to the playing
of the organ. The organist might repair the instrument before
the people assemble to worship at a time when no one would
be there to remind him that it is the Sabbath...

NOTE D

The Transfer of Sabbath to Sunday

Though Geiger, Phillipson, and Holdheim all agree in their opposition to the written and oral law, they differ on the question of the Sabbath. In any case, "He who denies the Sabbath denies the Torah in its totality." (Chulin 4A)

Holdheim says that since the specific day on which the Sabbath should be observed is not explained in the Torah, it can easily be changed to Sunday. Geiger says that only working is prohibited, while writing, traveling, walking, and smoking are not. Phillipson says that it is fitting to make Sunday the Sabbath for those who are compelled to profane the Sabbath on Saturday. He reasons that those who are compelled to profane the Sabbath on Saturday will eventually forget that they are Jews unless they are permitted to celebrate the Sabbath on Sunday. This is the reason why the Reformers in Berlin and Frankfort conduct services, read the Torah, and preach sermons on Saturday for those who observe the Sabbath on Saturday and on Sunday for those working men who are employed by non-Jews and are compelled to observe the Sabbath on Sunday. They have established what is called the "Sabbath of the Diaspora."¹

However, the halakah that it is unnecessary to enact the ordinances for the benefit of transgressors² is well-known. "And since the working men work for their livelihood on the Sabbath because of the fear that they will be dismissed from their jobs, they are complete profanators of the Sabbath, and

their sentence is the same as those who violate the Torah in its totality, for work is permitted only when it involves the danger of the loss of life and not when it involves the danger of the loss of livelihood." See Baba Qamma 69A where the Sages held, "You may let the wicked stuff themselves with it until they die." See also Maimonides' Ma'aser Sheni 9:7. There is, indeed, no need to enact an ordinance for those who profane the Sabbath in order that they worship the Lord once a week. The Holy One does not need them to pray to Him, for it is an abomination. The Bible clearly states, "When you come to appear before me, who requires of you this trampling of my courts?"³

Specifically to fix a day of prayer on Sunday and compromise with the Christians would appear that we consent to them and to their Sabbath. And in Maseket Soferim, chapter 17, Mishnah 5, they state specifically that they did not establish a fast for the man of the Maamadoth on Sunday because it is their festival, and they would say, 'We are happy and they are fasting.' Also this reason is quoted in En Ya'aqov, but in the Talmud (Ta'anit 27B) this reason is omitted." And if this is the case, how much the more so should we not "make a day of feasting the day which is their festival, for it would appear as if we consent to them." And even though people who profane the Sabbath "violate the Torah in its totality, they still do not consent to them." However, by sanctifying and glorifying

Sunday, they give testimony that the Jews are like all other peoples. See (Yoma 2A) "where, to remove (a false notion)⁴ from the minds of the Sadducees, the Sages ordained that only vessels made of earthenware be used in connection with the red heifer in order that there would be no common participation between them and the Sadducees." And if the Sages did this in order not to participate with the Sadducees, how much the more so should we not have any part in the activities of the Christians?

Behold, we know that the washing of the hands was ordained only for the purpose of acquiring the habit in regard to the Terumah. (Chulin 106A) Nevertheless, the Sages were stringent in the matter of the washing of the hands and they said, "He who neglects washing his hands (before and after a meal) will be uprooted from the world and is as if he had intercourse with a harlot." (Sota 4B) "The reason why the Sages were stringent in regard to this is because the matter of the washing of the hands is the first matter which the law-maker of the Christians⁵ neglected, as is explained in their book.⁶ 'They asked him why his disciples eat without washing their hands.' And he answered, 'What goes forth from the mouth is impure and what goes into the mouth is pure.'⁷ And because of this, in order that we have nothing in common with them, the Sages were stringent in regard to the washing of the hands, for he who neglects this is as if he consents to their way, and in my opinion, this is true."

Note E

It is Time to Work for the Lord

The Reformers misinterpret the comment on the verse, "It is time to work for the Lord; they have violated your law."¹ In P. Berakot 9:5. Rabbi Nathan rearranged the verse to read, "They have violated your law; it is time to work for the Lord." Rabbi Chilqia, in Rabbi Simon's name said this means that he who makes the law suitable to his own age violates the law. The meaning of these comments is that he who denies the applicability of the Torah to all ages violates the covenant. "The Torah stands eternally; it is not subject to time; and it is incumbent upon us at all times." Thus it is recorded in Megillah 32A, Whoever takes hold of a scroll of the Torah without a covering (naked)² is buried without a covering. What does without a covering (naked) mean? Say, rather without the covering (naked) of that religious performance." The term "naked Torah" refers to him who says that the written law only is incumbent upon us and not the oral law. The written law without the oral law is a "naked Torah." And he who says that the oral law is not binding "will be buried without the protection of that religious performance." The meaning of this is that he who does not fulfill the oral law eventually will not fulfill the written law either. See Yebamot 109B where the Sages said, "Anyone who boasts he has nothing but Torah, does not have even Torah." In other words, he who holds that the oral law is not obliga-

tory will in the end hold that the written law also is not obligatory, for he eventually will neglect the Mitzvot which are explicitly stated in the Torah. These Reformers are a good example of this principle. They violate the Sabbath prohibition which is explicitly stated in the Ten Commandments. "After they hear the preacher discuss the Sabbath in their synagogue, they immediately go home and bake and cook and open their shops and write and make the Sabbath like a weekday..."

Note F The Israelite of the Nineteenth Century

Rabbi Solomon Judah Rapaport suggests correctly that the title The Israelite of the Nineteenth Century is a contradiction in terms. We were called Israelites from the time we received the Torah at Mt. Sinai (Chulin 101B). Since then, three thousand, one hundred and sixty-one years have passed. According to the Christian calendar, which is calculated from the birth of their Messiah, it is the nineteenth century. However, according to our calendar, which is calculated from the creation of the world, thirty-two centuries have passed since we have acquired the name Israelite. Therefore, there is a contradiction in the title, "for if they are Israelites, they are not of the nineteenth century..."

Note G

The Protest

Immediately after the Brunswick Conference, Rabbi Jacob Aaron Ettlinger and twenty-six other Rabbis from Germany, France, and Hungary issued a protest against the recommendations and the deliberations of the conference.¹ The protest stated, "No assembly of Rabbis, be it of all the Sages of the Generation, has the authority to abrogate one letter of the written or oral law." The protest was published many times and the signatures eventually numbered one hundred and sixteen. Another protest was issued by Rabbi Hirsch Lehren of Amsterdam and others among whom was Samson Raphael Hirsch, but the Reformers did not desist. They organized another conference in Frankfort. The great Rabbi Zecharias Frankel attended this conference, but he immediately understood that these Reformers were attempting to uproot the tradition and he promptly withdrew and rendered a severe criticism against them.² He specifically attacked their attempt to introduce the practice of praying in German. "But before the discussions began, he asked them...if they consider the Torah eternal, and if they consider the tradition to be true...and when he saw that they were taking steps to destroy them, he withdrew from the conference and went home." Frankel's withdrawal benefitted our people in that it prevented Geiger and Holdheim from executing their plans in regard to the Sabbath, the laws of divorce and marriage, and the Chalitzah. Many letters of

protest against the conference were received and Stein, the president of the conference, suggested that they not be hasty in their decisions, but delay is a familiar practice of innovators. "Maimonides has told us of it in his commentary to the Mishnah Avot 1:3 in regard to the Sadducees who, from the beginning, denied the principle of reward and punishment and the revival of the dead, but they were afraid to reveal this, because of the wrath of the people. If they would have uttered this heresy before them, the people would have killed them. Therefore, they satisfied themselves by denying only the oral law." The Reformers also do not make their true intentions public on account of the protest of the people, but they wait for an appropriate time to effect their plans. Nevertheless, Frankel is to be commended for his action, because even the congregations who are directed by Rabbis that attended the conference did not follow the practices which were agreed upon at the Frankfort Conference. Stein did not introduce the three year cycle in regard to reading the Torah or the practice of reading the entire worship service in German. Geiger was not successful in his attempt to introduce innovations at Breslau either. And especially in congregations on the Rhine did the people cry out bitterly about their Rabbis who had the impudence to be associated with the conference. The result is that only a few congregations follow the practices of these Men of the Assemblies. And this is good evidence that

in spite of all the pronouncements and in spite of all the complaints that the people make about the Mitzvot of the Torah, nevertheless, they will not collaborate in an attempt to permit public transgressions of the prohibitions of the Torah.

A SYSTEMATIC SUMMARY OF CHAJES' ARGUMENT AGAINST REFORM

A. THERE ARE TWO REASONS WHY WE MUST REBUKE THE REFORMERS NOW.

1. The Reformers wish to reject our religious tradition, and if they succeed, we will be destroyed and forgotten as a people. Now, since all the peoples of Europe are arising and affirming their nationalities and their traditions, this is an opportune time for Jews also to arise and to assert themselves as a people. However, the situation of the Jews is different from the situation of the other peoples. Though the other peoples are governed by foreign powers, they are still inhabitants of their land of origin. They speak a common language and their customs and religions are similar to those of the people who govern them. Jews, however, have no country nor common language, and their customs and religion widely differ from the customs and religion of the peoples among whom they live. The only thing that identifies Jews as a people is their common religious tradition. Their religious tradition is their hallmark as a people, and to reject it as the Reformers wish to do is to destroy them as a people. Therefore, it is imperative to rebuke these Reformers or else be destroyed.

2. The rejection of religious tradition leads to a chaotic society and oppressive governmental measures. This is evidenced by the French Revolution and the Prussian government's attitude toward the Jews from 1831 to 1847. During

the French Revolution religious practices were prohibited and, as a result, much slaughter was committed. And in Prussia as a result of the reforms introduced in Judaism, the government took offensive measures against the Jews.

B. THE REFORMERS ARE TO BE REGARDED AS HERETICS FOR TWO REASONS.

1. They reject the Mitzvot. Other sects in Judaism were skeptical of basic principles of the faith, but they did not attempt to alter the Mitzvot. The Reformers, however, alter the Mitzvot and attempt to justify their behavior by falsely interpreting isolated Talmudic passages.

2. They deny fundamental principles of faith. They deny that the complete Torah was revealed, and, instead, contend that it was written by a number of different men and reedited a number of different times. They also assert that, though the Torah may have been adequate for the needs of the emigrants from Egypt, it is inadequate for our needs today. Now they also reject the Talmud. They wish to eliminate the prohibition against intermarriage, the law regarding the Sabbath limit, the restriction against Sabbath travel, the ceremony of Chalitzah, and the restrictions regarding the priests. In short, they reject the Mitzvot and deny the divine origin of the Torah, its eternality, the prophecy of Moses, and the authority of the oral law. They, therefore, must be regarded as heretics.

C. SINCE THEY ARE REGARDED AS HERETICS, IT IS OBLIGATORY TO BEHAVE TOWARD THEM IN THE MANNER WHICH THE TORAH PRESCRIBES FOR HERETICS.

1. When they attempted to justify their innovations by citing isolated passages in the Talmud, we were able to display their true intentions to the people and refute their contentions.

2. However, now that they openly deny the oral law as well as the written law, we are unable to refute their arguments, and our only alternative is to conduct ourselves toward them as the Sages conducted themselves toward other sects. We should not enter into marriage with them; we should consider the animals which they slaughter as ritually impure. We should not join in reciting the grace after meals with them. We should not join them in making an eruv. We should not be a guest in their homes or mourn or eulogize them. We should not consider their testimony or oaths valid. We should not circumcise their children on the Sabbath. And we should treat their children as the law requires us to treat certain bastards.

D. THEY REJECT THE LAW AND THE MITZVOT OUT OF A SPIRIT OF DEFIANCE, AND CONSEQUENTLY, THEY SHOULD NOT EVEN BE REGARDED AS JEWS.

1. If one rejects the Mitzvot and considers them annulled by reason of laziness, he nevertheless is regarded as a Jew.

2. However, if one rejects the Mitzvot and considers them as permanently annulled by reason of defiance, as these Reformers do, he is not to be regarded as a Jew.

E. NOW, HOWEVER, IS NOT THE TIME TO DIVIDE OUR HOUSE

1. Since the Jews in the majority of the countries of Europe are being given citizenship, it would be disastrous to condemn such a large number of people and lend assistance to the anti-semites of our time who wish to prevent us from attaining citizenship, and wish eventually to destroy us.

F. NEVERTHELESS, THE LEADERS OF REFORM MUST BE HALTED AND PUNISHED

1. If we do not put a stop to them now, they will distribute their ideas through the newspapers and deceive and entice the people to follow them.

2. We are commanded to punish and separate these Enticers from us while the people who they deceive are not deceivers themselves and are not to be treated in the same manner. They are compelled. They should rather be treated with friendship in order that they will come back into our fold and the fold of the Torah. However, the Enticers, their leaders, must be treated in the manner which the Torah and the Sages prescribe for the treatment of heretics.

EPILOGUE

THE INTELLECTUAL SETTING OF MINCHAT KENAOT AND ITS
RELATIONSHIP TO THE CONTEMPORARY SCENE

Though the arguments of Minchat Kenaot are halakicly incisive and historically acute, it does not bring to the surface the fundamental gap that lay between Chajes and the Reformers. Underlying all halakic argument is the eternal problem of the relationship of tradition to the principle of change. For Chajes, the religious tradition was based upon a concept of a divinely revealed authoritarian system of immutable laws. This tradition was considered to be applicable to all ages and all conditions. It was the hallmark of the Jewish people and linked to their destiny. To destroy it was to destroy their identity.

In Germany where Jews had experienced some measure of emancipation, the concept of the Jewish people was not tied up with the religious tradition. For the Reformers, the destiny of the Jewish people was linked to the destiny of the countries in which they lived. They were heirs to a new idea of history. History was no longer simply regarded as a repetition of events, but rather as a changing evolutionary process which applied to the Jews and their traditions as well as to all other realms of experience.

Geiger and Holdheim formally applied this idea to Judaism and pushed it to its logical consequence. The Bible as well as the ensuing religious tradition and laws were sub-

ject to this principle of evolution. Religious tradition was no longer regarded as revealed at one time and applicable to all subsequent conditions and ages. Rather it was viewed as part and parcel of the ongoing historical process. Even God's revelation itself was subjected to the principle of change. Each historical period was viewed as another unfolding of the revelation. Nothing was regarded as immutable except change. And consequently, the Reformers selected from the past what they thought to be compatible with the spiritual consciousness of their historical phase and omitted those parts of the past which were incompatible. When they found a need which the past only partially provided for, or did not provide for at all, they created and innovated. It was this process which anchored the religious reforms of the day in the intellectual sea of the nineteenth century and simultaneously undercut the very foundation of Orthodox Judaism.

The idea of history as an evolutionary process was introduced in Germany long before it ever gained a foothold in Eastern Europe. When the idea of historical evolution did reach Galicia, it was applied to Judaism by such men as Rapoport, Krochmal, and Chajes. However, these men were not able to push it to its logical consequence. Their concept of Judaism was founded on the idea of the divinely ordained, immutable law revealed at one time and applicable to all ages. On the intellectual level they were able to harmonize these two ostensibly incompatible concepts. However, when the idea

of evolution was applied to religious practice, the two concepts were in direct conflict. How Krochmal and Rapoport reacted to this phenomenon is beyond the scope of this thesis. Chajes' reaction is illustrated in Minchat Kenaot.

On the contemporary scene in Reform Judaism, two basic schools of thought have developed regarding the question of the relationship of tradition to the principle of change. One group holds that Reform Judaism is a totally new religion founded on the basis of a complete break from the past, and therefore, Reform Judaism of today has no responsibility to confront the past either to omit, select, or build upon. The other group asserts that Reform Judaism is an expression of the most recent phase of the evolutionary unfolding of Judaism and consequently, Reform Judaism must confront its past, omit, select, and build upon it.

It is for the second group that Minchat Kenaot, as well as other polemics against Reform Judaism, have value. Their value does not lie only in the information this group derives from them about their past or in the sharpening of their reasoning faculties which they attain from attempting to answer them, but more important, the value of these polemics lies in their service as a check for the system of omitting, electing, and creating. Polemics like Minchat Kenaot cause the Reform Jew to evaluate and reevaluate his motives for change, as well as bring into focus ideas and traditions from which he can create.

NOTES TO AN HISTORICAL SKETCH OF REFORM JUDAISM
FROM ITS ORIGIN THROUGH TIME OF CHAJES

1. Sachar, The Course of Modern Jewish History, p. 65 ff.
2. Kayserling, "Moses Mendelsohn," Jewish Encyclopedia, vol. VIII, p. 479 ff.
3. Graetz, The History of the Jews, vol. V, p. 410.
4. Sachar, op. cit., p. 67 ff.
5. Schreiber, Reformed Judaism and Its Pioneers, p. 20.
6. Bernfeld, Toldot HaReformatziyon HaDatit Beyisrael, pp. 45, 46 and cf. note 1 on p. 46.
7. Philipson, The Reform Movement in Judaism, pp. 14, 15.
8. Schreiber, op. cit., p. 36.
9. Bernfeld, op. cit., p. 66. Bernfeld does not give the title of the pamphlet, yet he describes its contents.
10. Ibid., p. 66.
11. Ibid., p. 59 ff.
12. Ibid., pp. 71, 72. The synagogue of Jacob Beer remained open until 1815, when it was closed by the government.
13. Philipson, op. cit., p. 102 ff.
14. Ibid., p. 102.
15. Hirsch, "Samuel Holdheim," The Jewish Encyclopedia, vol VI., p. 438.
16. Philipson, op. cit., pp. 162, 163.
17. Ibid., p. 38.
18. Bernfeld, op. cit., p. 131, note 1.
19. Mendes, "Rabbinical Conferences," The Jewish Encyclopedia, vol IV., p. 212. Cf. Philipson, op. cit., p. 203.
20. Philipson, op. cit., p. 215. The objection to more Judaico was the basis for the abolition of Kol Nidre. Included in the ceremony of more Judaico was the requirement that the Jew not consider the oath annulled by the Kol Nidre prayer.

21. Mendes, op cit.
22. Ibid., p. 213.
23. Sections of the Torah which command "sacrifice" read in Hebrew were regarded as acceptable, cf. Philipson, op. cit., p. 256. Also reminiscences of the sacrificial system were regarded as having a place in the liturgy.
24. Philipson, op. cit., p. 303.
25. Ibid., p. 307.
26. Mendes, op. cit., p. 214.
27. For a concise summary of the results of the conference, cf. Schwartzman, Reform Judaism in the Making, pp. 67-70.
28. Quoted by Philipson, op. cit., p. 204.
29. Ibid., p. 206.

NOTES TO A BIOGRAPHICAL SKETCH OF ZEVI HIRSH CHAJES

1. Bet-Halevi, Rabbi Tzevi Hirsh Chayot, p. 9.
2. Ibid., p. 10.
3. Mahler, "The Social and Political Aspects of the Haskalah in Galicia," YIVO Annual of Jewish Social Science, vol. 1, 1946, p. 64.
4. Bet Halevi, op. cit., p. 10.
5. Ibid., p. 12.
6. Ibid., p. 10.
7. Ibid., p. 10.
8. Chajes, Mavo HaTalmud, trans. by SShachter, entitled The Student's Guide through the Talmud, p. xi.
9. Bet-Halevi, op. cit., p. 11.
10. Ibid., p. 13.

11. Ibid., p. 17.
12. Ibid., p. 112.
13. Shachter, op. cit., p. xiv.
14. Bet-Halevi, op. cit., p. 12.
15. Ibid., p. 53.
16. Ibid., p. 56 ff. Rapoport rendered a severe criticism of Chajes' Iggeret Bikkoret in Kerem Chemed, vol. VI, pp. 204-254.
17. Ibid., pp. 75, 76.
18. Shachter, op. cit., p. xii.
19. Bet-Halevi, op. cit., p. 45.
20. Shachter, op. cit., p. xiii.
21. Bet-Halevi, op. cit., p. 47.
22. Ibid., p. 44. For a comprehensive list of his writing, cf. Bet-Halevi, p. 24 ff.
23. Ibid., p. 93 ff.
24. Mavo HaTalmud was translated into English by Jacob Shachter and entitled, The Student's Guide Through the Talmud.
25. Ginzberg, "Zevi Hirsh Chajes," The Jewish Encyclopedia, vol. III, p. 660.
26. Mahler, op. cit., p. 171.
27. Philipson, The Reform Movement in Judaism, p. 41, quoted from Geschichte de Juden in Berlin, p. 251.
28. Shachter, op. cit., p. xii and Bet-Halevi, op. cit., p. 17, and also see Rawidowicz in Ha'olam, no. 18, 1927, on the relationship between Krochmal and Chajes.
29. Bet-Halevi, op. cit., p. 61.
30. Quoted in Bet-Halevi, p. 61 from Qriat Sefer, vol. I, pp. 156-159. (The translation from the Hebrew is that of the author of this thesis.) Ginzberg, op. cit., writes, "Geiger's hypothesis regarding the Jerusalem Targumim is as he himself admits (Z.D.M.G., vol XIV, p. 314) the carrying out of the idea which Chajes developed in Imré Binah."

31. Shachter, op. cit., is a good illustration of Chajes' inability to follow his ideas to their logical consequences. Cf., especially Chapter 1, "The Oral Law and Its Relation to the Written Law."
32. Numbers 15:5.

NOTES TO THE TITLE PAGE

1. This essay is included in the Complete Writings of Rabbi Zevi Hirsh Chajes, published by דברי חכמים Jerusalem 1958. The text found in this edition was the primary text consulted for this translation.
2. The additional commentary is an answer to Abraham Yaner who objected to Chajes' interpretation of his words in regard to the problem of intermarriage. Since it adds little to the overall contents of Minchat Kenaot, I have not dealt with it in this thesis.
3. Chajes is the author of these notes. Most of them are pilpulistic arguments of fine halakic points. I have dealt only with some of those that have direct bearing on the early Reformers' movement. These are paraphrased in the section following the translation. One note, however, is translated in total for the purpose of giving the reader some idea of Chajes' erudition and a sample of their concise style and vast contents. I have designated the notes dealt with by the letters A, B, C, and so forth.
4. The numbers which designate the issues discussed in the notes do not correspond to the order in which they are presented in the text. The text has twenty-one notes, and each is merely designated by one or two asterisks.

NOTES TO THE AUTHOR'S INTRODUCTION

1. Zechariah 1:14, 8:12, Jeremiah 59:17.
2. "Men of the Assemblies" refers to Reformers in general and to the men who attended the Frankfort, Brunswick, or Breslau Conferences in specific.
3. The term "High-handedly" connotes presumptuous or impudent defiance of the law and is used frequently in this essay.
4. Frederick William IV.
5. Revolts had spread throughout Western Europe and appeared to be successful. Turkey and Russia were the only countries untouched.
6. 1789-1791.

7. Louis Philippe, 1830-1848
8. During the revolution of 1789-1791, the Catholic clergy was forced to break off their relationship with the Pope.
9. The Jews of Mecklenburg and Prussia were emancipated in this year.
10. Jews were prohibited from such things as taking Christian names and serving in the military. These reactionary measures actually lasted until 1861. Cf. Jewish Encyclopedia, volume X, pp. 234, ff.
11. "Destroyers" refers to Reformers. Terms like Destroyers, Agitators, Enticers, Corrupters, War Mongers, and so forth are used frequently in this essay. In contexts where these terms are used in reference to the Reformers, the first letter of the word is capitalized.
12. Malachi 2:9

NOTES TO THE TRANSLATION OF MINCHAT KENAOT

1. Isaiah 10:1
2. "Ancient building" refers to the Jewish tradition and is used frequently in the essay. The term is also translated as "ancient structure" for stylistic purposes.
3. "Dilettantes" החכמים refers to the early Reformers in this context and is often used in this sense. The context will provide the precise referent of the term. I have capitalized the first letter of the term when it refers to the Reformers.
4. Isaiah 11:5
5. Hosea 8:14. The Hamburg Temple was dedicated in October 1818.
6. Mendel Hess was the district Rabbi of Saxe-Weimar. Cf. Philipson, The Reform Movement in Judaism, p. 52.
7. אלה דברי הברית Altona, 1819. An answer to this publication was issued by M. J. Bresselau, entitled חרב נקמה נקם ברית.

8. In דרכי משה
9. Anan, son of David (767), the leader of the Kararite schism and his son Saul, who was his successor.
10. Song of Songs 2:15. Cf. Sefarno who comments on this verse that the "little foxes" are they who violate the law.
11. Aba Maari Ben Moses Ben Joseph Don Astruc, leader of the opposition to the Maimonists in the Montpellier controversy of 1303-1306. His book, Minchat Kenaot, is a collection of his correspondence with Ben Adret and his colleagues.
12. To make their conduct known to all.
13. In דרכי משה
14. They derived the word from the initials of his name, "מנור"
15. Benedict XIII, successor to Clement VII, the anti-Pope residing at Avignon. This is the well-known debate on the Messiah at Tortosa.
16. Jesus
17. "Six thousand years is the span of the world-chaos, two thousand years Torah, and two thousand years, days of the Messiah." (Avodah Zara) Geronimo argues that from this it is evident that the Messiah has come in the last two thousand years, and he could have been only Jesus.
18. Midrash Kinot is Lamentations Rabah. The same story is recorded here in 1:16 as in P. Berakot 2:4.
19. Geronimo presented this as evidence for his argument.
20. Jesus
21. Jesus
22. Possibly is פרושים without the yod. Pharisees.
23. Zechariah 13:4
24. Intentions
25. The Hebrew read "last few days."
26. Exodus 20:10

27. These reforms were suggested at the Brunswick Conference of 1844 and committees were formed to investigate them and to present decisions at a later date.
28. Cf. Philipson, Ibid., pp. 202, ff. For Geiger's part in the Breslau Conference (1846) and for the contents of the Breslau Conference. The newspaper, Allgemeine Zeitung des Judenthums, is described by Chajes on p. 41 of the translation.
29. Rabbi L. Herzfeld of Brunswick
30. For Holdheim's position on the transfer of the Sabbath, Philipson, Ibid., pp. 285, 292, ff. The Rabbinical Assembly here refers to the Breslau Conference.
31. M. Hess at the Brunswick Conference, cf. Philipson, Ibid., p. 218.
32. For Holdheim's position on the laws of divorce and marriage, cf. Philipson, Ibid., p. 90.
33. Baba Qama 113a.
34. "On the face of the earth," 2 Samuel 14:7
35. They deny the oral tradition.
36. This is the rabbinic interpretation of the words in Deuteronomy 17:9, ff.
37. Exodus 20:37
38. There is no objective evidence for this statement.
39. Meor E'nayim by Azariah De-Ross (1513-1578).
40. One who is qualified to slaughter ritually.
41. Betzalel Askenazi, sixteenth century Oriental Talmudist.
42. **להכעיס**
43. Numbers 15:30
44. Contrary to the teachings of Scripture
45. Numbers 15:30

46. Deuteronomy 8:13-18
47. Joshua 22
48. Joshua 22:16
49. Deuteronomy 26:1 ff
50. Deuteronomy 27:26
51. Numbers 15:30
52. Deuteronomy 8:13-18
53. Psalm 139:21
54. The Jews in Germany
55. The Hebrew reads "Haters of Israel."
56. Judges 21
57. The Benjaminites
58. Judges 21:3
59. Psalm 34:15
60. Exodus 23:5
61. Deuteronomy 26:6
62. Psalm 34:15
63. If you cannot find it in your own place.
64. Proverbs 12:19
65. Ecclesiastes 3:15
66. Hosea 4:17
67. The entire passage reads, "We do not appoint as members of the court an aged man, a eunuch, or one who is childless." Rabbi Judah also includes a cruel man. It is the reverse in the case of any enticer, for Scripture states, "You shall not have pity or mercy on him." Deuteronomy 13:9
68. "You" is read as having reference to the people who are being deceived by the enticers.

69. Deuteronomy 13:18
70. Deuteronomy 20:10 is referred to here. The context is hard-pressed to render this interpretation. Chajes substitutes "to them" in place of "to it." להם in place of אליה
71. Exodus 22:55
72. Genesis 27:41
73. Exodus 1:22
74. Genesis 27:41
75. Exodus 1:22
76. Ibid.
77. I Samuel 15:9
78. I Samuel 22:19
79. Jacob Israel Emden (1697-1776) Mor u-Ketziah is a collection of novellae on Orach Chayim.
80. Ecclesiastes 12:12
81. Proverbs 19:24 and 26:15
82. Proverbs 9:17
83. Deuteronomy 29:18. In order that everything be destroyed.
84. Doctor Julius Fürst
85. אגרת התנצלות
86. Jacob ben Aaron Sasportas. (Oran 1610-Amsterdam 1698)
87. Lamentation 2:11
88. Deuteronomy 14:1
89. Leviticus 19:16
90. Ecclesiastes 2:26
91. Jeremiah 29:7

92. "Different ones." The Hebrew reads שונים
93. The Belgian Revolution cf. 1831.
94. 1813 in the war against Napoleon cf. Graetz, History of the Jews, vol. V, p. 511.
95. Cf. Note 10 in Notes on Author's Introduction.
96. Malachi 3:23.
97. Edyot 8:7
98. Isaiah 11:9

NOTES TO CHAJES' NOTE A

1. Ezra 1, ff.
2. Azariah ben Moses De Rossi (Mantua 1513-1578)
3. "The second time" refers to the Bar Cochba revolt. The siege lasted for about a year and the duration of the whole war was about three and a half years. Cf. Graetz, Ibid., vol. II, p. 417.
4. On Trajan, cf. Margolis and Marx, History of the Jewish People, pp. 211f.
5. פיוטים is rendered as poetry or poems throughout the note.
6. 1326-1408
7. Simon ben Tzemach Duran, Algiers, 1361-1444.
8. Solomon ben Simon Duran, Algiers, 1400-1467.
9. Lisbon 1437-Venice, 1508.
10. Levi ben Jacob ibn Chaviv 1480-1545
11. מסתעריים
12. Cf. Graetz, Ibid., vol. II, p. 421.

13. Pope Pius V expelled all Jews from the Papal states, cf. Graetz, Ibid., Vol. IV, pp. 589 ff.
14. Joseph Kolon, Pavia, fifteenth century
15. Moses ben Jacob ibn Ezra (born c. 1060)
16. This is a reference to a difference in regard to the practices of determining the ritual purity of an animal. Cf. Zimmels, H.J., Ashkenazim and Sephardim, p. 320.
17. The Hebrew reads **שליח ציבור**
18. For the chazzan

Notes to Chajes' Note B

1. The date 1813 is a reference to the publication of Friedlander's "A Word at the Right Time." The pamphlet suggested changes in worship and education. Cf. Bernfeld, Toldot HaReformatziyon HaDatit, Beyisrael p. 66.
2. Friedlander, Bendavid, and Lindau were students of Mendelsohn. Cf. Schreiber, Reform Judaism and Its Pioneers, p. 20.
3. David Friedlander (1740-1834) The letter referred to his "Epistle of Several Jewish Fathers to Councillor Teller." Cf. Philipson, The Reform Movement in Judaism, p. 15.
4. Chajes seems not to have known about the school that Jacobson founded in Seesen. Cf. Philipson, Ibid., p. 19.
5. Philipson, Ibid., writes that some German prayers were introduced.
6. **אלה דברי הכרית** , Altona 1819

7. נגה צדק with an appendix entitled אור נגה was published in Dessau in 1818. Cf. Weizenbaum, "An Analysis of Nogah Tzedek, D.H.L. Thesis, 1962 (unpublished)
8. Eliezer Liberman. Little is known about Liberman except that Jacobson enlisted his support. Cf. Graetz, The History of the Jews, volume 5, pp. 572-573.
9. Moses Sofer, the chief Rabbi of the community of Pressburg, Hungary, and an ardent opponent of Reform. Cf. Philipson, op. cit., p. 48, note 2.
10. Dr. Gotthold Salomon, Rabbi of the Hamburg Temple and one of the authors of the Hamburg prayer book.
11. שלח ציבור
12. Isaiah 14:22
13. The Travels of Rabbi Benjamin. Benjamin of Tudela (C: - 1173)
14. Esther 9:28

Notes to Chajes' Note C

1. ילד זקונים Vienna, 1839. Aron Chorin, 1766-1844 Cf. Jewish Encyclopedia, volume 4, pp. 43-44. Cf. also Chorin's responsa in Nogah Tzedek.
2. Ezekiel 11:16 מקדש מעט
3. Shevut legislation is rabbinical legislation prohibiting an occupation on the Sabbath and the festivals which the Rabbis considered as being out of harmony with the celebration of the day.
4. אין שכוח במקדש Pesachim 65A
5. Leviticus 18:3
6. Hosea 4:1
7. Cf. b. Pesachim 66A
8. Temple vessels
9. For the purpose of striking his horse and thus violate the prohibition against work.

Notes to Chajes' Note D

1. שבת של גליות
2. The Hebrew reads כשעים
3. Isaiah 1:12
4. The Sadducees used to say, "Only by those on whom the sun has set could the ceremony of the red heifer be performed."
- Cf. Yoma 2A.
5. Jesus
6. Matthew 15:1 ff.
7. Matthew 15:11 "A man is not defiled by what goes into his mouth, but by what comes out of it."

Notes to Chajes' Note E

1. Psalm 119:126
2. The Hebrew reads ספר תורה ערום

Notes to Chajes' Note G

1. Cf. Philipson, The Reform Movement in Judaism, p. 225 ff.
2. Cf. Philipson, Ibid., p. 268 ff.

BIBLIOGRAPHY

- Simon Bernfeld. Toldot HaReformatziyon HaDatit Beyisrael. Cracow, Joseph Fischer Publishing Co., 1900.
- Israel David Bet-Halevi. Rabbi Tzevi Hirsh Chayot. Tel Aviv, Achdut Ltd., 1956.
- Zevi Hirsh Chajes. Mavo HaTalmud. Trans. by Jacob Schachter and entitled The Student's Guide through the Talmud. 2nd. revised ed., New York, Phillip Feldheim, Inc., 1960.
- _____. "Minchat Kenaot." (Kol Sifré Morénu HaRav Tzevi Chayot). Jerusalem, Divré Chakamim, 1958.
- Herbert Danby. The Mishna Translated from the Hebrew. 6th revised ed. London, Oxford University Press, 1954.
- Isidore Epstein, ed. The Talmud. 18 vols. London, The Soncino Press, 1935.
- Heinrich Graetz. History of the Jews. 6 vols. Revised ed. Philadelphia, Jewish Publication Society, 1946.
- Raphael Mahler. "The Social and Political Aspects of the Haskalah in Galicia" (YIVO Annual of Jewish Social Science, Vol I). New York, Yiddish Scientific Institute, 1946.
- Max Margolis and Alexander Marx. A History of the Jewish People. 9th ed. Philadelphia, Jewish Publication Society, 1953.
- David Philipson. The Reform Movement in Judaism. New York, Macmillan Co., 1907.
- Ellis Rivkin. "History of Reform Judaism." (Unpublished lectures), 1961.
- Howard M. Sachar. The Course of Modern Jewish History. Cleveland, World Publishing Co., 1958.
- Moses Schwab. The Talmud of Jerusalem. Trans., Vol. I (Berakot). London, Williams and Norgate, 1886.
- Sylvan D. Schwartzman. Reform Judaism in the Making. New York, Union of American Hebrew Congregations, 1955.
- Emanuel Schreiber. Reformed Judaism and Its Pioneers. Spokane, Spokane Printing Co., 1892.

- Isidore Singer, ed. Jewish Encyclopedia. 12 vols. New York, Funk and Wagnalls, 1901.
- Herman L. Strack. Introduction to the Talmud and Midrash. New York, Meridian Books Inc., and Jewish Publication Society, 1959.
- T. Walter Wallbank and Alastair M. Taylor. Revised ed. Civilization Past and Present. 2 vols. New York, Scott, Foresman and Co., 1949.
- Joseph S. Weizenbaum. An Analysis of Nogah Tzedek. (Unpublished D.H.L. dissertation). 1962.
- Hirsch Jacob Zimmels. Ashkenazim and Sephardim. London, Oxford University Press, 1958.