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THE RABBINIC PERCEPTION OF PRINTING  
AS DEPICTED IN HASKAMOT AND RESPONSA

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Thesis submitted in partial fulfillment  
of the requirements for Ordination

Hebrew Union College-Jewish Institute of Religion  
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When I finally learned that my reach far exceeded my grasp, and I hurt from trying, my friends and acquaintances, colleagues at HUC offered what they could. Their concern was consoling. Debbie's help is healing.

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## DIGEST

Many important inventions, coupled with other factors precipitated the end of the Medieval period and ultimately brought Jewish life into the mainstream of the secular world. One of these, printing with movable type, was quickly adopted by Jews. While many Jews simply accepted printing as a practical advance, for others, the craft raised certain religious and ritual problems which were dealt with in the contemporary rabbinic literature. This study strives to understand the fifteenth and sixteenth century rabbinic awareness of the technological aspects of printing, as well as the attitudes they expressed about the invention.

With the spread of printing, the haskamah, a new rabbinic literary genre developed. These haskamot at once serve as historical sources, the literary style of which must also be studied. In chapter one, the origins and style of the haskamah are examined. Jacob Landau's Agur, published by Azriel Gunzenhauser in Naples, in approximately 1490, was the first book to contain haskamot. Reasons for this phenomenon are sought in the intense

competition that existed between the print shops of Gunzenhauser and Yehoshua Soncino in that city at that time.

Two other rabbinic sources, the contemporary codes and responsa, were examined in the hope of finding information regarding print technology and the rabbinic attitude to the invention. Printing is not mentioned in the code books of the period. However, a limited number of references to the technology were found in the responsa. The earliest extant responsa dealing with printing were not written until approximately one hundred years after the haskamot to the Agur. Because of this, the respondents were unlikely to disapprove of the invention. Rather, the four responsa written by Samuel de Medina, Menachem Azariah da Fano and Benjamin Slonik deal with questions regarding the limits to permissible activities in the practice of printing. These texts are presented and analyzed in chapter two.

The "General-Purpose Romanization Style" of the American National Standards Institute serves as the transliteration system for this study. For cases in which romanization would render the generally accepted pronunciation or form of personal names, Talmud tractates and other proper nouns significantly different (e.g., Landau would become Landa in transliteration), the common form is used.

## I. THE HASKAMAH AND INCUNABLE PRINTING IN NAPLES

The invention of printing set in motion processes that eventually threatened the prevailing authority in Medieval Europe. While it was the Catholic Church that was most disturbed by the potential of the new invention to increase the spread of ideas, the Jewish community felt printing's effects in this way as well. The earliest Hebrew books to be printed were the classical texts: the Bible and its commentaries, the Talmud and other authoritative rabbinic works and study tools. Gradually, printers began to publish the works of still living rabbis. Because the first Hebrew book published during the lifetime of its author (Nofet Tsufim by Yehudah ben Yechiel, in Mantua before 1480) dealt with rhetoric, it was of little concern to the rabbinic or Church authorities of the time.<sup>1</sup> The second such Hebrew book, the Agur, by Jacob Landau, published in Naples by Azriel Gunzenhauser about 1490, dealt with religious practice and was, therefore, of much greater importance to the contemporary rabbis. The earliest extant rabbinic statements dealing with the invention of printing accompany this book. These appear in the form of short essays that later

came to be called haskamot. An examination of the haskamot to the Agur may therefore further our understanding of the origins and nature of this genre as well as of the attitude of at least some rabbis to the new craft of printing.

Approbations to Hebrew books have been the subject of scholarly inquiry for eighty years. This activity has produced various theories identifying the earliest haskamah and explaining its purpose, as well as an index to the genre (arranged according to the maskim and identifying the title of the book and the date of its publication). In 1898 the Jewish Quarterly Review published two short articles on the subject. The earlier of the two, by Ludwig Blau, identified Pope Clement VIII as the "Father of Jewish Approbations." Blau suggested that the first approbation was issued in 1592 to conform with the Pope's insistence that all printings of the Vulgate have one.<sup>2</sup> Shortly thereafter, David Kaufmann maintained that Eliyahu Levita's Bachur, published in 1517, was the first Hebrew book to receive an approbation.<sup>3</sup> The haskamah to the Bachur, however, raised the issue of what the role of the haskamah actually is. On the one hand, the haskamah was considered a permit to publish a work and/or an approval of a work already printed; on the other hand, it was considered a statement of the copyright limitations on other printers. This question has not been fully resolved and did not enter the considerations of L. Loewenstein when he compiled his extensive index to the



haskamot published in 1923.

Jacob Landau's Agur appears in Loewenstein's Index  
<sup>4</sup>Approbationum. It is, however, given little significance  
 in all the theories regarding haskamot. On June 21, 1554,  
 a statement issued by congregational representatives  
 gathered at Ferrara, Italy, established for the first time  
 a requirement that books have haskamot. This statement  
 instructed that all succeeding Hebrew books published  
 should be done so only with the consent of three ordained  
 rabbis living in the place of publication.<sup>5</sup> Talmud burning  
 was extensive in Italy in the period during which the  
 statement was issued. In the hopes of preventing the publica-  
 tion of books that might arouse anti-Jewish reactions on the  
 part of the Church, a certain amount of Jewish prior self-  
 censorship was instituted.<sup>6</sup> One way of verifying that a  
 work had fulfilled the Jewish community's needs regarding  
 Christian sensitivities was to require that Hebrew books  
 be approved by the local rabbinic authorities. Out of  
 these circumstances developed the understanding of the  
haskamah as a necessary approval of a text so that printers  
 could publish their books without concern about their  
 being confiscated and burnt by Church authorities. Renewed  
 at Padua in 1585, the Ferrara decision was again upheld by  
 the Council of the Four Lands in 1594.

Competing with this view of the role of the haskamah  
 is that which maintains that an approbation is primarily a

protection of copyright privileges. In support of this theory is the recent work by Meir Benayahu: Haskamah Ureshut Bidefuse Venetsiah. In his book, Benayahu identifies the Bachur as the first book to contain an approbation. However, Benayahu claims that what appeared there was not called a haskamah and considers it primarily a copyright restriction.<sup>7</sup> In his book, Benayahu traces only this aspect of the genre. He does, however, suggest that, at a later period, beginning in the early eighteenth century, the haskamah did serve as a permission to print and a recommendation of the book.<sup>8</sup> Benayahu devotes little more than a paragraph of his book to the Agur. He suggests that the book does have a true example of the form and identifies one line out of the eight essays indexed by Loewenstein as being the actual haskamah.<sup>9</sup>

By the middle of the fifteenth century, the Jews of the Kingdom of Naples had experienced a series of alternating expulsions and invitations to settle. Of significance to the development of Hebrew printing and the haskamah was a royal order of 1469 which promised all non-Neapolitan Jews the same privileges as the native Jews. As a result, Jews from Rome, Ascoli, Fano, Bologna, and as far away as Germany, the Provence and Portugal came to Naples. Some of these Jews came from places in which printing had already begun and where they had learned the new skills. Others were scholars who came to Naples from centers of Jewish

learning. Still others came for purely economic reasons.<sup>10</sup> These Jews from such diverse backgrounds were instrumental in establishing Hebrew printing in Naples.

Printing began in Naples as early as 1471.<sup>11</sup> Hebrew printing, however, did not commence there until after 1485.<sup>12</sup> Nonetheless, among the non-Hebrew books are some not only of Jewish interest, but also of possible interest in the development of the haskamah. Though it had no relation to haskamot, the earliest item of Neapolitan printing of concern to Jews was an alleged epistle of a Moroccan Rabbi Samuel, an apostate. This was issued by the press of the Florentine Francesco di Dino who was living at Naples near the Fuligno Monastery.<sup>13</sup> Related to the haskamah, is a "commendation" on folio 2<sup>a</sup> of Stephanus de Caieta's Sacramentale Neapolitanum published by Jodocus Hohenstein at Naples in 1475. Signed by an individual, as in haskamot, this "commendation" of the book by Fuscus Severinus was unlike haskamot in that it was also addressed to a specific individual: Ioannes de Aragonia.<sup>14</sup> More significant than either of these, for both Jews in general and the haskamah in particular is the edition of Dante's Divina Comedia published in Naples by Francesco del Tuppo in 1478. At the end of this work there appears a letter to the electi of the city. This letter excoriates what appears to be an anonymous Jewish printer who was active in Naples as early as 1477 when he had issued his own edition of Dante's poem.<sup>15</sup> It is unknown whether or not

these precursors served as models for the haskamot written by the scholars involved in the publication of the Agur approximately thirteen years later.

Although Naples was not the first Italian city in which Hebrew printing was carried on, during the five years from 1487-1492, it became the major center, and more Hebrew books were published in Naples than "than in any other single place in Italy."<sup>16</sup> Almost all this activity was carried on by two printing houses. The first to be established was that of Yosef ben Yakov Gunzenhauser and his son, Azriel, who had come from the German town from which they took their name.<sup>17</sup> The Gunzenhausers held a monopoly on Hebrew printing till 1490, the year of the father's death. In that year, Yehoshua Shelomo ben Yisrael Natan Soncino came to Naples. Yehoshua Soncino's first book to be published in Naples appeared in Sivan of that same year.<sup>18</sup>

Why Yehoshua Soncino went to Naples is unclear.<sup>19</sup> It has been suggested that he left his home town because of the death of Yisrael Natan and Moshe (his father and brother respectively). Another reason might have been the growing unrest in the northern Italian principalities. As for why Naples was selected as a destination is even less certain. Favor was shown the large and prosperous Jewish community there by King Ferrante I.<sup>20</sup> This probably encouraged the Hebrew printers in Naples and may have helped to draw people interested in the craft to that city. In fact, Shelomo ben

Peretz Bonfoi, who had worked for the Soncinos in the North, preceded Yehoshua Soncino to Naples.<sup>21</sup> With Bonfoi there, Yehoshua Soncino already had someone who might work for him in the future and he wouldn't have to develop an entirely new staff. Nonetheless, the two firms of Gunzenhauser and Yehoshua Soncino were active competitors for the following two years after which time Hebrew printing in Naples came to an abrupt end.

The nature of the books published by these two printers in Naples was quite different one from the other.<sup>22</sup> Yehoshua Soncino had published both talmudic and biblical works with commentaries while still in Soncino. On coming to Naples, Yehoshua Soncino's output changed drastically. In Gunzenhauser's first year in business, he published three volumes. These were a continuation of the Bible publications that Yehoshua Soncino had been working on in the North. Each was a portion of the Hagiographa, and all contained commentaries. In the nine volumes that followed from the Gunzenhauser press, there appeared two more books of a biblical nature. Both of them were commentaries to the Tórah, without the Torah text, by Ramban (1490) and Bachya ben Asher (1492). Gunzenhauser's books appear to have been of interest primarily to scholars. The books from Yehoshua Soncino's press in Naples, on the other hand, were what might be termed standard texts which were much more widely used. Yehoshua Soncino's first Neapolitan book was a prayerbook of the Spanish rite. There

followed from his press seven more editions of the Bible. While some of these were complete, only one had a commentary, and that was by Rashi. Aside from his first book, only three works published by Yehoshua Soncino in Naples were not biblical.

This distinction between the kinds of works published by Gunzenhauser and Yehoshua Soncino, and the change in the latter's output, should not cloud the recognition of a close relationship between both the Jewish and some Gentile printers in Naples. It may also shed more light on the reasons for Yehoshua Soncino's move to the South. Following his publication of the Divina Comedia, del Tuppo printed in Naples, in 1485, a Latin edition of Aesop's fables in which he used an engraved woodcut border with an elaborate floral design and naked, winged "putti."<sup>23</sup> This is one of four woodcut borders that figure in relationships among the printers. Beginning in 1487, the same border that appeared in the Aesop edition was used by the Soncino family in a number of works that were published before Yehoshua Solomon left Soncino for Naples. This border appears to have been cut into four pieces in Soncino perhaps after damage to it. Whereas the original border had the broader margin on the left, after the cutting, that margin appeared on the right. What seems to be a slightly less elegant copy of (at least the narrower margin of) this border was also used by Yehoshua Soncino in the North. This border

(with its variant) was the only one of the four in question that was used by him in Soncino before he left in 1490.

Meanwhile, in Naples, beginning in 1490, a second, somewhat more elaborate border was used by Gunzenhauser in his edition of Ramban's commentary. This same border was used by Yehoshua Soncino the following year in Naples for his edition of Sefer Hashorashim. In 1492, the third border appeared. It was made in the same style, but was highly detailed. Three Neapolitan printers used this border: Gunzenhauser, Yehoshua Soncino, and the Gentile, Aiolfo de'Cantoni. De'Cantoni published L'Aquila Volante (1492) using this more detailed border.<sup>24</sup> A mirror image edition of it first appeared in a Pentateuch Yehoshua Soncino published at Naples that same year.<sup>25</sup> The border used by de'Cantoni was also used, almost simultaneously, by Gunzenhauser in his edition of Bachya's commentary to the Bible. The fourth border, much smaller than the others, was used in Jacob Landau's Agur; it is, however, impossible to say precisely when. In the colophon to the Bachya work, Gunzenhauser's brother-in-law, Moshe ben Yitschak, was mentioned as a skilled wood engraver who helped in the preparation of the book. Because of this, it has been suggested that Moshe ben Yitschak was the person who produced the border.<sup>26</sup> For whom the borders were made and how they were distributed is still unknown.

It has been noted that the Gunzenhauser edition of the

Hagiographa was "seemingly designed as a continuation of the Soncino edition of the Prophets, which ... was intended as a continuation of the Bologna (1482) Pentateuch."<sup>27</sup>

Gunzenhauser's completion of the Bible has been called a violation of the biblical injunction [Deut. 19:14]: "Thou shalt not move thy neighbor's landmark;" (it is on this verse that the copyright clause of later haskamot is founded).<sup>28</sup> The claim that Gunzenhauser violated Yehoshua Soncino's copyright on the Hagiographia is based on the assumption that Yehoshua Soncino intended to print the final section of the Bible while still in Soncino. However, Gunzenhauser's completion of the work may have been due to any number of reasons. It is possible that the holy work was transferred to a more politically (and economically?) stable area by those investing in the publication.<sup>29</sup>

There is little question that Yehoshua Soncino had a great deal to gain by going to Naples. Already in the South, though for unknown reasons, was his trusted worker Bonfoi. In Naples there would also be easier access to the attractive decorative borders. And, not to be discounted, in Naples he would find security. However, there was a price Yehoshua Soncino had to pay for the move to Naples. Perhaps foremost, he had to abide the competition of the already established Gunzenhauser. In the South he appears to have supplied a local book market that expressed different interests from that which he had served in the North. According to the titles



of books printed in Naples in that period that have survived the centuries, the Neapolitans (Jews and/or Gentiles) were primarily interested in biblical learning. That aspect of Jewish literature which he had begun to publish in his last years in the North, namely, the Talmud, seems to have been of less importance. It may be because of these different interests that Yehoshua Soncino had to change the basic thrust of his printing ventures in Naples.<sup>30</sup> The loss taken in the move south may have been so great that Yehoshua Soncino's first book in Naples may have been printed at the request of someone else. This book, a prayerbook in the Spanish rite, had a poem by Moshe ben Shem Tov Ibn Habib who had earlier been, and would later again be, in the employ of Gunzenhauser.<sup>31</sup> This, along with the fact that in the colophon, the initiator of the work is called "ben Porat" [i.e., Yosef (Gunzenhauser)],<sup>32</sup> suggests that the book was in fact produced by Yehoshua Soncino for Yosef Gunzenhauser.

Due to the extensive competition in the printing activity at Naples (described above), a new literary form began to develop. As stated above, its first appearances may have been in the "commendation" of Stephanus de Caieta's Sacramentale Neapolitanum (1475) and the letter at the end of del Teuppo's edition of the Divina Comedia (1478). This form did not begin to develop in Hebrew printing until the publication of David Kimchi's Sefer Hashorashim (a second

Naples edition) by Yehoshua Soncino in 1491, and Jacob Landau's Agur by Gunzenhauser (undated). The works of the Gentile printers were probably available and even known to the Hebrew printers of Naples. It appears, however, that the "commendation" and letter to the electi did not establish a pattern in the Gentile printing of Naples and therefore probably did not serve as models for those who wrote essays approving of the Agur and the Sefer Hashorashim about thirteen years later. It is more likely that the new set of circumstances that surrounded the relationship of Gunzenhauser and Yehoshua Soncino brought forth the Hebrew haskamah.

As noted, there was a general disparity in the kinds of books published by the two Jewish printers. Perhaps because of their close involvement with the same printing materials, and the loss incurred due to his move south, there was an attempt by Yehoshua Soncino to enter the commercial "territory" of Gunzenhauser and regain the supremacy he held while still in the North. After one year in Naples, Yehoshua Soncino issued an edition of David Kimchi's Sefer Hashorashim which was printed only five months after the same work had been published by Gunzenhauser. Because there is no imprint date on the Agur, one cannot be certain; nonetheless, this foray of Yehoshua Soncino into the "scholarly" market may have been an impetus for Gunzenhauser to develop a new market of his own and publish Landau's text. It is this

competition that may have inspired the development of the haskamah. At the end of Yehoshua Soncino's book, the colophon praises his edition of Sefer Hashorashim to the detriment of Gunzenhauser's.<sup>33</sup> Similarly, at the end of the Agur there is a series of eight short essays praising its publication.

The Colophon to Soncino's Sefer Hashorashim

This day is a day of good tidings and we hasten to bring [this book] to you [Prov. 8:4]: "Unto you, O men, I call, and my voice to the sons of men." Advisors and masters of magic; old with young and the aged, men and women. Despise silver, scorn gold and there is no end to wisdom that your soul will find in these Roots which are made new. All the remainder of printed books on this subject are tasteless and as without salt, they are like a mess of lentils. But these books are the food of the mighty, the food of kings, from the Holy of Holies. And behold we have agreed to print this book in two columns in order to increase its value and beauty. Also, to indicate the place [i.e., the biblical reference] we have printed it [the reference] within the column so that the reader will read easily through it.

And behold, at the beginning of the book we have recorded in light, each weekly portion by name [within the columns as stated above]. After this we agreed to indicate just the book wherein there is that portion [e.g.:] "Genesis," "Exodus," "Leviticus," "Numbers," "Deuteronomy." And this indeed we have mentioned lest there come upon us a man who did not know our intent and he might think that we erred in [pointing out the general biblical] place. And here, this is the book. Great is the profit for all who are of wise heart and, also for beginners in study; and more than them, for all the teachers of children and everyone who would increase his heart to buy it. Let his teaching be believed. Behold, His merit is with him, and from the Lord is completed his reward.

Completed here, the city of Naples on the fifth day [of the week] the first day of the month of Adar, the year 5251 of creation.

This statement at the end of Yehoshua Soncino's Sefer Hashorashim is quite different from those which follow the Agur.<sup>34</sup> It accomplishes three basic tasks of an advertisement. Praising the book, the writer lists its specifically unique qualities and urges its purchase. The

competition, however, is never mentioned by name. The writer states that everyone who turns to this new edition will be filled with wisdom. Denigrating earlier books on the subject as "tasteless, without salt and like a mess of lentils," the writer contrasts his own, describing it as "food for the mighty ... and of kings, from the Holy of Holies." The only other edition of Sefer Hashorashim was published approximately twenty years before those of Gunzenhauser and Yehoshua Soncino, so the comparison is most likely directed at the Gunzenhauser edition. According to the colophon, among the special qualities of Yehoshua Soncino's edition are its publication in two narrow columns per page (as opposed to one wide column in the Gunzenhauser edition), the printing of the biblical references within each column (as contrasted with Gunzenhauser's which had them in the margins) "so that the reader will read easily through it," a table of contents at the beginning, and an indication (at least at the beginning of the book) of each weekly portion in which the word appears. Finally, everyone is encouraged to buy the book: the wise, beginners in study and "all the teachers of children." Such a purchaser's teaching is to be believed and the Lord will assure that individual's reward. Despite the claims in the colophon as to the great value of Yehoshua Soncino's Sefer Hashorashim, it seems that his attempt to enter the scholarly field was

unsuccessful. Yehoshua Soncino published only two other scholarly texts among the ten additional books he published in Naples. Gunzenhauser, on the other hand, continued publishing along the same lines as before, including what has been called "the most ambitious production of early Jewish typography."<sup>35</sup> Aside from the praise of the book and the recommendation of its purchase, the colophon to Yehoshua Soncino's Sefer Hashorashim has more in common with del Tuppo's letter to the electi than with the haskamot to the Agur.

#### The Agur and Its Haskamot

Naples was a center for wealthy Jews and an active place of printing in which Jew and Gentile cooperated. It also supported at least one thriving yeshiva<sup>36</sup> and two Jewish booksellers (David Bono and Graciedii Rout)<sup>37</sup> which the print shops of Gunzenhauser and Yehoshua Soncino may have supplied. Of course the Jewish community was made up of more than just scholars, and even these had leisure time from their studies. A prime use of that time was spent in reading for pleasure. One book that served the dual purpose of study and pleasure was (actually two works) by Jacob Landau, published by Gunzenhauser: the Agur (a collection of halachic practices) and Sefer Chazon (a collection of talmudic puzzles).<sup>38</sup> Landau's involvement

with printing did not rest only with the publication of his own texts. He had worked with Gunzenhauser as editor of the latter's first printed book, the 1487 edition of the Psalms with Kimchi's commentary.<sup>39</sup> Landau's son Avraham also worked in the printing business. He was a corrector of one of Yehoshua Soncino's scholarly texts: Petach Devarai (published in 1492) and also a compositor for Avicenna's Canon published by Gunzenhauser in 1491.<sup>40</sup> Having these contacts may have helped get his own work published.

Gunzenhauser's publication of the works of a still-living author was a first of its kind for Hebrew printing in Naples, and only the second such event in all of Hebrew printing.<sup>41</sup> Because of this, there was no need to contrast the quality of the work with an earlier book as in Yehoshua Soncino's colophon. On the contrary, a new form was needed, and the essays at the end of the Agur had to explain why this book should be printed in the first place.

The standard haskamah as it appears in so many Hebrew texts through the centuries has seven elements that are usually present. The essay must, of course, (1) be written by a maskim who is a recognized rabbinic authority. His comments are (2) commissioned and he (3) expresses pleasure at being associated with the book. The haskamah is generally (4) addressed to the book's author. The book's contents are (5) analysed by the maskim who, in doing so, vouches for the

appropriateness of the work's halachic stance, and, along the way, corrects any errors that may have crept into the printed edition. The maskim (6) urges the purchase of the book, and, finally, if the book is a publication of one of the classical Hebrew texts, or if the author is dead, he (7) places a copyright restriction on further publications. Taken as a whole, while they appear at least twenty-five years before that of the Bachur, the haskamot to the Agur contain all of these elements except (of course) for the copyright restriction.

Haskamah I, Fol. 181<sup>a</sup>

The famous master of this generation, who is decorated with the title of honor: the rabbi, our teacher, the master Rabbi Jacob Landau, a lion, the son of a lion, carpenter, son of a carpenter who מְחַנֵּי [?] has composed and established a book that gives pleasing sayings to influence and satisfy a yearning and thirsty soul through the disposition of his soul, a soul precious in all the judgments of the Torah and to choose a straight road from the teachers. Fine flowing myrrh he has collected and gathered in concise language, he opened it and closed, collected and collected [?] the understanding and issued it. I have investigated within the pleasantness of



his book sufficiently to have found it lovely. Its fruit should be portrayed as the essence of the heavens in its purifying [power], and as the appearance of the brilliance and splendour from its beginning to its end. Its root and its foundation and its boughs; its fruit, good for eating and its leaves good for medicines and all its sayings, [these are] gathered in his book; it is well arranged and makes for itself springs of water and pools [for refreshment]. In words of blessings and in decisions regarding the prayers and the services of his creator who decides in judgments. And in decisions of what are prohibited and permitted labours, it [the current situation] was found [to be] too permissive. And regarding most of them [the decisions] he deviated by being strict and he did not see or exaggerate regarding the laws of the holidays and festivals. Perhaps those who go from those who stand and those whose custom it is to roll each rule, specifics and generalities [?]. And the words of the sages and puzzles he established in the foundations. [Dan. 12:12]: "Happy is he that waiteth" [in owning the book] he merits for himself and his children. He merits, who has dwelling within his tent the words of the Agur. Let its [the Agur's] sale be

in the hand of the purchaser of it, for him and  
 [remain with] his children after him and he will  
 merit for ever, for it is all arranged according  
 to desire and the elder, and seven angers[?].

He will raise a testament in Jacob who has placed  
 Torah in Israel, scouting for redemption. [Job  
 25:6]: "The son of man is a maggot," who stands  
 sorrowful, Netanel the son of our teacher, the  
 master, Rabbi Levi, a man of Jerusalem, may his  
 memory be for life in the world to come.

The author of the first haskamah is Netanel ben Levi  
 (of Jerusalem). He is identified by Steinschneider as  
 having been a disciple of Yosef Kolon in Mantua.<sup>42</sup> As  
 such, he served as an authority to approve the value of  
 Landau's work. Since he was not from Naples, he did not  
 participate in the publication of the book. He may have  
 been sent a pre-publication copy that he could examine and  
 upon which he could make his comments. This seems to be the  
 case because the haskamot are at the end of the book and some  
 contain corrections that had to have been appended sometime  
 after the bulk of the text was printed. Ben Levi praises  
 the book extravagantly. His comments open with an address  
 to Landau in which the author himself is lauded but which  
 concentrates primarily on the halachic nature of the book.  
 In this area, ben Levi describes the halachic stance as

appropriately stringent. Using the term in an unusual way, ben Levi makes a pun on the title of the work which in turn is based on the verse in Proverbs 30:1 "The words of Agur, the son of Jakeh." Ben Levi takes the patronym in its verbal form and suggests that Landau has collected [אגור] and digested the wisdom in order to "issue" [והקיא] it in his book. This pun on Yakeh is significant because it appears in subsequent haskamot indicating that later maskimim had ben Levi's available when they wrote their own. Towards the end of his haskamah, ben Levi makes another pun stating that one who has Landau's Agur dwelling [יגור] with him will gain merit. This statement is part of ben Levi's suggestion that the book be purchased, because the possessor of it will gain merit for ever, and thereby stresses the basic purpose of the haskamah.

Haskamah II, Fol. 181<sup>a</sup>

[Num. 24:5]: "How beautiful are your tents O Jacob" within the boundary of book and story; in Eden, garden of intelligence he was praised with the sacrificial fats [?] of thought. And amidst the stone of the fire: by the flame of the cherub he was annointed. O thou who are in a beautiful shadow! How pretty and how pleasant in your desirous composition and in your worthy articles. Therefore I said [Isa. 2:5]: "House of Jacob let

us get up and go in the light of the Lord."

Let us get up and view the wonders of the Lord.

And sayings pure and sifted in this book that the famous light of lights: as our teacher, the master, Rabbi Jacob Landau are honored[?]. It is spoken in it [?] because he has gathered all the worthy opinions [cf. Gen. 40:5] in one vase, healthy and good, the words of the Agur that his wisdom has gathered and issued, this I answer to my hearts, for there remains for us a remnant in this composition: this is my portion says my soul [Ps. 61:5]: "I will dwell in thy tent forever."

The statement of David the least of the lesser students, the son of our teacher the master, Rabbi Yehudah that is called Meser Leon.

While Netanel ben Levi wrote from some place other than Naples, the author of the second haskamah was Neapolitan. David ben Yehudah Meser Leon is our source for the information that Naples supported a yeshiva.<sup>43</sup> It was there that he studied under his father (the author of the third haskamah) and was ordained shortly before writing this haskamah.<sup>44</sup> David ben Yehudah was involved not only in Hebrew learning, but also wrote "many verses in Hebrew and the Christian tongue."<sup>45</sup> He shares some of his talent, using

poetic prose in his haskamah. David ben Yehudah may not have been one of the leading scholars of the time, but he had a connection through his father and was able to get the commission to write a haskamah. His essay begins with a direct address to Landau couched in a biblical quotation, and continues, praising the book. Although he does not deal much with the contents or urge the book be acquired, there is no question that the young man was pleased to be associated with the enterprise. David ben Yehudah had seen ben Levi's haskamah before writing his own. This is evident due to the fact that he worked into it both of the former's puns. The first of them: "issue" appears almost as a direct quote, but the second pun the young scholar/poet was able to set in a biblical quote.<sup>46</sup>

Haskamah III, Fol. 181<sup>a</sup>

It happens, since it is in the manner of the craft of printing for many errors to fall in books on account of the laziness of the workers who do not correct the errors; since יוֹגֵהר [?] the pages of experience since the masters of the craft, so have fallen in this book, and also it is as one of them. And sometimes these errors are blamed on the author or the commentator. And therefore I decided to purify it, the pure after the pure, till there not remain [any but] the

least error that would not be corrected on this page with what is already glossed in the alternate readings of the early pages. And from the Lord I ask help and cure.

[The list follows, ending on Fol. 183<sup>a</sup>.]

Behold, I have seen that which the master as our teacher the Rabbi Jacob Landau has raised and he has written a good composition called Agur which gathered and collected the regulations of the day's service and [of the] festivals and every prohibition and permission with all that is revealed after it. And it is a composition which presents the pleasing saying in customs: decisions that are correctly stringent. And therefore I have placed my seal in [Prov. 16:24]: "This honeycomb, these words of pleasantness." The lesser, Yehudah, who is called Meser Leon.

Yehudah ben Yechiel Rofe Meser Leon, David ben Yehudah's father, was a recognized authority of the period. He was head of the yeshiva at Naples and perhaps was also a professor at secular universities at the time of the Agur's publication.<sup>47</sup> Earlier, he had been a rabbi in Mantua where he had the honor of being the first Jewish writer to have his work (Nofet Tsufim) published during his lifetime. His book had no haskamot. Though the Agur was published on its

own merits, Yehudah ben Yechiel was asked to improve it. His primary task in relation to the Agur was as proofreader. In introducing his corrections, he lays the blame for the errors squarely on the ignorance and "laziness of the workers who do not correct the errors" they make in typesetting. (Significantly, in the midst of his comments there appears at least one typographical error.) Following his extensive list of corrections, Yehudah ben Yechiel speaks to the quality of the book. There he states that Landau has written a good work, collecting the customs and regulations and (agreeing with ben Levi) interpreting the halacha to be appropriately more stringent. Whereas he does not urge the purchase of the Agur, Yehudah ben Yechiel does "place [his] seal" of approval on it. This is, however, after a final praise of the book that uses a quotation of Scripture praising the Agur with a veiled allusion to his own Nofet Tsufim.<sup>48</sup>

Haskamah IV, Fol. 183<sup>a</sup>

Rich are those who guard the law of the Talmud [which] enlightens our Exile. There is an end of desirous things. Also because the teachers and students have ceased, it was [in the manner] of the righteous of the Lord to give us in our degradation, for the Torah: a redeemer from the root of truth, and from the root of the crown of the

Torah. Bound in it he is the master and the rabbi, the master of the Talmud and pillar of teaching: our teacher, the master R. Jacob Landau. He has written a book that is honorable and desirable and pleasant. And for him song[s of praise] are appropriate, that they should praise friends. For such as this there has not been written in many years: a collection of desirable things and decisions testifying to the great extent of the talmudic discourse. The rabbi mentioned, and on his mastery of the poskim ...[?] praised is the man who does thusly and a person who holds this book and not the things that annoy. And I, a Hebrew servant who licks the dust of the sages and serves their students.... This is my name: Yakov bar David Proventsals of Marseilles.

The fourth haskamah again shares most of the characteristics of what was to become standard practice. David ben Yehudah Meser Leon's contemporary, Yakov bar David Proventsals from Marseilles decries one of the results of the extensive Jewish-Christian contact so evident in the flowering of Neapolitan Hebrew printing. Proventsals goes to the core of the book as an antidote for the degradation to which Jews



have fallen since the "teachers and students have ceased." He states that there has not been a book of this kind on talmudic subtleties in many years. Though the reasons for this are unclear, Proventsal's statement appears to be true. As stated above, during the years Joshua Soncino was in the North, he published a few Talmud tractates; however, after his arrival in Naples (except for the Mishnah with Maidmonides' commentary) there is no evidence of any such texts having been published there. The Agur was Gunzenhauser's first publication of talmudic literature. Before signing his name, Proventsal praises Landau for writing the book and also praises "a person who holds this book and not the things that annoy."

Haskamah V, Fol. 183<sup>a</sup>

[Isa. 52:7]: "How beautiful upon the mountains."

Behold the Torah and its attestation; the feet of the messenger of Zion, the passage-ways that are marked with halachah, the ways of the world. Its understanding is long [coming] as one who brings news of peace, [i.e.] the perfection of humanity by Torah, which was almost forgotten by our Israelite people because of the great sorrows. Because of it [the sorrows], were [it] not for the Lord who left us a remnant [we would be lost]. But the Lord called by name the wonder

of the generations, the light of the Exile, my close relative and relation, the honorable, our teacher, the master, Rabbi Jacob Landau, who has devoted his spirit with him to write a composition [that is] comprehensive and collects and gathers the wisdom that is in the majority of the poskim and issues it out to all who seek God. For within it one will find a balm to his intellectual soul and atonement for himself and his flesh. And I have read in it and found it entirely of desirable things and there is no blemish in it; and regarding it I was glad, as [if I were] the master of all money. And the Lord above will strengthen his hand among the mighty to disseminate knowledge in Israel. I am young and despised, Ben Tsion, son of the righteous ones, the honorable, our teacher, the master, Rabbi Rafael Danit, may his memory be for life in the world to come.

Ben Tsion be-R. Rafael Danit, the author of the fifth haskamah was a close relative of Landau. Like the others, he was asked to read and comment on the book and considers himself a wealthy man because of his association with it. Few of these haskamot are addressed directly to the book's author, and this one is no exception. While

agreeing with Proventsall about the fact that Torah is "almost forgotten by our Israelite people," Danit tells the reader that Landau's is a comprehensive work that contains the wisdom of the poskim arranged in such a way as to help remedy the situation. Regarding the book's halachic stance, Danit finds no blemish. But just as important, for a person who is considering purchasing the Agur, Danit states that within it one will find a balm to his intellectual soul and atonement for himself and his flesh.

Haskamah VI, Fol. 183<sup>a</sup>

[Ps. 19:10]: "The ordinances of the Lord are true, they are righteous altogether." He calls אל אל [?] and answers and is compassionate upon his people. And He calls upon the name of Jacob by way of a lingering star. And as the sun's light of morning shines upon him, to lighten all the face of the earth הנו [?] honor our teacher. The master, Rabbi Jacob Landau has written and given birth for us to a book on the decisions on the daily service and of the festivals and decisions regarding prohibitions and permissions. He gathers and collects all the opinions of most of the writers and adds to it jewels of his mouth, extended to be stringent and not to be lenient. And from now on I rely upon it to teach the children of Israel.

The statement of the one who resides here, the city of Naples, as an extended guest, staying as a low people. I, a despised and worthless individual: Yitschak, the son of the honorable Rabbi Shmuel of [?] Chayim (may his memory be for a blessing) Sefardi.

Landau's Agur has been dated as among the very last Hebrew books published in Naples.<sup>49</sup> Perhaps this is due to the "great sorrows" alluded to by Danit and the presence there of at least two Sefardim who wrote haskamot to the book, because of an assumption that Sefardim did not begin to arrive in Naples till 1492. Regarding one of these Sefardi maskimim, almost nothing is known aside from what he tells of himself in the haskamah. Yitschak be-R. Shmuel ben [?] Chayim was a recent immigrant to Naples when he wrote about the Agur. His statement is a simple description of the text and repeats the praise of its strict bias on halachic matters. It is a noteworthy statement about the cosmopolitan nature of the Neapolitan Jews and Landau's (an Ashkenazi) ability to appeal to all segments of the community, that Yitschak be-R. Shmuel could say about the book: "From now on I rely upon it to teach the children of Israel."

Haskamah VII, Fol. 183<sup>b</sup>

Last But Not Least

Lion, lion and to it a lion-cub

[?] המין כלכל דרוע אגור

They will tell the glory of Jacob

And the honor of his book which is called Agur

The crown of a good name, the crown of Torah

The crown of wisdom, all is gathered in it.

Please take my heart from the mouth of Torah

If I trust in it, it is not yet gathered.

Behold, on my shoulders I will bear it

In it I will see that which is gathered.

A thirsty sigh for the waters of the spring of redemption in a fixed halachah. Who will teach knowledge and who will understand rumor? Please place honor upon it, Lord of Israel! For the Lord redeemed Jacob from the embarrassment of doubt. And you [reader], take to yourself that which the Lord sends by way of Jacob and you will be restored. And this is all the fruit of righteous thought. The selection from the depths of healthy and good thoughts arises on the center-most branch of the branches of the candelabrum of

the temporal judges. And the prohibitions of mourning and decisions regarding nidah and mikvaot [are in it]. Praised is the one who holds this worthy book for his fate and his וְחַכְלֵי [?]. Lucky is the people of whom this [book] is. The statement of the young Moshe son of our teacher Rabbi Shem Tov of the family Ibn Habib.

Of the second Sefardi maskim more is known. The Lisbon born philosopher, poet and grammarian Moshe ben Shem Tov Ibn Habib had come to Naples as early as 1484. It was then that he completed his Perach Shoshan.<sup>50</sup> Four years later, he worked as editor and corrector of Gunzenhauser's edition of Ibn Ezra's commentary to the Torah.<sup>51</sup> The poem Ibn Habib composed for the Agur continues the laudations given Landau and his book by the earlier haskamot. In the prose section, he praised the establishment of a fixed halachah. Most of the haskamah focuses on urging the prospective buyer to purchase the book, stating that through Jacob [Landau] "You will be restored." While other maskimim had mentioned that the book deals with the daily and holiday rituals indicating the book's concern for men's ritual practice, Ibn Habib states that it is of value in this respect for women as well.

Haskamah VIII, Fol. 183<sup>b</sup>

With what will I greet the Lord? I raise my hands [in prayer] to the Highest [in] thanksgiving and song, for I have deserved, been strong and of courage to finish this book within which I have been merciful to the dust and ashes. And He has not nullified His covenant, His Holy Torah, the inheritance of the congregation of Jacob. And behold I request of everyone who devotes his spirit to flutter on the wings of his intelligence to ramble לשוטט [?] that he judge me in the scale of merit. And if he finds in it something desirable, he should know that it is not from my heart that it came. It is instead of the holy ones who are in the land, they and the glorious ones, all whose desire is in them. And if [the reader] should find in it a shameful thing (it shouldn't occur), he should know that this was of my own hand. [Prov. 30:2]: "Surely I am brutish, unlike a man, and have not the understanding of a man."

And it is so that the book is set apart from the glory of the great ones of the generation and their sages who all of whom have oppressed him. Masters of the crafts [of printing (?)] and those skilled in the charms who all testified as to the

goodness of this book and on its great benefit, and one person to his friend will say "be strong" and they will hold it with the pruningforks[?]; all spoke in one triumphant shout.

I said I will refine it like the refining of silver. Preparing all that they [the printers] left out. I will correct the errors which were found in it on account of the workers who do the work on one particular page on which I have engraved and repaired. [I will correct] all the deficiencies that by themselves are not understood, whether they are deficiencies from the transposition of letters, or from things that are understood by themselves [?], because everything would be fixed by everyone who looks at it. And I think that no one will find errors that are not corrected on this page [or perhaps] just a few. And when the reader happens upon one, upon a particular error, he should turn to this page immediately, [find] the sign indicating the place [of the error] and he will find the correction at once. And if I have strayed from the law of ethics in this book [Prov. 10:12]: "Love covereth all transgressions," [Deut. 32:40]: "For I lift up my hand to heaven." And behold, I swear by my



creator, for I was not raised up to any purpose, except the sake of heaven. 'וְשִׁי [?] the one who tests hearts, knows the truth; for the truth is His seal. And His Name should be praised for ever and ever, Amen.

[The list of corrections follows from Fol. 184<sup>a</sup> through 186<sup>b</sup>. Afterwards there appears what may be a continuation, or another short essay.]

To the remnant of Jacob [are given] the commandments that a man tramples with his heel as a form of prevention and a clouding over to the first virtue, and return the crown to the sleeper. He does it without deceit, a book full of wisdom and וְכִכְלִיל [?]. [Prov. 10:5]: "A wise son gathereth in summer." Grains at the top of the treetop, the wagon that is itself filled with sheaves, all is refined silver in reality, as new that is evident. Agur is its name and its reasons are evident, in its being added is its name בִּיהוֹסֵף [?]. [Prov. 6:6]: "Go to the ant, you sluggard," collect in the harvest time; in the cut is its repast and if from its waters you drink, you will see that the drink is finished. In "the words of Agur the son of

Jakeh." Olive oil, pure beaten olive oil following liquor in the end that from it is collected within it, within it and inside, within that; and in every volume, that everything is in it; and bless the One that it is thus with Him in His world that made out of a plateau, a hill [cf. Isa. 40:4]. Therefore I said, who can count the dust of Jacob? Shelomo Chayim Kohen Hediot, the son of our honorable teacher, the Rabbi Yechiel Rafael, Kohen Yats [?].

The identity of the final maskim is a mystery. He writes as though he is the author of the book. In doing so he describes himself as a brute by continuing the verse of Proverbs on which the book's title is based. However, the name at the end is that of an otherwise unknown individual. A possible solution to this problem would be to divide the essay in two. The first portion, up through the correction, is perhaps by Landau, while the eighth haskamah may actually have been an afterthought and begun with the final paragraph on fol. 186<sup>b</sup>. (Note the title to the haskamah by Ibn Habib! While it includes a pun on his name, it may be more significant in helping to determine the nature of the text that follows.)

Like Yehudah ben Yechiel's haskamah, the first half of this essay is concerned primarily with correcting errors.

What the distinction is between these and the earlier corrections is unclear. The writer states that he will "repair all that [the workers on a particular page] left out" and advises that when readers come upon any errors, they should immediately turn to this section. This suggestion implies that a reader would examine the last part of the book first, otherwise, one would not even know that such an apparatus exists. Because of these errors, the writer requests that the reader judge him leniently. In all modesty he also hopes that the reader will understand that whatever is desirable in the book is not of the author's doing. The writer notes and appreciates the statements of those who testified as to the quality of the book. After the extensive list of corrections, the second section of the essay continues with a glowing praise of Jacob [Landau] and his Agur. This is based on segments and paraphrases of Scriptural verses. There is no comment about the halachic nature of the book, nor is there any suggestion that it be purchased.

Each of the eight essays presented here exhibits some of the standard characteristics of what later came to be called haskamot. They are all (except for the sixth and the last?) written by recognized authorities and thereby add lustre to the book. These authorities were all asked to write their opinions of the book and appear quite happy

to do so. While later haskamot are addressed to the author of the book in question, only few of these are. Instead, here, the book is presented to the general reading public. In their presentations, the maskimim tell what the book is about and some make required adjustments in the text. Almost every one of the eight vouches for the halachic quality of the work and praises Landau's stringency. Finally, though not always in a direct fashion, almost every one of the haskamot urges the purchase of the book. Though only two specific references are made to the craft of printing (and those cast aspersions on the scholarly abilities and carefulness of the workers), many of these maskimim appear to be greatly pleased with the capabilities of the craft to disseminate knowledge and their own association with it.

That aspect of the haskamah which would later take on nearly central importance, the copyright restriction, is foreign to these haskamot. Due to the circumstances of the haskamah's development suggested here, it is interesting to note the lack of this restriction. David Kimchi had been dead for approximately two hundred fifty years, and yet there seemed to be no hesitation on the part of Yehoshua Soncino to issue a second edition of Sefer Hashorashim only five months after the appearance of that of Gunzenhauser. On the contrary, his colophon (indirectly) makes detracting

statements about the earlier edition his is intended to replace. In this setting, therefore, when the haskamah was first being shaped, amidst the fierce competition between Yehoshua Soncino and Yosef and Azriel Gunzenhauser in Naples, the haskamah had a different purpose. Its prime role was to assure the reader that the book was indeed valuable and should be bought. The present consensus as advocated by Benayahu, that the genre of haskamot begins with the Bachur and that its sole purpose was to guarantee reprint rights seems questionable in light of the approbational essays at the end of the Agur. The fact that the form of these essays was not copied till a quarter of a century passed need not necessarily lead to the conclusion that the Agur's haskamot did not ultimately serve as the models for the subsequent development of the approbational form in later rabbinic works.

## Notes to Chapter One

1. David Werner Amram, The Makers of Hebrew Books in Italy, 66, n.
2. Ludwig Blau, "The Pope, the Father of Jewish Approbations," Jewish Quarterly Review, 10 (1898), 175.
3. David Kaufmann, "The First Approbation of Hebrew Books," Jewish Quarterly Review, 10 (1899), 383f.
4. Leopold Loewenstein, Index Approbationum. The various maskimim are listed alphabetically and numbered as follows:  
 #539 Benzion b. Rafael דניאל, #650 Habib ibn Mose b. Shemtov, #787 Dannit Benzion b. Rafael, #1462 Isaac b. Samuel b. Chayim ספרדי, #2043 Kohn Salomo Chayim b. Jehiel Rafael, #2104 Leon Messer David b. Juda, #2105 Leon Messer Juda b. Jehiel, #2709 Netanel b. Lewi, #2876 Provenciali Jakob b. David, #3055 Salomo Chayim b. Jehiel Rafael, #3298 Sefardi Isak b. Samuel חיים. Number 787 is a duplicate of #539, as is #2043 of #3055, and #3298 of #1462.
5. William Popper, The Censorship of Hebrew Books, 38.
6. Isaiah Sonne, Expurgation of Hebrew Books--the Work of Jewish Scholars, 21-38.
7. Meir Benayahu, Haskamah Ureshut Bidefuse Venetsiah, 19.
8. Ibid., 39.
9. Ibid., 71. The line Benayahu identifies is: "וכהיות כי נאצל על הספר הזה מהוד גדולי הדור וחכמיו... אשר כלם העידו על טוב הספר הזה ועל חועלתו הגדולה... אמרו אצופהו כצדוק הכסף לתקן כל החסרונות."  
 It appears, however, that this statement may even have been written by Landau himself (cf. within, haskamah VIII).
10. Cecil Roth, The History of the Jews of Italy, 276f.; Moses A. Shulvass, The Jews in the World of the Renaissance, 26; see also the haskamot within.
11. British Museum, Catalogue of Books Printed in the XV<sup>th</sup> Century Now in the British Museum, Part 6, 854.
12. Roth, History, 224; he states that the craft was brought to Naples in that year, but no Hebrew books from Naples show that date.

13. Amram, 63.
14. British Museum, 886.
15. Ibid., 870; Cecil Roth, Studies in Books and Booklore, 59ff.
16. Roth, History, 224.
17. "Gunzenhauser (Askenazi) Joseph Ben Jacob," Encyclopaedia Judaica, 7. (1973), 980.
18. Herrman M.Z. Meyer, "Incunabula," Encyclopaedia Judaica, 8 (1973), 1340.
19. Moses Marx, Gershom Soncino's Wanderyears in Italy 1498-1527, 9.
20. Amram, 66.
21. Ibid.
22. Meyer, 1324ff. The Neapolitan publications of these two printers (examples of which still exist) are listed below. Gunzenhauser: Holy Bible, Psalms, with commentary by D. Kimchi; Holy Bible, Proverbs, with commentary by Imanuel b. Shelomo of Rome; Holy Bible, Hagiographa, with commentaries by D. Kimchi on Job, by Yosef b. Simeon Kara on Lamentations, and by Rashi on the remaining books; Ibn Ezra, commentary on the Pentateuch; Trevot, Makrei Dardekei; Kalonimus b. Kalonimus, Even Bochan; Bachya b. Yosef Ibn Pakuda, Chovot Halevavot; Moshe b. Nachman, Shaar Hagemul; David b. Yosef Kimchi, Sefer Hashorashim; Moshe b. Nachman, Commentary on the Pentateuch; Avicenna, The Canon; Bachya b. Asher, Commentary on the Pentateuch; Jacob Landau, Agur and Sefer Chazon. Soncino: Prayer Book, Sidur, Spanish rite (for "ben Porat"); David b. Yosef Kimchi, Sefer Hashorashim; Holy Bible, Psalms, together with Job and Proverbs; Holy Bible, with Rashi, Megilot, Haftarot and Megilat Antiochus; Holy Bible; (Anonymous?) Petach Devarai; Mishna, with commentary by Maimonides; Holy Bible, complete; Holy Bible, Pentateuch with Haftarot; Holy Bible, Psalms; Holy Bible Psalms.
23. Roth, Studies, 75.
24. Ibid.
25. Ibid.

26. Ibid., 77; see also Joshua Bloch, "Hebrew Printing in Naples," reprinted in Hebrew Printing and Bibliography, Charles Berlin, ed., 120.
27. Bloch, 119.
28. Marx, 9. In the later haskamot, however, the Biblical reference is used to prevent reprinting a work already published by someone else, precisely what Yehoshua Soncino did in relation to Gunzenhauser when he printed his Sefer Hashorashim (cf. within).
29. Michael Pollak, "Production Costs in Fifteenth Century Printing," Library Quarterly 39:4 (October 1969), 318-330; for evidence indicating that printing was a very expensive procedure, often requiring investors.
30. Another theory explaining the lack of Talmud publications in Naples may be suggested. The unstable conditions in the North were to a great extent due to the increasing power of the Inquisition. While the Inquisition frowned on all Hebrew printing, the Talmud was particularly disliked. Yehoshua Soncino may have been allowed to reopen his shop in Naples, distant from the growing strength of the Inquisition, but on the condition (shared with Gunzenhauser) that no talmudic works were to be published. Only two books of a talmudic nature were printed in Naples: Maimonides' commentary to the Mishna (Soncino, 1492) and the Agur. These may have been printed as an attempt to evade the ban on the Talmud. The Maimonides work is among the very last to be published by the two printers in Naples. If, instead of the date for the Agur posited in the body of this study, it was as Amram states: "the last work printed in Naples (p. 66)," the publication of these works may have helped precipitate the end of that glorious period.
31. Meyer, 1341.
32. Ibid., 1324.
33. Moses Marx, "Catalogue of Hebrew Books Printed in the Fifteenth Century Now in the Library of Hebrew Union College," Studies in Bibliography and Booklore, 1 (1953-54), 31; he calls it a colophon, but Amram (p. 63, n.) calls it an epigraph.
34. Marx, "Catalogue," 31; in some copies it is signed by Yehudah Ibn Katorzi.



35. Roth, History, 224.
36. David ben Yehudah Meser Leon, Kevod Chachamim, 64; cited in Shulvass, 275.
37. Bloch, 116f.
38. Shulvass, 175; 268.
39. Meyer, 1337.
40. Ibid., 1324; 1341.
41. Amram, 66.
42. Moritz Steinschneider, Catalogus Librorum Hebraeorum in Bibliotheca Bodleiana, number 9007. Other maskimim that appear in Steinschneider are: David b. Yehudah Meser Leon #4819, Yehudah b. Yechiel Meser Leon #5724, and Yakov b. David Proventsai #5603.
43. Meser Leon, Kevod, 64.
44. Yehoshua Horowitz, "Leon, Messer David Ben Judah," Encyclopaedia Judaica, 11 (1973), 27.
45. Shulvass, 230.
46. The possible attribution of Petach Devarai to David ben Yehudah (by James Barr, "Linguistic Literature, Hebrew," Encyclopaedia Judaica, 16 (1973), 1389) adds more evidence illuminating the close relationship that existed between the Hebrew printers of Naples. David ben Yehudah wrote a haskamah to a book published by Gunzenhauser. This book was written by Jacob Landau, whose son, Avraham ben Jacob Landau was a corrector for a book published by Yehoshua Soncino. The book published by Soncino on which Avraham ben Jacob Landau worked may have been written by David ben Yehudah Meser Leon!
47. Shulvass, 152, n.
48. Amram, 66. While in his translation of Meser Leon's haskamah, Amram uses the same words to translate צוף דבש as he does for the title of Meser Leon's book נופת צופים "Drippings of the Honeycomb," he is not aware of the double entendre.
49. Ibid.

50. Abraham David, "Ibn Habib, Moses Ben Shem Tov,"  
Encyclopaedia Judaica, 8 (1973), 1178.

51. Meyer, 1334.

## II. THE EARLIEST RESPONSA DEALING WITH PRINTING

There exists an extensive responsa literature of the fifteenth and sixteenth centuries. During that period, printing was invented and became an important means of communication, revolutionizing the way information was distributed throughout Europe. Many Jews, including a significant number of rabbis, were deeply involved in printing almost from its inception. Nonetheless, the problems relating to the new invention did not receive much attention in the extant responsa of the period. In those responsa for which printing was an issue, the actual problems of the craft were only a peripheral concern. Some responsa did not survive; there are, however, allusions to at least one of these in the responsa examined here. The four sixteenth century responsa that do exist are the earliest that deal with the craft. As such they have immense potential significance for the historian of Hebrew printing.

The art of printing was over a hundred years old by the time these responsa were published. The four responsa presented here were written by three rabbis: Samuel ben

Moses de Medina and Menahem Azariah da Fano (who wrote one each) and Benjamin Slonik (who wrote two). Only the two by Medina and Fano were definitely written in the sixteenth century. Though they were published after the year 1600, the two by Slonik were quite possibly also written during the earlier century. Most of the problems dealt with in the responsa are halachic in nature; none specifically deals with the craft as such, but they do give some understanding of what these three rabbis knew about printing. The authors of these responsa give not only the legal decisions, but some information about the state of the printing craft as they decide the various issues before them. This includes whether proof sheets from printing Hebrew texts might be used in making bindings, whether the margins of a printed page might be trimmed during binding, or whether a printed get is valid, as they discuss the general holiness of printed texts.

The responsa presented here have already been examined by scholars interested in the history of Hebrew printing.<sup>1</sup> They were studied, however, only with regard to their role in the development of the halachic response to the invention. This study will instead focus on the technology as described in the responsa in order to learn what the rabbis knew of printing as well as what their attitude was toward the new craft.

In turning to the responsa for historical data, certain problems arise that should be discussed before examining the texts themselves. Though they are undated, the four responsa herein reproduced were probably written during a twenty-five year period approximately one hundred years after the development of Hebrew printing. To generalize from this small amount of material would (at this time) be quite rash. Samuel de Medina seems to have posed his own question. Nonetheless, there is no reason to believe that this was merely an intellectual exercise on his part and that the situation described in his responsum was not actually the case. Because these responsa discuss the problem of printing, they were of course written after the invention of that craft. Due to this fact, their manuscript traditions were very short and chances are that very few interpolations were made into the texts. In fact, only Slonik's works were published (13 years) after his death. Presented below are the texts with their translations, the processes described and the technical terms used. Included also is an analysis of the state of the printing craft as depicted in these responsa and certain conclusions regarding the respondents' awareness of the actual processes involved in the new technology.

As stated above, not one of the responsa is dated; however, the earliest of them is probably that by Samuel

ben Moses de Medina (the Maharashdam). Medina lived in Salonika from 1506 through 1589 and was well respected as a halachic authority for the Spanish exiles in the Ottoman Empire and Italy.<sup>2</sup> Medina's responsa were first published beginning in 1582 (or 1587(?)-1589), a couple of years before his death.<sup>3</sup> His son, R. Moses, founded a Hebrew press in Salonika in 1594 at which a second edition of the responsa was among the first works published.<sup>4</sup> Whether or not the family interest in printing existed in the time of the Maharashdam as well it is difficult to say.

In Medina's responsum, all of the data of historical interest regarding the development of printing appear in the question. This question is posed by a knowledgeable individual (possibly Medina himself<sup>5</sup>) who is apparently quite familiar with the local procedures. The specific practice discussed, however, actually has little to do with the act of printing. Rather, at issue is a technique used by bookbinders. This practice of the bookbinders was generally known. As was mentioned by the questioner, people in the community voiced their concerns, feeling that the binders were committing acts of desecration. The questioner describes at length the process of the bookbinders and refers to, or quotes from, an earlier (no longer extant) responsum. Access to the proof sheets that went through the Hebrew presses was available to the bookbinders. There-

fore, they may have been part of the printers' staffs or worked in the same general area or building. These proof sheets were collected and glued together with engrudo.<sup>6</sup>

The use of this Spanish term for paste or cement illustrates the Iberian origin of Hebrew book making in Salonika. The cardboard produced in this manner was trimmed to the size of the specific books and used for bindings.

The two stages of this process raised two problems for the questioner, each of which deals with the permissibility of destroying holy printed texts and the Divine Name in particular. First, was not the gluing of these pages together, and, second, was not the trimming of the resultant cardboard and the apparently casual disposal of the scraps on the floor a form of actively destroying the Holy Word? The bookbinders claimed that there existed a responsum that sanctioned their practices. Alluding to the bookbinders' authority, Medina suggests that perhaps this was permitted because: 1) printing is not the commanded "writing" (this point will be discussed from a different perspective in the first responsum by Slonik); 2) the printing is not physically attractive due to the uneven application of ink by the printers; 3) the texts are not produced on the materials required by halacha for Torah scrolls, tefilin and mezuzot (the various forms of parchment), but instead on paper, nor, 4) is the resultant printed text produced with the appropriate intent

for ritual use (this point will also be discussed, though dealt with differently, in Slonik's second responsum). Due to these differences between printing and writing, the bookbinders maintain that the use of the new technique places the texts in a different category from the holy books that are produced by writing. These texts are then deemed to be secular in nature and their holy qualities removed so that considerations of proper disposal of a Hebrew text are not applicable.

The bookbinders whose work gave rise to the question are unknown. This may have been the general practice of the binders in Salonika. Hebrew printing began there in 1513 after the arrival of Don Yehudah Gedaliah, his son (Moshe) and his daughter, exiles from Lisbon, Portugal. Don Yehudah had managed the press of Eliezer Toledano in Lisbon and had brought some typographical materials with him. Gedaliah's press continued producing until 1529.<sup>7</sup> With the arrival of Moshe Soncino in 1525, that famous printing family began its short period of publishing in Salonika; they moved to Constantinople in 1529.<sup>8</sup> It is not clear when the brothers Shelomo and Yosef Jabez began their work in Salonika, perhaps as early as 1543 but almost definitely by 1560.<sup>9</sup> Because this period coincides with the greatest span of Samuel de Medina's mature years, it may be regarding the work of their shop that the questioner is asking in this



responsum. The Jabez brothers continued in business until about 1572.<sup>10</sup> Their press was purchased by David ben Avraham Azubib who was active as a printer from 1578 through 1588.<sup>11</sup> The first edition of Medina's responsa was published by Azubib.

One thing seems clear from the responsum: at the time this question was posed, little or no printing in Salonika had been or was being done on parchment. If any of the Hebrew books printed in Salonika before the seventeenth century still have their original bindings, it would be interesting to examine them to determine whether or not (and, if so, by whom) this process of making bindings was used. The question of dating the responsum might also be resolved in this manner: those bindings that used Hebrew texts would be pre-responsum, and those without, post-responsum. However, the examination might instead shed light on whether or not, or to what extent, the prohibition was observed; do the bindings of Medina's own printed collection of responsa and those books of this son's press have Hebrew texts in them?

#### ON THE USE OF PROOF SHEETS FOR THE BINDING OF BOOKS

From the Responsa of Samuel de Medina

Yore De'ah #184

It being the practice here in Salonika among the binders of bookbindings to make a board; and

of the remnants of the pages and leaves that remain from the work of printing, from these [that are left over from printing] peirushim and midrashim, and also from those [left over from printing] the Torah, Prophets and Writings, and they use them in this manner: They stick leaf to leaf by means of engrudo till it is made into the form of a large tablet. Afterwards they place this tablet as a shield for the bound books. And according to what appears, they destroy them [the pages (and the texts printed on them)] by hand by means of this engrudo. And not only this do they do, but they also cut these tablets into small pieces to serve as shields of small books. And they discard from these, in order that they be destroyed, small pieces that they make [in order] to even out the tablet to [the size of] the books. And they trample them with their feet.

And the truth is that this matter is amazing in the eyes of the masses, and also in my eyes, I, an ignorant person, would be amazed. And I had no mouth to speak, for they were relying on a

great authority;<sup>1</sup> till it became problematic [for me], so much so that I could not restrain myself and my heart was faint for I did not believe them and I accepted for myself to search, according to the attainments of my hand to see if I would find regarding this matter, if it has something of reality to it, [i.e.] that it be fitting to depend upon it [the no longer extant responsum]. And according to what I see, it is a complete error, and I do not believe (it shouldn't occur) a permit has been issued by any great man [to do this].<sup>2</sup> Even so, they continue this practice, and it is appropriate to say first at least according to their explanation, what is the reason that it was seen fit to permit.<sup>3</sup> Till according to what appears, it was possible to raise four contentions. And these are they:

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1

It is not known who this authority was. If such a responsum existed it has not been published and perhaps had been lost as early as the eighteenth century because it is not mentioned in Pachad Yitschak by Isaac Lampronti. The responsum is not mentioned in the more recent Sedei Chemed either.

2

Perhaps the responsum never existed!

3

What follows is an exposition of the four rationales offered by the bookbinders and/or the earlier responsum.

one, from the perspective of being stringent regarding [the interpretation of what is writing], for in all holy writings, for example sefarim, tefilin and mezuzot, one requires writing and not engraving; and even regarding a get [this is the case] (since it is written: "And he will write" we teach and not "and he will engrave.") for printing he is not writing at all, rather it is engraving, they say, etcetera.<sup>1</sup> Two, from the perspective of the form. And this is that holy writings that are mentioned [above] require that the form of the writing should be perfect and as they taught, from "Uchtavtam" [Deut. 6:9, 11:20] and here, in this matter [printing] there are many letters that are connected one to another. This is what they say, etc.<sup>2</sup> Three, from the perspective of the [part of the] subject

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<sup>1</sup>  
Printing is not writing, therefore the prohibition against the destruction of the holy "written" word does not apply.

<sup>2</sup>  
It appears that the quality of printing in Salonika or known to the earlier respondent was poor, so much so, that what was produced by that method could not be considered as a fulfillment of the commandment to write the texts. (This assumes that printing could be used were the quality high enough!) Therefore, their destruction was not considered as the destruction of the holy writings.

which is the paper.<sup>1</sup> For all holy writings are either on parchment [גויל] or on parchment [קלף] or on (cheap) parchment [דוכסוסטוס],<sup>2</sup> and it is obvious that on paper they are invalid. More, the fourth contention is that it is impossible to read it [for public worship]. This is a teleological reason.<sup>3</sup> For all holy writings referred to require their writing to be for their own sake. And if one wrote a holy text not for its own sake, it is invalid. This is what they say. It appears from all these contentions, printing appears regarding them [?] according to those who are accustomed to permit and therefore they are accustomed to act thusly.

However, it appears to my humble knowledge that there is not in all these contentions enough reason to say that they do not require storage.

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1

The bookbinders maintain that in order for the writings to come under the prohibition of destruction they would have to be on some form of parchment. It can be assumed from this (aside from the exorbitant cost) that printed parchment was not used to make the cardboard of bookbindings.

2

Though duchsustos is a cheaper form of parchment, it is not clear what the difference is between gvil and klaf; one of these might be vellum.

3

The point is made that since these texts cannot be used for public readings, they may be disposed of by destroying them in this manner of recycling.

And how much more that there is sufficient [reason] to say that it is permissible to destroy them by hand. But this [the destruction of texts] we have not found [permitted] except regarding books that are written by heretics, and even regarding this there is a debate in the Gemara, tractate Shabbat, chapter Kol Kitvei, where it says there [Shabbat 116<sup>a</sup>] the margins and books of the heretics we do not retrieve from the fire [on Shabbat], R. Yose said: on weekdays one must cut out the Divine Names which they contain and store them and the remainder, burn, R. Tarfon said, etc. And so, the halachah is according to R. Tarfon as the Rambam wrote [in the Mishneh Torah] chapter 1:45 on tefilin and this is the language: "Torah scroll, tefilin and mezuzah that a heretic wrote are to be burnt," until: "which a Gentile or minor [wrote] behold, these are invalid and are to be stored." Behold, if so, we have found that even if they were written by a Gentile, the writing is not for its own sake, [by] a deaf, dumb and/or minor, these diminish [the value] of writing, as it is proven in Gittin, chapter Hameivi Get [2], even so, it requires storage.

Answer -- we read in [the] chapter referred to [Kol Kitvei, Shabbat 115<sup>a</sup>] in tractate Shabbat:

"It was stated: if they were written in Targum or any [other] language, -- R. Huna said: they must not be saved from a fire, while R. Chisda ruled: they may be saved from a fire." And it says in the Gemara: "On the view that it is permissible to read them, all agree that they must be saved. They differ only according to the view regarding those that may not be read." And the explanation of R. Porat [Tosafot Shabbat 115<sup>a</sup> s.v. "lo."] is that this is the same reason, since they were not permitted to write them, it is forbidden to read them; because written words you are not permitted to speak by mouth [i.e. without a text]. Behold, for even though the writing which is as if it didn't exist, even so, it is according to the opinion of R. Chisda, [that] we rescue them from the fire and even R. Huna, who disagrees, does not disagree except in the matter of saving, but in the matter of hiding them, even R. Huna agrees that it is proven as it says below, as it is said [Shabbat 115<sup>a</sup>]: "R. Huna explains it in accordance with his view. Whether we read them [i.e.] the Prophets, etc." till: "that is if they are written in the holy tongue, but if they were written in any [other] language, we may not save them, yet, even so, they

must be stored." And even though the Tosafot found difficulty with the explanation of R. Porat and he [sic] said that this is not that you are not permitted to say them aloud, in any case (be the reason whatever it is), the result is, we learn that even regarding things that are forbidden to be written and forbidden to read from, need to be stored, according to everyone's opinion.

And according to the opinion of R. Chisda it was permissible to save them from fire on the Shabbat. In any case, these are our holy writings for it appears that according to everyone we save them. And what did the Tosafot write about the passage at the beginning of the chapter referred to? This is the text: "[How can you compare these two cases?] Now, our books we save [from the fire] because we are permitted to read them, because [we are now permitted to write oral traditions] because [Ps. 119:126]: 'It is time for the Lord to work, etc.'" And afterwards how is it possible to say (God forbid!) that it is permissible to destroy them by hand and act with them in an impious manner? He means to say that this perverseness is certainly a great sin: destroying them by hand. And as we say in the Gemara [Shabbat 115<sup>a</sup>]: "I remember that R. Gamliel your grandfather



was standing on a high eminence on the Temple Mount and they brought before him the book of Job in Aramaic, etc." until: "Moreover it is then permitted to destroy them with one's own hands?! Rather, they must be put in a neglected place to decay of their own accord." And, furthermore, we read there: from here [Shabbat 115<sup>b</sup>]: "They said those who write down blessings are as burners of Torah;" and according to the explanation of Rashi, this is so because we do not retrieve them [from fire] on Shabbat: "A case in point regarding one person who used to write in Sidon. They came and informed R. Ishmael about it. And R. Ishmael went to question him. As he [the writer] was ascending the ladder he became aware of him [R. Ishmael, so] he took a sheaf of blessings and plunged them into a bowl of water. In these words R. Ishmael spoke to him: 'The punishment for the latter deed is greater than the first.'" Behold, if so, that even in a place where one is not permitted to write, and if one wrote them, it is forbidden to save them from fire. Even so [if this is done] there is a great punishment for losing it or destroying it by [one's own] hands, even so, and how much the more so?! And it is a comparison of lesser to greater in the

issue upon which we are dealing. For according to what appears, it is permissible to save them as it appears from the Tosafot as referred to. For someone who behaves with them in an impious manner, or loses them, his sin is great.

And also, in reference to that reason that they are not holy because they are not written on parchment, etc. This also is void as we read in chapter Bameh Isha [Shabbat 61<sup>b</sup>]: "Come and hear: if it [the Divine Name] was written on the handles of utensils or on the legs of a bed, it must be cut out and hidden." This is what I have seen from the Gemara. However, afterwards I found in the book ר"ג, [?] (may his memory be for a blessing) a responsum of Maimonides (may his memory be for a blessing). He regards the existence of the prohibition as of great significance, to the point to which I don't know how it is possible in the world that one who sees this responsum will be lenient in this matter (heaven forbid!). And this is the text: "If the [Divine] Name was written," etc. as referred to above [in the Gemara, Shabbat 61<sup>b</sup>], afterwards he quotes a case in point regarding one who embroidered his talut [sic: "talit'?"]. He explains and says: "and he wrote the Name

[using] three yods ... and the authority of the city admonished him." And he [the one with the talit, in Rambam's responsum] does not accept this from him, Maimonides [who] wrote regarding this. And this is the text regarding the responsum on this matter: "It is a sin, and it is not correct at all and it is forbidden for two reasons. The first is that one is not to write from the Torah verse after verse, etc." until "And perhaps you will say this refers only to writing in a book and with ink, but engraving with wood or gold or embroidering clothing is permitted and this is the rule with embroidery. And since we have seen in Egypt, platters of silver and gold and there was written upon them a song of plagues and they hang them from the arms of children, we protested against them. And the second reason for forbidding this activity is correct and more powerful than the first, since the one who does this brings the words of Torah to degradation. For the tsitsit are tools of holiness which do not have within them bodily holiness and therefore one may go with a talit with tsitsit to the toilet and the bath house and to have intercourse in it and to use it to cover one's nakedness. And how is one to include the writings of Torah, which were spoken

and written from the mouth of Greatness, in the place of filth and degradation? For this is a depreciation of Torah without a doubt." And he extends greatly till: "and it is fitting to cut out the cloth which has on it embroidered words of the living God and to store them." Till here: he extends it further, but I have abridged it.

From all this it appears to me clear that what they are doing, these who attach thin pieces [of paper] is that they are destroying them by their own hands, that this is without a doubt a serious trespass. And God will atone for their sake for what they have already done. And also for this that they are gluing them by means of a glue called engrudo, it appears to my eyes to be prohibited for it is certain that the letters are erased and you have no prohibition of acts done by one's own hands that is greater than this. But in any case I do not want to exclude from the mouth a prohibition and prevent them from doing this until I see if my teachers and masters will agree on the matter. And the Rock of Israel will save me from all error, great and small. I am he who speaks. 'ננפ' נענ' [?].

Menachem Azariah da Fano offers a detailed description of what occurs at the moment of applying ink to paper in printing. Having lived from 1548 through 1620 in the important printing centers of Reggio, Ferrara, Venice and Mantua, Menachem Azariah da Fano had ample opportunity to gain this information.<sup>12</sup> While still a young man in his late twenties, he contributed to the expense and "took charge of" the edition (editing or printing/publication?) of Joseph Karo's commentary to Maimonides' Yad Hachazakah, the Kesef Mishneh.<sup>13</sup> In Mantua, where Fano ultimately settled, the Christian printers of Hebrew books, the Rufinellis and Philliponis were hiring numerous Jewish workers to assist them in their printing efforts. This occurred through most of his adult life.<sup>14</sup> Fano may have been involved in any or all of these endeavours to a greater or lesser extent. His own statement suggests that he was much more intimately involved than any of the other responsa writers of the period. He says quite plainly: "And we are acquainted with this craft, for we have hired many workers and overseen their work."

Fano, as well as Medina, refers to an earlier, unpublished responsum, as he deals with the question of whether or not a get may be printed. This may be the same responsum dealt with in Medina's responsum. There, the proscription was not actually that one may not print a get, rather, that since "for example [regarding] sefarim,

tefilin and mezuzot, one requires writing, and not engraving; and even regarding a get (since it is written: "And he will write", we teach and not "and he will engrave.")", the proof sheets for such a get may be used for binding books. Fano's reference to the responsum is more precise than Medina's and offers evidence about the technology that the earlier responsum did not bring: "and we have already heard from the scholars, one who has invalidated [this] even after the fact, and said that the paper or the parchment that is pressed with force at the time of printing is as engraving." Both of these responsa indicate that there was at least one earlier decision which dealt with the acceptability of printing for ritual purposes. Though neither Medina's nor Fano's references to the responsum indicate this specifically, it appears to have been very lenient, permitting the printing of most texts and allowing unused Hebrew printed sheets to be utilized for bookbinding as well.

Fano reports that he is acquainted with printing procedures, having supervised the work. He notes the possibility that a printed text may be legible even though no ink is used. Fano knows there are expert printers whose letters are all clear and distinct, one from the other. Distinguishing between these and the ones who are inexpert, and whose work is sometimes blurred and who leave portions of the letters unblackened, he defends the craft against

blanket condemnation. Fano also knows that the tool used, by which the letters are made to appear on the page, is a press and not something used for engraving. This understanding of the precise mechanics of the printing process, in which there is a physical impression of the letters into the paper or parchment, leads him to disagree with the earlier authority who considers printing as engraving. Instead, Fano uses the word "press."

Fano's halachic argument is based on this distinction between pressing and engraving and a subtle interpretation of Exodus 34:1 and 32:16. He contrasts the printing process with pressing coins. Whereas regarding coins, the surrounding areas are depressed and the letters remain protruding, regarding a printed get, it is the letters themselves that are pressed into the page [cf. Gittin 20<sup>a</sup>]. Such a get, with or without ink, is identified by Fano as valid. As for the contention that printing is the same as engraving and entails scraping, not only does his apparent eye-witness account contradict this, but Fano offers a Biblical proof to substantiate his claim. Fano indicates that even God's activity in producing the Tablets of the Ten Commandments, which resulted in the letters being lower than the stone upon which they appeared (as on a printed page) was considered "writing." The first publication of the Ten Commandments is described [Ex. 32:16]: "And the tablets were the work of God, and the writing was the writing of

God, graven [חָרַתָּה] upon the tables." This set of Tablets of the Law was destroyed; therefore, lest there be any question that the second edition was prepared differently, Fano quotes again [Ex. 34:1]: "... and I will write upon the tables the words that were on the first tables which thou didst break." Fano feels no need to stress that the word used for graven is a hapax legomenon and not the more commonly used word כָּתַב which is applied to printing.

Fano's concern with the halachic fine-point must ultimately disappoint the historian of printing. After describing the press, he states: "And more than this I will not say what we think regarding these printed things ... rather, only a little bit, and regarding halachah only."

#### ON THE WRITING OF THE GET

From the Responsa of Menachem Azariah da Fano

#93

QUESTION: The bills of divorce of women that are made by printing -- are these called written, and are they valid or not?

ANSWER: An Israelite who is acquainted (with the laws of "lishma") for her alone should place it [a sheet of paper or parchment for the get] in the machine, [and] will place it [the text of the get] properly on the sheet with ink. And by any means he writes, even a priori, [the get is valid].



Yoma 38<sup>b</sup> in which ben Kamtsar is cursed because he would not share his valuable means of writing the Tetragrammaton in one stroke. Slonik is careful not to suggest that what ben Kamtsar did could be called printing. He only indicates that, from this incident, one can learn that the ability to produce the entire Tetragrammaton on paper at one time should increase a text's holiness. Regarding the possible objection to printing many Divine Names at once, each of which should be pronounced and sanctified individually, Slonik quotes from the Beit Yosef to the Tur Yore De'ah #276. There it is stated that a scribe may write a number of Divine Names at one time if they are near to each other. The argument of the unknown responsum that a printed text has less holiness than a manuscript is countered, but little evidence regarding printing is revealed in the process.

Slonik's second response is even more disappointing to the historian of printing. There is a slight suggestion that he had an involvement with printing when Slonik writes about "that which we are accustomed to do in the binding of printed books." However, aside from repeating what the questioner has already stated, namely, that the binders trim the margins and throw the scraps to the floor, he gives no further particulars. This does, however, reveal one detail of the then current practice in book production: owners did not have to slit open the signatures.

Slonik permits this practice and indicates that such is the intent of the printers. While there is no prohibition against throwing away the scraps produced in the process of binding, Slonik would probably agree with Medina in the earlier rabbi's prohibition of using proof sheets for bindings. Slonik does not comment on the question directly, but he does identify printed books as "accessories of Holiness" which require storage when no longer usable.

#### ON THE HOLINESS OF PRINTED BOOKS

From the Responsa of Benjamin Slonik

#### Mas'at Binyamin #99

[Ps. 1:3]: "A tree planted by streams of water," its top reaches the heavens. As with a stone of the stones of marble, do not say "They are water."

Behold, he is the beloved of the sons of the father and the highest in the wisdom of the heights [and] the depths, the head of a school and head of a court, our master, the rabbi, Rabbi Abraham, the Merciful One guard him and redeem him.

Concerning the matter you have asked me regarding the books printed with a press, whether they have the holiness of books that are written by writing and with a quill pen.

Another question, regarding on what they rely now, those who bind books in a bindery and cut

the sheets, as is the way with the craftsmen who work in binding, and throw the sheets on the floor and to the trash, since we see in Sefer Mitzvot Hagadol that he writes that if someone wrote the Name on the sheet of parchment, that the whole sheet is holy.

ANSWER: Regarding the first first, and the last, last. The question regarding the holiness of printed books, it appears that one should not distinguish between books written by writing and between books printed by printing, and all the holiness that written books have, printed books have also. For what is it to me if it is in writing, what is it to me if it is in engraving. And refer to the responsum of Rabbi Menachem Azariah [da Fano] #93 as they say in chapter two of Gittin [20<sup>a</sup>] regarding a slave who was freed by a writ that was on the back of a tablet or on a board and he went out to freedom, etc.

And the holy Diadem also was not in writing, but engraving [חֲקִיקָה] as it is said there [Gittin 20<sup>a,b</sup>] its writing was not depressed [שָׁקוּעַ], rather protruding [בִּזְלוּט] as with gold dinars; nonetheless it is written on it the writing of the openings of a seal; there are

those who say it is writing. And the Tablets were also [produced] by engraving [חֲקִיקָה] as it is written [Ex. 32:16]: "Graven [חָרוּת] upon the Tablets." And according to this it calls them writing in some Scriptural passages. As it is said [Ex. 32:16]: "And the writing is the writing of God," and it says [Ex. 31:18 and Deut. 9:10]: "Written with the finger of God." And as the Tosafot wrote there,<sup>1</sup> and learn from this that engraving and writing are one word.

But it is taught [in a baraita] there [Gittin 20<sup>a</sup>]: "[Deut. 24:1, 3]: 'And he will write her a bill of divorcement.' and not 'and he will engrave.'" It is maintained there, regarding [if] one chisels [the letter] out [from] the surrounding [it is invalid], but [if] one digs the sides [out from around the letters], it is considered valid. And it is amazing that "engraving" is repeated. For there [in the first case] the body of the letters are engraved

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Cf. Gittin 20<sup>a</sup>, s.v. לְמִימָרָא: Does this mean that engraving is not writing? It will be found לְאֶקְשָׁיִי of the tablets it is written regarding it "writing" in some Scriptural passages, and their writing was engraving as it is written [Ex. 32:16]: "Graven upon the Tablets." Rather, he is satisfied to raise the objection from get to get.

as in the Tablets, the writing [of which] was engraved and hollowed; and this is the same as engraving the letters themselves, and as they say everywhere, mem and samech that were in the Tablets [cf. Megillah 2<sup>b</sup>-3<sup>a</sup>] were by a miracle out-standing. And so it was regarding the Diadem also, even though its letters were protruding, as in gold dinars; even so, there it is also [formed by] engraving of the letters themselves, for he did it [by acting] on the body of the letters, as they say there as with golden dinars. But it is not as golden dinars, for those there are engraved around, and this [the Diadem] is engraved itself. There [the dinars] inside and here [the Diadem] outside.

And [refer to] the explanation of Rashi, (may his memory be for a blessing), [Gittin 20<sup>a</sup>]: "Engraved; that the Diadem was fine as the appearance of a plate, and he pressed the letters on the one side and the pressure is on their insides and they protrude on the second side." From the outside of the Diadem; the pressure is from the outside and it protrudes from the inside. And learn from this regarding the Tablets, and regarding the Diadem there was engraving by means of an activity on the body

And the witnesses, they also, every one is authorized to sign his name by himself in this manner, and that is halachicly correct [it is a legal get]. And we have long ago heard from the scholars, one who has invalidated [this] even after the fact, and said that the paper or the parchment that is pressed with force at the time of printing is a form of engraving. But we are acquainted with this craft, for we have hired many workers and overseen their work.

And it has become clear to us that there is no validity to these statements, neither regarding the halachic discourse nor in the point of view of manufacturing. For even if the letters were engraved into the body of the paper and could be read without ink, in such a form, it is [with the] sides engraved [i.e., the letters are in hollow relief] and it is valid regarding women's bills of divorce and [documents of] manumission of slaves as it comes in chapter Hameivi Tanin [sic: "Tinyana"] (page 2 [sic: "20"] side 1). Even though in a Torah scroll, tefilin and mezuzot hollow engraving is also invalid for everything which is an act on the body of the letter, we require regarding it

[Torah scroll, etc.] that it be writing and not engraving. But this case regarding our printing machines [used for bills of divorce, to which we are referring now,] the essence of the writing is with ink. And the printers don't press the parchment with their press except so that the letter will be well drawn in ink and that there not remain a part of it unblackened as will occur frequently with inexpert craftsmen. And more than this I will not say what we think regarding these printed things even though our words will not be in what remains [regarding] this, rather, with some aspects of the problem and regarding halachah only.

We return [to the problem] regarding women's bills of divorce, about which the Merciful One has spoken: "and he shall write" and it is said by our masters [Gittin 20<sup>a</sup>]: "'And he shall write' and not 'and he shall engrave.'" It is possible to object for behold it is written [Ex. 34:1]: "And I will write on the tablets" and it is written [Ex. 32:16]: "graven on the tablets"! This is exactly what I said, that it is digging the sides [i.e., engraving the letters themselves] which is valid for a get! It [the

get] is similar to this activity regarding the tablets, for either is possible to engrave them [so that they are] in one mold, like a get that is made on a writing tablet and the engraved letters are sunk into it, for it is valid. That if they protrude, this is stamped or incised, as it says in the Gemara that it makes holes and it is invalid. And it is explained they said in the Jerusalem Talmud in the same chapter [Gittin 44<sup>b</sup>]: "If one traces something in the shape of writing on a skin it is valid. If one draws on a skin figures like writing, it is invalid." And this [printing] is the same as stamping of [according to] the Gemara [cf. Gittin 20<sup>a</sup>] that it is a type of printing of the coin. But a Torah scroll, which is not valid except on skin and in ink, behold these [skin and engraving] are two items. And even with the engraving of the letters themselves, this is not the way of writing in this [manner for a Torah scroll]. But with a get, for which ink is not indispensable [cf. Hullin 83<sup>b</sup>]. Even with ink we have validated engraving of the letters only for in some things, since it is fitting that for "whenever proper mingling is possible, the mingling is not indispensable."



The two responsa by Benjamin Aaron ben Abraham Slonik are the latest in the group examined. Recent scholarship suggests that he was born in Grodno; whether or not he was there at the time this responsum was written is not known.<sup>15</sup> There are slight indications from his responsum that he was familiar with printing; if so, this knowledge was not gained in Grodno, for Hebrew printing did not begin there until the eighteenth century.<sup>16</sup> The texts of his two answers, responding to the two parts of one question, are the longest of those examined here. Slonik, however, makes the fewest references to the actual technology of printing. The dating of these responsa as latest is based not only on the fact that they are towards the end of his collection of responsa that are primarily arranged chronologically, but essentially because of internal evidence in which he refers to the responsum by Fano already described. Though little is known of Slonik, he did have some involvement with printing, for he was one of the signatories on the 1603 proclamation of the Jaroslaw synod of the Council of Four Lands which authorized the printing of new books.<sup>17</sup>

Slonik's two responsa on aspects of printing are primarily talmudic discourses and offer little evidence about the nature of printing. He calls printing "engraving" as opposed to writing. Whether by the time Slonik wrote

these responsa there was a significant development in the production of paper or the technique of making an impression is not clear. Slonik implies that while in an earlier period (as reported by Medina) the writing was depressed into the paper, "ever since then in the craft of printing, in which the writing is not depressed and not protruding, but the ink only adheres to the paper by means of the impression of the letters," there is no reason to consider this engraving. Because of this (though in contradiction to his earlier statement) he considers printing as "valid writing in all cases."

Like Medina and Fano before him, Slonik refers to an unknown responsum. According to Slonik, this responsum mentions a detail not dealt with in that (or those) to which his predecessors refer. Slonik accepts printing as "valid writing in all cases." Nonetheless, he reports (alluding to the unknown responsum?) that "there are those who make fine [distinctions] apparently wherein the art of printing differs." Their argument, as he reports it, is that the entire page is printed at once, and true writing requires a separate sanctification and exertion of effort for every letter and word. Whereas he is indeed referring to a technical aspect of printing, one could hardly say that this was unknown to those not intimately involved in the craft. Responding to this argument, Slonik quotes from

of the letters. In contrast to this, in the craft of printing, in which the writing is not depressed, and not protruding, but the ink only adheres to the paper by means of the impression of the letters; behold this is not a difficulty, for in all real writing also, the letters are not depressed and not protruding rather, the ink adheres to the paper or the parchment by means of the quill -- and what is the difference if this is by means of a quill or by means of printing?

And another piece of evidence that he has taught there [regarding the baraita in Gittin 20<sup>a</sup>]: "But not if the writing is woven into a woman's headband or a piece of embroidery." The explanation of Rashi: "Anduchtarei is material and they embroider on it figures with a needle which appears as 'broider' in the vernacular. And if they embroider upon them letters, the get is not writing, since it is not written and fixed, rather it is placed on the clothing and its two beginnings are inserted." Therefore the conclusion is, this is the reason that it is not [considered] written and attached, rather placed on the article of clothing; for if it was written and adhering it

would be valid writing. Even though there is not here writing, nor ink, nor paper, nor parchment. Certainly in the craft of printing, where the writing is with ink and it adheres to the paper or parchment, that this [printing] has regarding it the rule of valid writing in all cases.

And yet there are those who make fine [distinctions] apparently wherein the art of printing differs.<sup>1</sup> For the entire page is printed at the same time and with one [exertion] of power, which is not in the manner of writing, wherein we write each and every letter by itself. And there are those who say that each and every letter requires effort and sanctification by itself and it is not sufficient for us with one effort and sanctification for numerous words and letters.

However, it appears, that, on the contrary, the opposite is reasonable [that printing is] of greater significance and greater holiness. There are those [who say] it is better to be writing [many letters or words] at one time than to be writing one after another each and every letter

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Another missing responsum?

by itself, as we find in tractate Yoma chapter Amar Lahem Hamamoneh [38<sup>b</sup>] regarding ben Kamtsar who would take four quills between his fingers and write the Tetragrammaton at one stroke. And it is concluded there that he did not want to teach regarding his method of writing and therefore they said regarding him [Prov. 10:7<sup>b</sup>]: "The name of the wicked will rot." And since they said regarding him "The name of the wicked will rot" because he did not want to teach [his method], learn from this that it is of greater merit to write the Name with one stroke. This is analogous to those occurrence[s] which support[s] him, Yoma 38<sup>a</sup> that the house of Garmu which was expert in preparing the shewbread and the house of Avtinas which was expert in preparing the incense and they did not want to learn [sic: "teach"] their skills. And [this was] because of the greater superiority that they had in making the incense and the shewbread and they were concerned lest a person learn it who was not suitable and would prepare it in that manner for the purposes of idolatry. And because [this was] a suitable reason, and for the sake of heaven that they intended that they did not want to reveal

the greater advantage in [preparing] the incense and shewbread, therefore, they [the sages] said regarding them [the houses of Garmu and Avtinas] it is said [Prov. 10:7<sup>a</sup>]: "The memory of the righteous shall be for a blessing."

But ben Kamtsar, who did not want to learn [sic: "teach"] the greater superiority of the activity of writing, without any reason in the world, they said regarding him: "the name of the wicked will rot." And since this one knew how to write all the letters of the Name with one stroke, this is thought to be a great and important advantage. Without a doubt there is in this a secret and much holiness, more than in a Name that they wrote the letters one after the other. And if so, this is the decision also regarding our craft of printing which prints the entire page at one time. This is not a diminution or a lesser holiness, rather, on the contrary, it is a greater advantage and greater holiness.

And even though there exist those who dismiss and oppose this and say that regarding one Name specifically, it may be advantageous to write it with one stroke as opposed to one [letter] after

the other, in contrast to this, regarding the craft of printing, [the case] is that one prints numerous Names at one time, and this is impossible, because it appears to them that one needs to express by the lips [i.e., pronounce aloud] every time one writes the Name that one writes it for the sanctification of the Name; and it is not enough that one pronounces it by his lips one time for [numerous] Names.

It appears that it is certain for the sanctification of the Torah scroll the ruling is thus but not regarding the remainder of books.

And refer above, that regarding a Torah scroll also, that when one writes two Names or three near one to the other there is no need to sanctify each Name by itself. And they don't say that one needs to sanctify each and every Name by itself, only with the Names that are not near, that one writes some words between Name and Name and there was no pause. But in [the case] when one writes some Names without pause it is sufficient for them with one sanctification. And this is proven in the words of Beit Yosef to the Tur Yore De'ah #276 regarding "one who had to write two Names, one after the other, if he pauses between them and

returns," that he wrote regarding this: "and it appears that when he returns to write the second Name, he needs to return and say that he writes it for the sake of the sanctification of the Name." And it is understood specifically in a case like this in which one engages in talking between Name and Name. And because this one [who talks] needs to return and sanctify, this one [the printer] is it not enough with one sanctification for two Names, [this is the contention]?

However, according to this, in books that are printed, in which one prints all the page at one time and with one force, it is sufficient [that there be] one sanctification for the entire page, for there is not here a pause at all! And because of this, it appears to me that this is also the decision if the scribe writes numerous Names at one time. And for example if the scribe was not pure and because of this he skips the Name and leaves for it a space and when he purifies himself he comes to write them at one time as the master of the Beit Yosef [writes] in the name of the Nimukei Yosef to the Tur Yore De'ah #276 that then it is sufficient for the scribe [to make] one sanctification for all the Names, since he



does not make pause between them.

And this is sufficient regarding your first question, that the decision has been expounded that printed books have all the holiness of books written by writing.

After I wrote this I found explicitly of R. Yerucham [ben Meshulam] in Sefer Adam, section II: 2 who quotes the responsum of Rambam who grasped that there is no difference between writing and graving [הריחה] and embroidering [רקימה] and he proves it there with clear evidences.

And refer there.

Thus says Benjamin Aaron be-R. Abraham Slonik, (may his memory be for a blessing).

#### ON THE TRIMMING OF PRINTED PAGES DURING BOOKBINDING

From the Responsa of Benjamin Slonik

##### Mas'at Binyamin #100

And regarding the second question which poses a difficulty to you regarding that which we are accustomed to do in the binding of printed books; [that is] to cut from the margins in the manner the craftsmen do so without being concerned about the holiness of the sheets.

It appears that there is no clear prohibition

with regard to the matter, for we have not found holiness regarding the margins of the rest of the books, only regarding the Torah scroll and tefilin and mezuzot. And even with these, their entire margin is not holy, only what is needed for the Torah scroll; for example, the margin above and below, and between parsha and parsha and between column and column that is at the beginning of the scroll and the end of the scroll and this is specified amounts. This is explained in chapter Hakometz Rabba [Menachot 30<sup>a</sup>] and in the explications of the authors that the unholy amount is of four fingers' width below and of three fingers' width above, and so [with] all these specified portions, it is explained there. And the reason is because all of the margin that is needed for the Torah scroll is used for the Torah scroll. For if there was not this margin, the Torah scroll would be invalidated and so the holiness of the Torah scroll is lost on account of it. But the margin that is not needed for the Torah scroll, why should the holiness of the Torah scroll rest upon it, since it is not used for the Torah scroll at all?

And this is what is meant in chapter Kol Kitvei

that they say there [Shabbat 116<sup>a</sup>]: "The scholars asked: 'The blank spaces of the Torah scroll, [on Shabbat], may we rescue them from fire, or not?'" And it requires the judgment from what is taught in a baraita: a Torah scroll that is erased [defaced] if there are that can be gathered eighty-five letters, for example the portion [Num. 10:35f]: "And it came to pass when the ark went forward.....", we save it [on Shabbat]. But if not, we do not save it. Why, conclude [that it may be saved] on account of its blank spaces? And it teaches: As for the place of the writing, [if the writing has left] I have no doubt [that it cannot be saved]; for if the writing has left, the holiness has left. My problem is only in respect to [the blank spaces] above and below and between parsha and parsha and between column and column, at the beginning of the scroll and at the end of the scroll. And since it is not said: "My problem is with the plain margin of the Torah scroll," and it says "of above and below, etc." learn from this that one is not required [to save] except the margin that is above and below the text for what is required for the Torah scroll.

But, the leftover blank margin beyond the portion that is needed for the Torah scroll it is plain that we do not save it. And it appears to me simple that [regarding] the margin that is required for the Torah scroll, all the time that the Torah scroll exists, the margin [itself] is holy by association with the Torah scroll. For up to here it has only been a question wherein there was a margin of a Torah scroll from which the writing was erased, but [regarding] a Torah scroll from which the writing was erased; but [regarding] a Torah scroll where the writing exists, it is clear that the margin is holy by association with the Torah scroll as it is taught in the Mishnah of Yadaim 3 [4, 5] and it [the Talmud] brings the Mishnah there in chapter Kol Kitvei [Shabbat 116<sup>a</sup>]. And the Talmud says regarding it: perhaps by association with the Torah scroll it is different. And in the same Mishnah it also teaches explicitly that the margins above and below, etc. defile the hands. And the meaning of this is also specifically the margin above and below defiles the hands because it is used for the Torah scroll and not the margin that is not needed for the Torah scroll, for if

not thus, it should have taught [that] any margins of the Torah scroll defile the hands. And thus explained R. Samson (quote): That regarding these margins these are needed for the Torah scroll. It discusses the Mishnah and since the required amount regarding which it is stated in chapter Hakometz Rabbah [Menachot 30<sup>a</sup> as discussed above], behold it is proven satisfactorily that even the margin of a Torah scroll is not holy, only the required amount of margin that is needed for the Torah scroll but the margin beyond the required amount, even of a Torah scroll is not holy. And so it is regarding all books regarding which one does not have to maintain any margin, neither above nor below nor from the sides. It is plain that the margin is not at all holy and it is permissible to cut all the margin to the writing. And this also comes [is explained] in Mishnah chapter three of Yadaim [3:4]: "R. Judah [sic: "Jose"] says that the end of the scroll does not defile until it is attached to the roller-post."

And Rambam explains it (quote): "And Rabbi Yitschak says: 'Thus, whenever there remains some parchment at the end [of the scroll], all the time that there is no pole made for it, upon which

for it (the scroll) to be wound, and [thereby] be included in the holiness of the scroll, it is still secular, since it is possible that one might cut [off] that which remains without writing.'" Till here is his statement.

Behold, it is clear to you [from this] that even regarding a Torah scroll the entire margin is not holy, rather it is secular and one can cut all the margin that is at the end all the time that one has not made a pole and wound [the parchment] upon it.

And even though that which the Sefer Mitzvot Hagadol (the volume of negative commandments), #3 wrote: "That if one wrote a Name [of God] on the sheet [of parchment] of a Torah scroll or on tefillin, and even in error, that the entire sheet [of parchment] is holy." And this is a valid examination of the passage as we render it.

In any case, it appears that we don't forsake the entire sugia of chapter Kol Kitvei and the Mishnas of tractate Yadaim in the presence of the words of the Sefer Mitzvot Hagadol, for he is the only one and all the authors didn't quote the words of the Sefer Mitzvot Hagadol in their writing.

And learn from this that [even] he [Moses of Coucy] doesn't consider thusly. Also, the implication that the Sefer Mitzvot Hagadol implies in the words of the Sefer Halachot Gadolot, is not required [to be understood] thusly; rather, it is written in the Sefer Halachot Gadolot: "If one wrote a Name that was not in its proper place." It is explained [as being] in a place where it is not appropriate to write, the entire margin is not holy regarding these. And the Sefer Mitzvot Hagadol implies from this specifically in a case where it is not in its place [however], this, where it is in its place, for example in a Torah scroll, its entire margin is holy? This is not an implication, rather this is his explanation. If one wrote a Name that was not in its place, the entire margin is not holy. That is to say the entire margin is secular and one may cut the entire margin up to the writing. And the implication is this, that regarding a Torah scroll the entire margin is not secular, rather, the required amount that the Torah scroll needs is holy and the remainder is secular.

And it is possible that also the Sefer Mitzvot Hagadol does not refer specifically to all the

sheet of parchment, as it says; rather, it means to speak [regarding] all the sheet of parchment as in the ruling regarding a Torah scroll, and of the required amount of margin that the sages said is needed to maintain as part of a Torah scroll. It appears to me that one is to settle the words of the Sefer Mitzvot Hagadol in order that there not be a difficulty with it from chapter Kol Kitvei and tractate Yadaim.

And even so, if you argue that the words of the Sefer Mitzvot Hagadol mean what they simply state.

In any case, it appears that also the Sefer Mitzvot Hagadol did not write thusly except regarding a Torah scroll, tefilin or mezuzah; but [regarding] the remainder of the books it does not, as the one who says that their margin is to be holy.

And more I'll say [on the matter]. Since he is habituated to make a binding for all the printed books and to cut the margins, if so, all who print with this intention, print in order to bind and to cut the margins. And this is in fact as if he had done it on this condition, that all the time the margin exists, it is holy; and



regarding the book [scroll ... Torah?] if the margin is cut, its holiness is diminished. And this is what Sefer Halachot Gadolot says to chapter Kol Kitvei, that a Torah scroll that is erased, if it has eighty-five letters that can be collected, one saves it, and if not, one does not save it. And an objection is raised; why does he say because of this margin [one must save the text on Shabbat], and in another place the writing does not require me [to consider] that it is holy? On account of the writing, it is holy. Were the writing to be gone its holiness would go. Behold this is even so regarding a Torah scroll which the scribe, that it never entered his mind to erase the writing [thereby] its holiness would be suspended. And even this they say without any further qualification. They do not say it is holy except [were it written] with the intention that it be a Torah scroll in its existence. This is a comparison of lesser to greater, for in the remainder of books, [those] that the printer prints [he does so] with the intention that with these, that he will cut the margins that he should say: "The margin is removed, its holiness is removed?"

For it is possible to say that even in its [the margin's] preservation, the margin was not holy from the beginning.

And even though a Torah scroll that is erased after the fact [of having been written with intent] they say [regarding it]: the writing is removed, its holiness is removed, but it is not so if before the fact they cut the margin. In any case it does not appear to me [worthwhile] to debate the matter.

And more, it appears that in the remainder of books aside from a Torah scroll, tefilin and mezuzot, even the writing itself is not holy. And how would it arise to the understanding to say that this margin is holy. And this is taught in the Tosefta which quotes our master Samson (may his memory be for a blessing) at the end of chapter 3 of tractate Yadaim. The blessings, even though they have in them from the names of Hashem and many of the matters of Torah do not defile the hands, and since it does not defile the hands, learn from this also that there is not in it a holiness. For this, in this [it] depends, as R. Samson wrote there explicitly; and chapter Kol Kitvei is also understood thus, that this in this depends [?].

However, it appears that even though that legally it is certain [that] this is so regarding the remainder of books [that] even the writing itself is not holy, as it is brought in the Tosefta [referred to] above.

In any case, it is a desecration for us to behave lightly and contemptuously with the writing itself also in the remainder of books, for ultimately they are holy writings and it [they] has [have] not been reduced from the quality of accessories of holiness, as it is said in chapter Benei Ha'ir [Megillah 26<sup>b</sup>]: "Accessories of religious observances when no longer usable are to be thrown away; accessories of holiness are to be stored."<sup>1</sup>

And more, even though it is taught in the Tosefta that it does not defile the hands and of itself its meaning is that it has not within it an intense [degree of] holiness as with a Torah scroll, that one is to save it from burning and related situations. But in any case it does have a slight holiness and you should know that

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The continuation of the Gemara specifies books among the "accessories of holiness."

all these differences [in degree of holiness] are brought in chapter 3 of tractate Yadaim. That these do not defile the hands for example: a Torah scroll that was erased, and the Song of Songs, and Ecclesiastes does not have regarding them/it any holiness because they do not defile the hands. This will not rise to consideration.

And against our will we must say that since it is taught in the Mishna that it does not defile the hands, this is the same as its not having great holiness, but minor holiness from its being it has as it is with all holy writings.

And even books that are not written in complete script, for example טע"ש"ג, it appears that they have a minor holiness. And one is to behave with them in [a manner of] honor and holiness.

And more, it appears that if you say [to me] that the remainder of books which do not defile the hands do not have any holiness, in any case, at this time they have a complete holiness. And as Sefer Mitzvot Hagadol wrote regarding the regulations of Shabbat dealing with one who puts out [a light] and the one who ignites. And this is what it says: "The blessings, these, the prayers, and the amulets, even though there are on them

letters of the Name and many matters of Torah, we do not save it from a fire.

Rabbi Yitschak explained: "Specifically in the days of the Tanaim and Amoraim when it was not permitted to write either the Talmud or the prayers because matters of oral transmission one is not permitted to write. But now, since forgetfulness has increased, we permit the writing of everything because [Ps. 119:126]: 'It is time for the Lord to work, they have made void Thy law.' And it is satisfactory that we save it all from the fire both the Talmud and the prayers." To here are his words.

And so the Tosafot wrote and Rabeinu Asher to chapter Kol Kitvei and so the Beit Yosef to the Tur Orach Chayim #240 [sic] in the name of Rabad.

And in any case, even though according to the words of the Sefer Mitzvot Hagadol these [books] have an intense holiness, even so, the margin of the remainder of the books it appears does not have any holiness and one is permitted to cut them from the book and throw them to the ground and/or the garbage, or do with it whatever one

wants. For we have not found a margin [that is required] except only on a Torah scroll, tefilin, and mezuzah, as I wrote above. And as it appears to my humble knowledge I have written.

After more than one hundred years during which printing was actively practiced among Jews it is unlikely that the rabbis would find the craft objectionable. Therefore it is not surprising that there is no evidence from the responsa presented here that the printing of books was called into question. If any such responsa ever existed, they are now lost. There remained, however, questions regarding the boundaries of what should be permissible in the practice of the craft. These four sixteenth century responsa deal with those problems. While books might be printed, whether or not they should be considered holy texts was uncertain. Similarly, due to this uncertainty, what might or might not be done with the by-products of printing (proofsheets and trimmed margins) had not yet been determined. Though a Torah scroll, tefilin and mezuzot were not to be printed, there was still debate as to the permissibility of using printing for another ritual text: the get. It is interesting to note that this question was not asked regarding a ketubah. The issues were not firmly resolved even by these rabbis

and the debate continued.

In presenting their arguments, these rabbis sometimes revealed their own relation to, knowledge of and attitude toward printing. Samuel de Medina appears to have known very little about printing. In his responsum, however, he suggests that printed Hebrew texts should be given the same deference as handwritten texts. This has nothing to do with the value of printing itself; rather, this is only because of the Divine Names printed on the sheets. Presumably, if the texts printed were of a purely secular nature, in which the Divine Name did not appear, he might have permitted the practice described. The involvement of Menachem Azariah da Fano was most intense. He had worked in a print shop, knew the essential nature of the procedure involved and, because of this (or perhaps because he also had a monetary investment as an "overseer" of the workers), he defined printing as acceptable for a broader variety of texts than did the other respondents. The case of Benjamin Slonik is more difficult to assess because so little personal evidence can be gleaned from the responsa. He did, however, view the craft as highly desirable, as indicated in his reference to ben Kamtsar. Though printing was accepted as an important technological advance, little more can be generalized from these statements.

## Notes to Chapter Two

1. Abraham Berliner, "Haspa'at Sifre Hadevus Harishonim al Tarbut Hayehudim," in Ketavim Nivcharim, Vol. 2, 111ff; Yitschak Zev Kahana, Hadevus Behalachah, entire.
2. Joseph Hacker, "Medina, Samuel Ben Moses De," Encyclopaedia Judaica 11 (1973), 1212.
3. Ibid., 1214; Moritz Steinschneider, Catalogus Librorum Hebraeorum in Biblioteca Bodleiana, 2452.
4. Hacker, "Medina," 1214.
5. Morris S. Goodblatt, Jewish Life in Turkey in the XVI<sup>th</sup> Century, as Reflected in the Legal Writings of Samuel de Medina, 159.
6. Cassell's Spanish Dictionary, s. v. "engrudo."
7. "Salonika -- Hebrew Printing," Encyclopaedia Judaica 14 (1973), 707f.
8. Ibid., 708.
9. Ibid.; Isaac Broydé, "Salonica -- Typography," Jewish Encyclopaedia 10 (1907), 659.
10. "Salonika -- Hebrew Printing," 708.
11. Ibid.
12. A. Kaminka, "Fano -- Menahem Azariah da Fano," Jewish Encyclopaedia 5 (1906) 341.
13. Ibid.
14. Joseph Jacobs, "Mantua -- Typography," Jewish Encyclopaedia 8 (1906), 302.
15. Nisson E. Shulman, "Slonik (Solnik), Benjamin Aaron Ben Abraham," Encyclopaedia Judaica 14 (1973), 1669ff.
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