

An Annotated Translation of  
HEREBH NOQEMETH NEQAM BERITH

by

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## DIGEST

In 1817, the New Israelite Temple Association was founded in Hamburg, Germany, in order to respond to the needs of those Jews who had internalized the religious sensibilities of modern German society and who, as a result, had become alienated from the traditional synagogue. The Temple adopted certain reforms, among which were prayers and sermons in the vernacular, organ accompaniment for Sabbath Services, and textual changes in parts of the liturgy.

The reforms sparked the creation of a genre of literature which, depending on the author's point of view, was meant either to support or to discredit said reforms according to Jewish Law. The first such work, a collection of responsa entitled Nogah Hatzedeq / Or Nogah, was written in support of the Reform services which had begun in Berlin. Functionally, however, the book was used to support the Temple in Hamburg. In order to refute this work and to denounce the practices of the Hamburg Temple, the rabbinic court of Hamburg collected 22 anti-Reform responsa and published them in a book entitled Eleh Dibhré Haberith -- These are the Words of the Covenant.

One of the founders of the Temple and a co-editor of its prayerbook, Meyer Israel Bresselau, wrote a response to Eleh Dibhré Haberith entitled Herebh Noqemeth Negam Berith -- The Sword Which Avenges the Covenant. Written in a highly stylized Biblical Hebrew, this work attacked the traditional rabbinate for failing to respond to the needs of the changing times. It also extolled the Reformers for their work in assuring the

continued existence of Judaism. In addition, it cited halakhic sources which supported the major reforms of the Temple -- pointing out instances wherein the halakhah had been misused or ignored by the rabbis who had attacked the Temple. Although other polemic works were to follow, many scholars have said that this piece was the most outstanding of the genre.

The present work is a translation of Herebh Nogemeth Neqam Berith with annotations. Also included are a description of the historical background of the Hamburg Temple and biographical details about Meyer Israel Bresselau, a review of the polemical literature, and a discussion of the halakhic issues which Bresselau addressed.

To my parents

MAURICE ROSSOFF ז"ל and ROSETTA EPSTEIN ROSSOFF ז"ל

And to my grandparents

IRWIN A. EPSTEIN and NETTIE G. EPSTEIN

to whom I owe so much

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והיו עיניך ראות את מוריך ואזניך

תשמענה דבר לאמר זה הדרך לכו בו.

Cincinnati, Ohio  
February, 1981

D.B.R.

# GUIDE TO TRANSLITERATION

א	-	nothing	מ,ם	-	m
ב	-	b	נ,ן	-	n
ב	-	bh	ס	-	s
ג	-	g	ע	-	'
ד	-	d	פ	-	p
ה	-	h	ף,פ	-	ph
ו	-	v	צ,ץ	-	tz
ז	-	z	ק	-	q*
ח	-	h	ר	-	r
ט	-	t	ש	-	sh
י	-	y	ס	-	s
כ	-	k	ת	-	t
ך,כ	-	kh	ת	-	th
ל	-	l			

\*The exception to this are words in common usage, e.g., Kaddish.

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## CHAPTER I

### THE HISTORICAL SETTING

On December 11, 1817, sixty-six lay members of the Jewish community of Hamburg, Germany, came together to give official birth to the Neue Israelitische Tempelverein -- the New Israelite Temple Association. The constitution to which they affixed their signatures began thus:

Since public worship has for some time been neglected by so many, because of the ever decreasing knowledge of the language in which alone it has until now been conducted, and also because of many other shortcomings which have crept in at the same time--the undersigned, convinced of the necessity to restore public worship to its deserving dignity and importance, have joined together to follow the example of several Israelitish congregations, especially the one in<sup>1</sup> Berlin.

The Association was created in order to bring to Hamburg that which had existed in Berlin -- "dignified and well-ordered"<sup>2</sup> services for the Sabbath and Holy Days. The services in Berlin featured a sermon preached in German and a choir combining male and female voices which was accompanied by an organ. What distinguished the Association in Hamburg, however, was that it was established as a separate and autonomous congregation dedicated to the

re-forming of Jewish practice. Whereas the previous "Reform" congregations of Germany were simply groups which held worship services in private homes, the Hamburg Temple "was the first congregation in the nineteenth century which was founded on a declared Reform basis."<sup>3</sup> The Hamburg Temple was thus the cornerstone of that movement which was to be called Reform Judaism, and its prayerbook was the first prayerbook of a Reform congregation.

The Temple building was dedicated on October 18, 1818, at which time the first section of its prayerbook was published. The traditional rabbinic authorities of Hamburg and indeed of all Central Europe were quick to attack the Temple and its prayerbook. They had already been incensed by the Reform services in Berlin and the controversies surrounding them. In the Hamburg Temple they saw an attempt to institutionalize those reforms which they thought they had suppressed in Berlin. Their verbal and literary attacks on the Temple, its prayerbook, and its membership constituted the first drawing of the line between what was soon to be called Orthodox Judaism -- that camp which was opposed to any change in Jewish practice -- and non-Orthodox Judaism -- that group which maintained that Judaism must change its form in order to survive and be meaningful in the modern age. Herebh Nogemeth Neqam Berith was writted to defend and encourage this latter group.

#### The Jews of Hamburg

It would be incorrect to imagine that the founding of

the Hamburg Temple brought division and assimilationist tendencies to a homogeneous, traditional community and initiated the erosion of the authority of the traditional rabbinate. Hamburg at the beginning of the nineteenth century was in fact already a diverse community whose members -- Jewish and non-Jewish -- were caught up by the social, intellectual, economic, and religious currents which flowed through Western and Central Europe at that time. Indeed, the heterogeneity of the Jewish community of Hamburg "presented a polychromatic microcosm of German Jewry as a whole."<sup>4</sup> Almost from its inception, diversity of background and ideology had typified the Jews of Hamburg.

The first Jews to live in Hamburg and its surrounding communities were Sepharadi Jews from Portugal and Spain who settled there in the late 1500's.<sup>5</sup> Many of them were financiers, merchants, and skilled craftsmen and were seen as important contributors to economic life in Hamburg. They founded three Spanish-Portuguese synagogues which eventually combined, and were able to keep up the language of their native lands for almost 200 years.

Ashkenazi Jews began to settle in the Hamburg area in the first quarter of the seventeenth century. During that time, there was a great deal of movement in and out of Hamburg due to persecutions and economic pressures. Sizeable numbers of refugees from other parts of Germany settled there, were expelled in 1649, and were later readmitted. In 1656, a group of Jewish refugees from Poland immigrated to Hamburg. The Ashkenazi synagogue of Hamburg united with the synagogues

of its neighboring communities, Altona and Wandsbeck, in 1671. In 1811, however, this combined congregation was disbanded when the French authorities created a single governing body for the Jews of Hamburg - the Vorsteherkollegium or Governing Council consisting of eight to nine laymen. Under the Council, the Ashkenazi and Sephardi congregations of Hamburg merged as one congregation, directed by the Hamburg Council and separate from the congregations and rabbinic authorities of Wandsbeck and Altona.<sup>6</sup>

The Hamburg Temple controversy was not the first controversy to rage in Jewish Hamburg. Indeed, it seemed that the Jews of Hamburg were caught up in most of the movements and counter-movements which swept the Jews of Europe in the pre-modern and modern periods. Uriel Da Costa resided in Hamburg from 1616-1617; Hamburg was also the city from which came both the most important attacks on Da Costa's writings and his excommunication.<sup>7</sup> The city was also caught up in the Sabbatean movement of 1666 which found great support there, especially in the Sephardi community. The Sabbatean issue flared up again in the 1750's, when Jacob Emden, a rabbi in Altona, accused one of the rabbis of the combined Ashkenazi congregations of Hamburg, Jonathan Eybeschutz, of having Sabbatean leanings.<sup>8</sup> This dispute not only divided most of the European rabbis of that day,<sup>9</sup> it also polarized the Jewish community of Hamburg and resulted in the serious decline of popular respect for local

rabbinic authorities.<sup>10</sup>

When the Enlightenment came to Hamburg, it found many sympathizers. Moses Mendelssohn, whose wife hailed from Hamburg, lived there for a time as did a collaborator of his, Naphtali Herz Wessely. Hamburg was both a source of support for Mendelssohn and his ideas and a nest of opposition. Rabbi Eybescheutz treated him with great respect and wrote a treatise on his thought,<sup>11</sup> yet another rabbi of Altona, Raphael Cohen, was fiercely opposed to Mendelssohn's writings and attempted to ban the reading of his Biblical commentary. In order for a ban such as this to have been effective, however, it would have required a unified community of faith which accepted the authority of its rabbinic leadership. Hamburg, at the end of the 18th and beginning of the 19th centuries, was not such a community.<sup>12</sup> All in all, it was a diverse conglomeration of German, Polish, and Spanish-Portuguese Jews in whose ranks were both the most traditionally observant "old-world" Jews and the most assimilated "new-world" Jews. There were, as well, many Jews who accepted neither extreme, but felt that there could be a blending of the old and the new. These were people who had been deeply affected by the Enlightenment and its message of universalism, but yet were struggling to maintain their particular Jewishness in a way which could be true to the past and in harmony with the present. Hamburg was, therefore, a community which was ripe for religious innovation and experimentation and receptive to the idea of

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reforming Judaism.

### The Beginnings of Reform

As stated in their constitution, the founders of the Hamburg Temple did not see themselves as original reformers. They considered their work as the continuation of what had begun in other localities, especially Berlin. This was made explicit in the editors' dedication in the first Temple prayerbook. The book was dedicated "as a sign of true respect and sincere regard"<sup>14</sup> to the prime mover of the Berlin reforms, Mr. Israel Jacobson. The editors of the Hamburg prayerbook, Seckel Isaac Fränkel and Meyer Israel Bresselau, wrote that if their prayerbook and worship service were at all successful, it would be due to Jacobson's innovations and his inspiration. Addressing Jacobson, they compared their reliance upon his work to "a plant of which you have sown the seed in the distance, a seed carried hither by a benevolent wind, finding here a fertile soil and flourishing in it."<sup>15</sup> The plant of which they spoke were the private worship services begun by Jacobson in Berlin, which themselves had roots in the services Jacobson organized in Kessel and Seesen.

Israel Jacobson (1768-1828) was a man of his time -- a Jew who combined love for his people with a devotion to the ideals of the Enlightenment with their promise of liberty, equality, and brotherhood for all. When Napoleon entered the Prussian state, Jacobson saw him as the embodiment

of the Enlightenment. With Napoleon's coming, the Emancipation of the Jews could not be far behind. Yet it was Jacobson's perception that, in order for the Jews to enter European society, the Jews as well as the state would have to effect changes within their own way of life.<sup>16</sup> The state would have to rid itself of those prejudices and legal structures which maintained the Jews as pariahs. At the same time, however, the Jewish community would have to actively reform itself and demonstrate its own worthiness to be part of the new world. This the state could not do. It was up to the Jews themselves to initiate changes in their own religious life. Much of Jacobson's life work was thus dedicated to bringing about those changes. His goal was "'to make those Israelites who are not yet what they ought to be, worthy respecters of their holy religion, true subjects<sup>17</sup> of the government, and moral men.'"

To these ends, Jacobson became involved in, and later was head of, the newly formed Jewish consistory in his state of Westphalia which governed the affairs of the Jews. In this position Jacobson was able to mandate many of the religious reforms which he advocated. In 1809, a school in Kassel opened under the guidance of the consistory. In its synagogue, Jewish services were held in which many of the prayers were in German, regular sermons were preached in German, and the students of the school were confirmed. On July 17, 1810, amid much pomp, Jacobson dedicated a "Temple"

in the school in Seesen which he, some years before, had<sup>18</sup>  
built for children of the poor. The Jacobson Temple,  
as it was called, also featured prayers and sermons in  
the vernacular as well as a mixed choir singing German<sup>19</sup>  
hymns accompanied by an organ.

After the defeat of Napoleon, the state of Wesphalia  
dissolved and Jacobson moved to Berlin with his family. In  
1815, he initiated a weekly service in his own home on the  
occasion of his son's Confirmation. Those services includ-  
ed the reforms which had been instituted in Seesen.  
Although not a rabbi, Jacobson led the service and preached  
the sermon. The opening section of the service, the Pesuke  
D'zimra, was recited in German, although from the Barechu  
to the end of the Tephillah, the entire service was prayed  
in Hebrew. There were no ideological changes of wording,  
e.g., the Ingathering of the Exiles was still prayed for.  
The Hebrew used for the prayers and the reading of the Torah  
was read according to the Sephardi pronunciation. After the  
Torah reading, a prayer for the welfare of the government  
was read, and the service concluded with the singing of<sup>20</sup>  
Adon 'Olam in German. There was no Musaph service.

It was apparent that those services were very popular  
among the Jews of Berlin, for it was not long before  
Jacobson's home could no longer accommodate the number of  
people who came to worship. Consequently, Reform services  
were begun in a large hall in the home of banker Jacob Herz  
Beer. Among the preachers at Beer's home were Isaac Auerbach,



Eduard Kley, Leopold Zunz, Isaac Noah Mannheimer, and  
C.S. Günsburg.<sup>21</sup>

At first, there was little opposition to those private services from the traditional Jewish community. Trouble began, however, when one of Auerbach's sermons was published in a local paper along with an advertisement for the service. The monarch, Frederick William III, noticed this and objected to the holding of private Jewish services -- especially services which were not letter for letter faithful to the tradition.<sup>22</sup> The services at the home of Jacobson and Beer were thus disbanded on December 9, 1815. Later, however, when the chief synagogue of Berlin was in need of repairs, private services were necessitated, and Beer was given permission to reinstate his services until such time as community worship could once again be held at the chief synagogue.<sup>23</sup> The services were resumed in August, 1816.<sup>24</sup>

The next several years saw a great deal of discussion and debate over the fate of the Berlin Reform services. The traditional Jewish authorities objected to any air of permanency given to the Reform services. The civil authorities were concerned as well that the Jewish community not be factionalized; although, when they saw that Beer's services attracted as many people as they did, they did suggest that some of those reforms were worthy of emulation.<sup>25</sup> Other factors, however, mitigated against the Reform services,<sup>26</sup> and in 1823, they were ordered to cease functioning. Among those factors were the fears of the conservative government

in Berlin that any change in religious practice -- especially a more liberal/permissive change --might cause sympathetic vibrations in the political sphere and could be a threat to the status quo.<sup>27</sup> Many also felt that a modernized Judaism would give enlightened Jews an option to the outmoded traditional Judaism, and would thus deter those Jews from leaving Judaism altogether and becoming Christians.<sup>28</sup> The traditional Jewish community also seemed to have had a great influence in the closing of Beer's Temple, since the official order which closed the Temple used the exact wording of a petition which the rabbis had sent to the King.<sup>29</sup>

Reform in Berlin thus lay dormant. It was not until the mid-1840's that Berlin would see another Reform service. Yet ironically, the initial closing of the Berlin services in 1816 provided the spark which touched off the growth of a more permanent Reform Judaism in Hamburg.

#### Reform Judaism in Hamburg

After Jacobson's and Beer's services were halted by the government, the young preacher Eduard Kley began to doubt that Berlin and the Prussian state held a future for him and his progressive agenda. As a result, he was more than anxious to begin again in a new location. Kley returned<sup>30</sup> as a preacher when Beer's services were reinstated; but when he was offered the position of director and master-teacher of the progressive Jewish Free School in Hamburg,

he eagerly accepted the post. Once in Hamburg, he gathered together like-minded individuals who were interested in founding a Temple based on a platform of reform. As director of the Free School, Kley desired a Temple "where the worship of the elders would harmonize with his teachings to the youth in the school."<sup>31</sup> Thus was the New Israelite Temple Association born.

The name chosen for the Association revealed a great deal about how the founders perceived what they were creating. The Association was not the first Jewish organization to refer to its house of worship by the term "Temple". Not only did Jacobson call his synagogues "Temples", but from roughly 1813-1816, the traditional Hamburg community itself used the term to refer to the main community synagogue in order to distinguish it from the prayer-minyanim held in local Jewish schools.<sup>32</sup> The term "Temple" was also used by the French authorities who then ruled in Hamburg as a general term for any house of worship. Although many historians have seen in the choice of the name "Temple" a rejection of the hope of the Jewish people's return to Jerusalem to rebuild the Holy Temple there, this is nowhere collaborated by contemporary sources. The term may have been chosen a) because of its universal connotation, b) as a means of identifying with the Temples of Jacobson, and/or c) so as not to give the impression that they were founding a separate synagogue in competition with the community synagogue.<sup>33</sup>

As stated by Meyer Israel Bresselau,

the Temple originated in a wish of a considerable number of families who wanted to preserve their ancestral religion and its basic teachings for themselves and for their children ... It wants to remain within the synagogue [i.e. the organized Jewish community]... it does not represent a separate sect ... it only chose the name Temple in order to prevent a conflict with the directors<sup>34</sup> of the synagogue.

As was the style of the first generation of German Reform Jews, the choice of the name "Temple" reflected more practicality than ideology.

The name "Verein - Association" however, tempered the Temple's design to be part of the community. The name implied a separate body made up of like-minded people who freely chose to associate. The Association therefore was dependant on its members only and was not to be under the jurisdiction<sup>35</sup> of the Hamburg Governing Council. Whereas the synagogues and other Jewish communal organizations relied on the Council and the rabbinic court, the Temple was to be independent of both. The Temple founders felt that they were justified in making this assertion since, while they themselves continued to pay their taxes to the Jewish community at large, the Temple neither requested nor received any financial support from the community. In addition to the choice of

the name "Temple" over "synagogue", other titles were chosen for the Temple which made clear the distinction between it and the organized Jewish community. The leadership of the Temple were called "Directors" as opposed to "Committee of Supporters", and the spiritual leaders were referred to as "Preachers" and not "Rabbis".<sup>36</sup>

Within a week of the formal founding of the Temple, the directors applied to the Council for official sanction. The Council neither gave the Temple its sanction nor opposed it. Their official reply was a warning to the Temple that it should not conduct itself in a manner contrary to the laws of the community. Unofficially, however, most of the members of the Council felt that the Temple deserved to be supported for it worked against the community's rampant religious indifference. They were also dismayed by the irreligious spirit of the traditional synagogues and the sorry state of Jewish education and saw the Temple as responding to those needs.<sup>37</sup> As seen below, opposition to the new Temple came not from the official Council of the Jewish community, but rather from the rabbinic court. Of the eight members of the Council, four were founding members of the Temple; and only two were fundamentally opposed to its existence.<sup>38</sup>

The first opposition to the Temple came soon after it opened its doors in October of 1818 and issued the first section of its prayerbook. Within weeks, a proclamation was issued by the chief rabbi of Altona, Akibha Breslau, along

with the three dayanim of the Hamburg rabbinic court, Barukh Oser, Moses Jacob Jaffe, and Jehiel Michael Speyer. This proclamation denounced the new Temple and its prayerbook, forbidding any Jew to attend the Temple, to use its prayerbook, or even to walk near the Temple building. With the permission of a sympathetic member of the Council, the proclamations were put up in every synagogue in Hamburg. The rest of the Council immediately ordered the proclamation taken down.<sup>39</sup> They were afraid of a schism within the community, and immediately set forth to find a compromise between the position of the Temple and that of the rabbinic court. Their first step was to appeal to the Temple directors to abandon the new prayerbook for the sake of community unity. The directors replied that their prayerbook was harmonious with traditional Jewish belief as reflected in the "Thirteen Articles of Belief" of Maimonides. However, if anyone could prove to them that the new prayerbook indeed contradicted Jewish theology, they would agree to change the book. The Council then turned to the dayanim and appealed to them to take a lenient position. Their fear was that, if the Temple members were alienated from the community, the sizable donations which the latter made to the Jewish welfare organizations would cease. The dayanim however, refused to enter into theological dialogue with the Temple's directors and would concede to neither the need for community unity nor the financial pressures a split might

entail. They felt that the Temple was simply another new synagogue and, as such, rightfully belonged under the communal religious authority of the total community.<sup>40</sup>

Bernfeld, an historian admittedly critical of religious reform, wrote in his account of these events that had those rabbis not been as zealous and unyielding and had had the benefit of some foresight, they might have been able to work out some compromises and thus tone down the reforms of the Temple.<sup>41</sup> Yet, in trying to achieve everything, they achieved nothing. The Temple was thus free to set out on its own course, independent of any rabbinic authority.

The Council itself was not interested in theological debates either. Its task was to come to a working arrangement which would not split the community. Unable to affect this themselves, the members of the Council turned to the Hamburg city senate to judicate the matter. The senate, too, was worried about a split in the Jewish community. On September 17, 1819, after hearing arguments from the three sides - the Council, the Temple, and the rabbinic court, the senate rendered its official decision. They would neither hamper religious reform in Hamburg nor mandate it for the whole Jewish community. In a highly equivocal statement, the senate agreed to recognize the existence of the Temple and not to render a decision as to whether or not it deviated from "the Mosaic religion."<sup>42</sup> The senate did, however, demand that the Temple not foment any political or economic

divisiveness or become a financial burden on the rest of the community. Although the rabbinic authorities of Hamburg continued to oppose the new Temple, the legitimacy of the Temple was soon accepted by the general community.

The Hamburg Temple survived its birth pangs and was to flourish as an established part of Jewish life in Germany.<sup>43</sup> Gotthold Solomon joined Eduard Kley as Preacher in the Temple. He was to be followed by a long line of distinguished Preachers and Rabbis. In 1820, a branch Temple was established in Leipzig so that the merchants from Hamburg could worship as they were accustomed while at the Leipzig commercial fair. The Leipzig Temple served also to expose a much wider cross-section of German Jews to the Hamburg style of Reform.<sup>44</sup>

The Hamburg Temple issued three subsequent new prayer-books - in 1841 (reprinted 1845), 1868 (reprinted 1876), and 1904. The 1841 edition sparked a great deal of controversy, being attacked by the traditional factions as being too liberal and by the liberal factions as being too traditional.<sup>45</sup> However, it is the first edition of the Hamburg Temple prayerbook which is of more interest to the present study and so we turn now to it.

#### The Hamburg Temple Prayerbook

To the modern Jewish eye, the first prayerbook published by the Hamburg Temple would seem anything but radical. One might be struck by the fact that the book



opened from left to right - unlike a traditional prayerbook,<sup>46</sup> but would immediately be impressed by the amount of Hebrew which was used in the worship service. Indeed, to the Reform Jew of the late twentieth century, this prayerbook would appear quite traditional. Although this prayerbook introduced a number of liturgical innovations which were to become part of many future Reform prayerbooks, other reforms which were to become standard in the movement were not present here. For example, the Hamburg prayerbook included the full text of the traditional Shema with the sections from Deuteronomy 6:4-9, 11:13-21, and Numbers 15: 37-41 which were later to be shortened in the American Reform liturgy. The prayerbook maintained references to various angels - the Ophanim and the holy Hayoth,<sup>47</sup> as well as to the resurrection of the dead.<sup>48</sup> The Musaph service, although modified to de-emphasize the ancient Temple sacrifices, was preserved as part of the worship service. Indeed, except for those prayers which were in German translation only, the modern Jew would probably have difficulty discovering what made this a different kind of prayerbook.

The traditional rabbinic authorities of the early 19th century did not have such difficulties. They were of the conviction that the entire liturgy from the opening Adon 'Olam to the concluding 'Aleynu Le-shabeah, had been set for all time by the men of the Great Assembly during the

era of the Second Temple. In addition, the liturgy had gained authority as it was passed down from one generation to another. It was, therefore, not permissible to change any part of the received traditional text of the prayerbook. Even the most minor change in the liturgy would incite the traditional rabbinic mind, for it could be perceived as an outright attack on Rabbinic Judaism as well as a threat to the authority of the rabbinate which regarded itself as the caretaker of the tradition.

The first section of the Hamburg Temple prayerbook was published in the fall of 1818 in the same month in which the Temple was dedicated.<sup>50</sup> This edition contained services for Sabbath and festivals. In the summer of 1819, a full edition was published which, in addition, included the liturgy for Rosh Hashanah and Yom Kippur. The Temple later published a prayerbook for the observance of Purim and Tisha B'abh.

The feature of this prayerbook which stood out the most was its use of the vernacular. German was used in two ways. First, it was utilized as a translation for those prayers which were recited in Hebrew. In those instances, the German was at the bottom of the page, underneath the corresponding Hebrew. Those translations often included transliterations of the first word of the Hebrew prayers or whole Hebrew phrases which were used as congregational responses.<sup>51</sup> Secondly, German was part of the

recited liturgy itself. It was used either as a translation of a Hebrew prayer which it replaced, or was used for an original German prayer which substituted for Hebrew prayers which were omitted. For example, most of the prayers before the Barekhu in both the Sabbath evening and Sabbath morning services were in German. Both services began with a German hymn and concluded with a German translation of a Hebrew hymn. The Seven Benedictions or Tephillah for Sabbath were in German on Sabbath eve and in Hebrew on Sabbath morning. Although the defenders of the reforms vigorously cited Jewish legal sources condoning the recitation of the Shema in the vernacular, the entire Shema was invariably recited in Hebrew. Seckel/Isaac Fränkel, one of the prayerbook's two editors, explained why so much Hebrew had been retained for the Temple's worship service:

1. The Prayerbook contains many verses from the Scriptures which are generally known, and may, therefore, be kept in the original [as is the case with the Shema].
2. In order not to let the Hebrew language be eventually forgotten.
3. An abandonment of the Hebrew language would lead to the suspicion that we wanted to abandon Judaism as well.<sup>52</sup>

The editors of the prayerbook needed no convincing that Jewish law supported the use of much more German in their service, yet they recognized the religious, historic, and pedagogic importance of Hebrew and maintained it as the

primary language of prayer.

Another set of changes which appeared in the Temple prayerbook reflected a reshaping of the traditional Jewish hopes for the future redemption. The various prayers of the traditional siddur posited beliefs in a personal Messiah/ Redeemer and a time in the future when the entire Jewish people would be transported back to the Land of Israel. There God's Holy Temple would be rebuilt, and Israel would once again fulfill those laws of the Torah pertaining to the sacrificial cult which they were unable to observe since the destruction of the Second Temple in 70 C.E.

On these issues as well, Fränkel explained which of these hopes had been omitted or revised in the new prayer-<sup>53</sup> book and for what reasons. He wrote that some of the passages dealing with the Ingathering of the Exiles and the reinstitution of the sacrificial cult had been eliminated. For instance, during the Sabbath Musaph service, the section which began "To Moses didst Thou command" petitioned God not that He should "bring us up in gladness to our own land wherein we shall perform our obligatory sacrifices" as did the traditional text of this prayer taken from the Sepharadi Rite. It asked rather that He "accept with mercy<sup>54</sup> and favor the utterances of our lips." The substitution of the Sabbath Musaph Kedusha for the Kedusha of the Sabbath morning service may have been motivated not by the former's angelologic references, but by the desire to omit the phrase

"When wilt Thou reign over Zion."<sup>55</sup> Fränkel explained that the desire to return to Jerusalem was now a hope held by only a few Jews. He cited the example of the relatively few numbers of Jews who had returned to the Holy Land following the Babylonian exile as proof that "one can be a good Jew without praying for a return to Jerusalem."<sup>56</sup>

Many prayers were retained, said Fränkel, which referred to the return to Zion in a spiritual sense as opposed to an actual physical return.<sup>57</sup> For example, the eulogy of the 'Abhodah was left unaltered. It said "Blessed art Thou, Oh Lord our God, Who restorest Thy Presence to Zion."<sup>58</sup> This distinction between spiritual and physical was not consistently carried out, however. To cite but two examples, the apparently spiritual phrase "Let a new light shine upon Zion" was, following the Sepharadi Rite, eliminated from the Yotzer Or, yet the more explicit "Restore the worship of Thy Sanctuary and accept in love and favor the fire offerings of Israel and their prayers" was retained, perhaps because it was understood in a non-literal sense.

In the Ahabhah Rabbah, the requests to separate the Jewish people from the other nations and to "break the yoke of the Gentiles from our neck" were omitted. However, the "chosen people" idea was maintained here and in other places as well. In the Abhoth, the traditional Hebrew text used in the prayerbook spoke of God who will bring

לְמַלְאָךְ --"a Redeemer," yet the German translation changed this to "Erlösung" --"redemption." The doctrine of the resurrection of the dead was retained in the Gebhuroth which ended "Blessed art Thou Oh Lord, Who quickens the dead." It seems that the criteria which the editors used regarding the Jewish people's hopes for the future were either not thoroughly thought out, or consistently applied, or both.

The Hamburg prayerbook featured a number of other omissions, substitutions and new creations. Some of the non-obligatory prayers were abridged or left out, either to shorten the service or to make room for the addition of a German prayer or hymn. For example, many of the introductory Psalms were omitted from the various services; there was no repetition of the Tephillah; the Torah service was revised and shortened; and, on the High Holy Days, the 'Al Het and Abhinu Malkenu prayers were shortened, and the Kol Nidre was eliminated. The latter was deleted for reasons of conviction. The Jew who was a good German citizen had to be someone who would stand by his word and not annul his

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vows. Also in the services for the New Year and Day of Atonement, the Ashkenazi piyyutim (devotional poems) were replaced by piyyutim from the Sepharadi tradition. This was done because the latter were written in a simpler, less esoteric Hebrew. They were easier to understand and to translate; and, in addition, their more structured meter  
60  
better facilitated musical settings.

Among the new creations were some German prayers by Kley and an introduction and insertion into the mourner's Kaddish which, for the first time, made this Kaddish refer<sup>61</sup> explicitly to those who had died. The insertion, beginning על ישראל ועל צדיקיא read:

May there be to Israel, and to the righteous, and to all who have departed from this world by the will of God, abundant peace, and a good portion in the life of the world-to-come, and grace and mercy from the Master of heaven and<sup>62</sup> earth; and say ye, Amen.

This paragraph is of particular importance since it was one of the liturgical innovations of this prayerbook which found its way into many subsequent Reform prayerbooks.

As noted, the prayers and the Torah were read using the Sepharadi pronunciation following the example of the Reform services in Berlin. The Sepharadi tradition was considered to be more aristocratic and its pronunciation more authentic. The Torah was read, not chanted, and there was no Haphtarah.

Beside the use of the vernacular and the altered liturgy, the Hamburg Temple service was distinguished by the sermons which were preached in German -- a practice that the neo-orthodox would soon adopt, the mixed choir, and the use of the organ. The latter was of particular importance because it, perhaps more than anything else, gave the Temple

service its distinct character. To the Temple members, it served to elevate the aesthetics of the worship service to a level which they had never before experienced. To the traditional Jews, the organ served to symbolize the un-Jewishness of the Temple services and was concrete proof that the Temple members merely wanted to be more like the  
63  
Gentiles.

Meyer Israel Bresselau (1779-1839)

The other editor of the Hamburg prayerbook was Meyer Israel Bresselau, the author of Herebh Nogemeth Neqam Berith. Next to Eduard Kley, Bresselau was considered  
64  
the soul of the congregation. He was a founding member of the Temple and served as a director and secretary. He was also a member of the Hamburg Council for many years. Bresselau was not only a pillar of the Temple, but was an important member of the overall Jewish community and a well respected and much loved citizen of Hamburg as well.

By profession, Bresselau was a notary who acted as legal liaison between the Jewish community and the government of Hamburg. No Jew could be an official notary or advocate at that time, yet one Jewish notary was appointed on behalf of the government, to whom the Jews would turn concerning  
65  
legal matters. Due to his knowledge and perspicacity,  
66  
Bresselau was one of the busiest notaries public in Hamburg. Gentiles as well as Jews came to him for counsel and he, without regard for religion or class, gladly rendered his



services. Bresselau's appointment was from the government and as a result, his living did not depend on the will of the Jewish community or its communal authorities. Consequently, he had no personal fears of siding against the official rabbis and the other leaders of the community.<sup>67</sup> Although this occupation did not make Bresselau a wealthy individual, he was said to have generously "supported the needy in a pious, clever, and gentle way."<sup>68</sup>

Meyer Israel Bresselau's early education seemed to have been rich in the study of the Hebrew Bible and rabbinic literature. He was especially learned in Hebrew-Spanish literature, and it was said of him that he was so familiar with its poetry that he could recite whole passages from memory.<sup>69</sup> He was known as a master Hebrew stylist and apparently wrote quite a bit for private consumption.<sup>70</sup> In addition to Hebrew and Hebrew-Spanish literature, Bresselau also taught himself and mastered first German literature and then French and English literature. He even taught himself Arabic by copying Saadia Gaon's Arabic translation in Hebrew letters of the Torah which Bresselau was allowed to see while visiting the Oppenheimer library. The manuscript which he thus produced was considered a magnificent example of Hebrew calligraphy.<sup>71</sup> Besides Herebh Nogemeth Neqam Berith and the Hamburg prayerbook, the only other work which Bresselau published seems to have been a translation of Bén Sira into Aramaic,<sup>72</sup> probably

working from Fränkel's translation from the Greek.<sup>73</sup>  
To the Hamburg prayerbook, Bresselau brought his knowledge of the liturgy and poetry of the prayerbook, in addition to his vast knowledge of Hebrew and Aramaic. Among his contributions to the prayerbook was the *לך ישראל ולך* *לך* insertion into the mourner's Kaddish referred to above.<sup>74</sup>

As reflected in quotes above, Bresselau had no intention to start a new movement within Judaism. When pressed by a fellow member of the board of the Temple for a precisely formulated creed, Bresselau responded, "We wanted to improve the worship service and that has happened. I do not feel myself called upon to be a reformer."<sup>75</sup>  
Throughout his life, Bresselau resisted the institution of a more liberal worship service in the Temple.

This conservatism, however, did not prevent him from vehemently defending the innovations of the Temple along with the autonomy and legitimacy of the Temple Association. In 1820, the question arose as to whether the Preacher of the Temple could officiate at weddings and if so, whether the ceremony had to be conducted according to traditional Jewish law. One Temple member, Gabriel Joseph Cohen, requested that Preacher Gotthold Solomon -- not a member of the rabbinic court -- perform the wedding of his son. Seventy-three members of the Temple supported this request; the rabbinic court opposed it. The Council, at that time headed by Temple member Adolph Emden, searched for a

compromise solution. Emden suggested an arrangement whereby the Temple Preacher could officiate at weddings on condition that the community religious functionaries who usually facilitated -- and were financially supported by -- the performance of weddings would be paid their regular fee. This included the rabbis, the cantors, and the synagogue attendants. In addition to this, an extra 6-60 Mark perquisite would have to be paid to these officials, making up for the loss of gratuities usually given by the families being served. The compromise also prescribed that all weddings were to be conducted strictly according to the text of the traditional wedding service.

The Temple seemed ready to accept this arrangement until Bresselau spoke out and convinced them to reject the compromise totally. In a letter dated July 16, 1820, Bresselau rejected the underlying assumption of the negotiations, i.e., that the Temple was in any way under the jurisdiction of the Council. The Temple received no financial support whatsoever from the organized Jewish community and was therefore a completely autonomous organization. Preacher Solomon proceeded to conduct weddings upon his own authority, changing not only the traditional text, but eliminating the practices of reading the marriage contract and breaking the glass as well. In this incident was reflected Bresselau's tenacity as well as his willingness to be outspoken in defense of the principles represented by the Hamburg Temple.

When, in 1839, the Temple set about to create a new edition of its prayerbook, the leaders once again turned to Meyer Israel Bresselau to be one of its editors. Bresselau never lived to see this project through, since he died on December 23 of that year, following a long, painful illness which he bore "stoically and piously."<sup>77</sup> At his death, he was surrounded by his second wife, to whom he had been married for 23 years, and his children. His funeral was well attended by Jew and non-Jew alike; he was deeply missed by the entire community.

Several Jewish observers of his day saw Bresselau not just as an individual but as a paradigm. Jost said of him that "he completely represented an ideal of a period of flowering of Jewish erudition - a true disciple upon whom rested the spirit of Mendelssohn's century."<sup>78</sup> Seligmann wrote that Bresselau's life reflected the approach to Judaism which best personified the Temple's attitude towards that religion - expressed as the desire "to retain the positive basis in teaching and history according to its particularity as long as and to the extent to which it speaks to the spirit and feeling, and does not contradict the demands of religious truthfulness and educated taste."<sup>79</sup> Jewish particularity, spirituality, religious truth, civilized taste -- those were the concerns of Meyer Israel Bresselau.

Bresselau's Herebh Noqemeth Neqam Berith (1819) reflected an author who could weave classical Hebrew texts into a

colorful and expressive tapestry, using humor to convey a message about which he was deadly serious. This satiric work was a responsa to Eleh Dibhre Haberith, the collection of response from traditionally minded rabbis from Central Europe, all of whom denounced the new reforms in general and the Hamburg Temple and its reforms in particular. The reader can sense in Herebh Nogemeth Bresselau's anger and contempt for those rabbis whom he perceived as being both out of touch with the needs of their constituents as well as inflexible and unyielding - even in matters wherein Jewish Law would support innovation. What must be kept in mind as well was that Bresselau had a very personal commitment to and a stake in the success of the new Temple. As an editor of the new prayerbook, any attack on the authenticity of the book could have been perceived by him as a personal offense. Consequently, the vehemence and anger reflected in Bresselau's brilliant response could be grounded in a combination of righteous indignation, partisan politics, and personal affront.

## CHAPTER II

### The Polemic Literature

As noted, the first generation of Reformers did not set out to create a new sect or branch of Judaism. They wanted to update and improve the worship service, making it more aesthetic and hence more attractive to those who had been alienated by the traditional synagogue - especially the youth. They felt that they were playing the same game as their traditional brethren, only playing it better. This was illustrated by their attempts to defend the reforms they advocated by appealing to the same rule books by which the Jewish community had always abided -- the collective body of Jewish law. By appealing to the Jewish legal tradition, the early Reformers attempted to demonstrate that they were well within the bounds of accepted practice as defined by that tradition. They accepted Jewish law as that body of norms which defined what was permitted and what was not, and, in doing so, believed that they were working within the same structure as were their traditionalist counterparts. It will be seen, however, that they were not.

The first attack against any of the Reform groups seems to have been an anonymous pamphlet which was distributed sometime between the years 1815 and 1818 as a response to Israel Jacobson's services in Berlin. This pamphlet listed eight ways in which the Reformers had violated the laws of Judaism:

1. They have invented the practice of having most of their prayers in German. Their sin is twofold:
  - i) They have forsaken the source of life, our Holy Tongue, which we have inherited from our fathers since the time when God created the world.
  - ii) It is stated in the Talmud and in the Codes that whoever departs from the formulation which the Sages have given to prayer does not fulfill his obligation.
2. They have interpreted the law too leniently by abolishing the silent recitation of the Eighteen Benedictions. This is against the law of the Talmud and the Codes.
3. They skip over the traditional version of the Kedushah in the Sabbath Morning Service.
4. As far as their use of organ music is concerned, this is an absolute prohibition, the like of which must not be done in Israel.
5. Their innovation of using the Spanish and Portuguese pronunciation of Hebrew of which their fathers knew not until this day.
6. Their custom of reading the Torah without cantillation, which is against the law of the Talmud and the Codes -- apart from other things, such as not calling people to the Torah by their Hebrew names, which is a new custom.
7. Their profanation of the Name of God by setting up different customs, thereby making the one Torah

appear like two, and transgressing the law against the formation of sects.

8. They transgress the law, "Forsake not the teaching of thy mother," by changing what had been the custom of our fathers to this day. This is not the correct and upright way in the sight of the Lord. If it were, why did not our sainted fathers conduct themselves like this, seeing that they were more intelligent than we are?<sup>1</sup>

Evidently, whereas the Reformers felt that their innovations were consistent with Jewish law, certain groups such as the rabbinate in Berlin, did not.

Nogah Hatzedeq / Or Nogah<sup>2</sup>

נוגה הצדק / אור נגה

-Eliezer Libermann

Israel Jacobson was not a man to ignore such an attack on himself or any project of his making. Wanting to fight fire with fire, he set about gathering responsa from authorities on Jewish law which would prove to all that the reforms which he had instituted were permitted by Jewish law. In order to do this, he enlisted the aid of a liberal rabbi<sup>3</sup> named Eliezer Libermann. Depending on which historian one reads, Libermann was either a "brilliant talmudist,"<sup>4</sup> a "scholarly Jew,"<sup>5</sup> or a "gambler...a base adventurer."<sup>6</sup> As much misinformation has been published about this man as information. Some have connected him with a Libermann who



converted to Catholicism and worked in the Hebrew library of the Vatican, yet have done so mistakenly.<sup>7</sup> Bernfeld, who accepted the theory of Libermann's conversion, said of him, "Truth demands that we admit that in Judaic knowledge, he surpassed all the rabbis [who later attacked him]."<sup>8</sup>

Libermann gathered rabbinic responsa, perhaps already solicited by Jacobson, which supported the reforms of the Berlin services and published them in a work entitled Nogah Hatzedeq (The Splendor of Righteousness). The book consisted primarily of three responsa:

Derekh Haqodesh by Rabbi Shem Tobh, son of Rabbi Joseph Hayim ben Samun, dated the week of Parashath Vayishlah, 5577 (Fall, 1816).

Ya-ir Nathibh by Rabbi Jacob Hai Recanati of Verona, dated the last day of Marheshvan, 5577 (Fall, 1816).

Kin-ath Ha-emeth by Rabbi Aaron Chorin of Arad, Hungary, dated 1818.<sup>9</sup>

Added to Derekh Haqodesh were endorsements from the rabbinate of Leghorn and Jerusalem. These were later found to be fictitious.<sup>10</sup> Rabbi Moses Kunitz of Budapest sent a hasty letter of support in early 1818 which was appended to Nogah Hatzedeq.

Ya-ir Nathibh and Derekh Haqodesh were shorter works (4-5 pages), and dealt mostly with the use of the organ on

the Sabbath -- the major innovation of the Berlin Temple. Chorin's Kin-ath Ha-emeth (13 pages) presented halakhic supports of varying depth for six of the disputed reforms: prayer in the vernacular, the use of the organ, the charge of creating a new sect, the abolition of the silent recitation of the 'Amidah', the use of the Sepharadi pronunciation, and the reading of the Torah without the traditional chant. Chorin also appealed to the Reformers a) to be knowledgeable enough in the Hebrew language to be able to recite the Shema' and the 'Amidah entirely in Hebrew,<sup>11</sup> and b) to hold daily worship services, not just services for Sabbaths and Holy Days.

Rabbi Chorin, whose responsum most fully supported the reforms, had taken other stands in his earlier career which had pitted him against his more traditional rabbinic colleagues. In the last decade of the 18th century, he became embroiled in the "sturgeon controversy" in which the rabbinic authorities of the times differed vehemently as to the permissibility of eating this fish.<sup>12</sup> Chorin ruled that the fish was kosher which led more extreme rabbis to declare that Chorin's ruling was not.<sup>13</sup> In 1803, Chorin published 'Emeq Hashaveh in which he attacked certain Jewish customs which he claimed had no basis in the Talmud.<sup>14</sup> Rabbi Mordekhai Benet (Marcus Benedict) of Nikolsburg fiercely attacked Chorin for his "heretical" views. A rabbinic court ordered the book burned, and Chorin was forced to withdraw his statements or have his beard cut off.<sup>15</sup> Chorin appealed

to the local government however, and these rulings were reversed.<sup>16</sup> He published no more writings until Kin-ath Ha-emeth, yet during the intervening years, he instituted a number of reforms in liturgy and practice in his district of Arad. Among the reforms he was to advocate were the abolition of the Kol Nidre, prayers in the vernacular with uncovered head, the use of choir and organ on the Sabbath, the permissibility of writing and riding on the Sabbath, and the shortening of the mourning period.<sup>17</sup> Throughout his career, he was to publish many more writings which advocated reforms in Jewish practice, secular education, and improved civil status for Jews.

In Eleh Dibhré Haberith, the response to Nogah Hatzedeq/ Or Nogah, written by traditional rabbinic authorities, Chorin wrote a retraction of Kin-ath Ha-emeth.<sup>18</sup> This had been precipitated by Rabbi Muenz, the chief rabbi in Altofen, who threatened to remove Chorin from his rabbinic post unless he recant. Chorin, who had a large family to support, chose to retract his statements rather than to lose his livelihood.<sup>19</sup> In 1820, however, he published Dabhar Be'itto, a progressive tract, in which he retracted his retraction in Eleh Dibhré Haberith.<sup>20</sup>

Published with Nogah Hatzedeq was Or Nogah, a two-part work written by Eliezer Libermann himself. In the introduction to part one, Libermann described (fictitiously?) his initial repulsion to the Berlin reforms, which changed to admiration once he himself had actually attended the Reform

services. This section continued with a list of the eight traditionalist objections to the Berlin reforms which Libermann addressed seriatim -- bringing in sources from the Jewish legal tradition to support the reforms. He represented much of the material from Nogah Hatzedeq, yet also brought in other halakhic sources which were not mentioned there. As Bernfeld suggested, Libermann seems to have had a sound command of the halakhic literature on his own, reflected in the intricate legal justifications for the reforms which he himself introduced into the discussion.

Part two of Or Nogah was an essay by Libermann in which he described the sorry state of the Jewish community of his time, and posited that the needs of the community could be met only by reforming Jewish practice. He spoke of two polar groups, the traditionalists who lived with blind faith in their customs and traditions, and the modernists who lived with no faith or religious tradition at all. The former had no appreciation for, or understanding of, secular knowledge, the latter placed all their trust in secular knowledge and depreciated the wisdom offered by their Jewish heritage. Libermann argued for increased piety and an openness to Gentile customs which could enhance Judaism. He also advocated the need, in their unsure times, to regard every Jewish soul as precious, hence requiring the concerned Jewish community to re-enfranchise those Jews who had been alienated from Jewish life. He called on the latter to rediscover their heritage, to learn Hebrew, and to follow God's Torah -- both

written and oral.

Nogah Hatzedeg/Or Nogah was widely distributed -- probably because of Jacobson's financial backing -- and made a great impression on many of its readers.<sup>21</sup> There was no response by the traditional camp in Berlin, probably because, by the time that it was finally published, the Berlin Reform services had been halted once and seemed to be under control. Also, at that time, the Hamburg Temple was just being founded and the controversy it engendered had taken the spotlight.

Some scholars have claimed that Nogah Hatzedeg / Or Nogah was written in order to defend the reforms instituted by the Hamburg Temple.<sup>22</sup> It is clear, however, that this was not the case. First of all, the responsa of Samun and Recanati antedated the founding of the Hamburg Temple by approximately one year; and Kunitz's letter was explicitly addressed to "the residents of Berlin."<sup>23</sup> In addition, the liturgical innovations of the Hamburg Temple, e.g., the alteration of the prayers for the Ingathering of the Exiles which was not part of the Berlin liturgy, were not supported in this work. Chorin's statement that the 'Amidah should be recited in Hebrew<sup>24</sup> was in consonance with the Berlin services, but would have been at odds with the Sabbath Eve services of the Hamburg Temple. Also, in his retraction in Eleh Dibhrè Haberith, he said that had he known about the other reforms which were to be instituted in Hamburg, he would not have written Kin-ath Ha-emeth. Whether or not

he was sincere in writing this, the statement as to which reforms he had originally wanted to defend was clear -- those in Berlin. However, whatever the original intentions were, because of the particular timing of these events, Nogah Hatzedeq / Or Nogah in fact served as a defense for the Hamburg Temple.<sup>25</sup>

Sendschreiben an meine Glaubensgenossen in Hamburg

-Lazarus Riesser

When the controversy over the founding of the Hamburg Temple began, once again Israel Jacobson took up the fight from Berlin by soliciting support from the leaders of the communities involved.<sup>26</sup> Among those to whom he wrote was Lazarus Riesser of Altona. Riesser was a student and son-in-law of Rabbi Raphael Kohen, chief rabbi of Altona, and had a solid background in rabbinics. He was also very learned in secular studies and was sympathetic to the advancement of the Enlightenment and of reforms in the Jewish community.<sup>27</sup> To Jacobson's surprise, however, Riesser's reply was critical of both the traditional rabbinate and the Reformers. Riesser faulted the religion of the Reformers for being too concerned with the intellectual aspects of Judaism at the expense of the ritual practices and norms which were needed to make any religion live -- especially Judaism. To be sure, many reforms in Jewish practice were needed to update Judaism, but it was probably too late for them to have any impact, since so

many of the youth had already abandoned Judaism in favor of the secular world. Had the rabbinate responded to the waves of modernity when it still wielded some authority over the community, perhaps a movement to reform Judaism would not have been necessitated. As it stood however, those who had left Judaism now felt a need to expose their children to their religion but could not return to the traditional synagogue. Hence, Reform congregations were necessary to attract Jews back to Judaism.

Riesser saw the two opposing sides, the traditionalists and the Reformers, as being unable to work with each other towards a common goal. Hence, he advocated a middle path. He envisioned a time when there would be different ways of being Jewish in which all would "live and let live." The most important consideration was that the Jewish people should remain united, with no Jew hating another Jew because of a difference of opinion. Riesser himself identified with the traditionalists,<sup>28</sup> although he pledged himself to work within that community to convince the rabbis not to engage in controversy. He bemoaned the fact that the rabbis were not concerned if a particular group of Jews did not pray at all, yet were inflamed when any Jews prayed in a manner different than their's.<sup>29</sup>

When Riesser saw that the dayanim of Hamburg were gathering ammunition for a polemic assault against the new Temple, he published a letter in German which he titled Sendschreiben an meine Glaubensgenossen in Hamburg, oder

eine Abhandlung über den Israelitischen Cultus (An Open Letter to my Co-religionists in Hamburg, or A Treatise on Israelite Culture).<sup>30</sup>

In this letter, he defended the Reformers and criticized the rabbis, "'the sanctimonious hypocrites' who 'nourish contentions in Israel, and bar the way of the sons desirous of returning to the favor of their father.'"<sup>31</sup>

He expressed his hope that Jews who had lost their Jewish identity would find a way back into Judaism by attending the weekly services of the Temple, and urged traditional parents to send their children there. Better that they should go there on a Sabbath to worship than not worship at all. Perhaps the children would, because of their positive experience at the Temple, then return to the more traditional Judaism of their parents.<sup>32</sup> Riesser compared the devotion and decorum in the Temple with the clamor and disorder which existed in the synagogue,<sup>33</sup> and declared that the need for reform was indisputable. He also urged the Reformers to be more observant of Jewish customs and law.<sup>34</sup> Above all, Riesser counselled calm, moderation, and peace, saying that in-fighting within the Jewish community and the schism it might produce were far greater sins than the alteration of certain Jewish practices.<sup>35</sup> His pleas, however, went unheeded. Calm, moderation, and peace were not what were in store for the Jewish community of Hamburg.

Eleh Dibhré Haberith<sup>36</sup> אלה דברי הברית

-Rabbinic Court of Hamburg



In response to the publication of Nogah Hatzedeq / Or Nogah, and, to a greater extent, to the founding of the Hamburg Temple, the three dayanim of the rabbinic court of Hamburg, Oser, Speyer, and Jaffe, solicited responsa from traditionalist rabbis in Germany, Poland, France, Italy, Bohemia, Moravia, and Hungary, in order to support the prohibitions with which they wished to oppose the new reforms. The prohibitions stated:

1. It is forbidden to change the order of prayer customary among Israel from the Benedictions of the Morning to the Adoration and all the more so is it forbidden to delete anything from the liturgy.
2. It is forbidden to recite the order of prayer in any language other than the Holy Tongue, and any prayer service which is not published according to form and is not in concord with accepted custom is unfit and it is forbidden to pray from it.
3. It is forbidden to play any musical instrument in the synagogue on a Sabbath or Festival even if it is played by a Gentile.<sup>37</sup>

The rabbis received 22 responses and published them in a collection entitled Eleh Dibhré Haberith (These are the Words of the Covenant). The book opened with an introduction and a מוֹדָעָה -- a proclamation -- by the three editors which listed the above prohibitions and described the situation in Hamburg as they saw it.<sup>38</sup> A restatement of the proclamation was then given in Judeo-German, i.e., German written in Hebrew characters.<sup>39</sup> The final part of the introduction was

a letter of support from Rabbi Akibha Breslau of neighboring Altona. Pages 1-99 contained the actual responses of the various rabbis<sup>40</sup> written in a "rugged and coarse"<sup>41</sup> rabbinic Hebrew. Zinberg wrote of the book's "clumsy, stammering style...written in such a confused language that in places it is difficult to grasp the meaning."<sup>42</sup> Pages 101 - 132 contained a condensed version of each of the 22 responsa in Judeo-German prepared by former Reform sympathizer, Sholom Cohen.<sup>43</sup> This was done so that the book would be read by the entire Jewish community.<sup>44</sup>

Some of those responsa took up the various issues of Reform and produced halakhic sources and reasoning to prove that the reforms were invalid. Chief among these were the writing of Moses Sopher, Akibha Eger, Jacob Lissa, and Mordekhai Benet. A number of the responses offered little but heavy rhetoric, supporting the rabbis of Hamburg and vehemently denouncing the Reformers.

In Eleh Dibhré Haberith, both the contributors to Nogah Hatzedeg / Or Nogah and the Hamburg Reformers were targets of severe derogation. The former were called "false prophets ... robbers who came upon us ... thieves of souls"<sup>45</sup> "among whom Satan dances."<sup>46</sup> They "turned light into darkness, darkness into light."<sup>47</sup> The book itself was "evil darkness, not to be relied upon."<sup>48</sup> Rabbi Sopher used the acrostic חַטָּאת (forming the word "iniquity") from the title

אֲוֶר נֹגַח (Or Nogah) which he and others then used to refer to this work. About Libermann it was said that he was a base gambler who only produced the book for money. He was

"a man who walked in darkness without splendor - נא'ן נא" -

17 "49 - a pun on the title of Libermann's work, Or Nogah - The Light of Splendor. Chorin was especially attacked, having disputed with some of those rabbis on previous occasions. Benet had been an adversary of his, and in his responsum, called Chorin a man "of little knowledge of Talmud and commentaries, whose usual occupation is with secular science and logic."<sup>50</sup> Echoing his words, Rabbi Eliezer wrote, "Indeed, we know this man and his character. Who can rely on this kind of person?"<sup>51</sup>

The Hamburg Reformers themselves were called "little foxes who breach the walls and destroy the fences" - presumably of the Torah.<sup>52</sup> They were heretics who had no faith;<sup>53</sup> they wished to be rid of the Torah and the customs of their ancestors, and brought about evil the likes of which had not been seen since the Jewish people were exiled from their land.<sup>54</sup> Rabbis Fleckeles and Sopher described them as being of no religion - "They want only to imitate the Gentiles in whose eyes they would appear as more wise than other Jews. In reality however, they are neither Jews nor Christians."<sup>55</sup> Eliezer in fact urged the Hamburg dayanim to appeal to the civil authorities to have the Hamburg Temple closed.<sup>56</sup> This tactic had worked in Berlin; it could work in Hamburg.

Sepher Tzeror Hahayim<sup>57</sup> ספר צרור החיים

-Abraham Loewenstamm

Among the rabbis solicited by the Hamburg dayanim was Abraham Loewenstamm, Rabbi of Emden. However, because of illness, he was unable to contribute to Eleh Dibhrè Haberith. A year later, he expanded the responsum which he had begun to prepare and published it under the title Tzeror Haḥayim -- (The Bundle of Life). In this book, Loewenstamm supported the positions taken in Eleh Dibhrè Haberith, and in nine separate chapters, presented halakhic sources and reasoning in a far more systematic way than had been done in the latter work.<sup>58</sup> Interestingly, his eighth chapter discussed issues which had not been on the original agenda of the Hamburg Temple and were not mentioned in Eleh Dibhrè Haberith:

Prohibition of being in the synagogue or performing a mitzvah without a head-covering. Instances of prohibition in other cases: prohibition of men and women going together to, and sitting together in the synagogue; prohibition of pronouncing the Tetragrammaton.<sup>59</sup>

Chapter nine centered on the necessity for every Jew to believe in the Messiah, an issue addressed cursorily in Eleh Dibhrè Haberith. Perhaps these issues loomed larger in 1820 than they had in 1818 and 1819.

Loewenstamm admitted that many of the halakhic sources quoted by the Reformers said what they said they said. For instance, he conceded that prayer in the vernacular was permitted under certain conditions, but argued that Hebrew prayer was far more preferable.<sup>60</sup>

It appears that Eleh Dibhré Haberith and Sepher Tzeror Hahayim had little real effect except to draw the lines more distinctly between the strict traditionalists and the Reformers. The attacks served to reinforce the convictions of those who already opposed the reforms, and to alienate and enrage the Reformers further. In retrospect, even their sympathizers have judged the work of those rabbis to have been not at all effective. Among these was Graetz who said of them:

The reasons which the (Orthodox) rabbis had adduced against the worship service of the (Hamburg) Temple were mostly not valid, and some of them were downright childish. The letter (of the Law) was against them (i.e., the Orthodox). The multiplicity of Rabbinic authorities, belonging to such different times and countries, always enabled one to bring apparent proofs for and against a specific case. The rabbis should have said that, even though the letter could be adduced in favor of the innovations, the spirit of Talmudic Judaism must nevertheless condemn them. But they did not stand on that level; and, in their desire to utilize the letter also for their position, they revealed many a weak spot.<sup>61</sup>

Graetz's assertion that the rabbis were tied down to the letter and therefore lacked a broader perspective, was only partially correct. Many of those rabbis stressed in their responsa that even though something was permitted by law, if

the cumulative tradition had not sanctioned it, it was not to be permitted.<sup>62</sup> In doing this, the rabbis indeed appealed not to the letter but to the spirit of Talmudic Judaism - as they perceived it.

In view of the changing attitudes towards the authority of the rabbinate, even if the rabbis had produced better arguments, the results would have been the same - minimal. The rabbis were fighting a new war with old weapons. Had Hamburg been a homogeneous community which acceded to rabbinic authority, rulings such as those in Eleh Dibre Haberith would have been more than enough to close the Temple. However, the Reform Jews, as well as many non-aligned Jews in Hamburg, had already distanced themselves from the traditional workings of Jewish law and were therefore unmoved and unimpressed by the halakhic arguments and the appeals to tradition. The Reformers themselves had tried to speak in the language of the rabbis -- the language of Jewish law, yet the latter did not speak the language of the Reformers and, hence, held little sway over them. The rabbis in no way addressed the underlying issue which was foremost in the minds of the Reformers -- the needs of the vast numbers of Jews who were alienated by Judaism as it had been presented to them in its traditional form, who did not attend the synagogue, did not know Hebrew, and gave little or no Jewish education to their children. To those Jews, the rabbis were saying that they should learn Hebrew and follow all the dictates of Jewish law, for which they themselves were the spokesmen.

If there existed a gap between any group of Jews and Judaism, those Jews would have to readjust their own lives in order to bridge that gap. Judaism itself was eternal and immutable - unaffected by changing times and changing needs. One had to accept it as the rabbinate presented it - all or nothing.

Schutzschrift des zu Hamburg erschienenen Israelitischen Gebetbuchs<sup>63</sup> - Seckel Fränkel

Around the time that the Hamburg Temple prayerbook was published, one of its editors, Seckel Fränkel, published a companion volume in German entitled Schutzschrift des zu Hamburg erschienenen Israelitischen Gebetbuchs (Writing in Defense of the Hamburg Israelite Prayerbook). In it, Fränkel presented the rationales behind the particular reforms instituted in their prayerbook. He explained the reasons behind the presence of so much Hebrew in the prayerbook, why certain Hebrew prayers were omitted, and why German innovations were introduced (see Chapter I above). He also discussed the issues of introducing changes in the liturgy, prayer in the vernacular, and the use of musical accompaniment for Jewish worship services and, for each, brought halakhic supports to prove their permissibility.<sup>64</sup>

Herebh Nogemeth Neqam Berith<sup>65</sup> חרב נקמת נקם ברית

- Meyer Israel Bresselau

"In a time of war, we make war." This was the attitude

ascribed to the founders of the Hamburg Temple in the wake of the attacks against them in Eleh Dibhré Haberith.<sup>66</sup> Having received the brunt of epithets such as "the evil group," "destroyers of the generation," "blind men," "wicked men who transgress and rebel," -- to mention but a few -- the founders of the Temple were quick to respond in kind. Approximately one month after the publication of Eleh Dibhré Haberith, a sixteen page pamphlet was published anonymously entitled Herebh Noqemeth Neqam Berith (The Sword which Avenges the Covenant). The author however was well known to his contemporaries; it was Meyer Israel Bresselau of the Hamburg Temple.<sup>67</sup>

Bresselau seemed to have decided that point by point debate with the rabbis was useless. What was needed was a tract which would expose the rabbis for what they were -- shepherds who lead not the flock. Hence, "not with logical arguments but with the whip of satire, the sharp arrows of ridicule and laughter"<sup>68</sup> did he sally into battle. Besides needing to lash out against those rabbis who had attacked him, his comrades, his Temple, and his prayerbook, Bresselau had one other need -- to give encouragement to the members of the Temple. He did not want them to doubt that they were good Jews, well within the Jewish tradition, and that they were making a great contribution to the religious life of the Jewish community.

Unlike the polemicists who preceded him and, with rare exception, followed him, Bresselau did not write in Rabbinic Hebrew. Herebh Noqemeth was written instead in euphuistic



Hebrew -- עברית מליצה -- a Biblical style which was popular at that time among writers of the Enlightenment. Using this style, Bresselau brilliantly strung together Scriptural phrases and even whole verses to form his prose. Except for an occasional connecting phrase or a change of person or number in a verb, he took his text verbatim from the Bible. (For a sample of how this was done, refer to Appendix A.)

In this pamphlet, Bresselau responded to the rabbis, invective for invective. On the inside cover, he reproduced a passage from the Talmud which condemned those who -- like the respondents in Eleh Dibhré Haberith -- had much knowledge of Torah but neither dealt honestly nor spoke gently with others. His implied message was that, in attacking the Reformers so viciously, those rabbis had profaned God with their actions, and had been censured by the very Torah they thought they were upholding. The preface of the work was modeled after the preface of Eleh Dibhré Haberith. Of course, Bresselau changed the nature of the charge levied against the opponents, and added a string of his own vituperations.

In the body of the work proper, Bresselau railed against the rabbis, especially the three dayanim of Hamburg, for having provoked a controversy within the Jewish community at a time when far more crucial issues were at stake. Bresselau cited the rampant exodus from Judaism taking place in their community, especially among the youth, and condemned the rabbis for not doing anything to counteract it. The dayanim who were paid to look after the religious welfare of their

community were not at all in touch with, nor responsive to, the needs of that community, charged Bresselau. They were simply collecting their stipends and acting as if nothing had changed with the advent of modernity. They sat in the darkness of the medieval world and could not see that changes in Jewish customs were needed. The Jewish legal tradition clearly allowed for the reforms instituted by the Temple, asserted Bresselau, who nowhere advocated disregard for Jewish law. He did, however, claim that particular customs which had developed and had since fossilized no longer engendered Jewish religious feelings. Those had to go, said Bresselau. Jewish customs had to adapt to the needs of the times.

Bresselau also attacked the traditional synagogues, citing the noise, confusion, and lack of religious feeling and decorum which typified them. It was in response to those conditions as well that the Hamburg Temple was founded. He spoke of the sincerity and piety which marked the Temple's services, which were well attended by young and old, man and woman. The people who came to the Temple understood what they were praying, and hence could pray with increased devotion. They were inspired by the sermons and the explanations of the Torah, and were spiritually uplifted by the music of the choir and the organ. Their children studied Judaism in a way which was meaningful to them, and were then confirmed in the Jewish faith. Indeed, the educational program of the Temple was bound to create a new generation of knowledgeable and committed Jews.

The Temple members could be assured that they were truly perpetuating Judaism. Through their service they were increasing reverence for God -- not rebelling against Him. Bresselau advised those groups that attacked the Temple not to be so sure of themselves; it may have been that the Temple, not the synagogue, stood in Divine favor. He urged the Reformers not to be discouraged by the opposition of the rabbis but to continue to serve God and follow His ways as they had been doing. Time would indeed vindicate them.

In the footnotes to this section, Bresselau chided the rabbis by quoting from their writings and pointing out their inconsistent interpretations and applications of Jewish law. He also twitted them for their hubris and for their failure to understand and respond to the needs of the community.

In the second section of the pamphlet, Bresselau quoted from major authoritative texts of Jewish law which justified the Temple's reforms, and which Bresselau felt that the rabbis had either misinterpreted or ignored.<sup>69</sup> To many of these texts he added footnotes, citing rulings in Eleh Dibhré Haberith which directly contradicted Jewish law as presented in his sources. Bresselau brought thirteen sources justifying public prayer in the vernacular, six sources on the permissibility -- indeed the desirability -- of the use of music in prayer, including texts which justified the use of musical instruments on Sabbath, and two sources which said that Jewish customs may be changed according to the needs of the times. Having been exposed to Nogah Hatzedeg / Or Nogah, Bresselau

must have been aware of halakhic sources which supported the other reforms which had been attacked, but felt either that those three were of greatest import or that they had the most solid grounding in Jewish law.

Bresselau concluded his work with an appeal to the readers to ignore the prohibitions of the rabbis, and urged them to take heart. Because of what the Reformers had done and were doing, God would establish a covenant in their community, not the covenant of which the rabbis had spoken, but a covenant of peace. Based on this covenant, the Reformers could be assured that they and their children could look to the future with faith and hope.

When referring to individual rabbis in Eleh Dibhré Haberith, Bresselau often described them in the very words by which they described themselves. Self-deprecating statements of humility by the rabbis were presented as fact by Bresselau's pointed pen. For example, the Rabbis of Leghorn referred to themselves as "the least of the holy flock,"<sup>70</sup> whereas Bresselau, when citing their words, merely called them "the least of the flock."<sup>71</sup> He also used their self-aggrandizements to create a sense of irony, e.g., "See now what the sage who HAS PRODUCED SIX HUNDRED DISCIPLES, MADE MANY BOOKS, AND WHO HAS MANY SONS-IN-LAW advises..."<sup>72</sup> Bresselau enjoyed referring to individual rabbis, using quotes from the Bible relating to their Biblical namesakes. For instance, when referring to Moses Tobhiyah, he quoted passages from Nehemiah about the Biblical Tobhiyah who then as well hampered Jewish rebuilding:

"See now what these feeble Jews do [Nehemiah] 3:34 - TOBHIYAH being among them. Even that which they BUILD, if a FOX (one of the "little foxes") goes up upon it, it shall break down their stone wall [Nehemiah 3:35] !!"<sup>73</sup> The parenthetical remark about the "little foxes" was an allusion to the epithet applied to the Reformers by several of the rabbis.<sup>74</sup>

Those scholars who read Herebh Nogemeth Neqam Berith, looking for a complex legal presentation and original halakhic arguments, did not find those here. In the words of Meyer Waxman, "besides its flowing Hebrew style and its sharp tone of criticism, it contains little new."<sup>75</sup> However, those who read the work for literary style and polemic impact found it to be far and away the most outstanding of its genre. Zinberg called it "one of the sharpest as well as the most brilliant tracts in neo-Hebrew literature."<sup>76</sup> Even Graetz and Bernfeld, two historians declaredly critical of Reform Judaism, praised Bresselau's piece. The former wrote that in his work,

written in beautiful Hebrew style and with such skillful manipulation of biblical verses, that it seemed as though the prophets and psalmists themselves were scourging the delusions of the obtuse rabbis, Bresselau treated them now as ignorant boys, now as false prophets, and especially as disturbers of the peace. Every sentence in this seemingly earnest but bitingly satirical epistle was a dagger-thrust against the old perversions and their defenders.<sup>77</sup>

Bernfeld wrote, "This pamphlet is marvelous in its satiric style and totally unique. From the vantage point of its literary value, it is one of the precious pearls of modern Hebrew literature."<sup>78</sup> Because of his concern that this small "pearl,"<sup>79</sup> "one of the important writings of Jewish culture," be preserved, Bernfeld published the entire text of Herebh Noqemeth Neqam Berith as an appendix to his history of Reform Judaism.<sup>80</sup>

Lahat Haḥerebh Hamithhapekheth<sup>81</sup> להט החרב המתהפכת

-M.L. Reinitz

In Eleh Dibhré Haberith, the editors wrote that if anyone took it upon himself to write a rejoinder to their work, it would be beneath their dignity to respond. However, Herebh Noqemeth apparently had such an impact that a response was felt necessary. In 1820, M.L. Reinitz published Lahat Haḥerebh Hamithhapekheth (The Flaming Sword which Turns Every Way) in which he tried to turn the sword back in the direction of the Reformers:

They have girded a sword against the servants of the Lord, as one can see in the polemic which these evil ones wrote with a pen of iron and lead and called THE SWORD WHICH AVENGES THE COVENANT. The wicked have drawn out their sword. THEIR SWORD shall enter into their own heart. Stand forth and see that the sword hath devoured round about ye ... for after thee cometh a sword -- THE FLAMING SWORD WHICH TURNS EVERY WAY...It shall deliver

me from the sword of an EVIL MOUTH.<sup>82</sup>  
Reinitz attempted, "without success,"<sup>83</sup> to imitate Bresselau's literary style and to refute his halakhic sources by restating arguments culled from Eleh Dibhré Haberith. The effect of this work was nil.

Berith Emeth<sup>84</sup>

ברית אמית

-David Caro

In 1820, another response to Eleh Dibhré Haberith was published - Berith Emeth (Covenant of Truth) by David Caro under the pseudonym of Ammittai ben Abhida' Ahiztedeq, and using the false imprint Constantinople. Caro was a Hebrew writer and educator, a devotee of the Enlightenment, and a contributor to the journal Hame-aseph. Written in the Hebrew style of the Enlightenment, Berith Emeth was divided into two smaller books - Berith Elohim (Covenant of God) and Berith Hakehunah (The Covenant of the Priesthood).

The first of these books was itself divided into three sections. The first, Berith Ahim (Covenant of Brethren), consisted of a collection of short letters by the fictitious Ammitai on matters of Jewish religion and ethics, focusing on the need to update Judaism according to the spirit of the times.<sup>85</sup> Berith Beth El (Covenant of the House of God), the second section, described and defended seven of the reforms instituted in Berlin and Hamburg. In it, Caro supported each through three means: logical discourse, Scriptural testimony,

and rabbinic proof-texts. In the third section, Neqam Berith (Avenge the Covenant), Caro took up each of the twenty-two responsa from Eleh Dibhré Haberith and attempted to refute each of them through halakhic sources and logic. He pointed out the inconsistencies of the rabbis' arguments and asserted that their strict posture vis-a-vis changing Jewish customs was hampering Jewish life, not nurturing it.<sup>86</sup>

The second book in Berith Emeth, Berith Hakehunah, was also subtitled Tekhunath Harabbanim (Qualities of the Rabbis). In this work, Caro presented his concept of the role of the rabbi. He explored the roles of the rabbis of the past, presented his perceptions of the present state of the rabbinate, and envisioned the qualities of the rabbis who would be able to meet the needs of the future. In addition, he suggested a design for Jewish communal education aimed at creating the ideal Jewish community.

### The Polemics Subside

One of the last Hebrew polemics was written in 1826 and was entitled Iggereth Al Asaph.<sup>87</sup> Supposedly written by an Algerian rabbi to his colleagues in Europe, it was in fact written by Rabbi Aaron Chorin, one of the first defenders of reform in Nogah Hatzedeq. Again he urged support for reforms in the synagogue, as he felt that they would strengthen Judaism in their time. In 1826, as in 1818, Chorin used the sources of Jewish law as the foundation of his arguments, saying



that halakhah mandated the change of acquired customs when those customs no longer served the needs of the community. He, as most of his fellow pro-reform polemicists, saw himself in line with Jewish law and saw the reforms he advocated as being halakhically authentic. For the first generation of Reformers, Jewish law was the cornerstone of Judaism. How it was interpreted could be open to dispute; that it must be interpreted, taken seriously, and followed, was not.

The second generation of Reformers, personified by Abraham Geiger, were not of the same mind as their predecessors however. The first Reformers were committed primarily to making the worship service more aesthetic, and religious pedagogy more harmonious with the times, and were only secondarily concerned with ideological/theological issues.<sup>88</sup>

The later Reformers, on the other hand, set out to put Judaism as a whole on a new footing, one in which Jewish law was a historical product of -- but not identical with -- Judaism.

When, in 1857, Geiger published his Urschrift (The Original Text and Translations of the Bible in their Relation to the Inner Development of Judaism),<sup>89</sup> he gave further foundation to what was to become the underlying assumption of Wissenschaft des Judenthums (The Scientific Study of Judaism), i.e., that, in every age, Judaism was a product of its particular time and place. Judaism grew and developed in a dynamic historic process. Hence, every feature in Judaism could be pinpointed as to its origin and to the reasons behind its introduction into Jewish practice.<sup>90</sup>

More important for Geiger than the academic significance of this position was its tremendous implication for present-day Judaism. By positing that no Jewish practice was born independent of its times, Geiger could relativize all of Jewish law. The authority of any part of the Jewish past existed only in relation to its own time and place. If particular norms were created for particular reasons in a particular time and place, it must follow that those norms were not binding in a time or a place in which those reasons did not apply. According to Geiger, "no sacred text, no law, no custom could possess normative force unless it was still alive in the contemporary religious consciousness, which must ever revalidate its truth."<sup>91</sup> Thus, the generation represented by Geiger saw itself not as a further link in the chain of tradition, but rather as welder of a new chain, a chain made up of those links from the old chain which could be harmoniously joined with the fibers of contemporary civilization.

To be sure, the Reformers were still concerned with Jewish law and with finding halakhic justification for their reforms. This was evidenced in many of the Introductions to later Reform prayerbooks, in which the editors attempted to validate the particular form of their liturgy by appealing to Jewish legal literature.<sup>92</sup> This desire was also seen in the proceedings of the various Rabbinic Conferences of the 1840's, in which many of the Reform-minded rabbis based their positions on the issues at hand upon their readings of Jewish

law.<sup>93</sup> What had changed, however, was that the Reformers no longer accepted Jewish law as their sole authority, and, as a result, felt a declining interest in using it with which to debate their traditionalist counterparts. Both groups came to realize that the literary polemics -- in which one side quoted halakhic proof texts in order to dispute the claims of the other -- were now pointless.<sup>94</sup> Certainly, each side continued to rail against the other. But, whereas in the first generation, the disputes took the form of a literary dialogue, in later years the disputes became polemic monologues within the confines of the respective communities. The pretext that the two sides spoke the same language, for the most part, disappeared.

In addition, as time went on, many of the Reform Temples -- particularly the Hamburg Temple -- became established institutions. They had regular memberships with their own rabbis -- as they were again called<sup>95</sup> -- who themselves dominated the Rabbinic Conferences of the 1840's. The traditional rabbis thus saw that they simply did not have the power to affect change in the Reform Temples, and were forced to accept Reform Judaism as a reality with which they had to live.

### CHAPTER III

#### HEREBH NOQEMETH NEQAM BERITH -- TEXT, TRANSLATION, AND ANNOTATION

Note: So as to preserve the classic flavor of this work, the translator has made use of the 1917 translation of The Holy Scriptures published by the Jewish Publication Society by which to render the Hebrew. This translation attempts to reproduce what the author wrote in the style in which it was written. What the author meant by what he wrote is explained in the Annotations. Also in the Annotations are notes which give further background and explication for the text. Beginning with the Preface, whenever a word, phrase, or section is explained there, the number of the line in which the first word appears is given in the lefthand margin of the page. The note in the Annotations bears the same number.

In the Hebrew text, the author has set selected words in large letters in order to accentuate them. In some cases, he wishes to draw attention to words used in Eleh Dibhrê Haberith; in others, he simply wants to give them special emphasis in their own context. In the translation, these words have been set in CAPITAL letters.

A slash [/] in the text of the translation indicates a new page in the Hebrew text, the number of which is supplied in the right-hand margin of the translation.

[Front Cover]



[Inside Cover]

חניא וארבת אחי אללהיך, שיהא שם שמים מחאהב על ידך,  
שיהא קורא ושונה ומשמש הלטייז חכמים ויהא משאו ומחננו  
כנחח עם הכריות; מה הכריות אומרות עליו? — אשרי  
אביו שלמדו חורה, אשרי רבו שלמדו חורה! אוי להם לכריות  
שלא למדו חורה! פלוגי שלמדו חורה, ראו כמה גאים  
ורבים! כמה מוזכרים מעשיו! עליו הכתוב אומר עבדי  
אחא ישראל אשר בך אתפאר; אבל מי שקורא ושונה  
ומשמש הלטייז חכמים ואין משאו ומחננו באמונה, ואין  
רבו, כנחח עם הכריות, מה הכריות אומרות עליו? אוי  
לו לפלוגי שלמד חורה, אוי לו לאביו שלמדו חורה, אוי לו  
לרבו שלמדו חורה! פלוגי שלמדו חורה, ראו כמה מקולקלין  
מעשיו, כמה מכווערין ורבים! ועליו הכתוב אומר  
ויחללו את שם קדשי באסור להם עם יי אלה ומאמצו  
יוצא י מי



[Preface]

## הטיבה יי לטובים, ולישרים בלכותם.

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זואח לדעת כי המכתב הלז נדפס לכבוד הקב"ה וחורתו, ולא ח"ו לקנטר או להכעיס שום איש מישראל, גם לכבוד קהלתנו בית יעקב, להבריל בין האור ובין החשך ולהודיע כי מעט ורעים המה אשר נכשלו בטעות ויצאו לריב, חווים משאות שוא ומדוהים, אך כל העדה כלם קדושים, ורק מעושי דמעושי הנכשלים ע"י איזה מסיתים ומדיחים יושבי חשך וצלמות, שמים אור לחשך ויהי לילה, בותרמוש כל חיתו יער, ועל פיהם גם זרים באו והשחיתו את נהלת יי, יי השוב וכפר בעדם, יאר פניו אליהם להאיר להם את הדרך, ומאופל ומחושך עיני עבדים תראינה, תזרח השמש יאספון ואל מעונתם ירכצון, והיה מעשה הצדקה שלום, ועבודת הצדקה השקט ובטח עד עולם.

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## לקדושים אשר בארץ המה.

תחת שלש רגוזי ארץ, שלשה אלה אשר העלו את שמותם בעש ברזל ועופרת תחת פתשגן הכתב, מעשה תענועים, אשר כנו בשם מודעה להודיע לעין כל חטאת פיו, ולדבר על עם יי הועה; וירימו קול במחנה העברים אוי ואבוי! עת צרה היא ליעקב! — מוציאי דב"ה, ספרו אשר לא שמעו ואשר לא ראו, לא דבר יי להם ובשמו קראו, לא לעזר ולא להועיל, כי לבשת וגם לחרפה, חווים שוא וקוסמים להם כזב; ויתלקטו אליהם אנשים רקים ופוחזים, בוערים בעם, חרשי משחית, כל איש משגע ומתנבא, רץ לקראת רץ ירוץ ומגיד לקראת מגיד, יביעו וידברו עתק, יהמו ככלב ויסוככו עיר, בחוצות יתהוללו, ישתקשקו ברחובות, מראיהן כלפידים, כבדקים ירוצצו, ודבר חד את אחד אצל הקירות ונפתחי הכתים; מחשבותיהם מחשבות און, חרבות בשפתותיהם, כי מי שומע? — כל יום יגורו מלחמות, עזי נפש לא ידעו שבעה, יועצים עצת רע בעיר הזאת, וישימו חרפה לשכנינו, לעג וקלס לסביבותינו, ומלכתיים עמל כתבו, וילכו הרצים באגרות אל כל מדינה ומדינה, לאנשים ידועים לשכניהם, ראשי אלפי ישראל — אלה הקרנות אשר זרו את יהודה — להיות היהודים עתידים לאסר איסר. פיהם דבר שוא וימינם ימין שקר באמרם כי כן דבר שרי העיר אליהם, להביא עצות מרחוק\*) וייטבו דבריהם בעיני כל אשר יקרא לו האדם נפש חיה, ויעשו כן, ותהי האמת נעדרת.\*\* — הרו עמל והולידו און, האגרות אשר שלחו ליראנו, משא ארבעים גמל. — קצתם בשקר נכאו, תורות וחקים מלבם בדאו, קצתם יש להם שכל ומזימה ועדמה, ולא יפנו אל דבר חכמה, וקצתם לכל דבר חכמה נפלאה יאמרו הנה

(\*) כמראה חזה הראה לנו באגרת מאת הרב המדבר בחלחלת (דב"ה דף פ"ג) לאחר ממיוועיו, ובה אמר שלולי זאת לא כחב, ואף גם זאת לא עלת על לבו להודיע דעתו ברפורס, כי יצא השכר בהפסד הריב והמחלוקת.  
(\*\*) אלה דברי הרב מצליח (דב"ה דף נ"ב) וז"ל: יגענו ולא הונח לנו, עד שמצאנו את שאהבה נפשנו לאשר ולקיים כל הוראתיהם לאיסור. עכ"ל: — הנשמע כזה מיום סור אפרים מעל יהודה? כמה יגיעו יגל עד שמצא די מחסורו אשר יחסר לו! יגל לריק ולר לבחלת, וחורה מה חורה עליה? — קסיר קא חוינן וכלחזו רבנן קא מיחנפי אהרדיז

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מתלואה; את כלם ישא רוח יקח הכל, ולא ידעו אלה הסכלים, כי ברוב חלומות והבלים אשר המה מהבילים, נפש הם חובלים. — שנו לשונם כמו נחש, חמת עכשוכ חחת שפתימו, וכל מעשיהם בספר נכתבים, הרבה העצים! הדלק האש! אש זרה אשר לא צוה אותם יי— ונר אלהים טרם, יככה! — אין קורא בצדק, ואין נשפט באמונה, אף כל נשעו, אף כל זרעו, אף כל ישרש בארץ גזעם. — אלה דברי הברית אשר חלקו ביעקב והפיצו בישראל עדת אנשים עורים אשר במהשך מעשיהם, ולכל דבר פשע יצאו נצבים — זה דרכם כסל למו, חשך, ענן, וערפל; ידרכון קשת, כוננו חצם על יתר, לירות כמו אפל לישרי לב; את קשתם נתנו בענן והיתה לאות ברית. זאת אות הברית אשר הקימו במגלת ספר כתוב עלינו, דברי הברית דברי ריכת, בודון יתן מצה, כל זאת באתנו, נכתב בשם ונחתם בשבעה . . . . כל אשא את שמותם על שפתי; קראו בשמותם "חכמים . . . ." — היו חכמים בעיניהם! — חכמים המה להרע, והחכמה מאין תבא? איכה תאמרו, "חכמים אנחנו" וחכמת מה לכם? — נסרחת חכמתכם! מי יתן החרש תחרישון, ותהי לכם לחכמה — העצמות היכשות! גם אהבתם, גם שנאתם, גם קנאתם כבר אכדה, וחלק אין להם עוד לעולם. התחיינה העצמות האלה? — "אלהים, אתה ידעת! — פה להם ולא ידברו, לא יהגו בגדונם, אין חכמה, ואין תבונה, ואין עצה! — וגם זאת המודעה מן השלשה הכי נכבדה ועד השלשה לא באה, כי אין מענה בפי שלשת האנשים האלה. הואילו נא ותנו הספר על ידם לאמר קראו נא זה, וענו ואמרו ידנו לא היתה בו, לא ידענו ספר — אהה! כשועלים בחרכות, נביאיך, ישראל! — במאונים לעלורז המה מהכל יחד! —

שלשת הרועים! רועים לא ידעו הבין! זה עשר פעמים חכמימונו, הרוב דברים לא יענה? — לכן הרועים שמעו! האתם כהני יי תקראו, משרתי עליון? אמר לכם? — הן אתם מאין ופעלכם מאפע, כי נסך יי עליכם רוח חרדמה וועצם את עיניכם. — הוי רועי ישראל אשר היו רועים

(\*) מוציאי דב"ה קול האות הראשון בשער הספר ד"ל: אשרי אדם שומע לגזירת חכמים...

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אוחם ! הלא הצאן ירעו הרועים — את החלב תאכלו, ואת הצמר תלבשו, הצאן לא תרעו ! — את הנחלות לא חזקתם, ואת החולה לא רפאתם, ולנשברת לא חשבתם, ואת הנדחת לא השבתם, ואת האכדת לא בקשתם, ובחזקה רדיתם אוחם ובפרך — הצאן לא תרעו ! —

שמעו נא בית ישראל כלם ! פנו אלי ותשמרו, ושימו יד על פה ! זה שנים רבות אשר החל הנגף בעם, אבל חירות מכהן ועצה מזקנים, אין לנו מנהל כימים הראשונים, איש הישר בעיניו יעשה, ורבים מבני ישראל הלכו ארחות עקלקלות, וישבו אלוה עושם, שכחו מועד ושבח, את פי יי לא שאלו, ובשמו לא קראו, ואת פניו לא יראו; והיו שלשת האנשים האלה בתוכנו, עינים להם ולא יראו, בחשכה יתהלכו, ישנו שנת עולם ולא יקיצו, סרוחים על ערשותם ולא נחלו על שכר בת עמי, ותשחת הארץ לפניהם, וירב כבת יהודה תאניה ואניה, כי הופר ברית אלהינו אשר חתם כבשרנו, אשר כרת את אברהם, ויעמידה ליעקב לחק, לישראל ברית עולם, ואין איש שם על לב — כל נכר ידיו על חלציו כיוולדה, ונהפך כל פנים לירקון ! אין אומר ואין דברים, בלי נשמע קולם; בכו במסתרים ! (\*) — הלא עת לעשות ליי, הפרו בריתו ! — אך בזאת יאוחו לנו האנשים לשבת אתנו, כהמול לנו כל זכר כאשר הם נטולים. שמעו נא המורים ! הלא אליכם המצוה הזאת ! (\*\*) זאת הכרית אשר חשמרו, ולמה לא שמתם לעשותה ? הלא אתם המחס את עם יי, אשר לא הקמתם את דברי הכרית. — הביטו נא וראו ! בנינו ובנותינו טגודלים דור לא הכין לבו, לא נאמנה את אל רוחו, לא ידעו את אלהי יעקב ואת קדוש ישראל, והיתה חרפה וגדופה, מוסר ומשפחה בגוים — בשלמי הרעה הזאת ? הלא מידכם היתה, כי לא עליהם בפרצות וחגדרו גדר על בית ישראל; למרה הבאתם את קהל יי, אל המדבר הזה ? אם יש דבר יי אתכם, פגעו נא ביי צבאות לבלתי ספות הרוח על הצמאה. — החרשים שמעו והעורים הביטו לראות ! בנינו ובנותינו נתונים לעם אחר,

(\*) רב"ח, מדרש דף III

(\*\*) יורה דעה רס"א, אם לא מל האב אח בנו, ב"ל חייבים לשלוח

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בטרם ידעו מאוס ברע ובחור בטוב; הן אראלם צעקו חוצה ומלאכי שלום מר יבכיון; והיו שלשת האנשים האלה בתוכנו, חי אני, אם בנים ואם בנות יצילו! — הוי רועי האליל! עזבי הצאן! חלו נא פני עליון לבלתי יפוצו עמי איש מאחותו, ולא תהיה עדת יי כצאן אשר אין להם רועה; קראו נא בשם אלהיכם, ואש לא תשימו! — הוי רועים מאבדים ומפזים את הצאן! ארץ החלב תאכלו, וארץ הצמר תלכשו, הצאן לא תרעו! ארץ הנדחת, לא השבתם, וארץ האבדה לא בקשתם, ומדוע תתנשאו על קהל יי? — וכי האמרו בלבבכם „העיר רכתי עם, קהל רב מאד, אך מעט הם החטאים בנפשותם, הנפש החוטאת עונה חשא, דמת בראשה, ואנחנו נקיים“. כה יתן אלהים וכה יוסיף, כי בנפשכם דברתם את הדבר הזה; למה לא דברתם להזהיר רשע מדרכו, המעט הוא אם רב? — אל חדמו בנפשכם להמלט מכל היהודים; הסה את עונם ישאו, ואחס לא חנקו! — אל יקחכם לבכם כי אחס הרבים, ומרובכם חשק יי בכם, כי לא רבים יחכמו; מה ידעתם ולא נדע? חבינו ולא עמנו הוא, גם שב, גם ישיש בנו. האם מן הדרך אשר דרכו בו אבותינו מעולם אנשי השם, ממנו לא חסורו ימין ושמאל? אבותיכם איה הם? והנביאים העולם יחיו? — מח תבהלו על פיהם כי המנהג חיה אלף שנים פעמים, על כן עמד שעמו בו ויחיו לא נמר, ובתורה יצא (\*) — אמנם כי אחס עם, ועמכם תמות חכמה! הלא חדעו, הלא חשמעו, חלא הכינוחם, כי עת ומקרה יקרה את כלם, והמנהג בשנותו את מעמו, בשגעון ינהג, מסיר לב ראשי עם הארץ וינהיגם כעדר במדבר; הלא אתכם נהג ויולך חשך ולא אור! דעו נא וראו, הצאן והבקר נהגו חדשים מקרוב באו, לא שערום אבותינו — אמנם לא דרכיכם דרכינו, כי יי שפטנו, יי מחקקנו, וזה אלהים אלהינו עולם ועד הוא ינהגנו. —

ואחס עמדו נא בחצר בית יי, קול דברים אחס שומעים לאמר: היכל יי! היכל יי! ובאתם ועמדתם בבית אשר נקרא שם יי עליו, והנה שלשה אנשים נצבים לפני העדה לשרתם, קטן וגדול שם הוא, אחד באחד יגשו, ויהי האחד מפיל את הקורה, ירים קול אילות יחולל, בעיניו קורץ וכרגליו מולל, גם את השני

(\*) רב"ה דף XI, דף ב' דף ה' וכו'

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שאגה לו כלביא, ירעם בקולו נפלאות, גם את השלישי פוצה  
פה ומצפצף כצפרים עפות — מה קול ההמון הזה? הצעקה  
ישמע אל? — נגינתם נגינות שותי שכר, שירי עגבים  
כפיהם, ועמי אחבו כן, כל ישראל נסו לקולם, לשמוע אל  
הרנה, ואל התפלה לא ישימו לבם; וישב העם ויקומו  
לצחק, ישלחו כצאן עויליהם וילדיהם ירקדו, וליוצא ולבא  
אין שלום; הקולות יחדלון, כלם לדרכם יפנו, איש לאהליך  
ישראל! — ונשארתי כמתי משט מצוא חפציכם ורבר דבר, ודבר  
יי יקר בימים האלה, באין חזון יפרע עם, ויהי יראתם את יי מצות  
אנשים מלמדה. — גם הוא עון פלילי, אשר חכמים יגידו ולא  
כחדו מאבותם, כי צמתם וספור, לריב ומצה תצומו ולהכורז  
באגרוף רשע, וחיה כעם ככהן להשמיע קול אחד, קול העם כרעע  
למשל ולשנינה, לשטה ולשרקה, כאשר אתם ראים בעיניכם.  
גם כי חדכו הפלה, הוגעתם "בדבריכם", כי יש דברים הרבה  
טריים הכל, לא תעשון ככל אשר אנחנו עושים היום  
הזה, כי בערתם את הקדש מז הבית, והבאו אל המקדש  
לחללו. — והנה כה עשו כהן בית יי להבאישנו בירש  
הארץ. — הכה ככפך זרקע ברגלך, ואמור אח אל כל התועבות!  
כי חללו את השם הקדש, באמור להם עם יי אלה! — (\*)  
גם זה הכל ורעה רבח, זה יאמר לוי אני, וזה יקרא בשם יעקב  
וזה יכתוב ידו לוי ובשם ישראל יכנה, ויעשו להם אספה  
עשרה אנשים בבית אחד השכם והערב, וכו' פתיחין ליה  
בעילייתיה איש על גנו ובחצרותיהם, הממעיט אסף עשרה  
חמרים, ושעיר עזים אחד לחטאת, בקר וצאן, כל אשר יעבר  
תחת השבת, העשירי יהיה קדש, לא יבקר בק טוב לרע; במחיר  
יבאו ויקומו בבקר השכם, ומדי שבת בשבתו בעלות המנחה ושעיר  
החטאם דרש דרש, כל הרוצה ליטול את השם יטול  
וידבר אל העצים ואל האבנים, בלעני שפה ובלשון אחרת ידבר  
אל העם, כל השומע תצילנה אזניו, את מי יורה דעה? ואת  
מי יבין שמועה? — זר מעשהו, נכריה עבודתו, על כן

(\*) ואחם דייגי מומחים ומובהקים דקרחא קדישא הרין,  
ומעלה הנבחרים העומדים על הפקודים, מוציא דב"ה! למה  
לא העתקתם דברי אלי עזר האחרונים, והמך בכחובים  
כד"ה דסדרם אכלה לדכא (דב"ה דף צ"ד) עד סוף מכהבו.  
למה לא העתקתם דבריו בלשון עם ועם להראות העמים  
והשרים את יפיהם? כי טובים הם. אך זר הדבר אשר  
דברתי: לא יאהב לץ הוכח לו. —

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תפוג תורה והיה רק זועה הבין שמועה — כהניהם במחיר יורו, נביאיהם בכסף יקסומו, את כל הישרה יעקשו, ועל יי ישענו לאמר: הלא יי בקרבנו, לא תבא עלינו רעה! — אמנם רק עם חכם ונכון הגוי הגדול הזה! — לו חכמו, יבינו מדוע נעזב בית האלהים — אהה! היכל יי! היכל יי! היכל יי! מזהרסין ומחריבין ממך יצאו! הנח זאת חקרנוה, כן היא, ואם לא אילו, מי יכזיבני? —

ואמנם אחים אחינו, עוד לא אלמן ישראל, הנה קמו וגם נצבו המתנדבים בעם, כרחים אמנה וכחבים, ועל החתום שרינו, לוינו וכהנינו, וכל הנבדל אל תורת האלהים, ומכשול עונם נתנו נכח פניהם, ויתנדבו לעבודת בית האלהים, וכלב שלם התנדבו ליי, ונכנה הבית לשם יי אלהי ישראל ורחקים באו ובנו בהיכל יי; והיה מדי שבת בשבתו ובמעדי יי מקראי קדש, ועלת העם בית אל, בנערינו ובזקנינו נלך, בבנינו ובבנותינו, ויקראו בספר תורת יי רביעית היום, ורביעית היום מזדים ומשתחווים ליי אלהינו בתודה ובקול זמרה, וישמחו לקול ענב, והיה כנגן לסנגן, בא יבואו ברנה, וחצלה עליהם רוח יי לשיר במקלה ולהשמיע קול תהלתו, וענו בהלל ובהודות ליי כי טוב, כיגבר עלינו חסדו; והקטנו עלינו דעים ומבינים את העם לתורה, והעם על עמדם, נשיהם, בניהם וכנותיהם יבינו בדברים אשר יודיעו להם, ותהי שמחה גדולה, עוד יאמר באזנינו צר לנו המקום, כי מלא הבית על כל גדותיו וגם העמדנו עלינו מצות ללמד את בנינו ספר ולשון עברי, ולהביא את בנינו וכנותינו בכרית יי, להורות להם את הדרך אשר ילכו בו וארץ המעשרה אשר יעשה אותם האדם וחי בהם, לא נפל דבר אחד מכל דברו הטוב אשר דבר ביד משה עבדו, ובנים אשר לא ידעו, ישמעו ולמדו ליראה את יי אלהינו, ושימו באלהים כסלם, לא נשכחו מעללי אל, ומצותיו ינצורו, ולא יהיו כאבותם דור סורר ומורה. ועתה כמעט רגע היתה תחנה מאד יי אלהינו, להשאיר לנו פליטה, ולתת לנו יחד במקום קדשו להאיר עינינו, וחקראנה אותנו כאלה! עריצים בקשו נפשנו, לא שמו אלהים לנגדם, כי לא יבינו אל פעולת יי, סבנו כדבורים, דועכו כאש קוצים, שניהם חנית וחצים ולשונם חרב חדה, אומרים לנפשנו אין ישועתה לו באלהים; — לולי יי שהיה לנו, אוי חיים בלענו! — ואתה יי תשחק לנו, יקללו המה, ואתה תברך!

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התיצבו וראו את ישועת יי אשר עשה לנו היום הזה, פעל פעל  
בימיכם. לא תאמינו כי יסופר, בפחאום היה הדבר ועתה  
יש מקוה לישראל על זאת; לא עתה יבוש יעקב ולא עתה  
פניו נחורו, כי כלם ידעו את יי למקטנם ועד גדולם, והקדישו  
את קדוש יעקב ואת אלהי ישראל יעריצו, ולא ישאו עוד כל ימם  
הגוים. — מי יתן והיה לבכם זה להם כל הימים, למען ייטב  
להם ולבניהם עד עולם! מי יתן כל עם יי נביאים, כי יתן יי את  
רוחו עליהם! העם ההלכים כחשך יראו אור גדול, ולכל בני  
ישראל יהיה אור במשכותם.

ועל השנות החפלות, ועל המון שירינו וקול כנורנו בשיר אשר  
יושר בית אלחנו, ועל ניב שפתינו כלשון עם ועם, מדה  
אחת לשלשתם (\*), גם לכל הדברים אשר ידכרו ואשר כתבו ששנת  
עלינו אל תתן לבך, לא מחכמה שאלו על זה. לו חכמו,  
יראו, וידעו, וישימו, וישכילו, כי יי עשה זאת להחיות  
עם רב; לכן המשכיל בעת ההיא ירום, שאהית ישראל לא  
יעשו עולה, ואף אם שגינו אתנו תלין משגתנו. — ואתם  
שלשרת הראשיים! מה העבודה הזאת לכם, כי תחזיקו ביד  
שמאלכם בלפידים וביר ימינכם בשפרות, ותחקעו סביבות כל  
המחנה ותקראו „חרב ליי!?! — המערת פריצים היה חבית  
הזה? — היש כלשוננו עולה ד? — האם שכחנו שם אלהינו  
ונפרש כפינו לאל זר? — הלא אלהים יחקר זאת, כי הוא יודע  
העלוט לב. חלילה לנו ממנו למרוד ביי, ולשוב היום מאחרי  
יי, אל אלהים הוא יודע ישראל הוא ידע אם במרד ואם במעל.  
ביי, ואם לא מדאגה בדבר עשינו את זאת לאמר מחר  
יאמרו בניכם לכנינו לאמר „מה לכם ולוי אלהי ישראל; עד  
הוא בינינו ובניכם ובין דורותינו אחרינו. — ואתם חשברו  
בנפשותיכם! הן אתם כלכם חיותם ולמח זה הכל תהבלו?  
למה תאמר יעקב ותדבר ישראל נסתרה דרכנו מיי? — אל מי  
תדחיבו פה, תאריכו לשון? עם עמקי שפה משמוע, נלעג לשון  
אין בינה! הדרכנו לא יתכן? — הלא דרכיכם לא יתכן, יען  
כצד וככתף תהדופו, ובקרניכם תנחו, ותגד. לו בפיכם לאמר  
חלא כחוקנו לקחנו לנו קרנים! — זרעתם הרכה, והבאתם  
מעט, והמשתכר משתכר אל צדוד נקוב! לו יש מופית כינינו.

(\*) הני תלת מילי שוינהו רבנן כהלכחא בלא מעמא.

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ישת ירו על שנינו, כי עתה השבנו לעם הזה דבר, שבעתים אל חיקם הרפתם אשר חרפנו, אך מה נדבר ומה נצטרך? האם טחטאתם ישכון כי תענם, וכי תורם את הדרך הטובה? — הבט לברית, והידיה אם לא תאמין ולא תשמע לקול האות הראשון, תהי נא אונך קשכת לקול האות האחרון, (\*) שמת מרכבות כבודם כנאות ונגדל לבב, קרנם ירימו בכבוד ופימן דברו בגאורת לאמר כי לא ישובו דבר — יעלו חסידים בכבוד וילכו בגאונם. — כל דרך אויל ישר בעיניו, אם תכתשנו במכתש לא חסור ממנו אולתו; לכן זאת העצה היעוצה מני קדם.

### שוט לסוס, מתג לחמור, ושבט לגו כסילים

אל חסן כסיל כאולתו; אמנם לכל יש זמן ועת לכל חפץ, עת להשליך אבנים, ועת לדבר; — יבא היום ונשיב דבר את העם הזה, ונראה מה יהיו חלומותיו, הלא הוא כמס עמנו, חתום באוצרותינו, אם יתמהמה חכה לו, כי בא יבא באר על הלוחות למען ירוץ קורא בו (\*\*).

בינו כוערים בעם וכסילים מתי תשכילו? הלא בשונה ונחת חושען, בהשקט ובנשחה תהיה נבחרתם, עד יערה עליכם רוח ממרום, אז תפקחנה עיניכם ואזניכם תפתחנה וראו בל בשר יחדו כי פי יי דבר.

לך עמי בחדרך וסגור דלתך כדרך, חני כמעט רגע, עד אנה ינאצונו העם הזה ועד אנה לא יאמינו בכל האותות אשר נעשו בקרבנו? — בקר ויודע יי את אשר לו, ואזניך תשמענה דבר מאחריך לאמר זה הדרך לכו בו! דרשו את יי בהמצאו, קראוהו בהיותו קרוב, כי קרוב יי לכל קראו, לכל אשר יקראו באמת ובלבב שלם ואין יתרון לבעל הלשון; הללוהו בתף ומחול, הללוהו במנים ועגב! אל חיראו ואל תכוש, אל השמעו אל חלומותם, ומגדופותם אל תחיתו אל תאמרו מה היה, שהימים הראשונים היו טובים מאלה; בינו שנות דור ודור, שאל אביך ויגדך, זקניך ויאמרו לך, כי גם בימים ההם מרכים חורי יהודה אגרותיהם כרך חלומותיהם בלי נדברים הרבה, ובכל דור ודור עומדים המתקדשים והמטהרים והתכרכו

(\*) רב"ח דף קל"ב.

(\*\*) אפס קצתו חרא-היום הזה, והנה הוא אחריו.



— יז —

בלבבם לאמר כי רק להם לבדם נתנה מורשה זאת והחוריה  
 אשר שם משה לעיני כל ישראל, ואשר לא יתן על פיהם  
 וקדשו אליו מלחמה (\*), באלהי ישראל יזכירו לא כאמת ולא  
 בצדקה, כי אם למען השיב השמש עשר מעלות אחרנית.  
 המה היו במרדי אור, לא הכירו דרכיו ולא ישבו בנתיבותיו,  
 ורוח אחד לכל, ממקום קדוש יהלכו, — וישתכחו —  
 אין זכרון לראשונים, וגם לאחרונים לא יהיה להם זכרון, וזרח  
 השמש והארץ לעולם עמדת — ושבת אני את המזים שכבר  
 מחו, מן החייב אשר הם חיים עונה, כי אין זכרון לחכם עם  
 הכסיל לעולם. אפי עתה אל תשלו, כי בשכר הימים  
 הבאים, הכל נשכח, ודבר אלהינו יקום לעולם.  
 ועתה דעו נא וראו את כל העמל ואת כל כשרון המעשה,  
 וזה ספר כתוב עליהם קנים והגדל והי' יהודים  
 חשבו למרוך באלהיהם, על כן בכו להם הכית  
 הזה ועוד נוסף עליהם דברים רבים כהמה, מלבם הם כודאם,  
 חלומות השוא ידברו באמרם: שלחן יי נבזה הוא, — תועבת  
 עשו, באמרם: הלל יהודה קדש יי, אשר אהב ויחלו את עם  
 יי בשקריהם ובפחזותם ויהפכו את דברי אלהים חיים יי  
 צבאות אלהינו בחלומות אשר יספרו איש לדעהו, ומאתם  
 יצאה הנפה לכל הארץ — כלם מיראים אותנו לאמר: ירפנ  
 ידיהם מן המלאכה ולא תעשה, ואנחנו קטנו ונחשוד, עושים  
 במלאכה כאז כן עתה, ויי אלהים יעזר לנו, מי הוא  
 ירשיענו? — שמעו את דברי הברית, דרשו אותם מעל  
 הספר, ובקשהם ומצאתם כל דורך בן לא ידע שלום, תחלת  
 דברי פיהו סכלות ואחרית פיהו הזללות רעה. — כן העם הזה  
 וכן הגוי הזה, וכן כל מעשה ידיהם ואשר יקריבו שם טמא הוא,  
 אל תיראו את עם הארץ, כי לחמנו הם. והיה ככלותך לקרוא את  
 הספר, תקשור עליו אבן, והשלכתו אל תוך פרת ואמרת, „ככה

(\*) ראו נא את אשר יעץ החכם אשר העמיר שש מאות  
 תלמידים, ועשה ספרים הרבה, ויש לו בנת וחתני רבנן  
 ב"ה לכן אחם עם וכו' (רב"ה דף כ"ג) וגם את אשר  
 רמז עליו הרב המדקק אשר נשכח מאתו צחות לשון  
 תהרש, ב"ה וברור לדעת בן (רב"ה דף פ') וגם את זה  
 לעמית זה אשר סופר לנו באגרת הר"ק ו"ל ב"ה לא  
 אחדל והיא ככתובים בספר אגרת הרמב"ם, מה שעמדה  
 לאבותינו, היא שעמדת לנו ואין כל חדש תחת השמש  
 ותקב"ה מצילנו מידם.

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תשקע פעולת שטני, והדברים רע על נפשי, זאת להם  
תחת גאונם כי חרפו ויגדילו על עס"י — אל תשעו בדברי  
שקר, חזקו ויאמץ לבבכם כל המיחלים לוי! כי מנסה יי  
אלהיכם אתכם לדעת הישכם אוהבים אותו בכל לבבכם ובכל  
נפשכם — אהבו את יי כל חסידיו! עזרו את יי בשמחה! נאנו  
לפניו ברננה כאשר היחה באמנה אתנו. שירד לו, זמרו לו,  
בחורים וגם בחולות. וקנים עם נערים, שעומדים בכית יי בחצרות  
בית אלהינו, זמרו לשמו כי נעים, ומה יי דורש ממך, כי אם  
עשות משפט, ואהבת חסד, והצנע לכת עם אלהיך. את אדני  
הגדול והנורא זכורו וכו' חזקון מעתה ועד העולם כי עס"י  
החסד והרחמנות עמו פדות, והוא יפדה את ישראל מכל עוונותיו,  
ואלהי ישראל ישפוט שלום לנו, ושלום רב על כל הולך  
בתוכו, ומדבר כלשון עמו.

הלא כה דברי

הכותב פה המבנה, בס' סר צלם מעליהם ויי אתנו אל חיראוס;  
משנת המלמד ידי לקרב, אצבעותי לסלחמה

עברי אנכי

ואת יי אלהי השמים אני ירא

נר לרגלי דברך, ואור לנתיבותי

ואענה חרפי דבר, כי כטחתי בדברך.

קורא נעים אשר יש לך עיניים לראות, ולב להבין ולהשכיל,  
בין תבין את אשר לפניך, למען חצוק בדברך, חזקה בשפטך,  
ולמען תהיה חורה יי בפיר ושנחם לבניך, וידעת היום והשבות  
כי נכון הדבר מעם האלהים, וכל לשון חקום אחר  
למשפט חרשיעי.

אם ימושו החקים האלה מלפני, נאם יי, גם זרע  
ישראל ישבחו מהיותנו לפני כל הימים;  
ידמי' לא'.

משנה סוטה פ' יד

אלו נאמרין בכל לשון, קריאת שמע, ותפלה, וברכת  
המזון...

גמרא, שם.

קריאת שמע מלן? דכתיב שמע ישראל, בכל לשון שאתה  
שומע (\*). תפלה, רחמי היא כל היכי דכתיב מצלי. ברכת  
המזון, כתיב ואכלת ושבעת וברכת, בכל לשון שאתה

מברך.

ובכל ואח העין פניו חרב דק' ליסא (רב"ח דף ע"ט)

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ואמר וז"ל: שמעו שמעו ואל תבינו לומר שישמעו בקבלם  
אף שאינם מבינים... ואף בקבלה האחרת לא נאמר  
הבן ישראל, אלא שמע ישראל, שהיה לשון קבלת  
הדברים. עכ"ל — שמו שמים על זמח הכי קרא שמו  
יעקב ויעקבנו זה פעמים ושלש בפירושו? אמנם פיו  
הכשילו, וז"ל (שם) ואין אנו רשאים להשתמש בשום אופן  
בהשגח שכלנו לבר, כי השכל נלאה כמח פעמים ונלכד  
ברשה המעוה. עכ"ל. ובאמת יפה דן על שכלו, ולפי שכלו  
יהלל איש! —

דש"י, שם

הפלה דקחני מתחתיו ככל לשון, לא צריך קרא, והא רחמי  
נינהו והוא ליטנא דידע לכוון לבו לצלי.

תוס', שם

וברכת, מאחר שהברכה והשגח כלפי השכינה תוכל לברך  
בכל לשון שתריצה, ומסתמא בלשון שאתה מכיר שחתן  
שגח להקב"ה בלב שלם להנאתו (\*). והכי נמי איתא  
בירושלמי: ונכתה, כד שירא יודע למי מברך, ומשמע  
אפי' אמר בלשון חול שלא בתיקונה יצא (\*\*).

(\*) אחת דבר אלהים, שתיים זו שמענו מפי חכמי אמר  
רבוהינו ע"ה; ואל משה אמר (רב"ה דף יוד) "אם אנו  
אומרים הדברים כאשר חקנו אנשי כנה"ג, אע"פ שאין  
אנו יודעים כוננם, מ"מ עלתה לנו הפלחית" עכ"ל. והוא  
הרב החכם ד"ק פרעס בורג שכל אח ידיו ויאמר משה  
(שם) וז"ל: ולפני מלך בשר ודם אין עושים כך, כי  
המדבר עמו צריך לברך לשון המלך ואינו מדרך ארץ  
שידבר בלשון עם אע"פ שהמלך מבין אותה... ואם כן  
ל"הק הוא לשונו של הקב"ה אשר בה נתן לנו חורחו, ולא  
יחכן לדבר לפניו בלשונו המורגל בפיו. עכ"ל. —  
צחוק עשה לנו אלהים! וזה משה האיש לא ידענו מה  
היה לו, אם מי בועץ ויבינהו? אל מי חרמיו אל, וספר  
דמותו הערכו לו? — אין קץ לדברי רוח, שגיוס ושלשים  
יעשנה, ואמר לכל סכל הוא.

(\*\*) אם הראשונים כמלאכים, הלא הוגד לבם מראש, האחרונים  
מוציא דב"ה, מה הם, דור טהור בעיניו ומצאתו לא  
רוחץ, דור מה רמו עיניו ועפעפיו ינשאו!!

רמב"ם, הלכ' ברכות, פ"ו

וכל הברכות כן נאמרים בכל לשון, והוא שיאמר כעין  
שחקנו חכמים, ואם שינה ארץ המטבע, הואיל וחזכיר  
אזכרה (\*) ומלכות תעני הברכה אפילו בלשון חול יצא.

(\*) ומררלי יצא להראות את ידו החזקה, עמד בסדר יי אורף  
היריעה אמה (רב"ה דף י"ד) וברך דברים לא יחלף פשע,  
עלה שמים וירד ואסף רוח כהפניו. וגם מוביח למרום  
עלה (רב"ה דף ע"ב) ואין תבונה נגר יי. —  
בספ' משנה, שם.

זהו שחור רבינו ובפל, "אפי' כל לשון חול יצא" לומר דאע"ג

— 14 —

דאיכא חרות, שאין הכרכה בתקנת חכמים, והיא כלשון הול, אפילו הכי יצא.\*

(\*) ממשה ועד משה לא קם כמשה טובי' הוא הרב דק' האכזריא, אליו נגלו כל העלמות וכל סתום לא עממהו, ולכבוד הורחנו הקדושה כתב (רב"ח דף ע"ג) וז"ל: שלא לברך שום ברכה כי אם בלשון הקדש. וחלילה לנו מעון להחליפה, תועבה היא לנו... וח"ו לגרוע נוסחא ע"כ. — ארץ, ארץ, ארץ, שמעו! שחוננו תועבות למרו! יחנו עון על עונם, ואל יבאו בצדקה. —

שם, שם

על מה שכתב רבינו "ואם שינה את הסטבע יצא" כתב הרמ"ך תימא דנהל" ק"ש כתב לא יצא וצ"ע. עכ"ל. ויש לחטוא על חמיהתו, דבריש הל' ק"ש מיירי ששינה שחתם בכרוך או פתח בכרוך בטקום שהתקינו שלא לחתום וכו' והכא מיירי ששינה בנוסח הכרכה ולא אמר אוהו לשון ממש, אלא שאמר ענין הכרכה בנוסח אחר.\* ולא שינה לא בפתיחה ולא בחתימה, וזה טכואר בדברי רבינו.

(\*) והמאורות הנדולים, מוציאי רב"ח גורו אומר (מורעה) שאסור לשנות שום נוסחא וכו', ובהעמקה דבריהם ארז לחם כנשים והוסיפו לבאר (דף VIII) "מן ארון עולם עד עלינו לשבת" — ועלינו לשבת לארון עולם שלא שם חלקנו בהם וגורלנו ככל המונם.

מנ"א, סי' נ'

ואף בהפלה מוטב להחפיל בלשון שמכין.

א"ח, סי' ק"א.

יכול להחפיל בכל לשון שירצה, והני מילי בצבור.\*

(\*) ראו זה רעה נגד פניהם! מי חכם וישמר אלה, ויחבוננו דרכיהם! כי מרמה בפיהם ובלשונם יכונו, מראים פנים בחורה שלא כהלכה כאמרם כי נהפוך הוא ואסרו איסור דווקא בצבור נגד דין ערוף. בא וראה \* 1 מכח הרב דק' פרעס כורג (רב"ח דף יז, וגם אלה לו דף לה) \* 2 הרב דק' ראויים ש (דף כ"ט) \* 3 אגרת מאת הפאור הגדול אשר ניתן לממשלה בק' ברעסליא (דף כ"ה) בדברי המחיל, ומבואר בגמ' דברכות "אשר כל דבריו ממחקים הוצק חן בשפתותיו. \* 4 מכח מאת הרב הגאון הגדול דק' פריזנא, אשר חכמתו עומק לער (קף כ"ו) בר"ה "ח כל השומע וכו', \* 5 החוש המשלש בפאדובה (דף ס"ח). \* 6 ערה אנשים עורים, צעירי הצאן בלי יודבנא (דף ס"ז). \* 7 הרב מליסא (דף פ"א). \* 8 הרב מווינסצעביהיים (דף פ"ז) — איש כחלומו פתר ויכתבו על היהודים לטוב בעיניהם להנחן דת בכל קדושה ומדינה, ויכשאו אותם לחם לעבדים. —

מנ"א, שם.

ומוטב להחפיל בלשון שמכין.

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שנית דבר שמואל שכ"א.  
לפי דעת רוב הנוסקים מותר להתפלל ולומר אפי' קדיש  
וקדושה בכל לשון.  
לה"ק, סי' ק"ח.

עשרה מישראל שאינם מבינים בלשון הקדש, יכולים  
להתפלל ולומר קדיש וברכו וקדושה בלע"ז (\*).  
(\*) וכווראי הרב אשר לחטא ראשונה לא לו יהיה ההיתר,  
כי הוא לא ידע להזהר מרברי שיבוש שבאותו הלשון,  
כאשר עיניו לנכח יביטו (רב"ח דף XV).

של"ה, הלכות תפלה.  
כשיחפלל האדם בלשון שרגיל בו, רצח לומר שישתמש  
בו כל היום לכל צרכיו וקל עליו לכוון, וכשיחפלל  
בלשון אחר, אע"פ שמבין מה שאומר, לא יקל עליו כל כך (\*).  
(\*) וימצא כחוב אשר הנזיר מרכי כנעט (רב"ה דף יג) ב"ה  
אדרבה היפך הדבר, קהה משם לראות חיעמרו דברי  
מררכי בכור הבחינה.  
גמ' עירובין פ"ב.

מנין לעיקר שירה מן התורה? ... ר' מתנא אמר מהכא:  
תחת אשר לא עבדת את יי אלהיך בשמחה ובטוב  
לבב, איזה עבודה שהיא בשמחה ובטוב לבב? הו' אומר  
זה שירה (\*).

(\*) והרב דק' מיינץ אמר (רב"ה דף ד') וז"ל "מאן מפזר דוהו  
נקרא מצוה להחפלל בכלי שיר? עכ"ל. והרב דק' פרעסבורג  
אמר (דף ט') וז"ל: "מיום שחרב בית המקדש אין שמחה  
לפניו. עכ"ל — גם הוא ב"ין שגור, בשיר לא ישהו יין  
כחיב, יתן בכוס עינו, יתהלך במשרים. והרב דק'  
ניקלסבורג שאל (דף ט') וז"ל "לנזן בשעת החפלה  
מאי מצוה איכא בדבר? עכ"ל. ויעקב עלה בית אל (דף עה)  
וז"ל "משא"כ בחפלה, היכן מצינו שהשמחה ב"ר מצוה?  
והוסיף (דף ע"ט) אבל בחפלה עצמה לא מצינו שמחה  
עכ"ל, — ומר נעשר לג? הוא לא מצא, ואנחנו מצאנו  
מקרא מלא, עברו את יי בשמחה, ומפי השמועה למר  
שעבורה זו היא תפלה.

מהרש"א, שם.

הקפיד הכתוב בעבודת השיר בעונש, כי היא מבטלת רוח  
רעה ומביאה רוח הקדש ונבואה.  
ס' חסידים קנ"ח.

חקור לך אחר נגונים ותתפלל בניגון המתוק לך, אז תתפלל  
בכונה (\*). וימשך לך אחר מוצא פיד, כדרך הניגון שמושך  
לדברי שבח ומשמח את הלב, למען ימלא פיך אהבה ושמחה  
למי שרואה לך ותכרכהו בחיבה רחבה ונילה.

(\*) חכמה אדם חאיר פניו ה"ה הרב דק' האנוניא והמדינת  
הבא בק"ר (רב"ה דף עו) וז"ל "יעזר יי בנה פקוק מצר  
דבר אחר למאי דכחב וכו'. ואסור לצייר ציורים בספרים  
שמחפלים בהם שלא תבטל הכונה ... ופשיטא שחכמל

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הכונה כי יסור אוון לשמוע קול משוררי בשר. עכ"ל —  
הנמצא כזה איש אשר רוח אלהים בו? והאיש משה צניו  
מאד, ואמר (דף ע"א) וז"ל: אנכי מצעירי וצאן וכו' לא  
ללהב יצאתי רק לחלק על רעות נפסרות וזרות, להרוס  
בניני שוא ומכונות יסודתם. עכ"ל — ראו נא מה היהוים  
האמללים עושים, וטובות אצלם! גם אשר הם בונים, אם  
יעלה שועל (אחר, מן השועלים הקטנים) ופרץ חומת  
אבניהם!! —

א"ח, תק"ס.

לצורך מצוה הכל קרי בן נפת בין ככלי.

מג"א, של"ש.

לישראל עצמו אינו אסור לגנו בשבת אלא משום גזירה.

שם, של"ה.

מדינת ה"ל למשרי לגנו בכלי שיר. (בשבת).

שו"ת דמ"א, כ"א.

במקום שנחחדש דבר שלא ידעו הראשונים, כגון דאיכא  
למיחש לקלקול או לאיסור, שלא היה לו לחוש בימים  
הראשונים, ודאי מותר לחקן דבר ככל תקנות האמורים  
בתלמוד, משום דאיכא למימר אדעתא דהכא לא  
הנהיגו הראשונים דלא אמרו: דאין לשנות המנהג  
הראשון כלל, אלא מותר להוסיף עליו ולתקן קלקולו.  
(\*) הם לא אמרו, אבל הרב רק"א משפ"ד וספר  
אמר, מקץ היות לו כוח הנשים (רב"ח דף כ"ז) ויען שמרואל  
ויאמר, אנכי הרואה "כ"כ"ל המבטל דבר מקבלה אשר  
ביום ומאשר תקנו וקבעו חכמים גדולים בחכמה ובמנין  
האלו, הוא ככופר בכל התורה כלת. עכ"ל — חיש בך  
הרואה? — והרב רק"א שו"ר דא כחב (דף א) וז"ל: מנהג  
שלישראל תורה היא. עכ"ל — מי יתן והיה התורה מנהגן  
של ישראל, ולא חסנא חורא! — ובדבר הזה חרבו  
לפשוט רבם כלם.

מג"א חר"ץ

אם נשתנה הענין מאשר היה בזמן הראשונים, רשאים  
לשנות המנהג לפי חזמן.

ועתה קורא נעים! אחרי הודיע אלהים אונתך כל זאת, אין נבון  
וחכם כמון לראות, כי כל אסרי דאסרו חני רבנו על נפשחנא  
בטליו ומבטליו, אסריהו לא אסרי, לא שרירין ולא קיימין.  
כי אם כמון אשר חדפנו רוח. ונהנה לא הונד לך החצי מדברי  
חכמי אמת רבותינו ע"ה, יותר מהמה בני! לשון חכמים, אל  
יליזו מעיניך כי חיים הם למוצאיהם, כלם נכחים למבין, וישרים  
למצאי דעת, סוף דבר הכל נשמע את האלהים ירא,  
ומצותיו שמור כי זה כל האדם ייגיתיה לנו לאלהים, וברת לנו  
ברית שלום אשר לא ישוב מאחרינו להושיב אותנו ואת יראתו ואת  
זלכנו, לבלתי סור מעליו, לשוב לנו ולבנינו אחרינו עד העולם.

אמן.

[Front Cover]

THE SWORD  
WHICH  
AVENGES  
THE COVENANT

1819

[Inside Cover]

[Deut. 6:5]

It was taught: Thou shalt love the Lord thy God, meaning that God's Name be beloved because of you. If one studies Scripture and Mishnah, and serves the needs of the disciples of the wise, and deals gently with other people; what do people say concerning him? "Happy is his father who taught him Torah, happy his teacher who taught him Torah! Woe to them who have not studied Torah! This man who has studied Torah, look how pleasant are his ways, how proper are his deeds!" Of him does Scripture say: Thou art My servant, Israel, through whom will I be glorified [Isaiah 49:3]; Yet if one studies Scripture and Mishnah, and serves the needs of the disciples of the wise but does not deal honestly and speaks not gently with other people, what do people say concerning him? "Woe unto him who has studied Torah, woe unto his father who taught him Torah, woe unto his teacher who taught him Torah! This man who has studied Torah, see how corrupt are his deeds, how ugly are his ways!" Of him does Scripture say: They profaned my holy name in saying to them: These are the people of the Lord and are gone forth out of His land. [Ezekiel 36:20]



[Title Page]

The Sword Which Avenges

[p. 1]

T H E C O V E N A N T

\_\_\_\_\_ . . . \_\_\_\_\_

What hope has a man to send out his letters to the  
ends of the earth, to repair breaches, to demonstrate  
to a man his fault, and to visit upon him his iniquity;  
Is it not enough for him to rebuke himself for his own  
blemish?"

Rabbi Meir bar Todros Abulafia Levi

\_\_\_\_\_

1 8 1 9

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Published FREE \* No Price

[Preface]

DO GOOD, O LORD, UNTO THE GOOD AND TO THEM THAT [p. 2]  
ARE UPRIGHT IN THEIR HEARTS.

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Know that this epistle is published for the honor  
of the Holy One, blessed be He, and His Torah;  
and not, Heaven forbid, to reproach or to provoke  
any Jewish person. Also for the honor of our  
7 community, the House of Jacob, TO DISTINGUISH  
BETWEEN THE LIGHT AND THE DARK, and to make known  
9 that FEW AND EVIL are those who have stumbled into  
10 error AND HAVE GONE FORTH TO ENGAGE IN STRIFE,  
propheying for thee burdens of vanity and seduction.  
12 Yet the entire community is holy and only a small  
minority are made to stumble through some insti-  
14 gators WHO SIT IN DARKNESS AND THE SHADOW OF DEATH.  
They change light into darkness and IT IS NIGHT  
WHEREIN ALL THE BEASTS OF THE FOREST DO CREEP  
17 FORTH. And at their command, STRANGERS as well  
have come and have corrupted the Lord's inheritance.  
19 May the good Lord forgive them. May He make His face  
shine upon them TO LIGHT the way for them, so that  
21 the eyes of the Hebrews shall see out of obscurity  
and out of darkness. THE SUN SHALL RISE; THEY SHALL  
SLINK AWAY and crouch in their dens. And the work  
of righteousness shall be peace, AND THE EFFECT OF  
RIGHTEOUSNESS QUIETNESS AND CONFIDENCE FOREVER.

FOR THE HOLY ONES THAT ARE IN THE LAND. [p. 3]

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27 ON ACCOUNT OF THREE DOTH THE EARTH SHAKE, these  
three who have set their signatures with pen of  
iron and lead under their document, a work of delusion  
30 which they have called a PROCLAMATION to announce  
to all the sin of their mouth and to utter error  
concerning the people of the Lord. They have raised  
their voice in the camp of the Hebrews, "Woe and  
34 alas! It is a time of distress for Jacob!" Those  
who spread SLANDER [The authors of Eleh Dibhré Haberith]  
have recounted that which they have NEITHER SEEN  
37 NOR HEARD. The Lord hath not spoken to them yet  
they presume to speak in His name, not for help  
or for benefit, but for shame and reproach also.  
They see false visions and divine lies unto them;  
41 they have gathered unto them worthless and reckless  
people, brutish men, skillful to destroy, EVERY  
MAN THAT IS MAD AND MAKETH HIMSELF A PROPHET.  
One post runneth to meet another, and one messenger  
to meet another. They gush out; they speak arro-  
gancy. They howl like a dog and go round about the  
city. They rush madly in the streets; they jostle  
one against the other in the broad places. Their  
appearance is like torches. They run to and fro  
like lightning and speak one to another by the walls  
and in the doors of the houses. Their thoughts are

thoughts of iniquity. Swords are in their lips  
for who doth hear? EVERDAY DO THEY STIR UP WARS.  
Fierce of appetite, they know not satiation.

55 THEY GIVE WICKED COUNSEL IN THIS CITY. They make us  
a taunt TO OUR NEIGHBORS, a scorn and a derision  
TO THEM THAT ARE ROUND ABOUT US. [They are] writers  
who have written iniquity; and the messengers have  
gone with the epistles to every province to know-  
ledgeable men of the communities, heads of the  
contingents of Israel. These are the horns which  
have scattered Judah - that the Jews should be  
63 ready TO ESTABLISH A PROHIBITION. Their mouth speaketh  
falsehood and their right hand lies as they say  
65 THAT SUCH WAS THE ORDER OF THE RULERS OF THE CITY  
TO THEM, TO BRING COUNSEL FROM AFAR.\* And their  
words were pleasing in the sight of all that human  
beings call an animate soul. And they thus acted  
AND TRUTH BECAME LACKING.\*\* They conceived mischief

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70 \*Something like this was shown to us in a letter  
from the Rabbi WHO SPEAKS IN ANGUISH (Slander, p. 83)  
to one of his acquaintances in which he said that  
had he not written this, IT WOULD NOT HAVE OCCURRED  
TO HIM TO PUBLISH HIS OPINION because the harm in  
the disputes and the discord outweighed the benefit.  
\*\*These are the words of the SUCCESSFUL Rabbi (Slander, p. 52):  
"WE LABORED and had no rest UNTIL WE FOUND THAT

and gave birth to iniquity. THE EPISTLE WHICH THEY  
SENT TO INTIMIDATE US -- forty camels' burden -- some  
of them prophesy falsely. LAWS AND STATUTES THEY  
FEIGNED OUT OF THEIR OWN HEART. Some of them have  
insight, discretion, and prudence, yet they will not  
consider a matter of wisdom. And some of them say  
to every matter of splendid wisdom, "Behold, /  
what weariness it is." THE WIND SHALL CARRY THEM [p. 4]  
ALL AWAY. A BREATH SHALL BEAR THEM OFF. They do  
not know, these foolish ones, that through the  
multitude of dreams and vanities which they make,  
89 they ruin a life. - - They have sharpened their  
tongue like a serpent, viper's venom is under their  
lips. All of their acts are written in A BOOK.  
92 HEAP ON THE WOOD! KINDLE THE FIRE! A STRANGE  
FIRE which the Lord commanded them not. AND THE  
LAMP OF GOD WHICH HAD FORMERLY SHONE, LET IT BE  
EXTINGUISHED! NONE sueth in righteousness and NONE

---

WHICH OUR SOUL DESIRED, TO CONFIRM AND ESTABLISH  
A PROHIBITION on all of their teachings." Has such  
AS THIS been heard since the day that Ephraim departed  
from Judah? How much DID HE LABOR until he found  
enough for his need in that which he lacked? HE  
LABORED IN VAIN AND BROUGHT FORTH FOR CONFUSION. What  
will become of the Torah? We surely see a conspir-  
acy AND ALL OF THOSE RABBIS FLATTER EACH OTHER.

pleadeth in truth. Scarce are they planted, scarce  
are they sown. Scarce has their stock taken root  
106 in the earth. THESE ARE THE WORDS OF THE COVENANT  
which they distributed amongst Jacob and dispersed  
in Israel - A CONGREGATION OF BLIND MEN whose works  
are done in darkness AND FOR EACH MATTER OF TRANS-  
GRESSION, THEY COME OUT AND TAKE THEIR STANCE.  
This is the way of them that are foolish, darkness,  
CLOUD, and thick darkness. They bend THE BOW;  
they have made ready their arrow upon the string,  
that they might shoot in darkness at the upright  
115 in heart. THEIR BOW THEY HAVE SET IN THE CLOUD,  
and it has been a sign of a COVENANT. THIS IS THE  
SIGN OF THE COVENANT which they established in  
the screed of THE BOOK which is prescribed against us.  
119 The words of the covenant are the WORDS OF CONTRO-  
VERSY. By pride cometh contention. All of this hath  
come unto us written in name and sealed with a ring.....  
I will not take their names on my lips; they call  
123 themselves WISE...\* Woe unto them that are wise IN  
THEIR OWN EYES! They commit evil wisely, yet whence  
then cometh wisdom? How shall ye say, "We are wise?"  
What wisdom do you possess? Your wisdom is spoiled!

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\*The publishers of Slander: Hark, the first sign  
of this appears in the title page of the book: "Happy  
is the man who obeys the edict of the WISE..."

Oh that ye would altogether hold your peace and  
this would be your wisdom. ---

132 O YE DRY BONES! Their love, as well as their hatred  
and envy, is long ago perished. NEITHER HAVE THEY  
ANY MORE A PORTION FOR EVER. Can these bones live? -  
O Lord God, Thou knowest! They have a mouth yet  
cannot talk; neither do they speak with their throat.  
There is neither wisdom nor understanding nor counsel! -  
And this proclamation of THIS MOST HONORED TRIUM-  
VIRATE did not make the grade. FOR THERE IS NO  
RESPONSE IN THE MOUTH OF THESE THREE MEN. O please  
consent and put this book into their hand saying,  
"Read now this." They shall respond, "Our hands  
had no part in it. We know not [the] book." -  
Alas! O Israel, your prophets are like foxes in  
ruins! - If they be laid in the balances, together  
they are lighter than air!

147 THE THREE SHEPHERDS! Shepherds that cannot under-  
stand. These ten times have ye reproached us,  
should not the multitude of words be answered? -  
Therefore, listen ye shepherds! Shall ye be called  
THE PRIESTS OF THE LORD? Shall ye be spoken of  
as SERVANTS OF THE MOST HIGH? Behold, ye are nothing  
and your work is a thing of naught, for the Lord  
hath poured out upon you the spirit of deep sleep  
155 and hath closed your eyes. - WOE UNTO THE SHEPHERDS

OF ISRAEL that have fed/themselves. Should not [p. 5]  
the shepherds feed the sheep - ye did eat the fat  
and clothed yourselves with the wool, but YE FED  
NOT THE SHEEP! -- The weak have ye not strengthened,  
neither have ye healed the sick nor bound up that  
which was broken. Ye have not brought back that which  
was driven away nor have ye sought that which was  
lost. But with force have ye ruled over them and  
with rigour -- AND YE FED NOT THE SHEEP! -

HEAR now, O House of Israel all! Turn unto me and  
be astonished, and lay your hand upon your mouth!  
167 It has been many years since the plague was begun  
among the people! The Torah has perished from the  
169 priest and counsel from the elders. WE HAVE NO  
LEADERSHIP AS IN THE DAYS OF YORE. Each man doeth  
what is correct in his own eyes and many Israelites  
have gone down crooked paths, have forsaken God  
who made them, and have forgotten both Festival  
and Sabbath. They asked not counsel at the mouth  
of the Lord and did not call in His name nor appear  
176 before Him. AND THESE THREE MEN WHO ARE IN OUR  
MIDST, they have eyes, yet do not see. They go  
about in darkness. They sleep a perpetual sleep  
and do not wake. They are stretched out on their  
couches and are not grieved for the hurt of the  
daughter of my people. The land hath become corrupt



before them and mourning and moaning have multiplied  
183 amongst the daughter of Judah. For BROKEN IS THE  
COVENANT WITH OUR GOD which He sealed in our flesh,  
which He made with Abraham and established with  
Jacob as a law - to Israel as a perpetual covenant.  
And there is no one who layeth it to heart. --  
Every man hath his hands on his loins, as a woman  
in travail, and all faces are turned pale. There  
is no speech, there are no words, neither is their  
191 voice heard; WEEP IN SECRET!\* - It is not time  
TO ACT FOR THE LORD for they have made void His  
covenant! Only on THIS CONDITION will the men  
194 consent unto us to sit with us, if every male among  
us be circumcised as they are circumcised. HEAR  
196 NOW, YE REBELS! IS NOT THIS COMMANDMENT INCUM-  
BENT UPON YOU!\*\* THIS is the covenant which ye  
must keep, yet why have ye not kept it? Have YE  
not killed the people of the Lord, IN THAT YE HAVE  
200 NOT FULFILLED THE WORDS OF THE COVENANT. - Look  
now and see! Our sons and daughters are grown -  
a generation that set not their heart and whose spirit  
is not steadfast with God. They have known not

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\* Slander, in the Proclamation, page III.

\*\* Yoreh Deah, 261: If the father has not circumcised  
his son, the rabbinic court is obliged to have him  
circumcised.

the God of Jacob, the Holy One of Israel, and it hath been a reproach and a taunt; it is both instructive and amazing for the Gentiles. -- Who has caused this evil? IT HATH COME FROM YOU HANDS, for ye have not gone up into the breaches, neither made up the hedge for the House of Israel. WHY HAVE YE BROUGHT THE CONGREGATION OF THE LORD INTO THIS WILDERNESS? If the word of the Lord is with you, entreat the Lord of Hosts so that the watered be not swept away with the thirsty. Hear, ye deaf; look, ye blind, that ye may see! OUR SONS AND OUR DAUGHTERS ARE GIVEN TO ANOTHER PEOPLE / before they [p. 6] know to refuse the evil and choose the good. Behold, the heavenly hosts cry without, and the angels of peace weep bitterly. THESE THREE MEN WHO ARE IN OUR MIDST, as I live, SHALL DELIVER NEITHER SONS NOR DAUGHTERS! -- Woe to the worthless shepherds! They that forsake the flock! Entreat the favor of  
226 the Most High that my people be not scattered, every man from his possession, and the congregation of the Lord be not like sheep who have no shepherd. Call now in the name of your God AND DO NOT KINDLE A FIRE! Woe to the shepherds who lose and scatter the flock! Ye eat of the fat, and ye clothe yourselves with the wool, but ye feed not the flock! YE HAVE NOT BROUGHT BACK him who has been driven  
234 away NOR HAVE YE SOUGHT him who was lost. WHEREFORE

THEN LIFT YE UP YOURSELVES ABOVE THE ASSEMBLY  
236 OF THE LORD? --And ye say in your heart, "The  
city is full of people. It is an exceedingly  
numerous community, yet few are they who sin in  
their souls. The soul which sinneth shall bear  
its own iniquity. Its blood is on its own head  
and we are guiltless." Thus may the Lord do and  
more so, for at the cost of your own life have  
ye spoken this. Why have ye not spoken to warn  
the wicked from his wicked way, be they few in  
245 numbers or many? -- Think not in your heart that  
ye shall escape more than the other Jews. They  
shall bear their own iniquity, yet ye shall not  
be guiltless. -- Do not let your heart be seduced  
in that you are the MAJORITY and that BECAUSE  
250 OF YOUR NUMBERS, the Lord loves you. For IT IS  
NOT THE NUMEROUS WHO ARE WISE; What know ye that  
we know not? What understand ye which we do not  
understand? With us are both the grey-headed and  
254 the very aged men. Can ye not deviate to the  
right or to the left from the path which our  
ancestors of old -- men of renown -- walked? Your  
ancestors, where are they? Shall the prophets  
live forever? -- How can ye speak so rashly saying  
259 that CUSTOM LIVETH A THOUSAND YEARS TWICE TOLD,  
therefore its reason still stands and its sense  
has not departed, and it should be observed as

THE TORAH.\* No doubt, but ye are only human beings,  
AND WISDOM SHALL DIE WITH YOU! Know ye not? Hear  
ye not? Have ye not understood that time and  
happenstance affect them all, and CUSTOM, WHEN ITS  
REASON CHANGES, IS OBSERVED IN MADNESS. It taketh  
away the heart of the chiefs of the common people  
and GUIDES THEM like a flock in the wilderness.  
Has it not LED YOU and caused you to walk in DARKNESS  
and not in light? Know now and see, the sheep  
271 and the cattle THEY GUIDED in new customs that came  
up of late of which our fathers had not imagined. --  
273 Certainly, our way is not your way, for the LORD  
IS OUR JUDGE, THE LORD IS OUR LAWGIVER. SUCH IS  
GOD, OUR GOD, FOR EVER AND EVER; HE WILL GUIDE US.--  
276 As for you, stand in the court of the House of the  
277 Lord. Ye hear the sound of words saying: THE TEMPLE  
OF THE LORD! THE TEMPLE OF THE LORD! And ye come  
and stand in the house which is named for the Lord,  
280 and behold, do three men stand before the congre-  
gation to serve them. The small and great are there  
282 alike. One near the other they approach. THE  
FIRST ONE bringeth down the rafters. He raiseth  
a voice which maketh the calves to hind. With his  
eye he winketh, with his feet he scrapeth. As  
286 for the SECOND ONE as well, / his roaring is like [p. 7]

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\* Slander, pp. XI, 2, 8, et al.

a lion's. He thundereth marvelously with his voice.  
289 And the THIRD ONE openeth his mouth and chirpeth  
290 like birds that fly. What is this noise of the  
multitude? Does God hear their shout? -- Their  
tunes are DRINKING SONGS; in their mouths are  
LOVE SONGS. And my people love this; all of Israel  
run TO THEIR VOICE to listen to the JOYOUS CRY,  
yet to the prayers they pay no attention. The people  
sit down and rise up to make merry. They send  
forth their little ones like a flock and their  
children dance and there is no peace for him who  
leaveth or entereth. These sounds cease, they all  
turn to their own way. Every man to your own tent,  
O Israel! -- Ye are left few in numbers, pursuing  
your pleasures and speaking thereof. And the word  
of the Lord is scarce in these days. Without vision,  
304 the people perish. Their fear of the Lord is a  
commandment of men learned by rote. - This, too, is  
an iniquity calling for judgment which the wise  
have told and should not hide from their fathers.  
For ye fasted and mourned; ye fast for strife and  
contention and to smite with the fist of wickedness.  
And it shall be with the people as it is with  
its priests, causing to be heard with one voice,  
the voice of the people in their shouting, as a  
proverb and a byword, as a horror and a hissing  
AS YE SEE WITH YOUR EYES. Yea, when ye make many

prayers, ye weary the Lord with your words, for  
where there are many words, vanity increaseth.

YE DO NOT THAT WHICH WE DO HERE THIS DAY, FOR YE  
HAVE PUT AWAY THE HALLOWED THINGS OUT OF THE HOUSE  
and ye have come into the sanctuary TO PROFANE IT. --  
Behold, THUS HAVE THEY DONE in the midst of the

321 House of the Lord, MAKING US ODIIOUS UNTO THE  
INHABITANTS OF THE LAND. - Smite with thy hand,  
and stamp with thy foot and say: Alas, because of  
324 all the abominations! For they have profaned the  
holy name by saying to them THESE ARE THE PEOPLE  
OF THE LORD!\* - THIS, TOO, is vanity and great evil.

327 One saith, "I am the Lord's," and another calleth  
himself by the name of Jacob. Another shall mark  
his arm "The Lord's," and adopt the name of "Israel".

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330 \* And you expert and distinguished dayanim of this  
holy city - the honorable mighty ones who have author-  
ity over the community -- those who produced the  
Slander! Why did you not reproduce the last  
words of Eliezer as they are written in the cor-  
respondence beginning with the words: "Before I  
cease speaking" (p. 94) until the end of his letter. Why  
did you not copy his words in the language of the  
populace to show the nations and the officials their  
beauty? For they are good, but this is what I had  
said: A SCORNER LOVETH NOT TO BE REPROVED.

341 They call a meeting, ten men in one house, morning  
and night, their window open in the upper chamber,  
343 EVERYONE UPON THE ROOF OF HIS HOUSE AND IN THEIR  
COURTS. The one who gathereth least, gathereth ten  
345 heaps. One he-goat as a sin offering, cattle, sheep,  
346 whatsoever passeth under the rod, THE TENTH is  
holy. They shall not inquire whether he be good or  
348 bad. FOR A PRICE will they come and rise up early  
in the morning. From one Sabbath to another, at  
evening they diligently search for the goat of the  
351 sin offering. WHOSOEVER DESIRETH TO ASSUME A PIOUS  
REPUTATION DOETH SO and speaketh to trees and rocks.  
With stammering lips and with a strange tongue  
he speaketh to the people. Whoever heareth, his ears  
shall tingle. Whom shall one TEACH KNOWLEDGE? And  
whom shall one make to UNDERSTAND THE MESSAGE? -  
STRANGE is his work, FOREIGN is his act. Therefore /  
TORAH IS SLACKENED and it shall be sheer terror [p. 81]  
359 to understand the message. - Their priests teach  
FOR HIRE; their prophets divine FOR MONEY and  
pervert all equity. Yet they rely upon the Lord  
and say, "Is not the Lord in our midst? No evil  
shall come upon us." Certainly, this great nation  
is a WISE AND UNDERSTANDING PEOPLE! - Were they wise,  
they would understand why the House of God is  
forsaken. - Alas! THE TEMPLE OF THE LORD! THE TEMPLE  
OF THE LORD! THE TEMPLE OF THE LORD! THY DESTROYERS

AND THEY THAT MAKE THEE WASTE SHALL GO FORTH FROM  
THEE! Lo this, we have searched it; it is so.  
And if it be not so, WHO WILL PROVE ME A LIAR?

371 CERTAINLY, O ye our brethren. Israel is not yet  
widowed. Behold they have arisen and taken their  
stand, they who offer themselves willingly among  
the people. They make a sure covenant and subscribe  
to it. Our princes, our Levites, and our priests  
set their seal unto it. All they that had set  
themselves apart unto the Torah of God and put the  
stumbling block of their iniquity before their  
face, gave themselves willingly for the service  
of the House of God, and with a whole heart offered  
381 themselves to the Lord. And a house was built  
FOR THE NAME OF THE LORD, THE GOD OF ISRAEL.

383 Those who had been distant came and built the Temple  
384 of the Lord. And from Sabbath to Sabbath and during  
the Festivals of the Lord, the holy convocations,  
the people go up to the House of God; with our  
youth and our elders we go, with our sons and our  
daughters. And they read in the scroll of the Torah  
for a fourth part of the day and another fourth  
they praise and prostrate themselves before the Lord  
our God, with thanksgiving and the voice of song.  
AND THEY REJOICE AT THE SOUND OF THE ORGAN. And when  
the musician plays, they surely come in joy. And



the spirit of the Lord cometh mightily upon them  
to sing in choirs and to sound the voice of His  
praise. And they respond in praise and in thanks  
to the Lord, for He is good, for His loving-kindness  
is great toward us. And we established shepherds  
for us, WHO TEACH THE PEOPLE TORAH. And the people  
standing in their place, their wives, their sons  
401 and daughters, UNDERSTAND THE WORDS THAT ARE DECLARED  
UNTO THEM. And there is great happiness. The time  
will yet come when it shall be said to us that it  
is too cramped for us in this place, for the  
house is filled to the brink. We accepted the  
obligation to teach our children HEBREW BIBLE AND  
407 LANGUAGE and to bring our sons and daughters into  
the covenant of the Lord, to teach them the path  
which they should follow and the works which  
one should perform in order thereby to live.  
There hath not failed one word of all His good promise  
which He promised by the hand of Moses, His servant.  
And sons who had not known listen and learn TO FEAR  
THE LORD OUR GOD. They put their confidence in God,  
not forgetting the works of God, but keeping His  
commandments. They shall not be as their fathers,  
a stubborn and rebellious generation.

And now, for a small moment, grace hath been shown  
419 from the Lord our God, to leave us a saving remnant,  
and to give us a stake in His holy place TO ENLIGHTEN

OUR EYES. And yet there have befallen us such  
422 things as these! Violent men have sought our lives  
and have not set the Lord before them, because they  
give no heed to the works of the Lord. They  
compass us about like bees; they are quenched  
as the fire of thorns. Their teeth are spears  
and arrows, and their tongue a sharp sword. They  
say to us that we have no salvation in God. -  
HAD IT NOT BEEN THE LORD WHO WAS FOR US, THEY  
WOULD HAVE SWALLOWED US UP ALIVE! -- But Thou,  
O Lord, shalt laugh at them. Let them curse,  
BUT THOU SHALT BLESS! / Stand and see the salvation [p. 9]  
of the Lord which he hath worked for us this day.  
434 A work hath been wrought in your days which ye  
will not believe though it be told to you. For  
the thing was done suddenly and NOW THERE IS HOPE  
FOR ISRAEL BECAUSE OF THIS. Jacob shall not now be  
ashamed, neither shall his face now wax pale. For  
all shall know the Lord FROM THEIR SMALL ONES  
UNTIL THEIR GREAT ONES. Yea, they shall sanctify  
the Holy One of Jacob and shall stand in awe of  
the God of Israel. They shall bear the shame of  
the nations no more. -- O that they had such a  
heart as this ALWAYS, that it might be well with  
them and with their children for ever! Would that  
all the Lord's people were prophets, that the  
Lord would put His spirit upon them! The people

who walk in darkness shall see a great light.  
AND ALL THE CHILDREN OF ISRAEL SHALL HAVE LIGHT  
IN THEIR DWELLING PLACES.

And concerning the changes of the prayers, our many  
songs and the musical accompaniment of the song  
which is sung in the House of our God, and concern-  
ing our use of the vernacular, the three are all  
of the same nature.\* Also, do not pay attention  
to all the things which they say and of which they  
accuse us, FOR NOT OUT OF WISDOM DID THEY QUESTION  
CONCERNING THIS. Were they wise, they would see  
and know, consider and understand that it was the  
460 hand of the Lord which has done this to revive  
many people. Therefore, THE PRUDENT SHOULD KEEP  
SILENT IN SUCH A TIME. The remnant of Israel  
shall do no iniquity, AND BE IT INDEED THAT WE  
HAVE ERRED, OUR ERROR REMAINETH WITH US. --

465 And you THREE LEADERS! What be this service to  
you that you would seize torches in your left  
hands and ram's horns in your right and would  
468 sound the horn around the camp and call out  
469 THE SWORD FOR THE LORD!!--HATH THIS HOUSE BECOME  
A DEN OF THIEVES? Is there injustice ON OUR TONGUE? -

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\* The Rabbis declared that these THREE matters  
were alike in that they were laws without a  
Scriptural basis.

Have we forgotten the name of our God or spread  
forth our hands to a strange god? Surely, THE LORD  
shall search this out, for He knows the hidden  
recesses of the heart. Far be it from us that we  
should rebel against the Lord and turn away this  
day from following Him. God, God He knoweth, and  
Israel shall know, IF IT BE IN REBELLION OR  
IN TREACHERY AGAINST THE LORD, OR IF OUT OF  
CONCERN ABOUT THE MATTER WE HAVE ACTED THUS,  
483 saying, In time to come, your children might  
speak unto our children, saying: What have ye to  
do with the Lord, the God of Israel? IT SHALL BE  
A WITNESS BETWEEN US AND YOU AND BETWEEN OUR GEN-  
ERATIONS AFTER US. - Take heed for the sake of  
your souls! Behold, all ye yourselves have seen  
it; WHY THEN HAVE YE BECOME ALTOGETHER VAIN?  
Why sayest thou, O Jacob, and speakest, O Israel,  
"Our way is hid from the Lord?" -- Against whom  
make ye a wide mouth and draw out the tongue?  
A people of deep speech that thou canst not perceive,  
of a stammering tongue that thou canst not under-  
stand. Can not our way be correct? IS IT NOT  
YOUR WAYS WHICH ARE INCORRECT, because ye thrust  
with side and with shoulder, and push with your horns.  
And ye speak great things with your mouth, saying,  
HAVE WE NOT TAKEN TO US HORNS BY OUR OWN STRENGTH? --  
500 Ye have sown much and brought in little. He that

earneth wages doeth so for a bag with holes!

Would that there were an arbiter among us / that [p. 10]

might lay his hand upon us both. We would have  
answered this people, sevenfold unto their bosom  
their reproach, wherewith they have reproached

506 us. Yet what shall we speak and how shall we  
justify ourselves? Shall they turn from their sin  
when Thou dost afflict them, when Thou teachest  
them the good way? Look upon the COVENANT, and  
if you neither believe nor hearken to the voice of  
the first sign, let your ear be attentive to the  
512 voice of the FINAL SIGN.\* These are the chariots  
of THEIR HONOR; in pride and in arrogance of heart  
they raise their horns IN GLORY and with their  
mouths they speak PROUDLY saying THEY SHALL NOT  
RETRACT A WORD. - Let the pious exult in GLORY  
and let them be taken IN THEIR PRIDE. Every  
way of a fool is correct in his own eyes. If thou  
pound him in a mortar, yet will not his foolish-  
ness depart from him. Thus, such is the counsel  
given from of old:

A WHIP FOR THE HORSE, A BRIDLE FOR THE ASS,  
AND A ROD FOR THE BACK OF FOOLS.

524 Answer not a fool according to his folly. Certainly  
to everything there is a season and a time to

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\* Slander, p. 132

every purpose. A TIME TO CAST STONES and a time to speak.- The day shall come when we shall give our reply to this people and we shall see what becometh of its dreams. Is not this laid up in store with us, sealed up in our treasures. Though it tarry, wait for it, for IT SHALL SURELY COME, PLAIN UPON THE TABLETS SO THAT ONE MAY READ IT SWIFTLY.\*

535 Consider, ye brutish among the people and ye fools; when will ye understand? Is it not in sitting still and rest that ye shall be saved; in quietness and in confidence that your strength shall lie? When the spirit be poured upon you from on high, then shall your eyes be opened and your ears be unstopped. AND TOGETHER ALL FLESH SHALL SEE IT, FOR THE MOUTH OF THE LORD HATH SPOKEN.

543 ENTER, my people, into thy chamber and shut thy doors about thee. Hide thyself for a little moment. HOW LONG will this people despise us and HOW LONG will they not believe in all of the signs which have been wrought in our midst? COME THE MORNING, and the Lord will show who are His. Your ears shall  
549 hear a word behind thee saying, THIS IS THE WAY,  
550 WALK YE IN IT! Seek ye the Lord while He may

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\*Thou shalt see but THE UTMOST PART OF THEM this day, and behold, it will come after us.

be found. Call upon Him while He is near, for the  
Lord is near UNTO ALL WHO CALL UPON HIM, TO ALL  
who call upon Him IN TRUTH and in sincerety.  
AND THERE IS NO ADVANTAGE TO ONE WHO MASTERS A  
PARTICULAR LANGUAGE. Praise Him with the timbrel  
and dance; praise Him with stringed instruments  
559 and INSTRUMENTS OF PIPES. Be not afraid, neither  
be ye ashamed. Hearken not TO THEIR DREAMS,  
561 NEITHER BE YE DISMAYED AT THEIR REVILINGS. Speak  
ye not of what hath been, that the former days were  
better than these. Consider the years of many  
generations. Ask thy father and he will declare  
unto thee, thine elders and they will tell thee  
that IN THOSE DAYS AS WELL, THE NOBLES OF JUDAH  
SENT MANY LETTERS, through the multitude of dreams  
568 and also many words. In every generation, those  
who make themselves out to be holy and pure arise  
and bless themselves / in their hearts saying [p. 11]  
that TO THEM ONLY hath this heritage, the Torah,  
been given, which Moses set in the sight of ALL  
ISRAEL. And whosoever doth not pay attention  
574 to what they say, they prepare war against him.\*

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\*See now what the sage Eliezer who HAS PRODUCED SIX  
HUNDRED DISCIPLES, MADE MANY BOOKS, AND WHO HAS  
MANY SONS AND SONS-IN-LAW advises, beginning with  
the words: "For ye are the people..." (Slander, p. 23),

They make mention of the God of Israel, NOT IN  
TRUTH, NOR IN RIGHTEOUSNESS, but rather in order  
581 TO TURN THE SUN ten degrees BACKWARDS. THESE  
ARE AMONG THOSE WHO REBEL AGAINST THE LIGHT.  
They know not His ways, nor abide in His paths.  
584 They are all of ONE SPIRIT. They shall depart  
from the HOLY place AND SHALL BE FORGOTTEN. There  
is no remembrance of the former ones; neither shall  
there be any memorial of their latter-day counter-  
parts. The sun CONTINUETH TO SHINE and the earth  
abideth forever. I praise the dead that are already  
dead more than the living that are yet alive,  
FOR OF THE WISE MAN, EVEN AS OF THE FOOL, THERE  
IS NO REMEMBRANCE FOR EVER. My brethren, be not  
now negligent, for in the days to come, all will

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and that to which was alluded by the grammarian  
Rabbi WHO HAS FORGOTTEN THE PURITY OF THE HOLY  
TONGUE, beginning with the words: "It is clear to us..."  
(Slander, P. 80). Yet in contrast to this is that  
which was told to us in a letter of Rabbi David  
Kimchi, of blessed memory, beginning with the words:  
"I shall not cease," which is in the writings  
in the book The Letters of the Rambam. And that  
which sustained our ancestors sustains us as well.  
There is nothing new under the sun and the Holy  
One, praised be He, delivers us from their hand.



long ago have been forgotten. ONLY THE WORD OF  
THE LORD WILL ENDURE FOREVER.

607 So know now and see all the labors and all excelling  
in work. This BOOK, in which are written lamen-  
tations, moaning and woe: "The Jews thought to  
rebel against their God, consequently they built  
for themselves this house," and in addition to  
these, many similar words. THEY INVENT THEM OUT  
OF THEIR OWN HEART. They speak these vain dreams  
when they say: THE TABLE OF THE LORD IS CONTEMPT-  
IBLE. They commit an abomination when they say:  
JUDAH HATH PROFANED THE SANCTUARY OF THE LORD  
which He loveth. They caused the people of the  
Lord to err by their lies and by their wantonness.  
THEY PERVERTED THE WORDS OF THE LIVING GOD, OF THE  
LORD OF HOSTS, OUR GOD with their dreams which  
they tell every man to his neighbor. IT IS FROM  
THEM THAT UNGODLINESS HATH GONE FORTH INTO ALL  
THE LAND. They all would have us afraid saying:  
624 Their hands shall be weakened from the work that it  
be not done. But we are risen and are strengthened,  
doing the work likewise now as then. THE LORD  
GOD SHALL HELP US, WHO THEN SHALL CONDEMN US?  
Hear now "THE WORDS OF THE COVENANT." Seek ye  
them out of THE BOOK. Ye shall seek out and find  
whosoever goeth therein DOTH NOT KNOW PEACE.

The beginning of the words of his mouth is  
FOOLISHNESS, and the end of his talk is GREVIOUS  
MADNESS. -- Thus is this people, this group,  
and EVERY WORK OF THEIR HANDS and that which they  
offer there --UNCLEAN. Fear not these boorish  
people, for they are in our hands. And it shall  
be that when thou hast finished reading THE BOOK,  
thou shalt bind a stone to it, cast it into the  
639 middle of the river, and thou shalt say: "THUS /  
SHALL THE DEEDS OF MY ADVERSARIES SINK. And they [p. 12]  
that speak evil against me, THIS SHALL THEY HAVE  
FOR THEIR PRIDE because they have taunted and  
spoken boastfully against the people of the Lord." --  
644 HEED NOT lying words; be strong and let your  
heart take courage, all ye that wait for the Lord!  
For the Lord your God putteth you to proof, to know  
whether ye do love the Lord your God with all your  
heart and with all your soul. O LOVE the Lord,  
all ye His pious ones! Serve the Lord WITH  
GLADNESS, come before His Presence WITH SINGING,  
as it was when we were brought up. SING unto Him,  
SING PRAISES unto Him, young men and young women  
as well, the aged along with the youth who stand  
in the House of the Lord, in the courts of the  
House of our God. SING PRAISES UNTO HIS NAME,  
for it is pleasant. And what doth the Lord require  
of thee - only to do justly, to love mercy, and

to walk humbly with thy God. REMEMBER THE LORD,  
WHO IS GREAT AND FULL OF AWE. Cleave unto Him  
from now and evermore, for with the Lord there is  
mercy and with Him is plenteous redemption. He  
will redeem Israel from all its iniquities. The  
God of Israel shall establish peace for us.

GREAT PEACE SHALL BE UPON EVERYONE WHO WALKETH  
IN HIS INTEGRITY AND WHO SPEAKETH THE LANGUAGE  
OF HIS PEOPLE.

Such are the words  
of him who writes here in Hamburg, in the week in  
669 which is read, "Their defense is removed from  
over them, and the Lord is with us: Fear them not."  
[Numbers 14:9, Parashat Shelah Lekha ]; In the year:  
672 Who traineth my hands for war and MY FINGERS for  
battle [5579 - 1819].

I AM A HEBREW

AND I FEAR THE LORD, THE GOD OF HEAVEN

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676 THY WORD IS A LAMP UNTO MY FEET AND A LIGHT TO MY PATH,  
THAT I MIGHT HAVE AN ANSWER FOR HIM THAT TAUNTETH ME,  
FOR I TRUST IN THY WORD.

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679 Dear Reader, thou who hast eyes to see and a mind  
to discern and to comprehend, consider well that  
which is before thee that thou mayest be justified  
when thou speakest, and be in the right when thou

judgest. And in order that the law of the Lord may be in thy mouth that thou might teach them diligently to thy children. Know thee this day and take it to heart, THAT THIS MATTER IS ESTABLISHED BY GOD. And every tongue that shall rise against thee in judgement, shall thou condemn.

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If these ordinances depart from before Me, saith the Lord, then the seed of Israel shall also cease from being a nation before Me for ever.

- Jeremiah 31:36

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694 MISHNAH Sotah, Chapter 10:

THE FOLLOWING MAY BE RECITED IN ANY LANGUAGE:  
THE SHEMA, THE PRAYER OF EIGHTEEN BENEDICTIONS,  
THE GRACE AFTER MEALS...

GEMARA, ad. loc.:

The recitation of the Shema - What is the Scriptural basis that it may be recited in any language? Is is written, HEAR O Israel [Deuteronomy 6:4], IN ANY LANGUAGE which you  
703 hear [i.e. understand].\* The prayer of the Eighteen Benedictions may be recited in any language because it is supplication and one may supplicate in any language he wishes.

That the Grace after meals may be recited  
in any language is derived from the text:  
And thou shalt eat and be satisfied AND  
THOU SHALT BLESS [The Lord, thy God. Deuter-  
onomy 8:10] - IN ANY LANGUAGE wherein thou  
blessest.

\*Yet in spite of this, the Rabbi of Lissa [Jacob]  
(Slander, p. 79) had the impertinence / to say, "YE [p. 13]  
HEAR BUT YE UNDERSTAND NOT [Isaiah 6:9] which  
means that they should listen to the tradition  
even if they do not understand. Even with regards  
to the acceptance of God's unity, it does not say  
UNDERSTAND O Israel, but rather HEAR O Israel,  
which means that one accepts the words." -  
Be astonished at this, O ye heavens! Is not he  
rightly called JACOB [the supplanter], for he  
has supplanted us these two times, yea thrice  
with his interpretations. Certainly his own words  
betray him. He says (there), "We are by no means  
permitted to utilize OUR RATIONAL FACULTIES alone,  
FOR REASON HAS OFTEN WEAKENED and has been caught  
in the trap of error." And in truth, he has judged  
well HIS OWN REASONING, FOR A MAN SHALL BE PRAISED  
ACCORDING TO HIS OWN REASON! -

RASHI [Rabbi Solomon Yitzhaqi's commentary] ad loc.:

Our Mishnah teaches that the prayer of the  
Eighteen Benedictions may be in any language.

It needs no Scriptural basis, for it is supplication. SO LET ONE PRAY IN THAT LANGUAGE WITH WHICH HE KNOWS TO DIRECT HIS HEART.

TOSAPHOTH [Addenda] ad. loc.:

"And you shall bless": Since the blessing and the praise is towards the Divine Presence, YOU MAY BLESS IN ANY LANGUAGE YOU WISH. And this obviously includes the language with which you are familiar, which will give praise to the Holy One, blessed be He, with a whole heart because of the benefit which He has bestowed upon you.\* This is also found in the Palestinian Talmud: "'And you shall bless': in order that one know whom he is blessing." THIS IMPLIES THAT EVEN IF ONE SAID IT IN A SECULAR LANGUAGE NOT AS ORDAINED, ONE HAS FULFILLED ONE'S OBLIGATION."\*\*

- 752 \* God hath spoken ONCE, TWICE have we heard this from the mouth of the sages of truth, our Rabbis - may they rest in peace. And to MOSES [Sopher]
- 755 He [apparently] said (Slander, p. 10), "If we say those prayers as the men of the Great Assembly ordained, even though we do not know their intention, our prayer is accounted for us." And he, the wise Rabbi of Pressburg, wittingly confused his argument, for MOSES said (there), "Before a human king, this

is not done, for whoever speaks with him must talk in the king's own language. It is not proper to speak in the language of the people, even though the king understands it...And if this be the case, the holy tongue is the language of the Holy One, blessed be He, in which He gave us His Torah. Thus it is impossible for us to speak before Him in our customary language." This is his argument. God has made us LAUGH! And this MOSES - we do not know what has become of the man - with whom took  
771 he counsel and who instructed him? To whom then will ye liken God? What likeness will ye compare unto Him? - THERE IS NO END TO WINDY WORDS. Twice,  
774 yea thrice he does it, and to everyone he saith that HE IS A FOOL.

\*\* If the ancient authorities were as angels, as it hath been told you from the beginning, then these latter ones, the authors of the Slander, what are they? They are a generation pure in its own eyes, and yet are NOT CLEANSED OF THEIR OWN FILTH. This generation - O how lofty are their eyes! Their eyelids are lifted up!

RAMBAM [Maimonides in Mishneh Torah] "The Laws of Blessings" 1:6:

All of the benedictions MAY BE SAID entirely  
IN ANY LANGUAGE provided that one recite them in a form similar to that which the sages ordained.

IF ONE ALTERED THE FORMULATION OF THE BENE-  
DICTION, as long as one mentioned the recitation  
of God's name,\* His kingship, and the idea of  
the blessing, EVEN THOUGH IT WAS IN A SECULAR  
LANGUAGE, ONE HAS FULFILLED ONE'S OBLIGATION.

793 \* MORDEKHAI [Benet] came out to show his own  
strong hand. He stood IN THE COUNSEL OF THE LORD  
795 yet the length of the curtain was a cubit (Slander, p. 14).  
In the multitude of words there wanteth not trans-  
gression. He hath ascended up into HEAVEN and hath  
descended. He hath gathered the WIND in his fists.  
799 And [Moses] TOBHIYAH [of Hanau] rose up TO THE HEIGHTS  
800 as well (Slander, p. 72). YET THERE IS NO UNDERSTANDING  
BEFORE THE LORD.

KESEPH MISHNEH [Joseph Caro's commentary to the  
Mishneh Torah] ad. loc.:

Our master repeated this point, "that even  
though it was in a secular language, one has  
fulfilled one's obligation." That is to say  
that even though / there are two possible [p. 14]  
objections to this: 1) THAT THE BLESSING IS  
NOT ACCORDING TO THE ARRANGEMENT OF THE SAGES  
and 2) IT IS IN A SECULAR LANGUAGE, NEVERTHE-  
LESS [one who prayed in a secular language]  
HAS STILL FULFILLED HIS OBLIGATION.\*

813 \* From Moses to Moses, there has not arisen one  
such as MOSES TOBHIYAH, the Rabbi of Hanau. All



the hidden things have been revealed to him and there is no secret that they can hide from him. For the honor of our holy Torah he wrote (Slander, p. 73), "One must say no blessing EXCEPT IN THE HOLY LANGUAGE. Far be it from us to sin by changing this. It is an ABOMINATION to us...GOD FORBID, WE SHOULD DETRACT FROM THE TRADITIONAL FORMULATIONS OF THE PRAYERS." O Land, Land, Land, hearken! They have made us an ABOMINATION UNTO THEM! They add INIQUITY unto their iniquity. Let them not come into Thy righteousness.

ALSO ON THIS PASSAGE:

Concerning that which our master wrote, "If one altered the formulation of the blessing..." Rabbi Meir Cohen wrote, "You might say by way of objection that in the 'Laws concerning the Recitation of the Shema [2:10, also in the Mishneh Torah]' he wrote, 'One does not fulfill one's obligation, etc.' And this requires further study." One may wonder about his surprise, for the beginning of the "Laws concerning the Recitation of the Shema," Rambam teaches concerning one who changes the wording of the blessings: "If he concluded the prayer with a blessing or began it with a blessing in a case where the sages had not prescribed this, he has not

fulfilled his obligation." But HERE he discusses one who has altered the FORMULATION of the blessing by not reciting its exact wording but instead reciting THE GIST OF THE PRAYER WITH ANOTHER FORMULATION,\* and altered neither the opening blessing nor the eulogy. This is clarified in the words of our master.

\*The great luminaries, the authors of the Slander, decreed (in the Proclamation), "IT IS FORBIDDEN TO CHANGE ANY FORMULATION, etc." And in the [Judeo-German] translation of their words, 853 they acted in the manner of women and added by way of explication (p. VII), "[Nothing may be altered] from [the opening song] ADON 'OLAM [Master of the universe] to the [concluding prayer] 'ALENU L'SHABEAH [It is our duty to praise]." AND IT IS OUR DUTY TO PRAISE THE MASTER OF THE UNIVERSE 859 Who did not make our portion LIKE THEIRS and our destiny LIKE ALL THEIR MULTITUDES.

MAGEN ABHRAHAM [Abraham Abele Gumbiner's commentary of Joseph Caro's legal compendium the Shulhan 'Arukh Orah Hayim] section 50:

865 In prayer as well [as in study], it is better to pray IN A LANGUAGE ONE UNDERSTANDS.

[Shulhan 'Arukh.] ORAH HAYIM, section 101:

One may pray in any language one wishes -

THIS APPLIES ONLY TO PUBLIC PRAYER.\*

869 \* See ye this EVIL before their faces! Who is  
wise that will watch THEM and will discern their  
ways! For deceit is in their mouths, and with  
their tongues they lie. They explain the Torah  
in a way WHICH IS CONTRARY TO THE HALAKHAH, when  
they say that which is the opposite of the truth.  
THEY APPLIED THE PROHIBITION [of prayer in the  
vernacular] SPECIFICALLY TO PUBLIC PRAYER, contrary  
to established law. Come and see:

1. The letter of the Rabbi of Pressubrg [Moses Sopher]  
(Slander, p. 10 and 38 as well).
2. The Rabbi of Rawicz [Aaron Joshua son of  
Rabbi Dov Baer], (p. 29).
3. The epistle of the great luminary who rules  
in the community of Breslau [Abraham, son of  
Rabbi Gedaliah Tiktin] (p. 25), beginning with  
the words, "And it is explicated in Gemara  
886 to Berakhot." His every word is sweet. GRACE  
is poured upon his lips.
4. The letter of the great and learned Rabbi  
889 of Posen ['Aqibha Eger] whose WISDOM stands  
AS A WITNESS (p. 27) beginning with, "Ah!  
Whoever hears..."
5. The threefold cord in Padua [Menaḥem 'Azariyah,

Jacob son of Rabbi Asher Luzzato, and Israel Mordekhai Kunyon] (P. 48).

6. A community of blind men, the least of the flock in Leghorn [ 11 Rabbis] (p. 67).
7. The Rabbi of Lissa [Jacob] (p. 81).
8. The Rabbi from Winzenheim [Naphtali Hirsch Katzenellenbogen] (p. 86).

EACH ONE HAS INTERPRETED ACCORDING TO HIS OWN DREAM. They have written concerning the Jews WHATEVER SEEMED RIGHT IN THEIR OWN EYES, to be given as LAW in every province in order to bring them UNTO THEMSELVES as slaves.

MAGEN ABRAHAM, ad. loc.:

It is better to pray IN A LANGUAGE ONE UNDERSTANDS./

[p. 15]

908 RESPONSA DEBHAR SHEMUEL ([ of Samuel Aboab] #321:

According to the opinion of the majority of legal authorities, IT IS PERMITTED TO PRAY and to say even the Kaddish and the Sanctification IN ANY LANGUAGE.

913 LEQET HAQEMAH [Responsa of Moses Hagiz]

paragraph 108:

Ten Jews who do not understand Hebrew may pray and recite Kaddish, Barekhu, and the Sanctification in the vernacular.\*

918 \* Certainly, the Rabbi who offered the FIRST  
sin offering ['Aqibha Breslau] will himself  
not gain the permission [to pray in the vernac-  
921 ular], for he knew not to be careful of ERRONEOUS  
WORDS IN THAT VERY SAME LANGUAGE, as you can  
clearly see (Slander, p. XV.)

SHENE LUHOT HBERITH [a mystical-halakhic work by  
Isaiah Horowitz] "The Laws of Prayer":

926 When one prays in the language to which he  
is accustomed, meaning THAT THIS IS THE  
LANGUAGE HE EMPLOYS FOR ALL HIS ORDINARY  
NEEDS, IT WILL MAKE IT EASIER FOR HIM TO  
PRAY WITH DEVOTION. When one prays in  
another language, even though he understands  
what he is saying, it will not be as easy  
to do so.\*

\*AND IT WAS FOUND written that MORDEKHAI Benet  
935 had told the very opposite of this. See Slander, p. 13,  
beginning with the words, "On the contrary."  
Take him from there to see WHETHER THE WORDS OF  
MORDEKHAI WILL ENDURE the test of fire.

939 GEMARA 'ERUBHIN, chapter 2:

From which Scriptural verse do we know that  
the principle of song is obligatory on the  
basis of the Torah?...Rav Mattenah said,  
It is derived from this verse: BECAUSE THOU

DIDST NOT SERVE THE LORD THY GOD IN JOYFULNESS AND WITH GLADNESS OF HEART [Deuteronomy 28:47]. What service is it which is in joyfulness and gladness of heart? You must say, it is SONG.\*

\* The Rabbi of Mainz [Hirz Scheuer] said (p. 5), "Who says that praying with musical instruments is a commandment?" The Rabbi of Pressburg [Moses Sopher] said (p. 9), "Ever since the Temple was destroyed, 953 there is no rejoicing before Him." He himself therefore errs when using WINE, for it is written: They shall not drink WINE with song [Isaiah 24:0]. Therefore, let him look into the wine goblet [he uses] and let him walk uprightly. The Rabbi of Nikolsburg [Mordekhai Benet] asked (p. 16), "What commandment is there in playing music during prayer?" And Jacob [of Lissa] ascended to the House of God and said (p. 78), "[Rejoicing at a wedding with musical instruments is a commandment] which is not the case with prayer. Where do we find that rejoicing is part of this commandment?" And he added (p. 79), "But with reference to prayer itself, WE HAVE NOT FOUND [the principle of] REJOICING." What can we do with him? HE hath not found, yet WE have found a full Scriptural basis [for rejoicing in prayer]: SERVE THE LORD in rejoicing [Psalms 100:2]; and we have learned

from tradition that THIS REJOICING IS PRAYER.

RABBI SAMUEL EDELS [from his novellae] ad. loc.:

973 Scripture was particularly strict concerning  
the matter of worship in song, in that it  
exacted a punishment for its neglect. For  
song undoes an evil disposition and brings  
on the holy spirit and prophecy.

BOOK OF THE PIOUS [of Judah the Pious], section #158:

979 Seek for yourself the TUNES [of the prayers]  
and then pray with a melody which you find  
sweet. Then shall you pray with devotion.\*  
It shall draw your heart after the utterances  
of your mouth like the melody which draws  
one towards words of praise and gladdens  
the heart - in order that your mouth may be  
filled with love and joy for Him Who looks  
into your heart. And you shall bless him  
in great affection and joy.

989 \* A man's wisdom maketh his face shine: this applies  
to the Rabbi of Hanau and its district [Moses  
Tobhiyah] who offers an argument from a minor to  
a major (p. 76) saying, "And further, there is  
reason to suspect that [prayer in song] might be  
prohibited because of another matter, according to  
995 what was written, etc. - namely that it is forbidden  
to illustrate books out of which people pray, so

that the devotion not be disrupted . . .AND ALL THE  
MORE SO SHOULD IT BE CLEAR that devotion would  
be disrupted / [by music] for one would incline [p. 16]  
his ear to listen to the sound of the SINGERS  
IN SONG." Can we find such a man AS THIS in whom  
1002 is the spirit of God? This man MOSES was very  
humble and said (p. 71), "I am among the least of  
the FLOCK, etc. I have come out not to inflame,  
but to take issue with strange and HARMFUL OPINIONS,  
to pull down FALSE EDIFICES and their basic  
foundations." See now what these feeble Jews do -  
TOBHIYAH being among them! Even that which they  
1009 BUILD, if a FOX (one of the "little foxes") goes  
up upon it, it shall break down their stone wall!!

[Shulhan 'Arukh,] ORAH HAYIM, section 560:

For the needs of performing a commandment,  
all [types of music] are permitted -  
1014 whether vocal or INSTRUMENTAL.

1015 MAGEN ABHRAHAM [on Orah Hayim] section 339:

IT IS ONLY FORBIDDEN for a Jew himself to play  
a musical instrument on the Sabbath as a  
1018 preventative measure.

1019 MAGEN ABHRAHAM, [on Orah Hayim] section 335:

DE JURE it should be permitted to play a  
musical instrument (on Sabbath).



THE RESPONSA OF RABBI MOSES ISSERLES, #21:

In a place where an innovation arose of a kind earlier generations did not know, wherein there might be grounds to suspect that it would involve a deterioration or a prohibition that one MIGHT NOT have had to fear in PREVIOUS times, it is certainly permitted to ordain something [new], similar to ALL OF THE ORDINANCES SPOKEN OF IN THE TALMUD, for one may say THE PREVIOUS AUTHORITIES DID NOT INTRODUCE IT WITH THIS INTENTION. THEY DID NOT SAY \* THAT PREVIOUS CUSTOM COULD NOT BE CHANGED AT ALL, BUT RATHER THAT IT IS PERMITTED TO ADD TO IT AND TO CORRECT ITS DEFICIENCY.

\* They did not say so, yet the Rabbi of Amsterdam and Amersfoot [Samuel] did. After he had rambled on like a woman (p. 57), SAMUEL finally said, I am the seer "that whosoever abrogates one thing from the tradition which has been received and which the sages, great in wisdom and in number, have fixed and ORDAINED, HE IS AS ONE WHO DENIES THE AUTHORITY OF THE ENTIRE TORAH." - Is there here a SEER? And the Rabbi of Fürth [Meshulam Zalman Ha-kohen] wrote (p. 1), "The customs of Israel are as [binding as] the TORAH." O would that the TORAH

be the custom of Israel and not the customs Torah! -  
In this matter, most of them have greatly trans-  
gressed.

1051 MAGEN ABHRAHAM [on Orah Hayim], section 690:

If the matter has changed from that which  
it had been in previous times, WE ARE  
PERMITTED TO CHANGE THE CUSTOM ACCORDING  
TO THE TIMES.

AND NOW, dear reader! After God hath informed you  
of all this, no one is as understanding and wise  
as thou to see that all the prohibitions which these  
1059 rabbis have put upon us are NULL AND VOID. Their  
prohibitions are not my prohibitions, NEITHER  
VALID NOR ESTABLISHED. They are rather like the  
chaff which the wind driveth away. And behold,  
not even half of the words of the TRUE SAGES,  
our rabbis - may they rest in peace - have been  
told to you. There is much more, my son! Let  
not the words of the sages depart from thine eyes,  
for they are life unto those who find them.  
They are all plain TO HIM THAT UNDERSTANDETH  
and right TO THEM THAT FIND KNOWLEDGE. The end  
of the matter, all having been heard, FEAR GOD  
and KEEP HIS COMMANDMENTS, for this is the whole  
duty of man. And the Lord will be our God and will

1073 establish with us A COVENANT OF PEACE that He will  
not turn away from us, and that He will treat  
us graciously. He will put reverence of Him in  
our hearts, so that we shall not turn away from Him.  
Then shall it be well with us and our children  
after us forever.

AMEN

ANNOTATIONS

(Front Cover)

"The Sword Which Avenges the Covenant" -- Leviticus 26:25.

The "covenant" which this work was meant to avenge was the rabbinic attack against the Hamburg Temple -- Eleh Dibhré Haberith -- These are the Words of the Covenant, which will henceforth be referred to as E.D.H. On page 21 of E.D.H., Mordekhai Benet referred to Nogah Hatzedeq/ Or Nogah as hereph piphiyoth -- "a two-edged insult" -- punning on the word herebh which means "sword."<sup>1</sup> Perhaps this is the source of the image of the sword which Bres-selau uses in his title.

(Inside Cover)

This passage from the Talmud is intended to condemn the rabbis who have a great deal of learning, yet who "speak not gently." Not only will other people scorn them, the Torah itself will condemn them because, by claiming that only they are God's true servants, they have profaned His holy name.

(Title Page)

The quote here tells the rabbis simply that it is futile for them to attempt to criticize the Temple members. They themselves have enough faults and should turn their criticism inward.

"Published FREE \* No Price" -- Exodus 21:11. Literally:  
"She shall go out for nothing, without money."

(Preface)

Much of the Preface is taken word for word from the Preface of E.D.H., p. II.

Bresselau has added words and phrases so that the section sounds like the preface of the rabbis yet reveals his own agenda. Bresselau's additions are listed below:

- 7) "TO DISTINGUISH...AND THE DARK!!"
- 9) "AND EVIL"
- 10) "AND HAVE GONE FORTH TO ENGAGE IN STRIFE... vanity and seduction." -- Here Bresselau states the sin of the rabbis -- that they have stirred up a controversy.
- 12) "entire" -- i.e., not only the followers of the rabbis, but the whole community is holy.
- 14) "WHO SIT IN DARKNESS ...DO CREEP FORTH" --i.e., these rabbis sit in darkness and are not aware of what is happening around them. The Reformers, too, had been accused of turning "light into darkness and darkness into light" (E.D.H., p. 21). Bresselau charges that the rabbis turned light into darkness, but gives them no credit for turning darkness into light.

17) "And at their command, STRANGERS as well have come"--  
The strangers referred to in the Preface of E.D.H.  
may have been men like E. Kley who had brought  
Reform to Hamburg. Here, Bresselau refers to the  
rabbis from the other communities who, at the  
command of the Hamburg dayanim, contributed to  
E.D.H.

19) "May He make His face shine....[end]" --Bresselau  
hopes that the light of the new way will disperse  
the darkness of the old and that peace and quiet will  
again return to Hamburg.

21) "eyes of the Hebrews" -- Bresselau puns on the  
word העורים (the blind) which appears in this  
phrase in Isaiah 29:18 by substituting the word  
העורים (the Hebrews).

27) "ON ACCOUNT OF THREE DOTH THE EARTH SHAKE" --  
Bresselau mocks the three dayanim of Hamburg  
who assume that the actions that they have taken  
against the Temple have been earth-shattering.  
According to Bresselau, they have not.

30) "PROCLAMATION" --i.e., the מודעה in E.D.H.  
pp. III-VI.

34) "Those who spread SLANDER" -- Instead of using the  
first three letters of Eleh Dibhré Haberith by which

to form the acrostic ה"טא , Bresselau chose Eleh Dibhré Haberith - or ה"טא to stand for this work. The word dibah means "slander" or "evil report" as in the phrase which Bresselau chose -- ה"טא דבא דבא . This phrase has two meanings, both applicable in this context: "those who spread slander" or "those who published Eleh Dibhré Haberith." For Bresselau, the two are synonomous. Since he uses "dibah" by which to refer to E.D.H., it will henceforth be translated as "Slander."

- 37) "The Lord hath not spoken to them" -- i.e., the rabbis have no direct link to God, yet they act as if they do.
- 41) "they have gathered unto them...." -- This section describes the collection of the responsa for E.D.H. and its manner of dispersion.
- 55) "They make us a taunt..." - i.e., the rabbis make it appear to the Gentiles that it is the Reformers who have strange customs.
- 63) "ready TO ESTABLISH A PROHIBITION." -- Such was the purpose of E.D.H. as expressed by Moses Sopher, (E.D.H., p. 11) -- to prohibit any change in Jewish practice.
- 65) "SUCH WAS THE ORDER OF THE RULERS OF THE CITY" --

Perhaps the dayanim had said that they were only acting on behalf of the Hamburg Senate. The Senate may have wanted further opinions as to the legitimacy of the reforms before it could rule on the case brought to it by the dayanim, the Temple members, and the Council.

- 70) "Something like this..." -- Perhaps this Rabbi, Naphtali Hirsch Katzenellenbogen, regretted the harsh invectives he used against the Temple members when he found out that his words would be brought in front of a Gentile body.
- 89) "they ruin a life." -- i.e., they are destroying the Jewish community.
- 92) "A STRANGE FIRE....LET IT BE EXTINGUISHED!" -- This alludes to the strange fire which Nadabh and Abhihu, the sons of Aaron, tried to offer to God on their own initiative (Leviticus 10:1). God was not pleased with their offering and struck them dead. The current rabbis are also offering a strange fire, according to Bresselau, which does not please God and, at the same time, are extinguishing the true lamp of God.
- 106) "THESE ARE THE WORDS OF THE COVENANT" -- the title of the rabbis' polemic against the Temple.



- 115) "THEIR BOW THEY HAVE SET IN THE CLOUD, and it has been a sign of a COVENANT." --Bresselau quotes this verse from the story of Noah in which the rainbow which God sets in the clouds after the flood is a sign of His covenant (Genesis 9:13). Here, however, the image of the bow is used in a different sense: the bow to which Bresselau refers is the bow which shoots arrows "at the upright in heart"; the cloud represents the darkness in which the rabbis sit and create strife. Thus, the sign of their covenant is the violent bow which is set in darkness.
- 119) "WORDS OF CONTROVERSY" -- Bresselau switches the letters of the word for covenant ברית to create the word for controversy ריב.
- 123) "WISE" -- חכמים (hakhamim) literally means "wise," but also refers to a class of sages who are given the authority to make legal decisions.
- 132) "O YE DRY BONES..." In this section, Bresselau speaks of the indifference and insensitivity of the rabbis. Their devotion has no substance.
- 147) "THE THREE SHEPHERDS" -- This refers to the three dayanim of Hamburg. Here, Bresselau introduces the image of the rabbis as shepherds whose task it is to tend the Jewish flock. As shepherds, they are

to serve the needs of the people; and, as priests of the Lord, they are to be concerned with serving God in their midst.

- 155) "WOE UNTO THE SHEPHERDS . . . AND YE FED NOT THE SHEEP!"-- Bresselau charges the rabbis with collecting their rabbinic salaries, taking from their flock that which will serve themselves, but not doing the job for which they were paid -- that of nourishing the Jews of the community. Instead of responding to the crisis in Judaism and attempting to reach out to alienated Jews, the rabbis have entrenched themselves in their power base and have tried to control the situation with force.
- 167) "It has been many years ..." --The plagues of alienation and rabid disregard for Judaism and Torah have been spreading within the community for some time.
- 169) "WE HAVE NO LEADERSHIP..." --The rabbinate has lost its franchise to direct the Jews; as a result, each person goes his own way -- leaving Judaism and God behind.
- 176) "AND THESE THREE MEN..." --The rabbis are concerned only with their own comfort and security and are callous to the sorry state of Jewish life which exists before their eyes.

183) "BROKEN IS THE COVENANT" -- Many Jews have forsaken God and the Torah in their desire to enter the modern world.

191) "WEEP IN SECRET!" -- In the footnote, Bresselau alludes to a paragraph in the Proclamation of E.D.H. which describes the many Jews who were leaving Jewish life. The paragraph concludes, "And the God-fearing men wept in secret and entreated God to open the eyes of those who had strayed." Bresselau condemns the writer for rightly observing this problem, bemoaning the situation, and then doing nothing to counteract it.

"Is it not time TO ACT FOR THE LORD for they have made void His covenant!" -- This is a paraphrase of Psalm 110:126, substituting "covenant" for "law." The verse is interpreted in the Talmud, Berakhoth 63a and Gittin 60a, to mean that "even Biblical law may be temporarily changed... for the sake of preserving the Jewish religion."<sup>2</sup> Pelli claims that Bresselau uses this verse to assert that Judaism mandates internal change in order to respond to the needs of the times. However, this may not be the case, since Bresselau's reading of the verse does not parallel that of the Talmud. Berakhoth 63a reads: "R. Nathan says, '(This

verse means) they have made void thy Law because it is time to work for the Lord.'" This, then, justifies Breaking Jewish law for a higher good. Bresselau asserts here that it is the rabbis who have made void the covenant and, as a result, the Reformers have had to take special measures to work for the Lord. Bresselau would not have said that it was the Reformers who had made void God's covenant for a higher good. Aaron Chorin did use this verse in its Talmudic sense in Nogah Hatzedeq, p. 23.

194) "if every male among us be circumcised as they are" -- i.e., the rabbis will only deal with us as Jews if we concede to practice Judaism in exactly the same manner in which they do.

196) "YE REBELS: -- Bresselau asserts that it is the rabbis who are not upholding their covenant with God.

"IS NOT THIS COMMANDMENT..." -- Here, Bresselau posits that, in Jewish law, it is the responsibility of the rabbinic court to assure the Jewish upbringing of the next generation in situations in which the parents themselves are not doing so.

200) "Look now and see!..." -- In this section, Bresselau

bemoans the state of the Jewish youth who, because of the neglect of those who were responsible for the religious life of the community, have received no Jewish education, have forsaken Judaism, and have embraced Christianity.

226) "that my people be not scattered..." -- Because of the lack of true spiritual leadership, the Jewish people is in danger of disintegration.

234) "WHEREFORE THEN LIFT YE UP..." -- i.e., not having taken responsible leadership roles in the community, upon what do you justify your authority?

236) "And ye say in your heart...be they few in numbers or many?" -- Bresselau attacks the rabbis for minimizing the problem and for washing their hands of any culpability. No matter how many had been distanced from Judaism, the rabbis were responsible for making an effort to bring them back into the fold.

245) "Think not...yet ye shall not be guiltless," -- i.e., do not think that you will not be adversely affected by this problem. Much of the responsibility for the problem is your own.

250) "For IT IS NOT THE NUMEROUS WHO ARE WISE." --  
Playing with a rabbinic dictum quoted in E.D.H., p. 8.

"No rabbinic court may annul the decree of another court unless the former is greater in number or in wisdom," Bresselau combines the concepts of wisdom and number to say that just because the Reformers were in the minority, this did not mean that the rabbis possessed greater wisdom or authority.

254) "Can ye not deviate..." -- This section continues the tirade against arguments presented in E.D.H., p. 8, namely that the traditional customs have been part of Judaism for 2000 years and that even if Elijah the Prophet came, he could not change them. Customs had to be observed, the rabbis claimed, even though their original justifications no longer applied. Bresselau challenges this claim. He maintains that Jewish customs are only as immortal as their creators. Those who had initiated the various customs had long since died and with them had died the authority of their customs. Times and conditions change, and it is foolish to follow a custom which has no relevance for the present.<sup>3</sup> In his note, Bresselau cites those who ascribed binding authority to custom.

259) "CUSTOM LIVETH A THOUSAND YEARS TWICE TOLD" -- This was the claim in E.D.H., pp. XI, 2, 8, passim.

271) "THEY GUIDED in new customs" -- i.e., the new generation has created its own customs to respond

to the needs of its own time.

- 273) "Certainly, our way is not your way," -- i.e., we do not guide our lives by dead customs. We are guided only by God's word.
- 276) "the House of the Lord." -- This section begins a description of the traditional synagogue.
- 277) "THE TEMPLE OF THE LORD!..." -- This phrase is taken from Jeremiah 7:4. In its original context, it is used by those who had oppressed others, worshipped idols, and then came to the Temple in the belief that the institution itself would protect them and guarantee their security. Bresselau thus ascribes those same hypocritical tendencies to the traditionalists.
- 280) "three men stand before the congregation to serve them..." -- This refers to the three singers who led the services in the pre-modern Ashkenazi synagogue.<sup>4</sup>
- 282) "THE FIRST ONE" -- the cantor, a baritone,
- 286) "the SECOND ONE" -- a bass.
- 289) "the THIRD ONE" -- a boy soprano.
- 290) "What is this noise of the multitude?..." -- Bresselau here describes the disorder, lack of decorum, and absence of true religious feeling in the traditional synagogues.

- 304] "Their fear of the Lord is a commandment of men learned by rote." --i.e., they mechanically observe all the rituals, motivated by habit only. Their observance lacks both sincerity and understanding of what they are doing.
- 321] "MAKING US ODIUS UNTO THE INHABITANTS OF THE LAND." -- This verse from Genesis 34:30 was originally said by the patriarch Jacob as he remonstrated two of his sons for having committed a disreputable act against the family of Shekhem. Jacob's concern was that this had given him and his tribe a bad name amongst the other tribes. Here, Bresselau maintains that the lack of religious feeling and order in the synagogues is an embarrassment before the Gentiles.
- 324] "for they have profaned the holy name..." -- c.f., the final passage of the Preface.
- 327] "One saith, 'I am the Lord's'..." --Bresselau here begins a tirade against the various small minyanim of the traditionalists.
- 330] "And you expert..." --Bresselau refers to the responsum of Eliezer of Trietsch which rebukes the rabbis as well for the lack of decorum in the synagogues and for their own sin of gossip and slander. Eliezer suggests that while they are criticizing others, the traditionalists should re-evaluate their



own behavior. This section was not translated into Judeo-German -- a fact which Bresselau tauntingly points out.

- 341) "ten men" -- the minyan or quorum required for public prayer.
- 343) "EVERYONE UPON THE ROOF OF HIS HOUSE AND IN THEIR COURTS." -- i.e., the minyanim meet wherever they can find the room.
- 345) "heaps" -- ד'רמון -- can also mean either "donkey drivers" or simply "donkeys".
- 346) "THE TENTH is holy." -- Often, a group of men need to seek out desperately the tenth man to make the minyan.
- 348) "FOR A PRICE" -- Bresselau refers to those men who were supported by the community for the sole purpose of being available to complete a minyan.
- 351) "WHOSOEVER DESIRETH TO ASSUME A PIOUS REPUTATION DOETH SO" -- This is a partial quote from Berakhoth 16b, which reads, "Not everyone who desires to assume a pious reputation may do so." Bresselau uses this phrase to point out the religious presumptuousness of the traditionalists.
- 359) "Their priests teach FOR HIRE" -- i.e., the religious functionaries are devoted to the community only

because they are paid. Their concern is not real, yet they smugly assert that they are secure because they think that they are following God's ways.

371] "CERTAINLY..." --This begins Bresselau's description of the Hamburg Temple.

381] "And a house was built..." --i.e., the Hamburg Temple.

383] "Those who had been distant" -- i.e., those who had been alienated from the traditional synagogue.

384] "And from Sabbath to Sabbath..." -- This begins a description of the Temple's worship services.

401] "UNDERSTAND THE WORDS..." --This refers to the prayers and the sermons which were in German.

407] "to bring our sons and daughters into the covenant of the Lord," -- This refers to the ceremony of Confirmation.

419] "a saying remnant" -- i.e., the founders of the Temple.

422] "Violent men" --i.e., the traditionalist opponents of the Temple.

434] "A work hath been wrought" -- i.e., the founding of the Temple.

- 460] "to revivye" -- i.e., to bring back to Jewish life.
- 465] "What be this service to you..." -- i.e., what is so objectionable about our services that the rabbis should be so agitated?
- 468] "sound the horn" -- The ram's horn (shophar) was sounded when proclaiming a rabbinic ban such as the ban under which the rabbis placed the Temple's prayerbook.
- 469] "HATH THIS HOUSE BECOME A DEN OF THIEVES?..." -- In the next few lines, Bresselau asserts that the founders of the Temple were not heretical outlaws with evil intentions, but were God-fearing people who sincerely believed that they were serving God through their actions.
- 483] "In time to come..." i.e., our concern is that our descendants will remain Jewish.
- 500] "Ye have sown much and brought in little" -- i.e., the rabbis have done much, but with little positive results.
- 506] "Yet what shall we speak..." -- Bresselau bemoans the situation in which there is no dialogue between the Reformers and the traditionalists. The rabbis are too closed-minded to take what the Reformers are saying seriously.

512) "FINAL SIGN" -- Bresselau refers to the concluding words of the dayanim in E.D.H., p. 132, in which they refuse to enter into discussion with any of their opponents: "We are convinced that no rabbi could criticize what has been said...We regard it as beneath our dignity to deal with individuals who may have an ax to grind against this Book and to begin conversations. We therefore declare that we shall not reply to any attack. The truth contained in these pages cannot be weakened through any empty babble, and, silently achieves victory."

524) "Answer not a fool according to his folly." -- i.e., we will not engage in the extended polemics which the rabbis have engendered. The time for us to present our case completely will yet come.

535) "Consider..." -- In this paragraph, Bresselau advises the rabbis to hold their peace. Only then will they see clearly what good the Reformers are doing.

543) "ENTER, my people..." -- This section addresses the members of the Temple.

549) "THIS IS THE WAY, WALK YE IN IT!" -- i.e., all will soon see that the ways of the Reformers will become the proper way for the entire Jewish community.

- 550] "Seek ye the Lord while He may be found," --  
i.e., worship God in ways that are proper for your  
own times.
- 559] "INSTRUMENTS OF PIPES" -- The 'ugabh, a piped  
instrument mentioned in the Bible, was considered  
by the Reformers to have been a type of organ.
- 561] "Speak ye not of what hath been..." -- i.e.,  
do not think that the "good old days" were any  
better or easier than the present. There has been  
internal strife and dissension in the Jewish  
community for many years.
- 568] "In every generation..." -- i.e., there have always  
been those who have maintained that only they had the  
correct interpretations of the Torah and that  
theirs was the only authentic way of practicing  
Judaism.
- 574] "they prepare war against him." -- In the note,  
Bresselau refers to the suggestion by Rabbi Eliezer  
that the Hamburg dayanim appeal to the civil author-  
ities to have the Temple closed, as had been done  
in Berlin. The suggestion was that "they should  
choose wise, learned, and God-fearing men who  
would go in tears before the civil authorities --  
may their glory be exalted -- that the house of the  
wicked ones be destroyed and the arms of the wicked

be broken" (E.D.H., pp. 23-24). Bresselau also cites Rabbi Jacob Lissa who, on page 80 of E.D.H., suggested to the dayanim that they go in front of the civil authorities with the argument that, if those who challenged traditional religious authority were successful, they would next be challenging traditional political authority.

581) "TO TURN THE SUN ten degrees BACKWARDS" --

i.e., the rabbis wish to deny that the times have changed and want to turn back the clock to the time when they would not have had to deal with these problems.

"THESE ARE AMONG THOSE WHO REBEL AGAINST THE LIGHT" --

i.e., against the advancements brought about by the Enlightenment.

584) "They shall depart..." -- i.e., those rabbis are only mortal, and therefore both they and the customs they uphold shall eventually pass out of remembrance.

607) "So know now..." -- This begins Bresselau's final invective against E.D.H. in this section of his work.

624) "that it be not done" -- i.e., the rabbis would have us believe that our project is doomed to failure. We

will not be discouraged, however, but rather encouraged, for we are doing the work of God.

- 639) "river" --literally: the Euphrates. This image is taken from Jeremiah 51:63, in which the prophet throws a book of Babylon's iniquities into the Euphrates to symbolize how Babylon itself would someday sink.
- 644) "HEED NOT lying words..." -- This begins Bresselau's closing address to the Reformers in this first section of his work. He inspires them to see their present struggle as a test from God and to continue to serve the Lord as they had been doing, ignoring the presumptuous protestations of the traditionalists.
- 669) "Their defense is removed..." -- In order to give the date on which this book was written, Bresselau quotes a verse from the Torah portion which was read in that week. This portion is read in the summer. The verse which Bresselau chose also has a message for the Reformers in their present struggle.
- 672) "MY FINGERS" -- using gematria, the sum of the letters of the word מניני which means "my fingers," is 579. The sixth millennium is assumed, so that the year comes out to be 5579 in the Jewish calendar or 1819 C.E. This verse as well relates to the polemics

in which Bresselau is engaged.

- 676) "THY WORD..." --With this verse, Bresselau asserts that it is God's word, as revealed in the Torah and Rabbinic literature, which will provide him with ammunition with which to respond to the traditionalists.
- 679) "Dear reader..." -- This introduction to the halakhic texts which Bresselau quotes advises the reader to examine the laws which are to follow. These texts will offer the correct rulings on the issues at hand.
- 694) "Chapter 10" -- The correct chapter is 7.
- 703) "hear [i.e. understand]" -- The implication of this passage is that one must understand that which one says when one recites the Shema and thereby accepts the yoke of God's kingdom. Rabbi Jacob, referred to in the note, had said that understanding was not essential when following God's law. The act of simply reciting the words was itself sufficient.
- 752) "God hath spoken ONCE, TWICE have we heard..." -- If God has spoken but once, and the sages have heard twice, this raises doubts as to the accuracy of any human perception of the exact will of God.
- 755) "He [apparently] said" -- According to Bresselau,



Rabbi Sopher had misinterpreted God's intention.

- 771) "To whom then will ye liken God?" -- Bresselau attacks Rabbi Sopher for comparing God to a human being who has preference for a particular language.
- 774) "yea thrice" -- Sopher had contributed a total of three responsa to E.D.H.<sup>5</sup>
- 793) "his own strong arm" -- Literally: his own Yad Haḥazaqah, this being the traditional name for the Mishneh Torah. With this, Bresselau implies that Benet is producing his own law.
- 795) "the curtain" -- i.e., that which separates Benet from the Lord.
- "SLANDER, p. 14" -- There, Benet argues that any translation is an interpretation and hence excludes possible meanings and implications the original may have. He says that if one does not use the Hebrew name of God, one is using a description only and not His actual name. Consequently, reciting God's name in another language is like not reciting it at all. Maimonides, however, wrote that one need only recite the idea of the prayer; thus Benet contradicted Maimonides.
- 799) "Tobhiyah rose up TO THE HEIGHTS" -- This is the first line of a medieval piyyut by Joseph bar Samuel Tobh 'Elem (Bonfils). It refers to Tobhiyah's, i.e.,

Moses' ascent to receive the Torah on Mt. Sinai.<sup>6</sup>

- 800) "SLANDER, p. 72." -- There, Tobhiyah admits that Maimonides permitted praying the Shema in other languages. Why then, asks Tobhiyah, did Maimonides not write this in Hilkhoth Tephillah? Also, if it were permissible to pray in the vernacular, why did not previous authorities compose any of the prayers in other languages? Tobhiyah posits Maimonides' hope as being that someday, everyone would pray in one language -- Hebrew. Rabbi Tobhiyah uses the same logic as Benet, that translation limits understanding.
- 813) "From Moses to Moses, there has not arisen one such as MOSES" -- This is a popular saying referring to the pre-eminence of Moses Maimonides as a legal authority, the likes of whom have not arisen since Moses Rabbenu. Bresselau chides Moses Tobhiyah for apparently claiming the wisdom and insight of his namesakes.
- 853) "in the manner of women" -- Usually, this phrase refers to the menstrual cycle. Here, Bresselau alludes to the rabbis' loquacious tendencies, in which they resemble women. The rabbinic connection between wordiness and women is based on the story of Eve and the snake in the Garden of Eden (Genesis 3).

In this story, Eve was beguiled into eating the forbidden fruit as a result of her adding on to that which God had commanded concerning the Tree of Knowledge. She had told the snake that they were forbidden to eat of the fruit or, as she added, to touch the tree. According to Midrash Genesis Rabbah XIX:3 and Sanhedrin 29a, the snake then pushed Eve against the tree, asserting that since she had touched it and had not died, she could eat of its fruit and not die. The principle established from this is

כל המוסיף גורע --whoever adds in fact detracts. The rabbis in E.D.H. had done the same type of adding on to God's commands when they asserted that nothing could be changed from Adon 'Olam to 'Alenu, since this rule was nowhere stated as being part of God's law.

- 859) "Who did not make our portion LIKE THEIRS and our destiny LIKE ALL THEIR MULTITUDES." -- After having combined the phrases "'Alenu l'shabeah" and "Adon 'Olam" to form "AND IT IS OUR DUTY TO PRAISE THE MASTER OF THE UNIVERSE," Bresselau quotes the above line from the continuation of the 'Alenu. In its own context, it is meant to draw the distinction between Israel and the other nations. Bresselau uses it here to draw the distinction between the Reformers, who were truly following God's law, and the traditionalists, who were distorting it.

865) "IN A LANGUAGE ONE UNDERSTANDS" --Gumbiner supports this by referring to Orah Hayim, section #101 (below) yet goes on to say, "In any event, one must say that even though one may not understand [what one says in prayer], the Holy One, blessed be He, knows his intentions and understands. However, if one studies and does not understand the language of the text, this cannot be considered study."

869) "\*See ye..." -- In this note, Bresselau cites those rabbis who had written that public prayer in the vernacular was forbidden. Some of the rabbis cited admitted that public prayer in the vernacular was permitted, but only in exceptional cases, not on a regular basis. This distinction, however, was not supported in the halakhic literature.

886) "GRACE" -- Bresselau alludes to Tiktin's arguments which were based on the importance of mystic interpretations of the Hebrew of the prayers. The word  
חַכְמָה נִסְתָּרָה (grace) is an acrostic for  
(hidden wisdom) which refers to esoteric mysticism.

889) "whose WISDOM stands AS A WITNESS" -- Bresselau has taken a phrase found in the Bible עוֹמֵד לְ עַד (stands forever) (Psalms 111:3,8,10), and has revocalized it to read עוֹמֵד לְ עַד --"stands as a witness." Rabbi Eger had written that the Reformers

must follow the traditional authorities, yet in this case, he himself did not. Interestingly, in their commentaries on the Shulhan 'Arukh, neither Sopher nor Eger had any notes on this passage.

908) "DEBHAR SHEMUEL" -- Samuel Aboab had been asked if ten Jews who did not understand Hebrew could fulfill their prayer obligation and recite those prayers for which was needed a quorum of ten in a language other than Hebrew. His response was that they could, even though it was thought to be a strange situation, and the community would look upon such a practice as surprising. Bresselau does not quote verbatim but instead gives a summary of the ruling, minus the hesitations expressed by Aboab.

913) "LEQET HAQEMAḤ" -- In the edition of this work in the hands of the present author, this reference is not found in the location or with the phrasing which Bresselau gives. On page 12 of this edition is written, "Ten Jews who only know a foreign language may pray and recite Kaddish in a minyan in that language which they understand." It appears that Bresselau has simply taken this reference from Or Nogah, p. 4, where the identical citation is given.

918) "the FIRST sin offering" -- Rabbi 'Aqibha of neigh-

boring Altona was the first to ban the Temple's prayerbook.<sup>7</sup>

- 921) "he knew not to be careful of ERRONEOUS WORDS IN THAT VERY SAME LANGUAGE" -- Bresselau asserts that 'Aqibha would not be permitted to pray in German since it was not a language which he understood. He cites a mistake in the Rabbi's Judeo-German (E.D.H., p. XV), in which had mistakenly been written געפֿיהרט instead of נעפֿיהרט.
- 926) "When one prays..." -- Bresselau's citation from this work varies in minor ways from the original text, e.g., verb tense. He may have copied from another edition, or was writing from memory. If the latter was the case, it was amazing how much of the original Bresselau remembered.
- 935) "had told the very opposite of this" -- Benet had written that one can only pray with devotion in Hebrew.
- 939) "GEMARA 'ERUBHIN, chapter 2:" -- This passage is actually found in 'Arakhin, chapter 2, page 11a. Bresselau has taken this mistaken reference and the quote (which varies in minor ways from the original) from Or Nogah, pp. 15-16.
- 953) "He himself therefore errs when using WINE" --

i.e., certainly this Rabbi uses song with wine when he sings the Kiddush on Sabbath and Holy Days.

- 973) "Scripture was particularly strict..." --  
Edels refers to the Scriptural reference in 'Arakhin, Deuteronomy 28:47. The next verse, 28:48, reads: "Therefore shalt thou serve thine enemy whom the Lord shall send against thee, in hunger, and in thirst, and in nakedness, and in want of all things; and he shall put a yoke of iron upon thy neck, until he have destroyed thee." Edels' point is that all of these calamities would come as a result of not worshipping God in song, as was commanded in the previous verse. Bresselau's citation is at slight variance with the traditional version of Edels' comments. These variations are also present in Or Nogah, p. 17, which must have been Bresselau's source.
- 979) "Seek for yourself..." -- This citation is also not identical with the original and was taken from Or Nogah, p. 18.
- 989) "maketh his face shine" -- i.e., embarrasses him.
- 995) "etc." --Not wanting to support the claims of his opponent, Bresselau omits the authorities which Tobhiyah had cited to support his position.

- 1002) "MOSES was very humble" -- Bresselau sarcastically contrasts the humility of Moses Tobhiyah with that of the Biblical Moses.
- 1009) "(one of the 'little foxes') " -- In E.D.H. (p. 64, passim), the Reformers had been called "little foxes who destroy the Lord's vineyard." Here, Bresselau accepts the epithet; but, by borrowing from the context of Nehemiah 3:34-35, he turns it against the rabbis. (Cf. Chapter II above.)
- 1014) "whether vocal or INSTRUMENTAL" -- This phrase is not part of the text of the Shulhan 'Arukh but is taken from David HaLevi's note on this passage in Ture Zahabh.
- 1015) "section 339" -- The correct reference is section 338. This citation is found in Nogah Hatzedeq, p. 13, but with the proper reference.
- 1018) "preventative measure" -- A preventative measure, or gezerah, is a prohibition concerning a matter which, according to the law, is permitted, but yet is proscribed in order to keep one further from the possibility of breaking a real prohibition.
- 1019) "section 335" -- The correct reference is section 338, note #5.
- Perhaps, also, the letter n (8) was mistaken for



n (5).

- 1032) "WITH THIS INTENTION" -- Omitted here is an example which Isserles offers: "Furthermore they said that if Elijah the Prophet came and said, 'One may perform the ceremony of halitzah with a shoe' [a sandal had been designated in the Torah], he is obeyed. But if he said, 'One may not perform the ceremony of halitzah with a sandal,' he is not obeyed." This was to demonstrate that practices may not be completely abolished, but may be altered to respond to new conditions and social conventions.
- 1038) "After he had rambled..." -- Rabbi Samuel wrote three to four pages of tirades before he began to say anything of substance.
- 1040) "I am the seer" -- Bresselau adds this phrase, taken from the mouth of the Biblical Samuel (I Samuel 9:19). He does so to mock Rabbi Samuel who, according to Bresselau, purported to have prophetic insight and wisdom.
- 1051) "MAGEN ABHRAHAM" -- In context, Gumbiner is commenting on Isserles' notes to the Shulhan 'Arukh which read: "One may not annul any custom or denigrate it, for it was not established for naught." Gumbiner quotes Isserles' Responsum #21 (see above)

in which Isserles cites an earlier authority, Rabbi Joseph Kolon: "One may not annul any custom which is mentioned by a halakhic authority. Even in a time of distress, custom may not be changed. And even if it has an aspect of something forbidden, it may not be annulled, as Rabbi Joseph Kolon wrote. And even with a local custom, they say that it annuls a halakhah, but if the matter has changed..." These sources underline the importance and immutability of established custom, but do justify adding to custom when the needs of the times warrant. The rabbis cited in Bresselau's note maintained that no custom may change for any reason. (Cf., Chapter IV below.)

- 1059) "NULL AND VOID...ESTABLISHED" -- This language is taken from the Kol Nidre prayer of Yom Kippur in which all vows and self-imposed prohibitions of the past year are voided. Bresselau has revocalized the phrase "Our prohibitions are not prohibitions" to read "Their prohibitions are not my prohibitions."<sup>8</sup>
- 1073) "A COVENANT OF PEACE" -- The covenant to which the traditionalist rabbis adhered was a covenant of confrontation and strife, according to Bresselau. This is not the covenant which the Reformers will have with God; theirs will be a Covenant of Peace

which will come as a result of their true devotion to God. The present may appear unsure, but the future holds only good for them and their descendants.

## CHAPTER IV

### THE HALAKHIC ISSUES

As mentioned in Chapter II above, there were at least eight halakhic objections against the reforms of the Hamburg Temple which were raised by the traditionalist rabbis in Eleh Dibhré Haberith and Tzeror Hahayim. The reform-minded rabbis who contributed to Nogah Hatzedeq / Or Nogah had already offered halakhic arguments in favor of the reforms, and David Caro's Berith Emeth responded to each of those issues as they were presented in Eleh Dibhré Haberith. Bresselau's Herebh Nogemeth Negam Berith, however, dealt with but three of the issues, not all eight. This work was neither a rabbinic responsum nor a Reform apologetic in the strict sense. It was a work of satire which took for granted the legitimacy of the Temple, and attempted to speak to the larger issues of the needs of the Jewish community and the failure of the rabbinate to respond to those needs. Therefore, Bresselau chose not to respond to each of the rabbis' objections to the Temple, but rather to focus on those three issues which most clearly represented that for which the Temple stood. Those issues were: prayer in the vernacular, representing the conviction that prayer had to be rationally understood in order to be meaningful; organ accompaniment at worship services, representing the desire to make worship aesthetically pleasing and spiritually uplifting; and the permissibility to change Jewish custom, representing the belief that Judaism mandated altering

its customs in order to meet the demands of changing times and new conditions. Bresselau's aim in reproducing halakhic justifications for the reforms was to show how the traditionalist rabbis had misrepresented Jewish law and that it was actually the founders of the Temple who were being true to both the spirit and the letter of the law. For this reason, he quoted texts from the major works of Jewish law which he felt justified the reforms and juxtaposed them with the rulings of the traditionalist rabbis.

This chapter will review each of the three issues, presenting the halakhic arguments offered by the rabbis in Eleh Dibhré Haberith and the justifications given in Nogah Hatzedeq/ Or Nogah and Herebh Noqemeth Neqam Berith.

#### Prayer in the Vernacular

Synagogal prayer is as ancient as the synagogue itself, dating back to the era of the Second Temple. During this period, as the basic form and order of Jewish liturgy were being fashioned, Jewish prayer services in the Greek language were not uncommon.<sup>1</sup> The permissibility to recite the major rubrics of the rabbinic prayer service in any language was codified in the Mishnah, Sotah 7:1:

The following may be recited in any language:...

the Shema, the Prayer of the Eighteen Benedictions,

the Grace after meals...

The Gemara and the commentaries on this passage accepted its ruling and offered Scriptural supports for it.<sup>2</sup> Sotah 33a included a discussion as to whether the permission to pray

in the vernacular applied to one praying by oneself or to public prayer in a congregation. The ruling was that it applied mostly to public prayer and noted that individual prayer should be in Hebrew. Perhaps underlying this discussion was the rabbis' concern that a Jew's prayer be theologically and ideologically in line with accepted norms. When one worshipped in his own language, he was freer to express his spontaneous prayers which might be somehow deviant. Were one praying in one's own language in a congregation, however, such deviations could be controlled by the others in the group. If, on the other hand, one were by oneself, there would be no safeguards preventing him from offering an inappropriate prayer. Hence, the requirement that an individual use Hebrew, a language of which most Jews had little mastery, provided a safeguard against inappropriate prayers. Later, when the standard Hebrew liturgy was fixed, some authorities allowed an individual to pray in the vernacular, but only when reciting the standard prayers. Most authorities ruled that spontaneous prayers still had to be in Hebrew, thus lessening the risk of un-authorized prayers passing for Jewish.<sup>3</sup> For the most part, prayer in the synagogue was in Hebrew, although Aramaic, considered a quasi-holy tongue, was used for such prayers as the Kaddish, Yekum Purkan, and a formula like Kol Nidre.

The permissibility to pray in the vernacular was included in the major compendia of Jewish law<sup>4</sup> and was succinctly expressed in the Shulhan Arukh, Orah Hayim, 101:4:

One may pray in any language one wishes. This applies only to public prayer. In private, one may only pray in the Holy Tongue. Yet some say, this latter ruling applies only when one prays for one's own needs, e.g., praying for someone who is ill or concerning other sufferings within his household. But concerning the prayer which is fixed for the congregation, even an individual may recite it in any language. And there are those who say that even an individual expressing his own needs may petition in any language he wishes except for Aramaic.<sup>5</sup>

Clearly, the halakhic tradition supported the Reform position unequivocally.

For the Reformers, prayer was a spiritual act in which one stood before God and opened up one's soul. The words of one's mouth had to be in concord with the meditations of one's heart; anything else was unacceptable before God. In the words of Aaron Chorin:

The men of the Great Assembly considered the essence of prayer to be WISDOM AND UNDERSTANDING -- that one should direct the outpouring of his lips towards his thoughts, that his heart might understand and know that for which he is praying, for what he is giving thanks, for what he seeks, and before whom he speaks.<sup>6</sup>

Muttering meaningless syllables without understanding was the antithesis of prayer for the Reformers.

The absence of a firm halakhic ground upon which to stand did not prevent the traditionalist rabbis from fiercely attacking the practice of praying in the vernacular. Attempts were made to limit the application of Sotah 7:10, not denying that prayer in the vernacular was sometimes permitted, but asserting that this permission did not apply to the Reform services. One suggestion was that it applied only to women of former times who did not understand Hebrew.<sup>7</sup> No sources, halakhic or otherwise, were cited to support this. Another assertion was that the permission to pray in the vernacular applied only to an individual's private prayer, not public prayer.<sup>8</sup> In this case, logical arguments were attempted to justify the ruling. It was suggested that if the community could pray in any language, then Hebrew would be forgotten totally. Had the men of the Great Assembly actually desired or expected Jews not to pray in Hebrew, they would not have composed the prayers in such beautiful and concise Hebrew. In addition, the only precedents in which Jews prayed in their own language were isolated, individual instances.<sup>9</sup>

Other reasons for the necessity of using Hebrew in prayer were given, based on the nature of the language itself. Some rabbis hinted at the mystic meanings of the words, letters, and their numerical values which, when understood by the worshipper, could elevate him to the heights of devotion. Some argued that Hebrew was God's own language through which He created the world and gave the Torah. Thus, it was only proper to speak to the heavenly king in His own language.<sup>10</sup> Also, since God's proper name was in Hebrew, one could not



possibly fulfill the obligation of including the name of God in one's prayer if one prayed in a language other than Hebrew. Rabbi Jacob of Lissa argued that Hebrew words had many meaning and connotations which added to one's understanding of the prayers. When one translated, one chose only one possible meaning of the Hebrew word and excluded all the rest. For instance, when translating the Tetragrammaton as "Lord," one lost the traditional association which this name had with God's aspect of mercy. Lost as well was the root meaning of the word -- (to be)--which Jewish philosophy had associated with God's eternity and creative power over all existence.<sup>11</sup>

Most of the rabbis agreed that, even if one understood no Hebrew, one still fulfilled one's obligation to pray. As Rabbi Jacob wrote, "The Torah says 'Hear, O Israel,' not 'Understand, O Israel.'" This seems to have been the major difference in attitude between the Reformers and the traditionalists. For the former, prayer was a spiritual experience in which one's personal devotion -- one's religious experience, as it were -- was paramount. In order to have such experiences, one had to understand the words one was saying. For the latter, however, the essence of prayer was the fulfillment of one's duty to God. One was obligated to recite the sacred service three times daily, four on Sabbath and Holy Days. One did not pray because of what prayer did to elevate oneself or give oneself a spiritual experience. One prayed because the act itself was part of one's duty to God. Hence, understanding was not a sine qua non of prayer; desirable -- yes, indispen-

sable -- no.<sup>12</sup> In prayer, one fulfilled one's obligations to God; and one could only do so when one prayed in the manner prescribed by the sages and practiced throughout the ages by God-fearing Jews. Because the opposing sides had such radically differing understandings of the purpose and nature of Jewish prayer, neither could consider seriously the reasoning of the other.

Hidden behind the debate over prayer in the vernacular were issues which were to come to the fore in later generations. One such issue was the nature of the Jewish people as a whole and its place among the nations. The traditionalist rabbis were not just fighting for these words or those; they were battling the forces around them which threatened the continued existence of the Jewish people as a separate entity with its own culture, national identity, and language. The Reformers, they rightly sensed, would eventually want to compromise the particularity of the Jewish people. By accepting the national and cultural identity of the country in which they lived, they would shatter Judaism and Jewish culture as it had existed. The national elements of Judaism with their cohesive power would thus completely disappear.

Not all of the first generation Reformers had in mind the elimination of Hebrew as the primary language of Judaism. Eliezer Libermann expressed his dismay that so many of his co-religionists were not teaching their children Hebrew. He berated them for having the children tutored in other fashionable languages, but asked, "Why, then, do

you deprive your children of the study of this precious language, the language of our exalted ancestral tradition? Let it not be forgotten among us until the end of all generations!"<sup>13</sup> However, even as early a Reformer as Eduard Kley, the motivating force behind the founding of the Hamburg Temple, expressed his preference for German over Hebrew as the Holy Tongue. Hebrew, he said, would always have a special place in the Jewish heart,

But seven times more holy to us is the language which belongs to the present and to the soil whence we have sprung forth,...the language in which a mother first greets her new-born child, ...the language which unites us with our fellow-men in happy fellowship or in serious business, the language, finally, in which our philanthropic and just king speaks to us, in which he proclaims his law to us.<sup>14</sup>

Later, in the 1840's, Abraham Geiger expressed this same preference, based not just on his love for German alone, but on his vision of a Judaism which would be weaned away from all vestiges of its existence as a separate nation.<sup>15</sup>

Thus, in attacking the practice of praying in the vernacular, the rabbis were not simply trying to uphold the dictates of Jewish law -- the law in fact spoke against them. In their eyes, they were fighting for the very survival of Judaism as they knew it, lived it, and cherished it.

### Organ Accompaniment at Sabbath Services

The traditionalist rabbis raised three halakhic objections to the use of organ accompaniment on the Sabbath:

- 1) Both vocal and instrumental music had been forbidden to Jews since the time of the destruction of the Temple and the abolition of the Sanhedrin as a sign of mourning. The exception to this had been music used at weddings to rejoice with the bride and groom.
- 2) The playing of musical instruments on the Sabbath was forbidden since it would involve a violation of Sabbath rest (shebhuth). Since it was forbidden for a Jew to play an instrument, it would likewise be forbidden for a Jew to ask a Gentile to do so. This too would constitute a violation of shebhuth.
- 3) Musical instruments in general and the organ in particular were regular features of the Christian worship service. Hence, the introduction of the organ would be an imitation of idolatrous practices and would violate the law stated in Leviticus 18:3 --  
"Neither shall ye walk in their statutes."

There were other non-halakhic objections raised, but for the most part, the halakhic objections fell into one of the categories above.<sup>16</sup>

The first objection did not involve the issue of the organ or its being played on the Sabbath, but spoke to the use of music in general. The use of music was first prohi-

bited to the Jews in Sotah 9:11 : "When the Sanhedrin ceased, singing ceased at banquets, as it is written: 'They shall not drink wine with song' [Isaiah 24:9.]" The Reformers were quick to quote Rashi on this and on a parallel passage in Gittin 7a, who commented that this prohibition referred only to secular songs of levity sung in homes and taverns. Hence, it would not apply to religious music.

This mishnah was codified in the Shulhan Arukh, Orach Hayim 560:3, in the section dealing with the prohibitions which the sages instituted as signs of mourning over the destruction of the Temple:

They also decreed that one may not play any musical instrument ... through which to rejoice ... And it is forbidden to listen to them because of the destruction of the Temple. Even vocal music over wine is forbidden as it is written: "They shall not drink wine with song." Yet all Jews have practiced the custom of reciting words of praise or songs of thanksgiving and memorials of the deeds of the Holy One, blessed be He, over wine.

Isserles' note to this law, citing the practice of German Jewry, was crucial for the Reformers' refutation of the applicability of this argument. He wrote: "And thus for the needs of [performing a] mitzvah, for instance at weddings, all is permitted." Isserles cited the Tosaphoth, the early halakhic compendium Sepher Mitzvoth Gadol, and Meir b. Barukh Hakohen's notes on the Mishneh Torah as his sources.

To Isserles' note, David HaLevi added the comment that the permission applied to all music, "whether vocal or instrumental." Basing themselves on these rulings, the Reformers reasoned that, if instrumental music was permitted in connection with a mitzvah which honored human beings. all the more so would it be permitted in order to honor the Holy One, blessed be He, in the mitzvah of prayer. To this argument, the traditionalists responded that, according to various halakhic sources, communal prayer was in fact not a mitzvah as was rejoicing at weddings. One could fulfill one's obligation to pray just as well at home by oneself.<sup>17</sup>

The Reformers also claimed that the traditionalists themselves did not follow the law prohibiting music. Nearly every halakhic authority sang songs of praise to God over wine, namely, the Kiddush. In this, they were transgressing some aspects of the law. The Reformers also cited rulings which explicitly sanctioned the use of musical instruments by Jews and extolled the use of music in prayer. They even were able to cite the example of one of the nine synagogues in Prague which had had an organ accompanying its prayer services during the week, although not on the Sabbath. Finally, the Reformers reasoned, if musical instruments were prohibited from Jewish use, why then would playing them on the Sabbath be discussed as a separate issue which, as shall be seen, it was? This fact was an indication that, according to Jewish law, the use of song and of musical instruments was not categorically forbidden to Jews.

The second halakhic objection raised against the use of the organ was based on the prohibition against playing musical instruments on the Sabbath. This prohibition was derived from the category of Sabbath rest or shebhuth ( שבת ). Something was considered to be in this category if it was

an action which, while not belonging to the category of forbidden labor or their derivations, was never the less forbidden either because it might lead to one of these or because it did not harmonize with the general spirit of the Sabbath.<sup>18</sup>

Actions in this category were not forbidden by Biblical law, but were proscribed by Rabbinic law and hence were subject to more flexibility.

The playing of musical instruments was placed in the category of actions forbidden because of Sabbath rest in Betzah 36 b. This principle found expression in Orah Hayim 339:3 :

[On the Sabbath,] one may not clap the hands, slap the thighs, nor dance. This is a preventive measure, lest one repair a musical instrument.

In this case, there was no inherent transgression of the Sabbath in playing a musical instrument. However, the use of the instrument might, at some point, require the instrument to be repaired which would be a violation of the laws prohibiting work on the Sabbath. As a result, the playing of the instrument was forbidden so as to preclude the possi-

bility of having to violate the Sabbath. The Reformers, however, found a loophole in this law in Isserles' comments on the same passage in Orah Hayim. These comments were based on the position taken by the Tosaphoth in Betzah 30b:

This is permitted to us since, in their day, they were expert in the making of musical instruments, and the decree applied to them then. But, since we are not so expert, the decree does not apply to us.

Based on this, Isserles and others advised leniency in the matter.

Playing musical instruments on the Sabbath was also discussed in Orah Hayim 338:1, in the section dealing with actions forbidden on the Sabbath because of the sound they produce. The law said simply, "Producing sound from a musical instrument is forbidden..." However, the next paragraph, Orah Hayim 338:2, stated:

There are those who permit saying to a Gentile to play musical instruments at weddings. (Isserles' comments:) Even to instruct a Gentile to repair the instrument is permitted for the honor of the bride and groom, yet in other cases it is forbidden.

(See Mordekhai b. Hillel's comments on Betzah, chapter 5.) However, in these times, most are lenient.

The comments of Mordekhai b. Hillel to which Isserles alluded were also most helpful for the Reformers. He wrote:



Clapping and dancing were only forbidden to Jews, but a Gentile is permitted to play a musical instrument at weddings, even if a Jew tells him on Sabbath to do so. For the bride and groom cannot fully rejoice without musical instruments. Something prohibited by the Rabbis is permitted if it involves the performance of a mitzvah.

In both the Berlin and Hamburg Temples, the organ was played by a non-Jew. Hence, the Reformers asserted, none of the laws forbidding the playing of musical instruments on the Sabbath applied to them. The codes of Jewish law clearly allowed Gentiles to play on the Sabbath for the needs of performing a mitzvah and permitted a Jew to request a Gentile to do it -- even to repair the instrument if necessary.

The Reformers quoted such authorities as Isserles, Rabennu Nissim ben Reuben Gerondi, and Rabbi Joseph Karo who all allowed a Jew to engage a Gentile to perform an act which would involve breaking a law of Sabbath rest. It was with this point that the traditionalists took issue. They pointed out that the permission to ask a Gentile to break such a law was only given in cases involving a real mitzvah, e.g., a wedding, a circumcision, or saving a life. This dispensation was granted only for isolated instances and was not meant to justify a regular practice. Thus, it would not apply in the case of asking a Gentile to play an organ on the Sabbath, since this was meant to be an on-going practice and, the rabbis claimed, there was no mitzvah involved here. It was invalid reasoning to confuse the rejoicing at a

wedding with the joy of the soul in prayer; they were two separate concerns.<sup>19</sup>

In the final analysis, the halakhic literature on these points varied and, in cases, was contradictory. Hence, it could be used to support both sides in their arguments. Rabbi Moses Tobhiyah's comment, however, seems to have been to the point. He argued that the authorities all spoke of the permissibility of using musical instruments at weddings only. Never did they state that they could or should be used for worship services -- on the Sabbath or at any other times. Had this been their intention, they would have said so; yet they did not.<sup>20</sup> The Reformers' extrapolation from weddings to Sabbath services was consistent with their own logic, but was not in keeping with the burden of the legal literature.

The third halakhic objection which the rabbis raised against the use of the organ was that the organ itself was a feature of Christian worship and was therefore forbidden to Jews. The principle forbidding imitation of idolatrous practices was found in the Torah, Leviticus 18:3 : "Neither shall ye walk in their statutes." This law was referred to as hukath hagoy - customs of the Gentiles.

The Reformers did not deny that the introduction of the organ into Jewish worship services was modelled upon the Church's use of the organ. They pointed out, however, that according to the major halakhic authorities, not everything which the Gentiles did was forbidden for Jews to imitate. According to Isserles in Yoreh De'ah 178:1, a practice was considered a custom or hok of the Gentiles and was there-

by forbidden to Jew if:

- 1) It was itself part of idolatrous practices.
- 2) It involved a breach of modesty, or
- 3) It was of unknown or superstitious origins.

Those Gentile customs which were none of the above and served a beneficial purpose could certainly be adopted by Jews. This concept had already been expressed in the Rabbinic interpretation of Ezekiel 5:7 and 11:12, found in Sanhedrin 31a:

It is written: "Neither have ye done according to the ordinances of the nations that were round about you." [Ezekiel 5:7.] Yet it is [elsewhere] written: "But ye have done according to the ordinances of the nations that were round about you." [Ezekiel 11:12]. [That means:] Ye did not act as the right-minded [Gentiles], but as the corrupt among them.

According to the Reformers, the use of the organ was not prohibited by the laws of hukath hagoy and was in fact an adoption of a Gentile practice which was beneficial to the Jewish community.

The traditionalist rabbis disagreed. Among their attacks on the organ was that it was used as part of idolatrous worship in the Christian church. Some considered it a matzebhah, a sacred pillar which was a fixed part of the church. Jews were forbidden to make use of such matzebhoth. However, the Reformers maintained that the organ was not worshipped as a sacred pillar and was therefore not forbidden

for Jewish use. They reasoned that bells and candles were also fixtures in churches, but this did not mean that Jews could not have these things in their homes for their own use. The text of Yoreh De'ah 143:15 forbade the hearing of the musical instruments of idolators, but Rabbi Joel Sirkes, in his commentary to this passage in the Arba'ah Turim, ruled that only the songs and instruments themselves which were used by the Gentiles were forbidden to Jews. In this context, this meant that Jews could not use an organ which had been used in a church, but could use an organ which was used exclusively for Jewish services. In addition, had the organ been an essential part of Christian worship, it would have been a mandatory part of every church, similar to the baptismal waters. The fact was, the organ was not a part of every church. Some churches in Poland and Germany even forbade it! Lastly, the Reformers asserted, most halakhic authorities had ruled that the Christians of Europe were not idolators, and thus, their worship could not be considered idolatrous.

There was no issue of immodesty with the organ. There was, however, an exchange over the origins of the organ, a discussion which was more aggadic than halakhic. The Reformers claimed that the origins of the organ were neither unknown or superstitious -- they were Jewish! The use of the organ, they claimed, was originated by the Jews, refined by the Gentiles, and was now being re-enfranchised by the Jews. They cited the Biblical ugabh and magrephab, instru-

ments which supposedly were forebears of the organ.<sup>21</sup> This reasoning raised another potential halakhic problem, however. Since no synagogue was to be made in the image of the ancient Temple, perhaps using the organ would be doing just that since the organ might have been part of the Temple service. The response to this was that in Abhodah Zarah 43a, wherein this principle was expressed, Rashi limited the forbidden resemblances between the ancient Temple and the synagogue to physical dimensions only. In addition, in Maimonides' description of the instruments used in the Temple, Beth Habehirah 7.5, neither the organ nor its predecessors were mentioned as having been used in the Temple service itself. One of the traditionalist rabbis argued that, yes, the organ was a Jewish instrument, but it had been adopted by pagan idolators and ever since then, was forbidden to Jews. This argument was not halakhically substantiated.

Another issue raised by the rabbis was that instrumental music would detract the attention of the worshipper and, as a result, would lessen devotion. The analogy used was illustrated prayerbooks which had been forbidden for this very reason. The Reformers' argument, however, was that it had already been the custom of some synagogues to accompany prayers with instrumental music, even though it was not on the Sabbath. They put a great deal of weight upon the presence of the organ in Prague, although the rabbis correctly pointed out that this was an isolated case, disputed in its own community; and when the organ was in need of repairs,

some 25 years before, it was decided that it not be fixed.

There was no question but that the Reformers were imitating a Gentile practice with the introduction of the organ.<sup>22</sup> The rabbis claimed that the Reformers had done so in order to become more like the Christians. The Reformers asserted that they had introduced the organ to make their services more aesthetic and uplifting, and hence, more attractive to the German Jew of their day. In this sense, the organ would benefit Judaism and was thus a permitted imitation. They understood that many might come just to listen to the music, but held the hope expressed by the sages -- חתן שלא לשמה, בא לשמה -- those who came only for the music and not out of a commitment to prayer, might be led to value prayer for its own sake and for the sake of serving God.<sup>23</sup>

#### The Authority of Jewish Custom

The third halakhic issue which Bresselau raised in Herebh Nogemeth Neqam Berith was the question of the binding force of Jewish custom. Although this was only one of the many issues over which the traditionalists and the Reformers disputed, Bresselau correctly chose to focus upon the question of the authority of Jewish custom because of its pivotal importance. The question at hand was to what extent did Jewish customs of the past have authority over the present. Were custom and law possessive of the same ascribed authority? These questions underlay the whole range of the halakhic

debates, for the attitude that each side took towards this issue determined their view as to whether or not Jewish practice should or even could change according to the needs of the times and how that change was to take place. For the Reformers, Jewish custom was a multi-leveled source of precedents which could be called upon selectively in order to respond to the needs of a particular time. For the traditionalists, on the other hand, Jewish custom was a cumulative tradition in which the sum total of the past claimed binding authority upon the present.

In Jewish law, a distinction was drawn between two categories: law per se and custom. Law (or halakhah) was that body of rules, derived from the Torah and Talmud, which were considered divinely sanctioned. Custom (or minhag) was the actual practices of either all Jews or a particular population of Jews which represented their own way of either following or supplementing the law. The tendency in the Jewish legal literature had been to ascribe the same binding authority to custom as had been given to law. Thus, there had even been rulings which applied the same punishments for transgressing a custom as had been applied to transgressing a law.<sup>24</sup> In some instances, particularly civil cases, custom overrode established law.<sup>25</sup> This was not to say that any custom which arose was condoned by the law and the legal authorities. There were those customs which met opposition either because they were based on erroneous readings of the law, were unreasonable or illogical, were considered to be

inherently not good, or because they contradicted basic principles of equity or justice.<sup>26</sup> No custom could permit that which the law forbade -- especially in matters of ritual practice, but custom had full power to forbid that which the law clearly permitted.

It was upon this latter principle that the traditionalist rabbis stood. Quoting Proverbs 1:8, they charged the Reformers with forsaking "the teachings of thy mother," i.e., changing the established practice of Judaism. "We may not permit that which our fathers and their fathers considered forbidden," wrote Rabbi Moses Sopher in Eleh Dibhré Haberith.<sup>27</sup> Others wrote, "The customs of Israel are as binding as the Torah,"<sup>28</sup> and "It is forbidden to change any fixed custom."<sup>29</sup> The traditionalists saw that their strongest halakhic argument against all of the reforms, especially against prayer in the vernacular, was that, even though the law might permit the change, they were not allowed to permit something which, by custom, had not been practiced.

The rabbis were well aware that many customs had arisen in response to particular exigencies and that the conditions requiring them had long since past. However, this did not mean to them that the customs could now be discarded. As Rabbi Sopher wrote, "Even if the reason for an enactment was no longer valid, the enactment itself retained its validity."<sup>30</sup> Sopher considered himself a guardian of the tradition. For him, Judaism was an internally consistent system in which each part was vital to the whole. Hence, a



change introduced into any area of Jewish practice would endanger the system as a whole. Custom and law were ultimately indistinguishable, so that a custom, once integrated into the system, could not be abandoned for any reason.<sup>31</sup>

Mordekhai Benet argued in one of his responsa that:

the customs of the fathers have a fatal claim on us today and on those who shall come after us. It matters little whether the use of butter bought of a non-Jew is legally prohibited or not; the usage of the centuries has stamped its disapproval on its use, and regardless of the reason of its origin, the practice shall remain unchanged.<sup>32</sup>

Rabbi Eliezer Fleckeles also wrote a responsum in which he expressed the same principle:

When men arise who seek by the aid of the law to permit [something new] , the question for us to decide is not altogether whether the law sanctions its use or not, but have our fathers included it ... or have they barred it...? If the latter be the case, then their example must be followed. We cannot at this late date add [anything new to the tradition.]<sup>33</sup>

According to those rabbis, Judaism was fixed, not flexible. Hence, they saw their function as rabbis to say "no" to change, never "yes."

For most of the traditionalist rabbis, Judaism had to transcend the exigencies of life.<sup>34</sup> It could not bend

in order to meet the transient needs of any individual or group. Thus, in another context, Moses Sopher denied permission for a young epileptic girl and a retarded boy to receive treatment since, in both cases, the children would be in settings wherein they would have had to eat non-kosher food.<sup>35</sup> For Sopher, it was clear that the demands of Judaism overrode the individual needs of Jews. Benet, however, did allow for more flexibility than did Sopher. He maintained that rabbis should be guided by the spirit of moderation -- as long as no lenient ruling contradicted the letter or spirit of the received tradition.<sup>36</sup> "The law is not indifferent to human needs," he wrote.<sup>37</sup> However, he continued, the particular times in which they lived mandated extreme care in sanctioning any kind of deviation from the past. This was due, claimed Benet, to those who disregarded the law and used it for their own purposes.<sup>38</sup> He felt that the rabbis who advocated changing Jewish practice were doing so for their own ego gratification and not out of sincerity. It was therefore of particular importance to oppose them on all fronts and to condone none of the new practices.<sup>39</sup>

The Reformers had a very different view of the force of Jewish custom. They saw it as an evolving system to which each generation made its own unique contribution. They cited a discussion in Hullin 6b, in which the sages were warned not to inhibit a younger student from offering a new interpretation of a law or a Scriptural passage which permitted something which had been forbidden by custom. They also

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quoted Rashi on this passage who commented that the new generations must be able to find aspects of the ways of their fathers which were in need of repair, lest they have no way of eventually establishing themselves as authorities.<sup>40</sup>

Within Judaism, the Reformers perceived a dynamic which allowed for law and custom to respond to the needs of a particular time. It had done so in the past; and hence, it could do so in the present. They rejected the authority of past customs over the present, especially when the reasons for the customs no longer applied. "CUSTOM, WHEN ITS REASON CHANGES, IS OBSERVED IN MADNESS," wrote Bresselau.<sup>41</sup> In quoting the responsa of Rabbi Moses Isserles, Bresselau felt that he was standing on solid legal ground.<sup>42</sup> Isserles had written that, if a new condition arose with which the earlier generations had not had to deal, it was permissible to allow a practice which had been forbidden by custom. The new conditions which Bresselau saw were the rampant disregard for Jewish observance, the widespread ignorance of the Hebrew language, and the inability of Judaism in its present form to speak to the upcoming generation. Given those new and most threatening conditions, it was, according to Bresselau and the other Reformers, halakhically valid to reach back into the sources of Jewish law to justify new practices, even though they had not been customary in previous generations.

#### Evaluation

As mentioned in Chapter II, the Reformers had wanted to

remain within the system of Jewish law, thinking that if they could play the same game as the traditionalists, the latter would be convinced of the validity of the reforms. What soon became evident as the polemics continued, however, was that the two sides had radically opposing understandings of the aims of the game. For the traditionalists, the purpose of the whole endeavor was to protect the system from the fluctuations of the outside world and to maintain what they considered to be Judaism's integrity in the face of the demands that it change. For the first generation of Reformers, the purpose was to change the outward form of Judaism so that it could accommodate the many Jews who had already internalized the aesthetics and religious sensibilities of the Enlightenment. One side accepted Judaism as it was and demanded that Jews change; the other accepted the Jews as they were and demanded that Judaism change. Each side used the same vocabulary -- the texts of the Jewish legal tradition, yet they were still speaking different languages.

In the final analysis, neither party used Jewish law as their sole guide when discussing the issues. To be sure, each quoted legal texts to justify their respective stances. Yet each had already decided what they wanted the law to prove, based on their own values and view of what needed to be done to respond to the new times. When the halakhah clearly justified prayer in the vernacular, the Reformers quoted those texts profusely; while the traditionalists used mostly non-halakhic reasoning and argumentation in order to

forbid what the law permitted. When it came to the use of the organ, however, the law was not clearly on the side of the Reformers. Hence, they too had to rely on argumentation not supported in the legal literature. Their halakhic reasoning could only be valid if the reader accepted their assumptions -- a) that the permissibility of musical instruments at weddings applied also to worship services, and b) that the use of the organ was an imitation of a Gentile practice which would be beneficial to Jewish life. Without those assumptions, the rabbinic objections to this practice were, in the main, justified. Finally, the authority of Jewish custom as it applied to the issues at hand depended on how each side viewed the state of the Jewish community and what it believed was the kind of response needed to foster the ideal community. The traditionalists saw a community in which the customs of the past were under attack. For them, this condition demanded a strong defense, part of which meant that Judaism could no longer afford the flexibility it had once had. The past had to have total authority over the present. In their closing of ranks and declaring that theirs was the only authentic form of Judaism, the traditionalists created a Judaism which had not existed before -- Orthodox. For the Reformers, on the other hand, the sorry state of the Jewish community was a clear message that many of the old customs were no longer efficacious and, as a result, Judaism mandated the adoption of new customs. More important, therefore, than what the halakhah said on the issues was what each

side wanted it to say. The multi-faceted nature of the Jewish legal tradition allowed each group to reach into the past and to find guidance by which to respond to the needs of their times, as they perceived them.

Each side, the Reform and the Orthodox, has since gone through many changes and will continue to do so. Both have also proved to be viable options for Jews in the modern world. Thus, as this chapter concludes, it may be said with conviction and without fear of triteness that time has proven both to have spoken the words of the living God: **אלו ואלו**  
**דברי אלהים חיים**.<sup>43</sup>

## CHAPTER V

### CONCLUSION

The first generation of Reform Jews were seriously concerned with justifying their reforms to their traditional brethren by appealing to the legal literature of Rabbinic Judaism. In general, they accepted the traditional authority of halakhah, even if they did not accept the particular halakhic assumptions and conclusions made by their adversaries. The Reformers saw Jewish law as offering sets of options which could be applied when new needs arose. This concept was not at all new within Judaism. Mishnah 'Eduyoth 1:5, stated the principle that minority opinions were included in Jewish legal texts, even though they did not reflect what was to become normative practice, in order to preserve them as options for future Jewish communities:

For what purpose did [the sages] preserve the opinions of an individual amongst that of the majority, since the halakhah can only be according to the majority? The reason is that if a rabbinic court favors the opinion of that individual, it may rule according to his opinion.

This ruling was conditional; the court making the change had to be greater in number and in wisdom than the court whose ruling it was changing. Nevertheless, at least theoretically, Jewish law had this built-in ability to offer a series of varied options to future generations.<sup>1</sup>

The second generation of Reform Jews inherited their predecessors' acceptance of halakhah only in part. They viewed Jewish law as part of the heritage of Judaism -- often guiding, rarely governing. For some, it was the authentic expression of Judaism. For others, it was the husk which had protected the essential kernels of Judaism and which, in the modern age, could be discarded.

There are those who believe that Reform Judaism actually began with the second generation -- the Geigers and the Holdheims -- the rabbis who gave ideological expression to the new perceptions which were to re-form Judaism. The Jacobsons, Chorins, and Bresselaus were simply aftershocks of Mendelssohn's age who instituted certain external reforms while accepting the old understandings of the halakhah and its authoritative position within Judaism. Indeed, as Bresselau himself stated, "I do not feel myself called upon to be a reformer."<sup>2</sup> In no way did he intend to put Judaism on a completely new ideological footing.

That Reform Judaism did become a different kind of Judaism was due, for the most part, to the second generation of Reformers. Ideologically, therefore, the latter could be thought of as the first Reform Jews. Historically, however, they were not. The ideologues of later years owed their existence to the first Reformers -- they who made the effort to break out of the traditionalist mold while remaining within the Jewish fold. Still, the fact remains that Reform Judaism was shaped more by the second generation than



by the first.

If this be the case, what then would be gained by looking back at the pre-ideological founders of Reform Judaism? Perhaps by examining who they were and what they did, we can find aspects worthy of emulation. One thing which is apparent when looking at the first generation is that, with some notable exceptions, most of the leaders of the early Reform were laypeople -- highly knowledgeable laypeople. It was the vision of a Jacobson -- naive, perhaps, in retrospect -- which saw what Judaism could become in his day. And without the efforts of men like Bresselau and Fränkel, Preacher Kley would have preached to an empty house. Those were Jews whose roots were solidly planted in Jewish texts, whose eyes were open to the realities of the world around them, and whose hearts were at one with their fellow Jews and with their God. Today, in an age of increasing specialization, wherein the rabbi is asked to be sole interpreter and keeper of Judaism, it would be an act of Jewish renewal to give Judaism back to the Jews. This would demand a core of committed laypeople who would be willing to study Jewish texts and to drink from the wellsprings of our tradition. Only with this kind of learning will Jews be able to regain active ownership of Judaism. They who are most in touch with the needs of Jews and who are firmly grounded in Torah will be able to shape Judaism creatively and to reform it as it must be reformed to meet the needs of new generations.

As has been seen, the activities of the first Reformers in the area of Jewish law were radically different from those of the traditional community. The Reformers were not simply rendering lenient decisions. They were creating new customs and, by attempting to justify them halakhically, were maintaining their link with the Jewish past. They discerned which reforms were demanded by the times, often borrowing what they felt was the best from their Christian neighbors, and made the reforms Jewish. If prayer in the vernacular was permitted in the Talmud and Codes, how could it be anything but authentically Jewish? If the organ would enhance the worship service, it will be shown that there were no halakhic reasons why an organ could not be Jewish as well.

But why play this game today? Why not alter aspects of Judaism, simply based on contemporary sensibilities and the needs of the times? Why go through the legal acrobatics in order to justify something which one is going to do in any event? The time has long since passed since Reform Jews have needed to prove anything to their traditional brothers and sisters. Why then bother with Jewish law?

The first reason is that Jewish law provides a set of concerns and values which must be taken into account, even if they are later to be seen as non-applicable. When acting in the name of Judaism, it is important that one know what the boundaries have been in the past, especially when they need to be crossed in the present. And if the past offers ways in which to pass safely through the boundaries, so much

the better. It was vital that the Reformers faced the question of whether or not playing the organ was halakhically valid. Whether one agrees or disagrees with the practice, the fact that they were able to draw texts from halakhah in order to justify the use of the organ, meant that they were greatly concerned with creating a link between the Jewish past and their Jewish present. And as long as the past can continue to be linked with the present, the future is assured.<sup>3</sup>

The second reason for taking Jewish law seriously is the great diversity of practice which is inherent and available in the legal literature. Rabbinic texts offer a wide range of options, or "opportunities,"<sup>4</sup> -- much wider than our Orthodox colleagues would have us believe. The practices of the past are a storehouse of possibilities for the present -- if only we know where to look and will make the effort to adapt the heritage of Judaism to our own times.

In describing the early Reform polemics, Graetz stated that the letter of the law was on the side of the Reformers, although the spirit of Talmudic Judaism was not.<sup>5</sup> The traditionalist spirit within Judaism spoke against them, to be sure. But another spirit, the spirit of Jews who, like Jews of ages past, saw the activity of Judaism as linking past, present, and future, was certainly at work in the efforts of the first Reformers. The dynamic spirit operative within Jewish law, which allowed Judaism to be at home in vastly differing times and places, most certainly was on the

side of the Reformers.

Twofold, then, is our inheritance from the generation of Meyer Israel Bresselau. First is the concern with responding to the needs of the present and future while being guided by the wisdom of the past. And second is the sincere devotion and dedication to the covenant which binds each Jew and the Jewish people as a whole to the living God.

## APPENDIX A

[A selection from Herebh Nogemeth Negam Berith (p. 6)  
with Scriptural references:]

What know ye that we know not? What understand ye which we  
do not understand? With us are both the grey-headed and the  
very aged men [Job 15: 9-10]. Can ye not deviate to the  
right or to the left [Deuteronomy 5:29] from the path which  
our ancestors of old - men of renown [Genesis 6:4] - walked?  
Your ancestors, where are they? Shall the prophets live  
forever [Zachariah 5:1]? How can ye speak so rashly [Eccle-  
siastes 5:1] saying that CUSTOM LIVES A THOUSAND YEARS TWICE  
TOLD [Ecclesiastes 6:6], therefore its reason still stands and  
its sense has not departed [Jeremiah 48:11] and it should be  
observed as THE TORAH [Ezra 10:3]. No doubt, but ye are only  
human beings, AND WISDOM SHALL DIE WITH YOU [Job 12:2]!

Know ye not? Hear ye not? Have ye not understood [Isaiah  
40:21] that time and happenstance<sup>1</sup> affect them all [Ecclesias-  
tes 9:11], and CUSTOM, WHEN ITS REASON CHANGES [Psalms 34:1],  
IS OBSERVED IN MADNESS [II Kings 9:20]. It taketh away the  
heart of the chiefs of the common people [Job 12:24] and  
GUIDES THEM like a flock in the wilderness [Psalms 78:52].

Has it not LED YE and caused ye to walk in DARKNESS and not  
in light [Lamentations 3:2]? Know now and see [I Kings 20:7],  
the sheep and the cattle THEY GUIDED [I Samuel 30:20] in new  
customs that came up of late of which our fathers had not  
imagined [Deuteronomy 32:17]. - Certainly, our way is not  
your way [Isaiah 55:8], for the LORD IS OUR JUDGE, THE LORD

IS OUR LAWGIVER [Isaiah 33:22]. SUCH IS GOD, OUR GOD, FOR  
EVER AND EVER; HE WILL GUIDE US [Psalms 48:15]. --

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<sup>1</sup>Ecclesiastes 9:11 reads "time and chance [ פגם ]  
affect them all." Bresselau has inserted the word  
"happenstance" [ מקרה ] which appears in a parallel  
context in Ecclesiastes 2:14.

FOOTNOTES TO CHAPTER I

- 1) W. Gunther Plaut, The Rise of Reform Judaism. New York, World Union for Progressive Judaism, Ltd., 1963, p. 31
- 2) Ibid.
- 3) Jakob J. Petuchowski, Prayerbook Reform in Europe. New York, World Union for Progressive Judaism, Ltd., 1968, p. 49.
- 4) Noah H. Rosenbloom, Tradition in an Age of Reform. Philadelphia, Jewish Publication Society, 1976, p. 31
- 5) Zvi Avneri, "Hamburg," in Encyclopaedia Judaica. Jerusalem, Keter Publishing House Ltd., 1971, Vol. 7, p. 1225.
- 6) Op. cit., p. 1227.
- 7) Richard H. Popkin, "Costa, Uriel Da," in Encyclopaedia Judaica. op. cit., Vol. 5, pp. 987-988.
- 8) Gershom Scholem, "Eybeschuetz, Jonathan," in Encyclopaedia Judaica. op. cit., Vol. 6, p. 1074.
- 9) Ibid.
- 10) Rosenbloom, op. cit., p. 42.
- 11) Scholem, op. cit., p. 1075.
- 12) Rosenbloom, op. cit., p. 43.
- 13) Ibid.
- 14) S.I. Fränkel and M.I. Bresselau, ed. סדר העבודה -- Ordnung der öffentlichen Andacht für die Sabbath und Festtage des ganzen Jahres. Nach dem Gebruche des Neuen-Tempel-Vereins in Hamburg. Hamburg, 1819, pp. VII-VIII; Petuchowski, op. cit., p. 137.
- 15) Ibid.
- 16) Jacob R. Marcus, Israel Jacobson -- The Founder of the Reform Movement in Judaism. Cincinnati, Hebrew Union College Press, 1972, p. 36.
- 17) Op. cit., p. 70.
- 18) Plaut, op. cit., pp. 27-31.

FOOTNOTES TO CHAPTER I (CONT'D)

19) Jacob Rothschild, "Jacobson, Israel," in Encyclopaedia Judaica. op. cit., Vol. 9, pp. 1240-1241.

20) Simon Bernfeld, תולדות הריפורמציון הדתית בישראל. Cracow, 1900, p. 72.

21) David Philipson, The Reform Movement in Judaism. New and Revised edition, New York, Ktav Publishing House, Inc. 1967, p. 23.

22) Michael A. Meyer, "The Religious Reform Controversy in the Berlin Jewish Community, 1814-1823," in Year Book of the Leo Baeck Institute. London, Secker and Warburg, 1979, Vol. XXIV, p. 139.

23) Bernfeld, op. cit., p. 89.

24) Meyer, op. cit., pp. 143-144.

25) Bernfeld, op. cit., p. 90.

26) Meyer, op. cit., p. 148.

27) Op. cit., p. 146.

28) Op. cit., p. 147, 151.

29) Op. cit., p. 150.

30) Op. cit., p. 144.

31) Joseph Rauch, "The Hamburg Prayerbook," in The Central Conference of American Rabbis Yearbook. Cincinnati, The Bacharach Press, 1918, Vol. XXVII, p. 259.

32) Michael A. Meyer, "הקמתו של ה'היכל' בהמבורג (The Founding of the Hamburg Temple)," (Hebrew.) in פרקים בתולדות החברה היהודית. Jerusalem, Magnes Press, 1980, p. 219.

33) Ibid.

34) Caesar Seligmann, "Zur Entstehungsgeschichte des Hamburger Tempels," in Liberales Judentum Monatsschrift für die religiösen interessen des Judentums, Frankfurt O.M., Vereinigung für das liberale Judentum in Deutschland, September and October, 1918, p. 72.

35) Meyer, op. cit., p. 219.



FOOTNOTES TO CHAPTER I (CONT'D)

- 36) Ibid.
- 37) Op. cit., p. 220.
- 38) Ibid.
- 39) Ibid.
- 40) Op. cit., p. 221.
- 41) Bernfeld, op. cit., p. 74.
- 42) Meyer, op. cit., p. 221.
- 43) Bernfeld, op. cit., p. 88.
- 44) Philipson, op. cit., p. 33.
- 45) Op. cit., pp. 79-89; Jakob J. Petuchowski, "Abraham Geiger the Reform Jewish Liturgist," in Jakob J. Petuchowski, ed., New Perspectives on Abraham Geiger. New York, Hebrew Union College Press-Ktav Publishing House, Inc., 1975, p. 47; Edward M. Maline, Controversies over the Hamburg Prayerbook. Unpublished M.A. thesis in the Hebrew Union College Library, Cincinnati, 1963, pp. 85-93, passim.
- 46) As Rosenbloom wrote, "the fact that [this prayerbook] proceeded from left to right like a German book was not halakhically objectionable, but for the traditional Jew brought up on the centuries-old siddur, it was psychologically irritating." Rosenbloom, op. cit., p. 376.
- 47) Fränkel and Bresselau, op. cit., p. 35.
- 48) Op. cit., p. 45.
- 49) Hamburg Rabbinic Court, ed. Eleh Dibhré Haberith, Altona, 1819, p. III, passim.
- 50) Bernfeld, op. cit., p. 73.
- 51) Fränkel and Bresselau, op. cit., p. 45.
- 52) Petuchowski, Prayerbook Reform in Europe. op. cit., p. 53; quoted from S.I. Fränkel, Schutzschrift des zu Hamburg erschienenen Israelitischen Gebetbuchs. Hamburg, 1819.
- 53) Petuchowski, op. cit., pp. 53-54.

FOOTNOTES TO CHAPTER I (CONT'D)

- 54) Op. cit., p. 53; Bernfeld, op. cit., p. 277; Fränkel and Bresselau, op. cit., p. 62.
- 55) In this, the Hamburg prayerbook was continuing the practice of the Jacobson Temple in Berlin which had no Musaph service. Fränkel and Bresselau, op. cit., pp. 45-46; Maline, op. cit., p. 6; Petuchowski, op. cit., pp. 366-377.
- 56) Petuchowski, op. cit., pp. 53-54.
- 57) Bernfeld, op. cit., pp. 275-276.
- 58) Fränkel and Bresselau, op. cit., p. 50.
- 59) Petuchowski, op. cit., pp. 334-337.
- 60) Bernfeld, op. cit., p. 73.
- 61) Petuchowski, op. cit., pp. 324-325.
- 62) Op. cit., p. 325; Fränkel and Bresselau, op. cit., p. 24, passim.
- 63) Cf. Meir Ydit, "The Controversy Concerning the Use of the Organ During the 19th Century in Europe and America." Unpublished prize essay in the Hebrew Union College Library, Cincinnati, 1962.
- 64) Seligmann, op. cit., p. 72.
- 65) Bernfeld, op. cit., p. 73.
- 66) I.M. Jost, ed. Israelitische Annalen. 1840, p. 18.
- 67) Bernfeld, op. cit., p. 73.
- 68) Gotthold Salomon, "Nachruf -- Eulogy for Meyer Israel Bresselau," in Ludwig Philippson, ed. Allgemeine Zeitung des Judentums. Leipzig, 1840, #6, pp. 85-87.
- 69) Jost, op. cit., p. 18.
- 70) Ibid.; Sulamith, VIII, p. 216.
- 71) Jost, op. cit., p. 18.
- 72) Aaron Friedman, ed. Union Catalog of Hebrew Manuscripts. New York, American Academy for Jewish Research, 1964, Vol. II, P. 122, #3869.

FOOTNOTES TO CHAPTER I (CONT'D)

73) Getzel Kressel, "Fraenkel, Isaac Seckel," in Encyclopaedia Judaica. op. cit., Vol. 7, p. 5.

74) Rauch, op. cit., p. 265; Jacob R. Marcus, in private conversation with the author; see also Petuchowski, op. cit., pp. 324-328.

75) Seligmann, op. cit., p. 72.

76) Meyer, op. cit., pp. 221-222.

77) Solomon, op. cit., pp. 85-87.

78) Jost, op. cit., p. 18.

79) Seligmann, op. cit., p. 72.

FOOTNOTES TO CHAPTER II

- 1) Petuchowski, op. cit., pp. 84-85; Cf., Eliezer Libermann, Or Nogah, Dessau, 1818, Part I, pp. 1-2; Aaron Chorin, Kin-ath Ha-emeth, in Eliezer Libermann, ed., Nogah Hatzedeq. Dessau, 1818, pp. 14-15; David Caro, Berith Emeth. Dessau, 1820, p. 21.
- 2) Libermann, ed., Nogah Hatzedeq, op. cit.; Libermann, Or Nogah, op. cit.; Cf., Alexander Guttman, The Struggle over Reform in Rabbinic Literature. Jerusalem and New York, The World Union for Progressive Judaism, 1977, pp. 177-208.
- 3) That Libermann was a rabbi is attested to by Rabbi Chorin who referred to Libermann as "the keen, wise rabbi." Libermann, Or Nogah, op. cit., n.p.
- 4) Marcus, op. cit., p. 120.
- 5) Simon Dubnov, History of the Jews. ed. and trans. Moshe Spiegel, fourth definitive, rev. ed., New York, Thomas Yoseloff, 1973, Vol. 5, p. 77.
- 6) Heinrich Graetz, History of the Jews. Philadelphia, Jewish Publication Society of America, 1895, Vol. 5, pp. 568-569.
- 7) S. Mannheimer, "Liebermann (Libermann), Eliezer," in The Jewish Encyclopedia. New York, Funk and Wagnalls, 1904, Vol VIII, p. 80; Moshe Samet, Halakhah and Reform -- The Confrontation of Halakhah and Actuality at the Beginning of the Modern Era. [Hebrew] Doctoral dissertation at the Hebrew University, Jerusalem. (As this work was unavailable to the present writer, its contents were presented to him by Dr. Michael A. Meyer.)
- 8) Bernfeld, op. cit., p. 83.
- 9) "This confused one forgot to list the month and date." Bernfeld, op. cit., p. 82.
- 10) Petuchowski, op. cit., p. 86.
- 11) Chorin conceded that the introductory prayers and the Scriptural readings of the Pesuke Dezimra should be read in the vernacular. These suggestions in fact corresponded exactly with the pattern of worship at the Berlin Temple.
- 12) Cf., Solomon B. Freehof, The Responsa Literature. Philadelphia, Jewish Publication Society of America, 1955, pp. 161-166.

FOOTNOTES TO CHAPTER II (cont.)

- 13) Emanuel Schreiber, Reformed Judaism and its Pioneers. Spokane, Spokane Printing Co., 1892, pp. 68-71.
- 14) Jerucham Tolkes, "Chorin, Aaron," in Encyclopaedia Judaica. op. cit. Vol. 5, p. 495.
- 15) Joseph Weizenbaum, An Analysis of Nogah Tsedek. Unpublished D.H.L. thesis in the Hebrew Union College Library in Cincinnati, 1962, p. 11.
- 16) Tolkes, op. cit., p. 495.
- 17) Op. cit., p. 496.
- 18) Eleh Dibhré Haberith, p. 98.
- 19) Schreiber, op. cit., p. 81.
- 20) Op. cit., p. 82.
- 21) Bernfeld, op. cit., p. 82.
- 22) Philipson, op. cit., p. 32; Plaut, op. cit., pp. 32-33; Paul R. Mendes-Flohr and Jehuda Reinartz, ed., The Jew in the Modern World. New York and Oxford, Oxford University Press, 1980, p. 142.
- 23) Libermann, ed., Nogah Hatzedeq. op. cit., p. 27.
- 24) Op. cit., pp. 17 ff.
- 25) Marcus, op. cit., p. 120.
- 26) Bernfeld, op. cit., p. 74.
- 27) Ibid.; Graetz, op. cit., pp. 570-571.
- 28) His son, Gabriel Riesser, was to become an important figure in the Hamburg Temple and in German Jewry.
- 29) Bernfeld, op. cit., p. 76.
- 30) Lazarus Riesser, Sendschreiben an meine Glaubensgenossen in Hamburg, oder eine Abhandlung über den Israelitischen Cultus. Altona, 1819.
- 31) Graetz, op. cit., pp. 570-571.
- 32) Michael A. Meyer, The Origins of the Modern Jew. Detroit, Wayne State University Press, 1967. p. 137.

FOOTNOTES TO CHAPTER II (cont.)

- 33) Schreiber, op. cit., p. 82.
- 34) Meyer, op. cit., p. 137.
- 35) Ibid.
- 36) Cf., Guttman, op. cit., pp. 209-233.
- 37) Eleh Dibhré Haberith, p. I.
- 38) Op. cit., pp. I-VI; translated in Mendes-Flohr and Reinhartz, op. cit., pp. 150-153.
- 39) Eleh Dibhré Haberith, pp. VII - XIII.
- 40) Guttman raises the possibility that those parts of the responses which did not fully support the Hamburg dayanim were deleted by them. Guttman, op. cit., p. 233.
- 41) Graetz, op. cit., p. 573.
- 42) Israel Zinberg, A History of Jewish Literature. trans. and ed., Bernard Martin, New York, Hebrew Union College Press and Ktav Publishing House, 1976, Vol. IX, p. 254.
- 43) Graetz, op. cit., p. 573.
- 44) Bernfeld, op. cit., p. 86.
- 45) Eleh Dibhré Haberith, pp. 83-84.
- 46) Op. cit., p. 88.
- 47) Op. cit., p. 21.
- 48) Op. cit., p. 17.
- 49) Op. cit., p. 77.
- 50) Op. cit., p. 16.
- 51) Op. cit., p. 22; Cf., Plaut, op. cit., p. 35.
- 52) Eleh Dibhré Haberith, p. 8.
- 53) Op. cit., p. 17.
- 54) Op. cit., p. 26.
- 55) Op. cit., p. 27; Cf., Plaut, op. cit., pp. 35-36.

FOOTNOTES TO CHAPTER II (cont.)

- 56) Eleh Dibhré Haberith, pp. 23-24.
- 57) Abraham Loewenstamm, Sepher Tzeror Hahayim. Amsterdam, 1829; Guttman, op. cit., pp. 234-241.
- 58) Petuchowski, op. cit., p. 94.
- 59) Guttman, op. cit., p. 235.
- 60) Petuchowski, op. cit., p. 94.
- 61) Graetz, op. cit., p. 527; quoted here from Petuchowski, op. cit., p. 98, who translated from Graetz's fuller German text.
- 62) Israel Bettan, "Early Reform in Contemporaneous Responsa," in Hebrew Union College Jubilee Volume. Cincinnati, Hebrew Union College Press, 1925, pp. 432-434. Cf., Chapter IV of the present work.
- 63) Fränkel, op. cit.
- 64) Petuchowski, op. cit., pp. 53-54; Maline, op. cit., pp. 35-40.
- 65) Meyer Israel Bresselau, Herebh Noqemeth Neqam Berith. Dessau, 1819.
- 66) Bernfeld, op. cit., p. 87.
- 67) Jost, op. cit., p. 18.
- 68) Zinberg, op. cit., p. 262.
- 69) Petuchowski, op. cit., p. 97.
- 70) Eleh Dibhré Haberith, p. 68.
- 71) Bresselau, op. cit., p. 14.
- 72) Op. cit., p. 11; Eleh Dibhré Haberith, p. 24.
- 73) Bresselau, op. cit., p. 16.
- 74) Eleh Dibhré Haberith, p. 64, passim.
- 75) Meyer Waxman, A History of Jewish Literature. New York and London, Thomas Yoseloff, 1960, Vol. III, p. 412.
- 76) Zinberg, op. cit., p. 261.

FOOTNOTES TO CHAPTER II (cont.)

- 77) Graetz, op. cit., p. 572.
- 78) Bernfeld, op. cit., p. 87.
- 79) Ibid.
- 80) Op. cit., pp. 281-294.
- 81) M.L. Reinitz, Lahat Hahe rebh Hamithhapekheth. 1820.
- 82) Op. cit., p. 2.
- 83) Zinberg, op. cit., p. 262.
- 84) David Caro, Berith Emeth. Dessau, 1820.
- 85) Waxman, op. cit., p. 412.
- 86) Ibid.
- 87) Op. cit., p. 413.
- 88) Jakob J. Petuchowski, "Reform Judaism," in Encyclopaedia Judaica. op. cit., Vol. 14, pp. 23-24.
- 89) Abraham Geiger, Urschrift und Übersetzungen der Bibel in ihrer Abhängigkeit von der innern Entwicklung des Judenthums. Breslau, 1857.
- 90) Petuchowski, Prayerbook Reform in Europe. op. cit., p. 101.
- 91) Michael A. Meyer, "Abraham Geiger's Historical Judaism," in Jakob J. Petuchowski, ed., New Perspectives on Abraham Geiger. op. cit., p. 6.
- 92) Petuchowski, Prayerbook Reform in Europe. op. cit., pp. 173-175, passim.
- 93) Philipson, op. cit., pp. 166-167, passim.
- 94) Petuchowski, op. cit., pp. 100 ff.; Freehof, op. cit., p. 173.
- 95) Michael A. Meyer, "Christian Influences on Early German Reform Judaism," in Charles Berlin, ed., Studies in Jewish Bibliography, History, and Literature. New York, Ktav Publishing House, 1971, p. 294.



FOOTNOTES TO CHAPTER III

- 1) Guttman, op. cit., p. 141.
- 2) Moshe Pelli, "The Methodology Employed by the Hebrew Reformers in the First Reform Temple Controversy (1818-1819)," in Berlin, op. cit., p. 385.
- 3) Op. cit., pp. 387-388.
- 4) This reference was pointed out by Dr. Michael A. Meyer. Cf., Eric Werner, A Voice Still Heard -- The Sacred Songs of the Ashkenazi Jews. University Park and London, Pennsylvania State University, 1976, pp. 130-131.
- 5) Bernfeld, op. cit., p. 262.
- 6) Jakob J. Petuchowski, Theology and Poetry. London, Henley and Boston, Routledge and Kegan Paul, Ltd., 1978, p. 111-123.
- 7) Bernfeld, op. cit., p. 264.
- 8) Philip Birnbaum, trans., High Holyday Prayer Book -- Yom Kippur. New York, Hebrew Publishing Company, 1960, p. 45.

FOOTNOTES TO CHAPTER IV

- 1) Palestinian Talmud, Sotah VII, 1, p. 21b.
- 2) Cf., Bresselau, op. cit., pp. 12-13.
- 3) Cf., Joseph Heinemann, Prayer in the Talmud. Berlin and New York, Walter De Gruyter, 1977, pp. 43, 51-53.
- 4) Sepher Mitzvoth Gadol, "Positive Commandments," section 18; Mishneh Torah, "Laws Concerning the Recitation of the Shema," 3:10, "The Laws of Blessings-" 1:6; Shulhan Arukh, Orah Hayim, 62:2; Sepher Hasidim -- Book of the Pious, Margulies edition, chapters 588, 785.
- 5) The Talmud, Sotah 33a stated that the angels who transmitted Israel's prayers to God did not understand Aramaic. In spite of this, the Kaddish and other formulae in Aramaic became regular features of the liturgy.
- 6) Libermann, ed., Nogah Hatzedeq, p. 16; Weizenbaum, op. cit., p. 34.
- 7) Eleh Dibhré Haberith, p. 3.
- 8) Op. cit., pp. 10, 27, 38, passim; Cf., Bresselau, op. cit., p. 14.
- 9) Cf., Jakob J. Petuchowski, Understanding Jewish Prayer. New York, Ktav Publishing House, Inc., 1972, pp. 44-51.
- 10) Eleh Dibhré Haberith, p. 10; Bresselau, op. cit., p. 13.
- 11) Eleh Dibhré Haberith, p. 81.
- 12) Cf., Loewenstamm's comments in Petuchowski, Prayerbook Reform in Europe. op. cit., pp. 94-97.
- 13) Op. cit., p. 89; Libermann, Or Nogah. Part I, pp. 23-24.
- 14) Petuchowski, Understanding Jewish Prayer, op. cit., p. 52. Interestingly, Kley asserted that the Holy Tongue was the language of the king, whereas Rabbi Jacob of Lissa and the other traditionalists posited that the Holy Tongue was the language of the King of kings.
- 15) Op. cit., p. 53.
- 16) Jakob J. Petuchowski, "Organ in the 19th and 20th Centuries," in Encyclopaedia Judaica. op. cit., Vol. 12, p. 1454.

FOOTNOTES TO CHAPTER IV (CONT'D )

- 17) Eleh Dibhré Haberith, pp. 20, 32.
- 18) I.W. Slotki, The Babylonian Talmud -- Betzah. London, Soncino Press, 1938 p. 185.
- 19) Eleh Dibhré Haberith, pp. 31-32, 74, 75, passim.
- 20) Op. cit., p. 75.
- 21) Cf., B. 'Arakhin 10b - 11a.
- 22) Meyer, "Christian Influences on Early German Reform Judaism," in Berlin, op. cit., p. 279.
- 23) Libermann, op. cit., p. 18; Cf., Ydit, op. cit.
- 24) Palestinian Talmud, Pesahim 4:3, 30d; quoted in Moshe Herr, "Minhag -- General," in Encyclopaedia Judaica. op. cit., Vol. 12, p. 6; Menahem Elon, "Minhag -- In Jewish Law," op. cit., p. 9.
- 25) Elon, op. cit., pp. 13 - 19.
- 26) Op. cit., pp. 23 - 24.
- 27) Eleh Dibhré Haberith, p. 32.
- 28) Op. cit., p. 1.
- 29) Op. cit., p. 3.
- 30) Op. cit., p. 8.
- 31) Israel Bettan, Opposition of Orthodoxy to Early Reform. Unpublished thesis in the Hebrew Union College Library, Cincinnati, 1914, pp. 38 - 45.
- 32) Bettan, "Early Reform in Contemporaneous Responsa," op. cit., p. 432.
- 33) Op. cit., pp. 432 - 433.
- 34) Op. cit., p. 433.
- 35) Op. cit., p. 430 - 431.
- 36) Bettan, "Opposition of Orthodoxy to Early Reform," op. cit., p. 110.
- 37) Op. cit., p. 117.

FOOTNOTES TO CHAPTER IV (CONT'D )

- 38) Ibid.
- 39) Op. cit., p. 121.
- 40) Libermann, ed., Nogah Hatzedeq. p. 22.
- 41) Bresselau, op. cit., p. 6.
- 42) Op. cit., p. 16.
- 43) B. 'Erubhin. 13b.

FOOTNOTES TO CHAPTER V

- 1) Hyam Maccoby, "Maimonides Then and Now," in Commentary. New York, American Jewish Committee, January, 1981, Vo. 71, #1, pp. 60 - 61.
- 2) Cf., Chapter I above, p. 26.
- 3) Cf., Ahad Ha-'Am, "Past and Future," in Leon Simon, ed., Selected Essays of Ahad Ha-'Am. New York, Atheneum, 1970, pp. 80 - 90.
- 4) W. Gunther Plaut, A Shabbat Manual. New York, Ktav Publishing House, Inc., 1972, p. 7.
- 5) Cf., Chapter II above, p. 45 .

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Cincinnati, Ohio

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Report on the Rabbinic Thesis  
by Donald B. Rossoff  
entitled  
"An Annotated Translation of  
*Herebh Noqemeth Neqam Berith*"

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Sometimes, although admittedly not too often in the course of his career, a referee is handed a Rabbinic thesis, which, in terms of the student's work involved and in terms of the real contribution it makes to the understanding of an area of Jewish thought and/or experience, can be considered to have met the criteria of a real piece of scholarship. It is the kind of scholarly writing which, if it were available in print, and if the referee had not seen it in manuscript form, the referee would rush out to buy as a published book. Those occasions are, as indicated, rather rare. But the work evaluated here does represent such an occasion.

The work of the first generation of Reformers came under heavy traditionalist attack. The responsa collection, *Eleh Dibhere Haberith*, issued by the Hamburg rabbinical authorities in 1819, attempted to refute the pro-Reform apologetic works of Eliezer Libermann (in turn meant to defend the reforms introduced by Israel Jacobson in Berlin), and to attack, in particular, the recently opened Hamburg Temple and its newly published prayerbook. But the Reformers, or at least some of them, could give as well as they could take. Meyer Israel Bresselau, a founder of the Hamburg Temple and co-editor of its prayerbook, responded to *Eleh Dibhere Haberith* with his tract, *Herebh Noqemeth Neqam Berith*, which he issued in 1819. It is generally recognized to be one of the finest examples of satire in the early period of Modern Hebrew Literature. Written in the *malizah*-style of that period, and, though adopting an imitation Biblical Hebrew, nevertheless evidencing a profound knowledge of Rabbinic sources, Bresselau's tract does not exactly make for easy reading by the latter-day descendants of those whose cause Bresselau set out to champion. It is, in fact, extremely doubtful whether many writers about the evolution of Reform Judaism either took the trouble or possessed the requisite knowledge to read and understand *Herebh Noqemeth Neqam Berith*.

(more)

Mr. Rossoff took that trouble, and his thesis demonstrates that he acquired the requisite knowledge. In his 189 pages of text, 15 pages of Notes, and 6 pages of Bibliography, he not only provides a felicitous translation of Bresselau's difficult text, but he also supplies the various perspectives (historical, biographical, halakhic and theological) which are essential to a proper understanding and a fair evaluation of that work. A whole and crucial period in the evolution of Reform Judaism comes alive in Mr. Rossoff's treatment of the background against which *Herebh Noqemeth Neqam Berith* has to be seen.

is,  
Mr. Rossoff's thesis/ as has already been indicated, a real contribution to scholarship. Future historians, dealing with the "Hamburg phase" of Reform Judaism, would do well to delay their writing until they have read and digested this Rabbinic thesis. It ought to be available in published form.

To say that I recommend to the Faculty of the Hebrew Union College-Jewish Institute of Religion the acceptance of Mr. Rossoff's thesis in partial fulfillment of the requirements for Ordination must, by now, come almost as an anticlimax. But say it, I will--with great pleasure and profound satisfaction.

Jakob J. Petuchowski  
Referee