

SOME NOTES ON THE NATURE OF SAUL BERLIN'S WRITINGS

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TO THIS DAY, SAUL BERLIN and his writings remain a riddle and a challenge for the student of Hebrew letters and modern Jewish history. One hundred and seventy six years after his death (1794), we still do not have a comprehensive study of him or of his writings. Furthermore, although several controversial books had been attributed to Saul Berlin, there has not been a thorough scientific study of the problem,¹ except for some attempts to touch upon the subject of his authorship of the works in question. One may assume that once such a study is conducted, we should have a better insight into the early Hebrew Haskalah in Germany in the last quarter of the 18th century, and a better idea of the role of Saul Berlin in spreading the ideas of Enlightenment among the Jews in Germany as well as of his share in the development of the religious reform movement.

A rabbi and a Maskil, writer of satires and responsa, Saul Berlin had been a controversial figure during his life, and has remained so after his death. Persecuted and criticized in his lifetime, Rabbi Saul Berlin, I think, has been misunderstood and misrepresented

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¹ Recently Moshe Samet published a comprehensive bibliographical list of the writings of Rabbi Saul Berlin and the works about him with an excellent introduction which brings into focus the problematical nature of the writings of Saul Berlin ("R. Saul Berlin and His Writings," *Kirjath Sepher*, XLIII [No. 3, 1968], pp. 429-441 [Hebrew]). The following studies have a direct bearing on the problem of Berlin's authorship of the works in question: Reuven Margaliyot, "R. Shaul Levin the Forger of the Book 'Besamim Rosh'," *Areshet* (Jerusalem, 1944), pp. 411-417, Binyamin Klar, *Mehkarim Ve'iyyunim* (Tel Aviv, 1954), pp. 357-378. For a more detailed list consult Samet's article.

after his death by most of the scholars who dealt with the Hebrew Haskalah in Germany.² I tend to believe that certain criticism leveled at Saul Berlin by his rabbinic contemporaries has been adopted by some students of the period without adequate investigation into the complex issues involved, and into the complicated figure and intricate predicament of Saul Berlin.

It is for the purpose of clearing some misconceptions regarding Saul Berlin, that this writer proposes the following paper.

Scholars' views about Saul Berlin are quite critical. Simon Bernfeld considers him "ת"ח חסר דעה" [a foolish scholar];³ Mordecai Eliav accuses him of hypocrisy;⁴ others regarded him as a forger.⁵ It is my contention that these statements are erroneous; the first statement is completely out of place, considering the man and his literary and halachic writings; the second one, I think, is a generality which does not take into account Saul Berlin's predicament, and the third statement has yet to be proven.

² Simon Bernfeld, in his *Dor Tahapuchot*, II (Warsaw, 1914), pp. 68–77, portrays an almost completely negative image of Saul Berlin, the only credit being that he was "a foolish scholar" (see footnote 3); Bernfeld accuses him of being extremely light-minded, a hypocrite, and a person who loves deceit. Bernfeld regards Berlin's satire rather seriously, too seriously as a matter of fact, and thus concludes: "He was a fool in rhymes" (*ibid.*, p. 75). Similar views are to be found in Zvi Graetz, *Dibrei Yemei Hayehudim*, IX (Warsaw), pp. 111–112; Ben-Zion Katz, *Rabanut, Hasidut, Haskalah*, I (Tel Aviv, 1956), pp. 201 ff. ("hypocrite, fickle-minded person"); Israel Zinberg, *Toldot Sifrut Yisra'el*, V (Merhavva, Israel, 1959), pp. 69, 122–128 ("deceit . . . bitter fighter . . . coward . . . masked . . . hidden and poisonous weapons . . . weak [soft] character and hesitant"); Joseph Klausner, *Historia Shel Hasifrut Haivrit HaHadashah*, I (Jerusalem, 1960); Asher Pritzker, *Sefer Hame'ilah* (Tel Aviv, 1957), pp. 30–37, 41–53. A more favorable, and to my mind more objective, attitude toward Saul Berlin could be found in Raphael Mahler, *Dibrei Yemei Yisra'el*, vol. I, book II (Merhavva, Israel, 1954), pp. 77–79, 180, 336–342; in Isaac Eisenstein-Barzilay, "The Treatment of the Jewish Religion in the Literature of the Berlin Haskalah, *PAAJR*, XXIX (1955), pp. 42–43, and in Samuel Joseph Fin, *Kiryah Ne'emanah* (Vilna, 1860), p. 296.

³ *Dor Tahapuchot*, II, p. 74.

⁴ Mordecai Eliav, *Hahinuch Hayehudi Begermanya* (Jerusalem, 1962), p. 32.

⁵ See Graetz, Fin, Katz, Bernfeld, Klausner, Zinberg, Pritzker, and Eliav, in their respective writings, as cited above, note 2.

Like many of his fellow-Maskilim, Saul Berlin was half heretic and half believer ["חצי מן וחצי מאמין"], to use a phrase of the time.⁶ However, being a practicing rabbi in the Kehilah of Frankfurt, and the son of the respectable Zevi Hirsch Levin, rabbi of the city of Berlin, Saul Berlin undoubtedly was in a much different predicament from most of the other Maskilim. Though a believer in the ideas of Enlightenment, he could not express his views publically under his own name. Neither could he enunciate his true religious profession, and openly preach reform of the Jewish religion. It is for this reason that all of Berlin's polemic writings were published anonymously.⁷ However, in this he was in no way an exception in Hebrew literature—nor in the European literature of the time. Almost all of the controversial writings in Hebrew at the time had been published under assumed names. Suffice it to mention Isaac Satanow, Aaron Wolfsohn, and David Caro,⁸ but then, in all fairness to the critics of Saul Berlin, it should be noted

⁶ Moses Mendelson [of Hamburg], *Pnei Tebel* (Amsterdam, 1872), p. 252, referring to Isaac Satanow.

⁷ *Ktav Yosher* [Berlin?, 1794?]: "הַבְּרוּ אֶחָד מִבְּנֵי עַלְיָה וּמַגְדוּלֵי הַדּוֹר" [composed by one of the men of excellence and of the great people of (this) generation (on the title page); *Mitzpe Yokte'el* (Berlin, 1789): Ovadya ben Baruch of Poland; *Besamin Rosh* (Berlin, 1793): Attributed in part to Rabbi Asher ben Yeḥiel and to other medieval rabbinic authorities, said to have been compiled by Isaac de Molina; of the two articles published in *Hame'asef* and attributed to Saul Berlin, "Vikuah Shnei Re'im" (*Hame'asef*, 1789, pp. 261–273) is signed by three asterisks, and the book review on Rabbi Hacoheh's *Marpe Lashon* (*ibid.*, 1790, pp. 362–380) is signed ת"אמ" which as an abbreviation means תצמח ארץ נצמח אמ"א.

⁸ By Isaac Satanow: The four volumes of *Mishlei 'Asaf*, I (Berlin, 1789); II (Berlin, 1792); III (*Zemiroth 'Asaf*, Berlin, 1793); IV (*Megilat Ḥasidim*, Berlin, 1802); Satanow attributed these volumes to Asaf ben Berechياهو. *Minḥat Bikkurim* (Berlin, 1797)—Doctor Schönemann [his son's name]. *Sefer Haḥezayon* (Berlin, 1775)—Ya'ir Hamidbari. By Aaron Wolfsohn: "Siḥah Be'erez Haḥayyim," *Hame'asef*, VII, pp. 54 ff., 120 ff., 203 ff., 279 ff. This work was first attributed by Wolfsohn to 'A . . . L (*ibid.*, p. 53), but later Wolfsohn admitted he himself had penned it (*ibid.*, p. 300). By David Caro: *Berit 'Emet* (Dessau, 1820)—Amitai ben Avida Aḥizedek.

that some of them apply similar criticism to Isaac Satanow for the same reason.⁹

More serious is the accusation that Saul Berlin was a forger.¹⁰ This charge stems from his book *Besamim Rosh*¹⁰ (1793) which he had attributed partially to rabbi Asher ben Yehiel of the 13th and 14th centuries and to some other medieval rabbinic authorities. The contemporary rabbis decreed that the book was a forgery, and so did many scholars.¹¹ However, it still has to be proven that the whole book is a fraud. As a matter of fact, it was suggested that parts of this book of responsa are indeed authentic.¹² It seems that those who claimed that Saul Berlin had forged the book ignored a very important aspect of Berlin's literary activity and thus failed to comprehend his manysided character.

One has to bear in mind that the first Hebrew Maskilim had been searching for literary vehicles as outlets for their creative urges and as tools for their ideas of Enlightenment. After reading the literature of the period, and especially the journal of the Haskalah, *Hame'asef*, one can point out the many experiments in literary forms and styles which typify the Hebrew Enlightenment: parables, closet drama, poetic drama, poetry, educational and ethical essays and the like.¹³ Saul Berlin, too, was searching for literary genres which would best fit his purpose, as was his fellow Maskil Isaac Satanow. The latter chose as one of his literary media the biblical form of the wisdom literature (the four volumes of *Mishlei 'Asaf*).¹⁴ Rabbi Saul Berlin chose another literary medium which had

⁹ *Divrei Yemei Hayehudim*, IX, pp. 89–90; *Toldot Sifrut Yisra'el*, V, pp. 119–120, 122, 125.

¹⁰ *Besamim Rosh* (Berlin, 1793).

¹¹ See footnotes 1 and 2.

¹² Margaliyot, in his article (see note 1), p. 414.

¹³ Cf. *Naḥal Habsor*, [bound with *Hame'asef*, 1783–4], pp. 1–3, the editors' own proposed program. Experiments in literary forms and styles are to be found throughout the issues of *Hame'asef*; in the category of closet drama I include such works as Wolfssohn's "Siḥah Be'erez Haḥayyim" (see note 8), and "Eldad Umedad" (*ibid.*, 1785, pp. 114–116).

¹⁴ See footnote 8.

been prevalent in Hebrew history—the responsa. It was in the responsa that Rabbi Saul Berlin was at his best. In the responsa he was at home so to speak; he could show his great erudition and mastery of talmudic and halachic literature. Here he was able to communicate with the traditionalist rabbis in their own language; he could expose their weaknesses and attack them on their own ground.

I propose to evaluate Berlin's writings on his own terms, that is, from his own point of view. Thus, instead of grading Berlin by our contemporary criteria and through our own perspectives, I shall attempt to appraise his writings by considering his own motives and his own predicament. I think that this approach to Berlin would help us gain a better insight into the mind of 18th century Hebrew Maskilim.

Being somewhat ahead of his contemporary Hebrew writers, Rabbi Saul Berlin was fighting an all-out war against the rabbinic authorities of his time. He was advocating alleviation of the burden of the Mitzvot, the precepts, and introducing a few reforms in Judaism.¹⁵ In addition, he was defending the ideas and ideals of the Hebrew Enlightenment. His satire, *Ketab Yosher*, which he had written in 1784, and which was published only after his death,¹⁶ is primarily a defense of Wessely's *Dibrei Shalom Ve'emet*. The latter book advocated reform in the religious education among the Jews so as to enable them to become part of European culture and European Enlightenment.¹⁷ In addition to his defense, Berlin launched a bitter campaign against superstitions, against the old order in Jewish education and against the excessive number of

¹⁵ In his satire, *Ketab Yosher*, Saul Berlin criticizes the abundance of mitzvot in Judaism (pp. 4a–5a, 9a–10a). He also ridicules the multiplicity of superstitious customs (p. 3b). In *Besamim Rosh* Berlin advocates introducing reform in Judaism (siman 251; details will follow).

¹⁶ Cf. Eliezer Landshuth. *Toldot 'Anshei Hashem Ufe'ulatam Ba'adat Berlin*, I (Berlin, 1884), p. 105; *Hame'asef*, VII, p. 271.

¹⁷ Naphtali Herz Wessely, *Dibrei Shalom Ve'emet* (Berlin, 1782–1785).

out-dated precepts and customs in Judaism.¹⁸ The book circulated in manuscript form for over ten years. Saul Berlin did not have it published although the publishing house of the Maskilim would have gladly printed it. I believe he did not want to publish the book even under a pen name in order not to come out publicly against his father. Rabbi Zevi Hirsch Levin, his father, was persuaded by other rabbis to oppose Wessely's *Dibrei Shalom Ve'emet*.¹⁹ It is inconceivable that Saul Berlin would even indirectly attack his own father;²⁰ yet he did not avoid expressing his sympathy with Wessely without hurting his father. Zinberg's explanation that Saul Berlin did not have the courage to publish the book is thus to be rejected.²¹

¹⁸ *Ketab Yosher*, p. 3b. Berlin cites a number of superstitious customs which he calls (with tongue in cheek) "good and righteous": The custom of Kaparot; making noise at the mention of the name of Haman; eating a lamb's head on Rosh Hashanah; the order of shaking the Lulab on Sukkot; putting on the right shoe first upon dressing, etc. Saul Berlin further criticizes the abundance of mitzvot (*ibid.*, p. 4a). In chapter three of *Ketab Yosher* Berlin deals with the old order in Jewish education, the customary beating of the pupils, the early teaching of difficult parts of the Talmud, etc.

¹⁹ Landshuth, *Toldot 'Anshei Hashem*, I, pp. 85–86; Kalman Schulmann, "Toldot Harav R. Naphtali Herz Weisel," *Dibrei Shalom Ve'emet* (Warsaw, 1886), pp. 22–23; Charles L. Ozer, "Jewish Education in the Transition from Ghetto to Emancipation," *Historia Judaica*, IX (No. 2, Oct., 1947), pp. 143–144.

²⁰ Ben-Zion Katz is also of the opinion that Rabbi Saul Berlin did not intend to publish *Ketab Yosher* in the first place. The only explanation Katz gives is that Berlin had written *Ketab Yosher* just to satisfy his urge for writing, and that the manuscript was intended to be shown only to his close friends (*Rabanut, Hasidut, Haskalah*, I, p. 240). Yet this explanation is insufficient. Saul Berlin's attitude to his father in controversial matters involving the latter could be discerned in the only public announcement in which Berlin reversed himself. In *Besamim Rosh* he tended to permit shaving on *Ḥol Hamo'ed* (siman 40, pp. 20a–b), seemingly favoring Rabbi Ezekiel Landau (*Nod'a Bihudah*, I [Prague, 1776], siman 13, pp. 5a–b) rather than his father (*cf. Toldot 'Anshei Hashem*, I, p. 86). However, Saul Berlin retracted his view out of respect for his father (*ibid.*, p. 101).

²¹ *Toldot Sifrut Yisra'el*, V, p. 122. In all fairness to Zinberg, it should be noted that he probably relied on the first reviewer of *Ketab Yosher*, in *Hame'asef*, who expressed his opinion that Saul Berlin had not published *Ketab Yosher* for fear of another excommunication (*Hame'asef*, VII, pp. 270–271). However, this does not answer the question why did he not publish the book between 1784 and 1789.

Another work of his, entitled *Mitzpe Yokte'el*, which attacks one of the opponents of the Haskalah, in effect heralded the Maskilim's forthcoming campaign against religious authority in contemporary Judaism.²² In it, Berlin accuses rabbi Refael Hacohen, the ultra-orthodox religious leader of Hamburg, of a lenient attitude toward certain religious restrictions such as the dietary laws.²³ Now this accusation was far from the truth, for Rabbi Hacohen was a strict observer of the Halachah.²⁴ He was in effect the exact opposite of the religious heretic whom Saul Berlin had portrayed. No wonder then that the book evoked a furious reaction from traditionalist Jewry, brought upon the anonymous writer an excommunication, and eventually cost him his position as a rabbi of the Frankfurt Kehilah.²⁵

Mitzpe Yokte'el, to my mind, is to be considered in its overall implication as somewhat resembling a work of satire intended by

²² The years 1789 and 1790 saw the publication of "Vikuaḥ Shnei Re'im" and the review of *Marpe Lashon* in *Hame'asef*, both very critical of rabbinical authority, and both alleged to have been written by Saul Berlin. In volume VII (1794) of the Hebrew journal, Wolfssohn publishes a vehement attack against the rabbis and their superstitions (*Hame'asef*, VII, p. 16); he believes they desecrated the Torah (*ibid.*, p. 18), and he calls them "ḥamor ḥamoratayim" [two-fold donkey] (*ibid.*). This extreme and pungent name-calling is matched with as extreme and pungent a presentation of the image of the rabbi in the same author's drama-like work entitled "Siḥah Be'erez Haḥayyim" (see note 8).

²³ *Mitzpe Yokte'el*, pp. 4a, 38a.

²⁴ See Eduard Duckesz, *Ivah Lemoshav* (Cracow, 1903), pp. 63 ff.; *Dor Tahapuchot*, II, pp. 69–74; *Toldot 'Anshei Hashem*, I, pp. 81, 87, 91.

²⁵ *Dor Tahapuchot*, II, p. 76; Samet states that the reason for and the date of Berlin's relinquishing the rabbinate at Frankfurt are unknown. The date, however, should be before 1792, at which time Berlin's successor was selected rabbi of Frankfurt. See Samet's article, p. 429. The *terminus ad quem* may be established also from the dating of *'Arugat Habosem* (the prospectus of *Besamim Rosh*), namely, the 7th of the Hebrew month of 'Iyyar, 1792, in Berlin. We may assume that Saul Berlin did not leave Frankfurt before Sivan of 1790; in his second letter to Rabbi Moshe, Saul Berlin still bears the title—or at least considers himself as—"Ab bet din of Frankfurt". The reliability of the exact dates may be questioned, for the letter itself is published also in *Hame'asef* in the Nisan issue, that is, two months before the date stated in the letter. The version in *Hame'asef*, though, lacks any date.

Saul Berlin to attack Rabbi Hacoheh, the symbol of religious fanaticism, and the symbol of religious authority which became the target of the Maskilim.²⁶ By accusing Rabbi Hacoheh of religious leniency, Saul Berlin actually was desirous of exposing his opponent as a religious fanatic. Saul Berlin writes: "I saw that truly it is a new Torah [i.e., the things which Rabbi Hacoheh had written in his book *Torat Yekuti'e*] words which I did not believe would ever come out of the mouth of a Hacham, lenient practices [which Rabbi Hacoheh is said to have advocated] which have never been heard [before], negligence in many dietary laws."²⁷ What an irony! It is not a new Torah that Saul Berlin had found in the writings of Rabbi Hacoheh, but rather the old tradition which had been overburdened by many additional restrictions throughout the ages; it is not lenient practices and disregard of restrictions, but rather an over-zealous attitude and an inflexibility in matters of Halachah—exaggerated stringency which the Maskilim attempted to eradicate.

Saul Berlin also uses some arguments employed by the traditionalist rabbis against the Maskilim, e. g., that Rabbi Hacoheh had not sought to solicit Haskamot [introductory notes of approval] from rabbinic authorities.²⁸ It should be remembered that Moses Mendelssohn expressed his suspicion that his translation and commentary of the Torah did meet the opposition of some traditionalist rabbis because he had not solicited the approval of the rabbis.²⁹

At times, however, Berlin does not use satire and irony as his weapon and does not draw a caricature of Rabbi Refael Hacoheh, but rather prefers the direct attack. Thus Berlin reveals his goal: Hacoheh tends to be strict where the *Shulhan 'Aruk* and its fol-

²⁶ It is believed that "ploni," the fanatic rabbi who is the adversary of both Mendelssohn and Maimonides in Wolfsohn's "Siḥah Be'erez Haḥayyim," (see note 8) is no other than Rabbi Hacoheh (others think that Wolfsohn had Rabbi Ezekiel Landau in mind. Cf. Bernard D. Weinryb, "Aaron Wolfsohn's Dramatic Writings in their Historical Setting," *JQR*, XLVIII [July, 1957], p. 45).

²⁷ *Mitzpe Yokte'el*, in the unpaginated introduction.

²⁸ *ibid.*

²⁹ *Igrot . . . Moshe Dessau*, (Vienna, 1794), pp. 5-6.

lowers are lenient;³⁰ Hacoheh's book is found to be wanting of any reasonable proof, it is rather meager, and is completely nonsensical and verbose.³¹ Since the book is misleading as are many other similar works—Saul Berlin states—his criticism is intended to stop the influx of unwarranted halachic books of a strictly legal nature which had been published by anyone who saw fit to do so.³² This is one of the reasons, says Berlin, that the nation of Israel is not able to rise from its low position. However, Berlin believes that the truth has begun to prevail over those who lead the people astray, namely, the rabbis, and has started to remove the yoke from the people.³³

That *Mitzpe Yokte'el* was intended to be more than just an attack—some believed it to be a personal attack³⁴—against Rabbi Refael Hacoheh of Hamburg is obvious from the introduction written by Isaac Yaffe and David Friedländer. They request of the rabbis not to attack men of wisdom and god-fearing, namely, the Maskilim themselves, who publish in their books views which the rabbis think are contrary to their accepted way. Both Yaffe and Friedländer advise the rabbis that they should not cause any clashes in vain, for first they have to have their own house in order so to speak. They appeal to the rabbis to let every one, meaning the Maskilim, write as he wishes.³⁵

It is not important then that “Rabbi Saul [Berlin] pretended in this book of his to be zealous about [the Jewish] religion,” as Ben-Zion Katz would have us believe;³⁶ neither was his intention to appear in the eyes of the readers as god-fearing, as proposed by Bernfeld.³⁷ It is the overall view of Berlin's writings, and the consideration of the objectives of the Hebrew Enlightenment in

³⁰ *Mitzpe Yokte'el*, in the unpaginated introduction.

³¹ *ibid.*: “ומצאתי אותו רוה ודל תואר מאד ואין בכל דבריו אפילו חדוש סברא וראי' של טעם. רק גבובי דברים.”

³² *ibid.*

³³ *ibid.*

³⁴ *Toldot Sifrut Yisra'el*, V, p. 125.

³⁵ *Mitzpe Yokte'el*, in the unpaginated introduction by the publishers.

³⁶ *Rabanut, Hasidut, Haskalah*, I, p. 203.

³⁷ *Dor Tahapuchot*, II, p. 74.

book, I think we would not get a satisfactory answer. Berlin says that he published the book in an attempt to cause his opponents to change their hatred of him into love.⁴³ He did not elaborate for obvious reasons; yet some of the students of Saul Berlin—Landshuth and Samet⁴⁴—found this explanation sufficient. The question still remains: how would he gain the rabbis' sympathy by the publication of a responsa book which in effect preaches religious reform? If his intention were merely to appease the rabbis, he could easily change their views of him by reversing his attack on Rabbi Refael Hacoheh. It seems to me that Berlin did not have the slightest intention of reversing himself, or of withdrawing from his campaign of Enlightenment. On the surface he wanted it to appear as if his reform views were based on the authority of medieval scholars and had the same value. Thus the contemporary rabbis must accept divergence of opinion as valid in Judaism, and should not persecute the Maskilim. Did he really expect the contemporary rabbis to accept the book at its face value? I tend to doubt it very much. Any rabbinic scholar would reject the authenticity of these responsa. Neither was Berlin so naive as to believe that the rabbis would accept the book as it was.

idea which seemed to have penetrated into Berlin's writings. See, for example, Thomas Morgan, [*The Moral Philosopher* (London, 1738 [second edition]), pp. 27–29: "... Thus it is evident, that the People of *Israel*, upon the very Constitution of the Law and fundamental Principles of *Moses*, were not to maintain any Peace or Amity with any other Nation or People. . . ." Also, Wathew Tindal, *Christianity as Old as the Creation*, I (London, 1730), p. 134, regarding the hatred caused by the Jewish priests, guardians of the law.

In addition, the meaning of פְּסָא דְהַרְסָנָא, as explained above, has a humorous connotation in the context of serious legal matter. Furthermore, הַרְסָנָא has the Hebrew root הָרַס, meaning destroy, which might allude to the intentions of Saul Berlin with regard to the Halachah. Note that the verb הָרַס is used twice in the instruction to Moses to stop the people from ascending Mount Sinai (*Exodus*, 19:21, 24).

⁴³ *Besamim Rosh*, in the introduction.

⁴⁴ Landshuth, *Toldot Anshei Hashem*, I, p. 100: "... thus spoke this man who endeavored with all his power to justify himself in the eyes of the rabbis and their group, and made efforts to change their hatred into great love." Samet, "R. Saul Berlin and His Writings," pp. 430–431.

I think that Berlin had other objectives in mind. *Besamim Rosh* is a continuation of Berlin's early work, indeed the climax of his lifework. It is his goal to preach and teach religious reform. He selected the most suitable, yet cunning, subtle, and intriguing medium and form to achieve his purpose. A sample list of some of the reforms advocated in *Besamim Rosh* would show a great resemblance to the religious reforms which Saul Berlin's fellow-Maskilim have been fighting for at the time. There was hardly a subject dealt with by the Maskilim which Berlin does not mention in his book. Such are the subjects of excommunication and religious coercion discussed by Mendelssohn and other Hebrew Maskilim,⁴⁵ and the controversial issue of the burial-of-the-dead, which occupied the Hebrew Haskalah in Germany for a few decades and became a test-case of the authority of the rabbis.⁴⁶ Other items found both in *Besamim Rosh* and in the writings of the Hebrew Enlighteners are the question of the authority of rabbinic legisla-

⁴⁵ *Besamim Rosh*, siman 25, p. 12b. The excommunication controversy is to be found in the following writings: Moses Mendelssohn, *Yerushalayim* (Tel Aviv, 1947), p. 62; *ibid.*, "Haḳdamah Liteshu'at Yisra'el", pp. 163, 164, 167. Mendel Breslau, in his important call to the rabbis for alleviation of the burden of the mitzvot, does not neglect to attack the rabbis for this ill-practice (*Hame'asef*, 1790, pp. 310, 313). That issue is still in vogue some thirty years later although the practice had been restricted by the authorities (Amitai ben Avida Ahizedek [David Caro], *Berit Hakehunah*, or, *Tachunat Harabanim*, vol. II of *Berit 'Emet*, p. 136).

⁴⁶ *Besamim Rosh*, siman 64, p. 26b. Saul Berlin alludes to the controversy of the burial of the dead by asking in tongue-in-cheek fashion: "... he who is utterly wicked all his life, is he to be buried on the day [of his death] or not ...". In 1792, the Maskilim form an association, "Gesellschaft der Freunde," in Berlin, one of whose aims was to delay the burial of their deceased members, thus putting into practice one of the declared goals of the Haskalah in Germany (Graetz, *Dibrei Yemei Hayehudim*, IX, p. 113; Jacob Katz, *Tradition and Crisis* [Jerusalem, 1963], p. 301 [Hebrew]). A list of sources where the issue is discussed by the Maskilim is found in my article "Intimations of Religious Reform in the German Hebrew Haskalah Literature," *Jewish Social Studies*, XXXII (Jan. 1970), p. 8, notes 30, 31.

ture,⁴⁷ reforming the prayers,⁴⁸ the question of Ṭa'amei Hamitzvot [Reasons for Precepts]⁴⁹ and the elimination of Piyyutim and Selihot from the services.⁵⁰ Another reform of his would allow

⁴⁷ *Besamim Rosh*, siman 212, p. 71a: Berlin attempts to abolish the authority of religious legislating by his contemporary rabbis saying that the body of religious law in his day and age has become corrupted and uncertain "due to our many transgressions." Even great and learned rabbinic scholars are not able to produce clear-cut answers to religious commandments in question. Things that were considered certain at one time turned out to be the reverse. There are religious judges who have a crooked and stubborn mind; thus it is much safer, maintains the Hebrew reformer, not to institute any religious decrees. Concurrently, Berlin does not hesitate—when it serves his purpose—to argue that each generation may, and should, do what the talmudic sages had done with regard to the Torah, namely, to change it and substitute new laws for it ["התלמוד ... שהוא נגד התורה"] (*ibid.*, siman 251, p. 76b; this responsa item is attributed to Rabbi Asher ben Yeḥiel, as marked at the end by the abbreviation: אבה"ר = (Asher ben Harav Rabbi Yeḥiel). Regarding the issue of rabbinic authority in the writings of the German Haskalah, see my above-mentioned article (note 46), p. 12.

⁴⁸ *Besamim Rosh*, siman 19, p. 10b. Berlin touches upon the problem of eliminating certain prayers, understanding the prayers, and "kavanah," i. e., intention and devotion in praying, which is related to the controversy of praying in the vernacular. The question of the prayers became acute in the first part of the 19th century [see my article "The Methodology Employed by the Hebrew Reformers in the First Reform Temple Controversy (1818–1819)" to be published in the *Kiev Festschrift*]. See also *Hame'asef*, 1786, pp. 138–139 (praying in the vernacular), pp. 71–72 (Elijah Morpurgo's criticism of the disorder at the services) pp. 205–209 (similar criticism by Isaac Euchel).

⁴⁹ *Besamim Rosh*, siman 251, pp. 77a–b: Berlin saw in the mitzvot only a means to an end—to remind one of the fundamentals of religion, that is doing that which is good and righteous. A similar view was expressed by Mordecai Gumpel Schnaber in *Tochaḥat Megilah* (Gamburg, 1784), p. 9b. See also Mendelssohn's views on "Ta'amei Hamitzvot" (*Yerushalayim*, p. 137); Isaac Satanow, *Imrei Binah* (Berlin, 1784), p. 12a; *Hame'asef*, 1786, pp. 165ff. The anonymous writer is cautious not to attach any definitiveness to his rational explanations.

⁵⁰ *Besamim Rosh*, siman 71, p. 28a. It should be noted that in many controversial matters Berlin does not deal with the issues in a direct way, but rather alludes to them, as in this case. For an excellent study on the methodology and techniques of Saul Berlin, see Mahler, *Dibrei Yemei Yisra'el*, vol. I, book II, pp. 336–342. Cf. the attitude of the Maskilim to the Piyyutim in my above-mentioned article (note 46), p. 9, note 36.

riding a carriage on Sabbath.⁵¹ Berlin also raises a question which is discussed in *Hame'asef* as to whether or not the majority could force its will on the minority⁵²—the majority and the minority being the traditionalist rabbis and the Maskilim respectively. Obviously, Saul Berlin sides with the Maskilim.

In addition, Berlin preaches general ideas of religious reform regarding changes that might take place even in the written law and in the principles of Judaism,⁵³ he maintains that the oral law is subject to change,⁵⁴ and that the primary aim of the Torah laws is to bring happiness to the Jews;⁵⁵ in matters of beliefs everybody is permitted to express his views regardless of the dominant opinion and practice.⁵⁶ Thus his work is seen as an integral part of the Hebrew Haskalah, and it has to be evaluated as such.

It seems to me that Saul Berlin also intended the book to implant the seeds of skepticism in the reader. By the use of certain techniques, a detailed study of which goes beyond the scope of the present paper, Berlin attempts to undermine the old, accepted

⁵¹ *Besamim Rosh*, siman 375, pp. 108b–109a.

⁵² *Ibid.*, siman 225, pp. 73a–b. Typically, Berlin writes at the outset: "Certainly the majority can force the minority to conduct itself like the majority." However, in his following discussion he reverses himself completely. Cf. *Hame'asef*, 1789, pp. 311–312, regarding " 'Aḥarei rabbim lehatot."

⁵³ *Besamim Rosh*, siman 251, p. 77a. Berlin discusses a "hypothesis": should the Torah, its laws and commandments cause misfortune [ra'ah] to our nation—the totality of the nation—or if the laws and commandments would not bring happiness [osher] whatsoever, we should then remove its yoke from our shoulders. The principles of Judaism, too, are subject to change, claims Berlin, and have been changing in the past. This Maskil cites the principle of "Bi'at hamashi'ah" (the coming of the Messiah) which prevails now, yet was unknown in the days of David and Solomon, whereas another principle prevailing in the days of Solomon, namely, the Temple sacrifice, is no more part of the principles of the Jewish religion (*ibid.*, p. 76b).

⁵⁴ *Ibid.* The sages composed the Talmud "שהוא נגד התורה" (*ibid.*, p. 76b) and each successive generation should do the same with regard to the talmudic decrees, namely, the oral law, as well as with any previous religious decrees and commandments.

⁵⁵ *Ibid.*, pp. 76b–77a. Happiness was considered by Enlightenment and Deism, as well as by the Maskilim, as the prime goal of human life.

⁵⁶ *Ibid.*, p. 76b. Not only is it permitted, but indeed, it is an obligation and a great mitzvah to do so ["חייב ומצוה גדולה"].

values, the venerated tradition, and the infallible authority of the rabbis. His techniques as well as his objective are reminiscent of Pierre Bayle, the French skeptic, and his renowned dictionary.⁵⁷

There were still other objectives set forth by Saul Berlin: to ridicule the pilpulistic fashion used by the rabbis to decree new restrictions, and to criticize the abundance of such unfounded restrictions. Using the style of the old school of thought, Berlin attempts to advocate the ideas of the Enlightenment, and thus he creates a black and white contrast of the opposites—the caricature. In a take-off of rabbinic style and idiom, Berlin discusses in sixteen double-column folio-size pages the question of whether the marriage of a eunuch is binding.⁵⁸ His discussion of this case, as well as of many other humorous instances,⁵⁹ is extremely serious, thus pointing out the futility and the absurdity of similar treatment of like subjects in the rabbinic literature. Is there any wonder that a contemporary, traditionalist rabbi remarked bitterly: “He [Saul Berlin] hardly left any transgression which he did not permit.”⁶⁰ Indeed, this was the intention of “the Jewish Voltaire sitting on the rabbinic chair,” as Mahler calls him.⁶¹ Thus the “forgery” is actually a take-off; the religious reforms which he advocates are attributed to medieval rabbinic authorities, but they are really Berlin’s own suggestions as part of the reforms proposed by the Hebrew Maskilim in Germany in the last quarter of the 18th century.⁶²

⁵⁷ Pierre Bayle, *The Dictionary Historical and Critical*² (London, 1734–1738).

⁵⁸ *Besamim Rosh*, siman 340, pp. 96b–105a.

⁵⁹ *Ibid.*, siman 240, p. 75a: The question whether a Megilah written by a scribe who when drunk on Purim uttered some heretical words from philosophical books of other nations—is considered fit [כְּשֵׁרָה] to be read in the synagogue; *ibid.*, siman 43, p. 21a: A sick person, permitted to eat non-kosher food, should say the blessing before and after eating; *ibid.*, siman 320, p. 93b: A Torah scroll made of pig skin could have been used were it not for the verse “lema’an tihye torat ’adonai beficha” (so that the Torah should be in your mouth) . . .

⁶⁰ Rabbi Jacob Katzenellenbogen, as cited by Abraham Berliner in *Vehemah Baktubim* (Berlin, 1909), p. 14.

⁶¹ *Dibrei Yemei Yisra’el*, book II, p. 79.

⁶² See my article “Intimations of Religious Reform in the German Hebrew Haskalah Literature,” *JSS*, XXXII (January, 1970), pp. 3–13.