

Studies in
Jewish Bibliography
History and Literature

in honor of

I. EDWARD KIEV

edited by

CHARLES BERLIN

KTAV PUBLISHING HOUSE, INC.

New York

1971

THE METHODOLOGY EMPLOYED BY THE HEBREW
REFORMERS IN THE FIRST REFORM TEMPLE
CONTROVERSY (1818–1819)

MOSHE PELLI

University of the Negev

The first reform-temple controversy of 1818¹ was the culmination of some forty years of fermentation in religious thought among Jewish thinkers in Germany. Elsewhere I have attempted to trace the causes of this fermentation to the deistic writings of the eighteenth-century European Enlightenment.² I have also shown, previously, some reform tendencies that had taken place in German Jewry in the 1780's and the 1790's³ which, I believe, gave rise to some attempts in the beginning of the nineteenth century to introduce reform הלכה למעשה into the religious services.⁴

In this paper I shall endeavor to analyze and evaluate the methodology employed by some of the major participants in the controversy on the reform side, namely, Eliezer Liebermann,⁵ M. I. Bresselau,⁶ Aaron Chorin,⁷ and some rabbis.⁸ For reasons of limitation, David Caro,⁹ who merits special attention, was excluded from this study.

Significantly, a great proportion of the argumentation on the part of the Hebrew writers who sided with the reform faction was based on the traditional Halachah. While this tendency could be expected of the rabbis among them, such as Rabbi Aaron Chorin, Rabbi Shem Tov Samun of Livorno (Leghorn), Rabbi Yehudah Aaron Hacoheh, it is also to be found in Eliezer Liebermann and M. I. Bresselau. One may thus conclude that the Hebrew reformers of the early nineteenth

century, very much like their predecessors in the late eighteenth century, were still deeply implanted in the old, traditional school of thought in Judaism. Somewhat related to this conclusion is another which I previously arrived at with regard to the early manifestations of religious reform among the Hebrew writers of the Haskalah, namely, that the Hebrew reformers had had some hope for a rapport with the traditionalist rabbis.¹⁰

From the Halachah, the Hebrew writers took the argument of קל וחומר, i.e., inference from the minor to the major. Arguing for playing the organ in the synagogue, a focal point of disagreement between the traditionalist rabbis and the reformers, Rabbi Shem Tov of Livorno uses this method as follows: If one is allowed to play a musical instrument in honor of flesh and blood (e.g., during weddings) should he not be allowed to do the same for the honor of God?¹¹ The same argument is presented by Liebermann,¹² who also uses the argument of inference from the major to the minor to enhance praying in German.¹³ A change in a forbidden custom (*shinui*) is enough to make it legally permissible; thus an Italian rabbi advises placing the organ in the women's section of the synagogue, and argues that the player should play the organ in a different manner.¹⁴

Reliance on precedents is widely maintained by the Hebrew reformers as a legal ground for reform. Liebermann cites several precedents where the organ had been played regularly without any objection.¹⁵ The use of the organ on Sabbath eve at the famous *Alt-neuschule* in Prague is mentioned by Liebermann,¹⁶ while Rabbis Chorin and Recanate cite other precedents.¹⁷ Similar precedents in favor of reform are cited regarding the issue of introducing the Sphardi pronunciation into the services abolishing, as the reformers proposed, the silent prayer of *Shmone 'Esre*,¹⁸ and with regard to the question of *lo titgodedu*¹⁹ (that is, whether any deviation whatever is permissible in a given locale).

This very method of citing precedents in order to advocate reform is in its very nature *anti-reform*, for it does not arrive at the suggested reform through methods such as the inference from the minor to the major or any of the other methods mentioned above, but rather through citing existing customs practiced elsewhere. As a result, it does not necessarily advocate the empowering of contemporary institutions or individuals with the license to change religious ordinances, practices, or customs held in veneration and observed for generations. However, it should be noted that although principles were important to the

preachers of reform, the enactment of what they proposed was even more important, regardless of the means. Moreover, it is safe to assume that some of the so-called Hebrew reformers regarded most of their proposals as correcting customs that had been corrupted, and as restoring old, forgotten practices, rather than as instituting completely new and foreign customs.

That this assumption is correct we can see from some of their other arguments. Regarding the use of the organ, Rabbi Shem Tov maintains that "this thing has its origins and roots in Israel with our holy forefathers [who used] to sing and play to praise and glorify with all kinds of songs [instruments]." ²⁰ On the controversial issue of not calling the people to the Torah by their names, Liebermann comments that "this too is nothing new under the sun," and he cites a responsa item where the custom is mentioned. ²¹ Similarly, he maintains that by eliminating part of the *Kedushah* on Sabbath ("Az bekol ra'ash gadol . . ."), the reformers actually restored the *Kedushah* to its original form: "Some man, whose name is unknown to us, instituted it [the addition], and we are not obligated to follow his words at all, for this version is not part of the *Kedushah* at all." ²² In the same vein, he argues that the Sphardi pronunciation as practiced by the Spanish and Italian Jews is the correct pronunciation, and that the reformers are in effect restoring the correct accent and eliminating the wrong, corrupted one. ²³

Of a slightly different nature is Rabbi Kunitz's argument *shekvar pashat haminhag*, ²⁴ that is, since the [wrong] custom became prevalent it should be legalized by the religious authorities; this in effect demands of the rabbis legalizing reforms that have already taken place.

A popular method used by the Hebrew writers is that of defining a given prohibition in such a way as to delimit its scope in a manner favorable to reform. Thus Rabbi Shem Tov maintains that the prohibition to play an instrument after the destruction of the Temple refers only to worldly occasions; however, for religious purposes it is indeed permissible. ²⁵ And Rabbi Jacob Ḥai Recanate limits the religious restriction to the song or tune and not the instrument; ²⁶ that is to say, one may not play a special tune which is used at religious services by gentiles, and also the very instrument itself which is used by gentiles at church; however, any other musical instrument, such as an organ which is not used for gentile religious services, may be used in the synagogue. In the presentation of his argument, Rabbi Recanate shows some common sense which borders on *epikorsut*; according to

his argumentation, if the restriction is not limited as suggested above, similar restriction should apply in other such instances. For example, one should not light wax candles in the synagogue, for the gentiles are using wax candles in the churches.²⁷ By using for analogy a common and necessary object, Rabbi Recanate attempts to drive home the point that organ playing is as necessary in the synagogue as wax candles. Rabbi Shem Tov also makes the same argument: "Are we going to refrain from everything that the gentiles are doing?"²⁸ To the (relatively speaking) modern mind of the Italian rabbi, it seems an absurd idea which one cannot entertain; therefore, via analogy, playing the organ in the synagogue, too, is permissible beyond any doubt. Somehow, no one among the Hebrew reformers has the sensitivity to notice the imitative implication of introducing the organ into the synagogue. However, one should not be surprised, for imitation of the surrounding culture for various reasons, the discussion of which goes beyond the scope of the present paper, was actually in the mind of the Hebrew enlighteners.

Liebermann, too, uses this method of delimiting the borders of a given restriction so that it favors reform, (such as playing the organ in the synagogue, and the injunction of *lo titgodedu*); so does Rabbi Chorin.²⁹ Worth mentioning is the attempt of both reformers to do away with the general injunction *Uvehukotehem lo telechu* ["Neither shall ye walk in their ordinances"], limiting it so as to refer only to pagan nations, and then proclaiming that the European nations, which believe in one Deity (a generality which has not been elaborated upon), are not pagan; thus it is not forbidden to imitate their practices.³⁰

Related to this category of halachic-oriented delimitation of a restriction is the attempt to discuss *ta'amei hamitzvot* (reasons for precepts). Although this discussion by itself is not necessarily indicative of an anti-traditionalist trend, for it has been in vogue throughout Jewish history, yet now it acquires a pro-reform twist. Thus it is a completion of a cycle started by the early Hebrew *maskilim* in Germany toward the end of the eighteenth century, and their covert goal in discussing *ta'amei hamitzvot* became crystallized.³¹ The nineteenth-century Hebrew *maskilim* take an additional step beyond the discussion of the reasons for the precepts; they maintain that the reason for a given precept is no longer meaningful, and thus both precept and reason are no longer binding.³² Playing the organ on Sabbath was originally forbidden, writes Eliezer Liebermann, lest the player try to

repair the instrument; now that Jews do not know how to repair this instrument, there is no doubt that it is permissible to play the instrument even on the Sabbath.³³ Similarly, the cantillations were originally intended to help understand the Bible; now that the singing actually makes understanding even more difficult, we are not obligated to hold to the cantillations, and the reform practice of reading the Bible instead of intoning it becomes justified.³⁴

It is of importance to note that all of the reform arguments concerning the Halachah are accompanied by long quotes from religious authorities of the traditionalist rabbinate.³⁵ My previous contention that the Hebrew reformers were very much implanted in the traditional school of thought, and that they attempted some rapport with the traditionalist rabbis thus gets additional support.

Aside from the halachic argumentation, the Hebrew reformers developed other methods in their demand for reform, some of which bear a more modern or contemporary coloring as might be expected of *maskilim* who had been rather willing to absorb the *Weltanschauung* of European culture.

Reflecting the religious deterioration that took place among the Jews in Germany in the beginning of the nineteenth century, the Hebrew reformers quite often utilized the argument of necessity. As the Hebrew reformer M. I. Bresselau puts it: "Halo 'et la'asot la'Adonai, heferu brito." ["Now is the time to act for God, for they violated His covenant"].³⁶ This is a paraphrase of the Psalms verse used in *Gitin* and *Brachot* to explain why, at times of necessity, the rabbis instituted a decree which deviated from the written law.³⁷ Should it be necessary—said the rabbis—for the sake of preserving the Jewish religion, even biblical laws may be temporarily changed.

Thus Liebermann advocates "Tefilah bechol lashon" ["prayers may be said in any language"],³⁸ that is, praying in the vernacular, in German. The lack of knowledge of Hebrew is given as a reason which necessitated the change. Playing the organ in the synagogue will attract people to come who otherwise would have refrained from attending the services, explains Rabbi Shem Tov; therefore, it is a necessity, he maintains, and *mitoch shelo lishmah ba lishmah* ["doing something not for its own sake would eventually bring one to do that thing for its own sake"].³⁹ The lack of participation in public prayers is also underscored by both Rabbi Moshe Kunitz and Eliezer Liebermann as reason for change.⁴⁰ Playing musical instruments in the synagogue will attract people, writes Kunitz, and the introduction of

these instruments to the Jewish services is tantamount to *Kidush shem shamayim barabim*,⁴¹ that is, sanctifying the name of God in public. Liebermann adds to this, that those attracted to the synagogue as a result of the beautification of the services would become, in the long run, God-fearing Jews; if they do not, eventually their descendants might.⁴² The urgent need to find some way to appeal to the young generation is expressed by Bresselau as the sole reason for the changes introduced in the reform temple.⁴³

Concurrently, we find arguments concentrating on esthetics, wisdom, and grammar. Rabbi Aaron Chorin objects to reading the Torah with cantillations because it is not esthetic, and because it dishonors the Torah.⁴⁴ He stresses *Kavanah*, i.e., intention and devotion in praying, the prerequisite of which is understanding. The principal part of praying, according to Chorin, is wisdom and understanding; it is thus proper to cut short the length of the service on weekdays, he maintains, as long as whatever is part of the service is said with *Kavanah*.⁴⁵ Chorin and Liebermann also use grammatical arguments to prove that the Sphardi pronunciation is the correct one, and that the reformers were right in abolishing the corrupted Ashkenazi pronunciation and introducing the Sphardi one.⁴⁶

While there is nothing inherently "reformist" in the above contentions, the results of these contentions, indeed, took a reform characteristic. Further, they are indicative of the long struggle of the Hebrew writers of the Haskalah in the preceding decades to modernize the Jewish religion. I believe these contentions also prove the continuous line of thought and of goal from the Hebrew reformers of the late eighteenth century to the reformers of the first quarter of the nineteenth century. And finally they show how highly influenced were the Hebrew reformers by the surrounding culture.

The last point is clearly evident in their writings. There is no attempt to conceal the fact that the Hebrew reformers, though to a lesser degree than their German Jewish counterparts, set the gentile religious practices as an example for the ideal way of worship. This tendency was manifested in two ways. The direct approach is used by Rabbi Kunitz. Arguing that silent prayer exists in every nation in the form of private prayer, Kunitz maintains that the silent prayer among the Jews too should be in private and not in public, thus supporting the reform to eliminate the silent *Shmone 'Esre*.⁴⁷ Overtly, and without any hesitation, Kunitz declares: "Thus to the observer there is nothing strange about it [silent prayer] to differentiate between Israel and the

nations.”⁴⁸ He even supports his contention by an analogy with the Catholic confession which is conducted also in private and in secret.⁴⁹

The indirect approach, as used by Chorin, Liebermann, and Bresselau, points out that a change is necessary in a given custom because that custom brings dishonor and disrepute to the Jews in the eyes of the non-Jews (or: among the nations). To quote it in the original, “*Hayinu herpah bagoyim.*”⁵⁰ Thus the services should be orderly, as proposed by the reformers, and certain changes should be introduced in order to eliminate any occasion for chatting or screaming among the worshippers. Liebermann goes as far as to say that the non-Jews who visit the synagogue mock at the Jews as a result, and comment: “This is not a house of God, but a madhouse or a saloon.”⁵¹ In all fairness to the reformers, it should be noted that they were not the first to introduce this approach; one can find precedents in the responsa literature where similar criticism was expressed.⁵² However, that degree of sensitivity as to *Lamah yomru hagoyim* [“what (or, why) would the nations (or, the non-Jews) say?”], and the intensity and frequency of such an argument in the literature of the Haskalah is indeed characteristic of that generation of Jews in Germany.

The underlying a priori assumption of the Hebrew reformers (excluding the Italian rabbis enlisted by Liebermann to support the reformers) is the same as that of the early reformers of the late eighteenth century; as we shall see, it has many expressions, yet it may be summarized as follows: Irreverence toward the past and what it represents in traditional Judaism, skepticism with regard to accepted traditions, and disregard of the authority of the religious and legal (halachic) institutions of the Jews.

Like their predecessors in the Haskalah literature, the nineteenth-century writers attempt to remove the authoritative halo of infallibility from the Jewish sages and legislators of antiquity. Replying to an argument against reform, Liebermann writes: “Why did not our holy forefathers practice [a given custom suggested by the reformers] in the generations of yore? . . . Speaking like this is not wise. Have we not found that the last generations became wiser and increased in knowledge in a few things which were unknown to the early generations?”⁵³ He thus concludes that the authority of talmudic legislators is limited, and he cites their own words as authority to prove his point.⁵⁴ More eloquent is M. I. Bresselau when he asks rhetorically: “Will you not go right or left from the road which your fathers, men of renown, had walked? Your fathers, where are they? And the prophets,

would they live forever?"⁵⁵ By stating that the fathers of the Jewish people were not immortal, Bresselau attempts to persuade his contemporaries that the customs which the forefathers instituted are as immortal as they. The equation of the dead legislators with the live customs which they had enacted creates some disharmony in the mind of the reader; in his search for the harmonious equation, the reader envisions the covert equation alluded to by Bresselau. Either live customs should equal live legislators—which is impossible—or, actually, therefore, dead legislators should equal dead customs, which is a possibility, indeed the very suggestion of Bresselau.

Liebermann goes one step further, expressing his doubts as to the grounds on which a custom was said to have been enacted by an ancient legislator in Judaism; "Who heard the voice of Moshe Rabenu, may he rest in peace, concerning the tune which he sang for Zarka and Segol, and the like; or whether he ordered anybody: thus you should sing Zakef Katan, and thus Zakef Gadol?"⁵⁶ Now, even though this is a logical argument, and it is well said, its implications are far-reaching. For it carries with it a complete denial of the fundamental of any historical religion, namely, tradition. It destroys the very essence of tradition by demanding that tradition prove what it says. In effect it comes very close to expressing disbelief in a given tradition.

No wonder then that the reformers make it their business to examine the authenticity and actual origin of certain customs. No longer do they accept customs as holy just because they are old.⁵⁷ This way they reject the silent prayer of *Shmone 'Esre*, and the custom of praying only in Hebrew.⁵⁸

Following the scrutinizing of customs, the Hebrew reformers arrived at the conclusion that no custom, be it even an authentic one, can stay forever.⁵⁹ A custom is dependent on its time and place and is limited to both;⁶⁰ different times and different places have their own customs. Thus the contemporary Jews in Germany, says Liebermann, do not have to read the Torah with the cantillations which had been composed in other places and other times.⁶¹ A few years later Rabbi Chorin is to develop this theme even further maintaining that the modern time and locale require, in effect, of the Jews that they change some traditions of antiquity and adapt themselves to the new environment (with regard to the tradition of wearing a hat).⁶² Elaborating on the above-mentioned contention on the dependence of customs on their times and places, Bresselau is of the opinion that even traditional customs held for a thousand years and regarded now to be as binding

as the written law have their limits and are bound to be changed so as to fit the new environment.⁶³

Another method, widely used by the European deists of the previous century, is to point out that there has not been a *single* custom, which will indicate that it is universally recognized by all Jews and thus is a true custom, but rather there have been a number of customs in a given instance.⁶⁴ Why is it that the custom held by the Sphardi community is wrong and the custom observed by the Ashkenazi community is necessarily right? It follows that the Ashkenazi rabbis who fought against reforming of certain traditions are in no way the sole possessors of the truth. In every generation, writes Bresselau, there were those who claimed that the Torah had been given only to them as a heritage; whereas Moses actually gave the Torah to the whole of Israel. Yet whoever does not follow their own way and their own interpretation of the law has been persecuted by them.⁶⁵ Thus the reformers came to the denial of the authority of the rabbis. As David Caro was a major spokesman for this denial of authority, the discussion of it is excluded from the present paper.

In addition, a number of techniques in style, approach, and presentation, commonly used by the Hebrew reformers under study, would give us a better insight into the mind of these advocates of religious reform. Liebermann quite often uses the personal approach by relating in a vivid style his own feelings, emotions, and thoughts concerning his participation at reformed services.⁶⁶ It is a powerful way to attempt to persuade the undecided; much more appealing than the dry argumentative nature of the halachic discussion which dominates this literature on both sides of the fence. Equally effective is his story with a moral,⁶⁷ or the use of a clever midrash,⁶⁸ which proves his point. Liebermann, as well as Bresselau, tends to describe vivaciously the disorder, noise, and complete chaos that typify the traditional service at a synagogue of the old school.⁶⁹ This description is contrasted with the quiet, orderly, and civilized service at the reform temple.⁷⁰ The Hebrew reformers are very eager to spell out some of the ridiculous mistakes which are mouthed by worshippers who are not familiar with the Hebrew language; the examples used by these writers point out that instead of praising God the worshippers, in effect, curse him.^{70a} Conclusion: this desecration should be stopped, and praying in the vernacular, as proposed and practiced by the reformers, should be instituted.⁷¹

Generality is used by Liebermann;⁷² false analogy based on a word

or a term—by Chorin;⁷³ change in legal terminology, in a way favoring reform, is utilized by Liebermann.⁷⁴ Almost all of the writers under study use the technique of oversimplification; “Any further discussion is superfluous,” they are accustomed to say;⁷⁵ or: “It is simple,” thus avoiding, at times, detailed discussion of a complicated issue.⁷⁶ In another technique, reformers such as Liebermann and Chorin would approach a controversial issue in two steps; they would start the discussion in a favorable manner toward the traditionalists; at first it seemed as though the reformers and the suggested reforms were completely wrong, but it turns out to be the reverse, that is to say, the reformers are right.⁷⁷ The technique is reminiscent of the talmudic *Hava 'amina*, yet I think it is used for polemical purposes. By putting himself on record right at the outset that he sympathized with the traditionalists (as Liebermann has it: I always rejected those seeking innovations, and I was never happy in the company of reformers who change the customs of our holy fathers . . .),⁷⁸ the writer gains the confidence of his traditionalist audience, and keeps their attention until he makes his point in favor of reform.

*

Although we have covered in the present study only a small portion of the literature on the first reform-temple controversy, I believe the following comments are appropriate:

The great part of the argumentation is based on the Halachah; this tends to indicate that although the reformers were influenced by the outside culture, they were still very much involved spiritually, intellectually, and emotionally with the traditional way of life.

There are also two conflicting tendencies to be found with the reform argumentation. According to one, the Hebrew writers under study desired only restoration of old customs which have been forgotten or else corrupted long ago; according to the other, they were undermining the very foundations of historical religion; the authenticity of tradition, and the authority of its legal institutions. This is indicative of the divergence of opinion that existed among the writers. A cumulative study like this finds each writer at a different stage of his personal process of reform which, in most cases, started as the desire to restore customs to their original form, and later develop into the demand for complete reform. However, both tendencies, I think, indicate the relationship of the authors under study to the Hebrew

maskilim of the previous century. One notices the lack of serious discussion concerning the implications of the proposed reform. Some of the arguments at times are superficial (such as a grammatical argument).⁷⁹ Only occasionally would the Hebrew reformers dwell on the consequences resulting from the omission of Hebrew.⁸⁰ Many of them do not discuss the possibility of teaching all the prayers in Hebrew as a solution. They never, as far as I know, try to understand the meaning and the consequences of imitating foreign religious customs; only one touches upon the question of what the suggested reform may do to Judaism, only to wave it aside by saying: Just go to the reform temple and judge for yourself.⁸¹

NOTES

The author expresses his thanks to the Research Institute of the University of Texas at Austin for the grant which made this paper possible. The paper was presented at the annual meeting of the American Academy of Religion in Boston, October 25, 1969.

¹ The first reform temple was initiated in 1815 in Berlin by Israel Jacobson; a similar reform service was conducted at the same time and in the same city in the house of Jacob Herz Beer. The Hamburg temple (1818) was in effect the second temple. Although the arguments for religious reform in *Nogah Hatzedek* (Dessau, 1818) and *'Or Nogah* (Dessau, 1818) were originally intended to support the Berlin reform (as is also evident from the dates of the books as well as the dates of the various answers) and not the Hamburg reform, the publication of the books close to the opening of the Hamburg temple is the reason for their inclusion in the controversy known as "the first reform-temple controversy." Graetz believes the answers were intended by Jacobson to support the Hamburg temple (*Divrei Yemei Hayehudim*, IX [Warsaw, ?], p. 278).

² See this writer's paper *The Impact of Deism on the Hebrew Literature of the Enlightenment in Germany* (mimeograph).

³ "Intimations of Religious Reform in the German Hebrew Haskalah Literature," *Jewish Social Studies*, XXXII (January, 1970).

⁴ Several attempts had been made even before the Berlin reform by Israel Jacobson; some innovations in religious services were introduced in newly established Jewish modern schools. See: David Philipson, *The Reform Movement in Judaism* (New York, 1931), pp. 12-21; Simon Bernfeld, *Toldot Hareformatzion Hadatit Beyisra'el*, I (Warsaw, 1908), pp. 59-62 [Hebrew]; Mordechai Eliav, *Haḥinuch Hayehudi BeGermania* (Jerusalem, 1960), p. 99 [Hebrew]; Jacob Rader Marcus, "Reform Judaism and the Laity, Israel Jacobson," *Central Conference of American Rabbis*, XXXVIII (1928), pp. 386 ff.

⁵ Contrary to reports by Graetz (*Divrei Yemei Hayehudim*, IX, p. 278) and Yekutiel Greenwald (*Liflagot Yisra'el Be'ungaria* [Deva, Romania, 1929], pp. 8-9), Liebermann did not convert. See Joseph Klausner, *Historia Shel Hasifrut Ha'ivrit Hahadashah*, I (Jerusalem, 1960), p. 282, and J. Tzevi Zehavi, *Tenu'at Hahitbolelut Beyisra'el* (Tel Aviv, 1943), pp. 27-28. Liebermann was enlisted by Jacobson to solicit favorable rabbinic responsa with regard to the reforms enacted in Berlin.

⁶ Author of *Herev Nokemet Nekam Berit* ([Dessau], 1819), publisher (with S. Fraenkel) of the Hamburg reform prayer book *Seder Ha'avodah* (Hamburg, 1819), and one of the leaders of the Hamburg reform temple.

⁷ See this writer's "Ideological and Legal Struggle of Rabbi Aaron Chorin for

Religious Reform in Judaism," *Hebrew Union College Annual*, XXXIX (1968), pp. 63-79 [Hebrew].

⁸ Rabbis Shem Tov Samun, Jacob Hai Recanate, Yehudah Aaron Hacohen, and Moshe Kunitz.

⁹ Author (under the pseudonym Amitai Ben Avida Aḥitzedek) of *Berit 'Emet* (Constantinople [Dessau], 1820), in which he defends the reforms introduced in Hamburg against the traditionalist rabbis (whose views were published in '*Ele Divrei Haberit*'). In part two of his book, entitled *Berit Hakehunah*, or *Techumat Harabanim* (character of the rabbis), David Caro vehemently attacks the institute of the rabbinic, and draws a *maskil's* ideal image of the rabbi and his duties. For reasons of limitation, our discussion is limited to the following books: *Nogah Hatzedek*, '*Or Nogah* and *Herev Nokemet Nekam Berit*.

¹⁰ The *maskilim* were trying to approach the rabbis, and to communicate with them; see *Hame'asef*, 1786, p. 131 (Elijah Morpurgo's call to the rabbis), *ibid.*, 1790, pp. 301, 310 (Aaron Wolfsohn's call to the rabbis for certain religious reforms). Naphtali Herz Wessely, too, expected the rabbis to accept his challenge and explain their attacks on his *Divrei Shalom Ve'emet*. See "Rav Tuv Levet Yisra'el," *Divrei Shalom Ve'emet*, II (Berlin, 1782), pp. 39a-b.

¹¹ *Nogah Hatzedek*, p. 3.

¹² '*Or Nogah*, I, p. 17.

¹³ *Ibid.*, p. 4: The inference is from *Birkat Kohanim*, which is so strict (*ḥamur*, i.e., more important, major) that the Ineffable Name, the Tetragrammaton (*shem hameforash*), had been pronounced in it at the Holy Temple. Even this major, or strict, blessing could have been said in the vernacular (*bechol lashon*) were it not for a special limitation, or exclusion, which in effect specified that *Birkat Kohanim* should be said in Hebrew [i.e., *ko tevarchu*]. Thus—Liebermann concludes—any minor prayer may be said in the vernacular.

¹⁴ *Nogah Hatzedek*, p. 7: "Vehamenagen gam ken yeshane 'et ta'mo." Yehudah Aaron Hacohen was born in Jerusalem. Rabbi Shem-Tov Samun is using a similar argument, basing it on Rashi, as follows: the prohibition of singing in a synagogue refers only to a synagogue which is an exact replica of the holy Temple; *ergo*, the use of the organ is permissible for it is not a replica of a musical instrument played in the holy Temple (*ibid.*, pp. 5-6). Regarding the authenticity of Rabbi Samun's responsa: The editors of '*Ele Divrei Haberit*' (Altona, 1819) publish a letter of the Italian Rabbi, and in a note they remark: "Mize nir'e ba'alil ki sheker he'id haḥonef bishmo vehotzi la'az 'al 'oto hatzadik" (*ibid.*, p. 69). However, nowhere does Rabbi Samun himself deny that he had written the responsa in *Nogah Hatzedek*, nor does he claim that his answer had been forged. The only thing he writes is a generality, namely, "Kol hameshane yado 'al hataḥtonah" (*ibid.*). In addition, Shmuel ben Moshe Hacohen, *dayan* of Livorno, who testified to the authenticity of Samun's writings (*Nogah Hatzedek*, p. 6), is also one of the signatories of the letter from Livorno published in '*Ele Divrei Haberit*', p. 68. He does not deny the authenticity of Samun's letter either.

¹⁵ '*Or Nogah*, I, p. 17.

¹⁶ *Ibid.*: "And to this day they welcome the Sabbath with musical instruments, and the music continues till one-half hour into the night (i.e., on Sabbath), the players being Jews."

¹⁷ *Nogah Hatzedek*, p. 21: "And till this day there are [Jewish] communities which are accustomed to sing *Lechah Dodi* in the *Kabalat Shabat* service accompanied by musical instruments" (Chorin). *Ibid.*, p. 12: Rabbi Recanate cites the case of Corfo, where traditionally the *Kri'at Shma* has been sung; he uses the terms *shir* ("sing") and *nagen* ("play an instrument" as well as "sing") indiscriminately. From the context, however, one may conclude that he refers only to singing without musical instruments. From the point of view of reform, his argument is rather weak, for it says in effect that because there has been an old tradition, the rabbis abode by it. Not being a reformer himself, Rabbi Recanate does not sense that point of his argument. However, the result is the same, namely, that singing is indeed allowed and is prac-

ticed. The traditionalist claim that one may not sing—and as a result, not play a musical instrument—after the destruction of the Temple is thus proven wrong. Recanate also cites another example of playing an instrument upon the approval of the local rabbinic authority (*ibid.*, p. 11).

¹⁸ *Ibid.*, p. 27. Rabbi Kunitz argues that seven-eighths of contemporary Jewry use the Sphardi pronunciation; they all call on the Name of God using the Sphardi pronunciation, and he advises the Jews of Berlin to join the majority so that “God will listen to your prayers as he has listened to the voice of these brethren of ours.” Kunitz thus infers that the corrupted Ashkenazi pronunciation is not liked by God. His argument is based on both the practice of the majority and on the authority of God. Interestingly enough, Kunitz is attempting to prove that the suggested pronunciation is not foreign to German Jewry at all, for [controversial] Rabbi Nathan Adler of Frankfurt conducted the services using the Sphardi pronunciation. To support his argument for the elimination of the silent prayer of *Shmone 'Esre*, Liebermann cites several legal precedents enacted by rabbinic authorities. One of them is Maimonides' son, Abraham, who wrote that his father had established the practice of saying the *Shmone 'Esre* aloud, thus eliminating the silent part of it (*'Or Nogah*, I, pp. 9–13).

¹⁹ *Ibid.*, pp. 21–22. Liebermann mentions several locales where divergence of religious practices did, indeed, exist among the Jews.

²⁰ *Nogah Hatzedek*, pp. 4–5.

²¹ *'Or Nogah*, I, p. 21.

²² *Ibid.*, p. 13.

²³ *Ibid.*, pp. 19–20. Liebermann refers to the Ashkenazi pronunciation as a “stammering language” (*leshon 'ilgim*), and asks rhetorically: Since “pure-hearted people's eyes were opened [i.e., they realized, or saw, that they ought] to alleviate the obstacle and correct that which had been corrupted, are we going to consider them as defectors (deserters) from religion (*porshai min hadat* = “non-believers,” heretics)?”

²⁴ *Nogah Hatzedek*, p. 28.

²⁵ *Ibid.*, pp. 3, 6.

²⁶ *Ibid.*, pp. 10–11.

²⁷ *Ibid.*, p. 10. Rabbi Recanate thus concludes: Surely no legal authority has had the intention of forbidding the playing of the organ for this reason (namely, that the gentiles, too, play the organ) as long as the organ is not used for idolatry (*'avodah zarah*, which in this context may mean also any non-Jewish worship).

²⁸ *Ibid.*, p. 4: “'Atu [Aramaic interrogative] kol ma'ase she'osim hagoyim 'anaḥnu lo na'ase?”

²⁹ *'Or Nagah*, I, p. 15. Liebermann argues that the rabbinic restriction on instructing a non-Jew to play the organ applies only when the instruction is given on Sabbath; however, to instruct a non-Jew before the Sabbath that he should play the instrument on Sabbath is indeed permissible, “and no [legal] proof is needed for that.” Nevertheless, he finds it necessary to rely on the authority of *Magen Avraham*. Regarding the injunction of *lo titgodedu*, Liebermann delimits it to a given religious court [*bet din*]; however, two religious courts, even in one locale, may disagree on religious matters and practices. He supports his claim on the authority of Sh. Ch. (*Siftei Cohen*, known by the abbreviation “SHaCH,” *ibid.*, p. 21). Liebermann further argues that the injunction of *lo titgodedu* is applicable only in cases of disagreement regarding matters of *'Isur* and *Heter* (legal prohibition and permission respectively), where it might appear as though there does not exist a single unified law (*uniḥazi kishte'i torot*). However, difference in customs (such as the customs proposed by the reformers) is not included in *lo titgodedu* (*ibid.*). Rabbi Chorin delimits the injunction to apply only to either a single court, or even to two religious courts in the same locale (in deviation from Liebermann); however, *lo titgodedu* does not apply to customs (*Nogah Hatzedek*, p. 22).

³⁰ Liebermann maintains that “it is known that the peoples of this [our] time are not pagans (*'ovdei 'avodah zarah*); furthermore, music is not necessarily typical of

pagan worship, or for that matter of any non-Jewish worship, therefore, it is not included in "Uvehukotehem" ('Or Nogah, I, p. 15). Chorin is of the same opinion (*Nogah Hatzedek*, p. 21).

³¹ Some of the eighteenth-century Hebrew reformers arrived at the conclusion that the *mitzvot* were only a means to an end: to remind one of the fundamentals of religion—doing that which is good and righteous (Mordechai Gumpel Schnaber [George Levison], *Tochaḥat Megilah* (Hamburg, 1784), p. 9b; Saul Berlin, *Besamim Rosh* (Berlin, 1793), *siman* 251, pp. 77a–b. Should these goals be achieved without the *mitzvot*—wrote Schnaber—perhaps they ought to be eliminated completely (*Tochaḥat Megilah*, p. 9b).

³² "Laze 'en 'anu meshu'abadim linginah zo" (Liebermann, 'Or Nogah, I, p. 20).

³³ *Ibid.*, p. 14.

³⁴ *Ibid.*, p. 20.

³⁵ For example: Joseph Caro (*Nogah Hatzedek*, p. 3); Rashi (*ibid.*); Maimonides (*ibid.*, p. 6); Magen Avraham (p. 16); ReMA (p. 23); ROSH ('Or Nogah, I, p. 9), etc.

³⁶ *Herev Nokemet Nekam Berit*, p. 5.

³⁷ Psalms, 119:126; *Gitin*, p. 60a; *Brachot*, at the end.

³⁸ 'Or Nogah, I, pp. 8–9. Polish Jews are excluded from this, in Liebermann's opinion, since they do not face this problem; they are familiar with the Hebrew language.

³⁹ *Nogah Hatzedek*, p. 6.

⁴⁰ *Ibid.*, pp. 27–28; 'Or Nogah, II, p. 19.

⁴¹ *Nogah Hatzedek*, p. 23.

⁴² 'Or Nogah, II, p. 19.

⁴³ *Herev Nokemet Nekam Berit*, pp. 5, 9.

⁴⁴ *Nogah Hatzedek*, p. 24.

⁴⁵ *Ibid.*, pp. 16, 20–21.

⁴⁶ *Ibid.*, p. 24 (Chorin); 'Or Nogah, I, p. 18 (Liebermann).

⁴⁷ *Nogah Hatzedek*, p. 27: "Shebechol 'am ve'am timtza [or, timatze] tefilat laḥash pratit."

⁴⁸ *Ibid.*: "Ve'en zarut bah lehevdel yisra'el miben ha'amim be'ein kol ro'e."

⁴⁹ *Ibid.* Even when he criticizes the reformers for conducting public services only once a week, Kunitz gives as an example the Christian churches which, according to him, are open twice daily (*ibid.*, p. 28); cf. Liebermann in 'Or Nogah, II, p. 22.

⁵⁰ *Nogah Hatzedek*, p. 20. Chorin cites the disorder and noise that typify a Jewish service: "When a stranger, who does not know the custom of these ignorant people, comes, and observes this great confusion and big noise, he would not believe that this crowd is occupied with a holy matter and prayer." The same argument is used by Chorin several times in his responsa (*ibid.*, pp. 24, 26).

⁵¹ 'Or Nogah, II, p. 20, in footnote: "Umah gam shekedei bizayon veḥerpah hi lanu neged ha'amim haba'im life'amim levet hakneset veshome'im kol gadol venora, 'omrim: 'en ze bet eloḥim, ki 'im bet meshuga'im 'o shotei shechar." Cf., a similar argument by Bresselau, *Herev Nokemet*, p. 7.

⁵² 'Or Nogah, I, p. 13, citing Maimonides.

⁵³ *Ibid.*, p. 22. It is important to note that Liebermann is trying to contradict the traditionalist assumption that new discoveries and newly acquired knowledge in the sciences and other mundane and secular disciplines have no bearing on Judaism. He claims that not only is this [wrong] assumption against reason and against self-evident truths [*mefursamot*], but this assumption is against the authoritative opinion of the talmudic sages.

⁵⁴ *Ibid.* Citing the talmudic discussion in *Hulin*, p. 6b, regarding "makom hiniḥu lo 'avotav lehitgader bo" and "mikan letalmid ḥacham she'amar devar halacha she'en maziḥim 'oto" (see Rashi's commentary in the cited source).

⁵⁵ *Herev Nokemet*, p. 6: "Ha'im min haderech 'asher darchu bo 'avotechem me'olam 'anshei hashem, mimenu lo tasuru yamin usmol? 'avotechem 'aye hem? vehanevi'im hale'olam yiḥyu?"

⁵⁶ *'Or Nogah*, I, p. 20: "Mi shama' kol moshe rabenu 'alav hashalom be'ez nigen nigen zarka vesegol vechadome, 'o 'im tzivah leshum 'adam: kach tenagen zakef katan vechach zakef gadol?"

⁵⁷ *Ibid.*, II, pp. 7-8. Liebermann first maintains that there are old customs which had been instituted by fools (*ksilim*) or by ignorant people (*bur ve'am ha'aretz*), and that there are some customs which came from "women weaving in the moon [light]." In addition, Liebermann makes it quite clear that even customs which had been enacted by wise people should be re-evaluated: "Hahiskilu 'avotam bedarkam ve'im hetiyu 'asher 'asu."

⁵⁸ And in Aramaic. *Ibid.*, I, p. 10. Liebermann rejects the silent prayer; *ibid.*, p. 3: praying in the vernacular is advocated by him, employing the same method.

⁵⁹ It is best pronounced by Bresselau in *Herev Nokemet*, p. 6: "Mah tevahalu 'al pichem, ki haminhag hayah 'elef shanim pa'amayim, 'al ken 'amad ta'mo bo vereho lo namar vechatorah ye'ase" [why do you hurry to enunciate (cf. Ecclesiastes, 5:1) that the custom lives (or, endures) twofold a thousand years, therefore, its taste remained in it, and its scent is not changed, and it should become like the Torah (law; as binding as the biblical law)].

⁶⁰ *Ibid.*: "Halo ted'u, halo tishma'u, halo havinotem, ki 'et umikre yikre 'et kulum, vehaminhag beshanoto 'et ta'mo, beshiga'on yinhag" (Have you not known? Have you not heard? Have you not understood? that the custom, when its reason is changed [or, when a custom is changing its behavior, for it no longer fits the changing times. Bresselau is using a play on words based on Psalms, 34:1], this custom [if practiced in the old way], would appear insane [again, a play on words based on II Kings, 9:20]).

⁶¹ *'Or Nogah*, I, p. 20: "Therefore, we are not obligated to this melody (cantillations), and only the generations of antiquity (*dorot harishonim*) which intoned everything in this melody (*asher kol divrehem hayu binginah kazo*), therefore, they read the scroll of the Torah also in this melody; however, we now, in our generations and in our lands, our intonation is different. Therefore, it is incumbent upon us (*mitzvah 'aleinu*) to read [the Torah] in accordance with the intonation chanted by everybody."

⁶² See this writer's article on Rabbi Chorin (footnote 7), pp. 73-74.

⁶³ See note 59.

⁶⁴ *'Or Nogah*, I, p. 13. Liebermann argues that the *Kedushah* on Sabbath is not known "in all the lands of the Occident, Spain and the Land of Israel," i.e., among Sphardic Jews.

⁶⁵ *Herev Nokemet*, pp. 10-11: "Uvechol dor vador 'omdim hamitkadshim vehamitaharim bilvavam leimor ki rak lahem levadam nitnah morashah zot hatorah, 'asher sam moshe le'inei kol yisra'el-va'asher lo yiten 'al pihem vekidshu 'alav milhamah."

⁶⁶ E.g., *'Or Nogah*, II, p. 19: ". . . How sweet and pleasant is such a voice [or, sound, of the congregation chanting the *Shma' Yisra'el* together] . . . believe me, my brethren! By God! When I heard it, I could not restrain myself from tears, rivers of weeping (i.e., tears) from the source of my heart's happiness flooded my cheeks." "On my soul! All my life I have never felt such a spiritual enthusiasm as I felt then; and so will testify everyone who has truth as his objective."

⁶⁷ To prove his point (that there are people who do not understand the meaning of their prayers, and therefore—as Liebermann maintains—the vernacular should be substituted for Hebrew) the Hebrew reformer tells an anecdote of a learned Jew (*ish rabani*) at a time of drought who was praying in the synagogue repeating a single verse while weeping excessively. Someone overheard him repeat the verse: "Ve'atzar 'et hashamayim velo yihye matar" (And he will shut up the heaven, that there be no rain" [Deuteronomy, 11:17]). Having been asked the reason for saying that [inappropriate] verse, the "learned" Jew replied: I prayed that God should squeeze the skies and that he should not leave any rain there but pour it onto the earth (" 'atzar" means both "stop" and "squeeze"; italics are mine), *'Or Nogah*, I, p. 8.

⁶⁸ *Ibid.*, p. 6.

⁶⁹ *Ibid.*, II, p. 20: "This one screams, and this one yawns; one begins the prayer, and one ends his prayer" (Liebermann); *Herev Nokemet*, pp. 6-7: "One will cause the beam to fall, raising his voice . . . while blinking his eyes and scraping the floor with his feet . . . the second has a roar like a lion . . . the third is chirping like flying birds . . . their songs are songs of drunkards. . . ." Cf. similar description by Liebermann, *'Or Nogah*, II, p. 21.

⁷⁰ *Ibid.*, I, in the unpaginated introduction.

^{70a} *Ibid.*, II, p. 16 (Liebermann); *Nogah Hatzedek*, p. 18 (Chorin).

⁷¹ See footnote 38.

⁷² *'Or Nogah*, I, p. 6: "After seeing that *all* the legal authorities permit prayers in the vernacular . . ." (Italics are mine).

⁷³ *Nogah Hatzedek*, p. 23. In his attempt to prove that the silent prayer of *Shmone 'Esre* should be eliminated, Chorin quotes Rabbi Moshe Isserles (ReMA) to the effect that if the time is pressing (*'im hash'a'ah de'hukah*), the cantor should say the *Shmone 'Esre* aloud with the congregation. Concludes Chorin: "There is no more pressing a time than now" (Ve'en lecha sha'ah de'hukah yoter mizot). His argument is fallacious, for he takes a specific legal case in which a legal term is used (*hash'a'ah de'hukah*, i.e., the hour is getting too late for a given practice, and it is necessary to hurry), and applies it—in its figurative and broad meaning (time is getting short; it is high time), and at the same time expects the legal result to apply too.

⁷⁴ *'Or Nogah*, I, p. 14. The term *'isur* (prohibition) is substituted by the term *hashash 'isur* (questionable prohibition, that is, a prohibition which is debatable, open to question) before any justification for the change in legal term has been put forth.

⁷⁵ *Ibid.*, p. 8; *Nogah Hatzedek*, p. 28.

⁷⁶ *'Or Nogah*, I, pp. 8, 21; *Nogah Hatzedek*, pp. 3, 4 ("umah lanu leha'arich bidvarim pshutum"), 6, 10, 15.

⁷⁷ *'Or Nogah*, I, p. 14: "Regarding . . . the (playing of the) organ, since it appears to me as somewhat a great sin, and is considered an iniquity and a[n act of] rebellion [against God], we are compelled to lengthen our discussion in this matter. . . . Now, at first observation we shall decree on this musical instrument a definite prohibition, a conclusive prohibition as a result of a few prohibitions which are dependent on it." After a lengthy discussion Liebermann makes a complete about face. See also *ibid.*, pp. 9-10; and *Nogah Hatzedek*, pp. 22-23 (Chorin).

⁷⁸ *Ibid.*, pp. 9-10.

⁷⁹ *Nogah Hatzedek*, p. 24. Chorin argues that by listening alone one may conclude that the Ashkenazi pronunciation is corrupted.

⁸⁰ Although both Chorin and Liebermann advocate praying in the vernacular, they still insist that certain prayers be said in Hebrew. Interestingly enough, their arguments in this matter sound anti-reform (it should be added that there are some other anti-reform arguments in the works under study especially with regard to the frequency of the services). Chorin's statement is indicative of some ambivalence in the attitude of the Hebrew reformers toward the reforms. He writes: "it is not in our hands to change them (*Kri'at Shma'* and *Shmone 'Esre*) to another language, for these prayers are traditional. . ." (*Nogah Hatzedek*, p. 17). He also touches upon the role praying in Hebrew has in the hope for *Ge'ulah*, and its symbolic importance: "And it (praying in Hebrew) would serve as a true sign of our belief in *Kibutz Galuyot* ("the ingathering of the exiles"), that we hope that the crown of our kingdom would return to us, and that our Holy Temple be rebuilt, and there we shall offer before him (God) our requests in the Hebrew tongue which is well established in our heart in a safe place" (*ibid.*, p. 18). Chorin further dismisses the argument of *necessity* in this case, since these Hebrew prayers are easy to learn (*ibid.*). Liebermann, too, demands that certain prayers be said in Hebrew only, and he mentions *Kri'at Shma'*. His reason: These are very holy and elevated prayers, and it is more appropriate to say them "in the language of the heritage of our holy fathers" (*'Or Nogah*, I, p. 23). Both reformers are of the opinion that the said

prayers be taught in Hebrew; Liebermann adds that parents should teach "our holy tongue" to their children (*ibid.*, p. 24).

⁸¹ *Ibid.*, II, p. 17. Liebermann refers to those traditionalist Jews who do think that changes in antiquated customs and habits are right and correct, and that indeed there is nothing wrong in them as such; yet these people consider the changes as dangerous to religion, for these changes could cause other changes to follow. Here the Hebrew reformer touches upon one of the most important issues of religious reform in Judaism. Yet he uses it only for his polemics, avoiding any serious discussion, or else is not aware of the seriousness of the issue. His solution for those people is: Come, my friends, to the reform house of God, and judge for yourselves as to the good intention of the reformers. . . .