

The Responsa of R. Solomon Zvi Schick:

Moderate in a Sea of Extremes

In partial fulfilment of the requirements for
the Degree of Master of Arts

A. The Synagogal Conduct and Construction
B. The "Netzivah" Controversy
C. Critiques of R. Solomon Zvi Schick

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Introduction

The general trend towards liberalism which engulfed Europe in the late eighteenth and nineteenth centuries was accompanied by the "Haskalah" (Enlightenment) movement within Judaism. Both these currents hit Austria-Hungary with full force, but their effects upon the Jewish community there were quite distinct from the experiences in other countries. While in Germany and France the enlightenment was accompanied by a significant weakening in the ranks of traditional Rabbinic Judaism, in Hungary the growth of reform coincided with the development of a new and invigorated extremist movement within conventional Judaism.¹ Much has been written regarding the two main factions in 19th and 20th century Hungarian Jewish society; the reformers who were known as the Neologue and the fundamentalist Orthodox.²

¹ Nathaniel Katzburg, "The Jewish Congress of 1869", Hungarian-Jewish Studies II, New York 1969, pp. 20-23. Katzburg points to the arrival of a number of important rabbis to Hungary as well as the influx of Hassidic elements from Galicia as the factors which gave the Orthodox the confidence to develop a separatist ideology.

² For background on the events which precipitated the split see Jacob Katz, "Contributions towards a Biography of R. Moses Sofer", Studies in Mysticism and Religion (presented to Gerschom M. Scholem on his seventieth birthday), Jerusalem 1967, pp. 115-148; Moshe Sammet, "Ma'avako Shel Hatam Sofer BaChadshanim", Yehudei Hungaria - Mechkarim Historiim, Tel Aviv 1980; Michael Silber, "The Historical Experience of German Jewry and Its Impact on Haskalah and Reform in Hungary", Towards Modernity, New York 1987, pp. 107-158.

For a general discussion of the conflict see Ibid; N. Katzburg, "The Rabbinical Decision of Michalovic in 1865", Studies in the History of Jewish Society in the Middle Ages and in the Modern Period (Dedicated to Professor Jacob Katz), Jerusalem 1980, pp. 273-286; Jacob Katz, The Role of Religion in Modern Jewish Society, Cambridge (Mass.), 1975; same author, "Orthodoxy in Historical Perspective", Studies in Contemporary Jewry II, Bloomington (Minn.) 1986. For the strict Orthodox position see Yekutiel Yehudah Greenwald, Korot HaTorah VeHaEmunah be

However, there was a third group who took a moderate position and to whom historians have paid little attention - R. Solomon Zvi Schick should be identified with them.

Born in 1844, on the eve of the liberal revolt of 1848, RaShBaN (an acronym for Rabbi Shelomo ben Natan), as a young rabbi, witnessed the Jewish Congress of 1868-69. At the Congress, Hungarian Jewry realized its recently won freedoms through the creation of a consistoire type organization whose purpose was "...to regulate internal affairs and external relations", but its establishment was at the cost of losing all chances for Jewish unity.³ Rashban lived to see and deal with the degenerate situation which developed.

His responsa follow, in most ways, traditional patterns of this genre of literature. There are few halachic issues which are not dealt with by other contemporary rabbis of greater

Hungaria, Budapest 1921; same author, LeToldot HaReformatzia BeGermania UbeHungaria, New York 1948; Ben-Zion Jacobowitz, Z'Chor Yemot Olam, Bnei Brak 1986 (a contemporary apologetic) N. Katzburg, "Assimilation in Hungary in Modern Times: Orthodox Positions", Jewish Assimilation in Modern Times, Boulder, Colorado 1981, pp. 50-65; For the Neologue position see L. Low, Der Judische Kongress in Ungarn, Pest 1871. Thomas Domjan, "Der Kongress d'Ungarischen Israeliten", Ungarn Jahrbuch 1 (1969).

³ Katzburg, "Assimilation in Hungary in Modern Times", p. 52.

stature.⁴ As such, its unique contribution lies in its revelations regarding the time in which it was written and the personal opinions of its author. In order to create a full picture of Rashban, it is necessary to include in this paper a summary of his life as well as the crucial events of the times which shaped the scenario in which he lived. However, the main focus will be an analysis of his responsa.

The methodology used in examining the text will be to highlight those responsa which address contemporary issues, thus shedding light on Rashban's overall stance. In order to accurately define where he stood in relation to the mainstream of the Orthodox world, the responsa of his teacher, Maharam Schick, will be used as a foil against which Rashban's own opinions will be compared and contrasted. In this manner, a greater perspective will be gained regarding R. Solomon Zvi Schick as an individual.

Moreover, as a representative of the moderate position in Hungarian Jewry, his responsa help in building a more accurate model of this overall approach.

⁴The two most widely acclaimed responsa of nineteenth century Hungary are: Moses Schreiber, T'Shuvot HaHatam Sofer, Brooklyn 1973; Moses Schick, She'elot U'Tshuvot Maharam Schick, Bnei Brak 1972.

II. Historical Background

The confrontation between the modernizing forces and the traditionalists which reached its climax at the Jewish Congress of 1868-69 is rooted in simultaneous developments on each side which had begun before the turn of the century. Emperor Joseph II had already embarked on an enlightenment program which included educational reforms affecting the Jews during his reign between 1780 and 1790.⁵ The gradual increase in individual rights was looked upon favorably by most of the Jews. Influenced by their close cultural and political links to their German brethren, many Hungarian Jews hoped that emancipation was in sight and that with it would come full economic, intellectual and social integration with non-Jewish society.⁶ Many factors encouraged those proponents of modernization including the renaissance of the Hungarian language (Magyar) which came about in the wake of the Hungarian national revival. The new found shared common tongue made cultural differences less blatant and created an ideal situation for assimilation.⁷

⁵ J. Katz, "Orthodoxy in Historical Perspective", p. 6.

⁶ Ibid; also see N. Katzburg, "The Jewish Congress...", p. 2.

⁷ Jacob Katz, "The Uniqueness of Hungarian Jewry", Forum 27, 1977, p. 46.

While there were those who saw emancipation as an opportunity to completely throw off the shackles of being identified as a Jew, for most of the proponents of modernization, Judaism still held a prime position of importance in their lives. For them religious reform was a means of keeping Judaism relevant in an ever-changing modern world. Even so, it is undeniable that the need for acceptance by Christian society was a strong factor in the movement.⁸

The development of the Neologue element in Hungarian Jewry throughout the 19th century brought with it varying degrees of deviations from traditional ritual practice implemented in their synagogues. They ranged from allowing parts of the service to be recited in the vernacular and moving the Bimah (main prayer reading table) from the center to the front of the synagogue, to dressing the Cantor in garments similar to priests, removing the Mechitza (separation between men and women) and playing an organ during Sabbath services. However, their stated goals in their efforts to organize a single governing body for internal affairs was solely in order to reform cultural and educational affairs. Decisions on purely ritual matters were to be decided on an

⁸ Katzburg, "The Jewish Congress...", p. 4, cites the request in 1850 by the Hungarian government "... to ascertain the prevailing views within Jewry concerning communal and educational affairs, with a view to possible improvement and regulation." Furthermore, on p. 7 he suggests that the innovations of the Neologue were meant, "to make Jewish religious practice more 'civilized' in the eyes of the non-Jews."

individual basis by each community. The areas in which they planned to create a consensus were external relations, modernization of a mandatory Jewish educational system in which all secular studies would be taught, and the sponsorship of a seminary which would be the exclusive institution for producing rabbis.⁹ The fierce opposition of the Orthodox to the Neologue's suggestions may have stemmed particularly from their absolute inability to even contemplate ritual changes but it expressed itself in a unilaterally vehement stand against all new measures, both communal and ritual.

The Orthodox community consisted of two groups: Westerners, primarily of German descent, and Eastern Hasidim from Galicia. During the pre-Congress stages of the fight against secularization, it became apparent that the Easterners took a totally uncompromising position regarding anything to do with secularization. The westerners initially showed some sign of concession, but eventually the differences in their views were repressed as they combined in a unified front against the Neologues.

⁹ Here, the Neologue were somewhat hard pressed to explain how such an ordinance was not a significant effort to diminish the influence of traditional Orthodox Yeshivot, thus producing rabbis whose background would guarantee implementation of ritual change as well.

Rabbi Moses Sofer (Ha-Hatam Sofer), the leading Orthodox rabbinical figure in early 19th century Hungary, was vehemently against any change. He was aware of the decline in religious observances in his native Germany and sought to protect the Hungarian community from any such encroachments. He maintained that there is a biblical prohibition against advancing anything new and warned that if not for the government's legal restrictions he would excommunicate (Herem) those who broke with tradition.¹⁰ The Hatam Sofer's legacy was carried on by his two most famed students, his son R. Samuel Benjamin Sofer (Ha-Ktav Sofer) and R. Moses Schick (Maharam Schick). They were the leading rabbinic figures during the era of the Congress and it was their approval which allowed a policy of separation to be accepted.

Between 1848 and 1868 the efforts on behalf of reform increased at a rapid pace, as did the intensity of the conflict between the traditionalists and Neologue. Along with the brief sense of euphoria that was felt by the Hungarian people during the short lived revolution, many Jews saw emancipation around the corner. In fact, Lajos Kossuth, one of the leaders of the nationalist movement, supported full integration of the Jews into the nation if they would remove barriers which differentiated them from other Hungarians.¹¹ The reformers set up a number of committees to suggest changes but none were

¹⁰Katz, "Orthodoxy in Historical Perspective", p. 7; and "Religion as a Force in Modern Jewish History", Jewish Emancipation and Self-Emancipation, Philadelphia 1986, p. 29.

¹¹Katz, "The Uniqueness...", p. 47.

accepted by the traditional rabbinical authorities.¹²

The compromise between Hungary and its Austrian Hapsburg rulers in 1867 which created a dual rulership in which the Hungarian government had total power over all internal affairs drastically changed the predicament of the Jews. The new government favored religious modernization and integration, and had the power to achieve it. Almost immediately a memorandum was submitted to the government by the community of Pest requesting that a conference of Jewish representation be set up in order to institute a general Jewish organization.¹³

The Orthodox had actually taken steps to organize a joint front even before the compromise of 1867. In 1865 a group of rabbis, both western and "Hasidic" came together at Michalovic to issue a court decree denouncing the changes proposed and put into practice by the Neologues. Altogether sixty-seven rabbis signed the document, but missing were the foremost authorities, Rabbis Sofer and Schick. Scholars have suggested a number of reasons for their absence, both may have feared that the Neologues would publicize the decisions, thus causing ridicule of the Orthodox among the non-Jews particularly for forbidding speeches in German and Hungarian. In addition, R. Schick was personally not as strong in his opposition to preaching in the

¹²Katzburg, "The Jewish Congress...", p. 4.

¹³Ibid, p. 8.

vernacular nor did he agree with pronouncing the title of "House of Idol Worship" upon those synagogues in which the Bimah had been moved.¹⁴ However, once the idea of the Congress became a reality, the internal rifts among the Orthodox were ignored (at least temporarily) as they joined together to fight for the preservation of tradition.¹⁵

As a response to the propositions for reform, and especially in light of the receptiveness expressed by the new government regarding these ideas, the Orthodox set up a political arm known as the "Shomrei HaDas" (Guardians of Faith). Its goals were to defend Hungarian-Jewish Orthodoxy in general, against any attacks and assist individual communities who were fighting a losing battle against reform. What made this action unique was the utilization of modern political methods such as a Hungarian language publication which asserted the patriotic feelings of the Orthodox towards the country as a means of defending their interests. To these efforts Rabbis Sofer and Schick were willing to give their sign of approval.¹⁶

¹⁴Ibid, p. 7.

¹⁵See Katzburg, "The Rabbinical Decision of Michalovic in 1865", for a thorough discussion. He sees this as a watershed event which "established in practical terms the principle of separation."

¹⁶Katzburg, "The Jewish Congress...", p. 10.

This political arm became very important as a means of mass communication for the Orthodox when in 1868, Joseph Eotvos, the Hungarian Minister of Culture and Education and a staunch supporter of integration, announced elections for representatives to the Congress. Both sides campaigned fiercely and in the end the Neologues received 126 seats and the Orthodox 94. Seeing that they were in the minority, some Orthodox rabbis suggested a number of areas to their colleagues in which there might be room to compromise. Specifically, R. Azriel Hildesheimer was in favor of having a rabbinical seminary with the approval and under the auspices of the Orthodox.¹⁷ He realized that inevitably a Seminary would be created and if the Orthodox did not participate, the institution would be directed away from traditional views. Despite some support from R. Abraham Sofer the extremists won out and a hard line was adopted by the Orthodox as they entered the Congress.¹⁸

Although the Congress officially lasted from December 14, 1868 to February 23, 1869, as far as the majority of the Orthodox were concerned it was over already in the first week. The Orthodox proposal that no principles be accepted which were against that which was codified in the Shulhan Arukh (Code of Jewish Law) was rejected by the majority. Thus, more than half

¹⁷Then a Rabbi of Eisenstadt, he later moved to Berlin where he successfully established his famed Seminary.

¹⁸Katzburg, "The Jewish Congress...", p. 14.

the Orthodox contingent abstained from participation. While some led by Hildesheimer stayed, they too eventually did not accept the resolutions adopted by the Congress. Despite these facts, the Congress did gain approval of the government and the Orthodox were confronted with the problem of how to protect themselves from the jurisdiction of the new rules which officially were to be the guide for internal and external communal affairs.

After a strong campaign on their own behalves the Orthodox were able to convince the Hungarian government that it was against its own liberal principles to force these new rules upon them. The Orthodox were allowed to set up their own communal organization (known as the Konstiturieng agreement) and an official division between Neologue and Orthodox was created which lasted until the destruction of Hungarian Jewry in World War II.¹⁹

There were communities which remained traditional in their halachic observance but were uncomfortable with the policy of separation espoused by the Orthodox group. They chose to stay unaligned, without officially accepting either side, they therefore became known as the "Status Quo". Intent as they were to maintain traditional observance, they too feared an alliance

¹⁹See Katz, "The Uniqueness...", pp. 45-53, where he suggests that the lack of a unified leadership may have played a concrete role in allowing the Germans to transport the Jews within such a short time in 1944.

with the reformers. But their choice to refrain from joining the Orthodox pact was strongly resented by the more extreme observant Jews. It was felt that any deviation from absolute conformity to positions ratified by the Konstiturang agreement weakened them. Thus, the Status Quo were isolated on both sides, resisting the reforms instituted by the modernizers as well as the strong reaction to them articulated in the position of the ultra-Orthodox camp.

The Status Quo remained a separate entity to the very end. Although their voice of toleration could never overcome the passion of the extremes, their role in Hungarian Jewish history is significant. On one level, their very existence juxtaposed to the Orthodox accentuates the reactionary nature of the extremists. Moreover, it becomes apparent in analyzing the halachic decisions and the general actions and statements of the moderate rabbinic leaders, that their position was not merely an attempt at political tightrope, rather it was the expression of a well developed world view which synthesised elements of both extreme approaches to Judaism.

III. Biographical Section

In name and in title Solomon Zvi Schick was not a Status Quo rabbi. In fact, due to his strong efforts at a young age he was able to convince his congregants in the town of Karcag, where he lived and served for over forty years (1869-1917) to join the official Orthodox camp.²⁰ Yet his position as a true moderate is borne out in the opinions expressed in his responsa as compared to his Orthodox contemporaries and is illustrated by the strong reaction of his colleagues to his statements and publications.

Born in 1841 to a rabbinical family, he received the traditional training that would enable him to continue in this path. In his early teens he was sent off by his father, R. Natan Schick, to learn at his uncle, R. David Schick's yeshiva in Szecseny. After three years he moved on to the yeshiva in Balsa where he spent another three years studying before entering the great yeshiva of Maharam Schick in Hust. Rashban describes in the responsa on Orah Hayyim 41 how he sat beside his master, who was his second cousin, and studied Torah with this venerable leader of Hungarian Jewry.²¹ In 1869, at the age

²⁰Much of the biographical data comes from Moshe Hirshko, Toldot Kehillot Karcag, Jerusalem 1977, pp. 11-38.

²¹Solomon Zvi Schick, Sefer She'elot U'Tshuvot Rashban al Orah Hayyim, Munkacs 1900, p. 36. Maharam Schick was a first cousin of Rashban's father. For a complete review of his genealogy see Hershko, p. 14. In Greenwald's Toldot HaReformatzia ... he includes Rashban in a list of:
"הגדולים מתלמידי (של מהר"ם שיק) שזכו לשם עולם, ועשו גדולות ונזכרים בספריו."

of twenty-nine, Rashban began his formal rabbinic career as leader of the Jewish community in Karcag, he remained in this position until his death forty-eight years later.

Karcag, which is located in central Hungary (about one hundred and fifty kilometers from Budapest), was never among the more extreme communities in the Orthodox world.²² In fact, Rashban's predecessor was R. Mordechai Amram Hirsch, a student of R. Solomon Judah Rappaport - one of the leaders of the "Hochmat Yisrael" movement in Prague.²³ Rabbi Hirsch eventually occupied important rabbinical positions in Prague and later in Hamburg. While still in Hungary, he participated in the Congress and was one of the leaders of the minority who pushed for compromise in the Orthodox camp.²⁴

The welcome received by R. Schick upon his arrival in Karcag also attests to the non-traditional elements within Karcag Jewry. In Orah Hayyim 101 he describes how they "turned their backs" to him upon finding out that he was identified with the Orthodox. It took over four years of campaigning before he

²²For a map of the Jewish communities in Hungary see, Pinkas Hakehillot, Jerusalem 1976, p. 118.

²³See "Wissenschaft des Judentum", in Encyclopedia Judaica, Jerusalem 1971, pp. 570-584, for a summary of the basic ideas and personalities of the nineteenth century initiators of the use of scientific, critical methodology for the study of Judaism.

²⁴Hershko, p. 19.

could convince all the small communities who were under the auspices of the Karcag rabbinate to officially accept affiliation with the Orthodox organization.²⁵ Even though on paper he succeeded in gaining recognition for the Orthodox faction, in practice only 25% of the Jewish families were completely observant of the Sabbath and the Mitzvot (commandments).²⁶ In addition, Hungarian was the language spoken by the community and Rashban was never able to gain permission to build a community sponsored yeshiva because the congregants preferred that their children attend the Protestant Gymnasia.²⁷

It cannot be denied that Schick developed a close relationship with his flock, he speaks exuberantly about the celebration made in honor of the twenty-fifth anniversary of his ascension to his post in Karcag and after his death his son was unanimously accepted as the new rabbi.²⁸ In addition, his

²⁵Rashban, OH, pp. 76-80. Here he summarizes the history of the Jewish community in Karcag. Regarding his first years he states: "ביום חמשה עשר בשבט תרכ"ט באתי לישב עם בני ביתי על כסא הרבנות, וכאשר שמעו הדת אנכי, פנו עורף..."

Also see Rashban, OH, p. 9, where he describes how he negotiated with one of the outlying communities to join the Orthodox organization.

²⁶Hirshko, p. 31; In OH (139), p. 106, Rashban addresses a question to R. Chaim Zvi Manheimer regarding the recent phenomenon of Jewish shopkeepers opening their stores on the Sabbath.

²⁷Hirshko, p. 19.

²⁸Rashban, OH, p. 77: "ויהי ביום חמשה עשר בשבט תרנ"ד אחר שטברו כ"ה שנים מעת שישבתי פה על כסא הרבנות הסכימו בני העדה ובני הגליל השני"ו לחוג את חג היובל בתורה ותפלה ומעשים טובים. בני קארצאג התאספו כאיש אחד, ראשיהם, שבטיהם, נשיהם וטפם..."

accomplishments in terms of uniting the community and establishing institutions such as the "Chevra Kadisha" (Burial Society), a day school where Jewish and general studies were taught, and other social welfare groups were significant.²⁹ Yet, the limitations of his sphere of influence are clear. It appears that he was aware that in his own community he would not find an audience receptive or knowledgeable enough to appreciate his Torah wisdom and overall philosophy regarding the place of traditional Judaism in the modern world.³⁰ Therefore, the main focus of his efforts was in the sphere of his voluminous literary works and his constant correspondences. Moreover, while Rashban's ideal was to combine secular and religious studies under one roof (as he did in the day school up till fourth grade) and he certainly was dismayed by the lack of observance on the part of the majority of the Jews of Karcag, he was also a pragmatist and was willing to compromise. The tolerant nature of his world view allowed him the flexibility to set his priorities in the areas where he thought the most could be accomplished. To R. Solomon Zvi Schick, as will soon become

And see Hirshko, p. 40.

²⁹Hirshko, pp. 31-35. On p. 13, Hirshko demonstrates the degree of happiness that Rashban found in the Karcag surroundings by the fact that he was offered many more prestigious rabbinical positions and never accepted.

³⁰Ibid, p. 27: Hirshko points out that one of the major criticisms of Rashban was that a generation of assimilated Jews had grown up in Karcag that did not understand his speeches, let alone his books.

evident, the goals of developing a traditional Judaism which could thrive in the era of emancipation, educating those Jews lacking in knowledge in a positive way and finding common language among the divided people became pristine ideals; for these he was willing to fight.

The education which he gave his children, the spouses whom they married and the rabbinical positions which they occupied also attest to Rashban's positive view of that which can be gained from the secular world and his willingness to associate with and look meritoriously upon Jews not in the Orthodox organization.³¹ All three of his sons, Berachia, Moshe Aharon, and Avraham Yaakov studied Judaic studies with their father and went on to yeshivot, but they also received degrees from German universities. Two of his sons married girls whose fathers were rabbis in Status Quo or Neologue communities and two of his daughters married non-Orthodox rabbis.³²

³¹Rashban's wife's name was Rachel, she was the daughter of R. Anshel Rosenfeld. He goes out of his way to praise her in the introduction to Orah Hayyim, p. 1:

נדרי לה' אשלם נגדה לכל עמו שהחייני והגיעני לזמן
הזה! קטנתי מכל החסדים ואשה עשה ה' עמדי מעודי עד
היום הזה, כי נתן לי אשה טובה ומיוחדת ושמה רחל בת
אסתר בת לר' האי גאון ר' אברהם בעק ז"ל רב בק"ק
האליטש, והיא עומדת לימיני באהבה שאוכל לעסוק בתורה
ולגדל הבנים השי"ו לתורה וליראת שמים לכבוד ולתפארת".

³²Hirshko, p. 29.

In the introduction to his responsa on Orah Hayyim, R. Schick states his reason for publishing this work. It can be inferred that the basic thrust of all his literary output is explained in this paragraph:

ובמשך השנים נשתנו העניינים, רוח העת מבלבל דעת הנערים עם הזקנים, בזדון ובשגגה עוברים על המצוות ועל החוקים ושאלות חדשות צמחו כעשב הארץ על ידי החקים החדשים, מטעם המלך והשרים; אלו אוסרים ואלו לפרסם מתירין, אלו מקילין ואלו מחמירים. לזאת מצאתי לטוב וישר השאלות ותשובות שכתבתי במשך השנים באלו עניינים.³³

Schick saw the deterioration in practice and the absence of an authority to whom a broad base of Jewry could relate. He therefore felt obligated to write books which would educate Jews about the basic practices and halachic issues confronting them. To this end, he wrote or edited seven books: a siddur (prayer book - סידור רשב"ן, 1869), two books on the history of customs - one in general and another specifically in the synagogue (סידור שו"ת רשב"ן, 1884), his two responsa works (תורה שלמה, 1900 and 1905), a commentary on the pentateuch (תורה שלמה), and a Yiddish translation of the Shulchan Aruch (1896). In addition, he wrote, "Mi-Moshe ad Moshe", a biography of Maharam Schick and history of the entire Schick family.³⁴

³³Rashban, OH, p. 1a.

³⁴Hershko, p. 12.

These works were not well-received by the ultra-Orthodox world. In the first place, Rashban was unable to receive funding from the Orthodox organization in Budapest and had to finance their publication from his own pocket.³⁵ Furthermore, there were those who went as far as to threaten to put his writings in "Cherem" (excommunication), particularly the "Siddur Rashban" (prayer book).³⁶ In Orach Hayyim 183, Rashban responds to those who criticized him for naming the book after his acronym and publishing it during his own lifetime. He presents evidence from the Shulhan Arukh for the acceptance of his practice and then adds that these attacks illustrated to what point the hatred and division in this generation has gone and how wasteful it is to spend precious time regarding these "stubborn fools".³⁷ It appears that Moshe Hirshko is correct in his suggestion that the criticism of Rashban's books was actually a cover for personal attacks on him for his dissent from the opinions and style of dress accepted in Orthodox

³⁵Ibid.

³⁶Ibid, p. 25, Hershko cites an attack in Tel Talpiyot a journal of Halacha and Aggada printed in Hungary from 1892 whose contributors were primarily Orthodox rabbis. The particular article which he appears to be referring to is a critique of Siddur Rashban by the editor himself D.Z. Katzburg, "Bikoret al Siddur Rashban", Tel Talpiyot (1900), pp. 1-3.

³⁷Rashban, OH, pp. 140-142: והארכתני בזה בטוב טעם ודעת להראות עד היכן הגיע העזות בדורנו על ידי השערוריה... חלילה לנו לבטל זמן היקר אודות המטעקשים והטפשים...

rabbinic circles. The only two substantive reproofs appear to be his inability to establish a yeshiva in Karcag and the high rate of assimilation among its inhabitants.³⁸

Based on the biographical material reviewed here it is evident that R. Solomon Zvi Schick was viewed by many of his Orthodox peers as a radical. Unquestionably, his views regarding education, and his general outspokenness for the cause of Jewish unity separated him from the tendency towards extremism exemplified by the majority of the Orthodox rabbinate. However, in an age of fanaticism, anyone who veers at all from the straight path will be branded "unOrthodox".

³⁸Hershko, p. 27; Rashban, OH, pp. 107a-108b. The published attacks on Rashban as well as the defense against them voiced by him as well as his son Berahiah will be discussed in detail in a separate section.

Therefore, in order to understand the true nature of his position -- to what degree his opinions both philosophic and halachic differ from the mainstream traditional norm, does such a rabbi actually have more in common with his Neologue brethren, did it evolve over the course of time or was it consistent throughout his career -- it is necessary to compare him to one who was viewed both by him and his foes as a standard bearer for the observant community. By focusing on specific points where he and Maharam Schick agree and disagree we will gain a more exact appraisal of Rashban and the moderate rabbinate in late 19th and early 20th century Hungary in general.³⁹

³⁹In Toldot HaReformatzia..., pp. 110-111, Greenwald uses the dispute which erupted between the Orthodox and the Status Quo in Sighet between 1883-1889 as an illustration of the centrality of Maharam Schick's position as the halachic authority for Hungarian Jewry. Even though he had already passed away in 1879, his name was mentioned on almost every page of the books written by both sides as the primary source for justification of their position.

IV. The Responsa

The She'elot U'Tshuvot Rashban were published in 1900 (Orah Hayyim) and in 1905 (Even HaEzer) respectively, but they are actually a compilation of his responsa over the course of his close to forty years in the rabbinate. The first volume, which deals primarily with the laws of the festivals and of synagogue ritual, has three hundred responsa. The second, based on Jewish family law, contains 286 entries.

R. Schick did not, however, limit himself to the purely legalistic side of the halacha. In many of the "halachic" queries there is a quick legal decision followed by a discourse on some related (or unrelated) matter in the Torah in which he felt he could add some new nuance. The breadth of his knowledge of both the halachic and aggadic spheres is illustrated by the wide range of topics which were submitted to him for response from as far as Jerusalem and Pittsburgh, Pennsylvania. In addition to these responsa, there are a number of essays which he included on issues which he felt were of particular significance. One is a list of forty reasons to believe in the authenticity of the Torah.⁴⁰ Another, is a very warm, highly personal account of his trip to the land of Israel in 1905. He tells of each place where he and a group of Hungarian Jewish leaders visited and spices up each description with an

⁴⁰Rashban, Even HaEzer, Satmar 1905, pp. 147a-148b.

appropriate biblical citation and anecdote regarding that place.⁴¹

Both the halachist and the aggadist is apt to find a treasure of material in R. Solomon Zvi Shick's responsa. Yet the dominant chord which traverses the entire work is his concern and effort to deal with the crises of the day. Over sixty individual responsa speak directly about subjects related to the divisions within the Jewish community and many more address them indirectly. We will now begin with a presentation of Rashban's general thoughts and the reflection of this weltanschauung on specific halachic decisions and policies as expressed in the "She'elot U'Tshuvot". The responsa of Maharam Schick will be used as a barometer.⁴²

⁴¹Ibid, pp. 194a-235a.

⁴²Most of Maharam Schick's opinions are expressed in She'elot U'Tshuvot Maharam Schick. In addition, there is one instance where Rashban cites a personal letter that he received from his teacher. Another important source is a letter of Maharam Schick published in: Moses Schreiber (Sofer), Likutei Shut Hatam Sofer, London 1965, pp. 63-65. I came across this responsum in a footnote in N. Katzburg's "Michalovic...", there Katzburg thanks Professor Jacob Katz for alerting him to its existence. Therefore, I too am indebted here to Professor Katz.

V. General Views

The Congress

It has already been shown that although the conflicts between the traditional and reformist factions in Hungarian Jewry began before the turn of the nineteenth century, their intensity drastically increased in the 1850's and sixties. The culmination of these activities were the events surrounding the Jewish Congress of 1868-69 from which the Orthodox seceded after not receiving the acquiescence of the majority to their request that no resolutions contradict the Shulhan Arukh. This concretized the program of separation which dominated the next seventy-five years of Hungarian Jewry's existence, and therefore we start with a discussion of the Congress.

In Orah Hayyim 309, Maharam Schick summarizes the proceedings of the Congress and his view of the actions of the respective parties and the outcome. Jacob Katz points out that the purpose of this statement was to explain to the Jewish community why after two and a half months of taking part, the Orthodox leaders had decided to leave.⁴³

He begins with a justification for the very presence of the Orthodox rabbis at a conference with the non-observant:

⁴³Katz, "Sources of Orthodox Trends" in The Role of Religion in Modern Jewish Society, p. 32.

ראה ראינו שמנגדינו הנקראים פארשריטספארט"א שהיה רוב הכנסי'. עצרת בוגדים בתורה וגם ערב רב אתם. מחללי שבתות ומועדות. והולכים מעניינים בשרירות לבם לעבור על התורה והמצוות ומהם שהעיון פניהם לאמור שאינם מאמינים בתורתה ומורא על ראשינו מה נעשה לאחינו ביום שידובר בו מעניינים הנוגעים לדת תוה"ק. וחז"ל אמרו אסור לישיב בחבורה לדון אלא א"כ יוצע. התורה? מי ישב עמו. דשמא יהיה ביניהם רשעים ... על מה אנחנו סומכין בקאנגרעס שידוע שיש בהם אנשים העוברים על התורה... אמנם אחרי הבחינה והעיון ראינו כי טוב וישר הוא, כי הלוא ירוד ירדנו בתחילה אנוס עפ"י הדיבור לעמוד על המשמור וללחום מלחמות ה' להציל שם פזורה שלומי אמוני בני ישראל מרשת אפיקורסות והירוס הדת.⁴⁴

Clearly, the impression that the Orthodox had of their Neologue colleagues was negative. He calls them "treasonous to the Torah" and "Rif-Raf", and asks point blank: how can we be sitting down to judge with people whom the sages warned not to associate with? His answer is somewhat ambiguous, and actually seems to express two contrasting reasons. On one hand he alludes to being required (one would assume by the government authorities) to attend when he says that they originally came "forced by command" ("Anus al-Pi Ha-dibbur").⁴⁵ However, he then goes on in a more positive light, that they hoped to achieve the goal of saving the Jewish people from "apikorsut" (heresy) and preventing the faith from being destroyed. One senses that the Orthodox truly did have high expectations for the Congress and that they did not see the division as a

⁴⁴Maharam Schick, OH, p. 103a.

⁴⁵An idiom originally found in the Sifre (Halachic Midrash) and popularized in the Passover Haggadah referring to divine command.

"fait accompli" before the conference even began.⁴⁶

In his description of the interchange regarding the authority of the Shulhan Arukh, Maharam Schick continues this trend towards portraying the Orthodox as conciliatory as opposed to the hostile Neologues:

קראנו למנגדינו לשלום בכתב יושר דברי אמת ... ובקשנו למען האמת והשלום שהקאנגרעס יגזור אומר להציב ליסוד בראש חוקי הקאנגרעס שכל תקנה שיסובב ממנה דבר עד תוה"ק שבכתב ושבי"פ כאשר הוא מבואר בשלחן ערוך תהא כחרס הנשבר וכלא יחשב ושכל חוקי הקאנגרעס יהא יסודתם בהרר קודש עפ"י דיני ש"ע ... ומנגדינו בגובה רוחם מיאנו ומרו למלאות בקשתינו ובשפת חלקקות הבטיח הפרעזידנט שלא יעשו כנגד התורה זידוע שהם עומדים על יסוה"ת ומי פתי יאמין לאיש אשר תאורת נפשו מעוורים עיניו לחלל שבתות ולעבור על תורה ומצות ... ואז עזבנו את הקאנגרעס. ושוב אמרנו אולי עוד יש תקוה ...⁴⁷

In a peaceful gesture the Orthodox requested that any proclamation which diverged from the tenets set forth in the Shulhan Arukh be like "broken glass". Ignac Hirschler, President of the Congress and a hard line reformer, shrugged them off by saying simply that everything would be in the "spirit of the Torah". This was totally unacceptable from the mouth of one who publicly desecrated the commandments and the Orthodox left the Congress. But, it would appear almost immediately, they felt that there was still hope ("Od Yesh Tiqva") and they decided to try again. The subtle irony of this

⁴⁶Katz, "Sources...", p. 33, feels that introduction of the Shulkhan Aruch issue by the Orthodox shows that from the outset they intended to separate.

⁴⁷Maharam Schick, OH, p. 103a.

passage is very telling regarding the stance of mainstream Hungarian Orthodoxy. Inasmuch as their demands were unreasonable and the ultimate outcome of a confrontation of groups so far apart in their outlooks was almost inevitable, there is still a glimmer of longing for conciliation.⁴⁸ Albeit, their own request left little room for compromise, but there is still an effort made to show that they did not want division as the result and that the modernists caused it. This is further shown in his reference and emphasis on a second effort at negotiation -- while not being realistic in their actions, emotionally they hoped till the last minute that an agreement could be made.

Only after this second attempt failed and it was clear that there could be no common language between them did the Orthodox exclaim:

וראינו שאין תקוה מהם ואסור לנו לישב עמם ... מה לנו ולהם כוון
 שעזבו האורח חיים השלחן ערוך שאיש ישראלי מחוייב לקיימו.⁴⁹

⁴⁸Prof. Katz pointed out to me that although there is no date attached to this entry, internal evidence shows that it was written at least two years after the Congress took place. Therefore, what appears to be a fully accurate description of what happened is clouded not only by the usual personal biases of the author - here the passing of two years before publication indicates that inspiration for writing it was clearly to popularize the notion that the Orthodox were the peace loving partners and the Neologues the spoilers.

⁴⁹Maharam Schick, OH, p. 103a.

This was the point of departure (He does mention that some Orthodox tried again but they too failed and eventually joined up with the others who had already left), at that very instant the permanent separation was confirmed. Once he makes clear that this was the course of developments which led to the schism he takes off on a zealous call to battle, using some extremely vituperative language to describe the Neologue leaders and the "evil" resolutions which they eventually passed at the Congress. We are left with the impression that for Maharam Schick, the Congress was not foreseen as simply a formal way of ratifying the unilateral differences between the Orthodox and the Neologue. He did not spend two and one half months there in order to simply walk out. Rather, the Orthodox, steadfast in their belief in the incontrovertible truth of their position, hoped that ultimately this would prevail upon their brethren. When they were sure that this would not happen they dug in to their trenches and decided that the only choice which remained was to fight with the most lethal ammunition they could find.

The Congress is continually mentioned throughout the responsa of R. Solomon Zvi Schick; he refers to the Neologue as "Anshei HaCongress" (the people of the Congress). But in a few places he gives his exact impressions of actual occurrences which took place there. It becomes apparent to the reader almost immediately that an evolution took place in Rashban's thinking in the course of the thirty years from the time he

first expressed his views on the subject till the publication of his works. He was quite aware of this himself and in fact a number of responsa include a citation of one of his speeches from the early 1870s followed by an expression of his contemporary position in the early twentieth century.

In Orah Hayyim 7, which was written in 1873, Rashban elicits an impassioned defense of the authority, holiness and wisdom of the Shulhan Arukh:

נשאלה נא את המתחדשים מה זה ועל מה זה פנו ערפם לייסד את תקנות המדינה ותקנות הקהילה על אדני השולחן ערוך ... נשאלה נא לחכמיהם ונבונניהם: איה ספר תחת השמים שיכל בקרבו כל החמודות והמדות טבות וישרות, באמונות ודעות, מדת הרחמים ומדת ההסתפקות, בטחון, עניה, חנינה, אהבת רעים ושכנים, יראת ה' והמלך וקדימת שלום לכל אדם כספר שלחן ערוך ...⁵⁰

He too begins with a positive approach. The same sense of naive astonishment at the ability of anyone to ignore the undeniable truths is evident. Is there a person on this earth who could reject a book which contains so many ideal qualities?

With this in mind he explains why the Orthodox had no choice but to act as they did at the Congress:

ומאחר שראינו באסיפת הקאנגרעס כי רובא דרובא מהם לא רצו לשמוע מתקנות אבותינו,⁵¹ ומאסו בתורת ה' לנו איומנוס רק לייסד תקנות הקהלה איש על עדה ...

⁵⁰Rashban, OH, p. 96a.

⁵¹Ibid.

Again we see the opinion that there was no choice but to separate. The Congress was proof that the innovators ("Mitschadshim") had no interest in adhering to the "...precepts of our fathers".

Finally, he ends similarly to Maharam Schick with a call to all "believers" to join the independent Orthodox organization in order to prevent the "drunken" Neologues from ruling over them:

בדורנו חוב על היראים לבא בברית הקאנשטיטוארונג שהסכימו הרבנים
הצדיקים למען לא ימשלו עלינו, אלו המחדשים שהם כשיכורים מבלי לראות
עד היכן מגיעים הדברים ...⁵²

The resemblance of the words of Rashban here to those of his mentor is great. Both are of the view that the Neologue refused a perfectly forthright and attractive invitation on the part of the Orthodox to join in accepting the Shulhan Arukh. Once this was impossible, Rashban too felt that no choice was left but to split. He even uses this as a basis for an appeal to join the Orthodox organization as did his teacher.

Fourteen years later, in Orah Hayyim 42, he strikes a similar chord, but rather than from the angle of the reaction of the Neologue, he focuses on his analysis of the position taken by Maharam Schick in leading the Orthodox towards a policy of disengagement;

⁵²Ibid.

... זה אמרתי בימי חורפי וזה לדעתי ברור בכל דרכי מורי רבינו משה איש האלוקים. אני ראיתי כל מעשיו. גדולתו בתורה ומצות ישראל ראיתי. הוא לבדו ואין זולתו הלך בדרך רבינו משה בר מיימון. היה רחוק מאד מאד משני הקצוות, כמו שכתב הרמב"ם בהלי דעות בכל יום ויום הייתי מוכרח ללמוד בביתו כתב ולשון ומקצת משאר חכמות. אך בעת הקענגרעסס כאשר הם במשפטן העיזו עזי מצח נגד התורה וכבוד הרבנים היראים, אז רק הוא עמד על המצפה והיה כגשר בין האשכנזים לספרדים לזאת היה מוכרח כדי לעשות⁵³ כמשפט, לחזק הדת לנטות לצד המחמרים ולהציל כבוד הרבנים ...

Besides an inspiring demonstration of the closeness and respect which he felt for his teacher, there is a conscious effort made here to portray Maharam Schick as a moderate. He emphasizes that R. Moses Schick took after Maimonides in searching for the "golden path". Juxtaposed to this is Rashban's description of what took place at the Congress. The apologetic tone is manifest as he strives to show that Maharam Schick's decision to separate was not the rash act of an extremist - in fact it was the radical Hassidic element ("Sefaradim") whose position he was able to soften through his leadership. While Rashban is still as steadfast in his belief in the propriety of his Master's action as he was in 1873, by 1887 he appears to feel a need to modify his depiction to fit more into the moderate approach which he was developing himself.

The entries numbered 195 and 189 in Even HaEzer both record Rashban's response to the Congress in the 1870s and then attach

⁵³Ibid, p. 36a.

an addendum with his comments in retrospect thirty years later. Many of the same points already cited reappear as well as some new ones. More importantly, his brief comments on his words from the past direct our attention to the fact that he was aware that his outlook had changed somewhat and felt a need to re-examine former opinions and actions in light of what had taken place since then.

Entry 195 is a speech made by Rashban in 1871 before his congregants in which he repeats the misdeeds of the Neologue at the Congress and henceforth which led to the separation in an effort to convince the greater Karcag community to officially join the Orthodox organization. After comparing this generation to that of the Tower of Babel he adds:

אכן דעו נא רבותי, שהפרוד הוא לטובת אנשי קאנגרעסט... ורק על ידי
 הפרוד יבאו להכיר טעותם שלא יאבדו לגמרי מקהל ישראל:⁵⁴

One might read his presentation of the disunion in a positive light as merely an attempt to pacify those in the crowd who were against it. Nevertheless, a simpler explanation of this passage is that it is consistent with the general approach taken by R. Moses Schick and originally by R. Solomon Zvi Schick that in light of the refusal of the Neologue to conform to certain basic principles the best thing to do was to divide. This would

⁵⁴Rashban, EH, p. 160b.

ultimately maintain the Jewish identity of both groups.

In this case after thirty years, Rashban still maintains the righteousness of his leader's deeds of the past. He points to the incredible fact that a Neologue rabbi performed a wedding between a non-Jewish man and a Jewish girl as proof that if not for the separation things would have been worse.

In responsum 189 begun in 1875 and completed in 1905 some similar ideas are expressed but his conclusions paint a somewhat different picture. The earlier section is a response to a letter from a certain "Joseph your brother from Pressbourg" who asks why the Orthodox felt it necessary to leave.⁵⁵ Rashban's reply begins with a notation from a letter of Maharam Schick in which he attacks the Braunschweig assembly of Reform rabbis in 1844 at which a number of innovative resolutions were decided upon.⁵⁶ He then adds on his usual account of how the Neologue greeted the generous offer of the rabbis at the Congress with laughter. He comments that the only reason the Hungarian reforms have not gone as far as their German counterparts is:

Not because of their love of our Torah. But because they know that till this day the majority of Israel in our state still fear God and will sacrifice their bodies and might in order to destroy their words.⁵⁷

⁵⁵Ibid, pp. 155a-156a.

⁵⁶See Katz, "Sources...", p. 29 for a list of the controversial decisions.

⁵⁷Rashban, EH, p. 155b.

In the addendum he lists the manifold examples of how the Neologue has become worse in their religious depravity in the course of thirty years; they don't accept the truth of the Torah, rabbis eat non-kosher meats and improper divorce contracts (Gittin) are written. This just shows that:

מי שיש לו לב להבין מחויב לומר משה אמת ותורתו אמת, כי מורי הגאון ר' משה שיק ראה לפני ארבעים שנה שהחוב להבדיל אותם מהקהל הגולה, כי הם יטמאו את בית ישראל.⁵⁸

As usual, Rashban must give homage to the vision of his master who foresaw these developments. Yet, in the ensuing paragraph a striking statement is made which indicates a paradox in what he has said until this point;

אכן מעשה שטן הצליח כי גדולי הדור שיסבו בראש טמנו את ידיהם בצלחת ולא היו מבני יששכר לדעת מה יעשה ישראל. הם ישבו וקדשו את השם הגדול ארטהאדאקס והלכו אחר עצת האיש שהטעה אותם כבר שאמר להם שב ואל תעשה עדיף! ואם עמד אחד לחוות דעתו ואמר קום ועשה עדיף דחו אותם בשתי ידיים. ועתה אין לנו סדר וסדרים, ואין מי שיעשה גדרים וסייגים כאנשים חולמים עשו להם צורות בלי עינים ובלוי ידיים ורגלים, עשו שמות אשר נעשו שמות כתות, אגודות אגודות.⁵⁹

Here he presents his view of the developments since the Congress. In contrast to the specific events in the late 1860s he does not vent his anguish primarily at the reformers,

⁵⁸Ibid, p. 156a.

⁵⁹Ibid.

rather, he voices his frustration at the refusal of the Orthodox leadership to get up and act positively in an effort to prevent the divisions from widening and the Jewishness of the Neologue from declining. He says that their obsession with the "Holiness" of the name "Orthodox" has caused them to be blind to the real task at hand which is to work towards building a healthy Jewish nation.

This point is borne out even stronger in the end of the next paragraph when he says,

וכל רב או עדה שאין מאמינים בדברי חכמינו ז"ל ... סופם שיצאו לתרבות רעות ... ובגלל זאת החוב עלינו לעשות השתדלות ולקרר הרחוקים, ללמדם תורה ומצות, להוכיחם ולקרר לאבינו שבשמים הלבבות.⁶⁰

In the end, he cannot openly condemn the secession which his teacher, Maharam Schick led forty years before but in essence, the whole basis of his policies was a rejection of this approach. He sought to draw the groups closer, to de-emphasize the formal names which had been used as a barrier between the groups over the years. We are left with two contradicting themes as the expression of Rashban's views of the Congress. He knew full well that his opinions on the division had changed since 1870s, but his allegiance to Maharam Schick forced him to level all the blame for the current situation on the Neologue

⁶⁰Ibid.

and the contemporary leaders.⁶¹ It would never occur to him to express the fact that it was actually his teacher's actions which concretized a philosophy of separation and thus, set into play the subsequent developments. Even if the words of Maharam Schick and Rashban regarding the Congress itself seem almost identical, their basic message is quite different. Maharam Schick remained steadfast in his support for separation until his death, while Rashban took a more critical position in retrospect.

The Neologue

Although the discussion until this point has already dealt with the general opinions of both rabbis regarding the Neologue, there are a few more citations which are worthy of mention in order to round out our picture.

In Orah Hayyim 306, written in 1879, Maharam Schick explains why it is necessary to be so outspoken in his vehement opposition to contacts with the Neologue:

⁶¹Hirshko, p. 20, says that Rashban was basically a moderate even before the Congress and only took up an extreme position there because of the rejection of the Shulhan Arukh. This does not seem wholly correct in light of our analysis. While we have seen that both Maharam Schick and his student still had hope for conciliation at the Congress, Rashban's true colors as a moderate did not develop until later. It appears from the passages which he cites, that Hirshko did a more thorough review of Rashban's work on Orah Hayyim than on Even Haezer.

וגם הניסיון והמוסכם כי זה נודע ומפורסם שהמתחבר עמהם אפילו עם
הגדולים אינם מתקלקלים אבל הדורות אחריהם נעשים מקולקלים כמותם.⁶²

Maharam Schick felt that his purpose was to protect this and future generations. His emphasis is not on saving every last member of the Jewish people, but rather preserving a solid base whose exclusion from the masses would enable them to survive.

He reiterates this "defensive" emphasis on the totally separate identities of the two entities in a number of other halachic queries. In Yoreh Deah 231 he refers to reformers as Karaites and in 233 he states that: "They have no part or portion in the children of Israel."⁶³

Rashban, remains consistent throughout in his negative appraisal of the Neologue's actions at the Congress and their general rejection of the commandments. However, there is still a feeling that he is not resigned to separation and feels that there is still hope for the Neologues - cooperation and unity rather than division are the answer. This point comes across very clearly in Even HaEzer 33. Written in 1888, it is a letter of protest to his uncle and former teacher, R. David Schick, for having given ordination to one of his students with the condition that he only accept a pulpit in a synagogue which is part of the Orthodox Organization. Regarding the grave

⁶²Maharam Schick, OH, p. 102a.

⁶³Ibid, Yoreh Deah, pp. 111a and 112a-b.

connotations of such a stance he states:

אכן אם נכריח אותם שלא ילך להורות להם הבקי בטיב גיטין וקדושין אז ממילא יתרבו בתוכם הסוליים והממזרים באשר יהיו מוכרחים ליקח מורים רעים וחטאים ואחת לאחת יאבדו לרדת שחת, ובמשך איזה שנים יהיה דינם ומעתה בדורינו אם לא יבואו לקהלות הקאנגרעסס דיינים, מורים ושוחטים יראים ושלמים הבקיאין בגיטין, קידושין ותליצות... בזה שתים רעות נעשה א' שאנן גורמים שיבואו הם למכשולים ב' שעל ידיהם נבא גם אנחנו למכשולים.⁶⁴

There is a practical and a philosophical point being made here. The very fact that the decline in the level of religious leaders who tend to the needs of the Neologue will lead to problems of pedigree for the Orthodox is a strong argument against this plan. However, if Rashban's primary concern was for the Orthodox he could have taken the position that Orthodox children be prevented from marrying those outside the sect.⁶⁵ His emphasis though, is on retaining the normative Jewish identity of the Neologue as well, and not allowing them to attain the status of the forbidden Karaites which his master had already openly attached to them.

⁶⁴Rashban, EH, p. 206.

⁶⁵In Jacob Katz's Out of the Ghetto, Cambridge (Mass.) 1973, p. 210, he points to the contradiction between the pronouncements made by the Orthodox about the Neologue and their actual legal status as Jews. He writes that even if the extreme Orthodox stated that they were of a different religion than the Neologue, "This position was primarily tactical. They won thereby the right to set up under government auspices separate communal organizations, but they never sought to deny...that being Jewish was a question of descent rather than conviction."

The Status Quo

As one of the leaders of the Orthodox, Maharam Schick certainly limited his written attacks to those not affiliated with his movement. Rashban, while always officially considering himself an Orthodox rabbi, had no compunction to hold back if in his opinion an injustice was being done by any party. This has already come across in his complaints about the inaction of his colleagues in relation to the Neologue, and it will be even more clear in regard to their relation to the Status Quo.

Maharam Schick felt betrayed by the Status Quo. He did not question their personal commitments to observance of the commandments, and he even recognized their good intentions. His rift with them was primarily over their decision to remain outside the Orthodox Organization thus weakening their strength vis-a-vis the Neologue and the government. Despite his sympathies, his chief concern was still to defend and preserve the standing of his group, and this is reflected both in his sharp statement and halachic decisions regarding them.

Orah Hayyim 207, written in 1872 -- not long after the Orthodox had won the right to organize separately -- is an emotional, strong attack on the Status Quo communities for their refusal to join with the Orthodox. In this rebuke to a rabbi for recognizing the Status Quo group in Kassa he inquires:

ואיך אתה מאשר את בעל השטאטוסקווא ואפילו אינו חושד אותם שהם שלוחי
וגירי דבעלי קאנגרעסס, הרי הם עמדן מנגד ביום שבות זרים ...
כי לא באו לעזרת ה' בגיבורים ...

While he states clearly that they are not in the category of the members of the Congress they are guilty of not being among the brave who came to God's assistance -- like the tribes of Israel who did not come to battle with Barak against Sisera and the Hazorites in Judges four and five.

This reprimand though, is not limited to the sphere of allegiance and morality -- it has halachic manifestations as well. He says that those who do not enter the Orthodox agreement are being remiss in their observance of the positive commandment to build a fence around one's roof because they are not protecting their "Jewish homes" from the dangers of the Congress. Furthermore, the Status Quo have transgressed the prohibition on not swearing falsely because their commitment to the Torah requires them to fulfil the commandment "to guard oneself" ("VeNeshmartem"). Finally, in the responsum's most far reaching statement he accepts the prohibition pronounced by the local Orthodox rabbis on the teachers, ritual slaughterers and wine of the Status Quo:

⁶⁶ Maharam Schick, OH, p. 102a.

... האיסור שאסרו הגאונים בקאשוי איסורן איסור, ואין להאריך עוד בזה כאן. ועתה בעיניו יראה ובלבבו יבין את גודל המכשלה שיצאתה מתחת ידו הרים קליו על חכמים גדולים גאונים, ועשה התורה כשתי תורות ואחריו הכביד את השערוריה שעשה בכל קהל ועדה בעת הזאת שעת צרה הוא ליעקב ובכל קהלה ימצאו קלים ופוחזים ופוסחים על שני סעיפים; אוהבי הקאנגרעס ואוהבי השטאטוסקווא הגורמים רעה חס וחלילה לבטל חיי חברה דשומרי הדת.⁶⁷

Both the rabbis and entire Status Quo community are guilty of weakening the "Shomrei Hadat", this is sufficient reason to invalidate their trustworthiness in religious matters. Interestingly, despite Maharam Schick's earlier admittance of the difference between the two groups opposed to the Orthodox, here he seems to view them as equally evil as he admonishes the: "lovers of the Congress and lovers of the Status Quo".

Two more responsa of Maharam Schick, both written in 1878 deal with the Status Quo. The one written earlier that year, Yoreh Deah 233, is notably more sympathetic than his reaction six years before. He repeats the charge that they "did not come to God's help with the brave ones", but admits that in observance the Status Quo may be "Holy and pure" ("Kedoshim U'tehorim") communities.⁶⁸ He feels that even if people cannot be expected to know the future, they must be cognizant of the past. In practical terms, after seeing the actions of the Neologue at the Congress and subsequently, God fearing Jews must take heed of the call of King Solomon in Ecclesiastes:

⁶⁷Ibid, p. 102b.

⁶⁸Maharam Schick, YD, p. 112b.

"Blessed is the man who is always in fear." Rather than simply leave these utterances as sufficient evidence for his views, he sums up the responsum with an explanation for his differences with the Status Quo approach which shows his awareness of the noble reason for their decisions to act as they did, yet with a sharp rejection of this premise;

וידעתי כי יש כמה קהלות שטאטוסקווא מפני שהם יראים וחרדים מפני המחלוקת והשלום באמת אהוב ... ומתחילה בעינין שישאר האמת על מכונו. ואני יודע שטעמם מפני שסוברים שטוב יותר להיות נשאר באגודה אחת עם האנשים שאינם מתנהגים כראוי ולבם אומר להם שע"י האחדות יתקינו גם הקלים. אבל הנסיון מעיד שרוב הפעמים יותר שכיח שהקלים מקלקלים את הטובים שעדיין אין להם חזקת יראה.⁶⁹

Maharam Schick recognized their view that by not officially separating from the reformists they were maintaining a feeling of brotherhood which would allow for a possible rapprochement to take place. Even so, he was convinced that more likely the association would spoil those who still believed. For this reason, a defensive strategy remained the only sure way to insure the survival of God fearing Jews.

With this in mind, it is understandable why he did not limit his wrath to the Neologue. In a war, no one is neutral. Thus, later that same year, in Orah Hayyim 36, Maharam Schick told a group of Orthodox in the small town of Sarlo in the Bars region who were led by R. Samuel Shulzinger, that it is better

⁶⁹Ibid.

for them to pray in a private home than in the Status Quo synagogue. Notwithstanding, he adds on in the last paragraph a simple remedy for the Status Quo to solve this entire problem:

ובוודאי אם הכת החדשה היו מקבלים עליהם קאנשטאטירונג וגם כל עניני
שומרי הדת - היה מקום לדון. ⁷⁰נהיה אפשר לעשות חיזוק שלא יבוא קלקול
לעתיד כאשר יאמרו הרבנים ...

Maharam Schick made it clear that despite his awareness of the pure intentions of the Status Quo, what remained of utmost importance was the name; "Orthodox" meant friend, anything else meant foe. Again we see the seeds of his extremist followers actions already sown within the writings of their Master.

R. Solomon Zvi Schick's view of the Status Quo is significantly more favorable than regarding the Neologue whom he was generally critical of throughout his life and only hoped that they could be brought closer. Although, he continues the trend of agreeing with the Maharam Schick's actions at the Congress, it is evident that this is simply lip service. His formal reverence aside, we see a vivid example of his departure from the thinking of his teacher.

The first entry in Orah Hayyim is a letter to R. Meir Perles, a renowned Talmudic scholar and a leader in the Status Quo movement. Written in 1882, it is an urgent request to him to lead a call for all parties who recognize the Shulhan Arukh

⁷⁰ Maharam Schick, OH, p. 10a.

as the basis for Jewish law to unite;

ואנו בדורנו נפרדים זה מזה, רחקנו מאד מאד מבלי לדעת מה הוא אהבה
ומה הוא חבה? אלו אותנו עזבו ובאו שנאה ואיבה אלו אשר על אדני
הקענגרעסס מוסדים תקנות, יורדים מיום ליום מטה מטה, וכמעט אין בתוכם
סדר קדשים וטהרות. ואלו אשר על אדני השולחן ערוך גם הם נפרדו לשתי
מחנות, עוברים בזדון ובשגגה על הלאו שבתורה לא תעשו אגודות, אגודות,
ואיה זכות האבות? איה תורת אבות, ואיה האמת והשלום אם נפרדו
הלבבות?

Lamenting the general state of division he shows concern for all parties involved. But his first task was to bring together those who shared a common language. Surely at this point he still would have preferred if the Status Quo would formally join with the Orthodox, however, the most important goals for him were clearly unity and peace.

Later that same year, he took a halachic stand which testifies to his respect for the religious sincerity of the Status Quo. Writing to R. Hayyim Zvi Manheimer of Unguar, a leader in extremist Orthodox circles, he repeats his usual tacit rebuke to the Status Quo for their actions at the Congress, but lashes out at the Orthodox for the prohibition enacted on the Status Quo which included not teaching in their schools and not slaughtering for them. In Orah Hayyim 173, he states:

ואחר הדברים האלה באתי באימה וביראה להזכיר כי הקול קורא ואומר, כי
זקני הדור ובתוכם הדר"ג הסכימו לאסור אסור על הקהילות שלא באו בברית
הקאנשטיטיאורינג ושאסור להורות להם ולשחוט להם... והאיך יפגעו

אין ' ב' 2010 שנתה רבנים ובעלי תורה גורמים לראות את התורה כמשהו שיש לו חשיבות רבה...
הוא לא יודע לומר לנו מהו המצב האמיתי של התורה, והוא לא יודע לומר לנו מהו המצב האמיתי של התורה.
הוא לא יודע לומר לנו מהו המצב האמיתי של התורה, והוא לא יודע לומר לנו מהו המצב האמיתי של התורה.

His concerns are for the honor of the respected rabbis of these communities, the fact that the public will never be able to adhere to such a restrictive clause and most of all for the ramifications of this action in relation to the Congress. Taking such a step would only further prove to the Neologue that they shared no common ground with Orthodox and therefore no hope for re-uniting would remain.

Rashban concludes the responsuum with a description of the criterion which he uses to decide whether a community thinks along common lines with the proper Jewish outlook:

אין ב' 2010 שנתה רבנים ובעלי תורה גורמים לראות את התורה כמשהו שיש לו חשיבות רבה...
הוא לא יודע לומר לנו מהו המצב האמיתי של התורה, והוא לא יודע לומר לנו מהו המצב האמיתי של התורה.
הוא לא יודע לומר לנו מהו המצב האמיתי של התורה, והוא לא יודע לומר לנו מהו המצב האמיתי של התורה.

The prime importance is placed on actions. Despite his minor disagreement on the "politics" of the past, it is inordinately clear that his definition of an observant Jew was based on fulfillment of the commandments and not on organizational

¹²Ibid, p. 137a.
¹³Ibid.

affiliations. It must also be mentioned that this is an incontrovertible example of Rashban's departure from the opinions of Maharam Schick, whom we saw earlier upheld the prohibition invoked against the Status Quo.

By 1892, a responsum appears which sheds light not only on his opinions of the Status Quo as God-fearing people, it also reflects his own empathy for their "caught in the middle" status. In Even Haezer 13 he writes to R. Joseph Schreiber of Esad in answer to whether it is necessary to receive the sanction of one hundred rabbis as the Shulhan Arukh prescribes in order to allow a man whose wife committed adultery to remarry without a formal "Get" (Divorce writ), the following:

ובפרט בדורינו בעת השערוריה אשר רובא דרובא מן הרבנים היראים נפלו ברשת הטעות ואומרים בכתב ובעל פה שאסור לנו להתחבר עם רבנים היושבים בקהלה שאין לה שם ארטהדאקס, ומה רב בקהלה כמו הדר"ג ממי ובקש הסכמה? מי ישיב לו במדינתינו? ואם ילך לבקש הסכמה מן הרבנים היושבים בקהל קאנגרעסט מה מועילים, הסכמות כאלו מאנשים שאין בקיאים עפ"י הרוב בטוב גיטין וקידושין ...⁷⁴

Even if R. Schreiber had wanted to get one hundred signatories he could not because his community did not have the name "Orthodox", and certainly the autographs of Neologue rabbis would not give the decision any greater validity. Moreover, it appears from Rashban's emotional outcry that he himself had begun to feel such anguish due to his own controversial

⁷⁴Rashban, EH, p. 18b.

predicament. Here is a telling illustration of what it meant to be a moderate rabbi in post-Congress Hungary.

The final example of Rashban's view of the Status Quo is from Even Haezer 85. Written in 1901, it answers a direct inquiry as to what he thinks of them. His response is his most outspoken defense of the non-Orthodox communities and criticism of their attackers. After repeating his disapproval of the prohibition against the Status Quo (upon which he levels doubt as to the numbers of rabbis who actually gave their approval to the petition) and restating his belief that the crucial issues were having a righteous rabbi and a reliable ritual slaughterer (Shochet) he openly mourns:

ובדורינו מחרימים ומנדים את הצדיקים הדרים בעיר ובקהל שאין לה השם
 בדחילו ורחימו, ומקרבים באהבה ובחבה. המוציאים עליהם שם רע ודבה
 אין שמים על לבם שמתוך המריבה מעולם לא יצא טוב על ישראל, לא די
 שאלו אנשי קאנגרעסס שונאים אותנו ורודפים אותנו, אלא שהם מרחקין
 ובוזים גם אלו אשר בשם שטאטוסקווא מכונין ...⁷⁵

His annoyance at his Orthodox associates is for the day to day acts of insult that they commit and of greater enduring significance for alienating those whom they should really identify with as well as those who need to be brought closer.

⁷⁵Ibid, p. 79b. This responsum is cited by Greenwald, p. 102a (note 67) as a case in which Rashban claimed without factual basis that Maharam Schick agreed to the prohibition against the Status Quo. Not only is he mistaken because Maharam Schick's name or any allusion to him does not appear in the entire entry, his explanation that Rashban took a non-critical approach to the Status Quo because his sons-in-law were rabbis in such communities is extremely presumptuous.

The responsum ends with a statement of his conviction that "if there were peace" between Orthodox and Status Quo there would be less to fear from. And, if God-fearing Torah scholars would do pastoral work and teaching among the Neologue, they too would learn the truth, see their mistakes and the conflict would end. With all this in mind he recommends to his correspondent that as long as he abides by laws of Kashrut (Jewish dietary laws) and brings up his children according to the Torah it should not matter what others call one another.

Rashban may have always seen the Orthodox organization's importance as an alliance against the Congress but by 1901 without doubt this position had evolved to the degree that even such a loose affiliation seemed unimportant. A man who had spent four years trying to convince his own congregants to join with the Orthodox, was now openly advising people not to take such associations seriously. While his view of the Neologue was as critical in many ways as his master's their differences being primarily a result of Maharam Schick's inward approach as opposed to Rashban's continual belief in reaching out and seeing hope in all other Jews, regarding the Status Quo they were miles apart.

Not only did Rashban value their religious commitment and observance as on the same level as the Orthodox, his sympathies for their plight betray his own identification with their position.

The Orthodox

In a number of points, the issue of R. Solomon Zvi Schick's view of his Orthodox colleagues and their organization has already been mentioned. However, a more thorough overview sheds light as to the degree to which he felt alienated.

In this section there are no quotes from the Maharam Schick because it has already become obvious that he supported the Orthodox and was among the founders of this group.

Throughout She'elot U'Tshuvot Rashban we repeatedly see homage being paid to the leaders who felt the necessity to make the original split from the non-Orthodox, however, in essence it will become clear that even this limited act of conformity is compromised when juxtaposed to the virulence of his words regarding the separatists of his own day.

In Orah Hayyim 107, written in 1887, Rashban writes to R. Naftali Sofer. He begins by congratulating R. Sofer for his introduction to his book Mateh Naftali in which he gives credit to those Rabbis who choose to serve in non-Orthodox communities. To this Rashban adds his own seething condemnation of those who attack such rabbis:

אך נשאל מי ומי הרשעים? הרשעים הם אלו המחזיקים במחלוקת... ולכך בעת השעוריריה אשר כמעט למצוה יחשב להרבות המחלוקת, ולהרים יד ולהכות את חבירו בסתר ובגלוי, והתלמידים אשר בשם שומרי הדת עומדים ומבזים את רבותיהם היושבים בקהילות שאין להם שם שומרי הדת, ובפקודת מנהיגי הדור יושבים כותבי פלסתר המחללין שבתות והולכים בעצת יצרם הרע. ומבזים גדולי הדור לעיני המון, והעיקר השם ואלו שמות גרעו בארץ שמות... ואם אחר הקאנגרעסס היה מן ההכרח לפרד מן המתחדשים שפרקו את עול התורה והמצוות... אך מה לנו לבזות אותם

ולחשפיל את כבודם לעפר.⁷⁶

The real evildoers are those who exacerbate the feuds among the Jews by emphasising the names and affiliations of people rather than their actions. Rashban even goes as far as to call them "Sabbath desecraters". Whether he meant to imply that their actions were equivalent in their depravity to such people or that there actually were those among the "Shomrei Hadas" extremists who would commit a transgression on the Sabbath in order to attack their opponents is unclear.⁷⁷ In either case it is certainly a heavy handed accusation.

The second selection is from Orah Hayyim 140. In the course of addressing a question from his son Berahia regarding circumcision, Rashban discusses the two groups who stand in the way of "holiness".

After reviewing his proposal for revamping the Hungarian Jewish educational system Rashban suggests a parallel between himself and R. Simeon b. Yohai, who upon returning from twelve years of seclusion in a cave saw that the Torah scholars of that generation felt themselves too great to go out and try to bring the masses back to observance.⁷⁸ This great Tannaitic figure's response was to say that even if the others refuse he will do

⁷⁶Rashban, OH, p. 81a.

⁷⁷Anyone who is aware of the frequent spates of contemporary rock throwing cannot help but assume that the latter is true.

⁷⁸See education section for an expanded explanation.

his best to bring the people closer to God.⁷⁹ So too, in his day, Rashban sees himself as a lone figure who is willing to return those who have swayed and separated themselves from traditional observance - a situation which clearly resulted from the Michalovic conference and the Congress.⁸⁰

He then proceeds to illustrate the difficulty of this task by describing the onerous qualities which have become identified with extreme group. He describes the Orthodox as follows:

כת אחד אשר בטבעם נוטים לקבל חומרות והולכים אחרי עצת המתחסדים.
הם הם את ה' יראים, בשקול דעתם טועים, הפסק דין שאסור ללמד
מהחכמות ואסור לדבר בלשון זר, ונקי הוא קדוש, וכל דבר חדש בעיניהם
כאיסור וכפירה. הם הם כאלו הכלבים השומרים את אדוניהם, וכל הבא
אל הבית יהיה צדיק או רשע, אוהב או אויב, בעיניהם כגנב יחשב,
וחורצים עליו בלשונם לטרפו חיים.

His candid appraisal of his Orthodox contemporaries leaves no doubts as to the degree of disagreement between he and them. Their fear of God is misdirected and this has quite serious consequences. Moreover, the graphic description of them as bloodthirsty watchdogs ready to pounce on any intruder

⁷⁹Rashban, OH, p. 107a.

רק אני ובני שלא זכינו לגדולתם, אנחנו נרד אל העם ונשב במחנה
להראות להם הדרך אשר ילכו בה, ואת המעשה אשר יעשו - אולי יעלה
על ידינו להעלות אותם ממטה למעלה.

⁸⁰Ibid: "והפסק ב"ד והאסיפה בקענגרעסט גרמו כל זאת."

⁸¹Ibid, 108a.

demonstrates how disturbing the attacks against Rashban were to him and the degree of hatred which he saw manifested in the actions of the extreme Orthodox.

He then lists the specific areas in which he has been attacked for his non-conformity; his dress, his speech and his general actions and approach. He concludes by saying that despite their belief that they are higher than Rashban, in truth, neither group is worthy of arguing with him.⁸² Besides expanding our understanding of Rashban's opinion of the Orthodox, it is intimated in this responsum that only a man with an almost pompous feeling of self-confidence and self-righteousness could have the gaul to defend such a vulnerable position and withstand the attacks levelled against him.

Responsum 174 in Even HaEzer is a letter from R. Solomon Zvi Schick to R. Haim Hezekiah Medini, the Sephardic Chief Rabbi of Hebron and author of the encyclopedic work on halacha, Sde Hemed.⁸³ Although there is no date attached to the letter, it was certainly written after 1892 and probably later, because that is the year of the first printing of Sde Hemed and Rashban refers to the book in the letter. This entry is significant to a presentation of Rashban's view of the Orthodox primarily because whereas in the aforementioned responsa he presents one

⁸²Ibid, 108b.

⁸³Rashban, EH, p. 139a-140a; Haim Hezekiah Medini, Sde Hemed, Warsaw, 1892.

unequivocal view of the Orthodox and their transgressions, here he divides the type of Orthodox reactions into two groups (albeit that both are wrong). In addition, it is the first entry in which rather than demonstrating a fighting spirit, Rashban basically admits that the chances of ever putting an end to the deep-seated divisions among Hungarian Jewry are doubtful.

This last point comes out in the beginning of the responsum. In introducing his comments regarding the divisions in Hungary he suggests that just as it has been said that there are three things which cannot always be cured: hatred, sickness and poverty, so he would add the situation in his generation to this list of unsolvable problems.⁸⁴

On this somber note he sets out to describe the main components of this incurable virus. The first group is the Hasidim who have absolutely no wits about them and spread vicious rumors as well as embarrass in public anyone who does not say "Amen" to all their words. The second tier are those who while actually being more discerning people refuse to disagree with the extremists,

ועונים אמן לכל דבריהם באמרם "בענוה" שחלילה להם מעשות כדבר הרע
⁸⁵ הנה לעמוד ולחלוק על החסידים.

⁸⁴Rashban, EH, p. 139a.

⁸⁵Ibid, p. 139b.

To their claims of modesty Rashban retorts:

וכל מי שרואה בעין יפה ימצא שרק הגאות מדבר מתוך גרוגס למען
ישבו גם הם בראש ובין גדולי הדור יהיו מנוים וזה ענוה
ממקור הגאות.⁸⁶

In a sense, to Rashban this second category of perpetrators is more guilty than the first. Because as opposed to the others who are convinced of the righteousness of their actions, these rabbis choose to support the extremists out of self-interest rather than conviction. It would appear that this would be especially irksome to Rashban, who had the qualifications necessary to be a mainstream rabbinic leader but chose instead the lonely path of defending his own perception of the just way.

In commenting on the hypocrisy of the extreme Orthodox's deeds, Rashban raises their claim to justification in slandering other Jews on the basis of a law expounded by the Magen Avraham (a seventeenth century commentary on the Shulkan Arukh):

מותר לומר לשון הרע על בעלי מחלוקת.⁸⁷

To this he answers that their interpretation of "Baalei Makhloket" is anyone who does not totally accept their opinion. This point is significant because it is another case in which

⁸⁶Ibid.

⁸⁷Abraham Gumbiner, Magen Avraham, 157:44,60.

Rashban not only blames the extreme Orthodox for a misdirected outlook, but actually accuses them of outright halachic transgressions. In a sense he is trying to prove that even in the area of religious observance, the policy of separation espoused by the Orthodox has not created an environment conducive to greater compliance with the laws of the Torah - in effect the opposite has happened.

The last point in this entry is a review of two attacks levied against him by a leading Orthodox figure.⁸⁸ One is his naming of his book, She'elot U'Tshuvot Rashban, which was considered highly presumptuous for one of his stature. The other is for printing his secular name "Solomon" on the first page of his book. He refutes these claims and then comments that the public criticisms for such minor issues only mask the true intentions of these attacks:

⁸⁹ שבזה מראים קנאתם ושנאתם נגד חכמי התורה.

The final selection on this topic is from Orah Hayyim 202.⁹⁰ Written in 1900, it does not add that much to our definition of Rashban's view of the Orthodox, but it does show a

⁸⁸The author of the attack referred to here is probably D.Z. Katzburg, the editor of Tel Talpiyot, a fervent espouser of the extreme Orthodox approach who wrote a number of critiques of Rashban's works and printed them in his publication. These articles will be dealt with at length at the end of this study.

⁸⁹Rashban, EH, p. 139b.

⁹⁰Rashban, OH, pp. 214b-217b.

dichotomy in R. Solomon Zvi Schick's approach to defending his principles which is quite telling about how he viewed himself vis-a-vis other Orthodox rabbis.

It appears that Berahiah Schick was quite upset by the public attacks levelled at his father. He therefore turned to him to ask what should be the proper response to such people. Whereas in relation to specific ideological points of contention Rashban's attitude was to voice in vehement terms his own view, in relation to personal attacks he preferred to keep silent. His position was that just as many great men and their original works had been maligned throughout Jewish history, so he would have to deal with such a situation. The fact that many leading Torah scholars had both personally and in correspondence commended his work was enough to derail the words of others who were simply using literary critique as a vehicle for attacking him for his un-conventional opinions. He ends the first part of the responsum with words of encouragement to his son:

וכי מתעקשים כאלו כדאי הם לבטל זמן בשבילם אפילו רגע
אחד? והארכתני בזה להפיס דעתך ולא תפן לצעקתם ולקללותם, כי
אנשי אמת עדין בישראל. וכשם שאי אפשר לבר בלא תבן וקוצים כן
נמצאים בין החכמים קוצים ודרדרים שהם תולדות הקנאה והתאוה,
והכבוד.⁹¹

After digressing from this topic for a few paragraphs, at the end of the responsum he reiterates in more specific terms

⁹¹Ibid, p. 216a.

his instructions to his son. He gives three reasons why no acts of retribution against his attackers should be employed. First, because it would be beneath his dignity. Second, because those who engage in such attacks actually thrive on building such disagreements into major feuds. Finally, because just as God commanded the Children of Israel to "remember" ('Zakhor') the deeds of the Amalekites (their first aggressors) but did not say to "hate" ("אָנאָט") them, so too their response should be to passively avoid these people and not interact with them but they should not take active steps against them.

The second and third points are particularly poignant. Rashban was well aware that he must maintain a policy of "argument only for heaven's name". It was clear to him that any action on his part would only add fuel to a personal witch hunt which would cause further shame to the honor of Torah scholars. Yet, the analogy between his attackers and Judaism's eternal enemy "the Amalekites" betrays the true feelings that he had regarding these people. They were his personal enemies and the stumbling blocks to his dreams of Jewish unity coming to fruition. He may have chosen for practical reasons not to allow the conditions for a formal break to come about but unquestionably he felt not only distance but an inherent enmity between he and the extreme-Orthodox which could only be described in terms of the relation between Israel and the Amalekites.⁹²

⁹²Ibid, p. 217a.

Both the images which R. Solomon Zvi Schick uses to portray the Orthodox ("Evildoers", "Bloodthirsty dogs" and "Amalekites") as well as his efforts to convict them of actual halachic transgressions ("Sabbath desecraters", "slanderers") express the ill feeling that he had regarding them. But it is important to note that these negative expressions were not results of his philosophical disagreements with them. While he defended his own principles and criticized the lack of vision of his counterparts, what truly created their monstrous portrayal of them was their methods, not their beliefs. Most importantly, the passages reviewed here confirm the acute awareness and occasional insecurity that Rashban had regarding his ostracization from what had become mainstream Hungarian Orthodoxy. It appears that there is a correlation between the development of his attitudes regarding the divisions among Hungarian Jewry and his acceptance of his status as a pariah amongst his colleagues. At first he felt a need to recall his original support for the creation of the Konstiturang agreement, further on he chose to fight and show that others were wrong for singling him out, eventually he accepted the reality that his convictions by definition relegated him to the periphery of such a homogeneous world.

VI. Education

Under the broad title of education, a number of responsa will now be analyzed which further illustrate the gap between the thinking of R. Solomon Zvi Schick and that of R. Moshe Schick which has already been shown in relation to their general views of the conflict between the factions in late 19th and early 20th century Hungarian Jewry. The focus on more specific subjects will show that by and large the basic views which have already been outlined carry over into many areas in which they dealt as halachic authorities. Moreover, this in turn further rounds out the picture of Rashban as a moderate within Hungarian Rabbinic circles.

The issues which are dealt with in this section are: their respective attitudes towards secular education and regarding the Hungarian Rabbinical Seminary as well as Rabbi Azriel Hildesheimer's alternative model for an Orthodox seminary.⁹³ Many of the responsa quoted treat all three of these topics simultaneously but for clarity sake they are presented here individually.

⁹³A detailed description of these institutions will appear later along with those topics.

Secular Knowledge

Maharam Schick's responsa 70 and 209 in Orah Hayyim give the most comprehensive reports on his attitudes towards secular studies. Number seventy is undated but appears to have been written around 1866 because it is an answer to an inquiry regarding the validity of the sanctions ratified in Michalovic in 1865. His evaluation is that Jewish interest in "the knowledge of the nations and outside wisdom" has caused Israel to move away from the Torah and most of those who delve and become deeply involved in such knowledge lack fear of God.⁹⁴ While he admits that there are some who are able to balance their religious commitment with their outside learning they are a tiny minority. In fact, he says, those people should still shy away from such endeavors because others who lack the ability to control their evil inclinations will observe them and follow suit. Therefore, he concludes, "It is incumbent upon us to enact a proclamation to distance ourselves from all such issues as much as possible." Here is set out a clear injunction against all secular studies because it is undoubtedly the cause of the assimilationist reformist tendencies of the time.

In responsum 209, written in 1868, at about the time when the Congress was convened, Maharam Schick expands on his view by offering an explanation for why Torah and secular knowledge cannot live together:

⁹⁴ Maharam Schick, OH, p. 20b.

ואם מרבה ומגדיל ג"כ דברים המרבים לו יראת שמים אז אפשר שבת אחים גם יחד דהיינו באופן אם כל שמוסיף דעת מוסיף ג"כ יראת שמים. אבל באמת טבע האנושי אינו כן. דבר הממשיך ומרחיב לו זהו מקובל אצלו ונמשך אחריו, ויראת שמים, שהוא קשה על האדם ואינו מתקיימת, אלא במי שממית עצמו עליה... וממילא ירבה משקל הידיעות הטבעיות והלימודיות, ויבא לידי נסיון יותר גדול, ויצרו יותר גדול ואין לו כלי זיין לעמוד על תאות לבו הרע. וממילא יהיו לו הידיעה למכשול ולפרקם.⁹⁵

While entertaining the possibility that a partnership between the two could theoretically work, he rejects this notion because "man's nature does not allow him to balance such opposing forces." Ultimately he will be forced to veer to one extreme and in this case it will usually be towards the secular because it is easier to attain while Torah requires the ultimate effort. The evil that comes to the forefront due to a Jews' study of "outside literature" is so great, according to R. Moses Schick, that it must imply an organic contradiction implicit in the confrontation between it and Torah within the human mind.

The responsum goes on to quote two halachic sources as proof that secular studies must be banned: the Code of Maimonides and Rabbi Joseph Karo's Shulhan Arukh. Quoting from Hilchot Yesodei HaTorah he states that Maimonides' injunction:

⁹⁵Ibid, p. 103b.

96 שאינו ראוי לטייל בפרדס אלא למי שנחמלא כרסו בלחם ובבשר...

refers to studying "other wisdoms". This would seem to be a very strong proof for Schick's position. However, there are two difficulties in the usage of this quote which demonstrate the problematic nature of this passage regarding the point which it is meant to prove. Showing these difficulties is significant because it sheds light on the extremes to which authorities will go in order to insure that a decision which they view as having wide ranging ramifications be accepted by the masses. A simple glance through the fourth chapter of Hilchot Yesodei HaTorah will show that Maimonides does not understand "Pardes" to mean secular literature, rather it refers to the hidden secrets of creation and Ezekiel's vision of the Chariot and other related topics whose mystical content was too potent for even Rabbi Akiva's great comrades to handle. In addition, it is interesting that Maharam Schick only emphasized the point that such study is not allowed without drawing attention to the adjacent rejoinder that if one is knowledgeable in what is permissible and forbidden and all the other commandments, such interests are no longer dangerous.

⁹⁶ Both the quotes from Maimonides and from Isserles appear in two other entries: OH 308 and YD 335. While in Yoreh Deah Maharam Schick does do greater justice to Isserles by quoting the full statement in his name, the misleading connotation is still maintained.

It appears that Maharam Schick placed such importance on outlawing "outside knowledge" that he was willing to give a quite liberal interpretation of the law set out in the code as well as ignore the addendum which is attached by Maimonides to his statement.

To a lesser extent, a similar use of an unorthodox explanation is evident regarding the quoting of a statement made by R. Moses Isserles in his notes on the Shulhan Arukh. He quotes the Shulhan Arukh (Yoreh Deah 246) as saying that it is forbidden to study other wisdom's except in a chance manner." First he cites the reference in the name of the Shulhan Arukh when it was actually said by Isserles. Furthermore, the actual context is a list of those studies which will enable a man to gain entry into the world to come and from this list "other wisdoms" are excluded, but by no means is it implied that such books are forbidden (in fact only heretical texts are disallowed). Finally, he ignores the limitation put on the statement - studying on a chance occasion (Ela B'Akrai) which seemingly allows some modicum of positive involvement with secular subjects. Both his clearly negative statement and the "liberal" use of sources for proofs attest to the wicked nature of "outside wisdom" according to Maharam Schick.

As has been stated already, there was some common thread between the views of Rashban and his teacher regarding the Neologue. However, pertaining to secular studies their paths

completely diverge. Already in the first entry in Orah Hayyim, in his discussion of how ideally the Jewish community should live he dreamily desires:

ובלב אחד נעשה סדר וסדרים לשיבות וילמדו הבחורים תורה וחכמה
בישיבות.⁹⁷

This desire to include "wisdom" in the required studies of Jewish students is reflected in a good number of responsa throughout both volumes of She'elot V'Tshuvot Rashban. While it might appear simple to many that a person must have enough skills to earn a living, in an age of Orthodox retreat from society even this became a revolutionary idea. Moreover, it will become evident that Rashban's commitment to the synthesis of Torah and knowledge goes way beyond the practical necessities of life and becomes ideal within the makeup of the complete Jew.

In Orah Hayyim the responsa deal primarily with the practical aspects of secular education. In number 116, written in 1883 to Rabbi Feivel Plout, he presents a comprehensive plan for the re-organization of the Jewish educational structure.⁹⁸ He begins with an elaborate introduction proving that the proper way for a Jew to conduct his life is by walking along the "middle path" as professed by Maimonides. He shows that the

⁹⁷Rashban, OH, p. 41.

⁹⁸Ibid, pp. 85a-88a.

Talmud in Tractate Brachot (35a) rejects the opinion of R. Simeon ben Gamliel that "Man is not required to till, reap or involve himself in worldly affairs, but rather should only engross himself in Torah and his work will be done by others." Rather, one must attain the attributes of "Hokhma, Da'at, and Tevunah", which includes knowledge of the world in order to attain the Maimonidean ideal.

He then prefaces his actual plan with a description of the current situation: Once upon a time Jewish young men learned in a Yeshiva and eventually either became rabbis and teachers or married into a family who helped them earn a livelihood. Today, he says, rabbis must know the language as well as knowledge of the world in order to communicate with their congregants. More significantly regarding those who do not become professional educators he states:

ואלו אשר לא הגיעו להוראה ירשו תרתי גיהנם כי אין להם תורה ואין תורה ואין אומנות, וגם בכתב ולשון אין בקיאים. והפרנסה בדורינו מתמעט כי נשתנו הענינים מבית ומחוץ ...

With this acute awareness of the change that modern times has brought upon the realities of economic life he sets out a three stage plan. All young men will learn first in local yeshivot where Talmud, Bible, and Jewish law will be taught, this will encompass institutions with up to ten students as well

⁹⁹Ibid, p. 87a.

as those with up to fifty. After being graduated from this level a choice will be given: those who plan to serve the community will go to the highest level of Yeshiva where they will do advanced study in Jewish law as well as being exposed to that of outside wisdom which is crucial to their success as rabbis and orators. For those who choose to enter the working world three educational centers in the main geographic areas of Hungary will be set up. The "poor boys who do not want or lack the wherewithal to learn Torah and become Rabbis" will learn Bible, practical Jewish law as well as writing, grammar, language and "clean work - a profession".¹⁰⁰

The responsum ends with an appeal to accept his proposals (even to the Hassidic element in Hungary) on the basis of the famous words of R. Judah in Mishna Tractate Kiddushin, "A father who does not teach his son a profession it is as if he taught him thievery."

The plan, as well as his reasoning in proposing it, are reiterated on numerous occasions throughout the two volumes.¹⁰¹ His pleas were to no avail, as time and again he states how he appealed to rabbinic leaders on this and other propositions and the response, if any, was in the negative.¹⁰² While one might surmise that a rabbi of greater stature could have

¹⁰⁰ Ibid.

¹⁰¹ See Ibid (120), p. 91a.

¹⁰² See Ibid (121), p. 91b.

accomplished more in this direction and his failure was due to his inadequacy, the fact is that no such leaders existed. Either for fear of being rejected by the extremists or simply because everyone (as we have seen including Maharam Schick) was carried away by the approach of shutting the door to anything new, it was left to Rashban to be a standard bearer for such a compromising approach within the Orthodox world.

In Even HaEzer, Rashban goes a step further by accepting inclusion of secular knowledge as part of the ultimate picture of a Jews' makeup and not just a concession to the realities of the contemporary economic conditions.

Entries 99, 101 and 102 are citations of letters written to R. Solomon Zvi Schick from R. Shabtai Lifshutz of Ilencia in which he attacks Schick on a number of issues and Rashban responds.¹⁰³ In the course of pointing out the impropriety of the practice of quoting an opinion without including its original source, Lifshutz mentions as an aside that according to the Sefer Mahane Hayyim (Orah Hayyim part three entry eleven) this would not be wrong if one is citing a work of the Neologue ("מחנדים").¹⁰⁴ After brushing off the other criticisms Rashban jumps on the seemingly innocent mention of the aforesaid injunction. He says that "anyone who says such a thing is wrong" because it is clear from the Mishna and Talmud and

¹⁰³ Ibid, EH, pp. 87a-89b; 90a to 94a.

¹⁰⁴ Ibid, p. 87b.

Maimonides that it is not forbidden to quote from a Neologue. For example, he says, the Talmud quotes laws in the name of Ben Azzai, Ben Zomah, and Elisha ben Abuya who went into "Pardes" with Rabbi Akiva and their belief was impaired. In addition, during their lives many said that it was forbidden to study the works of Maimonides and R. Jonathan Eibeshutz, and today their books are widely accepted by Torah scholars. Therefore, not only does he not accept a prohibition on quoting from Neologue sources, he questions:

מי הוא זה שיאמר מה הוא מתחדש ומי הוא מן המתחדשים שאסור להזכיר את שמר.¹⁰⁵

He goes on to point out that the Mahane Hayyim participated in the Michalovic conference which considered that anyone who spoke in the vernacular was a "Mithadesh", thus invalidating his opinion - especially in light of the fact that he claims that Maharam Schick sermonized in German and quoted in the name of Moshe Desau (Mendellsohn).

After a return letter in which R. Lifschutz garnishes more proofs for his positions and refutations for Rashban's answers, Schick adds on to what he previously said. Besides supplementing the list of great religious figures in Jewish history who studied and cited secular sources, he asks what has

¹⁰⁵ Ibid, p. 89a.

happened to the ideal of "Torah im Derech Eretz" (Torah with knowledge of world) which is propounded in the Ethics of Our Fathers. The above entries clearly show that in Rashban's eyes there was no doubt that sources both non-traditional and secular are an organic part of worldly knowledge, and by no means should be dismissed due to their origin.

In this vein, responsa 139 and 140 in Even HaEzer give additional concrete example of this approach and go a step further in explaining Rashban's commitment to it.¹⁰⁶ Written in 1901, they both comment on the ordinance listed in Tractate Shabbat (75) that one who learns from an "Angushi" (either a wizard or a heretic) is deserving punishment by death. He first points out that although the Shulhan Arukh accepts this prohibition, Maimonides and many of the commentaries on Karo's work do not. Moreover, Maimonides actually says that members of the Sanhedrin (Highest Judicial and Legislative body in Jewish law) must learn the wisdom of the "Angushi". The reason for this as well as the original prohibition is explained by Rashban:

ואם אמרו חכמי התלמוד כל הלומד מן האמגושי חייב מיתה, לא אמרו זה
אלא להמון, באשר חששו שילמדו מהם מעשיהם הרעים, אכן לקדושים אשר
בארץ שאוכלים התוד מן הפרי וזורקים הקליפה מותר ללמד, והחוב עליהם
ללמד הטוב והישר כדי לאשר ולחזק את התורה והדת.¹⁰⁷

¹⁰⁶ Rashban, EH, pp. 114b-117b.

¹⁰⁷ Ibid., p. 115a.

Maimonides was aware of the dangers of learning from people's deeds and not from their words and therefore only required that the Sanhedrin study them. While this could be construed as a severe limitation on the study of "outside wisdom" by the masses, we know already that Rashban did not accept this opinion.¹⁰⁸ More significantly, the language used to describe the relationship between Torah and other wisdom testify to the high regard that Rashban had for it. If one can take away the shell and eat the insides then it will only help to strengthen one's faith.

Finally, in Even HaEzer 196, Rashban gives his last significant appraisal of the relationship between Torah and Wisdom and explains how this synthesis can be maintained by an observant Jew.¹⁰⁹ Referring to the need to study in order to teach the truths of Judaism to the world he states:

אכן מי שרוצה לעסוק בתורה על מנת ללמד וללמד החוב עליו טוב תורה עם דרך ארץ להיות מושלם גם בחכמות העולם כי כשם שברא הקב"ה בעולמו שני מאורות, השמש והירח וקרא אותם גדולים אע"פ שהירח המאיר בלילה קטן מן השמש המאיר ביום, כן ברא ונתן את האור תורה שהוא הגדול וברא ונתן את אור החכמה שהוא הקטן במאירות כי טובים שנים מאחד ... ומי הוא זה ואיזה הוא שאינו מבין ומשיג שדרך החכמה מסוכן להרבה בני אדם ופושעים יכשלו בס? אם אחד יושב שנים הרבה במבואות האפלות יבא פתא פתאים להסתכל באור-השמש מזיק לו? כל היוצא מאפלה לאורה צריך לילך לאט לאט עד שיהיה מוכשר לראות באור השמש...¹¹⁰

¹⁰⁸ In EH 196, as will be seen, Rashban provides an approach for studying secular studies in a way which will not pose problems to a God fearing student.

¹⁰⁹ Ibid, pp. 161a-b.

¹¹⁰ Ibid, pp. 162a-b.

The main point made here is that Torah and wisdom are integrally related. Torah is only enhanced through greater secular knowledge, by itself its stature is lessened, as he says, "For two are better than one." He adds on that one may find that even if philosophically this may be true, technically, one can be "blinded" by this new light. Therefore, he advises, one must work towards attaining secular knowledge slowly in order that one will be able to properly see the "light of the sun".

This final entry rounds out Rashban's approach to secular education and brings to the forefront the difference between him and Maharam Schick in its most lucid state. Throughout the responsa on this subject it has become evident that Rashban felt that in the modern world Jews are obligated to know worldly learning. On one level practically it was necessary for survival, moreover, it enhances the greatness of the Torah and makes it relevant in 19th century society. At this point it should also be remembered that he put his words into practice as we have already pointed out via the education which he gave his own children. Maharam Schick not only ignored the philosophic arguments, his fear of the dangers involved in instituting such educational changes was so great that he dismissed even the most basic inclusion of secular education as impossible. Thus, he was of opinion that man's nature could not allow the two to live side by side.

However, beyond their positions regarding this subject, we see a concrete example of how their general world views influenced the way they approached specific matters. Maharam Schick was convinced that traditional Judaism could only survive if it separated itself from the rest of the world, because outside influences were responsible for the crimes committed to that point. Rashban also saw the problems which had come about due to the inclusion of Jews in secular society. Yet his response was that it was necessary to work harder to show how authentic Judaism actually fit in and benefitted by its association with the modern world -- if only it was presented properly.

The Rabbinical Seminary

Both Rabbis Moses and Solomon Zvi Schick opposed the proposal to establish a rabbinical seminary which would be the only official training ground for rabbis in Hungary. They knew its faculty would include many with Neologue tendencies. In addition, they felt that its inclusion as part of the Congress agreement was an attempt by the reformers to take the guidance of future Jewish leaders out of the hands of the Yeshivot. In fact, Rashban was among those who signed a prohibition against the seminary in 1876 once its establishment was definite.¹¹¹ However, it will again become clear that Rashban could still see

¹¹¹ See Jacobowitz photocopy, 27 and 28.

positive in the roots of the endeavor, while Maharam Schick saw it as pure unadulterated evil. Moreover, the difference in their respective attitudes is shown in full color in regard to the prototype of a Modernized Orthodox Yeshiva instituted by Rabbi Azriel Hildesheimer in Eisenstadt.

In two responsa, both written within two weeks of each other in 1875, Maharam Schick expresses his views regarding establishing a rabbinical seminary. Entries 235 in Yoreh Deah and 209 in Orah Hayyim, share many of the same points, but the latter deals in greater depth with the "Kosher" seminary.¹¹²

The selection in Yoreh Deah begins with a question: "...What is the prohibition against having a seminary...?"¹¹³ After expressing his general opposition to studying Torah and science together, he specifies his complaints against the seminary and its students. He first gives his reasons why it is forbidden to appoint seminary graduates to rabbinical positions: communities may be attracted to them over greater scholars from traditional yeshivot -- this would be a mistake because their secular knowledge causes them to lack fear of God. This, he says, is a problem when incurred by any man, let alone the religious leader of the community. In addition, he enjoins against even those who do not plan to be rabbis, attending the seminary. He reasons that it is a "place of danger" because of

¹¹² Maharam Schick, YD, pp. 112b-113b; OH, pp. 102b-103a.

¹¹³ Ibid, p. 102b.

the faculty and the methodology and subjects that they teach, as well as the bad influence of the student body. Both these factors create an atmosphere of "Kalut", weakening of religious principles. In conclusion he states:

ועל פי הדברים הנאמרים למעלה שכל המשתדלים והמסייעים והמורים
והתלמידים כלם הם ממחטיאי הרבים.¹¹⁴

Anyone who associates with the Seminary is "from those who cause the masses to sin".

In Orah Hayyim, Maharam Schick responds directly to the question of whether the acceptance by some Orthodox rabbis of a "kosher seminary" was enough justification to allow its establishment. He stresses the fact that these rabbis were clearly in the minority, and on such matters a majority is sufficient to classify a law as a biblical prohibition. He begins with some background to the invocation of this edict:

ובשנת תרכ"ט (1869) התחילו פרידי עמינו לעורר ענין הסמינאר והיה
אסיפה גדולה באפען. ואם אמנם שהיה שם איזה רבנים שהמליצו על
הסעמינאר לתקנו באופן כשר, אבל רובם ככולם יותר מב' פעמים מסנהדרי
והאיסור אינה מדם התקנה אלא מצד הדין שכל היודע ומבין יאמר דהסמינאר
הוא אבן ניגוף לתורה ולעבודה ... וא"כ האיסור הוא דין תורה ...¹¹⁵

¹¹⁴ Ibid, p. 113a.

¹¹⁵ Maharam Schick, OH, p. 102b.

The rest of the responsum explains why even if one were to think that this does not fulfil the qualifications of a "din Torah" (Toraitic law), all would agree that it is a sanctioned preventative measure ("gezerah") which must be heeded in order to insulate the Torah community from evil.

Clearly, whether it be a biblical or rabbinic injunction, establishing a seminary was an irreconcilably forbidden act. In this light, there is an oral tradition recorded that when Rabbi Moses Schick was told that work had begun on the seminary building, he wept and ripped his clothes as is customary when a Jew is informed of an immediate relatives' death.¹¹⁶ More important than the exact halachic category of the law, however, is the fact that the prohibition makes no differentiation between a Neologue sponsored seminary and an Orthodox institution. To Maharam Schick anything which digressed from the traditional yeshiva model was forbidden because it represented a step away from the ghetto towards modernization. This would inevitably lead to gross reform and assimilation. Joseph Schweitzer, in his article on responsa regarding the Seminary, cites a letter from R. Hayyim Sofer to Maharam Schick, in which his "comrade in arms" states such a position in its most extreme formulation:

¹¹⁶ J. Schweitzer, "The Seminary in Responsa Literature", The Rabbinical Seminary of Budapest, New York 1986, p. 103. This story was found in memoirs attributed to Y.Y. Greenwald.

There is no difference between a rabbinical school of higher learning which admits secular studies, and a seminary...On the contrary, it is better to have a seminary in Pest for those who have moved away from the faith, than a Kosher seminary...¹¹⁷

As has already been pointed out, R. Solomon Zvi Schick opposed the Neologue Seminary, but in Orah Hayyim 121 and 122 he shows that this did not stop him from having sympathy for those who chose to attend and it certainly only re-enforced his commitment to organizing an Orthodox version.¹¹⁸ In the first one, an undated appeal to an unmentioned leading rabbinical figure, he points out that the majority of those studying in the Seminary came from areas in Hungary where the local language was taught and spoken. He therefore is convinced that if this necessary knowledge was taught in the Orthodox yeshivot that "they would not run away from our schools."¹¹⁹ While by no means sanctioning their action, he certainly could understand that a young man brought up in the modern world was not attracted to the limited scope of a yeshiva. Thus it was necessary to adjust the yeshiva to meet 19th century needs.

¹¹⁷ Ibid, p. 99. The quote is from Y.Y. Sofer (Ed.) Toldot Sofrim - Kan Sofer - Kinnot Sofrim, London, 1963, letter no. 86.

¹¹⁸ Rashban, OH, pp. 90b-95b.

¹¹⁹ Ibid, p. 94b.

Rashban's responsum 122 is actually a direct appeal to Maharam Schick to give his blessings to creating a kosher seminary. He appears equally as vociferous and unbudging as his mentor in regard to the Neologue seminary even as he supports the Orthodox version:

ואם אמנם אמת וצדק שבית המדרש לרבנים הנקרא סעמינאר מוכן לפורעניות
ומהם לא תצא תורה לישראל כי מוריהם כרוב תלמידיהם אין בהם יראת ה',
אכן עלינו לדעת שהשעה צריכה לכך לגדל תלמידים שיהיו בקיאים קצת
בחכמות העולם ...¹²⁰

However, his frustration at the lack of enthusiasm for his own solution is what sets the tone in his subsequent statements. Here, we see one of Rashban's most provocative and inspiring formulations regarding his own view of what the goals of Jewish education should be:

ותמה אני על המושל שהוציא האיסור על כל הסעמינאריאן, ומשמע מלשון
האיסור כאלו כל בתי המדרשים אשר חוץ למדינתנו נאסרו על היראים.
ועל זה לדעתי לא הסכימו החכמים חכמי אשכנז, ואני בפירוש כתבתי לו
הסעמינאר שעשו עתה בפעסט נגד רצון והסכמת גדולי המדינה, והוא הוא
כתב שם החותמים על האיסור כרצונו וחפץ לו ... שהוא גזירה שאין רוב
הציבור יכולים לעמוד בה ... ומה יאמרו אם ישמעו מאתנו שהרבנים
הצדיקים כר"ש הירש והילדעסהימער ומאה כיוצא בהם שלמדו חכמות העולם
בסעמינאר, והם הם זכו להחזיר התורה למקומה הראשון ולגייר אלפים
ורבבות מישראל, יאסרו להורות הוראה בישראל?¹²¹

¹²⁰ Ibid, pp. 95a-b

¹²¹ Ibid.

His annoyance at those who have misconstrued his agreement to sign the prohibition against the Neologue Seminary in Pest as including all seminaries, is only eclipsed by his verbalization of the grave connotations of such an edict.¹²² Basically, this meant complete rejection of the very essence of what being a model rabbinic leader meant. To Rashban, Hirsch and Hildesheimer were the ultimate role models - for they had attained worldly knowledge, and through it they had been able to show the importance of Judaism in the modern world. Thus, thousands of Jewish souls had been saved. To R. Solomon Zvi Schick enacting prohibitions against a Kosher seminary was tantamount to rejecting the proper role of the rabbi, thereby giving up on the Jewishness of a large segment of Hungarian Jewry.

This was essentially the policy that Maharam Schick chose to accept. Rather than take a chance and try to save the masses he was convinced that Judaism's survival would be insured by totally separating those whose commitment to the Torah was strong from anything that could possibly taint their purity. As Schweitzer explains

¹²² See Jacobowitz, photocopy 27.

Everything outside that often very narrow world was foreign to them. While they sensed the dynamic changes that were taking place around them in the life of Hungarian Jewry, they saw in them only dangers threatening the life which they considered the only possible one for themselves and their followers.¹²³

By contrast, Rashban was consistent in his middle of the road approach. Just as he was firm in his opposition to the Neologue position at the Congress -- yet to some degree sympathetic to their plight, so too here he takes such a stand. Moreover, he once again shows in an even more clear manner that he identifies with a moderating force within the traditional group.

As an epilogue to the responsum just cited, it should be noted that Rashban adds on after finishing his own argument that:

מרן הגאון ז"ל העתיק לי תשובה שכתב בענין זה לאחד מתלמידיו, וכען
נדפסה בתשובותיו על או"ח סימן ע'.¹²⁴

Aware as he was of his mentors opposition to his own plan, Rashban decided to leave it up to his reader's efforts to read responsum 70 of Maharam Schick. We have already cited this entry as R. Moses Schick's most pronounced statement against study of secular subjects.

¹²³ Schweitzer, p. 102.

¹²⁴ Rashban, OH, p. 95b.

VI. Synagogue and Ritual

The purpose of this section is to show that even decisions on specific questions of ritual and synagogue practice were affected by the rabbi's general world views. The topics dealt with here ostensibly could have been decided based purely on objective halachic criterion. However, inevitably the Neologue-Orthodox schism took a prominent place in the responsa of both Rashban and Maharam Schick. As such, we see to what degree this issue became the central factor in any problem concerning Jewish life in late nineteenth century Hungary. Moreover, the specific responsa cited present a particularly insightful outlook regarding both men and round out our general picture of them and their weltanschauung.

Not all the subjects dealt with by Maharam Schick are addressed by Rashban and vice versa. Therefore, as opposed to the other sections where their words are compared directly on each point, here in some instances the differences in their approaches is more based on underlying positions expressed by one which are then applied to the printed statement of the other.

The Synagogue: Conduct and Construction

The first topic is one which only R. Moses Schick discusses, but it is crucial towards understanding to what extent his approach influenced his decision making. As mentioned earlier, a conference of extreme Orthodox rabbis was convened in 1865 in the town of Michalovic. There ten sanctions were ratified, which essentially prohibited any changes in any aspect of Jewish religious practice and synagogue etiquette. Maharam Schick did not sign these prohibitions. Most assert that this was due to the inclusion of two particularly radical statements: one forbidding rabbis from speaking in the vernacular in the synagogue, the other proclaiming that a Neologue "shul" should be classified halachically as a "house of idol worship". Nathaniel Katzburg, in his work on the conference, shows that R. Hillel Lichtenstein who was the driving force behind the affair showed the proposals to Maharam Schick before and therefore he decided not to participate.¹²⁵

In two places Maharam Schick proves that halachically there is no basis for forbidding the presentation of homiletical discussions in German or Hungarian. In Orah Hayyim 70, after expressing his opposition to secular studies he states:

¹²⁵Katzburg, "...Michalovic...", pp. 276-282.

מכל מקום אם נמצא אדם צדיק ... אפילו עבר והכניס עצמו לסכנה ויצא
אם לשלום ומוחזקין אנו בו שהוא ת"ח וירא ה' ודורש בלשון לאומים וכל
מעשיו באמת ואמונה וכוונתו רצויה לא מצאתי מקום לאסור
במקום שאין רוצים לשמוע כי אם בל"א. ואם לא ידרוש
בל"א יקבלו אחר אינו הגון: לא מצאתי איסור לירא ה' לדרוש בל"א.¹²⁶

Here we see his objective appraisal that this action is permissible, combined with sensitivity to the importance of such communication in saving Jews from further distancing themselves from traditional Judaism.

However, five lines later he explains that this was the original position he took,

אבל חברי רבו עלי והסכימו שלא כדברי וצריך ומוכרח לקבל דבריהם באימה
וביראה. וחלילה לסור מדבריהם.¹²⁷

Therefore, his final decision is that speaking in the vernacular in synagogue is forbidden.

Katzburg assumes that Maharam Schick's willingness to follow the Michalovic decision on this issue was a reaction to the overwhelming acceptance of this approach among the Orthodox camp. He feels that the pressure to follow the popular extreme approach was overwhelming. However, we see in a responsum written to R. Hillel Lichtenstein before the conference even began that Maharam Schick was prepared from the outset to eventually agree with them:

¹²⁶ Maharam Schick, OH, p. 21a.

¹²⁷ Ibid.

ואם יסכימן¹²⁸ חכמי ישראל שלא כדברי ואדע טעמיהם וראיותיהם בוודאי אודה על האמת.

Moreover, it seems rather presumptuous to suggest that R. Moses Schick, who was considered the leading rabbinical figure of the generation, would succumb to simple popular pressure and change his decision. If that were the case, he should have changed his mind on whether Neologue synagogues are considered houses of idol worship -- which he did not do. This, and the fact that he chose not to participate in the Michalovic conference in the first place, knowing full well that its decisions would be accepted by the extreme Orthodox, shows that outside pressure could not have forced a total about face in his verdict.

It would appear that it was Maharam Schick's overall stance advocating separation of Orthodoxy from any possible negative influences which allowed him to decide against his objective halachic evaluation. Essentially, what he expresses in both responsa is that while pure legalities could not prevail upon him to prohibit speaking German or Hungarian in the synagogue (and he could even see merit in it), in his heart he believed that there was much danger in doing so and therefore once the majority took this position he was convinced of its righteousness.

¹²⁸ Likutei Shut Hatam Sofer, p. 75.

This explanation is supported by the language he uses in responsum seventy as well as by a subsequent letter to a student. Even when he says that such a practice should be permitted he uses a negative formulation. Rather than saying that it is "muttar" (permitted) the terminology he utilizes is "Lo Matzati Issur" (I have found no prohibition). One can almost feel his disappointment at the lack of unbiased proof for such a prohibition. Moreover, in a subsequent private letter to his student R. Wolf Zussman of Santograd (the author of the original query dealt with in responsum 70), he explains in no uncertain terms the reason for his change of opinion. In the correspondence cited by Yekutiel Yehuda Greenwald, Zussman, who was a rabbi in a community which required him to orate in the local tongue, expresses his distress at the thought of where he would find material sustenance if he followed this ruling. Maharam Schick again shows compassion for his student but in the end he cannot permit such conduct because the decision of Michalovic was necessary,

להחזיק הרע במעוטו.¹²⁹

Primary in Maharam Schick's mind was anything which could possibly limit the evils of reform. Therefore, when the majority decided against speaking in the vernacular in the synagogue, it was not difficult for him to be flexible toward

¹²⁹Greenwald, p. 69 (note 14). Greenwald says that this was a private correspondence which he came upon but is unpublished.

them because on basic outlook they were in agreement.

If this was the case, then the questions of why he did not participate in the Michalovic conference and why he maintained his position regarding Neologue shuls must be solved. The first issue is basically answered by Katzburg. The initiative for the conference as well as the majority of the participants were from the Hasidic sector to which Schick certainly did not belong.¹³⁰ While they shared the same general opinion that "separation" ("Hibadlut") was the way to fight reform, they still had many issues of contention between them. Therefore, Maharam Schick would not subject himself to the authority of their decisions from the outset - a condition for attending the meeting. Once he could independently analyze them he was willing to give his support if they were in line with his approach. The very proof of this is the pronouncement that declared the Neologue "shuls" to be houses of idol worship. Not only was there no halachic justification for it, in addition, it seems that Maharam Schick did not believe that this was consistent with his outlook and therefore refused to agree.

On most points his position regarding the Neologue was as extreme as the Hassidim. However, his independence as a thinker and man of stature allowed him to have a more discerning, thoughtful view of when such standpoints should be applied to practice.

¹³⁰ Katzburg, "...Michalovic...", p. 285.

R. Solomon Zvi Schick does not deal specifically with the issue of speaking in the vernacular in the synagogue, however one can surmise that the positive attitude which he had towards knowledge of secular subjects and the priority which he gave to Jewish students attaining such basic skills as grammar and writing show that he saw nothing reprehensible in utilizing the local language in speech.¹³¹ In addition, his belief that anything which is halachically permissible, which draw Jews in a positive way closer to traditional Judaism should be encouraged, also seems to point in this direction.¹³² But the contrast between Rashban's and Maharam Schick's attitudes towards their objective halachic appraisals and how they meshed with their respective ideologies is strikingly clear. Here, a number of topics from Sheelot Utshuvot HaRashban are discussed.

Responsa 42, 43, 82 and 86 in Orah Hayyim all deal with aspects of inclusion of non-Hebrew language in prayer or allowing Latin characters to be inscribed on permanent fixtures in the synagogue.¹³³ In 42 and 43 he deals with the question of including some Hungarian language in the service -- specifically the prayer for the welfare of the government. He gives five

¹³¹ In fact he was attacked for printing his German name and position "Salamon Schuck Bezirrabbiner" on the title page of his book in Latin letters.

¹³² In EH, 118, he takes a vehement stand against Neologue shuls being called Houses of Idol Worship.

¹³³ Rashban, OH, pp. 33b-38a; 70a-71a; 72a-b.

halachic proofs why this should be forbidden. From a socio-religious point of view he feels that the Hebrew language was prescribed by the sages for formal prayer (even though prima facie they acknowledged that individual prayer could be said in any language which the person understands) in order to insure the holiness of the Jewish people as well as to prevent them from following the ways of the Christians who changed the language of prayer from Hebrew to Latin. In addition, from a linguistic point of view Jewish prayer in general, and specifically the many entries which deal with messianism, lose their full meaning in other languages. Finally, the Hebrew language would be lost completely to the Jewish people if it was not used in prayer. He cites Maimonides Code (Hilchot Kriat Shema 2:10) as testimony to this opinion.¹³⁴

To these halachic arguments he adds that he sees these proposed changes as efforts to remove much of what differentiates Judaism from Christianity. Based on these factors he rules that it is forbidden to recite the prayer for the government in Hungarian or inscribe Latin lettering on the cloth covering of the "Bimah" (Table upon which the Torah is

¹³⁴ התפילות של אותו ציבור שאינם כגוף אחד אינם נשמעים, רק אם כולם כגוף אחד ... אז תפילתם נשמעת ... ורק השלום הביא ברכה לישראל.

Maimonides permits recitation of the "Shema" in any language but highly advises saying it in Hebrew because in other languages one must be careful to maintain the accuracy of the translation. The Rabad comments that according to this reasoning, only Hebrew should be permitted.

placed when it is read publicly.) He ends entry forty-three with a call for peace and unity among the Jewish people. For only then will Israel be blessed and their prayers heard.

These responsa were written in 1893, at a time when we have shown that he clearly had already expressed a conciliatory attitude regarding the non-Orthodox. What is evident from this entry is that Rashban always felt that these opinions could not affect his rulings if it meant compromising objective halachic criterion. Thus, even though he was aware that the Neologue would feel closer to the Orthodox if they would concede on some of these issues, he searched for the wisdom in the unbiased halachic appraisal. In addition, as noted earlier, Rashban showed openness toward the Neologue to the extent that he looked for those things which they had in common. But he was well aware of the many innovations which he thought were detrimental to accepted Jewish practice and about which he had no qualms doing anything within his power to prevent their acceptance among traditional groups.

Having made clear what his stand was on these issues, responsa 82 and 84 show that this hard line did not prevent him from showing flexibility if he felt that the integrity of the law was being maintained. In both cases Latin lettering was inscribed on permanent fixtures of the synagogue; in 82 on the Bimah cover and in 86 (which is a response to a question from

his son Berahiah) on a wall chart. Rashban's decision is that since the actions had already been done, a compromise must be formulated. Regarding the Bimah cover he says that since the lady who donated it will be offended if it is removed, it should remain, but henceforth it should be made clear that no foreign lettering would be permitted in the synagogue. In answer to his son, he suggests that the original chart which was hung should be removed and replaced by a Hebrew one, but a smaller facsimile of the first one should be placed underneath. These solutions might seem obvious, but in contrast to Maharam Schick who allowed his personal opinion to dictate actions which were inconsistent with his halachic evaluation, R. Solomon Zvi Schick appears to have taken great pains to maintain the integrity of the halacha even when one might assume that his natural instinct would have been to show greater leniency.¹³⁵

An example of proposed changes in the synagogue which both Maharam Schick and Rashban did discuss is moving the Bimah from its traditional position in the middle of the worshippers to the front. They each opposed such change because it was an effort to make the synagogue look more like a church.¹³⁶ However, they also both came to the halachic conclusion that the decree made at Michalovic which forbade entrance into such a synagogue was

¹³⁵ Rashban, OH, p. 72a-b.

¹³⁶ See Greenwald pp. 75-77 for a general discussion of this topic.

incorrect. The contrast then between Maharam Schick and Rashban on this issue is not in their objective appraisals, but how their general outlooks affected the language of their respective responsa and the actual practice which they recommended.

Maharam Schick discusses entering such a shul in number 84 of Likutei Shut Hatam Sofer and Orah Hayyim 204.¹³⁷ In the first responsum, dated 1865, he records his agreement with the prohibition against moving the Bimah and other similar changes. But later he explains that he cannot agree with an outright ban on entrance to such a shul. Rather, he forbids entrance to pray with a Neologue service (and says its preferable to pray individually without a quorum) or even to enter when a service is taking place. The only exception is if there is a grave need for a place for an Orthodox service to be held and it is clear that this will not benefit the "evil doers" then:

משמע שאם יש צורך גדול מותרת א"כ אם צריך להתפלל שם יהיה מותר.¹³⁸

While he is loyal here to the halachic appraisal, he poses severe limitations on when such permission should be granted. It is clear that Maharam Schick was weary of anything that could

¹³⁷ Likutei Shut Hatam Sofer, pp. 73-75; Maharam Schick, OH, pp. 101a-b.

¹³⁸ Ibid., p. 74.

in the slightest way appear as a concession to the Neologue.

By 1872, even the already stated decision is put in less positive terms. In response to R. Hayyim Sofer, an advocate of extreme measures against reform, he says that while he agrees that the actions of the Neologue are disgraceful and dangerous,

דאין הכניסה מצד עצמה אסור¹³⁹

Here, as in his discussion regarding the use of the vernacular in the synagogue he is only willing to say that it is not in itself ("Assur") forbidden to enter a Neologue shul, but he does not use the language of "Muttar" which means "allowed". The narrow scope which he tolerates along with the reluctant terms which he uses again attest to his awkward feelings about whatever authorization he did give.

In Even HaEzer 118, Rashban discusses the prohibition against placing the Bimah at the front of the synagogue.¹⁴⁰ After stating that those who do this are "sinners", he discusses why despite this there is still no basis for declaring such places houses of idol worship. In this context he even quotes from Maharam Schick's responsum just cited. However, further on it becomes clear that he was well aware of their differences regarding the ramifications of such a decision;

¹³⁹ Maharam Schick, OH, p. 101b.

¹⁴⁰ Rashban, EH, pp. 101b-102a.

ואני תמה על מרן ז"ל שלא הביא דברי ראייה ... שבית הכנסת שנעשה בה
עברה ואפילו תועבה יותר להתפלל בה הרי

מפורש שמה שהעמידו בה הבימה למעלה ... אע"פ שאלו עשו עולה בכ"ז
אין לנו רשות לומר שבשביל זה אסור לכנוס לבית הכנסת להתפלל בה. ¹⁴¹

Quite possibly Rashban was unaware of the responsum of Maharam Schick (published later in Likutei Shut Hatam Sofer) which gave limited allowance to praying in such an edifice. But, regardless of this, Rashban seemed to have discerned that his mentor's permissiveness was much more guarded than his own.

He then goes on to say that since there are existent traditional synagogues in Europe whose Bimah is set in the front, if observant Jews were to decide not to enter any shul with such construction it would cause people to completely lose respect and make fun of the prohibition. Therefore, his advice regarding one's action in entering an existing synagogue with the Bimah in the middle is:

ולדעתי יותר טוב היה שהיראים
יכנסו לשם, אולי יעלה בידם לתקן
המעוות, ואלו לא יפרדו למחנה אחרת. ¹⁴²

¹⁴¹ Ibid, p. 101b.

¹⁴² Ibid.

Rashban's approach is that once it is permissible according to the objective criterion of the law, there is no excuse not to join together with fellow Jews who pray there. While Maharam Schick sought to limit any contact between Orthodox and those who in any way deviated, even if such associations were permitted, Rashban saw the positive response of the law as a cue to encourage greater affiliation and partnership between them. For he felt that separation would only exacerbate the already existing tensions, while closer contact would lead to finding that which they held in common.

The "Metzizah" Controversy

An integral part of the Jewish circumcision rite is the oral cleansing off of the blood after the incision by the Mohel (performer of the ritual). This is called "metzizah". In early 1837, a number of crib deaths and severe illnesses took place among Jewish children in Vienna and were attributed to the transfer of the virus via the "metzizah" which had been performed by one specific mohel. R. Elazar Horowitz, the Chief Rabbi of Vienna, suggested that due to the doctor's belief that metzizah was the cause of the problem it would be permissible to perform this task (whose purpose according to Tractate Shabbat 133b was purely medicinal) through another safer method such as

the use of a sponge. This idea was immediately put forth before his mentor R. Moses Schreiber (Ha-Hatam Sofer) who wrote a monumental response within four days of receiving the query.¹⁴³ Sofer accepted Horowitz's point that the word "metzizah" as used in the Talmud did not always mean by mouth. However his decision is even more far reaching in that he says that even if this was definitely the intention of the Talmud, since the purpose was clearly to prevent danger to the boy, if this was not being accomplished through the traditional method as attested to by doctors, there was no problem with finding an alternative. His only stipulation was that it cause the same effect.¹⁴⁴

¹⁴³ Both question and answer were never printed in the responsum of Sofer or Horowitz's Yad Elazar. Their first appearance is oddly in Cochavei Yitzhak (1947) ed. M.I. Stern, pp. 37-42, a Journal of Jewish folklore and Wissenschaft writings. This fact was used as ammunition by those who did not accept HaHatam Sofer's opinion as proof that either the letter was falsified or at least was limited to one specific instance and was never meant to be a generally accepted decision.

For background into the controversy as well as a reproduction of the letters see Meir Herskovics' "R. Elazar Halevi Horowitz", Aresheth V, (1972), pp. 222-229, in which in addition he includes a very thorough listing of the applicable sources; in Sde Hemed Section Aleph, letter Yud a listing of the responsa on Metziza throughout the ages appears; Y.P. Shields, "The Making of Metzizah" Tradition 13 (1972), pp. 36-48.

¹⁴⁴ ועוד אני אומר אפילו היה מפורש בש"ס מוצץ בפיו כיון שאין זה מהכשר מילה אלא משום סכנה... יכולים להמיר בדבר אחר כיוצא בו, אך יזהירו הרופאים המומחים שיעידו באמת אם הספוג עושה פעולת מציצה בפה, יותר מזה אין לחוש לפע"ד...

The Hatam Sofer's responsa was by no means accepted unanimously.¹⁴⁵ Although in R. Elazar Horowitz's Vienna the sponge was used, most traditional communities continued to practice oral metzizah.¹⁴⁶ However, the question took on greater consequence in later years for a twofold reason: the neologue took a negative attitude towards oral metzizah and encouraged the abolition of this act, and because of the health ministries own standards the government enacted a series of laws which forbade the practice of oral metzizah. Thus, in the era of Maharam Schick and Rashban it was necessary to decide once again how important it was to maintain the traditional form of this ritual.

The responsa of Maharam Schick contains two entries which deal with the metzizah question.

The first responsum on the topic which appears in Yoreh Deah 244, is an undated answer to one Aaron Moses Shushka of

¹⁴⁵ See Herscovics' pp. 225-227 for a listing of those who accepted and those who opposed Ha-Hatam Sofer's decision. Although most of the rabbinic leaders reacted negatively, there were important figures (besides R. Elazar Horowitz and Rashban) who accepted it; of particular mention in this group is R. Zvi Hirsch Hayot, Shut Maharatz Hayot, Section A, No. 60, who went further and allowed the use of medicines as a replacement for oral metzizah.

¹⁴⁶ Even if they believed in the authenticity of Ha-Hatam Sofer's responsa, they were sure it was a one-time (hora'at Sha'ah") decision from which no general halachic principles could be learned.

Gaiya (Moravia) whose community passed an ordinance that forbade metzizah.¹⁴⁷ Subsequent to the passing of this law he continued to circumcise with metzizah and was not rebuked, however, he inquired whether in case he was told personally to cease this practice it would be better to stop performing the commandment of Brit milah or continue to do so without proper metzizah.

Maharam Schick begins his response with a sharp attack on those who had the gall to enact an ordinance which clearly contradicts the opinions of the sages simply because of the testimony of a few doctors:

תמהני על לשון מעלתו נ"י שכתב שעשו תקנה דבר כזה יקרא
 תקנה? אנשים שהרימו יד והעיזו בדבר המפורש בש"ס
 ופוסקים ראשונים ואחרונים שחיוב יש למצוץ ושאיכא חשש
 סכנה בדבר. והם חכמים בעיניהם יותר מחכמי הש"ס וכל
 הפוסקים ולבטל דברי הש"ס ופוסקים מפני הבל פיהם
 של מקצת רופאי זמנינו שאומרים שאין סכנה בלא מציצה.
 ואין זה אלא רמיות רוחא הניא דנקוטא להו וקלות דעתם
 להרוס ולבטל דברי חז"ל.¹⁴⁸

There is no doubt in Maharam Schick's mind that those who passed this communal law were intent on destroying the teachings of the Sages. He could not fathom that people would seriously consider

¹⁴⁷ Maharam Schick, YD, p. 82a; The chronology of these responsa has been suggested by Professor Katz due to the lack of reference Hust (בראזאווע) in Maharam Schick's signature at the end of Orah Hayyim 152. As such it would appear that he had not yet become the Rabbi of Hust when this responsum was written.

¹⁴⁸ Ibid.

the word of doctors against what was a clear cut requirement.

He then goes on to give three reasons why it is "clear in his eyes" that if they do not allow the questioner to do metzizah that he should refuse to perform the milah. First, the fact that metzizah is performed on the Sabbath - an activity only allowed because of the permission the sages gave to do normally prohibited work on the Sabbath in order to save a life ("pikuach Nefesh doche Shabbat") - shows that it truly had to be necessary in order to assure the maintenance of the health of the boy. Thus, by not doing metzizah he would be contradicting the basic premise upon which he was permitted to ignore the usual biblical prohibition. Second, because it is a biblical requirement to try to prevent someone from dying - even if there is only a small chance that the person will die.¹⁴⁹ Finally, even if this is not a biblical law but an addition of the sages, it is still better to passively ("shev ve'al Ta'aseh") not enable the biblical requirement of circumcision to take place then to actively omit a practice that the rabbis required.

The third reason is the most relevant to our discussion because it again shows the degree to which Maharam Schick was willing to assert the tradition as the basis for a halachic

¹⁴⁹ Here he adds that even if one accepts in certain areas the principle that nature can change, it wouldn't apply here because this is a biblical law. This division which Maharam Schick makes regarding when such a principle can be used does show an interesting sense of halachic flexibility on his part and deserves further analysis.

decision - even when it was weighted against the result of a boy remaining uncircumcised - the most basic element in defining a Jewish male. Here he cites the background for his position in a statement in Tractate Sanhedrin 74b (which is accepted by Maimonides and Caro as the law) that in times when a public decree against the observance of Judaism has been proclaimed, while normally only being forced to perform immoral sexual acts, idolatry, or murder would constitute a reason to give up one's life, in such a case even being forced to change one's shoe strap was sufficient reason to prefer death.¹⁵⁰ With this in mind he states:

אנו רואים שאם מכוונים לבטל דברי התורה ולהפחית כביצה
 אפילו בענין דרבנן נוגע הדבר לכלל התורה. והיום
 אומרים לו עשה כך ולמחר כך וחיוב למסור נפשו, וא"כ אם
 רשעי הדור מכוונים לבטל דברי חכ"ל ג"כ הוא דבר שנוגע
 לכל התורה לחלל כבוד התורה...¹⁵¹

Clearly, Maharam Schick saw the challenge to metzizah as representative of the overall battle of the reformers to make the laws of the Torah obsolete. Therefore, he found a way to justify forbidding the questioner to do circumcision without metzizah.

¹⁵⁰ The reason for this is because any accession to the will of the oppressors would constitute profaning God's name.

¹⁵¹ Maharam Schick, YD, 82b.

The last sentence of the responsum adds strength to the aforesaid point. Regarding the third reason he says:

מיהו כתבתי טעם השלישי הזה לרווחא דמילתא ולצדד בדבר,
ובאמת בנידון שלנו אין¹⁵² אנו צריכים לזה והעיקר כמו
שכתבתי בטעם ב'...

In terms of making a decision he could have limited himself to the first two answers, but Maharam Schick did not want to lose a chance to show the evils of reform and the flexibility which existed within halacha to fight against it.

Interestingly, there is no distinction made in the responsum between oral metzizah and other forms. One cannot know if in the original question such a suggestion is made, because Maharam Schick only paraphrases it. However, in any case, it is highly doubtful that the community would have prohibited replacing oral metzizah with the use of a sponge. With this in mind, one must assume that Maharam Schick did not think it necessary to mention this option because to him it was the equivalent of not having performed the act at all. This argument is particularly significant because it will be seen that in his responsum on metzizah in Orah Hayyim, he said that HaHatam Sofer's acceptance of using a sponge was only said in a dire situation. Why was not the issue of preventing a Jewish child from remaining uncircumcised enough of a reason for

¹⁵² Ibid.

Maharam Schick to accept such a compromise? The answer is that this too would show acquiescence to the bearers of ruin to Judaism and therefore would be unacceptable.

Rashban discusses this issue in Orah Hayyim 140 through 147.¹⁵³ In particular he reacts to his teacher's adamant position that the accepted practice must be continued and that the use of a sponge was forbidden. These responsa are among the most significant of the entire work. For in the course of shedding light on their specific decisions regarding metzizah, R. Solomon Zvi Schick articulates the most crucial differences between their respective outlooks. Rashban cites government laws forbidding metzizah having been enacted both in 1877 and in 1900.¹⁵⁴ Although the responsa on this issue are grouped together they are not all cited chronologically in the books. However, since the dating may be significant they will be presented here in what appears to be the correct chronological order.

The second responsum appears in Orah Hayyim 152 and it is an answer to a question solicited by Rashban in late 1876. There is no mention of any government prohibitions, rather Maharan Schick reacts here to the efforts of the neologue to do

¹⁵³ Rashban, OH, pp. 107a-112a.

¹⁵⁴ See Magyar Zsido Szemle (1900) pp. 91-92 for the text of the law.

away with oral metzizah based on the testimony of expert doctors. Already in the third sentence we see his strong opposition to those who seek to find fault with the traditional practice:

מי שאומר דמציצה בפה הוא סכנה או מזיק לוולד הוא אומר שקר מוחלט.¹⁵⁵

He then goes on to say that the testimony of doctors, be they gentile or non-observant Jews, does not hold weight against accepted Jewish custom. Furthermore, he suggests that HaHatam Sofer's lenient judgement was a one time permission to use a sponge in Vienna where the Mohel was sick - as proved by the fact that his responsum was not included in his published work. He ends with an open expression of his personal difficulties regarding a change in this custom:

וכל זה אמרתי לדינא. אבל באמת לא ידעתי מאן ספין ומן חשיב לבטל דבריהם שקבלנו מאבותינו, ואבותינו מאבותם עד דורות של משה רבינו והתורה אמרה אל תיטוש תורת אמך.¹⁵⁶

After all is said and done, Maharam Schick points out that an overriding factor in making his decision was his abhorrence of any type of change.

¹⁵⁵ Maharam Schick, OH, pp. 50a.

¹⁵⁶ Ibid.

The two earliest entries on metzizah according to the printed dates are Orah Hayyim 142 and 146 written in 1877.¹⁵⁷ 142 answers a letter from R. Abraham Zvi Fischer of Kondoiros in early summer 1877. Here Rashban mentions a recent "communal" law which forbade metzizah but says that he already spoke with the doctor who told him that the orders were only meant to insure supervision so that no harm should come to the health of the mohel or the child. It seems that the authorities threatened to only allow doctors to perform circumcisions if the traditional metzizah practice was kept up. In reaction to this, Rashbam states that the most important factors in choosing a mohel be that he is knowledgeable of the Torah and possesses strong faith in God. Therefore, in as much as efforts should be made to perform oral metzizah, if in order to attain approval of the doctors it must be done with a sponge then this is better than,

להניח שימול חס וחלילה רופא המחלל שבת ואינו
מניח תפילין. כי הכל הולך אחר הכונה שיכוין המוהל
158 הכונה רצויה לעשות רצון הבורא ות"ש באימה וביראה.

A similar chord is struck in 146, another short entry from

¹⁵⁷ Rashban, OH, p. 109a, 112a.

¹⁵⁸ Ibid, p. 109a.

the same year.¹⁵⁹ Here too he states his open loyalty to the traditional custom but in the event that the doctors do not permit it then one can use a sponge. Interestingly, as opposed to the previous responsum discussed, here he cites both the negative reply of Maharam Schick to this question as well as making it clear that his permissive decision is based on that of Hahatam Sofer. Possibly this is due to the fact that this example was written just at the time that he had been in contact with Maharam Schick, when the correspondence was fresher in his mind, while 142¹⁶⁰ was written a few months after and by that time these opinions had become common knowledge and there was no necessity to repeat the two sources for the positions. Also worth noting is the fact that Rashban couches his response in terms which make it clear that this decision was only due to the strong pressure from the authorities. This is expressed most clearly in the final sentences of 146 in which he uses the term "oness" which strongly connotes being forced against one's will.

לזאת דעתי שאם אתה באונס תעשה כרצונם אין בך אשם,
והעיקר לקיים המצות בדחילו ורחימו והוא ית"ש בוחן לב
וכליות.¹⁶¹

¹⁵⁹ Ibid, p. 112a.

¹⁶⁰ 146 was written during the week corresponding to the reading of the Hukat Torah portion in the end of Numbers, while 142 corresponds to Vayeshev which is at the end of Genesis.

¹⁶¹ Rashban, OH, p. 112a.

Responsum 140 has no date on it but it is addressed to his son Berahia who was by then a Rabbi in the town of Stulissenberg. This shows that it was clearly written after 1877, since at that time Berahiah had not yet taken this position. Also, Maharam Schick is mentioned as already having passed away which took place in 1878. Here, he discusses metzizah and quickly states the two conflicting approaches of his predecessors:

והנה אודות המציצה בפה כבר היה רעש בעולם לפני ששים
שנה בעל חתם סופר והגאון
ר"א הארווטץ בוויען התירו למצוץ בספוג וכן היו גדולים
הרבה שהקילו ואמרו שאפילו בלא ספוג (מהר"ץ חיות) על
ידי בסמי הרפואה שנותנין הרופאים בזמנינו. אך היו
כמה גדולים ובתוכם מורינו בעל המהר"ם שי"ק זצ"ל שהקפידו
למצוץ דוקא בפה.¹⁶²

Instead of taking the next step and stating his own opinion, Rashban simply uses this lack of consensus on a paramount halachic matter as another example of the problems within Hungarian Jewry and the need for institution of his education communal plan.

וכל זאת בא עלינו בשביל שאין לנו סדר וסדרים בעניני
הדת וכל איש הישר בעיניו יעשה.¹⁶³

The rest of the T'shuvah is an expansion on his proposals and attack on his opponents. Those issues are discussed in other sections. The fact that no decision is given here may be significant. Because even though in 1877 he openly accepted metzizah with a sponge this was, as we have pointed out in order to conform to a government decree - while he openly says that his "halachic" preference is to maintain oral metzizah. Therefore, it is possible that a definite chronological

¹⁶² Ibid, p. 107a.

¹⁶³ Ibid.

development in Rashban's opinion on this issue took place in which he began with a leaning to Maharam Schick's approach. If it can be assumed that 140 was written sometime between 1877 and 1900 then it seems at that point he was unsure of his leaning or did not feel the need to express it as long as there was no outside pressure to give a decision.

With the passing of a new State resolution governing all aspects of circumcision in 1899, the culmination of Rashban's opinion on this subject comes to fruition. In the course of about four weeks in winter 1900 a barrage of questions on the new law were submitted to Rashban. His first reaction is in 143, which was written during the week in which the final portion of Genesis, "Veyehi", was to be read. Responding to R. Nahum Weinberger of Hunhegyes, he reviews the opinions of R. Elazar Horowitz and Ha-Hatam sofer as well as the even more lenient decision of R. Zvi Hirsch Hayot to permit the use of medicines without any other act. However, he then qualifies his remark:

אך הרבה מגדולי הדור ובראשם מרן בעל מהר"ם שיק ז"ל
 מקפידין, שצריך למצוץ בפה דוקא, ועלינו להמתין עד
 שנשמע דבר ברור, כי מלשון ההערלאסט נראה ברור, שאין
 רצון המיניסטאר לבא בגזרה לצער את ישראל, ובלתי ספק
 אם הרופאים ידעו שהמוהל הוא איש בריא ונקי ממחלה,
 יניחו אותו שימצוץ בפה.¹⁶⁴

Here Rashban is still uncommittal. He would prefer to maintain

¹⁶⁴ Ibid, p. 109b.

the traditional act and therefore decided to hold off on making a decision until it is clear how strict the government planned to be in enforcing this law.

In the following two weeks Rashban wrote two more responsa on the subject. In both 144 and 141 he is still not completely clear but there is a definite change in tone. Entry 144, which was written during the week in which the first portion of Exodus was read, is particularly interesting because he quotes from the letter which he sent to Maharan Schick in 1877 regarding oral metzizah which his mentor responded to in Orah Hayyim 152. In his letter he mentions the law passed in 1877 as well as the permissive opinion of Ha-Hatam Sofer to R. Horowitz. He then goes on to give an explanation why oral metzizah is ideally the proper way. However, he then makes a strong about-face and states:

אך כל זה הוא לחבב המצוה ולקדשה ביתר שאת כחוב עלינו,
אבל כעת שבאמת יש לחוש למכשול, הן להמוהל והן להנימול,
ובדבר שיש לחוש לסכנה חוב עלינו לחוש אפילו לספק רחוק...
ומעתה לי זה לדעתי העניה אין להקפיד למצוץ דוקא בפה וטוב
היה לדעתי לפרסם, מה שמותר ומה שאסור, כי לבסוף יבא מזה
לקלוקול, שיתירו לעצמן המתחדשים גם בדברים שהם יסודי הדת,
ואחריהם יבא¹⁶⁵ הבינונים, והתורה תהיה כשתי תורות חס
וחלילה...¹⁶⁵

Here Rashban comes out clearly on the side of HaHatam Sofer. Assuming that this was the actual letter which he sent in 1877,

¹⁶⁵ Ibid, p. 110a.

it would seem as though he always maintained a lenient position on this issue. Yet, it has been shown that in his other entries from that year that he was not so forthcoming in stating this. This apparent contradiction seems to point to the conclusion that although in 1877 Rashban already had strong ideas regarding both the specific issue of metzizah and the general problem of preventing further moves by the Neologue from mainstream halacha once Maharam Schick responded so negatively, his reverence, for his mentor forced him to sublimate his initially strong instinct and give respect to an otherwise disagreeable conclusion. While even in 1877, he was willing to permit acting in accordance with the Hatam Sofer, we have already clearly seen that in those responsa Rashban makes clear that his allegiance is still with his master.

By 1900, R. Solomon Zvi Schick gives a completely different impression of his opinion regarding the view of Maharam Schick. Following his citation of the letter from 1877, he summarizes his teacher's response as follows:

ועתה אהובי בני ראה מה שהשיב מרן ז"ל, הוא לא רצה
 לידע שהתיר מורו הגאון בעל חתם סופר זה כבר למצוץ בספוג
 והלך וחיפוש איסורים ממקומנת מפוזרים אשר אין נוגעים
 בענין אשר הצעתי לפניו...¹⁶⁶

It is understandable that Rashban waited until 1900 to publish his own letter, because twenty-three years later he was becoming

¹⁶⁶ Ibid.

convinced that his original instinct was correct and that Maharan Schick's responsa inability to accept the Hatam Sofer's decision had weak backing. Yet, even here he states his allegiance to the traditional practice, albeit with the rejoinder that

¹⁶⁷ "אך בדרך כלל חוב עלינו לקיים דינא דמלכותא"

A week later in Orah Hayyim 141, he again does not come to a clear cut conclusion, but he does make one interesting comment. After reviewing the two sides of the issue - the lenient opinion of Hatam Sofer and the more strict approach which is this time said in the name of the sages of Germany - he says regarding the German Rabbis preference for oral metzizah.

¹⁶⁷ Ibid; An interesting side point which the correspondence between Rashban and Maharam Schick raises is the response of halachists to governmental law. While Rashban says that he brought the issue of allowing other forms of metzizah to the attention of Maharam Schick in the context of an 1877 law forbidding oral metzizah, this law is never alluded to in Maharam Schick's answer (he only discusses the neologues who wanted to do away with this tradition). The real test of Maharam Schick's allegiance to oral metzizah would be what he would have held in face of a law such as the one promulgated in 1900. Because if it was a clear halacha, one assumes he would have stood his ground even against a governmental law. However, if his visceral defense of oral metzizah was more because of his fear of the ramifications of giving in on this issue vis-a-vis the neologue, he probably would have relented in response to such legislation.

While not committing himself, Rashban takes it for granted that the Hatam Sofer's opinion was the one which the average Jew accepted in practice.

Responsum 145 draws the whole series to a climax both in terms of Rashban's most open disagreement with his master's position and his explanation of the viewpoint which caused Maharam Schick to rule as he did. Written to R. Kalman Weiss, the father of his son-in-law and rabbi of the town of Ohalei, it is a reaction to R. Weiss' strong support of HaHatam Sofer's decision against that of Maharam Schick. R. Weiss goes as far as to say that his confidence in Sofer's position is so strong that the fact that this responsum was never published in Sofer's own work is of no consequence. He assumes that either Sofer's son R. Simon Sofer who organized the collection forgot to include it or purposely omitted it because of the stricter opinion which was later espoused by Maharam Schick.

Rashban sets out to explain why Maharam Schick acted as he did with an analogy from the life of biblical Moses. There are three cases in the Pentateuch in which Moses did not know what to answer the children of Israel: the episode of the man who cut down trees on the Sabbath, the story of Korach and his

¹⁶⁸ Ibid, 109a.

followers, and the question of whether to give the children of Ts'lafhad an inheritance.¹⁶⁹ Rashban attributes Moses' inability to pronounce a verdict not to his lack of knowledge, but rather that he had lost his objectivity because these people were his enemies;

ומעתה אין הכונה ששכח ההלכה, אלא שהסבות והענינים גרמו שלא היה סיפוק בידו לומר בעצמו ומעצמו דבר ברור. הוא הוא ידע משפט, אך אלו הנדונים שהיו שונאיו גרמו שלא ידע - לומר משפטן.¹⁷⁰

So too, he suggests, was the case with his respected teacher, R. Moses Schick:

וכן אני אומר על מרן ז"ל לא נתעלמה הלכה ממשה רבינו ... אך משנת תרכ"ט והלאה, כאשר ראה את עני עמו ישראל במדינתינו, כאשר ישבו בקאנגרעסע הנבחרים ... ובעזות מצחם אמרו שאין להם חלק ונחלה בשלחן ערוך שהוא היסוד לדת תוה"ק, מאז נסתלק ממנו הרוח הקודש של מדת אהבה, ופחד ובהלה מלאו את לבבו הטהור, וכל דבר חדש שלא היה מלפניו הפיח בקרבנו דאגה ויגון, ולא נראה מאז על פני קדשו ששון ושמחה.¹⁷¹

In crystal clear terms, Rashban shows that he understood why Maharam Schick decided as he did. His fear of the repercussions of introducing anything new led to his consistently strict approach regarding halachic innovations - even those which other authorities permitted. This was the root of his actions, and

¹⁶⁹ Numbers: 15-18.

¹⁷⁰ Rashban, OH, pp. 111a.

¹⁷¹ Ibid, p. 111b.

therefore his decisions did not show complete objectivity.

The paragraph continues with a recollection of a letter that Maharam Schick wrote to Rashban regarding the Orthodox-Neologue schism. In it, his master explains that despite the verse in Isaiah 33 which says that those who fear are sinners, in this age one must accept the opinion of King Solomon in Proverbs 28 that, "blessed is one who is always in fear". His explanation is that the days' events have forced this approach:

ואחר שראינו עד היכן הגיע העזות של המתחדשים בדורינו מן
החוב לפחד על כל הנעשה על ידיהם.¹⁷²

Here, Rashban shows that the insecurity of the Orthodox about being able to maintain themselves when faced with the challenges from the Neologue forced them to take an inward, separation oriented stance vis-a-vis other Jewish groups and any proposal for change made by them. This expressed itself in their general opinions of the other groups - the Status Quo included - as well as their attitudes regarding educational issues and even in the realm of normative halacha.

The metzizah issue was no different and that is why Maharam Schick ruled against using a sponge. He felt that acceding to the opinions of the doctors would show too much compromise and lead to more radical changes. Despite his clear

¹⁷² Ibid.

disagreement with his teacher regarding Metzizah as well as their general outlooks he shows his respect for him. In fact, he suggests that Maharam Schick should at least be given credit for not accepting the edicts of the Michalovic conference.

After explaining the opinion of Maharam Schick, Rashban devotes the last section of this responsum to showing why a lenient decision allowing use of a sponge for Metzizah was appropriate. Here, significantly, he does not look at the permission to allow non-oral metzizah simply as a concession in light of the government law, but rather he presents it in a positive light as a healthier and preferable way to perform the commandment. This is certainly the ultimate departure from the view of his teacher. He states that he realizes that traditionally Jews react negatively to any laws promulgated by the non-Jewish authorities because of the many harsh edicts that historically were forced upon them. However, he feels that in this case the situation is different:

לקבל החק שהיא בעינינום כגזרה רעה, ובאמת היא חק של חסד
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ורחמים לטובה...

This recognition allowed him to view the aforesaid legislation about Metzizah as a good thing and thus try to find objective halachic criteria which allowed for the religious and

¹⁷³ Ibid.

secular law to live side by side. Moreover, it reflects the difference between his attitude and that of his teacher. To the degree to which halachic guidelines would allow, Rashban looked to find ways to minimize the differences between the various groups within Hungarian Jewry. As in this case, when presented with something new he sought to find out if it could be justified according to Jewish legal norms; separation and outright rejection were reserved for areas where no common ground could be found. This stood in clear distinction to Maharam Schick's almost reflexive reaction in favor of separation as a counterattack to all that was "new".

As an addendum to the aforesaid comments, the final entry on metzizah from Rashban is Orah Hayyim 147.¹⁷⁴ There is no date, but it is apparently from 1900 or beyond because he simply states the opinion of the Hatam Sofer, admits that there are those (no names mentioned) who disagree and concludes with a clear cut proof that Sofer's decision is correct.

¹⁷⁴ Ibid, p. 112a.

VII. Published Critiques of R. Solomon Zvi Schick's Works

Throughout this study quotes from She'elot U'tshuvot Rashban have been cited which both raise the attacks levelled against the author and offer a spirited defense. Clearly the picture of an embattled figure, hounded and maligned, has been drawn. Yet, in order to objectively evaluate the nature of the words of his opponents it is necessary to see them in their original published form. Only through experiencing the intensity of their expression can we completely comprehend the position of Rashban vis-a-vis his Orthodox rabbinic peers.

Four separately published essays dealing with Rashban's works are analyzed here. Three fall neatly into the category of extreme Orthodox attacks on the author and his literary output. The fourth, however, is an objective examination of She'elot U'Tshuvot Rashban Al Orah Hayyim by a colleague of Rashban's who possessed like views. Its significance though, lies in the fact that despite this shared outlook it still contains some of the criticisms which the others highlight - thus eliciting a candid comment on the seemingly unanimous feelings of others regarding Rashban's own self-image as expressed in his writings.

Of the three extreme-orthodox compositions two are critiques of Rashban's books MiMoshe Ad Moshe and Siddur Rashban written by David Zvi Katzburg and printed in his journal Tel Talpiot¹⁷⁵ The third is a halachic decision regarding the permissibility to read Siddur Rashban written by R. Mordechai Leib Winkler and published in the collection of his responsa, Levushei Mordechai.¹⁷⁶

In his critique of Siddur Rashban, Katzburg begins with the statement that despite the tradition in Jewish Learning to argue with authority until a tenable explanation can be mustered, the "language, conversation, questions and answers" written in Siddur Rashban exhibit a complete lack of respect for "our Rabbis of blessed memory" (RaZaL).¹⁷⁷ He then goes on to explain why he feels the necessity to give publicity to such a book:

והנה אנחנו במדינתנו יודעים להבדיל בינו לבינם,
 כי מכירים אנחנו את האיש ואת שיחתו, אכן במדינות
 אחרות, ובפרט בדור אחרון, קרוב הדבר כי גם הנותנים
 כבוד בדברי רז"ל יבטלו דעתם בפני דעתי שיימשכו
 אחריו, לכן אנוס אני על פי הדבור לפרסם מאמרי זה
 ולצאת מעט חוץ לגדר אשר כל יודעי ומכירי יעידו
 בי שאני מאד נזהר בכבוד כל אדם, ואבקש מרבני הדור
 להודיע גם דעתם ויתפרסם הדבר וידעו דור האחרון כי
 לא דעת חכמי הדור כדעת עוקש הזה, וידעו להזהר.¹⁷⁸

¹⁷⁵ D.Z. Katzburg, "Bikoret al Siddur Rashban", Tel Talpiyot Tishrei 1900, pp. 1-3; same author, "Simat Ayin al Sefer MiMoshe ad Moshe", Tel Talpiyot, 12, 1904, pp. 33-36.

¹⁷⁶ Mordechai Leib Winkler, Levushei Mordechai (Yoreh Deah section), no. 88, Tolesva, 1912, pp. 39a-39b.

¹⁷⁷ Katzburg, Siddur Rashban, p. 1.

¹⁷⁸ Ibid.

The villainous nature of Rashban was so well known and dangerous in the eyes of the Hungarian Orthodox rabbinate that Katzburg openly states that the forthcoming character assassination is justified in order to prevent God-fearing people from other countries who are not aware of the deviousness of the author from accepting his opinions. But he fears that even this will not suffice, so he enlists his colleagues in the campaign to make clear that Rashban's words are not in congruence with the words of the sages.

The article then lists sixteen specific areas in which Rashban's digression from accepted Jewish practices and beliefs are manifested. The first is his incorrigible habit of giving his name to the title of his book - all those in previous times whose names became titles to their books were not directly responsible, it was always done post-humously.¹⁷⁹ The other claims include questioning the Aggada and suggesting motives for the legal decisions of the Rabbis - both acts of derision to the Sages, using foolish methods in making halachic decisions, not calling the famous heretic Elisha ben Abuyah by the name which the Talmud uses, "Aher" - an example of doubting the truth of the Talmud, using scientific evidence to disagree with the Aggada, and giving a reason other than that given by the Rabbis for a certain legal decision.

¹⁷⁹ Ibid.

Of all his offences though, the greatest consternation expressed is for his comment on a quote from Tractate Abot, says Katzburg:

באות קכ"ז בטעם פרק אבות הוציא כל רוחו, ומחשבתו ניכרת מתוך מאמריו כי "הפירוד במדינתנו כקוץ מכאוב בעינינו... רבים טועים ואומרים שמצוה לעשות מחלוקת לשם שמים כי אין שלום אמר ה' לרשעים, אך אין יודעים מי הם הרשעים ומי הם הצדיקים, וכן במפורש במדרש רבא פרשת נשא אפילו רשע גמור ועובד עבודה זרה נקרא בשם צדיק אם תקבל אורחים" עכ"ל, (ממשיך קצבורג) הנה בזה בזו כל הגאונים (אשר הרבה מהם כבר נסתלקו מאתנו ובתוכם רבו ודודו הגאון מהרם שיק זצוק"ל) שתיקנו לנו הפירוד, והוא קורא לזה שאין בו מידות טובות, והנה להכחיש דבריו אין צורך כלל כי הכל יודעין כי הפירוד היה הכרח גדול במדינתנו וטובה גדולה עשו לנו רז"ל בזה.¹⁸⁰

While among the previously mentioned reproofs there is some objective substance, they primarily focus on differences in outlook regarding the liberties that a present day rabbinic scholar has in commenting on the edicts of the sages. Rashban's approach may have shown him to be a maverick but clearly there are too many other traditional rabbinic figures who remained in the fold despite similar views for this to sufficiently warrant the charges levelled against him. Rather, by saving the most serious accusation for the end, Katzburg has left no doubt as to the most significant reason for his feelings about Rashban. Rashban's greatest sins were that he was against the total separation of the Orthodox from other Jews, that he valued peace above all else, and that he suggested that the perpetrators of such a policy may be considered equal to or more wicked than

¹⁸⁰ Ibid, p. 3.

their enemies. Regarding such opinions, says Katzburg, there is no need to retort for everyone knows that the separation was a necessary gift which the Rabbis of blessed memory left to the Orthodox Jews of Hungary.

Katzburg ends the critique by complaining that it disgusts him too much to read any further and therefore he will cease discussing Siddur Rashban satisfied with the knowledge that he has sufficiently warned any reader.

In his article three years later about Rashban's MiMoshe Ad Moshe, Katzburg again prefaces by saying that his purpose in devoting space to this issue is to prevent impressionable youngsters who are swayed by the printed word from believing the lies "and counterfeit" ideas of this book.¹⁸¹ A number of issues critiqued here are also mentioned in his previous discussion, but the majority of the essay is an attack on Rashban's conception of prophecy and the tools necessary to receive it. Katzburg says that in Rashban's opinion, in ancient times there were schools where one could learn to be a prophet - the implication being that direct divine inspiration was a skill which could be learned through available means.

¹⁸¹ Katzburg, MiMoshe Ad Moshe, p. 33.

Towards the very end, however, he sums up his attitude regarding the serious offenses which Rashban has thus transgressed in a rather awkward way which again betrays the true source of Katzburg's highly negative feelings regarding Rashban and his literary output:

...אכן, אחרי שכבר הראוני שנגע בעיקרי האמונה,
אם כן אין צורך להזכיר צרות אחרונות שמדבר על דעת
השעורוריה במחנה העברים ומשוה גאוני קדמאי שעסקו בזה
וגם את המהר"ם שיק זצוק"ל לטועה בשיקול הדעת ... ובאמת
לא היה רצוני לטפל בו כלל והייתי עומד משתאה אולי ידע
ישראל להזהיר גדולים על קטנים שלא יפלו ברשתו.¹⁸²

Here Katzburg has found a unique method for accomplishing two goals. By saying that he need not mention the opinions of Rashban regarding the internal divisions of Hungarian Jewry in order to prove his perniciousness, he has strengthened his attack on the book. Because it was accepted that Rashban's public opinions were evil, if these new accusations were of equal severity then they certainly were serious. Moreover, he found a way to mention what in actuality was his greatest difficulty with Rashban. By presenting this point in such an obtuse manner it is almost as if Katzburg is saying that he could not resist including the separation issue because without it a true condemnation and explication of the ills which spread forth from the tongue and pen of R. Solomon Zvi Schick would not be complete.

¹⁸² Ibid, pp. 35-36.

The last paragraph in the article is a defense of the Orthodox camp against alleged "attacks" expressed by Rashban for not encouraging a more structured secular education for their children. Rashban was clearly pointing to their rejection of his plan to set up an all encompassing educational system in which in addition to religious studies, secular subjects and professional skills would be taught. Katzburg, however, interpreted this as accusations regarding his group's patriotism towards Hungary. Therefore, in a very defensive tone he claims that they hire competent teachers to instruct the students in writing and language. In addition, he remarks that the fact that Rashban wrote a few speeches in "German" does not make him the authority on patriotism.¹⁸³ Besides attesting to the high level of anxiety felt by Hungarian Jews in respect to challenges to their allegiance to their country, this passage again exemplifies the degree of bitterness held by the Orthodox towards Rashban. What Schick saw as a sincere presentation of a plan to revamp the traditional yeshiva structure in light of the socio-economic changes of the late nineteenth century was perceived as an outright challenge to the legitimacy of the Orthodox contingent. So much so, that Katzburg must retort by alluding to another of Rashban's heinous actions - giving speeches in German in the synagogue - a clear violation of the Michalovic agreement.

¹⁸³ Ibid.

While one cannot doubt the sincerity of Rabbi Katzburg's deepseated anxiety towards many of the ideas expressed in both of the books which he critiqued, this does not deny the fact that the polemical nature of his words results from an underlying view of R. Solomon Zvi Schick which pre-determined the tenor of the articles. Both its prominence in the review of Siddur Rashban and the obtuse manner in which the subject is introduced in relation to MiMoshe Ad Moshe attest to the fact that above all else Rashban's crime was denying the Orthodox assertion that separation was the key to Jewish survival and fighting to find ways to emphasize the unifying factors among Hungarian Jewry.

If the Tel Talpiyot essays did not present an adamant enough position regarding Rashban and his views then the decision published by R. Mordechai Leib Winkler certainly exhibits a more blunt response which immediately addresses the heart of the issue as far as the author was concerned. Already in the brief summaries of the contents of this section of the responsa, the following abstract is printed for entry 88:

"דין סדור (הרשב"ן. מנהגים) שכתבנו מין. 184"

Once we know that he is a heretic there is no question that the verdict will be guilty, what remains is simply to pronounce the sentence.

The responsum itself is more condensed and sharp-tongued than Katzburg's writings but the end result strikes a harsher but similar chord. He begins with a general condemnation of Siddur Rashban as well as all of Rashban's other writings:

על דעת אשר דברנו יחדיו בענין "סדור רשב"ן" לדעתי
 טעון לכל הפנים גניזה וכן כמעט כל חבוריו של מחברי
 כי גם בסדור מנהגים בפירוש העיז פנים ופוער פיו לבלי
 חק נגד דברי חכז"ל אם כי כל דבריו דברי אגדות,
 חלומות וכל השומע יצחק לו.¹⁸⁵

He then lists the various offenses which are committed. Some, including Rashban's allegorization of the words of the sages and his apparent conviction that he knew the answer to questions which have eluded the Rabbis since the Second Temple period are so hilarious that, "the youngsters will laugh and dance in the streets" when they hear of these things.¹⁸⁶ Furthermore, he warns that people should not be swayed by the attached consents of great rabbinical authorities, because it is known that Rashban misrepresented the book to them as being a defense of the traditions against those who seek to destroy them. In actuality though, says Winkler, anyone who is somewhat familiar

¹⁸⁵ Ibid, p. 39a.

¹⁸⁶ Ibid.

with the Talmud can attest to the fact that Rashban's knowledge is worthless. To this list he adds that he has heard that Rashban has made improper pronouncements about "prophecy", if so it is clear,

"שהוא אפיקורס לכל הדעות"¹⁸⁷

It would appear that R. Winkler could have stopped here having satisfactorily established the heretical nature of the author and his work. However, he too felt the need to include an addendum which provides the reader with the true reason for this vituperative responsum;

לבד מזה ידוע כי הוא מאנשי דס"ש (סטאטוס קוו) על
כן פשיטא כי ספריו צריכים שריפה ולכל הפנים גניזה
ואין להאריך ולטפל בזה עוד.¹⁸⁸

The very fact that Rashban identified with the status quo (even though he never formally split from the Orthodox) was enough to invalidate anything which he said or wrote. This statement exemplifies the extent to which the divisions had grown between the Jewish groups in Hungary by 1912. R. Mordechai Leib Winkler, the leader of the renowned yeshiva in Mad and an

¹⁸⁷ Ibid.

¹⁸⁸ Ibid, pp. 391-b; I have not found any other writings in which the initials "samech, shin" were used to represent the words "status quo". However, the context of the sentence definitely fits with this rendition. In addition, I have shown the text to a number of authorities and they all agreed with my reading.

acknowledged Torah authority saw fit to condemn a fellow Rabbi and suggest that his writings be burned primarily because he refused to accept the philosophy of separation. Despite the various issues raised earlier in the responsum, it all built up to this point.

There is also a significant point which comes out of this pronouncement regarding R. Solomon Zvi Schick as a figure in late nineteenth century Hungarian Jewry. Clearly what fame he had was not due to his great leadership or authoritative additions to Jewish literature, rather his name was known primarily for its notoriety within the Orthodox world. Yet, not every figure with unconventional views has the "honor" of authorities suggesting that his books be burned. This recommendation is the culmination of the expression of total dismay and hostility by the Orthodox towards Rashban. What it reveals is that a moderate rabbinate was an even greater challenge to the Orthodox than the Neologue whom they had originally separated from. Because here the lines were not as clearly drawn. As opposed to the Neologue who made no claims to accepting the Shulkhan Arukh as the sole authority, here was an individual who adamantly proclaimed his allegiance to the halachic system but refused to accept the demand that he conform on issues which went beyond the scope of pure halachic decisions. This was the reason that a Rashban, a seemingly minor figure in the realm of the Hungarian Rabbinate could

elicit such vociferous responses from major personalities of the time.

Despite the requests of Rashban that his son Berahia Schick withdraw from the impulse to respond to the attacks rendered against him, after the responsum of the Levushei Mordechai was published, the younger Schick felt obligated to reply.¹⁸⁹ This was published in the same year, 1912, in a pamphlet entitled, Ulehatzdik HaTzaddik (To Justify the Righteous)¹⁹⁰. Written in a local dialect of German and spiced with Hungarian, Hebrew and Yiddish idioms, the essay adds some personal background to the relationship between Rashban and R. Winkler which further verifies the fact that R. Winkler's attacks on Rashban were primarily based on their differences regarding the separation.

According to the younger Schick, R. Winkler and his father were best friends for many years and he often visited their home. In addition, R. Winkler had carried on correspondences with Rashban over this time and Berahiah was in possession of a halachic query in which Winkler says that he will make his decision solely based on that of Rashban, and a letter in which he praises the deep erudition and wisdom of Rashban which is expressed in his books Sefer HaMinhagim and Takanot U'Tephillot. He also lists at least ten other prominent figures of the time

¹⁸⁹ See the section dealing with Rashban's view of the Orthodox for a discussion of this point.

¹⁹⁰ Berahiah Schick, U'Lehatzdik HaTzaddik, Sasfala, 1912.

who gave their approval to Rashban's works. How then could a situation have developed in which Berahiah Schick must accuse R. Mordechai Leib Winkler of lying? He never clearly states what caused these "deliberate untruths" to be told but he does make a few statements which seem to allude to what the real problem was.¹⁹¹

On the first page Berahiah Schick says that he has defended authentic Judaism against those who try to destroy it but never did he think that he would have to fight against R. Mordechai Leib Winkler. The implication seems to be that it is his father's middle position caught between two extremes which has caused him to be attacked.¹⁹² This point is buttressed by the last paragraph of the pamphlet. There he accuses Winkler of actions equivalent to murder in that he has publicly shamed a "Talmid Chacham" (Torah Scholar) - who has sacrificed of himself throughout his life to teach Torah - by calling him a heretic. A person who does such a thing, said the Sages, will have no portion in the world to come.

Furthermore, R. Berahiah Schick makes a very strange statement:

To the historian who studies cultures it will remain reserved. For me what remains is having taking up a pen and written. In front of my eyes at this moment are the words of our Sages (Yoma 9b) The Second Temple in which they were learning the Torah, performing the commandments and doing acts of kindness, why was it destroyed? Because there existed hatred between

¹⁹¹ Ibid, pp. 1-8.

¹⁹² Ibid, p. 1.

brothers (Sinat Chinam). This teaches us that hatred between brothers is equal in depravity to idolatry, sexual crimes and murder.

With this I have fulfilled my obligation to meet out God's zeal. Let He have pity to forgive us for our sins and return the hearts of children to their fathers.¹⁹³

His statement about historians is not totally clear, but he appears to be saying that the true outcome of the events of this time will only be known and properly analyzed in the future by historians. For himself, he can only claim that by writing this essay he has made at least some effort to repair the situation. The predicament which he is referring to is by way of comparison to the destruction of the Second Temple, the deep divisions which exist between the various groups of Hungarian Jews. His message to people like R. Winkler, it appears, is that with all the ritual observance that the Orthodox do, their open hatred of other Jews makes them equivalent to murderers, idolaters and adulterers.

While R. Barahiah Schick chose to rely on illusions to express his sentiments, the apparent message regarding the attack of R. Winkler on his father is that the allegations against Rashban all stemmed from his minority opinion regarding the separation. U'Lehatzdik HaTzadik confirms what came across already in analyzing the responsum of R. Winkler itself. What R. Barahiah Schick has provided is the background of the

¹⁹³ Ibid, p. 8.

relationship between Rashban and R. Winkler. The contrast between the warmth and respect which the younger Schick says pervaded their friendship of early years with the outright disdain and discreditation which subsequently evolved can only be explained in terms of a watershed development - their increasingly divergent views on the separation. For we see here in crystalline terms the all encompassing nature of the split which took place within Hungarian Jewry. By 1912, not only had the gap between the "enemy" camps become irreparably widened, the ever-increasing passions of the day could even inspire a great Torah scholar to publicly defame and discredit a personal friend whom he had previously honored and respected.

The final review of Rashban's work that is to be discussed is Mishpat Tzedek by R. Moses Leib Kutna.¹⁹⁴ It is unique from the other works already cited for a number of reasons: it is the only full length book which deals exclusively with Rashban, it specifically discusses the She'elot U'Tshuvot Rashban, and finally it is quite clear that R. Kutna had no quarrels regarding Rashban's Jewish political or world views. Therefore, it can be considered the only work whose objectivity is not in doubt.

R. Moses Leib Kutna was the rabbi of Sabadaka (then part of Hungary today in Yugoslavia). He descended from a well-known

¹⁹⁴ Moses Leib Kutna, Mishpat Tzedek, P'shamushel, 1914.

Hungarian rabbinic family. His father, R. Aaron Kutna was the rabbi in Tatro-Tovaros and author of two books.¹⁹⁵ His brother, R. Shalom Kutna was the Orthodox rabbi in Eisenstadt, authored numerous halakhic and aggadic works and became an outspoken supporter of greater open-mindedness within the Hungarian Orthodox rabbinate.¹⁹⁶ The only other published work by R. Moses Leib Kutna is the eulogy which he gave for his father and was printed in a later edition of his father's book, Mish'khat Aharon.¹⁹⁷ There, he clearly comes out as a moderate figure.

In his introduction R. Kutna states that he only came across She'elot U'Tschuvot Rashban by chance. A colleague of his sent a copy to him because there was one responsum which dealt with a topic of interest to him. However, once he began reading he was shocked by what he saw and felt the necessity to respond to the inconsistencies and distortions which he found. Chief among them were: the lack of humility of the author illustrated by his naming the book after himself, and by the general tenor of many comments, as well as his denigration of the words of the Sages of the past and the great rabbis of

¹⁹⁵ P.Z. Schwartz, Shem Hegdolim, Paks, 1913, p. 27.

¹⁹⁶ Ibid, p. 224; Eisenstadt was the former community of R. Esriel Hildesheimer.

¹⁹⁷ Moses Leib Kutna, "Hesped Shedarash Kvod Achi HaRav Moshe Leib Kutna HaRav deKehal Sabadka", Mishchat Aharon (Aaron Kutna) Paks 1901. pp. 13b-15a.

recent generations.¹⁹⁸ Essentially, these points are similar to the ones stated by Rabbis Katzburg and Winkler. What distinguishes Kutna's work though, is the efforts that he makes, despite his obvious discontent with Rashban and his work to openly assume that he had good intentions and was for the most part a learned and righteous individual. This he states later in his introduction:

וגם אנכי חלילה לי מחטוא, ולדבר סרה על איש,
גדול בתורה והחכמה. העומד לנס ולמופת בדורו,
כמותו ירבה בישראל, ולא יצאתי להסיר הפאר
יושבת עליו, להרים העטרה, ולהוריד עדיו מהר
סיני. רק לבקר האמת והצדק יגעתי.¹⁹⁹

Not only does he laud Rashban's knowledge both of Torah and secular subjects ("Hokhma") he also seems to refer admiringly to his role as a "model for the generation" - seemingly an allusion to Rashban's outspokenness against hatred among Jews.

The contents of the book are witness to the truthfulness of Kutna's assurances that its goal is truly to present an objective, well-documented critique of Rashban's responsa. Besides disagreeing on various interpretations and halachic conclusions, the only other issue which Kutna takes up against

¹⁹⁸ Moses Leib Kutna, Mishpat Tzedek, P'shamishel, 1914, p. 1.

¹⁹⁹ Ibid, p. 2.

Rashban is the course of dealing with over one hundred and fifty entries from Orah Hayyim is his lack of modesty.²⁰⁰ Moreover, while there is no open mention of the conflicts within contemporary Jewish society, he continually discusses the need for doing away with "hatred between brothers" and he looks very positively upon the need for observant Jews to learn secular studies.²⁰¹ In addition, on halachic issues with social overtones such as who should be included in a quorum for prayer and whether a man can divorce his wife if she refuses to cover her hair, Kutna takes a similar if not more lenient position than Rashban.²⁰² He even chastises Rashban for his suggestion that a sign written in Hungarian and hung in the synagogue be taken down and replaced by a large Hebrew one and a smaller Hungarian one. He says that this is hypocritical in light of Rashban's own tendency to speak publicly in German. Clearly R. Moses Leib Kutna and R. Solomon Zvi Schick possessed similar world views.

It remains to ask, does the fact that a non-biased study of Rashban's work contains a number of criticisms which are also emphasized by his attackers repudiate the claim that the writers of the essays in Tel Talpiyot and the decision in the Levushei Mordechai were motivated primarily by non-objective

²⁰⁰ Ibid, p. 64.

²⁰¹ Ibid, pp. 63-64; pp. 25-26.

²⁰² Ibid, p. 29; pp. 52-54.

considerations relating to internal Hungarian Jewish politics? The answer is that the analysis of the aforementioned works remains intact and is even strengthened by the appearance of R. Kutna's work. For the issue at hand is not whether Rashban was somewhat egotistical and lacking in humility in dealing with opinions of rabbis who were considered far greater than him. While his son may have taken offense to such statements, it is quite possible that the type of person who could speak out with such force of conviction against the opinions of the majority of his peers would possess a brash and even self-righteous self-image. Rather, the question of importance here is what was the driving force which pushed the writer to publicize his criticisms. The tone, language as well as the apparent build-ups to the central issue at hand certainly put both of Katzburg's articles as well as the decision of R. Mordechai Leib Winkler in the category of premeditated attacks against a public enemy of the Orthodox camp in early twentieth century Hungary - R. Solomon Zvi Schick. By contrast, from the language of R. Kutna, it appears that he was aware of the controversial nature of the author of the book which he was reviewing, and therefore took extra pains to maintain complete objectivity in his analysis.

VIII. Conclusions

This study is not intended to serve as a comprehensive biography of R. Solomon Zvi Schick. Nor is it supposed to be a heroic tale. Clearly he was a controversial figure and the many criticisms against him were not limited to the sphere of his opinion regarding the relationship between hostile Jewish factions. Rather, it is an effort to present in an organized fashion a model of one who chose to buck the popular trends of thought found among nineteenth and early twentieth century Hungarian rabbinic leadership. To some, the very fact that moderate figures existed within Hungarian rabbinic circles during that period might be a revelation. However, in essence the knowledge that such a rabbi lived at this time and had such a limited influence on the affairs of the day is really a most telling detail.

It must be reiterated that Schick's efforts at reconciliation among the opposing groups were not reflected in a re-evaluation of the Halachic system. His digression from mainstream Hungarian Orthodoxy was regarding outlook not theological beliefs. This, of course, had pragmatic implications but these were either ahalachic or simply involved siding with one accepted legal judgement over the opposing opinion.

What distinguished R. Solomon Zvi Schick from his mentor, Maharam Schick and most other Orthodox comrades was the belief that authentic Judaism's truth will only be recognized by others if those who are its proponents demonstrate its relevance to them. The other group feared that any further exposure to the modern world would only destroy that which remained of the Torah's loyal followers. We have seen that this contrast in thinking did not simply lead to the many differences in attitudes towards education and the ability to allow halacha and modernity to co-exist. More significantly, it led to the creation of completely separate Jewish entities within Hungarian Jewish society. While Rashban sought to straddle the fence, he was shown that if he did not completely tow the Orthodox line then as far as they were concerned he may as well have joined the other camp.

Yes, there were moderates in the nineteenth and early twentieth century Hungarian Orthodox rabbinate. Some, like Hildesheimer, fled to places where the environment was more fertile for planting their ideas. While others, like R. Solomon Zvi Schick, remained to be lost among the extremes which surrounded them -- with only their literary output as a testament to the ideals for which they fought.

IX. Epilogue

The study of history cannot be limited simply to the analysis of that which took place in the past. It must be a vehicle for understanding contemporary events and trying to perceive future trends as they develop. To this end, Hungarian Jewish history is particularly significant.

The tendency among many people is to overlook the years which preceded World War II. Instead, they immediately focus on the destruction of Hungarian Jewry during the Holocaust. Close attention is paid to the cold efficiency of the Nazi army in uprooting and transporting so many Jews to their deaths in such a short period of time. However, clearly the 150 years prior to this tragedy was a rich period whose events are instructive in attempting to understand the transition and ultimate place of the Jewish people in the modern world. Moreover, although the destruction could not have been prevented, it is possible that the magnitude and speed with which Hungarian Jewry was decimated could have been delayed, had it not been for the extremist tendencies that developed within the Jewish community in the nineteenth century.²⁰³

²⁰³ Katz, "The uniqueness of Hungarian Jewry, pp. 45-53: "In calmer days Hungarian Jewry had split into many factions, and in catastrophe the faint sense of unity which was retained did not suffice to bring forth leaders acceptable to all ...the religious, cultural and social polarization which developed in the course of the formulation of modern Hungarian Jewry accompanied it to its destruction."

This suggestion is particularly poignant today because although many of the physical heirs of the participants in the affairs of that era did not survive, the philosophical seeds which were planted then have born offspring whose strength of conviction and assertiveness is still growing to this day.

Jerusalem, 1977

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BIBLIOGRAPHY

Babylonian Talmud.

Caro, J. Shulhan Arukh.

Domjan, T. "Der Kongress d. Ungarischen Israeliten". Ungarn Jahrbuch, (1969).

Encyclopedia Judaica. Jerusalem, 1971.

Greenwald, Y.Y. Korot HaTorah VeHaemunah be Hungaria, Budapest, 1921.

----Letoldot HaReformatzia BeGermania UBeHungaria, New York, 1948.

Herscovics, Meir, "R. Elazar HaLevi Horowitz", Aresheth V (1972), pp. 222-256.

Hirshko, M. Toldot Kehillot Karcag, Jerusalem, 1977.

Jacobowitz, B. Z'Chor Yemot Olam, Vol. 1, Bnei Brak, 1986.

Katz, J. "Contributions Toward a Biography of R. Moses Sofer," Studies in Mysticism and Religion (presented to Gerschom M. Scholem on his Seventieth birthday), Jerusalem, 1967.

----"HaHagana HaOrtodoksit Al Yom Tov Sheni Shel Galuyot", Tarbiz, April (1988), pp. 385-435.

----Jewish Emancipation and Self-Emancipation, Philadelphia, 1986.

----"Orthodoxy in Historical Perspective", Studies in Contemporary Jewry II. Bloomington (Minnesota), 1986.

----Out of the Ghetto. Cambridge (Mass.), 1973.

----The Role of Religion in Modern Jewish Society. Cambridge (Mass.), 1975.

----The Sabbath Gentile. Jerusalem, 1983.

----"The Uniqueness of Hungarian Jewry." Forum 27, (1977) pp. 45-53.

Katzburg, D.Z. "Bikoret Al Siddur Rashban", Tel Talpiyot 3 (1900), pp. 1-3.

----"Simat ayin al Sefer MiMoshe ad Moshe", Tel Talpiyot (1904) 12, pp. 33-36.

Katzburg, N. "Assimilation in Hungary in Modern Times: Orthodox Positions", Jewish Assimilation in Modern Times, Boulder, Colorado (1988), pp. 50-68.

----"The Jewish Congress of 1869." Hungarian Jewish Studies II, (1969) pp. 6-29.

----"The Rabbinical Decision of Michalovic in 1865". Studies in the History of Jewish Society in the Middle Ages and the Modern Period (Dedicated to Professor Jacob Katz), (1980), pp. 273-286.

Kutna, A. Mishchat Aharon, Paks, 1901.

Kutna, M.I. Mishpat Hatzedek. Pashmishel (Hungary), 1914.

Low, L. Der Judische Congress in Ungarn. Pest, 1871.

Magyar-Zsido Szemle, ed. Dr. Blau Lajos, Budapest, (1900).

Maimonides, M. Mishne Torah. Warsaw, 1920.

Medini, H.H. Sde Hemed. Warsaw, 1892.

Pinkass HaKehillot. Jerusalem, 1976.

Sammet, M. "Ma'avako Shel Hatam Sofer Be Chadshanim", Yehudei Hungaria-Mehkarim Historiim, Tel Aviv, (1980), pp. 92-103.

Schick, B. LeHatzdik Hatzadik. Sasfala (Hungary), 1912.

Schick, M. She'elot U'Tshuvot Maharam Schick. Munkacs, 1880.

Schick, S.Z. Sefer She'elot U'Tshuvot Rashban al Orah Hayyim. Munkacs, 1900.

----Sefer She'elot U'Tshuvot Rashban al Even HaEzer, Satmar, 1905.

----MiMoshe Ad Moshe. Munkacs, 1903.

----Siddur Rashban. Vienna, 1894.

----Takanot U'Tefillot. Munkacs, 1890.

----Torah Shleima. Satmar, 1909.

Schreiber (Sofer), SB. She'elot U'Tshuvot K'Tav Sofer. Pressbourg, 1873.

Schreiber (Sofer), M. Likutei Shut Hatam Sofer. London, 1965.

----T'shuvot HaHatam Sofer. Pressbourg, 1855.

Schwartz, P.Z. Shem HaGedolim, Paks, 1913.

Schweitzer, J. "The Seminary in Responsa Literature". The Rabbinical Seminary of Budapest, New York, 1986. pp. 95-105.

Silber, M. "The Historical Experience of German Jewry and its impact on Haskalah and Reforms in Hungary". Towards Modernity, New York (1987), pp. 107-158.

Shields, Y.P. "The Making of Metzizah". Tradition 13 (1972), pp. 36-48.

Sofer, H. Sefer Mahane Hayyim. Munkacs, 1885.

Sofer, Y.Y. Toldot Sofrim - Kan Sofer - Kinnot Sofrim. London, 1963.

Stern, M. ed. Kochbe Jizchak (1847).

Winkler, M. L. Sefer Levushei Mordechai. Goldensburg, 1913.