

"And finally, there is much in our own life, here in this country, that needs early containment. It could, in fact, be said that the first thing we Americans need to learn to contain is, in some ways, ourselves: our environmental destructiveness, our tendency to live beyond our means and to borrow ourselves into disaster, our apparent inability to reduce a devastating budgetary deficit. . . ."

56. *Shulhan Arukh, Yoreh De'ah* 116:5 (*Rema*).
57. Provisional language is employed here because *birur Halakhah*, rather than *pesak*, is intended.
58. The question of *mitsvah ha-ba'ah ba-aveirah* needs to be raised. Are we not engaging in one *mitsvah* (avoiding placing ourselves in danger, anticipating the *rodef*) by violating another (selling arms to a gentile), and is this not analagous to reciting the blessing on the festival of Sukkot over a stolen palm branch, which is prohibited (*Sukkah*, 30a)? To which we would answer: Not at all, because the *mitsvah* being engaged in is the saving of lives from the *rodef*, which commandment overrides virtually all others (Maimonides, *Hilkhot Rotse'ah u-Shemirat ha-Nefseh* 1:6 ff). (See, however, *Ri b. Malki T'sedek* on *Pe'ah* 4:4). However, the question of *ein dohin nefesh mi-penei nefesh* (not substituting one life in favor of another; see Maimonides, *op. cit.* 1:9) may obtain. Such an inquiry, however, is beyond the scope of this study.
59. *New York Times*, April 5, 1988.
60. Sampson, *op. cit.*, p. 80.
61. A similar conclusion is reached by Robert Woito, "Between The Wars," *The Wilson Quarterly*, New Year's, 1987, p. 121. "From a distance of decades it is difficult to avoid the judgment that, because of their chronic difficulties in grappling with the realities of power in the world, the leaders of the American peace movement of the inter-war era made World War II more, not less, likely."
62. Klieman, *op. cit.*, p. 76.
63. *Ibid.*, p. 108.
64. Whether this is a case of *lifnei de-lifnei*, and for that matter the role of this concept in the socioethics of Halakhah, is too extensive a problem for consideration here. It begs, however, for thorough philosophical analysis.

R. MOSES SCHICK: THE HATAM SOFER'S ATTITUDE TOWARD MENDELSSOHN'S *BIUR*

INTRODUCTION

That R. Moses Sofer (d. 1839; popularly referred to as the Hatam Sofer) was an inveterate enemy of Moses Mendelssohn's *weltanschauung* and of the Haskalah movement was no secret in either Orthodox or Haskalah circles during the first half of the nineteenth century. Whatever doubts may have lingered in the minds of some were certainly dispelled by the public reading of the Hatam Sofer's last will and testament at his funeral.¹ It included the unequivocal command: "Never lay a hand on the works of R. Moses of Dessau (יד תשלחו יד) (ובספרי רמ"ד אל תשלו יד).² In its original context, it certainly meant that the Hatam Sofer had banned his descendants from reading Mendelssohn's *Biur* and related writings. Shortly after the Hatam Sofer's death, his last will and testament was published in German translation.³ Its animus against Mendelssohn's literary legacy was laid bare for all to see. Despite the evidence, in the latter half of the nineteenth century several Haskalah enthusiasts began spreading rumors that the original text of the Hatam Sofer's last will and testament had been misread. In fact, it was claimed, the last will and testament did not refer to Mendelssohn at all! The key abbreviation רמ"ד (R. Moses of Dessau) was a mistaken reading for חמר (erotica). The Hatam Sofer, it was claimed, had banned erotica, not Mendelssohn's *Biur*! The absurdity of this claim will be obvious to anyone who reads the passage in its original context. Indeed, in a series of studies published from 1886 (when the claim was widely circulated) through 1989, the claim has been definitively laid to rest.⁴ Moreover, while the original text of the Hatam Sofer's last will and testament seems not to have survived World War II, photographs of the text (taken before the war) are extant. In 1957, the Hatam Sofer's last will and testament was published on the basis of the photographs. The published text reads רמ"ד, not חמר.⁵

Strangely, none of the studies adduces the passage presented here, whose impeccable testimony leaves no doubt as to the Hatam Sofer's attitude toward Mendelssohn's *Biur*. Indeed, the passage was not cited in any of the recent discussions of Orthodoxy's attitude toward Moses Mendelssohn.⁶ It occurs in a postscript to a responsum of R. Moses Schick (d. 1879) addressed to R. Hillel Lichtenstein (d. 1891).⁷ R. Moses (better known as: Maharam) Schick, a disciple of the Hatam Sofer, served as Rabbi

and Rosh Yeshiva in Vergin (near Pressburg), then Hust. A leader of Hungarian Jewry in the commentary on Maimonides' *Sefer ha-Mitzvot*, are classics of rabbinic literature.⁸ Dated 1865, the postscript translated below responds to a query by Lichtenstein's son-in-law, R. Akiva Joseph Schlesinger (d. 1922),⁹ as to whether the Hatam Sofer had on one occasion cast to the ground a copy of Mendelssohn's *Biur*.¹⁰

Warmest regards to your son-in-law, and my student, the learned and erudite Rabbi Akiva Joseph, who asked that I inform him whether or not it is true that I testified before some Jews of Pressburg regarding the casting to the ground of Mendelssohn's *Biur*. In fact, I never received an inquiry from anyone about such a matter, nor did I ever mention it to anyone. When I saw the story in print, I said to myself, "It is not true, the reporter has exaggerated." Even in private I never mentioned such a matter; thus, even the birds of heaven could not have overheard and spread the story. Indeed, I never heard or witnessed such a matter regarding our Rabbi, the *Gaon* [Hatam Sofer] of blessed memory. Moreover, I suspect that the reporter had in mind an event that did involve me, and this is what really happened:

It was the custom of the Hatam Sofer, when visiting a Jewish community outside of Pressburg, to attend services Sabbath morning in the community synagogue, after which he would accompany the Rabbi to his home. There he would "order" the Rabbi to deliver an aggadic sermon, after which the Hatam Sofer would also preach. Now it was his practice never to recite a verse from Scripture by heart, and so [when he visited my community] he requested a printed *humash* containing the appropriate weekly reading. At the time, I owned three printed editions of the Torah. One was an Amsterdam edition with the standard Targums and commentaries. That edition I used to keep in the synagogue over Sabbath, so that it would not be necessary for me to carry on the Sabbath. [It, therefore, was not available in my home.] Another edition—printed in Vienna—belonged to my wife, the Rebbetzin, and it too was kept in the synagogue over Sabbath for her use. The third edition, the only one I kept in the house, contained Mendelssohn's translation and *Biur*. When the Hatam Sofer requested a printed *humash*, and those who were providing for his needs knew that it was his practice not to use the edition with Mendelssohn's *Biur*, he was informed that they could not locate a printed *humash*. Given the circumstances, he proceeded to preach and recite the verses by heart. He was astounded, however, that a *humash* could not be located in the Rabbi's house! After the exchange of words of Torah in my home, the pious and righteous R. Hirsch Tyrnau, who was treated as a member of the Hatam

Sofer's family, went to visit him at the home where he was staying. The Hatam Sofer queried him about the shortage of *humashim* in the Rabbi's house. R. Hirsch Tyrnau then explained to the Hatam Sofer what had really occurred.

When I arrived for the *Minha* service at the home where the Hatam Sofer was staying, he rebuked me for reading, and studying from, Mendelssohn's *Biur*. I informed him that a respected colleague, who was considered a righteous Jew even by the Hatam Sofer, testified before me that a well known *Gaon* used to study the *Biur*, especially to the book of Leviticus. The Hatam Sofer responded that, in truth, that *Gaon* did not do well in this matter. I also excused myself by informing him that I had read through the entire *Biur* and did not find anything that even smacked of heresy or a passage that was suspect in any way! The Hatam Sofer responded: "See the *Biur* to Deuteronomy, chapter so and so,¹¹ and you will find a heretical comment." Although the passage he cited is not necessarily decisive, nonetheless the Hatam Sofer has ruled and who would contravene his ruling? In any event, it is evident that he considered Mendelssohn a heretic, and his book a heretical work. That is why he had no compunctions about Heidenheim's¹² translation of the Torah; it was specifically Mendelssohn's translations and commentaries that he interdicted. He would not touch them, he kept them at a distance, for they had the status of heretical works (see b. Sabbath 116a-b). But we never heard that, if perchance a volume of Mendelssohn's *Biur* came into his hands, he cast it to the ground.¹³

NOTES

1. See the account in F. Plaut, *Liqqute Haver Ben Hayyim*, Munkacs, 1883 (reissued: Brooklyn, 1980), vol. 5, part 1, pp. 26b-28a. The account was reprinted in E. Stern, ed., *Liqqute Teshuvot Hatam Sofer*, London, 1965, pp. 99-102.
2. For the best edition of the original Hebrew text of the Hatam Sofer's last will and testament, see M. Sofer, *Sefer ha-Zikkaron*, Jerusalem, 1957, pp. 117-123.
3. See J. M. Jost, ed., *Israelitische Annalen* 1(1839), pp. 353-355. Cf. the discussion in A. Schischa, "Hearot Bibliografiot le-Sifre ha-Hatam Sofer ule-Teshuvotav," *Ha-Maayan* 9 (1969), pp. 87-88.
4. See, e.g., D. Stock, "be-Sifre Ramad al Teshlehu Yad," *Reshumot* 2 (1947), pp. 178-181; A. B. Posner and S. Weingarten, "Hearot," *Reshumot* 4 (1947), pp. 198-199; A. R. Malachi, "Sifre Hemed O Sifre Ramad?," *Hadoar* 38 (1959), p. 734; N. Ben-Menahem, *be-Shaare Sefer*, Jerusalem, 1967, p. 218; and H. Liberman, "uve-Sifre Ramad al Tishlehu Yad," *Moriah* 16 (1989), n. 7-8, pp. 91-98.
5. See above, note 2. While the full text of the will was published in the Jerusalem, 1957 edition, only a portion of the actual photographs was reproduced. That portion does not contain our line. (Schischa's study, cited above, note 3, p. 82, needs to be corrected accordingly.) I have not had access to the photographs and, thus, cannot attest personally that the photographs (and the original will) read: רמ"ד. As this article went to press, reports reached me (in the name of M. Hildesheimer [see below, note 6], who has seen the photographs) that the ך (of רמ"ד) is unlike every other ך in the will and may well be a ך. Moreover, the reports note that a mark or curlicue appears between the ך and the ך, but one

cannot be certain that it is an abbreviation mark. If these reports are accurate, it would appear that the reference is in any event to Mendelssohn, with חמ"ד standing for חכם משה דעסא. Indeed, at *Sheelot u-Teshuvot Hatam Sofer*, Yorah Deah, §338, Mendelssohn is referred to as חכם רמ"ד. The use of חמ"ד, rather than רמ"ד, would appear to be a play on words, and perhaps a conscious attempt to distinguish between scholar and rabbi.

6. See, e.g., A. Shafran, "The Enigma of Moses Mendelssohn," *Jewish Observer* 19 (1986), n.9, pp. 12-18; Y. Perlow, "An Editorial Statement on the Enigma of Moses Mendelssohn," *Jewish Observer* 19 (1987), n. 10, p. 13; B. Wein, "Reform, Mendelssohn, Hirsch and the Jewish People in Historical Hindsight," *Jewish Action* 48 (1987-88), n.1, pp. 15-18; S. Schwab, *Selected Writings*, Lakewood, 1988, pp. 94-99; and M. Hildesheimer, "Moses Mendelssohn in Nineteenth Century Rabbinical Literature," *Proceedings of the American Academy for Jewish Research* 55 (1988), pp. 79-133. Hildesheimer indicates (at p. 127, n. 155) that he intends to publish a detailed study of the attitude of the Hatam Sofer and his disciples to Moses Mendelssohn.
7. On R. Hillel Lichtenstein, see Z.H. Heller, *Sefer Bet Hillel ha-Shalem*. Munkacs, 1893 [reissued: Brooklyn, 1983].
8. On R. Moses Schick, see S.Z. Schueck, *mi-Moshe ad Moshe*, Munkacs, 1903; L. Braun, *Darke Moshe he-Hadash*, Margitta, 1942; and A. Schick, "Moses Schick," in L. Jung, ed., *Men of the Spirit*, New York, 1964, pp. 303-325.
9. On R. Akiva Joseph Schlesinger, see A.Y. Shahrai, *Rabbi Akiva Joseph Schlesinger* (Hebrew), Jerusaelm, 1942; and B. Mintz and K. Kahane, "Akiba Joseph Schlesinger," in L. Jung, ed., *Men of the Spirit*, New York, 1964, pp. 85-105.
10. R. Moses Schick's response, translated here, appears in E. Stern, ed., *Liqqute Teshuvot Hatam Sofer*. London, 1965, p. 75.
11. The exact reference in Deuteronomy is lacking in the published version of R. Moses Schick's responsum. The original text, however, referred to Mendelssohn's translation of, and the *Biur* to, Deuteronomy 2:10-12. Cf. A. J. Schlesinger, *Lev ha-Ivri*. Lemberg, 1873, vol. 1, p. 101, note 6, who pointed to the right chapter but to the wrong verse.
12. Wolf Heidenheim (d. 1832) was a noted scholar and publisher, whose German translation of the Pentateuch, together with a commentary entitled *Minhah Hadashah*, appeared in Roedelheim, 1818-1821.
13. R. Moses Schick's denial was to no avail. Schlesinger found other witnesses who testified that the Hatam Sofer had at least on one occasion cast Mendelssohn's *Biur* to the ground. See. A. J. Schlesinger, loc. cit. (above, note 11).

REVIEW ESSAY

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IS REFORM JUDAISM A MOVEMENT, A SECT OR A HERESY?

Walter Jacob's *Contemporary American Reform Responsa** is a sequel of sorts to *American Reform Responsa*.¹ In the latter volume, Jacob edits responsa written by many Reform rabbis which reflect the alternative ideologies within the Reform community. In *Contemporary American Reform Responsa*, Jacob offers his vision of liberal Judaism. Unlike apologetic essays and sermons, which present a platform which is designed to project an image, responsa reveal a world view in actual practice as opposed to a strategic ideology. Consequently, these responsa offer penetrating insights into the social phenomenon of the Reform movement in contemporary Jewry. The questions put to Jacob reflect the real world that he is constrained to address and accommodate, the answers he gives reveals the shape of the spiritual ideals that he holds dear, and the self-imposed² definitions he postulates all serve to define the spiritual enterprise that he is undertaking. When Orthodox thinkers respond to Reform simply as a heresy, they ignore the fact that most American Jews are influenced more by Reform Judaism than they are by Orthodoxy, possibly because Reform Judaism speaks to their secularized, self-perceived Jewish needs.³ Reform leaders influence the lay and professional leadership of federations, and they are shaping the way influential if not informed Jewish laypeople think. Walter Jacob is a Reform "rabbi's rabbi," for he is erudite, sensitive, intellectually urbane, and he is passionately committed to his world view as a second generation Reform rabbi. His work calls for an Orthodox response.

**Contemporary American Reform Responsa* (New York: Central Conference of American Rabbis, 1987).