

From the Pages of Tradition

R. David Friedman of Karlin:

The Ban on Secular Study in Jerusalem

In 1856, the secretary and archivist of the Viennese Jewish community, the renowned maskil and poet Ludwig August Frankl,¹ came to Jerusalem where he founded the Laemel School, the first Jewish primary school in Jerusalem to combine religious and secular study.² Frankl's efforts aroused the violent opposition of the Perushim—the approximately 850 members of the Ashkenazic Jewish community in Jerusalem.³ The Ashkenazic opposition culminated—on June 12, 1856—with the issue of a ban against study at the Laemel or a similar school which incorporated secular study in the school curriculum. The text of the ban specified that it applied to all present and future members of the “Kollel Ashkenazim.”⁴ Among the signatories was R. Samuel Salant (1816-1909), later officially recognized as Chief Rabbi of the Ashkenazic community of Jerusalem.⁵ In later years, especially under the aegis of R. Moses Joshua Leib Diskin (1817-1898), the ban was reissued and expanded.⁶

The explosive growth of the Jewish population in Jerusalem during the second half of the nineteenth century, the abject poverty that characterized a goodly portion of that population, and the inability and unwillingness of European Jewry to provide indefinitely for the mundane needs of the Jerusalem community were only some of the factors that led to a reevaluation in some quarters of the ban against secular study. Other factors included the growth of secular Zionism and its call for productivity and for an end to the halluqah system, and the influx into Jerusalem of a more moderate intellectual elite of Eastern and Western European Jews whose attitude toward secular study differed considerably from that of the Perushim.⁷ Not surprisingly, tensions mounted and herems abounded.⁸

*R. Yehiel Michal Pines (1849-1913) was a charter member of the more moderate intellectual elite alluded to above.⁹ Pines was an early exponent of religious Zionism and a leader of the Yishuv who openly supported the establishment of an orphanage in Jerusalem where secular study would be incorporated in the curriculum. When in 1882 a herem was pronounced against Pines by Rabbi Diskin, Pines approached his brother-in-law, R. David Friedman of Karlin (1828-1917), for moral support. R. “Dovidel” Karliner was a leading gadol and poseq, whose *She’elot u-Teshuvot She’elat David* (2 vols., Piotrkow, 1913) and *Pisqe Halakhot* (2 vols., Warsaw, 1898-1901) remain major contributions to halakhic literature.¹⁰ The passage translated here is drawn from his *Emeq Berakhah*, a halakhic monograph on the rules and regulations governing the issuance of bans.¹¹*

THE BAN ON SECULAR STUDY IN JERUSALEM

The Babylonian Talmud nowhere prohibits a father from teaching his son the vernacular. To the contrary, it would appear that it is obligatory for a father to teach his son the vernacular, just as it is obligatory for him to teach his son a trade. Similarly, we find that Rabbi Judah the Prince said: "Why use Syriac in the land of Israel, either Hebrew or Greek should be employed?"¹² So too R. Jose said: "Why use Aramaic in Babylonia, either Hebrew or Persian should be employed?"¹³ Clearly, it is obligatory to master the vernacular. Indeed, the Jerusalem Talmud states: "*Therefore choose life* (Dt. 30:19)—this refers to learning a trade."¹⁴ The one passage in the Jerusalem Talmud¹⁵ that prohibits a father from teaching his son Greek refers to a specific period in the past when Jewish informers collaborated with the Greco-Roman authorities. The latter had banned the observance of the commandments; thus, they could only be observed underground. Jewish informers—consisting of heretics and disciples of Jesus—informed on those Jews who secretly observed the commandments. The rabbis therefore prohibited a father from teaching his son the vernacular, lest the son communicate with the governmental authorities. Indeed, the rabbis warned: Seek not intimacy with governmental authorities.¹⁶ The ban was issued against teaching young children who in their innocence could reveal damaging information to the governmental authorities. Thus, the ban was against teaching children the vernacular, and not against individual study of the vernacular.¹⁷ In our day, we have nothing to hide from the governmental authorities and nothing to fear. We participate with Gentiles in all our business affairs. Every child, as he matures, will have to master the vernacular in order to make a living. Thus, in our day there isn't the slightest prohibition against teaching children the vernacular, mathematics, and whatever other scholarly disciplines they need to master in order to succeed in business and in life. The only constraint is that these studies be pursued under the guidance of God-fearing teachers who will know how much time to devote to such study, at what age, and at what level. In general, one needs to distinguish between different types of students. For some, Torah study will be primary and secular or professional study will be secondary; for others, secular or professional study will be primary and Torah study secondary. In this manner, they will fulfill the rabbinic teaching alluded to above: *Therefore choose life* (Dt. 30:19)—this refers to learning a trade.

In the light of the above, it is clear that the ban issued in Jerusalem was not valid. The Jerusalem ban was issued without constraints or qualifications. The study of all foreign languages was banned, even the vernacular. Moreover, the ban was issued for all time, to be applied to future settlers in Jerusalem. Regarding this last point, those who issued the ban had no authority to do so, without first receiving the approval of the majority of the diaspora Jewish community. All Jews in the diaspora aspire to settle on Jerusalem, all Jews in the diaspora pray facing Jerusalem, and all Jews in the diaspora are regarded as residents of Jerusalem. It was inappropriate for one group of Jews to issue a ban that the rest of Jewry finds intolerable. Indeed, the ban discourages Jews from settling in the land of Israel and is, in effect, an enactment designed to prevent Jews from fulfilling a *mitzvah*. Indigent Jews in the land of Israel will be forced to seek employment outside the land of Israel. Worse yet, they will be forced to settle in distant lands, such as America and Australia, where they will assimilate and ultimately become extinct.

Now those East European rabbis in the diaspora who banned the study of languages and secular study, never issued a blanket ban, to be applied under any and all circumstances. They kept secular study at a distance so long as circumstances warranted it. Even in this guarded approach, they were not successful, for many students could not cope with the ban and were led astray when exposed clandestinely to secular study. Far more successful were the West European rabbis, leaders of the Orthodox Jewish community, who were zealots for the Lord and His Torah. They established educational institutions that provided Torah study on the one hand, and secular study on the other. Nonetheless, as indicated, the East European rabbis never issued an unrestricted ban against secular study. Moved by the Divine spirit, they understood that at certain times and under certain circumstances the majority of Jews would find it necessary to combine Torah study with secular study. Indeed, even those who would ordinarily engage in Torah study alone will have to engage in secular study. Some will be forced by circumstances to engage extensively in secular study. God, however, will come to their aid so that they will not forget their Torah study or abandon the commandments. "Let the clusters pray for the leaves, for if not for the leaves, the clusters would not exist."¹⁸

In sum, in my opinion the Jerusalem ban does not apply at all to Jews from the diaspora who choose to settle in Jerusalem [after the ban was issued]. The rabbis in Jerusalem had no authority to issue a ban that affects the majority of diaspora Jewry, in effect preventing Jews from settling in Jerusalem. Indeed, it is incumbent upon those who issued the ban to rescind it. For it these times when there are not sufficient funds to support the Ashkenazi community in Jerusalem, it is essential that Jews work for a living. . . I would advise that they rescind their unrestricted ban. Instead, let them institute rules and regulations governing the appropriate requirements and age for, and type and amount of, secular study. Torah scholars should be appointed to oversee the implementation of the rules and regulations. All this should be done calmly, without bans, for "words spoken softly by the sages are heeded" (Koh. 9:17). So shall peace be restored among the Jewish people.

NOTES

1. On Frankl, see the portrait and article in *Encyclopaedia Judaica* 7:100-102.
2. For earlier attempts to introduce secular study into Jewish vocational schools in Jerusalem, see B.Z. Gat, *The Jewish Yishuv in Eretz Yisrael* (Hebrew), Jerusalem, 1974, pp. 220-229; M. Eliav, *Eretz Yisrael and its Yishuv in the 19th Century* (Hebrew), Jerusalem, 1978, pp. 214-215; Y. Ben-Arieh, *Jerusalem in the 19th Century: The Old City*, Jerusalem, 1984, pp. 340-342; and J. Halper, *Between Redemption and Revival: The Jewish Yishuv of Jerusalem in the Nineteenth Century*, Boulder, 1991, pp. 90-99.
The studies cited above also provide accounts of the founding of the Laemel School. Regarding the Laemel School, see the documents published in M. Eliav, *Under Imperial Austrian Protection: Selected Documents From the Archives of the Austrian Consulate in Jerusalem* (Hebrew), Jerusalem, 1985, pp. 107-109. For a vivid portrayal of the tensions that pervaded Jerusalem at the time, see A. Schischa, "The Saga of 1855: A Study in Depth," in S. and V.D. Lipman, eds., *The Century of Moses Montefiore*, Oxford, 1985, pp. 269-346.
3. For the population of Jerusalem's Ashkenazi community in 1856, see Gat, *op. cit.*, p. 27.
4. For the text of the ban, see Y.M. Sofer and M.M. Gerlitz, eds., *Mara de-Ar'a Yisrael*, vol. 1, Jerusalem, 1975, pp. 240-241.
5. On R. Samuel Salant, see anonymous, "Shem mi-Shmuel," In *Ozar ha-Hesed Qeren Shmuel*, Jerusalem, 1940, pp. 5-29; Y. Gellis, *Seventy Years in Jerusalem: A Biography of the Gaon Rabbi Samuel Salant* (Hebrew), Jerusalem, 1960; and Y. Rimmon and Z. Wasserman, *Shmuel be-Doro*, Tel Aviv, 1961.
Regarding R. Samuel Salant's ambivalent attitude toward the ban on secular study, see J. Carlebach,

- "Der Issur gegen die Schulen in Palaestina," *jüdische Presse* 38(1907) 370-372, 385-386, 401-402, 425-426, 432-433, 447-448; E. Cohen, "R. Samuel Salant and the Ban Against Schools" (Hebrew), *ha-Hed* 9(1933), n.1, p. 16; and J. Carlebach, "Rabbi Samuel Salant of Blessed Memory" (Hebrew), *Sinai* 104(1989), p. 1982.
6. See, e.g., Y.M. Sofer and M.M. Gerlitz, eds., *op. cit.*, vol. 1, pp. 262-264. Here it is specified that the ban applies to the private perusal of secular study as well. So too the study of the vernacular (i.e., Arabic) is banned. Moreover, the ban applies to any and all Ashkenazic Jews who settle in Jerusalem or, for that matter, anywhere else in the land of Israel.
 7. See the studies cited above, note 2. Cf. M. Friedman, *Society and Religion: The Non-Zionist Orthodox in Eretz-Israel 1918-1936* (Hebrew), Jerusalem, 1988, especially pp. 1-31.
 8. See A.R. Malachi, *Peraqim be-Toledot ha-Yishuv ha-Yashan*, Tel Aviv, 1971, pp. 280-298.
 9. On Pines, see G. Bat-Yehudah's biography and bibliography in *Encyclopaedia of Religious Zionism* (Hebrew), vol. 4, Jerusalem, 1971, cols. 303-313. Cf. A.R. Malachi, *op. cit.*, pp. 293-335.
 10. See, e.g., S.N. Gottlieb, *Oholei Shem*, Pinsk, 1912, pp. 172-174.
 11. Jerusalem, 1882, pp. 14a-15a. Cf. *ibid.*, p. 15b. Although the title page dates the volume to 1881, in fact it was published in 1882. See A.R. Malachi, *op. cit.*, p. 295, n.37; cf. S. Halevy, *The First Hebrew Books Printed in Jerusalem in the Second Half of the Nineteenth Century* (Hebrew), Jerusalem, 1975, p. 147. The first edition of *Emeq Berakhah* is a rare book. A copy with marginal annotations by the author was photomechanically reproduced by Copy Corner, New York, 1992.
 12. B. Baba Qamma 82b-83a.
 13. *Loc. cit.*
 14. J. Sotah 9:15 (ed. Krofoschin: 24c).
 15. See M. Sotah 9:14 and the discussion in J. Sotah 9:15 (ed. Krotoschin: 24c).
 16. M. Abot 1:10.
 17. Cf. S. Lieberman, "The Alleged Ban on Greek Wisdom," in his *Hellenism in Jewish Palestine*, New York, 1962, pp. 100-114.
 18. B. Hullin 92a.