

# GIANTS OF TRADITION

*Israel Tabak*

The trail-blazing contributions of Rabbi Abraham Rice of Baltimore are evaluated in this essay by Baltimore's distinguished Dr. Tabak, who has been Rabbi of Congregation Shaarei Zion for over three decades. Rabbi Tabak, who received his Ph.D. from Johns Hopkins University, has occupied many important posts on the national scene, including the presidency of the Rabbinical Council of America. Presently he is chairman of the executive committee of the Religious Zionists of America. He is the author of several books, among them his well-known *Heine and his Heritage*.

## RABBI ABRAHAM RICE OF BALTIMORE:

### *Pioneer of Orthodox Judaism in America*

During the pioneering days of American Jewish history the intellectual gap between the leader and his followers was wide. In those days the leader had to be a pioneer in his own realm. He had to mould his people and raise them to his level. It was as R. Judah the Prince taught, *Dor Lefi Parness*,<sup>1</sup> the leader shapes his generation.

### I.

The life story of Rabbi Abraham Rice serves as an eloquent example. If the Baltimore Jewish community was distinct and apart from the early Jewish settlements in America, it was mostly due to the zeal and leadership of Rabbi Rice.

Having been the first *Musmach* (ordained Rabbi) to come to these shores, he set out to prove that Torah-true community life was not foreign to American soil, and it could flourish here as well as in Germany, the country from which he came.

Abraham Rice was born in Gagsheim, Germany, a provincial town near Würzburg, probably in the year 1800. His early train-

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ing was superior to that of the average youth of his day. His parents introduced him to the study of Bible and Talmud at an early age; he sat at the feet of dedicated and learned teachers, and came to be known as a *Talmid Muvhak* of the famous teachers Rabbis Wolf Hamburger and Abraham Bing. In fact he considered himself a disciple of Rabbi Hamburger all his life, and corresponded with him even after he came to the United States.

Thus, at an early age, Rice was imbued with a deep sense of loyalty to Torah and Torah-true Jewishness, and when he came to the United States in 1840, he identified himself with the small but dedicated group of Orthodox Jews, and soon came to be regarded as one of their leaders.<sup>2</sup>

His early years in America were not very happy. His struggle for economic survival was matched by his arduous battles in the realm of conscience. As a champion of Orthodoxy he was not too popular in this country which was largely under the influence of the Reform movement, newly imported from Germany.

Soon after his arrival in the United States, he followed the advice of his friends and settled in Newport, R. I. He heard about the historic Congregation of Newport, the first Congregation that was founded in Colonial days and became famous as a result of the visit of George Washington. It was that Congregation which received the historic letter from the first President in which he said, that "the children of the stock of Abraham" may happily live in this land "by right" and not by sufferance. Rabbi Rice soon learned to his deep disillusionment that in spite of the historic Synagogue, the Jewish community in Newport had dwindled to a handful of people, and there was little prospect of rejuvenating this Congregation.

Upon his return to New York, he met Aaron Weglein, his *landsman*, who invited him to come to Baltimore and assume the spiritual leadership of Congregation Nidchei Yisroel of which he was the President. Rabbi Rice accepted the call, and in 1840 became the head of the "Stadt Schul" of Baltimore, as Nidchei Yisroel was then called — probably because it was the only Congregation situated within the limits of the city. Thus Baltimore came to be the seat of the first ordained Rabbi to occupy a position of spiritual leadership in the United States.

Judging by the standards of the time, when the Jewish population of the United States was comparatively small, the Jewish community of Baltimore was considered rather important. It consisted of about 1500 souls, many of them of German origin, with a sprinkling of Spanish and Portugese Jews in their midst. Such prominent individuals as Jonas Friedenwald, Solomon Etting, Jacob I. Cohen, were among the citizens of the town. When the famous "Jew Bill" was passed in 1826, a considerable number of Jewish citizens held public office and were active in various civic and political endeavors.

Rabbi Rice who came to this country with the hope of transplanting to American soil the rich heritage of Torah was at first greatly disillusioned. His was a voice calling in the wilderness. The poverty of the immigrants, the general irreligious atmosphere, the temptation to follow the path of assimilation, the influence of the missionaries—and, above all, the zeal with which David Einhorn and Isaac Myer Wise endeavored to spread the gospel of the Reform movement—which they but recently had brought along from Germany—all these elements were enough to discourage the young and zealous worker in the vineyard of the Lord.

The following letter he wrote to his teacher, Rabbi Wolf Hamburger, is revealing indeed:

I dwell in complete isolation (obscurity) without a teacher or a companion in this land whose atmosphere is not conducive to wisdom; all religious questions (*shaalos*) are brought to me for solution. I have to carry the full load on my shoulders and have to assume the authority to render decisions in Halachic questions in both private and public matters.

And one more thing I wish to disclose to you my revered master and teacher . . . and my soul weepeth in the dark on account of it, namely, that the character of religious life in this land is on the lowest level; most of the people are eating non-Kosher food, are violating the *Shabbos* in public . . . and there are thousands who have been assimilated among the non-Jewish population, and have married non-Jewish women. Under these circumstances, my mind is perplexed and I wonder whether a Jew may live in a land such as this.

Nevertheless in my own home — thank G-d — I conduct myself as I did in days of old in my native country. I study Torah day and night, and my devoted and G-d fearing wife is always standing by and

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helping me with all her strength, in spite of privation and difficulties. Yet in spite of all this, life has lost all meaning here on account of the irreverence and low estate of our people. Alas, therefore, my master and teacher, impart to me of your wisdom, and let me have your august opinion in the matter; for often times I have made up my mind to leave and go from here to Paris and to put my trust in the good Lord.<sup>3</sup>

## II.

Gradually, however, he made peace with the situation and continued to minister to the needs of the growing community of Baltimore. He found a great deal of comfort in his association with Isaac Leeser, who was a Torah-loving Jew and dedicated himself to the establishment of Orthodox Judaism in America. It was Leeser also who urged his colleague to express his views in the columns of *The Occident*, which they founded together. This periodical, established in 1843, was one of the most vital instruments for Jewish culture in America and was, as a leading historian put it, "a powerful factor in the raising of the spiritual and intellectual level of American Jewish life in the nineteenth century."<sup>4</sup>

*The Occident* was important not alone as a cultural medium, but as a vital factor for the preservation of traditional Judaism in this country. It was an intellectual arena where the pioneering spirits in America gave vent to their feelings, and where Isaac Leeser and Abraham Rice and their contemporaries appeared as the defenders of the faith and as guardians of the Jewish heritage.

Although Leeser was the editor of *The Occident*, he gave space in his columns to the protagonists of Reform Judaism, thus establishing his periodical as objective and non-sectarian in the eyes of all classes of Jews in this country. At the same time, Leeser as editor and Rabbi Rice as contributor were ever ready to challenge unorthodox ideas and to defend the position of authentic Judaism with forthrightness and skill. They became friends and comrades in this ideological struggle, and men like David Einhorn and Isaac M. Wise found them to be formidable opponents.

This association gave Abraham Rice a sense of achievement,

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and he slowly began to feel more sure of his ground in his new environment.

As the community grew, and the rate of immigration increased, his field of operation became wider in scope. In 1845, he founded the first Hebrew School in America. It was the same year that the first Synagogue to be built in Baltimore was dedicated by Rabbi Rice, together with a visiting Rabbi from New York. It was the Synagogue known for many years as the Lloyd Street Shul, and which after many vicissitudes came to be the home of the Shomrei Mishmeres Ha-Kodesh Congregation. The Jewish Historical Society of Maryland, in fact, recently acquired this edifice, presently situated in a non-Jewish neighborhood, with the aim of dedicating it as a historical shrine and a landmark of architectural beauty.<sup>5</sup>

That new Synagogue must have given Rabbi Rice a deep sense of pride, as it was designed by an eminent architect, a specialist in the field of church architecture, who designed several famous religious edifices in Maryland.

The account of the dedication of Baltimore's first Synagogue is very touchingly portrayed in *The Occident*.<sup>6</sup>

It began with Minchah services, and followed an ancient ritual of dedication, with a procession of the *Sifre Torah*, the bestowal of honors upon the deserving members, special readings from the Scriptures, with dignitaries participating, and a Sermon by Rabbi Rice, especially prepared for the occasion, and delivered in impeccable German.

According to the report, Rabbi Rice dealt in that sermon with the basic concepts of prayer according to the best traditions of Judaism. He dwelt on the significance of prayer and particularly public worship, and on prayer as "the duty of the heart." He pointed out that true prayer must be accompanied by deep humility, "a self-judging of the mortal before the creator." He emphasized, moreover, that the Synagogue was not only a religious center, but a social center as well.

His interpretation of social consciousness, however, was altogether different from the present-day meaning of the term. It was the classical sense of *Arevut* (responsibility) on the part of a Jew for the moral and spiritual welfare of his fellow Jew. The

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Synagogue was the proper environment, Rice insisted, where one Jew could inspire and induce his fellow Jew to lead a more just and righteous life, to reach greater heights of perfection, and thus serve as an example of God's Chosen People, "where brother should meet with brother in order to inspire him to go forward in the path of righteousness."<sup>7</sup>

The new Synagogue, however, created new problems. It attracted leaders who were subject to the influence of the Reform movement. They began with demands for minor innovations, but in the opinion of Rabbi Rice these innovations were symptoms of a new and dangerous tendency. The joy he experienced when he dedicated his beloved "Stadt Shul" was soon dissipated by conflicts and dissension.

### III.

Rice was inherently a scholar and a man of the book. He loved to sit in the "four *amot* [cubits] of *Halakhah*" and was anxious to avoid controversy and discord. He was a lover of peace and shunned the limelight and arena. It was only at moments of real danger that he came out to fight for the faith of his fathers. Such a moment in his opinion was the appearance of the Reform movement. Although it made little headway in the beginning, it gained in momentum with the arrival of large numbers of German Jews. He was particularly concerned over the activities of Reform spokesmen, among whom were Isaac Mayer Wise and David Einhorn who championed the cause of deviationism with persistence and skill, and who engaged in vociferous polemics in writing as well as on the platform.

One of his most eloquent addresses in defense of Orthodox Judaism was printed in full in *The Occident*. It was delivered on the eve of *Rosh Chodesh Elul*, at a memorial service at the Cemetery of the Congregation. He gives the reason why he chose to deliver that important address at the Cemetery: since "here is the proper place where the pure truths can find the best entrance into our souls" and even the lowliest and the most depraved will ask themselves: "To what end will my acts at last bring me? What will be the result of all my doings?"<sup>8</sup>

Under the heading "Erroneous Doctrines," Rabbi Rice comes to grips with the major issues of the assimilationist movement. Although it was rampant chiefly in Europe at the time, he warned his people of the impending danger they were facing here in their new country. "Though the great ocean divides us from Europe, the onward flight of such ideas is more rapid than that of the eagle; and whilst we imagine that the fire rages only in a distant country, the sparks scattered from the burning are already kindling a flame in our own dwellings."<sup>9</sup>

He complains with great bitterness that the Reform movement is spear-headed not by the common man, "that our chiefs and Rabbis, under the cover of the passions, are absolutely endeavoring to force false doctrines upon the people; so that the common man who cannot think farther than what stands clearly before him is induced to doubt whether these men will not carry their measures so far, that our holy religion will have to suffer a great change."<sup>10</sup> He does not hesitate to denounce these leaders in the strongest terms and refers to them in the scathing words of the prophet. "They who destroy thee and they who pull thee down have come forth from thy midst."<sup>11</sup>

He endeavors to explain, moreover, the motives of the Reformers; and he does this not by name-calling or invective but on ideological grounds: "You will perhaps ask: what induces these men all at once to disturb with so much violence our holy religion, the inheritance of our fathers?" And he goes on to give his answer:

These men see the great abyss which separates us from the other nations and draw thence the conclusion that we can form a friendly alliance with the world only by throwing off our religion, and assimilating with the nations of the earth. They wish, therefore, that we should exchange the Heavenly treasure which we have received as a gift from our Father in Heaven for worldly and worthless goods; they wish, so to speak, to anticipate the Deity, and to improve the political condition of our brothers at the expense of our religion, as though God, through the faith which he has given us, were the only obstacle why we are not placed on an equality with other nations . . . <sup>12</sup>

But is not the welfare of His children as precious in the eyes of the Almighty as it is in the eyes of the Reformers? Certainly when the time will come, Providence will liberate us from the yoke of our enemies, but not before that day has come: so long as the Omniscient

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does not deem the age ripe for our elevation, so long will all human exertions be vain and fruitless labor . . . Alone, as our adored God in Heaven, do we stand before the face of the world unshaken in our faith for thousands of years; and alone we thus must remain; and even if mountains tumble into heaps, or valleys will be raised, we will remain and our holy religion will endure unimpaired, notwithstanding the assaults of its enemies.<sup>13</sup>

The most eloquent plea in that essay is the one for unity in the ranks of Israel. The Jewish people, he claims, have been one people only by virtue of a common belief. So long as they adhered to one religion they were a united people. History bears undisputed testimony to this principle. There never were two denominations or two sects in Jewry. There may have been attempts to create such sects, but they were not successful in the light of history. Those rivulets that strayed from the main stream of Jewish tradition trickled for a while, but soon became muddy and polluted. The majestic river of Torah, however, flowed for many centuries down the course of history, and remained ever pure and unsullied:

The only and legitimate pride which the Jew bears in his heart is, that with us there are no sects, that the Jew in the East is like the one who lives in the West — that the religion in the South must be as it is in the North. This unity may be lost through a single ill-advised alteration; every ignorant man would daringly attempt to modify the religion according to the notions of his feeble intellect; and there would arise a multitude of sects without any parallel. But no! O God, Thy name is one and Thy people Israel will remain one.<sup>14</sup>

This powerful plea must have had its effect upon the elite; the intellectuals who understood the import of his argument were no doubt impressed. But the masses remained adamant, and continued to agitate for changes. Some wanted to eliminate the *Pi-yutim*, others wanted to take certain liberties with them. The problem of giving *Aliyot* to non-observers of *Shabbat* was a source of serious irritation.

Heretofore, only Sabbath observers would be called to the Torah on Sabbaths and Holy Days. The new wave of immigration brought many Jews from European countries who were not in that category. Yet they wanted the *Mitzvah* or the honor of



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being called to the Torah when they came to the Synagogue. When Rabbi Rice could not prevail, and the traditional policy was discontinued, he ruled that the people should not answer "Amen" to the blessing recited by a desecrator of the Sabbath. This ruling was rather unpopular and caused a great deal of dissension. There were other problems which caused friction and discontent. Rather than compromise his principles, Rabbi Rice decided to resign as spiritual leader of the Congregation in 1849.<sup>15</sup>

### IV.

This step came as a great shock to his people, but he remained firm in his determination. "I resigned" he said, "because as a private citizen I expect to have greater influence with my Congregation. And," he continued, "I shall always be ready to fight the battle of the Lord."<sup>16</sup>

His new occupation as a merchant was at first difficult and time-consuming. He tried his luck at the dry-goods business and later he operated a grocery. It must have been a struggle to make ends meet, but he was happy to live as the sages of old put it, by the maxim of "*ehov et hamelakhah usena et harabbanut*"<sup>17</sup> (love work and hate positions of authority). He was free to exercise his influence in whatever area he pleased, and was no longer required to compromise his principles or to violate his conscience.

However, notwithstanding his retirement from the official rabbinate, the people regarded him as their "*Rav umanhig*." The new "minister" of the Congregation, as they called him, did not possess the learning or the background to take the place of Rabbi Rice, who continued to serve that element in the city who appreciated his great erudition and sincerity.

He continued to interest himself in the various problems of the time, such as the education of the young, and the strengthening of authentic Judaism on the American scene. He urged his friend Isaac Leeser to undertake an authoritative translation of the Bible into English, insisting that the German Bible which was in vogue then was not calculated to appeal to the younger generation. He

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was, moreover, not satisfied with the German translation which was done under the influence of Moses Mendelssohn and his followers, who did not adhere to the principles of *Torah min ha-Shomayim*.

The splendid English translation of Isaac Leeser, the first authentic translation of the Bible in America, was the direct result of Abraham Rice's inspiration.

There is nothing more important for the Jews in this land. As long as German is in power here, I know only too well that our children will not learn religion, for the children have no taste for German . . . By doing this you will be able to gain eternal life for your soul.<sup>18</sup>

A grave problem which the Jewish community in the United States was faced with was the lack of religious authority. Most of the men who served as spiritual leaders were not authentic rabbis in the European tradition; they were known as ministers and were primarily cantors, *shochetim*, or Hebrew teachers. Those who claimed to be "rabbis" were not the Talmudic scholars of the caliber of Rabbi Rice, who studied Torah under men of the school of the saintly Rabbi Nathan Adler, and Rabbi Mosheh Sopher (*Chatam Sofer*), giants of Torah of their day.

The lack of Halakhic authorities in this land was the cause of serious misunderstandings, especially in those areas which called for expert knowledge of the Law. Thus Rabbi Rice started a movement for the establishment of a nation-wide "*Beth Din*" (a recognized tribunal of Jewish Law) which would be headed by a universally recognized scholar from Europe, and would be vested with full authority in matters of *Halakhah*.

In a Letter to the Editor he said: "I urge upon the Jews in the United States the great importance of selecting a spiritual head of a *Beth Din* for the purpose of regulating all our spiritual affairs, and before whom all religious questions might be brought for decision. It surely is necessary to prevent the uninitiated from giving their crude decisions which are but too well calculated to do permanent injury to our faith."<sup>19</sup>

Although Congregation *Nidchei Yisroel* of Baltimore was in the main still Orthodox, and continued to adhere to the major tenets of Judaism, Rabbi Rice found it increasingly difficult to

worship there. In 1851 he organized a small Congregation where he officiated as Rabbi and *Chazan* without compensation and where he felt spiritually at home. The group consisted of a number of pious and learned people who venerated their teacher and appreciated his piety and his dedication to the study of Torah.

It was during that period that he received inquiries from distant communities in the United States concerning various problems of Jewish Law. Although in his modesty he was reluctant to assume responsibility for such grave decisions, he wrote detailed "*teshuvot*" (responsa), nevertheless, in the typical style of the "*Gedolei ha-Horaah*" of his time. Among the problems he was called upon to deal with were: Whether *Etrogim* from the West Indies were Kosher for the Succoth holidays, since no other *Etrogim* were available at the time. In this responsum he replied in the affirmative. In this instance, too, he motivated his decision by stressing the ideal of one Torah for *Kelal Yisrael*: "I wish," he said, "to promote the unity of Israel in matters of religious observance."<sup>20</sup>

Another problem which concerned him was that of shortening and the various oils which were used in its manufacture. During his day shortening for commercial use was in its infancy in this country, and bakeries were confronted by the problem of *Kashrut*.<sup>21</sup>

The procedure of drawing blood from animals before *Shechitah* occupied the attention of the meat industry at the time. It was believed that blood-letting immediately before the animal was slaughtered had a good effect upon the meat, and it was thus recommended as a sanitary measure. Was this practice in keeping with Jewish dietary laws? This question too was submitted to Rabbi Rice, and his decision was in the negative. His contemporaries showed high regard for his decision and referred to it as the opinion of the "*Rav mumcheh v'chochom muflag*, Rav Avrohom Rice of Baltimore."

Problems concerning the writing of *Gittin* in certain cities were also submitted to him. In many cities in the United States *Gittin* were never written before, and since there was no precedent, Halakhic decisions had to be made.

V.

His most unique contribution, however, was his defense of Orthodox Judaism in America. Where there were so few real scholars, it was easy for pseudo-intellectuals to misinterpret the basic principles of Jewish theology and thus pave the way for the spokesmen of Reform Judaism. This state of affairs was very painful to Rabbi Rice, and he went out of his way to challenge these "erroneous doctrines" as he called them, and to set the record straight. A short time after his arrival in the United States, when English was still foreign to him, he came to the defense of the Talmud in a letter to the editor of *Occident* which was printed with the following prefatory note by the editor:

In stating, in our remarks upon Mr. Carillon's first letter to us, that we utterly disapproved of his views, we merely meant thereby to advise our readers that we allowed Mr. C. the right to address them, without being responsible for all he said, not to assume any undue superiority which we do not possess; we did not enter into any argument at the time, because we knew well enough that others much better fitted for the task would be ready to defend rabbinical authority with arguments sufficiently weighty for all practical purposes. We believe in the existence of a tradition, and moreover, that it is preserved in the Talmudic writings; this, however, does not say, that all things written or said by Rabbis are of divine authority; and if we err not, the Talmud nowhere claims this. In the meantime, we present to our readers the views of one truly learned in these matters, and ask for him that respect which his learning and piety demands. — *Ed. Oc.*

Letter of the Rev. A. Rice. Baltimore, 18th December, 1843.

Rev. I. Lesser, Respected friend — You know how much I am interested in every development of our religion, and how much I should wish to restore the genuine light of Talmudic authority; but the little acquaintance I have with the English language is the only reason why I cannot defend my opinions before the community. But having seen a part of the subject discussed in two late numbers of the *Occident*, by the Rev. Mr. Carillon and Mr. Henry Goldsmith, I am induced to break my silence, and to speak on the matter as well as I can in a language new and foreign to me. Neither of the two learned gentlemen has taken notice of the preface of Maimonides to the Mishna, where

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he illustrates this subject in plain terms. He says, that the Talmud must be divided in five parts:

First. Laws and explanations of laws which have been transmitted from Moses with reference to Scriptural passages; all such are unquestionably divine.

Second. Oral laws without Scriptural reference, which we call *הלכה למשה מסיני* which are also divine.

Third. Laws deduced by explanations from the Scriptures in accordance with our Scriptural logic, *י"ג מדות שהתורה נדרשת בהן*; all such are not immediately divine, and we find, therefore, that many such questions are debated in the Talmud, and the decision was obtained through the vote of the majority.

Fourth. Institutions and ordinances *גזירות* by Prophets and Rabbis, intended to act as a hedge around the vineyard of the Lord, *זהו לעשות סייג לתורה*, these are from the their very nature not divine.

Fifth. Customs, *תקונים ומנהגים*; but many of these customs are doubtlessly transmitted from Moses himself. (See *Berachot*, fol. xlviii, *Megillah*, fol. iv.)

I believe that these illustrations of Maimonides are the only true defense against the invaders of the Talmudic authority. Such passages as *הגדות מדרשים* (allegorical comments upon Holy Writ and legends) are not points of law, and have nothing to do with this question; but the learned men in Israel know very well that in the *הגדות* (legends) are contained treasures of wisdom, of which the unbeliever cannot form a proper estimate.

Should you find that this crude essay is deserving of publication, and think it worthy of a place in the Occident, it is at your service; and you will find me always prepared to defend our religion as far as my want of acquaintance with the language of the country will permit me. I am very respectfully yours, A. Rice.<sup>23</sup>

This learned statement by Rabbi Rice caused an acrimonious debate and called forth another highly interesting reply by the Rabbi. We reprint it in full as it is a valuable document, shedding light on the attitude and erudition of Abraham Rice:

The endeavors of Mr. Goldsmith, to prove the divine authority of the Talmud, are praiseworthy in so far as they show his adherence to that compendium of laws; but in my humble opinion, it is as dangerous to enlarge the limits of Talmudic authority, as infidelity itself. The reason for this opinion cannot be better supported than from the letter of Mr. G. itself. He says, "There is no *juste milieu*; the Talmud is divine, or it is not entitled to authority." This conclusion must appear erroneous to every man who has studied the Talmud in a proper manner.

On the contrary, the Talmud is entitled to authority, though every part of it is not divine. But the question: "Who gives the Rabbis the right to make laws?" is answered in the Talmud itself. (Tractate *Sabbath*, fol. 23.) The Talmud takes up the question: "How can we say in our blessings when performing a Rabbinical ordinance (מצות דרבנן) אשר קדשנו במצותיו וצונו (who hath sanctified us with His commandments and hath commanded us'), when in no place in the law is there such an ordinance as the Talmudical law of lighting the lamps on the Festival of Dedication (נר חנוכה) or the reading of the Book of Esther on Purim enjoined by the Almighty?" To which it is answered, that we are specially commanded in Deut. xvii 11: "According to the law which they (the teachers) shall teach thee, and according to the judgment which they will say unto thee shalt thou do, thou shalt not depart from the thing which they will tell thee to the right or to the left." Here the Lord requires of us to follow the laws which our Rabbis may make, and all Rabbinical ordinances (מצות דרבנן) possess divine authority only in so far as the injunction "Thou shalt not depart" (לא תסור) extends. This is the true juste milieu which Mr. G. has perhaps from inexperience in the correct Talmudical exegesis denied to the Talmud.

The same is maintained by Maimonides, in his preface to his *Yad Hachazakah*: "All institutions and ordinances of the Rabbis are enjoined by the Lord, so that we may not depart from them, by His holy word which maintains, Thou shalt not depart, etc."

This authority to make ordinances has ceased with the close of the Talmud, when the Israelites became more scattered in small numbers all over the world, and there lived no longer masses of a thousand learned men in one place, as it was in the earlier times, when all the doctors who taught in the spirit of the Talmud, lived in the Holy Land or its vicinity. Maimonides says, therefore, that "Institutions and ordinances since then adopted by any בית דין (ecclesiastical tribunal,) have never been able to receive the universal sanction in Israel, as was the case with the enactments recorded in the Talmud.

Upon the whole, I cannot understand Mr. G.'s views, that either "the Talmud is divine or is not entitled to authority." Such an assertion would bring us upon absurdities, or lead us to reject all obligation of its contents. Is the second day of festivals a divine law? Surely not; still we claim that the Talmud had the right to make such a law, and that the people could not reject it from the principle of לא תסור "Thou shalt not depart," (see Maimonides, *Hilchot Kiddush Hachodesh*, chap. v *Halakhah* 6; and *Sepher Hachinuck*, *Mitzvah* 496,) and there are many hundreds of ordinances where the Talmud proceeds upon the same authority.

When Mr. G. says, that "the views of Maimonides cannot be quoted in evidence of the truth of tradition," I beg him to remember the aphorism חכמים הזהרו בדבריכם "Wise men, take care what you say;"

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and not contradict so hastily the opinions of the great luminary of Israel. Rabbi Abraham ben David, the great and learned Rabad, says of him: "He has accomplished an immense work, to condense the whole of the Babylonian and Jerusalem Talmuds, and the Toseftas," (*Hilkhot Kilayim*, Chap. vi H. 2); we therefore should take care to express our opinions with humility, so as not to oppose ourselves without great cause to the wisdom of this enlightened spirit.

With reference to the letter of Mr. Marks, I will merely tell him that his ironical question will hardly weaken the authority of the Talmud, for he has not comprehended the spirit of the Talmudical interpretation. He ought to have known that the recommendation of early marriages applies only to the climate of the Holy Land, where puberty occurs earlier than in colder countries (see Eben Ezra).

Again, with regard to intoxication on Purim, he has not truly understood the meaning of the text. The Talmud wishes to teach allegorically, that we ought to consider whether the elevation of Mordecai ברוך מרדכי or the sudden fall of Haman ארור המן was the greatest miracle, (or in other words, that in rejoicing over the success of Israel, in escaping from the danger which so fearfully threatened them, we should be careful not to curse with the bitterness of hate, those who endeavoured to work our destruction); and surely such a construction will harmonize with the general principles of the Rabbis who worked for the glorification of the name of God, than the ironical remarks of Mr. Marks. — Your obedient servant, A. Rice.<sup>24</sup>

## VI.

Although the "struggle for subsistence" left little time for literary pursuits, he nevertheless kept watch over the spiritual welfare of the Jewish community, and more than once left the "Four Ells of Halakhah" in order to defend the cause of Torah. He was particularly distressed when so-called spiritual leaders of his day went out of their way to malign the Oral Tradition and to undermine the authority of Talmudic Judaism. This happened when Isaac Meyer Weiss published his book "The History of the Jews," in which he attacked the very foundation of authentic Judaism: For some reason—probably because he was afraid of being misunderstood by the public at large—or because of the severity of his attack, he wrote this critique in Hebrew and it was published in the original Hebrew in *Occident*.

He starts out by saying: "From my earliest years I have desired to be a נחבא אל הכלים and not to engage in public controversy

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with scoffers and men without integrity. But it is time to speak out within the gate of my people against this man who with his book aims to break down, to destroy and to uproot the words of our holy Torah from beginning to end."<sup>25</sup>

The Conference which took place in Cincinnati in the middle of the nineteenth century had involved the Jewish Community of Baltimore in a violent controversy. The early Reformers who convened that conference endeavored to give the impression that it was a kind of non-sectarian Jewish conclave and called it by the misleading name of *Beth Din*. Thus, they expected to attract the naive and uninitiated, and create the impression that their decisions and recommendations were acceptable to all Jewish groups. David Einhorn, spiritual leader of Har Sinai, Baltimore's first Reform Congregation, was one of the master minds of the Cincinnati Conference, and its most zealous champion in Baltimore.

Abraham Rice was deeply indignant at this cynical attempt to spread the gospel of Reform under the flag of *Beth Din*, and set out to warn the people and to remove the camouflage from that conference. This controversy is reflected in a series of epistles in *Occident* which were as erudite and as bitter as any pronouncements ever published on the subject.

Before I enter my protest in reply to yours, I have to premise a few observations. *First*, you must not suppose that I have any sympathy with the so-called Cincinnati *Beth Din*; for I never had any idea to attend such conference, and much less to agree with their voting. Our holy religion does not permit itself to be fettered by any platform which any council may frame for it this day; because its platform was created by God himself, thousands of years ago, on Mount Sinai; His word, like Himself, remains unchangeable. "I the Lord have not changed, and you sons of Jacob have not come to an end."

*Secondly*: Men have assumed in this country the title of Rabbis, who have studied neither Bible nor Talmud, and who have put on their own heads the rabbinical cap, in the same way as Napoleon I placed the crown on his head. I deem it unbecoming to contend with such men. בקהלם אל תחר כבודי But you, Doctor, who have been familiar with the light of the Gemora, and are only too much blinded at the present moment, I think myself in duty bound to answer, my cause being the same which you assign for your protest "in behalf



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of our holy religion." But I do not expect to confute your ideas; since these have probably struck too deep a root within you; and but few men can so far overcome their self-esteem as to say, "I erred," especially if pride and ambition are combined therewith. But one thing I demand of you as a matter of right, Doctor, that you will not offer us your ideas as pure coin, and stamped with the impress of truth; and I have for this very cause to accuse you of the same fault you charge others with in your protest, namely, that you are yourself not fair in your statements. You indeed acknowledge that the Written Law" is of divine origin. But this cannot be; since no one can expound the written law without the oral law. Can you not call to your mind any more the words of Ibn Ezra in his preface to his Pentateuch commentary. And you venture to assert openly of such a man as Ibn Ezra, who premises such thoughts as the basis of his commentary, that he often contradicts the Talmudical Bible explanation? Excuse me, Doctor; this is not asserting the truth. Ibn Ezra always uses this expression: *אם לא כנגד קבלתנו* "If it were not against our tradition, would I explain the thing so or so?" but never have we dared to assert anything against "rule of practice," or "rabbinical decision."<sup>26</sup>

Rice's bold rejoinder to Einhorn's query as to the status of a Jew who denies the Oral Law reads as follows:

I am equally astonished at your query: "The members of the German Rabbinical conference took a decided stand in many of their propositions and resolutions against the whole Talmudo-Halachic exposition of Scripture. Can it be hence affirmed that those men have ceased to be Israelites?" I answer you unhesitatingly and without design: "Yes, they have ceased to be Jews." In support of this assertion I will quote for you the words of the great Scripture expounder of ancient times, none less than Maimonides himself. He says in *Hilcoth Teshubah*, chapter iii rule 8: "Three classes are there who deny the law. The man who says that the law does not proceed from the Lord, even as much as one verse, or even a single word; if one says that Moses spoke from his own impulse, he denies the law; so likewise he who denies its exposition, which is the oral law.' Can you contradict this? Has Maimonides not written this? And still you endeavor to play your vain game with the names of the renowned Ibn Ezra and Maimonides, and prove your own ideas by means of them! Is that acting honestly?

Rabbi Rice grows rather vehement when he takes exception to Einhorn's argument that Halakhic or Talmudic Judaism is not applicable to American life:

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You, as a thinking Rabbi, try to maintain that it will be no more in consonance with the present age to interpret our religion according to the Talmudical decisions. Indeed! The heavens may vanish in smoke, and the earth wear out with old age, and still not one iota will vanish from our religion. Can you recollect Daniel's dream where we read: I looked in the night, and behold there was a fourth beast, dreadful and terrible and strong exceedingly; and it had ten horns. If "ten horns" of the beast have not been able to effect anything, let "one horn"\* dare to try his strength... And in the same manner will

\* (Play on the German word "Einhorn")

the false enlightenment of the new men and the newest times assail it and exhaust its strength in vain. So soon as we yield the Talmud, Judaism has no more any foothold to stand on, for every one would build an idolatrous altar for himself.

Let us return thanks to the God of Heaven for the blessing of religious liberty which we enjoy here, and perform all religious duties from love and respect for religion. But we will not regard the restrictions which our faith imposes on us as a "yoke" which rests on our shoulders; on the contrary, we will labor therein perseveringly, and this in perfect freedom, until the time of the fulfilment of the prophet's prediction, the period when "Thou wilt grant the truth to Jacob, kindness to Abraham." Your friend, Abraham Rice. Baltimore, November 16th, 5616 (1856).<sup>27</sup>

Notwithstanding the mood of the statement—which is termed a "counter protest" it concluded with "your friend" Abraham Rice. This is characteristic of Rice's attitude that scholars may argue ruthlessly in matters of principle and yet remain personal friends.

## VIII.

Rabbi Rice continued to gain in stature as a leader, and his influence in the community increased with time. But in his personal life, there was little improvement. His economic situation was deplorable as before. In a letter to a friend he complained of the fact that he had to teach young children daily from morning till noon, a task which became increasingly difficult for his state of health.

What must have been a source of keen satisfaction to him, was a decision by the leaders of Congregation Nidchei Yisroel, to call him back to the pulpit of his erstwhile Congregation. Isaac

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Leeser urged him to accept this call, and wrote to him saying: "We know of no one in the country on whose shoulders the dignity of Rabbi could be more fittingly placed."<sup>28</sup>

But, alas, this call came too late. His health was already inordinately poor. While being pleased by the fact that people from all walks of life flocked to listen to him, he complained of being unequal to the task of preaching. The meticulous preparation of his sermons was too strenuous for him, as his heart was already weak at the time. The duration of his second term of service in the pulpit lasted barely a few months—from June to October 1862. It seems that the Congregation was destined to hear his exhortations once more during the High Holy Days. For after the Holy Days of that year he was summoned to his eternal reward and was "gathered unto his people."

His passing left a great void not only in the community of Baltimore but in the country at large. For he was one of the few genuine Torah scholars in this country who could take his place with the great Talmudic sages who held sway in Europe in his generation. The eulogies of his contemporaries were glowing with praise. Even his antagonists spoke with true veneration of his erudition and sincerity. Men like David Einhorn with whom he carried on a life-long controversy regarding the authenticity of Talmudic Judaism and other matters, spoke of him in terms of highest regard. It was not only in matters of religion, but also in political problems such as the question of slavery which Rice and Einhorn had differed. Einhorn was later compelled to leave Baltimore, for his views on the subject proved to be rather unpopular.

The resolution adopted by Rabbi Rice's Congregation on his demise reads in part: "His constant and firm adherence to his well-known principles and professions gained for him not only the confidence and esteem of those who shared his views, but also commanded from those who differed from him the respect and admiration which a consistent life will never fail to obtain." In addition the Congregation voted to grant a pension to the widow to the extent of \$300.00 a year.<sup>29</sup>

The Editor of *Occident* devoted a full editorial to the memory of Rabbi Rice in which he said in part: "He was a native of Bavaria and trained in the College of the eminent Rabbi Abra-

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ham Bing, a disciple of Rabbi Nathan Adler . . . He brought with him the reputation of a thorough Talmudist, which he maintained in a preeminent degree among all who have reached America since his arrival, being still the first among many able and learned men in his department."<sup>30</sup>

In an article in the *Jewish Encyclopedia* the late Dr. Harry Friedenwald said: "He had a great and lasting influence on the Jewish community of Baltimore; and it was to his teaching and his life that Baltimore Jewry owes its reputation for Orthodoxy."<sup>31</sup>

Henrietta Szold, native of Baltimore, echoes the same sentiments in another article in the *Jewish Encyclopedia*. She says: "The first Rabbi of the Congregation was Abraham Rice whose piety and upright character have left a lasting impress upon the community, especially through his influence upon the youths he taught. Some of them are its present leaders."<sup>32</sup>

Notwithstanding the views of the narrow-minded and the bigoted, Abraham Rice's place in the history of American Judaism is secure. The courage and dauntlessness with which he defended the principles of historic Judaism give him a unique place among the pioneers of Orthodoxy in America. His consistent and uncompromising stand in matters of Jewish theology were the strongest factor in stemming the tide of Reform. His devotion to the study of Torah and his depth of talmudic learning made it possible for halakhic Judaism to gain a foothold on American soil, where for centuries Jewish life was spiritually barren and Torahless. His dedication to Jewish education and his personal instruction of many a youth in this community were responsible for a new generation of enlightened laymen to be raised up who changed the entire physiognomy and religious climate of the Jewish community of Baltimore.

### NOTES

1. *Arakhin* 17a.
2. *Occident*, v. XX, p. 424-25.
3. This letter is part of a Rice ms. in the library of the Jewish Theological Seminary.

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4. *History of Jewish Literature* by Meyer Waxman, vol. IV, p. 1089.
5. This Synagogue, built by an Orthodox Congregation, served for several decades as a Reform Temple, was later sold to a Unitarian Church, and for about half a century was the house of worship of the Chassidic Congregation known as Shomrei Mishmeres Ha-Kodesh. It was only due to the declining neighborhood that the Congregation disintegrated.
6. Vol. III, p. 365, Nov. 1845.
7. *Occident*, III, p. 365 f.
8. *Ibid.*, III, p. 468.
9. *Ibid.*, p. 470.
10. *Ibid.*
11. Isaiah 49:17.
12. *Occident*, *ibid.*, p. 469.
13. *Ibid.*, p. 470.
14. *Ibid.*, p. 471.
15. *Ibid.*, VII, p. 178.
16. *Ibid.*, VII, p. 178.
17. *Pirkei Avot* 1:10.
18. *Occident*, May 1849.
19. *Ibid.*, II, p. 599.
20. *Ibid.*, vol. 5, p. 117.
21. *Ibid.*, vol. II, p. 449.
22. *Ha-shochet Ve'haschita Be-safrut Ha-rabanut* by Rabbi J. J. Greenwald, p. 8.
23. *Occident*, Dec. 1843, p. 559 f.
24. *Ibid.*, vol. II, p. 253 f.
25. *Ibid.*, vol. II, p. 613.
26. *Ibid.*, Nov. 1855, p. 450 f.
27. *Ibid.*, p. 453.
28. *Ibid.*, vol. XX, p. 142, June 1862.
29. *Ibid.*, vol. XX.
30. *Ibid.*, vol. XX.
31. *Jewish Encyclopedia*, vol. X, p. 405.
32. *Jewish Encyclopedia*, vol. II, p. 479.