

The *Ha'amek Davar* of Naftali Zevi Yehuda Berlin

Asher Charles Oser
Department of Jewish Studies
McGill University, Montreal
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Table of Contents

	<i>Page</i>
Abstract	4
Acknowledgments	5
Chapter One: The World of Naftali Zevi Yehuda Berlin	6
Chapter Two: The Secondary Literature on Berlin	44
Chapter Three: Three Features of <i>Ha'amek Davar</i>	54
Chapter Four: <i>Ha'amek Davar</i> and History	100
Conclusion	124
Bibliography	126

לזכר נשמת
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לא יכבה בליל נרה (משלי לא: יז)

In Memoriam

Rella Regina Oser

Budapest-Sydney-Jerusalem

“Her Candle Goeth Not Out By Night” (Proverbs 31:17)

Abstract

Rabbi Naftali Zevi Yehuda Berlin's commentary to the Pentateuch, *Ha'amek Davar*, was first published in Vilna in 1879-1880. The work grew out of a daily class that Berlin taught at the famed yeshiva *Etz Hayyim* of Volozhin, where he was dean from 1853-1893. This study of *Ha'amek Davar* focuses on Berlin's exegesis of Noah's three sons. Because Berlin often conceals his sources and their previous discussions, one of the great challenges of working with *Ha'amek Davar* is trying to recognize which interpretations were original to Berlin and which were adapted from elsewhere. Because my discussion was limited to a few passages, it was possible to outline how different aspects of Berlin's exegesis interacted. The historical context of Nineteenth Century Czarist Russia had a strong impact on *Ha'amek Davar*, and some of Berlin's comments are viewed in light of what was being written in the Russian Jewish press of the time.

Résumé

La critique du pentateuque du rabbin Naftali Zevi Yehuda Berlin, *Ha'amek Davar*, a tout d'abord été publiée à Vilna entre 1879 et 1880. Cet ouvrage est le fruit d'un cours que le rabbin dispensait tous les jours à *Etz Hayyim*, une yeshiva de renom à Volozhin, dont il fut le doyen de 1853 à 1893. Cette étude de *Ha'amek Davar* porte principalement sur l'exégèse de Berlin sur les trois fils de Noé. Berlin dissimule souvent ses sources ainsi que toute discussion antérieure. L'une des principales difficultés en travaillant sur *Ha'amek Davar* a donc été de faire la différence entre les interprétations de Berlin et celles qui ont été adaptées à partir de diverses sources. Mon étude ne porte que sur quelques passages, il m'a donc été possible de mettre en évidence l'interaction entre les différents aspects de l'exégèse de l'auteur. Le contexte historique de la Russie tsariste du XIX^e siècle a fortement influencé *Ha'amek Davar*, par conséquent, certains commentaires de Berlin ont été analysés à la lumière de ce qui paraissait dans la presse juive russe de l'époque.

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My supervisor, Professor B. Barry Levy, was gracious, prompt, and enlightening. As an undergraduate he introduced me to the world of intellectual history and he has shaped my outlook ever since. It is a privilege to be counted among his students.

The Department of Jewish Studies at McGill University was always helpful. Colleen Parish and Stefka Iorgova extended to me every courtesy. Professor Lawrence Kaplan taught me how to read critically and is a depository of multifarious knowledge and insight.

My parents reared me in a home that valued scholarship and open enquiry. Rachel Oser gives me the space and environment to develop those yearnings. My debt to her is inestimable. It is my hope and prayer that our lives and home will inspire Mordekai and Aryeh to continue to treasure those pursuits and values.

It is a source of great sadness that my grandmother, Rella Oser, did not live to see this thesis. She was the matriarch of our family and carried with her the deep wisdom of a sharp mind and a kind heart. She will be in my heart forever.

Chapter One: The World of Naftali Zevi Yehuda Berlin

	<i>Page</i>
Introduction	7
Hasidim and Mitnagdim	9
Hasidim, Mitnagdim, and Torah Study	9
Hasidim, Mitnagdim, and Kabbalah	13
The Yeshiva at Volozhin	16
The Yeshiva at Volozhin	16
The Closure of the Yeshiva at Volozhin	19
Naftali Zevi Yehuda Berlin	24
Berlin, <i>Wissenschaft des Judentums</i> , and Transitional Figures	24
The Writings of Berlin	32
Berlin and Other Nineteenth Century Lithuanian Torah Scholars	36

Introduction

Born in 1817 in the town of Mir, in the province of Minsk in the Czarist Pale of Settlement, Naftali Zvi Yehuda Berlin rose to prominence during the second half of the nineteenth century. He was a masterful pedagogue, an accomplished scholar and an original exegete, who operated through a period of great change. At the age of eleven he entered the celebrated yeshiva at Volozhin, over which he would preside for close to forty years, from 1853 until one year before his death in 1893.¹

The subject of this thesis is Berlin's commentary to the Torah, *Ha'amek Davar*. Scant attention has been paid to Berlin and to other figures who are part of the legacy of Lithuanian Rabbinism. It begins with a synopsis of his historical background and pedagogical achievements and those of some other figures that may, after further study, be classified along with him as forming their own circle of traditional rabbinic scholarship.

Shmuel Ettinger opined that the yeshiva in Volozhin was "mainly established to serve as a barrier to the spread of Hasidism,"² but this assessment has not been accepted unanimously.³ Nevertheless, the rift between Hasidism and Lithuanian Rabbinism did inform the world Berlin inherited and would later represent.⁴ A summary of some of the historical forces that shaped nineteenth century Jewish Lithuania will serve as a good

¹ Shaul Stampfer, *Ha-Yeshiva Ha-Lita'it Be-Hithavta* (Jerusalem: The Zalman Shazar Center for Jewish History, 1995), 73.

² Shmuel Ettinger, "Volozhin," in the *Encyclopaedia Judaica*. CD-ROM Edition.

³ See Immanuel Etkes, *The Gaon of Vilna: The Man and His Image*, translated by Jeffrey M. Green (Los Angeles: University of California Press, 2002), 268-269.

⁴ Some Hasidic groups flourished in historic Lithuania and it is incorrect to assume that all of Lithuanian Jewry opposed Hasidism. For Hasidic groups within Lithuania see Zeev R. Rabinowitsch, *Lithuanian Hasidism*, foreword by Simon Dubnow (New York: Schocken Books, 1971).

Chapter One: The World of Naftali Zevi Yehuda Berlin

backdrop to Berlin's lifework.

Hasidim and Mitnagdim

Hasidim, Mitnagdim, and Torah Study

The Council of the Four Lands (*Va'ad Arba Aratzot*) was a centralized Jewish governing body that operated for over two hundred years and had jurisdiction over Jews in four provinces of Poland. The Council came to an end at the close of 1764 when the Polish Sejm voted to dismantle it.⁵ During its last years, a popular movement called Hasidism arose. Hasidism stressed belief in a *Tzaddik* (holy-man), the importance of simple faith, prayer and correct intention in Divine service. The death of Hasidism's central figure, Israel Ba'al Shem Tov (1700-1765), came just one year after the Council was dissolved. The juxtaposition of the Ba'al Shem Tov's death and the end of the *Va'ad Arba'ah Artzot* contributed to Hasidism's growth because with the powers of censure once invested in the *Va'ad* no longer available, no communal mechanism could impede the nascent movement (although there are other explanations for the early success of Hasidism).⁶

The Jews of Eastern Europe were not all receptive to the new movement. Most of those who lived in White Russia and Lithuania, the native lands of Berlin's predecessors, were unsympathetic and opposed the movement. These opponents, called Mitnagdim, rallied around Elijah of Vilna (1702-1797), also known as the Vilna Gaon. The Vilna Gaon was a recluse who combined tremendous learning with severely pious behaviour

⁵ Haim Hillel Ben-Sasson "Council of the Lands," in the *Encyclopaedia Judaica*. CD-ROM Edition.

⁶ *Ibid*, 74-76.

and revolutionized Jewish scholarship. His role in opposing Hasidism is unclear;⁷ it is known that he refused to meet with the learned Hasidic luminary Rabbi Shneur Zalman of Liadi (1745-1813), who had come to discuss the rift between the movements and that he never made peace with Hasidism.⁸

Hasidism stood accused of diminishing the importance of Torah study as it “strove to place cleaving to God at the center of religious life.”⁹ For example, Rabbi Ya’akov Yosef of Polnoye, a student of the Ba’al Shem Tov, wrote that Torah study and prayer are equals in common teleological pursuit:

ולפי מה שקבלתי ממורי שעיקר עסק תורה ותפילה הוא שידבק את עצמו
אל פנימיות רוחניות אור אין סוף שבתוך אותיות התורה והתפילה שהוא
הנקרא לימוד לשמה¹⁰

And according to that which I have received from my teacher [Ba’al Shem Tov], that the purpose of Torah study and prayer is to attach oneself to the inner spirituality of the light of the *En Sof*¹¹ that is contained within the letters of the Torah and prayer; this is what is called ‘learning for its own sake.’¹²

This teaching, found in “the main source for the teachings of the [founder of Hasidism and Rabbi Ya’akov Yosef’s mentor] Baal Shem Tov,”¹³ rendered Torah study into a vehicle for achieving mystical union with God. Passages like these prompted scholars to

⁷ *Ibid*, 76-77.

⁸ *Ibid*, 80.

⁹ Etkes, *The Gaon of Vilna*, 153.

¹⁰ Jacob Joseph of Polnoy, *Sefer Toldot Ya’akov Yosef* (Koretz, 1780), 25a.

¹¹ “The hidden God, the innermost Being of Divinity so to speak, has neither qualities nor attributes. This innermost Being the Zohar and the Kabbalists like to call *En-Sof* i.e., the Infinite.” Gershom G. Scholem, *Major Trends in Jewish Mysticism* (New York: Schocken Books, 1961), 207-208.

¹² All translations are my own unless specified otherwise.

¹³ Samuel H. Dresner, *The Zaddik: The Doctrine of the Zaddik According to the Writings of Rabbi Yaakov Yosef of Polnoy* (New York: Abelard-Schuman, 1960), 64.

conclude that:

It was only in Hasidic thought that the mystical elevation of the status of prayer began to come into serious, direct conflict with that of Torah study...For the early Hasidic masters, then, prayer, and not Torah study, became the central vehicle for the attainment of knowledge of God and, ultimately, mystical communion.¹⁴

While Hasidism rejected an elevated role for Torah study, the Mitnagdim believed it was the very highest form of devotion. The Vilna Gaon's most famous student (and the paternal grandfather of Berlin's first wife) was Rabbi Hayyim of Volozhin (1749-1821). In Rabbi Hayyim's work *Nefesh Ha-Hayyim*, published posthumously in 1824, he defended the Lithuanian view of Torah study. It is clear from the following passage that *Nefesh Ha-Hayyim*, a "theoretical blueprint for the great nineteenth-century Lithuanian Torah academies,"¹⁵ supported granting Torah study a primary role in Divine service,

ושם ב[סדר] א[ליהו] ז[וטא] פ[רק] ה' ... בכל יום יוצאים מלאכי חבלה
מלפני הק[דוש] ב[רוך] ה[וא] לחבל את כל העולם כולו ואלמלא ב[תי]
כ[נסיות] וב[תי] מד[רשות] שת[למיד] ח[כמים] יושבין בהם ועוסקים
בד[ברי] ת[ורה] היו מחבלין את כל העולם כולו מיד כו' ע[יין] ש[ם].
ע[ם] כ[ל] ז[ה] עדיין יוכלו להתקיים ע[ל] י[די] השרידים אשר ה[שם]
קורא העוסקים בתו[רה] הק[דושה] יומם ולילה ילא יתבטלו לגמרי
לחזור לתהו ובהו ח[ס] ו[שלום]. אבל אם היה ח[ס] ו[שלום] העולם
פנוי לגמרי אפילו רגע אחת ממש מעסק והתבוננות עם סגולה בתו[רה]
ק[דושה]. תיכף כרגע היו כל העולמות נחרבים ונבטלים ממציאות לגמרי
ח[ס] ו[שלום]. ואף גם איש א[חד] מישראל לבד רב כחו שבידו
להעמיד ולקיים את כל העולמות והבריאה בכללה ע[ל] י[די] עסקו
והתבוננותו בתו[רה] הק[דושה] לשמה¹⁶

¹⁴ Allan Nadler, *The Faith of the Mithnagdim: Rabbinic Responses to Hasidic Rapture* (Baltimore: The John Hopkins University Press, 1997), 53.

¹⁵ Norman Lamm, *Torah Lishmah, Torah for Torah's Sake: In the Works of Rabbi Hayyim of Volozhin and his Contemporaries* (New Jersey: Ktav, 1989), 59.

¹⁶ Rabbi Hayyim Volozhiner, *Nefesh Ha-Hayyim* (Vilna, 1873), 92.

And there in the *Seder Eliyahu Zuta*¹⁷ Chapter 5 [it says]: “...Each day destructive angels set out from before God to destroy the entire world. And but for the synagogues and houses of study in which students sit and busy themselves with words of Torah they would immediately destroy the entire world,” etc. Nonetheless they are still able to sustain themselves through the few remnants that God calls, [those] who busy themselves with the Holy Torah day and night that it should not be completely destroyed and returned to emptiness and the void God-forbid. But if God-forbid the world were totally free, even for a single moment, literally, from the chosen nation’s study and contemplation of the holy Torah then in the immediacy of a moment would all the worlds be ruined and destroyed from their existence, completely, God-forbid. And even a single individual Jewish man has great potential for he is empowered to uphold and sustain all the worlds, including the entirety of creation, through his study and contemplation of the holy Torah “for its own sake.”

Norman Lamm has concluded that Rabbi Hayyim “took the bold step of removing Torah from the world of divine emanations and assigning its genesis to the infinitely mysterious regions of the En-Sof.”¹⁸ This “bold step” meant that the world was wholly reliant on Torah study, as Rabbi Hayyim vividly expressed in the passage quoted above.

The two excerpts quoted are from early mainstream figures in the Hasidic and Mitnagdic movements. They reveal that the role of Torah study was very different for the Hasidim and the Mitnagdim. According to Allan Nadler, Rabbi Hayyim was not the first among the Mitnagdim to radicalize Torah study.¹⁹ He also wrote that any elevation of

¹⁷ For a discussion of this midrashic work see H. L. Strack and G. Stemberger, *Introduction to the Talmud and Midrash*, translated by Markus Bockmuehl (Edinburgh: T&T Clark, 1991), 369-371.

¹⁸ Lamm, *Torah Lishmah*, 105.

¹⁹ Nadler’s *The Faith of the Mithnagdim* “has as its goal...an extensive description...of the religion of the early Mithnagdim...with a particular focus on...the outspoken disciple of the GRA [Vilna Gaon], R. Pinehas ben Judah, Maggid of Polotsk.” Nadler thinks that R. Pinehas is one of the precursors to R. Hayyim’s stance on Torah study. Nadler, *The Faith of the Mithnagdim*, 7; 151-154.

Torah study was “directed mainly at discouraging the Jews from attempting to engage in any alternate, less mediated spiritual endeavours, and that we should view it as a practical way of effectively frustrating any more immediate encounter with God in this earthly life.”²⁰ This comment introduces another aspect of the dispute between the two groups: the role of Jewish “spiritual endeavours,” namely Kabbalah.

Hasidim, Mitnagdim, and Kabbalah

Views about the study and interpretation of Kabbalah also divided the Hasidim and the Mitnagdim. It was alleged that Hasidim recklessly disseminated kabbalistic ideas and ideals. This doubly enraged the Mitnagdim, for not only was Torah study less central to the program of Hasidism, they tilted the focus of their studies toward the mystical Kabbalah.²¹ These charges also frightened a Jewish world that was still reeling from the

²⁰ Nadler, *The Faith of the Mithnagdim*, 163.

²¹ At this point, two sundry comments are in place, the first concerns the difficulty, real or perceived, of Kabbalah study, and the second is about Kabbalah and the boundary of *Talmud Torah*, Torah study. Moshe Idel has suggested that the Kabbalah the Hasidim studied was neither the most rigorous nor philosophical. “The basic Hasidic approach to the encounter with the divine is much closer to the mysticism of love, whereas ecstatic Kabbalah is more inclined to the mysticism of knowledge and understanding. To be sure, we find in Hasidism many cases where philosophical terms are used...Nevertheless, we can differentiate between these two forms of Jewish mysticism as representing two distinct mystical modalities.” Moshe Idel, *Hasidism: Between Ecstasy and Magic* (Albany: State University of New York Press, 1995), 224. On the issue of Torah study, Moshe Halbertal’s work *People of the Book: Canon, Meaning, and Authority* distinguished between strong and weak versions of the Torah-study. The strong version demands exclusive attention to the Torah-canon. The weak version, he claimed, views Torah study as an obligation than can be fulfilled by the most perfunctory act - reciting the Shema-declaration twice a day. Thus, even if the weak version did not broaden the Torah-canon, it reduced time allotted to Talmud in the Jewish curriculum. Halbertal wrote that “influential and moderate critics were also critical in the stronger version of its formative function. They wished to supplement Talmudic learning with additional texts, either in philosophy or Kabbalah...These critics propose various formulations of the internal hierarchy between the Talmud and other material. Some saw the supplements as superior in value while others saw them as equal to the Talmud, but all insisted that the Talmud should not be the only subject of study.” Moshe Halbertal, *People of the Book: Canon, Meaning and Authority* (Cambridge: Harvard University Press, 1997), 102-103. The context of this quotation is earlier than the period of Mitnagdim and Hasidim by which time

acrimonious debates and damage caused by the Sabbateans and Frankists, earlier antinomian sects that had been influenced by Kabbalah.²²

To be sure, accomplished Kabbalists were found among the Mitnagdim. The Vilna Gaon excelled in its study;²³ his student Rabbi Hayyim was also a learned Kabbalist, and individuals would travel to Volozhin to study it with him.²⁴ Indeed, *Nefesh Ha-Hayyim* relied heavily on Kabbalah although, according to Immanuel Etkes, this was a tactical decision: by professing an outlook grounded in Kabbalah, Rabbi Hayyim hoped to win over Hasidim and their potential adherents.²⁵ Even so, the curriculum at Volozhin never accommodated the mystical teachings of Judaism.²⁶

Hasidim and Mitnagdim also argued over the interpretation of Kabbalah. The Hasidim felt that the Vilna Gaon did not consider the teachings of Rabbi Isaac Luria as binding.²⁷ Etkes pointed out that while Rabbi Hayyim did defend his venerated teacher, he neither confirmed nor denied the essential claim of the Hasidim about the status of Luria's teachings in the eyes of the Vilna Gaon.²⁸

The argument over the importance of Torah study and the role of mystical studies

Kabbalah's place within the canon meant that even those who were against including it in the normative curriculum had to make recourse to it in their arguments. Halbertal pointed out that "R. Chaim of Volozhin defended Talmudism without rejecting the outlook of the Kabbalah and reiterating that nothing should be added to the Talmud. Instead, he used the theurgic ideal of Kabbalah to support his position, which enabled him to integrate his own background as a kabbalist and his loyalty to the highest value of Lithuanian culture, Talmud Torah." Halbertal, *People of the Book*, 122.

²² Gershom G. Scholem, *Major Trends in Jewish Mysticism* (New York: Schocken Books, 1941), 287-324.

²³ For the Vilna Gaon as a Kabbalist see Yosef Avivi, *Kabbalat Ha-Gra* (Jerusalem: Kerem Eliahu, 1992) and Alan Brill, "The Mystical Path of the Vilna Gaon," in the *Journal of Jewish Thought and Philosophy* 3 (1993): 131-151.

²⁴ Stampfer, *Ha-Yeshiva*, 52.

²⁵ Etkes, *The Gaon of Vilna*, 173.

²⁶ Stampfer, *Ha-Yeshiva*, 48.

²⁷ Etkes, *The Gaon of Vilna*, 25-26.

²⁸ *Ibid*, 26.

encouraged the early Mitnagdim to formulate their position. Torah study became more valued than ever before, and Kabbalah was slowly removed from the public sphere. Nadler discovered that the “deep though respectful reticence toward Kabbalah...was to evolve into an almost complete indifference to and ignorance of Jewish mysticism among the later Mithnagdim.”²⁹ *Ha’amek Davar* supports Nadler’s proclamation that “the writings of many of Lithuania’s greatest rabbinic scholars in the nineteenth century reflect a complete lack of interest in Kabbalah.”³⁰

²⁹ Nadler, *The Faith of the Mithnagdim*, 35.

³⁰ *Ibid*, 35. On page 204 Nadler wrote that “An examination of the writings of the mid-nineteenth-century dean of the Volozhin Yeshiva, Naftali Zevi Yehuda Berlin (Berlin), particularly his commentary to the Torah, *Ha’amek Davar*, provides a good illustration of the declining interest in and inquiry into Kabbalistic texts. Berlin’s expansive commentary on the entire Pentateuch includes almost no references to any Kabbalistic sources.”

The Yeshiva at Volozhin

The Yeshiva at Volozhin

The community yeshiva was a traditional educational institution whose “needs were loyally met by the local [Jewish] public.”³¹ However, by the seventeenth-century, economic and social factors had weakened its sustainability,³² and the arrival of Hasidism jeopardized the already precarious state of Torah study. These factors encouraged Rabbi Hayyim to open a new type of yeshiva in 1802 in Volozhin, (in the province of Vilna, in the Czarist Pale of Settlement) and it became the basis of the modern yeshiva.³³ Unlike the old-style community yeshiva, the one at Volozhin was not beholden to the jurisdiction of the local community; as an institution it appealed – in many ways – to the wider Jewish community. During its inaugural year, Rabbi Hayyim supported the yeshiva from his own personal funds.³⁴ In 1803, he wrote a stirring, humble letter that requested the financial backing of Jews throughout Eastern Europe.³⁵ The letter was successful in locating donors and gave birth to what was then a revolutionary idea: a yeshiva for all Jews supported by all Jews. By the time the yeshiva closed, it had sent emissaries on fundraising missions as far away as London.³⁶

The yeshiva at Volozhin was a place of constant learning. Rosters of students

³¹ Jacob Katz, *Tradition and Crisis: Jewish Society at the End of the Middle Ages* (New York: The Free Press of Glencoe, 1961), 193.

³² *Ibid*, 228.

³³ Etkes, *The Gaon of Vilna*, 202-208.

³⁴ *Ibid*, 202.

³⁵ A copy of the letter was reprinted in *Ha-Peles* 2 (1902): 140-143.

³⁶ Naftali Zevi Yehuda Berlin, *Igrot Ha-Netziv Mi-Volozhin* (Bene Berak: [Publisher Unknown,] 2002), 146-148.

ensured that the study hall resounded with Talmud study twenty-four hours a day.³⁷ This practice probably reflected Rabbi Hayyim's view that Torah study is required constantly in order to sustain the world. The focus of the curriculum was Talmud, and the teachers taught all the tractates in their sequential order.³⁸ Aside from classes in Talmud, Rabbi Hayyim also taught a daily lesson in that Sabbath's Torah reading. After his death, that lesson remained a staple of the yeshiva; *Ha'amek Davar* grew out of those daily lessons.³⁹

The mantle of leadership at Volozhin passed dynastically, and after Rabbi Hayyim's death in 1821, his son Rabbi Yitzhak (1780-1849) replaced him.⁴⁰ As part of his attempt to modernize Jewish schooling, the educational reformer Max Lilienthal met Rabbi Yitzhak, and the latter even took him for a visit to his father's grave. Lilienthal wrote his impressions of Rabbi Yitzhak in his travel journal:

He [Rabbi Isaac] spoke the German, Russian and Polish languages very fluently, and though unacquainted with the literature of any of these languages, he understood very well that the reform of the schools could be delayed no longer.⁴¹

He also reported the schedule of the yeshiva, as transmitted to him by Rabbi Yitzhak:

We have prayers in the morning as early as possible; all the students have to be present during the service. After the service I explain to them some chapters of the Sidrah of the week, and the Haphtarah with the commentary of Rashi,

³⁷ Stampfer, *Ha-Yeshiva*, 44-45.

³⁸ *Ibid.*, 44-45.

³⁹ Naftali Zevi Yehuda Berlin, "Kidmat Ha-Amek" to *Ha'amek Davar* (Jerusalem: Yeshivat Volozhin, 1998), 2.

⁴⁰ Stampfer, *Ha-Yeshiva*, 55.

⁴¹ David Philipson, *Max Lilienthal, American Rabbi: Life and Writings* (New York: The Bloch Publishing Co., 1915), 344-345.

adding some free explanations of my own, into which I interweave some remarks from the commentary of Mosheh Dessau [Mendelssohn].⁴²

If Lilienthal's report is correct, Rabbi Yitzhak possessed worldly learning and was sympathetic to those who wished to reform Jewish education. Stampfer has argued that Rabbi Yitzhak knew what Lilienthal wanted to hear and tried to manipulate his contact with Lilienthal for the good of the yeshiva.⁴³ This argument casts doubt on Lilienthal's travel journal as a trustworthy source for the authentic attitudes of Rabbi Yitzhak.

After Rabbi Yitzhak's death in 1849, the mantle of leadership fell to his eldest son-in-law Rabbi Eliezer Isaac (1809-1853) who died four years later.⁴⁴ Berlin, who married Rabbi Yitzhak's daughter and had already started delivering classes in the yeshiva, assumed the position of dean, and it was "under his distinguished leadership that the Yeshiva in Volozhin came into its own as the premier institution of Torah learning in the world in the nineteenth century."⁴⁵ He led the yeshiva from 1853 until 1892, a period of close to forty years, during which many future leaders of the Jewish world were students at Volozhin.⁴⁶

Berlin supported the idea of Jewish settlement in Palestine and as he grew old he

⁴² *Ibid*, 348.

⁴³ Stampfer, *Ha-Yeshiva*, 57.

⁴⁴ *Ibid*, 66.

⁴⁵ Jacob J. Schacter, "Haskalah, Secular Studies and the Close of the Yeshiva in Volozhin in 1892," in *The Torah U-Madda Journal* 2 (1990), 81.

⁴⁶ The first chief rabbi of Palestine, Rabbi Abraham Isaac Kook (1865-1935); the Hebrew poet Hayyim Nahman Bialik (1873-1934) and the Hebrew writer Micha Josef Berdyczewski (1865-1921) were all students during the tenure of Berlin. Interestingly, all three figures all wrote about the yeshiva. Kook wrote the first biography of Berlin "*Rosh Yeshivat Etz Ha-Hayyim*" in *Knesset Yisra'el* 5648 (1886-1887) Vol. II, 138-147; Berdyczewski wrote a history of the yeshiva "*Toldot Yeshivat Etz Ha-Hayyim*" in *Ha-Asif* (1886) Vol. III, 231-242 and Bialik's famous poem *Ha-Matmid* was influenced by the period he spent at Volozhin.

desperately wished to move there.⁴⁷ The financial burden of the yeshiva and the government's desire to regulate the curriculum fatigued him. To relieve these pressures and to prepare for his long-awaited trip to Palestine, he requested that Rabbi Hayyim, the son he fathered with his first wife, return to Volozhin to lead the yeshiva. At the time Rabbi Hayyim was living in Moscow where he was serving as a Rabbi. This change, it is reported, was only symbolic and Berlin remained active in the life of the yeshiva until the authorities closed its doors in 1892.⁴⁸

The Closure of the Yeshiva at Volozhin

The closure of the yeshiva at Volozhin is shrouded in controversy and disputed accounts of the willingness of Berlin to tolerate secular studies within the walls of the yeshiva. In 1990, Jacob J. Schachter wrote a lengthy article entitled "Haskalah, Secular Studies and the Close of the Yeshiva in Volozhin in 1892."⁴⁹ No understanding of Berlin or Volozhin is complete without a discussion of this dramatic period of Berlin's life. Before discussing the closing of the yeshiva that Berlin headed, it is wise to give some background to the role of Haskalah in Lithuanian Rabbinism and some misconceptions about it.

Many Maskilim looked to the Vilna Gaon as a harbinger of the program of

⁴⁷ For a discussion of Berlin's attitude to settling Palestine, see Moshe Zinowitz, "*Etz Hayyim*": *Toldot Yeshivot Volozhin* (Tel Aviv: Mor, 1972), 342-353.

⁴⁸ Meyer Bar-Ilan (Berlin), *Mi-Volozhin ad Yerushalayim*, Vol. I, edited by Yeshayahu Bronstein and Yosef Tirosh, (Tel-Aviv: *Ha-Va'adah Le-Hotza'at Kitve Ha-Rav Meyer Bar-Ilan*, 1971), 159-162.

⁴⁹ *The Torah U-Madda Journal* 2 (1990), 76-133.

Haskalah.⁵⁰ The Gaon's rejection of futile *pilpul*⁵¹ and his openness to textual emendation⁵² encouraged them to claim him as the forerunner of their initiatives. Comments attributed to him about the necessity of secular knowledge for understanding Torah⁵³ and the need to be proficient in the Bible and its grammar⁵⁴ sealed his fate as the object of their appropriation. Even in the twentieth century work of Jacob Raisin, there was a zealous adoration that climaxed in the following lines:

But the [Vilna] Gaon's influence on the Haskalah movement by far surpassed his influence on the study of the Talmud...Many, in point of fact, regard him as the originator of the movement...And his example served as an impetus and encouragement to the Maskilim in spreading knowledge among their coreligionists.⁵⁵

Russian Maskilim knew that for their project to have a strong impact they would need to garner the support of the popular religious authorities, or at the very least, they would need to convince the Jewish community that the religious authorities approved of their intentions to educate and modernize Russian Jewry. This explains why they portrayed the Vilna Gaon as a Maskilic prototype.⁵⁶ However, studies have shown that

⁵⁰ Allan Nadler "The Mithnagdim and the Haskalah: a Reappraisal," in *The Gaon of Vilnius and the Annals of Jewish Culture: Material of the international scientific conference Vilnius, September 10-12, 1997* (Vilnius: Vilnius University Publishing House, 1998), 35.

⁵¹ In the last paragraph of the introduction to the Vilna Gaon's commentary to the *Shulhan Arukh*, the authors, Abraham and Judah Leib, the sons of the Vilna Gaon, recounted their father's warning against *pilpul*. *Pilpul* is often defined as a casuistic approach to Torah study, one that answers fanciful question by introducing nuanced premises.

⁵² Lawrence H. Schiffman, "The Vilna Gaon's Methods for the Textual Criticism of Rabbinic Literature," in *The Gaon of Vilnius and the Annals of Jewish Culture: Materials of the international scientific conference Vilnius, September 10-12, 1997* (Vilnius: Vilnius University Publishing House, 1998), 88-127.

⁵³ Etkes, *The Gaon of Vilna*, 37-38.

⁵⁴ *Ibid.*, 40.

⁵⁵ Jacob Raisin, *The Haskalah Movement in Russia* (Philadelphia: The Jewish Publication Society of America, 1913), 74-75.

⁵⁶ Nadler, "The Mithnagdim and the Haskalah: a Reappraisal," 35.

the Maskilic tendencies attributed to the Vilna Gaon were neither radical nor revolutionary. For example, Etkes wrote:

Although the study of secular subjects and sciences was not a central element of traditional life in the late Middle Ages, we can cite a considerable number of prominent people in central and eastern Europe who engaged to some extent in such study... Whatever the motive, such constant recourse to secular knowledge among the rabbinic elite furnishes us, I believe, with sufficient grounds to assert that the Gaon's behavior in this respect was no breakthrough or deviation from his social context.⁵⁷

Etkes also argued that that the Vilna Gaon did not concur with the reforming agenda of the Maskilim.⁵⁸ Schachter also rejected the possibility that Rabbi Hayyim wished to introduce secular studies into the yeshiva at Volozhin.⁵⁹

Berlin possessed a tolerant temperament,⁶⁰ and from first-hand reports it is known that during his tenure the yeshiva at Volozhin served as a cradle for young men interested in Haskalah.⁶¹ Some have claimed that Berlin viewed secular knowledge positively⁶² and he regretted the fact that he did not know Russian.⁶³ By many accounts, he was neither oblivious to, nor aloof from, contemporary life,⁶⁴ and if *his* yeshiva was known for its open-mindedness, at the very least he must have allowed it to develop such a reputation. Some of the journals in which he advertised his yeshiva and notices pertaining to it were

⁵⁷ *Ibid*, 57.

⁵⁸ Etkes, *The Gaon of Vilna*, 64.

⁵⁹ Schachter, "Haskalah, Secular Studies and the Close of the Yeshiva in Volozhin in 1892," 97.

⁶⁰ Perhaps the greatest proof of this is that he maintained contact with those whose personal lives had once been, but no longer were, strictly traditional. See Moshe Zinowitz, "*Etz Hayyim*": *Toldot Yeshivot Volozhin*, 241.

⁶¹ Abba Balosher "*Bialik Be-Volozhin*," in *Moznayim* 4:2 (1935), 133.

⁶² Hannah Kats, *Mishnat Ha-Netziv: Shitato Ha-Rayonit Ve-Ha-Hinukhit shel Ha-Netziv Mi-Volozhin Le-Ohr Ketavav Ve-Darkhei Hanhagato* (Jerusalem: 1990), 109-116.

⁶³ Bar-Ilan (Berlin), *Mi-Volozhin*, 139.

⁶⁴ *Ibid*, 141.

those same organs that the Maskilim used.⁶⁵ By doing so, Berlin sent an implicit message to the wider community: Haskalah and Volozhin were not mutually exclusive.⁶⁶

Despite Berlin's open-mindedness and the yeshiva's reputation, some Maskilim saw the yeshiva as an obstacle to progress. They dreamed of turning the yeshiva into a modern college where students could gain a formal secular education.⁶⁷ Since Berlin did not support any changes to the curriculum, they petitioned the government.⁶⁸ Eventually, with great reluctance, Berlin allowed government-mandated secular studies into the curriculum of Volozhin.⁶⁹ When Berlin found a gentile teacher waiting for students who had skipped class - because they thought it was taught in a manner that was beneath them - he encouraged them to attend, although this was probably out of fear of government reprisal.⁷⁰ This did not help, for soon the government demands grew to the bulk of the day and Berlin would not agree to a schedule that left barely any time for traditional studies.⁷¹ The end came when the government forcibly closed the doors of the yeshiva on February 3, 1892.

There is an opposing view that originated with a letter from Rabbi Hayyim Berlin, who claimed that his father acted with tremendous self-sacrifice to prevent secular studies from ever taking place within the yeshiva. According to this account, Berlin preferred the

⁶⁵ Schacter, "Haskalah, Secular Studies and the Close of the Yeshiva in Volozhin in 1892," 88-89.

⁶⁶ In *Ha-Zefirah* 250, November 25th, 1887 (Friday, 9th Kislev, 5648), p. 2, it was reported that a group of students in Volozhin wanted to broaden their knowledge during the evening and requested the community to help them by sending them (non-sacred) books. However, Berlin firmly repudiated this report and claimed that "the nights at Volozhin were created but for learning [Torah]." A copy of his protest can be found in *Igrot Ha-Netziv Mi-Volozhin* (Bene Berak: 2002), p. 133.

⁶⁷ Schacter, "Haskalah, Secular Studies and the Close of the Yeshiva in Volozhin in 1892," 109.

⁶⁸ Bar-Ilan (Berlin), *Mi-Volozhin*, 156.

⁶⁹ Schacter, "Haskalah, Secular Studies and the Close of the Yeshiva in Volozhin in 1892," 107.

⁷⁰ Bar-Ilan (Berlin), *Mi-Volozhin*, 166.

⁷¹ Schacter, "Haskalah, Secular Studies and the Close of the Yeshiva in Volozhin in 1892," 108.

yeshiva's doors to close than to mix the profane with the holy. The letter is powerful, as the son claimed that his father revealed all this to him while he was on his deathbed and later a prominent Jerusalem rabbinical court endorsed the letter.⁷² Yet, other accounts suggest Berlin did permit some form of secular studies to take place under the auspices of the yeshiva.⁷³ Among them is one from the son of his second marriage, Rabbi Meyer, published years after the letter of his older brother was endorsed by the rabbinical court.⁷⁴

A full discussion of Berlin's attitude to secular knowledge and the way it applied to Volozhin is beyond the scope of this study. However, it is fitting to close this discussion with the way a Volozhin alumnus remembered his alma mater:

בכל הישיבות כולן גזרו אפילו על יד יע ה של חכמת חיצונית,
ובולוז'ין לא גזרו אלא על למודן בלבד בישיבה גופא, משום בטול תורה,
ולא גזרו כלל על ידיעתן, ומי שבא לשם וידיעת חיצונית בידו לא היו
מוחים בו. ומכיון שניתנה בה רשות של ידיעה, שוב לא הבחינו בה בין מי
שידיעתו קדמה לכניסתו, ובין מי שכניסתו קדמה לידיעתו.⁷⁵

In all the *yeshivot* they outlawed even the knowledge of foreign wisdoms, whereas in Volozhin they only outlawed their study within the Yeshiva proper, because of *bitul Torah* [wasting time that should be devoted to Torah study] and they absolutely did not outlaw their knowledge. Whoever arrived there and had already attained foreign wisdoms was not rebuked. Since their knowledge was permitted, they did not distinguish between one whose knowledge predated his arrival and one whose arrival predated his knowledge.

⁷² For a discussion of the history of the letter see Schachter, "Haskalah, Secular Studies and the Close of the Yeshiva in Volozhin in 1892," 113-114.

⁷³ Stampfer, *Ha-Yeshiva*, 212-215.

⁷⁴ Meyer Bar-Ilan (Berlin), *Rabban shel Yisrael* (New York: *Ha-Histadrut Ha-Mizrachi Be-Amerika*, 1953) 140; Bar-Ilan (Berlin), *Mi-Volozhin*, 158.

⁷⁵ Balosher "*Bialik Be-Volozhin*," 128.

Naftali Zevi Yehuda Berlin

Berlin, *Wissenschaft des Judentums* and Transitional Figures

The earliest reference work that cited Berlin was the *Sefer Zikaron Le-Sofrei Yisra'el Ha-Hayyim Itanu Ka-Yom (Sefer Zikaron)* that Nahum Sokolow's yearbook, *Ha-Asif*, published in 1888.⁷⁶ For the most part, the editors excluded clerics from the collection and those who appeared were Western Europeans who contributed to the scientific study of Judaism.⁷⁷ (The proclamation that appeared on the title page of the *Sefer Zikaron* תולדותיהם ושמות ספריהם הכתובים בשפת עבר ונוגעים בעניני תורה וחכמת ישראל "The lives and titles of books written in Hebrew about Torah subjects and the Wisdom of Israel."⁷⁸) The American Jewish bibliographer, A. R. Malachi, pointed this out when he discussed why Berlin, a traditional Eastern European figure, was included in the *Sefer Zikaron*:

...תולדות ה[רב] נ[פתלי] צ[בי] י[הודה] ב[רלין] קבעו בספר זה בזכות חיבוריו – פירושו לתורה ושיר השירים, „ספרו הגדול על ה,ספרי“ ביאורו לשאלות דרב אחאי, ומאמריו בעתונים, שהיה בהם משום חקר והגיון, עמקות ופשטות – דרך למודו בכלל, שעליה נאמר באותה תולדה: „ובלמודיו בחר לו דרך הבקורת וההגיון ויתרחק מן הפלפול העקום אשר החזיקו בו אז רבים“⁷⁹

...[the] biography of *Ha-Netziv*⁸⁰ was entered into this book due to the merit of his works – his commentary to the *Torah* and to Song of Songs, his great work on the *Sifre*, his commentary to the *Sheiltot* of Rav Ahai and his

⁷⁶ "R. Naftali Zevi Yehuda Berlin," in *Sefer Zikaron Le-Sofrei Yisrael Ha-Hayyim Itanu Ka-Yom* (Warsaw: Bet Ma'arekhet Ha-Asif, 1888), 12-13.

⁷⁷ A. R. Malachi, "Po'alo Ha-Sifruti shel R. Naftali Zevi Yehuda Berlin," in the *Jewish Book Annual* 25 (1967-1968), 233.

⁷⁸ The term "Wisdom of Israel," is a literal translation of the Hebrew *Hokhmat Yisra'el*. It is used to denote the scholarly study of Judaism.

⁷⁹ *Ibid*, 233.

⁸⁰ A widely used acronym for *Naftali Zevi Yehuda Berlin*.

Chapter One: The World of Naftali Zevi Yehuda Berlin

newspaper articles that were investigative and logical, deep and clear – his approach to study in general, about which is written in that biography “and in his studies he chose for himself the path of criticism and logic and distanced himself from crooked *pilpul* to which many, at those times, clung.”

The suggestions offered by Malachi are insufficient. By 1889 the rejection of *pilpul* was not new, and it is not at all clear that Berlin rejected *pilpul*. In fact, in many places he used the term favorably and valued *pilpul* as the authentic Jewish genius.⁸¹ One might suggest that Berlin’s supportive attitude toward settling Palestine secured him a place in a work published under the auspices of Nahum Sokolow, a known Zionist.⁸² Indeed, the last detail mentioned in the entry is that Berlin had published some articles on settling *Eretz Israel*. However, such a suggestion is questionable since Sokolow’s *The History of Zionism* never mentioned Berlin.⁸³

The attempt to understand why Berlin was included in Sokolow’s *Sefer Zikkaron* requires an understanding of Berlin’s place within Jewish intellectual history and a future study could explore this question. The immediate goal is more modest: to direct the reader away from a mistaken vision of Berlin’s proper place and to offer a preliminary outline of his rightful one.

⁸¹ Naftali Zevi Yehuda Berlin, *Kidmat Ha-Amek* in *Ha’amek She’elah*, Vol. I, (Jerusalem: Mossad Ha-Rav Kook, 1975), 6; 8–9; 15. Berlin’s Talmud commentary is significantly different from *pilpulistic* works of other Talmudists and his understanding of *pilpul* was different from theirs, however further discussion is beyond the scope of this paper.

⁸² Zinowitz, “*Etz Hayyim*,” 342-353.

⁸³ Nahum Sokolow, *History of Zionism: 1600-1918*, introduction by A. J. Balfour, (New York: Longmans, Green and Co., 1919). Furthermore, Sokolow’s support for Zionism only began with the First Zionist Congress in 1897. After meeting Theodor Herzl he became one of his greatest admirers and eventually “translated Herzl’s Zionist novel *Altneuland* into Hebrew under the title *Tel-Aviv*...and thereby inspired the name for the first Jewish city in *Erez Israel*.” Getzel Kressel, “Sokolow, Nahum,” in *Encyclopaedia Judaica*. CD-ROM Edition.

The scientific study of Judaism heralded the academic discipline of Jewish Studies that has flourished in modern universities. Nahum Glatzer defined the beginning of modern Jewish Studies as:

the four decades between 1818, the date of publication of Leopold Zunz's *Etwas über die rabbinische Literatur*, and about 1860, the period that saw the beginning of the publication of H. Graetz's *Geschichte der Juden* (1853)...⁸⁴

Berlin became the dean of the yeshiva at Volozhin in 1853, and his first major work, a commentary to the Geonic work *Sheiltot De-Rav Ahai Gaon*, was published during the dawn of the scientific study of Judaism, in 1861. The *Sheiltot De-Rav Ahai Gaon* was, at Berlin's time, a relatively unknown work from a relatively unstudied period. A critical edition and a commentary to it is precisely the kind of project that a historian of *halakhah*, most likely a figure sympathetic to the scientific study of Judaism, would be inspired to write, except Berlin was the dean of Europe's most illustrious yeshiva, a place devoted to traditional forms of study. Max Weiner summarised the difference between traditional modes of scholarship and the scientific study of Judaism very well:

The differences between traditional scholarship and the new "critical" scholarship are obvious. The latter presumed to formulate an "objective," bias-free attitude to all matters of tradition...The new scholarship claimed the right...to evaluate, to affirm or to reject the various elements of its subject matter. It claimed to do so on the basis of historical facts.⁸⁵

There is no evidence that Berlin "claimed the right...to reject" any aspect of tradition, if

⁸⁴ Nahum N. Glatzer "The Beginning of Modern Jewish Studies" in *Essays in Jewish Thought* (Alabama: The University of Alabama Press, 1978), 149.

⁸⁵ Max Wiener, "Abraham Geiger's Conception of the 'Science of Judaism'," in *YIVO Annual of Jewish Social Science* 11(1956/1957), 143-144.

anything he attempted to ground the tradition and show the rationale behind it.⁸⁶ He also lacked the languages necessary for direct exposure to *Wissenschaft des Judentums*. And although he bemoaned his ignorance of the vernacular (Russian), this may have been due to the difficulty of running an institution under the constant scrutiny of the Russian government, without knowing any Russian.⁸⁷ Besides, if he had thought it a priority, he would have taught himself the languages of *Wissenschaft*, as many others had.

Nevertheless, one can ask whether Berlin automatically spurned the scientific study of Judaism or if he found some middle ground between it and the “old scholarship.” This question is especially pertinent considering that Hebrew was the language of discourse among many Maskilim who engaged in a milder form of *Wissenschaft*.⁸⁸ Berlin, of course, knew Hebrew well, and so no technical hindrance prevented him from partaking in Maskilic discussions in that language.

Nahum Glatzer identified some scholars who inhabited the middle ground during the dawn of *Wissenschaft*:

In the state of transition from the old, classical to the modern, critical Judaic studies, objective research (especially in the origins of halachah) was hampered by doctrinal considerations and the desire to defend Israel's tradition...Jacob Zebi Meklenburg (1785-1865)... still maintained that the details of the Oral Law could be harmoniously discovered in the text of the Written

⁸⁶ Further, in a private letter to Rabbi Isaac Jacob Reines, Berlin shows a strong disapproval of the latter's attempt to introduce a new approach to Torah study. Berlin wrote that he spent hours trying to understand Reines' work and the letter shows that he was familiar with Reines' books. The letter was included in the fifth section of his responsa *Maishiv Davar* that reappeared (with additions) in 1992. Naftali Zevi Yehuda Berlin, *Maishiv Davar* (Jerusalem: 1992), 40.

⁸⁷ Bar-lan (Berlin), *Mi-Volozhin*, 138-139; Schacter, “Haskalah, Secular Studies and the Close of the Yeshiva in Volozhin in 1892,” 126.

⁸⁸ For example, Nachman Krochmal and the Galician Haskala.

Chapter One: The World of Naftali Zevi Yehuda Berlin

Law....Zebi Hirsch Chajes (1805-1855) set out to prove that the Law, both Written and Oral, issued in a single Divine revelation, and that historical development could be spoken of only with regard to non-Pentateuchal statutes. Samuel David Luzatto (1800-1865) deeply resented the seeming lack of personal involvement on the part of Western Jewish scholars....defined true Jewish scholarship as learning based on faith.⁸⁹

According to Glatzer, Meklenburg, Luzatto and Chajes were transitional figures because they were sensitive to “doctrinal considerations.”⁹⁰ Based on Glatzer’s conclusion, a crude comparison between Meklenburg, Luzatto, Chajes and Berlin will be helpful in deciding how to classify Berlin.

Meklenburg was the chief rabbi of Königsberg and he knew German and a smattering of Greek, Latin and Arabic.⁹¹ His magnum opus, a commentary to the Torah called *Ha-Ktav Ve-Ha-Kabala*, aimed to prove the truth of both *peshat*⁹² and *derash*⁹³ and to prove that they both originate from the same source. In a letter to an acquaintance, Meklenburg revealed that the work was aimed at preventing heresy.⁹⁴ In *Ha-Ktav Ve-Ha-Kabbala*, Meklenburg used a “broad range of medieval and early modern texts,”⁹⁵ and “he was an attentive student of some non-traditional or Maskilic writings, from Solomon Maimon’s *Givat Ha-Moreh* to the early scholarly writings of Julius Fürst to various

⁸⁹ Glatzer “The Beginning of Modern Jewish Studies,” 150.

⁹⁰ For the sake of accuracy it should be mentioned that Glatzer included Solomon Judah Rapoport (1790-1867) in the same paragraph.

⁹¹ David Druck, “*Ha-Gaon R. Ya’akov Zevi Meklenburg*” in *Horev* 4 (1937), 171-179 and is cited by Edward Breuer, “Between Haskalah and Orthodoxy: The Writings of R. Jacob Zvi Meklenburg,” in *Hebrew Union College Annual* 66 (1995), 262.

⁹² *Peshat* is the straightforward meaning of the text.

⁹³ *Derash* is an exegesis of the text.

⁹⁴ Naftali Ben-Menahem, “*Shtei Igrot R. Yakov Zevi Meklenburg ve-Reshimat Ha-Mahadurot shel ‘Ha-Ktav Ve-Ha-Kabala’*,” *Sinai* 65 (1969), 368 and is cited by Breuer, “Between Haskalah and Orthodoxy: The Writings of R. Jacob Zvi Meklenburg,” 263.

⁹⁵ Breuer, “Between Haskalah and Orthodoxy,” 263.

essays in Maskilic journals.”⁹⁶ Indeed, in the original edition of his *Ha-Ktav Ve-Ha-Kabala*, he boldly named Maskilic exegetes and it was only from later editions that such references were purged.⁹⁷

The biography of the Italian rabbi Samuel David Luzzatto is known and from his letters it is immediately apparent that he corresponded with Maskilim.⁹⁸ The Jewish school that he attended at Trieste taught German, Italian, French, and Latin; and the French philosopher Condillac, as well as John Locke and Jean-Jacque Rousseau, influenced him.⁹⁹ The *Tanakh* was the central focus of Luzatto’s studies, and although he opposed the documentary hypothesis, he engaged in textual criticism of the *Nevi'im* and *Ketuvim*.¹⁰⁰ One could argue that the progressive milieu of Italian Jewry explains the scope of Luzatto’s scholarly activities, yet even within his own Italian community there were those who considered him a heretic.¹⁰¹

In some respects the Galician Zvi Hirsh Chajes is the most enigmatic of these three transitional figures. One reason is that his glosses to the Babylonian Talmud are located in the back of the standard Vilna edition of the Talmud. This could mislead one into thinking of him as a traditional figure, for as Gershon Hundert has pointed out:

Printed matter gains meaning in the context of a network of

⁹⁶ *Ibid*, 263.

⁹⁷ *Ibid*, 281-283.

⁹⁸ Luzatto’s letters were collected and published as two volumes between the years 1882 and 1894 in Przemyśl, Galicia. The letters reveal his extensive contact with other Maskilim. *Igrot Shadal*, collected by Isaiah Luzzatto and edited by Eisig Gräeber (Jerusalem, 1966-7).

⁹⁹ Morris B. Margolies, *Samuel David Luzatto: Traditionalist Scholar* (New York: Ktav, 1979), 11-13; 25. For a recent analysis of Luzatto’s position on the composition of the *Torah* see Shmuel Vargon “The Controversy Between I. S. Reggio and S. D. Luzatto on the Date of the Writing of the Pentateuch” in the *Hebrew Union College Annual* Vol. 72 (2001), 139-153.

¹⁰⁰ Margolies, *Samuel David Luzatto*, 96.

¹⁰¹ *Ibid*, 33.

social and cultural norms and activities...it can be said that the presence of a book on the shelves of the *beit midrash* (study hall) bestowed certain qualities on it. The book became a *sefer* ([sacred] book) to be studied rather than, in our terms, a book to be read. Since the shelves were open, the placing of a book there granted it a kind of approbation from the community.¹⁰²

Likewise, an appendix situated in the back of the Talmud automatically grants the author of the appendix a level of status and acceptability. Therefore, printing Chajes' glosses together with the Babylonian Talmud is a powerful statement about how the traditional community viewed – and has continued to view – him. Despite this “approbation,” scholars consider Chajes to have been a transitional figure.¹⁰³

Aside from the standard Jewish curriculum, the young Chajes was schooled in secular subjects and as the rabbi of Zolkiew he became acquainted with Nahman Krochmal.¹⁰⁴ He was also friendly with other Maskilim and reformers, among them Hirsh Mendel Pinneles,¹⁰⁵ Abraham Geiger,¹⁰⁶ and Isaac Reggio.¹⁰⁷ Bruria David Hutner has tried to find support for Louis Ginzberg's assertion that Chajes rejected the antiquity of the *Zohar*, and while she did not find any explicit evidence for such an opinion, she found “veiled statements” suggesting that this was the case.¹⁰⁸ Hutner has also written that

...Chajes was not content to confine himself to the role of

¹⁰² Gershon Hundert “The Library of the Study Hall at Volozhin” in *The Gaon of Vilnius and the Annals of Jewish Culture: Material of the international scientific conference Vilnius, September 10-12, 1997* (Vilnius: Vilnius University Publishing House, 1998), 248.

¹⁰³ This is evident in both Glatzer's account and Bruria David Hutner's dissertation, see next note.

¹⁰⁴ Bruria David Hutner, *The Dual Role of Rabbi Zvi Hirsch Chajes: Traditionalist and Maskil* (Columbia University: Unpublished dissertation, 1971), 9.

¹⁰⁵ *Ibid*, 422-424.

¹⁰⁶ *Ibid*, 419-421.

¹⁰⁷ *Ibid*, 415-419.

¹⁰⁸ *Ibid*, 125.

Chapter One: The World of Naftali Zevi Yehuda Berlin

Talmudic scholar. He wanted to demonstrate that the same principles of critical, objective investigation that were employed in secular fields, such as literature and history, could be put to good use also in the study of *halakhah*, and that even rabbinical and *halakhic* material could be categorized according to scientific rules that would meet the approval of the most critical of modern Jewish scholars. Thus, he did not hesitate to send copies of his *halakhic* works to the critic Abraham Geiger.¹⁰⁹

Not only did Chajes apply scientific methods to rabbinic and *halakhic* literature, the scope of his interest went beyond the traditional canon, and he paid some attention to the deuterio-canonical literature.¹¹⁰ He also favored correlating events in the Talmud with extra-rabbinical sources.¹¹¹ A space in the back of the Talmud is indicative of Chajes' talmudic prowess, and the traditional Talmud-studying community's perception of him, but this can not be allowed to detract from his involvement with and contribution to *Wissenschaft*.

By now it should be clear that Berlin does not belong alongside the "transitional figures." The transitional figures knew foreign languages, corresponded with Maskilim, and were willing to use non-Jewish sources. Berlin did not even know the vernacular, did not have ongoing scholarly contact with Maskilim, and did not rely on non-Jewish sources; he was not a transitional figure.¹¹² Having determined that Berlin was neither a

¹⁰⁹ *Ibid*, 142.

¹¹⁰ Zevi Hirsh Chajes, *Kol Sifrei Maharitz Khiyyot* Vol. I (Jerusalem: Divrei Hakhamim, 1958), 93-95; cited by Bruria D. Hutner, *The Dual Role of Rabbi Zvi Hirsch Chajes*, 268.

¹¹¹ Chajes, *Kol Sifrei*, 320 and is cited by Bruria D. Hutner, *The Dual Role of Rabbi Zvi Hirsch Chajes*, 341-363.

¹¹² One noticeable exception is Abraham Eliahu Harkavy, who headed the Oriental Department of the Oriental Library. Letters from Berlin to Harkavy are found in *Igrot Ha-Netziv Mi-Volozhin*, 30, 100, 104, 130 and 254. For an interesting biographical note on Harkavy that relates to Volozhin, see Schacter, "Haskalah, Secular Studies and the Close of the Yeshiva in Volozhin in 1892," 91 and 120. Harkavy was

Maskil nor a transitional figure, it is tempting to claim, rather plainly, that he was an “illustrious figure of traditional Judaism.” This classification is not incorrect, but it reveals little about Berlin. A closer look at the works he wrote will reveal much about his intellectual identity and correct classification.

The Writings of Berlin

The earliest published work of Berlin was *Ha-Aamek She'elah*, a three-volume commentary to the *Sheiltot De-Rav Ahai Gaon*.¹¹³ The *Sheiltot*, a Geonic work, is essentially a digest of laws arranged according to the Babylonian custom for the Sabbath Torah reading. The first volume of his commentary appeared in 1861; the second in 1864, and the third, in 1867; a keen eye has discerned differences between the various volumes.¹¹⁴ The *Sheiltot* was very popular in medieval times, but only a handful of

certainly a Wissenschaft figure; however he retained great respect for the old style rabbinic leadership. Zalman Shazar, a student at the academy for Jewish studies established by Baron Ginzberg, wrote that “Harkavy was of great assistance to the Baron in planning the academy, but he absolutely refused to teach in it. He felt bound by the vow he had made to Rabbi Isaac Elhanan [Spektor], one of the most venerated rabbis of Russia: he had solemnly promised that he would never teach in a modern rabbinical seminary should an institution of that Western European type ever be established in Russia. The rabbis knew that by withholding Harkavy’s participation no such seminary would be possible, and they insisted on his taking the vow....Harkavy was so faithful to his pledge and so fearful of any possible involvement that he could not be convinced even by the Baron, his friend and collaborator in *The Jewish Encyclopedia*. In vain did the Baron point out that the Academy had not been established in order to train rabbis and was concerned only with the advancement of pure scholarship, untouched by professional considerations. In vain, too, did the students tell Harkavy of their utter disinclination to become Government-appointed rabbis.” Zalman Shazar, *Morning Stars*, translated by Sulamith Schwartz Nardi, (Philadelphia: The Jewish Publication Society of America, 1967), 175-176. In light of this, Berlin’s warm relations with Harkavy may have been self-serving – despite the fact that he was clearly interested in Harkavy’s work – especially since there is no other evidence of him corresponding with Maskilim on scholarly matters.

¹¹³ Naftali Zevi Yehuda Berlin, *Ha’amek She’elah* Vol. I-III (Jerusalem: Mossad ha-Rav Kook, 1975).

¹¹⁴ Moshe Zevi Neriya, *Toldot Ha-Netziv* (Tel-Aviv: Yedidat Bet Volozhin, 1943) 9-10.

commentaries survived.¹¹⁵ The fact that Berlin wrote an extensive commentary to such a work is testimony to his talmudical genius, but it also reveals interest in a work whose “primary importance...is as a conduit for the transmission of the Babylonian Talmud.”¹¹⁶ Thus, his decision to write *Ha’amek She’elah* indicates that early in his career Berlin was curious enough about the historical development of Jewish law to expend sizable effort writing a commentary to a terse and lesser-known text.

Each volume of *Ha’amek She’elah* appeared with two introductions, one called *Kidmat Ha-Amek* and the other *Petah Ha-Amek*. *Kidmat Ha-Amek* was intended to serve as an overview of the history of *halakhah* and discussed how the Jewish legal system operated. In *Petah Ha-Amek*, Berlin discussed the history of the *Sheiltot* text, its authority among earlier jurists, and the great effort he expended to acquire manuscripts. Both introductions are laden with quotations from the entire rabbinic literature.

The next work Berlin published was his commentary to the Torah that he called *Ha’amek Davar*. This work first appeared in Vilna in 1879-1880, and a second edition containing some additions appeared in Jerusalem in 1948-1953. In 1959 it appeared once again with further additions as well as an addendum, *Peh Kadosh*, which contained scattered comments on the Torah, by his father-in-law, Rabbi Isaac. A general introduction (also) named *Kidmat Ha-Amek* preceded the commentary and in it he set out rules of grammar and a philosophy of Jewish Bible exegesis. Each of the five books of the *Torah* has its own introduction. The central theme of these introductions is to explain

¹¹⁵ Robert Brody, *The Geonim of Babylonia and the Shaping of Medieval Jewish Culture* (New Haven: Yale University Press, 1998), 214.

¹¹⁶ *Ibid*, 212.

the additional names that the rabbinical literature bestowed on each of the five books of the Torah.

Berlin did not leave a commentary to the entire *Tanakh*, and there is no evidence to suggest that he wrote one.¹¹⁷ Besides the *Torah*, the one other book of the *Tanakh* on which he wrote a commentary is Song of Songs and it was first published in 1886 in a volume entitled *Rinah Shel Torah*, although the name of the commentary is *Meitav Shir*. In the same volume he published an essay, *She'ar Yisrael*, that sought to explain anti-Semitism. These works have been translated into English.¹¹⁸

Toward the end of Berlin's life, his students encouraged him to publish his answers to some of the scores of questions that were regularly directed to him.¹¹⁹ He was reluctant to do so because he had written many of the rulings when he was young, and in his old age he felt that he did not have the strength to review them.¹²⁰ Ultimately, one volume of responsa, *Maishiv Davar*, was published (posthumously) in 1894.¹²¹ Among his decisions is a ruling that prohibits including public Sabbath desecrators in a *minyan* (prayer quorum)¹²² and a defence of Lithuanian Rabbinism bearing the title "Right and

¹¹⁷ In 1988 descendants of Berlin gathered his comments to the Prophets and the Writings and published them under the title *Davar Ha'amek*; the work is over four hundred pages. Aryeh Shapiro (editor), *Davar Ha'amek*, (Jerusalem: 1988).

¹¹⁸ Howard Joseph "Why Antisemitism? A Translation of *She'ar Yisrael*, 'The Remnant of Israel' by Naftali Zvi Yehuda Berlin 'The Neziv'" (New Jersey: Jason Aaronson, 1996). Dovid Landesman, *The Commentary of Naftali Tzvi Yehuda Berlin to Shir Ha-Shirim* (Kfar Chassidim, Israel: Jewish Educational Workshop, 1993.)

¹¹⁹ Bar-Ilan (Berlin), *Mi-Volozhin ad Yerushalayim*, 138.

¹²⁰ An introduction to *Maishiv Davar* was written by Berlin before his death. (The responsa appeared the year after he died.) In the introduction to the work he explained that this was the reason he was hesitant to publish the work.

¹²¹ Naftali Zevi Yehuda Berlin, *Maishiv Davar* (Warsaw, 1894).

¹²² *Ibid*, I:9.

Left' in Judaism.”¹²³ In 1992, a new edition of *Maishiv Davar* appeared, and it included additional responsa published from manuscripts.

Berlin also wrote a commentary to the Passover *Haggadah* that he called *Imrei Shefer*.¹²⁴ It is unclear when this was published, however it probably appeared after his *Rinah shel Torah* (1886) and before *Maishiv Davar* (1894). This is because the original title-page to *Maishiv Davar* listed all of Berlin's published works in their correct order, and *Imrei Shefer* is mentioned last.

From 1954 until 1959, five volumes of Berlin's novellae to the Talmud were published under the title *Meromei Sadeh*.¹²⁵ As noted above, the custom in Volozhin was to study all the tractates of the Talmud in their sequential order and *Meromei Sadeh* covers a majority of tractates. The format of *Meromei Sadeh* follows the pagination of the Talmud i.e., the novellae are not a series of *halakhic* essays arranged by category. This is another way that Berlin's text-based approach is manifest.

In his works, Berlin revealed that he was writing a commentary to the *halakhic* midrash *Torat Kohanim*,¹²⁶ and in 1970 a thin volume with the title *Hidushei Ha-Neziv Mi-Volozhin: Hiddushim U-Viurim al Ha-Torat Kohanim* appeared.¹²⁷ Also in 1970, a volume called *Birkat Ha-Neziv* appeared. This work was a combination of Berlin's commentary to the *Mekhilta* and comments relevant to the *Mekhilta* that are scattered

¹²³ *Ibid*, I:44 This essay was analysed and translated by Howard Joseph, ““As Swords Thrust Through the Body”: The Neziv's Rejection of Separatism”, ” in *The Edah Journal* 1:1 (2000).

¹²⁴ Naftali Zevi Yehuda Berlin, *Imre Shefer* (Tel Aviv: n.p., 1959).

¹²⁵ Naftali Zevi Yehuda Berlin *Meromei Sadeh* Vol. I-V (Jerusalem: 1954-1959).

¹²⁶ Berlin, *Kidmat Ha-Amek* in Vol. I of *Ha'amek She'elah*, 17.

¹²⁷ Naftali Zevi Yehuda Berlin, *Hiddushei Ha-Neziv Mi-Volozhin: Hiddushim U-Viurim al Torat Kohanim* (Jerusalem, 1970).

throughout his other works; *Birkat Ha-Netziv* was revised and republished in 1996.¹²⁸

Berlin's son claimed that his father received tens of letters per day, and that he would reply to all of them.¹²⁹ In 2003 a volume of letters and approbations of Berlin was published. The volume reveals how much of a struggle it was to raise funds for the yeshiva. It also contains letters Berlin wrote to Dr. Albert (Abraham Elijah) Harkavy, the first Jew to hold a chair in a Russian university. Harkavy was a confidante of Berlin and helped him locate various manuscripts at St Petersburg's Imperial Library, where he worked.¹³⁰ After considering Berlin's literary output alongside his other responsibilities, such as ensuring the financial health of the yeshiva, keeping the Czarist government satisfied and delivering daily classes, it is readily understandable why he often signed his letters with the phrase *הגני העמוס בעבודה*, "Behold I am burdened with toil."

Berlin and Other Nineteenth Century Lithuanian Torah Scholars

Clearly, Berlin was interested in rabbinic texts that occupied the periphery of the talmudists' curriculum and he achieved his scholarly fame through commenting on them. He chose to write about extra-curricular rabbinic texts that provided a fuller picture of talmudical discourse. However, Berlin was not unique in the focus of his studies. Jay Harris has described the scholarly scope of the Vilna Gaon as:

...the many neglected texts of the classical rabbinic tradition, from the parts of the Mishnah that were largely unstudied, such as those relating to the laws of agriculture

¹²⁸ Naftali Zevi Yehuda Berlin *Mekhilta: Birkat Ha-Netziv* (Jerusalem: n.p., 1996).

¹²⁹ Bar –Ilan (Berlin), *Mi-Volozhin ad Yerushalayim*, 137.

¹³⁰ The letters to Harkavy can be found in *Igrot Ha-Netziv Mi-Volozhin*, 30; 100; 104; 130; 254.

Chapter One: The World of Naftali Zevi Yehuda Berlin

in the land of Israel, to the ancient midrashic collections that were also largely ignored, to the so-called Jerusalem Talmud, which was rarely studied as well.¹³¹

Berlin led the institution whose founder was a devoted student of the Vilna Gaon. The influence of the Vilna Gaon on Berlin is evident from the choice of texts to which Berlin applied himself. The approach of the Vilna Gaon influenced other traditional scholars who, together with Berlin, became the scholarly legacy of the Vilna Gaon. The legacy of the Vilna Gaon should influence our understanding of Berlin's position in Jewish intellectual history, and to do this I discuss below other traditional scholars, whose approach bears the influence of the Vilna Gaon.

Rabbi Aryeh Loeb Yellin was born in Skidel, Lithuania in 1820. A student of Rabbi Isaac at Volozhin, he served as the chief rabbi of Bielsk from 1856 until his death in 1886. Among Yellin's published works are sermons, responsa, a commentary to Alfasi's code and glosses to the Babylonian Talmud.¹³² The glosses, known as *Yefeh Einayim*, were printed in the back of the Vilna edition of the Talmud and are responsible for the modicum of fame he continues to enjoy. At first these glosses appear to be puny bibliographic notes, a series of cross-references to the Jerusalem Talmud and various midrashic works. However, Yellin wrote that his work was not a bibliographical exercise; he aimed to arrive at a greater understanding of rabbinical texts through an exhaustive

¹³¹ Jay Harris "Rabbinic Literature in Lithuania after the death of the Vilna Gaon" in *The Gaon of Vilnius and the Annals of Jewish Culture: Material of the international scientific conference Vilnius, September 10-12, 1997* (Vilnius: Vilnius University Publishing House, 1998), 89-90.

¹³² Rivka Ziskind *Rebbi Aryeh Leib Yellin Ve-Hiburo 'Yefe Einayim': Toldot Hayyav U-Mifalo Ha-Torani-Ha-Sifrut* (Jerusalem: Rubin Mass, 1973), 40-113 and 39.

comparative approach (one not limited to the Babylonia Talmud).¹³³ Although Yellin's name is not always immediately recognizable to students of Jewish history, Louis Ginzberg lavished praise on him:

The collection by Jellin of parallel passages to the Babylonian Talmud...his excellent explanations and interpretations of the Palestinian Talmud, which rank among the very best of their kind. The importance of Jellin's notes, especially for the study of the relations of the two Talmuds to one another, has been recognized by "modern" scholars who often make use of them though many fail to acknowledge the source of their information.¹³⁴

Another nineteenth-century figure worthy of attention is Rabbi Samuel Strashun,¹³⁵ born in 1793 and died in Vilna in 1872. His father-in-law, whose name he took, was a wealthy merchant, and this allowed Strashun to devote himself to his studies without entering the rabbinate.¹³⁶ Among his published works are copious glosses to the Babylonian Talmud,¹³⁷ the Mishnah,¹³⁸ Midrash Rabbah,¹³⁹ and Maimonides' *Mishneh*

¹³³ Aryeh Loeb Yellin "*Davar el Ha-Koreh*" found before his glosses to the Babylonian Talmud, Tractate Shabbat in the standard Vilna edition.

¹³⁴ Louis Ginzberg, *A Commentary on the Palestinian Talmud: A Study of the Development of the Halakah and Haggadah in Palestine and Babylonia* (New York: The Jewish Theological Seminary of America, 1941), LXII. After deciding that Yellin should be classified as part of the legacy of the Vilna Gaon, I was pleased to see this decision vindicated by Jay Harris' in "Rabbinic Literature in Lithuania after the death of the Vilna Gaon," 92.

¹³⁵ Two sources of biographical information on Rabbi Samuel Strashun are Yaakov Shmuel Spiegel *Amudim Be-Toldot Ha-Sefer Ha-Ivri: Ha-Gahot U-Magihim* (Ramat-Gan, Israel: Bar-Ilan University, 1996), 382-383 and Zevi Harkavy "*Toldot Rashash U-Ktavav*" in *Mekore Ha-Rambam Le-Rashash* (Jerusalem: n.p., 1957), 53-64. Rabbi Samuel Strashun was the father of the namesake of the renowned (Mattityahu) Strashun library of Vilna now housed at the YIVO Institute for Jewish Research in New York.

¹³⁶ Harkavy "*Toldot Rashash U-Ktavav*," 53-54.

¹³⁷ Found in the back of the standard Vilna edition of the Babylonian Talmud.

¹³⁸ Found in the back of the standard Vilna edition of the Babylonian Talmud.

¹³⁹ Found in the standard Vilna edition of *Midrash Rabbah*.

Torah.¹⁴⁰ His glosses to the Babylonian Talmud first appeared with the Vilna edition that the Romm family published in the years 1881-1886. Through his own powers of reasoning, Rabbi Strashun aimed to uncover the simplest reading of a text and was willing to engage in emendations.¹⁴¹ On the basis of even a single letter he would arrive at a radical reading, and sometimes he collapsed words into acronyms which then he re-expanded to create a new reading of the text.¹⁴² Rabbi Strashun was not narrow in his choice of tools; he quoted Azzariah De-Rossi's *Meor Enayim*,¹⁴³ and he used grammar books and concordances.¹⁴⁴

A figure active in the first half of the nineteenth century who continued the approach of the Vilna Gaon was Rabbi David Luria. Luria was born in 1798, died in 1855, and spent most of his life in the city of Bykhov in the province of Mogilev in the Czarist Pale of Settlement. Berlin wrote that when he wanted an appraisal of his work on the *Sheiltot*, he turned to Luria (who was very supportive).¹⁴⁵ He was also a communal leader and in the eyes of many, became the leader of Lithuanian Jewry after the death of the Vilna Gaon.¹⁴⁶ His works, most of which deal with rabbinic literature, reflect an "extraordinary knowledge of Torah together with a feeling for scientific criticism and an understanding of the plain meaning reminiscent of the methods followed by the Gaon of

¹⁴⁰ Samuel Strashun, *Sefer Mekore Ha-Rambam Le-Rashash*, edited by Zevi Harkavy (Jerusalem: Ha-Eretz Ha-Yisra'elit, 1957).

¹⁴¹ Yaakov Shmuel Spiegel *Amudim Be-Toldot Ha-Sefer Ha-Ivri: Ha-Gahot U-Magihim* (Ramat Gan: Bar-Ilan University, 1996), 382.

¹⁴² *Ibid*, 61.

¹⁴³ *Ibid*, 64.

¹⁴⁴ *Ibid*, 64.

¹⁴⁵ *Ibid*, 3-4.

¹⁴⁶ Yehoshua Horowitz, "Luria, David," Encyclopaedia Judaica CD-ROM. Horowitz wrote "Luria was regarded as one of the Torah leaders of his generation, particularly after the death of his spiritual mentor, Elijah b. Solomon (Gaon of Vilna)." Yet, the Gaon of Vilna died in 1797, the year before Luria was born.

Vilna.”¹⁴⁷ Luria wrote commentaries on lesser known rabbinic texts, among them a foundational commentary and introduction to the late midrashic work *Pirke De-Rabbi Eliezer*¹⁴⁸ and a treatise called *Kadmut Ha-Zohar*,¹⁴⁹ that defended the antiquity of the Zohar; he also published some of the Vilna Gaon’s writings.¹⁵⁰ One biographer mentioned his knowledge of medicine and his efforts to attain medical books,¹⁵¹ and another pointed out his occasional citation of secular authorities.¹⁵² Louis Ginzberg counted Luria among the early practitioners of the scientific approach to Jewish Studies.¹⁵³

Common to these three scholars was their Lithuanian background. Luria published the works of the Vilna Gaon, Yellin studied in Volozhin and the independently wealthy Rabbi Strashun operated in Vilna. The rabbinic corpus in all its fullness captured their attention, and they all engaged in some form of textual criticism. A close study of their methods would be instructive in revealing the extent to which the Vilna Gaon influenced them. Berlin should be counted among traditional scholars like Luria, Yellin, and Strashun, who followed the example of the Vilna Gaon, whose hallmark was:

...his use of the entire rabbinic corpus, including not only the Mishnah, Babylonian Talmud and Midrash Rabbah, but his inclusion as well of the Tosefta and Jerusalem, two works that had suffered from much less popularity because

¹⁴⁷ Horowitz, “Luria, David”.

¹⁴⁸ David Luria, *Sefer Pirkei De-Rabbi Eliezer im Biur Ha-Radal* (Warsaw: n.p., 1851).

¹⁴⁹ David Luria, *Kadmut Sefer Ha-Zohar* (New York: Netzah, 1951).

¹⁵⁰ Jay Harris “Rabbinic Literature in Lithuania after the death of the Vilna Gaon,” 89-92.

¹⁵¹ Samuel Luria *Toldot Ha-Radal*, 19. This work was published at the back of David Luria *Kadmut Sefer Ha-Zohar* (New York: Netzah, 1951)

¹⁵² David Hutner, *The Dual Role of Rabbi Zvi Hirsch Chajes*, 12-13.

¹⁵³ Louis Ginzberg, *A Commentary on the Palestinian Talmud: A Study of the Development of the Halakah and Haggadah in Palestine and Babylonia*, 196.

of the false assumption that they had played little role in the development of Jewish law.¹⁵⁴

Berlin's methods and concerns are the same as the Vilna Gaon's, which "were very different from the forms of scholarship which would develop as a result of the rise of *Wissenschaft des Judentums*, the "scientific" study of Judaism."¹⁵⁵

Now it is possible to return to the question of why Berlin was included in the *Sefer Zikkaron*. When the *Sefer Zikkaron* was published in 1888, only four of Berlin's works had appeared: *Ha'amek She'elah*, *Ha'amek Davar*, *Meitav Shir* and *She'ar Yisrael*. The first of these showed Berlin's interest in Geonic literature long before the Cairo Geniza was uncovered and pushed its study into the limelight. *Ha'amek She'elah* resuscitated a work created in a period that Jewish Studies had neglected. *Ha'amek Davar* and *Meitav Shir* are verse-by-verse commentaries, the format most favored by most medieval exegetes. This format indicates that the work was not a platform for some pretext, developed far away from the text and later infused into it. The commentary was authentic Biblical exegesis that could not exist independently of the text. *Ha-Rehav Davar*, the appendix to *Ha'amek Davar* was devoted to fresh understandings of rabbinic writings gleaned after studying the Torah text.¹⁵⁶ This leads us to conclude that in Berlin's mind there was a clear distinction between the commentary itself and a platform to present insights into rabbinic texts – even those gained after studying the Bible text.

Part of Berlin's appeal was the kinds of texts that drew his creative attention.

¹⁵⁴ Schiffman, "The Vilna Gaon's Methods for the Textual Criticism of Rabbinic Literature," 117.

¹⁵⁵ *Ibid.*, 117.

¹⁵⁶ Below this point is discussed at greater length.

Although by 1888 (the year *Sefer Zikkaron* appeared) many of his works had not yet been published, it was no secret that he had been writing others. His entry in the *Sefer Zikkaron* included the following:

וירבה לשקוד על תורת כהנים, ספרא וספרי, תוספתות וירושלמי וכל
ספרי הגאונים. [...] בהיותו בן כ"ג שנים החל לכתוב ספרו הגדול על
"הספרי" (עודנו בכ[תב]י [ד]),

He [Berlin] constantly paid attention to *Torat Kohanim*, *Sifra*, *Sifre*, *Toseftot*, *Yerushalmi* and all the books of the Geonim...When he was 23 he began to write his major work on the *Sifri* (which remains in manuscript)¹⁵⁷

Although Berlin's scholarship was impressive, it was probably more than scholarship that won him a place in the *Sefer Zikkaron*; his impact on so many of Russia's Jewish intelligentsia can not be ignored. The tolerant attitude that personified the yeshiva he led for close to forty years endeared him to many Jews, regardless of their level of piety or traditional observance.¹⁵⁸ And in an age where intellectual emancipation meant that traditional Jewish Studies had to compete with new ways of thinking, Berlin presented fresh texts that hitherto were unexplored by most students. Attention to the entire rabbinic corpus was the legacy of the Vilna Gaon, and Berlin developed this legacy to capture the interest of his own generation. It has been argued above that Berlin's scholarly activities were part of the legacy of the Vilna Gaon, and now I would like to suggest that it was also a tactical response to the Haskalah.

When Rabbi Hayyim, the founder of the yeshiva at Volozhin, faced the onslaught

¹⁵⁷ *Sefer Zikkaron Le-Sofrei Yisrael Ha-Hayyim Itanu Ka-Yom*, 12.

¹⁵⁸ A good measure of how accepted and revered he was by all members of the Jewish community can be gained from reading obituaries for him that appeared in the Russian Jewish press. For example, *Ha-Melitz* 172, August 13th 1894, p. 2.

of Hasidism he composed a work that relied heavily on Kabbalah because he understood that this was the surest way of winning over those tempted by Hasidism. This was a tactical decision that did not necessitate a break from his revered teacher, the Vilna Gaon. By the time Berlin stood at the helm of Volozhin, the threat of Hasidism had abated and a new danger had arisen, Haskalah. In disavowing mystical knowledge from his commentary, Berlin was not only being truthful or modest;¹⁵⁹ he was exercising good judgment about the interests of the new generation. The return to earlier texts, his interest in the history of *halakhah*, and his desire to show the organic nature of the rabbis' exegeses and the written Torah,¹⁶⁰ are examples of his good judgment. In an attempt to capture the mind of the new generation, these projects attempted to offer an alternative to *Wissenschaft*. The respectable space reserved for Berlin in the *Sefer Zikkaron* proves that the new generation was attentive to, if not captivated by, his efforts.

¹⁵⁹ *Kidmat Ha-Amek to Ha'amek Davar* III and V.

¹⁶⁰ Jay Harris, *How Do We Know This? Midrash and the Fragmentation of Modern Judaism* (State University of New York Press: Albany, 1995), 240.

Chapter Two: The Secondary Literature on Berlin

The Secondary Literature on Berlin

The secondary literature on Berlin has suffered from the same disregard that has accompanied scholarly interest in the intellectual and religious legacy of the Vilna Gaon. Recently, scholars such as Immanuel Etkes and Jay Harris have begun to address this lacuna in Jewish Studies. Until now there has not been a comprehensive analysis of Berlin's literary output or exegetical method. Often, Berlin's work was studied only to uncover his view of a topic like secular studies, Jewish unity, war or Zionism. While seeking Berlin's opinion of some "topic," *Ha'amek Davar* was the work most often turned to. What follows is a brief synopsis of some of the secondary literature on Berlin.¹

In 1967, seventy-five years after Berlin's death, A. R. Malachi published an article entitled "*Po'alo Ha-Sifrut shel R' Naftali Zevi Yehuda Berlin*" ("The Literary Work of Naftali Tzvi Yehuda Berlin").² Although the article itself was less than ten pages, it is helpful in acquainting the reader with those works of Berlin that were published prior to 1967. (Obviously it omitted his commentary to *Torat Kohanim* called *Hidushei Ha-Neziv Mi-Volozhin: Hiddushim U-Viurim al Ha-Torat Kohanim* that appeared in 1970,³ and his *Birkat Ha-Netziv* on the *Mekhilta* which appeared that same

¹ Secondary works on Berlin that are not discussed in this section include Jacob J. Schacter, "Haskalah, Secular Studies and the Close of the Yeshiva in Volozhin in 1892," in *The Torah U-Madda Journal* 2 (1990), 76-133; Henry A. Sosland "Discovering the Netziv and His Ha'amaik Davar" in *Judaism* 51:3 (Summer 2002), 315-327; Howard Joseph "'As Swords Thrust Through the Body': The Netziv's Rejection of Separatism" in *The Edah Journal: Orthodoxy and the Other* 1:1 (2000) and Gil S. Perl "No Two Minds are Alike: Tolerance and Pluralism in the Works of Netziv" in *The Torah U-Madda Journal* 12 (1995), 74-98.

² A. R. Malachi, "*Po'alo Ha-Sifrut shel R. Naftali Zevi Yehuda Berlin*" in the *Jewish Book Annual* 25 (1967-1968), 233-240.

³ Naftali Zevi Yehuda Berlin, *Hiddushei Ha-Netziv Mi-Volozhin: Hiddushim U-Viurim al Torat Kohanim* (Jerusalem: n.p. 1970).

Chapter Two: The Secondary Literature on Berlin

year.⁴) Malachi cited Berlin's inclusion in Sokolow's *Sefer Zikkaron*⁵ and claimed that Berlin took a scientific approach in his commentary to *Ha'amek She'elah*.⁶ Under the heading "*Koho Ha-Gadol Ke-Farshan U-Ke-Meva'er*" ("His Great Power as an Exegete and as an Interpreter,"⁷) Malachi made some broad and obvious statements about *Ha'amek Davar*, comments that are more laudatory than analytical. Among them: from *Kidmat Ha-Amek*, Berlin's knowledge of grammar is apparent⁸ and that he was fluent in and knew how to use all of *Tanakh*.⁹

Until recently, the semi-scholarly work *Mishnat Ha-Netziv* by the Israeli Hanna Kats was the longest and most serious work on Berlin.¹⁰ In nine chapters and one hundred and sixty-three pages, Kats discussed Berlin's attitude toward different topics, some examples are: "*Shitato Be-Limmud Ha-Torah*" ("His Approach in Torah Study"),¹¹ "*Emumat Hakhamim*" ("Belief in Rabbinic Authority")¹² and "*Tefisato Ha-Leumit shel Ha-Netziv*" ("The Netziv's Vision of Nationalism").¹³ In her introduction, Kats claimed that, although Berlin was part of the tradition of the Vilna Gaon and Rabbi Hayyim of Volozhin, the influence of the former is more apparent.¹⁴ According to Kats, on the topic of secular studies ("*Haskalah*"), this is especially true.¹⁵ Kats explained that, for the Vilna

⁴ Naftali Zevi Yehuda Berlin *Mekhilta: Birkat Ha-Netziv*, (Jerusalem: 1970).

⁵ A. R. Malachi, "Po'alo Ha-Sifrut shel R. Naftali Zevi Yehuda Berlin," 233.

⁶ *Ibid*, 236.

⁷ *Ibid*, 237.

⁸ *Ibid*, 237.

⁹ *Ibid*, 238.

¹⁰ Hannah Kats, *Mishnat Ha-Netziv* (Jerusalem: N.P. 1989).

¹¹ *Ibid*, 69-74.

¹² *Ibid*, 99-103.

¹³ *Ibid*, 141-154.

¹⁴ *Ibid*, II.

¹⁵ *Ibid*, 109.

Chapter Two: The Secondary Literature on Berlin

Gaon, secular knowledge was a tool that helped to enhance one's understanding of Torah, but that this position was unexceptional among Orthodox Jewry prior to the Vilna Gaon.¹⁶ (Even if this is true, it is mistaken to ascribe the term "Orthodox" to Jews of the period of the Vilna Gaon or to those who came before him.¹⁷ Such an elemental error betrays the unscholarly calibre of her work.)

In one instance, Kats was eager to show how Berlin differed from the Vilna Gaon since the Vilna Gaon granted secular learning only a functional role – its ability to aid Torah study. One source she cited for Berlin's more positive view of secular learning was from the *Kidmat Ha-Amek* to *Ha'amek Davar*.¹⁸ What she blatantly ignored, despite quoting the relevant passage, is that for Berlin glorifying God through studying the natural world was primarily for non-Jews. Kats quoted the following from *Kidmat Ha-Amek*:

[ש]על חכמי אומות העולם, החוששים לכבוד אלוקים, מצוה לחקור
בחכמת הטבע... שבזה נותנים כבוד להק[דוש] ב[רוך] ה[וא]... (קדמת
העמק ד'¹⁹)

...upon the wise of the nations of the world who are concerned with the glory of God, it is a commandment to delve into the wisdom of nature...for in this manner do they give glory to the holy One blessed be He (*Kidmat Ha-Amek* IV to *Ha'amek Davar*)

However, a few lines later Berlin contrasted this with how Jews glorify God, and this was not quoted by Kats :

¹⁶ *Ibid*, 110.

¹⁷ The term Orthodox was first used in 1795 two years prior to the death of the Vilna Gaon. See B. Barry Levy "The State and Directions of Orthodox Bible Study" in *Modern Scholarship in the Study of the Torah: Contributions and Limitations*, edited by Shalom Carmy (Jason Aronson: New Jersey, 1991), 40.

¹⁸ Kats, *Mishnat Ha-Netziv*, 112.

¹⁹ *Ibid*, 112.

Chapter Two: The Secondary Literature on Berlin

כך עלינו מי שיש לו יכולת לחקור בעומק לשון התורה והוא כבוד
אלוקים. (קדמת העמק ד)

Likewise [it is a commandment] upon us [Jews,] whoever has the ability to delve into the depth of the language of the Torah, for this is the honour of God. (*Kidmat Ha-Amek* IV)

Thus, in this excerpt from *Kidmat Ha-Amek*, Berlin was drawing a parallel between gentiles and Jews and the study of Nature and Torah, respectively. He was not encouraging Jews to investigate the natural world, rather he was teaching that the relationship between Jews and the Torah is akin to the relationship between gentiles and the natural sciences. So while Berlin admitted that one can glorify God through studying the natural sciences, he qualified this by insisting that this path was not designed for the Jewish people who are able to glorify God through studying the Torah.

Kats' work focused on a number of different topics and attempted to present Berlin's view of them. An Israeli ultra-nationalist, Yehoshua Hager-Leo, only focused on one topic. In a two hundred and seventy page work, *Ha-Hayil Ve-Ha-Hosen*, ("The Valour and the Might"), he compared the theme of war in *Ha'amek Davar* and Rabbi Meir Simcha of Dvinsk's *Meshekh Hokhmah*.²⁰ (Although there is an aphorism about not judging a book by its cover, this book's cover featured a picture of bullets piled onto the script of an open Torah scroll.)

Unfortunately, the book offered little critical comparison between the two works, and one quickly realises that Hager-Leo scouted both works for support for his own

²⁰ Yehoshua Hager-Leo, *Ha-Hayil Ve-Ha-Hosen: Tzava U-Milkhama Be-Ha'amek Davar U-Ve-Meshekh Hokhmah* (Jerusalem: *Ha-Yeshiva Ha-Gevoah Ohr Etzion*, 1989). Meir Simkha Ha-Kohen of Dvinsk (1843-1926) was a rabbinic scholar whose commentary to the Pentateuch, *Meshekh Hokhmah*, was published in 1927.

Chapter Two: The Secondary Literature on Berlin

political conclusions in the contemporary conflict between the modern-day state of Israel and her neighbours. Two examples will reveal the flaws of Hager-Leo's book. For Berlin, the strength of the Jew was his commitment to Torah study. He believed that throughout the exile, Torah study was – and remains – the weapon *par excellence* that sustains and protects the Jew. Hager-Leo never discussed this idea in his book. This is especially strange considering that Berlin wrote an essay on Anti-Semitism that made this very point.²¹ Secondly, Berlin was certainly aware of the evil nature of war and its negative effects on the human psyche. In his comments about the commandment to destroy an Israelite city found guilty of idol worship, Berlin wrote:

ונתן לך רחמים: דמעשה ע[יר] הנ[דחת] גורם שלש רעות בישראל
א[חד] שההורג נפש נעשה אכזר בטבע. והנה יחיד הנהרג בב[ית] ד[ין]
כבר נבחר לזה שלוחי ב[ית] ד[ין] אבל עיר שלמה בע[ל] כ[רחד] עלינו
להרגיל כמה אנשים להרוג ולהיות אכזרים. (העמק דבר דברים יג:יח)

You will be given mercy: The situation of a city [that is required] to be destroyed causes three evils to occur in Israel. First, somebody who kills another person becomes cruel by nature. Now when an individual is killed by a *Bet Din* [i.e., Jewish court of law] for this task there are chosen appointees of the *Bet Din*, but for [the destruction of] an entire city against our will we are required to accustom many people to kill and to become cruel. (*Ha'amek Davar* to Deuteronomy 13:18)

Clearly, Berlin found murder to be problematic, even when the Torah mandated it. One would expect a book written about war to deal with the unsavoury nature of war, something that Berlin clearly understood and Hager-Lau, it seems, did not.

Berlin's view of war has proved to be a popular topic, and scholars (among them

²¹ Howard Joseph "Why Antisemitism? A Translation of *She'ar Yisrael*, 'The Remnant of Israel' by Naftali Zvi Yehuda Berlin 'The Neziv'" (New Jersey: Jason Aaronson, 1996), 43-51 and 73-75.

Chapter Two: The Secondary Literature on Berlin

Americans Michael Broyde²² and J.D. Bleich²³ and Israeli Noam Zohar²⁴) have written about it. However, these writers did not view Berlin's statements through the prism of Biblical exegesis. The same is true of Aviezer Ravitsky's essay "The Question of Tolerance in the Jewish Religious Tradition," which compared Berlin with the political philosophers John Locke and John Stuart Mill.²⁵ Ravitsky's primary interest was the political thought of Berlin, not his method of Biblical exegesis. And finally, one can point to Berlin's inclusion in the recent compilation "The Jewish Political Tradition" published by Yale University Press where again Berlin was included on the basis of his political thought.²⁶

With the exception of Hager-Leo, none of the authors mentioned can be charged with a gross misrepresentation of Berlin. However, since most articles about Berlin focus on his political thought and not on his textual method, it can become difficult to remember that Berlin was primarily a pedagogue who wrote commentaries to religious texts, not a political scientist.

The one scholar who has paid serious attention to Berlin's textual and

²² Michael J. Broyde "Fighting the War and the Peace: Battlefield Ethics, Peace Talks, Treaties, and Pacifism in the Jewish Tradition" at www.jlaw.com/Articles/War1.html, part II.

²³ J. David Bleich, "Preemptive War in Jewish Law" in *Tradition* 21:1 (Spring, 1983), 3-41 and "Response to Noam Zohar" in Daniel H. Frank (editor), *Commandment and Community: New Essays in Jewish Legal and Political Philosophy* (Albany: State University of New York Press, 1995), 259-267.

²⁴ Noam J. Zohar "Morality and War: A Critique of Bleich's Oracular Halakha" in *Commandment and Community: New Essays in Jewish Legal and Political Philosophy*, 245-258 and "Reply to David Bleich" in *Commandment and Community: New Essays in Jewish Legal and Political Philosophy*, 269-273.

²⁵ Aviezer Ravitzky, "Kings and Laws in Late Medieval Jewish Thought: Nissim of Gerona vs. Isaac Abrabanel" in Leo Landman (editor), *Scholars and Scholarship: The Interaction Between Judaism and Other Cultures* (New York: Yeshiva University Press, 1990), 67-92.

²⁶ Michael Walzer, Menachem Lorberbaum and Noam Zohar (Editors) *The Jewish Political Tradition Volume I: Authority* (New Haven: Yale University Press, 2000) 115, 154-155, 470 and Michael Walzer, Menachem Lorberbaum and Noam Zohar (Editors) *The Jewish Political Tradition Volume II: Membership* (New Haven: Yale University Press, 2000) 156, 187.

Chapter Two: The Secondary Literature on Berlin

interpretative method is the Israeli Nissim Elyakim. Elyakim, a scholar of Jewish Biblical exegesis wrote several articles on *Ha'amek Davar*,²⁷ collected them and published them in 2004 in a book called *Ha'amek Davar La-Netziv: Middot U-Kelim Be-Farshanut Ha-Peshat* ("Netziv's *Ha'amek Davar*: Hermeneutical Rules and Tools in the Exegesis of 'Peshat').²⁸ The work is over four-hundred pages, and some parts assume extensive knowledge of Hebrew grammar.

Elyakim has done groundbreaking work. For example, he proved that Berlin saw Moses Mendelssohn's commentary to the Torah, *Netivot Olam*.²⁹ He also showed that Berlin quoted Azariah de Rossi's *Me'or Einayim*³⁰ and that at times he relied on both Malbim's³¹ and Meklenburg's commentaries to the Torah.³² He wondered why Berlin never mentioned Malbim and rarely cited Meklenburg, despite the fact that he relied heavily on both of them.³³

Elyakim suggested that since *Ha'amek Davar* contained polemics against Maskilic contemporaries, Berlin was anxious about citing his adversaries – or allies – lest this would lead the 'untainted' astray.³⁴ While Elyakim's question is thoughtful, the answer he provided is not – simply because of the instances that Berlin quoted writers who were treated with suspicion by some traditional Jews (like Azariah de Rossi) or were

²⁷ The Index of Articles of Jewish Studies (RAMBI) listed over fifty articles by him, many of them dealing with exegesis.

²⁸ Nissim Elyakim, *Ha'amek Davar La-Netziv: Middot U-Kelim Be-Farshanut Ha-Peshat* (Israel: Moreshet Ya'akov, n.d.)

²⁹ *Ibid*, 46.

³⁰ *Ibid*, 33 n26, 44 n52.

³¹ An Acronym for Meir Loeb ben Yekhiel Mikhel (1809-1879), an Eastern European exegete.

³² *Ibid*, 36-38.

³³ *Ibid*, 40.

³⁴ *Ibid*, 43.

Chapter Two: The Secondary Literature on Berlin

acceptable but involved in religious polemics (like Meklenburg).³⁵ His suggestion also fails to explain the numerous occasions that Berlin failed to cite sources that were universally accepted.

According to Elyakim, in *Ha'amek Davar* Berlin was arguing against those who questioned the divinity of the Torah and in this respect Berlin was not unique since Meklenburg and Malbim were doing the same thing.³⁶ The critical difference between Berlin and the others is that they challenged their opponents openly, but Berlin did not. In other words, at first glance, it is difficult for the reader to recognise that in *Ha'amek Davar* Berlin aimed to defend his view of the tradition. And for the reader who is untutored in the historical context of the Jews of Nineteenth Century Eastern Europe, *Ha'amek Davar* is simply another Torah commentary. However, to the reader aware of the issues that Berlin was facing, the commentary is viewed differently.

Elyakim tried to conceptualise Berlin's method in *Ha'amek Davar* and since thusfar no other work has attempted to do so, it is difficult not to appreciate his contribution. However, Elyakim did not sufficiently demonstrate his claim that Berlin was responding to the challenges of his own day. For example, although he devoted a section of his work to Berlin's use of rabbinic hermeneutics,³⁷ he did not discuss whether this was a response to the Haskala's desire to divorce the written Torah from rabbinic exegesis. Another example of his study's shortcoming is his discussion of Berlin's theory

³⁵ *Ibid*, 32-33 and 36-37.

³⁶ *Ibid*, 40-43.

³⁷ *Ibid*, 291-294.

Chapter Two: The Secondary Literature on Berlin

about the symbolism of the commandments.³⁸ Samson Raphael Hirsch also developed a theory about the symbolism of the commandments, yet when Elyakim discussed Berlin's approach he devoted no more than a short footnote to Hirsch.³⁹

In the book's introduction and conclusion, Elyakim sought to show why *Ha'amek Davar* was a product of its time, yet between the introduction and the conclusion there is almost no serious attempt to understand the work in its correct historical context. Another shortcoming is that he never showed how the different methods of Berlin's exegesis conspired to create an interpretation; rather, each method is presented discretely as if each one were used independently. One hallmark of Berlin's exegesis and genius was his ability to incorporate different exegetical tools in order to create a single coherent exegesis. This is clearly demonstrated in the next two chapters. While an understanding of the individual elements of Berlin's commentary is important, the way Berlin brought these elements together is critical and responsible for his overall work – and this is something Elyakim overlooked.

Finally, although it is of very limited use, one can mention Mordechai Ya'akov Cooperman's edition of *Ha'amek Davar* to Genesis that appeared in 2005.⁴⁰ The work is essentially an appendix to *Ha'amek Davar*. What Cooperman did was to furnish the reader with some of Berlin's sources. Additionally, Cooperman sought to explain Berlin's brusque and wooden writing that is a combination of rabbinic Hebrew and Aramaic.

³⁸ *Ibid*, 388-390.

³⁹ *Ibid*, 371 n1.

⁴⁰ Mordechai Ya'akov Cooperman (Editor), *Humash Ha'amek Davar: Mevo'ar U-Meforash* (Jerusalem: n.p, 2004).

Chapter Three: Three Features of *Ha'amek Davar*

	<i>Page</i>
Introduction	54
 Microscopic Readings and Macroscopic Readings	 56
Overview of the feature	56
The Purpose of Genesis 9:18	57
Genesis 9:18: Noah's Three Sons as Three Typologies	59
Parallels Found: The Children of Noah and Adam	63
Parallels Lost: Genesis 9:18 and Genesis 10:1	64
Cain and Abel: A Story of Brotherhood	66
Mad and Sad: Understanding Cain's Emotional State	68
 Connecting Scripture to the Rabbis: Shifting a Rabbinic Hermeneutic	 74
Overview of the Feature	74
To Be an Entity: The ויהיו, "They were," Hermeneutic	75
Placing the ויהיו, "They were," Hermeneutic: Berakhot 13a	83
Other Examples of the ויהיו, "They were," Hermeneutic	85
Missed Opportunities	88
 Connecting Scripture to the Rabbis: The Purpose of Rabbinic Prooftexts	 91
Overview of the Feature	91
When to Pass Judgment on Others: Making Sense of Avot 4:2	91
Softening Callous Rationalism: Learning from the Intermediary	94

Chapter Three: Three Features of “Ha’amek Davar”

Introduction

In this chapter I analyse three features of *Ha’amek Davar* that Berlin did not discuss in *Kidmat Ha-Amek*, the general introduction to *Ha’amek Davar*. These three features are referred to as *Microscopic Readings and Macroscopic Readings*; *Connecting Scripture to the Rabbis: Shifting a Rabbinic Hermeneutic*; and *Connecting Scripture to the Rabbis: The Purpose of Rabbinic Prooftexts*. Examples of these features were drawn from Berlin’s discussion of Noah and Adam’s three sons, however it is likely that they recur throughout *Ha’amek Davar*.

Microscopic Readings and Macroscopic Readings

Overview of the Feature

In *Kidmat Ha-Amek*, the introduction to *Ha’amek Davar*, Berlin wrote that a goal of his commentary was to make sense of textual abnormalities and that this was one meaning of that elusive term, *peshat*. He explained:

כך הוא טבע כל התורה שאין הספור שבה מבואר יפה. אלא יש לעשות הערות ופירושים לדקדוקי הלשון. ולא נקרא דרוש. אלא כך הוא פשט המקרא. (קדמת העמק ג')

אם נראה מקרא משונה בלשונו כסבורים שהוא מקרה ודבר ריק ח[ס] ו[שלום]. ואם כן אי אפשר ללמוד מזה למקום אחר. אבל אחרי שנעמוד על החקירה. ויהיה נודע שכך הוא טבע והוא פשט הספר. שוב נלמוד מזה ענין רב לכמה מקראות וידיעות ההלכות או באגדה. (קדמת העמק ד')

הן קראתי בשם זה החיבור אשר זכני ה' החונן דעת אף לשאינו הגון. העמק דבר כמשמעו שבא להעמיק בדבר ה' בכל שנוי ויתיר וכדומה. (קדמת העמק דבר יא')

This is the nature of the whole Torah, [namely,] that the story within it is not explained fully. Rather, one [must] make notes and explanations about the details of the language. This is not called *derash* but this is the *peshat* of Scripture. (*Kidmat Ha-Amek* III)

If we see a verse whose language is different [from what is expected,] then we think that it [i.e., the irregularity] is accidental and purposeless, Heaven forbid. [For] if [it were] so, it would be impossible to learn from this [irregularity] about [one that occurs in] another place. But after we consider the investigation and it will be known that this is the nature and *peshat* of the book [i.e., Torah], afterward we will learn from this [irregularity] a great deal about many verses and [increase our] knowledge of *halakha*¹ or *aggada*.² (*Kidmat Ha-Amek* IV)

¹ Jewish law.

² The non-legalistic portion of rabbinic exegesis.

Chapter Three: Three Features of “Ha’amek Davar”

Therefore, I have called the name of this work that God – who grants wisdom even to those who are not worthy – merited me [to write] *Ha’amek Davar*, [it is] as it sounds – it comes to delve (להעמיק) into the word of God in each [instance] of [something] different or extra and [things] like that. (*Kidmat Ha-Amek* XI)

This study of *Ha’amek Davar* found that Berlin accomplished these goals and more: he was sensitive to the minutiae of Scripture, but he also created an overarching commentary that he sustained through careful attention to textual details. A localized and microscopic Bible commentary can be a series of discrete glosses unable to harmonize with one another. The ability to transform microscopic readings into a unified interpretation of Scripture is a separate skill that is different from explaining textual aberrations. Berlin possessed this skill and he used textual details to construct expansive and cohesive theses within *Ha’amek Davar*. Below is a discussion of some instances where Berlin used microscopic readings to bolster macroscopic exegeses.

The Purpose of Genesis 9:18

In Genesis 9:18, Noah and his three sons emerged from the ark:

ויהיו בני נח היצאים מן התבה שם וחם ויפת וחם הוא אבי כנען
(בראשית ט:יח)

The sons of Noah who came out of the ark were Shem and Ham and Japheth – Ham being the father of Canaan.
(Genesis 9:18)

Berlin probed this straightforward verse and wondered why Scripture chose the word ויהיו, “they were,” (a third person imperfect plural of the verb היה, “to be” with a consecutive *vav* as a prefix) to open this verse.

Chapter Three: Three Features of "Ha'amek Davar"

וַיְהִיו בְּנֵי נֹחַ: "אלה בני נח" מיבעי... (העמק דבר בראשית ט:יח)

The sons of Noah were: Scripture ought [to have written]
These are the sons of Noah... (*Ha'amek Davar* to Genesis 9:18)

Berlin thought that this verse should have been expressed differently; he wondered why it did not open with the plural demonstrative pronoun אלה, "these." Because of this, Berlin concluded that the verse did not supply the reader with a list of **all** of Noah's children who left the ark:

... "ויהיו" משמעו דשלשה היות הווין בעולם, ופי' [רש] הכתוב "היוצאים מן התבה", כי ודאי קרוב לומר שהוליד עוד בנים שלא נתפרשו, אבל כאן בא המקרא לספר כי כמו שהושחת העולם בשלשה אופני בני אדם, היינו קין והבל ושם [ו] שם [תבתי] לעיל ד' כ"ו, כך היו כאן בני נח יוצאי התבה שהושחת מהם העולם שלשה, שם חם ויפת, וכאשר יסופר ענין של אלה כמה נפרדים היו במהותן. (העמק דבר בראשית ט:יח)

...*They were* (ויהיו) suggests that three proto-types came about in the world (and) [as] the verse articulated "who came out of the ark," for certainly it is very likely that [Noah] sired more sons that were not mentioned, but here Scripture is coming to inform [us] that just as the world was established by three types of people, that is Cain, Abel and Seth, as I wrote earlier [to Genesis] 4:26, similarly over here the sons of Noah who left the ark, from them was the world established [into] three, [according to the characteristics of] Shem, Ham and Japhet, as the story of [these] three will be told, how separate they were in their essential core. (*Ha'amek Davar* to Genesis 9:18)

While Berlin never mentioned genealogy, his remark that Genesis 9:18 was only a partial list of Noah's children excluded the possibility that Genesis 9:18 was intended to serve as a genealogical list.

The notion that Genesis 9:18 should be viewed as a genealogy was also rejected by scientific scholars. For example, Westermann wrote:

Chapter Three: Three Features of “Ha’amek Davar”

One’s first inclination is to classify the unity 9:18-19 as a genealogical detail. But there is nothing either before or after with which it is as such connected. On the other hand v. 19b, which says that the whole of post-diluvial humanity stems from Noah’s three sons, is of such import as to make it unlikely that the passage is part of a genealogy. One agrees with H. Gunkel when he writes: “vv. 18 and 19 are clearly the close of J’s flood narrative...and at the same time the introduction to the family tree of Shem, Ham and Japheth in Gen. 10.”³

Berlin and modern scholars agreed that Genesis 9:18 was not a “genealogical detail,” but their paths to this position were not identical. Westermann considered the verse’s position between earlier and later portions of the text as well as the content of the verse to conclude that it was not a genealogical detail. Berlin questioned the predicate used to introduce Noah’s children and still arrived at the same conclusion as Westermann. Furthermore, although scientific scholars agreed that Genesis 9:18 was not a genealogical detail, their explanation of the purpose of the verse differed from Berlin’s.

Noah’s Three Sons as Three Typologies

Some scholars have called Genesis 9:18 a “transitional verse,”⁴ but Berlin’s thinking about this verse was much more ambitious. He used it to present and explain a

³ Claus Westermann, *Genesis 1-11: A Commentary*, translated by John J. Scullion (Minneapolis: Augsburg Publishing House, 1984), 482.

⁴ Bernard W. Anderson “From Analysis to Synthesis: The Interpretation of Genesis 1-11” in *I Studied Inscriptions from Before the Flood: Ancient Near Eastern, Literary, and Linguistic Approaches to Genesis 1-11*, 428, edited by Richard S. Hess and David Toshio Tsumura (Eisenbrauns: Winona Lake, Indiana: 1994), 428. Similarly, Skinner referred to Genesis 9:18-19 “connecting verses.” See John Skinner, *A Critical and Exegetical Commentary on Genesis* (Edinburgh: T. & T. Clark, 1963), 182.

tripartite world-order that classified humankind into one of three typologies. Abravanel, whom Berlin did not cite,⁵ had already offered exactly such a division.⁶ He wrote:

...Behold, you will see that Noah had three sons just like Adam did, and this was because the lives of men, as the sages wrote, [can be divided into] three [types]: the animalistic life directed toward physical desires, like food, drink and sex similar to animals and those who work the earth; the political life which finds pleasure and distinction in how a person conducts himself, his home and his state, with self-sufficiency and honest justice; and the intellectual life, which is the studying mind and scientific investigation. Behold Ham represented the animal life...(Abravanel to Genesis 10:1)

⁶ Abravanel is not the originator of this tripartite division. Profiat Duran in his commentary to Maimonides' *The Guide of the Perplexed* II:30:5 was the first Jewish author to discuss it, but he limited it to Cain, Abel and Seth, the children of Adam. He was followed by Joseph Albo in his *Sefer Ha-Ikkarim* III:15:8 who probably influenced Abravanel in this regard. See B. Netanyahu, *Don Isaac Abravanel: Statesman and Philosopher* (Cornell University Press: Cornell, 1998), 302 n73. The reason that I have focused on Abravanel is because he is the only one to apply the tripartite division to both the children of Noah and the children of Adam, and this is what Berlin did as well. Therefore, it is almost certain that Berlin appropriated this tripartite division from Abravanel and not from Profiat Duran or Albo. Abravanel's discussion of Noah's three sons is handled well by Jonathan Schorsch, *Jews and Blacks in the Early Modern World* (Cambridge, England: Cambridge University Press, 2004), 18-22 and 41-47.

60

Chapter Three: Three Features of “Ha’amek Davar”

To be sure, Berlin’s tripartite division was not identical to Abravanel’s. Yet, the strong resemblance between what Abravanel had written and what appeared in *Ha’amek Davar* suggests that the tripartite order was not Berlin’s original idea. What is noteworthy is how Berlin’s textual justification for the notion of a tripartite division of humanity differed from Abravanel’s justification.

Abravanel did not justify his exegesis on any textual basis, and he almost openly admitted that he was borrowing Aristotelian political theory to explain the differences between Noah’s children.⁸ While Berlin kept the classification supplied by Abravanel, he reworked the tripartite division into the texture of Genesis 9:18. For Abravanel, the mere fact that Scripture portrayed Noah’s three sons differently from one another was enough for him to think of a parallel between Scripture and Aristotle. Berlin, however, went beyond such broad similarities and turned his focus to textual details. He paid careful attention not only to *what* Scripture had to say about Noah’s three sons, but also *how* it chose to say it.

Genesis 9:18 was silent about the character of Noah’s children, it told the reader only that Noah’s three sons left the ark. Aside from this information at Genesis 9:18, the reader knows nothing about Shem, Ham and Japhet. Yet, it is in Genesis 9:18 that Berlin suggested that Noah’s three sons represent three essentially different proto-types. For Berlin, *how* Scripture conveyed the seemingly nondescript act of three sons leaving the ark was sufficient for him to find textual support for a notion that had appeared in Abravanel. He wrote:

⁸ According to Netanyahu “Abravanel...was influenced mainly by Albo,” B. Netanyahu *Don Isaac Abravanel: Statesman and Philosopher*, 302 n73.

Chapter Three: Three Features of “Ha’amek Davar”

ויהיו בני נח: אלה בני נח מיבעי, אלא "ויהיו" משמער
שלשה הוות הווין בעולם... (העמק דבר בראשית ט:יח)

The sons of Noah (they) were: Scripture ought [to have written] *These are the sons of Noah*, rather *They were* (ויהיו) suggests that three proto-types came about in the world...(Ha’amek Davar to Genesis 9:18)

Genesis 9:19 also contained little information about the character of Noah’s children:

שלשה אלה בני נח ומאלה נפצה הארץ. (בראשית ט:יט)

These three were the sons of Noah and from them did the earth spread out. (Genesis 9:19)

Yet, again Berlin found a way for the texture of this verse to support a hypothesis about a tripartite division of humanity. “From them did the earth spread out;” for Berlin, Noah’s progeny did not only fill an empty world, but they filled it according to their own typologies as they (and their tripartite division) expanded to encompass all of humanity.

Berlin conveyed this view in his comments to Genesis 9:19:

ומאלה נפצה כל הארץ: "מלאה כל הארץ" מיבעי, אלא בא ללמדנו
אשר משלשה אלה נתחלקה כל הארץ... (העמק דבר בראשית ט:יט)

And from these the whole earth scattered: [The verse] ought [to have written,] *Filled the whole earth*, rather the [verse] has come to teach us that from these three the whole earth was divided...(Ha’amek Davar to Genesis 9:19)

Some commentators rendered נפצה, of Genesis 9:19 as “peopled.”⁹ For example, Umberto

Cassuto wrote:

In the two opening verses (ix 18-19) it is stated that from the sons of Noah who went out of the ark *the whole earth*

⁹ Westermann has “populated.” See Claus Westermann *Genesis 1-11: A Commentary*, 481. Some commentators used “spread out,” see Robert Alter *Genesis: Translation and Commentary* (New York: W. W. Norton & Company, 1996), 40, and Thomas L. Brodie *Genesis as Dialogue: A Literary, Historical and Theological Commentary* (Oxford: Oxford University Press, 2001), 191.

Chapter Three: Three Features of “Ha’amek Davar”

WAS PEOPLED¹⁰ [נפצה *naphesa*, literally, ‘was scattered’]...¹¹

Cassuto’s exegesis is exactly what Berlin’s implicitly rejected, whereas Speiser’s “from them the whole world *branched out*,”¹² accurately communicates Berlin’s understanding of Genesis 9:19.¹³

By paying careful attention to Scripture’s texture, Berlin was able to bolster an interpretation that had classified Noah’s three children according to their actions. He did this by appropriating an interpretation found in Abravanel and connecting it to the texture of Genesis 9:18-19. That is, he borrowed a broad “macroscopic” idea and found a way to incorporate it into a “microscopic” reading of the text.

Parallels Found: The Children of Noah and Adam

According to Berlin, Genesis 9:18-19 taught that the natural state of the human species was division. To readers who experience a world where competing philosophies clamour for attention and approval, this exegesis is understandable and requires no reinforcement. However, Berlin summoned additional arguments that utilized a microscopic reading to further his macroscopic interpretation. The microscopic reading

¹⁰ The capitals are not mine.

¹¹ Umberto Cassuto, *A Commentary on the Book of Genesis Part II*, translated by Israel Abrahams, (Jerusalem: The Magnes Press, 1964), 141.

¹² The italics are mine.

¹³ Sarna followed Speiser’s “branched out,” and most of the Jewish commentaries follow Speiser. See, for example, Nahum M. Sarna *The JPS Torah Commentary: Genesis*, edited by Nahum M. Sarna and Chaim Potok, (The Jewish Publication Society: Philadelphia, 1989), 65. One scholar has written that this verse is “literally untranslatable – the earth as such did not disperse, only its inhabitants,” see Moses Aberbach and Bernard Grossfeld *Targum Onkelos to Genesis: A Critical Analysis Together With An English Translation of the Text* (New York and Denver: Ktav and the Center for Judaic Studies at the University of Denver, 1982), 67 n10.

Chapter Three: Three Features of “Ha’amek Davar”

focused on the word ויהיו, “they were,” and the macroscopic view was the tripartite division inherent to the inhabitants of the earth.

To highlight this macroscopic view about the division inherent to the earth’s inhabitants, in his comments to Genesis 9:18, Berlin reminded his reader of Adam’s three children (Cain, Abel and Seth). In his comments to Genesis 4:26, Berlin had already explained that Adam’s three children anticipated Noah’s three:

ויהיו בני נח...כאן בא המקרא לספר כי כמו שהושתת העולם בשלשה
אופני בני אדם, היינו קין והבל ושת כמ[ו] שכ[תבתי] לעיל ד' כ"ו, כך
היו כאן בני נח יוצאי התבה שהושתת מהם העולם שלשה, שם חם ויפת,
וכאשר יסופר ענין שלש אלה כמה נפרדים היו במהותן: (העמק דבר
בראשית ט:יח)

The children of Noah were...here Scripture is coming to tell [us] that just as the world was established by three types of people, that is Cain, Abel and Seth, like I wrote earlier [to Genesis] 4:26, similarly over here the sons of Noah who left the ark, from them was the world established [into] three, [according to the characteristics of] Shem, Ham and Japhet, as the story of [these] three will be told, how separate they were in their essential core. (*Ha’amek Davar* to Genesis 9:18)

By drawing a parallel between Genesis 9 and Genesis 4, Berlin bestowed unity to both Scripture and *Ha’amek Davar*. It is an example of how he could bring Scripture together and how his pedantic attention to textual details served to edify larger ideas.

Parallels Lost: Genesis 9:18 and Genesis 10:1

According to the Biblical account, human life began with Adam and after the flood it resumed with Noah. Because Adam and Noah were the founding fathers of their respective worlds, it is not surprising to find exegetes who drew parallels between them,

Chapter Three: Three Features of “Ha’amek Davar”

as Berlin himself did.¹⁴ Yet, there are other parallels, more obvious and glaring, that Berlin could have addressed. One parallel, and why Berlin may have ignored it, follows.

Genesis 9:18 and Genesis 10:1 are very similar.

ויהיו בני נח היצאים מן התבה שם וחם ויפת וחם הוא אבי כנען
(בראשית ט:יח)

ואלה תולדת בני נח שם חם ויפת ויולדו להם בנים אחר המבול (בראשית
י:א)

The sons of Noah who came out of the ark were Shem and Ham and Japheth – Ham being the father of Canaan. (Genesis 9:18)

These are the sons of Noah: Shem, Ham and Japheth; unto them sons were born after the flood. (Genesis 10:1)

Clearly, Genesis 10:1 closely resembled Genesis 9:18. One difference is that the former opened with the demonstrative (ו)אלה:

ואלה תולדת בני נח שם חם ויפת ויולדו להם בנים אחר המבול (בראשית
י:א)

These are the sons of Noah: Shem, Ham and Japheth; unto them sons were born after the flood. (Genesis 10:1)

Above it was discussed that, in his comments to Genesis 9:18, Berlin noted the absence of the demonstrative אלה, “these,” and that the third person imperfect plural (with a consecutive *vav*) ויהיו, “they were,” was used instead. Because of this syntax, Berlin concluded that Genesis 9:18 was not an exhaustive genealogical detail.

However, Genesis 10:1, opening with the demonstrative אלה, “these,” contradicted this. If one applies Berlin’s lexical distinction between אלה, “these,” and ויהיו,

¹⁴ Brodie drew an interesting parallel when he wrote “As the initial beginning (at creation) was followed by the tree and the nakedness, so this new beginning is followed by the episode of the vine and the nakedness.” Brodie, *Genesis as Dialogue: A Literary, Historical and Theological Commentary*, 191.

Chapter Three: Three Features of “Ha’amek Davar”

“they were,” then one would have to ask why Genesis 10:1 and 9:18 don’t both open with the same word. If Berlin’s reasoning were consistent, Genesis 10:1 also would have warranted the usage of ויהיו, “they were,” instead of אלה, “these.”

Berlin’s silence in the face of this parallel (that appears to contradict his hypothesis about the word ויהיו, “they were,”) can not be attributed to gross oversight. The briefest study of his work reveals a creative genius whose breadth of knowledge was incapable of so great a lapse. Many of Berlin’s interpretations emerged from his sensitivity to textual details, yet as this lapse demonstrates, his manipulation of Biblical syntax is sometimes just that – manipulation. This time an obvious parallel that contradicted his lexical and textual reasoning was quietly ignored. It is difficult to imagine the gifted student of Volozhin allowing such fickleness regularly, but it seems that sometimes, in order to develop a theme, the teacher allowed himself such inconsistencies.

Cain and Abel: A Story of Brotherhood

Berlin claimed that Adam’s children foreshadowed Noah’s and now his treatment of Adam’s children will be analysed. As was done earlier, special attention will be given to how his macroscopic view was bolstered by attention to microscopic textual details. Genesis 4:2 read:

ותסף ללדת את אחיו את הבל ויהי הבל רעה צאן וקין היה עובד אדמה
(בראשית 4:2)

Chapter Three: Three Features of “Ha’amek Davar”

Again she [Eve] gave birth [this time] to his [Cain’s] brother, to Abel. Abel was a shepherd and Cain was tiller of the earth. (Genesis 4:2)

This verse employed the object-marker את twice in one phrase, את אחיו את הבל, and I tried to express this by rendering the verse “to his (Cain’s) brother, to Abel.” Speiser’s translation “Next she bore his brother Abel,”¹⁵ skipped it, but deftly and elegantly Robert Alter incorporated it via a comma between “brother” and “Abel” when he rendered the verse “And she bore as well his brother, Abel.”¹⁶ Even so, I could not find a modern exegete who explicitly addressed the double usage of the object-marker את in this verse.

In *Ha’amek Davar*, Berlin was troubled by the phrase את אחיו את הבל, “to his brother, to Abel.” He suggested that the words את אחיו “to his brother,” which are seemingly redundant, were included to teach that Cain and Abel understood the concept of brotherhood:

את אחיו את הבל. "את אחיו" מיותר והכי מיבעי "ותלד עוד את הבל"...והענין כי אחר שקין היה מוכשר ביותר לעבודת האדמה, היה מספיק עבודתו גם בשביל אחיו, ומודיע הכתוב כי משני הילדים הראשונים בא ענין האחוה במין האדם שיהא אחד עובד בשביל אחיו, והכיר קין בדעתו כי ראוי ומחויב האדם לזון את אחיו שאין לו ממה לחיות. (העמק דבר בראשית ד:ב)

To his brother to Abel: “to his brother” is redundant and this is what [Scripture] ought [to have written] *She gave birth again to Abel...* The notion is that since Cain was very talented for working the land, his labour sufficed also for his brother [Abel], and the verse is informing [us] that from the first two children the notion of brotherhood came to the human species, [i.e.,] that one should work for his brother, and Cain understood in his mind that it is fitting and

¹⁵ Speiser, *The Anchor Bible: Genesis*, 29.

¹⁶ Alter, *Genesis: Translation and Commentary*, 16. Alter later confirmed that this was his intention. (Robert Alter, private communication, October 24, 2004)

Chapter Three: Three Features of “Ha’amek Davar”

obligatory for a person to feed his brother who does not have from what to live. (*Ha’amek Davar* to Genesis 4:2)

Berlin’s portrayal of the bonds of brotherhood is complicated. He viewed the contention between Cain and Abel as a result of socio-economic factors and spiritual rivalry.¹⁷ Now it is important to recognise that Berlin began an eclectic and overarching vision of the brotherhood of Cain and Abel from the apparent redundancy of two words. Berlin’s treatment of the brotherhood of Cain and Abel does not rest only on the fact that they were brothers. Rather, he is attentive to how Scripture conveyed that they were brothers. This is another example of Berlin using microscopic details to construct a broad and macroscopic thesis.

Mad and Sad: Understanding Cain’s Emotional State

Genesis 4:4b-5 described God’s response to Cain’s offering and Cain’s subsequent emotional state:

...וישע ה' אל הבל ואל מנחתו. ואל קין ואל מנחתו לא שעה ויחר לקין
מאד ויפלו פניו (בראשית 4:7-ה)

God responded to Abel and to his offering. [However,] to Cain and to his offering, He did not respond and Cain became very angry and his countenance fell. (Genesis 4:4b-5)

Bible exegetes have discussed Cain’s emotional state after God accepted his brother’s offering but refused his own. Some thought that Cain was more depressed than he was angry: “Cain’s response...the downcast face...reveals more the idea of dejection, feelings

¹⁷ See *Ha’amek Davar* to Genesis 4:2-8.

Chapter Three: Three Features of “Ha’amek Davar”

associated with rejection, than anger.”¹⁸ Yet, for others, Cain was not depressed but mostly angry:

“To become hot” means “to become angry.” The ancient Israelite of the right sort is hot-blooded or temperamental. “To lower the countenance” means “to brood darkly.” That jealousy over God’s grace leads to rage and finally to murder is a realistic element. The legend knows the human heart.¹⁹

Berlin also tried to explain how Cain felt after God declined his own offering but had accepted his brother’s.

ויחר לקין מאד ויפלו פניו: אינו כפל לשון, שהרי בפירוש אמר לו ה' "למה חרה לך ולמה נפלו פניך", [בראשית ד:ו] ולא אמר "למה חרה לך ונפלו פניך", ובאמת שני ענינים הם חרון הוא צער גדול עד שמשג קדחת בגוף מרתיחת הדם...והשגת הצער על מה שלא נעשה רצונו או איזה דבר שלא כחפצו הוא בא מגבוהת הלב, שחושב שאינו ראוי שיגיע לו כן לפי חשיבותו בעיני עצמו, אבל נפילת אפים הוא להיפך מחשב בדעתו שהוא באמת שפל ונבזה, ואין לו להרים ראש להבא. (העמק דבר בראשית ד:ה)

And Cain became very angry and his countenance fell: this is not repetitive, because God explicitly told him “**Why** are you angry and **why** has your countenance fallen” [Genesis 4:6] and did not say “Why are you angry and is your countenance fallen.” And in truth, they are two ideas, anger (חרון) is great pain that continues until it reaches a fever in the body from [one’s] boiling blood...and this peak of pain from one’s will not being done or some thing not according to one’s wish, it comes from haughtiness of the heart, from thinking that it is not appropriate that this should befall [oneself] according to one’s importance in one’s own eyes. However, a fallen countenance (נפילת אפים) is the reverse, because one thinks how genuinely low and debased one is and one can’t raise one’s head in the future. (*Ha’amek Davar* to Genesis 4:5)

¹⁸The New Interpreter’s Bible, Vol. I (Nashville: Abingdon Press, 1994), 373.

¹⁹ Herman Gunkel, *Genesis*, translated by Mark Biddle and foreword by Ernest W. Nicholson (Georgia: Mercer University Press, 1997), 43.

Chapter Three: Three Features of “Ha’amek Davar”

Berlin’s interpretation suggests a combination of two different emotions: tremendous anger that was a result of not getting what he wanted and dejection that turned into an incapacitating depression. Berlin described an anger that was manifest in physical symptoms. His interpretation is similar to that of Westermann, who understood the “phenomenon correctly as psychosomatic” and “taking hold of the whole person and showing itself in bodily transformation.”²⁰ Although it is Skinner’s comment, that “Cain’s feeling is a mixture of anger (*it became very hot to him*) and dejection (*his face fell...*)”²¹ is closest to Berlin’s understanding of Cain’s psychological state with its combination of anger and depression.

This comparison to modern scholars (all of whom came after Berlin) suggests that in the realm of psychological analysis, Berlin was as insightful as they were. He grappled with universal issues that had no implications for traditional Jewish learning and were not exclusively Jewish. Like other commentaries, *Ha’amek Davar* tried to understand the exact emotional state of Cain, something that required “knowledge of the human heart”²² or even “profound knowledge of the human heart.”²³ Still, this is where the similarities between Berlin and these modern exegetes end.

One can use “profound knowledge of the human heart” to try to uncover the emotional state of a man whom God rejected over his brother. Alternatively, one can appeal to lexicography and investigate the meaning of words used to describe the

²⁰ Westermann, *Genesis 1-11: A Commentary*, 297.

²¹ Skinner, *A Critical and Exegetical Commentary on Genesis*, 106.

²² Gunkel, *Genesis*, 43.

²³ Skinner, *A Critical and Exegetical Commentary on Genesis*, 106.

Chapter Three: Three Features of “Ha’amek Davar”

episode. This is essentially what many Bible commentators have done in the case of Cain’s emotional state. Either they have offered a suggestion based on the lexicography of the words ויפלו פניו מאד ויחר לקין “And Cain became very angry and his face fell,”²⁴ or they have made some comment that no matter how sensible or thoughtful, is unfettered to Scripture.²⁵

When Berlin wished to explain Cain’s emotional state, he turned to Genesis 4:6.

In that verse God posed two rhetorical questions to Cain:

ויאמר ה' אל קין למה חרה לך ולמה נפלו פניך (בראשית ד:ו)

God said to Cain, “*why* are you angry and *why* is your countenance fallen.” (Genesis 4:6)

For Berlin, this verse could best explain the quality of the emotions that were vying within Cain. He took note of the repetition of למה, “why,” and claimed that this indicated that the “anger” and “fallen face” of Genesis 4:5, which God asked about in Genesis 4:6, must be referring to two separate emotions:

ויחר לקין מאד ויפלו פניו: אינו כפל לשון, שהרי בפירוש אמר לו ה' "למה חרה לך ולמה נפלו פניך", [בראשית ד:ו] ולא אמר "למה חרה לך ונפלו פניך", ובאמת שני ענינים הם... (העמק דבר בראשית ד:ה)

And Cain greatly angered and his countenance fell: this is not repetitive because God explicitly told him “**Why** are you angry and **why** has your countenance fallen” [Genesis 4:6] and did not say “Why are you angry and is your countenance fallen.” And in truth, they are two ideas...(Ha’amek Davar to Genesis 4:5)

The emotional state of a man whom pious jealousy inspired to murder his brother after an act of divine worship is complicated. Berlin sought to explain Cain’s state without relying

²⁴ *Ibid*, 106.

²⁵ Westermann, *Genesis 1-11: A Commentary*, 298.

Chapter Three: Three Features of “Ha’amek Davar”

solely on a “profound knowledge of the human heart;” he wanted his explanation to be grounded in the text.

Here, as elsewhere, Berlin was attentive to microscopic textual details. On account of one extra word, למה, “why,” he decided that two different emotions were brooding within Cain, and he was able to integrate this idea into his larger hypothesis about Cain and Abel. He wrote:

ויחר לקין מאד ויפלו פניו...:(ו)הנה קין היה מחולק בדעות עם הבל
ש[כתבתי], עתה ראה והתבונן שלא כוון לדעת עליון, וחרה לו על כ[מו]
העבר על מה תעה מדעת הישרה, ונפלו פניו על להבא, ראה את עצמו
שפל נגד הבל שהרי הוא עובד אותו בחנם, כי עד כה חשב שהוא יקבל
על שמפרנסו ועוסק בצרכי החיים לו ולאחיו, ולא כן אחיו שכרו מה'
שמבלה ימיו בתענוגים ומותרות ולא יהיה לו שכרו בעמלו, אבל עתה
ראה שאחיו מפיק רצון ה', אם כן על מה הוא עמל לו. (העמק דבר
בראשית ד:ה)

Cain was angered and his countenance fell:...behold Cain was of a different opinion than Abel, as I have already written. Now he saw and contemplated that he did not [correctly] attain the divine view, and he grew angry over the past, at how he had stumbled from the correct opinion. And because of the future his face fell. He viewed himself as lowly compared to Abel, for whom he had been working free [of charge], because until now he thought that he would receive his reward from God for supporting and toiling for his and his brother's living needs and that his brother would not be rewarded because he spent his time with delights and luxuries and he [Abel] would have no reward for that toil. However, now he saw that his brother gratified the will of God, and if so for what had he toiled for him? (*Ha'amek Davar* to Genesis 4:5)

Two emotions vied within Cain, anger and depression. Contemplating the past angered him because now he realized that working to support his dandy brother had been a waste of time, since he, Cain, would not be rewarded for supporting his brother. At the same

Chapter Three: Three Features of “Ha’amek Davar”

time, it was depressing to think that the future held no reward for him, and so his face was fallen as “one who is unable to raise one’s head and face the future.” According to Berlin, Cain had worked to support his brother in the expectation that God would reward his diligent efforts. When God rejected Cain’s offering and accepted Abel’s, it became clear to the older brother that the path of his past had been a gross mistake. At the same time, he suddenly awoke to a barren future, as he realized that no reward from God awaited him. Thus, the anger emerged from his past – which he now realizes was wasted, and the depression was due to his bleak future that suddenly, and unexpectedly, held no reward for him.

Berlin created for Cain and Abel a dynamic that saw one brother supporting the other and competing with him to find favour with God, and this was part of his macroscopic vision. However, Berlin’s proclivity and ability to pay close attention to textual details was conscripted into the creation of this macroscopic vision. It was attention to detail that informed Berlin of Cain’s emotional state and sustained his broader vision of the fraternal dynamic that existed between Cain and Abel.

Connecting Scripture to the Rabbis: Shifting a Rabbinic Hermeneutic

Overview of the Feature

The pages of *Ha’amek Davar* attest to Berlin’s mastery of the rabbinical corpus. When Berlin wrote *Ha’amek Davar* he included an appendix, *Ha-Reheiv Davar*, which was intended to contain material extraneous to the commentary, as Berlin explained:

הן קראתי בשם זה החיבור אשר זכני ה' החונן דעת אף לשאינו הגון
העמק דבר כמשמעו שבא להעמיק בדבר ה' בכל שנוי ויתיר וכדומה.
ואמנם מזה הסתעפו הרבה ענינים וביאורי פרשיות בנ[ביאים]
[ו]כ[תובים] ודרושים אשר רחש לבבי והעליתי בדעתי הדלה. עד שבאו
להמשיך אחריהם גם הרבה מאמרי ח[כמינו] ז[כרונם] ל[ברכה]... ובאיזה
מקומות הגיע להשכיל ולהוסיף לקח בהלכה ע[ל] פ[י] העמקה בדבר ה'.
ולמען לא יהיו למשא ולהעתרת דברים לפני הבא להבין הפרשה במקומה
לבד. ע[ל] כ[ן] הבדלתי הרבה ענינים מגוף החיבור. וקראתי אותם בשם
"הרחב דבר." (קדמת העמק יא')

Therefore, I have named this work that God – who favours with knowledge even those who are unfit – granted me [to write] *Ha’amek Davar*, as it suggests – it comes to delve (להעמיק) into the word of God whenever [the text is] different or redundant and similar things like that. However, from this emerged many ideas and explanations of passages in the Prophets and the Writings and homiletical interpretations that my heart acquired and in my meagre knowledge I suggested [them.] Eventually they [i.e. these ideas and explanations] brought along with them many statements from our Sages of blessed memory...and in certain places they enlightened and added knowledge in *halakha* through delving into the word of God. In order that this should not be a burden and extraneous material before [the person who] has come to understand only the passage in its [correct] place, therefore I have separated many ideas from the body of the work and have called them *He-Reheiv Davar*. (*Kidmat Ha-Amek XI*)

Chapter Three: Three Features of “Ha’amek Davar”

Nonetheless, for Berlin, the comments of the rabbis were not automatically considered extraneous or irrelevant to the Biblical text or the purpose of his commentary. The result is that *Ha’amek Davar*, the commentary proper, is laden with quotations from rabbinic literature – despite the existence of *He-Rehev Davar*. One way of incorporating the rabbinic literature into a Bible commentary is to appropriate rabbinic interpretations and this is something Berlin did often.

Another way of making use of the rabbinic corpus is to transfer an existing rabbinic hermeneutic – a rabbinic method – to a “new, virgin” verse.²⁶ Whenever this is done, a subtle link between the Bible and the rabbis is forged, although the link is discreet because the hermeneutic is anonymous, detectable (and delectable) only to those proficient in rabbinic learning. The outcome of such exegetical activity is a hybrid: an ancient hermeneutic enlisted to generate a fresh understanding of Scripture. This breathes life into the arcane rabbis, revives their dormant methods, and perhaps makes them more palatable and relevant to those quick to dismiss their place of privilege in a Torah commentary. This aspect of Berlin’s exegesis is analysed below.

To Be an Entity: The ויהי, ‘They were,’ Hermeneutic

Berlin shifted rabbinic hermeneutics from one context to another. If he was not candid about the fact that he was using a rabbinic hermeneutic, then such shifts are difficult to recognize. (Perhaps Berlin refrained from citing the original Talmudic context because for his rabbinic mind, these shifts were organic.) The student of *Ha’amek Davar*

²⁶ For a comprehensive discussion of this topic see Elyakim, *Ha’amek Davar La-Netziv*, 207-362.

Chapter Three: Three Features of “Ha’amek Davar”

who is not fluent in the Talmud is ill-equipped to recognize these shifts. The episodes analysed so far contain one such example.

It has already been shown that Berlin was troubled by the fact that Genesis 9:18 opened with the word ויהיו, “they were,” and he felt that a different word אלה, “these,” was more appropriate. This led him to present his notion of a tripartite world-order that is eponymous with the three sons of Noah. Even after accepting Berlin’s claim that a demonstrative pronoun was more appropriate, the reader wonders what it is about the word ויהיו, “they were,” that generated the notion of a tripartite world order. In other words, even if one accepts Berlin’s claim that the demonstrative אלה, “these,” ought to have been used, what was it about the verb ויהיו, “they were” that suggested to Berlin that an everlasting tripartite division emerged from Noah’s three sons?

In his comment to Genesis 9:18, Berlin simply wrote:

ויהיו בני נח: "אלה בני נח" מיבעי, אלא ויהיו משמעו דשלשה הווית
הווין בעולם... (העמק דבר בראשית ט:יח)

The sons of Noah (they) were: Scripture ought [to have written] “These are the sons of Noah,” rather “They were” (ויהיו) suggests that three proto-types came about in the world... (*Ha’amek Davar* to Genesis 9:18)

A derivative of the verb הוה, “to be,” was used to introduce Noah’s three sons, and on this basis Berlin suggested that three distinct beings or lineages entered the world. This is something that is just assumed, although in parentheses Berlin cited *Onkelos* as a possible source of this interpretation. He wrote:

ויהיו בני נח:....[וכמו שת[רגם] א[ונקלוס] על המקרא "היו אשורם
ולטושים". "למשרון" וכו[ליה] והוא מדכתיב היו]... (העמק דבר ט:יח)

Chapter Three: Three Features of “Ha’amek Davar”

The sons of Noah (they) were:...[just as *Onkelos* [translated] the verse “they were the Asshurim and the Letushim” [Genesis 25:3] as “camper” etc. [because in Genesis 25:3] it is written “They were,” *היו*]...(*Ha’amek Davar* to Genesis 9:18)

After explaining Berlin’s citation of *Onkelos*, the question of why Berlin included this citation in parentheses will be addressed.

In parentheses, Berlin pointed the reader to Genesis 25:3:

ויקשן ילד את שבא ואת דדן ובני דדן היו אשורם ולטושם ולאמים
(בראשית כה:ג)

And Jokshan gave birth to Shevo and Dedan, and the sons of Dedan were Ashurim and Letushim and Leumim. (Genesis 25:3)

And *Onkelos* which rendered it in a non-literal fashion:

ויקשן אוליד ית שבא וית דדן ובני דדן הו למשרין ולשכונין ולנגון
(תרגם אונקלוס בראשית כה:ג)

And Jokshan gave birth to Shevo and to Dedan and the children of Dedan became camp and tent-dwellers and (colonists) in distant lands.²⁷ (*Onkelos* to Genesis 25:3)

In his comments to Genesis 25:3, Berlin explained why *Onkelos* strayed from the literal meaning of this straight-forward verse.

היו אשורם וגו[מר]. ת[רגם] א[ונקלוס] "היו למשרין ולשכונין ולנגון. ולשון "היו" דוחקתו שהוא ע[ל] ש[ם] פעולתם וכמ[ו]ן שכ[תבתין] לעיל ט' י"ח. ע[ל] ה[פסוק] "ויהיו בני נח"... (העמק דבר בראשית כה:ג)

They were Ashurim: *Onkelos* [translated] it as “they were camp and tent-dwellers and [colonists] in distant lands.” The language “they were,” *היו* forced him [to translate it in a non-literal manner], since it refers to their actions, as I

²⁷ Aberbach and Grossfeld, *Targum Onkelos to Genesis*, 146.

Chapter Three: Three Features of “Ha’amek Davar”

have written above to [Genesis] 9:18 on the verse “The sons of Noah [they] were”...(Ha’amek Davar to Genesis 25:3)²⁸

This comment was a paraphrase of Nahmanides’ explanation of why this verse had not been rendered literally. Nahmanides explained:

אשורים ולטושים ולאומים: ... ומלת "היו" עוררה אותו בזה, שהיה ראוי שיאמר כמו שאמר (בראשית י יג) "ומצרים ילד את לודים ואת ענמים ואת להבים ואת נפתוחים"... (ר[בי] מ[שה] ב[ן] נ[חמן] בראשית כה:ג)

Ashurim and Letushim and Leumim:...and the word[s] “they were” (היו) prompted him [i.e., *Onkelos*] about this, for it was fitting to have said, like it said (in Genesis 10:13) “And Mitzrayim begot Ludim, Anamim, Lehabim and Naphtuhim.”...(Nahmanides to Genesis 25:3)

Berlin’s interpretation of Genesis 9:18 cited *Onkelos* to Genesis 25:3. Does this mean that *Onkelos* to Genesis 25:3, (along with Nahmanides’ interpretation of Genesis 25:3²⁹) was the source for Berlin’s microscopic textual interpretation of Genesis 9:18 that centered on the word ויהיו, “they were”³⁰? Berlin himself cited *Onkelos* as a source for his interpretation to Genesis 9:18, therefore it seems unwise to argue otherwise. Nonetheless, there is good reason to think that Berlin’s textual manipulation of Genesis 9:18 that focused on the word ויהיו, “they were” was not inspired by *Onkelos* or Nahmanides.

²⁸ For an alternative explanation, see Aberbach and Grossfeld, *Targum Onkelos to Genesis: A Critical Analysis*, 147 n1.

²⁹ In his comments to Genesis 25:3, Berlin argued against Nahmanides’ position that Genesis Rabbah 61:5 disagreed with *Onkelos* to Genesis 25:3. Berlin’s disagreement with Nahmanides is not of direct import for this discussion; however it reveals that Berlin was thinking about Nahmanides when he tried to explain *Onkelos* to Genesis 25:3.

³⁰ It has already been shown that the notion of a tripartite division inherent to the world was something that existed prior to Berlin. The connection between this notion and Noah’s three sons also pre-existed *Ha’amek Davar* by hundreds of years. What is currently being investigated is how Berlin grafted this “macroscopic” interpretation into a “microscopic” reading that focused on textual details.

Chapter Three: Three Features of “Ha’amek Davar”

According to Nahmanides’ explanation of *Onkelos*, not every occurrence or permutation of the verb הוּה, “to be,” holds some special meaning. Genesis 25:3 was an exception since instead of using the word “begat,” (i.e., “Dedan begat Ashurim and Letushim and Leumim”) as Scripture often did in genealogies, it read “the sons of Dedan **(they) were** Ashurim and Letushim and Leumim.” This is why *Targum Onkelos* rendered Genesis 25:3, a simple genealogy, in a non-literal manner. Yet, according to Berlin **each** occurrence of the verb הוּה, “to be,” has something significant to teach. This is what he wrote in *Ha’amek Davar* to Genesis 36:11

ויהיו בני אליפז: תיבת "ויהיו" מיותר...וע [יין] מ[ה] ש[כתבתי] לעיל
ט' י"ח...שבכ[ל] מ[קום] יש בזה כונה. (העמק דבר בראשית לו:יא)

The children of Eliphaz (they) were: The word[s]
“They were” (ויהיו) is redundant...see what I wrote earlier
to (Genesis) 9:18...that in each place [that it appears]
there is a reason. (*Ha’amek Davar* to Genesis 36:11)

Since Berlin claimed that **each** occurrence of the verb הוּה, “to be” was something significant that needed to be explained, it is unlikely that Nahmanides’ explanation of *Onkelos* to Genesis 25:3 was the source of Berlin’s thinking about the verb הוּה, “to be.” Furthermore, *Onkelos* rendered Genesis 9:18 in a most literal fashion. If *Onkelos* were the source of Berlin’s interpretation to Genesis 9:18 then one would have expected *Onkelos* to translate Genesis 9:18 in the same descriptive fashion that it rendered Genesis 25:3. (At the very least, one would have expected Berlin to explain why *Onkelos* to Genesis 9:18 did not support his interpretation.) Instead, *Onkelos* to Genesis 9:18 read:

והיו בני נח דנפקו מן תיבותא שם וחם ויפת וחם הוא אבוהי דכנען (תרגום
אונקלוס) (בראשית ט:יח)

Chapter Three: Three Features of “Ha’amek Davar”

The sons of Noah who left the ark were Shem and Ham and Japhet, and Ham was the father of Canaan. (*Onkelos* to Genesis 9:18)

As was mentioned earlier, in his comments to Genesis 9:19 Berlin cited *Onkelos* to Genesis 25:3 and included this citation in parentheses. These parentheses are found in the original 1879-1880 edition of *Ha’amek Davar*. The fact that this citation appears in parentheses suggests that it was an afterthought. In other words, after Berlin created this exegesis, he found that *Onkelos* to Genesis 25:3, (especially the way Nahmanides explained it) was very similar to the interpretation he provided, and therefore he decided to cite it in parentheses. If this reconstruction is correct, then *Onkelos* to Genesis 25:3 was not the original impetus for Berlin’s interpretation of Genesis 9:18 that focused on the word ויהיו, “they were.”

Also, Berlin’s comment to Genesis 25:3 does not suggest that it (i.e., Genesis 25:3) was the source for comments to any other verse.

היו אשורים וגו' [מר]. ת[רגם] א[ונקלוס] "היו למשרין ולשכונין ולנגון.
ולשון "היו" דוחקתו שהוא ע[ל] ש[ם] פעולתם וכמ[ו]ן שכ[חבתי] לעיל
ט' י"ח. ע[ל] ה[פסוק] "ויהיו בני נח"... (העמק דבר בראשית כה:ג)

They were Ashurim: *Onkelos* [translated] it as “they were camp and tent-dwellers and [colonists] in distant lands.” The language “they were,” (היו) forced him [to translate it in a non-literal manner], since it refers to their actions, as I have written above to [Genesis] 9:18 on the verse “The sons of Noah [they] were”... (*Ha’amek Davar* to Genesis 25:3)

If *Onkelos* to Genesis 25:3 was Berlin’s source for his exegesis of Genesis 9:18, one would have expected him to have said so explicitly in his comments to Genesis 25:3- and

Chapter Three: Three Features of “Ha’amek Davar”

he did not. Based on all the arguments put forward, one can cautiously conclude that in writing his commentary to Genesis 25:3 Berlin was reminded of Genesis 9:18. Therefore, he returned to Genesis 9:18 and in parentheses cited *Onkelos* to Genesis 25:3 in order to note the similarity between his approach to Genesis 9:18 and *Onkelos* to Genesis 25:3. Because *Onkelos* supported his interpretation, but did not inspire it, Berlin included it in parentheses.

If *Onkelos* did not serve as Berlin’s inspiration to Genesis 9:18, another possible source for his interpretation of the word ויהיו, “they were,” can be investigated. Midrash Tanhuma contained an exegesis that used language very similar to the language that Berlin used in Genesis 9:18.

... "ויהיו בני נח" שעשה להם הק[דוש] ב[רוך] ה[וא] הויה
בעולם... (מדרש תנחומא נח יב)

“...The sons of Noah (they) were” (Genesis 9:18) the Holy One Blessed be He made for [each of] them a [distinctive] entity³¹ in the world (Midrash Tanhuma: Noah 12)

Compare this to Berlin’s:

ויהיו בני נח: אלה בני נח מיבעי, אלא "ויהיו" משמעו דשלשה הוויה
הווין בעולם... (העמק דבר בראשית ט:יח)

The sons of Noah (they) were: Scripture ought [to have written] “These are the sons of Noah,” rather “They were” (ויהיו) suggests that three proto-types came about in the world...(Ha’amek Davar to Genesis 9:18)³²

³¹ John T. Townsend in his translation of Midrash Tanhuma rendered “הויה” as “lineage.” *Midrash Tanhuma* (S. Buber Recension), Vol. 1 *Bereishit* (Hoboken, New Jersey: Ktav, 1989), 49.

³² Cooperman cited the Midrash Tanhuma Yashan as the source for Berlin’s exegesis. (Actually, he cited Midrash Tanhuma *Yashan* 8:19 but he obviously meant Midrash Tanhuma *Yashan* Noah 19). While it is true that the Midrash Tanhuma *Yashan* Noah 19 contains an exegesis that is very close to Berlin’s exegesis, it is unlikely that Berlin’s source was the Midrash Tanhuma *Yashan*. This is because Solomon Buber first published the Midrash Tanhuma *Yashan* in Vilna in 1885 (Strack and Stemberger, *Introduction to the Talmud and Midrash*, 329) while *Ha’amek Davar* was already published in Vilna in 1879-1880. The YIVO

Chapter Three: Three Features of “*Ha’amek Davar*”

The similarity between Berlin’s comment and the Midrash Tanhuma is too glaring to ignore, and the question of whether the Midrash Tanhuma was the true source for Berlin’s exegesis must be broached.

In *Ha’amek Davar*, Berlin explicitly cited the Midrash Tanhuma once, and that was in his comments to Deuteronomy 25:17. However, this only means that he almost never quoted Midrash Tanhuma, it says nothing about how often he read or incorporated Midrash Tanhuma into *Ha’amek Davar*. The similarity between the Midrash Tanhuma and Berlin’s comments raises the possibility that when he wrote his comments to Genesis 9:18, he was thinking about the Midrash Tanhuma.

It has already been established that *Onkelos* to Genesis 25:3 did not inspire Berlin’s comments to Genesis 9:18, nonetheless, Berlin cited it (albeit in parentheses). Therefore, if Midrash Tanhuma were the true source for his interpretation of Genesis 9:18, why did he go to the trouble of citing *Onkelos* but not the *Tanhuma*? The fact that Berlin quoted *Onkelos* but not the *Tanhuma*, when the latter was much more similar to his reading of Genesis 9:18, makes it very difficult to conclude unreservedly that *Tanhuma* inspired his comments to Genesis 9:18.

Thus, although Berlin cited *Onkelos*, its inclusion within parentheses, among other reasons, suggests that it came as an afterthought and not as the progenitor of his exegesis of Genesis 9:18. Additionally, despite the similarities between the *Tanhuma* and

Library in New York City has an original 1879-1880 edition of the *Ha’amek Davar* and the exegesis that is under discussion – and that Cooperman claimed is based on Midrash Tanhuma Yashan – is already found therein.

Chapter Three: Three Features of “Ha’amek Davar”

his own exegesis, one can not conclude that it was the source for his exegesis to Genesis 9:19. The assumption is that Berlin would not have cited *Onkelos* if the Midrash Tanhuma was what really inspired his interpretation.

Until now, the source for Berlin’s exegesis of the word וִיִּהְיוּ, “they were,” that appears in Genesis 9:18 has been discussed. The possibility that it was inspired by *Onkelos*, Nahmanides or the Midrash Tanhuma was rejected. What Berlin did in Genesis 9:18 was correlate a variation of the verb הָיָה, “to be,” with a distinctive and continued existence. The three essential typologies represented by Noah’s children, Berlin explained, continue to exist forever.

According to Jastrow’s dictionary,³³ the words הָיָה, הָוִיָּה, or הָוִיָּה mean “existence, status, condition, stability” and the phrase בְּהָוִיָּתָהּ תִּהְיֶה means “it shall remain in its status.”³⁴ Clearly, Berlin was trying to extrapolate this meaning from the word וִיִּהְיוּ, “they were.” Below it is explained that to arrive at his exegesis Berlin applied a hermeneutic already present in the rabbinic literature. (If this was not the case, then it may have been more difficult to argue that Berlin did not adapt his hermeneutic from the Midrash Tanhuma or even *Onkelos*.)

Placing the “וִיִּהְיוּ,” ‘They were,’ Hermeneutic: Berakhot 13a

The Babylonian Talmud in Berakhot 13a, extrapolated from the Hebrew verb הָיָה, “to be,” a state of continued distinctiveness.

³³ Marcus Jastrow *A Dictionary of the Targumim, the Talmud Babli and Yerushalmi, and the Midrashic Literature* (New York: Pardes, 1950).

³⁴ *Ibid*, 338.

Chapter Three: Three Features of “Ha’amek Davar”

ק[ריאת] ש[מע] ככתבה דברי רבי וח[כמים] א[ומרים] בכל לשון מ[אי]
ט[עמא] דרבי אמר קרא "ויהיו" בהוייתן יהו ורבנן מ[אי] ט[עמא] אמר
קרא "שמע" בכל לשון שאתה שומע (תלמוד בבלי ברכות יגא)

The recitation of the *Shema*³⁵ [should be] as it is written [i.e., in Hebrew,] these are the words of Rebbi. The Sages say that [the recitation of the *Shema* may be] in any language. What is the reason of Rebbi? Scripture states “They will be” (ויהיו) [Deuteronomy 6:6] means as they are, they will be [i.e., as they are now in Hebrew they should remain forever in Hebrew.] And what is the reason of the Sages? Scripture states *Hear* (שמע) [[Deuteronomy 6:4]; this teaches that the *Shema* may be recited] in any language that you understand. (Babylonian Talmud Berakhot 13a)

The similarity between Rebbi’s exegesis above, and Berlin’s comment to Genesis 9:18 is immediately apparent:

ויהיו בני נח: אלה בני נח מיבעי, אלא "ויהיו" משמעו דשלשה הווין
הווין בעולם... (העמק דבר ט:יח)

The sons of Noah (they) were: Scripture ought [to have written] “These are the sons of Noah,” rather “They were” (ויהיו) suggests that three proto-types came about in the world...(Ha’amek Davar to Genesis 9:18)

In the excerpt from Tractate Berakhot, the rabbis debated whether the liturgy of the *Shema* must be recited in Hebrew. Rebbi, who thought it must, based his position on the phrase in Deuteronomy 6:6 והיו הדברים האלה, which is translated literally as “These things, they will be...” Rebbi argued that the words “they will be,” teach that the liturgical language of the *Shema* can never change. Since the *Shema* first appeared in Hebrew, forever more it can be recited only in that language.

Berlin appropriated this rabbinic hermeneutic that the Talmud applied to Deuteronomy 6:6 and applied it to Genesis 9:18. In the Talmud, a derivative of the

³⁵ The declaration of God’s unity and a central part of the Jewish liturgy.

Chapter Three: Three Features of “Ha’amek Davar”

Hebrew verb הוה, “to be” was used to teach that the *Shema* must continue to be recited in Hebrew, while Berlin used a different derivative of הוה, “to be,” to teach that three essential proto-types represented by Noah’s three sons inhabit the world and would continue to do so. Furthermore, the Talmud used this hermeneutic in legalistic contexts exclusively and Berlin used it to present a geo-political interpretation of Genesis 9:18, a decidedly non-legalistic context.

Other Examples of the “ויהיו,” “They were,” Hermeneutic

The word ויהיו, “they were,” appears in the Torah forty-five times, and on seven occasions Berlin deduced something from it.³⁶ Of these seven instances, he almost always cited Genesis 9:18 as a justification for learning something additional from the word “ויהיו,” “they were.” For example, Genesis 36:11 reads:

ויהיו בני אליפז תימן אומר צפו וגעתם וקנו (בראשית לו:יא)

The children of Eliphaz were: Teman, Omar, Zepho, Gatam and Kenaz. (Genesis 36:11)

And in *Ha’amek Davar* Berlin wrote:

ויהיו בני אליפז: תיבת "ויהיו" מיותר, וכן להלן "אלה היו בני בשמת" (בראשית לג:יג) תיבת "היו" מיותר, וכן להלן "ואלה היו בני אהליבמה" (בראשית לו:יד)

ועיין מ[ה] ש[כתבתי] לעיל ט' י"ח וכ"ה ג' שבכ[ל] מ[קום] יש בזה כונה. והנה כבר דקדקו ח[כמינו] ז[כרונם] ל[ברכה] דכתיב "נפשות ביתו" (בראשית לו:ח) שלא נתאחדו בני עשיו, עיין ר[בי] ש[למה] י[צחקי] להלן מ"ו כ"ז, והודיע הכתוב בכ[ל] ז[ה] שהיו כל אלה לזרע בפ[ני] ע[צמם], ורק באיזה משך ישבו כולם בהר שעיר, ואח[ר] כ[ך] נתפרדו הרבה כמו עמלק וזרע צפו הלכו לכתים, ומהם היו גבורי רומי כידוע, ותימן הלך לארץ תימן וכתוב "וחתו גבוריך [תימן] עובדיה א:ט],

³⁶ Genesis 9:18, 36:11, 36:22, 46:12; Numbers 1:20, 3:17 and Deuteronomy 10:5

Chapter Three: Three Features of “Ha’amek Davar”

וכן הרבה שלא ידענו, מש[ום] ה[כי] כתיב "היו", שהיו בני אליפז ב[פ] [ני]
ע[צמם] ובני בשמת ב[פ] [ני] ע[צמם] ובני אהליבמה ב[פ] [ני] ע[צמם]
(העמק דבר בראשית לו:יא)

The children of Eliphaz were: the word “they were” (ויהיו) is redundant and so too later on “They were the children of Bosmat” (Genesis 36:13), the word “They were” (היו) is redundant and so too later on “These are the children of Ohalibama.” (Genesis 36:14).

See what I wrote earlier to (Genesis) 9:18 and 25:3 that in each place [that the word ויהיו “they were” occurs] there is a rationale. Behold, our Sages, may their memory be a blessing, already inferred that [since Scripture] writes “the souls of his house” (Genesis 36:8) that [this means that] the children of Esau were not united, see Ra[bbi] Sh[lomo] Yitzhaki] later to[Genesis] 46:27.³⁷ Scripture informs us in all of this that all these descendants [of Esau] were lineages separated [from one another], and that it was only during an extended period that they all settled at Mt. Seir and afterward they very much separated (just) like Amalek and the descendants of Zepho [who] migrated to Kittim; and it is known that from them [came forth the] the brave of Rome.³⁸ Teman went to the land of Teman as Scripture says “Your warriors shall be frightened, [Teman]” (Obadia 1:9) and many others [of the descendants of Esau who established themselves in various places] that we are not aware of. For this reason Scripture states *they were* (ויהיו) [to teach us] that the children of Eliphaz were separate and the children of Bosmat were separate and the children of Oholibama were separate. (*Ha’amek Davar* to Genesis 36:11)

In this excerpt Berlin used the word ויהיו, “They were,” to teach that the children of Esau were not a unified entity; rather each of Esau’s descendants was separate and distinct.

³⁷ In most editions of Rashi these comments are found to Genesis 46:26, but see *Rashi Ha-Shalem: Bereishit III* (Jerusalem: Ariel, 1990), 127 n18.

³⁸ From ancient times the Jewish imagination imagined Esau, Amalek and Rome as being interrelated. See James Kugel, *The Bible As It Was* (Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 1997), 206-207. And Louis H. Feldman, *Remember Amalek: Vengeance, Zelotry and Group Destruction in the Bible According to Philo, Pseudo-Philo, and Josephus* (Cincinnati: Hebrew Union College Press, 2004), 54-83.

Chapter Three: Three Features of “Ha’amek Davar”

This particular interpretation is similar to Berlin’s exegesis of Genesis 9:18 where he taught that Noah’s three sons were different and implied that their differences would remain entrenched in the world.

Yet, Berlin’s interpretation of Genesis 36:11 also differed from his interpretation of Genesis 9:18. In Genesis 36:11, Berlin was reinforcing an idea that was mentioned by the ancient rabbis. Elsewhere they taught that the house of Esau was divided; Berlin just provided another way to arrive at this same conclusion.³⁹ This is different from his comments to Genesis 9:18 where he used an ancient rabbinic method to arrive at a conclusion that later exegetes (like Abravanel) had already put forward.

In *Ha’amek Davar* to *Bamidbar* 3:17 there is another interpretation involving the word ויהיו, “they were.” *Bamidbar* 3:17 reads:

ויהיו אלה בני לוי בשמתם גרשון וקהת ומררי (במדבר ג:יז)

These (they) were the sons of Levi according to their names: Gershon, Kehat and Merari. (Numbers 3:17)

Berlin wrote:

ויהיו וגו' [מר] בשמותם: תיבת "ויהיו" מיותר, ועי' [ין] מ[ה] שכ[תבתי]
בספר בראשית ט' י"ח, אלא בא ללמד שבני לוי נזהרו להיות בשמותם
שהיו נקראו, ולא כשאר שבעים שבטים שכתב נשתנה כמבואר בפרשת פינחס
(העמק דבר במדבר ג:יז)

(They) were...according to their names: The word[s]
They were is redundant. See what I wrote to the book of

³⁹ Berlin himself pointed this out by directing the reader to Rashi’s comments to Genesis 46:27. In his comments to Genesis 46:27, Rashi wrote: מצאתי בויקרא רבה עשו שש נפשות היו לו והכתוב קורא אותן נפשות ביתו (בראשית לו:ו) לשון רבים לפי שהיו עובדין לאלהות הרבה יעקב שבעים היו לו והכתוב קורא אותן נפש לפי שהיו עובדים לאל אחד “I found in Leviticus Rabbah [4:6] that Esau had six people [in his family] and Scripture calls them “the people of his house” [Genesis 36:6], in the plural, because they served many gods, Jacob had seventy [people in his family] but Scripture calls them “person” [in the singular] because they worshipped one God.”

Chapter Three: Three Features of “Ha’amek Davar”

Genesis 9:18. Rather, it comes to teach [us] that the children of Levi were careful to maintain the names that they were called. Unlike the other tribes, many [of whom] changed [their names] as was explained in the portion of *Pinhas*.⁴⁰ (*Ha’amek Davar* to *Bamidbar* 3:17)

The rabbis speculated about the extent to which the Israelites followed Egyptian culture. They attributed the redemption of the Israelites from Egypt to the belief that they maintained an identity that was separate from their Egyptian task-masters.⁴¹ They also developed the idea that the tribe of Levi did not sin or suffer as much as the other tribes.⁴² Berlin reinforced these rabbinic ideas by employing a rabbinic hermeneutic. Similar to his method in Genesis 36:11, in Genesis 3:17 Berlin imported a hermeneutic in order to strengthen a pre-existing rabbinic idea.⁴³

Missed Opportunities

Berlin insisted that each occurrence of the word ויהיו, “they were” had the potential to teach something. However, there are verses that contradict his appropriation of a hermeneutic that understands ויהיו, “they were,” as describing a continuous and distinct existence. Conversely, there are verses that could have been adapted to such a hermeneutic very easily but were not and below an example of each one is presented.

The first time the word ויהיו, “they were,” is found in the Torah is in Genesis 2:25

ויהיו שניהם ערומים האדם ואשתו ולא יתבוששו (בראשית ב:כה)

⁴⁰ I was unable to locate what Berlin was citing.

⁴¹ See for example *Leviticus Rabbah*, 32:5.

⁴² See for example *Babylonian Talmud*, Tractate *Yoma* 67b

⁴³ I was unable to find a rabbinic source for that tradition of the tribe of Levi not changing their name. For Berlin’s suggestion why the Rabbis concluded that the Israelites did not follow Egyptian custom, see *Ha’amek Davar* to *Exodus* 2:19.

Chapter Three: Three Features of “Ha’amek Davar”

The two of them (they) were naked, the man and his wife
and they were not ashamed. (Genesis 2:25)

If Berlin is correct, then each occurrence of the word ויהיו, “they were,” presents an opportunity to learn something, as he wrote:

תיבת "היו" מיותר... וע' [יין] מ[ה] ש[כתבתי] לעיל ט' י"ח... שבכ[ל]
מ[קום] יש בזה כוונה. (העמק דבר בראשית לו:יא)

The word[s] “They were” (ויהיו) is redundant...see what I wrote earlier to (Genesis) 9:18...that in each place [that it appears] there is a reason. (*Ha’amek Davar* to Genesis 36:11)

If so, one must ask what the word ויהיו, “they were,” in Genesis 2:25 teaches. In this instance, one could not interpret it along the lines of בהויתן יהא, “they remained as they were” for that would mean that the first couple were forever distinguished by remaining in a state of undress and Genesis 3:7 discounts such a possibility:

ותפקחנה עיני שניהם וידעו כי עירמים הם ויתפרו עלה תאנה ויעשו להם
חגרת (בראשית ג:ז)

The eyes of both of them opened and they knew that they were naked and they sewed a fig leaf and made belts for themselves. (Genesis 3:7)

Thus, in this instance, it is difficult to know how to apply Berlin’s idea that each time the word ויהיו, “they were,” appears it has some special significance.⁴⁴

In Genesis 29:20, Scripture recounted how Jacob toiled for his wife, Rachel.

ויעבד יעקב ברחל שבע שנים ויהיו בעיניו כימים אחדים באהבתו אתה
(בראשית כט:כ)

Jacob worked for Rachel for seven years, and they were in his eyes like a few days, so did he love her (Genesis 29:20).

⁴⁴ Admittedly, Berlin did not write explicitly that each occurrence of the word “ויהיו,” “they were,” had to teach “בהויתן יהא,” “they should remain as they are.”

Chapter Three: Three Features of “Ha’amek Davar”

This verse is worthy of Berlin’s appropriation of the Talmudic hermeneutic. It could teach that Jacob never regretted his decision to work hard for Rachel. In fact, his entire life he felt that he had but worked but a few days for her. Yet, Berlin did not use this opportunity to apply the hermeneutic that he had successfully applied elsewhere.

Connecting Scripture to the Rabbis: The Purpose of Rabbinic Proof Texts

Overview of the Feature

This chapter analyses Berlin's recourse to rabbinic literature. What will be studied specifically is his habit of reinforcing an interpretation or remark with an excerpt from the rabbinic literature, even in an instance where that interpretation could stand independently. One can argue that in the case of traditional religious writing, the reason for a later figure to quote an earlier source is to lend credence to his own viewpoint. However, in *Ha'amek Davar*, even Berlin's creative interpretations that did not need any support still cited rabbinic proof texts. Below it is argued that sometimes Berlin cited a rabbinic proof text not to affirm his own interpretations, but rather, to promote the insight and approach of the ancient rabbis.

Judging Others: Making Sense of Avot 2:4

Berlin thought that much could be learned from the way Noah's sons, Shem, Ham and Japhet, reacted to the drunkenness of their father. According to him, this episode is revealing, because the three brothers were in the same quagmire: what to do with their naked, drunken father. Because the three brothers faced the same predicament at the same time, their behaviour could be evaluated objectively.

ויחל נח...יש לפרש "ויחל נח" (בראשית ט:כ) שמספר האיך הגיע הענין
להפריד שלשה אחים בטבעם. ואם היו מעשיות של כל א[חד] נפרדים לא
כ[ך] כמה המה נפרדים, שהרבה השעה גורמת...(העמק דבר בראשית
ט:כ)

Chapter Three: Three Features of “Ha’amek Davar”

And Noah began:...One [can] explain [the verse] “Noah began” (Genesis 9:20) that tells [us] how the notion to differentiate among the three brothers according to their nature. If the actions of each one [of the brothers] were different [in their context] then how separate [Shem, Ham and Japhet] were would not be so noticeable, for circumstance [i.e., the context] causes much [of a person’s behaviour]... (*Ha’amek Davar* Genesis 9:20)

In this excerpt, Berlin argued that the episode of the brothers’ reaction to their father’s state is valuable, because it serves as a lens through which the reader can evaluate the real differences between the brothers. Since each brother faced the same situation at the same time, the context for their behaviour was the same and therefore their actions can be attributed to their essential nature. Although this comment is understandable, Berlin did not let it stand unaided by the rabbinic literature. He continued:

ויחל נח:.... וכמאמר ח[כמינו] ז[כרונם] ל[ברכה] [אבות פ[רק] ב] "אל תדין את חברך עד שתגיע למקומו", אבל בזה הענין שהזדמן מקרה א[חד] לפני שלשתם באופן א[חד] והראה כל אחד טבעו. ע[ל] כ[ן] נעשה רושם בכל א[חד] לעולם כי הוא מוכשר וראוי להיות כן... (העמק דבר בראשית ט:כ)

And Noah began:...and like the statement of our Sages of blessed memory [Avot 2:4] “Do not judge your friend until you arrive in his situation,” but in this incident that the one thing happened to all three of them, in one way, (and) [through this] each one displayed his nature. Therefore, it made an impact on each one of them forever that he is appropriate and fitting to be like this... (*Ha’amek Davar* Genesis 9:20)

The Mishna that Berlin quoted is from Avot 2:4

הלל אומר... (ו)אל תדון את חברך עד שתגיע למקומו... (פרקי אבות ב:ד)

Hillel said...[and] do not judge your friend until you arrive in his situation. (Avot 2:4)

Chapter Three: Three Features of “Ha’amek Davar”

Understood literally, this mishna leads one to conclude that it is almost always forbidden to cast judgement upon anyone.⁴⁵ Sensing that this was impractical, Berlin limited the scope of the mishna to cases of a lone individual facing a unique situation. He claimed that the intention of the mishna was only to forbid rendering judgment in such cases. However, he felt that it was permitted to compare, contrast and ultimately judge many individuals who faced the same predicament, even if the precondition of “until *you* arrive in his predicament” had not been met literally. For this reason it was legitimate to “compare, contrast and ultimately judge” the behaviour of Noah’s three sons.

Berlin did not quote from Avot to aid his interpretation. His remark that the three brothers faced the same predicament was not enhanced by Hillel’s statement. Rather, Berlin’s incorporation of the mishna only served to facilitate greater understanding of the mishna. Yet, he decided to include his explication of the mishna in the commentary

⁴⁵ The problem with suspending judgment on a majority of individuals (unless one has personally experienced their predicament) is that it is impractical. While many commentators stressed the ethical lesson to be learned from this *mishna*, they failed to interpret it in a manner that allows one to hold judgment against anyone while still being faithful to the meaning of the text. Berlin attempted to solve this problem through a minimalist reading. He claimed that the *mishna* was only warning against casting judgment on a single individual in a specific situation, however, when there is more than one individual in a specific situation, it is permissible to compare, contrast and ultimately judge them against one another, and this is exactly what Berlin sought to do to Noah’s three sons. The medieval talmudist Menahem Meiri also deflated the paralysing effect of this *mishna* by limiting its scope to the initial positive judgments one makes of others – more specifically, heathens. His comments on the subject are worth quoting in full וקצת... רבתי פי' [רשן] לי ואל תדין את חבריך כו' [ליה] שאם ראית אדם נכרי בעירך ואתה רואהו מסולסל ומתהדר ומתראה במדות חשובות, אל תעמד הדין בעצמך לדונו כמוחזק באותם הדברים, עד שתגיע למקומו שהוא דר בו, ותראה הנהגותיו במקומו, אם "And some of my teachers explained 'And do not judge your friend' etc. If you saw a heathen person in your city and you saw him well-mannered and glorious and appearing with respectable traits, you yourself should not make judgement to decide for yourself that he is in possession of those qualities, until you arrive at his [geographical] place, and if [his qualities "at his place" are] consistent with them [i.e. those qualities he showed outside of "his place"]], then you can judge him as such. (As) many low-lives and ordinary people show their horns [positive traits] in another place and make themselves pious and act in a way that they are really not." Menahem Meiri, *Peirush Ha-Mishna Le-Ha-Meiri*, Vol. V, edited by Menahem Mendel Meshi-Zahav (Jerusalem: Davar, 1974), 200.

Chapter Three: Three Features of “Ha’amek Davar”

proper and not in its appendix, *He-Reheiv Davar*. In light of what Berlin wrote in *Kidmat Ha-Amek* this is noteworthy.

...ובאיזה מקומות הגיע להשכיל ולהוסיף לקח בהלכה ע[ל] פ[י] העמקה בדבר ה'. ולמען לא יהיו למשא ולהעתרת דברים לפני הבא להבין הפרשה במקומה לבד. ע[ל] כ[ן] הבדלתי הרבה ענינים מגוף החיבור. וקראתי אותם בשם הרחב דבר. (קדמת העמק יא')

...and in certain places they came to enlighten and add knowledge in *halakha* by account of delving into the word of God. In order that this should not be a burden and extraneous material before [the person who] has come to understand only the passage in its [correct] place, therefore I have separated many ideas from the body of the work and have called them *He-Reheiv Davar*. (*Kidmat Ha-Amek* 11)

According to this, only legalistic novella ought to have been included in *He-Reheiv Davar* but this did not happen and even the briefest perusal of *He-Reheiv Davar* will quickly reveal non-legalistic discussions and digressions.⁴⁶ It remains for another study to analyse whether Berlin had a clear demarcation or criterion that distinguished *Ha’amek Dvar* from *He-Reheiv Davar*. Perhaps what Berlin felt was critical to the unarticulated mission of his commentary was included in the commentary proper. Therefore, he decided to include his explanations and apologetics for the rabbinical literature inside the commentary as this was crucial to what he wished to accomplish.

Softening Callous Rationalism: Learning from the Intermediary

Scripture described the reaction of Shem and Japhet to the sight of their drunken, naked father:

⁴⁶ An example of a comment found in *He-Reheiv Davar* that is not *halakhic* (and deals with the verses discussed in this thesis) is *He-Reheiv Davar* to Genesis 9:25.

Chapter Three: Three Features of "Ha'amek Davar"

ויקח שם ויפת את השמלה וישמו על שכם שניהם וילכו אחרנית ויכסו את
ערום אביהם ופניהם אחרנית וערום אביהם לא ראו (בראשית ט:כג)

Shem and Japhet took the blanket and placed it on the
shoulder of both of them, and they walked backwards and
covered the nakedness of their father; but their faces were
backward and they did not see their father's nakedness.
(Genesis 9 :23)

Midrash Tanhuma wondered about Scripture's choice of the singular form ויקח, which
literally means "he took" since subject of the verb is plural (both Shem and Japhet).⁴⁷

ויקח שם ויפת: "ויקחו" לא נאמר אלא "ויקח" מלמד ששם נתחזק תחלה
במצות. (מדרש תנחומא פרשת נח טו)

Shem and Japhet took: "They took" was not said, but "he
took" to teach that Shem was first to strengthen himself in
Mitzvot (commandments). (*Midrash Tanhuma: Parshat
Noah* 15)

Genesis Rabbah made a very similar comment although it did not discuss the same
syntactical difficulty:

ויקח שם ויפת את השמלה: א[מר] ר[בי] יוחנן שם התחיל במצוה
תחלה ובא יפת וגשמו לו... (בראשית רבה לו:ו)

Shem and Japhet took the shirt: Rabbi Yohanan said
"Shem began with the *mitzvah* first and Japhet came and
listened to him"...(Genesis Rabbah 36:6).

Of these two midrashic interpretations, the medieval exegete, R. Shlomo Yitzhaki
(Rashi), in

his comments to Genesis 9:23, probably relied on the *Midrash Tanhuma* when he wrote:

ויקח שם ויפת: אין כתיב "ויקחו" אלא "ויקח" לימד על שם שנתאמץ
במצוה יותר מיפת... (רש"י בראשית ט:כג)

⁴⁷ Modern scientific scholarship, and medieval *peshat* exegesis, would disagree with this grammatical assessment. In Biblical Hebrew it is normal for verbs that appear at the beginning of a sentence to be in the singular form, even when their subject is plural.

Chapter Three: Three Features of “Ha’amek Davar”

Shem and Japhet took: It is not written “they took,” but “he took,” this teaches [us] that Shem put more effort in the *mitzvah* than Japhet...(Rashi to Genesis 9:23)

This comment of Rashi suggested that the difference between Shem and Japhet was quantitative: while both tried to cover their father’s nakedness, one tried harder than the other. This interpretation differed from the account found in Genesis Rabbah where Shem played the role of a teacher to Japhet who “came and listened to him.”

Berlin began by quoting Rashi.

ויקח שם ויפת: כבר פירש ר' [בי] ש' [למה] י' [צחקי] בשם ח' [כמינו]
ז' [כרונו] ל' [ברכה] שהתאמץ שם במצוה יותר מ'פת (העמק דבר בראשית
ט:כג)

Shem and Japhet took: Ra[bbi] Sh[lomo] Yi[tzhaki] already explained in the name of our Sages of blessed memory that Shem put more effort into the *mitzvah* than Japhet. (*Ha’amek Davar* to Genesis 9:23)

Berlin then wondered why Shem put more effort into the *mitzvah* (commandment) of covering his father than did his brother Japhet. He also asked how the rabbinic literature could conclude that Shem tried harder to cover his father than his brother.

ויקח שם ויפת: ... אמנם לא נתבאר סיבת ההתאמצות היתירה ובמה ניכרת
ההתאמצות. (העמק דבר בראשית ט:כג)

Shem and Japhet took:...However, the reason for the extra effort that [Shem put into covering his father] and how [this extra effort] is apparent was not explained. (*Ha’amek Davar* to Genesis 9:23)

In trying to explain why Shem exerted himself more than his brother, Berlin contradicted the account provided by Genesis Rabbah which had portrayed Shem as the teacher of

Chapter Three: Three Features of “Ha’amek Davar”

Japhet.⁴⁸ He also deviated from the account found in Midrash Tanhuma that portrayed Shem as having taken the lead in trying to cover his father. Berlin claimed that both Shem and Japhet understood that their father’s nakedness needed to be covered; in this respect, the brothers were equally informed and neither one was more moral than the other.

ויקח שם ויפת:... אבל נראה, דלכן לקחו שניהם, משום דלא היה אפשר
לכסותו בכבוד אם לא שיעשו שניהם, ואם היה אפשר לעשותו ביחיד לא
היו עושים שניהם אלא שם לבדו, ולא משום שהרגשו של שם היה חזק
יותר, אלא משום דשם היה הרגשו משום מצוה, והכלל במצווה שטוב
לעסוק בעצמו יותר מבשלוחו, מ[ה] שא[ין] כ[ן] יפת שהרגשו היה מצד
שכל אנושי, שלא יהיה האב מוטל בבזיון, על כן אין שום שכל אנושי
נותן לעשות בעצמו, ומה לנו אם ע[ל] י[די] עצמו או ע[ל] י[די] אחר
והיינו דכתיב "ויקח שם", ולא כתיב "ויקחו שם ויפת", אלא מתחלה נסה
שם בעצמו לוקח אולי יוכל לכסות, וכאשר ראה שלא יתא נעשה יפה
הצטרף יפת ג[ם] כ[ן] (העמק דבר בראשית ט:כג)

Shem and Japhet took:...However, it appears that (therefore) they both took [the blanket] because it was not possible to cover him [i.e., Noah] with dignity if they both did not act. If it was possible for one person to act [i.e., to cover Noah] then both of them would not have acted, rather Shem alone [would have acted,] and not because the sensitivity of Shem was greater but because [in the case] of Shem, his sensitivity was due to [that fact that covering his father was] a *mitzvah* [i.e., a commandment] and the rule [as far as] a *mitzvah* is concerned is that it is better to busy oneself with [a *mitzvah*] than to [appoint] an intermediary [to fulfil it]. Unlike Japhet whose sensitivity was only due to his human intellect that [understood] that [his] father

⁴⁸ Admittedly, Genesis Rabbah does not necessitate the role of Shem as “teacher” and Japhet as “student.” Indeed, Genesis Rabbah did not reveal what transpired between Shem and Japhet, just that Japhet listened to whatever Shem told him. (All the standard commentaries found in the Vilna edition of the *Midrash Rabbah* were silent as to what transpired.) Berlin claimed that both Shem and Japhet equally understood the moral repugnancy of their drunken father lying naked. According to Berlin, what distinguished Shem was the sense of personal responsibility for rectifying the situation and this sensitivity is something his brother did not possess. Shem sought to cover his father himself, but apparently this task was too arduous for him and so then Japhet came and helped him. Thus, one is able to fit Berlin’s account of what transpired into *Midrash Rabbah* by claiming that Shem merely reported to Japhet that he was unable to cover his father and that he needed his brother’s physical help, and upon hearing this, Japhet agreed.

Chapter Three: Three Features of “Ha’amek Davar”

should not be left in degradation, (therefore) there is no human intellect that can [arrive at the conclusion] that it is better to act oneself [i.e., and not through a mediatory], for what [difference] is it if [the correct thing] is done through oneself or through another [person,] and this is why it is written “Shem took” and not written “Shem and Japhet took” because at first Shem himself tried to take the blanket [to see if] perhaps [alone] he could cover [his father,] and when he saw that it would not be done properly then Japhet also joined [him].

According to this excerpt, Shem had no intellectual advantage over Japhet, and they shared the same moral sensibilities, where they differed was the realm of personal responsibility. Shem felt that he must act, he felt that he himself was personally responsible to fix the situation. This contrasts with the response of Japhet who did not feel personally obliged to rectify the situation, he only understood that the situation needed to be rectified. According to Berlin, while Japhet can discern right from wrong, he did not understand why he, more than anyone else, should ameliorate the unhappy situation.

Berlin’s pretext that drove him to create this schism in the attitudes of Shem and Japhet was his wish to promote the world of *halakha* (Jewish law). When Berlin wished to explain the difference between Shem and Japhet, he quoted a principle from the world of *halakah*. Even in an instance where Jewish law permits appointing an agent to fulfill a commandment on one’s behalf, it is still considered better to fulfill the commandment oneself and not to rely on an agent.⁴⁹ Because he lacked the divine wisdom of Jewish law,

⁴⁹ Cooperman did not cite a source for this principle. It is found in the Babylonian Talmud, Tractate Kiddushin 41a. Interestingly, Rashi’s gloss to Kiddushin 41a (s.v. *מצוה בו יותר מבשלוחו*) explained the advantage of carrying out the *mitzvah* oneself is *דכי עסיק גופו במצות מקבל שכר טפי*, “It is more of a *mitzvah* through him than through his intermediary: For when he physically involves himself in *mitzvot* he receives

Chapter Three: Three Features of “Ha’amek Davar”

Japhet was unable to arrive at such a conclusion. Because he was not privy to *halakha* he failed to feel any personal responsibility toward covering his naked father.

In this case, the Midrash Tanhuma, via Rashi, offered a statement about Shem and Japhet. Berlin built upon it and created an ethical distinction between Shem and Japhet. Berlin’s interpretation did not need to be buttressed by the world of *halakah*. For Berlin Japhet’s rationalism was so extreme that he lacked the natural instinct to cover his father’s nakedness. Such behaviour is sufficiently callous to most ears and could have existed independent of any insight or addition from the rabbinic world. Yet, Berlin insisted on quoting the rabbis to impress upon his readers that Japhet’s intellect could gain from internalising the principles and precepts of the *halakha*. For Berlin, only *halakha* and a rabbinic outlook can imbue one with a sense of personal responsibility. Thus, under the guise of buttressing his own exegesis, Berlin cited a *halakhic* rule in order to strengthen it, and the *weltanschauung* that held it dear.

a greater reward.” Rashi’s full comments to Genesis 9:23 belabours the fact that Shem, Japhet and Ham each received different rewards. Berlin could have easily connected his interpretation with Rashi’s (whom he quotes at the beginning of his own comments). The fact that he did not, strengthens my hypothesis that here Berlin’s central concern was to establish the superior value of traditional Jewish principles; this pretext was his primary goal. Ostensibly, he was viewing Japhet’s callousness via a rabbinic principle. However, in my opinion, his real interest was to draw attention to the truth of the principle and it was Japhet’s behaviour that “proved” the veracity of rabbinic insight.

Chapter Four: *Ha'amek Davar* and History

	<i>Page</i>
Introduction	101
Noah's Curse, Slavery and the Emancipation of the Serfs	103
Between Noah's Curse and Divine Decree: Slavery as a Natural Instinct	103
Jewish Responses to the Emancipation of the Russian Serfs	113
Two Explanations for Berlin's Stance on Slavery	116
Additional Evidence: A Letter of R. Abraham Isaac Kook	122

Introduction

Ha'amek Davar grew out of a daily class that Berlin taught at the yeshiva in Volozhin and therefore, when reading *Ha'amek Davar* it is important to remember that it was originally formulated for a youthful, idealistic and impressionable audience. *Ha'amek Davar* contains a didactic element related to the fact that Berlin was arguably a pedagogue above all else, and perhaps his real magnum opus was the yeshiva *Etz Hayyim*. At the end of *Kidmat Ha-Amek*, Berlin's introduction to *Ha'amek Davar*, he paid tribute to the yeshiva students who would gather daily to hear him expound that week's Torah portion. In humility and piety he attributed the success of *Ha'amek Davar* to the old-fashioned merit of teaching a multitude of people.

...וזכות הרבים עמדה לי שפירשתי בכל יום הפרשה לפני היושבים לפני
ה' בית התלמוד עץ החיים....(קדמת העמק ה')

The merit of the community stood by me as I explained
each day the [weekly Torah] portion before those who sit
before God [in the] house of study *Etz Ha-*
Hayyim...(Kidmat Ha-Amek V)

What Berlin did not divulge is the extent to which *Ha'amek Davar* charted, and tried to inform, the current affairs that would have been mulled over by the multitude of students he taught. A class on the weekly Torah portion is an excellent forum in which to present “correct” views about current affairs – and almost anything else. Professor B. Barry Levy introduced the category of “pretext” into the lexicon of Jewish Bible Interpretation. “*Pretext*,” he wrote, is the use of a passage for intentions other than those

Chapter Four: Ha'amek Davar and History

outwardly expressed in it.”¹ The concept being that sometimes an exegete will use a text for a purpose that the text itself did not intend. Below it is argued that Berlin believed slavery was a trait inherent to a portion of humankind. This position is especially interesting when one considers the emancipation of the Russian Serfs.

¹ B. Barry Levy “The State and Directions of Orthodox Bible Study” in Shalom Carmy (editor), *Modern Scholarship in the Study of Torah: Contributions and Limitations* (New Jersey: Jason Aronson, 1996), 45.

Noah's Curse, Slavery, and the Emancipation of the Serfs

Between Noah's Curse and Divine Decree: Slavery as a Natural Instinct

According to the Bible, Noah invoked a curse of slavery upon his grandson Canaan.

ויאמר ארור כנען עבד עבדים יהיה לאחיו ואמר ברוך ה' אלקי שם ויהי
כנען עבד למו (בראשית ט:כה)

[Noah] said "Cursed be Canaan! The lowest of slaves shall he be to his brothers." And he said "Blessed be the God of Shem; Let Canaan be a slave to them. (Genesis 9:25)²

The straightforward reading of this verse suggests that Canaan became a slave as a result of Noah's curse, but it is not clear that Berlin understood the verse this way. For him, Canaan's descendants were ontologically different from the rest of humankind. The difficulty is whether Berlin believed Canaan became different as a result of the curse of Noah or whether he thought that, even prior to the curse of Noah, Canaan possessed the character of a slave.

In one text Berlin insisted that inherent to Canaan and his descendants was – and presumably remained – a subservient nature and this nature eased their entry into a life of servitude. This is why the rabbis chose the term עבד כנעני, "Canaanite slave," as the generic term for all gentile slaves, regardless of their race-line.³

עבד עבדים: באמת גם מזרע שם ויפת נמכרו כמה לעבדים, או נשבו
במלחמה וכדומה, וכן להיפך לא כל בני כנען המה עבדים, והרי כמה
אומות גדולות יצאו ממנו, אלה הקללה היא אשר מי שיגיע לזה להיות
עבד יהא מסוגל לזה, כאשר הוא מזרע עבדים מלידה ומבטן ומהריון,

² This translation relies heavily on the revised version of the 1962 Jewish Publication Society of America translation *Tanakh: A New Translation of the Holy Scriptures According to the Traditional Hebrew Text* (Philadelphia: The Jewish Publication Society, 1985), 15.

³ The *locus classicus* about acquiring a Canaanite slave is Mishna *Kiddushin* 1:3.

Chapter Four: *Ha'amek Davar* and History

מ[ה] שא[ין] כ[ן] משם ויפת, אין זרעו מסוגל לזה, וגם בהיותו עבד רוחו הפנימית שואף להיות חפשי, וממילא אין נח להשתמש בו, וע[ל] י[די] השתדלות נעשה חפשי, ועל כן נקרא כל עבד עובד כוכבים עבד כנעני, באשר הוא המובחר שבעבדים, א[ף] ע[ל] ג[ב] שאינו מזרע כנען [העמק דבר בראשית ט:כה]

The Lowest of Slaves: While it is true that also from the seed of Shem and Japheth many were sold into slavery or were taken captive in war, etc. And likewise the reverse: not all of Canaan's progeny are slaves, and many great nations emerged from him. Rather, the curse is that someone [who is a descendant of Canaan] who ends up a slave will be well adjusted to it since he is from the seed of slaves from birth, the womb, and conception, he comes from the seed of slaves. This is not the case with Shem and Japheth, their seed would not be well-adjusted to this, and also when [one of them] is a slave his inner spirit longs to be free, and therefore it is not easy to use him them [as slaves] since if they try, they can become free. Therefore, each pagan slave (עבד עובד כוכבים) is called a Canaanite slave since they are the best kinds of slaves, even if he is not from the seed of Canaan. (*Ha'amek Davar* to Genesis 9:25)

In this passage, Berlin did not view slavery as a fundamentally unfair and oppressive social aberration. Rather, he posited that within some people – some races – there exists a natural instinct toward slavery. Indeed, one race – the descendants of Canaan – had the capacity to adjust to slavery better than others, and this is why in the rabbinic literature the generic term for all slaves is עבד כנעני “Canaanite slave.” This is also why for the descendants of Canaan, a life of servitude is more manageable than for other human beings.

Berlin's understanding of עבד כנעני “Canaanite slave” is novel. Rashi had a simpler and less judgmental explanation. He wrote:

Chapter Four: Ha'amek Davar and History

שכל עבדים נקראין על שם כנען משום דכתיב ביה [בראשית ט:כה] עבד עבדים. (ר[בי] ש[למה] י[צחקי] קדושין כבב ד[בור] ה[מתחיל] "נקנית בכל הני")

All slaves are named after Canaan, because it is written about him "The lowest of slaves." (Genesis 9:25) [Rashi Kiddushin 22b s.v. "acquired in all these ways."]

In other words, the only reason why the rabbinic literature referred to any (gentile) slave as an עבד כנעני, "Canaanite slave" is because the first slave was Canaan. According to this, the term עבד כנעני, "Canaanite slave," is not indicative of some ontological relationship between Canaan and slavery.

In Genesis 9:18 Canaan was mentioned together with Noah's three sons.

ויהיו בני נח היצאים מן התבה שם וחס ויפת וחס הוא אבי כנען
(בראשית ט:יח)

The sons of Noah who came out of the ark (they) were Shem and Ham and Japheth –Ham being the father of Canaan. (Genesis 9:18)

Berlin wondered why Canaan was the only grandchild of Noah mentioned in Genesis 9:18. To understand Berlin's interpretation it is helpful first to see how other exegetes, specifically those that Berlin read, dealt with this problem.

In *Kidmat Ha-Amek* Berlin revealed the commentaries that he read regularly:

ועל פי דקדוקי הפרשה באתי הרבה פעמים להבנת כל ענין באופן אחר ממה שראיתי בפירושי רבותנו הראשונים ז[כרונם] ל[ברכה] שהיה לפני. היינו חומש הר[ב] מ[שה] ב[ן] נ[חמן] ור[בי] ש[מואל] ב[ן] מ[איר] וספורנו ור[בי] אב[רהם] אבן ע[זרא] ושאר מפרשי התורה לא נפניתי לראות כי ספרים הרבה אין בזה קץ. (קדמת העמק ה')

And according to the details of the section I often came to understand the entire matter in a different way from what I saw in the commentaries of our early masters, of blessed memory, who were before me. That is the *Humash* [with

Chapter Four: *Ha'amek Davar* and History

the commentaries of] Rabbi Moshe ben Nahman [Nahmanides], Rabbi Shmuel ben Meier [Rashbam], [Obadiah] Sforno and Rabbi Abraham ibn Ezra. Other commentators I did not turn to see, for there are many books – they are endless. (*Kidmat Ha-Amek* V)

Therefore, before analysing any passage from *Ha'amek Davar* it is important to read at least those commentaries that Berlin had in front of him when he prepared for the daily lesson that became the basis of *Ha'amek Davar*.

Nahmanides discussed why Canaan was mentioned in Genesis 9:18. Before he offered his own explanation, he paraphrased the opinions of Rashi and Abraham Ibn Ezra, with whose opinions he disagreed.

והם הוא אבי כנען: פירש ר[בי] ש[למה] י[צחקי] לפי שהפרשה עסוקה
ובאה במשפחתו שקלקל בה חם, ועל ידו נתקלל כנען, ועדיין לא כתב
תולדות חם, הוצרך לומר שחם הוא אבי כנען. (רבי משה בן נחמן
בראשית ט:יח)

Ham being the father of Canaan: Ra[bbi] Sh[lomo]
[Yi][tzhacki] explained “Because this section goes on to
deal with Noah’s family,⁴ relating that Ham sinned and
through him Canaan was cursed, and since the generations
of Ham have not yet been mentioned [to let us know that
Canaan was his son], it was necessary to state here that
Ham is the father of Canaan.” (Nahmanides, Commentary
to Genesis 9:18)⁵

Rashi believed that the reason Canaan was mentioned in Genesis 9:18 was to alert the reader to who he was prior to his being cursed in Genesis 9:26. Nahmanides did not elaborate on why he rejected this explanation. In *Bereisit* 9:25, prior to Canaan being cursed, Ham was described as “Ham, the father of Canaan.” Therefore, perhaps

⁴ Charles Chavel pointed out that only the first edition of Rashi concurred with Nahmanide’s quotation and in later editions of Rashi, “drunkenness” replaced family. Charles Chavel, *Ramban (Nachmanides): Commentary on the Torah* Vol. I (New York: Shilo Publishing House, 1971), 139 n229.

⁵ Chavel, *Ramban (Nachmanides)*, 139.

Chapter Four: Ha'amek Davar and History

Nahmanides felt that there was no need to alert the reader to who Canaan was in Genesis 9:18.

While Canaan was cursed by his grandfather, Scripture never claimed that Canaan did anything wrong to his grandfather. Ibn Ezra, however, believed that Canaan did something reprehensible to his grandfather but Scripture did not record what it was. According to him, Ham the father only committed the lesser sin of telling his brothers about their father's nakedness. Canaan did something far worse and as a result he was cursed. According to this interpretation, Noah did not curse Canaan on account of his father's behaviour but on account of his own. This approach won Ibn Ezra Nahmanides' censure.

ורבי אברהם אמר כי חם ראה והגיד לאחיו, וכנען עשה לו רעה, לא גלה הכתוב, וזה טעם "את אשר עשה לו בנו הקטן", [בראשית ט:כה] כי כנען הוא הקטן לחם כאשר ימנה אותם "ובני חם כוש ומצרים ופוט וכנען" [בראשית י:ו] והנה עזב רבי אברהם דרכו בפשוטי המקרא והחל להגבא שקרים. (רבי משה בן נחמן בראשית ט:יח)

And Rabbi Abraham ibn Ezra said that Ham saw [the nakedness of his father] and informed his brothers, while Canaan did him the evil, the nature of which Scripture does not reveal, and this is the meaning of "And he knew what his youngest son had done unto him" [Genesis 9:24], because Canaan was the youngest of Ham's sons, as Scripture enumerates them "And the sons of Ham: Cush, and Mitzraim, and Phut, and Canaan" [Genesis 10:6]. [Ibn Ezra thus interprets "son" to mean "grandson."] Now here Rabbi Abraham ibn Ezra abandoned his method of explaining Scripture according to its plain meaning and began to prophesy contrary to the truth. (Nahmanides, Commentary to Genesis 9:18)⁶

⁶ Chavel, Ramban (*Nachmanides*), 139-140.

Chapter Four: Ha'amek Davar and History

In this excerpt, Nahmanides focused on Ibn Ezra's comments to Genesis 9:25, yet in his commentary to that verse Ibn Ezra did not explain why Canaan was mentioned alongside Noah's sons in Genesis 9:18. Therefore, to understand the difference between Nahmanides' position and Ibn Ezra's it is necessary to quote the latter's comment to Genesis 9:18.

והם הוא אבי כנען: ללמד ששניהם רעים, וכמעשה אבות יעשו
בנים... (אבן עזרא בראשית ט:יח)

Ham being the father of Canaan: To teach that both were bad and that what the father's actions are is an indication of what the children will do...(Abraham Ibn Ezra Commentary to Genesis 9:18)

According to Ibn Ezra, both Ham and Canaan acted inappropriately. Noah's grandson Canaan committed some unknown sin and his father Ham told his own brothers about their father's nakedness. Because father and son acted badly, therefore, in order to underscore the similarity of their behaviour, Genesis 9:18 mentioned them together.

Nahmanides did not accept the explanations of Rashi and Ibn Ezra, and he sought to offer his own reason why Genesis 9:18 mentioned Canaan.

והנכון בעיני כי חם הוא הקטן לנח כאשר פירשתי בראש הסדר וכנען הוא
הבן הגדול לחם ואשר אמר "ובני חם כוש ומצרים ופוט וכנען" [בראשית
י:י] אחרי נמכר לעבד עבדים נתן לכל אחיו מעלה עליו, וכאשר אירע
המעשה הזה לנח לא היה לחם זרע זולתי כנען, וזהו טעם "וירא חם אבי
כנען" (בראשית ט:כב), כי אין לו בן אחר, וכאשר חטא לאביו קלל זרעו
ואם אמר "ארור חם עבד עבדים יהיה" לא יזיק רק לגופו, כי הזרע
שכבר נולד איננו בכלל, ואולי לא יוליד ולא לקח ממנו נקמתו, כי מי
יודע מה יהיה אחריו, על כן קלל הבן שהיה לו, ואם יוליד מאה די
שיקולל בנו הבכור וכל זרעו אתו. (רבי משה בן נחמן בראשית ט:יח)

The correct interpretation appears to me to be that Ham was the youngest of Noah's sons as I have explained at the beginning of this portion of the Torah, and Canaan was

Chapter Four: Ha'amek Davar and History

Ham's oldest son. And as for the verse which states, *And the sons of Ham: Cush, and Mitzraim, and Phut, and Canaan* [Genesis 10:6] [which indicates that Canaan was the youngest son], this was stated after he was sold to be a *servant of servants*; Scripture gave his brothers preference over him. Now when this event happened to Noah, Ham had no other children except Canaan. This explains the verse *And Ham, the father of Canaan, saw*, [Genesis 9:22] for Ham had no other son then, and when he sinned unto his father, he cursed his seed. Not if Noah had said, "cursed be Ham, a servants of servant shall he be," the punishment would have been only his since the seed already born to him is not part of him, and perhaps Ham would no longer beget children. In that case Noah would not have taken his vengeance of him for who knows what shall be after him. Therefore, he cursed the son he had. Even if he will later beget a hundred children, it is enough that the oldest son – and all his seed with him – were cursed. (Nahmanides, Commentary to Genesis 9:18)⁷

According to Nahmanides, Canaan was punished despite the fact that he had not done anything wrong: his sin was that at the time of his father's crime, he was his father's only son. Noah, Nahmanides explained, wanted to ensure that his curse would reach beyond Ham. The best way to do that was to curse his offspring, and at that time his only living offspring was Canaan, therefore he cursed Canaan.

This explanation assumed that at the time of the curse, Canaan was Ham's only son. Yet, Genesis 10:22 mentioned Canaan last in the list of Ham's children. Thus Genesis 10:22 suggested that Canaan was Ham's youngest son and presumably his older brothers were alive at the time of Noah's curse. Therefore, Nahmanides had to explain why Noah cursed specifically Canaan and not another child of Ham. To bypass this problem, Nahmanides argued that the reason Canaan was mentioned last in Genesis 10:22

⁷ Chavel, Ramban (Nachmanides), 139-140.

Chapter Four: *Ha'amek Davar* and History

was that as a result of his grandfather's curse, he become the lowliest of all of Ham's children, despite the fact that really he was his oldest child.

For Ibn Ezra, father and son were alike as they both acted wrongly. Regardless of whether Canaan's punishment fit his crime, he was guilty of – and cursed for – doing something wrong. For Nahmanides, Canaan was just an innocent bystander who had been condemned to slavery by a vengeful grandfather who sought to inflict maximum harm upon his son. The approaches of Ibn Ezra and Nahmanides can be conceptualised. For Ibn Ezra, Canaan's actions preceded his status: Canaan did something wrong first and only then did he become a slave. For Nahmanides, Canaan's lowly status did not precede his curse, rather it was the curse that was responsible for relegating him to his lowly position. Berlin, in his explanation of this episode oscillated between these two positions.

Earlier it was demonstrated how Berlin integrated Abarvanel's division of humankind into his own commentary. However, besides the three prototypes already discussed, Berlin included in his exegesis a fourth prototype: the slave.

וְחָם הוּא אָבִי כְנַעַן: בְּאִשֶּׁר נַעֲשָׂה עוֹד אֹפֶן רַבִּיעִי בְּעוֹלָם שִׁיחָא עֲבָדוֹת
וְאָדָם מְשׁוּעָבָד לְחִבְרֵירוֹ כְּמוֹ בְּהֵמָה הַמְשׁוּעָבֶדֶת לָאָדָם, וְזֶה נִתְחַדֵּשׁ מִקְלִלָּת
נָח לְכַנְעֵן, הַקְּדִים הַכְּתוּב אֲשֶׁר חָם וּמֵהוּתוֹ הוּא אָבִי כְנַעַן שְׂרָאוּי לִהְיוֹת
עֶבֶד, מִ[ה] שְׂא[י]ן כִּי[ן] שֵׁם וַיִּפֹּת אֵין בְּנֵיהֶם מוֹכְשִׁרִים לַכֹּךְ וְכֹאשֶׁר יִבְאָר
עוֹד: [הַעֲמֵק דְּבַר בְּרֵאשִׁית ט:יח]

Ham being the father of Canaan: Because a fourth prototype came into the world that there should be slavery and one person subjugated to another, just like an animal is subjugated to a person. This was introduced by Noah's curse to Canaan. Scripture gave prior notice that Ham and his essence is the father of Canaan who is fit to be a slave, unlike Shem and Japheth their children are not appropriate for it [i.e., slavery], as will be explained later. (*Ha'amek Davar* to Genesis 9:18)

Chapter Four: *Ha'amek Davar* and History

In this excerpt, the influence of Rashi, Ibn Ezra and Nahmanides is apparent. Like Rashi, Canaan was mentioned in *Bereshit* 9:18 to serve as “prior notice” for the curse that would be invoked later. Like Ibn Ezra, Ham and Canaan were portrayed as having similar traits. And like Nahmanides, Berlin believed that as a result of Noah’s curse slavery “came into the world.” Berlin wrote that the concept of slavery was introduced by the curse of Noah, however he also insisted that something intrinsic to the nature of Ham led his son to become a slave. Therefore it is difficult to ascertain whether Berlin believed Noah’s curse was solely responsible for Canaan becoming a slave.

In his comments to Genesis 9:19, Berlin elaborated his ideas about the world-order:

מ[כל] מ[קום] רצון הק[דוש] ב[רוך] ה[וא] היה שהעולם יתנהג ע[ל]
פ[י] שלשה אופני בני אדם, היינו אנשים פשוטים עובדי אדמה ואין להם
הרגשה דקה, ואנשים אפרתים מרגישים בשכל אנושי הרבה, ואנשים
אלקיים דבקים בה' והמה מרכבה לשכינה לפי ערך האדם והמקום (העמק
דבר בראשית ט:יט)

Nonetheless, the will of the Holy One Blessed be He was that the world should operate according to three types of people. They are: Simple people who work the earth and do not have refined sensibilities; noble people with very sensitive human intellect; and Godly people who cling to God and are the chariot of the *Shekhina*⁸ according to their capabilities and situation. (*Ha'amek Davar* to Genesis 9:19)

This passage presents a tripartite world-order that is hierarchial. While Berlin never wrote that one type of person is better than the other, there is no doubt that these three typologies (representing Ham, Japhet and Shem) occupy different positions in society. More importantly, for Berlin, this hierarchy is the will of God. In other words, the notion

⁸ A rabbinic and kabbalistic term that means “Divine Presence.”

Chapter Four: Ha'amek Davar and History

that certain people are intrinsically higher or lower than other people is embedded in the natural order of the world and divinely ordained. Consequently, anyone who would oppose this order or try to undo it would be contravening the will of God.

A hierarchal view of the world is also present in Berlin's comment to Genesis 4:26:

אז הוחל לקרא בשם ה': (ש)אדם הראשון הוליד ג' בנים משונים
בהליכות חייהם...קין...והבל...ושניהם לא הגיעו לתכלית הבריאה...שת
היה אדם המעלה האמיתי תכלית הבריאה...כמו כן היו ג' בני נח
מחולקים במהותם: (העמק דבר בראשית ד:כו)

Primordial Adam bore three sons who were different in their life patterns...Cain...and Abel...And neither of them arrived at the purpose of creation...Seth was the true man of distinction, [he was] the purpose of creation...similarly were the three sons of Noah different in their essences. (*Ha'amek Davar* to Genesis 4:26)

Prior to Noah's curse Berlin did not mention slavery at all. Nonetheless, his hierarchal understanding of humanity allowed him to graft slavery into a pre-existing tripartite world-order. He connected the slavery of Canaan to the lowly role that Canaan's father Ham already occupied within the human family. Although Noah decreed slavery upon Canaan, his curse did not ruin the natural order of humankind. Rather, slavery became an offshoot of the coarse characteristics of Ham who worked the earth. Thus, while prior to the curse of Noah slavery did not exist, Ham already possessed those qualities that would make a good slave.

Jewish Responses to the Emancipation of the Russian Serfs

One of the major issues that arose in the nineteenth century was the question of slavery. Berlin knew that some slaves had been fighting for their freedom, and he hinted at this knowledge in his comments to Genesis 9:25

עבד עבדים: ...מ[ה] שא[ין] כ[ן] משם ויפת, אין זרעו מסוגל לזה, וגם בהיותו עבד רוחו הפנימית שואף להיות חפשי, וממילא אין נח להשתמש בו, וע[ל] י[די] השתדלות נעשה חפשי... [העמק דבר בראשית ט:כה]

The Lowest of Slaves: ...This is not the case with Shem and Japheth, their seed would not be well-adjusted to this [i.e., slavery], and also when [one of them] is a slave his inner spirit longs to be free, and therefore it is not easy to use him them [as slaves] because if they try, they can become free. (*Ha'amek Davar* to Genesis 9:25)

A closer look at the issue of slavery in the nineteenth century will enable a more complete understanding of Berlin's thinking about it. Slavery was one of the issues that led to the American Civil War that began in 1861 and presumably, by this time, Berlin had been delivering his daily lesson in the Torah reading for some years.⁹ And in 1865, the Russian Jewish Press reported on the assassination of Abraham Lincoln who had played a crucial role in the abolishment of slavery in the United States. For example, the literary periodical *Ha-Karmel* wrote:

ועדת היהודים בלאנדאן ידעה גם היא לקרוא אל אבל ולתת קולה במספד בתוך המקוננים...קראו עצרתה...והרב הגאון דאקטאר אדלר פתח פיו בחכמה לספוד לאברהם לינקאלן ולבכותו...גם השר הצדיק ר' משה מונטיפורי הטיף דברים במסבת רעיו לכבוד לינקאלן ויאמר: אברהם לינקאלן שבר מוסרות הברזל מעל צוארי עבדי עולם קרא להם דרור...הן

⁹ Since Berlin took over the leadership of the yeshiva in 1853 it can be assumed that it was around that time that he began to deliver his daily class in the Torah portion. Jay Harris claimed that by 1860 Berlin had completed *Ha'amek Davar* (*How Do We Know This?*, 243), however, in a private conversation he conceded that this was not correct and that he would emend it in the forthcoming Hebrew translation of that work.

Chapter Four: Ha'amek Davar and History

הקודרים שגהו ישע וברצות ה' יצאו לחרות עולם , מי יתנו ואוכל לומר
בזאת על אחי ועמי אשר במארוקה, בפרס, בסערביא וכדומה אשר עוד
יצפו לאיש כלינקאלן.¹⁰

The Jewish community in London also knew to declare mourning and offer its voice in eulogy among the mourners...they called a gathering...and the learned Rabbi Dr. Adler opened his mouth with wisdom to eulogize Abraham Lincoln and to cry over him...also the nobleman and righteous Reb Moses Montefiore offered some words at a gathering of his friends in honour of Lincoln and said: Abraham Lincoln broke the metal chains from over the necks of the world's slaves and announced freedom to them...they are the blacks that won freedom and with the will of God emerged to everlasting freedom. Would that I could say this about my brethren and nation that are in Morocco, Persia, Serbia etc, who are still awaiting a man like Lincoln.

Eulogies for Abraham Lincoln, offered by leaders of world Jewry, would not have escaped the notice of Berlin, and Montefiore's words resonated with Russian Jewry who longed for their own Lincoln to emancipate them.

The question of slavery was not foreign to Berlin's students or to his native land. While Russia did not have slaves, it had a large peasant class of serfs who worked the land of their noblemen. The emancipation of the Russian serfs took place in 1861 and was central to the period of Great Reforms that were enacted under the reign of Alexander II. Although Berlin and his students could not own serfs, they knew of a time when this form of slavery existed. They had lived through a period of modernization, and the emancipation of the serfs was thought to be very important to the modernization and progress of Russia.

¹⁰ *Ha-Karmel* 31:5 (*Tammuz* 6, 5625), 235.

Chapter Four: *Ha'amek Davar* and History

The fact that Russian Jewry took great interest in the freeing of Russia's serfs is evident from the Russian Jewish press. Jewish newspapers celebrated the peasants' freedom and were optimistic that it was an omen of the emancipation of the Jews. This is clear from the front pages of Jewish newspapers like *Ha-Melitz* that celebrated the serfs' emancipation and proclaimed joyously:

עת הזמר הגיע! קול התור נשמע בארצנו!...מלכנו הרחמן...שלח עבדים
אשר נמשלו כבהמות נדמו, השיגו משפטי אדם...¹¹

The time of song has arrived! The voice of the turtle dove is heard in our lands!...our merciful king [Alexander II]...sent [free] slaves that were ruled like animals, they have won human rights...

While newspapers like *Ha-Melitz* celebrated the release of "slaves that were ruled like animals," Berlin insisted that slavery was a divinely ordained prototype. The imagery that *Ha-Melitz* used to describe serfdom is very similar to the language that Berlin used to describe the prototype of slavery that was eponymous with Canaan. Berlin wrote:

עוד אופן רביעי בעולם... עבדות ואדם משועבד לחבירו כמו בהמה
המשועבדת לאדם: [העמק דבר בראשית ט:יח]

[There is] a fourth prototype in the world...slavery and one person is at the service of another, just like an animal is at the service of a person. (*Ha'amek Davar* to Genesis 9:18)

One can not view Berlin's belief in a divinely ordained instinct for slavery separately from the rhetoric of the Jewish newspapers that celebrated the end of serfdom. Berlin delivered his daily class in the Torah portion through the period of Great Reforms. And, *Ha'amek Davar* appeared less than twenty years after the emancipation of the serfs and

¹¹ *Ha-Melitz* 1:26 (March 23-April 4, 1861), 458.

Chapter Four: Ha'amek Davar and History

the great hope that it gave to Russian Jewry. The historically minded student of *Ha'amek Davar* can not ignore these events. The same publication (*Ha-Melitz*) that Berlin used to inform the public about his yeshiva celebrated the emancipation of the serfs. There is no doubt that Berlin was aware of the euphoria that emancipating the serfs brought to Russia's Jews, and this only makes his comments more difficult to understand.

Two Explanations for Berlin's Stance on Slavery

Berlin knew that throughout the world there were attempts to abolish slavery. Therefore, why did he insist on writing that some people are “naturally inclined toward slavery” meaning that “from birth, the womb, and conception” they are prepared for a life of slavery? There may have been a small minority of Jews who opposed the emancipation of the serfs, but such views were considered an anathema to a newspaper like *Ha-Melitz*. When it addressed those who did not support the emancipation of the serfs it referred to them as:

האנשים אשר נכחד מלבם כל רגשי תבונה, המה אל פעולת המושל לא
יביטו וקרבת חסדיו לא יחפצו¹²

People whose hearts lack any feelings of understanding,
they do not see the actions of the ruler and do not desire his
close kindness.

Why, then, should Berlin have advocated a position that was becoming outdated and would render him as someone who stood in the way of progress.

A possible explanation is that Berlin felt that emancipation of the Jews would lead to a weakening of their religious commitment. In Western Europe, weakening of

¹² *Ha-Melitz* 1:26 (March 23-April 4, 1861), 458.

Chapter Four: Ha'amek Davar and History

commitment to traditional Judaism had followed the emancipation of the Jews. Perhaps Berlin believed that the emancipation of the serfs was a harbinger to the emancipation of the Jews, and therefore he thought it best for the religious life of Russian Jewry if Russia did not emancipate the serfs.

The connection between the emancipation of the serfs and Jews that existed in the minds of many Jews was not unfounded. The serfs were given land and released from their owners just a few months prior to the “November law of 1861” that “made Jews graduating from post-secondary schools eligible for state employment throughout Russia.” This law was enacted during the “quasi-emancipatory atmosphere of the Alexandrine era” and had such “a powerful influence on the thinking and behaviour of Jews that many were willing to override Orthodox objections to secular culture and public education.”¹³ The result was a “dramatic increase in the number of Jews entering secondary and post-secondary school.”¹⁴ Thus, ultimately, the period of Great Reforms siphoned Jews away from traditional institutions like Volozhin and turned them into “a Russian educated elite whose outlook and aspirations were closely tied to contemporaneous liberal and radical elements in Russian society.”¹⁵

Russian Jewry thought that its destiny was tied up to the destiny of the serfs. If the serfs would be emancipated, then it would not take long until the Jews would also win new freedoms and possibilities. This is why the article in *Ha-Melitz* celebrated the serfs’ freedom before it focused its attention on the newspapers’s Jewish audience:

¹³ Erich Haberer, *Jews and Revolution in Nineteenth Century Russia* (Cambridge, England: Cambridge University Press, 1995), 13.

¹⁴ *Ibid*, 13.

¹⁵ *Ibid*, 14.

Chapter Four: *Ha'amek Davar* and History

וגם אותנו בני ישראל פקד... בדבר ישועה ורחמים... כאשר הצליח פעלו
בידו להוציא... אנשים מעבדות לחרות, לא ייעף ולא ייגע, ולא יעמוד
מלדת חקים חדשים להרבות אושר כל בני ארצו הנאהבים לו... ותקוותנו
חזקה כי לא יארכו הימים ומלכנו הצדיק יפקח עינו גם עלינו, עם נכאה
ונדכה משנות קדומים, להפריח בדשא עצמותינו ולהאכילנו מטוב
הארץ.¹⁶

And he [i.e., Alexander II,] should also visit upon us, the children of Israel...a favourable and merciful edict...one similar to his successful action to send out...people from slavery to freedom, he will not tire and not rest, and will not stop from creating new laws to increase the happiness of all the children of his land who are dear to him...and our hope is strong that the days will not be long [before] our righteous king will also focus his eye upon us, a nation that is downtrodden and broken from ancient times, to make our bones blossom and feed us with the good of the earth.

Although *Ha-Melitz* knew that it was the monarch's prerogative to emancipate the Jews, it also thought that the Jews could – and should – behave in a manner that would hasten their emancipation.

בפה מלא נגיד בקול רם כי תרעו מאד לעמכם באשר תמנעו בניכם
מלמודי דעת ודרך ארץ כחפץ מלכנו החפץ אשרינו...שלחו בניכם לבתי
הספר ללמדם כתב ולשון המדינה ויתר הדברים הנצרכים לקיום
האדם...¹⁷

With a full mouth we proclaim in a loud voice that you greatly harm your nation when you hold your sons back from studying science and the way of the land as is the wish of our king who desires our happiness...send your sons to schools that teach them writing and the language of the state and other things necessary for person to survive...

From these excerpts it is evident that influential voices in Russian Jewry believed that emancipation of the Jews would follow the emancipation of the serfs. These excerpts also

¹⁶ *Ha-Melitz* 1:26 (March 23-April 4, 1861), 459.

¹⁷ *Ha-Melitz* 1:26 (March 23-April 4, 1861), 460.

Chapter Four: Ha'amek Davar and History

reveal that the article that celebrated the emancipation of the serfs advised Jews to attain the type of education that was unavailable to them in a traditional yeshiva. Therefore, it is not unreasonable to suggest that the emancipation of the serfs, and the way it was unreservedly and desperately celebrated by a newspaper like *Ha-Melitz*, was threatening to Berlin, the educational program he favored and traditional institutions, like the yeshiva at Volozhin. This discomfort may have caused Berlin to remind his students that some people were preordained to live a life of slavery and that that was simply how God intended the world should operate.

If this hypothesis is correct, it would not be the first time that a Russian traditionalist would prefer an oppressive society for its greater commitment to traditional Judaism, than an emancipated Jewry that was less loyal to tradition. Rabbi Shneur Zalman of Liadi, the founder of the Habad movement, knew that Napoleon I would bring a reprieve to Jewish suffering yet he still preferred Alexander I to be victorious. His reasoning was that a victory for Napoleon I would cause “wealth among the Jews” but would lead to the “hearts of Israel” becoming “separated and distanced from their father in heaven.” Therefore, he still preferred a triumph for “our master Alexander” because “though poverty will be abundant and the glory of Israel will be humbled, the heart of Israel will be bound and joined with its father in heaven.”¹⁸

The purpose of this discussion was not to conclude that Berlin opposed the emancipation of the serfs or the Jews. Rather, in an attempt to understand why some of

¹⁸ Hillel Levine ““Should Napoleon Be Victorious...”: Politics and Spirituality in Early Modern Jewish Messianism” in Rachel Elior (editor), *The Sabbatian Movement and Its Aftermath: Messianism, Sabbatianism and Frankism* Vol. II (Hebrew University of Jerusalem: Gershom Scholem Center for the Study of Judaism and Kabbala, 2001), 65.

Chapter Four: Ha'amek Davar and History

his comments extolled a position that contradicted the spirit of his own age, it is suggested that on this matter Berlin's position was akin to that of Rabbi Shenur Zalman. Faced to choose between an oppressed but traditional Jewry or an emancipated but secular one, he simply may have preferred the former.

A less radical suggestion is that Berlin's position on slavery in particular and his espousal of a tripartite division of humanity in general has little to do with how the emancipation of the serfs would affect traditional Jewish life. Rather, he was promulgating an ancient belief in a hierarchic world that more readily accepted the differences, rather than similarities, between people. It has been argued that "premodern cultures were 'racist' or 'chauvinist' to one extent or another" and that a "hierarchic world view dominated" many of them.¹⁹ In writing about slavery the way he did, Berlin revealed that he still harboured attitudes that could be called "racist" or "chauvinist."

This does not mean that Berlin was unaware of the popular sentiment of the day, on the contrary, the emancipation of the serfs was widely reported in the Jewish press that he read. Undoubtedly, many of the students whom he taught celebrated this long-awaited event in Russian life, and it is perhaps for this reason that he sought to instil within them another way of viewing the world, one that he thought was more rooted in classical Jewish texts created in earlier and more stable times. More than bemoaning the negative repercussions emancipation of the serfs would have on traditional Jewish life, Berlin was

¹⁹ Abraham Melamed, *The Image of the Black in Jewish Culture*, translated by Betty Sigler Rozen (London and New York: Routledge Curzon, 2003), 4. For a review that thought Melamed's discussion of anti-Black sentiment in rabbinic literature was "sophomorically conceived, amateurishly implemented, and sloppily produced" see David M. Goldenberg, "The Image of the Black in Jewish Culture," in *Jewish Quarterly Review*, 93:3-4 (2003), 557-579.

Chapter Four: Ha'amek Davar and History

simply promoting a world-view that assigned different, and often unalterable, roles, strengths, and purposes to different peoples.

An example of a definitive medieval text that promoted a hierarchical view of the world is Maimonides' *The Guide of the Perplexed*. Toward the end of this work, Maimonides wrote a chapter that "is only a kind of conclusion." It explained the "worship...by one who has apprehended the true realities" of God "and it also guides him toward achieving this worship which is the end of man."²⁰ Early in the chapter is a parable about a ruler whose "subjects are partly within the city and partly outside the city." According to Maimonides' parable, "outside the city are...individuals who have no doctrinal belief" included in this class are Turks and Negroes. "The status of those" wrote Maimonides, "is like that of irrational animals," this means that "they do not have the rank of men" rather they are "a rank lower than the rank of man but higher than the rank of apes."²¹ Maimonides explained that the closer an individual is to the ruler [i.e., God,] the higher is his rank. This is just one example of a premodern hierarchical view of the world that may have been naturally imbibed by Berlin. Thus, regardless of what Berlin thought about emancipation of Russian subjects and its likely effects on traditional Jewish life, his view of slavery as a natural instinct and his firm belief in ontological differences between peoples was something deeply rooted in a premodern hierarchical vision of the world that he had inherited.

²⁰ Moses Maimonides, *The Guide for the Perplexed*, translated by Shlomo Pines and introduced by Leo Strauss (Chicago: The University of Chicago Press, 1963), 3:51 (p. 618).

²¹ *Ibid*, 3:51 (p. 618).

Additional Evidence: A Letter of R. Abraham Isaac Kook

A few bold lines from *Ha'amek Davar* became the basis for a lengthy discussion that suggests Berlin accepted premodern doctrines that assigned different roles to different people yet Berlin wrote thousands of lines and therefore, to highlight a few is perilous. Although the arguments presented are cogent and well-founded, they lack any corroborating evidence. Maybe Berlin was only presenting an interpretation already found in Abravanel and his comments about slavery are not reflective of what Berlin really thought about slavery, serfdom or the merits of a hierarchical society. A letter from Rabbi Abraham Isaac Kook is helpful in deflecting this critique.

Rabbi Abraham Isaac Kook was one of Berlin's pre-eminent students and later became the first Chief Rabbi of British Mandate Palestine. The close relationship between the two is evident in the fact that while Berlin was still alive, Kook wrote and published a biography of him in the journal *Knesset Yisrael*.²² In a letter to Moshe Zeidel, Berlin's disciple wrote:

וכיון שאנו רואים שהרבה עבדים יצאו מגזע חם יותר משני הגזעים
האחרים, אנו מכירים שלתכלית ההשלמה הכללית היו הם ראויים
לעבדות, ולו התרוממו לחירות בלא-עת פעלו בודאי, בחירותם, הבלתי
ראויה להם, לרעה על הרוח האנושי ועל דרכי חיי הציבור והיחיד...²³

Since we see that many slaves came forth from the line of Ham, more than from the other two lines, we recognize that, for the sake of the general advancement, they were fit for slavery. Were they to arise to freedom at the wrong time [then] they would certainly visit by their freedom that is

²² *Knesset Yisrael* 5648 (1886-1887), Vol. II, 138-142. Eliezer Leoni cited this biography in his *Toldot Yeshivat "Etz Hayyim" Ve-Rasheha* published in *Volozhin: Sifrah shel Ha-Ir ve-shel Yeshivat "Etz Hayyim"* (Tel Aviv: *Ha-Irgunim shel Bene Volozhin Be-Medinat Yisrael U-Ve-Artzot Ha-Brit*, 1970), 113 n33.

²³ Abraham Isaac Ha-Kohen Kook, *Igrot Ha-Rayah* Vol. I (Jerusalem: Mossad Ha-Rav Kook, 1961), 97.

Chapter Four: Ha'amek Davar and History

inappropriate for them an evil upon the spirit of humankind
and the way of communal and individual life...

The language of this letter is very close to that used by Berlin to describe slavery. Like his teacher, Kook also believed that certain people have a natural inclination for slavery. While the letter does not reveal who influenced him on this point, in light of all that has already been discussed, the possibility that Kook learned this from Berlin can not be ignored. This is especially true, because scholars have already connected the political thought of Berlin and Kook.²⁴ Because Kook's view on slavery is similar to Berlin's, engaging in a lengthy discussion of Berlin's view of slavery and suggesting that his comments were not merely an idea inherited from Abarvanel is justifiable.

²⁴ "Kook interprets the ongoing political significance of the monarchic tradition for the modern nation-state. Evidently drawing on the position of his teacher Naphtali Tzvi Judah Berlin..." Menachem Lorbebaum, Michael Walzer and Noam J. Zohar (Editors) and Yair Lorbebaum (Coeditor), *The Jewish Political Tradition: Volume I – Authority* (New Haven: Yale University Press, 2000), 470. Asher Lopatin has also connected the thought of Kook and Berlin in "What Makes a Book Orthodox: Wrestling with God and Man by Steven Greenberg" in *The Edah Journal*, 4:2 (2004), 5.

Conclusion

From my study of the secondary literature on Berlin, I arrived at two helpful conclusions. Firstly, that in order to uncover Berlin's opinion on some matter, writers and scholars turned to *Ha'amek Davar* and treated it almost as an encyclopaedia of Berlin's thinking. Because of the frequency with which this was done and because of the paucity of analysis of Berlin's hermeneutical method, it was almost forgotten that *Ha'amek Davar* was primarily a work of exegesis. This is ironic when one considers Berlin's interest in, and aptitude for, analysing textual details. Secondly, when Elyakim attempted to understand Berlin's exegetical method, he successfully identified a myriad of ways that Berlin interpreted the Biblical text. What he failed to show was how these different aspects of Berlin's exegesis interacted. If Elyakim had analysed entire passages from *Ha'amek Davar*, then he would have afforded his readers the opportunity to see how Berlin used different methods to create a single interpretation.

In this study I tried to show how Berlin used many techniques to explain a single episode. The passages analysed required a significant amount of 'detective' work. Berlin never revealed that his interpretation was inspired by Abravanel or that he had used a rabbinic hermeneutic to rework Abravanel's interpretation into the textual detail of a single verse. Nor did he announce that while he was teaching his daily class of yeshiva students, Russia was attempting to emancipate her subjects. Yet all these factors played a role in his interpretation of just a few verses.

When studying a passage of Biblical exegesis, an overarching consideration is to note how the different ways of understanding a text relate to, rely on, and build upon,

Conclusion

each other. The fact that an earlier exegete had already suggested the interpretation found in a later exegete is not reason to dismiss the latter as unoriginal. For example, it would have been very easy to dismiss Berlin's discussion of Noah's children as nothing extraordinary, because Abravanel had already offered a similar interpretation. But, with some knowledge of Russian Jewry, and the discernment to recognise a rabbinic hermeneutic that had been shifted, it quickly became apparent that Berlin's discussion of Noah's children was worthy of study – his way of incorporating Abravanel's thinking was original.

The multi-layered complexity of interwoven methods found in *Ha'amek Davar* raises important questions. When can one claim to understand a passage of *Ha'amek Davar*? If one has not scoured the Russian newspapers, one has probably failed to understand the intellectual milieu in which *Ha'amek Davar* was created. At the same time, if one has only sought to learn the historical context of a work of exegesis, then one risks ignoring the creative genius and the interpretative method that adapted itself to that historical context. To avoid such pitfalls, the student of Biblical exegesis needs to be a student of history and he or she must view historical considerations as intrinsic to the creative process of Biblical Exegesis.

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