Rabbinic Authority and Community in 18th Century Germany: Moses Brandeis Levi and the Jewish Community of Mainz

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ABSTRACT: Moses Brandeis Levi (d. 1767) was one of the important rabbis of the early modern community in Mainz. Besides his local duties, he was also in charge for the rural communities in the territory of the archbishopric of Mainz. A number of sources indicate that his relations both to the local community and to the Gentile authorities were all but easy. In my presentation, I will introduce an unknown source from the records of the Jewish community in Mainz (Central Archives for the History of the Jewish People, Jerusalem, D/Ma7/5, pp. 100-102). This Yiddish text is about a sharp dispute between Brandeis and the members of the community that came up on one of his decisions to ban all the bread, cakes, and pastries baked in town in 1754 due to his concerns on kashrut. A poll among twenty members of the community about their opinion on the rabbi’s ban showed that all of them were unwilling to accept his decision and eventually he was forced to withdraw the ban. The text is a detailed description of the issue, including the statements of the members. It shows a new understanding of the community in Mainz that was obviously more oriented on pragmatic aspects of everyday life than on strict observance of Halakha.

This presentation is for the following text(s):

• Community Records of Mainz (1754)
The 18th century was one of the most dynamic periods for Jewish history in Ashkenaz. This century witnessed dramatic changes in the Jewish society towards secularization and Haskala. One central aspect is the development of Jewish communities from religious congregations to corporations with mostly autonomous rights within the absolute pre-modern states. In many of these communities the secular leaders (parnassim) gained the mostly unquestioned power, whereas the role of the rabbinic elite declined to employed community officials. The constraints of the existence within the Gentile society forced the Jewish leaders to adapt customs of governing the communities, and the source for these customs were in many regards the different groups and corporations of the Christian society. Countless records of the community archives tell the story of the ongoing rivalry between the governors and the rabbis in many communities, which was sometimes more and sometimes less dramatic.

Moses Brandeis Levi (d. 1767) was one of the important rabbis of the early modern community in Mainz, which – after the expulsion in the late middle ages – re-started its history only at the end of the 16th century. Besides his local duties as head of the rabbinic court and religious leader of the community he was also in charge for the rural communities in the territory of the archbishopric of Mainz. A number of sources indicate that his relations both to the local community and to the Gentile authorities were all but easy, because he had to find a place between these two parties and to maintain his concept as a defender of the traditional Jewish faith.

Both the Christian and the Jewish sources clearly indicate constant frictions between Moses Brandeis and the exponents of the governing Jewish elite in the archbishopric of Mainz in the 1750's. One may assume that the dispute on the issue of kashrut to be presented here is another expression of these frictions and was not solely on the important question of the supervisors in the Gentile bakeries. The text is a detailed description of the issue, including the statements of the governors and the members. It shows not only the games of power between the governors and the local rabbi, but also the failed attempt of the leaders in Mainz to create a public opinion within the
community against the observing way of Moses Brandeis Levi. We may assume that this dispute was possible only in the mid-18th century, when Jewish society underwent significant changes, as has been shown by Asriel Shochat and, most recently, by Shmuel Feiner. Only this new atmosphere enabled the governors to question the authority of the rabbi even in fundamental issues of Jewish religion. The balance between the religious and the secular leadership in Ashkenazi communities of the early modern period had changed long before in favour of the (mostly secular) governors and consequently appeared signs of the governor's steps to raise additional power. However, these attempts were not always successful.

Bibliography

2 Beginnings of the Haskala among German Jewry, Jerusalem 1960 (Hebrew).
3 The Origins of Jewish Secularization in 18th Century Europe, Jerusalem 2010(Hebrew).

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During the above mentioned gathering the *parnas* of the month, the leader Lemle Yo. states that the wise head of the rabbinic court, God may protect him, has gathered the *parnassim* outside of the synagogue on the last night of Sabbath. He explained that until today there is only one supervisor employed by the governors, God may protect them, for the three bakeries, whereas in the other two baking houses baking is not according to the rules of *kashrut*. In accordance with our holy Torah he is not longer able to tolerate that and demanded the *parnassim*, God may protect them, to have a gathering in order to change this situation. For that purpose two heads of households shall be employed as supervisors in the two other baking houses. If there won’t be two additional supervisors until next Wednesday, 27 Kislev\(^1\), he will pronounce a ban in the synagogue on Thursday, 28 Kislev, according to which it will be forbidden to bake anything, Sabbath bread, cakes and pastries. Thereupon the *parnas* of the month, Lemle Landa, announced this and sent Abraham Hirsch to ask the *parnassim* and the *govim*, God may protect them, to come to a decision in that matter. However, this did not happen and they did not go to the assembly room. Today, the head of the rabbinic court, God may protect him, consequently pronounced the ban in the synagogue according to which it is forbidden to bake Sabbath bread, cakes and pastries until his demand mentioned above will be fulfilled. Thereupon the governors, God may protect them, decided to appoint two supervisors, the honorable Hayyim Elfeld and the honorable David Bonn, God may protect them,
from tomorrow on, God willing, and Itzig ben Nathan, the former supervisor, will stay in
the third baking house tomorrow. Next week the governors, God may protect them, shall
make a gathering in order to enact a regulation how to proceed with the supervisors in
the baking houses in future. Instead of the two heads of households who were suggested
by the wise head of the rabbinic court, God may protect him, and who will be a
[financial] burden for us, two bahurim from our community shall hold these posts.
The wise head of the rabbinic court, God may protect him, was informed about that by
the governors, God may protect them, who sent the two ne’emanim of the community
from the assembly room to the wise head of the rabbinic court, God may protect him. He
was ordered to revoke [p.101] the ban in the synagogue tomorrow for enabling the
proper baking for the honor of the Sabbath as in former times.
His answer is that he cannot be content with bahurim because they may fear to be
expelled from the community whenever they were to report about something treife to
the head of the rabbinic court, God may protect him. He will revoke the ban on next
Sunday or Monday in case there will be a clear regulation about the appointment of two
heads of households as supervisors. If this won’t happen the ban will remain in force.

Since the governors don’t want to create a burden to our community they have decided
during their gathering to call 20 heads of households to the assembly in order to find a
solution. Today, Abraham Hirsch called the heads of households.

The parnas and leader Isaac Gunersheim, God may protect him, expresses his opinion:
"The wise head of the rabbinic court, God may protect him, must not pronounce the ban
over our whole community without approval of the majority of the governors, God may
protect them. Concerning the baking a rule at the discretion of the governors, God may
protect them, shall be enacted in their assembly room next week. The ban that was
pronounced today by the wise head of the rabbinic court must be revoked by him
tomorrow without precondition."

The parnas and leader Lemle Landa expresses his opinion: "The wise head of the
rabbinic court, God may protect him, must revoke his ban without precondition in the
synagogue tomorrow, because it was pronounced without knowledge of the governors,
God may protect them. Concerning kashrut in the baking houses the wise head of the
rabbinic court, God may protect him, may prohibit in the synagogue the Sabbath bread,
cakes and pastries that were baked in the bakeries without supervisors and they are like
treife carrion. There is no doubt that the leaders will employ additional supervisors next
week.

The parnas and leader, the honorable Wolf Oppenheim, God may protect him,
expresses his opinion. "Concerning the ban that was pronounced by the wise head of the
rabbinic court, God may protect him, he must revoke it completely without precondition
tomorrow in the synagogue. In future he may not pronounce a ban over all the sons of
our community without approval of the majority of the governors, God may protect them. Concerning the suspicion about the baking houses and the need to have supervisors, next week a rule will be made without delay in accordance to the ability of the community, God may protect her."

The community *gabbai* Hirtz B.L. Katz expresses the same opinion as the *parnas* and leader Wolf Oppenheim, God may protect him.

The community *gabbai* Shimon Emden expresses his opinion: "Concerning the ban because it has happened without knowledge of the governors, God may protect them, the head of the rabbinic court must revoke it without precondition completely in the synagogue tomorrow. In future he may not pronounce a ban without approval of the majority of the governors, God may protect them. Regarding the concerns on the baking houses, it shall be done as has been suggested by the *parnas* and leader Wolf Oppenheim, God may protect him.

The deputy Jacob Kann, God may protect him, expresses the same opinion as Wolf Oppenheim, God may protect him.

Shlomo Wediburg expresses also the same opinion as the *parnas* and leader Wolf Oppenheim, God may protect him.

The deputy Yuspal Kann, God may protect him, expresses also the same opinion as the *parnas* and leader Wolf Oppenheim, God may protect him.

Yekutiel Oppenheim expresses also the same opinion as the *parnas* and leader Wolf Oppenheim, God may protect him.

The deputy Issashar Kann expresses also the same opinion as the *parnas* and leader Wolf Oppenheim, God may protect him.

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Concerning the heads of households who were called by Abraham Hirsch to the assembly room of the governors, God may protect them, only those who are listed at the margin appeared.

The aged Mazus Hamburg expresses his opinion as the *parnas* Wolf Oppenheim, God may protect him, because all days of his life it never happened that a rabbi pronounced a ban without knowledge of the governors, God may protect them.

The wise Baer Botnim expresses the same opinion as Wolf Oppenheim, God may protect him.

Anschel Enosh expresses also the same opinion as Wolf Oppenheim, God may protect him.
Isaac H.B. confirms also the same opinion as the above mentioned Wolf.

Feis Mod expresses also the same opinion as the above mentioned Wolf.

After that the wise head of the rabbinic court, God may protect him, sent two ne’manim of the community to the assembly room of the governors and passed the message that tomorrow he will revoke the ban without precondition. In case that someone will bake without supervisors everything will be prohibited as if he eats treife carrion. During the next week a rule will be made for employing supervisors as needed.

Today, Sunday, 1 Tevet 5515², Salman, son of Nathan, God may protect him, and Shlomo Berlin, God may protect him were called to the gathering of the persons listed on the margin. They were employed by the governors, God may protect them, as supervisors in the two baking houses. In the third bakery Itzig ben Nathan will remain supervisor as usual. They have to pay special attention as described in the regulation that was handed over to them by the head of the rabbinic court and they are obliged to fulfill their task as they have promised by handshake to the wise head of the rabbinic court. Each of the supervisors will receive a payment for supervising from the fund of the governors, God may protect them, each Sabbath evening and evenings of holidays twelve Kreutzers for each supervisor. Each one will get three levonim³ from the monthly gabbai in charge, and three levonim from the baker where he supervises. Also the three bakers, who have contracts with the governors named Wunderly and Russi and Thomas, were called and they have accepted with good will. Each time they will pay the supervisors three levonim out of their own pocket. In addition, a written contract shall be made between the govim, God may protect them, and the mentioned bakers, according to which there will be no baking with other bakers. Also was decided that whenever a head of household from our community, whoever he may be, is going to bake baker’s bread on the evening of the Holy Sabbath, it will be distributed immediately among the poor of our town. Whoever will contravene has to pay a fine of half a gulden to the hekdeshe. All the above was resolved by the wise head of the rabbinic court as can be seen on the backside of the folio, on last Thursday, which is the 28 Kislev 5515.

Endnotes

¹ 11 December 1754.
² 15 December 1754.
³ Weißgroschen; 1 Weißroschen = 2 Kreutzer.

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[p. 100]
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Gathering of the community leaders on 29 Kislev 5515 (13 December 1754). This text was the second issue to be dealt with in this gathering. The names of the leaders to be presented are listed on the right margin:

The rabbi both of the local community and for the whole archbishopric of Mainz was then Moses Brandeis Levi (d. 1767). He was appointed in 1733 and stayed in Mainz until his death. See Leopold Löwenstein, ’Zur Geschichte der Rabbiner in Mainz (1615-1848),’ in: Jahrbuch der jüdisch-literarischen Gesellschaft 3 (1905), pp. 220-240, see pp. 228-231.
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12 December 1754.
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