

SIXTEENTH ANNUAL REPORT OF THE AMERICAN JEWISH COMMITTEE

OFFICERS AND EXECUTIVE COMMITTEE

OFFICERS

PRESIDENT, LOUIS MARSHALL

VICE-PRESIDENTS { CYRUS ADLER
 { JULIUS ROSENWALD

TREASURER, ISAAC M. ULLMAN

EXECUTIVE COMMITTEE

CYRUS ADLER (1925) <i>Chairman</i>	Philadelphia, Pa.
ABRAM I. ELKUS (1925)	New York, N. Y.
PAUL L. FEISS (1925)	Cleveland, O.
FELIX FIELD (1926)	Newark, N. J.
ALBERT D. LASKER (1925)	Chicago, Ill.
IRVING LEHMAN (1926)	New York, N. Y.
LOUIS MARSHALL (1926)	New York, N. Y.
A. C. RATSHEKY (1926)	Boston, Mass.
JULIUS ROSENWALD (1924)	Chicago, Ill.
HORACE STERN (1924)	Philadelphia, Pa.
OSCAR S. STRAUS (1924)	New York, N. Y.
LEWIS L. STRAUSS, Jr. (1924)	New York, N. Y.
CYRUS L. SULZBERGER (1924)	New York, N. Y.
ISAAC M. ULLMAN (1926)	New Haven, Conn.
A. LEO WEIL (1925)	Pittsburgh, Pa.

ASSISTANT SECRETARY

HARRY SCHNEIDERMAN, 171 Madison Ave., N. E. Cor. 33rd St.,
New York City.

Cable Address, "WISHCOM, New York."

MEMBERS AND DISTRICTS

Dist. I: Florida, Georgia, North Carolina, South Carolina. 4 members: Simon Benjamin, Jacksonville, Fla. (1926); Leonard Haas, Atlanta, Ga. (1927); Lionel Weil, Goldsboro, N. C. (1926); Montague Triest, Charleston, S. C. (1923).

Dist. II: Alabama, Mississippi, Tennessee. 3 members: Morris V. Joseph, Birmingham, Ala. (1923); Levi Rothenberg, Meridian, Miss. (1925); Nathan Cohn, Nashville, Tenn. (1923).

Dist. III: Arizona, Louisiana, New Mexico, Oklahoma, Texas. 6 members: Max Heller, New Orleans, La. (1924); Ivan Grunsfeld, Albuquerque, N. Mex. (1923); Marion M. Travis, Tulsa, Okla. (1927); J. K. Hexter, Dallas, Tex. (1923); Isaac H. Kempner, Galveston, Tex. (1926).

Dist. IV: Arkansas, Colorado, Kansas, Missouri. 6 members: Chas Jacobson, Little Rock, Ark. (1924); C. D. Spivak, Denver, Colo. (1923); Henry Wallenstein, Wichita, Kan. (1923); Alfred Benjamin, Kansas City, Mo. (1924); Simon Binswanger, St. Joseph, Mo. (1927); Aaron Waldheim, St. Louis, Mo. (1926).

Dist. V: California, Idaho, Nevada, Oregon, Utah, Washington. 8 members: Louis M. Cole, Los Angeles, Cal. (1923); Max C. Sloss, San Francisco, Cal. (1926); Ben Selling, Portland, Ore. (1927); Daniel Alexander, Salt Lake City, Utah (1923); Emanuel Rosenberg, Seattle, Wash. (1924).

Dist. VI: Iowa, Michigan, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, Wyoming. 13 members: David A. Brown, Detroit, Mich. (1926); Henry M. Butzel, Detroit, Mich. (1924); Meyer S. May, Grand Rapids, Mich. (1926); Isaac Summerfield, St. Paul, Minn. (1927); Victor Rosewater, Omaha, Neb. (1924); D. M. Naftalin, Fargo, N. Dak. (1924); Nat. Stone, Milwaukee, Wis. (1927).

Dist. VII: Illinois. 8 members: A. G. Becker (1923); James Davis (1924); M. E. Greenebaum (1923); B. Horwich (1927); Julian W. Mack (1923); Julius Rosenwald (1925); Joseph Stolz (1924), Chicago, Ill.; W. B. Woolner, Peoria, Ill. (1926).

Dist. VIII: Indiana, Kentucky, Ohio, West Virginia. 11 members: Samuel E. Rauh, Indianapolis Ind. (1925); Sol. S. Kiser, Indianapolis,

Ind. (1924); Isaac W. Bernheim, Louisville, Ky. (1927); David Philipson, Cincinnati, O. (1924); Edward M. Baker, Cleveland, O. (1923); D. A. Heubusch, Cleveland, O. (1926); Paul L. Feiss, Cleveland, O. (1927); Sigmund Sanger, Toledo, O. (1923); Otto Kaufman, Youngstown, O. (1924); Louis Horkheimer, Wheeling, W. Va. (1925).

Dist. IX: City of Philadelphia. 6 members: Cyrus Adler (1923); Wm. Gerstley (1924); Ephraim Lederer (1927); B. L. Levinthal (1925); M. Rosenbaum (1925); *Mayer Sulzberger (1923).

Dist. X: Delaware, District of Columbia, Maryland, Virginia. 6 members: David Snellenburg, Wilmington, Del. (1924); Fulton Brylawski, Washington, D. C. (1925); Jacob H. Hollander, Baltimore, Md. (1925); Julius Levy, Baltimore, Md. (1926); Siegmund B. Sonneborn, Baltimore, Md. (1925); E. N. Calisch, Richmond, Va. (1927).

Dist. XI: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont. 20 members: Louis M. Raffel, Waterbury, Conn. (1927); Isaac M. Ullman, New Haven, Conn. (1926); Isidore Wise, Hartford, Conn. (1925); Philip N. Bernstein, Waterbury, Conn. (1925); Jacob Asher, Worcester, Mass. (1926); Louis Baer, Boston, Mass. (1924); David A. Ellis, Boston, Mass. (1923); Lewis Goldberg, Boston, Mass. (1923); Henry Lasker, Springfield, Mass. (1927); David A. Lourie, Boston, Mass. (1926); A. C. Ratschesky, Boston, Mass. (1927); Felix Vorenberg, Boston, Mass. (1924); Chas. Wineapple, Salem, Mass. (1925); A. Hartman, Haverhill, Mass. (1925); Benjamin England Pittsfield, Mass. (1927); Edward M. Chase, Manchester, N. H. (1924); Archibald Silverman, Providence, R. I. (1925).

Dist. XII: New York City. 31 members: Isaac Allen (1926); Benjamin Altheimer (1924); Herman Bernstein (1926); Nathan Bijur (1925); David M. Bressler (1923); Elias A. Cohen (1927); Abram I. Elkus (1925); H. G. Enelow (1925); William Fischman (1925); Lee K. Frankel (1923); Henry M. Goldfogle (1924); Maurice H. Harris (1923); Max J. Kohler (1924); Jacob Kohn (1926); Irving Lehman (1927); Adolph Lewisohn (1925); William Lieberman (1924); Judah L. Magnes (1925); Louis Marshall (1925); Alexander Marx (1926); Edgar . Nathan (1923); A. E. Rothstein (1926); S. Rottenberg (1924); Bernard Semel (1924); Joseph Silverman (1927); I. M. Stettenheim (1927); Oscar S.

*Deceased

Straus (1924); Lewis L. Strauss, Jr. (1927); Cyrus L. Sulzberger (1926); Israel Unterberg (1923); Felix M. Warburg (1923).

Dist. XIII: New York (exclusive of the City). 8 members: Mortimer Adler, Rochester (1924); Simon Fleischmann, Buffalo (1925); Louis J. Kopald, Buffalo (1926); Benjamin Stolz, Syracuse (1924); Eugene Warner, Buffalo (1927); Horace J. Wolf, Rochester (1923).

Dist. XIV: New Jersey and Pennsylvania (exclusive of Philadelphia). 18 members: Milton M. Adler, Newark, N. J. (1927); Isaac Alpern, Perth Amboy, N. J. (1927); A. J. Dimond, East Orange, N. J. (1923); Sigmund Eisner, Red Bank, N. J. (1923); Felix Fuld, Newark, N. J. (1924); David Holzner, Trenton, N. J. (1925); Frederick Jay, Newark, N. J. (1923); Alexander Kaufman, Elizabeth, N. J. (1926); Wm. Newcorn, Plainfield, N. J. (1924); Joseph B. Perskie, Atlantic City, N. J. (1926); Lewis Straus, Newark, N. J. (1927); Isaac W. Frank, Pittsburgh, Pa. (1927); A. L. Luria, Reading, Pa. (1923); Isaiah Scheeline, Altoona, Pa. (1924); Isador Sobel, Erie, Pa. (1926); A. Leo Weil, Pittsburgh, Pa. (1924).

Members -at-Large for 1923: Louis E. Kirstein, Boston, Mass.; Abel Davis, Albert D. Lasker, Jacob M. Loeb, Chicago, Ill.; S. Marcus Fechheimer, Cincinnati, O.; Chas. Eisenman, Cleveland O.; Henry Sachs, Colorado Springs, Colo.; Jules E. Mastbaum and Horace Stern, Philadelphia, Pa.; Louis Witt, St. Louis, Mo.; Herbert Friedenwald Frederick W. Wile, Washington, D. C.

DELEGATES FROM NATIONAL JEWISH ORGANIZATIONS

AMERICAN JEWISH HISTORICAL SOCIETY, A. S. W. Rosenbach; COUNCIL, OF JEWISH WOMEN, Miss Rose Brenner and Mrs. Harry Sternberger; HADASSAH, Miss Alice L. Seligsberg; HEBREW SHELTERING AND IMMIGRANT AID SOCIETY OF AMERICA, John L. Bernstein, Harry Fischel, Leon Kamaiky, Jacob Massel, and Leon Sanders; INDEPENDENT ORDER BRITH SHOLOM, Sol. C. Kraus and Martin O. Levy; INDEPENDENT ORDER FREE SONS OF ISRAEL, Solon J. Liebeskind; INDEPENDENT WESTERN STAR ORDER, Max Levy; NATIONAL CONFERENCE OF JEWISH SOCIAL WORK SERVICE, Fred. M. Butzel; ORDER BRITH ABRAHAM, *Samuel Dorf, Leon, B. Ginsburg and Morris M. Green; ORDER OF THE

*Deceased

UNITED HEBREW BROTHERS, Meyer Greenberg; PROGRESSIVE ORDER OF THE WEST, Samuel Epstein; RABBINICAL ASSEMBLY OF THE JEWISH THEOLOGICAL SEMINARY, Mordecai M. Kaplan; UNITED SYNAGOGUE OF AMERICA, Samuel S. Lamport; WOMEN'S LEAGUE OF THE UNITED SYNAGOGUE OF AMERICA, Mrs. Charles I. Hoffman.

SIXTEENTH ANNUAL MEETING

NOVEMBER 12, 1922

The Sixteenth Annual Meeting of the American Jewish Committee was held at the Hotel Astor, New York City, on Sunday, November 12, 1922. Louis Marshall, Esq., presided, and the following members were present:

District

- I. Lionel Weil, Goldsboro; Montague Triest, Charleston.
- VI. Victor Rosewater, Omaha.
- VII. Julian W. Mack, Julius Rosenwald, Chicago; W. B. Woolner, Peoria.
- IX. Cyrus Adler, Philadelphia.
- X. Edward N. Calisch, Richmond.
- XI. Isidore Wise, Hartford; Jacob Asher, Worcester; Henry Lasker, Springfield; A. C. Ratshesky, Boston; Felix Vorenberg, Boston.
- XII. Isaac Allen, Elias A. Cohen, Isaac Cohen, William Fischman, Isidore Hershfield, Jacob Kohn, William Lieberman, Louis Marshall, H. Masliansky, S. Neumann, I. M. Stettenheim, and Cyrus L. Sulzberger of New York City.
- XIII. Simon Fleischmann, Buffalo; Eugene Warner, Buffalo.
- XIV. Isaac Alpern, Perth Amboy; William Newcorn, Plainfield; A. L. Luria, Reading; A. Leo Weil, Erie.

Members-at-Large: Herman Bernstein, Nathan Bijur, Max J. Kohler, Irving Lehman, New York City; Horace Stern, Philadelphia; Oscar S. Straus, Lewis Strauss, Jr., New York City.

Council of Jewish Women, Mrs. Alexander Kohut, New York City.

Hadassah, Miss Rachael Natelson, Brooklyn, N. Y.

Hebrew Sheltering and Immigrant Aid Society of America, John L. Bernstein, New York City.

Independent Order Brith Sholom, Sol. C. Kraus and Martin O. Levy, New York City.

Independent Order Free Sons of Israel, Solon J. Liebeskind, New York City.

Order Brith Abraham, Samuel Dorf, Leon B. Ginsburg and Morris M. Green, New York City.

United Synagogue of America, Samuel C. Lamport, New York City.

Women's League of the United Synagogue of America, Mrs. Charles I. Hoffman, Newark, N. J.

APPOINTMENTS OF COMMITTEES

The President appointed the following Committee on Nominations: Messrs. Simon Fleischmann, Nathan Bijur and Montague Triest; and the following Auditing Committee: Messrs. Eugene Warner and William Lieberman. Messrs. Benjamin Stolz, Lewis Strauss, Jr. and W. B. Woolner were appointed the Tellers.

PRESENTATION OF ANNUAL REPORT

The Executive Committee presented its report for the past year. Upon motion, the report was received and ordered printed.

ELECTIONS

The Committee on Nominations made the following recommendations:

For Officers:

President: Louis Marshall.

Vice-Presidents: Cyrus Adler and Julius Rosenwald.

Treasurer: Isaac M. Ullman.

For Members of the Executive Committee to serve for three years from January 1, 1923:

Felix Fuld

Louis Marshall

Irving Lehman

Isaac M. Ullman

To fill expired terms or vacancies:

- District I. Simon Benjamin, Jacksonville, Fla., to fill existing vacancy, for term expiring 1926; Leonard Haas, Atlanta, Ga., to be re-elected for term expiring 1927.
- District II. Morris V. Joseph, Birmingham, Ala., to succeed Otto Marx, for term expiring 1923.
- District III. Marion M. Travis, Tulsa, Okla., to be re-elected for term expiring 1927.
- District V. Ben Selling, Portland, Ore., to be re-elected for term expiring 1927.
- District VI. Isaac Summerfield, St. Paul, Minn., Nat Stone, Milwaukee, Wisc., to be re-elected for term expiring 1927, and D. M. Naftalin, Fargo, N. Dak., to fill existing vacancy for term expiring 1924.

- District VIII. Paul L. Feiss, D. A. Heusch, Cleveland, O., to fill existing vacancies in State of Ohio for term expiring 1926; Sol. S. Kiser, Indianapolis, Ind., to fill existing vacancy in State of Indiana for term expiring 1924 and Isaac W. Bernheim, Louisville, Ky., to be re-elected for term expiring 1927.
- District IX. Ephraim Lederer, Philadelphia, Pa., to be re-elected for term expiring 1927.
- District X. Edward M. Calisch, Richmond, Va., to be re-elected for term expiring 1927.
- District XI. Benjamin England, Pittsfield, Mass., to fill existing vacancy in State of Massachusetts for term expiring 1927, A. Hartman, Haverhill, Mass., to fill existing vacancy in State of Massachusetts for term expiring 1925' and Chas. Wineapple, Salem, Mass., to fill existing vacancy in State of Massachusetts for term expiring 1925; Philip N. Bernstein, Waterbury, to fill existing vacancy in the State of Connecticut for term expiring 1925; Archibald Silverman, Providence, to fill existing vacancy in State of Rhode Island for term expiring 1925; Louis M. Raffel, Waterbury, Conn., Henry Lasker, Springfield, and A. C. Ratshesky, Boston, to be re-elected for term expiring 1927; Edward M. Chase, Manchester, N. H., to fill existing vacancy in State of New Hampshire for term expiring 1924.

- District XIII. Eugene Warner, Buffalo, N. Y., to be re-elected for term expiring 1927.
- District XIV. Frederick Jay, Newark, N. J., to fill existing vacancy in State of New Jersey, for term expiring 1923; Milton M. Adler, Newark, Isaac Alpern, Perth Amboy, Lewis Straus, Newark, and Isaac W. Frank, Pittsburgh, to be re-elected for term expiring 1927.

REPORT OF TELLERS

The tellers reported that they had canvassed the ballots cast for District Members in District IV, VII, and XII and that the following received a plurality of the votes cast:

- District IV. Simon Binswanger, St. Joseph, Mo.
- District VII. B. Horwich, Chicago.
- District XII. Isaac Allen, Nathan Bijur, David M. Bressler, Elias A. Cohen, Abram I. Elkus, H. G. Enelow, William Fischman, Lee K. Frankel, Henry M. Goldfogle, Maurice Harris, Max J. Kohler, Jacob Kohn, Irving Lehman, Adolph Lewisohn, William Lieberman, Judah L. Magnes, Alexander Marx, Edgar J. Nathan, A. E. Rothstein, S. Rottenberg, Bernard Semel, Joseph Silverman, I. M. Stettenheim, Oscar S. Straus, Lewis Strauss, Jr., Cyrus L. Sulzberger, Israel Unterberg, Felix M. Warburg, all of New York City.

There being no other nominations, the Assistant Secretary was requested to cast one ballot for the nominees of the Committee on Nominations, which he did, and announced the election of the several nominees.

The Committee on Auditing the Accounts of the Treasurer

reported that it had duly audited these accounts and found them to be correct.

Upon motion, the meeting adjourned.

HARRY SCHNEIDERMAN,
Assistant Secretary.

TO THE MEMBERS OF THE AMERICAN JEWISH COMMITTEE:

At the Fifteenth Annual Meeting of the Committee, one year ago, your Executive Committee reported with satisfaction that the unworthy agitation against the Jews of America had collapsed thanks to the vigorous protests of the press, the Church, and other organs of public opinion. Today, we are enabled to say that during the year there was no attempt on any considerable scale to revive this propaganda, although in some sections of the country certain sinister political groups have made anti-Jewish prejudice a part of their program. There have also been a number of sporadic occurrences which indicate that the seeds of racial and religious antagonism, sown during 1920 and 1921, have found a fertile soil in some quarters. It has also come to the attention of your Committee that while the *Dearborn Independent* has ceased the systematic campaign of slander in its columns, the Dearborn Publishing Company is continuing to circulate in pamphlet form the articles which had appeared in that periodical both in this country and abroad. Teachers, editors, and clergymen are receiving these pamphlets, with the expectation that the accusations against Jews contained in them should to some extent be believed by some to whom this literature is sent. Your Committee is confident, however, that the number of persons who will give credence

to these broadsides is comparatively small and that the American people, as a whole, appreciate the injustice, wickedness and danger of such movements and may be relied upon to repudiate them.

It is fair to assume that the same malign influences by whom this evil propoganda is inspired will spawn new falsehoods and disseminate ancient and long since exploded libels.

IMMIGRATION

On May 19, 1921, the Johnson-Dillingham Bill, providing for the restriction of immigration during the following fiscal year, to three per cent of the number of foreign born persons of each nationality resident in the United States in 1910, became law. In spite of the fact that the execution and administration of this law gave rise to numerous hardships and much injustice, the restrictionists in Congress continued to demand the further limitation of immigration. Anticipating the close of the fiscal year ending June 30, 1922, at which time the law was to expire, the restrictionists introduced new measures for the continuance of its operation, proposing that the limit should be two and even one per cent.

In order to avoid the embarrassment heretofore experienced in consequence of the representations presented before Congressional Committees on former occasions by uninformed and ill-advised delegations, arrangements were successfully made for the organization of a Committee of those who have for many years studied the problems of immigration, to appear before the Senate and House Committees on Immigration. Your President was made the Chairman of the delegation designated for the presen-

tation of the arguments of those opposed to further restrictions.

Pursuant to the plan adopted, Mr. Marshall appeared before the House Committee on Immigration on January 26, 1922, and presented the view of those who believe that the arbitrary restriction of immigration is unsound, inhumane, and opposed to American traditions. His argument is to be found at pages 310 to 372 of the Report of the Hearings before the House Committee on Immigration and Naturalization and exhaustively discusses the many phases of the subject.

In spite of the fact that many persons who testified before the House Committee on Immigration strongly favored the reduction of the quotas to be admitted, the House Committee was impressed with the validity of the arguments presented on the other side and reported a resolution continuing in effect the present law for one year longer; the Senate inserted an amendment extending the time for an additional year, and the resolution was adopted in this form.

Recently there have been indications of a falling-off in immigration from centers which formerly furnished a large proportion of immigrants. It appears that even the three percent quota has not been filled for the past several months in the case of Poland. In the meantime industrial conditions in this country are such, that the need of increased labor has become urgent.

USE OF WINE FOR RITUAL PURPOSES

Your Committee has given serious study during the past year to the abuses growing out of that part of the Prohibi-

tion Enforcement Act which permits the use of wine for sacramental or ritual purposes. On December 22nd, last, the President of the Committee addressed the following letter to the Hon. D. H. Blair, Commissioner of Internal Revenue, offering the assistance of the Committee in any efforts which the Bureau of Internal Revenue would make to stamp out these abuses.

"Dear Sir:

My attention has been recently called to the fact that in various parts of the country abuses have arisen with respect to the distribution of wine for ritual purposes and that a number of so-called Rabbis have taken advantage of the regulations relative to the procurement, disposition and use of wines for sacramental purposes or like religious rites, to enable wine to be procured for non-ritual purposes.

"I had occasion to point out to one of your predecessors on December 12, 1919, and on March 5, 1920, the possibility that efforts might be made to circumvent the regulations and to facilitate the illegal sale of wine. I then urged that proper safeguards should be adopted to prevent the perpetration of such frauds, and I indicated a line of procedure which I then believed would prove effective. At that time, however, the entire subject was new and sufficient data were not available by which to determine a satisfactory method for dealing with it. It seems to me that the time has now arrived when the Prohibition Commissioner must have acquired sufficient information to warrant a revision of the regulations of the Treasury Department in this regard.

"As one interested in the strict observance of the law and in maintaining the respect due to religion, I strongly urge you to take immediate steps to prevent designing men from indulging with impunity in a violation of the terms of the Eighteenth Amendment and the provisions of the Volstead Law. If I can in any way be of assistance to you in any efforts that you may make in this direction I shall be very glad to give you the benefit of my views. I can assure you that the Jews of

this country are practically unanimous in frowning down any attempt that may be made to evade the law.

Very cordially yours,
s/d LOUIS MARSHALL,
President American Jewish Committee.

Hon. D. H. Blair,
Commissioner of Internal Revenue,
Washington, D. C."

The Central Conference of American Rabbis at its last conference took cognizance of this evil and adopted resolutions condemning the existing abuses. The subject also received consideration by leading Orthodox and Conservative Rabbis at whose instance Professor Louis Ginzberg, of the Jewish Theological Seminary, made a profound and exhaustive study of Jewish law and tradition as to whether fermented wine was required for ritual purposes. He reached the conclusion that the use of unfermented wine is legal, and that, while the use of fermented wine is not forbidden there is a distinct preference in favor of unfermented wine. Because of its importance and the desirability of making the responsum readily accessible it is published as an appendix to this report. The Rabbinical Assembly of the Jewish Theological Seminary after giving this weighty utterance careful consideration adopted its conclusions unanimously.

JEWISH METHOD OF SLAUGHTER

At the request of your Committee the Rev. Dr. Moses Hyamson attended the conference of the American Humane Association held at St. Paul, October 4th, to participate in a discussion on the various methods employed in this country

for the slaughter of animals. He read a carefully prepared paper before the organization in which he described and explained the Jewish method of slaughter. The Association was deeply impressed with Doctor Hyamson's views and Dr. Francis H. Rowley, who is the President of the Massachusetts Society for the Prevention of Cruelty to Animals and the Chairman of the Committee on Slaughter-House Reform of the American Humane Association, stated publicly that in any proposal for restrictive legislation that may be advocated under the auspices of the Association an exception will be made, specifically safeguarding the Jewish method, as is the case in England, Holland and Germany. In order that Dr. Hyamson's valuable contribution to the literature on this vital subject may be preserved it appears as a special article in this volume, p. 163.

NATIONAL COUNCIL FOR THE LIMITATION OF ARMAMENTS

Late in November, 1921, a group of national organizations organized a National Council for the Limitation of Armaments "to unite and make articulate through the member organizations the overwhelming sentiment of the people of the United States in favor of reduction of armaments." Your Committee received an invitation to be represented in this Council but declined on the ground that inasmuch as our government had called an International Conference to discuss the limitation of armaments it was the duty of every citizen to support the government in its noble endeavor to perpetuate peace, and that no independent organization for this purpose seemed necessary.

“A JEWISH CHAPLAIN IN FRANCE”

During the course of the year there was published a book entitled “A Jewish Chaplain in France” written by Rabbi Lee J. Levinger, formerly First Lieutenant, Chaplain in the United States Army. Inasmuch as this book contained valuable information with regard to the participation of American soldiers of the Jewish faith in the World War and also concerning the work undertaken, through the Jewish Welfare Board, to bring spiritual and social cheer into the lives of the men overseas, your Committee believed that this book would be read with interest by the American public and took steps to place a copy of it in a large number of public libraries and in the libraries of various colleges, universities and schools. We have received numerous expressions of grateful recognition of this gift.

BIOGRAPHY OF JACOB HENRY SCHIFF

In memory of the late Jacob H. Schiff, your Committee has had reprinted in book form the biography of Mr. Schiff written by Doctor Cyrus Adler and published in Volume 23 of the American Jewish Year Book.

THE BUREAU OF JEWISH SOCIAL RESEARCH

Your Committee has maintained its relations with the Bureau of Jewish Social Research, which is prosecuting the statistical work formerly conducted by the Bureau of Jewish Statistics and Research under the auspices of this Committee. Since September, 1921, the Bureau of Jewish Social Research has been compiling and publishing monthly *A Summary of Events of Jewish Interest*, copies of which

have been sent to the members of this Committee. These Summaries contain, in classified form, the most important items of news appearing in the Jewish press of practically every important country, and also items communicated by various organizations and to be found in the general press. It is believed that these Summaries are of substantial value in keeping those, who are concerned in the lives and the fortunes of the Jewish people, everywhere, informed of events materially affecting them.

These Summaries are especially designed to meet the needs of Rabbis, leaders, and teachers who desire a compact non-literary, and yet fairly accurate compilation of timely events, and to enlist the cooperation of organizations and individuals in various countries, in preserving a true and accurate record of matters of Jewish interest. It should be borne in mind that all items appearing in the Summary are derived from the press or are communicated officially by reliable organizations, and that neither the Bureau nor this Committee assumes any responsibility for the authenticity of any statement published, the source of which is given in every case.

Under the direction of Doctor H. S. Linfield, the Director of its Departments of Information and Statistics, this Bureau also collects, classifies, and files information and statistics affecting the Jews which are made available at any time, free of charge, to those seeking such information. During the past year this Department of the Bureau also undertook the preparation of the manuscript for the current issue of the American Jewish Year Book. In view of this additional responsibility, your Committee has increased

its annual contribution towards the support of the Bureau from \$5,000 to \$8,500.

THE AMERICAN JEWISH YEAR BOOK

In addition to the usual directories and lists, two special features are presented in the current volume, No. 24, of the American Jewish Year Book, prepared as for several years past, under the editorship of the Assistant Secretary of this Committee. The first feature is a survey of the year 5682, prepared by Doctor Linfield. This is a substitute for the Record of Events published in former volumes and is based largely on the monthly Summaries of Events of Jewish Interest already referred to. It is believed that readers of the Year Book will find this Survey a highly interesting, useful, and impartial presentation of the most significant events and tendencies in the life of the Jews throughout the world during the past twelve months. The other special feature is a list of Jews in the United States who have gained distinction in the various professions in the arts, in science or in other walks in the public life of our country. It is felt that, several years having elapsed since a similar statement has been published, the time had come to compile a new record of Jews who contribute notably to the sum of American life. This list has been compiled by Mr. I. George Dobsevege, the Secretary of the Jewish Publication Society of America.

The article on Statistics has been thoroughly revised on the basis of census and of new estimates made by various statistical authorities. The new tables are believed to be more accurate than those previously published, some of which were based upon population statistics of a quarter of a century ago.

They show a total of 15,393,815 Jews throughout the world 3,300,000 being in the United States, 3,716,000 in Poland, 2,375,000 in the Ukraine and 950,000 in Roumania.

CONDITION OF JEWS IN FOREIGN COUNTRIES

Two years ago, your Executive Committee, presented a survey of the condition of the Jews in various countries of Eastern and Central Europe. We pointed out at that time that it was not possible to report any considerable improvement in the unfortunate conditions following the World War and the numerous minor conflicts succeeding it. During the past two years, however, generally speaking a noticeable improvement in the condition of our brethren, has taken place although in many lands oppression, persecution and invidious discrimination still prevail. Even there a reasonable hope for eventual if not speedy betterment is justified.

Anti-Jewish Propaganda

The collapse of the anti-Semitic propaganda in this country has had a most salutary effect in Europe, in minimizing agitation there. However, it is still prevalent in varying degrees, in various countries. On the whole, however, the iniquitous propaganda has met with general condemnation in Western Europe, except in Germany where anti-Semitism has been adopted as a rallying cry by a number of minor political groups and especially those of reactionary tendencies. It is evident from their proceedings that anti-Semitism is the hand-maiden of the broken remnants of militarism and unkerdom and of those forces which are bent on over-throwing the Republic and of combating free and liberal government.

Recently, Herr Marx, the leader of the Catholic Party (Centrum) in the Parliament and President of the Senate made the encouraging declaration that "anti-Semitism is always an enemy of the Christian religion....Catholics will never have anything to do with anti-Semitism. They will consider it their duty to fight hate. It is absolutely clear that the murder of Rathenau was an anti-Semitic act, showing to what lengths the movement in Germany leads the people. The Jews of Germany may be sure of the support of the whole Catholic people and of the "Centrum" party in their fight against anti-Semitism."

Other high-minded and far-seeing men have made similar pronouncements and with a few exceptions the leading officials of the Government have voiced the same sentiment. Unfortunately, however, conditions in Germany are still far from satisfactory. There is no progress. A recrudescence of the Higher Anti-Semitism of a pseudo-scientific character, which is vented in attacks upon the Old Testament, the obtrusion of the so-called Nordic race-type symbolized by the Swastika and in agitation for the adoption of the numerus clauses in schools of higher learning. Here too the iron hand of the militaristic agitators and of its dethroned aristocrats is manifest. It would be a confession of the bankruptcy of civilization if these manifestations of barbarism and stupidity were to prevail for any length of time. Good sense and the plainest dictates of humanity and decency are certain to triumph.

With anti-Semitism discredited in the more enlightened countries of the world, it cannot long survive in Central and Eastern Europe. It still exists however in three countries, Latvia, Poland and Hungary, but happily

it is on the decline even there, where the better elements, convinced that racial antagonism is suicidal, are now beginning to assert themselves. Even in Hungary where Jew-hatred was for a time regarded as "respectable" and many a high-handed outrage went unpunished, the mis-called "Christian policy", a hypocritical euphemism for a course of procedure looking to the moral and economic annihilation of the Jewish population, has been definitely repudiated. This is induced by the fact that at the recent election nearly three-quarters of the old anti-Semitic deputies, including five cabinet ministers, failed of re-election to Parliament. Among those defeated was Deputy Becker, who championed the introduction of the infamous *numerus clausus*, limiting the admission of Jews to institutions of higher learning, by a percentage norm. Hungary, having reverted in this respect to the shameful practice of old Russia. Recently, Hungary has given pledges to the League of Nations to abolish this practice and all other regulations which deprive the Jews of political and civil equality. It will be interesting to see to what extent these pledges will be observed. The elections in Poland have also indicated a more liberal point of view. A considerable number of Jews have been elected to the Senate and to the Sejm and there is reason to believe that the rights of minorities will be respected and a spirit of unity will soon become general. There still remains an under-current of hostility in some political circles who regard it as helpful in compassing their ends to encourage hatred and suspicion against the Jews. This too, will in course of time cease when it becomes apparent that no country can

prosper in which complete harmony and equality among all of its inhabitants does not exist.

ECONOMIC LIFE

In our survey of the conditions of the Jews, two years ago, we referred to the sanguinary war between Poland and Russia which had then but recently ended, and which, we said, had cast the population of Eastern Europe into the lowest depths of misery. Since that time, warfare has ceased. Even the qualified peace which has since been enjoyed in that region has not only been a boon to the entire world, but has proven of inestimable benefit to the millions of Jews in Poland and in Russia, who, as history has uniformly shown, are the first to suffer when there is strife and disorder. The establishment of peace has brought with it a palpable improvement in economic life, by which the Jews have advantaged along with the rest of the population. Events are fast leading to at least an approach of normal conditions. The Jews of the Warsaw, Wilna, Grodno, and Bialystock districts have made great progress spiritually and economically, though the Jewish population in Volhynia is still in an unhappy condition.

In Russia, the introduction of the so-called new economic policy of the Communist régime has also led to some improvement in this respect. It is not so long ago that a well-known Jewish journalist told us that "the economic position of the Jewish masses in Soviet Russia is catastrophic. The imperialistic wars, civil conflicts, pogroms, the abolition of small trading, and, above all, the dreadful famine that has gripped parts of the Jewish settlements with their congested population, have uprooted the economic life

of the Jewish masses, have practically sentenced them to starvation and want as well as to actual deaths in great numbers." Happily, the wars and conflicts are over, the pogroms have ended, the right to trade has been restored with the result that Jews who were on the point of departing from Russia with the intention of seeking security and livelihood in other lands have decided to remain. Thanks to the humane and efficient work of the American Relief Administration, with which our own Joint Distribution Committee effectively cooperated, the famine which raged several years is fast being forgotten. Conditions in the Ukraine, however, continue to be critical, since the recent harvest in that region is believed to be inadequate for the feeding of the population during the coming winter. The housing condition in what was formerly the Pale is still lamentably insufficient. Hundreds of town inhabited by Jews were levelled to the ground and the returning refugees find themselves without shelter.

Educational and Spiritual Progress.

Improvement in the economic life of Jews in other countries is evidenced also by the perceptible falling-off in immigration to the United States. The Report of the United States Bureau of Immigration shows that the July and August quotas for Poland and several other countries have not been filled. This phenomenon may be partly explained by the lack of means to make the trip. But this cannot be the entire explanation. There is no doubt that economic conditions in Poland, for example, are distinctly improving, although we must not overlook the fact that during the recent campaign for elections to

the Polish Diet, much bitterness between Jews and Poles was engendered by the Polish reactionaries, and that political conditions still leave much to be desired. Nevertheless our brethren in Poland have already attained a more favorable position to promote the reconstruction of their own lives.

Indications that such reconstruction has already begun may be found in the tremendous revival of cultural life in Poland, and in Roumania, and, to a lesser extent in Latvia. The number of Jewish schools is increasing by leaps and bounds, old Yeshiboth are being rebuilt and new ones established, modern text books are being published in many places, new publications are springing up, and even the theatre, that unmistakable concomitant of normal life, is again coming into its own. Not only is the number of schools growing fast, but modernization is the order of the day, and even the Heder has felt and responded to the demand for an improved and expanded curriculum, for better text books, and more scientific methods of teaching. In every country, with the exception of Russia Poland, Hungary and Latvia, the government is encouraging this renaissance of intellectual life among the Jewish masses. Following a short-sighted policy of narrow nationalism, Poland and Latvia are only feebly aiding these efforts, while in many instances they are placing obstacles in the path of progress in these directions.

Religious Persecution in Russia.

In Russia, we have the curious spectacle not only of Slavs but also of so-called Jews allied to them politically, fighting with all the persistence and doggedness of fanatics

against every effort to conserve Judaism—against the observance of the festivals and the Sabbath, against the establishment of Jewish schools for the teaching of religion, against Jewish organizations, against the Hebrew language—all on the alleged ground that all these observances and institutions are bourgeois and promote reaction. It must, however, be said that the war against religion on the part of the Communists is universal in Russia and is not confined to the Jews.

POLITICAL AND CIVIL STATUS

This brings us to the consideration of the political status of the Jews in those countries, in which the former Russian autocracy had nurtured a strong tradition opposed to the civil and political equality of Jews, which led the Peace Conference to endeavor to throw safeguards about the rights of not only the Jews but also of all other racial, linguistic and religious minorities as well, by guaranteeing to them what have come to be known as "Minority Rights". Every state created by the Peace Conference or recognized later by the League of Nations is endeavoring to honor the letter and the spirit of these political principles, with the exception of Austria, Latvia, Poland, and, to a much lesser extent, Roumania. Lithuania has been conspicuously progressive in this direction, having embodied in its constitution the minority clauses required by the League of Nations, and having given a solemn pledge to introduce in the Sejm or Parliament measures providing for a ministry of Jewish affairs in the cabinet. Austria has persistently refused to recognize the Jewish refugees from Galicia as Austrian nationals despite the provisions of the Treaty

of Peace. Latvia has discriminated against Jews in the matter of appointments to the civil service, and has frowned upon attempts to establish Jewish schools, although it has not opposed the organization of the Jewish communities. While Roumania has not fully carried out some of the provisions of her Treaty with the Allied and Associated Powers, especially in respect of the automatic naturalization of Jewish nationals, yet she is making efforts to subsidize Jewish institutions, to legalize the Kehilloth, and to give official recognition to a Council of Jewish Communities. Evidently, the progressive and the more enlightened Roumanian statesmen, appreciating the stupendous task which lies before them of consolidating a greatly enlarged country with several important groups of non-Roumanian nationals, and recognizing the necessity of fostering harmonious relations and of developing a contented population, have adopted a policy of conciliation.

PALESTINE

In Palestine, in which, according to the latest interpretation of the Balfour Declaration by the British Colonial office, "a Jewish National Home" is to be established, there has been activity in all directions,—economic, cultural, and religious. Numerous commercial and industrial enterprises have been proposed or actually projected, including the harnessing of the water power of the Jordan for the generation of electrical energy for industrial and domestic uses. The educational system is being improved, model text books are being published, and new organs of

opinion established. Uncertainty as to the political status of Palestine has been removed by the approval on July 24, 1922, on the part of the League of Nations, of the British Mandate, and by the persistent refusal of the British Government, despite tremendous pressure, to withdraw from its pledge as defined in the Balfour Declaration. In accordance with the Mandate, Sir Herbert Samuel was sworn in as High Commissioner and Commander in Chief on September 11, 1922.

There appears to be intense opposition to this arrangement on the part of a section of the Arab population of Palestine despite the broad and liberal interpretation of the British pledge by the recent Government. "The development of the Jewish National Home in Palestine," the British Colonial Secretary stated, means "not the imposition of a Jewish nationality upon the inhabitants of Palestine as a whole, but the further development of the existing Jewish community, with the assistance of Jews in other parts of the world, in order that it may become a center in which the Jewish people as a whole may take, on grounds of religion, and race, an interest and pride. But in order that this community shall have the best prospects of free development and provide a full opportunity for the Jewish people to display its capacities, it is essential that it should know that it is in Palestine as of right and not on sufferance."

ORGANIZATION MATTERS

1. MEETINGS

Your Committee has held meetings on the following dates: December 11, 1921, and January 14th, February 12th, March 12th, April 23d, September 28th and November 11th, 1922.

2. DEATHS

Your Committee reports with sorrow, the death during the past year of two of our members, Mr. Charles H. Shapiro, of Bridgeport, Conn., and Doctor P. A. Siegelstein of New York City. Your Executive Committee adopted the following resolutions:

The Executive Committee of the American Jewish Committee has learned with deep sorrow of the death of Charles H. Shapiro, Bridgeport, Connecticut, a member of the General Committee. Mr. Shapiro always took an active interest in the work of the organization, attended its meetings and responded whenever called upon for aid or advice. The Committee regards his passing as a distinct loss and desires to express to his wife and children its sympathy in their bereavement.

The Executive Committee of the American Jewish Committee has learned with deep sorrow of the death of Doctor Pierre A. Siegelstein of New York City who has been a member of the General Committee for many years. Doctor Siegelstein always gave his active support to and exerted his wide influence in behalf of all the activities of the

Committee. We extend to his family our heartfelt sympathy and condolence.

3. MEMBERSHIP

Your Committee begs leave to report that the following gentlemen who were elected to membership at your last annual meeting, have agreed to serve:

- District I. Lionel Weil, Goldsboro, N. C.
 District III. Isaac S. Kempner, Galveston, Tex.
 District IV. Aaron Waldheim, St. Louis, Mo.
 District V. Max C. Sloss, San Francisco, Calif.
 District VI. David A. Brown, Detroit, Mich.; Meyer S. May, Grand Rapids, Mich.
 District VII. W. B. Woolner, Peoria, Ill.
 District X. Julius Levy, Baltimore, Md.
 District XI. Charles H. Shapiro (Deceased), Bridgeport Conn.; Isaac M. Ullman, New Haven, Conn.; Jacob Asher, Worcester, Mass.; and David A. Lourie, Boston, Mass.
 District XIII. Louis J. Kopald, Buffalo, N. Y.
 District XIV. Joseph B. Perskie, Atlantic City, N. J.; Alexander Kaufman, Elizabeth, N. J.; and Isador Sobel, Erie, Pa.
 AT LARGE Herman Bernstein, Nathan Bijur, Abel Davis, Charles Eisenman, Abram I. Elkus, S. Marcus Fechheimer, Lee K. Frankel, Herbert Friedenwald, Louis E. Kirstein, Max J. Kohler, Albert D. Lasker, Irving Lehman, Jacob M. Loeb, Jules E. Mastbaum, Henry Sachs, Horace Stern, Oscar S. Straus, and Lewis Strauss, Jr.

The terms of the following members expire this year:

- District I. Leonard Haas, Atlanta, Ga.
 District III. Marion M. Travis, Tulsa, Okla.
 District IV. Harry Block, St. Joseph, Mo.
 District V. Ben Selling, Portland, Ore.
 District VI. Isaac Summerfield, St. Paul, Minn.; and
 Nat Stone, Milwaukee, Wis.
 District VII. B. Horwich, Chicago, Ill.
 District VIII. Isaac W. Bernheim, Louisville, Ky.
 District IX. Ephraim Lederer, Philadelphia, Pa.
 District X. Edward N. Calisch, Richmond, Va.
 District XI. Louis M. Raffel, Waterbury, Conn.; Henry
 Lasker, Springfield, Mass.; A. C. Rats-
 hesky, Boston, Mass.
 District XIII. Eugene Warner, Buffalo, N. Y.
 District XIV. Milton M. Adler, Newark, N. J.; Isaac Al-
 pern, Perth Amboy, N. J.; Lewis Straus,
 Newark, N. J.; and Isaac W. Frank,
 Pittsburgh, Pa.

You will recall that at the last annual meeting amendments to the By-Laws were adopted which made provision for the nomination and election of District Representatives by those persons designated Sustaining Members who contribute annually to the funds of the Committee the sum of five dollars or over. In accordance with this provision the President appointed the following Nominating Committee which was asked to make nominations for Representatives to succeed those members whose terms expire today and where vacancies exist.

District I. Montague Triest, Charleston

- District II. Nathan Cohn, Nashville
- District III. Rabbi Max Heller, New Orleans
- District IV. Charles Jacobson, Little Rock
- District V. Max C. Sloss, San Francisco
- District VI. Henry M. Butzel, Detroit
- District VII. James Davis, Chicago
- District VIII. David Philipson, Cincinnati
- District IX. William Gerstley, Philadelphia
- District X. Fulton Brylawski, Washington, D. C.
- District XI. Charles H. Shapiro, Bridgeport (Deceased)
- District XII. Cyrus L. Sulzberger, New York City, Chairman
- District XIII. Simon Fleischmann, Buffalo
- District XIV. Felix Fuld, Newark

Following is a list of nominations made by this Committee:

- District I. Simon Benjamin, Jacksonville, Fla., to fill existing vacancy in State of Florida; Leonard Haas, Atlanta, Ga., to be reelected for term expiring 1927.
- District III. Marion M. Travis, Tulsa, Okla., to be reelected for term expiring 1927.
- District IV. Louis Witt, St. Louis, Mo., to succeed Harry Block of St. Joseph, Mo., for term expiring 1927.
- District V. Ben Selling, Portland, Ore., to be reelected for term expiring 1927.
- District VI. Isaac Summerfield, St. Paul, Minn.; Nat Stone, Milwaukee, Wis., to be reelected for term expiring 1927.

- District VII. B. Horwich, Chicago, Ill., to be reelected for term expiring 1927.
- District VIII. Fred Lazarus, Columbus, O.; Paul L. Feiss, Cleveland, O., and D. A. Huebsch, Cleveland, O., to fill existing vacancies in State of Ohio; Isaac W. Bernheim, Louisville, Ky., to be reelected for term expiring 1927.
- District IX. Ephraim Lederer, Philadelphia, Pa., to be reelected for term expiring 1927.
- District X. Edward N. Calisch, Richmond, Va., to be reelected for term expiring 1927.
- District XI. Benjamin England, Pittsfield; A. Hartman, Haverhill, and Chas. Wineapple, Salem, to fill existing vacancies in State of Massachusetts; Philip N. Bernstein, Waterbury, to fill existing vacancy in the State of Connecticut; Archibald Silverman, Providence, to fill existing vacancy in State of Rhode Island; Louis M. Raffel, Waterbury, Conn., Henry Lasker, Springfield, Mass., and A. C. Ratschesky, Boston, Mass., to be reelected for term expiring 1927.
- District XII. Isaac Allen, Herman Bernstein, Nathan Bijur, David M. Bressler, Elias A. Cohen, Abram I. Elkus, William Fischman, Lee K. Frankel, Henry M. Goldfogle, Daniel Guggenheim, M. H. Harris, Max J. Kohler, Jacob Kohn, Irving Lehman, Adolph Lewisohn, William Lieberman, Judah L.

Magnes, Louis Marshall, Alexander Marx, Edgar J. Nathan, A. E. Rothstein, S. Rotenberg, Bernard Semel, Joseph Silverman, I. M. Stettenheim, Oscar S. Straus, Lewis Strauss, Jr., Cyrus L. Sulzberger, Israel Unterberg and Felix M. Warburg to succeed the present members in New York City.

District XIII. Eugene Warner, Buffalo, N. Y., to be reelected for term expiring 1927.

District XIV. Frederick Jay, Newark, to fill existing vacancy in State of New Jersey; Milton M. Adler, Newark, N. J., Isaac Alpern, Perth Amboy, N. Y., Lewis Straus, Newark, N. J., and Isaac W. Frank, Pittsburgh, Pa., to be reelected for term expiring 1927.

These nominations were submitted to the Sustaining Members who were asked to make independent nominations if they choose to do so. The list of independent nominations follows:

District IV. Simon Binswanger, St. Joseph, Mo., to succeed Harry Block, whose term expires today.

District VI. D. M. Naftalin, Fargo, N. Dak., to fill existing vacancy in State of North Dakota; I. H. Rubin, Minneapolis, Minn., to fill existing vacancy in State of Minnesota.

District VII. Louis Birkenstein, Chicago, Ill., to succeed B. Horwich, whose term expires today.

- District VIII. Sol. S. Kiser, Indianapolis, Ind., to fill existing vacancy in State of Indiana.
- District XI. Edward M. Chase, Manchester, N. H., to fill existing vacancy in State of New Hampshire.
- District XII. Benjamin Altheimer, Reuben Arkush, Sydney C. Borg, Emanuel Celler, H. G. Enelow, Samson Lachman, M. Warley Platzek, and Gustavus A. Rogers.

After all the nominations had been received at the office of the Committee, the gentlemen nominated were asked whether they would be willing to serve on the Committee if elected. The following declined the nomination: I. H. Rubin, Minneapolis, Minn., Fred. Lazarus, Columbus, O., and Reuben Arkush, Sidney C. Borg, Daniel Guggenheim and M. Warley Platzek of New York City.

In those Districts where there were both Official and Independent nominations, ballots were prepared which will be canvassed today and the results reported by the tellers appointed by the President in accordance with the provisions of the By-laws.

Successors are to be chosen at this meeting to the following members of the Executive Committee, whose terms expire on January 1, 1923: Irving Lehman, Louis Marshall, A. C. Ratschesky and Isaac M. Ullman.

Your Committee recommends the election of the following to membership at large: Abel Davis, Chicago; Charles Eisenman, Cleveland; S. Marcus Fechheimer, Cincinnati; Herbert Friedenwald, Washington; Louis E. Kirstein, Boston; Albert D. Lasker, Chicago; Jacob M. Loeb, Chicago; Jules E. Mastbaum, Philadelphia; Henry Sachs, Colorado

Springs; Horace Stern, Philadelphia; Frederick W. Wile, Washington.

4. REPRESENTATION OF NATIONAL JEWISH ORGANIZATIONS.

The By-laws also make provision for the representation in the Committee of national Jewish organizations and in accordance with this provision a select list of such organizations were invited to elect representatives to our Committee. The organizations which have responded to our invitation and the names of their representatives follow:

American Jewish Historical Society, A. S. W. Rosenbach.
Council of Jewish Women, Miss Rose Brenner and Mrs.

H. Sternberger.

Hadassah, Miss Alice L. Seligsberg.

Hebrew Sheltering and Immigrant Aid Society of America,
John L. Bernstein, Harry Fischel, Leon Kamaiky, Jacob
Massel and Leon Sanders.

Independent Order Brith Sholom, Sol. S. Kraus, and Martin
O. Levy.

Independent Order Free Sons of Israel, Solon I. Liebeskind.

Independent Western Star Order, Max Levy.

National Conference of Jewish Social Service, Fred M. Butzel.

Order Brith Abraham, Samuel Dorf, Leon B. Ginsburg and
Morris M. Green.

Order of the United Hebrew Brothers, Meyer Greenberg.

Progressive Order of the West, Samuel Epstein.

Rabbinical Assembly of the Jewish Theological Seminary,
Mordecai M. Kaplan.

United Synagogue of America, Samuel C. Lamport.

Women's League of the United Synagogue of America, Mrs.
Charles L. Hoffman.

APPENDIX

A RESPONSE TO THE QUESTION

Whether Unfermented Wine May Be Used In Jewish Ceremonies.

BY LOUIS GINZBERG

Professor of Talmud, the Jewish Theological Seminary of America.

(Translated from the Hebrew original)

THE QUESTIONS

1. Is there any reason why fermented wine should be preferred to unfermented in the performance of Jewish religious ceremonies?
2. Is there any reason why grape-juice may not be used in the performance of those ceremonies?

THE RESPONSE

The above questions were referred to me by the Rabbinical Assembly of the Jewish Theological Seminary of America. They have become of more than theoretical importance because of the prohibition by the Eighteenth Amendment to the Constitution of the United States of the "manufacture, sale or transportation within" the United States of intoxicating liquors "for beverage purposes". Under the Volstead Act and the Regulations of the Department of Internal Revenue, Jews are permitted to buy wine for the performance of their religious customs. This privilege has given rise to widespread abuse which has attracted attention from many quarters. Many people, not Rabbis, have presumed to exercise the functions of Rabbis, in order to procure and help others procure wine not at all for religious purposes, but for "beverage purposes". The Rabbinical Assembly has been moved by the discovery of these scandals to ask whether fermented wine is indeed essential to the performance of any Jewish religious ceremony.

I. THE HISTORICAL DEVELOPMENT OF THE USE OF WINE IN JEWISH CUSTOM.

1. *The Origin of the Use of Wine in Jewish Ritual.*—In order to understand fully the laws regarding the use of wine in Jewish ceremonies

it is necessary to know some of the facts concerning the development of these customs. The sages of Israel never introduced the drinking of wine as a religious custom. They merely gave a religious sanctification to the use of wine which before their times had been drunk in a purely secular way after the fashion of other Oriental peoples. It is a general tendency of rabbinic Judaism to give religious sanction to purely secular actions. By adding a prayer to the drinking of the wine, and by reducing the amount used to a single cup, the wine drinking ceased to be merely indulgence of the appetite, and its use became a religious rite. This is the origin of the use of wine in every case where it has become part of Jewish ceremonial.

2. *The Use of Wine in Religious Ceremonies as Recorded in Scripture.*—In the Pentateuch the use of wine in the performance of religious ceremonies is mentioned only in connection with libations. The sacrifice being a symbolic way of communing with God, it was composed of all the elements of a Palestinian festival meal: meat, bread, wine, and oil. See Exodus, 29:40, Numbers 28:7, 10, 14, and other passages.

3. *The Passover Meal.*—The first reference to the use of wine in a religious ceremony outside the Temple occurs in the Book of Jubilees 49.6, which was composed about the year 100 before the Common Era. Wine is there mentioned as part of the Paschal feast. A similar reference occurs in the early Christian writings (Matthew 26.27). In the tenth chapter of the treatise *Pesahim* which has been shown (Hofmann, *Die Erste Mishna*, pp. 8, 16.) to have been composed before the Fall of the Second Jewish Commonwealth, wine is referred to as an integral part of the Passover meal.

Four cups of wine are drunk in connection with the Passover service. In order to understand the origin of these four cups we must bear in mind that at first the meal, which now follows the recital of the Passover service, preceded it. The Passover home service began with a meal, which consisted of the Paschal lamb, the unleavened cakes, the bitter herbs, and of course, of wine. As at every other festival meal, wine was drunk before the meal and after it. The wine drunk before the meal was *reduced* by the sages to a single cup over which was pronounced the benediction for the Sanctification of the Day (*Kiddush*); the wine drunk after the meal was again reduced to a single cup, over which grace after the meal was recited. This *Kiddush* cup was common

to all festivals, and the custom of reciting grace after the meal over a cup of wine was continued even on week-days till our own times.

After the meal the child would ask for the meaning of the strange customs observed on that night and the reply to it would form the service of the evening (the modern Haggadah). After the service, the people would indulge in festive songs, beginning with the great Jewish paean, the *Hallel*, which consists of Psalms 113-118. This singing was accompanied by drinking which the Rabbis limited to two cups, one before the *Hallel* and one after it. There thus arose the custom of drinking four cups of wine on Passover night, and even in later times when the Haggadah for various reasons, was recited before the meal, the four cups continued as an integral part of the service of the evening.

4. *Kiddush and Habdalah*.—We have seen how the wine ordinarily drunk before the festival meal was sanctified by the Rabbis into a religious ceremony, and the benediction ushering in the holy day pronounced over it. The same development took place regarding the ushering in of the Sabbath. There thus arose the custom of reciting the *Kiddush* both for the Sabbath and other festivals over a cup of wine. This ceremony was well established by the first century, since the schools of Shammai and Hillel who flourished in that century differed at that early period as to the proper method of performing the ceremony under various conditions.

Just as at the beginning of the Sabbath and the festivals, a benediction was pronounced, so there developed the custom of reciting a benediction at their termination. The final meal, like all festival meals in Palestine, was followed by the drinking of wine. The Rabbis made the cup of wine, drunk at that time, the occasion of the pronouncing of a benediction for the terminating of the Sabbath or festival. This was called the *Habdalah*, the prayer dividing the holy day from the week-day.

5. *Nuptial Benedictions*.—The Jewish marriage ceremony in early times consisted of two distinct festive occasions: the *erusin* or betrothal, which in Jewish law has legal validity and cannot be dissolved except by due ceremony of divorce; and the *nissuin* or wedding ceremony. These two ceremonies have in modern times been merged into one, the passing of the ring from the bridegroom to the bride being

performed at the same time as their entrance into the canopy, although the first is the legal *erusin* and the second the theoretical *nissuin*.

Each of these ceremonies has its own benedictions, and in modern times each is recited over a cup of wine. Two cups of wine are thus needed for every marriage ceremony.

There is no mention of the need of a cup of wine for either ceremony in the Talmud or the early gaonic works. R. Isaac of Vienna (thirteenth century) in his code (*Or Zorua* I, 742) declares that the use of wine in connection with the marriage benedictions were ordained by the Rabbis as is "stated in the treatise *Sotah*, of the Talmud of Jerusalem, chapter *Keshem* (*i. e.* chapter 5)" Now in the chapter of *Sotah* mentioned there is no reference to the use of wine at weddings, and the word *Keshem* must therefore be emended to *Meshem*, which is an abbreviation for the words *Mashuah Milhamah* or chapter 8 of *Sotah*. In that chapter there occurs a tanaïtic statement discussing the question whether wine with a pungent taste may be used for various religious ceremonies. It is mentioned in that connection that such wine may be used "to sanctify a bride in marriage"

This expression is ambiguous since it may mean either that the wine may be used as a gift to the bride in consideration of which she becomes sanctified in marriage, or that it may be used to recite the benedictions of the nuptial ceremony. While R. Isaac of Vienna seems to adopt the second interpretation, there is no parallel for the use of the expression in that sense. In speaking of the nuptial benedictions, the Talmud refers to them as "the benedictions of the bridegroom" but never as the "benedictions of the bride".

The first interpretation receives some support from a statement of R. Sa'adja Gaon (Babylon, first half of the tenth century) in his *Seder* (quoted in *Seder R. Amram*, ed. Frumkin, II, p. 196b) that, after the benedictions of *erusin*, the bridegroom says to the bride, "Be thou sanctified to me in marriage in consideration of this cup and its contents" This expression implies that the cup of wine is the actual means whereby the bride is married to the bridegroom and not the cup over which the benediction is pronounced. The custom of giving a cup of wine to the bride was extant among the Singali Jews, as can be seen from their prayer-book (Amsterdam, 1769, p. 45b). In spite of this support it is difficult to assume that already in talmudic times

the custom of giving a bride a cup of wine in consideration of the marriage had already been established.

Far more likely is it that the passage should be emended by omitting the words "the bride". Thus instead of our text, "and one may sanctify the bride with it". We should read and one "may sanctify with it". The sanctification would then refer to the Sabbath and the festivals, for which the words are used without particularization. The insertion of the words "the bride" which misled the commentators was due, no doubt, to an error of some scribe who noticed that the previous item was "and one may console the mourners", and therefore thought that the parallel to it ought to be "and one may sanctify the bride" (For the use of wine in the consolation of mourners, see below, section 8).

The assumption that our text of the Jerusalem Talmud is corrupt gains color from the fact that Maimonides, refers to the use of wine at weddings as being merely a custom (Laws of *Ishut*, 3.24). Similarly R. Nissim b. Jacob (North Africa, tenth century) speaks of the cup of wine as being an essential part of the *nissuin* or wedding ceremony, but claims that it is not essential to the *erusin* or betrothal. (His view is quoted by Asheri, Ketubot 8b). In view of the fact that R. Nissim and Maimonides were more intimately acquainted with the Talmud of Jerusalem than any other of the earlier scholars, it follows that their failure to take cognizance of the passage under discussion implies that it read differently in their copies. Our text may therefore be assumed to be corrupt.

Some of the early German codifiers mention another passage from the Talmud of Jerusalem which deals with the need of wine at weddings, but the passage is not found in our texts, and is doubtless a later addition. See R. Eleazar of Worms (thirteenth century), *Rokeah*, 352, and R. Eliezer B. Joel Ha-Levi also called Rabiah, (Germany, thirteenth century) in *Abi-ezri*, 98.

The oldest passage in which reference is made to the use of wine in connection with the wedding ceremony is the *Masseket Soferim* 19.11, and *Masseket Kallah*, chapter 1, Gemara, both of which were compiled in gaonic times. See also R. Menahem Meiri (Provence, twelfth century) in his *Magen Abot*, p. 30-32.

6. *The Use of Wine in Connection with the Rite of Circumcision.*—That the rite of circumcision was in early times accompanied by a feast

follows from Talmud (Sabbath 130a). But there is no reference made either there or elsewhere in the Talmud to the pronouncing of a benediction at the ceremony over a cup of wine. Nor is it mentioned in the early codes like that of R. Isaac Alfasi (Spain, eleventh century) or Maimonides. Nevertheless, the use of wine in connection with this ceremony is an old custom, which already prevailed in gaonic times; witness R. Natronai Gaon and other Geonim (*Halakot Gedolot*, ed. Hildesheimer, p. 106. The passage is not found in the older text.)

7. *The Use of Wine in Connection with the Rite of Redemption of the First-Born.*—As is well-known, the first-born male son of an Israelite is redeemed from a priest on the thirty-first day of his life. While there is no mention made in the Talmud or the early codes regarding the use of wine in connection with this ceremony, its use had become customary in gaonic times, according to Asheri (b. Germany, c. 1250: d. Spain, 1328), in his code *Kiddushin*, chapter 1 (end). See also the *Tur*, by R. Jacob, son of Asheri, *Yoreh De'ah*, 305, and R. Joseph Caro (Palestine, sixteenth century), in the *Shulhan 'Aruk*, *Yoreh De'ah* 305.

8. *The Use of Wine in the Consolation of Mourners.*—In talmudic times it was customary for the friends of a bereaved person to provide the first meal after the funeral of the deceased. It seems that at first it was customary to provide wine at this meal. But to this custom, there developed objections, so that in many places lentils and eggs were substituted for wine (See Talmud of Jerusalem, Berakot 3.1). Concerning the abuse of the drinking of wine in the house of mourners, see Ketubot 8b, and *Semahet*, end.

Nevertheless it is to be noted that the passage in the Talmud of Jerusalem, cited above, concerning the use of wine in consoling the mourners, refers not to this custom, but to the use of wine in reciting the benediction of consolation. Benediction of the consolation mentioned in so early a source (as Yerushalmi Pesahim 88, Sanhedrin 61) of the mourners was recited over a cup of wine as late as the time of R. Paltoi Gaon and R. Natronai Gaon in some communities (*Gaonim Kadmonim* 35). In view of the fact that this benediction must be pronounced over a cup of wine it was relevant for the Talmud of Jerusalem to discuss whether it may be recited over wine with a pungent taste. The custom has, however, fallen into desuetude. The

friends of the mourners supply food for a meal rather than wine, and no special benediction is pronounced.

II. THE MAIN PASSAGES IN THE BABYLONIAN TALMUD BEARING ON THE GRADE OF WINE TO BE USED IN RELIGIOUS CEREMONIAL.

1. *The passage in Baba Batra 97a.*—Having examined the history of the development of the various Jewish customs in which wine is used we shall now proceed to study the passages in the Babylonian Talmud that bear on the status of the various grades of wine that may be used in these ceremonies. Before entering on this discussion, it will simplify matters if a few definitions are prefaced.

There are three conceptions in Jewish ritual law regarding the importance of performing a commandment in a certain way. There are details which are essential to the fulfilment of a commandment. If any one of these is omitted the action is not regarded as valid, and generally speaking, must be repeated. This is called unfit *bedi'abad* after the act. There are some details which are only necessary *lekatehillah*. That is, they ought to be observed, but if they have been omitted their omission does not render the act itself invalid. Thus, in the evening of the New Moon, mention ought to be made of the festival in a special prayer. The omission of the prayer does not, however, necessitate the repetition of the entire prayer, because the mention of the New Moon in the evening prayer is important only *lekatehillah*. If the mention is omitted from the morning or afternoon prayer, the prayer must be repeated, because the even *bedi'abad*, the prayer is unacceptable.

An important question is then whether the use of fermented wine, if it be found to be preferable, is a matter of *lekatehillah*, that is, whether its use is unessential to the validity of the ceremony, or if it is also *bedi'abad*, that is, whether the failure to use it would render the ceremony invalid.

If, as I expect to show, the use of fermented wine is neither *lekatehillah* nor *bedi'abad*, that is, if it is not all important from the legal point of view, there may still remain a reason for using it under the principle of *Mitzwah min ha-mubhar*. This principle is that any commandment should be fulfilled in the best possible way. There are some details in the observance of the law, which are not essential either *lekatehillah* or *bedi'abad*, and are nevertheless observed by the most

pious as being the most appropriate form of observing the ceremony. We will, therefore, first discuss the legal necessity of the use of fermented wine, and then the question of *mitzvah min ha-mubhar*.

Since the use of wine in religious ceremonial is in Scripture exclusively connected with the Temple service, all Talmudic discussion of the need of wine in any service necessarily centres about the regulations concerning its use in libations. The earliest reference to the quality of wine to be used in the Temple service is to be found in the words of R. Judah b. Baba who was a young man at the time of the Fall of Jerusalem. He is reported ('Eduyyot 6.1) to have said: "Wine, forty days old, may be used for libations."

This statement is ambiguous as it does not tell us whether wine less than forty days old is unfit for the altar-use *lekatehillah* or *bedi'abad*. The Mishnah is therefore interpreted by a statement in the Tosefta (Menahot, 9.12, ed. Zuckerman, p. 526) where we read: "One ought not to use wine less than forty days old for the libations; nevertheless if one has used it, the service is valid." The law is thus laid down that wine less than forty days old is unfit *lekatehillah*, but acceptable *bedi'abad*.

The importance of this statement of the Tosefta to an understanding of the questions relating to the use of various grades of wine in Jewish ritual will become evident upon an examination of the main passage in the talmud dealing with the problem, the one found in the treatise Baba Batra 97a.

It reads: R. Zutra b. Tobiah said in the name of Rab: One may pronounce the *Kiddush* only over such wine as may be offered on the altar. Question: Which wine is excluded by Rab's statement? Is it wine from the press? Have we not a *Baraita* of R. Hiyya. "One should not use wine from the press *lekatehillah*, but it is acceptable *bedi'abad*." But since the wine from the press is acceptable for libations *bedi'abad*, it is acceptable for *Kiddush lekatehillah*. Moreover, Raba has explicitly stated; "one may press out a cluster of grapes and pronounce the *Kiddush* over its juice immediately."

It is necessary to point out here that the Talmud uses the expressions "wine from the press," "wine less than forty days old" interchangeably for unfermented wine. The expression "new wine" in the Talmud refers to wine of the same year, as shall be seen below. In the medieval

codes. the expression "new wine" is, however, often used of unfermented wine. The word *tirosk* is often used in the Talmud as well as in later writings, as it is always used in Scripture, to designate unfermented wine.

From this statement it will appear that the quotation of the Baraita of R. Hiyya in the Talmud has reference to no other passage than the one in the Tosefta, which has been quoted. It is well known that our Tosefta is largely composed of the teachings *baraitot* of R. Hiyya. The change of expression from "wine less than forty days" to "wine from the press" is of course negligible since they are synonymous. It is strange that none of the commentators or codifiers have pointed out the identity of the *baraita* in the Talmud with the statement in the Tosefta. And yet there can be no question of their identity.

From the passage that has been quoted from the Talmud it is clear that unfermented wine may be used for *Kiddush lekatehillah* and this is emphasized by Raba's statement that one may recite the *Kiddush* over juice freshly pressed from the grapes, without waiting for fermentation to begin.

None of the commentators has explained how the Talmud derived the statement that the grade of wine sanctioned *bedi'abad* for the Temple service is sanctioned *lekatehillah* for the home service. It seems that the Talmud derives that from a redundancy in Rab's words. The usual expression for such a thought as Rab's would have been "Wine fit for the altar is fit for *Kiddush*" Such expressions are common in the Talmud. See for example, Niddah 6.4; A person fit to judge is fit to be a witness. From the circumlocution of Rab the Talmud is led to suppose that he means that only wine unfit *bedi'abad* for the Temple is unfit for *Kiddush*, but wine which is acceptable, even *bedi'abad*, for libation may be used *lekatehillah* for *Kiddush*.

In the *Halakot Gedolot*, the earliest Jewish compendium of the Talmud, this passage from Baba Batra is re-stated with some changes. The statement of Raba as quoted there reads: "One may press out a cluster of grapes and pronounce the *Kiddush* over the juice, *since the juice of the grape is considered wine in connection with the laws of the Nazirite.*" It is difficult to determine whether the part of the statement that is not found in the Talmud is an addition by the author of the *Halakot Gedolot*, or is taken from his text of the Talmud. The

statement is repeated in the same form as in the *Halakot Gedolot*, in the *Sha'are Simhah* I, p. 2b, of R. Isaac ibn Ghayyat, but he apparently took it from the *Halakot Gedolot*. The editor of the *Sha'are Simhah* objects to this proof that is based on the recognition of grape-juice as wine in the case of the Nazirite because a Nazirite may not even drink vinegar. But this objection is not justified, since the prohibition of wine-vinegar for the Nazirite is based on the express words of the Bible, "he shall drink no vinegar of wine" (Numbers 6.3). On the other hand since there is no express mention of grape-juice among the drinks prohibited to the Nazirite, its prohibition by the Rabbis can only be justified on the ground that it is considered wine.

2. *The Passage in Pesahim 108b*.—A passage which deals with the various grades of wine and which has troubled the commentators and codifiers is the baraita, quoted in Pesahim, 108b, and which states that the four cups of the Passover service may be "of either raw or mixed wine, new or old." The Orientals and Greeks usually drank wine mixed with water, in the proportion of three parts of water to one of wine. Such a preparation is called in Hebrew "*Yayin Mazug*", mixed wine, while unmixed wine is called "*Yayin Hai*", raw wine.

R. Samuel ben Meir (also called Rashbam, from his initials, a grandson of Rashi, living in France, in the twelfth century) in his commentary on this passage gives two interpretations. According to the first, new wine is preferable to old, according to the second, the old is preferable. *Tosafot* (ad loc) accept the second view, basing their interpretation on a passage in Megillah 16b where we are told that Joseph sent his father *old wine*, which is good for aged men. But it is to be noted that the word *old* is not found in that passage in the better texts (see *Dikduke soferim*, ad loc.).

The second interpretation of R. Samuel b. Meir, while, it has the support of *Tosafot*, is open to a very serious objection. The Talmud does on rare occasions mention a simpler case last. But this cannot be true in the *Baraita* under discussion. There is clearly a parallelism intended between the two parts of the baraita, "mixed and unmixed, fresh and old." Just as the minimum required for unmixed wine is the simpler case, so obviously is the use of fresh wine. If old wine is preferable to new, that should have been mentioned first just as the unmixed wine is mentioned first.

The baraita can best be understood in the light of a mishnah in Menahot 8.6; one may not use *old* wine for the libations according to Rabbi, but his colleagues sanction its use.

Maimonides in his commentary on this passage remarks that wine becomes somewhat spoiled after the first year, by developing an acid taste. This view of Maimonides, which would make old wine inferior to new, is contradicted by a passage in the sifra (Leviticus 26.10, ed. Weiss, 11a) "Ye shall eat old store long kept." This verse informs us that the older the food the better it will be. One might suppose that this blessing of continual betterment with age would be limited to wine, which in the ordinary course of events *better with age*, therefore, is added the word "long-kept" to imply that even such things as ordinarily deteriorate with age, will improve because of this blessing. It is evident from this passage that the sages considered old wine superior to new. Further corroboration of this fact will be found in 'Abodah Zarah 40b.

The first interpretation of R. Samuel b. Meir, which, like that of Maimonides, made new wine better than old, thus faces a contradiction in the passage of the Sifra, while the second as we have seen is hardly more tenable.

The difficulty in the interpretation of the baraita in Pesahim disappears, however, in view of the interpretation of the mishnah of Menahot by the Talmud (*ad loc.*). The Talmud explains that by old wine in that mishnah is meant wine more than a year old, which is unfit for use on the altar. It now becomes clear that while generally wine improves in quality for the first year, it may then begin to develop a pungent taste. From this point of view new wine, *i. e.* wine of less than a year's age is superior to wine of more than one year's age, and so the baraita in Pesahim does well to mention the new wine first.

From this discussion it is evident that the baraita in Pesahim cannot be used to prove the superiority of fermented over unfermented wine, since it deals not at all with the difference in wines caused by fermentation, but rather with the difference between wine less than a year old and that more than a year old.

3. *Passages Dealing with the intoxicating and Non-Intoxicating Wines.*— Besides these passages which deal with the legal status of fermented and unfermented wines in regard to some of the ceremonies, there are

several other laws regarding which the Talmud discusses the distinction between intoxicating and non-intoxicating wines. Thus a priest having drunk a *rebi'it* (about a tenth of a pint) of wine may not enter the Temple. A judge may in such a case not render a decision. A young man cannot be convicted as a rebellious son", in accordance with the law in Deuteronomy 21:18-21, unless he has proven himself intemperate by drinking a certain minimum of intoxicating wines, and eaten a minimum of meat, that have been stolen. In order to deal comprehensively with the question of the various grades of wine in Jewish law the passages bearing on these laws must be considered.

The Tosefta (Keritot 1.20) in commenting on Leviticus 10.9 reads: "Who is considered a priest unfit to enter the sanctuary? One who has drunk a *rebi'it* of wine which was more than forty days old." The remainder of the passage of the Tosefta can only be understood by emending it in accordance with the text of the Talmud Keritot 13b. The following regulations then result:

1. If he drank a *rebi'it* of fermented wine, he is unfit to enter the temple.
2. If he drank a *rebi'it* of unfermented wine he may enter the temple.
3. If he drank more than a *rebi'it* of unfermented wine or if he drank very old wine—four or five years old—to the extent of more than a *rebi'it* and entered the temple he is guilty. In the cases when the quantity mentioned is more than a *rebi'it*, even mixed wine is prohibited. This now clarifies the opinion expressed by Maimonides (Laws of Things Unfit for the Altar, 7.7.) that wine after its second year is unfit for altar purposes. The commentators could not find the source for this statement. In Menahot 7.1, the passage referred to above, there is a difference of opinion between Rabbi and the other scholars only regarding the drinking of wine that is more than one year old. There is no distinction made there between wine less than three years old and wine more than three years old. The source for the statement of Maimonides is clearly the Tosefta which has just been quoted, which declares that wine four or five years old is in the same status as unfermented wine. Since the Mishnah provides that one may not *lekatehillah* bring unfermented wine on the altar, that law applies also to very old wine. It appears too that Maimonides' reading of the Tosefta was "three or four years" instead of "four or five years" as in our texts.

4. *The Passage in the Talmud of Jerusalem bearing on the Grades of Wine in regard to Religious Ceremonies.*—The only passage in the Talmud of Jerusalem bearing on the status of the various grades of wine in their relation to religious ceremonials, occurs in Sotah 8.5. The text of the printed editions has puzzled the commentators and it can only be understood if we reconstruct it with the help of the manuscript material supplied in the Yerushalmi Fragments (Jewish Theological Seminary Publications Volume I).

It then reads: "If he (the 'rebellious son') drank unfermented wine, what is the law? If he drank wine with a pungent taste, what is the law? (According to the Talmud, the status of the wine with a pungent taste is the same as that of unfermented wine). We have a *baraita*: 'Wine with a pungent taste may be used for *erub* and *shittuf* (ceremonies for permitting carrying on the Sabbath under specified circumstances) and for saying grace after the meal, and to pronounce the marriage benedictions (according to the emendation suggested above, page 6, it is to be translated, "to sanctify the Sabbath") and for consoling mourners. It may be sold by a merchant as wine. If, however, one contracts to sell wine without defining the grade, one cannot compel the buyer to accept wine with a pungent taste. One who has drunk it may not decide cases of law or absolve vows or enter the temple." From this *baraita* we can only infer that wine with a pungent taste may not be used for libations, but whether a young man who drinks it may be convicted as a 'rebellious son', is undecided."

In the Babylonian Talmud (Sanhedrin 70a) the statement is made that a young man who has drunk unfermented wine may be adjudged a "rebellious son." But while the Babylonian rabbis were definite as to the law in the matter, the Palestinians were in doubt. The omission of any reference in the tannaitic source to the use of such wine for libations made it certain that it was not acceptable for that purpose. But the failure to mention the case of the "rebellious son" might be explained as due to the fact that the *baraita* does not deal with the prohibited uses of wine, witness its omission of any reference to the Nazirite.

From a purely logical point of view, too, it might be argued that while the wine may be acceptable for religious purposes, the only reason that the intemperate use of wine is considered a characteristic of the use of wine "rebellious son" is that it is habit forming, and it is possible that

wine with a pungent taste will not develop habitual use in the same degree as other wine.

Therefore, whether the emendation suggested above (p. 6) is accepted or not, the *Baraita*, definitely admits the use of wine with a pungent taste, and unfermented wine which is always of the same status as wine with a pungent taste, for religious ceremonies outside the Temple.

We have thus proven on the basis of the main passages both of the Babylonian Talmud and that of Jerusalem that unfermented wine may be used *lekatehillah* for *Kiddush* and other religious ceremonies outside the temple. In the temple its use is sanctioned only *bediabad*. Indeed, in no way is fermented wine to be given any preference over unfermented in the ceremonies outside the temple. Raba summarizes the law well in the statement: "One may press out the juice of grapes and immediately recite the *Kiddush* over it."

This view is echoed in all the more important codes. It is found in the gaonic works, such as the *Seder R. 'Amram Gaon*, ed. Frumkin, I. p. 34, *Sha'are Simhah* of Ibn Ghayyat, I, p. 2; in the *Sefer Ha-'Ittim*, of R. Judah b. Barzillai, Albarceloni (Spain, c. 1100) p. 204; in the *Mahzor Vitri*, p. 86; in the *Sefer Ha-Orah*, by the pupils of Rashi, ed. Buber, p. 38; by Asheri, in his code to Baba, Batra, 97a; in the *Tur, Orah Hayyim*, by R. Jacob b. Asher (Spain, fourteenth century) 272 (beginning), and in the *Shulhan Aruk, Orah Hayyim*, by R. Joseph Caro, 272.2. Since Isserles in his notes to the *Shulhan Aruk*, makes no comment on this passage, it is to be presumed that he agrees with it. We therefore have the consensus of the opinion of all the codifiers, early and late, to the fact that unfermented wine may be used for *Kiddush*, and that implies the other ceremonies of Jewish ritual outside the temple, on the same terms as fermented wine.

III. IS IT MITZWAH MIN HA-MUBHAR TO USE FERMENTED WINE IN JEWISH RELIGIOUS CEREMONIES?

1. *The View of the Author of the Halakot Gedolot*.—Having seen that unfermented wine may be used *lekatehillah* for religious ceremonies outside the temple, we must now turn to the study of the problem of whether it is not a better form of fulfilling those commandments to use fermented wine. As has been explained above, there are often details of Jewish ceremonial which, while not required for the proper

fulfilment of a commandment, are nevertheless observed by the more pious Jews as *mitzwah min ha-mubhar*.

The author of the *Halakot Gedolot* (Laws of *Kiddush* and *Habdalah*, end) says: "If one has no wine, one may take grapes and press them out on Friday or the festival eve and in the night pronounce the *Kiddush* over the juice. For Rabbah has said, *etc.* Where wine is difficult to procure, one may take dried grapes (raisins) and soak them in water and use the liquid for *Kiddush*."

It is to be noticed *first* that this author limits the application of Rabbah's rule permitting one to recite the *Kiddush* over juice immediately after being pressed from the grapes, to cases where one has no other wine; secondly, that the author limits the use of wine of raisins still further, by permitting its use only in *countries* where wine is difficult to obtain; *thirdly*, that while the author refers to Rabba's statement, and indeed quotes from Baba Batra 97a the entire passage which has been discussed above, he fails to quote the baraita of R. Hiyyaa, which is included in that passage. These three facts present difficulties which must be explained in order to understand the views of the author on the use of the various kinds of wine in Jewish ceremonies.

2. *The Reading of the Hildesheimer Edition of the Halakot Gedolot.*—The reading of the older version of the *Halakot Gedolot*, which has been cited, agrees with that quoted in Albarceloni's *Sefer Ha-'Ittim*, p. 204. In the Hildesheimer edition, which represents a different (French) version of the *Halakot Gedolot*, the use of the wine of raisins is permitted not only in countries where wine cannot be obtained but also in countries where grapes are procurable, provided, the person has no wine of grapes or grapes available at the moment.

3. *Is the Restriction on the Use of Wine of Raisins and Wine immediately pressed from the Grapes based on a supposed Inferiority of those Wines for Religious Uses?*—The objection of the author of the *Halakot Gedolot* to the use of wine of raisins is shared by other Geonim. R. Amram Gaon writes in his *Seder* (ed. Frumkin, p. 226): "If one cannot find wine within a reasonable distance from his home, or if he is on board ship and cannot obtain any wine, he may obtain wine for the four Passover cups by soaking raisins in water. For the sages have taught that wine of raisins ought not to be used in the temple service, but *bedi'abad* its use is

sanctioned. Since it is sanctioned *bedi'abad* for the purpose of libation, it may be used *lekatehillah* for *Kiddush* and *Habdalah*."

Either from the *Seder R. Amram* or some other gaonic source, maintaining the same principles, this statement is quoted by Ibn Ghayyat, in his *Sha'are Simhah, Pesahim, 99*; in *Sha'are Teshubah, 117*; by Zedekiah b. Abraham 'Anaw (Italy, thirteenth century) in his *Shibbole Ha-Leket*, p. 101 a; by R. Abraham b. Nathan of Lunel (Provence, twelfth century) in his *Manhig*, p. 88a. See also *Geonica, Texts and Studies of the Jewish Theological Seminary, Vol. II, p. 228*.

The author of the *Manhig* (*loc. cit.*) criticizes the gaonic objection to the use of the wine of raisins in these words: "I hold that since its use is sanctioned *bedi'abad* in the temple service it is acceptable *lekatehillah* for us in our ceremonies outside the temple even when other wine is procurable. For when no other wine is obtainable, it may be used even in the temple."

It is clear that the objections of the Geonim to the use of raisin wine is based not on any supposed inferiority of that wine for religious ceremonies outside the temple, but on the apprehension that in its preparation too much water or raisins that are too dry might be used. For this reason they set down the law that the wine of raisins is not to be used wherever other wine or even raw grapes from which the juice may be pressed are procurable.

The great Spanish authorities, as well as those of France and Germany, did not accept this restriction of the Geonim of the use of the wine of raisins. The view of R. Abraham b. Nathan of Lunel, author of the *Manhig*, has already been quoted. Similarly R. Isaac b. Sheshet Barfat in his responsum (no. 9) and his contemporary and countryman—R. Simeon b. Zemah Duran, (North Africa c. 1400) in his responsum (I. 57) severely criticized a Rabbi for deciding against the use of the wine of raisins in a wine producing country. Similarly Albarceloni, in his *Sefer Ha-Ittim* (p. 204) quotes R. Samuel ibn Nagdela (Spain, tenth century) as having expressed dissatisfaction with restriction. See also Duran's *Ma'amar Hamez, 34a*, where he refers to the use of the wine of raisins in such a wine-producing country as Algiers.

While the views of the author of *Halakot Gedolot*, restricting the use of the wine of raisins were shared by the other Geonim, his views restricting the use of the fresh juice of grapes to such persons as had no other wine

in their *homes* is shared by no other known authority. The pupils of Rashi quote the view in the *Sefer Ha-Orah*, but it is well-known that medieval writers often quote gaonic statements with which they do not agree. R. Amram Gaon expressly quotes the Talmud statement that "a person may press out a cluster of grapes and pronounce the *Kiddush* over the juice" and does not in any way qualify the permission. R. Amram thus makes no distinction between unfermented wine and wine immediately pressed from the grapes. It seems that even the author of the *Halakot Gedolot* does not consider the one intrinsically inferior to the other. His objection to the practice of pressing out the juice of grapes on Friday for the *Kiddush* of the oncoming Sabbath is that he apprehends that one may forget and press the grapes not on Friday but on the Sabbath itself. The question of whether grapes may be pressed on the Sabbath is discussed by R. Aaron of Lunel (Provence, thirteenth century) in his *Orhot Hayyim*, Sabbath 3, Meals, 22; and in the abstract of *Et Hayyim*, published in the Steinschneider Festschrift, p. 203. See also responsum of R. Hai (Pumbeditha, eleventh century), in the commentary of R. Nissim on Sabbath (end); and *Rabiah*, Sabbath 330.

The views of the author of the *Halakot Gedolot* have now been explained. He omits the quotation of the baraita of R. Hiyya, although he doubtless had it in his text, because it was his purpose to explain only his own restrictions on the permission to use various grades of wine. As he had no restriction to offer against the use of unfermented wine, he omitted the mention of it. He objects to the use of wine of raisins in countries where grapes or the wine of grapes is obtainable because he apprehends that the wine of raisins may not be prepared properly. He objects to the use of juice immediately pressed from the grapes, out of apprehension that that may lead to the violation of the Sabbath by having the grapes pressed on that day. He would therefore permit the use of juice immediately from the grapes on festivals since the apprehension does not apply to such days, in view of the fact that food may be prepared on them.

4. *The View of Ibn Ghayyat and that of R. Jacob b. Asher.*—R. Isaac, ibn Ghayyat in his *Sh'are Simhah* 1-2 infers from the objections of the author of the *Halakot Gedolot* to the use of raisin wine that the same restriction applies also to the other wines permitted in the Talmud or religious ceremonies outside the Temple, but qualified for the libation

service only *bedi'abad*. He says that where wine of a superior grade can be obtained its use is commendable. This is the source of the view of R. Jacob b. Asher (Spain, fourteenth century) in his *Tur, Orah Hayyim*, 272, that it is better to use wine of superior grade for Kiddush than any wine which may have become soured or spoiled.

The care with which R. Jacob formulated his statement of the view of Ibn Ghayyat is noteworthy. He did not merely transcribe the words of that scholar, but changed them so that they might not imply any obligation to acquire wine of the first quality if one did not already possess it. He rather exhorted those possessing wines of different grades to use the better wines for *Kiddush*. This is in conformity with the general rabbinical view that one ought not to be niggardly in the performance of a religious ceremony.

Moreover, it is noteworthy that both R. Jacob b. Asher, in his *Tur* (*loc. cit.*), and R. Joseph Caro in his *Shulhan 'Aruk* (*Orah Hayyim*, 272) place unfermented wine in a category by itself and do not include it in the list of inferior grades. The kinds of wine to which they object are: the wine at the mouth of the barrel, because it may be moldy; the wine at the bottom of the jar, because it may be mixed with lees and it is not permitted to pronounce the *Kiddush* over lees; black wine and white wine, because wine of red color (having the color of wine) is preferable; and wine which retains some of its flavor but has developed somewhat acid taste.

It is thus seen that according to the views of the two most generally accepted Jewish codes, the *Tur* and the *Shulhan 'Aruk*, no precedence whatever is to be given to fermented over unfermented wines. It is not even *mitzvah min ha-mubhar* to use fermented wines.

IV. THE SOURCE OF THE ERRONEOUS OPINION THAT FERMENTED WINE IS PREFERRABLE IN RELIGIOUS CEREMONIAL.

1. *The View of R. Abele Gumbiner*.—While it has shown that for every religious purpose, save libations, unfermented wine is as acceptable as fermented, there still remains to be discussed the view of R. Abele Gumbiner (Poland, seventeenth century) in his commentary to the *Shulhan 'Aruk, Orah Hayyim*, (272.2). He there states: "Although unfermented wine may be used for *Kiddush*, it is better to use fermented wine." The author refers to paragraph 600 of the book, where he quotes as authority for his view R. Moses Isserles in his commentary on the *Tur*,

Orah Hayyim, 600. Isserles there deals not at all with the laws of *Kiddush* but with those concerning the pronouncement of the benediction over the season (*sheheheyanu*) on the second night of Rosh ha-Shanah. As is well known, this benediction forms a part of the *Kiddush* of festival days, and contains a prayer of thanks for having been permitted to live to celebrate the festival. It is to be recited only the eve of the first day of the festival. Since each festival is in the lands outside of Palestine observed for two days, the benediction is recited on both nights. But the two days of Rosh ha-Shanah are said in the Talmud to be considered but as one long day. Some sages therefore objected to the recital of *sheheheyanu* on the second night of Rosh ha-Shanah. In order to be sure that one is not reciting an unnecessary benediction, it was customary in Germany in the Middle Ages, and it is still the custom in many localities to-day, to recite the *sheheheyanu* over new wine, on the second night of Rosh ha-Shanah. Since one would in any case recite that benediction over the new wine — one could satisfy the views of all the authorities by the use of new wine on that night.

Isserles in commenting on this law remarks that he read in a book of customs (*Minhagim*, he does not specify which) that one who used new wine for *Sheheheyanu* should nevertheless use old wine for the *Kiddush* itself. One would therefore on the second night of Rosh ha-Shanah need two cups of *Kiddush*, one containing old wine for the general benedictions, and one containing new wine for the *sheheheyanu*.

As Isserles does not give the reason for the custom of having two cups of wine, R. Ablee Gumbiner supposed that it was because fermented wine is preferable for *Kiddush*.

With due respect to this authority, it must be admitted that had he had before him the source quoted by Isserles he could certainly not have expressed this opinion, in view of the fact that it is not only contrary to the express law as laid down in the Talmud and codes, but also to the practice of the Ashkenazic Jews.

2. *The Practice of Maharil*.—The custom as described by Isserles is first found in the collection of customs by R. Jacob Molin, also called Maharil, from his initials (Germany, c. 1400). Maharil is the greatest authority on the religious practice of Ashkenazic Jews. He says in his book (*Laws of Rosh ha-Shanah*): "There are some who decide that one should pronounce the *Kiddush* on a cup of old wine rather than on new

wine. The reason is that a benediction over new wine cannot include old wine, since we read in the Talmud of Jerusalem that if one drinks fermented wine during a meal, he must recite a second benediction, although he may have recited a benediction over new wine at the beginning of the meal. Since old wine is to receive a special benediction it is better and preferable for *Kiddush*. When he reaches the benediction of *Shehe-heyanu* he should take the cup of new wine in his hand."

The passage cited from the Talmud of Jerusalem by Maharil is not found in that Talmud in the form quoted, but there can be no doubt that this scholar had in mind the passage in Berakot, chapter 6, which reads: If one drinks new wine and thereafter old wine, one must recite a second benediction.

Maharil is quite correct in stating that the preference for old wine for *Kiddush* is based entirely on the fact that since one might drink old wine during the meal, it is better to recite the *Kiddush* over it in order not to pronounce an additional benediction. It is a general principle of rabbinic law that one should avoid the repetition of benedictions. But if one is not in the habit of drinking wine in the course of a meal, there is no objection to the use of unfermented wine for *Kiddush*. See *Rabiah*, paragraph 152, p. 159, and *Shibbole ha-Leket*, loc. cit.

This interpretation of the words of Maharil receives full corroboration from a study of the rest of the passage. It continues: "Maharil once asked that unfermented wine be brought to the synagogue for *Kiddush* on the second night of Rosh ha-shanah, and they pronounced the *Kiddush* over that wine. Asked why the custom in the synagogue should differ from that at home (where one recites *Kiddush* over fermented wine), Maharil replied that since in the synagogue it is customary for children to drink the wine, unfermented wine is preferable, since children like it. At home fermented wine ought to be used since older persons prefer that."

From this story it follows that in the opinion of Maharil fermented wine is not to be preferred to unfermented except in cases where one might drink fermented wine in the course of the meal.

3. *The Practice of R. Meir b. Baruch of Rothenberg*.—An examination of the book of custom which Isserles quotes as a basis for the requirement of the two kinds of wine for *Kiddush* on the second night of *Rosh ha-Shanah* will further show how baseless is R. Abele's interpreta-

tion of this custom. The book of customs to which Isserles refers is either that of R. Abraham Klausner (Austria, fourteenth century) or that of his pupil, R. Isaac Tyrna. In both of the books the custom is stated as given in Maharil. But they add as authority for the custom the following citation from R. Samson b. Zadok, a pupil of R. Meir b. Baruch of Rothenberg, who lived in Germany in the thirteenth century: "Unfermented wine may be used for *Kiddush* in accordance with the view of Raba, that a person may press out the juice of a cluster of grapes and pronounce the *Kiddush* over it. That is the law, and such was the custom of R. Meir b. Baruch on the second night of Rosh ha-Shanah." This statement is found on page 5b and again on page 8b of Klausner's book.

This quotation proves that R. Abele Gumbiner cannot be correct in his interpretation of the custom, for how can we assume that R. Meir b. Baruch, one of the greatest German rigorists, would use a less preferable wine for *Kiddush*. Nor can it be said that he used unfermented wine when fermented wine was difficult to procure, since it is explicitly stated to have been his regular custom to use unfermented wine on the second night of Rosh Ha-Shanah. Neither can it be said that he lived in a land where fermented wine was scarce; witness his own words (*Tashbez*, 301): "But in this country which is full of wine." And further we know that he lived at first in Rothenburg, Bavaria, and later was held captive in the castle of Ensisheim, Alsace, both of which are districts very rich in wine. Finally, R. Samson b. Zadok, in recording his master's custom, would doubtless have added an explanation of it, if it were at all out of accord with the accepted law and usage.

R. Meir's custom of using a cup of unfermented wine instead of the two generally used for *Kiddush* on the second night of Rosh Ha-Shanah is easily explained. R. Meir b. Baruch was in the habit of fasting on Rosh ha-Shanah (*Hag. Maim.*, Laws of Shofar, and responsa of R. Meir b. Baruch, ed. Bloch, 54), "but he would recite the *Kiddush* because in his opinion the pronouncing of *Kiddush* over wine is a biblical injunction." Since R. Meir fasted the possibility of drinking fermented wine during the meal was excluded, and therefore he could use unfermented wine for *Kiddush* without hesitation

(It should be noted that in our editions of the *Tashbez* the descrip-

tion of R. Meir's custom has been abbreviated, and merely reads: "R. Meir was in the habit of refraining from drinking the new wine till Rosh ha-Shanah, and then he would recite the *sheheyanu* over it." From this statement one might suppose that R. Meir used two cups of wine, but the citation in the Book of R. Abraham Klausner shows the above interpretation to be the correct one. and it may be added that it is supported by the reading of the Ms. of the *Tashbez* in the library of the Jewish Theological Seminary of America.

4. *The Practice of R. Shalom of Neustadt.*—Besides these great authorities, R. Meir, his pupil R. Samson b. Zadok, and Maharil, who, as we have seen, used unfermented wine for *Kiddush*, we must mention the usage of R. Shalom, the teacher of Maharil of Isserlein, and of most of the great German scholars of the first part of the fifteenth century. Of him it is said by Maharil: R. Shalom held that one may use unfermented wine for *Kiddush* in accordance with the statement of Raba, and *he, himself, used unfermented wine that was two weeks old, although fermented wine could be bought in the market.*"

5. *Another criticism of the view of R. Abele Gumbiner.*—R. Elijah Schapiro, in his commentary to the *Shulhan 'Aruk, Orach Hayyim*, writes, in criticism of the interpretation of R. Abele Gumbiner: "It seems to me that if one has in one's possession fermented wine, one ought to use that, but one is under no obligation to procure fermented wine for the purpose of *Kiddush*."

This view seems to agree with that of Maharil, who declares the use of fermented wine for *Kiddush* dependent on its intended use during the meal, but that intrinsically there is no reason why one should prefer to pronounce the *Kiddush* over fermented wine.

Moreover, from the very fact that Isserles makes his comment about the use of two kinds of wine in discussing the laws of Rosh ha-Shanah, and not in discussing the law of *Kiddush*, it follows that in general he had no objection to the use of unfermented wine for *Kiddush*. It is inconceivable that if he had such objection he would have silently passed over the statement of R. Jacob b. Asher and of R. Joseph Caro sanctioning it.

The statement of R. Abele Gumbiner that fermented wine is to be preferred for *Kiddush* thus stands refuted.

V. CONCLUSION.

We thus arrive at the following decisions:

1. From the point of view of Jewish law and custom, there is no preference to be given to fermented wine over unfermented, both are of equal standing. The author of the *Magen Abraham*, who alone among Jewish writers on the subject held a different view, was led to his opinion by a misunderstanding of the works of the earlier authorities.

2. Wine of raisins may not be used for the temple service *lekatehillah* but its use is sanctioned *bedi'abad*. It may, however, be used for *Kiddush* and other religious ceremonies outside the temple *lekatehillah*. The Geonim restricted the use of the wine of raisins, but the great codifiers did not accept their view. The custom of using unfermented wine of raisins was widely spread in North Africa in the fourteenth century with the sanction of R. Isaac b. Sheshet Barfat and R. Simeon b. Zemah Duran. In our own time it is prevalent in Lithuania.

3. As for the use of grape-juice for *Kiddush* and other religious ceremonies that involves a discussion of the law regarding boiled wine. I have authoritatively been informed that grape-juice is not heated to the boiling point, and moreover there is a possibility of its fermentation. The Jewish codifiers differ in their views regarding boiled wine. The Geonim and the early Spanish scholars forbid its use for *Kiddush*; the French and German scholars, followed by the later Spanish rabbis, like Nahmanides (twelfth century), Ibn Adret, his pupil, permit its use *lekatehillah*. The question of main interest here is the degree of boiling which renders wine unfit. This is mentioned neither by Maimonides nor by R. Joseph Caro in their codes. R. Jacob b. Asher (*Tur, Orah Hayyim*, 1272) writes: "There are many views regarding boiled wine. R. Shemaiah wrote in the name of his master, Rashi, that the benediction for it is the same as that for water. And such is also the opinion of Ibn Ghayyat: If wine has been boiled *even a little*, and similarly if even a little honey has been put into it, the benediction for it is the same as that for water. R. Hai wrote: "If one has put wine over the fire and it has boiled one can no longer pronounce the *Kiddush* over it."

On the basis of R. Jacob's words we might be led to suppose that Ibn Ghayyat's view differs from that of the Geonim whom he quotes,

for it appears that while the Geonim prohibit the use of boiled wine, he prohibits the use of wine "boiled even a little." Fortunately, Ibn Ghayyat's book has been preserved and an examination of it (91b) shows that the views of R. Hai and Ibn Ghayyat are identical. Doubtless R. Jacob had a corrupt copy of Ibn Ghayyat's work where the words "even a little" were inserted after the word "boiled".

Nahmanides in his commentary on 'Abodah Zarah 30 writes that wine is to be considered boiled only when its volume has decreased through the process. R. Joseph Caro in *Yoreh De'ah*, 123.3, decides that wine is not to be considered boiled unless it has been heated till it seethes. See also the notes of R. Elijah Gaon of Vilna in that passage. There can be no doubt that wine is not considered boiled in regard to the laws of *Kiddush* unless it has been heated until it seethes.

Since grape-juice is not heated to the boiling point, and furthermore the possibility of its fermentation is not totally destroyed, but only diminished, it may be used for *Kiddush* in the same way as other unfermented wine.

4. As for the objection that has been raised against the use of unfermented wine for religious ceremonies on the ground that it is against Jewish custom, the following must be remarked. There can be no doubt that in the past most of the wine used for religious purposes was fermented, since the process of preventing the fermentation was unknown. But to base on such a fact the prohibition of the use of unfermented wine would be as unreasonable as to suppose that because only wax and tallow candles were used for lighting synagogues, the use of gas and electricity for that purpose is forbidden. It was well said by R. Samuel di-Medina (Res. *Yoreh De'ah*, 40) that no custom that has arisen from accidental association has any binding power. It is self-evident that the use of fermented wines hitherto for religious purposes was due to the natural fact that wine ferments within a short period. And in those countries where the wine of raisins, which ferments less readily, was used, most of the wine used for religious purposes was unfermented. See R. Simeon b. Zemah Duran's *Ma'amar Hamez*, p. 34a. It is a known fact that in Lithuania, a country that has produced distinguished scholars, and where Jewish laws are very rigorously observed, the wine of raisins was regularly used for

all religious purposes, in spite of the objections to its use raised by some of the Geonim. How much less objection can be raised to the use of unfermented wine, which, as we have seen, is declared by the scholars of all ages to possess the same status as fermented wine in regard to its use for religious purposes outside of the temple.