



### From Topic 1: Church Censorship

1. The Index Librorum Prohibitorum 1559, Pope Paul IV

2. Talmud, Berachot 62b

An *Edomi* pushed Rabbi Eliezer, and a snake that had been there bit him [the *Edomi*], causing Rabbi Eliezer to cite the verse (Isaiah 43:4), 'And I will place *adam* [a man] beneath you.'

### Review Questions

- Which value systems may have informed the Church's early bias toward censorship?
- Who were the targets of early Church censorship?
- Who was responsible for instigating renewed Church censorship in the 12th century?
- What practical innovations made censorship practical in the 13th century?
- What major events in censorship occurred in 1240 and 1263?
- What inspired renewed censorship in the late 15th century?
- What led the Church to move to pre-publication censorship in the 16th century, and to create the Index?

### The Mechanics of Censorship

3. *Sefer haZikuk*, <http://onthemainline.blogspot.com/2010/08/apostate-rabbis-guidelines-for.html>

8. Any place in the Bible where debate and difference exists between the Jewish faith and ours, if there is an explicit challenge to our understanding, or if it brings a proof for the Jewish view, even if the names of Christian scholars are not mentioned openly, the entire matter must be erased. But if the matter is explained according to their opinion, but without a challenge to our faith then it is no matter.

9. Any instance of an insult against a law of the laws of our faith, or our teachings, or any custom or practice, or an insult toward a king, officer or one of the holy priests of our nation should be entirely erased.

10. Any place that mentions something which is a great heresy, such as transmigration of souls (*gilgul*) or the idea that all souls were created during the six days of creation, or that G-d cries, or that the souls of the wicked are turned into demons (*shedim* and *mazikim*), or that the evil spirits which possess people are the souls of the wicked deceased and the like, the entire thing should be erased.

11. Any place that mentions *Edom* or Rome or Italy in a negative sense should be erased.

12. Any place that mentions that G-d is pained over the loss of Israel should be erased.

13. Any place which mentions men who died for their faith, such as those who died in Portugal and Spain, if it is mentioned that they died sanctifying G-d's name (*kiddush ha-shem*), or if they are called by the name Holy or Righteous (*kedoshim* and *tzadikim*) should be completely erased.

14. Any place that mentions festivals, holidays or celebrations of ours in an insulting way, such as *lifnei eideihem* and the like, or if it says "it is prohibited for an Israelite to transact business with them on those days," should be erased.

4. The traditional *Tachanun* prayer, censored

"Guardian of the holy Turk, guard the remnant of the holy Turk, and let not the holy Turk be destroyed..."

### The Roles of the Jews

5. Dr. Saadia Eisenberg, *Reading Medieval Religious Disputation*, pp. 98-102

In 1232 or 1233, anti-Maimonists in Montpellier handed the more philosophical books of Maimonides over to local friars present to eradicate heresy; the mendicants then burned these texts... However, the connection between the Maimonidean controversy and the 1240 Debate is far from clear. In all the papal literature surrounding the 1240 Debate and the subsequent burning of the talmuds, the earlier burning of Maimonidian books goes unmentioned. Association between the two Jewish book-burnings is largely absent in contemporary Jewish literature as well. Three separate works, all written in response to the Debate and the subsequent burning of rabbinic texts, failed to mention the Maimonidean controversy or to connect it with the burning of the Talmuds...

In fact, only one source supports the relationship between the Maimonidian controversy in southern France and the Paris debate and ultimate destruction of hundreds of Talmud manuscripts. Writing some fifty years after the burning of the Talmud (or thereabouts), the pro-Maimunist Rabbi Hillel of Verona writes that "forty days did not pass from the burning of [Maimonides's] works until that of the Talmud...and the ashes of the Talmud were mixed with those of [Maimonides's overtly philosophical works which were handed over to the ecclesiastical authorities,] the *Guide for the Perplexed* and the *Book of Knowledge*, since there is still ash at the site."

Given the tendentious nature of this source, Baer's claim that the Maimonidian controversy set a precedent for subjecting rabbinic texts to inquisitorial authorities in 1240 is highly tenuous... It was not forty days, but approximately ten years, between the confiscation of Maimonides's writing and the burning of the Talmud. Furthermore, Hillel's vivid and evocative imagery of the mixing of the ashes of Maimonidean and Talmudic books notwithstanding, his words in no way comport with the facts; Maimonides' writing was burned in Montpellier, the Talmud in front of the Church of Notre Dame. Doubtless Hillel was aware of these discrepancies, and chose to connect the two burnings for rhetorical purposes. Hillel's letter cannot be taken at face value, as Baer would have it.

6. Rabbi Yechiel Michel Epstein, Aruch haShulchan Yoreh Deah 281:2 (early 20<sup>th</sup> century Lithuania)

All of these [Torah scrolls written by non-believers] are disqualified by the Torah, but the writers' intent is not for worship of the stars. Even an Egyptian – we do not say that his thought is for the stars.

7. Polish rabbinic decree (1631), recorded in William Popper, *The Censorship of Hebrew Books* pg. 106

[W]henever you publish such books anew, you shall leave in place of any passage in which any of the deeds of Jesus of Nazareth are described a vacant space, and in that space you shall print a circle like this O. For the rabbis and those who have learnt the omitted passages will know how to teach the youths in each case; while at the same time Christian scholars will be unable to base charges against us on such grounds.

8. The traditional Aleinu prayer

"For they bow to worthlessness and emptiness (וריק), and pray to a god who does not save."

## Topic 2: A Copyright Battle

9. Marvin Heller, *Further Studies in the Making of the Early Hebrew Book*, pg.305

On August 12, 1553, Pope Julius III issued a papal bull ordering the confiscation and burning of the Babylonian and Jerusalem Talmuds. In a time of religious turmoil and repression in Europe – the Counter-Reformation – this particular decree represented the culmination of a dispute between two printers, neither of whom were Jewish, over competing editions of Maimonides' *Mishneh Torah* with the glosses of Rabbi Meir Katzenellenbogen of Padua.

10. The players

- Daniel Bomberg Christian publisher, produced the *Mikra'ot Gedolot* Bible and printed Talmud
- Marcantonio Giustiniani Christian patrician publisher, drove Bomberg out of business
- Alvise Bragadin Christian publisher, published Maimonides' *Mishneh Torah* with Rabbi Meir
- Rabbi Meir Katzenellenbogen Chief Rabbi of Padua, author of a commentary to *Mishneh Torah*
- Rabbi Moshe Isserles Chief Rabbi of Cracow

11. Bragadin's note, *הסכמה ורשות בדפוס ויניציאה*, M. Benayahu, pg. 24

And I know that when... [he] will see that I have begun to publish the twenty-four and Rav Alfasi, he, too, will race to the battle to do this work, and not sooner as he did with me regarding Maimonides. With this I will know that you will praise me, for it is due to me that books will be available cheaply.

12. Frontispiece of the Giustiniani 1550 edition of *Mishneh Torah*

<http://hebrewbooks.org/pdfpager.aspx?req=11791&pgnum=1>

We have also decided to print at the end that which was written on the page by one sage, head of the rabbis of Padua, Rabbi Meir, "new each morning" [a play on Lamentations 3:23], who wrote of his own heart in the

Maimonidean edition printed anew by Bragadin, introducing his head between the early giants. We consulted wise and complete people, near and far, and in truth, they counseled us not to print them in this book, lest they not appear correct to many students of Torah - as will be clear to any who examines one preface on the other side of this page. But in truth, we printed them to satisfy the desire of every man, "doing the will of each man" (Esther 1).

13. Rabbi Joseph Caro (16<sup>th</sup> century Turkey, Israel), Code of Jewish Law, Choshen Mishpat 212:1  
One may transfer, through sale or gift, only items of substance. Intangible items may not be transferred.

14. Rabbi Moshe Isserless (16<sup>th</sup> century Cracow), Responsa of Rabbi Moshe Isserles, #10  
We will not abandon our part. We declare that all Israel, and anyone known as Israel, should not purchase any new copy of Maimonides other than those which emerge from the hand of the aforementioned Gaon or those whom he has empowered, for the following four reasons...

15. Talmud, Bava Batra 21b  
Rav Huna said: If an alley resident establishes a mill, and another alley resident establishes one nearer the sole entrance to the alley, the former is legally able to prevent this, saying, 'You are interrupting my livelihood.'

16. Rabbi Mordechai ben Hillel (13<sup>th</sup> century Germany), Mordechai to Bava Batra 516  
Where a street is closed on three sides, and only on one side is it open for entry, and Reuven lives near the closed end and Shimon comes to live near the open end, such that a non-Jew could not enter the street without passing Shimon's entrance, the law is that Reuven can prevent this [new business], like the view of Rav Huna.

17. Talmud, Bava Batra 22a  
Rav Dimi of Neherdaa brought dried figs by boat. The Exilarch said to Rava: Go and see; if he is a young scholar, set up the market for him.

18. Midrash, Sifra Behar 3  
How do we know that when you sell, you should sell only to your friend? 'And when you sell to your friend.' And how do we know that when you purchase, you should purchase only from your friend? 'Or you purchase from your friend.'

19. Talmud, Ketuvot 19b  
Rabbi Ami said: One may not keep an unchecked Torah scroll for 30 days; it is written, "Do not maintain corruption in your tent."

20. Marvin Heller, *Further Studies in the Making of the Early Hebrew Book*, pg.310  
Anticipating a loss on his investment, Giustiniani appealed to Pope Julius III for relief. The Pope assigned the Giustiniani-Bragadin dispute to a committee of six cardinals – the Congregation of the Inquisition – for investigation. The committee was headed by Cardinal Giovanni Pietro Caraffa, the future Pope Paul IV. Both sides were represented by apostates, whose charges soon deteriorated into an attack on the Talmud. Under Caraffa's direction, the committee reported in favor of burning the Talmud, and on August 12, 1553, the Pope issued a bull ordering the confiscation and burning of the Babylonian and Jerusalem Talmuds. On the Jewish New Year, September 19, 1553, the Talmud was burned, first in Rome and then elsewhere.

21. Amnon Raz Krakotzkin, *Persecution and the Art of Printing*  
The burning of the Talmud extended the Bet Yosef's role, as it contained a substantive number of quotations from the banned composition, and was thus perceived as an invaluable source of talmudic knowledge.