

THE ACCOMMODATION OF THE YOM KIPPUR *SEDER AVODAH*:  
A REVIEW OF ITS DEVELOPMENT INTO THE MODERN PERIOD

by

Rhoda JH Silverman

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This is to certify that the dissertation prepared by Rhoda JH Silverman entitled "The Accommodation of the Yom Kippur *Seder Avodah*: A Review of its Development into the Modern Period" has been approved by the thesis committee as satisfactorily completing the dissertation requirements for the degree Doctor of Philosophy.

Danny Freundel  
Chair, Dissertation Committee

4/17/2012  
Date

\_\_\_\_\_  
Committee Member

\_\_\_\_\_  
Date

Rose Ann Christian  
Committee Member

4/17/2012  
Date

Susanna Garfein  
Committee Member Susanna Garfein

4/17/12  
Date

Valerie S. Thaler  
Committee Member VALERIE S. THALER

4/17/12  
Date

Janet V. Whaley  
Dean of Graduate Studies

5-7-12  
Date

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Be only kind enough to give [me] some credit for sincerity, how different soever [my] ideas may be from yours, and my ways from yours, and be reminded of the saying of our sages, כל מחלוקת שהיא לשם שמים סופה להתקיים - *Every discord that is for a holy purpose is destined towards the establishment of something sustaining*, (M. Avot 5:17).<sup>1</sup>

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<sup>1</sup> Leo Merzbacher, סדר תפילה – *The Order of Prayer for Divine Service*, 3<sup>rd</sup> Edition, revised by Samuel Adler (New York: John Medole & Son, 1864), v.

## ABSTRACT

### THE ACCOMMODATION OF THE YOM KIPPUR *SEDER AVODAH*: A REVIEW OF ITS DEVELOPMENT INTO THE MODERN PERIOD

Rhoda JH Silverman

This Dissertation project seeks to establish that the genre of synagogue poetry known as the *Seder Avodah* remains an open and fluid liturgical rubric in the Jewish prayer book worthy of scholarly attention. The *Seder Avodah*, a liturgical rubric that includes at its center a verbal re-enactment of the ancient atonement ritual as it played out in the Temple, is recited on Yom Kippur in synagogues of all denominations. Research on the *Seder Avodah* to date has focused solely on the development of the *Avodah* genre from the period of the Mishnah (third century) through the appearance of Kolonymus ben Meshullam's eleventh century *Seder Avodah* entitled אֲמִיץ כֶּה (*'Amits Koah*). Following Meshullam's work, there was a substantial hiatus in liturgical creativity with regard to the *Seder Avodah*; however, the nineteenth century witnessed an interest in re-writing and adapting this traditional rubric for the modern synagogue. This interest continued through the twentieth century and into the first decade of the twenty-first century and has allowed for the injection of renewed creativity and innovation into this liturgical gem. This doctoral project provides the first examination of the liturgical development of the *Seder Avodah* in the modern period.

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## Chapter One: Introduction and Literature Review

The genre of synagogue poems written for the *Avodah* service of the Jewish Day of Atonement (i.e., Yom Kippur) provides an enlightening window into the tension between conservation and reform in the process of liturgical development. The *Avodah* Service (*Seder Avodah*; *Sidrei Avodah*, pl.) refers to a liturgical unit recited in the Additional Service (מוסף, *musaf*)<sup>2</sup>, or in the Afternoon Service (מנחה, *minḥa*) in rites that omit the Additional Service on Yom Kippur. It contains two primary narratives that are woven together, often along with additional poetic material, into a seamless liturgical unit. These two narratives include: 1) a poetic review of biblical history that begins with creation and continues through the selection of the Aaronic priesthood, and 2) a verbal re-enactment of the atonement ritual performed by the High Priest in the ancient Temple that stood in Jerusalem during the Second Commonwealth. Again, these two central narratives often incorporate additional poetic material which has over time become an expected part of the *Avodah* genre. For instance, many *Sidrei Avodah* conclude with both a poetic passage which serves to highlight the splendor of the High Priest and a prayer seeking blessing and prosperity for the upcoming year. Additionally, common to the *Avodah* genre are introductory texts which work to prepare the congregation for the *Seder Avodah*. In all cases, the atonement ritual stands at the center.

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<sup>2</sup> I have used the General Purpose Style of Transliteration as notated by *The SBL Handbook* (Peabody: Hendrickson Publishers, 1999), 28-29 with one exception: for clarity, I use the symbol ḥ for the letter *het* (ח).

While there has been a significant amount of scholarship on the development of the *Seder Avodah* as a liturgical rubric from the Rabbinic period through the medieval period, the apparent absence of critical attention paid to attempts at re-writing and/or adapting the *Avodah* liturgy for the modern liberal prayer book is striking. Despite Tzvi Malachi's qualification, anticipated by Meir Ydit in his *Encyclopedia Judaica* entry on the *Avodah*, that save for one outstanding *Seder Avodah* by nineteenth century Italian scholar Samuel David Luzzatto,<sup>3</sup> new *Seder Avodah* compositions ceased to appear after the twelfth century,<sup>4</sup> ample evidence supports ongoing creativity within this liturgical genre throughout the nineteenth and twentieth centuries.

Eric Friedland, for instance, in his study of non-Orthodox liturgies that appear in the nineteenth century, identifies a number of *Avodah* compositions written and/or adapted by, among others, such prominent nineteenth century liturgists as Isaac M. Wise, David Einhorn, and Leo Merzbacher.<sup>5</sup> The 1948 High Holiday prayer book of the Reconstructionist movement contains an innovative reworking of the *Seder Avodah* that

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<sup>3</sup> Often referred to by the acronym *Shadal* (ש"דל), Samuel David Luzzatto lived during the first half of the nineteenth century (1800-1865) in Italy. He was a philosopher and commentator (of both Bible and prayer book). He was also a translator and poet known for his translation of the *siddur* into Italian and for his volumes of original Hebrew poetry. For a detailed biography of Luzzatto, see Morris Margolies, *Samuel David Luzzatto Traditionalist Scholar* (New York: Ktav Publishing House, 1979).

<sup>4</sup>Tzvi Malachi, "The 'Avodah' for Yom Kippur Its Characteristics, History, and Development in Hebrew Poetry." (PhD diss., Hebrew University, 1973), 5; Meir Ydit, "Avodah," *Encyclopedia Judaica*, ed. Cecil Roth, Vol. 2 (Jerusalem: Keter Publishing), 979.

<sup>5</sup>Eric L. Friedland, *Were Our Mouths Filled with Song Studies in Liberal Jewish Liturgy* (Cincinnati: Hebrew Union College Press, 1997), 76-78.



not only qualifies as a poetic rendering of the historic *Avodah* service but also made a significant impact on later *Avodah* compositions including those found in the British פתח תשובה (*Petaḥ Teshuva*) – *Gate of Repentance*,<sup>6</sup> its successor מחזור רוח חדשה (*Maḥazor Ruah Ḥadasha*),<sup>7</sup> and the American counterpart to פתח תשובה (*Petaḥ Teshuva*), the similarly named שערי תשובה (*Sha'are Teshuva*) -- *Gates of Repentance*.<sup>8</sup> The inclusion of a highly innovative *Seder Avodah* compilation in the most recent publication of מחזור לב שלם (*Maḥazor Lev Shalem*) – *for Rosh Hashanah and Yom Kippur* by the Rabbinical Assembly in the summer of 2010<sup>9</sup> underscores the fact that the Yom Kippur *Avodah* liturgy has remained an open genre well into the modern era and remains so today.

Fascination with the atonement ritual presented in the *Seder Avodah* has been a constant throughout Jewish history as evidenced by its apparent impact on the final redaction of the Mishnah, the attention paid to it in later Rabbinic literature, and its endurance into the modern era. The inclusion, for example, of the custom of prostration noted in the priestly confessional presented in *M. Yoma* 6:2, that is strikingly absent from the first two confessionals, presented in *M. Yoma* 3:8 and 4:2 respectively, draws attention to the likelihood that a non-Temple based liturgical performance of the *Seder Avodah* impacted the rendering of the atonement ritual codified in the Mishnah. Not only

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<sup>6</sup>John Rayner and Chaim Stern, eds., פתח תשובה – *Gate of Repentance for the High Holidays* (London: Union of Liberal and Progressive Synagogues, 1973).

<sup>7</sup> Andrew Goldstein and Charles Middleburgh, eds., מחזור רוח חדשה—*Services for the Days of Awe* (London: Union of Liberal and Progressive Synagogues, 2003).

<sup>8</sup>Chaim Stern, ed., שערי תשובה - *Gates of Repentance: The New Union Prayer Book for the Days of Awe* (New York: CCAR, 1978).

<sup>9</sup> Edward Feld, ed., מחזור לב שלם – *for Rosh Hashanah and Yom Kippur* (New York: The Rabbinical Assembly, 2010).

does *M. Yoma* 6:2 provide the only reference to the custom of prostration during the recitation of the High Priest's confessions (i.e., וִידוּיִים, *viduiim*) found in the Mishnah's narrative, but outside of one reference in the Jerusalem Talmud, no reference to bowing is found in Rabbinic literature until the period of the Rishonim and thereafter.<sup>10</sup> Turn of the sixteenth century Sephardic Rabbi David ben Solomon ibn Avi Zimra (רדב"ז), for instance, admits that the origin of the custom of bowing is not to be found in the Mishnah but rather, citing the thirteenth century halachist Isaac ben Moses,<sup>11</sup> can be attributed to R. Nechuniah ben Hakaneh.<sup>12</sup> Accordingly, R. Nechuniah ben Hakaneh instructed his students to prostrate themselves upon learning the personal, yet hidden name of God (i.e., שם המפרש, *shem ha-mifrash*). R. Nechuniah ben Hakaneh is a first-generation *Tanna* (i.e., *mishnaic* period sage) who lived and had influence during the late first and early second centuries CE, and was a known mystic who figured prominently in the *merkavah* literature (i.e., mystical literature) of the early Rabbinic period.<sup>13</sup> While the inclusion of

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<sup>10</sup> The Rishonim refers to the Rabbinic sages who lived in the period following the Geonim (from approximately the eleventh through sixteenth centuries).

<sup>11</sup> Isaac ben Moses of Vienna is often referred to as Isaac Or Zarua as he authored an important legal ritual guide titled, *Sefer Or Zarua*, in the mid-thirteenth century.

<sup>12</sup> See *Sefer Or Zarua*, יום הכפורים ח"ב סימן רפא, and Rabbi David ben Solomon ibn Avi Zimra (רדב"ז), שו"ת חלק ב סימן.

<sup>13</sup> While the roots of mystical literature extend back into the biblical period as exemplified by such works as the Book of Ezekiel, the body of *merkavah* literature began to take shape no later than the Rabbinic period in the first centuries following the destruction of the Temple in 70 CE; see Gershom G. Scholem, *Major Trends in Jewish Mysticism* (New York: Schocken Books, 1941), 40-43, for a more extensive discussion of the dating of *merkavah* literature. See also, Hermann L. Stack, *Introduction to the Talmud and Midrash* (New York: Meridian Books, 1959) 109-110, for a brief discussion of the first generation of *Tanna'im* including R. Nechuniah ben Hakaneh. More recent research into the Dead Sea Scrolls provides evidence of even early dating of the

bowing in *M. Yoma* 6:2 implies that this ritual of bowing upon hearing God's personal name is native to the Temple procedures of atonement, the Or Zarua's attribution places the origin of prostration in response to hearing the שם המפרש (*shem ha-mifrash*) outside of the Temple and within the nascent rabbinical academy. Moreover, it places the dating of the origin of this ritual of bowing at the very least towards the end of, if not after, the Second Temple period.

It was, most likely, the tradition of R. Nechuniah ben Hakaneh's mandate of bowing in response to hearing the שם המפרש (*shem ha-mifrash*), this personal name of God, that found its way into the Jerusalem Talmud, as the Jerusalem Talmud clearly indicates that only those who could actually hear God's name pronounced were to bow. Those too far away to hear instead responded "blessed is the name of [God's] glorious kingdom forever and ever" without bowing.<sup>14</sup> No mention of *M. Yoma* 6:2's reference to bowing as part of the Temple's atonement ritual is found anywhere in the Babylonian Talmud. Moreover, the comments made by later Rabbinic sages, such as רדב"ז, regarding prostration and the recitation of the *Seder Avodah* make it clear that the custom of bowing was not original to the Temple or to the Mishnah but rather was added to the Mishnah retroactively in order to create historical memory and authority for a practice that must have been familiar if not already customary. This accommodation of the Mishnah to the liturgical articulation of the *Seder Avodah* not only highlights the

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development of *merkavah* literature, see James R. Davila, "The Dead Sea Scrolls and Merkavah Mysticism," In *The Dead Sea Scrolls in their Historical Context*, ed. Timothy H. Lim (London: T & T Clark International, 2004), 249-264.

<sup>14</sup>See *Y. Yoma* 3:7 (40d) where the Jerusalem Talmud details the response which in Hebrew reads, "ברוך שם כבוד מלכותו לעולם ועד," a doxology referred to in the Rabbinic literature by its acronym בשכמל"ו.

popularity of this liturgical rubric but also the power of worship practice to impact the final redaction of early Rabbinic literature. Moreover, the influence of the *Avodah* liturgy and its choreography on *M. Yoma* highlights the broad acceptance and appeal of the Yom Kippur *Avodah*. As Jacob N. Epstein, as cited by Michael D. Swartz and Joseph Yahalom, argues, it was specifically the popularity of the liturgical expression of bowing during the early *Seder Avodah* that led to its impact on the narrative codified in the Mishnah.<sup>15</sup>

Just as the *mishnaic* account of the *Seder Avodah* accommodated to a popular practice of the first century CE, the text of the *Seder Avodah* recited on Yom Kippur has continued to accommodate to the circumstances of the day. Scores of poets and writers have lent their pen to this genre. Scholarship to date has focused on the contributions to this liturgical rubric up through the height of the classical period of *piyyut* (פיוט) or synagogue poetry in the Middle Ages, a period that witnessed great creativity and innovation in synagogue poetry generally.<sup>16</sup> Early innovations to the *Seder Avodah* include adapting the narrative of the Atonement ritual codified in the Mishnah for public

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<sup>15</sup> Jacob N. Epstein, *Mavo' le-Nusah ha-Mishnah*, Volume 2 (Tel Aviv: Devir, 1964) 971-972. Cited in Michael D. Swartz and Joseph Yahalom, *Avodah Ancient Poems for Yom Kippur* (University Park: The Pennsylvania State University Press, 2005), 22.

<sup>16</sup> *Piyyut*, refers to poetry intended to embellish the liturgical order of prayer. Synagogue poetry begins to appear as early as the first centuries of the common era; however, the “classical” period of synagogue poetry is generally identified as beginning with the first known poet, Yose ben Yose (dated c. fifth-sixth centuries, see discussion below in Chapter Three) and extending until the beginning of the eleventh century. Synagogue poetry continued to appear after the early eleventh century, but in terms of the sheer quantity of material produced, synagogue poetry is understood to have flourished during this period. See Ezra Fleischer, “Piyyut,” *Encyclopedia Judaica*, ed. Cecil Roth, Volume 13 (Jerusalem: Keter Publishing House, 1971), 574-602

liturgical expression and adding the now standard poetic review of biblical history to the confessional ritual. Later reforms included responding to varied regional influences. As Jews moved out and settled into the Diaspora, they were impacted by a wide variety of cultural and geographic influences which in turn led to the rise of a number of versions of the *Seder Avodah*, the most popular of which, the Ashkenazic אמיץ כה ('*Amits Koah*) and the much earlier and more concise Sephardic אתה כוננת עולם מראש ('*Attah Konnanta 'Olam Merosh*) remain in use today.<sup>17</sup> There are poets, such as Yose ben Yose and Saadiah Gaon, who reworked the *Seder Avodah* on more than one occasion thus producing different versions of the text for liturgical use within their own communities. Others simply elaborated on the *Seder Avodah* by adding creative introductory passages known individually as *Reshut* (רשות; רשויות, *reshuyot*, pl.) to be recited just before the *Avodah* proper.<sup>18</sup> A few introductory passages that have become customary in the standard Ashkenazic rite, for instance, are עלינו (*Alenu*), אוחילה לאל ('*Oḥila La'el*) and היה עמ פיפיות (*Heye im Pifiyut*). These passages function as preparatory prayers for the worship leader whose primary role is to function as an agent of the congregation before God. Later changes to the *Seder Avodah* included, not necessarily re-writing, but substituting and adapting one region's accepted text to another's, such as the common nineteenth century German practice of substituting the Sephardic text for the standard

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<sup>17</sup> Both אמיץ כה and אתה כוננת עולם מראש will be among the texts discussed below in Chapter Three.

<sup>18</sup> Ismar Elbogen, *Jewish Liturgy: A Comprehensive History*, trans. Raymond P. Scheindlin (Philadelphia: The Jewish Publication Society, 1993), 174.

Ashkenazic,<sup>19</sup> and using the vernacular within the *Seder Avodah*. As will become clear by this study, most recent changes to the *Seder Avodah* include condensing, or removing all together, the details of the sacrificial offerings, and/or re-contextualizing the concept of sacrifice and the Mishnah's confessional narrative to fit the modern era.

At the same time as there has been a constant willingness to make changes to the text and its presentation, the *Seder Avodah* was rarely excised from the order of prayer. Despite a general tendency in all but a few very traditional circles towards removing lengthy poetry from the order of prayer, contemporary *mahazorim* (High Holiday prayer books) across all mainstream denominations retain the *Avodah* service in some form.<sup>20</sup> It remains a dramatic highpoint in the Yom Kippur liturgy today. The retention of the *Seder Avodah*, a liturgical rubric which is a vivid recollection, or as Swartz and Yahalom describe in their compilation of *Sidrei Avodah*, “a vicarious experience,”<sup>21</sup> of the cultic atonement ritual, is remarkable. Particularly in the modern synagogue where cultic references not only challenge the modern conception and aesthetic of worship but counter the accepted, and Rabbinically mandated, notion that animal sacrifice is better replaced by prayer, Torah study, and/or acts of lovingkindness, the continued presence of the

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<sup>19</sup> Eric L. Friedland, “Hebrew Liturgical Creativity in Nineteenth-Century America.” *Modern Judaism* 1.3(1981): 328, and Friedland, *Were Our Mouths Filled with Song*, 76. See also as an example, Wolf Heidenheim, *Sefer Kerovot hu Mahzor Yom Kippur ke-minhag Ashkenaz* (Austria: Roedelheim, 1828, 178ff, which offers both the Ashkenazic אִמִּיץ כַּח and the Sephardic אֶתָּה כּוֹנֵנֶת עוֹלָם מֵרָאשׁ in its order of prayer.

<sup>20</sup> By mainstream, I include Reform, Conservative, Reconstructionist, and Orthodox liturgies.

<sup>21</sup> Swartz and Yahalom, 21.

*Seder Avodah* is worthy of attention.<sup>22</sup> Even in the nineteenth century, despite a stated effort in the burgeoning Reform movement towards the elimination of all petitions for the restoration of sacrifice from the prayer book, the *Seder Avodah*, this “vicarious experience” of sacrifice, was never successfully excised from the liturgy.<sup>23</sup>

William Scott Green notes that a liturgy serves to “formulize” and “codify” images, symbols, and concepts that help the community understand and formulate its identity, and that “no form of Judaism as a religion can be understood without knowledge of how Jews prayed and what they prayed for.”<sup>24</sup> The retention and continued development of the Yom Kippur *Seder Avodah* serves as a significant reflection of Judaism throughout history, and serious and critical attention to the attempts of post-medieval liturgical poets to accommodate the *Seder Avodah* to modernity is well-deserved. Thus, the primary goal of this project will be to study the development of the liturgical expression of the Yom Kippur *Seder Avodah* into the modern period, specifically into the nineteenth century and thereafter. In order to fully understand these newer formulations of the *Seder Avodah*, of course, a thorough understanding of their liturgical precedents is required; therefore, a secondary goal of this dissertation project

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<sup>22</sup> See for example, *B. Berachot* 32a, *B. Berachot* 26a,b, and *Avoth de Rabbi Nathan* IV.

<sup>23</sup> As will be discussed in Chapter Four, there were occasional attempts to remove the *Seder Avodah* entirely from the High Holiday liturgical order in the nineteenth century, for example by the American Reform Rabbi Joseph Krauskopf and by the Berlin *Reformgemeinden*; however, such attempts were not at all enduring.

<sup>24</sup> William Scott Green, ed, *Approaches to Ancient Judaism Volume IV* (Chico: Scholars Press, 1983), xvii.

will be to provide a review of the development of the *Seder Avodah* up until the modern period.

As noted above, a great deal of scholarly attention has already been paid to the Yom Kippur *Avodah*'s development in the pre-modern period. The first significant review of the *Seder Avodah* is found in Ismar Elbogen's short but substantial *Studien zur Geschichte des Jüdischen Gottesdienstes* published in 1907.<sup>25</sup> Elbogen, devoting the entire latter half of his *Studien* to the "*Seder Avodah*," traces the development of the *Avodah* from its earliest rendition in *M. Yoma*<sup>26</sup> through to its full poetic expression in the medieval period. Elbogen's *Studien* also contains a systematic and representative study of twenty *Seder Avodah* texts beginning with the text considered by scholars as the earliest, albeit yet undated and of unknown authorship, *Seder Avodah* that opens שבעת ימים (Shivat Yamim).<sup>27</sup>

To date, the most comprehensive study of the *Avodah* genre of synagogue poetry of the pre-modern period was undertaken at The Hebrew University in Jerusalem in the early 1970s by Tzvi Malachi under the tutelage of Aaron Mirsky, a scholar of *piyyut*

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<sup>25</sup> While Elbogen, in his *Studien zur Geschichte des jüdischen Gottesdienstes* (Berlin: Mayer & Muller, 1907), provides the first substantial review of specifically the *Avodah* genre of synagogue poetry, his work is indebted to the considerable attention paid to the liturgy and synagogue poetry generally by Leopold Zunz in *Der Ritus des synagogalen Gottesdienstes*, published in 1859, and *Literaturgeschichte der Synagogalen Poesie*, published in 1865.

<sup>26</sup> There is significant evidence that the narrative found in *M. Yoma* itself may have served as an early liturgical text for the *Seder Avodah*, see Swartz and Yahalom, 16. See also the discussion that follows in Chapter Three.

<sup>27</sup> Ismar Elbogen, *Studien*, 74ff. It is useful to note that *Seder Avodah* texts are routinely named by their opening words.



generally and of the early synagogue poet Yose ben Yose, a prolific writer and the earliest known author of a *Seder Avodah*.<sup>28</sup> Malachi reviews the history of the genre and systematically reconstructs and classifies more than forty-five extant *Avodah* texts according to time, place, and structure, beginning with שבעה ימים (*Shivat Yamim*) again the earliest known *Avodah* composition of the pre-classical period, through the copious manuscripts and textual fragments of the Rabbinic and medieval periods. The popularity of the *Avodah* genre is underscored not only by the myriad of texts available for study (one can only imagine the number of texts that did not experience the luck of preservation) but also by its broad geographical representation. Malachi discovered *Avodah* texts and/or fragments representing all of the cultural centers of the Jewish world including Palestine, Babylonia, Italy, Germany, and Spain. Expanding on Elbogen's early attempts at periodization, Malachi identifies three specific stages of development for the *Avodah* genre. Malachi's stages include: the stage of inception which dates to the period of the Mishnah; the stage of refinement of norms which, according to Malachi, set the character for the genre and is probably most identified with the period of the anonymous אתה כוננת עולם מראש (*'Attah Konnanta 'Olam Merosh*) and the *Sidrei Avodah* of Yose ben Yose; and finally, the stage of imitation when new compositions copied the established formula which according to Malachi continued through the medieval period.<sup>29</sup> Save for one composition, written by Samuel David Luzzatto in the nineteenth century and published posthumously in his collection *Kinnor Na'im*, Malachi identifies no new

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<sup>28</sup> Yose ben Yose is generally dated to the fourth or fifth century; however, such dating is still a subject of debate, see the discussion in Chapter Three of this dissertation.

<sup>29</sup> Malachi, "The 'Avodah' for Yom Kippur," 5.

*Avodah* compositions after the medieval period. As extensive and thorough as Malachi's research is, he too ends his investigation into the *Seder Avodah* in the medieval period.

As with Elbogen's and Malachi's work, virtually all of the scholarship on the *Seder Avodah* poems has focused on their development solely as a genre of classical medieval *piyyut*. For instance, Joseph Yahalom, a contemporary Israeli scholar specializing in the field of *piyyut* and also influenced by Mirsky's work, has focused his attention on the *Avodah* form and specifically on a text known as אַז בְּעֵין כָּל ('Az be'En Kol). His 1996 book *'Az be-'En Kol: Seder ha-'Avodah ha-'Eretz Yis-re'eli ha-Qadum l'Yom ha-Kippurim* not only served to publish this previously unknown and "monumental" *Seder Avodah* text, but includes important material on the history, development, and significance of the *Avodah* specifically as a genre of medieval *piyyut*.<sup>30</sup>

Most recently, in 2005, motivated by their overlapping academic interests, Yahalom and American scholar Michael Swartz, whose recent research has focused on the ideology of sacrifice in post-Biblical Judaism, have teamed up to collaborate on the first and only significant compilation of *Avodah* poems readily accessible to an English speaking audience. Their careful and thoughtful translations of eight *Seder Avodah* poems are preceded by a brief, yet comprehensive, overview of the history and development of the *Avodah* genre to be found in English. But here too, as important as their work is to the fields of liturgical studies and synagogue poetry, no attention is paid to the development of the liturgical expression of the *Seder Avodah* beyond the medieval period.

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<sup>30</sup> Joseph Yahalom, *'Az be-'En Kol: Seder ha-'Avodah ha-'Eretz Yis-re'eli ha-Qadum l'Yom ha-Kippurim* (Jerusalem: Magnes Press, 1996).

This substantial late twentieth, and now twenty-first, century research on the *Avodah* is indebted to the vast discovery of liturgical material in the Cairo Geniza<sup>31</sup> which stimulated research in the field of synagogue poetry and to the scholarly investigation of *piyyut* generally. Early last century, scholars such as Israel Davidson, Shalom Spiegel, Menahem Zulay, and others successfully sorted through, categorized, and analyzed many of the poetic compositions found in the Cairo Geniza. Building on their work, Ezra Fleischer spent much of his scholarly career exploring the rich literary tradition of synagogue poetry up through the medieval period. His 1975 work *Shirat ha-Qodesh ha-'Ivrit bi-Yeme ha-Benayim* is still considered the most detailed and thorough study of medieval synagogue poetry to date.<sup>32</sup>

There is no question that the development and growth of synagogue poetry throughout the Middle Ages served to greatly expand and embellish the *Avodah* liturgy; however, the development of the *Seder Avodah* as a liturgical rubric did not begin and end with the rise and fall of this classical period of medieval poetry. Elbogen, for instance, argues that the *Avodah* may have roots even as early as the time of Hillel, the

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<sup>31</sup> The Cairo Geniza, housed in the attic of the Ezra Synagogue in Fostat, and uncovered in 1896 by Solomon Schechter, brought to light a wealth of previously unknown ancient material that has in turn made an immeasurable impact on the study of the ancient synagogue and ancient world generally.

<sup>32</sup> Ezra Fleischer, *Shirat ha-Qodesh ha-'Ivrit bi-Yeme ha-Benayim*, eds., Shulamit Elizur and Tova Beeri (Jerusalem: Magnus Press, 2007). See Wout Jac. Van Bakkum, "The Hebrew Liturgical Poetry of the Byzantine Palestine Recent Research and New Perspectives," *Prooftexts* 28(2008):232-246, for a brief but worthy summary of the scholarship on the genre of synagogue poetry generally up through the medieval period.

early rabbinic sage who lived at the turn of the first century CE.<sup>33</sup> As already detailed above, there is strong evidence to indicate that a non-Temple based liturgical recitation of the *Seder Avodah* was in place by the turn of the third century codification of the Mishnah. Moreover, as will be detailed below in Chapter Three of this dissertation, precursors and perhaps early proto-types of the *Seder Avodah* can be found as early as the second century BCE, long before the destruction of the Temple and the cessation of its cultic ritual of atonement. Not only does such evidence support the existence of the Yom Kippur *Avodah* long before the advent of the medieval period, but texts of later *mahzorim* indicate that the *Seder Avodah* genre did not remain static. It continued to develop long after the close of this medieval period of heightened poetic activity commonly identified as the classical period of *piyyut*.

One of the limitations to the study of the continued development of the *Seder Avodah* is a common tendency among scholars to limit the definition of *piyyut* to the medieval period. Fleischer for example, despite acknowledging *piyyut* as any “lyrical composition intended to embellish on obligatory prayer” himself uses the term *piyyut* only to refer to poetry that appeared up until the dawn of the modern period.<sup>34</sup> The definition of the Hebrew word *piyyut*, however, is not necessarily limited to any specific time period; rather, its definition, simply stated, is a liturgical hymn or poem.<sup>35</sup> The

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<sup>33</sup> Elbogen, *Studien*, 45. Hillel, recognized by Jewish tradition as one of, if not the greatest sage of the Second Temple period, lived at end of the first century BCE. and the beginning of the first century CE. The height of his activity is generally dated to 30 BCE-10 CE.

<sup>34</sup> Ezra Fleischer, “Piyyut,” 574.

<sup>35</sup> See for instance, Reuben Alcalay, *The Complete Hebrew English Dictionary*. (Jerusalem: Yidioth Aharonoth, 1990), 2033.

tendency to limit the development of synagogue poetry to the medieval period appears to stem from a resistance to recognizing innovation in liturgical material, particularly innovation that arises after the Haskalah and that is written in the vernacular, in particular. The fact that the *Seder Avodah*, a *piyyut* that has roots in the ancient period, remains a liturgical rubric in all mainstream contemporary High Holiday prayer books attests to its significance and level of import throughout history as well as its beloved status. The fact that there has been continued innovation within the *Avodah* genre of synagogue poetry since the medieval period compels us to study its modern iterations. The Yom Kippur *Avodah*'s enduring quality, coupled with its ability to respond to varied times and circumstances, allows it to be an ideal liturgical rubric for the observation of the process of liturgical accommodation, and specifically the processes of conservation and reform outlined by Petuchowski in his work on liturgical development.<sup>36</sup>

One of the greatest, if not the greatest, challenge scholars such as Malachi faced in their work on the *Seder Avodah* is the lack of information available regarding the historical documentation of the texts being studied, a reality often present when dealing with texts of the pre-modern period. Not only are many texts extant in fragmentary or, at best, incomplete form and of unknown authorship, but even when authors are known, the lack of biographical information generally available on these writers impedes dating and contextualizing these texts. Yet, despite these challenges, sincere attempts have been made at proposing approximate dates for even the earliest material. In this regard, this dissertation project is at a great advantage. Having full texts available, knowing when

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<sup>36</sup> Jakob J. Petuchowski, "Some Laws of Jewish Liturgical Development," *Judaism* 34.3(1985): 320. See further discussion of Petuchowski's work in Chapter Two of this dissertation.

and by whom they were written, and the context in which they arose enables the use of a historical-philological approach to studying these texts.

The methodology of this project has included identifying and gathering *Avodah* texts written after the medieval period, specifically texts written during the nineteenth and twentieth centuries and texts published in the last decade,<sup>37</sup> and placing them in their appropriate historical and geographical context. Attempts have also been made to compare them to their predecessors in order to position them on the historical continuum of the development of the *Seder Avodah*. This comparative examination allows for the evaluation of these texts in terms of form, structure, language, and content in relation to the *Avodah* texts that precede them. Contrary to the arguments made by scholars to date that no significant creativity within the *Avodah* genre appears after the medieval period, this study calls tracks the continued development of the Yom Kippur *Avodah* throughout the modern period, exemplifying the enlightening and ongoing processes of liturgical accommodation that are still at work on the liturgy.

The goals of this dissertation are thus to provide:

1. A summary and review of the most significant developments within the Yom Kippur *Avodah* genre through the twelfth century.
2. A critical analysis of *Avodah* texts that have appeared since the twelfth century beginning with Samuel Luzzatto's nineteenth century contribution to the genre and extending through the first decade of the twenty-first century.

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<sup>37</sup> The absence of original *Seder Avodah* material dating from the twelfth through the early nineteenth centuries has been confirmed by liturgy scholar Eric L. Friedland, e-mail message to author, November 2009.

3. A review and analysis of current worship practice based upon the results of a survey conducted which 1) assessed whether their congregations include an *Avodah* in their worship, and 2) inquired as to what text(s) they currently use.<sup>38</sup>
4. Conclusions and discussion of the process of liturgical accommodation as exemplified by the *Avodah* including an investigation into whether the *Avodah* remains a compelling expression of atonement for the twentieth-first century liberal synagogue.

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<sup>38</sup> My questionnaire was sent to clergy within the Reform, Conservative, and Reconstructionist movements and is included in Appendix B of this dissertation.

## Chapter Two: The Non-Canonical Status of the Jewish Prayer Book

Rabbinics professor and scholar, Barry Freundel argues that while the Jewish people have been known throughout history as the “People of The Book,” “The Book” understood by Jews as Torah<sup>39</sup> and by others who make this statement as the Old Testament,<sup>40</sup> it is the *siddur*, the Jewish prayer book, that is, in actual practice, “The Book” of the Jewish People.<sup>41</sup> This statement is insightful on many levels. First of all, the *siddur*, not the Torah, is the book from which Jews, scholars and non-scholars alike, have prayed and continue to pray daily; it is the book with which most Jews are familiar. While most Jews can recite at least one, if not many, of the prayers contained in the *siddur*, many, if not most, would be hard pressed to recite passages from Torah (save for those passages that also appear in the *siddur*). Moreover, Freundel’s qualification regarding the Jewish prayer book captures an important reality regarding the process of

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<sup>39</sup> While Torah refers specifically to the Five Books of Moses, Torah can also refer to the breadth of Jewish literature and tradition inclusive of the twenty-four books of the Jewish Bible and the subsequent commentary that follows (i.e., Oral Law). Jews often use the term Torah in this broad manner, and the term Torah is used here accordingly.

<sup>40</sup> The Qur'an refers to followers of monotheistic Abrahamic religions that pre-date Islam as “People of The Book” (see for example, Qur'an 3:64 and 29:46). While originally intended to include Christians as well as Jews, since the medieval period, the phrase “People of The Book” has applied specifically to the Jewish people due to their steadfast commitment to the Jewish Bible, inclusive of Torah, Prophets, and Writings, and their rejection of supersessionist theology that arose with the forwarding of the New Testament by early Christians.

<sup>41</sup> Barry Freundel, “Connections in the Siddur I and II,” (class lecture, Baltimore Hebrew University, spring 2003 and fall 2005).



liturgical accommodation, namely that the *siddur* is capable of accommodating to the emotional and situational reality of the Jewish community. It is a “Book of the People” in that it responds to the needs and circumstances of the people, whereas the Bible is a book that remains constant due to its canonical status.

Certainly there are elements of Jewish liturgy that have been authorized by Rabbinic tradition as obligatory, and Lawrence Hoffman’s use of the word “canonization” for his thorough examination of the history of the prayer book’s formulation through the Geonic period<sup>42</sup> underscores the general standardization of the *siddur*. At the same time, the word ‘canonization’ has connotations of a universally accepted and static document.<sup>43</sup> Despite Hoffman’s characterization of the prayer book in the title of his book, *The Canonization of the Synagogue Service*, the prayer book is not a fixed canon. Rather, the Jewish prayer book has been and continues to be an open and fluid text that is capable of responding to outside cultural influences and change even in the most traditional circles. When studying the liturgy, it is incumbent upon us to keep in mind that though the prayer book has an ordered and inherited structure and, as Hoffman points out, the *Geonim* had a great deal to do with that structured order, it is not a closed and fixed canon in the same sense as the canonized biblical text.

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<sup>42</sup> The Geonic period refers to a period after the close of the Talmud when the chief religious leaders, the heads of the academies, in Babylonia held the title of *Gaon*. The Geonic period is generally dated from the eighth century through the beginning of the eleventh century; see Lawrence A. Hoffman, *The Canonization of the Synagogue Service* (Notre Dame: University of Notre Dame Press, 1979), 5.

<sup>43</sup> *The Random House Dictionary* (New York: Ballantine Books, 1980), 132, defines ‘canon’ as a rule or law enacted by church council, the body of church law, or an accepted rule, standard or criterion.

From its start, worship has been forced to be responsive to historical events. The first century destruction of the Temple and the subsequent loss of the sacrificial cultic system of worship contained therein provided perhaps the first major test of the adaptability of Jewish worship. As Ruth Langer notes, after 70 CE, the Rabbis of this period had to create a “careful dialectic between the old and the new, the accepted and the innovative...[as they] define[d] their liturgical system in connection to and in opposition to the Temple cult incorporating language and rituals with which the people already felt comfortable.”<sup>44</sup> Had these early sages not succeeded at gaining this necessary nod from the populace, Rabbinic worship would have failed to succeed as a compelling replacement for the Temple cult. To be clear, this process was not a one-time revolutionary change that occurred after the destruction; rather, the evolution of what was deemed acceptable worship after 70 CE had substantial roots in the pre-destruction period of the Second Commonwealth that cannot be easily dissected and unpacked from the context of historical continuity.<sup>45</sup>

Since the destruction of the Second Temple in Jerusalem in 70 CE, there have been many occasions when Jewish worship has successfully responded to new features of

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<sup>44</sup> The “old,” for instance, included texts, such as שמע (*shema*), אמת ואמונה (*’emet we’emuna*) and various Psalms, that were already part of the liturgical order of the Temple Rite (see *M. Tamid* 5:1); Ruth Langer, *To Worship God Properly Tensions Between Liturgical Custom and Halakhah in Judaism* (Cincinnati: Hebrew Union College Press, 1998), 5.

<sup>45</sup> Gedaliah Alon, in his *The Jews in Their Land in Talmudic Age (70-640 CE)*, trans. Gershon Levi (Cambridge: Harvard University Press, 1989) provides a detailed and thorough background on the political and religious tensions between the sages and priestly factions during the Second Commonwealth and beyond and the growth of the Rabbinic movement post-70 CE.

reality. The evolution in the practice of the recitation of what are now commonly known as ברכות השחר (*birkhot hashachar*, i.e., The Morning Blessings) offers an informative example of such liturgical accommodation. The Talmud, for instance, dictates that these individual blessings be recited privately at home over the corresponding action, such as awakening, relieving oneself, washing one's hands, getting dressed, etc.<sup>46</sup> Implicit in the Talmudic mandate regarding these blessings is that each blessing was to be recited only as needed by the individual in the moment of the action for which gratitude was to be expressed. Over time, however, due to the confluence of a number of external factors, including the urbanization of the Jewish community, these individual blessings were modified to meet the changing needs of the Jewish community. Most significantly, these individual blessings eventually came together as a unified rubric for recitation during communal worship. Not only is the unit of The Morning Blessings present in every modern mainstream Jewish prayer book as part of the communal order of prayer, but the variation in which these prayers appear in different prayer books underscores the ability of the liturgy to respond to new sensibilities and circumstances.<sup>47</sup>

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<sup>46</sup> *B. Berachot* 60b.

<sup>47</sup> See as examples: Sidney Greenberg and Jonathan D. Levine, eds., סדר חדש -- *Sabbath and Festival Services* (Bridgeport: Prayerbook Press, 1992), 12ff; Elyse D. Frishman, ed., משכן תפילה -- *A Reform Siddur, Weekdays and Festivals* (New York: CCAR Press, 2007), 30 ff; Chaim Stern, ed., שערי תפילה -- *Gates of Prayer: The New Union Prayer Book* (New York: CCAR Press, 1975), 284 ff; Philip Birnbaum, ed., הסדר השלם (New York: Hebrew Publishing Co., 1977), 1ff; Jonathan Sacks, ed., סדור קורן -- *The Koren Siddur* (Jerusalem: Koren Publishers, 2009), 27ff; and, Jules Harlow, ed., *Siddur Sim Shalom for Shabbat, Festivals, and Weekdays* (New York: Rabbinical Assembly, 1985), 3ff. See also, Elbogen, *Jewish Liturgy*, 77-78 for a discussion of the evolution from private to public recitation of the Morning Blessings.

As evidenced by The Morning Blessings included in Rav Amram's prayer manual, additions to the list of ברכות השחר (*birkhot hashachar*) had been made by the ninth century. Specifically, three blessings that do not appear in the Talmud's earlier list and are not over actions associated with awakening are included. These three blessings, written in the negative, express gratitude for not making the individual in a certain manner, specifically as a non-Jew, a slave, or a woman.<sup>48</sup> These three "שלא עשני" (*shelo 'asani*) blessings are closely based on three blessings attributed to the Rabbinic sage Rav Judah. While not included in the Talmud's list of Morning Blessings, they are mandated by Rav Judah to be recited every day. His include thanking God for "not making me a non-Jew," "not making me ignorant," and "not making me a woman."<sup>49</sup> As Elbogen notes, Rav Amram's incorporation of these three additional blessings in his list of Morning Blessings may have been intended to serve as an apologetic against Christianity.<sup>50</sup> Amram's additional three blessings offer a direct rebuttal to Paul's proselytizing statement codified in the New Testament that reads, "there is neither Jew nor Greek, neither slave nor free person, neither male and female for all are one in Christ."<sup>51</sup>

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<sup>48</sup> Daniel Goldschmidt, *Seder Rav Amram Gaon: arukh u-mugah al-pi kitve-yad u-defusim im hashlamot shinuye nusha'ot u-mavo* (Jerusalem: Mossad Harav Kook, 1971), 2.

<sup>49</sup> *T. Berachot* 6:18; see also, *Y. Berachot* 9:2 (12b). *T. Menachot* 43b also offers these three blessings but presents the first of the trio in the affirmative, שעשני ישראל (*she-'asani Yisrael*) praising God for "making me a Jew."

<sup>50</sup> Elbogen, *Jewish Liturgy*, 78.

<sup>51</sup> Galatians 3:28.

Today, these blessings continue to serve as statements of Jewish identity for the worshipper even if the original sense of apologetic has faded into history. Again, modifications have been made in many twentieth-century prayer books, this time to language, in order to align the sentiment of these three blessings with modern sensibilities. For example, instead of praising God for “not making me a *goy* (i.e., non-Jew),” many prayer books offer the version of the blessing preserved in *B. Menahot* 43b that offers thanksgiving for making the individual a Jew. Instead of praising God for “not making me a slave,” the revised blessing praises God for “making me free.” In place of praising God for “making me a man,” one modern counterpart praises God for “making me in God’s image.”<sup>52</sup> The desire to refute an uncomfortable and displeasing Christian doctrine that was present in the Geonic period has been replaced by a twentieth century desire to proactively proclaim one’s identity as a Jew. Thus, the *ברכות השחר* (*birkhot hashachar*), originally a list of individual and private morning blessings to be recited at home over specific actions, have responded and accommodated to changes in the community and the world by becoming detached from their accompanying actions, expanded to include blessings of definition and identity, and becoming an expected and integral part of public communal worship.

There have also been other occasions of dramatic and violent events in Jewish history since the destruction of the Temple in 70 CE that have demanded a response from the liturgy of the synagogue, including the Crusades of the early medieval period, the fifteenth century expulsions from Spain, and most recently, the Holocaust. Of these, the

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<sup>52</sup> See for example, Frishman, ed., 40 and Reuven Hammer, ed., *אור חדש* (*’Or Hadaash*) – *A Commentary on Siddur Sim Shalom for Shabbat and Festivals* (New York: The Rabbinical Assembly, 2003), 65.

destruction of the Temple in Jerusalem was perhaps the first and most dramatic test of the strength and flexibility of communal Jewish worship as it impacted both the practice and locus, the what and where, of worship, but all of these events have impacted the text and expression of Jewish liturgy. Take for example, the introduction of the Welcoming the Sabbath (i.e., קבלת שבת, *Qabbalat Shabbat*) service in the sixteenth century, a rubric of psalms and poetry that has found a place in the standard order of Jewish prayer immediately prior to the Evening Service (i.e., מעריב, *Ma-'ariv*) on Friday evenings.<sup>53</sup> Arguably, this liturgical addition arose in direct response to the expulsions from Spain and the subsequent settlement of Safed by Isaac Luria and his followers. Their attachment to the mystical traditions of the Zohar coupled with a sense of displacement from their home provided a fertile environment for religious fervor and liturgical creativity.<sup>54</sup>

Another example of Jewish liturgy responding to tragic events in history is the evolution of the Jewish Memorial Service, known as יזכר (*Yizkor*). While the tradition of praying for the dead is ancient,<sup>55</sup> the tradition of reciting יזכר (*Yizkor*), or memorial prayers, for the dead during public worship, as is now customary on Yom Kippur and the three Pilgrimage Festivals (i.e., פסח, סוכות, and שבועות [*Pesah, Sukkot, and Shavuot*]), can be traced to the decades during and following the Crusades in medieval Europe.

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<sup>53</sup> The קבלת שבת service, inclusive of Psalms 95-99, Psalm 29, a poem entitled *L'cha Dodi*, Psalms 92-93, and excerpts from the Mishnah, Talmud, and Psalms, is intended to help the community usher in the Sabbath. See for example, Sacks, 311-333.

<sup>54</sup> See Gershom Scholem, "Luria, Isaac ben Solomon," *Encyclopedia Judaica*. Volume 11, ed., Cecil Roth (Jerusalem: Keter, Publishing), 572-578.

<sup>55</sup> See, for example, *II Maccabees* 12:44-46, *B. Sota* 34b, *B. Ta'anith* 2a, and *Lamentations Rabbah* I:45.

Apparently, the custom of reading names aloud and reciting memorial prayers for the fallen arose in response to the growing number of deaths during this period of increased persecution. The first public prayers for the dead appeared as early as 1000 CE, and according to A. Z. Idelsohn, the memorial prayer אל מלא רחמים ('*El Male Raḥamim*) became, no later than the seventeenth century, a standard vehicle for remembering an individual who has passed.<sup>56</sup> This prayer remains so today.

While it is too soon to witness any long-term impact of the Holocaust on Jewish liturgy, some prayer books have acknowledged the Holocaust, in addition to the founding of the state of Israel and the subsequent military battles fought within Israel's borders, with various liturgical inserts and memorial prayers to be recited on appropriate memorial days. An example of such additional liturgical material can be found in the Reform movement's משכן תפילה (*Mishkan Tefilah*). This prayer book provides texts for Holocaust Remembrance Day (i.e., יום השואה, *Yom ha-Sho'ah*) and Israel's Independence Day (i.e., יום העצמות, *Yom ha-'Atsma-ut*) that are intended to be inserted into the 'Amidah as customary on other minor festival occasions such as on חנוכה (*Hanukah*), פורים (*Purim*), and ראש חודש (*Rosh Hodesh*).<sup>57</sup>

In his attempt to draw out descriptive rules for liturgical development, liturgist Jakob J. Petuchowski notes that, "The 'Conservative' and the 'Reformer' are perennial types in the history of Jewish liturgy." Despite his use of these particular descriptive monikers, Petuchowski emphasizes that his terms "conservative" and "reformer" used in

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<sup>56</sup> Elbogen, *Jewish Liturgy*, 162-163, 430; and A. Z. Idelsohn, *Jewish Liturgy and its Development* (New York: Dover Publications, 1995), 230-232.

<sup>57</sup> Frishman, ed., 290-291. See also, Sacks, ed., 908, for a liturgical addition for Israel's Memorial Day (יום הזכרון, *Yom ha-Zikaron*).

this case do not refer to our modern day denominational categories. Rather, in every generation, he astutely observes, the liturgy is subject to retention by those who are committed to the conservation of the text they have received from the past and innovation by those willing to make changes to the received text when circumstances demand. Such changes that are either advocated by those seeking reform, or resisted by those seeking conservation, can involve additions or deletions, and these archetypes exist in all denominations of Judaism.<sup>58</sup>

Despite the fluidity of the liturgy and its responsiveness to new situations, liturgical change is not a quick and easy task, and additions seem far more easily made than deletions.<sup>59</sup> Here, Hoffman's metaphor of likening of the prayer book to a canon is apt. Once a text is authorized as part of the standard order of prayer and/or is accepted as custom, it does indeed resist change. Petuchowski's "first rule" of liturgical development, namely that "one generation's spontaneity becomes another generation's routine"<sup>60</sup> lies at the heart of this general tendency towards liturgical stability. Once a tradition becomes "routine," in other words, popularly accepted by those who use the prayer book, making change becomes arduous. The attempt of the Reform movement to change the text of the עלינו (*Alenu*) prayer in order to reflect the movement's universalistic vision of the Messianic age is but one example of the difficulty encountered in changing a popular and well-accepted text.

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<sup>58</sup> Petuchowski, "Some Laws of Jewish Liturgical Development," 320.

<sup>59</sup> Petuchowski, "Some Laws of Jewish Liturgical Development," 312-316.

<sup>60</sup> Petuchowski, "Some Laws of Jewish Liturgical Development," 312, 321.



The origins of עלינו (*Alenu*), one of the most frequently recited prayers in the Jewish prayer book, appearing at the conclusion of every service inclusive of daily, Sabbath, and holiday services, is unclear. It first appears in the prayer book as part of the concluding prayers in the twelfth century French מחזור ויטרי (*Maḥazor Vitri*),<sup>61</sup> yet the text certainly pre-dates the medieval period. The text has been dated to a wide variety of time periods ranging from the biblical through the Talmudic periods. It has been attributed to the biblical character Joshua, to the Men of the Great Assembly of the early part of the Second Temple period,<sup>62</sup> and to the third century Talmudic sage, known simply as Rav. Freundel argues convincingly that עלינו's (*Alenu*) origins can be best traced to the Persian period of the Second Commonwealth and perhaps can be attributed to that body known as the Men of the Great Assembly.<sup>63</sup> His argument is supported by evidence of a singular version of עלינו (*Alenu*) that opens, "עלי לשבה" (*'Alay leshabe-ah*) from which the now well known plural version was most likely formulated. This singular version of the prayer is decidedly ancient and is attributed to the first century Rabbi Akiva in the mystical work *Ma'asseh Merkavah*.<sup>64</sup>

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<sup>61</sup> Shimon Hurwitz, ed., מחזור ויטרי (Jerusalem: Aleph Publishing, 1963), 193.

<sup>62</sup> The Men of the Great Assembly (known in Hebrew as אנשי כנסת הגדול, *'Anshe kenesset hagadol*) is understood to refer to an assembly of scholars and scribes that existed, according to Rabbinic tradition, during the decades between the age of the Prophets and the birth of Rabbinic Judaism.

<sup>63</sup> See Barry Freundel, *Why We Pray What We Pray: The Remarkable History of Jewish Prayer* (Jerusalem: Urim Publishers, 2010), 205-236 for a thorough examination of the various theories regarding the origins of the עלינו prayer.

<sup>64</sup> Gershom G. Scholem, *Jewish Gnosticism, Merkabah, Mysticism, and Talmudic Tradition* (New York: Jewish Theological Seminary of America, 1965), 105; see also, Freundel, 212ff.

*The Union Prayer Book*, originally published in 1895, omits the Hebrew text of עלינו (*Alenu*) completely and replaces it with an English adaptation of Leo Merzbacher's innovative עלינו (*Alenu*) text that appeared in both his and Issac M. Wise's nineteenth century prayer books. This text pointedly replaces the theological conception of Israel as a chosen nation with praise of God as the eternal and singular creator who is universally "manifest throughout the world."<sup>65</sup> By the 1975 edition of *The New Union Reform Prayer book, Gates of Prayer*, however, the original עלינו (*Alenu*) is restored as the first of three different textual variations offered for the recitation of עלינו (*Alenu*) in the worship service.<sup>66</sup> While *Gates of Understanding*, the companion volume of commentary to *Gates of Prayer* that contains explanatory notes regarding the editor's choices, defends the traditional עלינו's (*Alenu*) inclusion as an "attempt to restore its classical balance of particularism and universalism,"<sup>67</sup> the reality remains that it would not have been necessary to restore it if it had not been sorely missed by a substantial element of the community. Despite the theological difficulties raised by this text for the Reform movement, the traditional עלינו (*Alenu*) continues to be the most popular choice in Reform worship. The Reform movement's most recent prayer book, published in 2007, again tries to forward Merzbacher's universalistic theology by placing his formulation of

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<sup>65</sup> See *The Union Prayerbook for Jewish Worship* (New York: CCAR Press, 1940), 71 for an instance of the full text of this English *Aleinu* entitled, *Adoration. The Union Prayerbook Part II*. (Cincinnati: CCAR Press, 1946), 261, includes the original Hebrew text from which this English adaptation was derived. It appears in the *Malchuyot* section that appears immediately before the *Avodah* liturgy.

<sup>66</sup> Chaim Stern, ed., שערי תפילה -- *Gates of Prayer: The New Union Prayerbook*, (New York: CCAR Press, 1975), 615.

<sup>67</sup> Lawrence A. Hoffman, ed., *Gates of Understanding: A Companion Volume to Gates of Prayer* (New York: CCAR Press, 1977), 251.

עלינו (*Alenu*) above the traditional text, however the traditional text is still the normative choice recited during worship.<sup>68</sup> The popular melody sung in most synagogues today, a melody based on Salomon Sultzer's original composition for the text published in 1838,<sup>69</sup> is most likely a significant contributing factor responsible for the resistance of this text to change in the modern period. While the English *Adoration* remains a worthy substitute for עלינו (*Alenu*), the traditional Hebrew text, inextricably tied to this melody, endures as the primary worship text.

Another prominent example of the liturgical order of the prayer book resisting change is the retention of כל נדרי (*Kol Nidre*) in the Yom Kippur liturgy. כל נדרי (*Kol Nidre*) a text that is recited just prior to the official start of Yom Kippur, is, in essence, an Aramaic legal formula intended for the annulling of vows. Whether or not this text should be included in the liturgy of the High Holiday prayer book has been the subject of an incredible amount of ongoing debate throughout history. Historically, rabbinic leaders and sages were generally opposed to the recitation of כל נדרי (*Kol Nidre*) it was maligned throughout the Geonic and medieval periods as a superstitious incantation, and its use was frowned upon as a potential source of misunderstanding between Jews and

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<sup>68</sup> This observation is based on my experience as a worship leader in the Reform movement for the past 20 years. Frishman, ed., 322. For a discussion of the popularity of עלינו despite its theology, see: Eric L. Friedland, "Why Do We Still Pray 'Anti-Goyism'?" *CCAR Journal* (Fall, 2002): 49-57.

<sup>69</sup> Salomon Sultzer, *Schir Zion Gesänge für den israelitischen Gottesdienst* (New York: Sacred Music Press, 1954), 55. See also, Malcolm H. Stern, Raymand Smolover, Daniel H. Frelander, and Judith B. Tischler, eds., *Gates of Song* (New York: Transcontinental Music Publications, 1987), 100, for a reduced notation of Sultzer's melody which is, as I understand it, the most commonly used melody for *Aleinu* within modern day Ashkenazic synagogues throughout the world. *Gates of Song* is the official hymnal of the Reform movement.

Gentiles.<sup>70</sup> The ninth century Gaon, Rav Amram, for example, forbade כל נדרי's (*Kol Nidre*) inclusion in the prayer book labeling it a "foolish custom."<sup>71</sup> Others tried to defend the text while simultaneously limiting its legal status and applicability. The twelfth century French halachist, Jacob ben Meir, known in the literature as Rabbenu Tam, for instance, argued strongly against the effectiveness of כל נדרי (*Kol Nidre*) as a legal formula stating that it had absolutely no power to nullify past vows. Expanding on the opinion of his father, Rabbi Meir ben Samuel, Rabbenu Tam affirmed the use of כל נדרי (*Kol Nidre*) only after it was emended, in accordance to *B. Nedarim* 23b, to refer solely to future vows.<sup>72</sup> Despite widespread opposition and debate, however, כל נדרי (*Kol Nidre*) endured and retained its place, and arguably beloved status, as part and parcel of the liturgy to be recited at the start of Yom Kippur. Indeed, the early fourteenth-century commentator Jacob ben Asher concluded, after reviewing opinions on the acceptability of reciting כל נדרי (*Kol Nidre*), that the negative consensus regarding its recitation didn't matter as "the custom ha[d] already spread to say it everywhere."<sup>73</sup> Simply put, the

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<sup>70</sup> Stuart Weinberg Gershon, *Kol Nidrei Its Origin, Development, and Significance* (Northvale: Jason Aronson, Inc., 1994), 67-91, 97-114, provides extensive detail and source material regarding the debate over the recitation of כל נדרי from the Geonic period through the nineteenth century.

<sup>71</sup> Goldschmidt, *Seder Rav Amram Gaon*, p. 163.

<sup>72</sup> *B. Nedarim* 23b states, "If one wishes to ensure that one's vows for the coming year will not be binding, one should say the following at the beginning of the year, 'Any vow that I vow in the future shall be null and void.'" Rabbenu Tam's opinion is outlined in *Sefer haYashar* (Vienna, 1811) #144 which is cited and discussed at length in Gershon, 77-81. A summary of Rabbenu Tam's arguments can also be found in Rabbi Asher ben Yehiel's (i.e., The Rosh) commentary to *B. Yoma*, 8:28.

<sup>73</sup> *Arba'ah Turim, Orach Chayyim, Hilkhoh Yom Kippur*, #619, as cited and discussed in Gershon, 89.

popular vote won, and the order of prayer reflected the desires of the people who prayed the text despite rabbinic opposition.

In the nineteenth century, German reformers again tried to remove כל נדרי (*Kol Nidre*) from the liturgical order to no avail. It was removed from early Reform prayer books, including Kley and Grunsberg's 1817 *Die Deutsche Synagoge* and was excised from worship as late as 1839, at least temporarily, by Samson Raphael Hirsch, the founder of modern Orthodoxy.<sup>74</sup> But again, despite attempts by the Rabbinic leadership, כל נדרי (*Kol Nidre*) was restored to its place in the liturgy, at the start of the Yom Kippur Evening service. In many synagogues, even when it didn't exist in print, it was still recited by the worship leader. As stated in 1930 by those Rabbinic leaders advocating for the return of כל נדרי (*Kol Nidre*) to the Reform *mahzor*, despite its absence from the prayer book "...in many of our congregations, *kol nidrei* is [still] sung on Yom Kippur eve. [It] has a certain emotional force that no other song can convey to our people."<sup>75</sup>

The intense debate over כל נדרי (*Kol Nidre*) itself attests to the force of conservation in the liturgy and its consequent resistance to change. If there wasn't an impressive popular desire to retain the text, then the negative opinions of the Geonim would most likely have held sway, and the text of כל נדרי (*Kol Nidre*) would be a remnant of the past. The fact that the debate continued through the medieval and modern periods, and that כל נדרי survived to be not only present in, but for many a defining element of, the Yom Kippur liturgy, underscores the overall stability of liturgical expression. Once the

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<sup>74</sup> Noah H. Rosenbloom, *Tradition in an Age of Reform* (Philadelphia: Jewish Publication Society, 1976) as cited in Stuart Weinberg Gershon, 100.

<sup>75</sup> *CCAR Yearbook* 40 (1930):102.

recitation of כל נדרי (*Kol Nidre*) had become established as a popular custom, it became virtually impossible to remove. At the same time, the history of כל נדרי (*Kol Nidre*) underscores the ability of the prayer book to respond to the emotional needs of the community even when that response counters intellectual, or even rational, arguments.<sup>76</sup>

Like these examples above, the Yom Kippur *Seder Avodah*, a rubric of liturgy that has roots reaching back at least to the Temple period and is still recited today, offers a wonderful opportunity to study and witness the forces of conservation and reformation at work on the prayer book. The enduring nature of the *Seder Avodah* demonstrates the inherent stability of the liturgy; at the same time, the many extant variations of the *Seder Avodah* and the continued innovation made to this rubric throughout the modern period illustrate the prayer book's flexibility and ability to accommodate to changing circumstances.

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<sup>76</sup> For a recent analysis and commentary on the enduring power and significance of כל נדרי see, Lawrence A. Hoffman, ed., *All These Vows Kol Nidre* (Woodstock: Jewish Lights Publishing, 2011).

### Chapter Three: The History of the *Seder Avodah* through the Medieval Period

The word *Avodah* (עבודה), derived from the Hebrew root ע-ב-ד, is used throughout Rabbinic literature to refer to the sacrificial rituals that took place during the ancient period in the Temple. Literally translated as “labor” or “service,” the term is understood by Rabbinic tradition as inclusive of both the physical labor associated with the sacrificial cult and the sacred sense of Divine worship. *B. Yoma*, for example, in its discussion of what is required to initiate a new priest into the role of High Priest, states,

עבודתו מחנכתו. מי לא תניא: כל הכלים שעשה משה - משיחתן מקדשתן, מכאן ואילך -  
עבודתן מחנכתן. הכא נמי - עבודתו מחנכתו

His *avodah* initiates him. Has it not been taught, ‘all the vessels which Moses made became sanctified through being anointed. From then on [the vessels] become sanctified through their being used in *avodah*.’ Similarly, his *avodah* initiates him.<sup>77</sup>

The *Amoraim*, the post-*mishnaic* Talmudic sages, are clear in their understanding of the word *Avodah*. The *Avodah*, the work, the service involved in ritual sacrifice, had sanctifying power. It was Divine worship. The term *avodah* has aptly endured for this section of contemporary Jewish worship recited on Yom Kippur as it offers at its core a dramatic retelling of the narrative surrounding the atonement ritual, the *Avodah* that took place in the Temple on Yom Kippur in ancient days.

The definitive mark and centerpiece of the liturgical *Seder Avodah* (literally, *Avodah* order) is the recitation of the High Priest’s three-fold confession that took place during this ancient Temple based ritual and is preserved in the Mishnah, in tractate *Yoma*.

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<sup>77</sup> *B. Yoma* 12b

The earliest literary reference to a sacrificial ritual and an accompanying verbal confession recited on the Day of Atonement, however, is biblical and is found in Leviticus 16:1-34. This Levitical passage details the procedures of expiation and atonement conducted by Aaron in the Tent of Meeting on the Day of Atonement. As it serves as an early and foundational source to the *mishnaic* account of the Temple proceedings, I include it here:

1. The Lord spoke to Moses after the death of the two sons of Aaron who died when they drew too close to the presence of the Lord. 2. The Lord said to Moses:

Tell your brother Aaron that he is not to come at will into the Shrine behind the curtain, in front of the cover that is upon the ark, lest he die; for I appear in the cloud over the cover. 3. Thus only shall Aaron enter the Shrine: with a bull of the herd for a sin offering and a ram for a burnt offering. 4. He shall be dressed in a sacral linen tunic, with linen breeches next to his flesh, and be girt with a linen sash, and he shall wear a linen turban; they are sacral vestments. He shall bathe his body in water and then put them on. 5. And from the Israelite community he shall take two he-goats for a sin offering and a ram for a burnt offering.

6. Aaron is to offer his own bull of sin offering, to make expiation for himself and for his household. 7. Aaron shall take the two he-goats and let them stand before the Lord at the entrance of the Tent of Meeting; 8. and he shall place lots upon the two goats, one marked for the Lord and the other marked for Azazel. 9. Aaron shall bring forward the goat designated by lot for the Lord, which he is to offer as a sin offering; 10. while the goat designated by lot for Azazel shall be left standing alive before the Lord, to make expiation with it and to send it off to the wilderness for Azazel.

11. Aaron shall then offer his bull of sin offering, to make expiation for himself and his household. He shall slaughter his bull of sin offering, 12. and he shall take a panful of glowing coals scooped from the altar before the Lord, and two handfuls of finely ground aromatic incense, and bring this behind the curtain. 13. He shall put the incense of the fire before the Lord, so that the cloud from the incense screens the cover that is over [the Ark of] the Pact, lest he die. 14. He shall take some of the blood of the bull and sprinkle it with his finger over the cover on the east



side; and in front of the cover he shall sprinkle some of the blood with his finger seven times.

15. He shall then slaughter the people's goat of sin offering, bring its blood behind the curtain, and do with its blood as he has done with the blood of the bull: he shall sprinkle it over the cover and in front of the cover. 16. Thus he shall purge the Shrine of the uncleanness and transgression of the Israelites, whatever their sins; and he shall do the same for the Tent of Meeting, which abides with them in the midst of their uncleanness. 17. When he goes in to make expiation in the Shrine, nobody else shall be in the Tent of Meeting until he comes out.

When he has made expiation for himself and his household, and for the whole congregation of Israel, 18. he shall go out to the altar that is before the Lord and purge it. He shall take some of the blood of the bull and of the goat and apply it to each of the horns of the altar; 19. and the rest of the blood he shall sprinkle on it with his finger seven times. Thus he shall cleanse it of the uncleanness of the Israelites and consecrate it.

20. When he has finished purging the Shrine, the Tent of Meeting, and the altar, the live goat shall be brought forward. 21. Aaron shall lay both his hands upon the head of the live goat and confess over it all the iniquities and transgressions of the Israelites, whatever their sins, putting them on the head of the goat; and it shall be sent off to the wilderness through a designated man. 22. Thus the goat shall carry on him all their iniquities to an inaccessible region; and the goat shall be set free in the wilderness.

23. And Aaron shall go into the Tent of Meeting, take off the linen vestments that he put on when he entered the Shrine, and leave them there. 24. He shall bathe his body in water in the holy precinct and put on his vestments; then he shall come out and offer his burnt offering and the burnt offering of the people, making expiation for himself and for the people. 25. The fat of the sin offering he shall turn into smoke on the altar.

26. He who set the goat for Azazel free shall wash his clothes and bathe his body in water; after that he may re-enter the camp.

27. The bull of sin offering and the goat of sin offering whose blood was brought in to purge the Shrine shall be taken outside the camp; and their hides, flesh, and dung shall be consumed in fire. 28. He who burned them shall wash his clothes and bathe his body in water; after that he may re-enter the camp.

29. And this shall be to you a law for all time: In the seventh month, on the tenth day of the month, you shall practice self-denial; and

you shall do no manner of work, neither the citizen nor the alien who resides among you. 30. For on this day atonement shall be made for you to cleanse you of all your sins; you shall be clean before the Lord. 31. It shall be a sabbath of complete rest for you, and you shall practice self-denial; it is a law for all time. 32. The priest who has been anointed and ordained to serve as priest in place of his father shall make expiation. He shall put on the linen vestments, the sacral vestments. 33. He shall purge the innermost Shrine; he shall purge the Tent of Meeting and the altar; and he shall make expiation for the priests and for all the people of the congregation. 34. This shall be to you a law for all time: to make atonement for the Israelites for all their sins once a year. And Moses did as the Lord had commanded him.<sup>78</sup>

To be sure, this biblical account was never intended to serve as liturgical text. It does, however, provide a prescriptive outlining of the sacrificial ritual for the annual Day of Atonement, a ritual intended to enable personal atonement (i.e., for Aaron and his family), the cleansing of the altar and its immediate environs, and communal expiation. The earliest description of the Yom Kippur atonement ritual as it was apparently presented and performed in the Temple period, inclusive of direct references to the Levitical source text, appears in *M. Yoma*.<sup>79</sup>

The atonement narrative from the Mishnah has many parallels to the Levitical passage and appears to have served as a primary source for the earliest liturgical formulations of the *Seder Avodah*. For example, both texts note specific preparations that are required of the person enacting the atonement ritual. Just as the biblical text makes it clear that Aaron can enter the holy place where the ark was kept only after bathing and

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<sup>78</sup> Translation from, *Tanakh The Holy Scriptures The New JPS Translation According to the Hebrew Text* (Philadelphia: Jewish Publication Society, 1985).

<sup>79</sup> See Appendix A of this dissertation for the full text of *M. Yoma*, Chapters One through Eight.

dressing appropriately, *M. Yoma* carefully outlines a seven-day period of preparation in which the High Priest must engage, which includes separation from his family and study with the elders as well as appropriate bathing and dressing, before he can approach the Holy of the Holies for the atonement ritual.<sup>80</sup> Both the biblical and *mishnaic* passages discuss the procedures for atonement; however, the *mishnaic* account adds the specific verbal confessions that accompanied each of the three sacrifices. These confessional texts, on behalf of the High Priest and his family, on behalf of the House of Aaron, and finally, on behalf of the entire community of Israel, have become the centerpiece of the liturgical *Seder Avodah*. The three confessional texts are virtually identical. The only differences in the text reflect an accommodation to who is receiving expiation (i.e., Aaron's family, the Levitical clan, or the House of Israel). The first of the three reads,

I pray, O Eternal! I have done wrong, I have transgressed, I have sinned before You, both I and my house. I pray, O Eternal, forgive the iniquities, transgressions, and sins which I have wrongly committed and which I have transgressed and which which I have sinned before You, as it is written in the Torah of Moses, "For on this day shall atonement be made for you, to cleanse you from all of your sins: you shall be clean before *Adonai*."<sup>81</sup>

The narrative style of *M. Yoma*, which stands out in contrast to the legalistic character of much of the Mishnah, attests to the likelihood that the text preserved here, in *M. Yoma* chapters one through seven, may have served as an early *Seder Avodah* for public non-Temple based worship. Elbogen, for instance, concludes that the earliest

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<sup>80</sup> Compare Leviticus 16:2-4 and *M. Yoma* 1:1-7.

<sup>81</sup> *M. Yoma* 3:8 citing Leviticus 16:30. The other two confessional texts appear in *M. Yoma* 4:2 and 6:2.

liturgical *Seder Avodah* was “nothing more than a recitation of *M. Yoma*.”<sup>82</sup> The text and language of שבעת ימים (*Shivat Yamim*), the earliest extant *Seder Avodah* distinct from the Mishnah, which will be discussed in more detail below, also makes it clear that *M. Yoma* at the very least served as a prototype, if not actual text, for liturgical usage.

For clarity, it may be useful at this point to differentiate between the *Avodah* liturgy which recapitulates the Temple atonement ritual codified in the Mishnah, inclusive of the High Priest’s confessions (i.e., וידויים, *viduiim*), and the sections of the modern day Yom Kippur liturgical order identified formally as וידוי (*viddui*). וידוי (*viddui*) literally means confession.<sup>83</sup> The High Priest’s confessions, or וידויים (*viduiim*) contained within the *Seder Avodah* are presented as re-enactment of, and historical reflection on, this ancient atonement ritual, a Temple-based ritual that was conducted by the High Priest on behalf of the entire community and included both sacrifice and verbal recitation. The sections of the Yom Kippur liturgy labeled formally as וידוי (*vidui*) in the modern *mahzor* are not included for historical reference but are meant to be recited collectively by the congregation as a means of seeking atonement on their own behalf. No longer is the High Priest of the Temple present to seek atonement on behalf of himself and the community through rituals of sacrifice. We recall that atonement service and reference it throughout the *Seder Avodah*; but ultimately, the וידוי (*vidui*) replaces the historical Temple-based *Avodah* ritual in terms of enacting individual and communal

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<sup>82</sup> Elbogen, *Studien*, 56-57; see also, Tzvi Malachi. “The ‘Avodah’ for Yom Kippur,” 12, who discusses the narrative style of *M. Yoma*, and A. Z. Idelsohn, 233, who describes the use of *M. Yoma* as “basis” for the *Seder Avodah*.

<sup>83</sup> וידוי is derived from the root ו-ד-ה meaning to hear or make a confession. The term וידוי is used also for the deathbed confession in Judaism. R. Alcalay, *The Complete Hebrew English Dictionary*, 631.

atonement. The Talmud recognizes the need for personal atonement and even mandates it;<sup>84</sup> however, the earliest known וידוי (*vidui*) organized as an extended and detailed verbal confession of sin intended for communal recitation does not appear until Rav Amram's ninth century prayer book. It is not based on the biblical precedent of communal expiation through sacrifice of the scapegoat as is the *Seder Avodah*, nor is it intended to reflect on history as does the complete *Seder Avodah*.<sup>85</sup>

It is impossible to date precisely when the first public recitation of a *Seder Avodah*, independent of the cultic Temple ritual, occurred. As Tzvi Malachi explains at the start of his doctoral treatise on the *Avodah*'s historical development, the lack of preserved textual material, coupled with the lack of knowledge about authorship, or biographical information when an author is known, challenges even the most conscientious efforts at dating the origins of the custom of reciting a *Seder Avodah*.<sup>86</sup> An initial impulse might be to view the earliest *Avodah* liturgy as a replacement for the Temple based cultic ritual in the face of Roman conquest and thus date its origin to after 70 CE; however, there is evidence pointing to its recitation as early as the period of the Second Commonwealth. *M. Yoma* 7, for instance, in addition to its descriptive narrative of the sacrificial procedures, provides documentation of a verbal offering being recited as a substitute for sacrifice while the Temple still stood. The text describes the custom of the High Priest reading relevant biblical passages, inclusive of Leviticus 16, followed by

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<sup>84</sup> *B. Yoma* 87b, for example.

<sup>85</sup> A. Z. Idelsohn, 229; and Lawrence A. Hoffman, ed., *Gates of Understanding 2 Appreciating the Days of Awe* (New York: CCAR Press, 1984), 119-123.

<sup>86</sup> Malachi, "The 'Avodah for Yom Kippur," 11.

eight blessings over, among other elements of the ritual, the Temple service, the confession, and the Priests:

Then the High Priest came to read [in the women's court]. If he was minded to read in the linen garments he could do so; otherwise he would read in his own white vestment. The minister of the synagogue used to take a scroll of the Law and give it to the chief of the synagogue, and the chief of the synagogue gave it to the Prefect, and the Prefect gave it to the High Priest, and the High Priest received it standing and read it standing. And he read *After the death* (Lev. 16)... and *Howbeit on the tenth day* (Lev. 23:26-32). Then he used to roll up the scroll of the Law and put it in his bosom and say, 'More is written here than I have read out before you'. *And on the tenth* (Num. 29:7-11)... which is in the Book of Numbers, he recited by heart. Thereupon he pronounced eight Benedictions: for the Law, for the Temple-Service, for the Thanksgiving, for the Forgiveness of Sin, and for the Temple separately, and for the Israelites separately, and for the priests separately; and for the rest a [general] prayer.<sup>87</sup>

According to the narrative, this recitation occurred concurrently with the burning of the cultic offering but in a different location, namely the women's court, on the Day of Atonement.

The Tosefta also points to the tradition of a non-Temple based *Avodah* service in its description of the recitation (literally, "קורין", *korin*) of biblical text and blessings as replacement for hearing or witnessing the atonement ritual.<sup>88</sup> This custom points to and supports the notion that a verbally recited *Seder Avodah* was practiced within Jerusalem long before the Temple's destruction and perhaps in other places where access to the Temple was limited. The notion of a verbal *Avodah* ritual appearing before the end of the

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<sup>87</sup> *M. Yoma* 7:1, Herman Danby, *The Mishnah Translated from the Hebrew with Introduction and Brief Explanatory Notes* (Peabody: Hendrickson Publishers, 2012), 170.

<sup>88</sup> *T. Yoma* 3:13ff.

Temple period and the days of its sacrificial cult is far from novel. At the start of the twentieth century, Ismar Elbogen, citing *T. Berakhot* 3:12, argued that a definite non-Temple based liturgy for the Day of Atonement existed as early as the days of Hillel, though the form and format of this hypothetical liturgy is left open for speculation.<sup>89</sup> Joseph Heinemann contends that the reading aloud of appropriate biblical verses accompanied by blessings was considered an acceptable replacement for the physical cultic offerings, not only within Temple environs, but also in the synagogues of the Second Temple period.<sup>90</sup>

While there are, to date, no surviving details regarding the liturgy of the earliest non-Temple based worship gatherings, the Talmud's awareness and documentation of a procedure of atonement that uses the confessional language of the Mishnah certainly implies that the recitation of an *Avodah* service on Yom Kippur was a regular feature in the synagogue no later than the fourth century. For example, *B. Yoma* 36b appears to draw directly from both the confessional language of the Mishnah and Leviticus 16 in its commentary on how one makes confession:

תנו רבנן: כיצד מתודה? עויתי פשעתי וחטאתי, וכן בשעיר המשתלח הוא אומר והתודה  
עליו את כל עונת בני ישראל ואת כל פשעיהם לכל חטאתם

Our Rabbis taught, how does he make confession: "I have done wrong, I have transgressed I have sinned."<sup>91</sup> Similarly, in connection with the he-goat to be sent away, it says: "And he shall confess over him all the

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<sup>89</sup> Elbogen, *Studien*, 54-55.

<sup>90</sup> Joseph Heinemann, *Prayer in the Talmud Forms and Patterns* (Berlin: Walter de Gruyter, 1977), 130.

<sup>91</sup> *M. Yoma* 3:8, 4:2, and 6:2.

iniquities of the children of Israel, and all their transgressions even in their sins.<sup>92</sup>

שבועת ימים (*Shivat Yamim*), one of a number of *Avodah* texts mentioned in the ninth century *Seder Rav Amram Gaon*, is considered to be the earliest extant *Seder Avodah* separate from the Mishnah.<sup>93</sup> A number of scholars argue that שבועת ימים (*Shivat Yamim*) was written to accommodate the need for a liturgical presentation of the *Seder Avodah* in the early synagogue.<sup>94</sup> Unlike later more poetic versions of the *Avodah* liturgy, שבועת ימים (*Shivat Yamim*) appears to be a careful and scholarly prosaic reworking of *M. Yoma* for public recitation. While hypothetical at best, the motivation for revising the *mishnaic* narrative could have certainly arisen out of a custom of publicly reading *M. Yoma* as a *Seder Avodah*, a text that while appropriate for study is long and cumbersome for liturgical use. שבועת ימים (*Shivat Yamim*) offers a reduced summary of the atonement ritual narrative that removes extraneous material, such as the debates between sages, while retaining the central thrice repeated confession made by the High Priest followed each time by its communal response: ברוך שם כבוד מלכותו לעולם ועד, blessed is the name of [God's] glorious kingdom forever and ever (customarily abbreviated, בשכמל"ו).

The confessional texts presented in שבועת ימים (*Shivat Yamim*) themselves show evidence of the practice of a publicly worshipped *Seder Avodah*. Unlike the *mishnaic* account, each of the three Priestly confessions that appear in שבועת ימים (*Shivat Yamim*)

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<sup>92</sup> Leviticus 16:21

<sup>93</sup> See Elbogen, *Studien*, 57, Idelsohn, 233, Malachi, "The 'Avodah' for Yom Kippur," 12-14, and Swartz and Yahalom, 53.

<sup>94</sup> See Swartz and Yahalom, 53 and Malachi, 12-13.



include a reference to kneeling and prostration, a reference that, as discussed extensively in Chapter One, is found in only one of the three confessions in the Mishnah, namely *M. Yoma* 6:2, indicating that the custom of bowing was firmly in place as liturgical choreography by שבעת ימים' (Shivat Yamim) completion. The earliest manuscripts containing the text of שבעת ימים (Shivat Yamim) were first published by Elbogen.<sup>95</sup> It was translated into English by Swartz and Yahalom and included in their published collection.

Their translation reads:

Seven days (i.e., שבעת ימים) before Yom Kippur they would remove the high priest from his house to the Councilor's chamber, and prepare another priest in his place in case something happened to disqualify him. The elders of the court handed him over to the elders of the priesthood, and they read to him from the order of the day.

All those seven days he would slaughter and toss the blood, offer the incense, and repair the lamps and sacrifice the head and hind leg. Then they said to him: "Sir High Priest: Read, yourself," lest he forgot or did not learn. On the eve of Yom Kippur, at dawn, they stood him at the eastern gate and passed bulls, rams, and sheep before him so that he could become familiar and accustomed to the sacrifice, and so that he would know which to sacrifice first and which to sacrifice last. All those seven days they would not forbid him food and drink.

The elders of the court then handed him to the elders of the priesthood and led him to the upper chamber of the house of Avtinas. They adjured him and departed and went their own way. And they said to him: "Sir High Priest: We are emissaries of the court, and you are our emissary and the emissary of the court, and you are the messenger of the community. We adjure you by Him who caused His name to dwell in this house that you change nothing of all we have told you, so that you do not sacrifice the first [animal] last and the last first, and that you do not burn the incense outside and bring it inside, and not do as the Sadducees, but do the first first and the last last, as we have adjured you to do and demonstrated it before you." He would turn aside and weep, and they turned aside and wept.

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<sup>95</sup> Elbogen, *Studien*, 103-117.

If he was a sage, he would lecture. If not, they would lecture before him. If he was accustomed to reading, he would read. If not, they read before him from Job, Ezra, and Chronicles. And if he was an ignoramus, they would engage him with discourse about kings and discourse about the early pious men.

On the eve of Yom Kippur, toward nightfall, they would not let him eat too much, so that he would not become drowsy or fall asleep and become impure and disqualified, and so his eyes would not see sleep and drowsiness. If he wanted to doze, young Levites would make a noise with the middle finger. And this is what they would say to him: “A song of ascents, by Solomon: Unless the Lord builds the house, its builders labor in vain on it.” (Psalm 127:1). Then they would say to him, “Sir High Priest: Stand up and walk around the pavement, so that you do not incur invalidation, for the purity of Israel is dependent on you.” And all the Jerusalemites would engage him all night, group by group, until the time came for the sacrifice. When the time came for the sacrifice, he went to the place of immersion.

They spread out a linen sheet between him and the people. He undressed, went down, immersed, went up, and dried himself. They brought him golden garments, and he put them on and washed his hands and feet. They brought him the lamb for the daily sacrifice (*Tamid*), and dragged it and led it to the slaughtering place, and they gave it water to drink from a golden cup. Although it had been inspected the previous evening, they inspected it by the light of torches. They brought him the knife, he made an incision, and someone else finished the slaughtering. He collected the blood and tossed it, went to burn the incense and repair the lamps, as it is written, “On it Aaron shall burn the aromatic incense; he shall burn it every morning when he tends the lamps.” (Exodus 30:7) – and to sacrifice the head, the limbs, the cakes, and the wine, he [went] to the ramp, and ascended the ramp. The prefect extended his hand and led him up with him to the altar, took the limbs in order and arranged them on the pile of wood. He began to offer the wine libation, and the Levites would sing. The priests would blow trumpets – they would blow a *teru’ah*, *teqi’ah*, and *teru’ah*. Then the people would bow down after each break in the trumpeting and would bow down after each *teqi’ah*. This was the order of the *Tamid*.

After he finished [sacrificing] the lamb for the *Tamid*, they brought him to the chamber of Parvah, which was in the holy place. They spread out for him a linen sheet and undressed, went down and immersed, went

up and dried himself. They brought him linen garments, and he put them on and washed his hands and his feet.

They brought him a bull and a ram and two goats for the sin offering and a ram for the burnt offering from public property and the Temple treasury, as it is written, "With this shall Aaron enter...." (Lev. 16:3), and it is written: "And from the Israelite community ...." (Lev. 16:5) He led the bull and stood it between the porch and the altar, then led the goats, and stood them in the north. Then he approached his bull, which was standing between the porch and the altar, its head to the south and its face to the west. The priest was standing in the east with his face to the west. Then he laid his two hands on it and confessed.

Thus he would say: "O Lord, I have sinned, I have done wrong, I have transgressed before You, I and my household. O, by the Lord, forgive the sins and iniquities and transgressions that I have committed against You, I and my household, as it is written in the Torah of Moses, Your servant: 'For on this day atonement shall be made for you to cleanse your of all your sins; before the Lord.'" (Lev. 16:30)

And when the priests and the people standing in the court and serving in the sanctuary heard the explicit name coming forth from the mouth of the High Priest in holiness, they would kneel, prostrate themselves, and fall to their faces and say: "Blessed is the name of His Majesty's glory forever and ever." He would also aim to finish the name while facing those saying the blessing and say to them, "You shall be pure."

He approached the east of the court north of the altar, the prefect at his right and the head of the priestly division at his left. There were two goats there, and the urn was there. He shook the urn and took up two lots. On one was written "for the Lord" and on one was written "for Azazel." If the one for the Lord came up in his right hand, the prefect said, "Sir High Priest, raise your right hand," and if it came up in his left, the head of the priestly division said, "Sir High Priest, raise your left hand." Then he placed them on the two goats. And he would say, "This is the *hatta't* for the Lord," as it is written, "And Aaron shall take the two he-goats and let them stand before the Lord at the entrance of the Tent of Meeting; and he shall place lots upon the goats, [one marked for the Lord and the other marked for Azazel.] Aaron shall bring forward the goat designated by lot for the Lord, which is to offer as a sin offering (Lev. 16:7-9). And he left the goat designated for Azazel standing, as it is written, "While the goat which is designated for Azazel shall be left standing alive before the Lord, to make expiation with it and to send it off to the wilderness for Azazel."

(Lev. 16:10), to an inaccessible region, a desolate wilderness, it is written, “Thus the goat shall carry all their iniquities [to an inaccessible region].” (Lev. 16:22)

He tied a thread of crimson wool to the head of the scapegoat and stood it opposite the place where it was to be sent, and the one to be slaughtered toward the place of slaughter. Afterward, he approached his second bull, laid his hands on it, and confessed.

Then he would say: “O Lord, I have sinned, I have done wrong, I have transgressed before You, I and my household and the children of Aaron, Your holy people, forgive the sins and iniquities and transgressions that I have committed against You, I and my household and the children of Aaron, Your holy people, as it is written in the Torah of Moses, Your servant: ‘For on this day atonement shall be made for you to cleanse you of all your sins; before the Lord.’” (Lev. 16:30)

And when the priests and the people standing in the court and serving in the sanctuary heard the explicit name coming forth from the mouth of the High Priest in holiness, they would kneel, prostrate themselves, and fall to their faces and say: “Blessed is the name of His Majesty’s glory forever and ever.”

He slaughtered it and collected its blood in a basin, and gave it to the one who would stir it, on the fourth terrace in the sanctuary, so that it would not curdle. He took the fire-pan and went up to the top of the altar and cleared [some of the coals inside], and went down and put it on the fourth terrace of the court.

They brought out the ladle and the fire-pan; he took a handful and put it into the ladle. As it is written, “He shall take a panful” (Lev. 16:12) each according to the size [of his hand.]” He placed the fire-pan in his right hand and the ladle in his left, and walked in the sanctuary until he came between the two curtains that divide the holy place from the holy of holies. There was a cubit between them. When he went in between the curtains – the outer one was fastened from the south and the inner one from the north – he walked between them until he got to the north. When he got to the north, he turned, facing the south. He faced the curtain until he arrived at the ark. When he arrived at the altar, he placed the fire-pan between the two rods of the ark. He piled up the incense and placed it on the coals, and the house was filled with smoke. He came out the way he had gone in, and said a short prayer in the outer chamber. He would not extend his prayer, so as not to frighten Israel.

This is what he would pray: May it be your will, that his year be a year [of abundance], and let not the prayers of travelers enter before You.

Afterward, he went out and took the blood from the one who was stirring it. He went in and stood at the place where he stood, and sprinkled some of it, once up and seven times down. He did not aim to sprinkle either up or down, but as if he were whipping. And this is how he would count: one, one and two, one and three, one and four, one and five, one and six, one and seven.” He went out and set it down on the golden stand in the sanctuary.

They brought him the goat, he slaughtered it and collected its blood in a basin, as it is written, “He shall slaughter the people’s goat of sin offering, bring its blood [behind the curtain, and do with its blood as he had done with the blood of the bull]” (Lev. 16.15). He went in and stood at the place where he stood, and sprinkled some of it, once up and seven times down. He did not aim to sprinkle either up or down, but as if he were whipping. And this is how would count: “one, one and two, one and three, one and four, one and five, one and six, one and seven.” He went out and set it down on the second stand in the sanctuary.

He set down the blood of the goat and took up the blood of the bull and sprinkled some of it on the curtain opposite the ark, once up and seven times down. He did not aim to sprinkle either up or down, but as if he were whipping.

He took the blood of the goat and set down the blood of the bull and sprinkled some of it on the curtain opposite the ark from outside, once up and seven times down. He did not aim to sprinkle up or down, but as if he were whipping. And this is how he would count: “one, one and two,” etc. He poured the blood of the bull into the blood of the goat and he transferred [the contents of] the full [vessel] into the empty one.

He then went to the altar that was before the Lord and purged it – this is the golden altar, as it is written: He shall go out to the altar (Lev. 16:18). He began to purge the altar from sin and continue. And from where would he begin? From the northeastern horn [of the altar], the northwestern, the southwestern to the southeastern. The places where he would begin purging the outer altar were where he would finish on the inner altar.

He sprinkled on the top of the altar seven times. Then he poured [the rest of the blood] on the western base of the outside altar, and poured [the rest of the blood] from the outside altar on the southern base. Afterward, he approached the scapegoat and said a confession over it for the guilt of the community. He laid his hands on it and confessed.

Thus he would say: “O Lord, they have sinned, they have done wrong, they have transgressed before You, Your people, the House of

Israel. O, by the Lord, forgive the sins and iniquities and transgressions that they have committed before You, Your people the House of Israel as it is written in the Torah of Moses, Your servant: ‘For on this day atonement shall be made for you to cleanse you of all your sins; before the Lord.’” (Lev. 16:30)

And when the priests and the people standing in the court and serving in the sanctuary heard the explicit name coming forth from the mouth of the High Priest in holiness, they would kneel, prostrate themselves, and fall to their faces and say: “Blessed is the name of His Majesty’s glory forever and ever.” He would also aim to finish the name while facing those saying the blessing and say to them, “You shall be pure.”

Thus it is written: Aaron shall lay both his hands upon the head of the live goat and confess over it all the iniquities and transgressions [of the Israelites] (Lev. 16:21).<sup>96</sup>

Again, the repeated inclusion of the custom of prostration in שבעת ימים (*Shivat Yamim*) that appears only in the text of the third confession of the *M. Yoma* narrative is striking. As discussed earlier, the custom of prostration as part of this atonement ritual is virtually absent in early Rabbinic literature, yet its repeated presence is found in all known *Avodah* texts beginning here with שבעת ימים (*Shivat Yamim*) until the nineteenth century and in many thereafter. The inclusion of prostration in each of the Priestly confessions of the *Seder Avodah* not only calls attention to the impact of liturgical practice on the final redaction of the Mishnah, but it also points to the development of a performative expression of the *Seder Avodah* no later than the close of the Mishnah. As Jacob N. Epstein argues in his two volume study on the style and language of the Mishnah, the addition of the custom of prostration to the Mishnah may very well have

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<sup>96</sup> Swartz and Yahalom, 54-67.

come about in response to a liturgical practice of bowing that developed outside of the Temple and in the early synagogue.<sup>97</sup>

Malachi raises the possibility that שבעת ימים (*Shivat Yamim*) reflects a prosaic improvisation that developed alongside later poetic renderings and perhaps in opposition against poetic forms;<sup>98</sup> however, he also argues that שבעת ימים's (*Shivat Yamim*) simple narrative style, its lack of rhyme, and its prosaic character suggest a very old and primitive stage of development. While the precise dating of שבעת ימים (*Shivat Yamim*) is difficult, if not impossible, to assess, the similar language and style of שבעת ימים (*Shivat Yamim*) and *M. Yoma*, the mutual influence they appear to have had on each other, and the evidence that points to the early custom of reciting a *Seder Avodah* outside of the Temple, underscores the logical conclusion that שבעת ימים (*Shivat Yamim*) reflects an early stage of liturgical development and is contemporaneous to the Mishnah.

Part and parcel of the contemporary *Seder Avodah*, in addition to the atonement narrative, is a poetic rendering of biblical history which accompanies, and often envelops, the narrative of the confessional ritual of the High Priest. This review of biblical history typically begins with the creation of the world and builds to the Divine selection of the House of Aaron.<sup>99</sup> The first known poetic review of history that is associated with an *Avodah* service is known by its opening words אתה בראת ('*Attah Barata*) and reads:

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<sup>97</sup> Jacob N. Epstein cited by Swartz and Yahalom, 22, and by Malachi, *The 'Avodah' for Yom Kippur*, 153.

<sup>98</sup> Malachi, "The 'Avodah' for Yom Kippur," 14.

<sup>99</sup> See for example: אמיץ כה, typically found in the Ashkenazic rite, such as Phillip Birnbaum, ed., מחזור השלם – *High Holiday Prayer Book* (New York: Hebrew Publishing Company, 1951), 811ff; אתה כוננת עולם מראש, commonly found in the Sephardic rite, such as David de Sola Pool, ed., תפילות ליום כפור (*Tefilot l'Yom Kippur*) -- *Prayers for the Day*

You created  
the entire world;  
with great intelligence You established it  
in love and mercy.

In wisdom and intelligence  
You made the heavens  
and spread out the earth  
with understanding and knowledge.

Also from it  
You formed Adam  
and You caused his descendants to thrive  
like the sands of the sea.

The generation of Nephilim  
rejected Your word;  
they also said to You,  
“Go away from us.”

You showed them  
the magnitude of Your anger  
and by that which they vilified You  
You dealt with them.

From his descendants You produced  
a pure and upright man:  
Abraham, who loved You  
with all his heart.

You announced Your devotion  
to all who come into the world  
and at one hundred years You gave him  
the fruit of the womb.

Before he grew up  
You tested him  
when You said to him, “offer him  
before Me as a burnt offering.”

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*of Atonement according to the Custom of the Spanish and Portuguese Jews* (New York: Union of Sephardic Congregations, 1977), 226ff; or, *From Creation to Redemption*, Chaim Stern, ed., *Gates of Repentance The New Union Prayer Book for the Days of Awe* (New York: CCAR Press, 1978), 410ff.



Your angels became agitated  
when they saw him bound;  
when he arose to slaughter him,  
they all cried out:

“‘So shall your descendants be’ (Gen. 15:5)  
is how You blessed his father,  
and if this one is slaughtered  
how can it be a blessing?”

So You decided  
to spare him from the fire  
and from the knife  
You saved his offspring.

From him You produced  
a beloved from the womb;  
this is Jacob  
whom You called firstborn.

You found comfort  
in his children  
so you created  
what You created for their sake.

You distinguished a treasure  
from among his children:  
this is Levi,  
the third from the womb.

You look favorably  
on those who came forth from his loins:  
this is Aaron,  
the first holy man.

You specified to him with what  
he should enter the shrine  
and informed him of what he should do  
before You on the Day of Pardoning.

You clothed him in righteousness  
in garments white as snow  
and added four  
that his brothers.

You sanctified him

as You sanctified Your seraphim  
for he appeases  
the sins of Your people.

You made him a chief  
for the descendants of the father of a multitude  
and an officer  
for the third seed.

The names of Your tribes  
You placed on his two shoulders  
so that when he entered before You  
they could be remembered for good.

As a substitute for atonement  
you informed his sons  
so that they might serve before you  
following his example.<sup>100</sup>

אתה בראת (*'Attah Barata*) appears to be a self contained historical review that was written independently of the Yom Kippur confessional, yet it appears as an introduction to שבועת ימים (*Shivat Yamim*) in two extant manuscripts found in the Cairo Geniza.<sup>101</sup> While its twenty-two Hebrew lines appear to have no rhyming pattern, the text does show an early sense of poetic technique in its Hebrew alphabetical acrostic presentation and its predictable stanza structure.<sup>102</sup> Like שבועת ימים (*Shivat Yamim*), the language of אתה בראת (*'Attah Barata*) is simple and straightforward, though there is some use of midrashic allusion and biblical idiom, techniques that become standard fare in later *Avodah* texts. For example, the poet not only makes reference to the generation of *Nephilim*, a reference

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<sup>100</sup> Translation by Swartz and Yahalom, 44-50.

<sup>101</sup> See Swartz and Yahalom, 43 and Malachi, "The 'Avodah' for Yom Kippur," 13-15.

<sup>102</sup> Each stanza of אתה בראת has four lines, most of which in the Hebrew contain two words per line.

to Numbers 13:33 and the biblical narrative about the scouts surveying the land of Canaan, but also alludes to the subsequent commentary that views that generation as rejecting God.<sup>103</sup> Another example of this use of midrashic allusion in forwarding biblical history appears in the author's retelling of the *Akedah*, the binding of Isaac from Genesis 22. The Rabbinic image of the heavenly angels becoming agitated at the moment when Abraham lifts the knife to slaughter Isaac is seamlessly woven into the retelling of the biblical story.<sup>104</sup> אתה בראת ('*Attah Barata*) use of the direct second person voice (אתה) throughout the text, however, stands out against later *Avodah* texts, which are often written in the third person, as evidence supporting the ancient origins of the text. As Malachi notes, the use of the second person was a common stylistic feature of early prayer as reflected in Ben Sira, the Psalms, and *ha-Tefilah* (i.e., *Shemone – 'Esre*) and thus could very well be indicative of its early authorship.<sup>105</sup>

As with the narrative of the cultic atonement ritual, the historical survey, such as the example of אתה בראת ('*Attah Barata*) that has since become enmeshed with the *Seder Avodah* has roots which reach deep into the ancient period. Both Cecil Roth, in his study of the impact of the Book of Ben Sira, also known as the Book of Sirach or Ecclesiasticus, on the synagogue service, and Qumran scholar Menahem Kister, in his analysis of the manuscript known as 5Q13, independently uncover evidence suggesting

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<sup>103</sup> See for example, *B. Sotah* 35a. See also, A. M. Silbermann, ed., *Chumash with Rashi's Commentary* (Jerusalem: Feldheim Publishers, 1934), 65.

<sup>104</sup> See for example, *Genesis Rabbah* 56:5. See also, Louis Ginzburg, *The Legends of the Jews Volume One Bible Times & Characters from the Creation to Jacob* (Philadelphia: Jewish Publication Society, 1909), 281.

<sup>105</sup> Malachi, "The 'Avodah' for Yom Kippur," 16.

that the literary form, content, and theological structure of this poetic historical survey has roots in antiquity.

Roth initially focuses his analysis on the poetic panegyric of the High Priest that is commonly included at the end of the *Seder Avodah*'s historical narrative yet, unlike the confessional narrative, has no parallel in the *mishnaic* account of the Yom Kippur ritual.

An example of this alphabetical acrostic panegyric reads:

True, how majestic was the High Priest as he left the Holy of Holies in peace, without injury.

Like the heavenly canopy stretched out over those who dwell above, was the appearance of the *Kohen*.

Like lightening bolts emanating from the radiant angels, was the appearance of the *Kohen*.

Like the fringes attached to the four corners, was the appearance of the *Kohen*.

Like the wondrous rainbow in the bright cloud, was the appearance of the *Kohen*.

Like the splendor God gave the first creations, was the appearance of the *Kohen*.

Like the rose in a beautiful garden, was the appearance of the *Kohen*.

Like the wreath set upon a king's forehead, was the appearance of the *Kohen*.

Like the graciousness reflected in the groom's face, was the appearance of the *Kohen*.

Like the purity pervading the priest's head dress, was the appearance of the *Kohen*.

Like the one who sat hidden (i.e., Moses) to plead before the King, was the appearance of the *Kohen*.

Like the morning star on the eastern border, was the appearance of the *Kohen*.

Like one garbed in the robe and armor of righteousness, was the appearance of the *Kohen*.

Like an angel stationed on a highway, was the appearance of the *Kohen*.

Like a lamp peering from between the windows, was the appearance of the *Kohen*.

Like the leaders of hosts at the head of a holy people, was the appearance of the *Kohen*.

Like the strength with which the Pure One garbed the One who became pure, was the appearance of the *Kohen*.

Like the golden bells on the hem of the robe, was the appearance of the *Kohen*.

Like the essence of the Temple and curtain of the Tablets, was the appearance of the *Kohen*.

Like a chamber hung with blue and purple tapestries, was the appearance of the *Kohen*.

Like the sight of sunlight upon the earth, was the appearance of the *Kohen*.

Like the garden's rose among the thorns, was the appearance of the *Kohen*.

Like the appearance of constellations from the south, was the appearance of the *Kohen*.<sup>106</sup>

The poetic glorification of the High Priest is highly reminiscent of the panegyric of the High Priest Simon, son of Onias, found in chapter fifty of the second century BCE Book of Ben Sira that reads:

5. How glorious was he, surrounded by the people, as he came out of the house of the curtain. 6. Like a morning star among the clouds, like the full moon at the festal season; 7. like the sun shining on the Temple of the Most High, like the rainbow gleaming in splendid clouds; 8. Like roses in the days of first fruits, like lilies by a spring of water, like a green shoot on Lebanon on a summer day; 9. like fire and incense in the censer, like a vessel of hammered gold studded with all kinds of precious stones; 10. Like an olive tree laden with fruit, and like a cypress towering in the clouds. 11. When he put on his glorious robe and clothed himself in

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<sup>106</sup> This example appears in Nosson Scherman, ed., *The Complete Artscroll Machzor Yom Kippur* (Brooklyn: Mesorah Publications, 1986), 570-573. A number of variations of this poem exist, and many modern prayer books print an abbreviated version of the poem; see for example, Phillip Birnbaum, ed., *מחזור השלם*, 827-828; Jules Harlow, ed., *Mahzor for Rosh Hashanah and Yom Kippur* (New York: The Rabbinical Assembly, 1972), 612-613; and Mordecai Kaplan, *High Holiday Prayer Book Volume II Prayers for Yom Kippur* (New York: The Jewish Reconstructionist Foundation, 1948), 383.

perfect splendor, when he went up to the holy altar, he made the court of the sanctuary glorious.<sup>107</sup>

Roth continues his detailed comparison between the book of Ben Sira and the historical survey common to the *Seder Avodah* by noting significant commonalities between chapters forty-four and forty-five of Ben Sira which contain a chronological survey and review of biblical history and the historical survey common to the *Seder Avodah*.<sup>108</sup> Both of these narratives review biblical history while highlighting the House of Levi. Roth concludes convincingly that these passages from Ecclesiasticus served as a prototype for the poetic development of the historical review that entered the *Seder Avodah* in the same manner that *M. Yoma* provided the source material for the High Priest's confessional narrative.

Menahem Kister, for his part, uncovers many parallels between the historical review of the *Seder Avodah* and Qumran document 5Q13. Document 5Q13 is a compilation of twenty-nine textual fragments from material found in the caves at Qumran. It includes, as Kister describes in his reconstruction and analysis of the document, an "extended catalogue of Israel's ancestors" that begins towards the start of creation and continues through to the election of Aaron.<sup>109</sup> Document 5Q13's historical survey uses a method he labels as "narrowing circles" in its review of history, a review

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<sup>107</sup> Sirach 50:5-11; See *Holy Bible New Revised Standard Version* (San Francisco: Harper Collins, 1989), 983-984. The Book of Ben Sira (or Sirach) is also known as Ecclesiasticus.

<sup>108</sup> Cecil Roth, "Ecclesiasticus in the Synagogue Service," *Journal of Biblical Literature* 71.3 (Sept. 1952):174.

<sup>109</sup> Menahem Kister, "5Q13 and the 'Avodah: A Historical Survey and its Significance," *Dead Sea Discoveries* 8.2(2001):138.

that starts broadly with the creation of human beings and narrows down through the patriarchal history until arriving finally at Aaron.<sup>110</sup> The primary difference between 5Q13 and other historical surveys of the period, such as that of Ben Sira's, is that the 5Q13 document links the selection of Aaron not to the Yom Kippur atonement ritual, but to the annual covenant renewal ceremony that took place during the Temple period and is described in the book of Nehemiah chapters eight through ten. Moreover, Kister draws out striking parallels between this 5Q13 document and the text *אתה בראת* ('*Attah Barata*').<sup>111</sup> This evidence from the Qumran literature coupled with Ben Sira's elaborate historical review underscores the fact that reflecting upon and reviewing Israel's history was a common literary theme of the Second Temple period, if not earlier.<sup>112</sup> The similarity in style and thematic content between the *Seder Avodah*'s historical review and the work of the writers of Ben Sira and 5Q13 suggests that the early poets who lent their hand to creating the *Seder Avodah* were influenced by the same literary trends as the authors of these Second Temple period texts.

It is unclear when, or by what process, the form of the poetic historical review merged with the Atonement Day narrative of *M. Yoma* to form the *Seder Avodah* as recognized today. *אתה בראת* ('*Attah Barata*'), again the first known poetic review of history that is associated with an *Avodah*, though difficult to date, is considered

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<sup>110</sup> Kister, 144.

<sup>111</sup> Kister, 147.

<sup>112</sup> Kister, 143, citing Deuteronomy 26:5-10 and Joshua 24, notes evidence of a literary interest in Israel's history as early as the Deuteronomist. The attention paid to Israel's history in the biblical text forms a foundation for the text's covenantal theology. A review of history establishes a relationship between the parties involved in the covenant, a useful literary technique for the *Seder Avodah* as well.

representative of the ancient period due to its brevity, literary style, and lack of rhyme.<sup>113</sup> *אתה בראת* ('*Attah Barata*), as noted above, is remarkably similar to Qumran document 5Q13. It uses the same literary structure of narrowing circles to present its review of biblical history, and like the Qumran text, lacks any of mention of Moses or Torah. Like Ben Sira's review, however, and all classical or pre-classical *Avodah* texts known to date, Aaron's selection in *אתה בראת* ('*Attah Barata*) is linked to the High Priest's involvement in the cultic atonement ritual of Yom Kippur and not to the covenant renewal ceremony.<sup>114</sup>

As with the study of the development of Jewish prayer generally, it is profoundly difficult to ascertain with any certainty the origins of liturgical traditions rooted in the ancient period. It is clear, however, that the primary and definitive parts of the liturgical unit now known singularly as the *Seder Avodah*, which include the poetic historical survey and the summary of the High Priest's atonement rite, initially developed independent of each other and have decidedly ancient precedents.

The appearance of *אתה כוננת עולם מראש* ('*Attah Konnanta 'Olam Merosh*) the earliest known *Seder Avodah* text to include both the historical review and a poetic summary of the Yom Kippur atonement ritual neatly meshed into one unit, is generally viewed as an example of the next stage in the development of the *Seder Avodah*. Despite the appropriate caveats with regard to the difficulty of dating, Swartz and Yahalom boldly identify *אתה כוננת עולם מראש* ('*Attah Konnanta 'Olam Merosh*) as the "earliest true *Avodah* piyut." True, it is the earliest extant text to contain all of the elements that have

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<sup>113</sup> Malachi, "The 'Avodah' for Yom Kippur," 14.

<sup>114</sup> Kister, 145-147.



become accepted as characteristic of the genre today.<sup>115</sup> Arguably, however, despite its lack of poetic style, שבעת ימים (*Shivat Yamim*), particularly when paired with the poem אתה בראת (*'Attah Barata*), can be considered to be an “*Avodah piyyut*” as it apparently was an innovative recollection of the ancient atonement ritual intended for liturgical use in its day.

Before proceeding, it is necessary to note the existence of another *Seder Avodah* generally known as אתה כוננת עולם (*'Attah Konnanta*) whose opening words are אתה כוננת עולם ברב חסד (*'Attah Konnanta beRov Heseḏ 'Olam*). אתה כוננת עולם ברב חסד (*'Attah Konnanta beRov Heseḏ 'Olam*) was authored by the earliest Hebrew poet known by name, Yose ben Yose (see the discussion below). Prior to the Geonic period Yose ben Yose's אתה כוננת עולם ברב חסד (*'Attah Konnanta beRov Heseḏ 'Olam*) was often confused with the older אתה כוננת עולם מראש (*'Attah Konnanta 'Olam Merosh*) text in various manuscripts and *maḥzorim*. Moreover, even after awareness of two separate traditions is documented, it is often difficult to know to which “אתה כוננת” (*'Attah Konnanta*) reference is being made in some of the literature of the Geonic period and later, hence my decision to refer to them by the full opening verse throughout the rest of this dissertation.<sup>116</sup>

אתה כוננת עולם מראש (*'Attah Konnanta 'Olam Merosh*), whose author remains unknown, contains a historical preamble that reviews biblical history up through the Divine election of the House of Levi, a prayer for the priesthood, and a reworking of *M.*

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<sup>115</sup> Swartz and Yahalom, 69; see also Malachi, “The ‘Avodah’ for Yom Kippur,” 13.

<sup>116</sup> See Malachi, “The ‘Avodah’ for Yom Kippur,” 19ff. Scholars agree not only that אתה כוננת עולם מראש is significantly older than its sister text, but that Yose ben Yose was influenced by אתה כוננת עולם מראש and may have modeled his *Seder Avodah* after it; see for instance, Joseph Yahalom, “*Az be- 'En Kol*, 15; as well as Malachi, “The ‘Avodah’ for Yom Kippur,” 17.

*Yoma* into a poetic narrative inclusive of the three-fold confessional of the High Priest. Its style and language is reminiscent of שבעת ימים (*Shivat Yamim*) in its simplicity, yet unlike שבעת ימים (*Shivat Yamim*), אתה כוננת עולם מראש (*'Attah Konnanta 'Olam Merosh*) incorporates basic poetic techniques such as rhythm, rhyme, and acrostic. The opening historical narrative of אתה כוננת עולם מראש (*'Attah Konnanta 'Olam Merosh*) is parallel in structure to אתה בראת (*'Attah Barata*). In addition to their both taking advantage of the second person voice (i.e., אתה), they are similar in thematic material, design and use the same acrostic pattern, a simple single line by line *aleph* through *tav* format. Both succinctly recall the creation of the world without any detailed description of the six days that is typical of later texts, make no reference to Moses or Torah, and conclude with a reflection on the High Priest's atonement rituals. What differentiates the historical review of אתה כוננת עולם מראש (*'Attah Konnanta 'Olam Merosh*) from אתה בראת (*'Attah Barata*) is that it contains a more expansive listing of the generations inclusive of Aaron's father Amram and the generation of the Tower of Babel, more extensive midrashic allusions, and an elaboration of the description of the High Priest's garb and liturgical function. For example, instead of directly naming Noah, the author of אתה כוננת עולם מראש (*'Attah Konnanta 'Olam Merosh*) refers to "the one who was blameless in his generation" for whose sake "a permanent covenant of the rainbow" was made.<sup>117</sup> Abraham is a "father of a multitude [shining] forth like a star suddenly, from Ur of Chaldees."<sup>118</sup> The High Priest is not simply in white but rather "adorned...in woven garments...Diadem,

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<sup>117</sup> Translation by Swartz and Yahalom, 70.

<sup>118</sup> Swartz and Yahalom, 72.

robe and linen breeches, breastpiece, ephod, royal headdress, and sash...he is girded...like a ministering angel.”<sup>119</sup>

מראש אתה כוננת עולם (*'Attah Konnanta 'Olam Merosh*), while understood to be representative of the earliest poetic expressions of the *Seder Avodah*, has shown itself also to be one of the most enduring texts in this genre. It became, and continues to be, the normative *Seder Avodah* in the Sephardic rite. Later Sephardic poets, particularly some of the most celebrated medieval Spanish poets, such as Solomon Ibn Gabirol and Abraham Ibn Ezra, contributed to the *Avodah* genre; however, מראש אתה כוננת עולם (*'Attah Konnanta 'Olam Merosh*) still remains the most used *Seder Avodah* in Sephardic liturgical orders.<sup>120</sup> מראש אתה כוננת עולם (*'Attah Konnanta 'Olam Merosh*) also appears to have served as an example to later poets, such as the prolific poet Yose ben Yose whose own work left an indelible mark on the *Avodah* genre of *piyyut*.

Though he is far from the first to write a *Seder Avodah*, Yose ben Yose is the earliest synagogue poet to be known by name. He is also thus, not surprisingly, the first author of a *Seder Avodah* to be known by name. Yose ben Yose appears to be the first of the classical Byzantine poets who wrote in Palestine during the fifth through seventh centuries. He has, however, been dated as early as the fourth century and as late as the mid-seventh century. While debate remains regarding the exact years in which he lived and wrote, all agree that he is one of the earliest of the poets of the period, and the fifth century appears to be the most probable estimate of the date of his most prolific period of

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<sup>119</sup> Swartz and Yahalom, 74. For a detailed comparison of אתה כוננת and אתה בראת see “The ‘Avodah’ for Yom Kippur,” 17-18.

<sup>120</sup> See for example David de Sola Pool, 226. For a discussion of *Avodah* texts written by Sephardic poets, see Malachi, “The ‘Avodah’ for Yom Kippur,” 109ff.

activity.<sup>121</sup> No other biographical details are known about Yose ben Yose. Due to his prolific output generally, Yose ben Yose is often too quickly, and not necessarily accurately, identified as the author of many other *Avodah* poems. In addition, his name is often linked with other poems that are related thematically to the *Avodah* genre.<sup>122</sup> It is clear that Yose ben Yose made multiple contributions to the *Avodah* genre, and evidence from an introductory poem that opens with the words אכרעה ואברכה (*'Ekhra'a Ve'evrakha*) points to the possibility, though not probability, that Yose ben Yose penned up to ten different *Avodah* texts.<sup>123</sup>

אכרעה ואברכה (*'Ekhra'a Ve'evrakha*) a *reshut*<sup>124</sup> to the *Seder Avodah*, is in Malachi's words, a "remarkable phenomenon" as it appears to be a bibliographical listing of a series of *Avodah* poems. Within the body of its text, ten *Sidrei Avodah* or *Avodah*

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<sup>121</sup> Elbogen dates Yose ben Yose as late as 650 CE; see his *Studien*, 62. Jefim Hayyim Schirmann, however, following others before him, dates him to the fifth century CE, see Jefim Hayyim Schirmann, "Yose ben Yose," *Encyclopedia Judaica*. ed., Cecil Roth. Volume 16 (Jerusalem: Keter Publishing House, 1971), 856. Wout Jac. Van Bakkum offers the fourth to fifth century CE as an estimate of Yose ben Yose's date, see Van Bakkum, 239.

<sup>122</sup> Swartz and Yahalom note that "tradition" credits Yose ben Yose with other poems related to the *Avodah* genre, see 19. Malachi also reviews a number of poems attributed to Yose ben Yose that while not full *Avodah* services, are related to the genre and often appeared alongside or as introduction to various full *Avodah* texts, see Malachi, "The 'Avodah' for Yom Kippur," 22-23, and 25ff.

<sup>123</sup> See Malachi's outline of the *reshut* אכרעה ואברכה, that is generally attributed, however not without difficulty, to Yose ben Yose, Malachi, "The 'Avodah' for Yom Kippur," 26.

<sup>124</sup> With regard to liturgical poetry, a רשות (*reshut*) refers to an introductory prayer recited by the prayer leader seeking authority (i.e., *reshut*) to interrupt the worship in order to offer the forthcoming prayer on behalf of the congregation.

related poems that existed at the time of its authorship are listed.<sup>125</sup> One manuscript identifies Yose ben Yose as the author of this prefatory poem אכרעה ואברכה ('*Ekhra'a Ve'evrakha*) and thus the ten poems listed within the text are often attributed to him as well. However, despite this one source's attribution, no definitive evidence exists to confirm that Yose ben Yose is indeed the author of this *reshut* itself let alone all ten of the listed *Avodah* texts. Of the ten poems listed in this *reshut*, three of them אזכיר גבורות ('*Azkir Gevurot*), אתה כוננת ברב חסד עולם ('*Attah Konnanta beRov Hesed 'Olam*) and אספר גדולות ('*Asaper Gedolot*) are well known and are documented independently by Samuel Luzzatto and Elbogen as *Avodah* texts written by Yose ben Yose.<sup>126</sup> Beyond these three *Avodah* poems, assumptions must not be too quickly made as to the authorship of the other seven poems apparently referenced by this poem. A fourth poem, אז בדעת חקר ('*Az be-Da'at Heqer*) is written very much in the style of Yose ben Yose and is attributed to him by *piyyut* scholar Menachem Zulai, though this attribution is not universally accepted.<sup>127</sup> Of the remaining texts that appear in this apparent list of *Sidrei Avodah*, three of them אדיר אדונינו ('*Adir 'adonenu*), אמוץ גדולה ('*Amutz Gedolah*) and אדיר באדירים ('*Adir be-'Adirim*) remain undocumented. To date, no evidence has been uncovered that points to *Seder Avodah* texts that open with these phrases.

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<sup>125</sup> Malachi lists the ten poems in his "The 'Avodah' for Yom Kippur," 26 and provides a discussion of the titles on pages 26-29.

<sup>126</sup> אזכיר גבורות and אתה כוננת ברב חסד עולם are published in Swartz and Yahalom, 291-341 and 221-289 respectively. אספר גדולות is discussed by Malachi, "The 'Avodah' for Yom Kippur," 24-25 and printed on pages 96-99 of volume two of his dissertation which serves as an appendix of the *Avodah* poems he collected.

<sup>127</sup> Malachi, "The 'Avodah' for Yom Kippur," 25, citing, Menahem Zulay, "מחקרי יניי" ידיעות המכון לחקר השירה העברית, ב (תרצ"ו).

Two of the remaining texts, אַרומם לאל ('*Aromem la-'El*) and אזכר סלה ('*Ezkor Selah*) are difficult to attribute definitively but have titles that have affinities to known *Avodah* texts not necessarily connected with Yose ben Yose. It is, however, unclear if these listed titles are indeed referring to these known texts. The first of the two, אַרומם לאל ('*Aromem la-'El*) bears a title similar to an *Avodah* text of unknown authorship, the style of which is not at all in line with the known poetry of Yose ben Yose. The second of these two titles, אזכר סלה ('*Ezkor Selah*), may be referring to a *Seder Avodah* written by the Italian poet, Yochanan ha-Kohen ben Yehoshua, which also opens with the words אזכר סלה ('*Ezkor Selah*). As with our "אתה כוננת" ('*Attah Konnanta*) texts, however, it is very possible that two different *Seder Avodah* texts open identically and that Yose ben Yose wrote an *Avodah* text that opened with these words. In both of these cases, it is impossible to determine if Yose ben Yose wrote similarly titled poems which have not had the luck of survival or recovery, or if these poems were mistakenly, or too quickly, attributed to Yose ben Yose.

The last poem mentioned in this *reshut* is the well-studied *Avodah* poem entitled אז באין כל ('*Az b'En Kol*) Fragments of אז באין כל ('*Az b'En Kol*) found in the Cairo Geniza have been analyzed, and carefully reconstructed,<sup>128</sup> yet despite the amount of scholarly attention paid to this lengthy and rich *Avodah* poem, its author still remains open to speculation, and little is known about the poem's origins. It is often and mistakenly attributed to Yose ben Yose or occasionally to the early synagogue poet

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<sup>128</sup> See Joseph Yahalom, '*Az b'En Kol*.'

Eliezar Kallir,<sup>129</sup> yet despite diligent reconstruction efforts, the text remains in fragmentary form, making it difficult, if not impossible, to date and place. It is, however, generally understood by scholars to be an early example of the *Seder Avodah*, perhaps predating or appearing contemporaneously with some of Yose ben Yose's material.<sup>130</sup>

While it is unclear how many of the poems listed in אכרעה ואברכה (*'Ekhra'a Ve'evrakha*) can be accurately attributed to Yose ben Yose, it is clear that he wrote the well-known and well-used *Seder Avodah* entitled, אתה כוננת ברב חסד עולם (*'Attah Konnanta 'Olam beRov Hesed*) that was, and still is, often confused with the earlier אתה כוננת עולם מראש (*'Attah Konnanta 'Olam Merosh*) discussed above. As recently as 2005, Schwartz and Yahalom incorrectly identified Yose's אתה כוננת עולם ברב חסד (*'Attah Konnanta 'Olam beRov Hesed*) as the “אתה כוננת” (*'Attah Konnanta*) that was included in Rav Saadiah Gaon's prayer manual,<sup>131</sup> when indeed Rav Saadiah included אתה כוננת עולם (*'Attah Konnanta 'Olam Merosh*), and not אתה כוננת ברב חסד עולם (*'Attah Konnanta 'Olam beRov Hesed*) in his liturgical order.<sup>132</sup> The confusion is understandable as the

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<sup>129</sup> Kallir, like Yose, is an early synagogue poet (*paytan*) about whom little biographical detail is known. He hailed from Palestine and most likely lived in Tiberias. Suggested dates for his life range from before 750 CE to as late as the tenth century. He is considered one of the most prolific and influential poets of this classical period of synagogue poetry; however, it does not appear that he lent his pen much to the *Avodah* genre. If he did, his *Avodah* texts have not had the luck of survival; see Cecil Roth, “Elieazar Kallir,” *Encyclopedia Judaica*, ed., Cecil Roth. Volume 10 (Jerusalem: Keter Publishing, 1971), 713-715.

<sup>130</sup> Swartz and Yahalom, 95 ff; see also Malachi, “The ‘Avodah’ for Yom Kippur,” 25-26, 34.

<sup>131</sup> Swartz and Yahalom, 291.

<sup>132</sup> Israel Davidson, S. Assaf, and B. I. Joel, eds., *Siddur R. Saadja Gaon* (Jerusalem: Mekitsa Nirdamim, 1970), 275ff.

custom has always been to identify prayer and *piyyut* texts by their opening words, and both of these texts open with identical words. By the Geonic period, however, knowledge of two separate “אתה כוננת” (*’Attah Konnanta*) textual traditions, one written by Yose ben Yose and another unknown authorship, is evident.<sup>133</sup> The situation was clarified by Samuel Luzzatto (i.e., שד"ל) in his mid-nineteenth century commentary to the *Maḥazor beney Roma*. Here, Luzzatto recognizes the confusion and identifies אתה כוננת ברב חסד (עולם) (*’Attah Konnanta beRov Ḥesed ’Olam*) which he includes in his *Maḥazor beney Roma*, as the one written by Yose ben Yose, distinct from the “אתה כוננת” (*’Attah Konnanta*) of the Sephardic rite (i.e., אתה כוננת עולם מראש).<sup>134</sup> Although it has not achieved the enduring and widespread acceptance that אתה כוננת עולם מראש (*’Attah Konnanta ’Olam Merosh*) did, אתה כוננת ברב חסד עולם (*’Attah Konnanta beRov Ḥesed ’Olam*) was the most prominent *Avodah* text used in France during the period of Rashi and his disciples.<sup>135</sup> It is also, most probably, the “אתה כוננת” (*’Attah Konnanta*) alluded to in *Maḥazor Vitry*<sup>136</sup> and the “אתה כוננת” which was popularized in three Italian

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<sup>133</sup> Davidson, Assaf, and Joel, 429.

<sup>134</sup> Samuel David Luzzatto, מבוא למחזור בני רומא, eds., Daniel E. Goldschmidt and Y. Yosef Cohen (Tel Aviv: Devir), 24-25.

<sup>135</sup> Malachi, “The ‘Avodah’ for Yom Kippur,” 15, 21.

<sup>136</sup> Hurwitz, 393. אתן תהילה (*’Eten Tehila*) another composition by Yose ben Yose is mentioned along with אתה כוננת in מחזור ויטרי. These poems often appeared together, see Malachi, “The ‘Avodah’ for Yom Kippur,” 23, footnote #36, raising the possibility that they were written as a pair. Malachi, however, argues that these poems were most likely written independent of each other.



communities in the Piedmont: Asti, Fossano, Moncalvo, known together by the acronym, אפ"ם.<sup>137</sup>

While Yose ben Yose's אתה כוננת ברב חסד עולם (*'Attah Konnanta beRov Ḥesed 'Olam*) did not make it into Rav Saadiah's prayer book, his *Avodah* poem אזכיר גבורות (*'Azkir Gevurot*) did.<sup>138</sup> Together these two *Avodah* compositions contain all of the thematic material, or at least the "seeds of the motifs" as Malachi describes, that is found in virtually all *Sidrei Avodah* that were written throughout the medieval period. Though perhaps an overstatement, Malachi argues that no innovation in plot, narration, thematic material, or organizational pattern appears in the *Avodah* genre after Yose ben Yose's contributions, and that all medieval examples of the *Seder Avodah* are indebted to Yose ben Yose's work.<sup>139</sup> Though אזכיר גבורות (*'Azkir Gevurot*) was recognized by both Elbogen<sup>140</sup> and Luzzatto<sup>141</sup> as being very similar in terms of thematic material and linguistic style to Yose ben Yose's אתה כוננת ברב חסד עולם (*'Attah Konnanta beRov Ḥesed 'Olam*), אזכיר גבורות (*'Azkir Gevurot*) may have been Yose's most influential *Seder Avodah* in terms of its impact and frequency of use. Its use was apparently very widespread as evidenced not only by the number of manuscripts uncovered containing

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<sup>137</sup> Elbogen, *Studien*, 80 and Malachi, "The 'Avodah' for Yom Kippur," 21.

<sup>138</sup> Davidson, Assaf, and Joel, 264ff.

<sup>139</sup> Malachi, "The 'Avodah' for Yom Kippur," 22.

<sup>140</sup> Elbogen, *Studien*, 78-80.

<sup>141</sup> As cited by Malachi, "The 'Avodah' for Yom Kippur," 24, footnote #40.

this text but also by the textual variations of this *piyyut*.<sup>142</sup> This text was clearly widely used and adapted, and it also appears to have impacted later poets who modeled the style of Yose ben Yose. For instance, its impact is perhaps most recognizable in the use of its innovative עשירות ('*Asiriot*) acrostic. This acrostic formula, which uses each letter of the Hebrew alphabet ten times, became a popular literary technique among medieval poets.<sup>143</sup>

Yose ben Yose's אזכיר גבורות ('*Azkir Gevurot*) was included in Saadiah Gaon's prayer book among a number of *Avodah* poems that were to be recited. During the Rabbinic period, the recitation of a *Seder Avodah* was a common feature of each 'Amidah recited aloud throughout the day of Yom Kippur. It was recited during the Morning (i.e., שחרית, *Shaharit*), Additional (i.e., מוסף, *Musaf*), and Afternoon (i.e., מנחה, *Minḥa*) Services of Yom Kippur at least as early as the fourth century<sup>144</sup> and, as indicated in Saadiah's prayer book, recitation as such continued into the Geonic period. This practice of reciting a number of *Seder Avodah* texts throughout the day of Yom Kippur underscores the popularity of the *Seder Avodah* as a liturgical genre. This practice surely led to the large number and variety of *Avodah* texts that have been uncovered. אזכיר גבורות ('*Azkir Gevurot*), for instance, was specifically recommended by Saadiah Gaon for

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<sup>142</sup> See Malachi, "The 'Avodah' for Yom Kippur," 24 for a discussion of the textual variations.

<sup>143</sup> See Malachi, "The 'Avodah' for Yom Kippur," 39ff for an examination of a number of discovered *Avodah* manuscripts that use this repetitive type of acrostic pattern.

<sup>144</sup> Elbogen, *Jewish Liturgy*, 128, 174.

use during the Morning Service of Yom Kippur,<sup>145</sup> while two other choices, his own *Avodah* composition, באדני יצדקו וידוהו (*ba'Adonai Yitzdaqu Viduhu*) as well as the anonymous מראש עולם כוננת אתה (*'Attah Konnanta 'Olam Merosh*), were offered for the Additional Service.<sup>146</sup> אספר גדולות (*'Asaper Gedolot*), a third *Seder Avodah* composition attributed to Yose ben Yose, was recommended for the Afternoon Service, as evidenced also by a Geniza fragment cited by Elbogen.<sup>147</sup> There was no singular prescribed *Seder Avodah*; many different *Avodah* texts were available and considered acceptable for use in worship.

Malachi's extensive research, which culminated in his 1974 doctoral dissertation, has led to a corpus of 45 manuscripts that contain full *Sidrei Avodah*, or parts thereof, all of which are compiled in the second volume of his dissertation. The *Seder Avodah* apparently provided a creative outlet for regional differentiation within the liturgy. According to Elbogen, it was customary for each country to have its own *Avodah* and "every one of the known rites adopted a different poem."<sup>148</sup> The addition of poetry (i.e., *piyyutim*) to the liturgical order from the Talmudic period onward was intended to infuse the fixed prayers with creativity and innovation while striving to integrate Torah and its study into the prayer service.<sup>149</sup> The *Avodah* service provided a wonderful opportunity

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<sup>145</sup> Davidson, Assaf, and Joel, 264-280 for Saadiah Gaon's recommendations inclusive of these three *Avodah* texts.

<sup>146</sup> Davidson, Assaf, and Joel, 264; see also, Malachi, "The 'Avodah' for Yom Kippur," 72.

<sup>147</sup> Elbogen, *Studien*, 81; see also, Elbogen, *Jewish Liturgy*, 239.

<sup>148</sup> Elbogen, *Jewish Liturgy*, 174.

<sup>149</sup> Ruth Langer, 111-115.

for such poetic and creative activity, and most every major Jewish poet of the medieval period is said to have written at least one *Seder Avodah*.<sup>150</sup>

The inclusion of synagogue poetry generally in the order of prayer, however, became a source of great consternation and debate in the Geonic period, and from then on many authorities tried to limit, if not prohibit altogether, the addition of innovative synagogue poetry.<sup>151</sup> The *Avodah* service ultimately survived the great *piyyut* debate of the medieval period but not without significant curtailment in practice. While Saadiah Gaon's instructional prayer book still called for the repeated recitation of the *Avodah* service throughout the day of Yom Kippur, Rav Amram's earlier recommendation reflects the ultimately successful Geonic attempt to limit its recitation to one service. Rav Amram argues that the *Avodah* service need only to be recited once on Yom Kippur, namely during the Additional Service as it was in the days when the Temple stood.<sup>152</sup> Amram's comments on the *Avodah* are striking, however, in that although he recommends only one recitation during the day of Yom Kippur, he resists prescribing a singular text. Instead, Rav Amram readily acknowledges the presence of a variety of texts available from which to choose:

יש שאומרים שבעת ימים קודם יום הכפורים, ויש אומרים אזכר סלה, ויש אומרים אתה  
כוננת, ויש שאומרים \*אצלצל\* ויש שאומרים ...

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<sup>150</sup> Malachi, "The 'Avodah' for Yom Kippur," 5; Swartz and Yahalom, 19.

<sup>151</sup> Langer, 120 ff. Hoffman also provides a thorough review of the Geonic responsa specifically on the issue of the inclusion and/or placement of the *Seder Avodah* in the liturgical order in his *Canonization*, 108 ff.

<sup>152</sup> See Davidson, Assaf, and Joel, 264ff for Rav Saadiah's recommendation, and Daniel Goldshmidt, *Seder Rav Amram Gaon*, 168 for Rav Amram's. See also, Benjamin Manasseh Lewin, Ed., *Otzar ha-ge'onim*, volume VI, 40-41 note #119 where Rav Amram's argument regarding a singular recitation of the *Avodah* is documented.

There are those who recite שבעת ימים (*Shivat Yamim*) at the start of Yom Kippur, but there are those who recite אזכר סלה, and there are those who recite אותה כוננת, and there are those who recite \*אצלצל\*, and there are those who recite.<sup>153</sup>

The reduced need for a variety of texts coupled with the later advent of printing, which worked to fix the liturgy as it was mass produced, led to a virtual halt on further creativity within the genre until the dawn of the Enlightenment. *Seder Rav Amram*'s example of reciting only one *Seder Avodah* during Yom Kippur during the *Amidah* of the Additional Service ultimately became the custom to be emulated and remains the normative practice in congregations that recite מוסף (*musaf*) High Holiday prayer books that omit מוסף (*musaf*) generally place a singular recitation of the *Avodah* service in the Afternoon Service on Yom Kippur.

The centuries between the appearance of Yose ben Yose and the early twelfth century witnessed an incredible wealth of creative activity in the *Avodah* genre. As noted above, most every major poet of the period tried his hand at the *Seder Avodah*, and texts representing every geographical region where Jews resided have been uncovered.<sup>154</sup> Even after the Geonic recommendation to limit the recitation of a *Seder Avodah* to only once during the Day of Atonement, new versions of the *Seder Avodah* continued to be written. For instance, many Sephardic poets of the tenth through twelfth centuries, such as Joseph Ibn Avitor, Moshe Ibn Ezra, Abraham Ibn Ezra, and Solomon Ibn Gabirol, lent their creative hands to the *Seder Avodah*. Malachi provides a thorough study of the texts

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<sup>153</sup> Goldschmidt, 168. The asterisks around the title אצלצל are original to Goldschmidt's text. He comments that this text appears to refer to an, as of yet, unknown *Seder Avodah*.

<sup>154</sup> Malachi, "The 'Avodah' for Yom Kippur," 5.

representing this period, a study that need not be replicated here.<sup>155</sup> In addition, Malachi analyzes many texts and textual fragments that, despite a lack of, or less than clear, attribution, are dated to the end of or just after the Geonic period, such as the *Avodah* poems attributed to Shlomo Suliman, a little known poet who is thought to have written in the tenth century.<sup>156</sup> Soon after the arrival of אמיץ כה ('*Amits Koah*) however, an *Avodah* poem that would become the most widespread *Seder Avodah* in the Ashkenazic rite<sup>157</sup> and a text that continues to stand as the normative *Avodah* poem in contemporary Orthodox Ashkenazic *maḥazorim*,<sup>158</sup> creativity within the *Avodah* genre began to slow down to a halt until the period of the Enlightenment.

אמיץ כה ('*Amits Koah*) is one of two known *Avodah* texts attributed to the tenth to eleventh century poet and Talmudic scholar Meshullam ben Kalonymus. Its language, style, and thematic material possibly show signs of significant influence by Yose ben Yose. The most telling sign of such an influence is apparent in its physical structure. Luzzatto was the first to recognize that אמיץ כה ('*Amits Koah*) is exactly half the length of Yose ben Yose's אהה כוננת ברב חסד עולם ('*Attah Konnanta beRov Hesed 'Olam*). While Yose ben Yose's *Avodah* is built on 176 lines, Meshullam's אמיץ כה ('*Amits Koah*) is built on 88 lines containing 176 hemistichs, raising the possibility that Meshullam may have been consciously and systematically striving to shorten Yose ben Yose's lengthy

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<sup>155</sup> Malachi analyzes the *Avodah* texts of these poets in his dissertation, "The 'Avodah' for Yom Kippur," 109-111.

<sup>156</sup> Malachi, "The 'Avodah' for Yom Kippur," 65-68.

<sup>157</sup> Elbogen, *Studien*, 85, Malachi, "The 'Avodah' for Yom Kippur," 104.

<sup>158</sup> See for instance, Birnbaum, מחזור השלם, 811; Scherman, 554.

*Avodah piyyut*. It is unclear, however, if this phenomenon is deliberate or pure coincidence. Also, throughout the entire length of the historical introductory narrative contained within אמיץ כה (*'Amits Koah*), Meshullam uses a second person voice, a style used by Yose ben Yose in his אתה כוננת ברב חסד עולם (*'Attah Konnanta beRov Hased 'Olam*). Despite these two commonalities, the internal acrostic structure, vocabulary, and thematic material of the two *Avodah* poems belie any direct comparison, which leaves open the question of whether Yose ben Yose had any substantial influence on Meshullam. For instance, unlike Yose ben Yose, Meshullam opens his texts with an adjectival phrase. Both of his surviving *Avodah* texts, אמיץ כה (*'Amits Koah*) and אשוּחָה נפלאותיך (*'Asohe-ah Nifl'otekha*) open with adjectival phrases. Recall that Yose ben Yose and his contemporaries open their texts with active second person verbal phrases, such as אתה כוננת (*'attah konnanta*). It is at least as likely, if not more likely, that Meshullam was subject to poetic influences other than Yose ben Yose.

Two poems stand out as possible influences on Meshullam. The aforementioned bibliographical אכרעה ואברכה (*'Ekhra'a Ve'evrakha*) mentions an as of yet unknown *Avodah* text that opens, אמוץ כה (*'Amutz Koah*) and there is a text known as אשוּחָה פועל (*'Asohe-ah Po'al*) that appears to predate Meshullam ben Kalonymus. Malachi argues the possibility that our poet Meshullam was mimicking these two earlier poems and their authors in his opening words.<sup>159</sup> Deciphering the chronology of poetic influences upon texts when so little is known about their authors is guesswork at best.

What is clear, however, is that both of Meshullam's *Avodah* poems contain outstanding characteristics that were not common in the *Avodah* genre up to this time.

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<sup>159</sup> Malachi, "The 'Avodah' for Yom Kippur," 105.

For instance, his enduring אַמִּיץ כַּה ('*Amits Koah*) incorporates, as mentioned above, a second person voice which allows for the use of a prayerful and direct style of worship, a style which is emulated by the Sephardic poets but which is not common in his region during his time. Specifically, as in the historical prelude of the *Seder Avodah*, Meshullam turns from the objective narrative voice at the conclusion of each confession towards addressing God directly: וְאַתָּה בְּטוֹבָךְ מְעוֹרֵר רַחֲמֶיךָ וְסוֹלֵחַ לְעַדְת יִשְׂרָאֵל ("and You, in Your goodness, did stir your mercy and forgive the congregation of Yeshurun"). Moreover, there is no apparent connection between the structure and vocabulary of אַמִּיץ כַּה ('*Amits Koah*) and other *Avodah* poems, and אַמִּיץ כַּה ('*Amits Koah*) introduces new thematic material such as reference to Leviathan, while omitting material common up to this time, such as Yose ben Yose's reference to the creation of Gehenna on the second day of creation.<sup>160</sup> Meshullam also includes a detailed poetic description of the *mishnaic* account of the ritualistic sprinkling of the blood (i.e.,...וְכִכּוּר הָיָה מוֹנֶה) which is absent in earlier texts.<sup>161</sup>

It is thus difficult, if not impossible, to determine and separate out with any degree of certainty the various influences on Meshullam's monumental work; yet, despite this inability to fully annotate its historical development, אַמִּיץ כַּה ('*Amits Koah*) has become foundational to the modern expression of the *Seder Avodah*. While much can be said about Yose ben Yose's influence on the *Avodah* genre generally, it is Meshullam's poem, אַמִּיץ כַּה ('*Amits Koah*), that has become the standard bearer "traditional" text to

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<sup>160</sup> אַתָּה כּוֹנֵנֵת עוֹלָם בְּרַב חֶסֶד, stanza 10, see Swartz and Yahalom, 294.

<sup>161</sup> See also, Malachi, "The 'Avodah' for Yom Kippur," 106. The source of this mishnaic account is *M. Yoma* 5:3.



which texts of the modern period are compared. For example, *אמיץ כה* (*'Amits Koah*), as found in Birnbaum's *מהזור השלם* is the baseline comparative text used at the Hebrew Union College – Jewish Institute of Religion in their Rabbinic and Cantorial liturgy curriculum for the study of the Reform *mahzor's Seder Avodah*, “From Creation to Redemption” which will be discussed in Chapter Six of this dissertation.<sup>162</sup>

It is clear that the *Seder Avodah* was a fluid and open liturgical form early in its history. The variety of *Avodah* poems written by individual authors, such as Yose ben Yose or Saadiah Gaon, for example, the extant manuscripts of *אזכיר גבורות* (*'Azkir Gevurot*), which reveal different versions of the same *Avodah* poem, and the extant manuscripts of *אמיץ כה* (*'Amits Koah*), some of which include an introductory *reshut* while others do not, all of which are analyzed by Malachi in his dissertation project, make it clear that the *Seder Avodah* was far from a fixed liturgical rubric; rather, it was present and readily accepted in various forms.<sup>163</sup> At the same time, since the appearance of *אתה כוננת עולם מראש* (*'Attah Konnanta 'Olam Merosh*), the *Seder Avodah* has retained a remarkably consistent basic form over time. As has been shown above, this form began to take shape in the literature of the Second Temple period and developed through the Rabbinic period into a well established and predictable poetic genre that continues to receive attention.

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<sup>162</sup> Rabbi Margaret Moers Wenig (Instructor of Liturgy at the Hebrew Union College—Jewish Institute of Religion, New York), interview by author, November 17, 2009.

<sup>163</sup> See Malachi, “The ‘Avodah’ for Yom Kippur,” 24 for examples of differing textual variations of *אזכיר גבורות*, and see pp. 104-105 for a discussion of Meshullam's *reshut* that appears before *אמיץ כה* in some but certainly not all manuscripts.

While it may have reached its creative height during the medieval period, the genre of the *Seder Avodah* has endured into modernity. Yes, it is clear that no new *Sedrei Avodah* appeared on the scene between the twelfth and nineteenth centuries. This absence has led the few scholars who have delved seriously into the study of the *Seder Avodah* to view the genre as closed. The nineteenth century European Enlightenment, however, brought forth a renewed interest in liturgical poetry and innovation, and with it, novel and imaginative attempts at expressing the core themes of the *Seder Avodah*.

#### Chapter Four: An Era of Reform: The Development of the *Seder Avodah* in the Nineteenth Century

As noted in Chapter One of this dissertation, Samuel David Luzzatto is often hailed as the last poet to author an entire Yom Kippur *Seder Avodah* from scratch. Written in 1815, when the poet was only 15 years old,<sup>164</sup> Luzzatto's *Avodah* text did not appear in print until the posthumous publication of the second part of *Kinnor Na'im*, a collection of his writings which was published separately in two volumes during the nineteenth century (1825 and 1879, respectively) and reprinted in one volume in 1913.<sup>165</sup> Luzzatto's text is an outstanding example of the *Avodah*. Like the many poets who authored *Avodah* texts before him, Luzzatto provides a faithful and detailed summary of the atonement ritual outlined in *M. Yoma*, yet at the same time, his composition is remarkably creative and innovative. Samuel Luzzatto was not, however, interested in liturgical reform. On the contrary, Luzzatto was a traditionalist when it came to matters of worship, and it is quite probable that Luzzatto never intended his *Seder Avodah* to be used in public worship. His poem does not read like a public prayer, and no evidence exists to indicate that it was ever used in a worship setting. Not only was it initially published in a collection of poetry as opposed to a *maḥzor*, but it is not found in any

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<sup>164</sup> Margolies, 186.

<sup>165</sup> See Margolies, 191, 212. I used the combined edition of Samuel David Luzzatto, *Kinnor Na'im* (Warsaw: n.s.), 1913.

extant prayer book, including his own edition of *מהזזר בני רומא* (*Maḥazor bene Roma*).<sup>166</sup> Rather, Luzzatto, an accomplished Hebrew poet, commentator, and grammarian, most likely chose the *Avodah* as a literary vehicle for demonstrating his expertise and passion for the Hebrew language.<sup>167</sup> As noted by his biographer, Morris Margolies, Luzzatto's primary purpose in writing poetry was "for setting an example for others in cultivating the long-neglected Hebrew language."<sup>168</sup> For Luzzatto, Hebrew poetry was a didactic tool for the promulgation of what he believed was not only a sacred language but also a fundamental element of Jewish culture that helped to foster national identity and loyalty.

Though Luzzatto's original *Avodah* composition was not used for public worship, and it is doubtful that it made any significant impact on the liturgical reforms of the nineteenth and twentieth centuries exists,<sup>169</sup> it is still worthy of attention in this

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<sup>166</sup> Luzzatto provided an extensive introduction and notes to the *mahzor* of the Italian rite in 1855: Samuel David Luzzatto, *מהזזר כל השנה כפי מנהג ק.ק. איטלייני* (Livorno: S. Belforti ve-havero, 1855). His introduction was later edited and published independently in the mid-twentieth century: Samuel David Luzzatto, *מבוא למחזור בני רומא*, eds., Daniel E. Goldschmidt and Y. Yosef Cohen (Tel Aviv: Devir, 1966). Luzzatto makes no reference to his own original *Seder Avodah* in his notes to the *mahzor* or in his introduction. Two *Sedrei Avodah* are contained within this *mahzor*, *אזכר סלה* and *אזה כוננה ברב חסד עולם*. Elbogen, *Studien*, 94-95, also notes that Luzzatto's *Seder Avodah* was never used in a worship order.

<sup>167</sup> Malachi, "The 'Avodah' for Yom Kippur," 112; Alexander Tobias, "Luzzatto, Samuel David," *Encyclopedia Judaica*, ed., Cecil Roth. Volume 11 (Jerusalem: Keter, 1971), 604ff, provides additional biographical information and detail on Luzzatto's scholarly works. See also, Alexander Tobias, "Luzzatto, Samuel David," [www.jewishvirtuallibrary.org](http://www.jewishvirtuallibrary.org), 2008, for a cursory, yet easily accessible and useful summary of Luzzatto's works and philosophy.

<sup>168</sup> Margolies, 188.

<sup>169</sup> Luzzatto's *Seder Avodah* is not mentioned as an influence by any of the early reformers of the nineteenth century.

examination of the development of the *Seder Avodah*. Gone from Luzzatto's *Seder Avodah* is the customary review of Israelite history up to the selection of Aaron. In its place is an introduction, which is subtitled appropriately רשות (*reshut*) under the heading סדר עבודה יום כפור (*Seder Avodah Yom Kippur*) that praises God as enduring and forgiving while petitioning God to be accepting of the atonement now offered from our lips. This introduction makes reference to the chosen House of Aaron and to the memory of the sacrificial rite, but it also makes clear it that there is no longer a Temple or sacrificial worship requiring priestly service.<sup>170</sup>

Luzzatto's *Avodah* proper, labeled as such with the heading עבודה (*Avodah*) appears immediately after the above-mentioned introductory passage in the *Kinnor Na'im* collection.<sup>171</sup> In terms of its content, Luzzatto's *Avodah* composition is quite traditional and reminiscent of the *Avodah* poems that precede it in that it offers a detailed summary of the events leading up to and inclusive of the Yom Kippur atonement ritual as it appears in *M. Yoma*.<sup>172</sup> It discusses, for instance, the seven day preparation of the High Priest that took place before the Day of Atonement, inclusive of all of the rituals outlined in the Mishnah, such as the High Priest's sacrificial offerings, the tutorial review by the elders, the withholding of food, drink, and opportunity for sleep on the eve of the Day of Atonement, and the oath imposed upon the High Priest. It provides a narrative of the casting of lots, the sacrificial offerings and sprinkling of blood, the purification and

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<sup>170</sup> Samuel David Luzzatto, *Kinnor Na'im*, 341-343.

<sup>171</sup> Luzzatto, *Kinnor Na'im*, 343.

<sup>172</sup> See Chapter Three of this dissertation for a detailed review of *Avodah* texts throughout the Middle Ages.

dressings of the Priest, and it includes the three-fold confession offered by the High Priest. Remarkably, however, the language and style used by Luzzatto is entirely different than what appears in *M. Yoma* and in *Avodah* texts up to this time. Luzzatto's text, while thematically based on the *mishnaic* narrative, rarely draws directly from it; rather, his narrative is entirely poetic and original. Even the three confessional texts of the High Priest, which not only appear verbatim from Mishnah in every other *Avodah* text to date and are left virtually intact by almost all of the liturgical reformers of the nineteenth and twentieth centuries, are expressed innovatively by Luzzatto. As exemplified by the second of the three confessions, the one offered on behalf of the entire Aaronic priesthood, Luzzatto retains verbatim only the concluding sentence of each of the confessional paragraphs, ("On this day shall atonement be made for you, to purify you from all of of your sins before the Lord you shall be pure") taken originally from the Levitical narrative.<sup>173</sup>

#### The normative text from *M. Yoma*

וכך היה אומר אנא השם חטאתי עויתי  
פשעתי לפניך אני וביתי  
ובני אהרן עם קדושיך  
אנא השם כפר נא על החטאים ועל העונות  
ועל הפשעים  
שחטאתי שעויתי שפשעתי לפניך אני וביתי  
ובני אהרן, ככתוב  
כי ביום הזה....<sup>174</sup>

#### Luzzatto's text printed in *Kinnor Na'im*

אנא יהוה! חטאתי, אף עויתי,  
ולפניך הרבה פשעתי אני,  
ובני אהרן. אמנם הנה ראיתי  
כי רק ליטיב אלינו צויתני  
לעבד תחת אחי בדביר הקדש  
לבא ביתך בעשור לחדש.  
אנא יהוה! כפר ומחל וסלחה  
חנון רחום על כל עון ופשע  
על כל חטאת נפשנו בו נדתה  
כל מעל כפר נא ושכח כל רשע  
על ראש שבט צעיר הגדל חסדך  
ככתוב על תורת משה עבדך.

<sup>173</sup> Leviticus 16:29-30.

<sup>174</sup> *M. Yoma* 4:2.

While a more detailed analysis of Luzzatto's beautiful and innovative *Avodah* poem would be a worthy pursuit and an important addition to the scholarship on his poetry, such a survey lies beyond the scope of this dissertation, particularly as there is no indication that this work had any direct impact upon the modern liturgical expression of the *Seder Avodah*. Before setting his text aside, however, his contribution to the genre as a whole must be noted. Clearly, Luzzatto did not view the *Avodah* genre as closed to innovation. Though he likely had no intention of reforming the *maḥzor*, he was certainly comfortable rewriting and offering his own poetic interpretation of this liturgical poem including the sacrosanct confessional texts of the High Priest. In addition to his willingness to paraphrase the Mishnah so expansively, also striking is his willingness to completely rework the introduction to the confessional narrative of the *Seder Avodah*, a pattern that will become common in later *Avodah* texts. In his limited study of this text, Malachi notes that while Luzzatto's work shows influence of earlier poets and respect for the history of the genre, he boldly follows his own path, not limiting himself solely to the themes and subjects that appear in earlier *Avodah* texts.<sup>176</sup>

At the same time as Samuel Luzzatto was writing his lengthy and creative *Avodah* poem in Italy, the nascent movement to formally and consciously reform public worship was getting underway in Germany. סדר העבודה (*Seder ha'Avodah*)<sup>177</sup> – *Ordnung der*

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<sup>175</sup> Luzzatto, *Kinnor Na'im*, 353-354.

<sup>176</sup> Malachi, "The 'Avodah' for Yom Kippur," 112-113.

<sup>177</sup> Since the word *Avodah* means worship generally, many prayerbooks are simply titled: *Seder ha-'Avodah* or *Seder 'Avodah* (Order of the Worship or Order of

*öffentlichen Andacht für die Sabbath und Festtage des Ganzen Jahres*, more popularly known as the *Hamburg Gebetbuch* or *Hamburg Siddur* and the first Reform order of prayer intended for public worship, was published specifically for the Temple in Hamburg that was founded on December 11, 1817.<sup>178</sup> In comparison to Luzzatto's work, the *Avodah* included in this prayer book hardly seems innovative. The most significant change made to the *Hamburg Gebetbuch*'s Yom Kippur *Avodah* was the substitution of the Sephardic *אתה כוננת עולם מראש* ('*Attah Konnanta 'Olam Merosh*). This substitution became common practice nineteenth-century prayer book reformers as it was felt to be easier to understand and more pleasing to the ear than *אמיץ כה* ('*Amits Koah*), the normative *Seder Avodah* accepted by Ashkenzic Jewry at that time.<sup>179</sup> What made the *Hamburg Gebetbuch* innovative, generally speaking, was its willingness to alter liturgical

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Worship), I will always refer to the Yom Kippur *Seder Avodah* in roman letters (i.e., *Seder Avodah*). Prayerbooks titled as such will be referred to in the Hebrew letters (i.e., סדר העבודה).

<sup>178</sup> S. I. Fränkel and I. M. Bresselau, eds., סדר העבודה-- *Ordnung der öffentlichen Andacht für die Sabbath und Festtage des Ganzen Jahres. Nach dem Gebrauche des Neuen-Tempel-Vereins in Hamburg* (Hamburg: n.s., 1819). This *Hamburg Gebetbuch* can be viewed by appointment in rare book reading rooms, such as the one at The Jewish Theological Seminary; however, Petuchowski, *Prayerbook Reform in Europe*, 50-53, provides a detailed outline of changes made in the Sabbath Evening and Morning services. This outline, at the least, provides a quick and accessible flavor of the changes made in this prayer book. See also Michael A. Meyer, *Response to Modernity A History of the Reform Movement in Judaism* (New York: Oxford University Press, 1988), 53ff. for a review of the history of The Hamburg Temple and the controversies that arose in response to The Hamburg Gebetbuch. See also, Paul Mendes-Flohr and Jehuda Reinharz, eds., *The Jew in the Modern World A Documentary History* (New York: Oxford University Press, 1995), 161 for an excerpt of the Hamburg Temple's founding constitution.

<sup>179</sup> Friedland, *Were Our Mouths Filled with Song*, 76; See Chapter Three of this dissertation for a discussion of *אתה כוננת עולם מראש*.



passages that ran counter to the values that would come to characterize the Reform movement, use the vernacular for worship, and model English language European books. For instance, many passages that call for a return to Zion or discuss the sacrificial cult were omitted while various hymns written in German were added. The *Hamburg Gebetbuch* made use of a left to right pagination instead of the Hebrew standard of right to left pagination. Moreover, it was the first published Jewish prayer book to publicly embrace and promote such reforms. The *Avodah* rubric contained within Fränkel and Bresselau's *Hamburg Gebetbuch*, however, is remarkably conservative. For example, while the editors had no problem incorporating the vernacular (i.e., German) into the prayer book, sometimes in place of, and certainly in addition to, the Hebrew, the Yom Kippur *Avodah* in the *Hamburg Gebetbuch* is presented entirely in Hebrew. A German translation accompanies the Hebrew, but particularly when the narrative proceeds to the description of the details of the atonement sacrifices, the translation appears to serve only as an abbreviated summary of the narrative rather than as a worship text to be recited aloud. It is presented in smaller print at the bottom of the page, and while the main concepts are left intact, many details, particularly those that ran counter to the ideological tenor of the prayer book, are omitted. For instance, while the first and third confessions of the High Priest are translated fairly faithfully into the German translation, the second, the one directed specifically to the House of Aaron and its role in the Temple service, is only referenced in the reduced translation.<sup>180</sup> Likewise, while the Hebrew retains all of

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<sup>180</sup> Fränkel and Bresselau, 254.

the meticulous detail regarding the blood sprinkling ritual, the German translation refrains from repeating it, and instead simply reads, “and counted as before.”<sup>181</sup>

At first glance, the Yom Kippur *Avodah* of this first edition of Fränkel and Bresselau’s *Hamburg Gebetbuch* provides little evidence of any desire for innovation; however, the German translation offered clearly reflects this early Reform prayer book’s struggle with the challenges that the traditional *Avodah* order presented to modern worshippers. As Friedland notes in his study of American liturgies, it is important to remember that the German liturgical reformers of the early nineteenth century had to strike a delicate balance between responding to modernity and the accompanying desire for reform, and adhering to the constraints of the *Gemeinde*, the government sponsored authoritative body which worked to maintain unity and cohesion within the Jewish community. In order to accommodate these competing forces, this and other attempts at liturgical reform in the nineteenth century tended towards being “traditional in practice and liberal in theory.”<sup>182</sup> The resistance to making any significant change to the Hebrew in this case can arguably be attributed to the constraints of the communal expectations during this period. Fränkel and Bresselau’s substitution of אַתָּה כּוֹנֵנֵת עוֹלָם מֵרָאֵשׁ (*Attah Konnanta ‘Olam Merosh*) for אֲמִיץ כֹּחַ (*Amits Koah*) in their prayer book, however, is significant and reveals a willingness to adapt the liturgy even though this attempt at reform did not provide us with a particularly innovative Yom Kippur *Avodah* text at this juncture.

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<sup>181</sup> Fränkel and Bresselau, 256-257.

<sup>182</sup> Eric Lewis Friedland, “The Historical and Theological Development of the Non-Orthodox Prayerbooks in the United States.” PhD Diss., Brandeis University, 1967, 1-2.

The *Hamburg Gebetbuch* was revised in 1841, and broad changes were made to the Yom Kippur *Seder Avodah*, highlighting a greater level of comfort with making liturgical innovations even on a day as sacred as Yom Kippur.<sup>183</sup> The most obvious changes made to the *Avodah* presented here are its reduction in length and the omission of the High Priest's confessions. Drawing on the model of its predecessor, the text begins with the opening of the Sephardic *אתה כוננת עולם מראש* ('*Attah Konnanta 'Olam Merosh*) and follows this poem through its historical review up until the selection of Aaron: "Amram was chosen from the seed of Levi; Aaron, holy to the Lord, You sanctified from his stock."<sup>184</sup> However, it then proceeds to eliminate all of the procedural detail of the atonement rite, summarizing in one sentence the High Priest's role as the intercessor of atonement for "himself, his household, and the entire community of Israel."<sup>185</sup> This *Seder Avodah* concludes with a paragraph noting that while the Temple no longer stands and we no longer worship (i.e., *עבודה*, '*avodah*) as in the past, Yom Kippur remains as a day for atonement, "as it is written in Torah, *כי ביום הזה יכפר עליכם* ("For on this day shall atonement be made for you, to cleanse you from all of your sins. You shall be clean before the Lord.")<sup>186</sup> Following this reference to the biblical source of the *Avodah* service is the customary prayer seeking

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<sup>183</sup> S. I. Fränkel and Bresselau, I. M., eds., *סדר העבודה -- Ordnung der öffentlichen Andacht für die Sabbath und Festtage des Ganzen Jahres. Nach dem Gebrauche des Neuen-Tempel-Vereins in Hamburg*, Second Edition (Hamburg: Berendsohn, 1841), 274-278.

<sup>184</sup> Fränkel and Bresselau, eds., 1841, 276.

<sup>185</sup> Fränkel and Bresselau, eds., 1841, 276.

<sup>186</sup> Leviticus 16:30.

blessing and prosperity for the upcoming year. There is no poem which highlights or makes reference to the splendor of the High Priest anywhere in this *Seder Avodah*.

Another significant nineteenth century European attempt at accommodating the Yom Kippur *Avodah* to modernity can be found in Abraham Geiger's סדר תפלה דבר יום (Seder Tefila Devar Yom be-Yomo) – *Israelitisches Gebetbuch für den öffentlichen Gottesdienst im ganzen Jahre* published in 1854. While Geiger's prayer book is often considered less radical than Fränkel and Bresselau's *Hamburg Gebetbuch* due to its retention of many Hebrew texts that are excised from the *Hamburg Gebetbuch* and its use of a right to left (i.e., Hebrew opening) pagination, its Yom Kippur *Avodah* is quite innovative, particularly when compared to Fränkel and Bresselau's first volume.<sup>187</sup> The most striking change is the use of German throughout the entire *Avodah* narrative, not merely as translation but in place of the Hebrew for public prayer. Geiger's volume contains what appears to be the earliest attempt at re-envisioning the Yom Kippur *Avodah* in a format to be recited in the vernacular during worship.<sup>188</sup> Geiger retains very little Hebrew in his *Seder Avodah*. He utilizes Hebrew, quoting *M. Yoma* as is customary, for the three confessional texts of the High Priest from, וכך היה אומר אנא השם (‘‘This is what he said’’) through ואמר להם תטהרו (‘‘and he said to them, ‘you are pure’’) and for one account of the High Priest's blood sprinkling ritual, וכך היה מונה אחת. אחת ואחת. (‘‘this is the way he counted: one, one and one, one and two...one

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<sup>187</sup> Abraham Geiger, סדר תפלה דבר יום ביאור – *Israelitisches Gebetbuch für den öffentlichen Gottesdienst im ganzen Jahre* (Breslau: Berlag von Julius Bainauer, 1854).

<sup>188</sup> See Geiger, 494-500.

and seven”)<sup>189</sup> Otherwise, Geiger relies entirely on the vernacular for the rest of the *Seder Avodah* through both the concluding prayer for a prosperous year and the priestly panegyric modeled on Ben Sira, both of which are included in his presentation of the *Avodah*.<sup>190</sup>

Another striking difference between Geiger’s *Yom Kippur Avodah* and those that appear in earlier prayer books is the absence of the introductory review of biblical history from creation to the selection of the House of Levi. Though it is again unlikely that Luzzatto’s poetic exercise served as a direct example to later reformers due to its late publication date, Geiger seems to emulate Luzzatto by excising the lesson in biblical history and offering a substitute of prayer in its place. Geiger opens his *Seder Avodah* with a vernacular *reshut* that includes both a statement of humility and a petition for continued grace and concludes with a request for piety and proper intent on behalf of “the teachers of Israel.” It reads:

My God, my father, We bow our knees in humility to You...My God, let Your spirit rest upon Israel so that it be strong in faith and trust in You...Above all, give the teachers of Israel the true spirit of Your faith that they in humility and self-denial find the inspiring word and to proclaim it...Let the enunciators of Your holy word not get into error, that their tongue may not falter, that they may not tangle themselves and others in their speeches.<sup>191</sup>

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<sup>189</sup> Geiger, 497-498.

<sup>190</sup> Geiger, 499. See Chapter Three of this dissertation for a discussion of Ben Sira and the Priestly panegyric.

<sup>191</sup> Geiger, 494-495.

A very brief recollection, reminiscent of the *mishnaic* account of the seven days of preparation in which the High Priest engages prior to the Yom Kippur atonement ritual, follows this introductory petition and introduces the High Priest's confessions,

Thus You once pardoned Your priests...when the Temple still stood in Jerusalem, the High priest in Israel stood before You humbly on this day, on which You have commanded atonement and reconciliation...Sincere and by self-examination he prepared himself for the holy work, modestly listening to the voices of the wise and distracted from the business of the earth. Then he cleansed himself and put on the holy garments. He came trembling into Your Sanctuary.<sup>192</sup>

Geiger's Yom Kippur *Avodah* appears to have served as the prototype for liberal European *mahzorim* printed during the latter half of the nineteenth century and into the first decades of the twentieth century. סדר תפילה לימות החול ולשבתות ולחול מועדי השנה (Seder Tefila limot ha-hol u-le'shabbatot mo'ade ha-Shana) -- *Israelitisches Gebetbuch für die öffentliche Andacht des ganzen Jahres*, edited by Geiger's successor Manuel Joël,<sup>193</sup> and עבודה שבלב ('Avodah she-balev) – *Der Gottesdienst des Herzens Israelitisches Gebetbuch für die öffentliche und privatandacht Volume II*, edited by Bernhard Ziemlich, for example, both use a similar format and structure as Geiger.<sup>194</sup> In

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<sup>192</sup> Geiger, 495.

<sup>193</sup> I was able to locate two editions of Manuel Joël, ed., סדר תפילה לימות החול ולשבתות ולחול מועדי השנה -- *Israelitisches Gebetbuch für die öffentliche Andacht des ganzen Jahres*. The earlier of the two was published in Berlin: Louis Gerschel Verlagsbuchhanlung, 1880. The second in Beslau: W. Jacobsohn, 1893. The *Sedrei Avodah* in these editions are identical. I was best able to access, and thus rely on, the 1893 edition for my research.

<sup>194</sup> Bernhard Ziemlich, ed., עבודה שבלב – *Die Gottesdienst des Herzens Israelitisches Gebetbuch für die öffentliche und privatandacht Zweiter Band* (Nuremberg: Verlag der Friedr Korn Buchhandlung, 1898).

both of these texts, the vernacular is the primary language used throughout the *Seder Avodah*. In Joel's סדר תפילה (Seder Tefila), Hebrew is used, as in Geiger's סדר תפילה (Seder Tefila), for the three Priestly confessional paragraphs and for a singular account of the blood sprinkling ritual.<sup>195</sup> Ziemlich removes the blood sprinkling narrative from the *Yom Kippur Avodah* in his עבודה שבלב ('Avodah shebalev) and thus Hebrew is retained only for the confessional paragraphs.<sup>196</sup>

The *Seder Avodah* in תפילות לכל השנה (Tefilot lekhol ha-Shanah) -- *Gebetbuch für das ganze Jahr*, a prayer book better known as the *Einheitsgebetbuch*, was also modeled on Geiger's primarily vernacular presentation. The editors of this successful, but short lived, early twentieth century effort at providing a unified Reform prayer book for all of German Liberal Jewry, used Hebrew only for the three confessional texts of the High Priest. The rest of their *Avodah* narrative is expressed in German.<sup>197</sup>

A thorough review of nineteenth century European *maḥazorim*, particularly those of the latter half of the century, reveals a few trends.<sup>198</sup> In their struggle to maintain a historical connection to the ancient atonement ritual and its liturgical successor, namely the *Seder Avodah*, liturgical reformers generally chose one of two options. Either they chose to offer, or refer the reader towards, a pre-existing "traditional" text (such as אתה

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<sup>195</sup> Joël, 363-370.

<sup>196</sup> Ziemlich, 374-380.

<sup>197</sup> Ceasar Seligman, Ismar Elbogen, and Hermann Vogelstein, eds. תפילות לכל השנה – *Gebetbuch für das ganze Jahr* (Frankfurt am Main: M. Lehrberger & Co, 1929), 444-451. This prayer book was widely used by the Liberal movement in Germany prior to World War II.

<sup>198</sup> See Appendix A for a list of all High Holiday prayer books reviewed for this project.

אמיץ כה or כוננת עולם מראש ) with slight modification and/or commentary in the translation; or, emulating Geiger's סדר תפלה דבר יום ביומו (*Seder Tefila devar Yom be-Yomo*) they chose a more radical departure from the normative texts, creating a vernacular worship text that retained the basic structure and format of the traditional *Seder Avodah*, inclusive of the High Priest's confessional language. Such attempts at accomodating the *Seder Avodah* to modernity were identified by Petuchowski as "Reform from Within" in that there was a conscious attempt to remain connected with the broader Jewish community by retaining key elements of the traditional *Seder Avodah*.<sup>199</sup>

Only in occasional cases was the *Seder Avodah* removed entirely from the printed prayer book, and it is unclear if such an excision was ever popularly favored. Certainly the complete omission of the Yom Kippur *Seder Avodah* was not an enduring liturgical change. An example of such radical reform, or in Petuchowski's words, "Independent Reform" or "Reform from Without,"<sup>200</sup> in nineteenth century Europe is the *Gebetbuch der jüdischen Reformgemeinde zu Berlin*, first published in 1848.<sup>201</sup> This prayer book went through many revisions; but, it never shied away from departing from the traditional order of prayer, and it never included a *Seder Avodah* for Yom Kippur.<sup>202</sup> In America, Joseph Krauskopf, the rabbi of the Reform Keneseth Israel in Philadelphia, excised the

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<sup>199</sup> See Petuchowski, *Prayerbook Reform in Europe*, 31-44 for a discussion of Petuchowski's construct of "Reform from Within."

<sup>200</sup> See Petuchowski, *Prayerbook Reform in Europe*, 44-83.

<sup>201</sup> *Gebetbuch der jüdischen Reformgemeinde zu Berlin* (Berlin: Selbstverlag der jüdischen Reform-Gemeinde, 1858).

<sup>202</sup> See Petuchowski, *Prayerbook Reform in Europe*, 58-66 for a detailed discussion of this Gebetbuch.



*Seder Avodah* completely from his 1892 *A Service Manual*.<sup>203</sup> No modern published prayer books follow these two examples.

While liturgical reform has its roots in Germany, particularly in the changes instituted in the Hamburg Temple, America provided a far more fertile environment for liturgical development due, in large part, to the lack of an organized central authority over religious and liturgical matters. As Gary Zola explains in his compact but substantial analysis of liturgical accommodation in America, “Diversity in religious practice and dominance of personal choice reigned in America. Synagogues would have no choice but to accommodate.”<sup>204</sup> In stark contrast to the limitations European reformers felt due to the demands of the European *Gemeinde*, Jewish leaders in America experienced a liberating sense of autonomy. European reformers needed to strike a careful compromise between tradition and modernity, and in order to retain that necessary nod of approval by the *Gemeinde*, they often leaned more toward tradition rather than change when it came to liturgical matters. In addition, as Friedland notes in his early study of the development of non-Orthodox American liturgies, the attempts in Europe during the first half of the nineteenth century, such as those exemplified by Fränkel and Bresselau in their *Hamburg Gebetbuch*, mark the first conscious and concerted effort at making significant changes to the prayer book in response to

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<sup>203</sup> Joseph Krauskopf, *A Service Manual* (Philadelphia: Edward Stern, 1892).

<sup>204</sup> Gary Phillip Zola, *The Americanization of the Jewish Prayer Book and the Liturgical Development of Congregation Ahawath Chesed New York City* (New York: Central Synagogue, 2008), 2.

modernity.<sup>205</sup> One can only imagine the hesitation with regard to making broad modifications to a text that was so highly revered and even deemed sacred. When compared to later reforms, particularly those we find in twentieth century America,<sup>206</sup> the changes to the Yom Kippur *Avodah* made by the German reformers of the nineteenth century may not seem particularly innovative, yet given the traditional environment out of which they grew, they are nothing short of remarkable.

The organization of the Reformed Society of Israelites in Charleston, South Carolina in 1824 and its subsequent publication of a book of prayers mark the first attempts in American at demanding liturgical reform. The Society's first prayer book, compiled primarily by Isaac Harby, but with the assistance of David Nunes Carvalho and Abraham Moise, was first published sometime between 1824 and 1828 and was edited and reprinted by Barnett A. Elzas in 1916.<sup>207</sup> This *siddur* included a New Year's Service and a Sabbath Service but no liturgical material specific to Yom Kippur; hence, no *Seder Avodah* appears in this early American attempt at liturgical reform. However, of interest for this investigation are the motivating principles behind the Reformed Society's prayer book as they are both reminiscent of the issues facing the reformers in Germany and lay a foundation for future liturgical accommodation in the United States. The Society's

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<sup>205</sup> Friedland, "The Historical and Theological Development of the Non-Orthodox Prayerbooks in the United States," 1-2.

<sup>206</sup> See Chapters Five and Six of this dissertation for a discussion of the reforms made to the *Yom Kippur Avodah* in America during the twentieth century and thereafter.

<sup>207</sup> Edward L. Cohn, ed., *The Isaac Harby Prayerbook* (Columbia: R. L. Bryan Co., 1974), iii. For a comprehensive review of the history surrounding the Reformed Society of Charleston's prayerbook and the book itself, see Friedland, "The Historical and Theological Development," 8ff. See also, Zola, *The Americanization of the Jewish Prayerbook*, for a less detailed but more recent review of the Reformed Society's history.

statement of principles published in 1825 notes that the goal of this organization was to make “such alterations in the customs and ceremonies of the Jewish religion as would comport with the present enlightened state of the world.” These alterations included reforming the liturgy in a manner which brought “piety, morals, and sense” to the forefront of the worshipper’s consciousness while fostering understanding.<sup>208</sup>

The mid-nineteenth century witnessed a number of significant attempts at liturgical reform in America. Many were interested in creating a liturgical order that reflected the values of the nascent, but growing European Reform movement but that also would appeal specifically to American Jewry. Leo Merzbacher (1809-1856), the founding Rabbi of New York City’s Temple Emanuel and the first to publish a congregational prayer book in English, clearly stated his motivations for prayer book reform in the preface to his prayer book. He argued that the traditional order was too long and repetitious, that many prayers maintained an unpragmatic sense of particularism that was no longer relevant to American Jews, and that the use of the vernacular was necessary in order to fulfill the congregation’s longing for understanding. In addition, Merzbacher defended the changes he made to the traditional order, acknowledging that the liturgy has always been open and responsive to change.<sup>209</sup> Though Merzbacher is less remembered than such luminary contemporaries as Isaac Mayer Wise or David Einhorn, Merzbacher’s prayer book was the first complete prayer book written and published in America, and it had a profound impact on later Reform prayer books, including the long

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<sup>208</sup> Edward L. Cohn, ii.

<sup>209</sup> Leo Merzbacher, סדר תפילה (*Seder Tefila*) -- *The Order of Prayer for Divine Service*. 3<sup>rd</sup> edition revised by S. Adler (New York: John Medole & Son., 1864), pp.iii-xv.

enduring *Union Prayer Book*.<sup>210</sup> Volume one of his סדר תפילה (*Seder Tefila*) --*The Order of Prayer for Divine Service* was first published in New York City in 1855.<sup>211</sup> Volume two specifically for the Day of Atonement followed a year later in 1856.<sup>212</sup> As this dissertation is specifically devoted to witnessing liturgical accommodation as expressed in the Yom Kippur *Avodah*, and as Friedland has already provided a thorough study of volume One of Merzbacher's סדר תפילה (*Seder Tefila*),<sup>213</sup> I will direct my attention to volume two, Merzbacher's Yom Kippur volume and the *Seder Avodah* contained within it.

At first glance, the 1856 (i.e., the first edition) of Merzbacher's סדר תפילה ליום כפורים (*Seder Tefila le-Yom Kippurim*) appears to mimic Fränkel and Bresselau's 1819 Hamburg prayer book in its use of the Sephardic text 'אתה כוננת עלום מראש' (*'Attah Konnanta 'Olam Merosh*) for the *Seder Avodah*. However, upon closer examination it becomes clear that while Merzbacher borrowed heavily from that text, he was perhaps more influenced by the 1841 *Hamburg Gebetbuch* in that he freely and willingly

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<sup>210</sup> See Friedland, "The Historical and Theological Development," 19-20 for a brief discussion of the impact of Merzbacher's work on *The Union Prayerbook*. See also, Friedland, "The Odyssey of a Liturgist: Isaac S. Moses as Architect of the Union Prayer Book," *New Essays in American Jewish History*, eds., Pamela S. Nadell, Jonathan D. Sarna, and Lance J Sussman (Cincinnati: American Jewish Archives, 2010), 178-183.

<sup>211</sup> I was unable to locate a copy of the 1855 first edition of Merzbacher's prayer book. I was able to locate and used Leo Merzbacher, סדר תפילה—*The Order of Prayer for Divine Service*, 2<sup>nd</sup> edition (New York: Thalmessinger & Cahn, 1860) as well as the revised 1864 edition notated above for my research.

<sup>212</sup> Leo Merzbacher, סדר תפילה ליום כפורים —*The Order of Prayers for Divine Service Volume II Prayers for the Day of Atonement* (San Francisco: Abend Post Print, 1856).

<sup>213</sup> Friedland, "The Historical and Theological Development," 19-39.

amended the traditional *piyyut*.<sup>214</sup> For instance, he removes the enumeration of the blood sprinkling ritual that appears in the *אתה כוננת עלום מראש* (*'Attah Konnanta 'Olam Merosh*) texts found in both Saadiah Gaon's prayer book and the first edition of Fränkel and Bresselau's *Hamburg Gebetbuch*.<sup>215</sup> Continuing to model the 1841 *Hamburg Gebetbuch*, Merzbacher chooses against including the customary panegyric of the High Priest. Instead, he concludes the narrative of his *Avodah* with a verse typically found towards the beginning of *אתה כוננת עלום מראש* (*'Attah Konnanta 'Olam Merosh*) that reads, "This was the service instituted as an honor to Aaron whom You have chosen to be a means of atonement."<sup>216</sup> At the conclusion of Merzbacher's *Seder Avodah*, a petition is included that serves to underscore the reality that the Temple and its rituals are a thing of the past. This petition implores God to accept the "prayers of our lips" in place of bull offerings.<sup>217</sup>

Merzbacher's *Seder Avodah* reveals that he was very committed to the promulgation of Reform values. At the same time, Merzbacher was not a radical reformer when it came to the liturgy. Labeling his Hebraic changes "inconsequential," Merzbacher was very much interested in remaining true to the traditional order and creating a prayer book that would engender unity among American Jewry.<sup>218</sup> Sadly, Leo

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<sup>214</sup> Merzbacher's *Seder Avodah* can be found on pp. 246-254 of his 1856 סדר תפילה ליום כפורים—*The Order of Prayers for Divine Service Volume II*.

<sup>215</sup> Fränkel and Bresselau, 1819, 256, 257; Davidson, Israel, S. Assaf, and B.I. Joel, eds., 278.

<sup>216</sup> Merzbacher, סדר תפילה ליום כפורים, 254.

<sup>217</sup> Merzbacher, סדר תפילה ליום כפורים, 254.

<sup>218</sup> See Merzbacher, סדר תפילה, 1864, xii-xv for his reflections on the balance between accommodation to modernity and retention of tradition. See also Zola, 11 for a brief summary of Merzbacher's views.

Merzbacher was not blessed with longevity. He died from tuberculosis at the age of forty-six, in 1856, the same year that his Yom Kippur volume was published.<sup>219</sup> Later editions of his סדר תפילה (*Seder Tefila*) were edited by his successor at Temple Emanuel in New York, Samuel Adler; they do not retain Merzbacher's commitment to the traditional order.

An edition of Merzbacher's סדר תפילה (*Seder Tefila*) that was revised by Samuel Adler and published in 1862 contains a dramatically edited and truncated version of Merzbacher's *Seder Avodah*.<sup>220</sup> Like its predecessor, it begins with the opening verses of אתה כוננת עלום מראש ('*Attah Konnanta 'Olam Merosh*); however, after only five verses, it deviates from the traditional creation narrative and instead takes up the theme of the condition of humankind, specifically man's inherent weakness and need for Divine grace.<sup>221</sup> Additionally, not only are all of the sacrificial details of the Temple cult excised from the text of the *Seder Avodah*, but only one of the High Priest's confessional paragraphs is included in place of the normative three. The paragraph preceding the confessional text summarizes the Priestly procedure of procuring repentance on behalf of himself, his family, and the house of Aaron, but only the confessional text on behalf of the entire community is left intact in Adler's revision.<sup>222</sup>

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<sup>219</sup> See Friedland, "The Historical and Theological Development," 24 for biographical details.

<sup>220</sup> See Leo Merzbacher, סדר תפילה—*Order of Prayer for Divine Service, Second Edition, Volume II: Prayers for the Day of Atonement*, revised by S. Adler (New York: Thalmessinger & Cahn, 1863), 250-255.

<sup>221</sup> Merzbacher, revised by Adler, 1863, 250-252.

<sup>222</sup> Merzbacher, revised by Adler, 1863, 252.

At the same time as Merzbacher was envisioning and working on his American prayer book, Isaac Mayer Wise was also well on his way to working on an “American Rite.” While a working draft was apparently completed in 1847,<sup>223</sup> Wise’s prayer book, *Minhag Amerika*—תפילות בני ישורון (*Tefilot bene Yeshurun*) was not completed and published until 1857.<sup>224</sup> Like Merzbacher, Wise’s intention was to offer a prayer book that would serve as a unifying force among American Jews. He too strove to remain as respectful as possible towards traditional elements of the liturgical order without sacrificing his commitment to Reform values and ideology. Wise’s prayer book was not particularly enduring and did not succeed in its goals;<sup>225</sup> however, Wise did publish a Yom Kippur volume of his *Minhag Amerika* that included a remarkably innovative *Seder Avodah*.<sup>226</sup>

Eric Friedland has already provided a succinct and detailed review of Wise’s original *Seder Avodah*.<sup>227</sup> As Friedland notes, Wise incorporates what could be understood as literary sound bites from Meshullam’s אמיץ כה (*’Amits Koah*) that work to connect this innovative text to older traditions without compromising his original and poetic rendering. Isaac Mayer Wise’s use and command of biblical Hebrew brings to

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<sup>223</sup> Friedland, “The Historical and Theological Development,” 68.

<sup>224</sup> Isaac Mayer Wise, *Minhag Amerika*—תפילות בני ישורון--*The Divine Service of American Israelites* (Cincinnati: Bloch & Co., 1857).

<sup>225</sup> See Friedland, “The Historical and Theological Development,” 68-93 for a detailed analysis of Wise’s reforms as well as a pointed commentary on *Minhag Amerika*’s inability to gain popular and enduring acceptance.

<sup>226</sup> Isaac Mayer Wise, *Minhag Amerika*—תפילות בני ישורון ליום הכפורים--*The Divine Service of American Israelites for Yom Kippur* (Cincinnati: Bloch & Co., 1866).

<sup>227</sup> Friedland, “The Historical and Theological Development,” 87-88.

mind Luzzatto's poetic rendering of the Yom Kippur *Avodah*; however, unlike Luzzatto, it is clear that Wise's venture was not intended solely as poetic exercise. Wise fully intended his *Seder Avodah* to be used in congregational worship. It is also clear that Wise was very knowledgeable of the *Avodah* genre. He opens his *Seder Avodah* with a Sephardic *reshut* authored by the medieval poet, Solomon Ibn Gabirol that was commonly used to introduce the *Seder Avodah* in the Sephardic rite.<sup>228</sup> This introduction, which opens ארוממך חזקי וחלקי (*'Aromimkha hizqi ve-ḥelqi*) is in essence a personal (i.e., first person singular) entreaty to God to accept words and intent in place of animal sacrifice. For instance, Gabirol writes, "I now offer my prayer, instead of the perfume of incense; and dispose in order my praise, in place of my sacrifices; Almighty, accept my prayer as the ashes of my burnt-offerings."<sup>229</sup>

This introduction is entirely fitting for Wise's *Seder Avodah*, as the removal of cultic references was a primary goal of the author. Nowhere in Wise's *Seder Avodah* is there a reference to the sacrificial cult except as an example of what is no longer acceptable. Moreover, while Wise begins his poem with a review of biblical history as is customary in the *Avodah* genre, Wise's narrative builds up to the biblical patriarchs and then focuses directly on the history of the Israelite nation as opposed to the House of Aaron and the role of the High Priest. After holding up Abraham, Isaac, and Jacob as exemplars, Wise reminds the reader of God's grace as expressed through redemption, the

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<sup>228</sup> Malachi discusses this *reshut*, ארוממך חזקי וחלקי (*'Aromimkha hizqi ve-ḥelqi*) in his discussion of *Avodah* texts written by Sephardic poets that was included in his dissertation on the *Avodah* genre, see Malachi. "The '*Avodah*' for Yom Kippur," 110.

<sup>229</sup> Wise, 227.



miracles in the desert, such as the giving of manna, and revelation at Sinai.<sup>230</sup> Wise does not ignore the concept of priesthood, yet he removes all references to the hierarchical structure of Israelite society. Instead, Wise forwards revelation as a vehicle for bestowing the potential for priestly status on the entire Israelite nation. The idea of the congregation of Israel as "ממלכת כהנים" (*mamlekheth kohanim*), a kingdom of priests, a concept drawn directly from the Book of Exodus,<sup>231</sup> replaces the hierarchical model of the Levitical mantle, the priesthood, being reserved for one predestined segment of Jewish society.<sup>232</sup> Accordingly, Wise, like Adler, offers only one confessional paragraph, specifically the plural text that was offered by the High Priest on behalf of the entire community<sup>233</sup> and follows it with a petition that reads, "Thus as you have heard the High Priest's prayer in the temple, so may you hear ours."<sup>234</sup> This short sentence transforms the historical review of the atonement ritual into contemporary and active worship practice. Wise's text implores God to view the confessional not just as a retelling of history but as communal confession for the present congregation. Curiously, included in Wise's Hebrew text just between the confessional paragraph and this short petition are two sentences, that he leaves untranslated, which are drawn directly from a passage in the Ashkenazic אמיץ כה (*'Amits Koah*), that reads:

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<sup>230</sup> Wise, 228-235.

<sup>231</sup> See Exodus 19:6.

<sup>232</sup> Wise, 234.

<sup>233</sup> From *M. Yoma* 6:2

<sup>234</sup> Wise, 238.

ויום טוב היה עשה כהן גדול לאהביו בצאתו בשלום מן הקדש: אשרי העם שככה  
לו: אשרי העם שיי אלהיו.<sup>235</sup>

The High Priest made a great festival for his friends as he went out in peace from the Temple. Happy is the people that is so situated! Happy is the people whose God is the Lord.

It is unclear, and frankly perplexing, as to why Wise chose to retain and include this passage in his *Seder Avodah*, a passage which directly references the High Priest leaving the Temple after the rituals of atonement are concluded, while offering no translation or comment on it. Perhaps here too, as hypothesized earlier, Wise was providing a familiar aural link to the past in a manner (i.e., untranslated) that did not draw overt attention to the High Priest's role.

In contrast to Merzbacher's and Wise's attempts at creating a uniquely American order of prayer, David Einhorn consciously and purposely modeled his original prayer book, *עלת תמיד* (*'Olat Tamid*)<sup>236</sup> on its European, and specifically German, predecessors. As carefully detailed in Friedland's study of non-Orthodox American liturgies, Einhorn was very much influenced by the reforms initiated in Germany and specifically by the liturgical changes offered in Fränkel and Bresselau's Hamburg *siddur*, the various editions of the *Gebetbuch für jüdische Reformgemeinden*, both before and after Samuel Holdheim's involvement with the Reformgemeinden, and a work by the liturgist Leopold

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<sup>235</sup> Wise, 238. Note that the second of the two verses, while generally included in the poem *אמיץ כח*, is biblical in origin from Psalm 144:15.

<sup>236</sup> David Einhorn, *עלת תמיד--Gebetbuch für Israelitische Reform-Gemeinden* (Baltimore: C. W. Schneidereith, 1858). Translations that were consulted include: David Einhorn, *עלת תמיד -- Book of Prayers for Israelitish Congregations* (New York: Stewart, Warren & Co, 1872), and David Einhorn, *עלת תמיד--Book of Prayers for Jewish Congregations*, trans. Emil G. Hirsch (New York: n.s., 1896).

Zunz entitled *Gottesdienstliche Vorträge der Juden*.<sup>237</sup> Einhorn's *Seder Avodah* is contained in an Afternoon service for Yom Kippur labeled *Nachmittagsgottesdienst* (literally, afternoon worship, or "God service"), which in essence, is a liturgical conflation of the Afternoon and Additional Services. While beyond the scope of this dissertation, it is noteworthy that Einhorn appears to be the first liturgical reformer to remove the Additional Service entirely from Jewish worship. Other prayer book editors before him omitted the Additional Service on Shabbat, but Einhorn is the first to remove it from Yom Kippur as well.<sup>238</sup> The most striking feature of Einhorn's *Seder Avodah* is his willingness to remove virtually all of the Hebrew text from this rubric. Modeling Geiger, Einhorn presents his *Seder Avodah* almost entirely in what was for his American congregation a vernacular language, if not the vernacular, namely German. German, and later English,<sup>239</sup> was used as the worship language in place of Hebrew throughout his Yom Kippur *Avodah*. Hebrew was reserved solely for the confessional texts, and even

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<sup>237</sup> For a thorough study of Einhorn's עלת תמיד and the impact of European reform on his volume generally, I direct the reader to Friedland's, "The Historical and Theological Development," 40-67 and his *Were our Mouths Filled with Song*, 17-39.

<sup>238</sup> Today's Reform *mahzor*'s Afternoon service on Yom Kippur, which includes the *Seder Avodah*, is modeled on Einhorn's *Nachmittagsgottesdienst*. An investigation into the placement of the *Seder Avodah* in the liberal prayer book would be a worthy future extension of this project, however it is tangential to the immediate scope of this dissertation.

<sup>239</sup> The first translation of Einhorn's volume appeared in 1872, see note #230 of this Dissertation.

here, as will be outlined below, Einhorn dramatically shortened these traditional excerpts from the Mishnah.<sup>240</sup>

Perhaps not surprising given the title of his volume,<sup>241</sup> Einhorn focuses entirely on the idea of sacrificial offering and the history of the Aaronic Priesthood throughout his innovative *Avodah* order; however, he is not at all interested in the genealogy of Aaron or the details of the Temple cult. Instead, Wise draws on the ancient history of the atonement ritual as a metaphor for the offering of atonement to be made in the modern era while making it clear that it is an institution that must remain in the past. In place of the review of biblical history common to the *Seder Avodah* genre, for instance, Einhorn begins almost immediately with the renewal of Zion,

In the midst of the howling wilderness it heard thy redeeming voice;  
among the temples the altars of which were flooded with human blood,  
Zion rose with resplendent sanctuary, as the mountain of thy inheritance,  
thy dwelling, in which the scions of Jacob were planted, there to blossom  
and bear fruit.<sup>242</sup>

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<sup>240</sup> See Einhorn, עלת תמיד--*Gebetbuch für Israelitische Reform-Gemeinden*, 299-318, for Einhorn's original German *Seder Avodah*. See also, Einhorn, עלת תמיד--*Book of Prayers for Israelitish Congregations*, 254-268, and Einhorn, עלת תמיד--*Book of Prayers for Jewish Congregations*, trans. Emil G. Hirsch, 178-201. Unless otherwise noted, I will be referring to the original German text or the earlier of the two English translations published in 1872. It should also be noted that both English translations are true to the German original.

<sup>241</sup> עלת תמיד is a direct reference to the sacrificial cult of the Temple period. On the title page of Einhorn's volume, both in the original and retained in the translated editions, is a quote from Numbers 28:6 underscoring Einhorn's vision of worship as a continued and complete offering to be fully consumed by God.

<sup>242</sup> Einhorn, עלת תמיד--*Book of Prayers*, 254.

He then proceeds to forward the endurance of the memory of the Temple and its ancient rites as sacred symbols that have and continue to work throughout history as unifying motivation for contemporary atonement. Like Wise, Einhorn rejects the implicit hierarchy in the roles of High Priest and Israelite community. He views the destruction of the Temple and the ending of its rituals as opportunity for the entire congregation to model the High Priest becoming, in his terminology, a “*Priestergemeinde*,”<sup>243</sup> a congregation of priests that will lead all of humanity towards redemption. Again like Wise, Einhorn strives to contemporize the High Priest’s confession as an atonement ritual for the modern congregation. In very dramatic fashion, Einhorn engages the entire congregation in the role of High Priest by having them not only listen to a re-enactment of the confession ritual, but by having the congregation repeat the words of each confession antiphonally with the leader.

The confessional texts included by Einhorn are the most abbreviated of those encountered so far in this study of *Seder Avodah* texts. Two of the three confessional texts from *M. Yoma* are retained and both conclude with the Levitical verse, כְּכָתוּב בַּחֹרֶת, “as it written in the Torah of Moses...before the Lord you will be pure.”) The first confession in Einhorn’s עלת תמיד, from *M. Yoma* 3:8, is recited by each individual over “his own and his household’s doings and intentions, commissions and omissions.”<sup>244</sup> The second, the plural text taken from *M. Yoma* 6:2, again recited by the entire congregation antiphonally with the prayer leader, is recited as recognition that, “our priestly office, demands of us to endeavor with all our powers to reconcile to thee

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<sup>243</sup> Einhorn, עלת תמיד--*Gebetbuch für Israelitische Reform Gemeinden*, 301.

<sup>244</sup> Einhorn, עלת תמיד--*Book of Prayers*, 256.

the minds of all the people of Israel.”<sup>245</sup> The paragraph from *M.Yoma* 6:2 that begins, *והכהנים והעם העומדים* (“when the priests and the people who were standing”) which is typically included with each confession in liturgical presentations, is reserved for after the conclusion of the second confession; but it is, save for the last verse, “ברוך שם כבוד מלכותו לעולם ועד,” offered entirely in English.

After the confession ritual, Einhorn returns to his narrative. In it, he emphasizes again the replacement of the Aaronic priesthood with the more democratic “*Priestergemeinde*.” Einhorn also now raises up a universalistic vision of redemption emphasizing that the responsibility of this “priestly community” is to mediate atonement not only for oneself and one’s own community but for all of humankind.<sup>246</sup>

At first glance, one could argue that Einhorn’s *Seder Avodah* concludes here with this vision of redemption. His narrative appears to come to a resolution as he now inserts a series of thematically related Psalm excerpts; yet, it is clear that Einhorn is not yet finished with his *Seder Avodah*. After these penitential Psalms, Einhorn resumes his theme. Einhorn reiterates that God has no interest in animal blood or flesh but rather demands our service and proper intention, and that “priestly dignity” has now passed from Aaron to the entire community. In remarkable fashion, Einhorn uses imagery from the earlier *mishnaic* accounts of the Temple atonement ritual to forward his agenda. For instance, while the High Priest of the Temple may have been radiant with joy, in Einhorn’s account the priestly community is “glowing with pious devotion.” Also, and perhaps the best evidence that Einhorn’s *Seder Avodah* concludes at this juncture, and not

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<sup>245</sup> Einhorn, עלת תמיד--*Book of Prayers*, 258.

<sup>246</sup> Einhorn, עלת תמיד--*Book of Prayers*, 260.

before the insertion of the penitential psalms, is Einhorn's conclusion to his additional narrative. Here he includes in his vision of the future an allusion to the blood sprinkling ritual that took place in the ancient Temple, "then will arise a sanctuary ...in which atonement will not be spread in sevenfold jets of blood, but in rays of sevenfold brightness from the sun of Sinai."<sup>247</sup>

1864 witnessed the publication of a new prayer book that contained within it an innovative *Seder Avodah*. עבודת ישראל ('*Avodat Yisrael*) —*Israelitisches Gebetbuch für den öffentlichen Gottesdienst in ganzen jahre* was edited by Benjamin Szold<sup>248</sup> and was carefully and dramatically revised within the following decade by Marcus Jastrow. Both Szold and Jastrow were greatly influenced by and involved in the growing Reform movement and, in particular, the work of Leopold Stein, an active figure in the Rabbinical conferences held in Europe during the mid-1800s and an author of his own liturgical order written for Frankfurt am Main's main synagogue.<sup>249</sup> Szold's and Jastrow's reforms, however, tend to be more moderate than those promoted by many of the reformers who preceded them, and thus they are often categorized as proto-Conservative reformers who helped set the stage for Conservative Judaism.<sup>250</sup> Szold, the more moderate of the two, modeled his European predecessors in creating a prayer book

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<sup>247</sup> Einhorn, עלת תמיד--*Book of Prayers*, 266-267.

<sup>248</sup> Benjamin Szold, עבודת ישראל—*Israelitisches Gebetbuch für den öffentlichen Gottesdienst im ganzen Jahre* (Baltimore: C. W. Schneidereith, 1864).

<sup>249</sup> Eric L. Friedland, "Leopold Stein: A Liberal Master of Prayer," *Aspects of Liberal Judaism: Essays in Honour of John D. Rayner*, eds., David J. Goldberg and Edward Kessler (London: Vallentine Mitchell, 2002), 53, 57-60.

<sup>250</sup> See for instance, Friedland, *Were Our Mouths Filled with Song*, 57.

for his heavily German populated Baltimore congregation while Jastrow's revisions to Szold's work greatly reflect the increasing impact of nineteenth century America on the Jewish community. And indeed, it was Jastrow's volume, not Szold's original, that would gain popular and lasting acceptance by the liberal Jewish community in America well into the early decades of the twentieth century, so much so that a copy of Szold's original is no longer present in any major or congregational Jewish library collection in Baltimore.<sup>251</sup>

Due to the enduring impact of Jastrow's volume and following Friedland's lead, this study will direct its attention primarily to innovations made to the Yom Kippur *Avodah* in Jastrow's revision of Szold's עבודה ישראל ('*Avodat Yisrael*);<sup>252</sup> however, before proceeding to Jastrow's work, a few comments regarding Szold's work should be noted. Szold was very much influenced by Fränkel and Bresselau's Hamburg prayerbook. Like Fränkel and Bresselau, Szold relies heavily on the Sephardic אתה כוננת עולם מראש ('*Attah Konnanta 'Olam Merosh*) text for his *Seder Avodah*. He makes very few emendations; however, when he does, they generally involve reducing the amount of

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<sup>251</sup> Two copies of Szold's original are available for viewing in the United States. I was able to view the copy held in the Rare Book Collection at the library of The Jewish Theological Seminary in New York City. It is striking to me that a copy is not present in the archives of Szold's own congregation, Oheb Shalom, The Jewish Museum of Baltimore, or in the substantial collection of the Baltimore Hebrew University, now housed at Towson University. The first edition of Jastrow's revision, published in 1873, is easily accessible and available.

<sup>252</sup> Here too, Friedland in his dissertation, "The Historical and Theological Development," has provided an important foundation for this work by discussing Szold's original עבודה ישראל and addressing the broad changes that Jastrow makes to Szold's work, see pp. 94-114. See also, chapter V, note #1 where Friedland notes the significance and enduring acceptance of Jastrow's edition.



attention paid to the detail of the Temple ritual such as the preparation of the High Priest and the sacrificial procedures. In addition, while he retains reference to the Aaronic priesthood in the historical presentation of the atonement ritual, he pointedly concludes the confessional liturgy with Isaac Mayer Wise's mandate that the entire community must strive towards being a "ממלכת כהנים."<sup>253</sup>

Jastrow removes the Hebrew *אתה כוננת עולם מראש* ('*Attah Konnanta 'Olam Merosh*) entirely from Szold's order and, like Geiger and Einhorn before him, uses the vernacular for the entirety of the *Seder Avodah* except for the confessional texts. Jastrow does retain all three of the traditional confessional texts drawn from *M. Yoma*'s account of the Temple atonement ritual and includes two paragraphs of Hebrew for each confession, the confession text and the community response preserved in *M. Yoma* 6:2. In Jastrow's 1873 revision of Szold, German is retained as the primary worship language. Soon thereafter, and in all later editions, Jastrow uses English providing a very accurate translation of his 1873 volume. Even as late as an edition copyrighted in 1907, and published in Philadelphia in 1929, the English used in Jastrow's *Seder Avodah* is a direct translation of the 1873 German edition.<sup>254</sup> Due to its accuracy and ease of accessibility, the English translation will be hereafter referenced unless noted otherwise.

Jastrow's *Seder Avodah* opens with the customary review of biblical history. From the start of creation, "When thou didst call the world into existence out of naught,"

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<sup>253</sup> Szold, 474-488.

<sup>254</sup> Compare Benjamin Szold and Marcus Jastrow, *עבודת ישראל – A Prayer Book for the Services of the Year at the Synagogue Second Part Services for the New Year and the Day of Atonement* (Philadelphia: n.s., 1929), 288-297 with Benjamin Szold, *עבודת ישראל – Israelitisches Gebetbuch für den öffentlichen Gottesdienst im ganzen Jahre* (Baltimore: D. W. Schneiderreith, 1873), 410-419.

Jastrow proceeds quite quickly to the creation of man as “monarch of creation,” emphasizing man’s qualities of reason and free will as primary human traits. Clearly influenced by both Maimonidian and Enlightenment values, Jastrow presents reason and free will as a backdrop for the need for atonement throughout his narrative. At the same time, Jastrow remains true to the pattern of the traditional introductory reviews that predate him. Unlike the liturgical reformers discussed thus far, Jastrow proceeds through the patriarchal history mentioning Noah, Abraham, Isaac, and Jacob with the full intention of finding culmination in the House of Levi and the selection of Aaron. However, critical to Jastrow’s narrative is both the understanding of Israel as a “*Reiche von Priestern*,” a priestly kingdom, due to the national experience at Sinai, and the selection of a descendent of Aaron for a special role of service, namely to function as the High Priest.<sup>255</sup> Unlike his American predecessors, Jastrow finds no need to remove the selection of Aaron from the concept of a priestly nation. Instead, like Szold before him, he works to blend Wises’ vision of ממלכת כהנים with the traditional hierarchical concept of priesthood.

Similar to his fellow nineteenth century liturgists, Jastrow strives to contemporize the confessional narrative for present day worship. Accordingly, the first confession is presented in a manner in which the entire congregation participates by taking on the priestly role and exclaiming just before the confessional text, “Full of grief and shame on account of our own sinfulness...we will now, O Lord, utter before thee and in his own words, the High Priest’s confessions.” After the Hebrew confession, Jastrow continues

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<sup>255</sup> See Benjamin Szold and Marcus Jastrow, עבודת ישראל – *A Prayer Book for the Services of the Year at the Synagogue Second Part Services for the New Year and the Day of Atonement*, 288-290.

on the theme of the Israelite nation as a priestly nation, concluding with the petition, “O that thou wouldst strengthen us all to perform our duty, and that every Israelite would consecrate himself...to become a true priest.”<sup>256</sup> In contrast, the latter two confessions do not invite the congregation into the re-enactment; rather, they read much more like pure historical review.<sup>257</sup> It is clear that although Jastrow is comfortable retaining the traditional concept of High Priest, like his American predecessors, he too is uncomfortable with much of the cultic atonement ritual. Save for a reference before the third confession to the High Priest’s “fragrant incense,” no other details of the ancient sacrificial atonement ritual are included.<sup>258</sup> Moreover, in line with his predecessors, Jastrow concludes by emphasizing that “fervent prayer and heartfelt devotion” are of far more value than “all sacrificial symbols” and that the atonement ritual should serve to remind the worshipper of his priestly role in this world.

A far less studied figure who, nevertheless, made an impact on liturgical reform in the United States is Adolph Huebsch whose סדר תפילה (*Seder Tefila*)– *Gebetbuch für den öffentlichen Gottesdienst der Tempelgemeinde Ahawath Chesed* sits on the cusp between nineteenth and twentieth century America. Huebsch’s two volume work was originally published in 1875, was faithfully translated in 1889 by Alexander Kohut, Huebsch’s successor to the pulpit at New York’s Ahawath Chesed,<sup>259</sup> and was revised in 1916 by

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<sup>256</sup> Szold and Jastrow, עבודת ישראל– *A Prayer Book*, 292-293.

<sup>257</sup> Szold and Jastrow, עבודת ישראל– *A Prayer Book*, 293-295.

<sup>258</sup> Szold and Jastrow, עבודת ישראל– *A Prayer Book*, 295.

<sup>259</sup> Congregation Ahawath Chesed would eventually come to be known as Central Synagogue. In 1898, Ahawath Chesed merged with Shaarey Hashomayim, another congregation founded by German immigrants. In 1918, Ahawath Chesed Shaarey

Kohut's successor, Isaac S. Moses.<sup>260</sup> In organizing his prayerbook, Huebsch was motivated by two paramount goals: shortening the service to ensure proper intention in place of rushed repetition and promoting understandability through use of the vernacular.<sup>261</sup> Kohut's English translation was remarkable not only in its faithful rendering but in its precision. Even the pagination of Kohut's edition coincided with the original volumes so that both German and English editions could be used simultaneously during worship. Kohut's translation enabled the entire congregation to be literally on the same page during a period when some still preferred to worship in their beloved German while others had adopted English, the vernacular of America.

The *Seder Avodah* offered in Huebsch's *Gebetbuch*, and translated by Kohut, follows the precedent of Geiger, Einhorn, and Jastrow in that its presentation is almost entirely in the vernacular. Hebrew is reserved for the confessional texts of which all three, inclusive of the actual confession and the community's response as preserved in *M. Yoma* 6:2, are retained. As in many of the nineteenth century *mahzorim* that precede it, there is also no introductory review of biblical history. Instead, like others before him,

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Hashomayim, began calling itself Central Synagogue. Central Synagogue remains a vibrant Reform synagogue located on East 55<sup>th</sup> Street in Manhattan.

<sup>260</sup> Adolph Huebsch, סדר תפילה -- *Gebete für den öffentlichen Gottesdienst der Tempelgemeinde Ahawath Chesed* (New York: Rubens & Freund, 1875). See Zola, *The Americanization of the Jewish Prayer Book*, 76 note #58 regarding a discrepancy in publication date, between 1875 and 1872. Adolph Huebsch, סדר תפילה—*Prayers for the Divine Services of Congregation Ahawath Chesed*, trans. Alexander Kohut (New York: A. L. Goetzl, 1889); Adolph Huebsch, סדר תפילה—*Prayers for the Divine Services of Congregation Ahawath Chesed Shaar Hashamayim*, revised by Isaac S. Moses (New York: Congregation Ahawath Chesed Shaar Hashamayim, 1916).

<sup>261</sup> Zola, *The Americanization*, 28.

such as Luzzatto and Geiger, Huebsch offers an introductory passage that forwards an image of God as the unwavering constant who, at the same time, is accepting of repentance.

One of the most enduring, if not the most enduring, American prayer book of the nineteenth century is *The Union Prayer Book*, first published in 1894. A subsequent volume for Rosh Hashanah and Yom Kippur was published in the following year. Published in 1895, it too, like Huebsch's volume, sits at the cusp of the nineteenth and twentieth centuries. The original volumes of *The Union Prayer Book* stand apart from their later revisions which reflect twentieth century trends in America and will be discussed in the following chapter. Again, I point the reader to Friedland's comprehensive 1967 study of non-Orthodox American liturgies as he includes a detailed chapter on the overall development of *The Union Prayer Book* in his study.<sup>262</sup> As we might expect, given the impact of Einhorn's עלת תמיד ('*Olat Tamid*) on *The Union Prayer Book*, the *Seder Avodah* included in Part II of *The Union Prayer Book*, the High Holiday volume, is remarkably similar to David Einhorn's *Seder Avodah*.<sup>263</sup> There are few, if any, significant differences. Certainly *The Union Prayer Book's* Yom Kippur *Avodah* is shorter than Einhorn's. Gone is some of the rich poetic narrative that, in both Hebrew and English translation, shines through Einhorn's *Seder Avodah*. Also omitted entirely from *The Union Prayer Book's Seder Avodah* is the concept of a "priestly congregation." *The Union Prayer Book* retains the universalistic vision of redemption

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<sup>262</sup> Friedland, *The Historical and Theological Development*, 115-137.

<sup>263</sup> *The Union Prayer Book Part II New Year's Day and Day of Atonement* (New York: Press of the Publishers Printing Co., 1895). See pp. 228-239 for the Yom Kippur *Avodah*.

but removes any particularistic notion of the Israelite nation as a kingdom or congregation of priests as was seen in both Wise's and Einhorn's liturgies and continued in Szold's. Like Einhorn, the editors of *The Union Prayer Book* invite the reader to "pray in the words of the High Priest" during the confession, thus transforming the ancient confessional liturgy into a contemporary vehicle for atonement.<sup>264</sup> While the congregation is invited to mimic the High Priest, however, the Jewish people are never identified as inherently priestly in the text. The text emphasizes instead the prophetic message of social justice and the "blessing" of physical dispersion (i.e., the Diaspora).

As the above survey reveals, the Yom Kippur *Avodah* genre certainly did not come to a close with Luzzatto's remarkable rendering in 1815. The nineteenth century witnessed great liturgical accommodation of this worship rubric to the demands of modernity. The early, and understandably cautious, attempts at change implemented at the start of the century in Hamburg reflect a need to conform to traditional communal standards while working carefully to forward new ideas. The bolder changes made in America during the latter half of the century, such as the removal of references to the selection of Aaron, reflect a desire to accommodate to, and fit into, the democratic American culture. Despite the challenges of the text and the desire to make change, the forces of conservation have enabled the *Seder Avodah* to endure into modernity. Moreover, the innovative approaches to the expression of the *Seder Avodah* that appeared throughout the nineteenth century served as an important foundation for continued accommodation of this liturgical gem throughout the twentieth century.

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<sup>264</sup> *The Union Prayer Book Part II*, 1895, 230 & 231.

## Chapter Five: The *Seder Avodah* in Twentieth Century America

Few changes were made to the content and presentation of the Yom Kippur *Seder Avodah* during the first few decades of the twentieth century. The 1929 *Einheitsgebetbuch* was well used in Germany until World War II, but *The Union Prayer Book* (UPB), published at the conclusion of the nineteenth century (and discussed above in Chapter Four), experienced widespread appeal in America; and, its *Seder Avodah* remained the normative Yom Kippur *Avodah* for the American liberal synagogue until after World War II. The publication of *The Union Prayer Book* also marked a significant trend that would impact prayer book reform throughout the twentieth century and thereafter. Isaac Mayer Wise's exceptional *Minhag Amerika* notwithstanding, the nineteenth century was marked by a proliferation of prayer books created by and for individual congregations. *The Union Prayer Book*, however, marked the first successful attempt at reforming the liturgy for broad appeal. It was not written in order to satisfy the needs of any one congregation, nor was it the product of any one singular author or editor; rather, *The Union Prayer Book* was edited and revised by a working committee and then approved by a broader Rabbinic conference. Isaac Moses, an German born and educated rabbi who had a great deal of experience compiling and editing prayer books for the congregations he had served after his arrival in America in 1870, is credited with compiling and providing the draft of *The Union Prayer Book* to the liturgy committee of the newly formed Central Conference of American Rabbis (CCAR), a draft that was

influenced by a number of its predecessors.<sup>265</sup> Moses' draft was then gently reworked by this CCAR committee and was ultimately approved by a unanimous vote of the 50 rabbis in attendance at their fifth annual gathering.<sup>266</sup> Gone was any idealistic hope of appealing to all of American Jewry, but *The Union Prayer Book* was intended to, and succeeded in, unifying the liturgical expression of the American liberal synagogue at the turn of the twentieth century.

Within fifteen years of its approval, *The Union Prayer Book* had become "the most popular prayer book in America."<sup>267</sup> *The Union Prayer Book* volumes, both Part One and Part Two, would undergo two timely and significant revisions during the twentieth century that would remain popular until the publication of their successors by the CCAR, the *Gates of Prayer*, in 1975, and *Gates of Repentance*, in 1978.<sup>268</sup> *The Union Prayer Book* would be revised again in 2001, albeit independently, by Michael Sternfield, the rabbi of the Reform Sinai Congregation in Chicago. This latest edition of *The Union Prayer Book*, though not nearly as popular as the original, will be discussed in Chapter Six.

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<sup>265</sup> See Eric L. Friedland, "Isaac S. Moses as Architect of the Union Prayer Book," 175-195 for a thorough discussion of the various influences on Moses.

<sup>266</sup> See Zola, *The Americanization*, 58-62 for a brief summary of the history of *The Union Prayer Book*. For a more detailed review inclusive of the founding of the CCAR, see Meyer, *Response to Modernity*, 276-279.

<sup>267</sup> Zola, *The Americanization*, 63.

<sup>268</sup> *The Union Prayer Book, Part I for Sabbaths, festivals, and weekdays* was revised in 1918 and again in 1940. The High Holiday volume of *The Union Prayer Book* (i.e., Part II) was revised in 1920 and again in 1946. *The Union Prayer Book Part I* was succeeded by Chaim Stern, ed., *Gates of Prayer*. *The Union Prayer Book Part II* was likewise succeeded by Chaim Stern, ed., *Gates of Repentance*.



The first of the earlier two revisions of the High Holiday volume of *The Union Prayer Book*, published in 1920, made some minor yet significant changes to the Yom Kippur *Seder Avodah*, changes that remained intact in the second, 1946, revision. The content and structure remain virtually unchanged; however, the presentation differs. The *Seder Avodah* in the 1895 edition of *The Union Prayer Book* offers an introduction to the High Priest's confessions that reads in the third person and is presented entirely as historical recollection. Only after reflecting on the past is the worshipper invited into the ritual, for "the same divine spirit that animated our fathers, still dwells in our midst."<sup>269</sup> Significantly, the *Seder Avodah* in the 1920 edition transforms the language of the introduction such that it reads from the start as personal, yet communal, confession. The historical recollection of the ancient Temple remains, but the narrator uses a direct second person voice from the start. The worshipper speaks directly to God, as opposed to about God, while remembering the past. This subtle linguistic change works to invite the worshipper into the historical narrative of the atonement ritual as an active participant. For example,

The 1895 edition reads,

He has implanted in us a part of His own spirit, that we may recognize Him and follow [Him] and thus become a true image of Him...Gathered here on this most sacred of days, we look back upon the path in which God has led our fathers...To His altar Israel brought offerings...And today, wherever we dwell, we still look back with reverence.<sup>270</sup>

The revised edition reads:

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<sup>269</sup> *The Union Prayer Book Part II*, 1895, 228-229.

<sup>270</sup> *The Union Prayer Book Part II*, 1895, 228.

Thou hast fashioned man in Thine image, Thou hast ordained the way of life....On this most sacred of days, we call to mind the providential care with which Thou didst lead our fathers....To Thine altar our fathers brought the offerings.”<sup>271</sup>

The *Seder Avodah* that is contained within the 1920 revision, and retained in the 1946 edition, of *The Union Prayer Book*, has served as the normative Yom Kippur *Avodah* for Reform Jews, and hence much of American Jewry, until the latter half of the twentieth century. Only two other High Holiday prayer books published before World War II made notable changes or additions to the Yom Kippur *Avodah* liturgy. The first of the two, entitled simply *Liberal Jewish Prayer Book Volume II*, was edited by Israel Mattuck and published in London in 1923.<sup>272</sup> Mattuck was a Lithuanian born and American trained rabbi who was recruited to service the nascent Liberal community in London. Mattuck’s High Holiday prayer book never found an audience in America, but it served as the official *maḥazor* of the Liberal Jewish Synagogue in London until the publication of its successor, פתח תשובה (*Gate of Repentance*) in 1973, a book that greatly impacted American worship.<sup>273</sup> The second of the two *maḥzorim* published before World War II, entitled simply מחזור לראש השנה וליום הכפורים (*Maḥazor le-Rosh ha-Shana u-le-Yom ha-Kippurim*) -- High Holiday Prayer Book, was compiled and arranged by Morris

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<sup>271</sup> *The Union Prayer Book Part II*, 1923, 245.

<sup>272</sup> Israel Mattuck, *Liberal Jewish Prayer Book Volume II Services for The Day of Memorial (Rosh Hashanah) and The Day of Atonement* (London: Liberal Jewish Synagogue, 1923).

<sup>273</sup> John D. Rayner and Chaim Stern, eds., פתח תשובה – *Gate of Repentance* (London: Union of Liberal and Progressive Synagogues, 1973).

Silverman and published in America in 1939.<sup>274</sup> Silverman, who coincidentally was born in the same year that *The Union Prayer Book* won approval by the CCAR, became a prominent rabbi known within the Conservative movement for his work on the liturgy. His High Holiday prayer book received backing by the United Synagogue of America, the Conservative movement's governing body that was founded in 1913, and served as the official High Holiday prayer book of the Conservative movement until the 1972 publication of Jules Harlow's High Holiday prayer book.<sup>275</sup> It still remains in use today in congregations throughout America.

While Mattuck's and Silverman's *Sidrei Avodah* differ greatly from one another - one an example of radical reform and the other of careful conservation -- common to both is a sense of apologetic for including a recollection of this ancient atonement ritual in the modern Yom Kippur liturgical order. Mattuck's *Seder Avodah* is highly abbreviated. It appears in an "Additional Service" that contains a highly reduced *Amidah* that includes only its concluding benedictions. In place of the start of the *Amidah*, Mattuck offers a variety of readings, some of which are drawn from the Bible and others from the modern period. All of them are focused on the theme of repentance and atonement. The "*Abodah*," as it is labeled, follows a series of these readings that simultaneously praise and petition God as if the text is working to prepare the stage for

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<sup>274</sup> Morris Silverman, מחזור לראש השנה וליום הכפורים – *High Holiday Prayer Book* (Harford: Prayer Book Press, 1939).

<sup>275</sup> Jules Harlow, ed., *Maḥzor for Rosh Hashanah and Yom Kippur A Prayer Book for the Days of Awe* (New York: The Rabbinical Assembly, 1972) will be discussed in Chapter Six.

the formal ritual of atonement, namely the *Seder Avodah*.<sup>276</sup> The *Seder Avodah* opens with a clear statement emphasizing that “The time when our forefathers first began observance of this Day of Atonement lies far behind us.” while placing animal sacrifice as a vehicle for worship squarely in the past.

Before proceeding to reflect on the High Priest’s ritual, Mattuck also makes it clear that the “crude” religious institutions of the past have evolved into “purified expressions of the best that man knows and feels.”<sup>277</sup> This brief introduction is followed by the customary panegyric of the High Priest modeled on Ben Sira. The inclusion of this passage might seem out of place given Mattuck’s portrayal of the past as primitive; however, it is included in order to help the worshipper “imagine the ceremony [and] catch a faint echo of its influence on those who observed it.”<sup>278</sup>

Like Einhorn and those who emulated his example (such as *The Union Prayer Book*’s editors), Mattuck includes only two of the three confessional texts from *M. Yoma*. Though he references the history of the three-fold confession, “Three times this service was performed,” Mattuck omits the High Priest’s confession recited on behalf of the House of Aaron. Moreover, while he presents the third confession on behalf of the House of Israel in his *Seder Avodah*, like others before him, he presents this plural text not as historical re-enactment but as a contemporary prayer text in which the entire congregation must participate in order to enact atonement. The entire *Seder Avodah* in Mattuck’s *mahzor*, save for the two abbreviated confessional texts quoted from *M. Yoma*

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<sup>276</sup> Mattuck, 193-206.

<sup>277</sup> Mattuck, 207.

<sup>278</sup> Mattuck, 208.

and modeled on Einhorn, is presented in English. While eager to remove many of the details of the ancient atonement ritual from the text, Mattuck concludes his Yom Kippur *Avodah* with a defense of its inclusion in the modern prayer book by underscoring the enduring memory of this ritual and attributing to it the constant “yearning for the magnificent, solemn Temple service.”<sup>279</sup>

Mattuck’s reenactment of the ancient atonement ritual is followed, instead of preceeded, by a reflection on “The Meaning of Israel’s History.”<sup>280</sup> This reflection is comprised of a series of passages taken mostly from the prophet Isaiah.<sup>281</sup> The inclusion of these “suffering servant” passages highlight Mattuck’s desire to underscore that Israel is still a chosen people, a servant of God, but that true repentance is found not through animal sacrifice but rather through proper intention and behavior.

In stark contrast to Mattuck’s *Seder Avodah*, Silverman includes the entire Hebrew text of Meshullam ben Kalonymus’ אֲמִיץ כֹּהֵן (*Amits Koah*) in his *maḥzor*.<sup>282</sup> At first glance, the use of Meshullam’s medieval poem might raise doubt as to whether discussion of this *Seder Avodah* is warranted in a chapter discussing twentieth-century changes to the liturgy of the Yom Kippur *Avodah*; however, while Silverman’s Hebrew remains true to the medieval text, his additions to the English translation reflect an accommodation of the liturgy to the modern period that is significant to the discussion.

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<sup>279</sup> Mattuck, 210-213.

<sup>280</sup> Mattuck, 206ff.

<sup>281</sup> The passages include excerpts from Isaiah 42, 44, 49, 50, 52, and 53 along with Psalm 80 and a Jeremiah 31:25.

<sup>282</sup> See Silverman, 368-377.

In place of a translation to the opening section of אֲמִיץ כֹּהֵן (*'Amits Koah*), namely the historical review leading up to the description of the High Priest's preparations, Silverman offers a "note" which explains to the modern reader why this ancient ritual, one which is no longer preferred or performed, is about to be recalled,

With the destruction of the Temple, the desire to retain the vividness of that awe-inspiring experience led the sages to introduce, in the Musaf service, a recital of each step in the atonement ritual known as the Avodah, so that future generations would recall its solemnity and be moved to a deeper religious fervor and zeal.<sup>283</sup>

In addition to this opening explanatory and apologetic note, which serves to defend the inclusion of the *Seder Avodah* in his prayer book, Silverman offers what he labels as "interpolations" to the English translation of the אֲמִיץ כֹּהֵן (*'Amits Koah*) text. These modern reflections on the medieval Hebrew are indented on the page so that they stand out from the translation of Meshullam's medieval poem. They also serve to reform the text in a similar manner as the liturgical reforms made by those who preceded Silverman. Silverman makes it clear, both at the start and finish of his *Avodah* service, that the retention of this medieval retelling of the ancient atonement ritual is a vehicle for maintaining a sense of historical continuity with the past. However, he also makes it clear that the *Avodah* service is included not just for the sake of remembering but for invoking the past in order to move the worshipper toward active repentance. Like the liturgical reformers of the nineteenth century, Silverman demands that the congregation pray on behalf of themselves just as the High Priest prayed on behalf of himself and his family. Silverman's presentation of the *Avodah* isn't just about memory; it is about mimicking, and thus participating in, the ritual of atonement. Retaining the confession

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<sup>283</sup> Silverman, 368.

for the House of Aaron, for example, Silverman asks the congregation to pray on behalf of the leaders and teachers “of our day” in the same manner that the High Priest prayed on behalf of the leaders of the ancient Temple.

Like the reformers who precede him, Silverman was troubled by the references to the ancient sacrificial offerings. While he retains the entirety of the traditional אָמִיץ כַּהֵן (*'Amits Koah*) poem inclusive of the details of the sacrificial ritual, in his additions, Silverman draws upon and emphasizes the prophetic mandate that bulls be replaced with verbal offerings.<sup>284</sup> Silverman also contemporizes and universalizes Meshullam's text by adding a prayer for the United States. This English addition makes it clear that a return to Jerusalem is not primary; rather, a restoration of peace and security to all humankind and the continued prosperity of America are paramount to the American Jew living in the first half of the twentieth century.<sup>285</sup>

In addition to his *Seder Avodah* proper, Silverman includes “A Symbolical Interpretation of the Avodah” that was written by Mordecai Kaplan and will reappear in revised form in his own High Holiday Prayer Book published in 1948 (see discussion below). This responsive reading underscores the burden that the traditional *Seder Avodah* places on the modern reader. It underscores the necessity of remembering the ancient ritual of atonement in order to preserve continuity with the past, while creating a parallel between the ancient Temple and our modern day institutions so that “today's *Avodah*” can enable atonement.<sup>286</sup> Despite the retention of אָמִיץ כַּהֵן (*'Amits Koah*), what

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<sup>284</sup> Silverman, 369-376.

<sup>285</sup> Silverman, 375.

<sup>286</sup> Silverman, 377-378.

can certainly be considered a traditional text, Silverman's *Seder Avodah* represents a compelling example of liturgical accommodation. The primary difference between Silverman's reforms and the seemingly more radical ones already discussed is that Silverman offers his reforms and interpretations alongside the traditional text, while those who preceded him were comfortable altering or excising the medieval Hebrew poetry altogether.

During the decades following World War II, the liturgical expression of the Yom Kippur *Avodah* in the liberal synagogue witnessed significant reform. One of the most innovative Yom Kippur *Avodah* orders of this period can be found in a High Holiday prayer book edited in 1948 by Mordecai Kaplan, the founder of the Reconstructionist movement, and his colleagues Eugene Kohn and Ira Eisenstein.<sup>287</sup> This *Seder Avodah* has become one of the most enduring, if not the most enduring, of the *Sidrei Avodah* of the modern period. While it is no longer present in the current Reconstructionist *mahazor*,<sup>288</sup> it greatly influenced the *Seder Avodah* included in the 1973 publication of the British *פתח תשובה* (*Gate of Repentance*) which in turn impacted America's *שערי תשובה* (*Gates of Repentance*) published in 1978. Presented predominantly in the vernacular (i.e., English), this *Seder Avodah* includes: a historical preamble entitled, "The Upward Climb of Man," written by Eugene Kohn; a "Ritual of Confession," written by Ario S. Hyams that includes *M. Yoma*'s three-fold confession of the High Priest; the

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<sup>287</sup> Mordecai Kaplan, Eugene Kohn, and Ira Eisenstein, eds., *High Holiday Prayer Book Volume II Prayers for Yom Kippur* (New York: The Jewish Reconstructionist Foundation, Inc., 1948).

<sup>288</sup> David A. Teutsch, ed., *Kol Ha-neshamah* (Elkins Park: The Reconstructionist Press, 1999). See Chapter Six of this Dissertation for a review of the Yom Kippur *Avodah* contained within this volume.



customary panegyric of the High Priest based on Ben Sira; and the responsive reading by Kaplan that appeared in Silverman's *Seder Avodah* which is discussed above.<sup>289</sup>

Kohn's historical preamble, "The Upward Climb of Man," is thoroughly modern, yet at the same time it remains grounded in biblical history.<sup>290</sup> As has now become expected, this historical introduction is no longer intended for the sole purpose of recollection; rather, it is intended to function as both historical reflection and active worship text. Not only is the language and style conducive to direct prayer and petition, but the use of Psalm texts, in particular, furthers the presentation of this passage as worship by providing a subtle reminder that worship in the ancient Temple in Jerusalem was often accompanied by the recitation of Psalm texts.

Kohn opens his historical review by highlighting the power of God as reflected in the creation of the earth and its creatures. He includes excerpts from Psalm 104,<sup>291</sup> which in its entirety is itself a review of creation, to further emphasize the works of creation. Kohn continues his preamble by directing his attention squarely on humankind, "But upon one species, more than upon all others, Thou hast lavished with Thy gifts...the species, Man."<sup>292</sup> This attention on the supremacy of humans over animals is furthered

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<sup>289</sup> Kaplan, Kohn, and Eisenstein, 366-383; see also, annotations beginning on p. 594.

<sup>290</sup> Kohn's introduction to the *Avodah* proper first appeared in Eugene Kohn, ed., *Shir Ḥadash: New Prayers and Meditations for Rosh Hashanah and Yom Kippur* (New York: Behrman's Jewish Book House, 1939). *Shir Ḥadash* was published as a supplemental volume to the traditional High Holiday prayer book (see Kohn, ed., v.).

<sup>291</sup> Kaplan, Kohn, and Eisenstein, 367, includes Psalm 104: 24,25,27,30, and the second hemistich of verse 35.

<sup>292</sup> Kaplan, Kohn, and Eisenstein, 368.

by the inclusion of a passage from Psalm 8 which praises God for setting God's work of creation at humanity's feet.<sup>293</sup> Kohn's "The Upward Climb of Man" moves quickly to the selection of Levi. After quoting Genesis 12:1-2, where Abraham is commanded to go forth so that he and his progeny will become a great nation, Kohn fast forwards to the tribe of Levi, stating, "The seed of Abraham ordained a priesthood/Of the tribe of Levi, to minister in the Temple." The theme, in this case the role and duty of the priestly caste, is underscored once again by the inclusion of biblical quotations which continue to give the entire preamble a poetic and prayerful read.<sup>294</sup> The final section of Kohn's introduction to the confessional liturgy of the *Seder Avodah* contains a reminder of the Temple and the ritual of atonement that took place there. Here, Kohn includes a quotation from the final verses of Leviticus chapter sixteen,<sup>295</sup> which as noted at the start of this dissertation, contains the earliest reference to the Yom Kippur atonement ritual upon which *M. Yoma*, and by extension the liturgical *Seder Avodah*, appears to be based. Kohn concludes his preamble by stating that though the Temple is "no more," we are to "pass in review the [High Priest's] ancient rites" in order to reawaken in our hearts "the resolve" to make atonement.<sup>296</sup>

As mentioned above, Kohn's historical review is thoroughly modern. His writing, while sensitive to the history of the Yom Kippur *Avodah* and the themes typically

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<sup>293</sup> Kaplan, Kohn, and Eisenstein, 369-370 includes Psalm 8:6-9

<sup>294</sup> Kaplan, Kohn, and Eisenstein, 372-373 includes Psalm 132:9 and Malachi 2:6-7.

<sup>295</sup> Kaplan, Kohn, and Eisenstein, 374 includes Leviticus 16:33-34.

<sup>296</sup> Kaplan, Kohn, and Eisenstein, 374-375.

contained within the introductory passage, is clearly influenced by the idealistic values of the Enlightenment as well as what was, in his time, the recent reality of World War II. Enlightenment values are present, as they are in *Sidrei Avodah* already discussed, with the emphasis on man's intellect, capacity to reason and "[create] structures of civilization." The impact of the Holocaust is clearly evident in Kohn's reflection that humans also have the capacity for "[emulating] unenlightened instincts" and "forging...destructive weapons of war to rend and kill." Despite the horror witnessed by his generation, Kohn remains optimistic about the power of atonement. After posing the impossible question regarding how long innocent blood (i.e., Abel's blood) will be shed before we recognize our responsibility for each other as fellow human beings, Kohn relates,

That, in spite of Man's folly and wickedness,  
Thou hast set in the inmost sanctuary of his being  
Thy law of righteousness, love and peace.  
The flame that burns on the altar of that sanctuary  
May flicker but can never be quenched.  
*For that flame is Thine own spirit, O Eternal One,*  
*Burning within us.*<sup>297</sup>

Hyams' "Ritual of Confession" follows Kohn's preamble and, as is typical of the *Avodah* genre, forms the heart of the *Seder Avodah*. Like virtually all of the *Sidrei Avodah* composed in the modern period and discussed this far, all references to the sacrificial detail of the atonement ritual are removed. The focus is entirely on the High Priest's verbal confession, and like the reformers before him, Hyams uses the High

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<sup>297</sup> Kaplan, Kohn, and Eisenstein, 370-371.

Priest's confessional texts not just as historical remnants to aid recollection of the ancient atonement ritual but as atonement prayers to be recited by the contemporary Jew:

Let us repeat the words of the prayer...Thus did the High Priest confess his sins, and thus do we today, every one of us, confess our own sins and those of our household. For each of us as a Jew, a member of a priestly nation, is consecrated to God's service...And each of us has sinned in his priesthood by failing to manifest Thy goodness and grace.<sup>298</sup>

In contrast to many of the reformers before him, Hyams retains all three of the High Priest's confessional texts from *M. Yoma* inclusive, in each case, of the confessional paragraph and the community response preserved in *M. Yoma* 6:2. The first confession, as just indicated above, is retained as an individual confessional text for each Jew. The second confessional text, while retaining the reference to the House of Aaron, is repeated by the congregation as an acceptance of "responsibility for the shortcomings of Israel, the priestly people, to which we belong."<sup>299</sup> Similar to Wise, Hyams and his colleagues who worked on this prayer book along with him were eager to remove the hierarchical concept of the priestly caste and replace it with the more democratic and biblical notion of *ממלכת כהנים*.<sup>300</sup> The third confessional text, which again retains its traditional language, in this case the reference to the House of Israel, is recited on behalf of all humankind,

We, too, confess, not only our sins and those of our brethren, the priestly house of Israel, but also the sins of all those who should be united as

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<sup>298</sup> Kaplan, Kohn, and Eisenstein, 375-377.

<sup>299</sup> Kaplan, Kohn, and Eisenstein, 378.

<sup>300</sup> As noted in Chapter Four of this dissertation, the term *ממלכת כהנים* is first used by the biblical hand in the book of Exodus 19:6 as an appellation for the entire Israelite community as they prepared to stand at Sinai and await Divine revelation.

brethren. We acknowledge our social responsibility not only for our immediate kin and for our own folk, but for all mankind.<sup>301</sup>

Hyams worked to balance reform with conservation in his presentation. He retained the traditional confessional texts from *M. Yoma* even though he demanded that they be reinterpreted according to modern values. Drawing on Reform ideology that was by this time common in America and, as has been shown, was already present in various High Holiday prayer books that preceded this one, Hyams adapted the *Seder Avodah* confessional ritual in a manner which reflected both sensitivity to the history of the liturgical rubric of the Yom Kippur *Avodah* and an accommodation to modernity.

Despite the editors' interest in moving attention away from the role of the High Priest and toward the entire community, the *Seder Avodah* in Kaplan, Kohn, and Eisenstein's High Holiday prayer book does include the customary panegyric of the High Priest modeled on Ben Sira that is typical of the *Avodah* genre particularly in the pre-modern era.<sup>302</sup> Its inclusion underscores the desire to remain connected to the memory of the past even if its institutions were no longer desirable in the present. This desire to "preserve the Jewish worshipper's sense of oneness with Israel and the feeling of common destiny," while remaining relevant and compelling to the modern Jew, is stated succinctly in the introduction to a Sabbath Prayer book published in 1945 by the same editors.<sup>303</sup> This *Seder Avodah* concludes with the responsive reading entitled, "That the Avodah Service Move Us to Seek Atonement For the Community" that appears under the

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<sup>301</sup> Kaplan, Kohn, and Eisenstein, 381

<sup>302</sup> Kaplan, Kohn, and Eisenstein, 383.

<sup>303</sup> Mordecai Kaplan, Eugene Kohn, and Ira Eisenstein, *Sabbath Prayer Book* (New York: The Jewish Reconstructionist Foundation, 1945); see pp. xvii ff.

heading “A Symbolical Interpretation of the Avodah” in the 1939 Silverman High Holiday Prayer Book and has been discussed in Chapter Four of this dissertation. Like the inclusion of the passage of praise for the High Priest that immediately precedes it, this reading works to preserve continuity with the past. Specifically here, however, Kaplan strives to connect the past to the present by creating a parallel between the ancient Temple and present day institutions such as the home, school, and nation.<sup>304</sup>

Max Klein, a Conservative American rabbi who served Philadelphia’s Congregation Adath Jeshurun (AJ) for half a century, edited a High Holiday prayer book in the fall of 1960, on the eve of his retirement, entitled *Seder Avodah Service Book for Rosh Hashanah and Yom Kippur* which contains a newly written Yom Kippur *Avodah*. Klein’s High Holiday prayer book was updated in 2004 by Klein’s successor and AJ’s current rabbi, Seymour Rosenbloom, and continues to be used for High Holiday worship at this congregation now located just outside Philadelphia in Elkins Park, Pennsylvania.<sup>305</sup> Though it is doubtful that Klein’s *maḥazor* was ever used by any congregation other than AJ, Klein’s *Avodah* order is remarkably innovative and deserves attention in any study of the modern Yom Kippur *Avodah*. Klein’s *maḥazor* was used throughout the latter half of the twentieth century, and continues to be used today, in this prominent congregation, which while founded as a Reform entity, under Klein’s

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<sup>304</sup> Kaplan, Kohn, and Eisenstein, 384-385.

<sup>305</sup> Max D. Klein, *Seder Avodah Service Book for Rosh Hashanah and Yom Kippur* (Philadelphia: Press of Maurice Jacobs, Inc., 1960); and, Max D. Klein, *Seder Avodah Service Book for Rosh Hashanah and Yom Kippur*, rev. and ed., Seymour Rosenbloom (Cincinnati: C. J. Krehbiel Company, 2004). Additionally, it is noteworthy that Max Klein also organized a prayer book for Shabbat, Festival, and Daily worship in 1951 that was revised and edited by Seymour Rosenbloom in 2008.

direction, became one of the founding members of the Conservative movement's United Synagogue of America.<sup>306</sup>

The opening of Klein's *Seder Avodah* is highly reminiscent of the *Seder Avodah* contained within Kaplan, Kohn, and Eisenstein's High Holiday volume. Like Kohn's historical preamble, Klein's introduction is written almost entirely in English save for a few biblical excerpts interspersed in order to further the themes presented. Klein, however, skips over the creation of the universe and its animal kingdom and attends immediately to humankind who "was endowed by the Creator with powers of intelligence which have placed all orders of life under his dominion," a concept reinforced, as in Kohn's introduction, by verses excerpted from Psalm 8.<sup>307</sup> Quoting Deuteronomy 30:19, Klein continues to comment on humanity while reflecting on the inherent value of free will, with which human beings have been endowed, and the inherent struggle between good and evil with which humans must grapple.<sup>308</sup> Klein proceeds to praise the various leaders throughout Jewish history who have "helped the House of Israel...remain the Servant-people of God" and hence survive the pull of the evil impulse.<sup>309</sup> Beginning with Abraham and Sarah, Klein names the biblical patriarchs, mentions "Emancipator and

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<sup>306</sup> According to a survey I conducted on the use of the Yom Kippur *Avodah* in today's synagogues (see Chapter Six of this Dissertation), only one respondent, specifically Rabbi Seymour Rosenbloom of Elkins Park's Adath Jeshurun, out of 286 identified Klein's *Seder Avodah* as the High Holiday prayer book currently in use for High Holiday worship. In addition, Rabbi Rosenbloom confirmed that AJ is the only congregation of which he knows that uses this High Holiday prayer book. Seymour Rosenbloom, interview by author, January 26, 2011.

<sup>307</sup> Klein, 636 including Psalm 8:7,6.

<sup>308</sup> Klein, 636-637.

<sup>309</sup> Klein, 637-638.

Lawgiver” Moses, then proceeds to highlight the experience of Sinai emphasizing the “charge given at [there]” that the entire nation be a “ממלכת כהנים וגוי קדוש,” a kingdom of priests and a holy nation.” Before continuing onto the confessional texts from *M. Yoma*, all three of which are included, Klein takes a moment to expound on the necessity of remembering the past in order to foster repentance even if the “original form” of the atonement ritual has changed.<sup>310</sup> Accordingly, the three confessional texts are presented as historical review of the ancient Temple ritual. No detail is included of the sacrificial rituals that accompanied these texts in ancient days. After each confession, inclusive in each case of both the confession and community’s response as preserved in *M. Yoma* 6:2, Klein encourages the reader to be moved to repentance by the ancient words of the High Priest. Following the second confession on behalf of the entire Aaronic Priesthood, Klein invites the reader to pray on behalf of our modern day “servants of spiritual life,” namely the spiritual leaders and teachers who shoulder the responsibility for leadership in the modern Jewish community. Like Kohn before him, Klein too includes verses from the prophet Malachi as an ideal toward which leaders today should continue to strive which read,

For he stood in awe of My name,  
And nothing perverse was on his lips;  
He served Me with complete loyalty  
And held the many back from iniquity.  
For the lips of a priest guard knowledge,  
And men seek rulings from his mouth;  
For he is a messenger of the Lord of Hosts.<sup>311</sup>

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<sup>310</sup> Klein, 639.

<sup>311</sup> Klein, 641-648; see p. 646, Malachi 2:6-7, as translated in *Tanakh: The Holy Scriptures The New JPS Translation*, 1102.



Immediately after the confessional texts, Klein includes a reference in his *Seder Avodah* to the joy apparent on the High Priest's face upon concluding this cultic ritual; however, no extended poetic panegyric appears as is customary in the *Avodah* genre prior to the pre-modern period. Following the entire review of the High Priest's atonement ritual, Klein offers a number of responsive paragraphs which work to connect the "message of the Jewish past," as just recalled through the review of the High Priest's confessions, with the institutions of modern Jewish life. Included here is mention of the destruction of the Temple and the subsequent longing to return to Zion that is expressed in the persistent desire to review the Temple's rituals in our contemporary liturgy. However, Klein does not conclude his *Seder Avodah* by mourning the loss of the Temple; rather, he draws the reader's attention to the "return to the ancient [homestead]" and the "rainbow of joy" that Israel's renewed sovereignty brings to the modern Jewish community as well as to the world. Included in this section of responsive English text is a prayer for the continued building of Israel, not just as a homeland for the Jews, but as a source of "inspiration and strength" to all humanity. Klein's *Seder Avodah* concludes, as is typical of earlier *Sidrei Avodah*, with a prayer for health and prosperity in the coming year.<sup>312</sup>

The *Sidrei Avodah* thus far discussed in this chapter do not include all of those texts written during the twentieth century. This chapter has reviewed, however, all of the *Sidrei Avodah* that were published and used as worship texts in America during the last century. The following chapter will explore those *Sidrei Avodah* currently being used in

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<sup>312</sup> Klein, 649-653.

contemporary worship inclusive of many texts edited and/or written in the latter half of the twentieth century as well those that have appeared the last decade. These texts warrant a separate chapter as they continue to be actively used worship texts in the modern synagogue. Save for Silverman's volume whose original 1951 edition remains widely in use, the editions of the texts reviewed in this chapter are no longer in use by congregations today. The following chapter's review of *Avodah* texts that are currently used in worship will reflect how the Yom Kippur *Avodah* liturgy is expressed in the American synagogue today, at the start of the twenty first century.

The *Sidrei Avodah* reviewed in this chapter exemplify the ideological shift that occurred in the modern, liberal Jewish community during the twentieth century in America as a result of World War II and the founding of the State of Israel. As the liturgical reformers of the nineteenth century were in their own day, those who took on the challenge of adapting the liturgy in the twentieth century were greatly impacted by the events of their lifetime. And, like those before them, they shared an ongoing desire to modernize worship in order to make it relevant to the present day. The authors of the *Sidrei Avodah* discussed in this chapter continued to reject the sacrificial detail of the Temple cult and struggled with the implications of a biologically determined priestly caste (i.e., the Aaronic Priesthood). The editors of these texts strove to balance the mandate of memory with the desire to actively involve the worshipper in the ritual of atonement. The examples of the Yom Kippur *Avodah* of this period also highlight that Jews living in the mid to late twentieth century struggled with the reality of living in a world where evil, as experienced directly by the Jewish community during the years leading up to and inclusive of World War II, exists. Finally, present in these texts from

the latter half of the century is a renewed interest in the rebuilding of Israel, not necessarily the Temple center, but in cultivating the land and creating a modern Jewish state. At the same time as there was continued interest in adapting and making changes to the *Seder Avodah*, however, there remained an ever present interest in remembering the ancient Yom Kippur atonement ritual and including its narrative in modern worship.

## Chapter Six: The *Seder Avodah*: Current Practice

In order to determine which *Seder Avodah* texts are being used in today's synagogues, I created a survey using the Student Voice survey platform, a research tool made accessible to me through Towson University. This survey was sent via email to all affiliated Reform, Conservative, and Reconstructionist congregations in North America in order to assess what is customary in the liberal American synagogue with regard to the Yom Kippur *Avodah* liturgy.<sup>313</sup> Congregations affiliated with the Orthodox Union were excluded because it is clear from the Orthodox *mahzorim* published in the latter half of the twentieth century and thereafter that the medieval אמיץ כה ('*Amits Koah*) and the significantly much older, but as of yet undated, א.כ. עולם מראש are still normative in Orthodox worship today.<sup>314</sup>

Surveys were sent to a total of 1424 congregations. Of these 1424 congregations, 846 were affiliated with the Reform movement, 543 with the Conservative movement, and 99 with the Reconstructionist movement. Twenty percent of the surveys were completed and returned, providing a final sample size of 286 congregations. Each of the three mainstream liberal denominations were represented in this sizable sample in due proportion to surveys sent, with fifty-nine percent received from congregations self-

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<sup>313</sup> For more information about the *Student Voice* survey platform, see [www.studentvoice.com](http://www.studentvoice.com). Surveys were sent to all congregations whose contact information was listed on the directories of the Union of Reform Judaism, United Synagogue of America, and the Jewish Reconstructionist Federation.

<sup>314</sup> See for instance, Philip Birnbaum, 1951, 811ff; Nosson Scherman, 554ff.; and, Daniel Goldschmidt, ed., מחזור ליום כיפור (Jerusalem: Koren, 2007), 373ff.

identifying as Reform, thirty-six percent from those self-identifying as Conservative, and three percent from those self-identifying as Reconstructionist. An additional two percent were returned from those who identified themselves as “other.”<sup>315</sup>

Not surprisingly, as close to sixty percent of the sample identified as Reform, over half of the 286 respondents indicated that they use the Reform *Gates of Repentance* as their High Holiday prayer book. Other prayer books well represented among the respondents include: Jules Harlow’s *מחזור לראש השנה ויום כפור* (*Maḥazor le-Rosh ha-Shana ve-Yom Kippur*) published originally in 1972 and reprinted in 1978; Sidney Greenberg and Jonathan D. Levine’s *מחזור חדש* (*Maḥazor Ḥadash*) -- *The New Mahzor* published originally in 1977 and “enhanced” in 1999; and the Silverman *High Holiday Prayer Book* published in 1939, reprinted in 1951, and discussed in Chapter Five.<sup>316</sup>

In addition to these prayer books, two other *maḥzorim* were reported. Although these two books have not gained widespread appeal as of this study, they are worthy of attention. The first of these prayer books is the Reconstructionist prayer book *כל הנשמה* (*Kol Haneshamah*), published in 1991. Only six congregations reported using *Kol Haneshamah*; however, it is the successor to Kaplan, Kohn, and Eisenstein’s highly innovative Holiday Prayer Book and is the official High Holiday prayer book of the Reconstructionist movement today. The second of these two aforementioned prayer books that are worthy of attention despite their lack of widespread appeal is the recently

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<sup>315</sup> See Appendix B for a copy of the survey questions and a summary of results generated by Student Voice.

<sup>316</sup> Jules Harlow, *מחזור לראש השנה ויום כפור* -- *A Prayer Book for the Days of Awe* (New York: The Rabbinical Assembly, 1978); Sidney Greenberg and Levine, Jonathan D., eds., *מחזור חדש* -- *The New Mahzor for Rosh Hashanah and Yom Kippur* (Bridgeport: The Prayer Book Press, 1999).

published מחזור לב שלם (*Maḥazor Lev Shalem*) already mentioned in Chapter One. Published by the Conservative movement's Rabbinical Assembly during the summer of 2010, מחזור לב שלם (*Maḥazor Lev Shalem*) has not yet had the opportunity to experience widespread appeal; however, as it is published by and backed by the Conservative movement's Rabbinical Assembly, I expect it will gain a large following in upcoming years. Many of the congregations that responded to this survey did note that they expected to soon switch to this new prayer book for High Holiday worship.

While not statistically significant taken independently of each other, it is noteworthy to mention that five percent of the congregations who responded to this survey use prayer books not typically associated with any of these three denominations of liberal Judaism. Two congregations reported using Birnbaum's מחזור השלם (*Maḥazor ha-Shalem*) three reported using Richard N. Levy's *On Wings of Awe* published by the B'nai Brith Hillel Foundation,<sup>317</sup> and ten reported using independently produced and printed service orders for their Yom Kippur worship services. Two of these ten "independently produced" service orders, a successor to *The Union Prayer Book* known colloquially as *The Sinai Edition* and published by a Reform congregation in Chicago, and a volume titled סדר עבודה (*Seder Avodah*), not to be confused with the liturgical *Avodah* rubric, published by a Conservative congregation in Philadelphia, are published volumes that will be included in this review. These congregations that use their own prayer books for the High Holidays represent three and a half percent of the total sample. Though a small percentage, they highlight a level of diversity of custom among liberal American

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<sup>317</sup> Richard N. Levy, ed., *On Wings of Awe A Machzor for Rosh Hashanah and Yom Kippur* (Washington D.C.: Bnai Brith Hillel Foundations, 1985). It should be noted that Richard Levy's *On Wings of Awe* was revised in 2011 after I concluded my survey.

congregations. Additionally, nine congregations reported using *Avodah* services from High Holiday prayer books other than the ones they use for the rest of the High Holiday liturgy, either as supplements to or replacements for the *Avodah* order included in their regular High Holiday prayer book. Among these congregations, all of the liturgies used for the *Seder Avodah* are borrowed from one of the volumes already listed above. The *Avodah* liturgies in each of these aforementioned High Holiday volumes will be addressed.

Harlow's *מחזור לראש השנה ויום כפור* has been accepted as the official Conservative High Holiday Prayer Book since its publication in 1972, a qualification that may change with the Rabbinical Assembly's recent publication of *מחזור לב שלם* (*Maḥazor Lev Shalem*). Among the respondents to the survey, however, as many congregations continue to use Silverman's *mahzor* for Yom Kippur worship as those who use Harlow's volume. Of those respondents who reported that they continue to use the Silverman *mahzor*, however, a significant number, virtually a third, reported that they would be switching to the newly published *מחזור לב שלם* for the 2011 High Holiday season.<sup>318</sup> Although the Silverman High Holiday prayer book was still used by a significant number of congregations on the Yom Kippur just prior to this writing, because the *Seder Avodah* contained within it has remained unchanged since its first publication in 1939 and because many of its users report that they will be switching to newly published *מחזור לב*

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<sup>318</sup> Thirty-five congregations (representing twelve percent of the sample) reported using Harlow's *מחזור לראש השנה ויום כפור*. Thirty-eight congregations (representing thirteen of the sample) reported using Silverman's *High Holiday Prayer Book*. Twelve of the thirty-eight (thirty-two percent) reported that they will be switching to the new *מחזור לב שלם* for the fall 2011 High Holiday season.

שלם (*Mahazor Lev Shalem*), the detailed discussion of the Silverman *High Holiday Prayer Book* presented in Chapter Five will suffice.

Immediately striking about the *Seder Avodah* contained within Harlow's *mahazor* is that it is set apart from the traditional order of the liturgy. Rather than being included within either the Additional or Afternoon Service, Harlow's *Seder Avodah* falls between them. It is labeled independently in its own self-contained, clearly marked section immediately following the conclusion of the Additional Service, as marked by the *Kaddish Shalem*, a standard mark of punctuation between liturgical sections.<sup>319</sup> The listing of services found on the "Contents" page underscores the deliberate separation of the *Avodah* service from either the Additional or Afternoon Services. Moreover, Harlow comments on the placement of the *Avodah* service in the preface of his prayer book noting that while placed in the *mahzor* after the Additional Service, it could certainly be done elsewhere "at the discretion of the rabbi."<sup>320</sup> This openness to placement is reminiscent of the pre-Geonic custom of reciting the *Seder Avodah* at various times throughout the Yom Kippur day discussed earlier in Chapter Three. Other than this deliberate separation from any specific service, Harlow's *Seder Avodah* is remarkably traditional in that it follows the pattern and content of the early examples of the genre.

Harlow's *Seder Avodah* opens with the customary preamble common to the *Seder Avodah* that reviews biblical history. Here the historical review is presented as a responsive English reading. It opens with a reflection on creation and proceeds rapidly through the patriarchal lineage to the House of Aaron and its important role in the

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<sup>319</sup> See Harlow, ed., מחזור, 598-617 for the *Seder Avodah* that appears there.

<sup>320</sup> Harlow, ed., מחזור, vi.



Temple. The narrative, inclusive of short paraphrases of biblical text, continues to Moses, the renewal of the “covenant [made] with us through Abraham” at Sinai, and then provides a reflection on the role that sacrifice played in the ancient world in fulfilling this covenantal pact. Drawing on verses from Psalm 50 and Isaiah 58 specifically, Harlow reminds the reader that while the sacrifices served as tangible and powerful symbols of atonement, in and of themselves, they do not bring about atonement. Creating a bridge between the Temple period and the Rabbinic period which immediately followed the destruction of the Temple, Harlow includes a well-known passage from *Pirkei Avot* that states that *Avodah* (i.e., worship) is among the three pillars upon which the world stands. In doing so, Harlow subtly, but poignantly, reminds the reader that synagogue worship today, namely the recitation of words, has its roots in the ancient Temple service; thus, it is instructive to recall the ancient *Avodah* rituals in the present day.<sup>321</sup>

Immediately following his preamble and this call to remember the past, Harlow narrates the atonement ritual of the *Seder Avodah* using pared down sections of *M. Yoma*. It is important to note that though Harlow’s narrative opens, “שבעת ימים” (*Shivat Yamim*) his text differs substantially from the early *Seder Avodah* known as שבעת ימים (*Shivat Yamim*), discussed above in Chapter Three, in both overall length and amount of detail offered. Despite the abbreviation, however, Harlow includes excerpts of the entire *M. Yoma* narrative, both in Hebrew and English, inclusive of the High Priest’s preparation, his three-fold confession, the ritual details of the sprinkling of the blood and selection of

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<sup>321</sup> Harlow, מחזור, 598-601. While not annotated anywhere in the *mahzor*, Harlow uses paraphrases of the following biblical texts in his historical review: on pg. 598, Joshua 24:2-4 and Leviticus 16:29-30, 32; on pg. 599, Exodus 24:4-8; and on pg. 600, Psalm 50:7-13, and Isaiah 58:5-7. Also included on p. 601 towards the end of his preamble, as noted above, is a paraphrase of *M. Avot* 1:2.

the scapegoat (i.e., Azazel), and the recitation of verses and blessings in the Women's court.<sup>322</sup> Adhering to the traditional order of the *Seder Avodah*, Harlow follows the narration of the atonement ritual with the customary passage, modeled on Ben Sira 50, which glorifies the splendor of the High Priest<sup>323</sup> and concludes his *Seder Avodah* with the prayer seeking blessing and prosperity in the upcoming year. Harlow adds one final responsive reading, offered in both Hebrew and English, that gives instruction for seeking atonement through "deeds of loving kindness" now that the Temple has been destroyed.<sup>324</sup> Harlow's structure and content is hardly innovative, however his presentation of the material is remarkable in that he frames the presentation of *M. Yoma*'s narrative as necessary solely for the recollection of the past. The details of the ritual are retained for the purpose of memory. There is no attempt to reframe the confessional texts from the Mishnah as contemporary worship texts for the congregation, as others reformers before him have done. Instead, the summary of the atonement ritual is offered so that the reader can develop an understanding of the historical basis for modern day worship and be propelled to seek atonement as mandated today by Rabbinic custom, namely through acts of loving kindness.

Though not reported as a *maḥazor* used today in the American liberal synagogue, the *Seder Avodah* contained within the British *Gate of Repentance*, published in 1973, is worthy of mention due to its impact on the similarly named but distinctly American

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<sup>322</sup> Harlow, מחזור, 602-612 contains the atonement ritual narrative. The narrative is formed from excerpts taken from *M. Yoma* 1:1, 3, 6, 7; 3:3-4, 6, 8, 9; 4:1-2; 5:1-3, 6:2, 3, 8; and 7:1, 4.

<sup>323</sup> Harlow, מחזור, 612-613.

<sup>324</sup> Harlow, מחזור, 614-617.

*Gates of Repentance*, published in 1978, which, as noted above, is widely used by American Jews today.<sup>325</sup> Chaim Stern, an American born and trained Reform rabbi served as co-editor and editor of these two volumes respectively. Stern's contemporary, John D. Rayner, a German born, British trained and based Liberal rabbi, joined him on the "transatlantic collaboration" that resulted in the British *Gate of Repentance*. Both Stern and Rayner were regarded as preeminent liturgists within their respective movements, America's Reform movement and the British Union of Liberal and Progressive Synagogues, during the second half of the twentieth century.<sup>326</sup>

Though they save the heading "*Avodah*" for the atonement ritual itself, Rayner and Stern's innovative *Seder Avodah* does include the customary reflection on biblical history that generally precedes the narration of the confession ritual in the Yom Kippur *Avodah* genre.<sup>327</sup> This historical review is headed by the inclusion of אוֹחִילָה לְאֵל ('*Ohila La'el*) the introductory meditation that generally introduces אֲמִיץ כַּח ('*Amits Koah*) in the traditional Ashkenzic order of prayer,<sup>328</sup> and draws heavily upon Kohn's "The Upward

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<sup>325</sup> John D. Rayner and Chaim Stern, eds., פתח תשובה - *Gate of Repentance* not to be confused with Chaim Stern, ed., *Gates of Repentance*. See introduction to Rayner and Stern, pp. vii-xi for background on their collaboration.

<sup>326</sup> Chaim Stern (1930-2001) was a graduate of the Hebrew Union College, served as editor for the entire "Gates series," the series of prayer books published by the CCAR during the latter half of the twentieth century. John D. Rayner (1924-2005) was born in Germany but came to England as a teenager on one of the final *Kindertransports* out of Germany in 1939. He trained in Britain and served the Liberal community in Britain for his entire career.

<sup>327</sup> See Rayner and Stern, 258-274 for the historical preamble and 274-287 for the atonement ritual review.

<sup>328</sup> See for instance, Birnbaum, מחזור השלם, 809,810.

Climb of Man” included in Kaplan, Kohn, and Eisenstein’s Yom Kippur *Avodah*, which was discussed above in Chapter Five. According to the notes included in the *maḥazor*, Stern, who served as the primary editor for this section of the *Seder Avodah*, paraphrased directly from this earlier text, updated it by reducing verbiage in places while incorporating additional biblical material that serves to underscore the biblical point of view in this history of the Israelite nation.<sup>329</sup> Stern makes a significant change to Kohn’s review towards the end of the narrative. Instead of building towards the selection of Levi, Stern’s narrative, reminiscent of Wise’s nineteenth century *Seder Avodah*, builds towards revelation at Sinai.<sup>330</sup> Stern emphasizes the role of Sinai in Jewish history by the inclusion of excerpts from a *midrash* on the scene at Sinai that reads:

When God revealed the Torah,  
 No bird chirped,  
 No fowl beat its wings,  
 No ox bellowed,  
 The angels did not sing,  
 The sea did not stir,  
 No creature uttered a sound;  
 The world was silent and still,  
 And the Divine Voice spoke: I am the Lord your God.<sup>331</sup>

He also includes the opening of the Ten Commandments as they appear in Deuteronomy.<sup>332</sup> Rayner picks up the narrative at this point, a narrative which continues

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<sup>329</sup> Included in Stern’s historical preamble are: Genesis 1:1-3; Genesis 1:20,24; Psalm 104; Genesis 1:26-28; Psalm 8; Psalm 133:1; Genesis 6:5; Genesis 12:1-2, 3; Deuteronomy 5:6-9a; and Isaiah 9:1-5.

<sup>330</sup> See Rayner and Stern, 270-271.

<sup>331</sup> From *Exodus Rabbah* 29:9.

<sup>332</sup> Deuteronomy 5:6-9a.

to include biblical references and passages in order to tell the story of the Temple, its fall, and its rise again (i.e., the Second Temple).<sup>333</sup> The reenactment of the atonement ritual follows immediately after a reference to the return from the Babylonian exile,

It seemed like a dream, but it was true:  
the exiles returned, they laughed for joy;  
The Lord had done great things for them,  
And to His name they dedicated a new temple.  
Here the ancient forms of worship were resumed,  
And new ones evolved – chief among them the Day of Atonement.<sup>334</sup>

The narrative presents the reenactment of the High Priest's atonement ritual as part and parcel of this historical reflection despite the interruption by the label "*Avodah*" that now appears in the text. "The ritual begins at dawn..." a passage written by Rayner, alludes to the seven day preparation of the High Priest, the ritual of the Azazel offering, and includes the passage modeled on Ben Sirah 50 that describes the splendor of the High Priest.<sup>335</sup> While the narrative mentions the High Priest's three-fold confession on behalf of himself and his family, the House of Aaron, and the entire Israelite community, the text of the second confessional (i.e., for the House of Aaron) is omitted. Also, while presented as if unfolding seamlessly from the historical narrative that opens the *Seder Avodah*, additional passages added before each of the two confessional texts help to forward these texts not just as a historical recollection but also as contemporary worship texts. For example, immediately prior to the first confession, the reader is invited to recite:

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<sup>333</sup> See Rayner and Stern, 271-274.

<sup>334</sup> Rayner and Stern, 274.

<sup>335</sup> Rayner and Stern, 274-275.

So, too, we must first purify ourselves and the institutions we hold sacred: our homes, our synagogues, and schools...So may we too be priests, ministering to the needs of others, and making more apparent in the world the beauty of holiness,

After this, the entire congregation takes on the role of the High Priest and intones the first confessional text together.<sup>336</sup> Likewise, the second of the two confessional texts is offered as a prayer to be intoned on behalf of the contemporary Jewish community by the worshipper. This second confessional text is preceded by a short responsive reading that outlines some of the sins common to modern Jewry and then asks,

For all these sins we ask forgiveness, and pray that the House of Israel, purified, reconciled and reconsecrated, may again become worthy to stand in Your presence...And so we pray once more in the words of the High Priest.<sup>337</sup>

Most of Rayner and Stern's *Seder Avodah* is presented in English. Hebrew is used solely for the biblical quotations and, like in all of the *Sidrei Avodah* discussed thus far, the confessional texts. The first confession includes only the High Priest's actual confession from *M. Yoma* 3:8. The second confession includes both the High Priest's third confession and the community's response from *M. Yoma* 6:2. Following the confessional narrative, Rayner and Stern include an excerpt from Psalm 78, in both Hebrew and English, which reflects on the passing of Torah from Jacob's descendants to all Israel, underscoring the responsibility of each and every Jew, not just the Levites, to remember and "instruct their children...and keep [God's] commandments."<sup>338</sup>

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<sup>336</sup> Rayner and Stern, 276.

<sup>337</sup> Rayner and Stern, 277-278.

<sup>338</sup> Rayner and Stern, 279-280.

The confession narrative of Rayner and Stern's *Seder Avodah* comes to a conclusion with the congregational singing of *כי אנו 'עמך* (*Ki 'Anu 'Amekha*), (i.e., *For we are Your people*), a medieval poem that is typically included in the *Viddui* section of the Yom Kippur Morning Service, as it is in Rayner and Stern's Morning Service of this same volume.<sup>339</sup> This poem's inclusion here appears to underscore the editors' attempt to use these ancient confessional texts, not just as inspiration for, but as a vehicle for modern day communal confession and atonement.

Immediately following the confession narrative are English readings, written by Rayner, which reflect on the reality of post-Temple Judaism. They begin, "The Temple did not last forever: the Second, like the First, came to an end." Like others before him, Rayner discusses using prayer and action to replace sacrifice as vehicles for atonement. He emphasizes the responsibility of being an active participant in the modern world. "Equipped with synagogues and schools and with a library of sacred books, spelling out the will of God for every situation" the Jew is to face the world, be an active part of it, all the while seeking God.<sup>340</sup> Rayner and Stern conclude their Yom Kippur *Avodah* service with a reading built upon a series of biblical texts that are all annotated appropriately in the back of their *mahzor*.<sup>341</sup> This reading could be viewed as an interlude between the *Seder Avodah* and the Martyrology section that follows; however, the passages, broken up into responsive and narrated readings, appear to be yet another reflection on biblical

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<sup>339</sup> Rayner and Stern, 280. It is included at the start of the וידוי or Confessional liturgy of the Morning service of Yom Kippur on p. 214.

<sup>340</sup> Rayner and Stern, 281-282.

<sup>341</sup> Rayner and Stern, 283-287, see annotation of sources, pp. 478-479.

history that serves to remind the reader of the importance of the covenant and its historical mandate in the modern era. Highly poetic and full of allegory due to the interweaving of biblical excerpts throughout the text, the reading begins with an acknowledgement of God as the ultimate creator, proceeds to the presentation of the line of Jacob as Israel, and reflects on Sinai and the covenant between the Israelite nation and God. This covenant must, accordingly, continue to inform Jewish life even without the Priestly rituals of the ancient Temple.

Not surprisingly, the *Seder Avodah* of Stern's *American Gates of Repentance*, published in 1978, is greatly informed by the *Seder Avodah* in Rayner and Stern's volume published five years earlier. Stern, however, did make some significant additions to his and Rayner's earlier work.<sup>342</sup> Stern includes the opening passage of the א.ב. עולם מראש, common to the Sephardic rite and discussed in Chapter Three of this dissertation at the start of the *Seder Avodah*. The English that appears with it, however, is more commentary than translation. Written by Stern, it appears to be an attempt to mimic the alphabetical acrostic style of the medieval text while commenting on its themes.<sup>343</sup> The historical preamble that follows is almost identical to the one included in Rayner and Stern's volume. Stern tightens up the text by condensing and updating the language in his newly revised paraphrase of Kohn's historical review. At the same time, he retains the basic structure, biblical quotations, and literary arc of his 1973 narrative.

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<sup>342</sup> See Stern, ed., *Gates of Understanding*, 410-426 for the *Seder Avodah* (identified in English as *From Creation to Redemption*) included in his *Gates of Repentance*.

<sup>343</sup> Stern, ed., 410. See also, explanatory comments regarding this passage in Lawrence A. Hoffman. *Gates of Understanding 2 Appreciating the Days of Awe*, 216.



Following the historical review, the recollection and reenactment of the ancient atonement ritual appears and is almost identical to how it is presented in Stern's earlier collaboration with Rayner. As in his historical preamble, Stern reduces some of the verbiage of the English passages that surround the confessional texts; however, the only substantive change he makes is the insertion of the second confessional text on behalf of the House of Aaron.<sup>344</sup> Stern omits the passage from Psalm 78 and the poem *כי אנו עמך* that are included in the 1973 *Gate of Repentance* and continues immediately to the concluding reading, again a reduction of Rayner's original, which reflects on the fall of the Second Temple and its replacement by the synagogue and its new rituals.<sup>345</sup>

In addition to its continued use in the American synagogue, it is noteworthy that Rayner and Stern's *Seder Avodah* is also included in *מחזור רוח חדשה* (*Maḥazor Ruah Ḥadasha*), the 2003 successor to *פתח תשובה* (*Petaḥ Teshuva*). The most significant change to this appearance of Rayner and Stern's adaption of Kaplan, Kohn, and Eisenstein's *Seder Avodah* is the gender inclusive English used throughout the narrative. Otherwise, the *Seder Avodah* in *מחזור רוח חדשה* (*Maḥazor Ruah Ḥadasha*) save for a few insertions, is virtually identical to Rayner and Stern's *Seder Avodah*.<sup>346</sup> Examples of new material include a poem inserted into the section of the historical review that discusses the creation of humankind. Penned by the contemporary poet Marge Piercy,

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<sup>344</sup> The confessional texts appear in Stern, ed., *Gates of Understanding*, 422-423.

<sup>345</sup> Stern, ed., *Gates of Understanding*, 425-426.

<sup>346</sup> Andrew Goldstein and Charles H. Middleburgh, eds., *-- מחזור רוח חדשה -- Services for the Days of Awe* (London: Union of Liberal and Progressive Synagogues, 2003) 289-314.

this poem reflects on the inherent contradiction between the power of human beings within the natural world and the humility required in order to seek the Divine:

Every day we find a new sky and a new earth  
 With which we are trusted like a perfect toy.  
 We are given the salty river of our blood  
 Winding through us, to remember the sea and our  
 Kindred under the waves, the hot pulsing that knocks  
 In our throats to consider our cousins in the grass  
 And the trees, all bright scattered rivulets of life.

We are given the wind within us, the breath  
 To shape our words that steal time, that touch  
 Like hands and pierce like bullets, that waken  
 Truth and deceit, sorrow and pity and joy,  
 That waste precious air in complaints, in lies,  
 In floating traps for power on the dirty air.  
 Yet holy breath stretches our lungs to sing.  
 We stand in the midst of the burning world  
 Primed to burn with compassionate love and justice,  
 To turn inward and find holy fire at the core,  
 To turn outward and see the world that is all  
 Of one flesh with us, see under the trash, through  
 The smog, the furry bee in the apple blossom,  
 The trout leaping, the candles our ancestors lit for us.

Fill us as the tide rustles into the reeds in the marsh.  
 Fill us as the rushing water overflows the pitcher.  
 Fill us as light fills a room with its dancing.  
 Let the little quarrels of the bones and the snarling  
 Of the the lesser appetites and the whining of the ego cease.  
 Let the silence still us so you may show us your shining  
 And we can out of that stillness rise and praise.<sup>347</sup>

A short Talmudic insertion soon follows reminding the worshipper that שני יצרים ("two inclinations The Holy One Blessed is He created") that human  
 ברא הקדוש ברוך הוא

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<sup>347</sup> Goldstein and Middleburgh, eds., 296.

beings were created with two inclinations, the inclination to do good and the inclination to do evil.<sup>348</sup> Both of these additions underscore and forward Kohn's theme of human free will that is central to his original narrative.

While not at all widely used, the *Seder Avodah* contained within a 2001 revision of Volume II of *The Union Prayer Book*, entitled *The Union Prayer Book for The High Holy Days Sinai Edition*, is worthy of note particularly as it draws heavily from Rayner and Stern's work, and by extension from Kaplan, Kohn, and Eisenstein's 1948 Reconstructionist *mahzor*, far more so than from its direct predecessor, *The Union Prayer Book*, from which it takes its name.<sup>349</sup> Michael Sternfield, the editor of this *mahzor* popularly known as *The Sinai Edition*, used Stern and Rayner's *Seder Avodah*, as it appears in *Gates of Repentance*, as a starting point. His overall goals in editing it for this volume were to shorten the text, make it "less repetitious and less laborious," and to add some contemporaneous material.<sup>350</sup> The most significant addition Sternfield makes to his *Seder Avodah* is the inclusion of Israeli folk singer Naomi Shemer's well known song, *Jerusalem of Gold*, which became a beloved Israeli anthem immediately following

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<sup>348</sup> Goldstein and Middleburgh, eds., 297 citing *B. Berachot* 61a.

<sup>349</sup> Only one respondent to my survey, a congregation in Missouri, reported using Michael P. Sternfield, ed., *The Union Prayer Book for The High Holy Sinai Edition* (Chicago: Chicago Sinai Congregation, 2001). According to Sternfield, approximately a dozen congregations in the United States currently use the book for High Holiday worship. His estimate is based on sales as Chicago Sinai Congregation is the only outlet for purchasing this independently produced book; Michael Sternfield, interview by author, July 13, 2011. This "*Sinai Edition*" of *The Union Prayer Book* is not formally endorsed by or sold through the CCAR.

<sup>350</sup> Sternfield, July 13, 2011.

the reunification of Jerusalem in 1967.<sup>351</sup> Its inclusion serves to bring the historical narrative into the modern period and highlights the establishment of the modern state of Israel as an event just as important as the ancient selection of the High Priest or revelation at Sinai.

Another significant difference between Sternfield's *Seder Avodah* and the *Sidrei Avodah* of *The Union Prayer Book* and *Gates of Repentance* is the inclusion of only one of the three confessional texts from the Mishnah. At first glance, it may appear that Sternfield is modeling *The Union Prayer Book* as it too retains only one confession. The editors of *The Union Prayer Book*, however, retained the final plural confession, from *M. Yoma* 6:2, recited on behalf of the entire House of Israel. Sternfield, instead, retains the first confession, from *M. Yoma* 3:8, the single voiced text recited by the High Priest on behalf of himself and his family. The rationale for the inclusion of only one confession, and specifically this confession, was in order to highlight the history of the institution of the High Priest while "down playing" his role as an intermediary between God and the people. This confessional text is repeated by the entire congregation, making it clear that everyone is responsible for enacting atonement for themselves.<sup>352</sup> Sternfield concludes his abbreviated *Seder Avodah* with a reminder that Judaism, and hence its liturgy, constantly evolves and that "Wherever Jews settled, this process of renewal and development took root."<sup>353</sup>

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<sup>351</sup> Sternfield, ed., *The Union Prayer Book for the High Holidays*, 253.

<sup>352</sup> Sternfeield, July 13, 2011

<sup>353</sup> Sternfield, ed., *The Union Prayer Book for the High Holidays*, 260.

Rosenbloom's 2004 revision of Klein's *Seder Avodah*, mentioned briefly in Chapter Five, also draws from Kaplan, Kohn, and Eisenstein's 1948 Reconstructionist High Holiday prayer book. Generally speaking, Rosenbloom made few changes to Klein's work, but one of the most pronounced is his inclusion of the opening excerpt of Kohn's "The Upward Climb of Man." In what appears to be a symbolic nod to the traditional liturgical order, as it is left untranslated, Rosenbloom adds the opening sentence of אֲמִיץ כֹּחַ ('*Amits Koah*) to the start of Kohn's narrative,<sup>354</sup> but he then continues immediately to paraphrasing the opening of Kohn's historical preamble on the wonders of creation.<sup>355</sup> Again, apart from this striking addition, Rosenbloom retains virtually all of Klein's original text. He updates the language in order to be more gender inclusive, and modernizes the references to the State of Israel to reflect the success of Jewish life in Israel since Klein's writing; otherwise, Rosenbloom remains true to Klein's innovative mid-twentieth century text.

While Kaplan, Kohn, and Eisenstein's *Seder Avodah* continues to find a contemporary audience in the American and British liberal synagogue due to its adaption by Stern and Rayner and its subsequent inclusion by Goldstein and Middleburgh, Sternfield, and Rosenbloom in their respective volumes, it is no longer routinely used in the Reconstructionist movement.<sup>356</sup> The remarkably innovative *Seder Avodah* contained within *Kol Haneshamah Prayerbook for the Days of Awe*, edited by David Teutsch and

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<sup>354</sup> Klein, revised by Rosenbloom, 2004, 701.

<sup>355</sup> Klein, revised by Rosenbloom, 2004, 701-702.

<sup>356</sup> None of the congregations who responded to my survey reported using Kaplan, Kohn, and Eisenstein's 1948 High Holiday prayer book.

published by The Reconstructionist Press in 1999, bears little resemblance to its predecessor. As noted in the introduction to *Kol Haneshamah*, the Yom Kippur *Avodah* is among a number of passages that are completely restructured in this volume.

In the *Seder Avodah*'s case, the narrative is separated into three distinct sections, the first of which opens the Yom Kippur Additional (מוסף) service. The three sections, each containing one of the *mishnaic* confessional texts of the High Priest, are placed in different places throughout the *Amidah* of the Additional service in order to reflect the "overall...[progression] from concern with self to family to the Jewish people to all humanity" that is apparent, according to Teutsch, in this section of the service.<sup>357</sup> Also, while recollection continues to be a primary goal of the *Seder Avodah*, the editor's stated intention in this new structural formulation is to literally "place the worshipper in the role of the High Priest, and [to] lead each of us through forgiveness of self and family to community and the Jewish people and finally to the world."<sup>358</sup>

Not unlike Harlow's, Teutsch's *Seder Avodah* opens with a reduced, in this case greatly reduced, narrative from *M. Yoma* leading up to the first of the three confessional texts. The verses and half-verses from *M. Yoma* included here narrate the seven day period of preparation of the High Priest by the elders up to the first confession, inclusive of the confessional text from *M. Yoma* 3:8 and the community's response from *M. Yoma* 6:2.<sup>359</sup> Interestingly, and strikingly innovative, an extra confessional text that opens with

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<sup>357</sup> Teutsch, xxii.

<sup>358</sup> Teutsch, see commentary on p.860.

<sup>359</sup> Teutsch, 857-864 inclusive of excerpts from *M. Yoma* 1:1,3,5,6; 3:2-7, 3:8, and 6:2.

"וכך אנו אומרים" and draws heavily upon the language of the communal confessional preserved in *M. Yoma* 6:2 appears between the High Priest's confession and the community's response as recorded in *M. Yoma* 6:2 (i.e., ...והכהנים והעם העומדים...). It reads:

וכך אנו אומרים: אנה השם כפר נא לחטאים ולעונות ולפשעים שחטאו ושעו ושפשעו  
לפניך בית ישראל וכל יושבי תבל והגיענו לתקן עולם במלכות שדי ככתוב בתורתך כי ביום  
הזה יכפר עליכם לטהר אתכם מכל חטאתיכם לפני יהוה....

Thus do we declare: O Holy One, please grant atonement for the sins, the wrongdoings and the transgressions that the House of Israel have done before you, they, and all who dwell on earth. And bring us all to the world's repair through divine rule, as it is written in the Torah of your servant Moses: 'For on this day, atonement shall be made for you, to make you clean from all your wrongdoings.'<sup>360</sup>

This extra communal confessional appears after each of the three confessions of the High Priest and serves to underscore both the memorial and worship functions of this liturgical rubric. As has become a pattern in contemporary *Sidrei Avodah*, Teutsch demands that it is not enough to simply remember; rather, the congregation must model the High Priest and atone as he did in ancient days. This confession also calls upon the community to enact atonement through action, namely working towards repairing the world. After this first section of the *Seder Avodah*, which is labeled "*Avodah: First Confession – Self*," a number of readings are included which reflect the varied literary styles present in Jewish history and which deal thematically with the need for the individual to be present for others in order for the self to find meaning. Two of these readings, one written by famed physicist Albert Einstein and the other by American

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<sup>360</sup> Teutsch, 861-862, translation as it appears in the prayer book.

writer Marcus Savage, reflect the modern period.<sup>361</sup> One other reading attributed to “*midrash*” is actually a very well known folk tale, of unknown origins, which relates a tale of two brothers who each make sacrifices while putting the needs of the other ahead of their own. While this story is often attributed to Rabbinic legend, it is not found in the standard compendia of Rabbinic Midrash. The final reading represents the Rabbinic period and is taken from *M. Peah* 1:1.<sup>362</sup>

Teutsch’s *Avodah* narrative is now interrupted by the start of the *Amidah* and resumes at the end of the *Kedushat ha-Yom* of this *Amidah*. The “*Second Confession: For our People*,” as it is labeled, continues to draw from *M. Yoma* in its continuation of the atonement ritual narrative;<sup>363</sup> however, two non-*mishnaic* paragraphs are included as well. While these innovative paragraphs make reference to the role of the High Priest, they make it clear that now the entire “people Israel [are] under obligation to assume responsibility for our mistakes.”<sup>364</sup> Moreover, the second confessional text that follows is adapted to this idea that the entire House of Israel bears responsibility for atonement. The confessional quotes *M. Yoma* 4:2, as is customary, but in place of the phrase *אני וביתי* (“I and my house and the sons of Aaron, Your holy people”) Teutsch writes *אני ובית ישראל* (“I and the house of Israel”) removing direct reference to the House of Aaron. As in the first confessional presented in this *Seder Avodah*, the recollection of the High Priest’s confession is followed by the new confessional text which is modeled

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<sup>361</sup> See Teutsch, 1261, for appropriate annotations of these readings.

<sup>362</sup> Teutsch, 863-866

<sup>363</sup> Teutsch, 893-896, inclusive of excerpts from *M. Yoma* 3:9; 4:1,2; 6:2.

<sup>364</sup> Teutsch, 893.



on the communal formula used in the Mishnah and adapted for the contemporary congregation. It is followed by the communal response taken from *M. Yoma* 6:2.<sup>365</sup>

The *Seder Avodah* in *Kol Haneshamah* is interrupted once again, this time by an extensive Martyrology section, which consists of three different options from which to choose for worship.<sup>366</sup> A liturgical narrative focused on martyrology is normative to the worship order on Yom Kippur, but it is usually distinct from and follows the *Seder Avodah*. The *Amidah* then continues, inclusive of prayers of *selichot* and *viddui*. The final section of the *Seder Avodah* entitled “*Third Confession: For our World*” appears at the conclusion of the *Amidah* in the midst of the last blessing of the *Amidah*, the blessing for peace. Specifically, the narrative of the third confession appears immediately after the Priestly Benediction which introduces the formal blessing of peace. The “*Third Confession*” continues the atonement narrative again drawing directly from *M. Yoma*<sup>367</sup> and including the extra communal confessional text adapted for the modern congregation discussed above. The confession itself concludes with *M. Yoma* 7:4 exclaiming that the High Priest “made celebration...upon emerging safely from the holy place.”<sup>368</sup> As in the *First Confession – Self*, the *Third Confession: For our World* concludes with a series of readings. These readings, a collection of contemporary selections, a Talmudic legend, and various biblical excerpts, all reflect on future redemption and mankind’s role via acts

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<sup>365</sup> Teutsch, 896.

<sup>366</sup> Teutsch, 897-946 for the three Martyrology options; see note on p. 898 regarding the instruction to choose one of the three offerings.

<sup>367</sup> *M. Yoma* 5:1, 3; 6:2; and 7:4.

<sup>368</sup> Teutsch, 981-984.

of social justice in hastening its arrival.<sup>369</sup> The message is clear throughout this innovative *Avodah* order. The reenactment of the ancient atonement ritual has less to do with remembering the workings of the central Temple in Jerusalem and has far more to do with enabling atonement and useful action in the present day no matter where one lives and worships. Moreover, its presence throughout the *Amidah* and its culmination in the blessing for peace sends the subtle but palpable message that acts of social justice and worship together have the power to enable not only personal and communal atonement but can also bring about wholeness (i.e., שלמות, *Shelemut*) in the world.

The High Holiday prayer book *On Wings of Awe*, published by the B'nai B'rith Hillel Foundation, strives to “[respect] the diversity of the various movements in Judaism.”<sup>370</sup> Reminiscent of Issac Mayer Wise, Richard N. Levy, the book’s editor and translator, works to create a prayer order that will engender unity. In stark contrast to Wise, however, Levy does not hold out for a standard rite for all Jewry; instead, Levy recognizes diversity and “hopes” that his prayer book will be appropriate for Jews from a variety of “religious perspectives.”<sup>371</sup>

Just prior to the *Seder Avodah* in *On Wings of Awe* is a fairly lengthy section labeled “Introduction” that provides a reflection on the ancient Temple and its rituals, the meaning of sacrifice, and the value of remembering these “embarrassing” rituals. Indeed, this introduction reads as an apologetic for the *Seder Avodah*’s continued inclusion in the

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<sup>369</sup> Teutsch, 985-994.

<sup>370</sup> Levy, vii. Hillel is a non-denominational organization dedicated to promoting Jewish life on college campuses.

<sup>371</sup> Levy, vii.

prayer order. Levy views the retelling of the narrative as a necessary tool for maintaining the sacred link between past and present, yet at the same time recognizes the struggle modern worshippers face in finding meaning in such ancient and outdated rituals. He makes no attempt to turn the ancient *mishnaic* confessional passages into contemporary worship text; rather, he includes the *Seder Avodah* as “a challenge to explore through words the dimensions of our people’s ancient encounters with God.”<sup>372</sup> This introduction concludes with a Chassidic tale that underscores Levy’s intent on creating a link between past and present through recollection. In this story, the Ba’al Shem Tov engages in a ritual to avert misfortune that involved “going to a certain part of the forest to meditate, lighting a fire, and saying a prayer.” In each succeeding generation, one part of this elaborate ritual is forgotten until finally the last disciple realizes, “all I can do is tell the story, and this must be sufficient.” Telling the story and remembering through narrative replaces the specifics of ritual, but accordingly has the power to serve as a meaningful and adequate way in which to unify the community and connect with God.<sup>373</sup>

After this introduction is the *Seder Avodah* itself. It opens with the customary preamble which reviews history from a biblical point of view. Entirely in English, this preamble covers all of the themes typically reviewed including creation, Cain and Abel, the generation of the flood and Tower of Babel, the patriarchs, and finally the selection of Aaron. This history concludes by introducing the atonement ritual, “Each year while the sacred Temple stood, the same procedure would be followed.”<sup>374</sup>

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<sup>372</sup> Levy, 397.

<sup>373</sup> Levy, 398.

<sup>374</sup> Levy, 398-399.

The recollection of the atonement ritual included in the *Avodah* service contained within *On Wings of Awe* is also presented almost entirely in English. The only Hebrew offered in the narrative is in the section that recalls the High Priest's confession. Remarkably, only the second of the three confessional texts of the High Priest is offered in Hebrew. The other two confessionals are retained but are offered only in English. The community's response, however, as preserved in *M. Yoma* 6:2, is offered in Hebrew and English for all three confessions. While speculative at best, perhaps Levy emphasizes the paragraph containing the response of all "the people, who were standing in the Temple court [who] heard God's glorious and revered name" in each confessional in order to stress the community's role in the atonement ritual. The High Priest's role is vital to the ritual, but it also necessitates the participation of the community in order to be effective.

The narrative that surrounds the confessional texts is a very abbreviated summary of the account in *M. Yoma* beginning with the High Priest's seven day period of preparation and inclusive of his entrance into the Holy of Holies, the sending out of the scapegoat, and the High Priest's final immersion, change of clothes, and return home. The last passage of this *Seder Avodah* conflates the panegyric of the High Priest and prayer for prosperity often included in this genre into one concluding paragraph.<sup>375</sup> In sum, this *Seder Avodah* includes, save for the sacrificial details, all of the elements that are customary in the Yom Kippur *Avodah* genre. Like so many other examples of nineteenth and twentieth century *Sidrei Avodah*, this *Seder Avodah* accomplishes the task of offering a liturgical reference to the ancient ritual of atonement almost entirely in the

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<sup>375</sup> Levy, 398-404.

vernacular. At the same time, it offers explanatory material that serves to make the liturgy accessible and compelling for a contemporary audience, in this case presumably, though not exclusively, a college aged audience as indicated by the fact that it is published by the Hillel Foundation.

Another officially non-denominational High Holiday Prayer Book worthy of inclusion in this dissertation is מחזור חדש – *The New Mahzor for Rosh Hashanah and Yom Kippur*. *The New Mahzor* was edited and published in 1977 by two Conservative rabbis, Sidney Greenberg and Jonathan D. Levine, and has wide acceptance in the Conservative movement. It is, however, published by the independent Prayer Book Press.<sup>376</sup> Thirty-two congregations, twenty-four Conservative, six Reform, and two who identified themselves as “other,” reported using Greenberg and Levine’s volume for their Yom Kippur worship, representing eleven percent of the entire sample. Another two congregations reported using the *Seder Avodah* in מחזור חדש in place of another *Seder Avodah*. More remarkable, of the congregations that self-identified as “Conservative,” as many use this *mahzor* in place of one published by the Rabbinical Assembly, and none of those congregations who use מחזור חדש noted a plan to switch to the newly published מחזור לב שלם (*Mahazor Lev Shalem*), in the near future. This finding may indicate an overall sense of contentment with מחזור חדש by the congregations who use it; however, as

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<sup>376</sup> Sidney Greenberg and Levine, Jonathan D., eds., מחזור חדש – *The New Mahzor for Rosh Hashanah and Yom Kippur* (Bridgeport: The Prayer Book Press of Media Judaica, 1999). Greenberg and Levine’s *The New Mahzor* was first published in 1977. It was most recently revised and “enhanced” by egalitarian English translations in 1999. I studied the *Seder Avodah* contained within the 1999 edition.

congregations were not asked if they intended to switch prayer books in coming years, such a deduction is entirely unscientific.<sup>377</sup>

Greenberg and Levine's *Seder Avodah* is a simple and efficient rendering of the ancient atonement ritual. It appears, as in traditional prayer books, in the midst of the *Kedushat ha-Yom* of the *Amidah* of the Additional Service; however, unlike most presentations of the *Seder Avodah*, both traditional and non-traditional, no introductory preamble reviewing biblical history is included.<sup>378</sup> Instead, two twentieth century readings are offered which serve as an introduction by providing a bit of an apologetic as well as some historical background to the recollection of the ancient atonement ritual that follows. The three confessional texts from *M. Yoma*, in Hebrew and translation, are presented in quick succession. There is very little narrative surrounding the High Priest's confessions, and the little that is provided is offered in significantly smaller and italicized print as if to be read individually as commentary to the worship narrative. Included in this bit of commentary is a singular reference to the blood sprinkling ritual that is omitted from virtually every other *Seder Avodah* discussed in this chapter, with Harlow being the exception.<sup>379</sup> Following the three confessions, a series of English readings appear that

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<sup>377</sup> It is important to note that a weakness of my study is that respondents were not asked directly if they planned to switch to the Rabbinical Assembly's most recent High Holiday prayer book; rather, those who stated so volunteered the information on their own. Unfortunately, I was unaware of the publication date for this new *mahzor* at the time I prepared and sent the survey.

<sup>378</sup> See Greenberg and Levine, eds., מחזור חדש, 637-643 for the *Seder Avodah* included in their High Holiday prayer book.

<sup>379</sup> Greenberg and Levine, eds., מחזור חדש, 640.

reflect on the themes of sacrifice, worship, and atonement.<sup>380</sup> The appeal of this rendering of the *Seder Avodah* can perhaps be attributed to its brevity and simplicity.

As already noted, the Conservative movement's Rabbinical Assembly published a new *maḥazor* in the summer of 2010 entitled, מחזור לב שלם (*Maḥazor Lev Shalem*). The *Seder Avodah* contained within this volume offers a remarkable addition to the *Avodah* genre.<sup>381</sup> The text itself is not at all original; rather, the *Avodah* narrative, inclusive of the customary historical review and the review of the High Priest's atonement ritual, is comprised of sections from three preexisting and premodern *Sidrei Avodah*: אזכיר סלה, אזכיר גבורות (*'Azkir Gevurot*), and אמיץ כה (*'Amits Koah*). Striking in comparison to many other contemporary presentations of the *Seder Avodah*, this *Avodah* order is presented entirely in Hebrew. English translations appear on pages opposite to the Hebrew, and additional commentary appears in the margins; however, nowhere does the vernacular replace the Hebrew.

In Feld's מחזור לב שלם (*Maḥazor Lev Shalem*), the *Seder Avodah* opens with the introduction to אזכיר גבורות (*'Azkir Gevurot*), an *Avodah* poem attributed to Yose ben Yose and already discussed in Chapter Three of this dissertation. This opening passage extols God, briefly reviews the selection of Levi, and concisely reflects on the High Priest's seven day period of preparation that preceded the ritual of atonement. A selection from a *Seder Avodah* poem attributed to the tenth century Italian poet Yochanan ha-Cohen ben Yehoshua immediately follows this passage. This *Seder Avodah*, אזכיר סלה (*'Azkir Sela*) is mentioned in the literature as early as Elbogen and is included in

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<sup>380</sup> Greenberg and Levine, eds., מחזור חדש, 642-643.

<sup>381</sup> See Feld, ed., 327-335 for the *Seder Avodah* included in this volume.

Malachi's 1973 dissertation; however, it does not appear in any other extant prayer books.<sup>382</sup> The excerpt included by Feld seamlessly picks up the narrative and takes the reader through the preparations of High Priest up to his first confession. The excerpt reads:

When the priests gathered at midnight of Yom Kippur, they drew lots for the privilege of sweeping the altar, so that none might push ahead. Then they chose yet again to appoint those who would sweep clean the outer altar and wipe the inner sanctum's candelabrum; none could exchange places.

The priestly officer called out, "May the priests who were chosen thorough the secret lot for the privilege of lighting the incense and the removal of the innards before the sacrifice is brought to the altar come forward; and may none change places." Finally the assistant would ask, "Has the dawn broken so that we may slaughter the morning sacrifice, not in the dark.

Then the High Priest was surrounded by his acolytes who stood outside the pool with a curtain between so that they would not gaze upon him.

He bared his flesh, immersed himself, and then put on the eight priestly garments, for he had prepared himself in conformity with the unchanging law. Appropriately and unerringly, he slaughtered the sheep, spilled its blood, offered the incense, lit the lamp, arranged the sacrifice on the altar, and poured the libation.

Then he once again came out to the porch to sanctify and immerse himself – this time putting on the white linen vestments, not the gold ones. He stretched his hands over the bull and confessed his sins and those of his household, withholding nothing in embarrassment.<sup>383</sup>

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<sup>382</sup> See Elbogen, *Studien*, 84-85. See also Malachi, "The 'Avodah' for Yom Kippur," 45. Malachi also includes the entire text in Volume II of his 1973 dissertation on the *Seder Avodah*, a volume which serves as an appendix containing the texts of the poems studied.

<sup>383</sup> Feld, ed., 329.



As is customary, Feld's *Seder Avodah* includes the three confessional texts of the High Priest from *M. Yoma* inclusive, in each case, of the communal response preserved in *M. Yoma* 6:2. A section of Meshullam ben Kalonymous' אמיץ כהן ('*Amits Koah*') follows the first of the three confessions and takes up the narrative with the choosing of the Azazel and proceeds through the rest of the atonement ritual including the confession on behalf of the House of Aaron, the slaughtering of the sacrificial bull, the sprinkling of its blood on the altar, and the confession on behalf of the whole House of Israel. Missing from Feld's *Seder Avodah* is any glorification of the High Priest. He does, however, include the customary prayer for the upcoming year and a short lament on the loss of the Temple and its rituals.<sup>384</sup>

Feld's *Seder Avodah* is innovative in its creative use of earlier known medieval *Avodah* poems. At the same time, it has a traditional quality due to its reliance on premodern texts. It makes no attempt to rewrite or recontextualize the liturgy of the ancient atonement ritual as a vehicle for atonement today as was common among many nineteenth- and twentieth-century liturgists. The inclusion of the *Seder Avodah* in מחזור לב שלם (*Maḥazor Lev Shalem*) is for the purpose of memory. It is intended to serve as a reminder of the "holiest site" in the "holiest place," namely the Temple in Jerusalem, and to remind the worshipper of the rituals that took place on this "holiest of the Shabbatot," the Day of Atonement.<sup>385</sup>

Before concluding this chapter on current practice, it is important to report on a notable, albeit small, group of congregations within the Reform movement that omit the

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<sup>384</sup> Feld, ed., 334.

<sup>385</sup> Feld, ed., 326.

*Avodah* liturgy altogether. Thirteen congregations, representing about five percent of the respondents, all who self-identified themselves as Reform, reported omitting the *Seder Avodah* from their Yom Kippur worship and replacing it with either a healing service, special readings, and/or a text study and discussion. In many cases, reflecting on the past, albeit not the Temple, remains the predominant theme in these creative changes to the liturgy. Only one congregation reported simply skipping over the *Seder Avodah* as opposed to replacing it with any other content.<sup>386</sup> In addition, fifty-eight congregations, representing twenty-percent of the entire sample, reported abbreviating or making “significant deletions” to the *Seder Avodah* from which they worshipped. Taken together, these two groups form almost a quarter of the entire sample which may indicate a declining interest in the *Seder Avodah* as a liturgical rubric.

At the same time, thirty-three congregations, representing almost twelve percent of the sample, reported using original, but unpublished, *Seder Avodah* liturgies in place of the *Seder Avodah* printed in the prayer books used by their congregations, indicating, at first glance, a continued interest in the genre. An attempt was made to collect and review these unpublished liturgies; however, only five respondents agreed to send me manuscripts. Of these five manuscripts, three were, in actuality, not original texts, but instead were slightly modified versions of the *Seder Avodah* that appears in *Gates of Repentance*. In each of these three cases, the text was basically reprinted in a manner to enable a dramatic English reading of the narrative while involving a number of participants. Arguably, these texts are trying to bring an innovative presentation to a

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<sup>386</sup> Fourteen congregations represents 5% of the entire sample and 8% of those congregations who identified as Reform.

preexisting *Avodah* text, but they do not qualify as innovative *Sidrei Avodah*. The two remaining manuscripts that I received are original; however, whether they qualify as examples of the *Seder Avodah* genre is debatable. Both of these manuscripts are included in Appendix C of this dissertation. They are printed there in the format in which they were sent to me.

The first of these two original submissions was sent to me by Eric Schulmiller, who serves as cantor of The Reconstructionist Synagogue of the North Shore in Plandome, New York. As Schulmiller explained in an email exchange, his congregation's innovative *Seder Avodah* strives to

weave the more modern valuation of Avodah as communal service into the traditional Avodah structure. In keeping with the tripartite division of the original Avodah service during which the priest makes successive atonement for self, family, and community, we have members of our Social Action Committee introduce three *tikkun olam* initiatives – one local, one involving the greater community, and one of a global scale. In between each project, we interweave liturgical texts which speak to the various themes of the Temple, Avodah, and service.<sup>387</sup>

The text is not only entirely in English, but Schulmiller also makes no attempt to present any part of the traditional *Avodah* liturgy, not even any of the High Priest's confessions. He references it but does not include any of the historical narrative. He opens his "Yom Kippur Avodah Service – A Call to Serve" dramatically with a quotation from the twentieth century philosopher, Franz Kafka, that reads,

Leopards break into the Temple and drink to the dregs the blood in the sacrificial pitchers; this is repeated over and over again; finally

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<sup>387</sup> Eric Schulmiller, email correspondence with author, May 4, 2010.

it can be calculated in advance, and it becomes a part of the ceremony.<sup>388</sup>

Drawing on Kafka's image of habitual practice forming out of extraordinary, and perhaps disturbing, phenomena, he explains the task at hand, namely seeking atonement through *Avodah*. In this case, *Avodah* is understood literally as hands-on work, not unlike the High Priest's hands-on experience of sacrificial ritual, that serves the self and community. "Echoing the three-fold confessional of the High Priest on Yom Kippur," this *Seder Avodah* continues to present the three very specific social action projects. Various short readings, both modern and Rabbinic, that serve to underscore the power of righteous action as worship are interspersed throughout the presentation.

The second original and unpublished *Avodah* text was sent to me by Diane Cohen, a Conservative rabbi currently based in Los Angeles, California. Her *Avodah Reading for Two Voices* was written for Yom Kippur 2009 and, like Schulmiller's, is more reflection on the *Avodah* rather than a *Seder Avodah* itself. The reading is, in essence, an imagined conversation between the ancient High Priest and the contemporary Rabbi. Here, too, the text is almost entirely in English. The sole Hebrew verse appears at the very end of the dramatic reading when both voices come together in leading the congregation in the recitation of, "ברוך שם כבוד מלכותו לעולם ועד." Cohen's dramatic reading draws attention to how each figure prepares for and engages in their role within their respective communities on the Day of Atonement and, in doing so, highlights the basic

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<sup>388</sup> *Yom Kippur Avodah Service – A Call to Serve*, 5766 (unpublished manuscript, 2005), 1, see Appendix C.

similarities between the ancient ritual of atonement and today's rituals of worship.

"The Rabbi" concludes however,

In our rational age, we must not be too quick to dismiss the sacrificial system of ancient times...all we have today are words, and they fail us in comparison with the spectacle the Israelites watched with such awe....And what we have that our ancestors did not is the ability to participate, so that my community can say the same words I do, chant the same words the cantor chants....Today we are not passive. Today we can cease being an audience and become actors in the drama of Yom Kippur. That is both empowering and humbling.<sup>389</sup>

Historical continuity to the ancient atonement ritual is maintained not through reiterating the confessions of the High Priest, but rather, it is maintained through mimicking the broader community and responding similarly with *בשכמל"ו*.

Both of these texts are viewed by those who wrote them as *Sidrei Avodah*. They were sent to me in response to a request for innovative examples of the *Seder Avodah*. Both of these texts also serve as creative and compelling reflections on the *Seder Avodah* and may indeed function as a replacement for a full *Seder Avodah* in the congregations in which their authors serve. At the same time, neither text strives to fit the historical model of the *Seder Avodah*, a model which has been shown to have served as a template for liturgical writers throughout history.

Whether the practices of these congregations who omit or replace the *Seder Avodah* reflect any trend towards doing away with the *Seder Avodah* in the liberal synagogue cannot be determined by this study alone; however, this study can and should serve as a worthy baseline for future investigation into the worship habits of the modern

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<sup>389</sup> Diane Cohen, "Avodah Reading for Two Voices" (unpublished manuscript, 2009), 3.

synagogue with regard to the Yom Kippur *Seder Avodah*. Certainly, the results of this study, inclusive of the above review of the *Sidrei Avodah* currently in use in the liberal synagogue in America, indicate that the *Seder Avodah* is a liturgical rubric that still receives significant attention. Contemporary prayer book editors are clearly interested in including the *Seder Avodah* in their volumes. All mainstream High Holiday prayer books published in the twentieth, and to date in the twenty-first, century include a *Seder Avodah* based, even if loosely, on the inherited, traditional format. Other worship leaders who have written their own substitutions may not be interested in following the traditional structure of the *Seder Avodah* but are still very much interested in addressing the themes of the *Seder Avodah* and using them to encourage atonement and activism. At the same time, the large percentage of congregations turning away from the published versions of the text indicate a waning interest in recalling some of the more challenging themes traditional to the *Seder Avodah*. A significant question that remains is whether the interest in the *Seder Avodah* on the part of prayer book editors, an interest that is certainly documented by this study, translates into a continued interest in the *Seder Avodah* by those leading worship and, perhaps more importantly, the worshippers using these texts.

## Chapter Seven: The Accommodation of the *Seder Avodah*:

### Summary and Conclusions

In 1825, the newly formed Reformed Society of Israelites of Charleston, South Carolina published a statement of principles that reflected a desire among a group of individuals, led by writer Isaac Harby, to reform the traditional order of worship. Their goal in making reforms was to make Jewish worship reflect what they viewed as the “enlightened state of the world.” They were very clear that they did not wish “to overthrow, but rebuild – not to destroy, but to reform and revise...Not to abandon the institutions of Moses, but to understand and to observe them.”<sup>390</sup> This vision of consciously and carefully rebuilding and revising the liturgy to reflect a world that was quite different from the one in which that liturgy first originated can be appropriately applied as a description of the work done on the *Seder Avodah* throughout the modern period.

The *Seder Avodah* of Yom Kippur, a retelling and verbal reenactment of the Yom Kippur atonement ritual that took place in the ancient Temple in Jerusalem, has had a long and remarkable history which begins at least as early as the period of the Mishnah and continues through the present day. Moreover, as discussed in Chapter Three of this dissertation, evidence points to precursors of this liturgical insertion for Yom Kippur appearing as early as the Second Temple period. It appears that early writers of *Avodah*

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<sup>390</sup> Cohn, ed., 2-3.

poetry modeled their renderings of the narrative that grew around the Mishnah's confessional ritual on the literature of the Second Temple period. Whether these early poets were consciously emulating the authors of such Second Temple period works as Ben Sira, or were themselves writing contemporaneously with them and were thus influenced by similar literary trends, is impossible to deduce. Regardless, the impact of this early literary period on the *Seder Avodah* is clear. While there has been a tendency to view the *Avodah* genre as closed to innovation after the medieval period, High Holiday prayer books of the nineteenth and twentieth centuries indicate that the genre of the Yom Kippur *Avodah* does, in fact, remain quite open to innovation. It is also clear from today's *mahzorim* that its history of being rebuilt and revised will continue well into the future. As reviewed in Chapter Six, both the Reconstructionist and Conservative movements have introduced new and innovative *Sidrei Avodah* in the past decade which are being used in congregations throughout America. Additionally, the Reform movement has embarked on the process of revising their High Holiday prayer book, and the *Avodah* liturgy has been the focus of increased attention and study in this process. It is very likely that the *Avodah* service will experience renewed attention in this volume.<sup>391</sup>

That being said, the themes and content of the historic *Seder Avodah* raise major challenges for the modern American Jew and today's prayer book editors. These challenges must continue to be addressed in order for this liturgical rubric to remain relevant. This survey of the expression of the Yom Kippur *Avodah* in the modern period

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<sup>391</sup> Leon Morris, interview with author, May 11<sup>th</sup> and May 18<sup>th</sup>, 2011. Morris is a member of the committee tasked with editing a new Reform High Holiday prayer book and the author of a comprehensive unpublished study guide on the *Seder Avodah* entitled, "*Seder Ha-Avodah* (The *Avodah* Service): Working out the Origins and Contemporary Meaning of Yom Kippur.



has uncovered many of those challenges, identified how liturgists have dealt with them to date, and hopefully will aid those endeavoring to revise the *Seder Avodah* for twenty-first century worship.

It is clear from this survey that the recollection of the sacrificial cult, which was central to the atonement ritual in the ancient period, raises one of the greatest challenges to the modern Jew. Animal sacrifice as a form of worship is so far removed from our modern conception of worship that it is extremely difficult for most Jews to engage in a liturgical rubric that replays, even if only verbally, such rituals. The idea that humans can enact or attain atonement through the violent murder of an innocent animal smacks of barbarism, and Jews of the modern period work to distance themselves far from it.

Beginning in the nineteenth century, all authors of the *Seder Avodah* for Yom Kippur have been challenged by and have addressed the attention paid to the uncomfortable and ancient cultic rituals of Temple worship in some manner. Samuel Luzzatto's *Avodah* poem, the first of the modern period, appears to be the last original composition to voice significant feelings of loss and remorse concerning the end of the sacrificial cult. His concern, however, is less about the loss of animal sacrifice or the institution of the priesthood than it is about the loss of a centralized locus of prayer. He writes, "there is no longer service in the Temple...pray God will find our sincerity...perhaps we will find redemption, perhaps [God] will find us, all of us come seeking your compassion."<sup>392</sup> As Richard Rubenstein duly noted more than a century after Luzzatto in his defense of, ironically enough, a conservative approach to liturgical reform that retains references to the Temple's sacrificial system of worship, "An aura of

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<sup>392</sup> Luzzatto, *Kinnor Na'im*, 342-343.

embarrassment hangs over the treatment of sacrifice in contemporary Jewish liturgy.”<sup>393</sup> Though more than forty years have passed since he made this insightful comment, it still holds true. One of the most consistent findings in this dissertation’s review of the *Sidrei Avodah* of the modern period is an ongoing struggle regarding how to handle rituals that, though now troubling and outdated, were central, and perhaps vital, to Jewish life in the ancient period.

Another troubling feature of the historic *Seder Avodah* that runs counter to modern ideals is the primacy of the House of Aaron and the role of the High Priest which was fundamental to the procedures of the Temple atonement ritual, and which is part and parcel of every *Seder Avodah* appearing through the medieval period. This emphasis on the stratification of the Jewish community into a hierarchy of classes ran counter to post-French revolution Enlightenment values in nineteenth century Europe, and it certainly runs counter to the modern American value of democracy today. The Reform movement, from its start in post-Enlightenment Germany, for example, found such references to the hierarchy inherent in the institution of the ancient Temple to be in conflict with its democratic, and eventually egalitarian, vision. In 1885, the Pittsburgh Platform, the Reform movement’s first formal statement of principles, a statement that was greatly influenced by the rabbinic gatherings that took place in Germany in the 1840s, dismissed all laws regarding “priestly purity” as an “obstruction to...modern spiritual elevation;”

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<sup>393</sup> Richard L. Rubenstein, “Atonement and Sacrifice in Contemporary Jewish Liturgy.” *After Auschwitz: Radical Theology and Contemporary Judaism* (Indianapolis: Bobbs-Merrill, 1966), 93.

and, the expectation, indeed the desire, to “return to Palestine, [or to] a sacrificial worship under the sons of Aaron” was formally rejected.<sup>394</sup>

While perhaps the only movement to formally reject the notion of an inherited priesthood in a defining platform, the Reform movement was not unique in its rejection of this notion of inherited stratifications of society in practice. Mordecai Kaplan’s conception of Judaism as an evolving civilization, for example, points to the Aaronic priesthood as a necessary institution of the past, but his conception acknowledges that the Priestly class no longer remains meaningful or necessary in the modern period.<sup>395</sup> Moreover, while the Conservative movement tends to retain the categories of the priestly hierarchy in its liturgy as a symbolic reference to the past, as early as the mid-1950s, Rabbi Ben Zion Bokser, a former chair of the Conservative movement’s Law and Standards committee, argued in a discussion regarding the status of the *Kohen* and marriage, “the very few prerogatives left to the *Kohen* stand as a vital reminder of the immense progress made in the democratization of Judaism.”<sup>396</sup> This rejection, whether formal or practical, of the biologically determined religious and social hierarchy implied by the role of the High Priest in the ancient *Avodah* atonement ritual is addressed by nearly all authors of the *Seder Avodah* in the modern period.

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<sup>394</sup> CCAR, “The Pittsburgh Platform -1885.” Central Conference of American Rabbis, n.d., Web. 10 July, 2011. <<http://ccarnet.org>>. Or, in print, Meyer, 387-388.

<sup>395</sup> Mordecai Kaplan, *Judaism as Civilization* (New York: The Reconstructionist Press, 1957), 210-220.

<sup>396</sup> Rabbinical Assembly. “Discussion: Teshuvah on a Kohen marrying a Divorcee.” *Proceedings of the Rabbinical Assembly*. 18(1954): 59-60.

Related to the questions of how to deal with the manner of Temple worship, namely animal sacrifice and the religious hierarchy implicit in the role of the High Priest in the atonement ritual, is also the question of how to deal with the centrality of the Temple itself to the atonement ritual. For many modern Jews living in and experiencing the remarkable success of the Diaspora, the Temple, an institution rooted fully in the past, no longer remains compelling as an institution to be replicated or emulated. Not only do the rituals and the staffing arrangement counter modern notions of worship, but the ideals forwarded by the institution of the Temple itself, a locus of temporal and religious power in its day, counter today's notion of the separation of church and state. The imagery of the ancient Temple and its centralized rituals no longer has the same power that it perhaps had during the Rabbinic and medieval periods when the Jewish community felt less at home in the Diaspora. Authors of the *Avodah* in the modern period, particularly those writing in the second half of the twentieth century, are forced to strike a delicate balance between highlighting the Temple as a compelling institution of the ancient period, while forwarding the integrity and importance of the rich history that has since followed the Temple period, a history that has led to the success of modern day Jewry.

The modern approaches to dealing with the challenges raised by the prominence of, and tendency towards, venerating the Temple and its rituals in the *Seder Avodah* tend to fall into three general, though somewhat overlapping, categories: excising, apologizing, and recontextualizing. The first approach, which is most common in the Reform High Holiday prayer books of the second half of the nineteenth century, involves removing any and all of the troubling details, namely the plethora of detail referring to the sacrificial cult and the elevation of and special roles of the *Levites* and *Kohanim*.

Liturgists of this period worked diligently to portray animal sacrifice as a primitive tool for worship that is not at all desirable outside of the ancient period. For instance, Abraham Geiger, whose prayer book is discussed above in Chapter Four, excised all references to sacrifice in his *Seder Avodah*, and he argued that animal sacrifice as a vehicle of worship was barely tolerable even in its own day. He was certain that God much preferred sincere verbal petitions of the heart, and thus there was no place for even a recollection of past barbaric practices in the *mahzor*.<sup>397</sup> His approach became the model of liturgical reform of the *Seder Avodah* in both Germany and America until the mid-twentieth century. Both Wise and Einhorn, for example, follow this model of accommodating the *Seder Avodah* to modernity. Sacrifices, simply put, were viewed as embarrassing. There was no interest in explaining them or even remembering the import they once had in the ancient world. Rather, the *Avodah* was purged of all of its references to the Temple ritual except to provide an example of what was no longer acceptable and was presented in a manner that fully reflected the worship patterns of the modern period. The emphasis on the selection of the House of Levi, too, was generally fully displaced. No longer was the selection of the sons of Aaron for the priesthood the culminating event in biblical history; instead, Sinai, a moment in which the entire community of Israel could participate, became the ultimate and climactic moment in the *Seder Avodah*'s narrative of biblical history.

Other liturgists of the nineteenth century showed great discomfort with the *Avodah* texts inherited from the medieval period, yet they were less bold than Geiger in

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<sup>397</sup> Abraham Geiger, *Judaism and its History*, trans., Charles Neuburgh (New York: Bloch Publishing Company, 1911), 64ff.

making changes. Merzbacher, for instance, removes excessive detail such as the blood sprinkling ritual in his adaptation of א.כ. עולם מראש. He also refrains from glorifying the role of the High Priest and, by extension, the rituals of the Temple, by concluding not with the customary panegyric of the High Priest but with a clear statement that the period of sacrificial worship has past. Attempts, such as those by Merzbacher, however, apparently did not go far enough in editing out uncomfortable detail as they faced further revisions and excisions by later editors. Furthermore, it was the revised and reduced versions, such as both Adler's reworking of Merzbacher's and Jastrow's reworking of Szold's *Seder Avodah*, that become more publically accepted, as evidenced by their widespread usage.

The second common approach to addressing the historic mandate of recalling this now obsolete institution of worship is to include the challenging details of the Temple's atonement ritual and the priestly service while offering explanation and apologetic for their inclusion in a modern order of worship. Both the memory of the past and the role that the Temple and its rites played in the ancient period are highly valued in this approach, even if retaining ambivalence towards the specific rituals and the structure of the Temple is present. Fränkel and Bresselau, for example, took such an ambivalent approach in their otherwise pioneering Hamburg Gebetbuch. As is discussed in Chapter Four of this study, in order to preserve continuity with the past and peace within their own community, they made use of an already existing text, the normative Sephardic *Seder Avodah*, אתה כוננת עולם מראש ('*Attah Konnanta 'Olam Merosh*'), inclusive of all of its references to the sacrificial cult in the Hebrew text. At the same time, however, they

worked to minimize the amount of attention paid to the sacrificial details and the specialized role of the Levites in their German translation.

A far more recent but similar approach to dealing with the attention paid to the sacrificial rituals that were historically included in the *Seder Avodah* can be found in Silverman's twentieth century *High Holiday Prayer Book*. Like Fränkel and Bresselau a century earlier, Silverman retains a preexisting and premodern text, in his case the Medieval אֲמִיץ כֹּהֵן ('*Amits Koah*) He, however, retains a full translation of the Hebrew adding commentary to it in order to forward a very specific agenda for the retention of this text and all of its bloody detail. The worshipper is instructed that the purpose of the narrative is to recall the past and be motivated by the sentiment intended by the sacrificial rituals but not by the rituals themselves; accordingly, the details of the ritual are not at all worthy of emulation, but the intent behind them is. The opening mandate of his concluding remarks, "O may our remembrance of the Avodah lead us to true repentance,"<sup>398</sup> is instructive. The worshipper is not to overly glorify them or strive for their return, but rather is to remember the Temple and its ancient sacrificial rituals in order to be moved to similar devotion and awe in contemporary worship.

The third, and perhaps most creative manner of dealing with the challenging issues raised in the premodern iterations of the *Seder Avodah*, has been to rewrite the *Seder Avodah* by drawing on the literature of the historic genre while recontextualizing the ritual, so that it functions as a contemporary synagogue based atonement ritual. This approach is often used simultaneously with excising difficult material. Issac Mayer Wise was the first to rewrite the entire *Seder Avodah* for liturgical use in such a manner. His

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<sup>398</sup> Silverman, 376.

text, as described in Chapter Four, is fully consistent with the *Avodah* genre despite his complete removal of the details of the atonement ritual, yet it also strives to be compelling to the audience of his day, namely mid-nineteenth century America. Elevating the entire community to the priesthood (i.e., “kingdom of priests”) whose verbal petitions of atonement are as worthy as those of the High Priest brings the entire ritual into the present and validates Diaspora synagogue worship as a substitute for the Temple cult. Einhorn eloquently follows suit in his portrayal of the congregation as recipients of the priestly mantle who “[glow] with pious devotion” and who are held to an even higher standard of service than those of the House of Aaron.<sup>399</sup> The Temple based atonement ritual becomes a metaphor, not a model, for present day worship.

Noteworthy in the presentations of the *Seder Avodah* written for the liberal synagogue beginning with Geiger is the use of the vernacular as a primary language for worship. Prior to Geiger, the vernacular was only presented in the *Seder Avodah* as a translation, not as a replacement for the Hebrew text. As early as the 1825 Statement of Principles of Reform outlined by Isaac Harby and his followers in Charleston, however, comprehension was labeled “fundamental” to modern day worship:

a correct understanding of divine worship is not only essential to our own happiness and a duty we owe to the Almighty Disposer of events, but is well calculated at the same time to enlarge the mind and improve the heart.<sup>400</sup>

Today, the vernacular is routinely used in the Reform and Reconstructionist movements as the primary language for worship in the *Seder Avodah*, and a number of *mahzorim*

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<sup>399</sup> Einhorn, עלת תמיד – *Book of Prayers*, 266-267.

<sup>400</sup> Cohn, ed., 2.



currently used by Conservative congregations also use the vernacular in their *Sidrei Avodah*, not just for translation but as the primary language in the narrative's presentation.

Language is significant, and I believe that it is the use of the vernacular in the innovative presentations of the *Seder Avodah* of the modern period that has led previous scholars to ignore these texts as new contributions to the genre. Generally, such exclusions, however, fail to recognize the continuity of the liturgy and the continued interest in the *Seder Avodah*. Such exclusions also fail to recognize the vernacular as a valid language for worship. Kaplan, Kohn, and Eisenstein's *Seder Avodah*, included in their 1948 High Holiday Prayer Book, is one of the most enduring *Avodah* texts of the modern period, having influenced various *mahzorim* of the twentieth and early twenty-first century, but it has been completely ignored in the scholarly literature on the genre of the *Seder Avodah* until now. While references to the sacrificial detail of the atonement ritual are removed, it carefully follows the literary pattern of the medieval *Avodah* poetry that predates it and includes the three-fold confession of the High Priest. The only reason I can imagine that it is ignored is that much of the historical narrative is offered solely in English. Ironically, it is most likely the poetry, accessibility, and understandability of the English narrative that has made the text so popular and worthy of emulation.

A natural question arises after this full review of the *Seder Avodah* in the modern period, namely, must this ancient, messy, and frankly, by modern standards, confusing ritual be remembered in order to inspire atonement in the contemporary synagogue? The very fact that the *Seder Avodah* has endured as a liturgical rubric in the contemporary *mahzor* answers the question to a large degree. Perhaps it isn't required, per se, but the

fact that it has not been excised from any complete and enduring High Holiday prayer book in America underscores the compelling nature of recalling this ancient ritual of atonement. Moreover, as discussed in Chapter Six, the number of congregations that reported altogether doing away with the Yom Kippur *Avodah* remains rather small. Many are troubled by the relevance of the content of the *Seder Avodah* to modern worship, and some try to bring something fresh to the genre; however, few are willing to excise it completely from worship. Perhaps, as Rubenstein argues, part of what makes remembering the Temple ritual so compelling is that the communal gathering in one centralized location in order to “share our failure as well as our resolutions for future vision” is inherent in the atonement ritual.<sup>401</sup> Jeffrey Cohen, the author of the book, *Prayer and Penitence*, argues that the purpose of remembering the ancient atonement ritual through the *Seder Avodah* is to provide unifying “historical reminiscences” of the Temple in all of its former glory so that it will “[stimulate] us to collective action.”<sup>402</sup> The purpose, thus, is to create communal cohesion by remembering a time when there was far less geographical dispersion and diversity. Or, perhaps its continued relevance today is as simple as the nineteenth century prayer book editor, Adler, implies in the introduction to his revision of Merzbacher’s prayer book. Some traditions, even if not fully comprehensible, must be retained “...so as to do equal justice to the claims of the past, and to the demands of the present.”<sup>403</sup> The *Seder Avodah*, accordingly, is retained

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<sup>401</sup> Rubenstein, 98-99.

<sup>402</sup> Jeffrey M. Cohen, *Prayer and Penitence* (New Jersey: Aronson, 1994), 212-213.

<sup>403</sup> Merzbacher, revised by Adler, 1863, xiii.

not because it is theologically compelling but rather because it serves as a dramatic and powerful tool for preserving historical continuity.

There is no question that, despite the challenges raised by remembering the Temple's atonement service, the *Seder Avodah* not only remained an open genre of synagogue poetry well beyond the medieval period but remains so today. Despite qualifications labeling him as such, Luzzatto was far from the last poet to author a *Seder Avodah*. He was certainly the last to do so entirely in Hebrew, but his innovative Hebrew text also never found an audience in the modern day synagogue. His singular contribution to the *Avodah* genre thus remains unknown to all but the interested scholar. As is evidenced by this thorough review of the *Seder Avodah* in the modern period, synagogue poets since Luzzatto, too, remain interested in the *Seder Avodah*, and like Luzzatto, they do not necessarily seek to preserve the text exactly as inherited from the ancient and medieval periods. Liturgists since the mid-nineteenth century are willing and eager to make changes in the text including expressing the themes of the *Seder Avodah* directly in the vernacular. Generally speaking, these writers are also eager to preserve the literary structure of the genre inclusive of the historical and confessional narratives. Those, like Teutsch, in the Reconstructionist movement's *Kol Haneshamah*, who veer from the traditional form do so in order to reframe the atonement narrative using a modern construct of worship. The direct focus is less about memory than it is about creating a contemporary atonement ritual based on the language of the historic *Seder Avodah*.

Modern writers of the *Seder Avodah* must balance their interest in recalling the past in a manner which highlights the significance and glory of the Temple in its day

while simultaneously working towards creating a liturgy that reinforces modern conceptions of worship and atonement. They also must do so in a way which is comprehensible and accessible. This is no easy task. The small number of congregations that omit the *Seder Avodah* may indicate some disenchantment with this task. Only future study into the *Seder Avodah* and current worship practices will be able to assess whether the practices of these congregations represent a growing trend or simply a small divergent population. This review certainly indicates that the themes of the *Seder Avodah* remain compelling, and the task of balancing the past with the present will continue to be present and relevant in the liturgical practices of the American synagogue well into the future.

### Appendix A: *Mishnah Yoma* Chapters One through Eight

1. 1. Seven days before the Day of Atonement the High Priest was taken apart from his own house unto the Counsellors' Chamber and another priest was made ready in his stead lest aught should befall him to render him ineligible. R. Judah says: Also another wife was made ready for him lest his own wife should die, for it is written, *He shall make atonement for himself and for his house* (Lev. 16:4); 'his house' – that is his wife. They said to him: If so there would be no end to the matter.

2. Throughout the seven days he must toss the blood and burn the incense and trim the lamps and offer the head and hind leg; but on other days he offers [only] if he is minded to offer; for the High Priest has first place in offering a portion [of the animal-offerings] and his first place in take a portion.

3. They delivered unto him elders from among the elders of the Court, and they read before him out of the [prescribed] rite for the day; and they said to him, 'My lord High Priest, do though thyself recite with thine own mouth, lest thou hast forgotten or lest thou hast never learnt'. On the eve of the Day of Atonement in the morning they make him to stand at the Eastern Gate and pass before him oxen, rams, and sheep, that he may gain knowledge and become versed in the [Temple-] Service.

4. Throughout the seven days they did not withhold food and drink from him; but on the eve of the Day of Atonement toward nightfall they did not suffer him to eat much, since food induces sleep.

5. The elders of the Court delivered him to the elders of the priesthood and they brought him up to the upper chamber of the House of Abtinas. They adjured him and took their leave and went away having said to him, 'My lord High Priest, we are delegates of the Court. We adjure thee by him that made his name to dwell in this house that thou change naught of what we have said unto thee'. He turned aside and wept and they turned aside and wept.

6. If he was a Sage he used to expound [the Scriptures], and if not the disciples of the Sages used to expound before him. If he was versed in reading [the Scriptures] he read, and if not they read before him. And from what did they read before him? Out of Job and Ezra and Chronicles. Zechariah b. Kabutal says: May times I read before him out of Daniel.

7. If he sought to slumber, young members of the priesthood would snap their middle finger before him and say to him, 'My lord High Priest, get up and drive away [sleep] this once [by walking] on the [cold] pavement'. And they used to divert him until the time of slaughtering drew near.

8. Every day they used to remove the ashes from off the Altar at cock-crow, or near to it, either before it or after it; but on the Day of Atonement [they did so] at

midnight, and on the Feasts at the first watch. And before the [time of] cock-crow drew near the Temple Court was filled with Israelites.

2. 1. Beforetime whosoever was minded to clear the Altar of ashes did so. If they were many they used to run and mount the [Altar-]Ramp and he that came first within four cubits secures the task. If two were equal the officer said to them, 'Raise the finger'. And how many did they stretch out? One or two, but they did not stretch out the thumb in the Temple.

2. It once happened that two were equal and they ran and mounted the [Altar-]Ramp the members; and one of them pushed his fellow so that he fell and his leg was broken; and when the Court saw that they incurred danger they ordained that they should not clear the Altar save by lot. There were four lots: and this was the first lot.

3. The second lot [was to determine] who should slaughter, who should toss the blood, who should take away the ashes from the Inner Altar, and who should take away the ashes from the Candlestick and who should take up to the [Altar-]Ramp the members [of the Whole-offering]—the head and [right] hind leg, the two fore-legs, the rump and the [left] hind leg, the breast and the neck, and the two flanks, and the inwards; also [who should take up] the fine flour and the Baken Cakes and the wine. Thus thirteen priests secured a task. Ben Azzai said before R. Akiba in the name of R. Joshua: It was offered in the order in which it had walked.

4. [At] the third lot [the officer used to say], 'Fresh priests come and draw lots for the incense!' And at the fourth lot, 'Fresh priests and old, who will take up the members from the [Altar-]Ramp to the Altar!'

5. The Daily Whole-offering was offered by nine, ten, eleven, or twelve [priests], never more and never less. Thus it was itself offered by nine; at the Feast [of Tabernacles] one held in his hand the flagon of water – and so there were ten; in the afternoon [it was offered] by eleven, [the Daily Whole offering] itself by nine, while two held in their hands the two faggots of wood; on the Sabbath [it was offered] by eleven, itself by nine while two held in their hands the two dishes of frankincense for the Shewbread, and on a Sabbath that fell during the Feast [of Tabernacles] another held in his hand the flagon of water.

6. A ram was offered by eleven: the flesh by five, and in the inwards, the fine flour, and the wine by two each.

7. A bullock was offered by twenty-four: the head and the [right] hind leg – the head by one and the hind leg by two; the breast and the neck – the breast by one and the neck by three; the two forelegs by two; the two flanks by two; the inwards, the fine flour, and the wine by three each. This applies to offerings of the congregation; but in private offerings [one priest] that is minded to offer may offer [all]. For the flaying and the dismembering of both [the offerings of the congregation and private offerings] like rules apply.

3. 1. The officer said to them, 'Go and see if the time is come for slaughtering'. If it was come, he that perceived it said, 'It is daylight!' Mattithiah b. Samuel used to say: [He that perceived it said,] 'The whole east is alight'. 'As far as Hebron?' and he answered, 'Yea!'

2. And why was this required of them? Because once when the light of the moon arose they thought that it was the dawn and slaughtered the Daily Whole-offering, and they had to take it away to the place of burning. They led the High Priest down to the place of immersion. This was the rule in the Temple: whosoever covered his feet must immerse himself, and whosoever made water must sanctify his hands and his feet.

3. None may enter the Temple Court for [an act of the Temple-]Service, even though he is clean, until he has immersed himself. On this day the High Priest five times immerses himself and ten times he sanctifies [his hands and his feet], each time, excepting this alone, in the Temple by the Parwah Chamber.

4. They spread a linen sheet between him and the people. He stripped off his clothes, went down and immersed himself, came up and dried himself. They brought him raiments of gold and he put them on and sanctified his hands and his feet. They brought to him the Daily Whole-offering. He made the incision and another completed the slaughtering on his behalf; and he received the blood and tossed it. He went inside to burn the morning incense and to trim the lamps; and [he then went] to offer the head and the members [of the Daily Whole-offering] and the Baken Cakes and the wine.

5. The morning incense was offered between [the tossing of] the blood and [the burning of] the members; the afternoon incense between [the burning of] the members and the Drink-offerings. If the High Priest was aged or infirm they prepared for him hot water which they poured into the cold to abate its coldness.

6. They brought him to the Parwah Chamber which stood in holy ground. They spread a linen sheet between him and the people. He sanctified his hands and his feet and stripped off his clothes. R. Meir says: He [first] stripped off his clothes and afterward sanctified his hands and his feet. He went down and immersed himself, came up and dried himself. They brought him white garments; he put them on and sanctified his hands and his feet.

7. In the morning he was clothed in Pelusium linen worth twelve *minas*, and in the afternoon in Indian linen worth eight hundred *zuz*. So R. Meir. But the Sages say: In the morning he wore [vestments] worth eighteen *minas* and in the afternoon [vestments] worth twelve *minas*, thirty *minas* in all. These were at the charges of the congregation, and if he was minded to spend more he could do so at his own charges.

8. He came to his bullock and his bullock was standing between the Porch and the Altar, its head to the south and its face to the west; and he set both his hands upon it and made confession. And thus used he to say: 'O God, I have committed iniquity, transgressed, and sinned before thee, I and my house. O God, forgive the iniquities and transgressions and sins which I committed and transgressed and sinned before thee, I and

my house, as it is written in the Law of the servant Moses, *For on this day shall atonement be made for you to cleanse you; from your sins shall ye be clean before the Lord.* (Lev. 16:30) And they answered after him, 'Blessed be the name of the glory of his kingdom for ever and ever!'

9. He came to the east, to the north of the Altar, with the Prefect on his right and chief of the father's house on his left. And two he-goats were there and there also was casket in which were two lots. They were of box-wood, but Ben Gamla made some of gold, and his memory was kept in honour.

10. Ben Katin made twelve stop-cocks for the laver which before had but two; and he also made a device for the laver that its water should not be rendered unfit by remaining overnight. King Monobaz made of gold all the handles for the vessels used on the Day of Atonement. His mother Helena set a golden candlestick over the door of the Sanctuary. She also made a golden tablet on which was written the paragraph of the Suspected Adulteress. Miracles had befallen the gates of Nicanor and his memory was kept in honour.

11. But [the memory of] these [was kept] in dishonor: They of the House of Barmu would not teach [any other] how to prepare the Shewbread. They of the House of Abtinus would not teach [any other] how to prepare the incense. Hygros b. Levi had a special art in singing but he would not teach it [to any other]. Ben Kamtzar would not teach [any other] in [his special] craft of writing. Of the first it is written, *The memory of the just is blessed*; and of these [others] it is written, *But the name of the wicked shall rot.* (Prov. 10:8)

4. 1. He shook the casket and took up the two lots. On one was written 'For the Lord', and on the other was written 'For Azazel'. The Prefect was on his right and the chief of the father's house on his left. If the lot bearing the Name came up in his right hand the Prefect would say to him, 'My lord High Priest, raise thy right hand'; and if it came up in his left hand the chief of the father's house would say to him, 'My lord High Priest, raise thy left hand'. He put them on the two he-goats and said, 'A Sin-offering to the Lord!' R. Ishmael says: He needed not to say 'A Sin-offering' but only 'To the Lord'. And they answered after him, 'Blessed be the name of the glory of his kingdom for ever and ever!'

2. He bound a thread of crimson wool on the head of the scapegoat and he turned it towards the way by which it was to be sent out; and on the he-goat that was to be slaughtered [he bound a thread] about its throat. He came to his bullock the second time, laid his two hands upon it, and made confession. And thus used he to say: 'O God, I have committed iniquity and transgressed and sinned before thee, I and my house and the children of Aaron, thy holy people. O God, forgive, I pray, the iniquities and transgressions and sins which I have committed and transgressed and sinned before thee, I and my house and children of Aaron, they holy people, as it is written in the law of thy servant Moses, *'For on this day shall atonement be made for you to cleanse you: from all*



*your sins shall ye be clean before the Lord.* ' (Lev. 16:30) And they answered after him, 'Blessed be the name of the glory of his kingdom for ever and ever!'

3. He slaughtered [the bullock] and received its blood in a bason; and he gave it to the one that should stir it up on the fourth terrace of the Sanctuary so that it should not congeal. He took the fire-pan and went up to the top of the Altar; and he cleared the coals to this side and to that, and scooped out glowing cinders from below, and came down and set the fire-pan on the fourth terrace in the Temple Court.

4. Other days he used to scoop out [the cinders] with a [fire-pan] of silver and empty it into one of gold, but this day he scoops them out with the one of gold in which also he brings in [the cinders]. R. Jose says: Other days he used to scoop them out with one holding a *seah* and empty it into one holding three *kabs*; but this day he scoops them out with one holding three *kabs* in which also he brings in [the cinders]. Other days it was a heavy one, but this day a light one. Other days its handle was short, but this day long. Other days it was of yellow gold, but this day of red gold. So R. Menahem. Other days he used to offer half a *mina* [of incense] in the morning and half a *mina* in the afternoon; but this day he adds also his two hands full. Other days it was of fine quality, but this day it is the finest of the fine.

5. Other days the priests went up on the east side of the [Altar-]Ramp and came down on the west side, but this day the High Priest goes up in the middle and comes down in the middle. R. Judah says: The High Priest always goes up in the middle and comes down in the middle. Other days the High Priest sanctified his hands and his feet [in water] from the laver; but this day from a golden jug. R. Judah says: The High Priest always sanctified his hands and his feet from a golden jug.

6. Other days there were four wood-stacks there, but this day five. So R. Meir. R. Jose says: Other days three, but this day four. R. Judah says: Other days two, but this day three.

5. 1. They brought out to him the ladle and the fire-pan and he took his two hands full [of incense] and put it in the ladle, which was large according to his largeness [of hand], or small according to his smallness [of hand]; and such [alone] was the prescribed measure of the ladle. He took the fire-pan in his right hand and the ladle in his left. He went through the Sanctuary until he came to the space between the two curtains separating the Sanctuary from the Holy of Holies. And there was a cubit's space between them. R. Jose says: Only one curtain was there, for it is written, *And the veil shall divide for you between the holy place and the most holy.* (Ex. 26:33) The outer curtain was looped up on the south side and the inner one on the north side. He went along between them until he reached the north side; when he reached the north he turned round to the south and went on with the curtain on his left hand until he reached the Ark. When he reached the Ark he put the fire-pan between the two bars. He heaped up the incense on the coals and the whole place became filled with smoke. He came out by the way he

went in, and in the outer space he prayed a short prayer. But he did not prolong his prayer lest he put Israel in terror.

2. After the Ark was taken away a stone remained there from the time of the early Prophets, and it was called 'Shetiyah'. It was higher than the ground by three fingerbreadths. On this he used to put [the fire-pan].

3. He took the blood from him that was stirring it and entered [again] into the place where he had entered and stood [again] on the place whereon he had stood, and sprinkled [the blood] once upwards and seven times downwards, not as though he had intended to sprinkle upwards or downwards but as though he were wielding a whip. And thus used he to count: One, one and one, one and two, one and three, one and four, one and five, one and six, one and seven. He came out and put it on the golden stand in the Sanctuary.

4. They brought him the he-goat. He slaughtered it and received its blood in a bason. He then entered [again] into the place wherein he had entered and stood [again] on the place whereon he had stood, and sprinkled [the blood] once upwards and seven times downwards, but as though he were wielding a whip. And thus used he to count: One, one and one, one and two, one and three, one and four, one and five, one and six, one and seven. He came out and put it on the second stand in the Sanctuary. R. Judah says: Only one stand was there. He took the blood of the bullock and set down [in its place] the blood of the he-goat, and [then] sprinkled [the blood of the bullock] on the curtain outside, opposite the Ark, once upwards and seven times downwards, not as though he had intended to sprinkle upwards or downwards, but as though he were wielding a whip. And thus used he to count: One, one and one, one and two, one and three, one and four, one and five, one and six, one and seven. Then he took the blood of the he-goat and set down [in its place] the blood of the bullock, and [then] sprinkled [the blood of the he-goat] on the curtain outside, opposite the Ark, once upwards and seven times downwards, not as though he had intended to sprinkle upwards or downwards, but as though he were wielding a whip; and thus used he to count: One, one and one, one and two, one and three, one and four, one and five, one and six, one and seven. He emptied out the blood of the bullock into the blood of the he-goat and poured [the contents of] the full [vessel] into the empty one.

5. Then he went to the Altar which is before the Lord – that is the golden Altar. When he begins to sprinkle downwards, where does he begin? From the north-east horn, then the north-west, then the south-west, then the north-east. Where he begins the sprinkling of the outer Altar, there he completes the sprinkling of the inner Altar. R. Eliezer says: He used to stand in the one place and sprinkle, and he sprinkled every horn from below upwards, excepting the horn before which he was standing, which he used to sprinkle from above downwards.

6. He then sprinkled the cleansed surface of the Altar seven times and poured out the residue of the blood at the western base of the outer Altar; and [the residue] of [the

blood sprinkled on] the outer Altar he poured out at the southern base. Both mingled together in the channel and flowed away into the brook Kidron. And it was sold to gardeners as manure, and the law of Sacrilege applied to it.

7. Ever act [of the High Priest] on the Day of Atonement here enumerated according to the prescribed order – if one act was done [out of order] before another act, it as if it was not done at all. If he [sprinkled] the blood of the he-goat before the blood of the bullock, he must start anew and sprinkle the blood of the he-goat after the blood of the bullock. And if the blood was poured away before [the High Priest] had finished the sprinklings within [the Holy of Holies], he must bring other blood and start anew and sprinkle afresh within [the Holy of Holies]. So, too, in what concerns the Sanctuary and the Golden Altar, since they are each a separate act of atonement. R. Eleazar and R. Simeon say: At the place where he broke off there he begins again.

6. 1. The two he-goats of the Day of Atonement should be alike in appearance, in size, and in value, and have been bought at the same time. Yet even if they are not alike they are valid, and if one was bought one day and the other on the morrow they are valid. If one of them died before the lot was cast, a fellow may be bought for the other; but if after the lot was cast, another pair must be brought and the lots cast over them anew. And if that cast for the Lord died, he should say, 'Let this on which the lot "For the Lord" has fallen stand in its stead'; and if that cast for Azazel died, he should say, 'Let this on which the lot "For Azazel" has fallen stand in its stead'. The other is left to pasture until it suffers a blemish, when it must be sold and its value falls to the Temple fund; for the Sin-offering of the congregation may not be left to die. R. Judah says: It is left to die. Moreover R. Judah said: If the blood was poured away the scapegoat is left to die; if the scapegoat died the blood is poured away.

2. He then came to the scapegoat and laid his two hands upon it and made confession. And thus used he to say: 'O God, thy people, the House of Israel, have committed iniquity, transgressed, and sinned before thee. O God, forgive, I pray, the iniquities and transgressions and sins which thy people, the House of Israel, have committed and transgressed and sinned before thee; as it is written in the law of thy servant Moses, *For on this day shall atonement be made for you to cleanse you: from all your sins shall ye be clean before the Lord.* (Lev. 16:30) And when the priests and the people which stood in the Temple Court heard the Expressed Name come forth from the mouth of the High Priest, they used to kneel and bow themselves and fall down on their faces and say, 'Blessed be the name of the glory of his kingdom for ever and ever!'

3. They delivered it to him that should lead it away. All were eligible to lead it away, but the priests had established the custom not to suffer an Israelite to lead it away. R. Jose said: It once happened that Arsela of Sepphoris led it away and he was an Israelite.

4. And they made a causeway for it because of the Babylonians who used to pull its hair, crying to it, 'Bear [our sins] and be gone! Bear [our sins] and be gone!' Certain

of the eminent folk of Jerusalem used to go with him to the first booth. There were ten booths from Jerusalem to the ravine [which was at a distance of] ninety *ris* (which measure seven and a half to the mile).

5. At every booth they used to say to him, 'Here is food, here is water', and they went with him from that booth to the next booth, but not from the last booth; for none used to go with him to the ravine; but they stood at a distance and beheld what he did.

6. What did he do? He divided the thread of crimson wool and tied one half to the rock and the other half between its horns, and he pushed it from behind; and it went rolling down, and before it had reached half the way down the hill it was broken in pieces. He returned and sat down beneath the last booth until nightfall. And from what time does it render his garments unclean? After he has gone outside the wall of Jerusalem. R. Simeon says: From the moment that he pushes it into the ravine.

7. [The High Priest] came to the bullock and the he-goat which were to be burnt. He cut them open and took away the sacrificial portions and put them on a dish and burnt them upon the Altar. He twisted [the limbs of the beasts] around carrying-poles, and brought them out to the place of burning. And from what time do they render garments unclean? After they have gone outside the wall of the Temple Court. R. Simeon says: When the fire has caught a hold on the greater part of them.

8. They said to the High Priest, 'The he-goat has reached the wilderness'. And whence did they know that the he-goat had reached the wilderness? They used to set up sentinel-posts and [from these] towels were waved and [so] they would know that the he-goat had reached the wilderness. R. Judah said: And had they not a most manifest sign? From Jerusalem to Beth Haroro was three miles; they could walk a mile, return a mile, wait time enough to go a mile, and then they would know that the he-goat had reached the wilderness. R. Ishmael says: Had they not another sign also? – a thread of crimson wool was tied to the door of the Sanctuary and when the he-goat reached the wilderness the thread turned white; for it is written, *Though your sins be as scarlet they shall be as white as snow*. (Is. 1:18)

7. 1. Then the High Priest came to read. If he was minded to read in the linen garments he could do so; otherwise he would read in his own white vestment. The minister of the synagogue used to take a scroll of the Law and give it to the chief of the synagogue, and the chief of the synagogue gave it to the Prefect, and the Prefect gave it to the High Priest, and the High Priest received it standing and read it standing. And he read *After the death...* and *Howbeit on the tenth day...* Then he used to roll up the scroll of the Law and put it in his bosom and say, 'More is written here than I have read out before you'. And on the tenth... which is in the Book of Numbers, he recited by heart. Thereupon he pronounced eight Benedictions: for the Law, for the Temple-Service, for the Thanksgiving, for the Forgiveness of Sin, and for the Temple separately, and for the Israelites separately, and for the priests separately; and for the rest a [general] prayer.

2. He that can see the High Priest when he reads cannot see the bullock and the he-goat that are being burnt; and he that can see the bullock and the he-goat that are being burnt cannot see the High Priest when he reads: not that it was permitted, but because the distance apart was great and both acts were performed at the same time.

3. If he read in the linen vestments, he [afterward] sanctified his hands and his feet, stripped off his clothes, went down and immersed himself, and came up and dried himself. They brought to him the vestments of gold, and he put them on and sanctified his hands and his feet and went out and offered his ram and the ram of the people and the seven unblemished lambs of a year old. So R. Eliezer. R. Akiba says: They offered these with the morning Daily Whole-offering, and the bullock for the Whole-offering and the he-goat that is offered outside were offered with the afternoon Daily Whole-offering.

4. He then sanctified his hands and his feet, stripped off his clothes, went down and immersed himself, and came up and dried himself. They brought to him the white vestments, and he put them on and sanctified his hands and his feet. He then went in to bring out the ladle and the fire-pan. He sanctified his hands and his feet, stripped off his clothes, went down and immersed himself, came up and dried himself; and if they brought to him the golden vestments; and he put them on and sanctified his hands and his feet, and went into burn the afternoon incense and trim the lamps. He sanctified his hands and his feet and stripped off his clothes. Then they brought him his own raiment and he put it on. And they went with him to his house. And he made a feast for his friends for that he was come forth safely from the Sanctuary.

5. The High Priest ministers in eight pieces of raiment, and a common priest in four – in tunic, drawers, turban, and girdle. To these the High Priest adds the breastplate, the apron, the upper garment, and the frontlet. In these were the Urim and Thummim inquired of; and they were not inquired of for a common person, but only for the king, for the Court, or for one of whom the congregation had need.

8. 1. On the Day of Atonement, eating, drinking, washing, anointing, putting on sandals, and marital intercourse are forbidden. A king or a bride may wash their faces and a woman after childbirth may put on sandals. So R. Eliezer. But the Sages forbid it.

2. If a man ate a large date's bulk, the like of it together with its stone, or if he drank a mouthful, he is culpable. Any foods may be included together to make up the date's bulk, and any liquids may be included together to make up the mouthful. What a man eats and what he drinks may not be included together.

3. If he both ate and drank in a single act of forgetfulness he is liable to one Sin-offering only. If he ate and also performed an act of work, he is liable to two Sin-offerings. If he ate foods which are not fit for eating or drank liquids which are not fit for drinking, or even if he drank brine or fish-brine, he is not culpable.

4. They do not cause children to fast on the Day of Atonement, but they should exercise them therein one year or two years before [they are of age], that they may become versed in the commandments.

5. If a pregnant woman smelled [food and craved after it], they may give her food until she recovers herself. He that is sick may be given food at the word of skilled persons; and if no skilled persons are there, he may be given food at his own wish, until he says, 'Enough!'

6. If ravenous hunger seized a man he may be given even unclean things to eat until his eyes are enlightened. If a mad dog bit him he may not be given the lobe of its liver to eat; but R. Mattithiah b. Heresh permits it. Moreover R. Mattithiah b. Heresh said: If a man has a pain in his throat they may drop medicine into his mouth on the Sabbath since there is doubt whether life is in danger, and whenever there is doubt whether life is in danger this overrides the Sabbath.

7. If a building fell down upon a man and there is doubt whether he is there or not, or whether he is alive or dead, or whether he is a gentile or an Israelite, they may clear away the ruin above him. If they find him alive they may clear it away [still more] from above him; but if dead, they leave him.

8. The Sin-offering and the unconditional Guilt-offering effect atonement; death and the Day of Atonement effect atonement if there is repentance. Repentance effects atonement for lesser transgressions against both positive and negative commands in the Law; while for graver transgressions it suspends punishment until the Day of Atonement comes and effects atonement.

9. If a man said, 'I will sin and repent, and sin again and repent', he will be given no chance to repent. [If he said,] 'I will sin and the Day of Atonement will effect atonement', then the Day of Atonement effects no atonement. For transgressions that are between man and God the Day of Atonement effects atonement, but for transgressions that are between a man and his fellow the Day of Atonement effects atonement only if he has appeased his fellow. This did R. Eleazar b. Azariah expound: *From all your sins shall ye be clean before the Lord* – for transgressions that are between man and God the Day of Atonement effects atonement; but for transgressions that are between a man and his fellow the Day of Atonement effects atonement only if he has appeased his fellow. R. Akiba said: Blessed are ye, O Israel. Before whom are ye made clean and who makes you clean? Your Father in heaven; as it is written, *And I will sprinkle clean water upon you and ye shall be clean*. And again it says, *O Lord the hope (mikweh) of Israel*; – as the *Mikweh* cleanses the unclean so does the Holy One, blessed be he, cleanse Israel.<sup>404</sup>

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<sup>404</sup> Translation from Herbert Danby, *The Mishnah Translated from the Hebrew With Introduction and Brief Explanatory Notes*, (Peabody: Hendrickson Publishing, 2012), pp. 162-172.

## Appendix B: List of High Holiday Prayer Books

### Reviewed for This Study

- Baer, Seligmann, ed. *Seder Abodath Yisrael*. Berlin: Schocken Books, 5697.
- Birnbaum, Philip, ed. מחזור השלם -- *High Holiday Prayer Book*. New York: Hebrew Publishing Company, 1951.
- Cohn, Edward L., ed. *The Isaac Harby Prayerbook*. Columbia: R. L. Bryan Co., 1974.
- Deutsche Gebete und Gesänge beim Gottesdienste im Israelitischen Gemeindetempel zu Leipzig*. Leipzig: [n.s], 1965.
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- Elzas, Barnett A. *Prayer Book for the New Year and Day of Atonement*. New York: Block Publishing Co., 1927.
- Feld, Edward, ed. מחזור לב שלם -- *for Rosh Hashanah and Yom Kippur*. New York: The Rabbinical Assembly. 2010.
- Fränkel, S. I. and I. M. Bresselau, eds. סדר העבודה -- *Ordnung der öffentlichen Andacht für die Sabbath- und Fesstage des ganzen Jahres. Nach dem Gebrauche des Neuen-Tempel-Vereins in Hamburg*. Hamburg: [n.s], 1819.

- \_\_\_\_\_, eds. סדר העבודה -- *Ordnung der öffentlichen Andacht für die Sabbath und Festtage des Ganzen Jahres. Nach dem Gebrauche des Neuen-Tempel-Vereins in Hamburg.* Second Edition. Hamburg: Berendsohn, 1841.
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- Goldstein, Andrew and Charles H. Middleburgh, eds. רוח חדשה -- *Services for the Days of Awe.* London: Union of Liberal and Progressive Synagogues, 2003.
- Greenberg, Sidney and Jonathan D. Levine, eds. מחזור חדש -- *The New Mahzor for Rosh Hashanah and Yom Kippur.* Bridgeport: The Prayer Book Press, 1999.
- Harlow, Jules, ed. מחזור לראש השנה ויום כפור. New York: Rabbinical Assembly, 1972.
- Heidenheim, Wolf. *Sefer Kerovot hu Mahzor: Yom Kippur ke-minhag Ashkenaz.* Austria: Roedelheim, 1832, 1928.
- Huebsch, Adolph. סדר תפילה -- *Gebete für den öffentlichen Gottesdienst der Tempelgemeinde Ahawath Chesed.* New York: Rubens & Freund, 1875.



\_\_\_\_\_. סדר תפילה -- *Prayers for the Divine Services of Congregation Ahawath Chesed*.

Translated by Alexander Kohut. New York: A. L. Goetzl, 1889.

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Foundation, 1948.

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Appendix C: The Use of the Yom Kippur *Seder Avodah* Today –

Survey Questions and Summary of Results

Q1. What is your synagogue affiliation?

Count	Percent	
170	59.44%	Reform
102	35.66%	Conservative
8	2.80%	Reconstructionist
0	0.00%	Orthodox
6	2.10%	Other (please specify)
286	Respondents	

Q2. What is your role within your synagogue?

Count	Percent	
249	87.06%	Rabbi
12	4.20%	Cantor
3	1.05%	Ritual Director
9	3.15%	Lay Leader
13	4.55%	Other (please specify)
286	Respondents	

Q3. What Mahzor does your congregation use?

Count	Percent	
286	100.00%	Please provide title
286	Respondents	

Q4. Do you worship a Musaf Service on Yom Kippur?

Count	Percent	
155	54.20%	Yes
131	45.80%	No
286	Respondents	

Q5. Do you include an Avodah Service (*Seder Avodah*) on Yom Kippur?

Count	Percent	
207	72.38%	Yes

79	27.62%	No (If no, please skip to Q10)
286	Respondents	

Q6. When do you recite the Avodah Service? (Check all that apply)

Count	Respondent %	Response %	
10	4.88%	4.69%	Morning Service
103	50.24%	48.36%	Musaf Service
96	46.83%	45.07%	Afternoon Service
4	1.95%	1.88%	Other (please specify)
205	Respondents		
213	Responses		

Q7. Do you use the Avodah Service included in the Mahzor indicated previously?

Count	Percent	
161	78.54%	Yes (please skip to Q11)
44	21.46%	No
205	Respondents	

Q8. What do you use for the Avodah Service in your congregation?

Count	Percent	
10	23.26%	An Avodah from another Mahzor (please specify & skip to Q12)
33	76.74%	An unpublished Avodah Service
43	Respondents	

Q9. Are you willing to share your unpublished Avodah Service for study purposes only?

Count	Percent	
24	75.00%	Yes (please provide name and contact information & skip to Q12)
8	25.00%	No (skip to Q12)
32	Respondents	

Q10. Do you do anything in place of the Avodah service?

Count	Percent	
39	52.00%	Yes (please explain & skip to Q12)
36	48.00%	No (skip to Q12)
75	Respondents	

Q11. Do you make any significant changes, deletions, or elaborations to the Avodah included in the Mahzor mentioned previously?

Count	Percent	
104	66.67%	Yes (please explain)

52	33.33%	No
156	Respondents	

Q12. In which city do you reside?

Count	Percent	
272	100.00%	Please specify
272	Respondents	

Q13. In which state do you reside?

Count	Percent	
2	0.73%	Alabama
1	0.37%	Alaska
2	0.73%	Arizona
0	0.00%	Arkansas
25	9.16%	California
3	1.10%	Colorado
6	2.20%	Connecticut
3	1.10%	Delaware
21	7.69%	Florida
8	2.93%	Georgia
1	0.37%	Hawaii
0	0.00%	Idaho
10	3.66%	Illinois
4	1.47%	Indiana
1	0.37%	Iowa
1	0.37%	Kansas
2	0.73%	Kentucky
3	1.10%	Louisiana
1	0.37%	Maine
12	4.40%	Maryland
16	5.86%	Massachusetts
6	2.20%	Michigan
4	1.47%	Minnesota
1	0.37%	Mississippi
2	0.73%	Missouri
0	0.00%	Montana
1	0.37%	Nebraska
1	0.37%	Nevada

0	0.00%	New Hampshire
22	8.06%	New Jersey
1	0.37%	New Mexico
41	15.02%	New York
3	1.10%	North Carolina
1	0.37%	North Dakota
9	3.30%	Ohio
1	0.37%	Oklahoma
3	1.10%	Oregon
14	5.13%	Pennsylvania
1	0.37%	Rhode Island
2	0.73%	South Carolina
0	0.00%	South Dakota
2	0.73%	Tennessee
12	4.40%	Texas
0	0.00%	Utah
1	0.37%	Vermont
6	2.20%	Virginia
5	1.83%	Washington
1	0.37%	Washington, D.C.
1	0.37%	West Virginia
2	0.73%	Wisconsin
0	0.00%	Wyoming
8	2.93%	Outside of the US
273	Respondents	

Q14. May we contact you for more information?

Count	Percent	
208	76.19%	Yes (please provide name and contact information)
65	23.81%	No
273	Respondents	



## Appendix D: Two Unpublished Examples of Contemporary *Avodah* Texts

### Yom Kippur Avodah Service - A Call to Serve, 5766

#### • Eric reads the following introduction to the Avodah Service:

In his brief volume *Parables and Paradoxes*, Franz Kafka recorded the *following* allegory:

"Leopards break into the Temple and drink to the dregs the blood in the sacrificial pitchers; this is repeated over and over again; finally it can be calculated in advance, and it becomes a part of the ceremony."

Kafka's tale represents the danger - and the irony - of becoming desensitized to the extraordinary when we are overexposed to even the most remarkable of phenomena. In our own day, the myriad of social, economic and environmental woes have become our own leopard in the temple: vicious, tragic, unthinkable, and yet completely ignored most of the time. And then there is the worship service itself, to which Kafka alludes. How do we retain a sense of wonder and catharsis when we encounter the same liturgy over and over again? The ancient rabbis were themselves aware of this tension between ritual and renewal, as seen by their inclusion of Isaiah's famous call to social justice alongside the descriptions of the rituals of personal affliction and animal sacrifice found in the morning's Torah portion.

This description of the Yom Kippur atonement rite, found in Leviticus and later expanded upon by the writers of the Mishna hundreds of years later, forms the foundation of the Yom Kippur Avodah service. How are we, as liberal Jews, to find value in this step-by-step depiction of goats and guts, purification and profession rites? Perhaps by pointing the spotlight back on the leopard in the Temple through the liturgy itself. As Mordecai Kaplan noted in his 1937 work, "The Meaning of God in Modern Jewish Religion":

"Implied in the existence of the sanctuary is the functioning of the collective life as a means of the self-fulfillment of the individual ... The sanctuary may, therefore, stand as the symbol not alone of the synagogue but of all the social ... institutions that function to this end ... Religious teachers have been wont to classify sins in three categories as sins against oneself, sins against one's neighbors, and sins against God. This is all wrong. Every sin is at the same time a sin against ourselves, a sin against our neighbors, and a sin against God ... What the *'Avodah* rite should symbolize is that just as each individual Jew was to assume responsibility for the contamination of the sanctuary and for the elimination from it of God's Presence, so must everyone today recognize his individual responsibility for the corruption of our social institutions and their tendency to defeat the divine purpose of life, and seek by all the means at his command to atone for the evil they

do. This implies the realization of what is involved in accepting the principle of individual responsibility and patterning one's life in accordance with such realization."

Rabbi Kaplan's words serve as the inspiration for our attempt this morning to completely revalue the Avodah liturgy. After all, the word "liturgy" itself, from the Greek, *leitourgia*, like the Hebrew word Avodah, means "the work of the people." Alice Sardell, June Pitkow, and Ruth Silverman come forward to offer a threefold call to social action, echoing the threefold confessional of the High Priest on Yom Kippur: Atonement for self, for family, and for the entire community. After services this morning, please take one of the green sheets located outside the auditorium which list detailed information about all three of our projects mentioned this morning. As Tolstoy put it,

"It is within my power  
Either to serve God or not to serve God.  
Serving God, I add to my own good  
And the good of the whole world.  
Not serving God,  
I forfeit my own good  
And deprive the world of that good,  
Which was in my power to create."

• **Alice Sardell does community garden presentation**

• **Jodie reads while Eric plays piano:**

"In the Talmud, Rabban Yohanan ben Zakkai said: 'do not worry that we do not have the *avodah*, the service, of the Temple. Now we have the *avodat halev* - the service of the heart! Rabbi Elazar said: Doing *tzedakah* is greater than offering all of the sacrifices, as it is written in the book of Proverbs: "Doing charity and justice is more desirable to The Eternal than sacrifice" (Proverbs 21 :3). Rabbi Yochanan and Rabbi Eleazar both explained: As long as the Temple stood, the sacrificial altar atoned for Israel, but now, the family table is like the altar – it offers atonement when those in need sit and eat as honored guests."

• **Ruth Silverman does La Fuerza Unida Presentation**

• **Jodie reads while Eric plays piano:**

"Rabban Yohanan ben Zakkai was walking with his disciple Rabbi Joshua near Jerusalem after the destruction of the Temple. Rabbi Joshua looked at the Temple ruins and said: "Alas for us! The place which atoned for the sins of the people Israel through the ritual of animal sacrifice lies in ruins!" Then Rabban Yohanan ben Zakkai spoke to him these words of comfort: "Be not grieved, my son. There is another equally meritorious way of gaining atonement even though the Temple is destroyed. We can still gain atonement through *gemilut chasadim-deeds* of loving kindness." For it is written in the book of Hosea, "Loving kindness I desire, not sacrificial offerings." (Hosea 6:6).

- **June Pitkow does LIPA Green Choice Program presentation**
- **Eric chants the final confessional, pg. 984, Reconstructionist Machzor.**
- **The Avodah service concludes with the congregational Jack Reimer reading:**

We cannot merely pray to God to end war;  
 For the world was made in such a way  
 That we must find our own path of peace  
 Within ourselves and with our neighbor.  
 We cannot merely pray to God to root out prejudice;  
 For we already have eyes  
 With which to see the good in all people  
 If we would only use them rightly.  
 We cannot merely pray to God to end starvation;  
 For we already have the resources  
 With which to feed the entire world  
 If we would only use them wisely.  
 We cannot merely pray to God to end despair;  
 For we already have the power  
 To clear away slums and to give hope  
 If we would only use our power justly.  
 We cannot merely pray to God to end disease:  
 For we already have great minds  
 With which to search out cures and healings  
 If we would only use them constructively.  
 Therefore we pray instead  
 For strength, determination, and will power,  
 To do instead of merely to pray  
 To become instead of merely to wish;  
 That our world may be safe,  
 And that our lives may be blessed.

-Jack Reimer (adapted), *Kol Haneshamah! Shabbat Vehagim*, David A. Teutsch, ed.  
 (Wyncote, PA: The Reconstructionist Press, 1994)

## AVODAH READING FOR TWO VOICES YOM KIPPUR 5770

### KOHEN GADOL

I am preparing for the role for which I was born. On this day, more sacred than any other, I hold in my unworthy hands the purity and future of the people Israel. My day began with an awareness of my role in seeking atonement for the sins of Israel, by reviewing the animals I would sacrifice and teaching passages of Torah to the priests who would assist me. But before the ritual of atonement can begin, I must perform the daily sacrifice, the *korban tamid*, because all rituals take place in context.

### RABBI

*I have been preparing for weeks for this day, but I have not been alone, because unlike the Kohen Gadol, I am only one of thousands of spiritual leaders who have been working to bring their communities closer to God on these sacred days. I have been studying and writing, and I have been preparing my own soul for the demands of this day, for I am presuming to teach God and Jewish living and forgiveness to my community, I who am so far from perfect. Most of the liturgy and choreography are unique to Yom Kippur, but all rituals take place in context, and it is the context that makes the unique meaningful. So much of what we said last night and what we say today is so familiar, because it is said every day.*

### KOHEN GADOL

After the morning sacrifice, I will immerse myself and change my clothes and prepare for Yom Kippur. I will have immersed myself five times before the day is over, changing my clothes five times as well. While only God can see my soul, the garments I wear give form to the soul that is being purified as I perform my sacred tasks.

### RABBI

*On this day, we are taught to wear white, and many wear the same garment that is worn under the chuppah, at the seder, and at the end of life as we are laid to rest. We stand before God in purity of dress, with the prayer that by the end of the day, our souls are as pure as the white of our garments.*

### KOHEN GADOL

My first task is to ask for forgiveness for myself and my family. How can I presume to seek atonement on behalf of Israel if myself am not cleansed of sin?

### RABBI

*My first task is to seek forgiveness for myself. How can I presume to ask my congregation to examine their deeds, what they have done that they should not have, what they have failed to do, if I myself have not examined my own soul, purged it of its apathy and anger and disappointment and regrets?*

**KOHEN GADOL**

Having drawn lots to decide which of two goats shall be the sin offering of the people and which shall be sent out into the wilderness, I now seek atonement for the sins of all the descendants of Aaron the High Priest. How can the priests of Israel serve the people if they themselves carry sin on their souls?

**RABBI**

*The ancient priesthood was hereditary. Today, men and women opt into the rabbinate, bringing with them their own failings, their own character flaws, their own shortcomings. There are few tasks more humbling than to lead a congregation and yet we often forget the humility God wants of us and come to believe we are somehow better than those we serve, when often it is they who have so much to teach us. But how can I presume to seek forgiveness on behalf of the thousands of rabbis in the world? And yet, before I can ask my community to acknowledge their shortcomings, I must acknowledge not only mine but those of my colleagues as well.*

**KOHEN GADOL**

Having slaughtered the bull on which I confessed my sins and those of my family and all the descendants of Aaron, I sprinkle the blood of the bull on the altar. I then slaughter the goat intended as the people's sin offering and sprinkle its blood as well. The people stand, transfixed. There is something purgative in the slaughtering of these animals and the sprinkling of the blood.

I then confess the sins of all Israel on the head of the goat intended for Azazel, for the wilderness. In words similar to those I spoke for my family and the house of Aaron, I declare: O Adonai, Your people Israel have sinned, have committed iniquity, have transgressed before You. I beseech You, Adonai, forgive the sins, the iniquities, and the transgressions which Your people, the house of Israel, have committed before You, as it is written in the Torah of Moses, Your servant, "For on this day atonement shall be made for you to cleanse you; of all your sins before Adonai."

A priest leads the scapegoat out of the Temple and out into the desert, where it is sent over a cliff. When we learn that the goat has indeed met its death, there is a letting out of the communal breath of the people. The evil that has come to dwell in our midst this past year is gone.

**RABBI**

*The ancients believed in the presence of evil in a community, and the power of the scapegoat to carry that evil back to the wilderness where they believed the evil came from. How primitive that seems to us today! And yet there are times when we feel the presence of evil in the world, and lacking a goat to send over a cliff, how can we come to believe the evil has been expunged? Perhaps the ancients weren't so primitive after all.*

**KOHEN GADOL**

The ritual is drawing to a close. I now slaughter two rams, one for me and one for the people, I immerse myself once again, enter the Holy of Holies to remove the fire pan,

immerse myself one last time, and return to the context, the frame, the afternoon sacrifice. After the *mincha* offering, I invite the people to share in a celebratory meal. We have found atonement for all we did or did not do in the past year, and we face the new year with renewed hope and commitment.

**RABBI**

*In our rational age, we must not be too quick to dismiss the sacrificial system of ancient times. The power of the animals and the incense and the drama of the high priest immersing himself five times, changing his garments five times, the expulsion of the scapegoat...all we have today are words, and they fail us in comparison with the spectacle the Israelites watched with such awe. And so we fill our day with words. We expand the daily liturgy with the language of atonement and elegant poetry and melodies that have been etched into our DNA. And what we have that our ancestors did not is the ability to participate, so that my community can say the same words I do, chant the same words the cantor chants. Today we are not passive. Today we can cease being an audience and become actors in the drama of Yom Kippur. That is both empowering and humbling.*

*But we do share something with our ancestors. At the end of each of the confessions of the Kohen Gadol, the people responded with a declaration we have preserved today. We whisper it each time we recite the Sh'ma, and on this day we say it aloud. We are taught that in context that concept again - the declaration is made by the angels, and today we are like angels, wearing white, not eating or drinking or engaged in other human activities, but dedicated only to the service of the Holy One. But I think that we also say this sentence aloud to take our place once again with the ancient Israelites, who watched the Kohen Gadol seek atonement for them with blood and incense.*

**BOTH**

*Barukh shem k'vod malkhuto I'olam va'ed.*

Praised is God's glorious sovereignty forever and ever.

Rabbi Diane Cohen

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## Curriculum Vita

Rhoda JH Silverman  
 61 Penny Lane  
 Baltimore, Maryland 21209  
 Jewish Studies  
 Doctor of Philosophy, May 2012

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### Education

Towson University - May 2012 PhD in Jewish Studies, May 2012  
 Baltimore Hebrew University Fall 2004-

*Honors:* The Pepie Weininger and Eva Brandmark Fellowship, 2006  
 The Michael Kaplan and Sidney Breitbart Fellowship, 2007  
 Award in History, spring 2008  
 Towson Graduate Fellowship, fall 2011- spring 2012

The Rabbinical Academy 2006-2008 Rabbinic Ordination

Hebrew Union College 1989-1993 Masters of Sacred Music  
 Cantorial Investiture

*Honors:* The National Federation of Temple Sisterhoods Scholarship  
 The Michael Alper Prize in Education  
 The Rabbi George B. Lieberman Memorial Prize  
 The Dr. Joseph Freundenthal Memorial Prize.

Trenton State College 1985-1989 Bachelor of Arts in Psychology

*Honors:* Summa Cum Laude, 4.0 GPA.

### Professional Positions

Rabbi/Cantor, *Temple Emanuel of Baltimore*, 2000-present

Cantor: 2000-2008, Rabbi/Cantor: 2008-present

909 Berrymans Lane Reisterstown, MD 21136

Affiliate Instructor, *Loyola University*. Theology Department, Fall 2011 – present  
 4501 N. Charles Street Baltimore, Maryland 21210

Cantor, *Har Sinai Congregation*, 1993-1999

2905 Walnut Avenue Owings Mills, Maryland 21117

