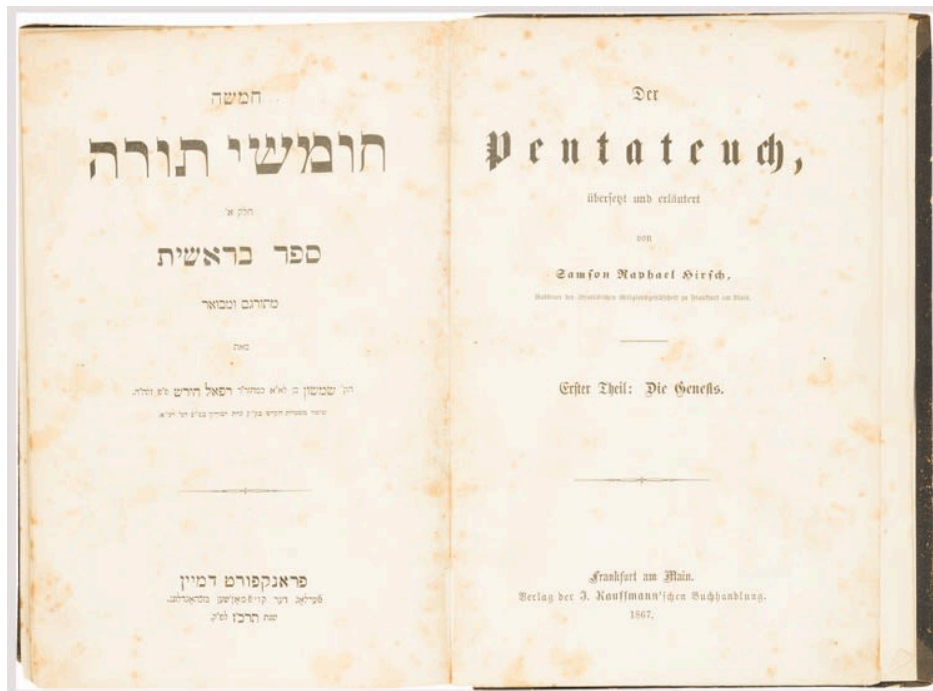


***A Torah for the Ages:
The Life and Times of Rabbi Samson
Raphael Hirsch***

Rabbi Leshner



ACKNOWLEDGMENTS

Rabbi Eliyahu Meir Klugman, *Rabbi Samson Raphael Hirsch: Architect of Judaism for the Modern World*. New York: Artscroll Mesorah, 1996

Zev Eleff and Menachem Butler, “Moses Mendelssohn and the Orthodox Mind,” *The Lehrhaus* (9 January 2017)

Professor Michah Gottlieb “Oral Letter and Written Trace: Samson Raphael Hirsch's Defense of the Bible and Talmud,” *The Jewish Quarterly Review*. Philadelphia: University of Philippi Press, Summer 2016

Context and Conflict

To understand the cultural backdrop of R. Hirsch's commentary on the Torah we will explore the Enlightenment, the claims of Protestant Christianity, and the Reform movement. All of these issues in the eighteenth and nineteenth century Germany, set the stage for R. Hirsch's commentary on the Torah.

Introduction

Part 1 - Context and Conflicts



Moses Mendelssohn (1780–83)

1) Alexander Altmann, Introduction: Jerusalem, 13

Jerusalem is the work of a man who had achieved a unique and highly personal blend of the rabbinic culture in which he had grown up and continued to feel at home and the European Enlightenment in which he had immersed himself with dazzling success. It is hard to say which of these two elements predominated in his inner life. To study Jerusalem is to try to read Mendelssohn's mind.

2) Alexander Altmann, Moses Mendelssohn: A Biographical Study, 552

It cannot be doubted that Mendelssohn's profile emerges in distinct outline, without any haziness or confusion. It is the profile of a man who lives up to the image that one would expect to find at the closing stage of a life steeped both in the Enlightenment and in Jewish tradition. Section One represents the philosopher, Section Two the loyal Jew, and the two levels of existence, though by no means blending into an organic unity, at least do not fall apart. They are held together by a strong tendency to interpret the one in light of the other, to infuse philosophy into Judaism and to allow Judaism to color philosophy... It took a man of the upbringing, training, experience, and energy of a Moses Mendelssohn to write this strange, powerful, and unique book, the Jerusalem.

3) Menachem Butler and Zev Eleff, "Moses Mendelssohn and the Orthodox Mind" (Lehrhaus. 2017)

Mendelssohn was therefore nowhere. The earnest Reform Jew found him far too halakhic. The Orthodox had more in common, but steered clear of his loaded legacy. Moses Mendelssohn was off-limits, despite his religious observance and noble efforts to engage Judaism with the modern world. Mendelssohn's memory was already far too tarnished, entangled with unseemly and untouchable notions like assimilation, heterodoxy, and secularism. Some might have considered his mission valiant, a reminder of their own struggle to maintain a religious balance in the shifty middle ground. Owing to all this, though, the Jews who occupied this precarious space sought out more pristine heroes, ones with far less historical baggage than the load weighing painfully upon Mendelssohn's shoulders.

4) Mikraot Gedolot, Exodus 21:22–26 from Mikra'ot gedolot: Hamishah humshe Torah: Shemot (Berlin: Yablonski Hof Fridiger, 1705), 214b



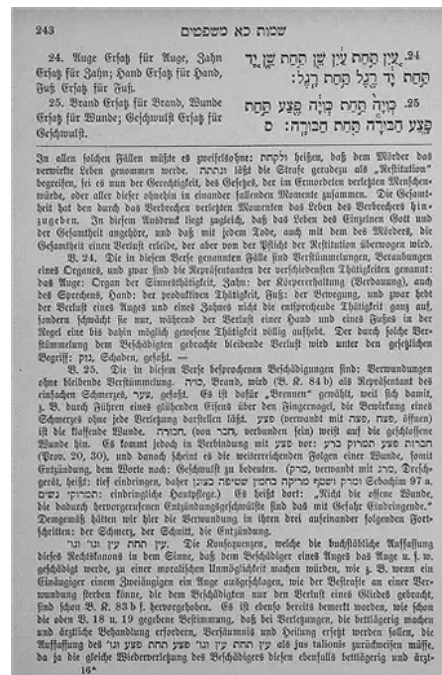
5) Exodus 21:25–28 from the first edition of Moses Mendelssohn, Sefer Netivot Ha-shalom: Shemot (Berlin: G.F. Starcke, 1781), 130a



6) Exodus 21.15–25 of the second edition of Ludwig Philippson Bible (1844; Leipzig: Baumgarten, 1858), 428.



7) Exodus 21.24–25 from the third edition of Samson Raphael Hirsch, Der Pentateuch, übersetzt und erläutert: Exodus (1869; Frankfurt am Main: J. Kaufmann, 1899), 243.



***The Protestant Conception
Letter of the Law vs. Spirit of the Law Dichotomy***

How Rav Hirsch Responded:

8) R. Samson Raphael Hirsch, *The Nineteen Letters*, Letter One (trans. Bernard Drachman, 1899)

Robbed of all the characteristics of nationality, we are, nevertheless, deemed a nation, and every one of us is by his very birth doomed to form an additional link in this never-ending chain of misery. The Law is chiefly at fault for all this: by enjoining isolation in life, and thereby arousing suspicion and hostility; **by breaking the spirit through the inculcation of humble submissiveness, thereby inviting contempt** ; by discouraging the pursuit of the formative arts; by dogmas which bar the way of free speculation, and by removing, through the separation in life, every incentive to exertion in science and art, which, therefore, do not flourish among us. As for our own lore, it perverts the mind and leads it astray into subtleties and the minutia of petty distinctions, until it becomes incapable of entertaining simple and natural opinions, so that I have always wondered not a little how you, who have taste and understanding for the beauties of Virgil, Tasso, and Shakespeare, and who are able to penetrate into the consistent structures of Leibnitz or Kant, can find pleasure in the rude and tasteless writings of the Old Testament, or in the illogical disputations of the Talmud ?

9) Michah Gottlieb, “Oral Letter and Written Trace: Samson Raphael Hirsch's Defense of the Bible and Talmud,” JQR (2016) p. 325



10) R. Samson Raphael Hirsch, *The Nineteen Letters*, Letter Two

Only when you have thus comprehended Judaism from itself, as it represents itself to be, and have then found it untenable and unworthy of acceptance, may you, if you wish, cast upon it the stone of obloquy.

We must also read the Torah in Hebrew — that is to say, in accordance with the spirit of that language. It describes but little, but through the rich significance of its verbal roots it paints in the word a picture of the thing. It only joins for us predicate to subject, and sentence to sentence; but it presupposes the listening soul so watchful and attentive that the deeper sense and profounder meaning, which lie not upon but below the surface, may be supplied by the independent action of the mind itself. It is, as it were, a semi-symbolic writing. With wakeful eye and ear, and with soul roused to activity, we must read; nothing is told us of such superficial import that we need only, as it were, accept it with half roused dreaminess; we must strive ourselves to create again the speaker's thoughts, to think them over, or the sense will escape us.

11) Gottlieb 326



Zachariah Frankel and Henrich Graetz



Zachariah Frankel (1801 - 1875)

How Rav Hirsch Responded

12) R. Samson Raphael Hirsch, *Collected Writings*, Vol. V, p. 267–268

Truly, if we were to perceive these men, our great transmitters of the Law whom Frankel considers the generators, the producers and creators of our practical religious law, then we [must] consider them as Machiavellians¹ . . . [and] would not value anything they have taught us.

¹ Acc. to Wiki “a psychological trait centered on interpersonal manipulation, unemotional coldness, and indifference to morality.”



Heinrich Graetz (1817 - 1891)

13) Dr. Joseph Gugenheimer, “Die Hypothesen der Bibelkritik und der Commentar zur Genesis von Herrn Rabbiner S.R. Hirsch,” Jeschurun 13 (1866–67): 293–313

The work at hand [that is, R. Hirsch’s Bible] can also prove to Bible critics that the basic premise of biblical criticism depends on rejecting revelation and [thereby] withdraws itself from scientific discourse. For the truthfulness of revelation, like the truthfulness of any historical fact, is neither provable nor falsifiable through reason . . . Rabbi Hirsch’s commentary circumvents biblical criticism . . . [but] is able to clear away the objections that biblical criticism raises . . . by means of rational and strictly scientific [Wissenschaftliche] interpretation.

14) R. Samson Raphael Hirsch, *Commentary on the Torah, Devarim 17:11*

דברים יז שפטים

328

11. According to the declaration of the Law which they teach thee, and the judgment which they tell thee, shalt thou do, thou mayest not turn aside from the word which they tell thee to the right or to the left.

11. על-פי התורה אשר יורה ועל-המשפט אשר יאמרו לך תעשה לא תסור מן הדבר אשר יגידו לך ימין ושמאל:

V. 11. וְעָשִׂיתָ וּגוֹ'. That which V. 10 made into a duty to be kept for the decision given in any individual case brought to the highest tribunal is here (V. 11) declared to be a bounden duty in general for the whole practice of the Law. Moreover in all the three ways of the teaching activities of the Sanhedrin already indicated above:- the protecting and furthering rules which they make for the practice of the Torah, the real **אשר ירוך**, תורות דרבנן, the general duty of keeping them which is repeatedly given in the command of שמירה (see Ex. XXIII,30); the results of research and interpretation of the Torah based on the traditional hermeneutical **י"ג מדות** **שהתורה נדרשת בהן**; and finally the further handing down the traditions they have received, **אשר יגידו לך** for all three the

Torah demands the most unswerving obedience, active and abstaining, **תעשה ולא תסור**, and thereby already beforehand grants its full sanction to all future decisions of the **ב"ד הגדול** and making them imposed as an obligation on the whole nation. So that at the base of all **מצות דרבנן** there lies an obligation **דאורייתא** and acting against a law of the rabbis is no less than transgressing a Divine command and prohibition, which is indeed why before performing a command of the rabbis we can also say with full authority **אשר קדשנו במצותיו וצונו** (Who hath made us holy by giving us mitzvas, and *He hath commanded us to . . .* e.g. wash our hands I.L.) Sabbath 23a. Nevertheless the sages themselves have sharply marked their man-made laws and differentiated them from the actual God-made laws of the Torah, so that anyone who knows the laws can know which are which, inasmuch as they themselves order them in certain conditions to be treated less strictly thus

15) R. Samson Raphael Hirsch, Commentary on the Torah, Shemos 21:1 Parshas Mishpatim, Isaac Levy Translation (1967)

משפטים
CHAPTER XXI

V. 1. **ואלה**: Immediately preceding, in the construction of the altar, the symbolic expression of the fundamental basic principle was given, viz., that our whole relationship to God is to be taken as one through which justice and humaneness for building up human society and morality and decency for the work of each individual on himself, are to be gained and formed, on a firm unshatterable basis. To that principle the **ו** adds the Mishpatim, the legal laws by which the building up of Jewish society on the basis of justice and humaneness is first of all ordered. **חרב**, the "sword", force and harshness are thereby to be banned from the Jewish State, only then can they be worthy to erect an altar to God in their midst. That is why these Mishpatim come before the building of the Mishkon. The laws which then are dedicated to the banning of **גלוי ערוה** in its wider sense, the controlling and restraining of the animal in Man, which hinders and

checks the "way up to the heights of the altar", i.e., perfecting the individuals by the principles of morality and decency, then follow in the 3rd book.

18/07/2018

16) R. Samson Raphael Hirsch, Commentary on the Torah, Shemos 21:2 Parshas Mishpatim, Isaac Levy Translation (1967)

V. 2. כי תקנה עבד עברי. To the unprejudiced mind, nothing can show so strikingly the truth of the traditional oral-law as the first two paragraphs, V. 2—6 and 7—11, with which this "Mosaic Lawgiving" starts. The civil and criminal laws of the Nation are to be given, the fundamental basis and the ordinances of justice and humaneness are to be laid down, which are to govern the relationship and behaviour of man to his fellow-man in the state; the first matter to be dealt with, quite naturally deals with the rights of man, and this *starts with the sentences*: "*When a man sells another man*", and "*when a man sells his daughter!*" What an unthinkable enormity if actually this "written word" of the "book of Law of the Jewish Nation" should really be the one and only sole source of the Jewish conception of "Rights". What a mass of laws and principles of jurisprudence must have already been said and fixed, considered, laid down and explained, before the Book of Law could reach these, or even speak of these, which, after all, are only quite exceptional cases. And it is with these sentences, the contents of which deny and limit the very holiest personal right of man, the right to personal freedom, that the Law *begins*. But it is quite a different matter if the written word, the "Book" is *not* the real source of the Jewish conception of Rights, if this

source is the traditional law, which was entrusted to the living word to which this "book" is only to be an aid to memory and reference, when doubts arise; if, as indeed is stated in the "book" itself, the total and complete Law had been given over to the people in its complete form, and had been impressed upon them, and explained to them and lived by them for full forty years, before Moses, just before his death, was to hand them this written book. Then we can well understand that it is just the exceptional cases which principally come to be described, so that just from them, the normal general principles of justice and humanity may be more strikingly realised. Then we can understand how it is that general principles of justice are altogether not so much given in this "book", but preferably single concrete cases, and these are described in the "book" in such an instructive manner that the principles which underly them, and which had been entrusted to the living minds and living practice of the people, can easily be seen from them. Then we can understand how the language used in this "book" is so skillfully chosen that often by the use of a striking expression, an unusual or altered construction, the position of a word, a letter etc., a whole train of ideas of justice and human rights is indicated. *After all, it was not out of this book that the law was to have been acquired.* This book was to be given into the hands of those who were already well informed in the Law, simply as a means of retaining and of reviving ever afresh this knowledge which had been entrusted to their memories; and also to the teachers of Law as a means of teaching to which the students can go for references to the traditional actual laws, so that the written sentences lying before them would make it easy for them to recall to their minds the knowledge they had received orally.

The תורה שבכתב is to be to the תורה שבעל פה in the relation of short notes on a full and extensive lecture on any scientific subject. For the student who has heard the whole lecture, short notes are quite sufficient to bring back afresh to his mind at any time the whole subject of the lecture. For him, a word, an added mark of interrogation, or exclamation, a dot, the underlining of a word etc. etc., is often quite sufficient to recall to his mind a whole series of thoughts, a remark etc. For those who had not heard the lecture from the Master, such notes would be completely useless. If they were to try to reconstruct the scientific contents of the lecture literally from such notes they would of necessity make many errors. Words, marks, etc.,

which serve those scholars who had heard the lecture as instructive ^{למד} guiding stars to the wisdom that had been taught and learnt, stare at the uninitiated as unmeaning sphinxes. The wisdom, the truths, which the initiated reproduce from them (but do *not produce* out of them) are sneered at by the uninitiated, as being merely a clever or witty play of words and empty dreams without any real foundation.

When the word of God wants us to realise what are the principles of rights and humaneness which it demands for the respect of the human being, it starts off with the criminal. And it takes for its example the criminal against property, that criminal who, in all other states, is threatened with the direst punishment to body and freedom, and it shows us what is the treatment that God's idea of Rights in His State, dictates. Let us read this law :- ^{אוצר החכמה}

Openness to Failings of Biblical Heroes

17) R. Samson Raphael Hirsch, *Bereishis, Parshas Lech Lecha 12:10-13*

The Torah never hides from us the faults, errors, and weaknesses of our great men. Just by that it gives a stamp of veracity to what it relates . . . Take for instance Moses' modesty (Num. 12:3). Did we not know that he could also fly into a passion, his meekness and modesty would seem to us to be his inborn natural disposition, and lost as an example. Just his "*Hear now you rebels*" (Num. 20:10) gives his modesty its true greatness, shows it to us as the result of a great work of self control and self ennoblement which we all should copy because we all could copy. The Torah never presents our great men as being perfect, it deifies no man, says of none 'here you have the ideal, in this man the divine became human' . . . The Torah is no collection of examples of saints. It relates what occurred, not because it was exemplary, but because it did occur.

18) R. Samson Raphael Hirsch, *Commentary on the Torah, Bereishis, Parshas Toldos 25:27-28*







