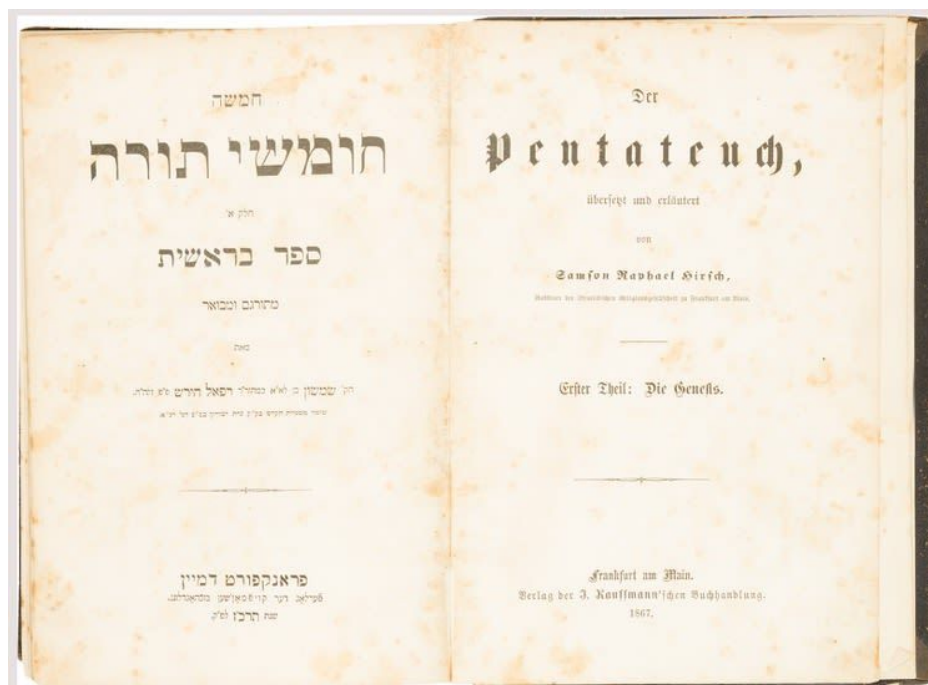


A Torah for the Ages:
The Unique Approach of Rabbi Samson Raphael Hirsch to Tanach

Part 1

Congregation Ahavas Achim Lecture Series

R' Shmuel Lesher



ACKNOWLEDGMENTS

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

Rabbi Aaron Lopiansky, Biographical Sketch of Rabbi Samson Rapahel Hirsch (Yeshiva.edu)

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

CONTENT OF LECTURE SERIES

Part 1 - Context and Conflict

Introduction to R. Hirsch's Commentary on the Torah

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.

Part 2 - The Words Themselves, The Torah Itself

Part A - R. Hirsch's Unique Approach to the Etymology of Lashon HaKodesh

In Part A, we will explore R. Hirsch's radical understanding of the Hebrew language. Demonstrating the hidden depth of the words of the Torah themselves, R. Hirsch further proves the divine nature of the Torah.

Part B - The Failings of Biblical Heroes

R. Hirsch did not believe in "whitewashing" the mistakes of our Biblical heroes. In Part B, we will approach some well-known biblical narratives which R. Hirsch re-interpreted with an openness to the human frailty of Biblical characters.

Part 3 - From On High

Part A - Oral Letter and Written Trace

In his monumental commentary, R. Hirsch responds elegantly and forcefully to claims that the Written and Oral Torah were human inventions.

Part B - The Divinity of the Oral Torah

Part 1 - Context and Conflict

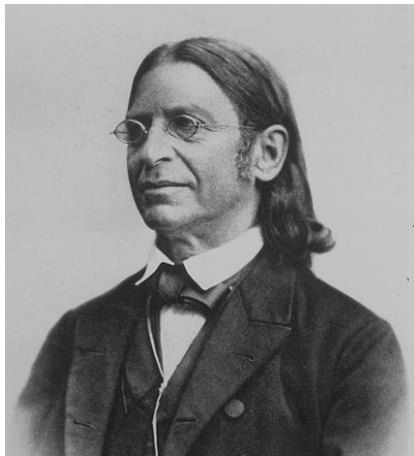
R. Samson Raphael Hirsch (1808 - 1888) was born in Hamburg, Germany in 1808. In the eighteenth century, Europe experienced what is known as the European Renaissance or the Age of Enlightenment. Human reason, logic, individualism became universally expected values and convictions of the past were readily called into question. Especially religion.

The Protestant Conception: Letter of the law vs. Spirit of the Law Dichotomy

At that time, Judaism and certainly Orthodox Judaism, was under attack. Protestant Christianity, going all the way back to Luther, claimed that Scripture alone was not livable. It was too difficult to live up to. They understood that Paul liberated them from this issue by giving them the “Spirit of the Law.” At the time, this was a very important Protestant dichotomy - the letter of the law vs. the spirit of the law. Judaism was seen as clinging to the “dead letter” of the Law and the stagnant Talmud.

The Written Torah and the Oral Torah are Challenged

In fact, Christian theologian Theodor Hartmann claimed that the Jews were ineligible for equality because of their incapacity for progress as reflected by their adherence to the Talmud, which kept them slaves to the stagnant, dead letter of the Bible.



Abraham Geiger (1810 - 1874)

Abraham Geiger (1810 - 1874), who has been called the “founding father of the Reform movement,” laid much of the intellectual foundation for Reform and defended the Talmud against Hartmann.

Geiger using the Christian model of letter and spirit, claimed that talmudic and rabbinic tradition *prevent* Judaism from “being a slave to the letter of the Bible, and ensure that its spirit permeates the synagogue according to true religious consciousness. The Oral Law is how

Judaism continually develops.¹ Note that Geiger viewed the Bible and rabbinic literature as historical human creations not a divine revelation. Establishing both the Written Torah and the Oral Torah as human invention allowed for all the reforms which Geiger saw as the “progression” of Judaism.

***“The Science of Judaism”:
Heinrich Graetz and Zacharias Frankel***



Heinrich Graetz (1817 - 1891)

In 1855, Hirsch published a long, biting attack on his former student Heinrich Graetz. Graetz had just published volume 4 of his *Geschichte der Juden* (History of the Jews) on the talmudic period, in which he stressed the human character of the oral law even more strongly than had Frankel. In his response to Graetz, R. Hirsch specifies more precisely his view of the relationship of the Oral Torah to the Written Torah.

¹ Abraham Geiger, “*Der Kampf christlicher Theologen gegen die bürgerliche Gleichstellung der Juden*,” *Wissenschaftliche Zeitschrift für jüdische Theologie* 1.3 (1835): 349.



Zacharias Frankel (1801 - 1875)

Zacharias Frankel (1801 - 1875) was another important figure at the time. Critical of the reforms made by Geiger and his contemporaries, Frankel founded the “Positive-Historical Judaism” movement. In America, this later became known as “Conservative Judaism.”

In the two elements of the term “Positive-Historical,” “Positive” refers to the revealed law at the heart of Judaism, while “Historical” refers to the fact that the revealed law enters history, which entails interpretation and change through human agency.

The Challenge to the Oral Torah

When it came to the Written Torah, Frankel adopted a rigidly Orthodox position viewing it as dictated by God to Moses and unaffected by history. But when it came to the Oral Torah, Frankel was willing to understand it as developing historically through human agency in response to social and political concerns. However, for Frankel, the historical nature of the Oral Torah was not primarily a means of legitimating radical religious reforms but rather of opposing them.² While halakhic development was possible, it must be a slow, careful process that gave due respect to the weight of the tradition.

For R. Hirsch, the fatal flaw of Frankel’s work is his understanding of the Oral Torah as a historical, developing phenomenon rooted in human agency rather than as a timeless truth revealed by God to Moses, faithfully transmitted from generation to generation.

According to R. Hirsch, Frankel’s stress on the antiquity of the Oral Torah and the fact that the rabbis carefully weighed every decision cannot counterbalance the damage to rabbinic authority

² In his work *Darkhe ha-Mishnah* (1859) Frankel stressed the antiquity of halakhic tradition, arguing that many laws of the Talmud could not be creations of the talmudic sages but rather went back to the period of the soferim who lived just after the return of the Jews from the Babylonian exile in the sixth century BCE. He further argued that every halakhic decision rendered by the sages was the result of “deliberation and thought” (mo’atzot ve-da’at)

wrought by admitting the roles of human agency and historical development in rabbinic tradition.

**1) R. Samson Raphael Hirsch, *The 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 Machiavellians . . . [and] would not value anything they have taught us.

**2) R. Samson Raphael Hirsch, *The Collected Writings*, Vol. V,
p. 280-281**

Any cause which does not flinch from utilizing such outrageous, shameless means, and whose defenders feel they can save themselves only by taking refuge in a pool of filth and vulgarity to which no decent man will follow them, is null and void before Almighty G-d...You may be able to kill this particular Hirsch and thousands other such Hirsches -- but his his words are truth, they will win the day no matter what you do.

You may be able to destroy the man, but you can never destroy the truth.



Chief Rabbi Shlomo Yehuda Rapoport (1790-1867)

Some of Frankel's defenders were drawn from the Jewish community of his native Prague. Chief Rabbi Shlomo Yehuda Rapoport (1790 - 1867) circulated a petition defending Frankel. R. Rapoport the son-in-law of R. Ayreh Heller the author of the classic *Ketzos HaChoshen* was a scholar of no small stature. In a famous Shabbos HaGadol Drasha in 1861, R. Rapoport devoted his entire drasha to attacking R. Hirsch and defending Frankel. Later, he published a 35 page pamphlet called *Divrei Shalom ViEmes* defending Frankel. Most of it was fault finding in R. Hirsch's scholarship. Noting that he once confused ר' חייא בר אבא בן אבא with ר' חייא בן אבא.

Near the end of the pamphlet, R. Rapoport does ask Frankel to state clearly for the record that he did indeed believe in that the entire Oral Torah were of Divine origin. He clearly expected Frankel would come forth with an unambiguous declaration to that effect, but to R. Rapoport chagrin, no such statement was made.

Truth and Dogma

Most importantly, R. Hirsch rejected Frankel's distinction between "Dogma" and "Scientific knowledge." There are not two separate realms -- scientific truth and religious dogma, each true in its own sphere. To argue that traditional belief could somehow be preserved even while refuted by science was to make a mockery of that belief.

3) R. Samson Raphael Hirsch, *Ibid.* p. 311

Frankel makes a distinction between dogma and scholarship and by making this distinction he deals the deathblow to that which he calls dogma. There can be only one truth. That which is true by the standards of dogma must also be true according to the standards of scholarship, and conversely, that which scholarship has exposed as falsehood and delusion cannot be resurrected by dogma as truth. If the results of scholarly research have convinced me that the *halachah* is the comparative recent creation of the human mind, then no dogma can make me revere *halachah* as an ancient Divinely uttered dictate and allow it to rule every aspect of my life.

...Jewish thought knows of no such distinction between faith and science which assigns faith to the heavenly spheres and science to the earth. The "dogmatic" element is not held in one's vest pocket ready for presentation to the celestial gatekeeper, if necessary, as a ticket to heaven, while "science," which shapes the intellect of man and is planted on another sort of soil, is nurtured from the wellsprings of quite a different source. Jewish "dogma" does not teach mysteries which logic cannot follow, which have no common language with reason and to which reason cannot address itself.

Those concepts which the Jewish "faith offers is the basis of Judaism are facts, historical realities founded on the living, lucid experience of a whole nation. These facts are not presented for "believing" but to serve the most vigorous and vital development of theoretical knowledge and practical action. The true science of Judaism is to perceive the world, mankind and Israel in these terms, and true Jewish life is to translate these perceptions into living reality.

4) 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.

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

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־ההוֹרָה אֲשֶׁר יִזְרָק
 וְעַל־הַמִּשְׁפָּט אֲשֶׁר יֵאמְרוּ לָךְ
 תַּעֲשֶׂה לֹא תִסּוּר מִן־הַדָּבָר אֲשֶׁר־
 יִגִּידוּ לָךְ יָמִן וּשְׂמָאל:

V. 11. ועשית וגו'. 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 יורוך, 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 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.) Sabbat 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

A Renewed Interest In The Study of Tanach



Moses Mendelssohn (1780–83)

There was a renewed interest in Bible study in European Jewish circles in the late eighteenth and nineteenth centuries. Beginning with Moses Mendelssohn's (1780–83) *Sefer netivot ha-shalom*, popularly known as the *Be'ur*, was the first Jewish Bible translation into High German, and in the next century and a half, German Jewry produced at least sixteen different Bible translations, more than even German Protestants produced in this period.³

³ See Jacob Shavit and Mordechai Eran who speak of a "biblical revolution" in eighteenth- and nineteenth-century Jewish culture.

By the time R. Hirsch began to write his commentary on the Torah, the Bible came to be of central importance. Michah Gottlieb points out that with the decline of the Kehillah at the end of the eighteenth century, and the subsequent fragmenting of German Jewry, Bible translation became a battleground on which thinkers contested competing visions of Judaism.⁴

Mendelson's Be'ur

Mendelson's Openness to Reform

While the Mikra'ot gedolot typically includes one or more Aramaic translations in Hebrew characters, Mendelssohn replaces all other translations including the canonical Onkelos translation with his own German one, which he calls "Targum Ashkenaz." The Mikra'ot gedolot includes several Hebrew commentaries, but Mendelssohn replaces all Hebrew commentaries, including Rashi's, with the Be'ur commentary. By replacing these classical commentaries with his own, Mendelssohn was clearing the way for replacing the traditional understanding of Tanach and Judaism with his own.

Mendelssohn's independence is reflected in the fact that while the Be'ur commentary often summarizes medieval Jewish commentators, it will reject them if they do not fit with his philosophical, scientific, or literary sensibilities.

⁴ Michah Gottlieb, "Oral Letter and Written Trace: Samson Raphael Hirsch's Defense of the Bible and Talmud," *The Jewish Quarterly Review* (Summer 2016).

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



Interestingly enough, R. Hirsch, similar to Mendelson, also replaced the typical Mikraot Gedolot model with his own commentary. But unlike Mendelssohn's translation, R. Hirsch's is less

traditional. Mendelson's is in Hebrew characters, whereas R. Hirsch's is in Gothic characters, and unlike Mendelssohn's commentary, which is in Hebrew, R. Hirsch's commentary is in German, though his commentary includes a smattering of phrases in Hebrew script. R. Hirsch's and Mendelssohn's different audiences explain the differences between their Pentateuchs. While Mendelssohn is writing primarily for Yiddish-speaking Jews with a significant familiarity and comfort with Hebrew and Jewish texts, R. Hirsch is writing for German-speaking Jews much less familiar with Hebrew and Jewish texts.

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

2 Mos. 12, 15—25.	תבא שמות משפטים כ"א כ"ב כ"ג
<p>428</p> <p>oder Einer streift an seinem Nächsten, indem er ihn mordet mit Hinterlist, von meinem Altare sollst du ihn wegzehmen zu sterben. 15. Und wer seinen Vater oder seine Mutter schlägt, soll getödtet werden. 16. Und wer einen Menschen flicht, und ihn verkauft, oder er wird gefanden in seiner Hand, der soll getödtet werden. 17. Und wer seinem Vater oder seiner Mutter flucht, soll getödtet werden. 18. Und so Männer sich streiten, und einer schlägt den Andern mit einem Steine oder mit der Faust, und er stirbt nicht, fällt aber auf's Lager: 19. Steht er wieder auf und wandelt auf der Straße an seinem Stecke, so ist der Schläger frei, nur Verklammnis soll er erhalten und ihn heilen lassen. 20. Und so Jemand seinen Knecht oder seine Magd schlägt mit dem Stecke, und er stirbt unter seiner Hand: so soll es gerochen werden. 21. Doch wenn er einen oder zwei Tage leben bleibt, soll es nicht gerochen werden, denn es ist sein Geld. 22. Und so Männer sich zanken, und stoßen ein schwangeres Weib, daß ihr die Kinder abgehen, es ist aber kein Schaden geschehen: so soll er an Geld gebüßt werden, so viel ihm der Mann des Weibes auflegt, und geht es vor Schlichtrichtern. 23. Ist aber Schaden geschehen, so giebt Leben um Leben, 24. Auge um Auge, Zahn um Zahn, Hand um Hand, Fuß um Fuß, 25. Brandmal um Brandmal, Wunde</p>	<p>איש על־דעתו לדרגו כערמה מעם כוכדו הקטט למות: ם (ט) ומכה אביו ואמו מות יוסה: ם (ט) ונגב איש ומקרו ונמצא בידו מות יוסה: ם (י) ומקלל אביו ואמו מות יוסה: ם (י) וידידו אגשים והכדאיש אדרעו באבן או באגף ולא ימות ונפל למשכב: (י) אביו והתלה בידו על־משענתו וקה המכה רק שבתו יין ורפא ורפא: ם (שנ) (ז) וכיוסה איש אחרקרו או אד אחרו בשכט וטה תח ידו נקם ינקם: (א) אד אביו או זמיו יעמד לא נקם כי נקפו הוא: ם (כ) וכר ינצו אגשים ונגפו אשה ררה ויצאו ילדיה ולא יהיה אבן עגוש יעגוש פאשר ישח עליו בעל האשה ונתן בפלים: (ט) ואסאבן יהיה ונתנה נקש תח נפש: (ט) עון תח עון שן תח שן יד תח יד רגל תח רגל: (כ) כויה תח כויה פצע תח</p>
<p><small>Diese berichtet. Es bezieht sich aber darauf, daß der Altar im Alterthum (s. z. B. die Erzählung von Phylomachos' Mordt in den Tempel, und wie man diesen gemauert, um Jenen durch Hunger zu tödten, bei Gernel, auch nach dem hebräisch-aramäischen Rechte,) eine Freiheit selbst der Verbrecher war. So bezieht Gesenius den Tod, der den Altar umschloß, irgend zu tödten, weil er Mörder mit Hinterlist getödtet hat, (alle ganz nach unserm S. 1 R. 2, 15—34.) Wie selbst der Mörder des Heeren sollte der Vergeltung für verjährlichen Mord sein Hinterlist in den Weg legen; wie sie hierdurch auch zweifelhafte Mord mit Hinterlist wurde, ist einseitlich. — 15—17. Es werden hier gleich drei Verbrechen angeführt, die mit dem Tode ebenfalls bestraft werden sollten, alle verjährlichen Mord gleich gestellt wurden: 1) Eltern schlagen (s. Num. zu 20, 12, nach der Lebd.: sobald eine förmliche Verleugung bewirkt wurde Saabedr. 85, 2. Midr., ויכורו כורו רעו „verweihen,“ wenn keine nähere Bestimmung); 2) einen Menschen fichten, (s. z. B. 37.); 3) Eltern fluchen (s. Num. zu 20, 12, nach der Lebd. selbst nach dem Tode der Eltern; ausgenommen ein Unmündiger, davon 3 R. 20, 9. וישו וישו; weil oben daselbst כו רעו dabei steht, dies aber immer „heiligen“ heisst, auch hier diese Todesstrafe. Saabedr. 85, 2 R.). — 18. „Er fällt auf's Lager,“ er wird krank in Folge der Schläge. — 19. „Es ist der Schläger frei,“ nach Rashi, Rabe u. A. er wird aus dem Gefängnisse entlassen, in welcher er unterdrückt gehalten worden, der Midr. aber, er ist frei von der Todesstrafe. — 20. 21. S. Num. zu 3, 2. ונקם nach der Lebd. mit dem Schwerte hingetödtet, und daß es auch eine Todesstrafe bezeichnet, ist nach dem Wegenf. klar. — 22—25. Die Gleichung der Strafen in den Strafen des Mannes, um sie aufeinander zu bringen, oder um zu helfen, wird auch 3 R. 25, 11, 12. vorausgesetzt. Hier wird für die Schwere einer Strafe</small></p>	

Responding to Criticism of the Torah

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

You showed me that the only sources of my knowledge were, on the one hand, the mechanical practice of parental customs and *a few imperfect and undigested fragments of the Bible* and Talmud acquired from Polish teachers...

...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?**

And what effect has it, the Law, upon heart and life? The broad principles of universal morality are narrowed into anxious scrupulosity about insignificant trifles ; nothing is taught except to fear God, everything, even the pettiest details of life, is referred directly to God; life itself becomes a continuous monastic service, nothing but prayers and ceremonies.

11) R. Samson Raphael Hirsch, *Ibid.*, Letter Eighteen

Originally only the fundamental teachings of Israel's Law were fixed in written form, the so-called written Law, Torah Shebechtav, but the broader application thereof, in particular the spirit, which is the life, was to be preserved only in the living word, the so-called oral law, Torah SheBaal Peh.

The oppressions and afflictions of the times and the dispersion of Israel threatened destruction to the traditional science; the great and holy men who stood at the nation's head, yielding to necessity, decreed that the Mishnah be written down as far as its mere external word was conceived, but its spirit was still left to the traditional exposition of the living word. Increased external sorrows demanded more; they put into writing the spirit of the Mishnah in the Gemara, but the spirit of the Gemara was still reserved for oral interpretation. The affliction increased,

making further safeguards necessary; they put the spirit of Bible and Gemara into the *Aggadoth* or allegorical interpretations, but disguised and veiled so that personal research should still be required to discover the true spirit of the traditional teachings thus perpetuated.