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## *Review Essay*

### **THE MIDDLE WAY BY EPHRAIM CHAMIEL (BRIGHTON: ACADEMIC STUDIES PRESS, 2014)**

REVIEWED BY MOSHE Y. MILLER

**E**phraim Chamiel has set out for himself a rather ambitious task. He proposes to analyze the responses of three nineteenth-century rabbi-scholars to six core issues pertaining to modernity. The rabbi-scholars are Zvi Hirsch Chajes (1805-1856) of Galicia, Samson Raphael Hirsch (1808-1888) of Germany, and Samuel David Luzzatto (1800-1865; hereon: Shadal) of Italy. The six issues examined are bible criticism, religious reform, Haskala educational methodologies (including the *Wissenschaft des Judentums* movement), emancipation and the Land of Israel, women's religious progress, and attitudes toward non-Jews and their religions. Had Chamiel limited himself to looking at how just one of these men responded to these issues, we would have had an illuminating book. Having broadened the scope considerably, Chamiel provides interested readers with an indispensable study of what he calls "The Middle Way," that is, the approach among Jewish thinkers which championed the Golden Mean and avoided the extremes of both religious skeptics and *über*-fundamentalists.

Chamiel makes it clear in his introduction that he is not a disinterested party. He approached his study as a result of an existential crisis that he experienced in his youth when he could not reconcile himself to Orthodox fundamentalism. "I believed in the religious message and the moral guidance of the commandments of Jewish law and the spiritual elevation of the Sages, but I understood that Orthodox truths and the apologetic evasions of those who propounded them could not, from my point of view, pass the test of criticism" (xiii). This autobiographical note, although implying that Chamiel's analysis might be highly subjective (which, for the most part, it is not), underscores Chamiel's reactions to the three thinkers, and it soon becomes clear that his closest sympathies

are with Shadal, whom he rightly characterizes as the least fundamentalist of the three scholars under study. Later, Chamiel asserts that “The Middle Way” broke off into two camps in the mid-nineteenth-century: Neo-Orthodoxy on the right and the Positive-Historical school on the left. Considering that the latter camp is widely regarded as the European precursor of Conservative Judaism, and that Chamiel thinks that Shadal belongs in that camp, the Modern Orthodox reader may become more persuaded after finishing this book that Chajes or Hirsch, but not Shadal, can provide guidance for those who wish to align themselves within Orthodoxy.

Chamiel offers some astute observations about current historiography concerning the emergence of Orthodoxy. Scholars such as Jacob Katz and Moshe Samet have argued that Orthodoxy is as much a product of modernity as the non-Orthodox movements. This still-regnant view came under criticism in 2006 with the publication of *Orthodox Judaism: New Perspectives* (in Hebrew),<sup>1</sup> in which Shalom Rosenberg, Aviezer Ravitzky, and Avi Sagi took Katz and his followers to task for presenting a distorted picture of Orthodoxy. These later scholars believe that there never was a binary distinction between traditionalism and modernity. Instead, the two operated simultaneously and in greater harmony than is generally assumed. Chamiel’s own view lies somewhere between that of Katz and of Sagi, but the reader may find himself mystified as to what exactly Chamiel’s view is. A crucial footnote (Vol. 1, 13-15 n. 10) is astoundingly unclear. An examination of the Hebrew original (23-24 n. 10) does not improve matters, since the vagueness of Chamiel’s position is present in the original. Chamiel’s contribution to our understanding of Orthodoxy is better represented by his analysis of how Chajes and Hirsch responded to the six issues he examines. It is precisely his analysis of how Shadal responds to several of these issues—notably, the origins and authority of the Oral Law—that persuades the reader that Shadal cannot really be counted as among the pioneers of Modern Orthodoxy. Though Shadal considers rabbinic law to be binding, this is only because of the authority of the Talmudic rabbis and not because of its divine origin, which Shadal denies.

Shadal, in a passage that Chamiel says “is the essence of his approach in a single sentence,” states: “the Sages of the Mishnah used to interpret the Bible in several ways, and they invented the Thirteen [Hermeneutic] Principles for themselves in order to attach their regulations and those of their predecessors to verses from the Bible” (Chamiel Vol. 1, 315 n. 244).

<sup>1</sup> *Orthodox Judaism: New Perspectives* [in Hebrew], ed. Yosef Salmon, Aviezer Ravitzky, and Adam Ferziger (Jerusalem: Magnes Press, 2006).

Indeed, this is virtually identical with the view of Zechariah Frankel,<sup>2</sup> founder of Positive-Historical Judaism, the European precursor to Conservative Judaism. Further, Shadal believes that halakhot that are based on rabbinic interpretations of Biblical verses that depart from their simple meaning were not revealed on Mount Sinai but instead represent what the rabbis instituted based on their belief that it was necessary “for the generations.”<sup>3</sup> Shadal also believed that reform of Talmudic laws was theoretically possible only if certain conditions, which he believed did not exist in his time, could be met (ibid, 316 n. 245). Thus, Shadal ought to be regarded as a harbinger of Conservative Judaism, albeit its most traditional wing.

Chamiel’s interpretation of Shadal’s biblical exegesis as one which emphasizes *peshat* even when it conflicts with the halakha is illuminating. The era in which Shadal lived was one in which Jewish biblical commentators felt compelled to defend rabbinic exegesis of texts as the primary meaning of those texts. As noted by Jay Harris,<sup>4</sup> the premodern distinction between *peshat* and *derash* carried with it no overtones of religious denominationalism. There were multiple meanings to the text and the *peshat* was one of those. By contrast, beginning with the period of the Haskala, an emphasis in *peshat* of biblical verses tended to be associated with a desire for religious reform. If the rabbinic exegesis could be shown to be a departure from the *intended* meaning of the verse, now conflated with its *peshat*, then the authority of any normative Jewish practices connected to such exegesis could be called into question. (This explains why the most widely studied traditional Bible commentaries of the nineteenth century, such as those by R. Jacob Zvi Mecklenberg, Malbim, and R. Hirsch, stressed that the rabbinic interpretation of a verse was in consonance with its plain meaning.) Shadal, who was a consistent opponent of any reforms to Jewish observance given the conditions of his day, nevertheless saw nothing problematic with highlighting the simple meaning of biblical verses even though this meaning is often in conflict with the interpretation offered by rabbinic exegesis. This is another demonstration of Shadal’s passion for objective scholarship above all else. I believe that, despite the problems associated with using Shadal’s religious ideology as a basis for contemporary Modern Orthodoxy, Shadal’s biblical scholarship should still be perused by this community because it is traditional,

<sup>2</sup> Zechariah Frankel, *Darkhei ha-Mishnah* (Leipzig, 1859), 19.

<sup>3</sup> Samuel David Luzzatto, commentary to Leviticus 7:18, 44-45 (Padua, 1874 edition).

<sup>4</sup> Jay M. Harris, “Ibn Ezra in Modern Jewish Perspective,” in *Rabbi Abraham Ibn Ezra: Studies in the Writings of a Twelfth-Century Jewish Polymath*, ed. Isadore Twersky and Jay M. Harris (Cambridge, MA: Harvard University Press, 1993), 129-170.

## TRADITION

rational, and concise. Ideally, one should be sufficiently learned before using this commentary so as to be able to notice when a particular interpretation of Shadal must be rejected due to conflict with Hazal (e.g. his interpretation of *piggul*, Leviticus 7:18, which is where the above-cited comments come from). Interestingly, a prolific Haredi translator recently published an English translation of Shadal's Torah commentary, based exclusively on the 1965 Jerusalem edition.<sup>5</sup>

Chamiel's treatment of R. Chajes is quite cogent. There have been several studies of Chajes in Hebrew but the only extensive English study of Chajes is Bruriah Hutner-David's unpublished doctoral dissertation.<sup>6</sup> Earlier, Chaim Tchernowitz had expressed a similar view concerning R. Chajes.<sup>7</sup> But Chamiel's interpretation of Chajes is more persuasive than that of Tchernowitz and Hutner-David. Hutner-David endeavored to demonstrate that Chajes, despite affirmations of traditionalism, expressed an affinity for maskilic positions and for maskilic scholars that marks a departure from the world of nineteenth-century Galician Orthodox Judaism. For example, though Chajes condemned many of the innovations of the Reform movement as vehemently as other Orthodox rabbis such as Hatam Sofer, he nevertheless had a favorable view of some of those innovations, such as moving the location of the *bimah* to the front of the synagogue and introducing choirs into Orthodox synagogues. Chajes also carried on a correspondence with leading maskilim such as Nachman Krochmal and Shlomo Yehuda Rappoport and he used honorific rabbinic titles for them. It seems questionable, however, as to how much can be inferred from these facts. Chajes sometimes uses honorific titles to refer to people whom he criticizes severely, e.g., Israel Jacobson.<sup>8</sup> This may simply be an expression of Chajes' view of *derekh erets*. His halakhic evaluation of choirs is identical to that of all the leading Orthodox rabbis in Germany. There is thus nothing revolutionary about Chajes' stance. Even his position on the location of the *bimah*, which was not widely held in Germany, was an expression of his scholarly independence but not of anti-traditionalism. As noted, the standard division of rabbis into

<sup>5</sup> *Shadal: Torah Commentary by Samuel David Luzzatto*, trans. Elyahu Munk (Jerusalem: Lambda Publishers, 2012). There is evidence that R. Munk has engaged in some censorship.

<sup>6</sup> Bruriah Hutner-David, "The Dual Role of Rabbi Zvi Hirsch Chajes: Traditionalist and Maskil," Ph.D. Dissertation, Columbia University, 1971.

<sup>7</sup> Cited and discussed in Meir Herskovitz, *Maharats Hayot: The History of Rabbi Zvi Hirsch Chajes and his Teachings* [in Hebrew], (Jerusalem: Mossad ha-Rav Kook, 2007), 261.

<sup>8</sup> See *Kol Sifrei Maharats Hayot* Vol. 2, 981-982, note.

“traditionalist” or “maskilic” camps has come under criticism in recent years, and Chamiel’s study reflects the more recent historiography.

R. Chajes emerges from Chamiel’s portrait as a pioneer of Orthodox *Wissenschaft*, though not in the same sense as Rabbis Esriel Hildesheimer and David Zvi Hoffmann, who trained students to adopt this methodology and authored scholarly treatments of the development of rabbinic literature in the vernacular language, respectively, neither of which could be said of R. Chajes. On the issue of rabbinic *aggadot*, R. Chajes is quite conservative, positing that those which touch upon matters of Jewish faith were revealed to Moses at Mount Sinai.<sup>9</sup> Unlike Maimonides, who regarded much of the Aggadah, especially the portions that relate to demons and other dangerous forces, as non-literal parables and metaphors, Chajes maintains—like the Gaon of Vilna before him—that most of the *aggadot*, including those pertaining to “harmful spirits,” “the evil eye,” and the like, are to be understood literally, although he is prepared to accept that some of them are parables that were formulated in language intended for the masses but concealing a much deeper meaning.<sup>10</sup> Like Maimonides, R. Chajes “states that the mission of humanity is to perfect the intellect with contemplative inquiries until one reaches full understanding and knowledge of G-d” (Vol. 1, 384). R. Chajes asks the obvious question: why were most humans, who will never be able to reach this level, created? His answer, in his own words, is that “these [other] people exist in order to serve the one who is excellent, who is the ultimate purpose of creation.”<sup>11</sup> Readers will have to decide for themselves if they are comfortable upholding this Maimonidean position as part of the ethos of contemporary Modern Orthodoxy.

The space of a review does not allow for a full discussion of Chamiel’s treatment of R. Hirsch, who is the most familiar of the three rabbis in his study and probably also the most misunderstood. This is most clearly evident in treatments of R. Hirsch’s views about the Land of Israel and his response to the proto-Zionism of R. Zvi Hirsch Kalischer. The most widely repeated interpretation of R. Hirsch’s opposition to R. Kalischer is that the former was too much of a German patriot to lend his support to a program

<sup>9</sup> Zvi Hirsch Chajes, *Kol Sifrei*, Vol. 1, 316-319 (from his *Introduction to the Talmud*, chapters 17-18).

<sup>10</sup> *Ibid.*, 335-342 (from *Introduction to the Talmud*, chapters 28-31). R. Chajes states that “the majority of sages” insist that one must accept the miraculous stories recounted in the *aggadot* as having transpired literally, just as similar biblical stories must be understood literally. *Ibid.*, 335. Further, the Talmud clearly indicates that the Sages believed in the potency of harmful spirits and their statements regarding this ought not to be interpreted in a “remote manner.” *Ibid.*, 341. Cf. the *Bi’ur ha-Gr”a* to *Yoreh De’ah* 179:13 for the Vilna Gaon’s similar view.

<sup>11</sup> *Kol Sifrei Maharats Hayot*, Vol. 1, 212-213. Cited in Chamiel, Vol. 2, 384-385.

aimed at returning Jews to Erets Yisrael.<sup>12</sup> Chamiel expresses a somewhat different—and even more extreme—variant of this view when he says that Hirsch “might have been pleased to give up the idea [of a return to Zion in the end of days] had that been possible” (Vol. 2, 125 n. 173). Furthermore, “like the Reform Jews, Hirsch was pleased to be rid of the need for a separate nation in its land, even beyond history... The tradition of a return to Zion, which is found in the Bible... forced him to cling to the tradition” (Vol. 2, 96-97).<sup>13</sup> In his summary of the positions of each of the three thinkers, Chamiel writes that Hirsch “stated that the ingathering of the Jews in their land and state would take place in the Utopian future at the end of days, though he showed little enthusiasm for that as well. Integration as a Jewish religious community in a cultured, flourishing Germany, which had been redeemed [*she-nig’alah* in the original Hebrew, 551] and acted according to the norms of the Torah of Israel, charmed him far more” (ibid, 303). Chamiel further states that “Hirsch neutralizes the Land in a radical manner. He is drawn to it neither physically nor spiritually... We do not find in him the phenomenon of attraction to the holy land in theory and distancing from it in practice... He simply does not need it anymore. It is liable to be destructive in its great beneficence, and he prefers exile, full of grace, in a beloved homeland. He neutralizes the Land of Israel and the Temple and replaces them with abstract ideas of living a Torah way of life, the Jewish home, or the Jew’s heart” (ibid, 71). Chamiel cites Aviezer Ravitzky’s distinction between distancing from the land due to fear of its sanctity and neutralizing the land altogether. Religious anti-Zionists, such as the Rebbes of Munkacs and Satmar, fall into Ravitzky’s first category, while Hirsch falls into the latter category. By contrast, Religious Zionists of any stripe fall into neither of those categories because they wish to take steps to actively return to the Land.

<sup>12</sup> Chamiel rightly cites an essay by Hirsch from 1857 (although he expresses uncertainty about when it was written, Eliyahu Meir Klugman, *Rabbi Samson Raphael Hirsch* (New York: Mesorah Publications, 1996), 286, identifies it as dating from 1857) in which Hirsch expresses a pessimistic outlook about contemporary German anti-Semitism: “Has the race of Haman died out completely with his ten sons? Could you not find someone [from within Germany] who is capable of being his successor? Be sober and observe. Indeed, the horizon of the Jew may well become somber; sultry clouds hang in the German sky.” See *The Collected Writings of Rabbi S. R. Hirsch* Vol. 8, 247.

<sup>13</sup> Nevertheless, Chamiel rejects the view of those who claim that Hirsch’s position on the Land of Israel was identical to that of the Reformers, according to which for Hirsch, “the real connection between Judaism and the Land of Israel was entirely severed, and the bond with it is not and never was an essential part of Jewish religious faith.” Traditionalist that he was, Hirsch could not possibly have entertained this position. See Chamiel, Vol. 2, 97 n. 139.

This view is difficult to sustain in light of a number of considerations. Chamiel himself cites Hirsch's commentary to Leviticus 26:42-43, where Hirsch states that "the mission of the land [of Israel] is to be the soil of Torah observance for God's people. But until the people are ready for this, the land will await them in desolation. The land will not be given to another people, and its soil will not promote the development of strangers. In its desolation it will atone for its Sabbaths—as long as the [Jewish] people in their exile must atone for their sin." Does this not testify to Hirsch's view of the purpose and value of the Land of Israel? It is not suitable for any other nation. It will remain desolate until the Jewish people return to it after they have achieved atonement for their sins. Is this characterization consistent with a neutralization of the Land? Hirsch also states that "as long as the Jewish national organism is dispersed in exile, it is sick... As long as the Jewish people is in exile... its members, scattered throughout the world, are exposed to corrosive influences which lead them astray from the paths of Jewish truth and Jewish salvation."<sup>14</sup> Did Hirsch, then, really idealize Germany as a "redeemed" country that was better for the Jews than Erets Yisrael, as Chamiel asserts?

I believe that the matter of Hirsch's relationship to Erets Yisrael (hereon: EY) needs to be broken down into three separate questions: 1) Hirsch's view of the Jewish people's mission to the nations. 2) Hirsch's view of returning to EY *en masse* prior to the messiah's arrival. 3) Hirsch's view of the nature and significance of the Land. Unlike his treatment of so much else in Hirsch's thought, Chamiel does not make a persuasive case for Hirsch's views concerning these three issues. Hirsch, as Chamiel correctly asserts, did not advocate the return of the Jewish people to EY in the present time. Chamiel attributes this to Hirsch's "active" view of the mission. The basic idea of the mission theory is that the Jewish people is meant to be a "light to the nations" and the nations of the world are meant to be inspired by the example of the Jews to accept upon themselves God's will. This, of course, is not Hirsch's revolution, but is based on the words of Humash and the Prophet Isaiah. Notable among medieval authorities who develop the mission theory are Maimonides, R. Yehuda ha-Levy, and R. Ovadia Seforno.

Hirsch has often been accused of borrowing the mission theory from his Reform opponents. Chamiel does not echo that charge but he does make the strange supposition that Hirsch advocated an "active" view of the mission. Here are Chamiel's words: "Does activity in the framework of the mission also require initiative on the part of the Jews? Hirsch, unlike Chajes,

<sup>14</sup> *The Hirsch Siddur*, 139.

## TRADITION

says yes. The Gentiles do not see that Providence is leading them to salvation, but the Jews must be aware of this, and they must not be content with quiet action that will do its part with the help of Providence. The Jew must be active, to help Providence and actualize it, and also to prepare for this. Progress and emancipation are signs that should encourage us to carry out this task” (Vol. 2, 87.) Chamiel does not define the precise parameters of “this task.” And this is precisely the problem. Hirsch never conceived of the mission as anything other than passive.<sup>15</sup> Jews who dedicate themselves heart and soul to fulfilling the mitzvot of the Torah will serve as an inspiration to others to submit to the divine law. Human progress in the sphere of scientific discoveries and emancipation—which to Hirsch signaled a greater acceptance of the equality of all men based on their common divine image—were signs that mankind was advancing closer to its historical goals. Those goals are the acceptance of the sovereignty of God, His mastery over all forces of nature, the centrality of His laws, and the dignity that all human beings deserve by virtue of the divine spark within them. But this has been achieved by God’s guidance of human history and by the inspiration that the wise among the gentiles draw from Jews who observe the Torah. There is nothing more for the Jew to do.

Thus, any suggestion that as a result of the Jews’ “active” mission, they are unable to move to EY but must instead stay in the lands of their dispersion in order to influence the gentiles there cannot be sustained. Chamiel paraphrases part of a passage from Hirsch’s writings to demonstrate that Hirsch conceived of an “active” mission, but examination of that passage indicates that the mission is entirely passive. Hirsch writes that the Jewish people is not like any of the other nations, whose fate is dependent on human cunning and daring. Unlike the other nations, the Jewish people does not attempt to conquer the world, nor does it allow for the strong to subdue the weak. Instead, “Israel’s unique historic task was to become the priests and heralds of God in the midst of mankind... [its growth and] march through time was to reveal Israel to the world as the ‘nation of God,’ a nation led and guided by the finger of God, and not subject to the forces of nature or the power of men.”<sup>16</sup>

This also points to an explanation of Hirsch’s stance regarding moving to EY. Aside from his halakhic view that mass settlement would violate the Three Oaths (which are not a Satmar invention, as demonstrated

<sup>15</sup> Indeed, Mordechai Breuer already made this point nearly five decades ago. See his *The Torah im Derekh Eretz of Samson Raphael Hirsch* (Jerusalem: Feldheim Publishers, 1970), 35-36.

<sup>16</sup> *Collected Writings*, Vol. 2, 35. Paraphrased by Chamiel in Vol. 2, 86.

by Prof. Aviezer Ravitzky<sup>17</sup>), Hirsch believed that attempts to settle EY prior to the masses of Jews returning to a Torah-true lifestyle would be a grave error. The purpose of the *galut*, aside from the mission to the nations, is to train the Jewish people to rely on God for all of their needs without falling prey to gross materialism. The only purpose for ingathering the exiles and returning them to their land is to enable them to observe the entire Torah, and this will occur only when “we ourselves will loyally return to our destiny,” wrote R. Hirsch.<sup>18</sup> Efforts at a collectivist settlement of EY, even those initiated by R. Zvi Hirsch Kalischer and other Orthodox rabbis, did not have as their starting point a requirement that every Jew moving to EY would be strictly observant (though R. Kalischer clearly hoped to recruit ardently Orthodox Jews to his cause). Hirsch dedicated his literary efforts to winning back the youth to a traditional lifestyle. But the vast majority of West European Jewry, and substantial sections of East European Jewry as well, remained assimilated in varying degrees. Thus, Hirsch did not see any religious purpose in mass settlement of EY. If the Jews were expelled from the Land due to failure to adhere to God’s commands, how could the Exile end simply because they chose to return to that Land? Hirsch was not persuaded by R. Kalischer’s Kabbalistic arguments in favor of returning to the land as a prerequisite for Redemption. This, in fact, is the gist of the argument that R. Hirsch expressed in his letter to R. Kalischer in explaining why he did not support the latter’s proto-Zionist endeavors.<sup>19</sup> In my view, this is one of those cases where scholars would be wise to take their subject at his own words instead of assuming that he (Hirsch) was being disingenuous. Taken at face value, Hirsch told Kalischer that our *masorah* does not teach us to cultivate the Land of Israel to make it ready for the messianic era but only to improve our own divine worship. That is, Hirsch was upholding the traditional, “passive messianism” in response to Kalischer’s championing of a bold program for “active messianism.”<sup>20</sup>

This brings us to the question of why Hirsch downplayed the centrality of the land of Israel to Judaism in his writings. It is not because he “neutralized” the sanctity of the land. The most significant factor would seem to be

<sup>17</sup> See Aviezer Ravitzky, *Messianism, Zionism, and Jewish Religious Radicalism*, trans. Michael Swirsky and Jonathan Chipman (Chicago & London: University of Chicago, 1996), 211-234.

<sup>18</sup> *The Hirsch Siddur*, 699.

<sup>19</sup> Samson Raphael Hirsch, *Shemesh Marpe* (New York: Mesorah Publications, 1992), 211-212.

<sup>20</sup> See Aviezer Ravitzky, *Messianism*, 19-32 for explication and context for these terms.

Hirsch's battle with the Reform movement. Following Spinoza, but in opposition to Mendelssohn, a number of Reform ideologues argued that the laws of the Torah have significance only when the Jewish people had political sovereignty in their land. Once that sovereignty was abrogated, the legal portions of the Torah ceased to be binding.<sup>21</sup> Naturally, this idea was anathema for any Orthodox leader. It was necessary for Hirsch to demonstrate, in a consistent fashion throughout the corpus of his writings, the fallacy of this view.<sup>22</sup> Chamiel notes the relevance of Spinoza's views and Reform Judaism's acceptance of aspects of them when discussing Hirsch and the Land of Israel but, strangely, does not draw upon this when arriving at his conclusions concerning Hirsch's "neutralization" of the Land. It would seem that given the context of Hirsch's life, any expression of the centrality of the Land of Israel would have been counterproductive.<sup>23</sup>

As noted, Chamiel asserts that Hirsch did not even "fear the land," that is, Hirsch was not captivated by its awesome holiness, and therefore the land's sanctity could not have served as a basis for his discouragement of mass settlement there. Rather, the Land held no draw for him at all. Again, the relevant question is, was this a result of Hirsch's idealization of a "redeemed" Germany or was it engendered by his clearheaded focus on practical matters and his refusal to express mystical ideas overtly in any of his writings? The latter would appear to be a far more compelling explanation. Whether the Land had a magnetic pull that was dangerous at the present was totally irrelevant to Hirsch. When it did become relevant, Hirsch adopted precisely the positions we would expect of a "distancer because of fear," Ravitzky's term (cited by Chamiel) for rabbis who did *not* neutralize the Land of Israel but discouraged here-and-now attempts to resettle it.<sup>24</sup> When he was informed that some of those Jews who had moved to EY in the 1880s intended to rely on the *better mekhira* to avoid Shemitta restrictions, he issued a call to strictly observe these laws to the fullest extent possible, and referred to his own contribution to a fund aiding them in doing so.<sup>25</sup>

<sup>21</sup> Michael A. Meyer, *Response to Modernity: A History of the Reform Movement in Judaism* (New York: Oxford University Press, 1988), 64.

<sup>22</sup> R. Hirsch expresses this forcefully in his commentary to Exodus 25:12-15 (435 in Levy ed.).

<sup>23</sup> But R. Hirsch *did* highlight the enormous potential of Erets Yisrael if it is properly utilized. See, e.g., his comments to Genesis 3:19 (88 in Levy ed.): "When in Israel's Land under the influence of God's Torah, men could live in surroundings somewhat similar to a modified Paradise..."

<sup>24</sup> See esp. Chamiel Vol. 2, 71 n. 95.

<sup>25</sup> Hirsch, *Shemesh Marpe*, 217.

Chamiel posits that it is not clear what value the Land of Israel will hold at the end of days, if the prerequisite for returning there is the dramatic transformation of all of mankind and the removal of all evil tendencies from human society. If this is achieved prior to the Return, then why will there be a need for a special land for the Jews? This question has already been posed by Aviezer Ravitzky in his discussion of R. Yonatan Eybeschütz's views concerning Redemption.<sup>26</sup> The question applies to all medieval and early modern sources that posit a universalization of EY at the End of Days.<sup>27</sup> The answer, for Hirsch, is the same as for any Jewish thinker who believed in a "beyond history" approach to Redemption which, generally speaking, entails the need for a centrifugal land that is the wellspring of spiritual sustenance for the whole, redeemed, world.<sup>28</sup>

Having delineated Hirsch's approach to return to EY in the nineteenth century context, it should be stressed here that his reaction to the watershed events of the twentieth century may well have been interpreted by him in the manner of his grandson, Isaac Breuer, whose opposition to the secular Zionist movement coupled with his insistence on heeding the divine call to build a home for G-d in EY have earned him the characterization of a "Zionist against his will."<sup>29</sup> Since R. Hirsch did not live to see

<sup>26</sup> Aviezer Ravitzky, *Al Da'at ha-Makom*, 67-69. Since R. Eybeschütz held views strikingly similar to Hirsch's, it seems unlikely that these were engendered by his idealization of an enlightened Germany. Rather, the same concerns that were at the forefront of Hirsch's consciousness when confronted with the possibility of this-worldly, here-and-now Return to Zion also actuated Eybeschütz. The primary difference between these two rabbis is that Eybeschütz was not faced with a Reform movement and thus had no need to downplay the value of mitzva performance in the Land of Israel. Hirsch, by contrast, was and did. Neither rabbi, however, "neutralized" the Land, which they considered a singular land for a singular people.

<sup>27</sup> See Ravitzky, *ibid*, 68 n. 140.

<sup>28</sup> The literature on this topic is enormous, and the reader is advised to examine Aviezer Ravitzky's *Al Da'at ha-Makom* as a starting point.

<sup>29</sup> See Asher D. Biemann, "Isaac Breuer: Zionist Against his Will?," *Modern Judaism* 20:2 (May 2000): 129-146. Chamiel, Vol. 2, 94, writes that "it is possible to read" certain passages in Hirsch's writings "as did Isaac Breuer...who interpreted them as expressing identification with the messianic Zionism that preceded Herzl," but he doesn't find such a reading compelling. This writer finds it to be, at the very least, plausible. I stress this here because it is frankly distressing when thoughtful Modern Orthodox Jews are cavalier in their references to "Hirsch," almost certainly because they regard him as an interesting precedent for Torah U-Madda but otherwise unworthy of veneration due to his alleged infatuation with German culture, his opposition to proto-Zionism, and his supposed Jewish sectarianism. R. Hirsch loved Erets Yisrael as much as R. Kook did, even if they might have disagreed about how the Redemption will take place.

## TRADITION

the creation of the State of Israel, attributing to him with any specificity a position on the religious meaning of the State is mere speculation. However, his *Torah im Derekh Erets* ideology would clearly call for a recognition of the dramatic changes in the political situation of the Jews from their position in the nineteenth century and a program to utilize current conditions to bring about an even more full realization of the Torah's ideals both within the Jewish State and around the world.

Another issue is Chamiel's treatment of Hirsch's relationship to the Kabbalah (Vol. 1, 396, repeated elsewhere). Uncharacteristically, Chamiel does not devote much attention to this issue, briefly noting that "in Letter Eighteen of the *Nineteen Letters*, there is criticism of the erroneous Kabbala that has deviated from the original Kabbala... Hirsch has a problem with Kabbala, because it was sanctified by the tradition, and as such it was as if given on Mount Sinai, and he cannot simply dismiss it. He defuses the difficulty by arguing that what we have before us is not the original Kabbala, but a distortion of it. He also evades the need to refer to it, saying that it is 'a form of learning...concerning which, as a layman, I do not venture to express a judgment.'" What Chamiel essentially claims here is: a) Hirsch considers the Kabbalah we have before us to be a corrupted text of the original Kabbalah and that b) Hirsch disingenuously claims to be a novice in the field of Kabbalah so as not to have any need to refer to it in his writings. But neither of these propositions can be sustained.

We know that Hirsch received a copy of the Zohar from his grandfather R. Mendel Frankfurter.<sup>30</sup> We also know that Hirsch made extensive use of the Zohar when he was writing his *Horeb*, as the copious citations from the Zohar in Hirsch's personal notes used to prepare the *Horeb* attest.<sup>31</sup> Thus, Hirsch's reference to himself as a layman who would not venture to express a judgment is an expression of his humility: he clearly *did* render a judgment concerning the Kabbalah, as the passage Chamiel cites from the *Nineteen Letters* indicates! If Hirsch believed that the present editions of the Zohar have been corrupted, he surely would not have used one such copy in preparing one of his books. Rather, Hirsch believed

<sup>30</sup> R. Joseph Breuer, "Biographical Notations on the Life of Rabbi S. R. Hirsch," as cited in Klugman, *Rabbi Samson Raphael Hirsch*, 5.

<sup>31</sup> A facsimile of a page from Hirsch's notebook used when preparing his *Horeb* is printed in Eliyahu Meir Klugman, *Rabbi Samson Raphael Hirsch*, 70. Hirsch's notes for his discussion of the mitsva of *brit milah* have been published in Yonah Emanuel (ed.), *Rabbi Shimshon Refael Hirsch: Mishnato ve-Shitato*, 339-341. In the case of this particular mitsva, Hirsch utilized more passages from the Zohar than from the Talmud!

that the Zohar was, as he states in the same passage Chamiel cites from, “an invaluable repository of the spirit of Bible and Talmud, but which has been, unfortunately, misunderstood.”<sup>32</sup> Whether Hirsch considered all of Lurianic Kabbalah to be subject to this critique, or only certain forms of it, cannot be determined with any certainty, despite the certainty that Jacob Katz and Rivka Horvitz, as cited by Chamiel (*ibid.*, n. 70), had concerning this matter.

Chamiel also asserts that Hirsch expressed a “clear rejection” of Hasidism (*ibid.*, 395). But is it so clear? Chamiel does not provide any references in Hirsch’s writings to the Hasidism of the Ba’al Shem Tov. This is because Hirsch does not discuss this movement in his writings.<sup>33</sup> The citations from Hirsch’s works opposing emotionalism in religion have nothing to do with Hasidism but rather with liberal 19th century German Judaism, which followed liberal Protestantism’s greatest thinker of the period, Friedrich Schleiermacher (1768-1834) in elevating the subjective religious experience above the objective demands of the divine law. This context is crucial to understanding all of Hirsch’s remarks about the pitfalls of ecstatic emotionalism. Though German Reform Judaism in Hirsch’s lifetime did not adopt an emotionalist approach to Judaism, its preference for the subjective religious experience over adherence to a rigid legal system was considered by Hirsch to be the root of much of the ills afflicting contemporary Jewry. Though we have no direct evidence about Hirsch’s views on Hasidism, his essays about Judaism’s predilection for joyful methods of serving G-d and its opposition to a somber and downcast posture suggest that he would likely have had, generally speaking, much respect for Hasidism.<sup>34</sup>

<sup>32</sup> In the original: *unschätzbare Repositorium ist eben jenes Geistes von Th’nach und Schass, aber dann auch unglücklich missverstanden worden ist.* For the citation from the original see S. R. Hirsch, *Die Neunzehn Briefe über Judentum* (Basel: Verlag Morascha, 2013 [reprint]), 100.

<sup>33</sup> The only extant reference by Hirsch that *may* refer to Hasidism is a letter from 1836 in which he rebukes Jewish journalists for their depiction of the Polish rabbinate (then heavily dominated by Hasidim) as infamous and its Judaism as darkly malevolent. Cited in Mordechai Breuer, *Modernity*, 464 n. 104.

<sup>34</sup> Hirsch’s opposition to asceticism is a consistent theme in his writings, but see especially his essay, “Jewish Joyfulness,” reprinted in *The Collected Writings of Rabbi S. R. Hirsch* Vol. 8, 249-257. There he castigates “contemporary thinkers [who] view Judaism as a religion marked by asceticism, gloomy masochism, a stifling ghetto atmosphere where an innocent smile is considered a sin, gratification and worldly pleasures a crime.” In truth, Hirsch avers, Judaism’s “ideal is not the person who constantly worries and wallows in grief but the person who joyfully carries out his work before G-d and joyfully partakes of the pleasures of life before G-d.”

## TRADITION

Chamiel's treatment of Hirsch's views on Jewish women is the only area where he departs from his usual objective approach and offers a substantive critique of Hirsch's position. According to Chamiel, Hirsch presents a meta-narrative according to which traditional Jewish sources always spoke positively of women. Hirsch does not acknowledge that many of these sources actually speak very disparagingly of women, associating them with licentiousness, witchcraft, and the like. Had Hirsch been able to successfully argue for his thesis, Chamiel is prepared to accept Hirsch's tactic despite being tendentious, because, from Hirsch's point of view, he could not concede that there are other, more negative, views of women in the Jewish tradition since this would undermine Hirsch's goal of reinforcing the Sinaitic origin of the entire Torah. But since Hirsch had "internalized nineteenth-century ethics" pertaining to women, he had no choice but to assert that Judaism has always spoken favorably of women. Why couldn't Hirsch concede that those passages that speak ill of women are merely Aggadic and thus represent only the view of the individual rabbi who expressed it, a position that Hirsch would have been open to since he maintained that Aggadot were not revealed at Sinai? Chamiel answers this question by asserting that "the multitude of misogynistic teachings that connect women with witchcraft, seduction, prostitution, frivolity, and other contemptible traits and the connection between these teachings and the Halakha make it difficult to accept that explanation, since they appear to be a systematic body of opinion" (Vol. 2, 165).

This writer is not convinced by Chamiel's reading of rabbinic sources concerning women even though he is relying on the work of scholars, such as Menachem Kellner, Tamar Ross, and Rachel Elior, who have expressed this view in their studies. A stronger case could have been made that the rabbinic tradition is uniformly hostile to gentiles, which would mean that Hirsch's humanistic interpretation of Orthodox Judaism is tendentious and unconvincing. Strangely, in Chamiel's chapter devoted to how the three thinkers he is analyzing related to non-Jews and their religions, he does not level this charge at Hirsch. I have treated this matter extensively elsewhere,<sup>35</sup> and the simple answer is that Hirsch, following ample precedent, did not consider those passages to be discussing gentiles qua gentiles but rather immoral pagans, and they are thus inapplicable to contemporary Christians. Similarly, Hirsch clearly believed that the rabbis of the Talmud had a favorable opinion of the spiritual

<sup>35</sup> See Moshe Y. Miller, "Rabbi Samson Raphael Hirsch and Nineteenth-Century German Orthodoxy on Judaism's Attitude toward Non-Jews," PhD dissertation, Yeshiva University, 2014.

capacity of Jewish women, regarding them as superior to men in this regard (hence their exemption from many mitsvot, which Hirsch says is because they do not need as many mitsvot to keep them in check, as do men).<sup>36</sup> The negative comments about women cited by Chamiel, referring as they often do to their proclivity for witchcraft and licentiousness, were considered by Hirsch to be describing a tendency that was prevalent in ancient civilizations but not among the Jews, since Jewish family life and traditions shielded women from the temptations that might lead to these behaviors. Thus, Chamiel is correct in his assessment that Hirsch's approach to women was "revolutionary" since he was the first Jewish thinker to argue that Judaism considers women to be superior to men.<sup>37</sup> However, his critique of Hirsch for knowingly engaging in tendentiousness does not seem compelling; Hirsch genuinely believed that his interpretation was correct.

A central element of Chamiel's thesis is that each of the three figures in his study occupied the religious middle ground—the "Middle Way"—of nineteenth century Judaism. While it is quite reasonable to make this assertion with respect to Shadal, as we have seen, and Chajes, who opposed the Galician Hasidim due to their opposition to scientific inquiry of the texts of Judaism,<sup>38</sup> can the same be said for Hirsch? Chamiel states on a number of occasions that Hirsch's comments were directed against both those to his religious left and his religious right. But with the notable exception of Hirsch's remarks in *The Nineteen Letters* about all parties being in the wrong, can it reasonably be maintained that Hirsch took aim at those to his right in his writings? Chamiel discusses Hirsch's important letters about rabbinic Aggadot and their authority, in which Hirsch expresses concern about teaching Jewish youth that these Aggadot are as binding and authoritative as the Halakha.<sup>39</sup> Indeed, in certain circles of

<sup>36</sup> Chamiel argues that women's exemption from many mitsvot proves that men and women are not "equal" according to the halakha. Hirsch preferred to argue for women's superiority rather than for their inferiority, since the latter position "is contrary to his [Hirsch's] ethical positions."

<sup>37</sup> For an alternative perspective, see Yisrael Kashkin, "Rereading Rav Hirsch on Mitzvos and Gender," *Hakirab* 18 (Winter 2014), 217-233.

<sup>38</sup> R. Chajes' programmatic statement in praise of "the middle way" and in opposition to both skepticism and dogmatic obscurantism can be found in his *Kol Sifrei*, Vol. 1, 397-398.

<sup>39</sup> Chamiel makes the astute observation that Hirsch had already expressed his basic view on Aggadah in the preface to his first-written work, *Horeb*. However, it is precisely the difference between how Hirsch expresses himself in *Horeb* and in the private letters published after his death that undercuts Chamiel's argument about Hirsch opposing both the Right and the Left. Hirsch's preface to *Horeb* is directed primarily at the Reformers who sought to abrogate certain mitsvot based on their speculations

Orthodoxy, both in Hirsch's day and in our own, this view is propounded. Chamiel says that these letters of Hirsch were "aimed mainly against the Ultra-Orthodox faction to his right" (Vol. 1, 276). But Hirsch's expression of this view was conveyed in a personal letter not intended for publication.<sup>40</sup> Was he really taking aim at other sectors of Orthodoxy? In *The Nineteen Letters*, Hirsch does indeed refer to "two diametrically opposite parties [which] confront each other," and those are the Reformers on the one hand and the "Old Orthodox," those who observe Judaism's rituals but "fear to rouse its spirit," on the other, concluding that "they are both wrong." As I have argued elsewhere, Hirsch at this time (the 1830s) still believed there was hope to stem the spread of Reform. Only a decade later, in his response to the first Reform synod in Braunschweig, Hirsch resigns himself to the fact that Reform had established itself as a party in Judaism—one that he was committed to fighting, and legally separating from if necessary. Thus, Hirsch's critical remarks about those sectors of Orthodoxy that feared to rouse the spirit of Judaism must be read as part of his efforts to persuade the early Reformers that no contemporary parties in Judaism can claim that the truth is entirely on their side. Once Hirsch accepted the mantle of fighter against Reform in the following decade, he made no further critical remarks about the Orthodox. On the contrary, he began to utilize the term "Orthodox," originally employed in a polemical sense, with a sense of pride.

R. Hirsch characterized the Hatam Sofer (whose adage, as applied to any religious innovation, was "what is new is biblically prohibited") as "the greatest among all the luminaries still in living memory today" and

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concerning their meaning and hence their irrelevance in modern times. That is why Hirsch downplayed the authority of Aggadah in that essay, which Hirsch published in 1837. But his correspondence with R. Wechsler from the 1870s concerned the latter's view that students in Orthodox Jewish schools should be taught that Aggadot were revealed to Moses on Mount Sinai, a view that Hirsch considers dangerous, as it could lead to the mistaken notion that each teacher's interpretation of the Aggadah carries the authority of divine revelation, while in truth it merely represents the view of an individual teacher. Should students have difficulty with the idea expressed by the teacher, and ultimately choose to reject it, they may make the pernicious decision to reject the halakhot of the Oral Law as well.

<sup>40</sup> In fact, the letters are not extant in Hirsch's handwriting, though R. Wechsler's responses are. Members of Hirsch's family copied the letters written by Hirsch. These facts have led Haredi revisionists to argue that the letters are forgeries. But the late Prof. Mordechai Breuer, who first published them in 1976, has verified their authenticity. My point here is that Hirsch apparently made no effort to preserve these letters, which undercuts any suggestion that his intention in writing them was to attack those to his religious right. Hirsch's biography verifies that he never shied away from publicly attacking those whom he deemed worthy of attack!

“the greatest of all rabbinic authorities,”<sup>41</sup> and he maintained a correspondence with some of the architects of the most militant wing of Hungarian Ultra-Orthodoxy.<sup>42</sup> When R. Esriel Hildesheimer accepted Graetz’s suggestion to open a school with a curriculum that would include secular subjects in Jerusalem, Hirsch gently chided R. Hildesheimer by reminding him that only the rabbis of Jerusalem can decide what is acceptable for their community—and they opposed Graetz’s idea.<sup>43</sup> Had Hirsch seen himself as a man of “the Middle Way,” opposing tendencies to extremism on both sides of Judaism, he would have been more likely to chide the Jerusalem rabbinate in this case, not R. Hildesheimer, especially since Hirsch believed that the ideal Jewish school should include a secular curriculum.

In summation, there is no doubt that Chamiel’s two-volume study is an indispensable contribution to our understanding of the emergence of varieties of traditionalist responses to modernity. His interpretation of R. Chajes is the most compelling and at least some readers may emerge with a greater appreciation for, and interest in the writings of, this great Galician Torah sage. Chamiel’s interpretation of Shadal is very thorough and persuasive, although it may be likely to give pause to contemporary Modern Orthodox thinkers who had been considering Shadal’s approach to modernity as a model for emulation. Finally, Chamiel’s reading of R. Hirsch, though very thorough and at times quite persuasive, is marred by an untenable interpretation of Hirsch’s relationship to the Land of Israel that may cause the alienation from Hirsch of the very sector of the Jewish people most closely aligned with his ideals. If readers bear this significant caveat in mind, they have much to learn from Chamiel’s erudite and comprehensive study of *The Middle Way* in modern Judaism.

<sup>41</sup> *The Collected Writings of Rabbi S. R. Hirsch* Vol. 6, 311-313.

<sup>42</sup> Jacob Katz, *A House Divided: Orthodoxy and Schism in Nineteenth-Century Central European Jewry*, trans. Ziporah Brody (Hanover, NH: Brandeis University Press, 1998), 268.

<sup>43</sup> Eliyahu Meir Klugman, *Rabbi Samson Raphael Hirsch*, 216-217.