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Review Essay:
CHIEF RABBI HERTZ: THE WARS OF THE LORD BY DEREK TAYLOR

Derek Taylor, *Chief Rabbi Hertz: The Wars of the Lord*. London and Portland, Oregon: Vallentine Mitchell, 2014, 297 pp.

Chief Rabbi Joseph Herman (Hebrew: Yosef Zvi) Hertz (1872-1946) was, prior to the tenure of Chief Rabbi Sacks, undoubtedly the most influential of all British chief rabbis. A stalwart defender of moderate Orthodoxy and a champion of Zionism, Hertz led the Jewish community of the British Commonwealth through two world wars and the most dramatic cultural changes it had ever seen. He presided over a community that was, largely, both lax in its observance of Jewish law and astonishingly ignorant of the basic requirements of halakhic observance. The lay leader of the largest Orthodox organization, the United Synagogue, was a public desecrator of the Sabbath and considered the notion that a chief rabbi could impose his interpretation of halakha on those who disagreed with him to be evidence of a “priestly dictatorship” (xix). That Hertz managed to preside over this unwieldy group of more-or-less assimilated British Jews for thirty-three years is a testament to his tenacity and willingness to fight “the wars of the Lord” (an expression he used to describe his teacher, R. Sabato Morais [1823-1897]¹) for as long

¹ It is worth quoting part of Hertz’s tribute to Morais as these comments are also self-reflective: “we were thrilled by the clear, clarion notes of his call to the Wars of the Lord; by his passionate and loyal stand that the Divine Law was imperative, unchangeable, eternal... [defenders of Judaism required] piety and scholarship, consistency, and the courage to stand alone, if need be, in the fight against unrighteousness and un-Judaism.” J. H. Hertz, *Sermons, Addresses, and Studies* (London, 1938), 362. There is an unmistakable Hirschian underdone to this characterization and, indeed, another of Hertz’s teachers was R. Bernard Drachman (1861-1945), the first English translator of R. Samson Raphael Hirsch’s *The Nineteen Letters on Judaism*. The fact that Morais and Drachman were among the primary founders of the Jewish Theological Seminary

as he lived. A biography of this enormously important Jewish leader was long overdue when Derek Taylor published this book in 2014, which benefits from a fascinating Introduction by Emeritus Chief Rabbi Jonathan Sacks, the only rival to Hertz in terms of engagement with intellectual discourse of the Western world.

Prior to Taylor's book, there have been numerous biographical sketches and essays concerning R. Hertz but there were only several works that provided a thorough examination of Hertz's religious and theological views. One, *A Vindication of Judaism: The Polemics of the Hertz Humash* (1998) by Harvey Meirovich, examines the background to the composition of Hertz's most popular scholarly work, his Humash commentary. In the course of this analysis, Meirovich portrays Hertz as a follower of Positive-Historical Judaism, today known as Conservative Judaism.² Another book that extensively treated Hertz's theology is *Orthodox Judaism in Britain Since 1913* (2006) by Miri Freud-Kandel. This book makes a far stronger case for Hertz's Orthodox theology than Meirovich's revisionist

in 1886, at which they both taught, is illuminating with respect to that institution's religious orientation. (This observation is not intended to obscure the obvious differences between Hirsch's outlook and that of the early JTS, such as the latter's embrace of *Wissenschaft des Judentums*, a discipline that Hirsch completely rejected.)

² This provocative thesis, was first made by Meirovich in an essay titled "Reclaiming Chief Rabbi Hertz as a Conservative Jew," *Conservative Judaism* 46:4 (Summer 1994), 3-23. It was soon challenged by a number of historians, e.g., Martin D. Stern, "Masorti Revisionism Refuted: Reclaiming Chief Rabbi Hertz as an Orthodox Jew," *Le'eylah* April 1995, 16-21; Miri Freud-Kandel, "The Theological Background of Dr. Joseph H. Hertz," *Le'eylah* December 1999, 25-33; Benjamin J. Elton, "Was Chief Rabbi J. H. Hertz Orthodox?" Lecture to the Jewish Historical Society of England, Manchester branch, November 14, 2004. Elton further developed his arguments in an essay titled "A Bridge across the Tigris: Chief Rabbi Joseph Herman Hertz," *Conversations* Vol. 21 (Winter 2015), 67-81. Elton's book, mentioned below, also treats these themes. David Ellenson (a renowned historian who is also a Reform rabbi), in a generally favorable review essay of Meirovich's book, wrote that it is undeniable that Hertz was an Orthodox rabbi, though this is formulated delicately and not as a critique of Meirovich. See *Modern Judaism* 21:1 (February 2001), 67-77. Interestingly, in 2017, in response to a question that portrayed Hertz's Humash as "Conservative," R. Nosson Scherman, editor of Artscroll Mesorah Press, the leading Haredi publisher in the United States, flatly rejected that assertion, stating unequivocally, "Hertz wasn't Conservative. He was Orthodox." When pressed about his ties to the early JTS, R. Scherman noted that this institution, in its early years was "what today might be called Modern Orthodox. He himself was Orthodox, without any question. Rabbi Hertz did something very courageous... [he] wrote his Chumash [commentary] to show that the Torah was given at Sinai and that it's holy and not just a piece of literature... [H]is *kavanah* was to bring people closer to *Yiddishkeit* and to develop a respect for the Torah as *Toras Hashem*. Nowadays, the *frum* world looks down on his Chumash, but he was a great man." *Ami Magazine*, June 21, 2017, 70.

case for Hertz as a Conservative. There is also Benjamin Elton's book, *Britain's Chief Rabbis and the Religious Character of Anglo-Jewry, 1880-1970* (2009), which devotes considerable attention to R. Hertz's theological views and persuasively challenges Meirovich's thesis. None of these books, however, is a full-scale biography that chronicles Hertz's life and career. Taylor's book does just that though in a decidedly popular manner. There is no academic jargon, footnotes are used almost exclusively to provide page numbers, and Taylor does make some regrettable errors — common to popular books— that occasionally undermine his thesis.

R. Hertz's rabbinic career was quite remarkable. Born in the Austro-Hungarian empire (in present-day Slovakia) in 1872, Hertz's family emigrated to the United States prior to his bar mitsva. His father, Simon, studied at the Eisenstadt yeshiva headed by R. Esriel Hildesheimer (1820-1899), and was a classmate of R. Marcus Horovitz (1844-1910), later to become rabbi of the *Gemeinde* Orthodox synagogue of Frankfurt (a rival to R. Samson Raphael Hirsch's secessionist Orthodox *kehilla*), and author of important responsa called *Matteh Levi*.³ R. Hildesheimer's yeshiva was unique in that it offered secular subjects in addition to rigorous Talmudic studies. It appears that Simon Hertz received rabbinic ordination from R. Hildesheimer, though this has yet to be adequately corroborated.⁴ Taylor does cite a letter in which R. Hildesheimer recommends Simon Hertz for the rabbinate (2). R. Joseph Hertz, in his June 5, 1912, letter of application for the British Chief Rabbinate, writes, "my early Jewish knowledge I owe to the private tuition of my father, a pupil of the Rabbiner Dr. Hildesheimer."⁵ Hertz's early theological influences are an important barometer for whether he or his parents considered his joining the first class of the Jewish Theological Seminary (JTS) in January of 1887 to be a departure from the Orthodoxy of his father's revered teacher.⁶ Meirovich downplays the connection between Hertz and his

³ Taylor does not note that R. Horovitz was Simon Hertz's classmate. He erroneously describes the Eisenstadt yeshiva as "the Hildesheimer rabbinical seminary" (2).

⁴ See Freud-Kandel, *Orthodox Judaism*, 193 n. 3.

⁵ University of Southampton, Hartley Library, Papers of Chief Rabbi JH Hertz, MS 175 70/3 (containing, among other documents, Hertz's correspondence and copies of Hertz's certificates from the Jewish Theological Seminary). I wish to thank the University of Southampton for graciously allowing me to cite from these papers. I would also like to acknowledge the help provided by Mr. John Rooney, Archivist, and Ms. Karen Robson, Head of Archives, for their kind help in obtaining these documents.

⁶ The best studies of the early JTS are Robert E. Fierstein, *A Different Spirit: The Jewish Theological Seminary of America, 1886-1902* (New York, 1990) and Hasia Diner, "Like the Antelope and the Badger: The Founding and Early Years of the Jewish Theological Seminary, 1886-1902," in Jack Wertheimer (ed.), *Tradition Renewed: A*

father as well as Simon Hertz's connection to R. Hildesheimer. In light of the archival letter cited above (which Meirovich does not note), it would seem that Meirovich's view of Hertz as having been educated as a Conservative Jew is significantly undermined.

Taylor's biography details R. Hertz's early rabbinic career very well. His first position, after receiving ordination from the JTS⁷ and a Ph.D. from Columbia University, was in Syracuse, NY. Not long after accepting this position, this Orthodox synagogue voted to remove the partition between the men's and women's sections, in contradistinction to halakha. After conferring with his teacher, R. Bernard Drachman (who himself resigned from a rabbinic post over the same issue), R. Hertz decided to leave not only Syracuse but the American continent. An English-speaking rabbi, with his commitment to upholding Orthodox practice and yet open to the findings of modern scholarship and culture was not in high demand in America, where religious polarization between the East European Yiddish-speaking Orthodox and the forces of often radical Reform left little room for those adhering to a cultured Orthodoxy. R. Hertz chose Johannesburg, South Africa, which was then under the authority of Great Britain. Hertz spent thirteen fruitful years there, during which time the Boer War occurred and Hertz, a supporter of the British, forcefully advocated on behalf of the non-Dutch minorities (known as *Uitlanders*). Hertz took steps for the creation of a Jewish orphanage, founded the first Talmud Torah school there, and was professor of philosophy at Transvaal University College from 1906 to 1908.⁸ Hertz adamantly insisted that a rabbi's responsibilities are not limited to giving sermons and deciding on issues of *kashrut*. He believed that all social and political issues had to be

History of the Jewish Theological Seminary of America (New York, 1997), Vol. 1, 1-42. R. Hertz himself, in describing his *semikha*, referred to the JTS as "the Orthodox rabbinical school, the Jewish Theological Seminary of New York." See Sefton Temkin, "Orthodoxy with Moderation: A Sketch of Joseph Herman Hertz," *Judaism* 24:3 (Summer 1975), 278-295.

⁷ Hertz received a Seminary ordination in English as well as one in Hebrew (on stationary marked *Beit Midrash le-Rabbanim* of New York). Both authorized Hertz to rule on matters of Jewish law. Among the six signatories to the latter document was R. Moses Maisner, who had received *semikha* from R. Abraham Samuel Benjamin Sofer (the *Ktav Sofer*) in the Pressburg yeshiva. See the Hertz Papers, cited above, n. 5. R. Maisner helped prepare Hertz for his *semikha* examinations before they were administered. Thus, the fact that R. Hertz sat together with R. Yehezkel Abramsky on the London Beth Din (see below) should not be a source of astonishment (which would be the case if we were to accept Meirovitch's thesis).

⁸ Hertz, Letter to Committee for Selection of British Chief Rabbi, June 5, 1912. Hertz Papers (see n. 5 above). Taylor (37) mistakenly writes that Hertz accepted this position only in 1907.

addressed from the standpoint of Judaism. This is also why he was a staunch Zionist throughout his life—not for pragmatic reasons, but because he believed that the rebuilding of Erets Yisrael was a task of enormous religious import.⁹

After serving for thirteen years in South Africa, Hertz received an offer to serve as the rabbi of Congregation Orach Chaim in New York after its previous rabbi tragically passed away, a position which he accepted. This was a strictly Orthodox *shul* which insisted on Shabbat observance as a prerequisite for membership, an unusually rigid requirement, which Hertz approved of (47). During his short time there, Hertz was informed of the vacancy in the Chief Rabbinate of the British Empire after the passing of Chief Rabbi Hermann Adler in 1911. Hertz applied for this position, as did his teacher at the Seminary, R. Drachman¹⁰ and the London *dayyan*, R. Moses Hyamson. Hertz won the vote and, in 1913, embarked on the most important phase of his rabbinical career.¹¹

Taylor provides a very thorough account of R. Hertz's career in Britain and the challenges he faced there, most notably a lay leadership of the synagogue body Hertz headed—the United Synagogue—which repeatedly attempted to dilute the traditionalism of Orthodoxy. Hertz ultimately succeeded in these struggles due to the sheer force of his titanic personality and his unswerving dedication to maintaining clear boundaries between Orthodox and Reform Judaism. Although occasionally clashes with the right-wing segments of British Orthodoxy did occur, they pale in comparison to Hertz's battles with the United Synagogue leadership. Hertz's daughter, Judith, married one of the most prominent leaders of the right-wing Orthodox, R. Solomon Schonfeld (1912-1984), in 1940. This has led some to claim that Hertz was swayed by his right-wing son-in-law to veer from the form of Judaism that Hertz himself had previously championed. However, this is an unfounded charge. Hertz did not alter any of his policies after Judith's marriage, and he continued to write commentaries in the style of his earlier works, such as his posthumously-published commentary to the

⁹ See Elton, *Britain's Chief Rabbis*, 188-189, for explication of Hertz's Zionist views.

¹⁰ For Drachman's glowing assessment of his student, who ultimately received this prestigious position, see Bernard Drachman, *The Unfailing Light* (New York, 1948), 222-223. Drachman was also *mesader Kiddushin* at Hertz's wedding in 1904 (Taylor, 39).

¹¹ Interestingly, Hyamson subsequently accepted the pulpit at Orach Chaim, a position he held until his death in 1949. From 1915 until 1940, he taught Codes (*halakha*) at the JTS, indicating that even in those years, the Seminary was regarded as sufficiently Orthodox for this strictly Orthodox congregation and its rabbi.

Siddur. This work, like his famed Humash commentary, cites from non-traditional and non-Jewish sources to bolster the viewpoint of Hertz's moderate interpretation of Orthodox Judaism.

Sometimes Taylor's prose, while perhaps acceptable in British usage, is frustratingly awkward (e.g., 57: "The British Reform communities were as near Orthodox as made little difference."). There are also some glaring errors that affect Taylor's arguments. For example, in his discussion of the founding of the JTS, Taylor discusses two of its founders, Alexander Kohut and Bernard Drachman, "both from the very Orthodox Breslau *yeshiva* in Poland" (5). Firstly, the Breslau institution to which he refers was not a yeshiva but a theological seminary, founded by Dr. Zechariah Frankel. Secondly, the leaders of German Neo-Orthodoxy, Rabbis Samson Raphael Hirsch and Esriel Hildesheimer, considered the Breslau seminary to be a bastion of heresy and thus off-limits for Orthodox Jews.¹² The seminary and its founder are now widely regarded as having been the forerunners of Conservative Judaism.¹³ Taylor specifically links Hertz's Orthodoxy with that of Hirsch and connects Hertz's family to Hildesheimer's Judaism. Thus, his characterization of the Breslau seminary is very misleading, to say the least. Thirdly, though today Breslau is indeed located in Western Poland (and known as Wrocław), it was part of the German Empire when the seminary was established and the two aforementioned scholars attended it.¹⁴ Taylor also mislabels Sabato Morais as "ultra-Orthodox" (278).

One recurring theme of Taylor's book is Hertz's frequent clashes with the lay leader of the United Synagogue, Sir Robert Waley Cohen (1877-1952). These two men, alike in temperament but vastly different in their approaches to Judaism, could not find a way to get along. For his

¹² See Mordechai Breuer, *Modernity Within Tradition*, trans. E. Petuchowski (Columbia University Press, 1992), 13-131; David Ellenson, *Rabbi Esriel Hildesheimer and the Creation of a Modern Jewish Orthodoxy* (University of Alabama Press, 1990), 78-84. For an alternate analysis of Frankel's relationship to Orthodoxy, see Elton, *Britain's Chief Rabbis*, 54-57.

¹³ Ismar Schorsch, "Zechariah Frankel and the European Origins of Conservative Judaism," *Judaism* 30 (1981), 344-354; Andreas Brämer, "The Dilemmas of Moderate Reform: Some Reflections on the Development of Conservative Judaism in Germany, 1840-1880," *Jewish Studies Quarterly* 10 (2003), 73-87.

¹⁴ There is also the issue of lumping together Alexander Kohut and Bernard Drachman. While Drachman was indeed one of the leaders of American Orthodox Judaism in the early 20th century, and a founder of the Orthodox Union, Kohut is generally regarded as one of the founders of Conservative Judaism. For how this relates to Kohut's background, see Howard N. Lupovitch, "Navigating Rough Waters: Alexander Kohut and the Hungarian Roots of Conservative Judaism," *AJS Review* 32:1 (2008): 49-78.

part, Waley Cohen believed that a rabbi's job is to preach in the synagogue and sign writs of divorce, and that lay leaders should have ultimate control even in religious matters. He considered Hertz's insistence on having the last word on all matters pertaining to British Jewish religious life as engendered by hubris. Waley Cohen, who was unobservant, consistently sought ways to break down the boundaries between Orthodoxy and Reform. That Hertz unremittently fought him on these grounds may appear somewhat ironic given Hertz's own affinity for citing non-Orthodox and non-Jewish scholarship in his commentaries to the Humash and Siddur and his generally tolerant approach to laxity in observance. But Hertz was a man of principle, and he believed that the boundary between Orthodoxy and Reform was immutable. Thus, Cohen's idea of establishing a joint Orthodox and Reform religious seminary at London's Jews' College was roundly rejected by Hertz.¹⁵

Taylor provides an interesting account of R. Hertz's hiring of R. Yehezkel Abramsky (1886-1976) as the chief *dayyan* on the London Beth Din. Negotiations with R. Abramsky were not easy and they reached a seeming impasse over the issue of the sale of hindquarters meat, which was in opposition to halakha. R. Hertz temporarily considered R. Yehiel Yaakov Weinberg, famed head of the Hildesheimer Rabbinical Seminary in Berlin (and later known for his responsa *Seridei Eish*), for this position. As R. Weinberg did not wish to abandon his students in Berlin, R. Hertz ultimately turned back to R. Abramsky, who accepted renegotiated terms for the position. One may have expected a man with R. Hertz's broad and cultured conception of Orthodoxy to have clashed with R. Abramsky on the latter's rigid interpretation of halakha. But, with a few exceptions, that did not happen. Instead, these two rabbis—representing different wings of Orthodoxy—worked jointly to strengthen standards of observance in areas such as kashrut and conversion standards.¹⁶ Interestingly, R. Abramsky, who challenged R. Alexander Altmann (1906-1987) over the latter's preparedness to engage with non-Orthodox and non-Jewish elements,¹⁷ did not do the same with Hertz. This does not mean that

¹⁵ True, Jews' College employed some lecturers who were not strictly Orthodox, as had Hertz's *alma mater*, the JTS, but the basic theological and halakic positions of Jews' College were Orthodox. See Derek Taylor's comprehensive study of Jews' College, *Defenders of the Faith: The History of Jews' College and the London School of Jewish Studies* (London and Portland, OR, 2016).

¹⁶ To be sure, their relationship was rocky at times due to R. Abramsky's rigid stance on halakic matters that were customarily treated with laxity in Britain. See Aharon Sorski, *Melekh be-Yafyo*, 2 Volumes (Jerusalem, 2004), a reverential biography of R. Abramsky, which treats R. Hertz with respect but not reverence. See also below, note 36.

¹⁷ Aharon Sorski, *Melekh be-Yafyo*, 389-392.

TRADITION

R. Abramsky agreed with Hertz's ideology, but he presumably did not see it as a threat to the form of Orthodoxy that he himself championed.¹⁸

The most important literary work of R. Hertz is undoubtedly his Humash commentary, written between 1929 and 1936. The Hertz Humash, as it came to be known, has wielded enormous influence among English-speaking Jewish communities, and "introduced a generation of Jews to a humane and uplifting vision of Judaism."¹⁹ It became the standard Humash found in most modern Orthodox and Conservative synagogues (until the Artscroll Stone Chumash and the Rabbinical Assembly Etz Hayim edition came to replace it in these communities, respectively, in the 1990s and 2000s). Taylor describes the process of its publication as well as the reaction of different sectors of the Jewish community. Some of the right-wing Orthodox were displeased with the work, citing as it did from various non-Jewish and non-traditional commentaries. Taylor does not provide his readers with an intellectual profile of the commentary (a task previously done, albeit somewhat unsatisfactorily, by Meirovich in his 1998 book). There are undoubtedly issues with this commentary from the point of view of contemporary Orthodoxy. The fact that R. Hertz cites from non-traditional sources is not necessarily problematic, though certainly unconventional to those not accustomed to studying, for example, his successor in this approach, Nehama Leibowitz.²⁰

Hertz's sometimes apologetic tone is directly linked to the sources he cites; he wants the reader to see that even writers who are not partisans of Orthodoxy still agree with many of its tenets (or, in some cases, that they evince respect for Biblical morality). However, when Hertz, commenting on Rashi's assertion that Genesis 2:24 was uttered by the *Ru'ah ba-Kodesh*, writes, "this verse is not spoken by Adam but is the inspired

¹⁸ There is an apocryphal anecdote in which R. Hertz saw a yeshiva *babur* studying the Hertz Humash. R. Hertz approached the boy and said, "I didn't write this commentary for you!" [That R. Abramsky wasn't simply afraid of challenging the man who was effectively his boss—the Chief Rabbi—is clearly demonstrated by the several instances, noted in the Sorski biography, in which R. Abramsky did challenge R. Hertz regarding certain policies.]

¹⁹ David Berger, "Jews, Gentiles, and the Modern Egalitarian Ethos: Some Tentative Thoughts," in Marc D. Stern (ed.), *Formulating Responses in An Egalitarian Age* (Lanham, MD, 2005), 89.

²⁰ Nehama Leibowitz wrote an explanation of why she cited from non-traditional sources in her studies on Humash in response to an inquiry from an Orthodox rabbi. See Nehama Leibowitz, "Accept the Truth from Wherever it Comes," *Milim Havivin* 1 (2005), 108-110. R. Hertz and Prof. Leibowitz cite the same passage from Maimonides' *Shemoneh Perakim* about the legitimacy of citing from, and accepting ideas found in, non-traditional sources to explicate the Torah.

comment of Moses in order to inculcate the Jewish ideal of marriage...,” some readers may wonder what view Hertz held concerning the Divine authorship of the entire Pentateuch. There is no question that he upheld the traditional view, as his comments elsewhere attest, but this passage *appears* to be in conflict with the Talmudic assertion, *Sanhedrin* 99a, that anyone who believes that a single letter of the Torah was added by Moses is a heretic. We then return to Hertz’s phrase “the inspired comment of Moses” to decipher its true meaning. It seems clear that Hertz is alluding to the nature of prophecy. Moses was obviously inspired by G-d; it is a question of how that inspiration led to the redaction of the Biblical text. Although Maimonides’ view on prophecy is not mentioned here,²¹ this may be what Hertz is alluding to. Thus, though there is no heresy here, it is a formulation that is likely to rattle the sensibilities of many contemporary Orthodox readers.

Similarly unconventional is Hertz’s unsparing criticism of Biblical figures in cases for which there exists some precedent. Thus, while Maimonides and Nahmanides debated the degree of culpability of the inhabitants of Shekhem in the Dinah narrative (Genesis 34), and R. Hirsch goes to the next level of referring to “the blameworthy part, for which we need in no wise excuse...,”²² Hertz is even more unsparing in his criticism. Shimon and Levi, he writes, “certainly acted in a treacherous and godless manner. Jacob did not forgive them to his dying day.”²³ Even Moses is not spared from criticism. In commenting on Moses’ slaying of the Egyptian who smote a Hebrew slave, Hertz cites Charles Foster Kent, an early twentieth century American Biblical scholar, who says that “[Moses’] act may be condemned as hasty. In its immediate results it was fruitless, as is every attempt to right a wrong by violence.”²⁴ Those accustomed to reading discussions of which method of capital punishment Moses imposed on the gentile Egyptian for the capital crime of striking an Israelite (see *Sanhedrin* 58b) will be shocked by this citation of a

²¹ See Maimonides, *Guide of the Perplexed*, trans. Michael Friedlander (New York, 1904), II, 32-35 (160-173). Though Maimonides himself stresses the unique character of Moses’ prophecy, it does not seem to conflict with Hertz’s description of the “inspired comment of Moses.” For an excellent overview that stresses the distinction between Maimonides’ view on prophecy and that of R. Judah Ha-Levi, see Daniel Rynhold, *An Introduction to Medieval Jewish Philosophy* (London and New York, 2009), 104-130, which also cites the classic studies of Harry A. Wolfson and Alexander Altmann on this topic.

²² *The Pentateuch translated and explained by Samson Raphael Hirsch*, trans. Isaac Levy, Volume 1 (Gateshead, 1989), 523 (commenting on Genesis 34:25 ff.).

²³ Hertz Humash, 128.

²⁴ *Ibid.*, 211. (Hertz cites simply “Kent” as his source.)

non-traditionalist scholar's critical characterization of Moses' act. What must be borne in mind is the apologetic character of Hertz's commentary. His goal was to increase respect for Judaism and its texts among a largely assimilated British Jewish community. Hence, citing the Talmudic justification for executing a Noahide who has hit an Israelite would not achieve this goal, to put it mildly.

Despite the inadequacy of his treatment of the Hertz Humash, several other observations by Taylor shed important light on Hertz's religious views. Hertz regarded Kabbala as an indispensable component of Judaism. He writes that "to ignore Cabalism [sic.] ...is to leave unexplored large portions of the map of Jewish life and thought...to remain ignorant of Jewish mysticism is largely to fail to grasp one of the distinctive sides of the Jewish genius and one of the greatest driving forces in Jewish history" (93). Further, "Jewish mysticism has its sources in Jewish antiquity...its beginnings go back to the Bible."²⁵ Also instructive is Hertz's critical view of the non-observance of the early Zionist pioneers. At the twenty-fifth anniversary dinner for the World Mizrahi Organization in London in 1937, R. Hertz deplored the public desecration of the Sabbath in Erets Yisrael, saying "they drained medieval swamps but they must prevent the formation of moral swamps" (197).²⁶ Hertz also thundered against those who gave primacy to Ha-Tikvah over the Shema in Jewish education.²⁷

²⁵ Cited in Elton, *British Chief Rabbis*, 176. These quotes do not, of course, render Hertz a Kabbalist. But it does demonstrate that he did not treat the Kabbala cavalierly as many acculturated Western rabbis and scholars had done. Hertz singled out Heinrich Graetz as unjustifiably hostile toward Kabbala and Kabbalists. Ibid.

²⁶ It should be noted that Taylor's understanding of Jewish law is sometimes inadequate. He refers to the fact that "where[as] some particularly Orthodox Jewish wives would cover their heads with a *sheitel* (wig), Rose Hertz never did" (177). (This comes in the context of the Hertz's having been invited to be received at Buckingham Palace, after which Rose provided full details on her dress and accessories.) See, however, the pictures after 75, for another anomaly, from the point of view of halakha, about Rose's manner of dress. Taylor also describes R. Hertz's disagreement with R. Abraham Isaac Kook (1865-1935), who was rabbi of an Orthodox synagogue in London during World War I, concerning whether Kohanim would be permitted to fight in the war. "In Bible times they hadn't done so and there was some question about whether an exception could be made. Hertz laid it down firmly that where the safety of the country was threatened, *Cobanim* should fight like any other Jew" (90). *Dayyan Shmuel Yitzhak Hillman* (1868-1953) and R. Kook strongly opposed this ruling. Taylor obfuscates the boldness of this *pesak* by the irrelevant reference to Bible times.

²⁷ Hertz, *Affirmations of Judaism*, 18. This is from a sermon given by R. Hertz on March 30, 1926. In a footnote added to the redaction of this sermon, Hertz added that this is not to be understood as an assertion that Judaism and Zionism were mutually exclusive, as "one well-known anti-Zionist" claimed after hearing the speech (ibid, n.14).

Taylor notes how R. Hertz endeavored to teach his sons Talmud. This point is notable because sometimes Hertz is portrayed as a scholar who focused exclusively on Bible and ethics and who was disinterested in Talmudic studies. His devotion to seeing to his sons' Talmudic education is thus illuminating. R. Hertz was also proficient enough in Talmudic dialectic to deliver an hour and a half Talmudic discourse in Yiddish shortly after assuming the pulpit of the synagogue in Johannesburg that catered to East European immigrants.²⁸ R. Hertz himself recounted an incident that took place during his 1920-1921 pastoral tour of the Jewish communities of the British Empire. In one community, a man who had traveled far from his remote town with a minuscule Jewish population to see R. Hertz found him sitting on a train about to depart the station. Hearing of the man's desire for a visit by the Chief Rabbi but unable to provide one, Hertz asked the man if there was a set of "Shas" (Talmud) in that town. "Two sets," the man answered, to which Hertz replied, "then you are safe, even without the visit of a Chief Rabbi!"²⁹

Taylor's own description of R. Hertz's view of halakha, though inelegant, is unambiguous: "The yardstick for Hertz would continue to be whether, in accepting change, there would be any weakening to the immutable laws of the Talmud, that were, as far as Hertz was concerned, sacrosanct" (62). Hertz's attitude toward the Oral Law is encapsulated in his comments to the first Mishna in *Avot*³⁰ and is referenced, among other places, in his Pentateuch commentary to Deuteronomy 12:21.³¹ Hertz, like many other Orthodox scholars, believed that much of the Oral Law was produced by authorized Rabbinic sages in their elucidation of the Biblical text.³² Like them, he maintained that there was a revelation of

²⁸ Elton, *Britain's Chief Rabbis*, 202.

²⁹ Hertz, *Affirmations of Judaism* (London, 1975), 56-57.

³⁰ Joseph H. Hertz (ed.), *The Authorized Daily Prayer Book* (New York, 1960), 613. After clarifying that the meaning of "Torah" in that Mishna (which declares that "Moses received the Torah on Sinai"), according to Hazal, is the Oral Torah ("the meaning enshrined in [the Written Torah] as expounded and unfolded by the interpretation of successive generations of Sages who made its implicit Divine teachings explicit"), Hertz says that "on Sinai" means "from God on Sinai." Hertz then notes that "Tradition is a key word in the Jewish religious system. The Judaism of today is in the direct line of descent from the Revelation on Sinai, the intervening generations of teachers forming links in an unbroken chain of Tradition." Cf. J. H. Hertz, "Fundamental Ideals and Proclamations of Judaism," in Leo Jung (ed.), *The Jewish Library: Second Series* (New York, 1930), 53-73 (at 68); Hertz *Humash*, 322.

³¹ There Hertz stresses that the *halakhot* of *shehita* (ritual slaughter) were transmitted orally to Moses and the Jewish people.

³² For a concise medieval formulation of this position, see R. Yosef Albo, *Sefer ha-Ikkarim* (Jerusalem, 1995) 3:23 (366). Although this topic is beyond the scope

core points of the Oral Law to Moses at Mt. Sinai. Although he doesn't specify what those points were, and though he readily acknowledges the role of history in shaping Jewish religious praxis, Hertz stresses the Divine origin of biblical phrases that are ambiguous or likely-to-be-misunderstood-if-translated-literally, and which could not have been carried out had they not been accompanied by an oral explication of their meaning. Thus, Hertz stresses that the *original* meaning of the *pri ets hadar* (in Leviticus 23:40) is a citron/etrog. Hertz argues that the *intended original meaning* of the biblical expressions "life for life" and "eye for eye" (commentary to Exodus 21:23-24) was monetary compensation, and that it was not originally understood literally nor was it ever carried out literally. This, more than anything else, is the point of departure between Hertz and the Positive-Historical school of Zechariah Frankel, who maintained that the Rabbis of the Talmud changed the *original meaning* of Biblical texts in keeping with the needs of the people.³³ Likewise, Hertz's view of the Shulhan Arukh is entirely traditional.³⁴

Not only did Hertz sit together with R. Abramsky on the London Beit Din,³⁵ it was precisely Hertz's practical stances concerning halakha that earn for him a rightful place as a faithful guardian of the *mesorah*. One of his first acts as Chief Rabbi was to install the great Talmudic scholar, R. Shmuel Yitzhak Hillman, as Chief *Dayyan*; after Hillman's retirement, he installed

of this essay, it seems to the present author that Hertz's views on the Oral Law are very closely in line with those of R. Moshe Shmuel Glasner (1856-1924), the author of the celebrated Talmudic work *Dor Revi'i*. For an English translation of the core text expressing R. Glasner's view, see Yaakov Elman, "From the pages of *Tradition*: Rabbi Moses Samuel Glasner: The Oral Law," *Tradition* 25:3 (1991), 63-69.

³³ See Zechariah Frankel's 1845 response to the Reform synod held in Frankfurt that year, published in English as "On Changes in Judaism," in Paul Mendes-Flohr and Jehuda Reinharz (eds.), *The Jew in the Modern World*, Third Edition (Oxford University Press, 2011), 217-219.

³⁴ Hertz consistently characterized the *Shulhan Arukh* as "the authoritative religious code of Orthodox Jewry" (in, e.g., J. H. Hertz, *Affirmations of Judaism* [London, 1975], 107), sometimes substituting "Rabbinic Judaism" for "Orthodox Jewry" (e.g., *Pentateuch and Haftorahs*, 1050). (See Hertz, *Sermons, Addresses, and Studies* Vol. 1 [London, 1938], 257, where Hertz describes the Shulhan Arukh "the last authoritative codification of the halacha.") The fact that he occasionally used terms other than Orthodox to describe the position within Anglo-Jewry to which he subscribed (such as "Traditional" or even "progressive conservative"—see Freud-Kandel, 52-60, for citation and explanation of this latter term) merely indicates the interchangeability of these terms in the early twentieth century before the emergence of Conservative Judaism as a distinct denomination.

³⁵ See the pictures in Soraski, *Melekh*, 343.

R. Abramsky.³⁶ R. Hertz and R. Abramsky jointly signed rigid halakhic rulings in the name of the Beth Din. R. Abramsky is quoted by his Haredi biographer as having stated, “[...] Rabbi Dr. Hertz was not suspect, Heaven forbid, of straying from [the rulings of] the *Shulhan Arukh* even an iota.”³⁷ R. Abramsky also eulogized R. Hertz, comparing him to the Talmudic sage Abaye.³⁸

In closing, it should be noted that while Taylor’s book does not provide the satisfying intellectual profile of R. Hertz that many readers may be looking for, it does fill in the gaps in his biography. We now know so much more about Hertz’s activities in South Africa, his tour of the British colonies as Chief Rabbi, and his personal life. Although it will be necessary to supplement Taylor’s book with the ones by Freud-Kandel and Elton (and a cautious reading of Meirovich’s revisionist study) to obtain a full intellectual portrait of R. Hertz, those looking for a popular and thorough biography of one of the most influential of all British chief rabbis should avail themselves of this eminently readable book.

³⁶ Freud-Kandel, *Orthodox Judaism*, 87-92, argues that R. Abramsky was chosen by Waley Cohen to challenge Hertz’s authority. However, Elton, *Britain’s Chief Rabbis*, 215, cites a United Synagogue minute from March 1935 that described Hertz as “very anxious to have Rabbi Abramsky.” According to Geoffrey Alderman, Rabbis Hertz and Abramsky “became good friends.” Alderman, “Orthodox Judaism and Chief Rabbis in Britain,” *The Jewish Journal of Sociology* 49:1-2 (2007), 81. [Dr. Freud-Kandel, in personal communication from December of 2009, characterized the relationship between Hertz and Abramsky as more tumultuous.] Taylor’s view is that Hertz “persuaded [Abramsky] to accept the position of senior dayyan at the Beth Din in 1935... [in order] to strengthen the Talmudic expertise on the Beth Din after Dayan Hillman” retired. Yet, Taylor does maintain that Waley Cohen favored this appointment as “a probable Talmudic counterbalance to the Chief Rabbi” (186-187). Not subject to any dispute is the fact that Hertz decided to hire Dr. Isidor Grunfeld, famed Hirschian scholar, as a *dayyan* in 1939.

³⁷ Soraski, *Melekh*, 325, 401-403; 330. (R. Abramsky was concerned, however, about a possible successor to Hertz not accepting the full authority of the Shulhan Arukh. Given the 1964 Jacobs Affair, this was a prescient concern on the part of Abramsky.)

³⁸ Isidore Epstein (ed.), *Joseph Herman Hertz, 1872-1946: In Memoriam* (London, 1947), 40-41. (R. Abramsky, relying upon the rabbinic tradition that the bridge over the Tigris collapsed upon the death of Abaye, stated that R. Hertz too had served as a unifying force for the various Jewish communities in Britain.) R. Abramsky had also prepared a speech in honor of Hertz’s seventieth birthday in which he compared him to *Yosef ha-Tsaddik*, who upheld Judaism in a foreign land, as R. Hertz had done. Soraski, 388. (The caption under the photo of the speech manuscript mistakenly states that it was for Hertz’s 25th anniversary as Chief Rabbi.) Obviously, these tributes contain a degree of hyperbole but they do demonstrate R. Abramsky’s genuine regard for Hertz.