

***For the Love of Humanity:
The Religious Humanism of
Rabbi Samson Raphael Hirsch***

By: SHMUEL LESHER

I

In my teenage years, I was burning with questions. Perhaps they were not questions unique to an Orthodox young adult growing up in a modern world, but they burned nonetheless. How can I accept that the Jewish People are God's "*am segulah*" (treasured nation) when I would readily reject such a concept found in other faiths? Can I honestly be dedicated to a universal moral vision for all of humanity while being truly committed to the authentic and traditional Torah perspective?

Early on, my struggle led me to Rabbi Samson Raphael Hirsch. From the moment I started reading *The Nineteen Letters*, I was taken by R. Hirsch and his attempt to paint, with broad strokes, the overarching themes of Judaism. He was deeply rooted in Jewish tradition, and yet simultaneously engaged with the world. He confronted with confidence many of the questions I had about Judaism and its place within the world at large. But perhaps more than any particular answer that he provided, he confirmed for me that I was not wrong in my attempts to make sense of the many clashes I found between traditional Judaism and the values of universal humanism.

As I learned more about R. Hirsch, I began to realize that his thought laid much of the groundwork for other subsequent Jewish thinkers who attempted to address the confrontation between tradition and modernity, between Judaism and the world, and between the particular and the universal. This paper will attempt to paint a portrait of R. Hirsch's unique vision of religious humanism and universalism. It will also explore how R.

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Hirsch addressed the issues of Jewish identity, chosenness, and the value of non-Jews and society at large.*

The Opposition: Challenges and Criticism of R. Hirsch

It is undisputed that R. Hirsch was a historic figure. His impact is still acutely felt today over 130 years after his passing. However, part of that history includes a well-established camp of opposition which had a significant amount of ambivalence for R. Hirsch and his *Torah Im Derekh Eretz* program. There have been three basic categories of opposition to R. Hirsch. Some have challenged his credentials as a Torah scholar or *gadol*.¹ Others questioned his intentions, claiming that he embraced humanism and modernity only as a temporary concession. And others even called his own authenticity into question, mistakenly arguing that R. Hirsch was “a German humanist in rabbinic garb” who was fundamentally influenced by the societal mores of his time.²

The rejection of R. Hirsch’s *Torah Im Derekh Eretz* community model is almost ubiquitous among Eastern European Torah leaders.³ In his day,

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¹ Noah H. Rosenbloom, *Tradition in an Age of Reform: The Religious Philosophy of Samson Raphael Hirsch* (JPS, 1976), 60, 90. See, however, Moshe Y. Miller, *Rabbi Samson Raphael Hirsch and Nineteenth Century German Orthodoxy on Judaism’s Attitude Towards Non-Jews*, Doctoral Dissertation (Yeshiva University, 2014), 182–190, who seriously challenges Rosenbloom’s assertion. For a fierce rebuttal of Rosenbloom’s study see Mordechai Breuer, “Review Essay: Tradition in an Age of Reform: The Religious Philosophy of Samson Raphael Hirsch by Noah H. Rosenbloom,” *Tradition*, 16:4 (1977), 140–149.

² See R. Shimon Schwab’s approbation to Joseph Elias (ed.), *The Nineteen Letters: The World of Rabbi S. R. Hirsch* (Feldheim, 1995), vii (henceforth: TNL). This is probably a reference to Rosenbloom’s skewed depiction of R. Hirsch.

³ See, for example, Eliyahu Eliezer Dessler, “*Al Torah im Derekh Eretz*,” *Ha-Ma’ayan*, 4, *Tishrei* (Jerusalem, 1963), 61–64, reprinted in *Mikhtav Me-Eliyahu*, III (Bnei Brak, 1964), 356–358; Barukh Ber Lebowitz, *Birkhat Shmuel*, I, *Kiddushin* (New York, 1972), no. 27; Elhanan Wasserman, *Kovetz Ma’amarim*, I, 304–305; *S’ridei Aish*, II, 8, 14; Dov Katz, *Tenuat Ha-Musar*, I, 167–169, 226; *Koveitz Iggerot Hazon Ish*, II (Bnei Brak, 1956), 443–444. Even the iconoclastic Lubavitcher

R. Hirsch and his program were seen by many among the traditionalist camp as introducing a new and unwanted modernity into their communities.⁴ His openness to secular studies put him at odds with many who rejected the pursuit of a secular education. Uncharacteristic of the rabbinate of his time, R. Hirsch chose to write in High German, the vernacular used in the contemporary non-traditional society of his time.

Unlike many other Torah authorities of his time, R. Hirsch is not particularly known for classical talmudic analysis or typical halakhic responsa. His famous writings, *The Nineteen Letters* and *Horeb*, as well as his monumental commentary on the Torah, are works filled with poetic, passionate, and sophisticated Jewish thought, but decidedly contemporary and mostly non-halakhic in their nature and content. All these factors led some to question the authoritative nature of the person, and of such works in general.⁵

A typical critique of R. Hirsch can be found in the writings of R. Shlomo Wolbe. In a passage addressing the Torah view on secular knowledge, R. Wolbe notes the “*gedolei Yisrael’s*” dismissal of R. Hirsch’s openness to secular culture as a *bora’at sha’ab*—a temporary ruling. He argues that *Torah Im Derekh Eretz*, as R. Hirsch conceived it, is irrelevant to the current Jewish community. Although successful for the lay community, R. Hirsch’s model failed to produce a single *gaon*, Torah genius. According to R. Wolbe, Germany proved it was impossible to incorporate secular studies into a yeshiva curriculum if any measure of success was to be achieved.⁶

Although some of these grievances are not burning issues today, some of these critiques have remained, leaving the Hirschian legacy somewhat tainted. Today, some see R. Hirsch as “a masterful commentator on the Torah, a brilliant polemicist against Reform Judaism, and a great innovator in the field of Jewish education.”⁷ However, he is reputed to be somewhat second-rate when compared to the towering talmudists of his day.

Perhaps the most fundamental criticism of R. Hirsch and his humanism came from an unlikely source. R. Aharon Lichtenstein, an advocate

Rebbe, R. Menachem Mendel Schneerson, took a similarly critical view of R. Hirsch’s program. See Chaim Miller, *Turning Judaism Outward* (KOL Menachem, 2014), 94–95.

⁴ See Jacob Katz, “Rabbi Shmshon Raphael Hirsch, *Ha-Meimn ve-ha-Masmeil*,” in Mordechai Breuer (ed.) *Torah im Derekh Eretz: Ha-Tenuah, Isheba, Ra’ayonoteha* [Hebrew] (Bar Ilan University, 1987), 13–31.

⁵ I recall one notable Torah scholar told me something to the effect of, “R. Hirsch was not a *gadol ba-Torah*, he was a *manbig* (communal leader). His *peirusb* (Torah commentary) does not come from *Haqal*. He invented his approach.”

⁶ Shlomo Wolbe, *Alai Shor*, I (Jerusalem, 1997), 296.

⁷ Ezra Schwartz, “A Gadol for the Nineties,” *Ha-Mevasser* 36, Fall 1997, 13.

for religious humanism, wrote of R. Hirsch with a large degree of skepticism:

Without in any way maligning him, it must be candidly stated that in much of his works it is precisely the sense of accommodation and concession—at times, even apologetics—that is persistent, if not pervasive... I presume...as with the Rambam...that in part we are not dealing with a graft at all but with an interpretation of the tradition; if you will, with a prism through which its thrust and content are perceived. Surely, R. Hirsch did not regard the degree of universalism which he espoused as an addendum. He undoubtedly saw it as the woof and warp of *Yahadut*, as the optimal response to an inherent question...⁸

For R. Lichtenstein, although R. Hirsch's work appears genuine, when encountering his humanism and universalism, the sense of accommodation is inescapable.

The Defense

It appears that the claim that R. Hirsch was not a proper Torah scholar is untenable. Professor Shnayer Leiman argues that the recent publications of many of R. Hirsch's halakhic responsa and *hiddushim* explode the myth that R. Hirsch was a second-rate talmudist.⁹ R. Hirsch was clearly an expert talmudist who displayed a remarkable familiarity with the various branches of Talmudic literature throughout his writings.¹⁰ In fact, R.

⁸ Aharon Lichtenstein, "Legitimization of Modernity: Classical and Contemporary," in Moshe Z. Sokol (ed.), *Engaging Modernity: Rabbinic Leaders and the Challenge of the Twentieth Century* (Aronson, 1997), 30. This critique predates R. Lichtenstein. See Gershom Scholem, "Politik der Mystik," *Juedische Rundschau* (1934), Nr. 57, 7 (German) cited in Mordechai Breuer, *The Torah im Derekh Eretz* of R. S.R. Hirsch (Feldheim, 1970), 61n117.

⁹ Shnayer Z. Leiman, "Rabbinic Responses to Modernity," *Judaic Studies*, no. 5 (Fall 2007). See also Eliyahu Meir Klugman, *Rabbi Samson Raphael Hirsch: Architect of Judaism for the Modern World* (ArtScroll Mesorah, 1996), 49–51, 288–296. Also see Leo Levi in Elliot Bondi (ed.), *Tzvi Tifarto: The World of Hirschian Teachings* (Feldheim, 2008), 187–188 and Yaakov Perlow, "Rav S.R. Hirsch: The Gaon in Talmud and Mikra," *Tzvi Tifarto* 45–59.

¹⁰ R. Hirsch's encyclopedic command of rabbinic literature is evident in his criticism of the fourth volume of Heinrich Graetz's *History of the Jews*. See Samson Raphael Hirsch, *Collected Writings*, V (Feldheim, 1988), 65–66, 125, 173, 179, 181 (henceforth: *CW*), and Klugman 245–250.

Hirsch communicated with the greatest Torah giants of his time.¹¹

Although it is often difficult to gauge the level of scholarship or stature of any given rabbinic figure, the deference R. Hirsch was given by prominent rabbinic leaders of his generation and of later generations is instructive. Even though many criticized his *Torah Im Derekh Eretz* approach, on the whole, Torah scholars of the highest caliber and reputation had tremendous respect for R. Hirsch. R. Yitzhak Elhanan Spector,¹² R. Yisrael Salanter,¹³ R. Hayyim Ozer Grodzinsky,¹⁴ R. Avraham Binyamin Schreiber (author of the *Ketav Sofer*),¹⁵ R. Elazer Menachem Man Shach,¹⁶ R. Yosef Shalom Elyashiv,¹⁷ have all expressed their tremendous respect and awe for R. Hirsch.

In regard to whether his educational program was intended as an ideal, ultimately, the greatest proof of R. Hirsch's belief in *Torah Im Derekh Eretz* as a timeless ideal can be found in R. Hirsch's own words:

Torah Im Derekh Eretz is the one true principle conducive to truth and peace, to healing and recovery from all ills and religious confusion. The principle *Torah Im Derekh Eretz* can fulfill this function because it is not part of the troubled, time-bound notions; it represents the ancient traditional wisdom of our Sages that stood the test everywhere and at all times.¹⁸

For R. Hirsch, the application of Torah values to a particular age or culture is the historic task of the Jewish People and must be negotiated anew for every age. If properly understood and applied, R. Hirsch believed the Torah would reign supreme in every age and culture.¹⁹ For R.

¹¹ See Hirsch, "Hitzkatvut im Gedolei Doro," *Shemesh Marpei*, 259–269. See also Breuer, *Torah im Derekh Eretz*, 49, and Klugman 52.

¹² Isidor Grunfeld, *Three Generations: The Influence of Samson Raphael Hirsch on Jewish Life and Thought* (Jewish Post, 1958), 38, and approbation to *Terumat Tzvi: The Pentateuch*, trans. Gertrude Hirschler (Judaica Press, 1986).

¹³ Naftali Hertz Ehrmann, *Israelit* XXIV: 22:362 (1883) cited in Klugman 369n21 and Katz, *Tenuat Ha-Musar*, I, 222–223. For an English translation see Yehoshua Leiman, *Two Giants Speak* (Jerusalem, 2002), 57–64 and Elias, *TNL*, xi–xiii.

¹⁴ *Iggerot R. Hayyim Ozer*, I (Yeshivat Rabbeinu Yaakov Yosef, 2000), no. 296, p. 328–330.

¹⁵ See Hirschler, Preface to *Terumat Tzvi* and Grunfeld, *Three Generation*, 43–44.

¹⁶ Appropriation for Eliyahu Meir Klugman (ed.), *Shemesh Marpei* (ArtScroll Mesorah, 1992).

¹⁷ *Ibid.*

¹⁸ *CW*, VI, 221.

¹⁹ Isidor Grunfeld, *S.R. Hirsch: The Man and His Mission* (Soncino, 1956) xvii–xviii (henceforth: *Intro to JE*).

Hirsch, *Torah Im Derekh Eretz* is a “Torah for the Ages.” In light of this, and many other such passages in R. Hirsch’s writings, it appears impossible to claim that R. Hirsch’s position does not represent his fundamental and ideal worldview.²⁰

As R. Lichtenstein noted, when studying R. Hirsch’s humanism, the most significant objection which requires a response is the question of authenticity and influence. However, here again, I believe R. Hirsch speaks for himself. R. Hirsch strongly believed in studying the Torah and Judaism from “within” (*aus sich heraus*) and arriving at our perceptions of the Torah’s worldview as it emerges from the Torah itself.²¹ R. Hirsch had biting criticism for both Mendelsohn, and even for Rambam, for what he saw as approaching the Torah from the “outside” and imposing their own perceptions on the Torah, instead of examining Judaism from “within.”²² This is a major theme found throughout R. Hirsch’s writings. R. Hirsch constantly rejected any form of accommodation or apologetics.²³

Furthermore, throughout his rabbinic career, R. Hirsch absolutely did not pull punches. He was often the subject of criticism when he rejected many new approaches and reforms to Judaism as inauthentic accommodations. It is almost absurd to accuse R. Hirsch of intentional accommodation or apologetics, molding the Torah into an intellectually acceptable worldview. Essentially, that would be tantamount to stating, in the most ironic way, that R. Hirsch was guilty of the very thing he so vehemently warred against his entire life. One can only conclude, as R. Lichtenstein did, that R. Hirsch must have firmly believed that his perspective of religious humanism was a genuine Torah perspective which emerged organically from the Torah. “The optimal response to an inherent question.”²⁴

²⁰ For other excerpts of R. Hirsch’s writings which indicate his belief in *Torah im Derekh Eretz* as ideal, see Leiman, “Rabbinic Responses to Modernity,” 77–84.

²¹ See Isidor Grunfeld, *Introduction to Horeb* (Soncino, 1962), xli (henceforth: *ITH*).

²² *TNL*, Letter 18.

²³ See *TNL*, Letter 2; preface to Samson Raphael Hirsch, *The Pentateuch*, trans. Isaac Levy (L. Honig & Sons, 1959) often referred to as *The Commentary on the Torah* (henceforth: *COT*); *Intro to JE*, xxxvi–xxxvii; Samson Raphael Hirsch, *Judaism Eternal*, II, Isidor Grunfeld (ed.) (Soncino, 1956), 235 (henceforth *JE*). See also Samson Raphael Hirsch, forward, *Horeb*, Isidor Grunfeld (ed.), (Soncino, 1962), clv–clxii.

²⁴ Lichtenstein, “Legitimization of Modernity,” 30.

II

R. Hirsch's Universalism and Humanism

Because humanism can mean a number of things, let us first define our terms. The term was probably first coined by theologian Friedrich Niethammer at the beginning of the 19th century²⁵ (just about the same time R. Hirsch was born) to refer to a system of education based on the study of classical literature. Humanism or the humanities are terms often used to describe the study of humanity and specifically the human experience. The liberal arts—literature, history, philosophy, and psychology—can all be included within humanism. However, more germane to this article, the term can also refer to a kind of ethical philosophy. Within this definition, humanism is a perspective that affirms the notion of human freedom and progress which emphasizes a concern for all human life and the universal human experience. There certainly is overlap between the two definitions. The study of humanism as a subject focuses on the human experience, which in turn enhances appreciation of the universal nature of the human condition. Although R. Hirsch embraced the study of the humanities as part of the ideal religious life, in this section we will focus on the universal and humanistic ethic in his writings.

To be sure, R. Hirsch did not invent a humanistic perspective within Judaism *ex nihilo*. He was building on a tradition certainly found in the *Rishonim*. Rambam (1135–1204) repeatedly emphasizes the ability of all human beings, Jew and non-Jew alike, to reach spiritual heights.²⁶ Humanistic themes, in particular a non-discriminatory approach to gentiles “bound by the ways of civility and religion,” are also found in the writings of Meiri (1249–1306).²⁷ However, as will be explored below, R. Hirsch made a unique contribution to this school of thought.

²⁵ Friedrich Niethammer, *The Dispute Between Philanthropinism and Humanism in the Educational Theory of our Time*, Hillebrecht (ed.), (Beltz, 1968).

²⁶ See *Mishneh Torah, Teshuvah*, 5:2 and *Yesodei Ha-Torah* 4:8, 7:1. See also *Moreh Nevukhim* 3:28. For a fuller analysis of Rambam's perspective and how it differs from that of the Kabbalistic school, see Hanan Balk, “The Soul of a Jew and the Soul of a Non-Jew,” *Hakirah*, 16 (New York, 2013), 61–76.

²⁷ See his *Beit Ha-Behirah, Bava Kamma* 37b, *Avodah Zarah* 15b, 2a and *Yoma* 84b. For more on the approach of Meiri see Moshe Halbertal, “R. Menahem ba-Meiri: Bein Torah le-Hokhmah,” *Tarbiz* 63, 1994, 63–118, and his *Bein Torah le-Hokhmah: Rabbi Menahem ba-Meiri u-Ba'alei ha-Halakhah ba-Maimunim bi-Provence* (Jerusalem, 2000). For an English translation see “Ones Possessed of Religion”: Religious Tolerance in The Teachings of Meiri,” *Edah*, I, 2000, 1–24.

Torah Im Derekh Eretz: A “God-Rooted Humanism”

Torah Im Derekh Eretz is a phrase which is perhaps as elusive as it is ubiquitous. This slogan, most commonly associated with R. Hirsch, was broadly translated by Dayan Grunfeld as “God-rooted religious humanism.”²⁸ For R. Hirsch, *Torah Im Derekh Eretz* does not just mean the study of Torah combined with an occupation. Hirschian *Torah Im Derekh Eretz* means that “Torah and *Derekh Eretz* are one.” Perhaps it is in his commentary on the Torah where R. Hirsch comes closest to a definition of the philosophy most attributed to him:

Culture starts the work of educating the generations of mankind and the Torah completes it; for the Torah is the most finished education of Man...culture in the service of morality is the first stage of Man’s return to God. For us Jews, *Derekh Eretz* and Torah are one. The most perfect gentleman and the most perfect Jew, to the Jewish teaching, are identical. But in the general development of mankind culture comes earlier.

But of course, where culture and civilization are used in the service of sensuality, degeneration only gets all the greater. But still, such misuse of culture does not do away with the intrinsic value and blessing of *Derekh Eretz*.²⁹

R. Hirsch posits a radical, yet simple understanding of the teaching of “*Derekh Eretz Kadmah L’Torah*, the ways of culture preceded the giving of the Torah by 26 generations.”³⁰ R. Hirsch writes that the Torah completes the educational process of cultural and social refinement (his understanding of *Derekh Eretz*).

Although “low culture” or “degenerative humanism” corrupts Torah ideals, this does not negate the intrinsic value of “good and true culture.” Indeed, Jews should rejoice when mankind is informed and enlightened by this “good culture.”³¹ In Dayan Grunfeld’s words:

[According to R. Hirsch] As the Torah was given to develop our human gifts and faculties, it is unthinkable that it should not be in agreement with those products of human civilization and culture which bring man near to God and a life under moral law. The aim of the Torah is rather to proclaim the ideal of a religious humanism.³²

²⁸ *ITH*, xciii.

²⁹ *COT*, *Bereshit* 3:24.

³⁰ *Tanna Debei Eliyahu Rabbah* 1:1 and *Va-Yikra Rabbah* 9:3.

³¹ *Ibid.*

³² *ITH*, xciii.

Religious Humanism versus Secular Humanism

Broadly speaking, religious humanism is an integration of humanistic values and religious doctrine. Although much of R. Hirsch's thought has been categorized as religious humanism, he often contrasted the Torah's moral ethic with a purely secular humanism.³³ In his view, humanity is not fully capable of ethical morality and self-fulfillment without belief in God or religious dogma.³⁴ Man can only achieve the ideal humanism by heeding two existing revelations: the natural revelation in every man's soul and the divine supernatural revelation at Sinai. In the following passage, R. Hirsch expresses the ideal integration:

Israel was chosen to symbolize the meeting between Humanism and Torah. But there are heralds of God's truth and instruments of His purposes, who show man the divine and human elements in his heart. Thus, modern Humanism is a means to combine the religious and the human ideal by striving after the true, the good, and the beautiful.³⁵

In R. Hirsch's view, no room remains for a contradiction between Judaism and humanism. "Judaism is simply humanism on a higher, divine plane."³⁶ R. Hirsch, however, qualified this radical position by stating that although man needs to rely on his moral conscience, he may never deny his divine obligations. These obligations were revealed to the Jewish People at Sinai, and thus the divine will was recognized.³⁷

R. Hirsch's approach to secular humanism is apparent in his treatment of the concept of natural morality. R. Hirsch lived at a time when the existence of an ethical morality independent of religion, essential to a secular humanistic position, was hotly debated. R. Hirsch clashed with the Reformers of his time, specifically Abraham Geiger,³⁸ who claimed that the character of the Torah must depend on man's individual conscience and his own moral judgment. Although R. Hirsch, too, believed in a natural morality present in the world, it must be fettered and defined by religion. As noted above, R. Hirsch stressed time and time again, "within the

³³ *ITH*, xc and *COT*, *Beresbit* 3:24. Also see R. Hirsch's criticism of Mendelssohn's philosophy in *TNL*, *Letter* 18.

³⁴ *Ibid.*, lxxxix–xcvii.

³⁵ *CW*, VI, 316. See also his *Commentary* on Psalm 47.

³⁶ *ITH*, xci; see also *COT*, *Beresbit* 2:16.

³⁷ *Intro to JE*, xx.

³⁸ Abraham Geiger, *Wissenschaftliche Zeitschrift für Jüdische Theologie*, IV, 11 cited in Grunfeld, *ITH*, lxxvii.

circle of Judaism the Divine Law must be the soil out of which your intellectual and spiritual life is to grow, not vice versa. You must not, from your intellectual and spiritual life, produce the basis on which to establish a Divine Law.”³⁹ “Humanism is only a stepping stone towards a higher conception of man.”⁴⁰

An expression of this debate was the questioned acceptance of Immanuel Kant’s theory of autonomy of will, i.e. moral self-legislation.⁴¹ As a whole, the reformers used Kant’s theory as the sole principle of all moral laws and all duties which accompany them. Kant posited that any law coming from outside (heteronomy), even if that outsider is God himself, must be subject to scrutiny of man’s own conscience and moral self-legislation. R. Hirsch, vehemently opposed to this view, maintained that the Reformers looked at the Torah from the “outside” and applied their own preconceived notions, instead of examining Judaism from within and viewing the sources of Judaism as given phenomena.⁴²

However, R. Hirsch certainly believed in the innate human desire for the moral life. R. Hirsch often wrote of a conscience which is embedded in every human breast. In fact, R. Hirsch celebrated Psalms as a book that inspires all of mankind. “For far beyond the confines of the Jewish People, even today, the Psalms still serve to lift up to God the emotions of all those who seek Him.”⁴³ For R. Hirsch, this human conscience can be seen as “the Voice of God.”⁴⁴ He explained that this innate morality is common to all human beings and is the basis for the seven Noahide Laws.⁴⁵ As noted above, R. Hirsch made one major caveat. God is the highest moral authority and, therefore, this universal morality must be seen as a commandment from God, not as a result of human logic and reasoning.⁴⁶

According to R. Hirsch, natural morality can dictate how one should treat his fellow man. Either through Kant’s categorical imperative, or

³⁹ Hirsch, Preface to *Horeb*. For a fuller treatment of this issue see Aharon Lichtenstein, “Does Judaism Recognize an Ethic Independent of *Halakha*?” *Leaves Of Faith: The World of Jewish Living*, II (Ktav, 2004), 33–56.

⁴⁰ *Intro to JE*, xx.

⁴¹ Immanuel Kant, *Critique of Practical Reason*, Book I chapter I, Theorem IV (1788).

⁴² Grunfeld, *ITH*.

⁴³ *The Hirsch Tebillim* (Feldheim, 2014) xvii.

⁴⁴ *TNL*, Letter 15.

⁴⁵ *COT*, *Beresbit*, 2:16, 17.

⁴⁶ *Ibid.* R. Hirsch followed the view of Rambam which we discuss in more detail below.

through Hillel's identical universal law,⁴⁷ man can logically reach a conclusion as to how to relate to his peers. Similarly, the recognition of God does not need revelation, as it can be found in nature.⁴⁸ Nevertheless, revelation is needed in order for man to know how to relate to himself and how to treat nature.⁴⁹

In summation, R. Hirsch's position was quite contentious. While traditionalists may have dismissed humanism altogether, R. Hirsch embraced it as part of his ideal vision. On the other hand, humanists rejected the religious component which R. Hirsch saw as essential to a full understanding of humanism. Influenced by Kant's theory of autonomy, many of R. Hirsch's opponents believed everything, including divine law, must be measured by human reasoning. R. Hirsch never tired of stressing his emphatic disagreement. In R. Hirsch's view, universalism and humanism are central to Judaism. The Bible begins with man, not a Jew. Judaism welcomes every progression, enlightenment, and virtue, no matter the medium through which it comes. However, this does not mean that human reasoning gives credence to the divine law. Revelation is obligatory and valued, regardless of its conformity with human logic.

Abraham, the Religious Humanist

R. Hirsch naturally points to Abraham as the ideal for his conception of religious humanism. After both his circumcision and the *Akeidah*, acts of tremendous religious significance which may have brought about separation between him and mankind in general, Abraham remains unaltered in his behavior towards humanity.

We see Abraham, with the pain inflicted by this sign still fresh, sitting before his tent in the heat of the sun and looking out for weary travelers, inviting idolatrous strangers into his house and showing mercy and kindness and the love of God to all his fellow-men without distinction.⁵⁰

In contrast with how some have claimed that the Jews see themselves as the circumcised and "favored ones," R. Hirsch describes Abraham's

⁴⁷ "That which is distasteful if done to you, do not do to your fellow man." See *Shabbat* 31a.

⁴⁸ See R. Hirsch's commentary *Tehillim* 19.

⁴⁹ For a fuller understanding of R. Hirsch's approach to the need for revelation see *TNL*, *Letters* 10, 11 and *ITH*, lxxxii-lxxxix.

⁵⁰ *JE*, II, 219.

attitude towards the uncircumcised after his circumcision as “entirely unaltered.” In fact, his only worry was that people would draw away from him.⁵¹

And again, after the *Akeidah*, Abraham and Isaac are powerfully depicted by R. Hirsch as returning to their attendants. They did not leave the rest of mankind behind on their journey towards spirituality. This, for R. Hirsch, symbolizes their returning to their duty of brotherly love for all of humanity.⁵²

Appreciation for All of Mankind

‘Love your neighbor as yourself’ (*Va-Yikra* 19:18). R. Akiva taught that this is the great, all-embracing, comprehensive principle [of the Torah]. Ben Azai taught that ‘*Zeh sefer toldot ha-Adam*, This is the book of Mankind’ is the great, all-embracing comprehensive principle [of the Torah].⁵³

Fitting with his vision of the unity of all of mankind, R. Hirsch, interpreting Ben Azai’s statement, understands ‘*Zeh sefer toldot ha-Adam*’ as the “brotherhood of mankind” and the all-encompassing theme which encapsulates the entirety of the Torah.⁵⁴ In fact, according to R. Hirsch, “the first truth which stands at the head of the history of Man is that all men are human beings, and the image of God [in man] is never completely lost.”⁵⁵

Early in his career, R. Hirsch wrote a polemical essay in the wake of a controversy over the Jewish view of the Christian God in 1841. In this piece, R. Hirsch highlighted the Torah’s humanistic approach to the stranger, the *ger*, the non-Jew. R. Hirsch responded sharply to the claim of “Jewish tribalism” by noting the Torah’s emphasis on loving “the stranger.”⁵⁶

⁵¹ *COT, Bereshit* 18:1.

⁵² *COT, Bereshit* 22:19.

⁵³ *Talmud Yerushalmi, Nedarim*, 9:4; *Midrash Rabbah Bereshit* 24; *Sifra Kedoshim* 2:4.

⁵⁴ *COT, Bereshit* 5:1.

⁵⁵ *Ibid.*

⁵⁶ *CW*, IX, 109–111. Although, in this passage, R. Hirsch deviated from traditional rabbinic exegesis in his interpretations of the *ger*, Moshe Y. Miller suggests that R. Hirsch interpreted Scripture here based on his understanding of the simple meaning of the text. Traditional rabbinic exegesis allows for this form of interpretation. Miller suggests that his reliance on the simple meaning of Scripture allowed R. Hirsch to avoid some discriminatory rabbinic interpretations that did

R. Hirsch also emphasized the ability of all human beings to reach spiritual heights. In his oft-cited essay “The Jewish Woman,” R. Hirsch wrote: “The view of the sages of Judaism is that every human being, regardless of class, sex or nationality, is capable of intellectual and moral perfection.”⁵⁷ Similarly, R. Joseph B. Soloveitchik describes the belief that “all men are equally servants of God” and “each person has a unique mission and is equally worthy” as “Judaic humanism or democracy.”⁵⁸ These statements are definitional to the humanistic outlook.

With the rise of the German Idealism movement at the turn of the 19th century, a somewhat renewed interest in the writings of Immanuel Kant began. It is therefore not surprising that R. Hirsch was very taken by Kant. In fact, he studied Kant’s writings regularly with a young Heinrich Graetz.⁵⁹ This appreciation continued, and perhaps was even more fully expressed, for an admirer of Kant, the romantic poet, Friedrich von Schiller (1759–1805). R. Hirsch participated in the 100th-anniversary of Schiller’s birth. At the celebration in Frankfurt, R. Hirsch delivered a famous address known as the *Schillerrede*.⁶⁰ In this speech R. Hirsch spoke of the noble expressions of compassion, justice, and human decency he saw in Schiller’s writings.⁶¹ One would be hard pressed to find a parallel to this kind of a celebratory attitude in other traditional rabbinic leaders.

In a similar vein, R. Hirsch saw many positive elements in the emergence of emancipation, a more humane society and the newfound freedom granted to Jews in his day. As early as in his *The Nineteen Letters*, he expressed his belief that the goal of *galut* and emancipation is to allow for Jewish influence on the world stage. R. Hirsch encouraged his readers to share his vision of “every son of Israel a respected, influential model of righteousness and love, spreading not Judaism—this is forbidden—but pure humanitarianism.”⁶²

not align with his humanistic perspective. See Miller, *Rabbi Samson Raphael Hirsch*, 201.

⁵⁷ *CW*, VIII, 135.

⁵⁸ Joseph B. Soloveitchik, *Out of the Whirlwind* (Ktav, 2003), xi and 148. I am indebted to R. Hanan Balk for this source.

⁵⁹ Klugman 243 citing Graetz’s personal diary.

⁶⁰ *CW*, VII, 61. See also Marc B. Shapiro, “Rabbi Samson Raphael Hirsch and Friedrich von Schiller,” *Torah U-Madda*, 15. (Yeshiva University, 2008–9), 172–187.

⁶¹ See Klugman 285.

⁶² *TNL*, Letter 16. In R. Bernard Drachman’s translation (first published in 1899 and later republished by Feldheim in 1959) this line appears as “disseminating among the nations not specific Judaism, for proselytism is interdicted, but pure humanity.”

R. Hirsch wrote that in his day, after experiencing centuries of persecution, the Jewish People were seeing much of this “barbarism” and “mania” disappearing. R. Hirsch contended that our ancestors would view contemporary society as a more “humane civilization.” Respect for what is right and for the truth, for human dignity and freedom, have become rooted in the minds of men.”⁶³ R. Hirsch even attributed “mighty victories [for] godly truths” to this society.⁶⁴ At the same time, he was painfully aware of the young Jews breaking from tradition and leaving in droves because of this new-found freedom.⁶⁵

R. Hirsch also addressed passages of the Torah which could be seen by the modern reader as barbarous or primitive. When elucidating the passages of the Torah commanding the annihilation of the Canaanite nations, R. Hirsch emphasized the exceptional nature of these passages.⁶⁶ In his thorough analysis of R. Hirsch’s attitude towards non-Jews, Rabbi Dr. Moshe Y. Miller argues that because of his humanistic perspective, R. Hirsch could not conceive of the Torah countenancing barbaric behavior as the norm.⁶⁷ In fact, Dr. Ephraim Chamiel notes that R. Hirsch interprets the Torah’s treatment of the *ger* as Judaism’s complete rejection of racism.⁶⁸ However, Chamiel notes an apparent contraction in R. Hirsch’s presentation of the *ger*.⁶⁹ Elsewhere, R. Hirsch, following rabbinic interpretations, assumes the term *ger* to refer to a convert.⁷⁰ However, in *Shemot* 22:20, R. Hirsch seems to deviate from the traditional rabbinic exegesis and translates the term *ger* as a non-Jew. This kind of selective interpretation, which ignores the established rabbinic position, is something R. Hirsch himself rejected in many places. How can he be guilty of this himself?

In response, Miller suggests that R. Hirsch was not re-interpreting Judaism based on an external agenda. Rather, his intention was for the reader to read these verses according to their simple meaning and original context. R. Hirsch believed, “rabbinic interpretation, though imbued with halakhic weight, was never intended to negate the simple meaning of the

⁶³ *CW*, I, 131–132.

⁶⁴ *Ibid.*

⁶⁵ *Ibid.*

⁶⁶ *COT*, *Devarim* 7:16.

⁶⁷ Miller 252. See also *COT*, *Shemot* 12:44 for his treatment of the non-Jewish slave.

⁶⁸ *COT*, *Shemot* 22:20.

⁶⁹ Ephraim Chamiel, *The Middle Way: The Emergence of Modern Religious Trends in Nineteenth-Century Judaism*, vol. 2, trans. Jeffrey Green (Academic Studies, 2014), 319–323.

⁷⁰ *COT*, *Devarim* 1:16.

verses.”⁷¹ The Torah itself commands us to treat the *ger* well because of the Jewish experience of slavery in Egypt. It is clear from the simple understanding of the verses in the Torah that its message applies to any stranger or foreigner living among Jews, regardless of race, religion, or ethnicity.⁷²

Human Brotherly Love: A Study of R. Hirsch’s Attitude Toward Non-Jews

In 1884, just four years before the end of his life, R. Hirsch was asked by R. Elhanan Spector to publish a response to an anti-Semitic campaign conducted in czarist Russia against the Talmud.⁷³ R. Hirsch agreed and wrote his important essay “Talmud: Its Teachings on Social Virtues.” Contained in this essay is one of the most radical and far-reaching examples of R. Hirsch’s humanism. The particular passage of interest is short but highly significant:

The Talmud also teaches that we have human and social obligations to all men, even to heathens and idolaters; to help their poor, to attend to their sick, to bury their dead,⁷⁴ to support their aged,⁷⁵ to respect their wise men and to recite a special blessing on seeing an outstanding and famous non-Jewish scholar.⁷⁶ That is so with heathens and idolaters; how much more so then with the non-Jews who serve the God of the Bible, the Creator of heaven and earth, who keep all the cardinal commandments (the so-called Noahide Laws)... The Talmud puts them in regard to the duties between man and man on exactly the same level as Jews. They have a claim to the benefit

⁷¹ Miller 200–202. Miller, however, notes that in general, R. Hirsch considered the rabbinic exegesis of biblical verses, particularly when it pertains to the halakhah, to be the only legitimate way of interpreting the text. See, for example, *COT Shemot*, 21:2.

⁷² Miller notes that Ibn Ezra’s interpretation of *ger* in these verses as “any stranger living among Jews” may have served as precedent for R. Hirsch. See Ibn Ezra, *Shemot* 22:20.

⁷³ See the editorial footnote, which appears in both *CW*, VII, 209 and *JE*, 155. Apparently, the essay achieved its purpose. New prohibitions on yeshivot and on printings of the Talmud did not materialize at that time.

⁷⁴ *Gittin* 61a.

⁷⁵ *Kiddushin* 32b.

⁷⁶ *Berakhot* 58a.

of all the duties not only of justice but also of active human brotherly love.⁷⁷

Although R. Hirsch already wrote of “the love a Jew should feel for our non-Jewish brethren,” in *The Nineteen Letters*,⁷⁸ here R. Hirsch goes even further with his universalism, arguing for the equality of Jews and “believing non-Jews.” To be sure, in Jewish law, respect and assistance are obligations to all human beings regardless of their religion.⁷⁹ However, traditionally, there have always been differences between Jews and non-Jews in the Jewish legal system.⁸⁰ R. Hirsch argues this only applies to non-Jews who do not accept the seven Noahide Laws. Those who do accept them are viewed on exactly the same level as Jews in Jewish law. R. Joseph Elias suggests that R. Hirsch would formally classify the enlightened contemporary non-Jewish fellow citizen he is referring to here as a “*ger toshan*,” a non-Jewish resident, even without a formal acceptance of these commandments in *beit din*, a Jewish legal court.⁸¹

⁷⁷ *JE*, II, 168. To my knowledge, there have been three English translations of this essay: Grunfeld’s, which I cite, *CW*, VII, 209–244, and W. Stern’s, titled “The Talmud: Its Relation to Judaism and the Attitude of the Jews Towards Society,” reprinted from *The Jewish Standard* (London, 1884). In the Stern translation, which appeared shortly after the original was published, the last phrase is translated as “the display of active philanthropy.” In *CW*, 225, it is translated as “active charity and compassion.” Perhaps both are a more loyal rendering of Rambam’s citation, as I will explain below. I am indebted to Professor Michah Gottlieb for this source and the original German essay. In the original German, the passage reads, “*des Talmuds hinsichtlich der Pflichten von Mensch zu Mensch dem Juden völlig gleich und haben den Anspruch nicht nur auf alle Paichten der Gerechtigkeit, sondern auch auf den Erweis thätiger Menschenliebe.*” I chose to follow the Grunfeld translation because it most closely resembles the original. Grunfeld translates “*thätiger Menschenliebe*” as active human *brotherly* love.

⁷⁸ *TNL*, Letter 15. Note that although R. Hirsch advocates for love for our “non-Jewish brethren,” in the same *Letter* he rejects “joining his [the non-Jew’s] family.” He attributes the desire for assimilation into non-Jewish culture to the new advent of universalism so prevalent in his age. Interestingly, he saw his own vision of religious humanism as immune from such a critique.

⁷⁹ See for example *Avot* 1:12 and *Gittin* 61a. Noteworthy is Rambam’s formulation in *Melakhim* 10:12 of the instructive of *Darkei Shalom* as an expression of “*God is good to all, and His mercies extend upon all his works*” (*Tehillim* 145:9) and, “*her ways are ways of pleasantness, and all her paths are peace*” (*Mishlei* 3:17).

⁸⁰ For example, the obligation of returning a lost object is a mandate only for co-religionists. See *Bava Metz’ia* 24b and *Bava Kamma* 38a.

⁸¹ Elias, *TNL*, 219–220.

This explanation, however, is problematic. In his discussion of the subject in *Horeb*⁸² R. Hirsch stresses, in accordance with the position of Rambam, that a formal acceptance of the Noahide laws in the presence of a “*beit din*,” is required to attain this status.⁸³ Furthermore, R. Hirsch and Rambam maintain that in order to achieve the status of a *ger toshav* (as well as *Ḥasidei Umot Ha-Olam*, righteous gentiles who have a portion in the World-to-Come) the Noahide laws must be accepted by the non-Jew as divinely revealed to Moshe at Sinai.⁸⁴ A gentile who merely follows the seven Noahide laws because they are logical and ethical, without a formal acceptance in *beit din* recognizing these laws as divinely ordained, would not be sufficient to grant him the status of a *ger toshav*.

It should be noted that R. Yisrael Lipshitz (1782–1860), in his *Tiferet Yisrael*, maintains that even if the contemporary non-Jew cannot attain the status of a *ger toshav*, righteous gentiles still have a portion in the World-to-Come. In an exceptional passage, R. Lipshitz extols the virtues of *ḥasidei umot ha-olam*. He asserts that even if our sages had not told us that righteous gentiles have a portion in the World-to-Come, we would know they do through logic alone. It is untenable that they not be rewarded for their contributions to the Jewish People and to society.⁸⁵

However, R. Hirsch, accepting the position of Rambam, apparently would not subscribe to this position. Even more problematic for modern application is Rambam’s position that we can only accept a *ger toshav* during the era when the Jubilee year is observed. Rambam explicitly rejects the application of the *ger toshav* status in the present era, stating that “in

⁸² *Horeb*, V, *Mitzvoth*, Ch. 77, 503.

⁸³ *Mishneh Torah, Melakhim* 8:10 and *Issurei Biab* 14:7. This ruling is based on the Tannaic position of *Ḥakhamim* in *Avodah Zarah* 64b. See also *Tur, Yoreh De’ab* 124 and *Shulkhan Arukh, Yoreh De’ab* 124:2 who take this position. The view of Rashi, however, is more complex. Although in *Avodah Zarah* 24b, he concurs with the above position, in many places he endorses the position of R. Meir in *Avodah Zarah* 64b that a *ger toshav* is only required to reject idol worship and need not keep all of the seven Noahide laws. See Rashi, *Va-Yikra* 25:35, Rashi, *Pesahim* 21b and *Yevamot* 48b.

⁸⁴ *Mishneh Torah, Melakhim* 8:11. *Kesef Mishneh* (ibid.) writes that Rambam’s source for this was his own logic. However, there appear to be some sources in *Ḥazal* that support Rambam. For example, see *Mishnat Rabbi Eliezer, Parshab Shishit* (New York, 1933), 121. See also Yehuda Gershuni, *Mishpat Ha-Melukhab* (New York, 1950), 260 and Avraham Grodzinsky, *Torat Avraham (Yeshivat Kollel Avreikhim Torat Avraham, 1993)*, 2.

⁸⁵ Yisrael Lipshitz, *Tiferet Yisrael, Boaz, Avot* 3:1.

our times, even if [a gentile] makes a commitment to observe the entire Torah with the exception of one minor point, he is not accepted.”⁸⁶

R. Elias argues that R. Hirsch may have seen the positive influence of Christianity upon the Western world and the ethical norms embraced by Western society as constituting a conscious fulfillment of God’s will.⁸⁷ Although this may address why R. Hirsch did not require a formal acceptance of the Noahide laws as God-given, it remains unclear how Rambam’s requirement of a *beit din* is fulfilled.⁸⁸

Perhaps we can suggest a different approach. Professor David Berger notes R. Hirsch’s position is similar to that of the non-discriminatory position of Meiri cited above.⁸⁹ Perhaps R. Hirsch is endorsing Meiri’s claim that non-Jews “bound by the ways of civility” are to be treated equally to Jews.

However, this approach can be challenged on multiple grounds. First of all, it is unclear how much of Meiri’s *Beit Ha-Beirah* R. Hirsch had access to in 1884. Meiri’s commentary to all the tractates of the Talmud was only available in 1920, after the unearthing of a single complete manuscript found in Parma and later published by R. Avraham Sofer.⁹⁰ Sec-

⁸⁶ *Mishneh Torah, Issurei Biah* 14:7–8. See also *Arakhin* 29b. Note that there were *Rishonim* who disagreed with Rambam. See *Ra’avad, Hasagot, Avodah Zarah* 10:6 and *Shu”t Rashba*, 1, 182.

⁸⁷ See Meiri, *Beit Ha-Beirah, Bava Kamma* 37b; *Rambam, Ma’akhalot Asurot* 11:7–8; *Kesef Mishneh*, *ibid.*, concerning the status of the non-Jew who does not worship idols but has not formally accepted the Noahide laws.

⁸⁸ For a list of authorities who do not require the gentile’s formal acceptance to achieve the status of a *ger toshan*, see J. David Bleich, *Contemporary Halakhic Problems*, Vol. VII (Maggid, 2016), 176.

⁸⁹ David Berger, “Jews, Gentiles, and the Modern Egalitarian Ethos: Some Tentative Thoughts” in Marc D. Stern, (ed.), *Formulating Responses in an Egalitarian Age* (Rowman & Littlefield, 2005), 100. See also Miller 271–274 who claims that R. Hirsch may have been influenced by the position of Meiri. Miller also suggests that R. Hirsch could have been influenced by a number of other Jewish thinkers who relegated discriminatory laws against gentiles to pagans. R. Moshe Rivkes’s comments in *Be’er Ha-Golah (Hoshen Mishpat* 388:60), R. Shlomo Ben Moshe of Khelm in his *Mirkevet Ha-Mishnah, Nizkei Mamon* 8:5, and his teachers R. Ettlinger and R. Bernays took this position.

⁹⁰ However, many other writings on various individual tractates were available before this time (e.g. *Megillah* Amsterdam, 1759; *Sukkah* Berlin, 1859; *Shabbat* Vienna, 1864). See Haym Soloveitchik, “Rupture and Reconstruction: The Transformation of Contemporary Orthodoxy,” *Tradition* 28:4 (1994), 120–121, n. 54; J. David Bleich, *Contemporary Halakhic Problems*, IV (Ktav, 1995), 159; Gavin Michal, “The Meiri Texts: Lost or Ignored?”

ondly, if we are to assume R. Hirsch's position is based on *Meiri*, the requirement of the acceptance of Noahide laws is unnecessary. *Meiri*'s oft-repeated phrase "nations bound by the ways of religion and civility" does not explicitly invoke the requirement of accepting Noahide commandments or the *ger toshav* status. Although some⁹¹ claim this to be the foundation of the position of *Meiri*, this may be difficult to maintain, as Berger notes:

In a number of instances, Ha-Meiri extends a more advantageous legal status to the 'nations bound by the ways of religions' than the Talmud does to the individual *ger toshav*. Thus, their lives should be saved even at the cost of desecrating the Sabbath, and a Jew who kills such a person is apparently subject to the same penalty as one who kills a Jew.⁹²

In fact, although R. Hirsch presents his position as "the view of the Talmud," the source indicated in his footnote is Rambam, who writes, "we treat a *ger toshav* with respect and loving-kindness (*derekh eretz* and *gemilut hasadim*) as we do a Jew."⁹³ R. Hirsch is endorsing Rambam, not *Meiri*.⁹⁴ This passage is most likely a liberal reformulation of Rambam's language. Rambam wrote, "we treat the *ger toshav* with *derekh eretz* and *gemilut hasadim*." R. Hirsch is translating *gemilut hasadim* as *thätiger Menschenliebe*, active human love.

However, this too is problematic. As mentioned above, Rambam's *beit din* requirement makes it difficult to understand how R. Hirsch is citing the opinion of Rambam. In the same vein, unlike R. Hirsch's position, Rambam does not grant the *ger toshav* completely equal standing with Jews. In Rambam's view, in contrast to the murdering of a Jew, the murdering

<www.kotzkblog.com/2017/01/112-meiri-texts-lost-or-ignored.html>

It should be noted that the relevant comments of *Meiri* cited in *Shittah Mekubetzet* (*Bava Kamma* 113a) were already known to many. In fact, the *Shittah Mekubetzet* citation of *Meiri* is discussed by the *Hatam Sofer* (*Kovetz Shu"t Hatam Sofer*, 90) who, believing it to be inauthentic, writes, "it is a *mitzvah* to erase it."

⁹¹ Berger 100 cites R. Avraham Yitzhak Kook (*Iggerot Re'iyah*, I, 99) and R. Aharon Soloveitchik (*Sefer Perah Matteh Aharon, Sefer Madda*, 1997, 144–145) as well as others, who argue along similar lines.

⁹² *Ibid.*, 97.

⁹³ *Mishneh Torah, Melakhim* 10:12.

⁹⁴ Lest someone think that this citation was added by subsequent editors, Rambam's citation also appears in the original German version authored by R. Hirsch. See Hirsch, *Über Die Beziehung Des Talmuds zum Judenthum und zu der Sozialen Stellung Seiner Bekenner* (*Zu Frankfurt Am Maim, Verlag Von J. Kauffman*, 1884), 18.

of a *ger toshav* is not punishable in *beit din*.⁹⁵ It appears that R. Hirsch's liberal translation of the position of Rambam went well beyond the original intent of Rambam himself.

Perhaps the most formidable challenge to R. Hirsch's position is from the Talmud itself. Whether the foundation of R. Hirsch's position rests on the position of *Meiri* or Rambam, we can question the very notion of halakhic equality for *geirei toshav* altogether.

There are areas of *Halakhab* in which it is difficult to argue for a non-discriminatory position. One such area is the issue of triage. The Mishnah in *Horiot* (13b) states that in a situation of triage, "A man precedes the woman... a Kohen before a Levi, a Levi before a Yisrael." Many explain this hierarchy which decides who has priority in cases of triage is based on the different levels of *kedushab* inherent to each level. This is demonstrated by how many commandments the persons in questions have respectively in addition to other factors.⁹⁶ Accordingly, in a triage scenario, a non-Jew, who only has seven commandments, would certainly be saved after a Jew who has 613. Therefore, although the Mishnah and Talmud introduce other factors into the equation,⁹⁷ in regard to basic priority, a

⁹⁵ *Mishneh Torah, Rotzeiah Vi-Shemirat Nefesh* 2:11. *Kesef Mishneh* argues that one is liable in the heavenly courts. This, however, does not amount to equal standing. *Meshebb Hokhmah (Shemot 21:14)* claims that one is not liable for the death penalty because the sin is so egregious it is not deserving of the atonement achieved. Although tempting, this approach is radically novel and most likely cannot be attributed to Rambam. I am indebted to R. Dr. Jeremy Wieder for this source.

⁹⁶ See *Taz, Yoreh De'ah* 252:6 and *Biur Ha-Gra, Yoreh De'ah*, 251:18 who quotes Talmud Yerushalmi (3:5). R. Hershel Schachter ("Piskei Corona #15: Triage in Medical Decisions, Updated," YUTorah.org, 2020)

www.yutorah.org/lectures/lecture.cfm/951531/rabbi-hershel-schachter/piskei-corona-15-triage-in-medical-decisions-updated/ explains that *Gru* is defining the hierarchy in *Horiot* as prioritizing public need. See also R. Yaakov Emden's comments in his *Migdal Oz, Even Ha-Bohen, Pinah* 1.

R. Moshe Feinstein (*Iggerot Moshe, Hoshen Mishpat* II, 73:2) rules that the *Halakhab* is to treat whoever arrives first. When two people in need arrive simultaneously, the decision should be made based on medical suitability. The one who has the best chance of being treated and cured should be given the available bed. However, he does not invoke the hierarchy delineated in *Horiot*. This position of R. Moshe (as told by R. Shabtai Rappaport in a public lecture) is also cited approvingly by R. Aharon Lichtenstein in Hayyim Sabato, *Seeking His Presence: Conversations With Rabbi Aharon Lichtenstein* (Trans. Binyamin Shalom), (*Yediot*, 2016), 99. For more on this topic, see Alan Jotkowitz, "A Man Takes Precedence over a Woman When It Comes to Saving a Life," *Tradition*, 47:1 (2014), 48–68.

⁹⁷ For example, one's own merit can help one move up the hierarchy. The Mishnah states that a *mamzer talmid hakham* (illegitimate Torah scholar) takes precedence

non-Jew is not equal to a Jew. Although normative *Halakhab* is not to give Jews precedence, this is because of a concern of animosity (*eivah*) without changing the basic hierarchy.⁹⁸ To my knowledge, neither Rambam nor *Meiri* challenge this basic hierarchy even in the case of a *ger toshav*.⁹⁹

Perhaps one can suggest that R. Hirsch's position of complete equality may be an expression of normative *Halakhab* which is generally to treat Jews and non-Jews equally even in situations of triage, the Mishnah in *Horiot* notwithstanding. Indeed, towards the beginning of his essay on the Talmud, he writes, "I have selected texts that have become particularly embedded in the consciousness of the Jewish nation and consequently have played a decisive role in molding fundamental Jewish ideas and principles."¹⁰⁰ In particular, R. Hirsch cites R. Yehezkel Landau, R. Eleazar Fleckeles,¹⁰¹ and R. Yaakov Emden as modern precedents for his position.¹⁰²

R. Hirsch's goal was to show the Talmud's positive influence on the Jewish community and its principles. Perhaps it was more important for R. Hirsch to record what he saw as the accepted communal practice of

over a *Kohen Gadol* (High Priest). Another factor is public need. The *Mesbuah Milhamah* (the priest anointed for war) takes precedence over the *S'gan Kohen Gadol* (deputy High Priest). Rashi explains that even though the *S'gan Kohen Gadol* has an elevated level of *Kedushah*, he comes second because of the public role of the *Mesbuah Milhamah* during wartime.

⁹⁸ See *Shu"t Hatam Sofer, Hoshen Mishpat*, 5, *Hashmatot*, 194; *Shu"t Hatam Sofer, Yoreh De'ab*, II, 131, cited in *Pithei Teshuvah, Yoreh De'ab* 145:2; *Iggerot Moshe, Yoreh De'ab* no. 184. For a fuller treatment, see R. Hershel Schachter's *Be-Ikvei Ha-T'zon* (Beit Midrash of Flatbush, 1997), no. 9, 50–52.

⁹⁹ In fact, *Sifra, Behar, Parshah* 5, *Perek* 6, no. 1 is explicit that a Jew takes precedence over a *ger toshav* in a situation of triage. For other areas of discrimination between Jews and *geirei toshav*, see Shlomo Yosef Zevin (ed.), *Encyclopedia Talmudit*, VI, *Ger Toshav* (Jerusalem, 1954), 290–304.

¹⁰⁰ *CW*, VII, 210 and *JE*, II, 156.

¹⁰¹ Besides R. Emden, who wrote of the importance of the other monotheistic faiths in his commentary on *Avot* 4:13, R. Hirsch does not cite the works he was referring to. However, he was likely referring to R. Landau's prefatory disclaimer in his preface to his *Noda Be-Yehudah* (Prague, 1776) where he posits an anti-discriminatory position towards gentiles and R. Eleazar Fleckeles's introduction to his *Teshuvah me-Ahavah* (Prague, 1808), titled *Kesut Einayim*. For more on R. Fleckeles, see my "From the Pages of Tradition: Rabbi Eleazer Fleckeles: An Early Rabbinic Humanist," *Tradition* 54:2 (2022), 133–149. For more on these and other rabbinic disclaimers about non-Jews, see Miller 36–46.

¹⁰² *CW*, VII, 227. Both R. Landau and R. Fleckeles emphasize equality before the law for both Jews and gentiles. Neither of them, however, go as far as R. Hirsch who argues for "active human brotherly love" for gentiles.

equality for Jews and non-Jews, than to tie up the loose ends of all the relevant Talmudic passages. This may be true; however, R. Hirsch clearly emphasizes the acceptance of the Noahide laws as the rationale for granting a non-Jew equality in *Halakhab*. As we noted, this needs explanation. What happened to the *beit din* requirement for accepting a *ger toshan*?

One may ask what is the practical difference? If we are required by *Halakhab* to treat non-Jews with equality from the pragmatic standpoint (*eivah*), why is R. Hirsch's endorsement of equality—and even of brotherly love—of interest? To my mind, this is a misplaced claim. From a public policy standpoint, there may be no difference. However, from a moral perspective, there is a world of a difference between what has been deemed the “self-serving”—or even immoral—nature of the *eivah* approach and R. Hirsch's humanistic approach.¹⁰³

R. Joseph B. Soloveitchik is said to have made this point. Professor Gerald Blidstein records that R. Soloveitchik was once asked, in reference to the traditional rationale of *darkhei shalom* or *eivah* permitting Jews to desecrate the Sabbath in order to save the life of gentiles:

Whether, aside from the substantive content of the decision itself, he felt morally comfortable with the rationale he had given. He said no, he was in fact uncomfortable with it; and he then proceeded to propose, provisionally, an approach in which the ethical level of a culture determined its status, something very similar to what we find in Meiri (who gave a similar rationale for allowing *Hilul Shabbat*, clearly *de-oraita*) for saving the life of the gentile religionist of his day.¹⁰⁴

¹⁰³ In 1965, Professor Israel Shahak wrote a letter to the *Haaretz* newspaper decrying Orthodox injustice, after he witnessed an Orthodox Jew who refused to use his telephone to call for an ambulance for a non-Jew, because it was Shabbat. See Dan Rickman, “Israel Shahak: A Voice of Controversy,” *The Guardian* (London, 2009). For a fiery response claiming that Shahak fabricated the incident, see Immanuel Jakobovits, “A Modern Blood Libel: *L’Affaire Shabak*,” *Tradition* 8:2 (1966), 58–65. This incident led to a legal ruling by the then Chief Rabbi Isser Yehuda Unterman (cited in Jakobovits), who ruled that the Sabbath can and must be broken to save anyone's life, based on the *eivah* principle. Shahak saw this as a cowardly response, which did not address the fundamental moral injustice. He developed this view in his *Jewish History, Jewish Religion: The Weight of Three Thousand Years* (Pluto, 1994), where he argues that rabbinic Judaism is intrinsically discriminatory against non-Jews. As a response to Shahak alone, R. Hirsch's approach is worthy of attention.

¹⁰⁴ Gerald Blidstein, “Halakha and Democracy,” *Tradition* 32:1 (1997), 30. I am indebted to R. Dr. Jeremy Wieder for this source.

Returning to R. Hirsch and his position, it is possible that R. Hirsch's advocacy for equality for gentiles is purely an expression of the normative practice of *Halakhab*. However, his emphasis on "active human brotherly love" still remains without precedent. Although this could merely be a reformulation of the position of Rambam cited earlier, taken at face value, R. Hirsch appears to be vying for a universal love not found in Rambam, Meiri, or the Talmud. While Hillel teaches in *Avot* (1:12) "[to] love [all] mankind (*briyot*)," brotherly love, the term R. Hirsch uses, is traditionally underscored by the dictum, "Love your fellow as yourself" (*Va-Yikra* 19:18), and limited to *re'ekha* or fellow Jews.¹⁰⁵ Was R. Hirsch extending brotherly love to non-Jews unprecedented, perhaps even unsubstantiated, in Jewish tradition?¹⁰⁶ As noted above, this essay was written to counteract an anti-Semitic campaign in czarist Russia. Perhaps this is an example of R. Hirsch's accommodation or apologetics. Granted, in light of the dangers of anti-Semitism certainly justified, but for our purposes, these statements would not contribute to the picture of R. Hirsch religious humanism. The historical context notwithstanding, to my mind, one cannot merely discard this passage as unauthentic R. Hirsch. The value of all human beings and a universal emphasis are themes found throughout R. Hirsch's writings. Although this may be his most radical formulation, this passage certainly fits into the general thrust of R. Hirsch's *weltanschauung*.

Whatever approach one takes, it appears from this clause that R. Hirsch is not merely positing an endorsement of the positions of Rambam, Meiri, or the Talmud, none of which wrote of the active love granted to the *ger toshav*. We can never know what he was really thinking. However, as we noted earlier, R. Hirsch was not one to misrepresent his sources or invent an unprecedented approach because of external pressures. Furthermore, although this passage goes somewhat further than his other writings, it is not completely out of character. In fact, he wrote along very

¹⁰⁵ For example, see Rambam, *Mishneh Torah, De'ot* 6:3–5; *Sefer Ha-Hinukh, Mitzvah* 243; *S'mag, Mitzvot Asei*, no. 9 and *Hagaot Maimoniyot, De'ot* 6:3 exclude a wicked person from the *mitzvah* of loving your fellow man because they are not "fellows" in regard to their *mitzvah* observance. Presumably, this would also be true of gentiles.

¹⁰⁶ Although R. Barukh Ha-Levi Epstein, in his *Tosefet Brakhab, Va-Yikra* 19:18, (*Moresbet*, 1939), 161–163, does include non-Jews even within *re'ekha*, this is certainly a minority position. I am indebted to R. Allen Schwartz for this source. R. Aharon Soloveitchik in his *Logic of the Heart, Logic of the Mind* (Genesis, 1991), 70, cites R. Hayyim Vital's affirmation of the obligation to love gentiles. His source, however, is *abavat habriyot*, love of mankind. He (*ibid.* 76–78) argues that brotherly love is to be applied to all people. However, this love is not from the point of view of "logic of the heart" or blind love, but rather based on "logic of the mind." Blind or irrational love is only for Jews.

similar lines at the beginning of his career. Well before the publishing of his essay on the Talmud, R. Hirsch wrote of the “active love” a Jew must display towards Noahide law-abiding gentiles. Therefore, assuming this passage is an authentic representation of R. Hirsch’s perspective, I would like to suggest the following explanation.

A careful reading of R. Hirsch will provide us with the correct understanding of his position. First let us return to the *Horeb* passage. In a piece he wrote almost 50 years before his essay on the Talmud, R. Hirsch delineated his approach to gentiles in the modern world. In the context of his treatment of the laws which govern proper boundaries between Jews and non-Jews, R. Hirsch encourages the Jewish People to celebrate humanity’s abandonment, for the most part, of idolatry and acceptance of the Noahide laws:

Israel can rejoice today in the midst of the peoples among whom it mostly lives...Rejoice that in Europe, in America, and in part of Asia and Africa non-Jewish peoples also have become illumined by the Revelation of the One God given to you and have adopted a doctrine which teaches them to perform seven duties.¹⁰⁷

After noting that this acceptance must be declared before a *beit din*, R. Hirsch declares this person to be a *ger toshav*. He then pens a few sentences which are almost identical to the same passage we are discussing:

Towards such a man you are not only to practice all the obligations of justice—as indeed also towards any idolater—but the Torah also commands you to perform toward him all the duties required by an active love (*tätiger liebe*). You must esteem him and love him as a genuine man.¹⁰⁸

Again quoting Rambam who mandates “*gemilut hasadim* to the *ger toshav* just as we would treat a Jew,” R. Hirsch clearly interprets this term as active love. This may seem strange at first, but this is in fact how R. Hirsch defines *gemilut hasadim*. In *Horeb*, R. Hirsch contrasts, *tzedakah* with *gemilut hasadim*:

¹⁰⁷ *Horeb*, V, Chapter 77, no. 503, p. 379.

¹⁰⁸ Ibid. In the original German, the passage appears as, “*Bpflichten tätiger liebe du hast ihn zu achten und zu lieben als reinen Menschen*—you are obligated to perform towards him all the duties of active love. You must esteem him and love him as a genuine man.” See Hirsch, *Horev: Verluce uber Jilbroels Pflichten in der Zertreuung* (Frankfurt Am Main, 1909), 330–331.

But higher, incomparably higher, than *tzedakah*—financial and material charity—stands *gemiluth chasadim*, good works. In *tzedakah* you give away your worldly goods, your wealth; in *gemiluth chasadim* you place on God’s sacred altar all the best and noblest you have...for the good of your brethren...In *gemiluth chasadim* you grow the flowers of bliss themselves, become the creator of health, the joy, the peace, the happiness of your neighbor.¹⁰⁹

Later in the passage, R. Hirsch refers to *gemilut hasadim* only “requiring an honest mind [and] a loving heart.”¹¹⁰ Clearly, R. Hirsch’s definition of *gemilut hasadim* is an active human brotherly love. So quite simply, in his essay on the Talmud, R. Hirsch is citing and translating a comment of Rambam.¹¹¹

However, one is still left wondering, why did R. Hirsch leave out the requirement for *beit din* in his essay on the Talmud when he included it in *Horeb*? Perhaps we can suggest that without a *beit din*, we cannot formally categorize most modern gentiles as *geirei toshav*. However, perhaps in R. Hirsch’s view, fundamentally contemporary non-Jews still have the necessary beliefs, characteristics, and behavior of a *ger toshav*.¹¹² Therefore, although there may be some exceptions (e.g., situations of triage), in general, respect, equality, and love are called for when interacting with them.¹¹³

¹⁰⁹ Ibid., V, *Mitzvot*, 88, 575, p. 432.

¹¹⁰ Ibid., no. 580, p. 435.

¹¹¹ Although one can argue that based on the strict reading of the sources one is required merely to sustain the *ger toshav*. See *Va-Yikra* 25:35 and *Avodah Zarah* 20a, 65a. See Rambam, *ibid.*, citing *Torat Kohanim, Bebar* 5:3, who rules there is a positive commandment to sustain and rescue a *ger toshav* from harm.

¹¹² See Nachum Rabinovitch, “A Halakhic View of the Non-Jew,” *Tradition* 8:3 (1966), 36–39, who argues the “vast majority of non-Jews should be accorded the treatment of a *ger toshav*.” Based on the position of R. Tzvi Hirsch Chajes in *Kol Sifrei Maharatz Hayot*, I (Jerusalem, 1958), 489–490, R. Rabinovitch maintains that Christians today have the halakhic status of *geirei toshav*. See his *Melummedei Milhamah* (Ma’aleh Adumin, 1993), 145.

¹¹³ R. Aharon Soloveitchik similarly argues for such a broad definition of *geirei toshav* (*Sefer Perah Mateh Aharon*, 148). He argues that even for Rambam, a gentile who follows the Noahide laws with no formal acceptance, is to be treated differently than an idol worshiper. He should be supported and is allowed to live in the Land of Israel. See also *COT, Va-Yikra* 25:35, where R. Hirsch writes that the *ger toshav* is permitted to dwell in the land of Israel once he denounces idolatry and accepts the Noahide laws. Interestingly, R. Yosef Eliyahu Henkin (*Ha-Darom* 10, 5719, n8 cited in Rabinovitch 36) argues that the *beit din* requirement is only with respect to providing livelihood and the privilege of living in the land of Israel but is not required to elevate their status from idol worshippers.

If one looks carefully at the passage in *Horeb*, the same point emerges. R. Hirsch encourages us to rejoice over the advent of modern society's large-scale acceptance of monotheism. Rejoicing is still called for, even without the presence of a *beit din* formally vetting the masses of non-Jews living around the world.

Earlier we questioned how R. Hirsch could advocate for brotherly love for non-Jews when this is usually a concept traditionally limited to the relationships between Jews. First, given R. Hirsch's translation of Rambam, he is simply applying what Rambam says, "we treat a *ger toshav* with respect and loving-kindness *as we do a Jew*." Additionally, the term "*Menschenliebe*," love of humanity, is a love on a universal and human level, different from the love of "*re'ekha*"—love of your neighbor—your fellow Jew. After R. Hirsch encourages the love for the *ger toshav*, he balances this with the remainder of the crucial boundaries between Jews and gentiles. For R. Hirsch, the Jewish People symbolizes and functions in a dual role. They are the model society to be looked to from without for guidance and inspiration, a society which values universal love for all of mankind. But they are also a people with an internal society which values the love of the particular. One love is the universal *human* brotherly love, a love of the other. The other is purely *brotherly* love, a particular love of their own people. According to R. Hirsch, Jewish destiny is neither particularist nor universalist, but a complex interaction of both.¹¹⁴

Perhaps a fuller expression of this view can be found in the writings of R. Joseph B. Soloveitchik. About eighty years after R. Hirsch wrote his essay on Talmudic society, R. Soloveitchik wrote in his important essay on interfaith dialogue:

We Jews have been burdened with a twofold task: we have to cope with the problem of a 'double confrontation.' We think of ourselves as human beings, sharing the destiny of Adam in his general encounter with nature, and as members of a covenantal community...In this difficult role, we are summoned by God, who revealed himself at both the level of universal creation and that of the private covenant, to undertake a double mission—the universal human and the exclusive covenantal confrontation.¹¹⁵

Perhaps R. Hirsch would embrace R. Soloveitchik's conception of the Jew and his twofold task resulting in two kinds of love: one of human

¹¹⁴ Jonathan Sacks, *Tradition in an Untraditional Age* (Vallentine, Mitchell, 1990), 100.

¹¹⁵ Joseph B. Soloveitchik, "Confrontation," *Tradition* 6:2, (1964), 1–29.

brotherly love for all human beings, and one of brotherly love, unique to members of the covenantal community.¹¹⁶

Israel's Chosenness: A New Interpretation

Near the beginning of *The Nineteen Letters*, R. Hirsch begins his literary career of elucidating Judaism with these few sentences:

Let us read them [the words of the Bible] as if we had never read them before, never heard about them. Let us raise in our soul the basic questions of life: The world around me—what is it to me? What am I and what should I be in relation to it? What should I be as man and Israelite? (*Mensch Yisrael*).¹¹⁷

In typical form, R. Hirsch naturally begins with universal questions. The question of Man's place in the world and Israel's place among the nations is of primary concern. For R. Hirsch, Israel is introduced into the ranks of the nations for the good of all of mankind. Israel's role in the history of the world is to enlighten the other nations and bring about the fulfillment of God's will.¹¹⁸

Perhaps the most radical example of R. Hirsch's humanism is his interpretation of the concept of the Jewish People as the *am segulah*, chosen nation. Chosenness is a concept which seemingly is in direct contradiction to universal humanism. Addressing this, R. Hirsch claims it is an "unfortunate misinterpretation" to understand the God of Judaism as only the God of the Jewish People. He then re-interprets the concept of the *am segulah*:

When the Torah speaks of the Jewish people as "*segullah*" (an exclusive treasure), it does not mean that God does not belong to any other people, but that this people must not belong to any other god, must not acknowledge any other being as god.¹¹⁹

¹¹⁶ As an extension of his broad universal humanism, R. Hirsch saw many positive contributions of Christianity. See *TNL*, Letter 9; *CW*, VII, 227; Hirsch, "Haesters' Text and Reading Books for Israelite Schools," edited by Emanuel Hecht, *Jeschurun*, 4, May 1858, 394–399, recently translated into English in Marc B. Shapiro, "Rabbi Samson Raphael Hirsch on Jews in a Non-Jewish World," *Hakirah*, 27 (New York, 2019), 167–173. As is to be expected, R. Hirsch was also very critical of Christianity. See Elias, *TNL*, 138–140. For a full analysis of R. Hirsch's approach to Christianity, see Miller 275–290.

¹¹⁷ *TNL*, Letter 2.

¹¹⁸ *Ibid.*, Letter 7.

¹¹⁹ *Ibid.*, Letter 15. This passage appears somewhat differently in Drachman's translation:

According to R. Hirsch, Israel's separateness is necessary only in order to facilitate its mission to inspire the rest of the world to God-consciousness. R. Hirsch argues that the true meaning of the Jewish nation being an *am segulah* is that God has exclusive rights to their devotion. For R. Hirsch, Israel's chosenness could not mean a rejection of the rest of humanity.

As noted above, passages like these have raised the questions of accommodation and apologia associated with R. Hirsch. Is this truly what is meant by the Torah's proclamation that the Jewish People are an "*am segulah*," a chosen nation? Non-Jews are also subject to the prohibition of idolatry, making other beings into God.¹²⁰ How can this be the definition of *behirat Yisrael* when it fundamentally is no different for Jew or gentile?

The simple understanding of the chosenness concept has less to do with God's exclusive claim to Israel's devotion than it does with the choosing of Israel over other nations. Indeed, the Torah states that God chose the Jewish People because He desired them.¹²¹ How would R. Hirsch explain classical and well-accepted sources within our tradition which clearly state that as an "*am segulah*," Israel has an intrinsic elevated stature, a holier soul, or a greater level of God's love and favor?¹²²

In R. Hirsch's defense, although there are other interpretations, perhaps one can argue, based on a passage in *Va-et'hanan* which links the prohibition of idolatry with Israel's chosenness, that the primary understanding of the term "*am segulah*" relates to God's claim to Israel's devotion.¹²³ As we noted above, Miller has argued that R. Hirsch utilized the simple meaning of the Torah to highlight the original context and meaning when he felt it necessary.¹²⁴

The Bible terms Israel *segulah*, "a chosen treasure." This designation, however, does not imply, as some have falsely interpreted it, that Israel has a monopoly on God's love and favor. On the contrary, it proclaims that God has the sole and exclusive claim to Israel's devotion and service; that Israel may not render Divine homage to any other Being. Israel's most cherished ideal is that of the universal brotherhood of mankind.

¹²⁰ *Sanhedrin* 56a.

¹²¹ *Devarim* 7: 3–6.

¹²² See Ramban, *ibid*. See also *Ohr Ha-bayyim* and *Kli Yakar* on *Devarim* 14:2 as well as Rashi (*Shemot* 19:5) who interpret the principle of an *am segulah* contrary to R. Hirsch's understanding.

¹²³ *Devarim* 7: 3–6.

¹²⁴ See also *Bava Kamma* 87a where R. Hirsch also found basis for his definition of the term *segulah*. He takes a similar approach in *COT* (see *Devarim* 7:6 and *Shemot*

Similarly, R. Hirsch elucidates Israel as being “God’s first-born” along similar lines:

Israel is My first but not My only child, it is only the first nation that I have won as Mine... Israel is not the first in rank, but the first in time.¹²⁵

The Jewish People’s contribution to the universal goals of mankind is a theme found in many of R. Hirsch’s writings. R. Hirsch argues that Israel’s most cherished ideal is that of the universal brotherhood of mankind and Israel’s chosenness in no way contradicts this fundamental goal of Judaism. All nations of the world are able to contribute to the “great edifice of humanity.” R. Hirsch stresses that *behirat Yisrael*, God making the Jewish People the “chosen nation,” in no way is to be understood as a rejection of the rest of humanity; rather, “the choice of Israel [is] only a beginning, only the restarting of the spiritual and moral rebuilding of Mankind.”¹²⁶ God chose the Jewish People as a first step in moving toward the utopian prophetic vision of the End of Days when all people will worship the one God.¹²⁷ Israel has been chosen on behalf of, and for the purpose of, the rest of humanity. In fact, in a radical interpretation of the rabbinic statement “*Hasidei umot ha-olam yesh labem helek la-Olam Haba,*” the pious of the nations of the world have a share in the World-to-Come,¹²⁸ R. Hirsch writes that this can be understood to mean that the righteous of all nations will have a share in attaining the goal of all of human history, the redemption at the End of Days.¹²⁹

Along this line of thinking, R. Hirsch, embracing a more universalistic perspective, de-emphasizes the intrinsic difference between Jews and non-Jews. For example, in his commentary on the *Siddur*, he writes:

Our entire historical significance among the nations stands and falls by the manner in which we cultivate and cherish the Torah in our midst. Should we ever cease to know the Torah, to fulfill it, we should also cease to have a place among mankind.¹³⁰

19:5). See also *Seforno*, *Shemot* 19:5, who says that the Jewish People being an *am segulah* does not detract from God’s love of all humanity.

¹²⁵ *COT*, *Shemot* 4:22–23.

¹²⁶ *COT*, *Va-Yikra* 20:26.

¹²⁷ *Ibid.*

¹²⁸ *Sanhedrin* 105a, Rashi *ibid*; *Sanhedrin* 110b, Rashi *ibid*; *Mishnat R. Eliezer*, *Parshah* 6; Rambam, *Mishneh Torah*, *Teshuvah* 3:5 and *Melaḥhim* 8:11.

¹²⁹ *TNL*, *Letter* 15, footnote.

¹³⁰ *The Hirsch Siddur* (Feldheim, 2013) 9. The view, that the identity of the Jewish nation is defined primarily by the Torah, is most often attributed to R. Saadiah

According to R. Hirsch, the Jewish People are only significant if they properly live up to their task. In his view, the special significance of the Jewish nation lies in their commitment to the Torah and their mission to inspire the world to the awareness of God.¹³¹ Although the Jewish People were given a special mission by God, they are equal citizens of humanity. R. Hirsch refers to the Jewish People as “the priests among the people” (*Shemot* 19:6). However, he adds, when the Jewish People properly fulfill their task, they can become “priests to humanity.”¹³² For R. Hirsch, the Jewish People, by serving as a model for the rest of mankind, ultimately are facilitators of the redemption of the entirety of humanity.¹³³

According to my research, the inherent elevated holiness of the Jewish soul, a concept often found in Kabbalistic sources, is not found in Hirschian thought. Unlike many of his Eastern European contemporaries, R. Hirsch saw no fundamental differences between Jews and non-Jews.¹³⁴

A Different Approach to the *Mensch Yisrael*

However, there is a dissenting view. R. Yehiel Yaakov Weinberg, in his depiction of R. Hirsch’s religious philosophy, claims that R. Hirsch believed Judaism to be a singular religion. In contrast with non-Jewish religions founded on the “fruit of an internal spiritual conflict within man,” Judaism embraces the fullness of life. In this context, R. Weinberg contrasts Judaism with other religions:

According to R. Hirsch, basic ethical commands were revealed by the Almighty at Sinai. There, man was given a new, higher title:

Gaon. See his *Ha-Emunot v-ha-Deot*, III, 7:1. See also R. Hirsch’s sensitive interpretation of *Aleinu* (*Siddur*, 208-209), the first text which would be edited by the Reform movement. R. Hirsch emphasizes the historical significance of the Jewish people rather than metaphysical superiority.

¹³¹ See his *COT*, *Shemot* 19:6.

¹³² *Horeb*, V, *Mitzvot*, ch. 97, no. 613, p. 465.

¹³³ R. J. David Bleich in his *The Philosophical Quest* (Maggid, 2013), 237, notes that R. Hirsch shared this belief with both R. Naftali Tzvi Yehudah Berlin (see his *Kidmat ha-Emek*, the introduction to his *Ha’amek Davar*, no. 4 and *Ha’amek Davar*, *Shemot* 12:51) and his teacher R. Yaakov Ettlinger. See R. Ettlinger’s *Minhat Ani*, *Parshat Bamidbar* (Bnei Brak, 2012), 285.

¹³⁴ Miller 239–240 notes the sharp distinction between R. Hirsch’s position and that of the *Maharal* and *Rambal* who were very influential in the Eastern European traditionalist circles. The latter emphasized the intrinsic differences between Jews and non-Jews in their writings.

“Jew,” his people a new moral status: “the Jewish nation”; and his soul, a new spiritual component: “the Jewish soul.” This Jewish soul was blessed with a special Divine revelation which carried the spark of God deep within.¹³⁵

Elsewhere, R. Weinberg wrote of his belief that the Jewish People have an innate gift for interacting with the divine.¹³⁶ Professor Marc B. Shapiro has noted the once widespread belief in national uniqueness (*Volkgeist*) popularized by Johann Gottfried Herder most probably influenced R. Weinberg.¹³⁷ In fact, coining a new term, R. Weinberg describes the Jews as “*das Volk der Religion*.” Shapiro suggests that he probably had in mind the distinction R. Hirsch made between the Hebrew words *goy* and *am*—both words which characterize the Jewish People—and “*Volk*” (or people), which is not the proper description for the Jews.¹³⁸ Accordingly, he was adopting a view similar to R. Hirsch, that the Jewish national character is spiritual in nature and cannot be compared to any other nation in the world who are defined by their nation and land alone.¹³⁹

Therefore, Shapiro argues that although in the piece above, R. Weinberg does not quote any passages from R. Hirsch’s writings in support of his claim, it is possible that for R. Weinberg, the Jewish soul is unique just as the Jewish nation is unique. This is not a contradiction to Hirschian thought. When he speaks of the “Jewish soul,” he is not speaking Kabbalistically, of the intricately elevated Jewish soul; he is speaking romantically.

¹³⁵ Yehiel Yaakov Weinberg, “*Torat Hayyim: The Torah of Life as Understood by Rav S.R. Hirsch*” in *Tzvi Tifarto*, 97–99. See also his *S’ridei Aish*, IV, “*Mishnato shel Rav Shmshon Raphael Hirsch*,” 364–365. In the *S’ridei Aish* passage, the belief in the elevated status of the Jewish soul is less pronounced. There, R. Weinberg emphasizes the contrast between Judaism and other religions. He explicitly rejects the view suggested below that the Jewish people have special historical significance rather than having unique spirituality. According to R. Weinberg, other religions influence their constituents “from without,” whereas Judaism, for a Jewish soul, is a more natural enterprise. It is interesting to note that R. Weinberg himself expressed frustration with what he saw as anti-gentile discrimination in Jewish law. See Shapiro, *Between the Yeshiva World and Modern Orthodoxy*, 48–49, n182, 183. It is striking that in his treatment of the difference between Judaism and other religions in Hirschian thought, he makes no mention of R. Hirsch’s more universalistic themes.

¹³⁶ Yehiel Yaakov Weinberg, *Das Volk der Religion* (Geneva, 1949).

¹³⁷ Shapiro, *Between the Yeshiva World and Modern Orthodoxy*, 97–98.

¹³⁸ *TNL*, Letter 16 and Klugman 132n376.

¹³⁹ *Between the Yeshiva World and Modern Orthodoxy*, 97–98.

R. Weinberg believed that because the Jewish People were the recipients of a special revelation, this affected and continues to affect their soul.¹⁴⁰

One could also suggest this is R. Weinberg's interpretation of the Hirschian *Mensch Yisrael* concept. For R. Hirsch, the ideal religious personality, the "Man-Israelite," is committed to both his worldly role and his religious role. Perhaps this is only achieved by the Jewish humanist who is influenced by both disciplines. As noted above, the elevated spiritual nature of the Jewish soul is a belief well-founded in Jewish tradition. However, this view is not clearly spelled out in R. Hirsch's writings. On the contrary, R. Hirsch wrote that all people, regardless of sex or creed, are capable of spiritual greatness. Moreover, in his treatment of *bebirat Yisrael* in *The Nineteen Letters*¹⁴¹ and in the commentary on Torah¹⁴² he does not invoke the principle of a singular Jewish spirituality. Rather, R. Hirsch repeatedly emphasizes the historical significance of the Jewish People and their contribution to the "great edifice of humanity."¹⁴³ If R. Weinberg is correctly portraying the Hirschian view on the elevated *Mensch Yisrael*, we are left facing an apparent contradiction.

An alternative approach to R. Hirsch's *Mensch Yisrael* concept is offered by R. Joseph Elias.¹⁴⁴ He argues that, for R. Hirsch, because man's abilities to intuit proper morality and God's will is limited, man is in need of an external revelation. This revelation was entrusted to the Jewish People to assure the attainment of God's goal for all of mankind. Therefore, according to R. Hirsch, the Jewish People are positioned to be an example of the highest level of morality and humanism. If one combines R. Hirsch's *Mensch Yisrael* principle with his universalistic explanation of *bebirat Yisrael*,¹⁴⁵ a more holistic Hirschian perspective emerges. Although R. Hirsch does refer to the *Mensch Yisrael* as being on a "higher stage of being a man," this results from the Jew internalizing the humanism which the Torah educates.¹⁴⁶ R. Hirsch writes, "*Derekh eretz* (culture) and Torah are one. The most perfect gentleman and the most perfect Jew, to the Jewish teaching, are identical."¹⁴⁷ Torah is humanism on a higher plane, and the ideal Torah-committed Jew is the example of what it means to

¹⁴⁰ Personal email correspondence (July 14–16, 2020).

¹⁴¹ TNL, *Letter 15*.

¹⁴² *Devarim* 7:6, *Shemot* 19:5 and *Va-Yikra* 20:26.

¹⁴³ TNL, *Letter 15*.

¹⁴⁴ Elias, TNL, 160–162.

¹⁴⁵ See above.

¹⁴⁶ See his *COT*, *Beresbit* 3:24. For a fuller excerpt see above.

¹⁴⁷ *Ibid*.

live according to both Torah and humanistic principles. Rather than arguing that R. Hirsch's conception of the *Mensch Yisrael* cannot be reconciled with his humanistic universalism, it appears to be more compelling to argue that, for R. Hirsch, the Jewish People, informed with the Sinaitic revelation, are more significant from a historical perspective rather than being fundamentally spiritually elevated.¹⁴⁸

In sum, R. Hirsch's humanism is consistent and pervades much of his work. Perhaps most significant are his positions on the equality of Jews and non-Jews, his call for human brotherly love for gentiles, and his universalistic understanding of *behirat Yisrael*. For those who struggle to answer claims that traditional Judaism is racist or discriminatory, R. Hirsch's humanism provides a crucial response.

Returning to Criticism of R. Hirsch

After our fuller analysis of R. Hirsch and his humanism, let us return to the criticism we outlined above. Although challenges to R. Hirsch's Torah knowledge appear to be unfounded, his status among the Yeshiva world remains somewhat on the periphery.

I believe this is because R. Hirsch still does not altogether fit the mold. It is clear from his writings that his goal was quite different from his contemporaries. From the poetic German language, the theological content and thrust of his argumentation, it is unquestionable that R. Hirsch set out to do something different.

His legacy, although debated, is certainly distinct from others of his time. Perhaps we can ask the question from a different angle: Why did he write a work like *The Nineteen Letters on Judaism*? Why, unlike most of his contemporaries, did he write a work addressed, not to his own community per se, but to the general public? Why did he generally focus on larger theological questions in his commentary on the *Humasb* and in *Horeb*?

¹⁴⁸ R. J. David Bleich also seems to take a position closer to R. Weinberg's in David Shatz, Chaim Waxman, and Nathan Diament (ed.), *Tikkun Olam; Social Responsibility in Jewish Thought and Law* (Aronson, 1997), 217–218. R. Bleich sees R. Hirsch's conception of the "*Mensch Yisrael*" (for example *TNL*, *Letter* 10 and 12) as an expansion of R. Yehudah Ha-Levi's thesis that the Jew belongs in a category higher than other human beings and is endowed with a unique spiritual make-up (See *Kuzari*, 1:41–43 and 1:115 (3)). However, as we have argued, R. Hirsch's approach is not synonymous with that of R. Yehudah Ha-Levi's. Unlike R. Yehudah Ha-Levi, R. Hirsch saw the Jewish People as more significant from a historical perspective rather than from a spiritual one. For an example of this see *Horeb, Torot*, no. 21, p. 13, where he writes God selected the Jewish People "to be in human affairs the proclaimers of His will and His instrument for the education of humanity."

Why is his work so fresh and not dated compared to other works from his period?

Why did he take a more universal approach? Why, unlike so many others of his time, was he not content living his own religious life within his own community, alone with his own truth—not to be bothered? Why did he feel the need to address the many challenges to traditional Judaism?

The answer to all of these questions is self-evident. It is unthinkable that this man was engaged in polemics and apologetics merely to prove Judaism worthy in the eyes of his generation. Whereas R. Lichtenstein found the sense of accommodation, concession, or even apologetics inescapable, I cannot escape a quite different feeling. From R. Hirsch's writings, I sense a man emerging, a man so genuinely convinced of the humanistic and universal vision of Judaism, so singularly devoted to sharing this message with the world, his passion seeps through the text even now, over 180 years after he first put pen to paper. 