YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**On Being Chosen:**

**A Philosophical Investigation into the Election of the Jewish People**

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**Shiur #33: Rabbi Samson Raphael Hirsch**

Rabbi Samson Raphael Hirsch (1808-1888) was elected Chief Rabbi of Oldenberg at the tender age of twenty-two. Six years later, he published his short but compelling masterpiece, *Nineteen Letters on Judaism* – a type of manifesto for a modern, outward-looking, humanistic, Orthodox Judaism. Two years after that, he published a textbook – *Horeb* – that sought to explain Jewish law and ritual through the prism of the basic philosophy he had articulated in his *Nineteen Letters*.[[1]](#footnote-1)

After serving as Chief Rabbi of various German provinces, Rabbi Hirsch accepted an invitation, in 1851, to lead the separatist Orthodox community in Frankfurt – which, unlike the other Orthodox community in that city, refused to have any institutional ties with the Reform community. He served in that position for thirty-seven years, until he passed away. In that time, he built a thriving community, and school system, under the motto of *Torah im derekh eretz*: it was unapologetically Orthodox while also being committed to worldliness, science, and the humanities, all in the service of God and His Torah.

In this lesson, we will explore Rabbi Hirsch’s understanding of the election – a doctrine that animates his entire philosophy.

**A Two-Track Model of the Election**

In last week’s lesson, we saw how the Tiferet Yisrael – another German- Jewish luminary – divided the service of God into two basic tracks: the gentile track and the Jewish track. The special value of the gentile track is that each nation, community, and individual is given a tremendous degree of freedom to articulate its own values and create itself; each one in its own way, making its own unique contribution to human history.

God doesn’t legislate the fine-grained details of a system of law for those on the gentile track to obey. Instead, they must find their own way. The problem with this track is that humanity, when left completely to its own devices, can sometimes lead itself radically astray. Accordingly, the Jewish people were chosen to serve God on a different track. Instead of forming their own culture and outlook in their own time, God formed the Jews into a people and revealed a specific legal code to them.

The idea of creating a special *Jewish* track for the service of God was to allow the Jews to set an example to the rest of the world. This example would keep the other nations from straying too far outside of the basic ethical parameters within which God values their diversity.[[2]](#footnote-2) The upside, for those who serve God on this second track – i.e., the Jews – is that they get to live in closer proximity to God than anybody else. The downside is that even the best exemplars of this track are liable to fail to achieve the sort of authentic self-creation that God so values among the righteous exemplars of the other track.

We raised various problems with this model last week, but in truth, the basic proposal – as it appears in the work of the Tiferet Yisrael – is relatively hard to assess. This is because his theory of the election has to be reverse-engineered from scattered comments to various *Mishnayot*. The view is nowhere set down in anything like a sustained and systematic fashion.

In a significant sense, then, it is Rabbi Hirsch who comes to complete the picture suggested by the Tiferet Yisrael. In his *Nineteen Letters*, Rabbi Hirsh boldly articulates the general contours of his Two-Track Model. In *Horeb,* he tries to explain how this idea animates every detail of Jewish law. In his commentary to the Pentateuch, he weaves this model into the woop and warf of the Biblical narrative. Indeed, in all of his many writings, Rabbi Hirsh demonstrated an astonishing clarity of vision, a remarkable steadfastness to the principles he first articulated in his twenties. His commitment to those principles never substantially changed until he passed away at the age of 80.

**Biblical Narrative**

Rabbi Hirsch was deeply sensitive to the fact that, in the book of Genesis, God created all of humanity in His image and was centrally invested in their ethical and spiritual development. The election of Abraham, in the twelfth chapter of Genesis, didn’t signal some change of heart, on the part of God, from caring about all of humanity to caring only about one tribe or nation. On the contrary, God only elected Abraham so that he would serve as a blessing – so that through him, *all of the nations of the world* would be blessed. Rabbi Hirsch was also sensitive to the fact that, according to the prophets, the ultimate destination of history is a brotherhood of man.[[3]](#footnote-3) It is imperative, he argued, to hold onto our distinctive Jewish identity in the meantime, but only so as to play our role in the eventual constitution of that brotherhood. In his *Nineteen Letters*, he implored his readers:

Do you not see that, until the advent of the age of universal brotherhood, you should not, cannot, desire [intermarriage]? Not, however, on account of enmity or hostility, but because of your Israel-mission.[[4]](#footnote-4)

It seems that, like the Two-Track Model of the Tiferet Yisrael, Rabbi Hirsch thinks that God wants gentiles to live within the parameters of an ethical monotheism, broadly construed, but that – within those broad parameters – they should find their *own* ways to express their love of God, and their humanity. There is, it seems, a special value in the self-made qualities of those who succeed in serving God well on the gentile track. This special value is more clearly expressed in the writings of the Tiferet Yisrael, but one can see it hinted at in the work of Rabbi Hirsch too.

For example, when Rabbi Hirsch describes the messianic age, he talks of the awakening of “the nations to similar efforts,”[[5]](#footnote-5) in the service of God, to those that have characterized Jewish history. *Similar*, yes, but not identical. This perhaps gives new meaning to Micah’s prophecy that, in the end of days, *we* will walk in the path of our God, and the nations will walk in the path of *theirs*.[[6]](#footnote-6) At first glance, this verse doesn’t sit well with the monotheism of Judaism or with the rest of the chapter of Micah in which it appears, according to which Torah will go forth from Zion to all of the corners of the world. But, read through the lens of Rabbi Hirsch’s philosophy, perhaps the idea is that in those days, we will all be worshipping the same God, we will recognize this to be the case, and thus, all people will draw inspiration from the Torah; however, people will continue to describe God using their indigenous names for Him, and to worship Him in *similar* but not identical ways.

In the sixth of his *Nineteen Letters*, Rabbi Hirsch relates to the dispersion from Babel as a punishment for that generation, but also as restoration of God’s actual plan for humanity. God never wanted us all to be the same.:

Mankind must be scattered, must distribute itself among all the different regions of earth in order that the most divergent and contrary faculties of the human mind may find in nature the needed opportunities of development, in order that experience become full and complete…[[7]](#footnote-7)

There is, it seems, some sort of value in human experience being “full and complete,” a value that can only be achieved if humanity is allowed to develop along multiple cultural avenues, scattered over various climates and landscapes. But the hope is also that the multifarious experiences of humanity – the successes and the failures of its numerous social experiments – will help to educate them too, towards the recognition of “the supreme dominion of God over nature and human life.”[[8]](#footnote-8) In other words, this history “should cause [humanity] to realize that the task of man is higher than merely to possess and to enjoy.”[[9]](#footnote-9)

Ultimately, all of humanity will be led to substantive theological agreement. The similarities between cultures, in those days, will be profound, and the differences merely superficial. But still, it is in those differences, perhaps, that humanity will find its fullness and completion. This can be usefully compared to Rabbi Hirsch’s reading of the end stage of the Babel project. He doesn’t think that God literally gave them, in one miraculous moment, a proliferation of languages. Rather, God caused them not to understand one another even though they were, technically, still speaking the same language. The similarities between one person and the next were superficial – they were speaking the same language, phonetically and morphologically – but the differences became profound, because – on Rabbi Hirsch’s reading – they started to mean very different things by the same words.[[10]](#footnote-10) In the messianic age, things will be the other way round: the differences superficial, and the commonalities profound.

To help the gentiles succeed on this gentile track towards the service of God, the Jewish people were created and given a distinctive way in which to serve Him – the Jewish track. One of the concerns that we raised last week with this Two-Track Model is that if it were true, and if being a light unto the nations really is the *raison d'être* of the Jewish nation – one would expect that all of Jewish life and law would be calibrated towards the edification and enlightenment of the nations (or, at the very least, that there would be an emphasis on making sure that our culture and distinctive ways of life are particularly visible to others). But that doesn’t seem to be the case, especially considering that many pious Jewish communities live insular lifestyles that deliberately shy away from the gaze of the wider world. Rabbi Hirsch’s answer to this question enables him to develop the Two-Track Model much more thoroughly than the Tiferet Yisrael.

**Tracks within Tracks**

The first thing to note about the Jewish track, on Rabbi Hirsch’s account, is that it has two modes of operation. In fact, you could say that the Jewish track is comprised of two sub-tracks itself: one track is pedagogic and active; the other is historical and passive.

When Jews live according to Jewish law – Rabbi Hirsch would claim – they create, through their actions, an example and a light unto the nations of the world. This example will help to usher all of humanity towards the messianic age. That’s the pedagogic track: Jewish practice as some sort of guide to the world. To render that idea plausible, of course, we’ll have to come back to Rabbi Hirsch’s account of Jewish law, and how – in his opinion – it really *is* calibrated to perform the pedagogic task. But that isn’t the only way, according to Rabbi Hirsch, in which the Jews fulfil their role on earth.

Humanity as a whole has free will and can therefore stubbornly refuse to serve God; consequently, the Jews can refuse to obey the Torah. When we fail to live up to the laws that we’ve been given, either because of our own shortcomings or because we have been too severely oppressed by the other nations of the world, then – according to Rabbi Hirsch – we still continue to perform our function of being a light unto the nations. This no longer takes place on the pedagogic track (since at such times, we’re not necessarily obeying God’s law), but on the historical track. On this track, regardless of how the Jews *behave* – whether they’re pious or impious – something about the contours of Jewish *history* itself will be so remarkable that simply by paying attention to it, the world will come to recognize the existence of God.

This historical track, within the Jewish track, is, in part, built upon the Biblical Name-Bearing Model of the election.[[11]](#footnote-11) The idea is that the Jewish nation becomes associated with the name of God, even by other nations, and even – to some extent – by people who don’t yet believe that the Jewish God actually exists. According to Rabbi Hirsch, this idea is already hinted at when God promises to *make* Abraham into a great nation.[[12]](#footnote-12) Normally, nations emerge organically, over the course of history. They are not *made* by anyone. This nation, by contrast, was to be associated publicly with God from the very beginning. God was saying to Abraham:

I will make you, create you to [be] a great nation. All natural conditions shall speak against it, and here it shall be strikingly apparent that God is the creator of this nation as such. Already the age and the barrenness of the pair who were chosen to be the roots of the future nation denied the presumption of the promised future according to all natural assumptions. God alone could *make* Abraham [in] to a great nation. So already beforehand, the very existence of this people was to be a revelation of God.[[13]](#footnote-13)

It could certainly be argued that the historical track (within the Jewish track) has been effective in just the ways that Rabbi Hirsch describes. We have survived as a nation through millennia of exile, in the face of brutal oppression. The most salient thing we have all had in common, one Jew with another, across chasms of time and differences in language and culture, is a commitment to the same God and Torah – even as we often fail to keep every detail of that law, or explicitly to profess belief in God. We bear God’s name as an inheritance, regardless of how we act – so long as we, at the very least, hold onto our Jewish identity. Rabbi Hirsch writes:

A thousand times delusions, armed with material power and passions aroused by these delusions, opened to Israel the path to the full enjoyment of earthly happiness, if it would, with but a single word, declare its rejection of the All-One – its disregard of His Torah; but, as often as temptation met it, it would cast away in scorn this easy key, preferring rather to extend the neck to the blow of the executioner.[[14]](#footnote-14) It sacrificed its own scanty measure of happiness, the most precious possession of earthly existence, wives, children, parents, brothers, and sisters, life, property, and all the joys of life. With Israel’s heart-blood is written on all the pages of history the doctrine that there is but one God, and that there are higher and better things for mankind than wealth and pleasure. Its entire *Galuth* [exile] history is one vast altar, upon which it sacrificed all that men desire and love for the sake of acknowledging God and His law. Among all nations and in every region such altars have smoked. Did they not teach, could they fail to teach, a most impressive lesson?[[15]](#footnote-15)

And we see, in the history of gentile literature, a number of people who have looked at Jewish history and been struck by its peculiarity. Famously, Mark Twain writes:

The Egyptian, the Babylonian, and the Persian rose, filled the planet with sound and splendor, then faded to dream-stuff and passed away; the Greek and the Roman followed, and made a vast noise, and they are gone; other peoples have sprung up and held their torch high for a time, but it burned out, and they sit in twilight now, or have vanished. The Jew saw them all, beat them all, and is now what he always was, exhibiting no decadence, no infirmities of age, no weakening of his parts, no slowing of his energies, no dulling of his alert and aggressive mind. All things are mortal but the Jew; all other forces pass, but he remains. What is the secret of his immortality?[[16]](#footnote-16)

Admittedly, and although Twain was asking the right question, he didn’t answer that question by coming to believe in the God of Judaism. Indeed, he provides no answer to his question at all. Others have. Nicholas Berdyaev, for instance, was a Russian Christian philosopher who came to believe in God in part because he couldn’t make sense, naturalistically, of Jewish history. He writes:

I remember how the materialist interpretation of history, when I attempted in my youth to verify it by applying it to the destinies of peoples, broke down in the case of the Jews, where destiny seemed absolutely inexplicable from the materialistic stand­point.… The survival of the Jews, their resistance to destruc­tion, their endurance under absolutely peculiar conditions and the fateful role played by them in history; all these point to the peculiar and mysterious foundations of their destiny.[[17]](#footnote-17)

Indeed, when King Louis XIV of France asked Blaise Pascal to give him proof of the existence of miracles, Pascal is said to have answered, “Why, the Jews, your Majesty; the Jews!” As Twain would one day wonder, Pascal writes:

For, whereas the nations of Greece and of Italy, of Lacedaemon, of Athens and of Rome, and others who came long after, have long perished, these [Jews] ever remain, and in spite of the endeavours of many powerful kings who have a hundred times tried to destroy them, as their historians testify, and as it is easy to conjecture from the natural order of things during so long a space of years, they have nevertheless been preserved (and this preservation has been foretold); and extending from earliest times to the latest, their history comprehends in its duration all of our histories.[[18]](#footnote-18)

And Pascal saw very clearly that it was something somehow uncanny about Jewish *law* that had kept the Jews in existence even if their “rebellious and impatient” nature (as in the excerpt below) entails that they are not always perfectly observant of that law. What strikes Pascal as beyond comprehension is that the Jews have never cast their law away or sought to loosen its demands. It reminds me of the Jews of my own childhood community who would drive to an Orthodox synagogue on Shabbat, all the time insistent that driving on Shabbat isn’t allowed and that it’s better to recognize one’s failings rather than to pretend that Jewish law can be changed on this matter.[[19]](#footnote-19) Pascal writes:

But this law is at the same time the severest and strictest of all in respect to their religious worship, imposing on this people, in order to keep them to their duty, a thousand peculiar and painful observances, on pain of death. Whence it is very astonishing that it has been constantly preserved, during many centuries by a people, rebellious and impatient as this one was; while all other states have changed their laws from time to time, although these were far more lenient.[[20]](#footnote-20)

This was enough to convince Pascal that there must, indeed, be something divine about this law.

The efficacy of the historical track – that is to say, the power of Jewish history to bring gentiles to important theological and ethical conclusions – has perhaps never been better manifest than in the following words of Thomas Newton, the eighteenth-century Bishop of Bristol:

The preservation of the Jews is really one of the most signal and illustrious acts of Divine Providence... and what but a supernatural power could have preserved them in such a manner as none other nation upon earth hath been preserved. Nor is the providence of God less remarkable in the destruction of their enemies, than in their preservation... We see that the great empires, which in their turn subdued and oppressed the people of God, are all come to ruin... And if such hath been the fatal end of the enemies and oppressors of the Jews, let it serve as a warning to all those, who at any time or upon any occasion are for raising a clamor and persecution against them.[[21]](#footnote-21)

The historical track has thus already been effective, to some degree or other. But one might worry that it ends up treating the Jews, often against their will, as a means to an end – much like Rashi’s understanding of the suffering servant in the book of Isaiah, according to which Jewish suffering throughout history has a soteriological payoff for the gentiles (“soteriology” being the study of salvation).[[22]](#footnote-22) The gentiles will see, in our survival against all odds, the hand of God, and come to recognize, through our unlikely survival, that serving God is the highest calling of all humanity. But this doesn’t seem fair to the Jews. Can we really say that our oftentimes painful history is orchestrated by God, merely in order to use us as means to an end?

Perhaps Jewish proximity to God, and the promise of special reward in the afterlife, compensate Jews for being used in this way. But you might worry that it remains deeply problematic, even for God, to use people as a means to an end, without their consent, and then simply to compensate them afterwards.[[23]](#footnote-23)

Rabbi Hirsch’s response to this problem would (at least in part) be that the historical track is only one route by which the election can reach its goal. This track only comes into the foreground when the Jews aren’t performing well enough on the other track – the pedagogic track. Therefore, to the extent that the historical track *does* treat the Jews as a means to an end, it can be justified, at least in part, as a punishment, or at least as a consequence, of their disobedience to the command of God.

But is it true that Jewish law, when strictly obeyed, would function – all on its own – so as to create in the Jewish people a potent force for educating the world towards the proper service of God? In other words, we’ve returned to the question we raised against the Tiferet Yisrael: Does Jewish law really look as if it’s been calibrated around educating and enlightening the gentile world? The historical sub-track is only rendered fair because of the existence of the pedagogic sub-track, so we’d better hope that the pedagogic sub-track is plausible. Rabbi Hirsch’s philosophy of halakha constitutes his attempt to make sense of the pedagogic sub-track of the election as indeed being calibrated in such a way.

**Rabbi Hirsch and Jewish Law**

In *Horeb*, Rabbi Hirsch divides all of Jewish law into six categories that he had already laid out and explained in his *Nineteen Letters*. Drawing from both works, I will paraphrase Rabbi Hirsch’s taxonomy of Jewish law:[[24]](#footnote-24)

1. ***Torot* [teachings]*:*** This category includes commandments to hold certain attitudes toward God: to love Him and to fear Him, together with subscribing to various ideas about mankind (e.g., that all humans are created in the image of God) and the Jewish people (e.g., the existence of a responsibility to be a light unto the nations).

Rabbi Hirsch didn’t relate to these commandments as mere dogmas to *believe*, but as principles of *living*, to be absorbed by the heart rather than the brain alone. He thought it insuffi­cient to believein the Jewish narrative; instead, the Jew is directed to look at the world from a uniquely Jewish perspective, through the prism of its symbols and stories, and to *live* constantly in the world that Judaism introduces to her, with a vivid God-consciousness.

Accordingly, the *torot* are valuable, in large part, because of the effect they can have over *behavior*. Looking at the world in a certain way, through a certain prism, can have a profound effect on your moral fiber. What does it do to you, for example, to view yourself constantly as an ambassador of God? How does that self-image influence the ways you act in the world?

1. ***Mishpatim* [dictates of justice]:** The laws of this category help to promote justice between human beings.
2. ***Chukim* [statues]:** This category was often understood, by other commentators, to include only the laws that human reason cannot fathom, such as the prohibition on mixing wool and linen. Rabbi Hirsch, by contrast, thought that these laws were about the promotion of justice toward non-human beings, based on the principle that all things that exist play some role in God’s service; i.e., justice toward the earth, and plants and animals, as well as toward your inanimate property and your own body.

Sometimes we understand the demands of justice for non-humans, such as animal welfare, and sometimes we don’t, because – according to Rabbi Hirsch – we don’t understand the divine pur­pose of certain things, such as wool and linen, for example. For that, we rely on revelation. This conception of the *chukim* feeds into the fact that, for Rabbi Hirsch, the truly law-abiding Jew has to be actively concerned for our ecology. Indeed, seeing the first signs of the ecological devastation that the industrial revolution threatened to unleash, Rabbi Hirsch was convinced that Jewish law encodes robust defenses against such threats.

1. ***Mitzvot* [commandments]:** The *mishpatim* are the demands of justice, demands that you can rightfully claim from others and that others can rightfully claim from you. The *mitzvot*, by contrast, are the demands of *love*. Nobody can rightfully claim these from others, but God calls upon us to be more than merely just. We are called upon to be *loving*. The Jew doesn’t really live up to these precepts, Rabbi Hirsch insists, until he or she becomes a bastion of love, charity, and social activism, loving the stranger (Jew and gentile alike) and standing up for the oppressed. To love others is to help them to fulfill their potential whenever you are able and for no ulterior purpose.
2. ***Edot* [testimonies]:** These are precepts that, by word or ritualistic action, serve for the individual – and for the Jewish people, and sometimes for the world beyond – as reminders of all of the truths that Jews are supposed to embody. In this vein, Rabbi Hirsch understood many Jewish rituals as attempts to wake the Jews out of their spiritual slumber and to resensitize them to their mission.
3. ***Avoda* [spiritual service]:** These laws concern worship. They are designed to purify and sanctify the inner life of the Jew – in order to help her accom­plish her mission in the world – by refining her thinking through word and symbolic ritual.

If you’re able to place every single Jewish law into one of these categories, as Rabbi Hirsch maintains, then the whole system of Jewish law can be construed as founded upon three basic concepts – (1) justice, (2) love, and (3) education *toward* justice and love. Each of the six categories has at least one of these concepts at its heart.

By “justice,” Rabbi Hirsch means: consideration for every being as a creation of God, and for all possessions as having a purpose before God, and for the natural order as being ordained by God; and, as a result of that consideration, compliance with the claims that God’s creations make upon us.

By “love,” he means acceptance of all beings as children of God, a notion that calls upon us to promote their welfare, and accep­t the responsibility (which is the consequence of this love) to help them better to fulfill their God-given potential. Afterall, to love another is to be invested in their flourishing.

By “education,” he refers to the rituals that give expression to Jewish philosophy, such that if, through life’s struggles, one loses sight of one’s values – one can strive to re-instill them in one’s heart.

Armed with Rabbi Hirsch’s conception of Jewish law and its underlying values – recognizing that all of the laws fit into one of these categories, and that those categories are animated by the values he identifies – one can start to imagine how the pedagogic track is supposed to work. Jewish law itself is indeed, in Rabbi Hirsch’s estimation, finely calibrated to give rise to outward-looking social activists. In his words, “every Jew and every Jewess,” keeping Jewish law in the right spirit, would be “in his or her own life a modest and unassuming priest or priestess of God and true humanity.”[[25]](#footnote-25)

**Ideals and Reality**

When my wife and I were relatively newly married, still without children, and living in London, we had the opportunity to help a Muslim refugee from Darfur. To protect his anonymity, I’ll call him Abdul. The Janjaweed, supported by the Sudanese state, had been conducting a campaign of ethnic cleansing in Darfur. Abdul belonged to one of the tribes that the Janjaweed sought to cleanse. He had been tortured by the Sudanese authorities. His brother had been killed. He didn’t know if his mother or sisters were still alive. Abdul had spent all of his savings to make the perilous journey to Europe. Having arrived in England, he was deathly afraid of being deported. At that time, Britain was still committed to deporting Darfuri refugees, so his fears were well grounded. Motivated by mortal fear, and having had one asylum application unfairly (and, as it later turned out, illegally) turned down, Abdul committed the crime of filing a second application under a false name. For this crime, he was, in addition to his other woes, incarcerated to await the deportation he so feared.

The authorities would only release Abdul if British citizens would commit to house him, and take responsibility for him, so that he wouldn’t disappear from the reach of the authorities. When we found out about his case, through the work of the anti-genocide Aegis Trust, we volunteered to house him. Indeed, he lived with us for a number of months – at which point we had our first child, which made it difficult to continue hosting him in our one-bedroom apartment. Until then, he slept on the sofa-bed in our living room. Hosting him wasn’t a massive adjustment and it barely cost us anything. Thankfully, when our first child came along, we found another family to look after Abdul, until, eventually, the High Court ruled that it was illegal to deport Darfuri refugees to Sudan, and thus Abdul was granted his freedom to stay, legally, in England.

I’m proud to say that many Jews in the UK and beyond were involved in the struggle for the victims of ethnic cleansing in Darfur. But one less happy memory of that period was the reaction that some of our Orthodox Jewish friends had towards our actions. They were surprised that we would open our home to a stranger, a non-Jew, an African, a Muslim! In truth, we had been a little scared ourselves before we met Abdul. We’d heard that he’d been a victim of torture, and we didn’t know how those experiences might have affected his mental health. We hadn’t had the chance to meet him before he came to stay. Accordingly, we took certain precautions, until we got to know and trust him, but there was certainly an element of danger in what we did. Moreover, once we became parents, we could no longer so nonchalantly open our home to strangers, so – for better and for worse – this type of activity didn’t come to define our family. But why should it have been so shocking? Why, indeed, was it deemed less peculiar among our non-halakhically observant friends?

From the perspective of Rabbi Hirsch, it really shouldn’t have been surprising. In his view, halakhic observance, when done properly, is supposed to shape its adherents into warriors of love and justice towards all people, and guardians of the natural environment as well. To read his description of the halakhic life, one would think it very difficult to be an observant Jew in possession of a spare bedroom (or sofa) who wasn’t, whenever it was safe and feasible to do so, using that room to give shelter to those in need, be they Jews or gentiles. In fact, the Talmud is uncomfortable with the notion that residential homes should have gates, since – however important they may be in providing security – they threaten to shut out those in need.[[26]](#footnote-26)

To offer another example of the gap between the ideals of Rabbi Hirsch and the reality in which we live. In the state of Israel, the use of disposable cutlery and plastic tablecloths has become heavily associated with the religious community. They tend to have bigger families, who eat together more regularly than others might, and host a large number of guests on a regular basis. Religious communities also tend to organize, among themselves, social care for members in need, and this requires people to cook food for others, in addition to their own family meals and hospitality. Moreover, pressure on people’s time, especially given their large families, and their hospitality and social initiatives, often coupled with the lack of resources to pay for the assistance of a cleaner, creates a strong incentive to spend money on disposables, since the relevant cost-benefit analysis seems to render the expense worthwhile. This association has developed to such an extent that when Israeli politicians propose a green tax on these goods, it is decried as religious persecution.

To read Rabbi Hirsch’s account of Jewish law, by contrast, one couldn’t imagine how such waste and low regard for the natural environment could be deemed compatible with, let alone characteristic of, a halakhic lifestyle, despite the various pressures within such a lifestyle that might explain the temptation to use these products.

Similarly, we may be very particular about the standards of ritual slaughter applied to the animals we eat, but in most cases, widespread contemporary Jewish practice shows almost no concern whatsoever for the brutal practices of factory farming, and the transportation of livestock before the point of slaughter. How does this reality fit in with Rabbi Hirsch’s characterization of Jewish law and practice?

On the one hand, I can admire the fact that Rabbi Hirsch was able to place every Jewish practice into his outward-looking taxonomy, and thereby recruit every Jewish law to his lofty vision. I can accept that if every Jew practiced Jewish law in just that spirit, then every Jew would be a tireless social activist, animated by a powerful love of God, seeing God’s glory reflected in each pocket of the creation; not looking to stand in judgment of others, but wanting to help everyone, irrespective of their creed or color, to reach their potential in life. In fact, Rabbi Hirsch contends that when our motivation and energy start to sag, the halakhic system has mechanisms to re-energize our spirits (specifically, the Avoda, as well as many of the torot and Edot). I can see how a people that represents these ideals would be powerful ambassadors for ethical monotheism. In Rabbi Hirsch’s characterization of Jewish law, we can see how the pedagogic sub-track of the Two-Track Model is supposed to work.

But Rabbi Hirsch doesn’t seem to capture the spirit in which Jewish law is, in actual fact, practiced. There are many wonderful, inspiring, and righteous religious Jews, but the halakhic lifestyle *per se* is not, for all its many virtues, associated with social activism and environmentalism. In describing what Judaism *could be*, rather than what Judaism *is*, isn’t Rabbi Hirsch missing the mark?

Recall that the theory of revelation I articulated in lesson 1 suggests that the form of life found among the communities of the most faithful Jews, avowedly living their whole lives as best they can in response to their understanding of the revelation at Sinai, provides us with the closest approximation that we currently have as to what God’s will is for each and every Jew. Since there seems to be a large gap between what Rabbi Hirsch describes and what we find in practice, even in the most faithful communities, doesn’t our theory of revelation suggest that Rabbi Hirsch must have got something wrong? This question becomes all the more powerful if you harbor the suspicion that Rabbi Hirsch is being too demanding in terms of what he expects from observant Jews.

This question will be the main focus of next week’s lesson, as we begin to subject the Two-Track Model to philosophical scrutiny.

1. In actual fact, he wrote the textbook first, but his publishers insisted that he first test the waters with something shorter and more programmatic. [↑](#footnote-ref-1)
2. For the notion that God values human diversity, see lessons 2-3. [↑](#footnote-ref-2)
3. For more on this notion, see lesson 3. [↑](#footnote-ref-3)
4. Letter 15 of the Nineteen Letters, as translated by Bernard Drachman; we saw this quotation already in lesson 13. [↑](#footnote-ref-4)
5. *The Pentateuch: Translated and Explained by Samson Raphael Hirsch*, Vol. I. Genesis, rendered into English by Isaac Levy (Gateshead: Judaica Press, 2nd Edition, 1982), p.227. [↑](#footnote-ref-5)
6. Micah 4:5. [↑](#footnote-ref-6)
7. Letter 6 of the *Nineteen Letters*. We saw this already in lesson 4. [↑](#footnote-ref-7)
8. Ibid. [↑](#footnote-ref-8)
9. Ibid. [↑](#footnote-ref-9)
10. See his commentary to the story of Babel in Genesis 11:1-9; *The Pentateuch,* vol. 1, pp.204-220. [↑](#footnote-ref-10)
11. See lesson 12. [↑](#footnote-ref-11)
12. Genesis 12:2 [↑](#footnote-ref-12)
13. Rabbi Samson Raphael Hirsch, *The Pentateuch*, vol. 1, p.225. [↑](#footnote-ref-13)
14. Sarah Rudolph (editor of this series) pointed out to me that this “casting away” can hardly be described as *passive*. I think that’s right, but only because the sort of martyrdom or sacrifice that Rabbi Hirsch here describes is both active and passive. It is active because it is the result of a brave and awe-inspiring decision. But it is passive in the sense that the martyr has been transformed into an object by his or her oppressor. [↑](#footnote-ref-14)
15. Letter Nine of the *Nineteen Letters*. We saw this first in lesson 19. [↑](#footnote-ref-15)
16. This is from Mark Twain’s essay “Concerning the Jews,” which can be found replicated in many publications and online. [↑](#footnote-ref-16)
17. Nicholas Berdyaev, *The Meaning of History* (New York: Charles Scribner’s Sons, 1936), pp. 86-87. [↑](#footnote-ref-17)
18. Blaise Pascal, *Pensées,* IX.620, in *Blaise Pascal: The Provincial Letters, Pensées, Scientific Treatises* (Chicago: Chicago University Press, 1990), p. 285. [↑](#footnote-ref-18)
19. Admittedly, this a phenomenon that is less prominent in times and places where non-Orthodox forms of Judaism have taken root. [↑](#footnote-ref-19)
20. Ibid., p. 286. [↑](#footnote-ref-20)
21. Thomas Newton, *Dissertations on the Prophecies; which have remarkably been fulfilled, and at this time are fulfilling in the world*, vol. 1 (London: J. F. and C. Rivington, 1789), p. 139. [↑](#footnote-ref-21)
22. See lesson 11. [↑](#footnote-ref-22)
23. For an argument that even God shouldn’t be able to use people as means to an end, in this way, see Stephen Maitzen, “Atheism and the Basis of Morality” in B. Musschenga & A. van Harskamp (eds.), *What Makes Us Moral*? *On the Capacities and Conditions for Being Moral* (Dordrecht: Springer Publishing, 2013) pp. 257–269. [↑](#footnote-ref-23)
24. All of the positions attributed in this section to Rabbi Hirsch can be found in letters 9, 10, and 11 of his *Nineteen Letters*. His concern for ecology is made more apparent in *Horeb* chapter 56. [↑](#footnote-ref-24)
25. Letter 9 of the *Nineteen Letters.* [↑](#footnote-ref-25)
26. *Bava Batra* 7b. The Talmud there recognizes that the conflict between our legitimate need to take security precautions and our duty to be open to the needs of others can be difficult to resolve. But however difficult, neither side of that conflict should be overlooked. [↑](#footnote-ref-26)