

Samson Raphael Hirsch, Modern Orthodoxy, and the Attack on Maimonidean Jewish Humanism

The most profound religious conflict between Ashkenazi Orthodoxy and the Sephardic Jewish Humanism of Maimonides can be found in their respective attitudes to the commandments.

Maimonides saw the commandments in historical terms and constructed a form of comparative religion using what he termed the “Sabian” paganism.

Josef Stern presents this view in his book *Problems and Parables of Law: Maimonides and Nahmanides on the Reasons for the Commandments*:

... the Sabianism the commandments were legislated to counteract is not (only) a historical reality in the past but a live threat that the Law is still actively engaged in combatting. Based on a number of passages in which Maimonides seems intent on drawing our attention to the fact that Sabianism still survives in various myths, superstitions, and practices, I argue that what he means by the title is not just the ancient star-worshipping cult-nation but also an ongoing twelfth-century mix of fatalistic astrology, magic, popular religion, and hermetic Neoplatonism. If this is so, the huqqim are at all obsolete. Their legislative reasons are still at work. (p. 6)

Stern sharpens the point later in the book’s introduction:

Parabolic commandments and, in particular, the huqqim, I would add, are also good examples of laws whose parabolic *external* meaning must be *concealed*. Maimonides’ explanation, for example, that sacrifices were legislated to put an end to Sabian idolatry – by adopting the external forms of that very idolatry in order to accommodate the psychological needs of the ancient Israelites – is their parabolic external reason: it aims at the welfare of the community and, in particular, its theoretical welfare – to inculcate the correct kind of belief that must be held for everyone. (p. 12)

As is known, Maimonides developed the Aristotelian tradition in Judaism out of Arab sources and here he articulates a deeply profound and impressive rationale for the commandments which is eminently logical: God speaks to the Jewish people in their language; in rabbinic parlance, *ha-Torah medabberet bi-lshon benei adam*.

This understanding of the commandments was seen as revolutionary as it took away the essential uniqueness of Judaism and placed it squarely into the realm of the purely human; a rationale that sought to purify the worship of the one God and eliminate the pagan dross.

Maimonides' understanding establishes the principle of religious pluralism which he articulates clearly in his discussion at the end of the Laws of Kings, the final section of his Mishneh Torah:

But man cannot grasp the thoughts of the Creator, for His ways are not our ways, nor are His thoughts our thoughts, and all the words of Jesus of Nazareth and the Ishmaelite after him, are nothing but a means to straighten the path to the King Messiah, and to the bring the entire world to worship God as One. (11:4)

In this generous vision of the Messianic era Maimonides reinforces the idea that God works in manifold ways. The commandments of the Torah, like the derivative belated mission(s) of Christianity and Islam, are a means to bring all human beings to an understanding of the Truth.

Maimonides was articulating an understanding of Judaism rooted in the principles of Religious Humanism; a way of seeing the world and the sacred in terms of history and the fundamental human experience.

It is therefore important to understand the harsh critique of Maimonides that appears in Letter 18 in Samson Raphael Hirsch's *Letters of Ben Uziel*, first published in German in 1836.

Here is the relevant portion of that letter:

This great man, Maimonides, to whom, and to whom alone, we owe the preservation of practical Judaism to our time, is responsible, because he sought to reconcile Judaism with the difficulties which confronted it from without, instead of developing it creatively from within, for all the good and the evil which bless and afflict the heritage of the father. His peculiar mental tendency was Arabic-Greek, and his conception of the purpose of life the same. He entered into Judaism from without, bringing with him opinions of whose truth he had convinced himself from extraneous sources and — be reconciled. For him, too, self-perfection through the knowledge of truth was the highest aim, the practical he deemed subordinate. For him knowledge of God was the end, not the means; hence he devoted his intellectual powers to speculations upon the essence of Deity, and sought to bind Judaism to the results of his speculative investigations as to postulates of science or faith. The Mizvoth became for him merely ladders, necessary only to conduct to knowledge or to protect against error, this latter often only the temporary and limited error of polytheism. Mishpatim became only rules of prudence, Mitzvoth as well; Chukkim rules of health, teaching right feeling, defending against the transitory errors of the time ; Both ordinances, designed to promote philosophical or other concepts; all this having no foundation in the eternal essence of things, not resulting from their eternal demand on me, or from my eternal purpose and task, no eternal symbolizing of an un- changeable idea, and not inclusive enough to form a basis for the totality of the commandments.

As we have seen, Maimonides provides a relativistic reason for the commandments that speaks to history and the subjective human experience.

But Hirsch sees the commandments, as was common to the Ashkenazi tradition, as exclusive rules that had their own objective logic; a corpus of laws that presented the essential ideas of God to the Jewish people as it closed them off from other human beings.

This determinist-essentialist view of Jewish Law excludes the very idea of Religious Humanism and the principle of cultural pluralism by placing Jews outside of human history.

In his book *Tradition in the Age of Reform: The Religious Philosophy of Samson Raphael Hirsch* Noah Rosenbloom spells out the practical ramifications of this understanding:

It should be pointed out that what Hirsch calls history is more accurately metahistory, since history also has its laws of natural development and all the nations of the world are subject to these laws. Israel, however, is not governed by these laws and frequently defies them. In the Nineteen Letters, Hirsch has placed the essence of Israel outside the domain of history and therefore not subject to its fluctuations: “While mankind, educated by experience, was to learn to know God and itself from its manifold vicissitudes, the final goal of this experience was to be made surer and speedier of attainment by a special ordainment.” (p. 272)

It is this special dispensation that marks off the Jewish people from the rest of humanity and makes them the chosen of God.

In absolute contrast to the Jewish Humanism of Maimonides that accepts the multiple nature of reality and of cultural pluralism, the Ashkenazi Orthodoxy of Hirsch and his disciples sees Jews as different than all other human beings.

Here is how Hirsch makes the anti-Maimonidean point:

Israel's youth, as a rule, trained their minds in non-Jewish schools, in independent, philosophic studies, and drew from Arabic sources the concepts of the Greek philosophy. As the highest purpose of human existence they learned to consider self-perfection through the knowledge of truth. Their awakened minds felt themselves in contradiction to Judaism, whose spirit they did not comprehend; their life-view was opposed to a view of life which lays chiefest stress upon the deed, upon action, and looks upon knowledge only as a means to such action. The age gave birth to a man, a mind, who, the product of uncomprehended Judaism and Arabic science, was obliged to reconcile the strife which raged in his own breast in his own manner, and who, by proclaiming it to the world, became the guide of all in whom the same conflict existed.

We will thus note the way in which Hirsch castigates Maimonides for not being authentically Jewish:

Do you not see, that all this is only mind-destroying priestcraft? Therefore; therefore — many conclusions could be and were drawn, but before drawing them, people should have asked themselves, ' Is Moses the son of Maimon, or Moses the son of Mendel, really identical with Moses the son of Amram?' Is there not contained in this dissonance between the theory of the Mitzvah and its reality a proof that the explanation is not right, that it is not based upon the complete conception of the Mitzvah, but is — dreamed into it from without?

Following the sustained assault on Maimonides, Hirsch goes after Joseph Karo, the author of the *Shulhan Arukh*, the seminal legal compendium. Though Karo was a bona fide mystic, his codifications, beginning with the massive *Beit Yosef* project, were deeply devoted to the Maimonidean standard and its clear, concise style which sought to defy Ashkenazi PILPUL and promote the formalism of the classical Sephardic tradition, which apparently found disfavor with Hirsch:

Little by little there came into the hands of the people a part of a work, originally intended only as a compendium for the learned and containing the last results of Talmudic legal science, codified for ceremonial practice. It was essentially nothing but a differently arranged edition of the systematic work of Maimonides, by which this latter had become the great preserver of practical Judaism in the times of the greatest Galuth-oppression. Unfortunately, however, it was almost exclusively one part of this work which came into the hands of people, containing only the divisions *Edoth* and *Abodah*, referring to worship and holy days; the other parts, which treat of the other duties, were left for the learned, and did not become the possession of the people. Gradually the unfortunate opinion developed that Judaism meant nothing but praying and keeping holy days; its significance for life in general remained unrecognized.

Rosenbloom explains how Hirsch dealt with the Halakhic formalism of the Sephardic codes:

The classical Jewish codifiers avoided in their works any rationalization of the precepts. Even Maimonides, who devoted a considerable portion of the *Moreh Nevukhim* to this subject, refrained from it in his *Mishneh Torah*. Not so Hirsch. He set two objectives for himself in the *Horeb*, one normative, one philosophic. The first aimed to familiarize the reader with the wide range of commandments and prohibitions; the second was intended to analyze and reflect upon the commandments, to gain insight into their meaning and significance. (pp. 191-192)

Here again we see the difference in the practical view of the commandments between Ashkenazim and Sephardim.

As we have already seen, Hirsch also attacks Moses Mendelssohn, Maimonides' great Ashkenazi disciple, whose seminal work *Jerusalem* sought to apply the principles of Jewish Humanism to the new age of Enlightenment:

Considering all these influences together, you will be able to comprehend the appearance which Judaism presented, say, eighty years ago. The subsequent events will also be intelligible to you. When the external yoke began to grow lighter, and the spirit felt itself freer, then arose a brilliant, respect-inspiring personality, Mendelssohn, which by its commanding influence has led the later development up to this day. This commanding individual, who had not drawn his mental development from Judaism, who was great chiefly in philosophical disciplines, in metaphysics, and aesthetics, who treated the Bible only philologically and aesthetically, and did not build up Judaism as a science from itself, but merely defended it against political stupidity and pietistic Christian audacity, and who was personally an observant Jew, accomplished this much, that he showed the world and his brethren that it was possible to be a strictly religious Jew and yet to shine distinguished as the German Plato.

At the very core of Hirsch's problem with the Jewish Humanism of Maimonides and Mendelssohn is the idea of adulteration, of rejecting the absolute uniqueness of Judaism and bringing to the Torah "alien" concepts and values.

It is therefore interesting to note that Rosenbloom in his excellent book devotes a good deal of space to the influence of Hegel's philosophy on the Orthodox thinker:

Kindled by the ideas of Hegelianism, Hirsch saw in them unlimited possibilities for the reinterpretation of Judaism. Hegel's philosophy seemed to Hirsch an excellent matrix for Jewish law. On the basis of Hegelian juridical theory, the rules and regulations of the Bible and Talmud could now be explained as denoting universal concepts and principles of thought of unqualified rationality, and hence valid and mandatory for all times. (p. 398)

In his bitter zeal to attack Maimonides and Mendelssohn, Hirsch did not seem to realize that his own determinist-essentialist view of Jewish exclusivity also deployed "alien" ideas in an effort to provide a philosophical-conceptual structure to the Torah.

Given Hirsch's open admiration for Hegel, we would do well to recall the biting analysis provided by Karl Popper in the second volume of his classic study *The Open Society and its Enemies*:

In our own time, Hegel's hysterical historicism is still the fertilizer to which modern totalitarianism owes its rapid growth. Its use has prepared the ground, and has educated the intelligentsia to intellectual dishonesty, as will be shown in section five

of this chapter. We have to learn the lesson that intellectual honesty is fundamental for everything we cherish. (p. 59)

Hegel's thought privileged the national Geist, here being German Christianity, as the driving force of history and in so doing unleashed many of the barbarities of the Modern world.

So too can we see the parallel to Hirsch's univocal understanding of Judaism and its rejection of the Maimonidean tradition and how it has led to new forms of Jewish intolerance and violence.

We would do well to contrast the Hegelian strains of Hirsch's thought with the presentation of the classical Sephardic rabbinical tradition by Jose Faur in his article "Rhetoric and Hermeneutics: Vico and Rabbinic Tradition":

Rabbinic tradition and Vichian thinking assume a certain primordial system (*sensus communis*, *peshat*) that allows the linguistic community to process its texts in an "obvious" manner, and recognize certain key-concepts that mutually allow a constant dialogue and persuasion. The ambit of this dialogue is the verisimilar, and its exposed opinions represent the reasonable, not the absolute or necessary. Rhetoric defines the intellectual, social and psychological space of this dialogue, helping to choose one of its opinions. Eloquence functions as an alternative to "violence" – political, metaphysical, psychological, etc. – and serves as a unique ground for the solution of human conflicts. Both presuppose a legal system in the role of supreme referee regarding conflict of interests.

...

Hermeneutics do not give closure to problems, but it traces "paths" – in the precise sense of *halakha* – cultural routes and strategies, conforming to the proper pattern of the community. It is obvious in this manner that the *sensus communis* will not – it cannot – manifest in a homogenous form in all societies and in all historical periods. As Arnaldo Momigliano notes, this vision constitutes a manifesto "in favor of cultural plurality and respect for minorities," whether it be Hebrew or Neapolitan.

The aim of the classical Sephardic tradition of Jewish Humanism is to promote cultural pluralism and not what Momigliano has famously called the Monolingualism of European civilization, perfectly embodied in the authoritarianism of Da'as Torah as processed in the Ashkenazi Orthodox tradition.

It is indeed quite telling that at the close of the *Letters of Ben Uziel* Hirsch addresses his ambivalent relationship to writing and expression:

I am not constituted for a writer; all my life I have thought more than spoken, spoken more than written; will I be able to write for truth with the clearness which convinces the mind, the power which captures the heart?

Quite unwittingly, Hirsch alludes to the essential problem at the heart of his understanding of the Torah: rooted in exclusionary values, his view of the Book is ultimately one of contempt. It is a form of anti-textual Judaism.

Unlike the elasticity and humanity of the classical Sephardic tradition with its emphasis on rhetoric and dialogism, Ashkenazi Orthodoxy seeks to go beyond the Letter, to effectively negate the complexities and multiple truths of writing which allows for the freedom inherent in ambiguity.

Jewish Humanism is rooted in a historical process that shows how God speaks to humanity in its own language and not in some absolute code of exclusive symbolic forms. The inherent “meaning” of the Biblical commandments is not a hermetically-sealed occult mystery, but a very humane prescription for bringing us closer to God as we make common cause with the larger world.

As we read Hirsch’s many, and often absurd, reasons for the commandments that are scattered in his writings, it becomes clear why it is that Ashkenazim are unable to properly relate to the non-Jewish world.

For Orthodox Ashkenazim like Hirsch the Jews are a people apart from the world who have their own parochial laws that exist outside of history and the human process.

In spite of the many times that Hirsch calls upon Jews to strive for “universal” justice, it has become clear over time that the parochial and the essential have served to undermine the humanity of Orthodox Jews who remain bewildered about the larger world that exists around them.

Indeed, according to Hirsch’s view, God formulated each commandment as a mystery that can only be understood through the exclusive lens of Torah and the symbolic interpretations he provides:

There is one way to salvation; — where the sin was committed the atonement must begin, — and this one way is, to forget the inherited prejudices and opinions concerning Judaism; to go back to the sources of Judaism, to Bible, Talmud, and Midrash; to read, study, and comprehend them in order to live them; to draw from them the teachings of Judaism concerning God, the world, mankind, and Israel, according to history and precept; to know Judaism out of itself; to learn from its own utterances its science of life.

As he sought to combat the assault of the nihilistic Reformers like Abraham Geiger who were determined to abrogate the Jewish Law, Hirsch erected an exclusive Judaism that provided only one way to the Truth.

Like Hegel, who denied the essential validity of non-Christian cultures and ushered in the age of racial nationalism and its endemic intolerance for difference, Hirsch deploys a form of Monolingualism which denies cultural pluralism and the values of Religious Humanism. His vicious attack on Maimonides and the classical Sephardic tradition remains a central part of Modern Orthodox Judaism and its erasure of our noble heritage.

David Shasha