

CAN YOU ANSWER THESE QUESTIONS?

1. Describe the educational philosophy of Rav Ezriel Hildesheimer.
2. In which ways did it differ from that of Rav Samson Raphael Hirsch?
3. Describe the educational philosophy of Rav Yitzchak Dov Bamberger.
4. What was Rav Bamberger's position vis-a-vis Austritt?
5. Describe the relations between Rav Bamberger and Rav Hirsch.

This and much more will be addressed in the tenth lecture of this series:

**"Rabbi Ezriel Hildesheimer
and the Orthodox Rabbinic Seminary in Berlin".**

To derive maximum benefit from this lecture, keep these questions in mind as you listen to the lecture and read through the outline. Go back to these questions once again at the end of the lecture and see how well you answer them.

PLEASE NOTE: This outline and source book were designed as a powerful tool to help you appreciate and understand the basis of Jewish History. Although the lectures can be listened to without the use of the outline, we advise you to read the outline to enhance your comprehension. Use it, as well, as a handy reference guide and for quick review.

This lecture is dedicated to the memory and *Li-ilui Nishmas*

הרב אברהם בן הרב צבי הירש ע"ה

Rabbi Avraham Gardin of blessed memory

THE EPIC OF THE ETERNAL PEOPLE
Presented by Rabbi Shmuel Irons

Series XIX Lecture #10

RABBI EZRIEL HILDESHEIMER
AND THE ORTHODOX RABBINIC SEMINARY IN BERLIN

I. HaRav Ezriel Hildesheimer, Chief Rabbi of Eisenstadt, Hungary

A. Father, a prominent, much sought-after public figure, was with us only for meals. He spent the rest of his time in his study or in the classroom where he delivered his *shiurim* (lectures). These two adjoined one another. The former was taken up by books and Father's desk; the latter, which was quite spacious, contained only one long wooden table and several wooden benches. . . . I remember very clearly that while we lived in Eisenstadt, Father never shortened his *shiurim* no matter what befell. If some extraordinary event forced my father to interrupt one of his *shiurim*, he always made up punctiliously for the time lost, even if it was no more than five or ten minutes. On *Yom Tov*, between *Mincha* and *Ma'ariv* when no *zemiros* were sung, he would seat himself in the large armchair in the bedroom, we children around him. I still remember sitting at his feet on his footstool, with my brothers Levi and Aaron standing beside him and with Mother and the younger children on the sofa. Then Father would sing to us German *Lieder*. The high point always came when he sang his favorite, Heine's *Die zwei Grenadiere* (a lyric poem in which two French elite infantrymen, just released from Russian captivity mourn Napoleon Bonaparte's downfall, and express their hope for his return so that they would be able to fight again under him). But on the whole, I remember Father primarily as that distinguished figure who played an epoch-making role in the lives of those around him. He was quick in his movements and actions and expected his children to be equally swift in doing what was required of them. The front windows of the shiur room looked down upon the main road, and when the Talmudic debates between Father and his students grew particularly loud and heated, people would stop in the street below, thinking that there was a brawl of some sort going on inside. . . . Father got along very well with his colleagues in the Seven Communities [of Burgenland i.e. Eisenstadt (Kismarton), Mattesdorf (Nagymarton), Kobersdorf, Lackenbach, Deutsch-Kreuz (Zehlem), Frauenkirchen, and Kittsee], despite the fact that they had initially greeted his arrival in Eisenstadt with considerable suspicion because he possessed a secular education. . . . Until Yom Kippur, of course, the mood was very solemn. Father fasted a great deal during that period. . . . Father always led the congregation in the *ne'ilah* service, but by that time the people were already in a hurry to get home. So before taking his place at the reader's stand, my father would place his watch conspicuously in front of him where he could see it and say, "I just want to tell all those assembled that I have my watch here before me so that I will finish the prayer at the exact moment of nightfall. But if you will insist on rushing through Avinu Malkeinu [the concluding portion of the *Ne'ilah* service], you will simply have to wait that much longer before you can go home." **Memoirs of Esther Hildesheimer Cavalry, Daughter of HaRav Ezriel Hildesheimer**

B. On the whole, my childhood memories center primarily around my mother, an important personality in her own right, who gave us her guidance. . . . We loved our walks with Mother. She was familiar with botany and could tell us the name of each flower we passed. In the old days, when chemistry had not yet progressed to its present state, many ailments were treated with home remedies and it was Mother who taught us how to distinguish between harmless and poisonous herbs. . . . Mother knew something about everything. When she walked with us

through the fields, she taught us to distinguish between rye, wheat, oats, and barley and to identify fruit trees according to their species and stages of development. She could become annoyed with us if we could not distinguish between the various types of field produce. She was able to help us also in our academic school work, whether it was French, English or mythology. But what amazed us most was the breadth of her knowledge of arithmetic and even more of geography, which had always been her favorite subject. We could come to her for help also if we had a difficult piece of needlework to do. **Ibid.**

II. The Orthodox Rabbinical Seminary

A. On the first day of Marcheshvan, 5634 (1873), the gates of the seminary for the education of Orthodox rabbis, which was established through the efforts of Rabbi Ezriel Hildersheimer of Congregation Adas Yisrael in Berlin, opened. Many persons and honored guests came from near and far to this seat of higher education on its day of dedication. Governmental officials also came to see the honor given Torah, and the Minister of Cultural Affairs himself sent a letter apologizing that he could not appear at the festivities, but he explained that he had been sick for the past several days and could not leave his house. There are no words in our language to describe the glory of this great day. With all our heart we bless the great Rabbi and Gaon mentioned above, for soon may our eyes and the eyes of the entire household of Israel behold the fruits which will spring from this great labor; and may it not be necessary for the Children of Israel in Germany to wander any longer in the forest of Breslau to seek their rabbis. May G-d grant that the rabbis who emerge from this new rabbinical school in Berlin be imbued with Torah and piety and that faith and understanding will walk together like twins in their hearts and in their deeds. May this be G-d's will and let us say amen. **Report of the Journal "Der Israelit"**

B. "... The raising of funds for the establishment of the seminary in less than a year and a half testifies like a hundred witnesses to the pressing need for an institution founded on the basis of Orthodox Judaism whose goal will be to qualify its graduates as rabbis, based upon a fundamental and all-embracing knowledge of the Bible, Talmud, and all the works spawned by them. Secondly, our goal is to present them with knowledge in all branches of Wissenschaft des Judentums, inasmuch as such a knowledge is a demand of our times." **Excerpt from Rav Hildesheimer's address at the opening ceremonies of the Orthodox Rabbinic Seminary**

C. ... הנה כמעט ארבעים שנה נדרתי שנה מעיני ודמעתי על לחיי על הסגר דלתות בית המדרש ברוב המדינות ותורה חגרה שק ונתנה בקולה מה יהא בסופה. אין גדיים אין תיישים המחונכים על ברכי תוה"ק ש"ס ופוסקים וגם בתנ"ך וחכמת דקדוק לה"ק וספרי מוסר והחקירה ע"פ רום למודי זמננו, שיוכלו לתקן הדור כפי מה שנחוץ בעת ובעונה הזאת. ע"כ באשר חנני ד' בחסדו הגדול בעושר ונכסים הקדשתי כל עתותי לא לבד בלי שום קבלת שכר רק גם בהעניקי עוד מכיסי כמה אלפים לדבר הגדול והקדוש הזה. וחפץ ד' בידי הצליח להעמיד בתי מדרשים אשר כבר יצאו משם יותר מאלף תלמידים, יראי אלקים ונצולים מזאבי ערב וטרף, המהפכים דברי אלקים חיים למינות ואפיקורסות לענה וראש. ובית המדרש הגדול הזה יסדתי לא למדינת אשכנז לבד כלל וכלל (והתלמידים משם אין להם שום מעלה ויתרון לא בלימודים ולא בהספקה), כי אם לכל אחינו בני ישראל בכל חלקי העולם כאשר ישנן כבר אצלינו תלמידים מכל ארצות שונות חלק מערבי כחלק מזרחי. והנה צרפתי עמי עוד ארבעה מורים מחוכמים ומלומדים מאד כל אחד בלימוד פרטי מלימודי הנ"ל. אכן אין הקומץ משביע לשכירות המורים הנ"ל ולהספקת התלמידים הרבים שהם מבני עניים שמהם תצא תורה. . . . וזכות תלמוד תורה דרבים והרמת קרן התורה והיראה תעמוד לו ולכל הנלויים אליו שאות נפשו היפה ונפש ידידו מכבדו ומוקירו כערכו הרב הק' עזריאל הילדעסהינער

. . . Behold, over the last some forty years I have lost sleep and shed tears over the fact that the *bais medrash* (study hall) doors in so many provinces [and countries] have been shut closed. The Torah itself is girded in sack cloth and cries out, "What will become of me?" Without young students (lit. kid goats) there cannot be [a new generation of] mature scholars (lit. mature goats), those who will be trained on the knees of our holy Torah, Talmud, halachic authorities, and also Tanach (the Hebrew Bible), the science of Hebrew grammar, Mussar, and critical research (i.e. Wissenschaft) which is up to the rigorous standards of our time, i.e. those who will be able to repair [the breaches] of this generation in a way which is so crucial at this time and era. Consequently, thanks to the material wealth with which Hashem has so graciously blessed me, I dedicated my entire life [to this mission]. Not only did I receive no compensation [for my efforts] but I also donated from my own personal resources many thousands [of deutsche marks] towards this great and holy cause. I met success in this holy endeavor by establishing *botei medrashim* (institutions of higher learning) which produced more than a thousand G-d fearing students. They were thereby saved from the attacking wolves of the night (heretics) who twist the words of the Living G-d to [fit into their world view of] *minuss* and *apikorsus* (heresy) and bitter poison. I founded this great *Bais Medrash* (institution of higher learning i.e. the Orthodox Rabbinical Seminary) not only in order to serve the needs of German [Jewry]. Students from Germany don't enjoy any preferred treatment, neither in their studies nor in their stipends. Rather this is an institution that serves the entirety of the Jewish world. There are just as many students from the West as there are from the East. Furthermore, I have engaged four brilliant and erudite scholars, each one an expert in one of the above mentioned disciplines. However, the meager resources we have on hand are not sufficient to provide for the salaries of our instructors or to take care of the needs of the many students we have that come from impoverished circumstances. [Yet] it is from these students, according to our Sages (Nedarim 81a), that the Torah will go forth. . . . May the merit of your support for community wide Torah study and for raising the banner (lit. horn) of Torah and the Awe [of the Al-mighty] protect you and all of your family, as you so well desire. This too, is my desire, your dear friend who honors and rightfully reveres you, HaRav Ezriel Hildesheimer. **Fund Raising Letter for the Orthodox Rabbinical Seminary, Dated, June 16, 1879**

III. HaRav Yitzchak Dov Bamberger, the Wurtzburger Rav

A.

יש להתאמץ לעשות הבימה בבתי הכנסת שנבנים בחדש וכל שכן שלא להסיר הבימה מביהכ"ס הישן. וכבר האריכו בענין בשו"ת חתם סופר . . . ואם תאמר שגם בבית הכנסת דכאן אין בימה על זה אשיב שבית הכנסת דפה הוחל להבנות טרם בואי לכאן ואז הרה"ג מו"ה אברהם בינג זלה"ה שהיה אז מרא דאתרא כבר היה חולה . . . ואנכי הצעיר אחרי בואי לכאן לא יכולתי לעכב . . . בינתים לא עלה בידי לתקן את אשר נעשה כבר . . . זכר שמחה סימן י"ח

B.

פלונית שרוצה להנשא לנכרי . . . ולמען תשיג רשות האם אמרו . . . שאם תסכים מבטיחים שבניהם אשר יולדו ימולו, ואם תעמוד בסרובה הבת תשתמד ואז הבנים לא ימולו ולא יהיה להם שם . . . בישראל . . . תשובה: העיקר להלכה שהאם לא תתן רשותה לנשואי עברה ההם בשום אופן, ואם תצא הבת לתרבות רעה אין לאם עונש על זה . . . אין אומרים לאדם חטא בשביל שיזכה חברו (שבת ד.) וד' ברחמי ישיב כל התועים לעבדו בלבב שלם . . . נטיעה של שמחה סימן פ'

C.

סוחרי בני עמינו בקשו להתיר להם יו"ט שני של גליות לעשותו חול . . . (שיטת הריפורמים) אין כח בידינו כלל וכלל להתיר יו"ט שני . . . מפני שפשטה התקנה בכל תפוצות ישראל . . . כולם כאחד

קימו וקבלו ונהגו מאז ועד עתה לעשות שני הימים קודש . . . ובאורם נלך ומפיהם אנו חיים . . . אפילו בי"ד הגדול . . . אין בידו לבטל . . . והעולה על רוח השואלים . . . שעכשיו יש להקל מפני הפסד מרובה שיתהווה במשא ומתן לאחר שנתחדשו דרכי הברזל ומלאכת הטלגרפיה (בימי המהפכה התעשיתית באותה תקופה). לא היה צריך להשיב על זה כלל . . . והעובר על זה הוא בכלל "והפורץ גדר ישיכנו נחש". יד הלוי חלק א' אורח חיים סימן צ"ט

IV. The Issue of Secession and the Wurtzburger Rav

A. Any Jew who does not believe in the ultimate coming of a Messiah from the descendants of David, in the reunification of the Jewish people in the Holy land, and in the restoration of the sacrificial rites as commanded in the Torah is to be considered as having defected from Judaism. Furthermore, the elimination of, or failure to recite, the passages in the prayer book referring to the above-mentioned [Divine] promises implies a defection from Judaism. Therefore a Torah true Jew must not and cannot remain associated in one religious community with persons guilty of such apostasy. Moreover, according to Jewish doctrine, it is also forbidden to pay taxes to a religious community whose spokesmen have adopted such resolutions that deny the Divine promises and whose institutions are not based on the unshakeable foundations of religious law as codified in the Shulchan Aruch. **A Letter Enjoining Secession From the Reform Controlled Viennese Community, Signed by 390 Rabbis Including Rav Yitzchak Dov Bamberger. Collected Writings of Rabbi Samson Raphael Hirsch VI p. 309**

B. . . . This makes it abundantly clear that the entire administration, the taxation, the management of assets, in short, all the funds required for these administrative structures, are used almost exclusively for the religious and educational agencies serving the cause of Reform. Therefore, those who continue to make contributions to the budget of the community in accordance with these amendments, even though they may not be taxed directly under the specific headings of "worship" and "education" are still helping to support, with their contributions, the religious and educational programs of Reform. . . . One who fails to secede gives recognition to the principles of Reform only by default, and, of course, even such a tacit recognition entails a serious responsibility for any sincere adherent of Orthodox, Torah-true Judaism. But one who formally declares his intention to remain a member of the community under the terms of the amendments thereby gives his personal sanction, in the most straightforward manner, to the defection of Reform and denies the truth of Orthodoxy because: - he thereby remains a member of the Reform community; - he thereby gives formal recognition to the legitimacy of Reform; - he does not cease, but continually obligates himself anew, to commit his assets and his contributions to the support of the religious and educational programs of Reform. For the sincere Torah-true Jew who knows where his duty lies, there is only one path free of איסור (prohibition); secession from the community under the terms of the Law of July 28, 1876. Anyone who would persuade his Torah-true brethren to do otherwise is a שוגגה ומשגגה, one who is not only in error himself but also leads others astray. **Rabbi Samson Raphael Hirsch, Frankfurt am Main, January 25, 1877**

C. Wurzburg, February 1, 1877 - From the District Rabbinate to Messrs. Billman and Associates - Frankfurt am Main. - In your esteemed letter of the 30th of the last month, you informed me that, contrary to the categorical pronouncement of your revered Rabbi Hirsch, a large number of members of the *Religionsgesellschaft* in your city have not only failed to declare their secession from the Reform community but were in fact about to unite with that community. They cited in their support the "Supplementary Ordinances to the By-Laws of the Israelite Community." You asked me to give you my opinion in this matter, which I will now do below. I

have carefully studied the so-called “Supplementary Ordinances” and I have found their nature to be such that they cannot in any way alter the obligation of an Orthodox Israelite to secede from the Reform community, as has been fully and adequately discussed in the analysis of these “Supplementary Ordinances” by your revered Rabbi Hirsch, dated the 26th of last month. I should only like to go into greater detail with regard to the following: It is categorically forbidden for Orthodox Israelites to participate in any manner in the operation and maintenance of a hospital run by a Reform community, even if one member of the *Religionengesellschaft* were to be elected to the board of the Reform community in connection with that institution. This should be readily understood if one considers the observance of dietary laws and Sabbath, not only in connection with patients but also on the part of the personnel that work in the institution . . . Furthermore, attention must be given to yet another rule of religious law . . . the board members of a community must meet the standards of religious conduct as the members of a Rabbinical Council. . . . It follows that an irreligious board of trustees may not be recognized by Orthodox Jews as a board of trustees, and, as a consequence, no pious Israelite is permitted to join such a board. In view of the fact that secession from a Reform community has now become permissible under the Law of July 28, 1876, those who do not avail themselves of this law would be acting contrary to the religious rules referred to above, something that certainly they would not wish to do. . . . Respectfully, The District Rabbi. **Letter from Rav Bamberger to Members of the Religionengesellschaft January 29, 1877**

D. A short time ago I was asked by several members of the *Religionengesellschaft* of Frankfurt to go there with the objective of persuading a certain person, who had hitherto refused to do so, to secede. In view of the importance of the matter, I complied with this request. In the course of the discussion, I learned that the Community Board was now prepared to deal fairly with Orthodox members who did not secede; that the institutions which they needed would be established on their behalf out of communal funds and would be entirely under Orthodox guidelines and supervision and that, on the other hand, Orthodox members would be exempted from contributing towards the cultural institutions of the Reform Movement. I thereupon replied that, provided all the necessary guarantees were given for the carrying out of these concessions, it could no longer be deemed necessary to secede from the Reform community. **Announcement by Rav Bamberger, Published in the Frankfurt Bourse and Handelszeitung, March 20, 1877**

E. Honorable Rabbi Bamberger: If anyone had told me only a few weeks ago that, after having written so many public statements against Messrs. Abraham Geiger, Zacharias Frankel, Heinrich Graetz, and others of similar leanings, the dictates of my conscience would force me to compose a public statement against Rabbi Bamberger, the District Rabbi of Wurzburg, on behalf of these same sacred principles; if anyone had told me that I would live to see Rabbi Bamberger, the District Rabbi of Wurzburg, lend the weight of his personal integrity and prestige to endeavors directed at nothing less than jeopardizing the survival and development of our *Religionengesellschaft* on which, after long and bitter experiences, G-d has bestowed the great favor of permitting it to become, through its modest endeavors, the cornerstone for the reconstruction of Torah-true Judaism within German Jewry; if anyone had told me that Rabbi Bamberger, the District Rabbi of Wurzburg, who without doubt is fully aware of what law and tradition sanction is permissible in the rabbinical profession with regard to communal affairs, would unhesitatingly permit himself to issue a ruling of *היתר* (ruling that something is allowed) even in the tiniest village outside his jurisdiction, and even with regard to a purely internal, unimportant question in which the rabbi of the community had already issued a ruling of *איסור* (prohibiting the thing), let alone in a community such as the *Israelitische Religionengesellschaft* in

Franfurt am Main concerning a matter of such universal, fundamental and far-reaching significance - if anyone had told me these things, or even only one of them, I would have turned my back on that man as on a malicious teller of wild tales. . . . For indeed it is true that, in the last few weeks, things have come to pass which would not have occurred, even in a dream, to intelligent, clear-thinking men. . . . Permit me, therefore, honorable Sir, to begin by presenting the facts in completely objective terms. . . . An Orthodox Jew who remains a member of that Reform community, even though he can and does have the use of all the religious institutions he needs elsewhere, remains a members of that Reform community only for the sake of being a member. He thereby makes it clear beyond question that his personal religious conscience approves of the idea that Jews may create and support, for use by non-Orthodox Jews, Reform institutions that violate religious law. . . . It is difficult to believe that you were fully aware of the implications of your statement. . . . In other words, the Orthodox conscience can accept the existence, before the One sole G-d and His one sole Law, of two kinds of Judaism, each co-equal with the other - the one *with* the תורה and the other *against* the תורה, all depending upon the views of the individual. In your view, even the most extreme Reform community is “kashered” if its members maintain “kosher” institutions. . . . What name would you give to a system whose pulpit and school preach and teach that מצוות התורה וחוקותיה (the commandments of the Torah and its statutes) are outdated, and that applies this principle also in the shaping of its other institutions? . . . Can it be anything else but the most blatant מינות ואפיקורסות (apostasy and heresy)? . . . Dear Rabbi, you will vainly search through all of Jewish history, as long as Jewish life was shaped by the authority of Jewish religious law, for another instance of a hybrid קהילה (community) such as the one upon which you have conferred legitimacy. . . . I am still confident that either now or sometime in the future you will realize that you were in error. . . . In this anticipation, and with respect and high esteem as ever, I remain, Very sincerely yours, Samson Raphael Hirsch. **Open Letter by Rav Hirsch in Response to Rav Bamberger’s ruling, March 27, 1877**

F. Dear Sir: I have carefully and repeatedly read and studied the “Open Letter” you have addressed to me with regard to the matter of secession from the community in your city. . . . You will permit me, dear Rabbi, to reply to your open letter in logical order as follows: (1) Regarding your categorical ruling that secession from the Reform community in your city is an unqualified requirement of the religious law, and that this must be done even if the conditions I have stipulated were to be met. . . . (2) Regarding your claim that, under religious law, I had no authority whatsoever to come out in opposition to your ruling, since I am not allowed to declare as permitted that which you have declared to be forbidden; (3) Regarding the two opinions I have issued in this matter; (4) Regarding the arguments you have cited as proof and documentation for your decisions in (1), I will subject these arguments to a careful scrutiny beneath the brilliant light of the authority of religious law.

(1) You have expressed, in the curtest possible terms, ideas that will deeply insult and aggrieve any pious Israelite. You have discharged arrows that must wound their hearts very deeply. And against whom, dear Rabbi, have you proceeded in this manner? Against all those who refused to secede from the community, that is, against hundreds of men generally recognized as being religious. Among them there are many חכמי ולומדי תורה ועוסקים במצוות (scholars, students of Torah and involved in the fulfillment of the commandments), with הרב המופלג החריף ובקי (the pious and outstandingly brilliant and erudite scholar Rav Moshe Maintz, may Hashem protect him), at their head. I have abbreviated this description in accordance with the principle of our Sages: מקצת שבחו בפניו

(One only gives partial praise in a person's presence). . . . You have further said to these men: "Religious truth has become altogether meaningless to you; you pay attention to religious matters only out of extraneous circumstances." . . . Now, you will surely concede, dear Rabbi, that someone else too, can and may have a "most profound and earnest belief" of his own. And if, as in this particular case, this belief should be opposed to your own, does that give you the right to speak in this manner to those who hold it? . . . Should you not rather have chosen the proper way, which would have been to say to these men: "My brethren! I consider your view just as totally erroneous as you consider mine. But come, let us not quarrel on that account. We are, after all, brothers. Let us choose three rabbis to whom we will present our respective opinions and whose opinion we will accept." That would have been the proper way, conducive to the desired effect. Or, if you would have considered such action with the opposing side beneath your dignity, notwithstanding the substantial number and respectability of those individuals, you should have addressed yourself privately to some rabbinic authorities. You should have presented the case to them in the context of the conditions stipulated by me and asked them for their opinion in this matter. After all, this has been the accepted rabbinical procedure since the days of the **גאונים** (scholars of the Geonic era) and is the substance of all of our **ספרי שאלות** (responsa literature). . . . For surely **ר' משה מאינץ** (Rav Moshe Maintz) would have been ready at once to bow to the decision of such a **בית דין** (Beth Din) and all the other gentlemen would certainly have followed suit. . . . (2) . . . The principle **חכם שאסר אין חברו רשאי להתיר** (if a scholar issued a ruling forbidding a certain thing, his rabbinic colleague is not allowed to permit it) **can be invoked only if the rabbinic qualifications of both authorities consulted are equal. If, on the other hand, the second authority is recognized as having outstanding qualifications, that authority is under no obligation to defer to a ruling, which, according to his conviction, is in error.** . . . Anyone entrusted to any degree with **הוראה** (issuing rabbinic decisions) will know that the principle of **חכם שאסר כו'** assumes as implicit one condition which is definitely lacking in your **הוראה**. . . . [It] must, first of all, have been universally accepted and recognized as correct, and must not have been refuted as incorrect from the very start. Now dear Rabbi, has this been true in the case of your **הוראה**? Was it recognized and accepted as correct? Did it not, rather, meet with opposition from the very start? . . . Now the other gentlemen cannot be faulted if they regard **משה מאינץ** (Rav Moshe Maintz) as qualified for **הוראה**, as you yourself admit, and if they then follow his **הוראה** not to secede [they have every right to do so]. . . . You should really have considered all this, dear Rabbi, before presenting your claim as dogmatically and in such style as you did. (3) You claim, dear Rabbi, that you found a contradiction between the two opinions I have rendered in this matter. . . . Now the test to establish whether a Reform community and its trustees belong to the first category (**ומסית ומדיח** - **להכעיס** - one who acts with premeditation out of spite or someone who entices others to sin) or to the second category (a lack of understanding) should be quite easy. . . . Initially there was no question of the board making concessions to those Orthodox members who did not wish to secede. . . . Of course I could not in any manner permit anyone to remain a member of the community under such terms. . . . [Now, however, the] board not only recognizes the legitimacy of the religious requirements of the Orthodox but is also ready to permit the implementation of measures to provide for these needs. In other words, the board has no wish to deny, vis-a-vis the Orthodox, the strict and sacred binding authority of the Torah. Not only does the board not seek to impede the observance of the laws of the Torah but will endeavor to facilitate it. . . . the fact remains that by offering the above-mentioned concessions, they want to make certain they will not appear as **להכעיס**, as **מסית ומדיח** (one who acts with premeditation out of spite or someone who entices others to sin). On the contrary, they wish to entrust the

safeguarding and protection of these sacred religious concerns entirely to the administration and supervision of the Orthodox, thus protecting these interests from any interference on their own part. . . . (4) . . . [After a critical analysis of the proof texts cited by Rav Hirsch, Rav Bamberger continues:] Do you, dear Rabbi, write this is a spirit of calm deliberation? . . . Their remaining within the community should be viewed not as a deliberate, unjustifiable act but as serving a noble purpose. This should be obvious if we consider the three classes in which the Israelites of Frankfurt can be grouped: (A) the strictly Orthodox; that is the *Religiongesellschaft*; (B) the strict Reformers; that is, the members of the Israelite community who adhere to Reform in practice; and (C) those who have joined neither the *Religiongesellschaft* nor the institutions of Reform. . . . This class, as far as I know, comprises a rather numerous group who do not subscribe to the principles of Reform but want to conduct their lives in the spirit of Orthodoxy. . . . However, does this give us the right to say: “These people must remain without a מקוה (mikveh), without כשר (kosher) butchers; they must not have a synagogue in the Orthodox sense of the term?” Certainly not. . . . Therefore, the fact that those who do not secede will contribute, with their community taxes, to the establishment of such institutions within the community cannot yield the conclusion that secession is mandatory and that the non-secession must be described as a deliberate, unjustifiable act. . . . **Excerpt from the Open reply from District Rabbi Seligmann Baer Bamberger in Wurzburg to the Open Letter addressed to him by Rabbi S. R. Hirsch, Rabbi of the Israelitische Religiongesellschaft in Frankfurt am Main - Wurzburg May 7, 1877 (Collected Writings of Rabbi Samson Raphael Hirsch pp. 226-253)**

G. To the Reverend District Rabbi S. B. Bamberger, Wurzburg: Reverend Sir:

(1) . . . Every argument presented in your open reply to sustain your ruling in favor of non-secession from the Reform community of this city and to refute the arguments cited in my letter shows incredible prejudice and incomprehensible misinterpretation (and, in part, denial) of the true facts in the situation. Your arguments demonstrate a failure to grasp the standards set down in ש"ס (the Talmud) and פוסקים (halachic authorities), standards on which any מורה בישראל (halachic decision maker) must base his rulings, and a misinterpretation of the passages cited. You have cavalierly dismissed, with empty phrases that cannot possibly be justified, one of the sacred questions that touch upon the most vital nerve of the future development of Torah-true Judaism. . . . You launch a campaign against my open letter with a folly which the thoughtful, conscientious Rabbi Bamberger of an earlier day would surely never have committed. . . . You speak of the grave offense I have committed against all those in Frankfurt and elsewhere who have not seceded. My offense was that I depicted, with all the intensity of my personal conviction, the serious responsibility assumed by those who have failed to secede, and that I thereby pronounced an indictment against all those who do not share my conviction in this respect. . . . Sir, if the man entrusted with the safeguarding of religious law in his community sees that wrong is being done, and because he might antagonize someone he is not permitted to point it out with all the zeal and rigor of his personal conviction - well that would be the end of all rabbinic instruction in Israel. . . . As regards the halo of למדנות (Talmudic scholarship) and צדקות (righteousness) which you have so kindly conferred upon the gentlemen in my congregation who are opposed to secession and agitate for non-secession, I have no desire to pluck even one leaf from the Jewish laurels with which these gentlemen have been crowned by you. . . . the opposition of these gentlemen to secession dates back to the first moment [September 1876] at which I and the trustees of our community implemented our secession in accordance with the Law of July 28, 1876. And so I would shout this question to you: What about the למדנות (Talmudic scholarship) and צדקות (righteousness) of these same gentlemen during all the time before these concessions were offered, when, according to your

own two opinions, one of which was signed together with almost 400 rabbis, failure to secede was categorically condemned as **איסור גמור** (completely forbidden)? . . . I have mentioned “your own two opinions.” . . . The defection from Jewish truth in Vienna was worlds apart from the defection practiced by Reform in this city. At the time the opinions were obtained, **שחיטה** (ritual slaughter), **מקוה** (mikveh) and all the other institutions and matters of **איסור והיתר** (ritual law in regards to that which is considered forbidden or permitted) in Vienna were subject to the authority of Rabbi Spitzer, who had been engaged by the community expressly for such **הוראת** **איסור והיתר** (decision making). All the institutions that are now to be created in Frankfurt only with the greatest difficulty and only after the offer of the so-called concessions, on which you based your declaration that secession is no longer mandatory, had been fully operational in Vienna for some time. It never occurred to anyone to change the Orthodox institutions in any manner. . . . Now this decision, which was made by you, yourself, and some 400 other rabbis and which cannot be explained away, has already decided the question of secession in Frankfurt and has virtually removed it from discussion for all practical purposes. You, yourself, along with such an impressive number of other authorities, have thereby decided that failure to secede from the Reform community in Frankfurt is an **איסור גמור** (completely forbidden), even if the promised concessions were to materialize. . . . In view of the foregoing, anyone will see the truly childlike character of your grandfatherly advice that I should have consulted a three-man court of arbitration, or obtained rabbinical opinions, etc. . . . (2) With regards to point 2 of your open reply, you wish to clear yourself of the charge of having transgressed the canon that **חכם שאסר להתיר** (if a scholar issued a ruling forbidding a certain thing, his rabbinic colleague is not allowed to permit it). But you did not even attempt to prove that the **חכם שאסר** (rabbinic authority who forbade the matter) had been of **טעות בדבר משנה** (an error due to ignorance of an explicit authoritative ruling - lit. of a Mishnah). . . . You have also failed to demonstrate that the **חכם שאסר** (rabbinic authority who forbade the matter) was guilty of a **טעות בשקול הדעת** (an error in judgement). [After a lengthy and critical analysis of the sources, Rav Hirsch writes:] And let us assume that you were correct about all the foregoing as you are very clearly in the wrong. Let us assume that, had you lived in the same city as I, you would have had the right **להתיר מה שאסרתי** (which would certainly not have been the case). But having done so as a rabbi not residing in my locality, you have been guilty of an impropriety that should weigh heavily on your conscience. . . . [Rav Bamberger in his open letter stated,] “Given the present circumstances, the point of **מרא דאתרא** (local halachic authority) does not have any justification; this surely is not in need of explanation. A challenge to the authority of the **מרא דאתרא** (local halachic authority) is described in **ש”ס ופוסקים** (the Talmud and halachic authorities) not as **כנגד הדין** (against the law) but merely as **לאו אורח ארעא**, ‘not customary’.” . . . However, contrary to your erroneous interpretation, this latter phrase does not have the connotation of “not customary” but denotes an act contrary to the standards of **דרך ארץ** (socially acceptable behavior), standards which we would have to assert and put into practice even if, G-d forbid, they were not “customary”. Or is it possible that **מסכת דרך ארץ** (the tractate *Derech Eretz*) is not part of the personal and official library of the life of a District Rabbi in Wurzburg? . . . [דרך ארץ are] the fundamental rules that are to regulate the coexistence of human beings. . . . Moreover, the circumstances involved were of a kind which you, as an outsider, were in no position at all to judge. Thus, you lacked the most elementary qualifications for a **בעל הוראה** (a qualified decision maker), namely, a thorough knowledge of the question to be decided upon in accordance with the Law. The laws concerning a broken chicken wing are the same everywhere - in Frankfurt, in Wurzburg, in New York and in New Zealand. But the conditions such as those discussed in the

matter of secession in this city, and on which you based your היתר (permissive ruling), can be adequately known and judged only by persons living here. . . . Instead you cavalierly declared as מותר (permitted) that which I have declared as אסור (forbidden), and you did so without even personally discussing the case with me, the מרא דאתרא (the local halachic authority). . . . Truly, the כנסת הגדולה (author of the halachic work, *Knesses HaGedolah*), who declared, based on: מניין אותו, שבת יט: (for such a thing one is put under ban) concerning a חכם (scholar) who presumes to practice הוראה (halachic decision making) in a community where he does not reside and in opposition to the rabbi of the community, knew whereof he spoke. What would become of us, what would be our end if the dangerous example you have set were to be followed also elsewhere? . . . I believe that all the foregoing should make it clear to anyone with knowledge of this subject that all your attempts to justify your ruling that it is מותר (permitted) not to secede from the Reform community in this city, after I had declared it as אסור (forbidden), are completely invalid in form. . . . (3) . . . According to Jewish religious law, there is no difference between a Jew who has been baptized and a מין (heretic) who, by attitude or conduct, has defected from כל התורה כולה (the entire Torah) but who retains a superficial connection with Jewry because he has never “converted” to another religion. . . . This dear Rabbi, is one more demonstration of complete thoughtlessness on your part. Has not the Reform movement of our own day, from the very beginning, engaged in active propaganda on behalf of its מינות and אפיקורסות (heresy and apostasy)? Has not Reform created a whole literature של מינות (heresy)? . . . Is Geiger’s prayer book, which is used at the “Main Synagogue” in this city, along with its preface, not a ספר מינות (heretical text)? . . . And what about the educational institutions of Reform and their teachers who, by their own personal example, teach the young חילול שבת (desecration of the Sabbath) and אכילת מאכלות אסורות (eating forbidden food). . . . Our Reformers deny the basic truths of Judaism; they transgress the Divinely ordained laws because they no longer consider these law binding upon them. They not only do not consider such transgressions as sin, as עון but actually regard them as מצוה, as a sign of praiseworthy progress. . . . Furthermore, you name מסית ומדיח (someone who entices others to sin) as one characteristic of מינות and אפיקורסות (heresy and apostasy) that would make the act of secession mandatory. I must tell you that such a criterion is not mentioned in any of the sources of our religious law. But if you should insist - well, I have already shown the extent to which from the very beginning Reform, with its literature, its periodicals, its sermons, its rabbinical conferences, its pulpits and its schools (especially the latter) has proven to be מסית ומדיח (enticing others to sin), one great missionary institution to convert the Jews to defection from the Law. . . . How, then, could we accept these concessions by the Reform board, i.e., the establishment of כשרות (kashruth) institutions for the Orthodox, as an act of homage to the “strict and sacred binding authority of the Torah” if, at the same time, the pulpit and the school of that same board continue their vociferous denial of the binding authority of the Torah? . . . I have also pointed out that as long as the non-seceders will remain members of the Reform community, the assets of that community will continue to be theirs as well, so that in fact their own assets will be used for the cultivation and maintenance of Reform. Hence, by contributing money to such a community, they will be using their assets to be מחזיק עוברי עברה (supporting evil doers). . . . Finally, I demonstrated to you that by keeping *Religiongesellschaft* members from seceding, the wedge of dissension and the miasma of paralysis will be used to jeopardize the survival of the *Religiongesellschaft*. . . . With a self-assured air of familiarity with conditions in this city, such as could hardly be expected of an outsider, you have grouped the Israelites of Frankfurt into three classes. You note that those whom you have placed in Class C comprise “a rather

numerous group who do not subscribe to the principles of Reform but want to conduct their lives in the spirit of Orthodoxy.” . . . What should one call Jews who “do not subscribe to the principle of Reform,” who recognize that to be “Orthodox” is the proper way commanded by G-d’s Law, but who nevertheless, according to your assertion, eat נבלה וטרפה (non-kosher prepared meat) even though they could have strictly כשר (kosher) meat just two paces away? What should one call Jews who claim to be Orthodox but who, according to your assertion, conduct their marriages without the מקוה (mikveh), thereby committing a most serious חירוב כרת (crime that warrants a premature death), even though a מקוה is available to them just two paces away? . . . And then you would persuade yourself and us that these Jews of a very peculiar Orthodoxy would make use of the מקוה (mikveh) and of כשר (kosher) butchers more than they do at present, if only these facilities were offered them by courtesy of a new “supplier”?! . . . [After quoting directly from HaRav Spitzer regarding the conditions within the Vienna community that brought about the ruling of the nearly 400 rabbis that one is required secede from such a community, Rav Hirsch wrote the following:] However, it is evident from Rabbi Spitzer’s statement that when you, in conjunction with nearly 400 other rabbis, declared secession as mandatory and non-secession as categorically אסור (forbidden), it was solely on account of the proposed liturgical changes [at one Reform congregation]. For at that time, all the other institutions and the entire הוראת או”ה (decision making as to whether something is permitted or forbidden) existed in Vienna, inviolate and in full accord with Jewish Law. Hence there is no basis whatsoever for your argument, and your היתר (permissive) ruling stands condemned by your rabbinic opinion. . . . I am certain that even if you were to have the sad audacity to uphold your היתר (permissive) declaration, contrary to your own previous opinion and that of a majority of חכמי ישראל (halachic scholars), this opinion of yours will remain בטל (voided and insignificant) and of no consequence for my own community. . . . Personally, my health has suffered, my energies are not equal to it, and I was able to write even this article only with great effort and frequent pauses for rest. I must therefore save the little strength that G-d may yet give me for the most necessary efforts. . . . Therefore, please, do not persist in this untenable position - G-d knows what it was that got you into it - and do not permit the destructive consequences of your conduct, which was based on error, to continue gaining ground in Jewish circles. . . . Show that you are such a true sage, pronounce the simple candid word טעיתי (I have erred) to expunge from your life that episode which brought so much grief to you, to your friends and to the cause itself. Say this one little word to restore yourself to the pure and true position of the District Rabbi Bamberger of old, and you will receive the redoubted respect and esteem of all, not least among them of Yours most faithfully, Samson Raphael Hirsch. **Excerpt from the Response of Rav Hirsch to the Open Reply of Rav Bamberger, May 13, 1877 (Collected Writings of Rav Hirsch pp. 254-317)**

V. The Final Days of Rav Shamshon Raphael Hirsch

A. He was weak from illness and old age. . . . As I approached him, the forelocks protruding from under his skullcap were white, as was the full beard which framed his face. The hue of his face spoke of illness and the body was bent with age. But the eyes, the eyes spoke of freshness, in the eyes there was still the light of youth, and from them emanated sparks which transfused his entire face. The eyes, underneath the heavy grey eyebrows, were young, and when we began to speak, *powerful* sparks of fire with the awesome power of his soul began to shoot forth from his countenance. I saw before me not an old and sick man, but a young man, full of a powerful and burning spirit. T. Tal, “Samson Raphael Hirsch,” *Der Dekende Jude*, p. 29, **quoted in Samson Raphael Hirsch, Rabbi Eliyahu Meir Klugman, p. 321**

B. How shall I describe him and how shall I remember him? Shall I speak about the man, about the greatness and the wonder that revealed themselves in his private interactions with people - the son, brother and the husband he was, how the words of the marriage ceremony "You are consecrated to me" were a living reality in his life? Shall I tell what kind of father he was, the glory and splendor of his personality, his lofty character, his firmness of will and his iron self-control? Shall I speak of his unwavering diligence in Torah study, his tireless dedication to his work, how he pushed himself incessantly and never delayed the fulfillment of his obligations; how he never relinquished a project from the time he embarked on it until he brought it to completion, regardless of the amount of time it took? Or shall I tell of the depth of his intelligence, his boundless creativity and sharp intellect that expressed themselves in the penetrating look with which he scrutinized everything? Who could see those eyes and not feel that they had penetrated to the depths of his soul? Who is there who requested his advice on any matter and did not find the answer that he received, to be anything other than the precisely correct solution to his problem? Shall I speak of his warm congeniality, his sense of humor and the sharp witticisms that occasionally shot out from him like a bolt of lightning? Shall I speak of his endless patience, his refreshing personality, his incomparable acts of kindness and charity? One had to be only poor and wretched to be assured of finding by him an open door, an attentive ear and a warm heart ready to listen and to help. Shall I speak of the deep equanimity and serenity of soul that enabled him to persevere in his Torah studies and to continue his prolific work at all times, even on occasions of sadness or joy, when others would not have succeeded in carrying on? Shall I speak of his sensitivity and the profundity of his fear of G-d, and his faith and trust in Hashem? Anyone who had the privilege of seeing him at prayer could not help but recognize these lofty qualities in him, and feel how inadequate he himself was in these areas. **Address delivered by Rabbi Dr. Mendel Hirsch at the *Shloshim* of his father, quoted in "Samson Raphael Hirsch," Rabbi Eliyahu Meir Klugman, p. 321**