

*“And They Shall Judge the
People with True Judgment”*

*A Review of Dan Shall Judge His People
and the Hirschian Derech Today*

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This work is *l'thui nishmas* my grandmother,
Frances Victorson. She was the personification of
selflessness and love. May her *Gan Eden* be a *lechtige*.

**And They Shall Judge the People with True Judgment:
A Review of *Dan Shall Judge His People* and the Hirschian
Derech Today**

Introduction

Recently, a booklet entitled *Dan Shall Judge His People: 5 Essays on Torah in Derech Eretz and the Breuer Community Today*, written by George D. Frankel, has created much controversy in K'hal Adath Jeshurun circles and among all those who sympathize in whole or, in part, with the *shitah* of Rav Samson Raphael Hirsch.

In my view, this work is a most important one. Its central theme, that the Hirschian legacy is being abandoned by those historically and culturally attached to it, is of grave significance for *klal Yisroel*. And, if one believes, as does the present writer, that Rav Hirsch's philosophy is a unique acknowledgment of the universality of *Maitchus Shomayim* and particularly relevant to our post-*emancipation*, post-*Enlightenment* time, then it is a topic for much concern.

Nonetheless, the booklet is, unfortunately, not free of overstatement and some confusion. The author brings considerable passion to his pen. This is understandable, as he is part of the venerable Hirschian *kehillah* (K'hal Adath Jeshurun) and views the ideological wanderings of some of its current members with dismay. Yet, the price he pays for his eloquent passion is that, at times, more heat is generated than light. Hyperbole and biting cynicism are, occasionally, his tools of choice. These are, of course, often employed by social critics but, I fear, these tools can be counterproductive, weakening, to some extent, the otherwise important points being made. At the end of the day, Hirschianism, as any philosophy that makes claims to lasting value, is best presented with dignity, graciousness and the serenity of the Eternal. It is in this spirit that I offer the

following commentary and analysis of what is, all in all, an important source for further thought.

However, my goal in what follows goes far beyond an excursus on *Dan Shall Judge His People*. I have a personal stake in this reflective enterprise that should be made clear at the outset. Between 1965 and 1967 I attended the Mesivta of Yeshiva Rabbi Samson Raphael Hirsch. At the time, buoyed by the exuberant arrogances and simplistic categorizations of youth, I appreciated little, while unconsciously absorbing much, from the environment. It was only in later years, when I found some of my earlier loyalties to be insufficient tools when applied to the totality of existence, that I was forced to return to the wisdom of Torah im Derech Eretz and its particular incarnation in the person and philosophy of Rabbiner Hirsch.

As the years went on, I became increasingly convinced that there is a crying need for Orthodoxy, uncompromised by trendiness, firm in its condemnation of heresy and decadence, but open to the beauty and bounty of creation as well as to the positive aspects of modernity. This Orthodoxy would be capable of sanctifying the L-rd's Name in its interactions with all Jews and all mankind. Many yearn for this Orthodoxy, but today, do so largely in vain.

At present our ranks are split. There are those who are deeply and indiscriminately attached to modernity in thought and deed. Yet, others who condemn and shun the evils of our time, view *Hashem's* universe as well as His creatures with indifference and disdain.¹ Torah im Derech Eretz transcends the limiting dialectic.

Nonetheless, over the years I have found many Jews who seek a Judaism loyal to Sinai and embracing of creation. There are many able *bonei Torah* and *ovdei Hashem*, who follow the path of Rav Hirsch or others essentially akin to it. They may be found in various camps in *klal Yisroel*. Some are located in yeshivas such as Ner Yisroel that offer a bit more of a window to the world. And, many of them learn and teach in the Yeshiva University orbit.

¹ This symmetry is somewhat clouded by the fact that many indiscriminately attached to modernity are often also plagued by an indifference to creation and humanity and many of those disdainful of existence are also susceptible to contemporary affairs.

This last observation will probably upset many who see themselves as part of the K'hal Adath Jeshurun world. Nonetheless, it is imperative that we examine ideas without the limitations of long standing assumptions that are no longer true to reality. The very survival of this *derech* demands no less.

Just as in the late nineteenth and early twentieth century, Eastern European Jewry saw models and *shitot* that embodied an acceptance of the significance of G-d's creation, without calling them Torah im Derech Eretz – in the Alter of Kelm's *Talmud Torah* or Rav Yitzchak Yaakov Reines's *Torah Vo-Daas* – so too must Hirschians today admit the presence of the fundamental *shitah* of Rav Hirsch wherever it be found.

In the final analysis, the ultimate truths of existence must embrace not only *Hashem's* revelation but His creation as well. For this reason alone, Torah im Derech Eretz must survive.

But there were and are so many other reasons for this *shitah* to survive – many dealing with the sacred imperatives of *kiddush Hashem* and our concomitant calling to be a “kingdom of Priests” and a “light unto the nations.” As Rav Hirsch frequently noted, the emancipation has thrust us onto the world stage. “Jews pervaded by a sense of the Torah, will gladly welcome emancipation as affording greater opportunities for accomplishing our task and realizing our ideal.”² We may no longer stand, terrified in a corner, yearning with Snagglepuss, to “exit, (either ‘stage left’ or ‘stage right’) running all the way.” Thus, the sacred duties imposed on our people by Torah im Derech Eretz are ripe for realization in a society that regards Jews as equal participants.

Torah im Derech Eretz adherents are particularly well equipped to achieve their goals at present. For the past half century, Hirschians have been exposed to and benefited from the yeshiva and Hasidic worlds. Current standards of Torah study, knowledge and observance are far higher now than in the Frankfurt of the past. Thus, adding the strengths of these other worlds, a contemporary Torah im Derech Eretz would be that much closer to the totality of Torah truth and Rav Hirsch's own demanding standards.

² Rabbi S. R. Hirsch, *The Nineteen Letters*, translated by Karin Paritsky, revised with a comprehensive commentary by Joseph Elias (Jerusalem/New York: Feldheim, 1995) p. 227

Given the foregoing, my goal in what follows is not to dwell on the question of the degree of fealty that the contemporary Breuer community has to Rav Hirsch's teaching. To adequately answer this question would require an in-depth study of the *kehillah* membership at present.³ Despite the historic, nostalgic and cultural interweaving of Rav Hirsch and the K'hal Adath Jeshurun, the essential drama of Torah im Derech Eretz in our time is that of a particular *derech* in *avodas Hashem* and its accessibility to Torah Jewry today. Consequently, this is the only lasting question. The deepest truths of Torah and the world and the various means of our Creator's service, are matters that will be part of our national agenda long after the specific forms and environments that cloaked them will have vanished from the earth.

Our loyalties are to essences. Forms should be of importance only for so long as they are suitable means to evoke and clarify these essences in an inspiring manner to finite man.⁴

Many of the views expressed herein and their particular combination will not easily fit into the ideological categories currently available amongst Torah Jews. This will disqualify them in the eyes of many. Others, though, able to step beyond current stereotypes, have already embraced Hirschianism. Further, there may be some who will yet find that it speaks to their souls.

It is my hope and prayer that future generations will still find a Torah im Derech Eretz functioning and articulate. Primarily, then, it is to further this hope that the following pages are presented.

(Mr. Frankel's booklet is divided into five parts. Each offers insights into different aspects of Torah im Derech Eretz philosophy. We, too, will examine each of these facets individually, following the author's presentation of topics. The reader is cautioned that the first section, dealing with "at risk" yeshiva students and branching out into a wide ranging discussion of assorted contemporary models of Torah education, deals with a

³ See Steven M. Lowenstein's *Frankfurt on the Hudson: The German - Jewish Community of Washington Heights 1933 - 1983. Its Structure and Character* (Detroit: 1989) for a scholarly treatment of some of these issues.

⁴ We are not speaking about Torah itself where form and essence merge. Rather, we refer to the cultural structures that help support and transmit *derachim* in *avodas Hashem* throughout history.

derivative question. It is in later sections that we will turn to some of the more basic questions before us.

I have chosen, in order to avoid stylistic conflict to follow the booklet's author in using common "Ashkenaz" transliteration.)

Torah im Derech Eretz – A Solution for What Ails Us?

The first section of *Dan Shall Judge His People* deals with the much spoken about subject of "children at risk." This phrase refers to the fact, now admitted in all yeshiva/Hasidic circles, of many boys (and some girls) that have, of late, responded negatively to the standard, "Torah only" yeshiva system. These youngsters either reject Torah altogether or inhabit a twilight realm of sadness and confusion where the forms of Torah observance coexist with a deep sense of estrangement.

(I have chosen to deal with yeshiva and Hasidic worlds as one. It is true that they may differ as to what extent they allow study of the world and participation in the occupations and affairs of mankind. However, philosophically they both view these studies and participations as *b'dieved* concessions. Their common ideal, economics permitting, is absolute immersion in Torah, to the exclusion of all else, all of one's days.)

The author contends that, despite much analysis of this tragic development in "right wing" Orthodox circles, there has been a failure to note one of its major causes. "... (T)he souls of these youth cry out for *Torah im Derech Eretz*, but because they have not been presented with the options -- intellectual or occupational -- that *Torah im Derech Eretz* affords, they act out in a socially unacceptable manner." (p. 2)

Further, the author tells us that all attempts, thus far, to remedy this situation by creating yeshivas whose days are shorter or whose subject matter is less demanding, perhaps with a larger vocational focus, exhibit a "fatal flaw" by viewing the non -- fulltime "learner" as a weaker or *b'dieved talmid*. (p. 3)

Accordingly, Mr. Frankel argues that *Torah im Derech Eretz*, by postulating the exalted nature of the working man and other human endeavors in G-d's plan for individual and communal, spiritual perfection, could serve to remove all stigma from the student not suited to long hours of *Torah b'iyun*. This would allow all *talmidim* to experience their own unique *chashivus* in Hashem's eyes and find joy and dignity in His service. Thus, he contends, we will eliminate or substantially reduce "at riskers."

We can all readily grant that the standard yeshiva day, be it Misnagdic or Hasidic, is not for everyone. The hours are long and, unless one is an adept or, at least, capable Talmudist, are sure to be painful.

In all mainstream yeshivas of the *charedi* world, non-Talmudic areas of Torah are de-emphasized, while academic Judaica (Jewish history, Hebrew or Yiddish language and literature etc.) is almost non -- existent. In addition, it is true in most of the yeshiva and Hasidic schools, as the author writes, "secular studies are gone about in a limited and perfunctory manner." And, there is almost no room made for arts, sports and other forms of creativity or non - explicitly sacred, personal fulfillment.

Although, we may reflect upon this situation from many perspectives, the question before us now is a limited one: Has this "closed" curriculum and approach created the "at risk" student of recent decades?

It is unclear whether the author sees Modern Orthodoxy as offering a Hirschian educational system. It would seem, at first glance, that the Modern Orthodox high school

system is identical with the author's ideal of "expos(ing)" the *talmid* "to the widest range of disciplines" in order that he "discover where his natural interests lie." (p. 2)

If my reading of our author is correct, then it would be beneficial to compare the incidence of "drop out" and "at risk" boys in the Modern Orthodox world to that of the *charedi* world. Are there, in fact, more "at riskers" in the "right wing" yeshivas than in their more "modern" counterparts?

In the lack of a formal comparison study we have nothing to guide us here except observations. Nonetheless, I have taught Talmud in several Modern Orthodox High Schools (and visited almost all of them in the New York area) for over a quarter of a century (while living in the *charedi* world) and will use my personal experience as the bases for the following observations:

1 -- Let us grant for argument's sake that there are more boys from the traditional yeshiva world who are involved in decadent behavior in an *openly rebellious* fashion. However, this may be due to the fact that Modern Orthodox adolescents, in addition to having expanded secular departments, sports and (in some limited venues) cultural opportunities, are also allowed far greater freedom in their recreation time activities and summer camps to pursue sexual mingling, television, movies, organized sports, popular music (not to equate morally all the foregoing!) without any stigma attached to their actions. In other words, many more activities put one outside the pale in the yeshiva and Hasidic worlds. (For the moment it is irrelevant whether these standards are appropriate.) Hence, it is far easier for the non -- academic boy in the yeshiva and Hasidic worlds to be viewed by his society as behaving inappropriately. This social condemnation fuels what is the already negative self image of the *talmid* (established via academic failure). Thus, since the behavior patterns which exclude one from the *haredi* world are so numerous, there may be more who, having stumbled within the system, opt to become *overt* "drop outs."⁵

⁵ A former *talmid* of mine, who had excelled in the Modern Orthodox system, chose in the late eighties to attend Ner Yisroel in Baltimore. In a conversation with me he lamented that in his new yeshiva, "Only the

2 – Nonetheless, I am far from convinced that even this estimation is true. In fact, whole schools and programs are today dedicated to “drop outs” and “at riskers” from the Modern Orthodox world. Are they a greater or lesser percentage of the total population than is to be found in the yeshiva and Hasidic worlds?

3 – Of broader significance, though, is the fact that normative behavior in the “open” and “closed” worlds is also totally different. The average lad in yeshiva/Hasidic worlds is clearly committed to *halachah* and reasonably knowledgeable in Torah. The average Modern Orthodox boy lags far behind. There is simply no comparison between the two worlds when measured by any objective standard of Torah and *mitzvos*.

I know this is a painful truth. Personally, I wish it were not so, as it argues strongly against the feasibility of Torah im Derech Eretz and the similar approach of Torah Umadda. Yet wishing cannot alter readily observable realities.

(It is true that after high school, in Israel, many Modern Orthodox youth experience a flowering of Torah and *mitzvos*. This is due to the influence of the Israeli, essentially *charedi* yeshivas⁶ and the student's exposure to other vibrant Torah lifestyles. It has little to do with their experience in American high schools.)

This is not to say that there aren't “*masmidim* tracks” in places like Yeshiva University High School, HALB or JEC that will have a handful (and only a handful) of boys that can compete with those in Mir/Chaim Berlin or Belz/Skver. We are describing the norm. As far as the norm goes, there is no comparison whatsoever. The “open schools” are inferior in learning, davening, *shmiras ha – mitzvos* and loyalty to *ikrei emunah*.⁷

4 – The frustrations of non - analytical and/or academic types in ANY 8/10 hour - a - day educational system, be it Modern Orthodox, yeshiva or Hasidic is obvious and demands a solution. However, it is the same problem whether one switches to secular

studies at 1 o'clock or 3 or 4 or never. We desperately need vocationally based *mosdos* with shorter and less complex learning for a significant portion (I'd say somewhere between 15 and 30 %) of the population. But, no one provides this, neither HAFTR nor Kasho.

In sum, there may be more boys on the “right” who “bottom out” (or are “at risk”) in adolescence, than in the “open world.” However, this itself is far from certain and would require a serious study to answer accurately. What is certain, though, is that the normative behavior and knowledge of the *charedim* is vastly superior. Thus, even assuming a larger percentage of “at riskers” on the right, the vast majority seem to benefit from the traditionalists' standards. Lastly, the source of most “at risk” boys' problems -- that they are placed in academically based institutions -- is not addressed, even in so - called “open” yeshivas.

Yet, having said all the above and, therefore, dissenting from the major thrust of Mr. Frankel's argument regarding the “at risk” problem, I feel that at some deeper level he has touched on a truth. Believing, as I do, that G-d is the Creator of the world and of all humanity, I cannot escape the sense that a *shitah*, which assents to and embraces all of G-d's creation will produce a better *talmid* of greater *shlaimus* in his service of *Hashem*.

This will be difficult to know, of course, until the day when we will be worthy of seeing Torah im Derech Eretz or Torah Umadda *mosdos* in actual operation. However, the ignorance of *Hashem*'s world and its peoples in the “Torah only” worlds seems to be at variance with the Glory of G-d and the true extent of His Divine Love. On the other hand, given the lower standards of Torah, prayer, halachic commitment and Torah beliefs in the “open” world, we must, I fear, wait a bit to see this ideal realized.⁸

The difference between this hypothetical yeshiva – which the noted Hirschian, Rabbi Shelomoh Danziger, described in 1965, as a “goal which has not been achieved to

“burns” go to Skipjacks games!” (The Skipjacks were the American Hockey League team in Baltimore between 1982 and 1993.) Whether the Ner Yisroel administration should have granted aspiring *bosei Torah* a *nihil obstat* to Skipjacks' games may well be disputed. However, its failure to do so clearly forced some young men to make difficult choices.

⁶ These *mosdos* are strongly Zionist (generally of the most right wing variety) but are disinterested in general knowledge, beauty and experience. They also tend to view the Gentile world quite negatively.

⁷ Good news of late is that the large gap is steadily narrowing over recent years and several Modern Orthodox high schools in America are today vastly improved. An article of mine on this subject, “A Glass Half Full – And Rapidly Filling” may be found in *Jewish Action* Summer 576 (2003) (pp. 37, 40 – 41).

⁸ Perhaps, the pioneering effort will come from the other side of the spectrum. Maybe a “yeshiva” type *meviva* will eventually embrace the significance of creation and humanity.

date⁹ -- and even the most praiseworthy institutions of Modern Orthodoxy would be the decided lack of passion, reverence and warmth towards Torah and *mitzvos* in the latter *mosdos*. There are many reasons for this, including the lack of a communal support system of *ernskelt* and reverence, a near vacuum of the study of *sifrei yirah* and easy involvement in the surrounding popular culture.

Is it possible? Can devotion to depth-pursuit of the *blatt*, appropriate *tefillah*, *avodas hamiddos*, *emunah*, *bitachon*, *kedushah* and *taharah*, spiritual immersion in *Shabbos* and *Yom Tov* co-exist with, or be enhanced by the pursuit of knowledge, beauty and experience, by the dignity and clarity of European civilization at its best¹⁰ and by concern for humanity as a whole?

The answer seems to be an unequivocal yes -- for individuals. It is up to Hirschians and Torah Umadda devotees, wherever they may be found, to prove it to be possible for communities as well.¹¹

Torah im Derech Eretz and Torah Umadda

The thesis of the second chapter of *Dan Shall Judge His People* is, to my mind, one of its most obvious. Titled "Time to End the Feud," it calls upon the Breuer *kehilah*, as well as Hirschians everywhere, to view Yeshiva University as their ideological ally and the rabbonim and rebbeim produced therein as ideal to staff Hirschian *mosdos*. (p. 6)

This is an important truth. Yet, it is a partial truth. There is no difference, that I have been able to uncover, between the notions of Torah im Derech Eretz and Torah Umadda. The real Hirschian will find in the ideas expressed by the likes of Rabbi Norman Lamm, Rabbi Aharon Lichtenstein and Rabbi Shalom Carny, deeper understandings of the sources, meaning and implementation of Torah im Derech Eretz or Torah Umadda or whatever name one chooses.

And, granted that the masses of YUers may have once lacked fealty to the totality of *halachah*, this is no longer true today, as anyone familiar with the institution can well testify. Yeshiva University is currently comprised of hundreds of *talmidim*, who put long hours into learning *b'iyam* and whose halachic loyalty is unquestionable.¹² There are exceptions to this picture, of course. They remain exceptions.

Does this mean that Yeshiva University has not made serious errors? Of course not. I remain convinced that the reluctance to fight, in the least, over the issue of sexual perversion clubs was a tragic one. And, publicly honoring Jews disloyal to Torah may also be questioned. Keep in mind, though, that this is common practice at many yeshiva/Hasidic functions as well. (And, keep in mind that those communities have also

⁹ Rabbi Shelomoh Eliezer Duntziger, "The Relevance of Rabbi Samson Raphael Hirsch In Our Time," in *Jewish Observer*, (June, 1965) p. 20

¹⁰ Of course, as European civilization continues to embrace philosophical relativism and cultural decadence while failing to replace its own population base this question may be moot. Perhaps, the task of Hirschians in the not to distant future will be to apply their spiritual filtering process to the growing and expanding civilizations of the East.

¹¹ Dr. Mordechai Breuer has emphasized to me, in conversation and correspondence, that this type of yeshiva will only be successful to the degree that it is staffed by those embodying the ideal. Neither lectures nor publications will suffice. There must be those who live Torah im Derech Eretz.

¹² Historical accuracy demands we here note that this improvement was largely the result of external forces. One factor was the resurgence of Torah and *mitzvos* in Israel's religious Zionist circles after the Six Day War. This revival was transferred to Yeshiva University via the thousands of students who spent a year or more of learning in Israel over recent decades. The other crucial factor was the general spirit of *hasmada* created by Torah only yeshivas during the post war era.

dishonored the Creator's Name due to illegal practices generated by their economic irresponsibility.¹³ *Chillul Hashem* has varied cultural incarnations.)

Mr. Frankel cites Rav Shimon Schwab as having believed that Yeshiva University was inherently flawed due to its "compartmentalization" and its accepting some parts of Rav Hirsch's *shitah* while rejecting others. Our author also quotes Rav Schwab as having argued that Yeshiva University is guilty of having "performed a *palginon dibaron*" on Rav Hirsch, in that they accepted his philosophy of *Torah im Derech Eretz* but rejected that other pillar of Hirschian thought, *Austritt*, (p. 8)¹⁴

The first point of "compartmentalization" is true. Little or no effort is made at Yeshiva University and its high schools to instruct the students as to how to pursue *madda* in *l'shem Shamayim* fashion. In addition, assorted courses are offered that contradict basic Torah tenets with neither critical introductions or subsequent rebuttals offered. This is very sad and would seem to indicate that, to a large extent, the *madda l'shem Shamayim* enterprise is far from really serious.

However, no other yeshiva in America has done this, including Yeshiva Rabbi Samson Raphael Hirsch!

As regards the second argument of dismantling the totality of the Hirschian view, Mr. Frankel powerfully replies, by pointing out that many in the contemporary Breuer community reject *Torah im Derech Eretz* while accepting *Austritt!* (p. 9)

One might add that the Breuer's community has likewise rejected Rav Hirsch's clearly held opposition to Zionism. There is no discussion anywhere today in K'hal Adath Jeshurun circles that Rav Hirsch was opposed to the very idea of Zionism, namely, the pursuit of pre - Messianic, Jewish sovereignty over the Holy Land by this worldly means, military, political and the like. Basically, the self evident truth is that, over the years, many in K'hal Adath Jeshurun became subservient to the world view of the

¹³ Of course, given their prior assumptions about no secular education, early marriage and no contraception until a mother's life is at risk, they are forced into this corner. Could they relinquish these assumptions and still be who they are? Could they live in the real poverty that these assumptions should condemn them to? All of these are intriguing questions for a different time and place.

¹⁴ Rav Schwab was forever attempting to balance the Hirschian philosophy with the reality of European culture that he himself experienced in Nazi Germany. Even in America he was well aware of the many decadent forces at work in the surrounding popular culture. The exact parameters of his thoughts on the matter would require a work of their own. A place to begin the study might well be "Torah im Derech Eretz: A Second View" in Rav Shimon Schwab, *Seva'ot Shvach* (Feldheim: New York) 1991 pp. 236 - 255

Agudah, even when that view strayed from its own tradition, either to the left (by accepting Zionism in principle) or the right (by denying intrinsic meaning to "secular" studies).

Of course, there is no obligation to accept all that Rav Hirsch taught as forever binding. The real question, to which we will later turn, is whether the assorted positions of Rav Hirsch are not linked at some root level, thus making their separation philosophically impossible and practically undesirable.¹⁵

There are, however, some lingering problems with *Torah im Derech Eretz* adherents embracing Yeshiva University. One, there are the increasingly distressing signs being sent out by the Modern Orthodox left that their infatuation with trendy terms such as "pluralism" and "tolerance" has led them to reject truth altogether. Indeed, one leading Modern Orthodox theorist of the far left has for decades offered a theology that explicitly rejects the binding nature of Torah. Others speak of all faith statements as illusory and of only linguistic and cultural significance. Still others, incapable of accepting classical proofs for Torah and unwilling to embrace a supra - rational (*emunah peshutah*) approach are left with a sterile subjectivism as their only source for Orthodox allegiance. All these sophisticated heresies dwell, with relative comfort, in Modern Orthodox leftist environs.¹⁶

Perhaps, though, the most distressing aspect of *Torah im Derech Eretz* and Yeshiva University rapprochement (although this fact would not argue against it, it would simply limit our happiness over its happening) is that the latter is, in truth, not a Torah Umadda institution. Despite lip service paid to this credo in the institution's literature and Rabbi Lamm's very real attempts to articulate its beliefs, the rebbeim and student body generally do not believe in it or, at best, are apathetic to it.

If we define *Torah im Derech Eretz/Torah Umadda* as a belief in pursuing higher education because society requires it in order to earn a living and support a family in a dignified manner, then the Yeshiva University student body is clearly pursuing *Torah im*

¹⁵ On the essential unity of some seemingly diverse elements of the Hirschian world view see Dr. Mordechai Breuer in his excellent and inspiring essay, *The 'Torah - Im Derech Eretz' of Samson Raphael Hirsch*, particularly on page 45. (Feldheim: Jerusalem - New York) 1970

¹⁶ Strictly speaking most thinkers and activists of the radical left of Modern Orthodoxy are not officially affiliated with Yeshiva University. However, many of them participate in assorted forums, caucuses and seminars alongside YUers. *Their rejection of truth, seemingly no contradiction with an Orthodox affiliation!*

Derech Eretz as, indeed, are many yeshiva boys in Baltimore and elsewhere. And, let us note, that this is a most commendable agenda as it avoids the staggering economic crisis of the *chareidi* world

However, if we define Torah im Derech Eretz/Torah Umadda as a belief that creation has significance; that, therefore, pursuit of beauty, knowledge and experience is worthwhile in the *Ribbono shel Olam's* eyes and, further, our efforts towards the Good both spiritually and materially should be directed towards all mankind, then there are very few Yeshiva University *rabbeim* and *talmidim* that are aligned with Torah im Derech Eretz/Torah Umadda. (Of course, those influenced by Rabbi Aharon Lichtenstein, Rabbi Shalom Carmy and a few others, decidedly are. Their number, though, is far from legion.)

In conclusion (leaving aside the “pluralism” problem – which is still only the province of a distinct minority) there is nothing in Yeshiva University that is anti - basic *frumkeit* (*chas v'sholem!*) or, anti – Torah im Derech Eretz (as there is in Lakewood, for example) and therefore any lingering animosity towards Yeshiva by Hirschians is, today, misplaced.

However, if we think that Yeshiva University embodies Torah im Derech Eretz/Torah Umadda, we are, also, sadly mistaken. To quote once again one of the most devoted Hirschians of our time, Rabbi Danziger, “A curriculum of Torah study and halachic observance, plus the pursuit of general knowledge and esthetic values, does not necessarily a Hirschian make, not even de facto. This is merely the Hirschian curriculum. It is only when the curriculum is motivated and inspired by the unifying philosophico-religious idealism, the soaring spirit and the *yiras Shamayim* that radiate from Rav Hirsch's writings that one becomes a Hirschian.”¹⁷

Yeshiva University has never devoted much energy to this agenda. I fear that one of the reasons is (similar to the situation that exists and has existed in Breuers) that there are few qualified *maggidei shiur*, *menahlim* and/or *mashgichim* that are adherents of these credos. Thus, the tragedy of Yeshiva Rabbi Samson Raphael Hirsch is strikingly similar to that of Yeshiva University. As opposed to the Hirschian ideal, where even the

secular faculty is to be imbued with Torah im Derech Eretz, the reality is that even the *maggidei shiur* have little, if any, connection to it.

In some Yeshiva University circles there is awareness of this fact. Those who bemoan YU's “turn to the right” are dimly acknowledging that the *talmidim's* spiritual guides are, in essence, Torah-only-ites who believe in Zionism or dress “modernish” or allow secular studies for *parnosa* needs. However, these leftist critics of Yeshiva University carry much other baggage – about which more later.

Torah im Derech Eretz-ites, Organized Heresy and the Not – Yet – Frum

The next chapter in Mr. Frankel's work deals with the subject of *Austritt*. He admits that this was a major element of Rav Hirsch's world view. Yet, he feels that the time has come to abandon it.

What is *Austritt* and why is our author so passionately opposed to it?

In its limited sense, *Austritt* refers to Rav Hirsch's lifelong devotion to separating (legally, financially and in the eyes of the public) Orthodox communities from those of the non – Orthodox. In 19th century Germany all “members of a faith” belonged legally to that faith and were forced, via taxation, to contribute to it. Thus, Orthodox Jews were compelled to support non – Orthodox religious and communal institutions. In addition,

¹⁷ Rabbi Shimon Danziger, Letters, *Jewish Action* (Winter 5760/ 1999) p.81

the mere official participation with heretical movements was seen by Rav Hirsch as an implicit recognition of the legitimacy of heretical beliefs. In 1876 the Prussian Parliament passed the Law of Secession that allowed groups of Jews to form their own communities based on Torah beliefs.¹⁸

In contemporary America, this approach has been translated, by some, into institutional separation of Orthodoxy from “umbrella organizations” that include the Reform, Conservative and Reconstructionist movements. Today, the leading umbrella organization, the Synagogue Council of America, no longer exists. Thus, the few remaining institutional “*Austritt* type questions” deal with communal relations with the Federation of Jewish Philanthropies, the Board of Jewish Education, campus Hillel and the like, that accept, at least in form, multiple “readings” of Judaism. The question of Orthodox participation is also raised in other contexts, such as teaching Torah in non-Orthodox settings, allowing non-Orthodox to address Orthodox groups, and relating to non-Orthodox Jewish educational efforts such as Camp Ramah and Solomon Schechter schools. And, if I read Mr. Frankel correctly, he extends this question to one’s general openness or receptivity towards non-Orthodox Jews in general.

Mr. Frankel’s first argument against *Austritt* is difficult to understand. It is also very dangerous, if meant literally, which I cannot believe that it is!

He argues, following a quote from “My Rebbe Avi Weiss *shilito*” that “after the Holocaust” non-believing Jews are “also holy.” (p. 15)

Our author posits that, after the Holocaust, we (the Orthodox) have no right to tell a non-Orthodox Jew that “you are not legitimate because your level of observance does not live up to our standards, or your view of halachah is more elastic than ours, or your understanding of revelation more metaphorical.” (p. 15)

It was this type of rhetoric that I referred to earlier, regarding the grave dangers posed by the radical “Orthodox” left’s embrace of trendy, modernist clichés.

¹⁸ This is a simplified version of events. For a full treatment, see Robert L. Berles, *Religious Conflict in Social Context: The Resurgence of Orthodox Judaism in Frankfurt Am Main, 1838 - 1877* (Greenwood: Westport) 1985

What is completely missing in this analysis is the critical difference between the subjective nature of G-d’s judgment of individual Jews due to mitigating circumstances acting in concert with His great charity, on the one hand, and the objective truths of Torah on the other.

Concerning the first point -- Who has ever suggested that “a Jew is not legitimate”? What does the phrase mean?

A Jew is a Jew, forever. No one asserts that a Jew can stop being a Jew.

And, all Jews are holy and were holy, even before the Holocaust.

However, there are presentations of Judaism, namely Reform, Conservative and Reconstructionist, which are illegitimate because they deny the truth of Torah in whole or in part.

This does not mean there are no positive results from these movements or that many well meaning people do not come closer to G-d through them. These are, however, *b’dieved* considerations and in no way relate to the *objective falsity* of their doctrines. In the words of Rabbi Norman Lamm regarding non-Orthodox groups, “spiritual dignity” (is not) “identical with Jewish *legitimacy*.”¹⁹

Concerning the second point -- G-d’s revelation is forever. It establishes objective standards of conduct. Therefore, a “level of observance” may very well be illegitimate, if it falls below minimum halachic standards. It is legitimate if it is subject to the halachic process. Reform and Conservative leaders will be the first to admit that they are not bound by halachic process. Thus, their “level of observance” is almost always illegitimate.

Circumstances and suffering may cause G-d to view the subjective error of a Jew, who has fallen below minimum standards of halachah, in a merciful fashion. That does not in ANY WAY lessen the objective error of those who deny or defy Torah.

What are “elastic standards of halachah”? Are they part of the halachic process? If not, they are not legitimate. Do they assent to its binding nature? If not, they are based on the heresy of denying the Oral Law.

¹⁹ Norman Lamm, “Seventy Faces,” *Moment*, June 1986, p 24 [italics in original]

Concerning point three -- May a Jew believe that "revelation is "more metaphorical"? What does that mean? We are in the area of *ikret emunah*. Sloppiness of thought and expression simply will not do. Our boundaries and thoughts must be as clear as the Torah demands of us.

G-d spoke at Sinai. His words were understood by *khal Yisroel* and Moshe. The words were clear and are those of our Torah. This is the Divine Torah that binds every Jew for eternity.

Where is the "metaphor"? Isn't it the position of the Reform, Conservative and Reconstructionist movements that this revelation did not take place, either in whole or in part? We cannot glibly waltz around the fact that their belief systems are heretical. They reject the core belief of Judaism -- Torah from Heaven.

I am sure that Mr. Frankel's *ahavas Yisroel* led to a certain looseness of expression here.

In any event, this argument of *limud zechus*, even if lucidly expressed, does not rule out *Austritt*. True *limud zechus* would simply call upon *Austritt*'s advocates to distinguish between blameless Jews and their, however innocently held, heretical beliefs.

As a second argument, the author claims that Reform today is heading towards more Jewish practice, not less. Therefore, apparently we should extend them institutional recognition.

This plunges us into a knotty *halachic* and *hashkafic* problem. What is the value of *mitzvos*, performed by those who have been taught to deny their Divine authorship? Let us assume, for the moment, that G-d's great mercy views these deeds favorably.

Further, it seems safe to say that most Americans and American Jews are capable of much superficiality of thought. Thus, to many Reform and Conservative Jews and even their leaders, the question of Divine Authorship is glossed over. Therefore, when they turn to Torah and *mitzvos* the natural spiritual yearnings of the Jewish soul surface and they find the Divine in these practices. However, these yearnings emerge despite what they are told by the teachers of these movements.

Whether or not, in the long run, *khal Yisroel* will benefit from increased *mitzvah* observance amongst these groups is a complex question. Will it lead them further? Will it take them as far as they could go? Would more Jews turn to Torah Judaism if these options didn't exist? The questions go on and on. Simple answers are not easily arrived at.

None of these questions relate to *Austritt*. All *Austritt* philosophy would maintain is that we remain institutionally distinct from those who deny Torah. To what extent we may regard these heretical movements as helpful half-way houses is another matter altogether.

Lastly, our author claims that at a time when the Jewish people are experiencing external threats, we "must pull together."

Of course, we should, via charity, care, concern and political/social activism, reach out to and protect our fellow Jews and, indeed, all humanity from harm. BUT, does this mean we should recognize heretical movements, beliefs or practices? Once again the author equates compassion with a blurring of truth and falsehood. The thoughts and practices of compassion are the fulfillment of the Biblical imperative to imitate our Creator's Ways. The abandonment of truth is modernism's foremost heresy.

Mr. Frankel is not done, though, with *Austritt*. He sees it as "positively deleterious to the fortunes of our kehillah."

Why?

"*Austritt* puts us on the wrong side of the Israel question."

This is a very strange assertion. The author favors pro-Zionism because, "Torah im Derech Eretz views favorably man's efforts to create a better world." (p. 20) That assertion is clearly true. What is far from clear is, whether Rav Hirsch would have viewed Zionism (especially its right wing incarnations) as having helped create a better world?

There is no doubt, although it is a fact little mentioned today, that Rav Hirsch was staunchly anti-Zionist. He opposed it on both negative and positive theological and ethical grounds. Unlike many of his latter-day adherents, this was not simply a case of rejecting Zionism because the movement or the Israeli state wasn't or isn't Torah-true.²⁰

In reality, Rav Hirsch believed, as did many in the traditional anti-Zionist camp, that *golus* must not be ended by this-worldly means and that all attempts to do so must result in failure. However, in the extraordinary insight of his Torah im Derech Eretz philosophy, he also saw a positive aspect to the exile. It was not simply to be for the Jews a punishment and an expiation of sin. Living amongst the nations was to provide the Jewish people the opportunity to influence, by word and deed, other peoples towards a more believing and moral world view.

On a deeper level, the need, that many Orthodox Jews have, to constantly defend the morality of Israel's conquests and methods has stripped us of the honesty and objectivity needed to play the role of moral paragon, so essential to fulfilling our proper task of *kiddush Hashem* and being a "light unto the nations" – all of which figure so prominently in the Hirschian understanding of our role in *golus*.

Pressing yet further, Zionism (and certainly its militant brands long in vogue in Modern Orthodox and, increasingly in yeshiva/Hasidic circles) yields the very ghettoization that Mr. Frankel so correctly laments. It plunges our youth into a stance of eternal victimhood and relentlessly demonizes all Gentiles. It makes Modern Orthodoxy, which has (or had) the potential to break free of the anti-Gentilism pervading the *charedi* world, into the same purveyors of disdain and fear.

This is a far cry from the Hirschian ideal of Jewry, emancipated from the ghetto, inspiring mankind with morality and kindness as its trademarks.

L'havdil, there are Mennonites today who have left their own particular ghetto without weakening their faith. They serve mankind as peacemakers and bringers of

kindness throughout the world. They may be found in the hills of the Balkans and the streets of Belfast and, yes, the impoverished hovels of Gaza City and Hebron striving to bring peace and love to all while ministering to the *gashmiyus* needs of those suffering. Is that not a noble image for the *am Hashem*? Imagine, for just a moment, if we would be performing these tasks for all, while articulating and defending traditional morality in the public square.

The lack of a formal political power structure, which Rav Hirsch saw as an essential part of the *golus* process, frees us of the myriad moral compromises that nationalist constructs bring.²¹ It is, in the Hirschian view, a test to see how well we spread G-d's Law and Love throughout the globe.

This is by no means a retreating from the world. The sufferings of mankind become ours. The decadences unleashed upon the world over recent centuries are to be combated by us. We are to filter, for ourselves and others, the good from the bad in the real and supposed humanistic endeavors of the past two hundred years.

These agendas have far reaching consequences in charitable areas and political and social advocacy.

Had we followed this agenda, who knows what respect and real significance *klal Yisrael* would have today?

(I grant that it is open to debate what Rav Hirsch would have held regarding our approach to the state once it had been created in defiance of the *gezeiras golus*, as he understood it. Would he have called for a dismantling of the state? Agreed to a two state solution as a fall back position? Or perhaps he would have had some other view? My suspicion is that, given his humanism, he would have found it difficult to accept a Jewish state that remained deaf to a large Palestinian population's pleas for self determination. (Of course, he would also have cautioned that, given the current state of antipathy, we keep in mind *pikuach nefesh* considerations as we proceed towards reconciliation with the Palestinian people.)

²⁰ For an assortment of cited sources on Rav Hirsch's anti-Zionism see Rabbi Eliyahu Meir Klugman, "Eretz Yisrael, Zionism and Medinas Yisrael in the Philosophy of Rabbi Sarason Raphael Hirsch," *Jewish Observer*, (February 1980) p.25. Curiously, Rabbi Klugman, after giving these sources, states effortlessly into an Agudist, non-Zionist perspective.

²¹ It is worth noting here that Dr. Isaac Breuer (1883 – 1946), who considered himself always a loyal Hirschian, saw the return to Eretz Yisrael as a "national emancipation" similar to the "social emancipation" that Rav Hirsch had welcomed in the nineteenth century. Thus, he felt that that the Rabbiner would have favored pre-Messianic, Jewish political sovereignty over the land.

The Zionism of the old Brit Shalom and Ichud movements was, of course, a vastly different matter. It recognized that the land was not "without a people" and tried to deal morally with the majority population that was experiencing nationalist birth pangs at the same time many Jews were.

Conceivably, these forms of Zionism (of which echoes may, at times, be heard in the thin ranks of the Meimad party and groups such as Oz Veshalom and the Kibbutz Dati movement) – given their willingness to limit original Jewish immigration and shunning of military means – might even be in keeping with the straightforward reading of the "three oaths" that Rav Hirsch adopts in many places in his writings.

But, how many among the American Modern Orthodox, except for tiny factions in groups such as Oz Veshalom, has even heard of, let alone considered, these alternative, humanistic forms of Zionism?

In sum, which side of these complex questions is more in keeping with Hirschianism, in its all embracing humanism and acceptance of the *gzeirah* and tasks of *golus*?²² Surely the answer is far from the simple conclusions of Mr. Frankel's work.

Why else is *Austritt* wrong?

"It separates us from our natural allies the Modern Orthodox."

As I have written earlier, I agree that Breuer's ostracization of Yeshiva University is mistaken. It is as wrong to place YU beyond the pale today as it would have been to place the Wuerzburger Rov or Rabbi Moshe Mainz in the aftermath of 1876. Separatist Orthodoxy is a symbolic incarnation of the objective truthfulness of Torah. It is not the faith itself.

Yet, a note of caution is here required. Modern Orthodoxy is far from a monolith. There are thousands of YU *talmidim*, past and present, whose *frumkeit* credentials are impeccable. There are others – even today when YU is so vastly improved as to be unrecognizable to those who knew it in earlier times – whose behavior leaves much to be desired when measured by basic Torah standards. Whether these *talmidim* should be in Yeshiva University is a pragmatic question of *kiruv* versus "bad influence"

²² Of course, the question of what to do now that the conflict has been created is a difficult one. Surely far easier said than done, but all efforts towards Israeli/Palestinian and Jewish/Islamic mutual respect are worth the effort. May Hashem grant that it be not too late.

considerations. The ranks of Modern Orthodoxy harbor many Jews whose allegiances are vague and one must exercise caution in allowing too much mingling with them, especially among the young and impressionable. On the other hand, who can glibly cast these souls aside? Once again these are questions not of essentials but of method.

(Incidentally, the difficulty of navigating between these competing values has led many in the traditional Orthodox world to viciously condemn the likes of Rabbi Norman Lamm whose life's task has been to safely steer a course to avoid both Scylla and Charybdis. This is easy to do if one has no desire to bring all one's shipmates back to Ithaca.)

In addition, as noted previously, the left of Modern Orthodox ideologues tread, at times, close to borders that separate faith from heresy. This, too, must be borne in mind when the legitimate leaders and adherents of Yeshiva University and Torah Umadda are accepted into the Hirschian world view.

This brings us to Mr. Frankel's final assault on *Austritt*.

"Torah im Derech Eretz asks of a man that he be open to and receptive to the positive aspects of secular life." (p. 21)

So far, so good.

"Austritt asks of a man that he be closed to all forms of Judaism not consistent with orthodoxy." (p. 21)

Yes. Hopefully, G-d willing!!

The "positive aspects of secular life" that Rav Hirsch welcomed and would have us welcome ARE consistent with Orthodoxy. Isn't that precisely the point? We are to filter out those elements of contemporary life and thought that are in conflict with Torah and welcome those that complement it.

Once again I fear that our author is suffering from a blurring of the lines between *emunas Yisrael* and forces, so prevalent today, that are antagonistic to it.

We should graciously and honestly grant that one might reject, *l'shem Shamayim*, *Austritt*, as did the Wuerzburger Rov²³ in the 19th century and Rav Soloveichik in the 50s, in order to keep our ties with our fellow Jews and to better rein in their excesses. But, neither of them would have defended it because we should be open to “forms of Judaism not consistent with Orthodoxy.”

The Dignity of Work

In an essay entitled “Yeshiva Boys and the Work Ethic,” Mr. Frankel explores the belief, now prevalent in many circles, that the ideal for all Orthodox married men is to spend as many years as possible in *kollel*.

This ideal has many far reaching and often unintended results. In the Hasidic world (and the entire Israeli charedi world), where it combines with no secular training at all, early marriage and very stringent *shitas* on contraception, it creates a painful economic crisis, whose potentially devastating effects are mitigated by the astonishing largess of the American taxpayer (or the moral cowardice of Gentile politicians!) as well as working segments of *klal Yisroel*. The yeshiva world, with a bit more in the way of income producing skills, lives in the same situation – except to the degree that they defy the official position of their leaders and go to college, graduate school and the like.

Our author maps out the assorted apologetics for what is clearly an unworkable and morally dubious system. They all center on a belief that the *kollel* life is always

²³ The actual position of the Wuerzburger on *Austritt* was far from simple. He actually favored it in certain circumstances.

superior in the eyes of *Hashem* to that of a working man. Indeed, in some circles it is seen as superior even to that of a Torah educator.

There is no denying that years spent in deep - study of Torah is an extraordinary *zechus*. However, it is not the only mode of *Hashem's* service that fulfills the Creator's Will. And, it was never the province of anything other than a small minority of *klal Yisroel*. Nor, according to the Hirschian ideal, should it have been.

Of course, the future Torah educators of our people must be steeped in traditional study of *shas* and *poskim* in depth. And, obviously, future *Rabbonim* must have a similar deep and broad grounding.

However, even in the training of this elite there is, in the Hirschian view, a need for familiarity with the Creator's handiwork, the world with its beauty, bounty and detail and the family of men that inhabit it.

This need not necessarily demand a formal university training but it would seem to imply, at the very least, a thorough and inspired high school education (or non - formal equivalent thereof) and a natural curiosity towards further explorations.

Thus, even as our prospective Hirschian *maggid shiur* spends a certain number of years in *kollel* (a fixed and limited number, whereafter, he is obligated to seek a *melechah hakodesh*) he will remain conversant with the world and the affairs of mankind.

Hopefully, he will have developed by that time more than a passing interest in some aspect of creation or of man made beauty. Thus, his home will find alongside the basic works of “*Gemarah Peirush-Rashi Tosafos*” well-worn works on astronomy, geography, history and the like. He will be uplifted by great works of music and poetry as were Rav Hirsch and Rav Hildesheimer themselves. This is the *mensch Yisroel* of the Hirschian vision – whether as *kollel* fellow, *maggid shiur* or *posek*.

However, and this is critical, he is by no means, per se, superior in the eyes of G-d to the working man who uplifts the world and himself by contributing to the sustenance of humanity (and his family) as he finds his vocation outside the *bets medrash*.

G-d's judgment of each of us is based upon the degree that we are devoted and subservient to Him. Of course, this subservience is unthinkable without a sound grounding in Torah, in *ikkrei emunah*, in Chumash, Talmud, Shulchan Aruch and so on. This is a life - long task, for which the groundwork is laid in one's formative years and

continues via *shnurim* till the end of one's days. However, the fruition of this Torah personality is when the *mensch Yisrael* steps into G-d's world and there, by his words and deeds, sanctifies His Name and spreads His teachings. And, it is a difficult and by no means a *b'dieved* image.

Our author offers a two part plan to re-orient the Breuer community towards this Hirschian vision. Mr. Frankel wants a) to "close down our kollel" and b) "change the entire culture of the yeshiva, pruning off the benighted teachers and rebbeim."

I have little first hand knowledge of the K'hal Adath Jeshuron *kollel* and yeshiva today. It does seem clear though, that if the yeshiva is staffed by those of a Torah - only orientation, then something is wrong. In fact, as far as I know, it was largely ever so. Yeshiva Rabbi Samson Raphael Hirsch has always been forced to take many of its educators from those who rejected Torah im Derech Eretz as anything more than a means to *parnasah*.

This situation is similar to that of Yeshiva University in this regard. It seems that the subtlety and nuances of Torah im Derech Eretz and Torah Umadda do not play well with the *mesiras nefesh* needed to live off the salaries and benefits offered by yeshivas, including Yeshiva University and Yeshiva Rabbi Samson Raphael Hirsch. It requires a fullback's mentality to plunge, ever forward, earning a mere three yards and cloud of dust.

It is well to remember, in this context, Rabbi Danziger's cautionary note that a Hirschian curriculum does not a Hirschian make, unless it is accompanied by a passion for the Divine, as manifested in Revelation and creation. Thus, what emerges is the crying need to create a cadre of dedicated *tabnidei chachomim* committed to Torah im Derech Eretz or Torah Umadda.

If this is not to come from the, already largely "Torah only" environs of Yeshiva Rabbi Samson Raphael Hirsch or Yeshiva University, where will it come from?

There has been some sensitivity to this problem in Yeshiva University circles of late. However, by and large, those bemoaning a lack of attachment to Torah Umadda in Yeshiva University circles almost always are part of that movement's ultra - leftist ideologues, who attach to their Torah Umadda-ism bizarre and quasi - heretical talk of a

pluralism shared with *apikorvim*, tolerance towards heresy, receptivity to immoral social trendiness, modified acceptance of sexual perversion and visceral disdain for the yeshiva and Hasidic worlds. They might want *maggidei shnur* who are Torah Umadda-ites but they also want to prostrate themselves before whatever fad the decadent forces of a dying European civilization command them to serve. This is not Torah Umadda or Torah im Derech Eretz. It is Judaism that is far more loyal to the *zeitgeist* than to Sinai.

Unfortunately, in an otherwise excellent chapter, our author falls prey to this very confusion. He slips all too easily into egalitarian clichés regarding women and Talmud Torah. "These new teachers will teach that women are at least as intelligent as men and as capable of and interested in learning Torah." (p. 32)

The issue is not one of intelligence. Rather, the question is, are women, by their very nature, best served by studying all Torah subjects, or secular subjects for that matter? Women are capable of being boxers and longshoremen, should they pursue these fields? The root question is, are men and women the same? Trendy leftism has, for the last three decades (only in Western Europe and North America, the rest of mankind abides by the thousands years old understandings of sexual distinctions!) said, yes. Clearly the Torah in hundreds of laws says no.

Then follows a sentence that I am sure I have misunderstood. "They (the new teachers) will teach that it is foolish to say that women are not 'commanded' in limud Torah as it is to say that women are not commanded in *p'ru u'rvu*. What would happen if they stopped?" (p.32)

Again? If women stopped having children the world would end. Therefore, what? Therefore, they are somehow Biblically commanded in *pru u'rvu*!

What is afoot here? Women are not commanded to learn Torah or have children. These are basic *halachos*. We are not free to reject these matters because of their degree of contradiction with university taught dogmas, court decrees or talk show values.

But, clearly I have misunderstood something. A Hirschian does not subject *halachah* to his own judgment, rejecting it at will.

Close the Kollel!

Why not open it to those knowledgeable in and loyal to Torah im Derech Eretz with the clear understanding that after *smicha* (or a certain amount of years) they will enter the field of *chinuch* or the Rabbinate?

We must be careful, as we assert the holiness of Torah im Derech Eretz and Torah Umadda, that we do not denigrate those who seek honestly to acquire Torah knowledge and pass on our *mesorah* to future generations. The idealism of most *bnei kollel* is commendable. Believers in Torah im Derech Eretz may well argue that the number of *bnei kollel* should be limited, that their curriculum should include knowledge and awareness of the world and that they eventually use their Torah knowledge for the good of the community and mankind. We should be wary, though, of denying the deep commitment that opting for kollelism evidences and the plusses that, when not abused, it may bring.

Torah im Derech Eretz Forever

The final chapter of Mr. Frankel's work contains the booklet's most moving passages. The chapter is an answer to the question of "what is our legacy?" Correctly the author asserts that the essence of the Hirschian legacy is not its *minhagim*, its pronunciations of Hebrew or its foods.

No fur, so good.

Yet, before the author arrives at his description of a Torah im Derech Eretz personality he takes us on one last detour through the environs of Orthodoxy's radical left. We are told that Yeshivat Chovevei Torah is a Torah im Derech Eretz yeshiva. It is "not an ir miklot from the world." It gives its *semichah* students "intellectual preparation for grappling with (the) world and the issues it raises."

This, of course, is what Rav Hirsch advocated. He asked us to view the world from a Torah perspective. He emphasized that there are both positive and negative influences in many realms outside of explicit Torah.

Is that, however, the Chovevei agenda? Does Chovevei view the world through the lens of Torah or, the Torah through the lens of the world? Does anyone really believe that, with the exception of support for Israel, that Chovevei will ever reject whatever trendy leftist/egalitarian movement emerges triumphant on the contemporary scene?²⁴ Does Chovevei have the fortitude and the intellectual equipment to defy and refute that which modernism commands?

One has only sympathy for Mr. Frankel, cast adrift philosophically, with no community to call home. There are many of us who find the Rabbiner's vision compelling and are similarly orphaned. However, whatever the extent of K'hal Adath Jeshurun's abdication, there is still no reason to set up shop in distinctly inhospitable territory.

In the booklet's concluding pages we are offered a positive portrait of "*The Torah im Derech Eretz Personality*." This is a section of much insight. Let us examine at some length the author's view of the ultimate Hirschian. My comments are in italics inserted in the text.

²⁴ This is not to say that there are not issues in our Torah *haskafah* that require further clarification. Surely, the process of raising contemporary trends for positive elements and filtering them through Torah standards is a large part of Hirschianism. It is, as is much of Rav Hirsch's *shiras*, largely ignored today. However, this task cannot be honestly accomplished by those whose hearts and minds are already subservient to modernist dogmas.

"Peter Gay (born Froelich), the pre – eminent historian of German Jewry, has written that the distinguishing characteristic of the German Jew was his ability to bridge two worlds, the religious and the secular." (p. 47)

Yes. But we must push beyond this sociological formulation. Let us better say that in the Hirschian ideal, the two worlds are bridged by positing and then pursuing the Divine Author of both. Thus, the world was and is sacralized, not via a vague, mystical pantheism but by "placing Hashem constantly before us."

"(The German Jew) showed the world that one could remain steadfast as a Jew while participating intellectually and culturally (not just commercially) in modern society." (p. 47)

This participation is always limited by halachah, both its letter and spirit. This steadfastness requires, at times, a clear and firm condemnation of many assumptions and practices of the contemporary, desecralized West. And, especially today, given the near completion of European civilization's suicide, it may well require a realization that G-d centeredness may be found in other civilizations as well.

"... this sublime synergy of Judaism and western civilization produced German Jewry's greatest treasure: the Torah im Derech Eretz personality." (p. 47)

Let us not forget, though, that this personality was not nearly as Torah knowledgeable as its counterparts in Eastern Europe. This was a fault and its rectification in the post war KAJ world with its ever increasing penchant for Torah study was a positive development. Matters got out of hand, though, and Torah im Derech Eretz itself came to be misunderstood and rejected.

"For the German Jew, Torah im Derech Eretz was more than a way of life. It was the redemption of his character. Exposure to western culture broadened his outlook." (p. 48)

Agreed. 100%. Let us add, that it deepened his view of G-d's creation. It made his understanding of the world and of humanity that much truer to the Creator's design.

"It made him tolerant and wise." (p. 48)

Hopefully the latter. Let us be wary of the cliché of "tolerance." Error remains error. Truth remains truth. Good and evil are realities. Wisdom deepens our sense of why men believe as they do and allows us to appreciate the goodness in their belief systems with proper empathy. However, this search for wisdom and subsequent empathy must be forever limited by our allegiance to truth and morality.

"(The German Jew) saw in the Enlightenment the realization of the Torah's ideals of justice and equality," (ibid.)

Justice is clearly a Torah value. "Equality" as a Torah value? It seems just the reverse, does it not? Torah is a deeply hierarchical document and no amount of wishful thinking can change that.

"He loved to learn Torah . . ." (p. 48)

But, from the time of the Hirschian revival until the 1920s "he" resisted the notion of a yeshiva gedolah. "He" had precious little Talmud in his Realschule curriculum. This was far below the norm of Eastern Europe, where depth learning was fairly common, especially in Lithuania, Poland and Hungary, albeit with different darchei ha – limud.

"... in a quiet dignified solitary fashion . . ." (ibid.)

This should depend on each individual's inclination but the pilpul chaverim of a beis medrash is frequently helpful.

"(Often with Mozart playing in the background)." (ibid.)

At times, this may be beneficial. However, in the long run it doesn't do justice to either Wolfgang or Ahayye v' Rova -- both deserve concentration!

"... but his education made him aware that Torah was not the only source of wisdom."

Yes, absolutely, and each of us must continue this process.

"His intellect spurred him to read widely and impartially, and aroused in him an insatiable curiosity about the world and its inhabitants." (p. 48)

Provided that we remain decidedly partial to our a priori faith commitment then may G-d grant that it be so today! Of course, we are called upon to become proficient in Torah. One must be careful to apportion one's time with a clear sense of tafel and ikar.

"His soul was receptive to the finest art, literature, theater and music." (p.48)
If this be accompanied with appropriate halachic and moral safeguards and proper intention l'shem Shamayim, then, kayn y'hi ratzon!

"Walking was a passion for him; he was always acutely aware of the aesthetic quality of his surroundings." (p. 49)

And, in the Hirschian ideal, he was always aware of the Divine Artist of creation.

"Ultimately, Judaism's deepest appeal to him was aesthetic." (p. 49)

Strange sentence. Indeed. Shouldn't it better read something like, "Frequently he apprehended the Divine through the aesthetic power of Divine Torah and mitzvos and G-d's creation."

"To the Eastern European Jew's lament of "Schwer zu zein a Yid", the German Jew responded, "Aber schoen zu sein a Yid!" (p. 49)

I'm afraid this is terrible misreading of an Eastern European saying. It refers to the external difficulties that those often persecuted communities experienced. The theme of joy in G-d's service was and is very much a part of the great Torah communities of the east.

"(The German Jew valued precision, order, balance, courtesy, decorum." (p. 49)

All good things, some as means to good ends, others as ends themselves. The dignity of German Jewry would be a very positive addition in today's klal Yisrael. Let us not forget, though, that alongside the austere model of God's House of the German Jew

there is the alternative of the holy disorder of the Hasidic shteibel or the book strewn beis medrash of Lita. All are holy.

"Rigorously upright in his dealings with all men, scrupulously pious in his dealings with God, he cultivated a reserve that masked a real concern for his fellow man." (p. 49)

This is a beautiful depiction of the spiritual grandeur of German Jewry's hatzne leches. Of course, this picture had much to do with the nature of German Jews and, indeed, of Germans in general. This is Torah im Derech Eretz in practice where the Torah absorbs and shapes certain Teutonic traits.

"To those less fortunate, his reflex was organizational rather than personal. He built hospitals, organized aid societies, arranged for free loans." (p. 49)

All positives, of course. On the other hand, it is lacking, a bit, the very personal, welcoming and warm, chesed of the East.

"His outlook was humanistic, universalistic . . ." (p. 49)

This is one of the greatest losses that the eclipse of Torah im Derech Eretz has brought about. We have come to limit our chesed, our empathy, our social concern (be it physical, moral or spiritual) to Jews only. This limitation of kindness seems impossible to achieve. Can we turn on and off kindness? And, if it can be achieved, at what cost to our hearts and souls?

We are called upon to emulate the Creator who made the world as an act of chesed and "whose mercies are upon all His creatures."

The current posture of insular chesed limited to Jewry ruins our souls, destroys our credibility as a people and ends any hope that our exile will favorably influence mankind. This parochial morality must be anathema to a Hirschian.

"He detested vulgarity and would rather do without than be seen as grasping. (Contention) offended him, and he often lived more modestly than his means allowed." (p. 49)

I confess to a distinct affection for this orientation. And, as we all know, Orthodoxy could do well with absorbing quite a bit of it today. Sadly, at present, many live way beyond their means, driven there by a conformity that easily embraces heavy debt before abandoning any socially demanded ostentation, even when clearly unaffordable.

"He carried himself with great dignity at all times and was moderate in all things." (p. 49)

May Hashem grant that we do so as well.

Mr. Frankel goes on to note that America in the post war period provided Torah im Derech Eretz adherents with a unique chance to emerge on the national and international stage. "We could have been the leaders on the road to Torah im Derech Eretz in America – we, who first showed the world that Torah im Derech Eretz was possible! – instead of being left behind at the side of the road, led astray by alien philosophies, mired in a swamp of our own making." (p. 50)

Having attended the Hirschian mesivta between 1965 and 1967 I find it difficult to believe that those educated together with me, most of whom lived in Washington Heights and were part of K'hal Adath Jeshurun, would simply abandon the teachings of Rav Hirsch. What I think happened is that some became enamored of the greater Torah knowledge and devotion to *limud ha – Torah* of the yeshiva world (and well they should have). They looked at their own *kehillah* and saw it lacking these fundamental virtues. In their minds there emerged a linkage between the *hashkafa* of *Lita* in its rejection of non-explicitly sacred aspects of creation and the yeshiva world's superiority to German Orthodoxy in Torah study.

Thus, Mr. Frankel's lament needs to be expanded a bit.

America provided the K'hal Adath Jeshurun with a chance to absorb the positives of the *charvdi* world while not abandoning its own traditions. The resulting symbiosis would have given the *kehillah* the abilities and passion to speak and behave in the public forum as learned and inspiring *m'kadshai Hashem*. It was not simply the Frankfurt

model that was lost. It was Frankfurt, as it could have been perfected via contact with the Eastern European *derochim*, again, in Rabbi Danziger's words: "Thus those who could have brought the *Torah im Derech Eretz* of Rav Hirsch to its highest fulfillment, tragically – and needlessly – abandoned their great Rav and his concept." (italics as in original)²⁵

In his parting words the author calls upon us to step beyond time and place bound commitments to the externals of German Jewry. He argues that they will "diminish in importance in the 21st century as time and distance erode the relevance of where in Europe one's ancestors stemmed from long ago." (p.51)

This is a far from convincing argument. The Hasidic and yeshiva worlds both place emphasis upon the *minhogim* and halachic standards of their ancestors and predecessors. These forms then become symbolic means to incarnate their identities. Thus, the loss of symbols may play a role, although not a major one, in the loss of the *derech* altogether.

However, the author's general point that it is the teaching of Torah im Derech Eretz which is the "eternally correct path for Jews to travel . . . and will ultimately lead, as Rav Breuer said, "to the geula" is well taken. (p. 51)

This is the hope of many Torah Jews. What must be emphasized by those who see Torah im Derech Eretz as an understanding of Torah that is loyal to G-d as the author of Revelation and Creation is that it is not a *b'dieved*. It sees *Hashem* as the King of the Universe and *klal Yisroel* as His universal ambassadors to mankind.

Yet, having said that, we must not fall prey to accepting the moral consciousness of mankind in our specific time and place as ultimately true. Hence, the need for *Austritt*, if not of our synagogues and organizations then, at least, in our minds and hearts.

We must constantly nurture our spiritual and moral sense from the eternal wellsprings of *iyun* in Torah, passionate, yet, reflective prayer, halachic precision and thoughts and deeds of kindness and love.

We must unite our life's actions and interests under one rubric as Rav Hirsch wrote, "Everything that you think and feel, everything that you strive for and desire, and

²⁵ Danziger, *Ibid.* p. 70

everything that you possess, shall be unto you only the means, only have value to you, for getting near to G-d, for bringing G-d near to you."²⁶

The other approaches that view creation and humanity with disdain may, as Rabbi Danziger has said, have had "usefulness" and "hidden blessing" as a "hora-as shah."²⁷ (Hebrew in original text) We should be ever mindful of their plusses.

And, *khal Yisroel* has reaped the benefit of those plusses. We all realize today the centrality of long hours immersed in Torah. But, we must also be ever mindful of the beauty and bounty of the L-rd and we dare not limit our pursuit and apprehension of the Loving G-d to those hours spent in formal Torah and tefilah. Rather, let us seek the "closeness of the L-rd" in His creation as well as His revelation.

May Hashem grant that we be worthy as individuals and, to whatever degree possible, communities, to serve Him according to this holy derech. May He further grant that this devotion protect us from the temptation to step outside the Torah saturated vineyards of ovdei Hashem b'emes.

²⁶ *The Pentateuch Translated and Explained by Samson Raphael Hirsch, Volume V. Deuteronomy, rendered into English by Isaac Levy (London) 1966 p.92*

²⁷ Rabbi Shelomoh Danziger, "Rav S. R. Hirsch - His Torah im Derech Hicology" pp. 90 - 106 in *The Living Hirschian Legacy: Essays on "Torah im Derech Eretz" and the Contemporary Hirschian Kehilla* (Feldheim:New York) 1988 p. 106. This essay has served for me as one of the clearest expressions of Hirschianism ever written and a constant source of inspiration.