

## ***Austritt—A Tale of Two Cities***

**By: YISRAEL KASHKIN**

For many decades now, leading members of the German Orthodox *kehilla* have charged various rabbis and writers, generally practitioners of Modern Orthodoxy, with misunderstanding and misusing R' Samson Raphael Hirsch's philosophy of "Torah im Derech Eretz."<sup>1</sup> The general complaint is that it gets confused with Torah u'Maddah.<sup>2</sup> But if Hirsch's approach to Torah, secular studies, and worldly endeavors is often imperfectly grasped, his pursuit of communal separation or *Austritt* appears often to be flat-out either misunderstood or misjudged by many people. As R' Joseph Elias, former principal of Breuer's high school in Washington Heights, NY, said, "None of Rabbi S. R. Hirsch's teachings have been opposed as bitterly as this—and above all, none have been distorted as much."<sup>3</sup>

Two recent blog posts, one by R' Jay Kelman of Torah in Motion and the other by R' Gil Student of Torah Musings, take up the topic of *Austritt* in 19th-century Germany, contrasting the approach used in R' Samson Raphael Hirsch's Israelitische Religionsgesellschaft (IRG) congregation in Frankfurt to that of R' Azriel Hildesheimer's Adass Yisroel congregation

<sup>1</sup> See for example Shimon Schwab, *Selected Speeches* (Lakewood, NJ: CIS, 1991) p. 197; Joseph Elias (ed.), *The Nineteen Letters*, "Editor's Notes to Letter Seventeen," p. 247; Joseph Breuer, "Our Way," Rav Breuer: His Life and His Legacy (Nanuet, New York: Feldheim, 1999) p. 226.

<sup>2</sup> Joseph Elias (ed.), *The Nineteen Letters* (Nanuet, New York: Feldheim, 1995) p. xxiv.

<sup>3</sup> Joseph Elias (ed.), *The Nineteen Letters*, "Editor's Notes to the Twelfth Letter," p. 177.

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in Berlin.<sup>4</sup> *Austritt*, or withdrawal in German, was an endeavor by certain Orthodox Jewish communities to separate from the larger predominantly non-observant communities to which the German government had obligated them to belong and to support financially.

To discuss the differences, Student brings a passage from Bar Ilan University Prof. Adam Ferziger's "Exclusion and Hierarchy: Orthodoxy, Nonobservance and the Emergence of Modern Jewish Identity." Ferziger says that secession at Adass Yisroel was less comprehensive as, even after separating officially and financially from the general community, the Adass Yisroel community and its leaders continued to work with it on "issues that were of common interest to all Jews." These issues included fighting anti-Semitism and forming welfare and educational institutions to assist refugees from Eastern Europe. Ferziger credits Hildesheimer for setting what he obviously considers a meritorious tone, saying, "In this capacity, Hildesheimer, unlike many of his Orthodox colleagues, was willing, once again, to work with non-Orthodox Jews—even ones with whom he had sharp ideological differences or whose lifestyles were antithetical to the religious values that he held dear."<sup>5</sup>

While Student does not directly criticize Hirsch, the Ferziger quote that he brings without challenging it seems to criticize in describing Hildesheimer's approach as having a "far less rigid perception of communal separation" and "a less antagonistic stance on the part of Berliners toward the non-Orthodox community." While one does not absolutely have to take these as criticisms of Hirsch's approach, the typical Western reader and the generally non-Charedi audiences for these two blogs nearly certainly will. Rigidity and antagonism, except in very special circumstances, are generally viewed by most people as negative traits just as amenability to people with whom one has ideological differences is generally viewed as a positive one. Ferziger tells us that the Hirschian separatists were critical of the Hildesheimer separatists for their approach and implies that the main reason for this was purely ideological. He says, "As far as the Frankfurters were concerned, any cooperation with non-Orthodox Jews in an organized framework was tantamount to legitimizing their religious ideology and lifestyle."<sup>6</sup>

<sup>4</sup> Gil Student, "Happy *Austritt* Day," Torah Musings <<http://www.torahmusings.com/2016/07/happy-Austritt-day/>>; Jay Kelman, "Reflections from Germany - Part 3," Torah in Motion, <<http://www.torahinmotion.org/discussions-and-blogs/reflections-from-germany-part-3>>.

<sup>5</sup> Adam Ferziger, *Exclusion and Hierarchy: Orthodoxy, Nonobservance and the Emergence of Modern Jewish Identity* (Philadelphia, University of Pennsylvania Press, 2005) pp. 151, 153-154 in Gil Student, "Happy *Austritt* Day."

<sup>6</sup> Ferziger, p. 154.

Student sees Hildesheimer's approach in Berlin in the 1860s and 70s as reminiscent of R' Joseph Soloveitchik's in America in the 1950s. Soloveitchik elected not to sign the 1956 comprehensive ban on organizational cooperation with the multi-denominational Synagogue Council of America and the New York Board of Rabbis, preferring a more complex approach of distance on religious matters but cooperation on practical ones.

The Kelman post is openly critical of Hirsch, accusing him of “stridency” and “antagonism towards those who disagreed with him.” Kelman distinguishes Hirsch not only from Hildesheimer but from the majority of German rabbis, who he says, without providing a source or particulars, disagreed with him, and from his congregation, most of which did not secede. He says that “Hirsch’s idea while controversial in Germany was inconceivable in Eastern Europe where communities consisted of all types: *tzadikim, beinonim* and *resba'im* the righteous, the wicked and everyone in between (the first letters of each of these types of people spelling *tzibur*, community).” Kelman even seems to suggest that the contemporary atmosphere of intolerance between Orthodox groups started with Hirsch’s intolerance of organizational association with Reform, an odd charge since Hirsch is one of the founders, if not the founder, of the modern outreach movement and is a deeply respected figure today within all factions of the Orthodox Jewish world.

Let us address these presentations and criticisms, starting with those of Kelman. Firstly, regarding *Austritt* in general, that it was not Hirsch’s idea alone is clear from the fact that Hildesheimer, one of the leading rabbinic figures in Germany, not only pursued it himself but supported Hirsch’s pursuit in Frankfurt. As Student himself tells us via a quote from David Ellenson’s *Rabbi Esriel Hildesheimer and the Creation of a Modern Jewish Orthodoxy*, Hildesheimer asked two of his students not to take rabbinical positions in Orthodox institutions in Frankfurt that refused to separate from the general community. The advice was heeded by one of the students but not the other. In the words of Ellenson, “Hildesheimer’s advice nonetheless indicates his wholehearted commitment to the concept of Orthodox secession, when necessary, from the larger Jewish community...” Hildesheimer also wrote to Lippman Mainz, a prominent opponent of *Austritt* from within the IRG and encouraged him to support

Hirsch and his secession plans.<sup>7</sup> He told Mainz, “I confess that your opposition [to Hirsch in this matter] is totally incomprehensible to me; and it is inexplicable to me that you, my friend, offer such opposition to the establishment of a holy congregation which is so exacting in all its details regarding observance, whether between a man and his fellow or between God and man.”<sup>8</sup>

However, not only Hildesheimer but another leading rabbinic figure of Germany, R’ Seligmann Baer Bamberger of Würzburg, supported the idea of *Austritt* in principle and specifically in the case of Vienna for which he signed a declaration of support in 1872 along with 389 other rabbis.<sup>9</sup> Signing along with Bamberger was R’ Tzvi Hirsch Kalischer of Thorn, R’ A. Gutmacher of Graetz, and numerous Eastern European rabbis including Rabbis S. Freund of Prague, A. Glasner of Klausenburg, Ameisel of Lomza, J. Gesundheit of Warsaw, and B. Schreiber, the author of *K’sav Sofer* and son of R’ Moshe Schreiber, the famed *Chasam Sofer*, of Pressburg.<sup>10</sup>

Not only did Bamberger support secession in Vienna but at one point he supported it in Frankfurt as well. He later came famously to oppose secession in Frankfurt after the Reformers agreed to some concessions,<sup>11</sup> but nobody can say that the basic idea of *Austritt* was anathema to him or to be associated solely with Hirsch. And not only Bamberger but the *gaon* R’ Yaakov Ettlinger (author of *Aruch L’Neir*), a teacher of Hirsch, advocated “complete and absolute segregation” from Reform as early as 1848.<sup>12</sup> R’ Moshe Sofer (author of the *Chasam Sofer*), who was originally from Frankfurt, advocated separation as well. According to Hirsch biographer R’ Eliyahu Meir Klugman, the battle for secession in Hungary was

<sup>7</sup> David Ellenson, *Rabbi Esriel Hildesheimer and the Creation of a Modern Jewish Orthodoxy* (Birmingham, Alabama: University Alabama Press, 1990) pp. 87-88 in *Torah Musings* “Happy *Austritt* Day?”, July 28, 2016.

<sup>8</sup> *Hildesheimer Briefe*, Letter 30 in Ellenson, p. 88.

<sup>9</sup> Mordechai Breuer, “Samson Raphael Hirsch,” in Leo Jung (ed.) *Guardians of Our Heritage* (New York: Bloch Publishing, 1958) p. 287 in Ben Elton, “*Austritt* and its Orthodox opponents: the debate over secession in traditionalist German Jewry, 1876–1939,” *Degel, Torah and Jewish Studies from Alei Tzion*, Vol. 4, Issue 1, Tishrei 5772.

<sup>10</sup> Breuer, p. 287

<sup>11</sup> Seligmann Baer Bamberger, “Open Reply from Rabbi S.B. Bamberger,” *Collected Writings of Samson Raphael Hirsch*, Vol. VI (New York: Phillip Feldheim, 1997) p. 239.

<sup>12</sup> Mordechai Breuer, *Am VeEidah*, Manuscript in Eliyahu Meir Klugman, *Rabbi Samson Raphael Hirsch, Architect of Torah Judaism for the Modern World* (Brooklyn, NY: Mesorah Publications, 1996) p. 186.

a less complicated matter than in Germany because in Hungary the ideological approach, as driven by the *Chasam Sofer* and his disciples, was firmly on the side of separation from any heresies, i.e., *Austritt*.<sup>13</sup> Hungarian R' Moshe Schick, author of *MaHaram Shik*, supported Hirsch's efforts and wrote to Bamberger asking him to reverse his eventual opposition to *Austritt* in Frankfurt.<sup>14</sup>

But *Austritt* was not limited to Berlin, Frankfurt, and Vienna. As Prof. Mordechai Breuer tell us in *Modernity Within Tradition: The Social History of Orthodox Jewry in Imperial Germany*, the first completely secessionist congregation was in Karlsruhe in 1869.<sup>15</sup> Breuer lists secessionist efforts in numerous other cities throughout Germany including Darmstadt, Mainz, Elberfeld, Königsberg, Offenbach-am-Main, Stettin, Giessen, Trier, Fürth, Kassel, and Stuttgart.<sup>16</sup> The battle for secession was nationwide.

As for Hirsch's congregation, the reluctance of the majority to secede appears to have stemmed from the challenges involved rather than from some contemporary notions of inclusiveness and tolerance. Primary amongst those challenges was the fact that the secessionists would no longer be able to secure burial in the communal cemetery where their ancestors were buried.<sup>17</sup> Also key was the threat of economic retaliation. According to Klugman, the store of the grandfather of R' Shimon Schwab was boycotted due to his siding with the secessionists.<sup>18</sup> Secessionists were also required to make formal declarations in court.<sup>19</sup> Additionally, there was concern that secession would cause many community service organizations and charity funds to be relinquished to the Reformers.<sup>20</sup>

It is worth noting also that the original idea of secession from general communities not only did not originate with Hirsch, it did not even originate within the Orthodox community. Rather, it hailed back to an earlier day when Reformers wanted to break away from general communities in which the Orthodox held a stronger position. Abraham Geiger, often

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<sup>13</sup> Klugman, pp. 140-1.

<sup>14</sup> *Teshuva Maharam Shik*, Orach Chaim, no. 306 in Judith Bleich, "Rabbinic Responses to Nonobservance in the Modern Era," In J. J. Schacter (Ed.), *Jewish tradition and the nontraditional Jew*, pp. 37–115 (Northvale, NJ: Jason Aronson Inc., 1992), p. 85, footnote 111.

<sup>15</sup> Mordechai Breuer, *Modernity Within Tradition: The Social History of Orthodox Jewry in Imperial Germany* (New York: Columbia University Press, 1992) p. 218.

<sup>16</sup> Breuer, p. 219

<sup>17</sup> Klugman, p. 156.

<sup>18</sup> Klugman, p. 156, footnote 8.

<sup>19</sup> Klugman, p. 156.

<sup>20</sup> Klugman, p. 155.

considered the founder of Reform Judaism, called for such secession in the 1830s in order to speed up the development of the Reform movement.<sup>21</sup> Geiger was originally from Frankfurt but found a position in the Jewish community of Wiesbaden in 1832.<sup>22</sup> In 1847, Hildesheimer battled against a group of Reform Jews that petitioned to break off from the predominantly Orthodox community of Halberstadt.<sup>23</sup> At that time in Saxony, the state that was home to Halberstadt, the Orthodox still constituted the majority and ran the communal institutions.<sup>24</sup>

As for Eastern Europe, I have listed several of the numerous Eastern European rabbis that supported Austritt in Vienna. But beyond that we must consider that Austritt was unnecessary in most of Eastern Europe as the Jewish communities were not tightly run by government-imposed administrative bodies comprised of despotic radical Reformers. Generally, the Reformers in Eastern European communities did not try to prevent the Orthodox from maintaining religious practice as Reformers did in Frankfurt.<sup>25</sup> Thus, Hirsch operated in an environment that differed from that of Berlin and that of communities in Eastern Europe. How ironic that the German Orthodoxy of Frankfurt, which has endured a century of criticism for being too open to the world, would be viewed as the intolerant strain of Orthodoxy.<sup>26</sup>

<sup>21</sup> Judith Bleich, “Rabbinic Responses to Nonobservance in the Modern Era,” In J. J. Schacter (Ed.), *Jewish tradition and the nontraditional Jew* (pp. 37–115), Northvale, NJ: Jason Aronson Inc. (1992), p. 82; Abraham Geiger, *Nachgelassene Schriften*, vol. 5 (Berlin, 1878), 54–55; and Wiener, *Abraham Geiger*, 99–100. Robert Liberles, *Religious Conflict in Social Context: The Resurgence of Orthodox Judaism in Frankfurt am Main, 1838–1877* (Westport, Conn., 1985), pp. 165–226, all sources from Bleich.

<sup>22</sup> “Abraham Geiger,” Wikipedia.

<sup>23</sup> Ellenson, pp. 28–32.

<sup>24</sup> Ellenson, p. 33.

<sup>25</sup> Professor Marc Shapiro, “Great Rabbinic Thinkers: Isser Zalman Meltzer, Part 6,” TorahInMotion.org.

<sup>26</sup> Kelman’s post tells the famous story of R’ Chaim Soloveitchik ordering a stop to Yom Kippur prayers in Brisk to raise money to bribe Russian authorities for the release of a member of the Bund, an anti-religious socialist group. The story is presented to contrast Soloveitchik with Hirsch, flattering the former, but fails to mention that this man’s life was in danger, a special situation that happened to occur in Brisk, not Frankfurt. The latter city was far more hospitable to Jews which is perhaps the main reason that the assimilation problem was so intense there and why Hirsch called for Austritt. Additionally, Austritt prohibited organizational interaction, not personal interaction. As I describe later in this article, Hirsch engaged in efforts to save Jewish lives throughout his rabbinical career.

Student had compared Hildesheimer's approach to dealing with the non-Orthodox in the 19th century to that of Soloveitchik in the 20th. It is worth noting that Soloveitchik's position amongst *gadolim* was a minority one. Eleven *rashei yeshiva* signed the ban. Signatories included many of the leading rabbinic figures in America: R' Aaron Kotler, R' Moshe Feinstein, R' Yitzchok Hutner, R' Yaakov Kamenetzky, R' Yaakov Yitzchok Ruderman, R' Gedalia Schorr, R' Avraham Kalmanowitz, R' Chaim Mordechai Katz, R' Avraham Jofen, R' Dovid Lifshitz and R' Menachem Zacks, the latter two of Yeshiva University.<sup>27</sup> These were not German rabbanim from the Hirschian *kebilla*. They were rabbis of Eastern European origin. We see how Eastern European *rabbanim* embraced *Austritt* when they came to America, a more structured and organized country like Germany. While R' Eliezer Silver, another prominent sage of Eastern European origin, notably did not sign the ban, he "agreed to it in principle" according to McGill University professor Lawrence Kaplan. According to Kaplan, Silver's refusal to sign stemmed from a belief that "issuing the *issur* at that time and in that form was partially motivated by anti-Yeshiva University considerations and would only exacerbate a difficult situation."<sup>28</sup>

The text of the ban is instructive to our examination:

We have been asked by a number of rabbis in the country and by alumni and rabbinical graduates of the yeshivot, if it is permissible to participate with and be a member of the New York Board of Rabbis and similar groups in other communities, which are composed of Reform and Conservative "rabbis." Having gathered together to clarify this matter, it has been ruled by the undersigned that it is forbidden by the law of our sacred Torah to be a member of and to participate in such an organization.

We have also been asked if it is permissible to participate with and to be a member of the Synagogue Council of America, which is also

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- <sup>27</sup> Baruch Pelta, "Haredi Construction of Rabbinic Authority," p. 9. <[http://www.zootorah.com/RationalistJudaism/Haredi\\_Construction\\_of\\_Rabbinic\\_Authority2.pdf](http://www.zootorah.com/RationalistJudaism/Haredi_Construction_of_Rabbinic_Authority2.pdf)>; Yona Reiss, "Halakhic Views Toward Different Jews," p. 249 <<http://content.yutorah.org/viewer/2010/1053/749583.pdf>>; Yair Hoffman, "Swarthmore Hillel And The Limmud Conference," *Five Towns Jewish Times* <<http://5tjt.com/swarthmore-hillel-and-the-limmud-conference/>>; Yitzchok Dershowitz, *The Legacy of Maran Rav Aharon Kotler* (Spring Valley, NY: Philipp Feldheim, 2006) p. 47.
- <sup>28</sup> Lawrence Kaplan, "Daas Torah: A Modern Conception of Rabbinic Authority" in *Rabbinic Authority and Personal Autonomy*, ed. Moshe Sokol (Northvale: Aronson 1992), p. 15.

composed of Reform and Conservative organizations. We have ruled that it is forbidden by the law of our sacred Torah to participate with them either as an individual or as an organized communal body. May the Almighty have mercy on His people and close the breaches [in Torah life] and may we be worthy of the elevation of the glory of our sacred Torah and our people Israel.<sup>29</sup>

Is this not *Austritt*? According to R' Moshe Tendler, his father-in-law Moshe Feinstein viewed this ban as a matter of *pesak halacha*.<sup>30</sup> And the situation was not one of a small Orthodox *kehilla* struggling to extract itself from a dominant communal board of reformers. This ban was issued in the land of the 1st Amendment of the Bill of Rights: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” Even in a country famous for its separation of church from state, where the American government would not dream of forcing Jews to pay a tax and abide by the dictates of a single organizational religious body, these Eastern European-born *rabbanim* instituted *Austritt* for the entire Orthodox community.

Let us turn to Gil Student’s post. It is reasonable to note similarities between Hildesheimer in 19th-century Berlin and Soloveitchik in 20th-century New York, but one should note that the similarities had their limits. For starters, while Soloveitchik was willing to allow cooperation with the cross-denominational New York Board of Rabbis, Hildesheimer resigned from the Union of German Rabbis when it was reconstituted as the fully cross-denominational General Union of Rabbis in 1896.<sup>31</sup> Could this be because Soloveitchik was dealing with *tinukei she’nishba*, people (even the leaders) who were basically ignorant of Orthodox Judaism since they were not raised with it and were mostly working with similarly ignorant people to stay a little closer to it. However, Hildesheimer in his national role was dealing with leaders who were *apikorism*, knowledgeable people who were leaving observance and causing others to leave? In

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<sup>29</sup> Aaron Rakeffet-Rothkoff, *The Silver Era in American Jewish Orthodoxy: Rabbi Eliezer Silver and His Generation* (New York: Yeshiva University Press, 1981), 291-292 in Baruch Pelta, “Haredi Construction of Rabbinic Authority.”

<sup>30</sup> Lawrence Kaplan, p. 19, footnote 31.

<sup>31</sup> Ellenson, p. 85. Ben Elton, “*Austritt* and its Orthodox Opponents: the debate over secession in traditionalist German Jewry, 1876–1939,” *Degel Torah and Jewish Studies* from Alei Tzion, p. 52 says that Hildesheimer refused to join the cross-denominational Verband der Rabbiner in Deutschland (Union of German Rabbis) that formed in 1884. Ellenson says that Hildesheimer was part of the organization but resigned from it in 1896 when it was reconstituted as the General Union of Rabbis in Germany, a fully cross-denominational group.

other words, non-observance in 19th-century Germany was a whole different ball game from that in 20th-century America.

Similarly, we may argue that the contrast between Hildesheimer (and Soloveitchik) to Hirsch may have been due in large part to circumstance rather than simply philosophical outlook. The situation in Berlin was not the same as that in Frankfurt. As Klugman notes:

Reform Judaism, of course, was hardly a phenomenon unique to Frankfurt. But as one observer put it, there was a difference. Whereas elsewhere the Reformers were, by and large, *mumarim le'tayavon* (sinners for pleasure), in Frankfurt they were *mumarim le'bach'is* (premeditated sinners).<sup>32</sup>

The former situation was a little closer to what we face today in Jewish centers like New York, people acting out personal choices and desires. They do their thing and I do mine. It's not a war between us in the sense of one wrenching control from the other. The latter situation, the one in Frankfurt, is one that we today, two centuries into assimilation, see somewhat infrequently outside of *Eretz Yisrael*—people at war with Torah observance mostly because they oppose it philosophically and do so with actual knowledge of its underpinnings and workings as they or their parents were raised with it. They are trying to convince themselves to leave it wholesale. Thus, they need you to leave it too. This certainly happened in Berlin as well but not with the intensity that it happened in Frankfurt.

By the time Hirsch moved to Frankfurt in 1851, the city had endured a half-century history of increasing domination of the Community Board by aggressive Reformers, a level of domination that was unique to the city. Says Klugman:

Already in 1812, the government reorganized the Community Board and set new regulations governing its activity and authority. Over the years, most of the board members and community officials were strong adherents of Enlightenment and Reform. As such, the Board launched a systematic campaign to eradicate the study of Torah, and endeavored to bring about the complete atrophy of all religious institutions. Not content with merely banning religious studies from the *Philanthropin*, the only officially sanctioned Jewish school in the city, the Community Board refused to tolerate them anywhere in the city. Thus, from 1818 to 1838, at the Board's initiative the Frankfurt authorities made it illegal to operate a *Talmud Torah*, and young people who wished to study Torah were forced to do so in hiding. All

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<sup>32</sup> Klugman, p. 117.

teachers of religious subjects were banished from the city, and anyone who attempted to teach Torah in spite of this edict was subject to a civil fine of 50 florins. The intention of the Board was to compel all parents to send their children to the *Philanthropin*, and to a great measure they succeeded. In no other Jewish community in Germany did the proponents of assimilation work so diligently and for that matter so successfully, to achieve their aims.<sup>33</sup>

In other words, Hirsch was operating in a more antagonistic environment than was Hildesheimer. Thus, he needed stronger measures. It goes without saying that the environment in which Hirsch operated was incomparably more hostile than the one faced by the American rabbinate who issued an *Austritt* ban of their own in the 1950s as we have discussed. One cannot even picture a ban on operating *yeshivos* in America and certainly not a ban instituted by Reform Jews. Nevertheless, the American branch of the Council of Sages of Agudath Israel instituted *Austritt*. What would they have done in 19th-century Frankfurt?

Additionally, according to Prof. Jacob Katz, Freemasonry was dominant in Frankfurt. Between 1817 and 1832 all members of the community board were Masons and in the latter half of the nineteenth century nearly all were. Thus, the board consisted not just of a collection of people who happened to be antagonistic to Orthodox Judaism but of a unit of people with a shared philosophy who worked together to promote Deist principles and Masonic symbols and ceremonies. In Katz's view, this helps to explain why in 1842 95% of the 3,000 Jewish families in Frankfurt (2,800) were Reform whereas in Hamburg they comprised only 33%.<sup>34</sup> Writes Klugman, "Thus, Rabbi Hirsch's charge that the destruction of authentic Judaism with such success in Frankfurt was the result of the single-minded efforts of the Community Board is a historical fact. Even the Reform Rabbi of Frankfurt, Leopold Stein complained, in a pamphlet explaining his resignation in 1861, of the tyranny and the total lack of tolerance of the Board."<sup>35</sup>

But there is more. According to historian Mordechai Breuer, successful secession efforts in Germany were contingent on the initiative or "vigorous support of well-to-do observant men." I have mentioned that the first successful secession occurred in Karlsruhe. This was the result of the

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<sup>33</sup> Klugman, p. 114-5.

<sup>34</sup> Jacob Katz, *HaKera Shelo Nitachach* (The Unhealed Breach: The Secession of Orthodox Jews from the General Community in Hungary and Germany), Jerusalem, 1995, p. 33 in Klugman, p. 117.

<sup>35</sup> Klugman, p. 117.

leadership of Baruch H. Wormser, the *Senirochef* of a large iron company.<sup>36</sup> In the midst of the battle for secession in Darmstadt, the Reform board chairman of the general community noted that “The Orthodox petitioners were, all of them, men of means.”<sup>37</sup> Breuer lists city after city and their wealthy leaders of *Austritt*. In Mainz, there was the wine merchant Samuel Bondi, in Elberfeld banker George Marx who went on to lead secession efforts in Königsberg, in Fürth toy manufacturer Menki Zimmer, in Offenbach-am-Main Selig Merzbach, in Stettin Hermann Lehmann, in Giesen Hofrat Grünwald, in Stuttgart Hermann Gutmann, in Kassel Marcus Elias, the latter names all bankers or wholesalers.

What about Berlin and Frankfurt? Says Breuer, “Matters were very different in Berlin. When Hildesheimer came to Berlin in 1869, there were very few rich Jews among the Orthodox there.” This is one reason that secession efforts in Berlin came about relatively late. In the end, rapid development towards secession was possible only via the financial support of the Hirsch family in Halberstadt, relatives of Hildesheimer by marriage, and his Berlin-based brother-in-law Gustav Hirsch.<sup>38</sup>

In Frankfurt, the opposite condition prevailed. Says Breuer, “But when there was talk of ‘comfortable Orthodox Jewry,’ it was above all Frankfurt that people had in mind.” Of the richest twenty-four hundred citizens of Frankfurt a fifth were Jewish, a third of whom made their living in banking, finance, and lottery. This includes the world-famous banker Amshel Mayer Rothschild, son of the founder of Rothschild banking family and proprietor of the Frankfurt branch. How influential were they? The Frankfurt stock market was closed on Yom Kippur and large department stores on High Holidays. By contrast, the New York Stock Exchange is not closed on Yom Kippur. Says Breuer, “The IRG was not a prayer circle for the poor. It was a congregation of ‘patricians.’”<sup>39</sup> Other IRG members included banker Emanuel Schwarzschild and world-renowned antique dealer Selig Goldschmidt. The wealth enabled a battle with Reform that was not possible in Berlin. Communal rabbis do not operate in a vacuum where they may freely run their communities based on their ideologies. Anyone who wants to compare Hildesheimer’s efforts in Berlin to Hirsch’s in Frankfurt in the 19th century or to Soloveitchik’s or anybody else’s in America in the 20th century must examine the specific conditions that prevailed in those times and places. It is easy for us

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<sup>36</sup> Breuer, p. 218.

<sup>37</sup> Breuer, p. 219.

<sup>38</sup> Breuer, p. 219.

<sup>39</sup> Breuer, p. 220.

to stand a century away and draw conclusions about their philosophies and character but that's like identifying people's faces from an airplane.

We should consider the conditions and Jewish history of Frankfurt in examining Hirsch's decision to continue with *Austritt* even after hearing of compromises offered by the general board. Kelman had asserted that Hirsch's "view was a minority one, especially since the Reform dominated Community Board agreed to fully support the Orthodox institutions." Support was not in fact full. The Community Board offered to establish separate accounts and to exempt the Orthodox from financially supporting Reform synagogues and schools. They also promised to operate the hospital and cemetery in a fashion acceptable to Orthodox Jews.<sup>40</sup> However, they refused to allow for joint administration of the hospital and cemetery which is a matter of the utmost seriousness, particularly with regard to the cemetery, as people wanted to be buried with their ancestors.<sup>41</sup> Hirsch decided to push on with *Austritt*. In his view, membership in the general community did not reflect on a person's personal beliefs when the membership was obligatory.<sup>42</sup> But when it was voluntary, membership implied acceptance of the viability of Reform principles. Ferziger describes this logic as ideological. On some level, it is, but it's not the kind of ideological differences that one might find in a debate between the RCA and the Agudah on specific practical matters such as conversion rules or kashrut standards. *Austritt* was a matter of core ideology regarding the most fundamental principles of faith. The Reform Judaism that concerned Hirsch was not the defeated Reform Judaism of today. It was a Reform Judaism on the march, on the warpath, a Reform that was in the process of tearing multitudes of Jews from the traditional faith of generations. It is easy for us from the safety of our massive Orthodox communities to accuse 19th-century opponents of Reform of being strident or over the top. We are the beneficiaries of those painful battles.

I'd like to propose also that the battle against assault on Torah observance by the Reformers in Frankfurt had such a long and bitter history that their offer for compromise might not have been believed. It is important to understand that religious credentials were not required for membership in community boards, and board positions were often held by people who might have attended synagogue services once or twice a

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<sup>40</sup> Klugman, p. 157.

<sup>41</sup> Mordechai Breuer, "Samson Raphael Hirsch," in Leo Jung (ed.) *Guardians of Our Heritage* (New York: Bloch Publishing, 1958) p. 286.

<sup>42</sup> Klugman, p. 137.

year. Nevertheless, these people were empowered to decide religious issues on behalf of the community.<sup>43</sup> The result was a frightful activism against Orthodoxy. While the city had once been one of the crown jewels of Torah observant Jewry, it was a religious ruin by the mid-19th century. Emanuel Schwarzchild (1825–1896) reported that in the 1840s, one could find regular prayer services in only two locations, although a minyan was not guaranteed in either one of them. Moreover, he said that in 1840, when he was 15, he was “the only one of my age group who still put on *tefillin*.<sup>44</sup> Thus, it was a bad situation that was getting worse. The organization that recruited Hirsch to move to Frankfurt had at the time of his arrival in 1851 only 100 members. By the time the Prussian Parliament passed the law of succession in 1876, the organization, by then a *kehilla*, consisted of a grand total of 350 members. The growth is impressive considering the environmental challenges, but the numbers as raw figures are quite small and show just how vulnerable Orthodoxy was even in late-19th-century Frankfurt, 25 years after Hirsch arrived.

Thus, the tyrannical actions of the Reform-dominated communal board constituted a threat to the very existence of Torah observance in Frankfurt. As Mordechai Breuer tells us:

In 1818, public instruction of Torah was forbidden and its abolition enforced by the municipal police. The students of Torah literally concealed themselves in underground tunnels; religious teachers were driven from the city and anyone supporting a Talmud Torah was fined fifty gulden.<sup>45</sup>

Breuer tells us as well that the Reform board had abolished the religious burial society.<sup>46</sup> Consider these incidents as described by Klugman:

Traditionally, the community had provided kosher meals to patients in the city's hospitals, but this practice was also stopped. When Rabbi Trier forbade work on the renovation of the Jewish hospital on the Sabbath, the Community Board overruled him and ordered that the work proceed, especially on Shabbos, in spite of the objections of the hospital's administration. One of the directors of the hospital volunteered to cover the added cost of the cessation of work on Shabbos out of his own pocket, but this offer was also refused.

In 1838, the Community Board declared, in an official report to the Senate of Frankfurt, that the value of Tanach was doubtful, and the

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<sup>43</sup> Klugman, p. 135.

<sup>44</sup> Klugman, p. 116.

<sup>45</sup> Mordechai Breuer, “Samson Raphael Hirsch,” in Leo Jung (ed.) *Guardians of Our Heritage* (New York: Bloch Publishing, 1958) p. 279.

<sup>46</sup> Breuer, “Samson Raphael Hirsch,” p. 279.

Board also decided that any Jew who still put on *tefillin* was ineligible to serve as a Board member.

In 1837, a group of about 200 Jews who had remained faithful to tradition sought permission to renovate, at their own expense, the two abandoned and dilapidated synagogues. (Reform services were held in the Philanthropin building.) Their request was denied. Similarly, permission to renovate the old mikveh was refused, and women who wished to perform ritual immersion were forced to use facilities in the nearby towns of Bockenheim or Offenbach. Eventually the Community Board ordered the old mikveh to be sealed up completely.<sup>47</sup>

All of these passages should instruct us as to just how oppressive was the communal board and how weak the position of the Orthodox.

This is all hard to imagine in North America where Reform Judaism seems to have no power whatsoever over the Orthodox community and for half a century Torah observance has risen exponentially. We have been blessed with a revival of observance that still shocks many of the older people who remember the darker days. I recall comments from R' Yisroel Belsky at a public shiur in Passaic, New Jersey, where he marveled at the large attendance that was inconceivable in his youth. Those who were born in the 1960s or later have no idea how bad things once were. Starting in 1943 with a student body of 14, the Yeshiva in Lakewood had a student body of 6,500 by 2013 and the town 55,000 Orthodox inhabitants.<sup>48</sup> People today take this all for granted.

As mentioned earlier, North Americans also take for granted religious freedom and the fact that in North America Jews tend not to interfere with each other in part because they have no leverage to do so, no government to use for strong-arm tactics. Separation of church and state is a long-standing practice in the United States in particular, some token matters like swearing on a Bible in court aside. Even then one is permitted to simply affirm without a Bible. But in Germany, the Reformers who were wildly antagonistic to Orthodoxy controlled the community via empowerment from the German government. It became difficult to be Torah observant under their control. Some today take *Austritt* as some kind of contemporary expression of intolerance, but for the Jews of 19th-century Germany, particularly in Frankfurt, it was a matter of religious life or death. The Ferziger quote in the Torah Musings post cites a legend that

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<sup>47</sup> Klugman, p. 115.

<sup>48</sup> David Landes, "How Lakewood, N.J., Is Redefining What It Means to be Orthodox in America," *Tablet Magazine*, June 5, 2013 <<http://www.tabletmag.com/jewish-life-and-religion/133643/lakewood-redefining-orthodoxy>>.

after the *Austritt* law was passed, “in Frankfurt the Orthodox proclaimed, ‘Blessed are we for having been granted the right to secede,’ while in Berlin they lamented, ‘Woe unto us for having reached the point of secession.’” Kelman renders this as “The common saying was that in Berlin it pained them to have to separate from the Reform whereas in Frankfurt they rejoiced at being able to separate from the Reform.”<sup>49</sup> I believe this legend needs to be paired with the statement I cited earlier that “Whereas elsewhere the Reformers were, by and large, *mumarim le’tayavon* (sinners for pleasure), in Frankfurt they were *mumarim le’hach’is* (premeditated sinners).”<sup>50</sup> If Hirsch’s community rejoiced at *Austritt* it was a bittersweet rejoicing. They were happy to have their religion back. This does not mean they were happy to be losing touch with other Jews, many of whom were family. One must be careful not to judge them from a perspective shaped by the luxurious contemporary landscape.

In Frankfurt, hostility to Orthodoxy was not a matter of rude remarks at family functions or distasteful articles in the press but of actual, organized, tyrannical efforts to forcefully eradicate Torah observance in violation of any contemporary notions of freedom of religion. One is reminded of the former Soviet Union. Orthodox Jews in Frankfurt had been subjected to this oppressive treatment for decades. Should they have believed last-minute offers of compromise offered only when the Reformers, due to the Law of Succession, were no longer holding all the cards? What if the compromises had been instituted and the momentum and communal will to earn freedom of religious practice lost?

And what was the result of this religious freedom? Was it worth it? World-renowned *gaon* R’ Hayyim Ozer Grodzinski (1863–1940) offered his view:

There is no doubt that the sage and saint Rabbi S. R. Hirsch, of blessed memory ... did a great thing in founding the admirable and outstanding Religionsgesellschaft which became an exemplary Jewish community. Had the God-fearing not separated themselves by means of a separate kehillah, due to their minority status they would have become submerged within the general community [a development] which did not occur when they separated and developed on

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<sup>49</sup> “According to popular legend, when the *Austritt* law was passed, in Frankfurt the Orthodox proclaimed, ‘Blessed are we for having been granted the right to secede,’ while in Berlin they lamented, ‘Woe unto us for having reached the point of secession’...” Ferziger; “The common saying was that in Berlin it pained them to have to separate from the Reform whereas in Frankfurt they rejoiced at being able to separate from the Reform.” Kelman.

<sup>50</sup> Klugman, p. 117.

their own. Then even the general community was forced to improve itself and to conduct the general institutions in a sacred manner.<sup>51</sup>

So what about the fight against anti-Semitism or assistance for Eastern European Jews in Frankfurt? Did these initiatives have to be dropped due to ideological concerns as has been suggested? The answer to that question is no and the reality is that they were not dropped. You are unlikely to find a *gadol* in the modern era who campaigned politically on behalf of Jewry in general as much as Samson Raphael Hirsch. Not only had he been a member of the Moravian parliament, but he campaigned and wrote tirelessly throughout his rabbinical career in the spirit of an activist. As late as 1884, at the age of 76, he wrote a 24-page defense of the Talmud at the request of R' Yitzchok Elchanan Spektor, who sought a response to anti-Semitic slurs in the Tsarist press in Russia.<sup>52</sup> He also worked tirelessly on behalf of Russian Jewry in the wake of the pogroms of 1882-4, publicizing the events to the German rabbinate and the press and even petitioning the German emperor for assistance.<sup>53</sup> And let us not forget that his writings served as the inspiration for Sarah Schenirer and her founding of the Bais Yaakov movement.<sup>54</sup>

As for Eastern European immigrants in Frankfurt, Hirsch started his own school for them, the *Volksschule* in 1882 in the former building of the *Realschule*. Starting with 36 students, enrollment increased to 290 in six months. This is more than half the size of Hirsch's *Realschule*.<sup>55</sup> Hirsch did not abandon Eastern European Jews or non-religious Jews by any means. Rather, he used different means.

One sees the concern for Eastern European Jews by the separatist community a generation later in a dramatized account of hospitality by the mother of Dr. Judith Grunfeld (née Rosenbaum).

Now that she was a grown woman, Mama still respected the Polish Jews. She felt sorry for many of them, too, since most of the refugees

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<sup>51</sup> R' Hayyim Ozer Grodzinski, *Ahi'ezer*. *Kovetz Iggeros* 1:243 in Bleich, p. 89.

<sup>52</sup> "About the Life of Rabbi Samson Raphael Hirsch and His Commentary on the Chumash," *The Chumash* (Brooklyn, NY: Judaica Press, 1986), p. xx.

<sup>53</sup> Klugman, p. 192.

<sup>54</sup> "Sarah\_Schenirer," *The YIVO Encyclopedia of Eastern Europe* <[http://www.yivoencyclopedia.org/article.aspx/Schenirer\\_Sarah](http://www.yivoencyclopedia.org/article.aspx/Schenirer_Sarah)>. "(1883–1935), founder of the Orthodox education network Beys Yankev (Bet Ya'akov; Beth Jacob). Born in Kraków to a Belz Hasidic family, Sara Schenirer finished her studies in a government-sponsored primary school, and worked as a seamstress while educating herself intensively in Jewish philosophy and scripture. She was deeply influenced by the writings of Samson Raphael Hirsch."

<sup>55</sup> Klugman, p. 226.

were very poor. Every Shabbos the Rosenbaum home was full of Polish Jews enjoying a good, hot meal. Some of the poor people were dressed in ragged, dirty clothing that looked strange next to the sparkling, starched white tablecloth and gleaming silver candlesticks. Quite often the refugee children, who didn't eat well and whose parents couldn't afford doctors, had runny noses or ugly sores. Mama Rosenbaum, always polite, never seemed to notice anything unpleasant. She would simply urge the little ones to eat more of her steaming chicken soup. Later, after Shabbos was over, she might offer some of her children's outgrown clothing to a poor Polish mother and add on a basket of eggs or a special medicine as a gift.<sup>56</sup>

Dr. Judith Grunfeld was educated at Hirsch's Realschule and went on to become one of the founders of the Bais Yaakov movement. Her husband Dayan Isadore Grunfeld was famous for, among other things, translating Hirsch's book *Horeb* and many of his essays.

In addition to Hirsch's thousands of pages of writings of which a large portion can only be described as *kiruv l'rechokim*, his community welcomed membership of all Jews with the exception of those who were intermarried or not circumcised. As for board membership, only those who desecrated the Sabbath in public, consumed *traife* food in public, or openly disavowed principles of faith were not eligible.<sup>57</sup> This is not an approach of stridency. In 1884, Hirsch founded the Free Union for the Interest of Orthodox Judaism, the forerunner of the Agudath Israel Movement. The Union worked to strengthen Orthodox Judaism throughout Germany and, according to Klugman, became the voice of German Orthodoxy. The Union came to engage in a variety of communal projects such as compensating Sabbath observers for lost work, establishing kosher eating establishments, and providing financial subsidies to small communities that lacked the funds for their own schools.<sup>58</sup>

I would like to close with words from a speech by R' Shimon Schwab, the Rav of K'hal Adath Jeshurun in Washington Heights, Manhattan, the famous German Jewish community that descends from Hirsch's community in Frankfurt. Schwab discusses a book that appeared shortly after the death of Bamberger, who himself passed away shortly after his dispute on *Austritt* with Hirsch. The anonymous scholarly *sefer*, entitled *Divrei Emes* (words of truth), included many praises of Bamberger and included the words "All hearts are melting. Everyone in *klal Yisrael* is bound to rend

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<sup>56</sup> Miriam Zakon, "The Queen of Bais Yaakov: The Story of Dr. Judith Grunfeld" (Southfield, MI: Targum, 2001) p. 23.

<sup>57</sup> Klugman, p. 138.

<sup>58</sup> Klugman, p. 190.

his garments at the death of such a sage for the crown of our head has fallen off, and we are bereft of a righteous humble *gaon* and master of Torah.” While the book continues to sing the praises of Bamberger, its central theme is a refutation of Bamberger’s argument against *Austritt*. The author asserts that he was attempting to restore Bamberger’s reputation by correcting his statements. Says Rav Schwab:

Who could have written such a *sefer*? There is one clue: it contains the letters ‘ה’ ‘כ’ ‘מ’ which stand for *ה’ כ’ מ’* — “I am the atonement for his bedstead.” This is what a son should pronounce during the first year after his father’s passing: “I will atone for any sins my father has done.” This indicates that the *sefer* was put out by one of the Wurzburger Rav’s sons, all of whom were renowned *talmidei chachamim*. This son apparently felt that, although his father was indeed a great *gadol*, he had made one error during his life. He had gone against the *psak din* of the Rav of a community, and had not urged a dissociation from a group of heretics. Thus, Rav Hirsch’s views were apparently shared by one of Rav Bamberger’s own progeny.<sup>59</sup> 

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<sup>59</sup> Shimon Schwab, “Rav S.R. Hirsch as Warrior,” *Selected Speeches* (Lakewood, NJ: CIS, 2001), p. 211.