

## Events as Shaping Identity: Rabbi S. R. Hirsch and Multi-Cultural Discourse

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### Abstract

The fashioning of Jewish identity is, on the one hand, a central goal and, on the other, a mysterious and amorphous thing. This paper will engage with this challenge, while touching upon insights derived from the realms of Jewish thought, philosophy of halakhah, and philosophy of education.

My remarks to achieve some clarity on this subject shall be divided into three parts: (1) examination of basic concepts and the model of “theory and praxis”; (2) a discussion of the modern context of this issue, through examining the teaching of Rabbi Samson Raphael Hirsch; (3) the creation of some initial contours towards understanding the contribution of praxis to processes of socialization in multi-cultural contexts (commonly found in post-modern discourse).

**Keywords:** Theory and praxis, S. R. Hirsch, Event, Identity, Philosophy of Education and Halakchah

The fashioning of Jewish identity is, on the one hand, a central goal and, on the other, a mysterious and amorphous thing. It is difficult to imagine proper socialization of a learner to the “target–community” without shaping that identity within the contours of a specific community; but, simultaneously, it is not clear what components are necessary in order to create this identity, both on the level of contents and on that of the educational act.

On the level of contents: it is not clear to what purpose we need to create an identity. What is the group of contents with which the learner needs to identify? And, on the pedagogic level, it is not clear how one creates an identity, nor what are the signs of success that this has in fact been accomplished.

This paper will engage with a number of these questions, while touching upon insights derived from the realms of Jewish thought, philosophy of halakhah, and philosophy of education. I shall relate to the definition of that area known as “Judaism,” which is prior to the question of “Jewish identity”: that is, what is the “Judaism” towards which we are socializing? What is the cultural framework that serves as the subject of our discussion, and what is the educational goal?

Within the framework of this paper, I cannot relate to all those issues deserving of discussion raised by the questions posed in our introduction. My purpose here is merely to point to a direction for a deeper study that needs to be done. The present paper will only focus upon one model, that of “theory and praxis,” examining its possible contribution to advancing our understanding of the issue of Jewish education and socialization to the Jewish world. My remarks shall be divided into three parts: (1) examination of basic concepts and the model of “theory and praxis”; (2) discussion of the modern context of this issue, through examining the teaching of Rabbi Samson Raphael Hirsch, founder of Neo-Orthodoxy in Germany, as a faithful expression of confrontation with the challenge of socialization to Judaism in the modern world; (3) the creation of some initial contours towards understanding the contribution of praxis to processes of socialization in multi-cultural contexts (commonly found in post-modern discourse).

## **What Is Judaism and What Is the Relationship of Halakhah and Aggadah in Jewish Thought?**

One of the classic discussions of this subject in the modern context is implied by the well-known statement of Yeshayahu Leibowitz that

Judaism—which in the educational context is “that which we are trying to accomplish” and towards which we wish to socialize—is a framework which exists “by virtue of the halakhah alone.” According to his claim, “It is not faith that defined and sustained Judaism,” but rather the halakhah (Leibowitz, 1975, 16). Therefore the relation between faith and mitzvot is that “faith is a superstructure that stands above the mitzvot”—and not the opposite. It is thus an error to create identity and socialization of people to Judaism on the basis of a system of beliefs; one who does so “does not bring them to integration within Judaism” (ibid).<sup>1</sup>

Leibowitz’s statement was made in deliberate contrast to an approach widely accepted by liberal approaches to Judaism in modern times. A strong expression of the opposite approach may be found in the Pittsburgh Platform, formulated by the Reform Movement of Judaism [in America] in 1885, in which Judaism is defined as a religion that preserves sublime ideas worthy of being transmitted: “Today we accept as binding only its moral laws, and maintain only such ceremonies as elevate and sanctify our lives, but reject all such as are not adapted to the views and habits of modern civilization” (Pittsburgh Platform, 1965, 464–465).<sup>2</sup> In this view, Judaism is not only a matter of deeds or action, but a system of universal ethical ideas which Jewish law is meant to express. “Jewish identity” is thus intended to connect the human being to those ethical ideas, which are the essence.

This polemic is related to disputes and diverse positions within the framework of the discourse of philosophy of halakhah—namely, the area of the relationship between *halakhah* and *aggadah*.<sup>3</sup> Two disputes

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1 To paraphrase R. Saadya Gaon (Emunot ve-De’ot, 3.7), one might say: “Our nation is only a nation by virtue of its halakhah.” According to his approach, the thought and philosophy which accompany the halakhah, and the halakhah per se, are not connected with one another. Thought includes contents subject to sharp controversy—but this controversy in no way affects the halakhic system, which stands in its own right and without its contents being dependent upon the world of belief and opinions (a position which is very difficult to defend in light of study of halakhah and the thought of the halakhah). See: Ravitzky & Rosenak (eds.), 2008; A. Rosenak (ed.), 2011; A. Rosenak & Schreiber (eds.), 2012.

2 “We hold that all such Mosaic and rabbinical laws as regulate diet, priestly purity, and dress originated in ages and under the influence of ideas entirely foreign to our present mental and spiritual state. They fail to impress the modern Jew with a spirit of priestly holiness; their observance in our days is apt rather to obstruct than to further modern spiritual elevation.”

3 A comprehensive bibliography on this subject may be found in A. Rosenak, 2003a, 257–284.

pertaining to these concepts relate to our present issue, which shall serve as starting points for our discussion of the subject of “theory and praxis.”

One dispute relates to the tension between *fixity* and *dynamism*: there are those who see aggadah and thought as the main thing and the vital center of Judaism. Aggadah is the dynamic, flexible, innovative realm which assures the updating of Jewish law. Halakhah, by contrast, is understood as a fixed, static system that threatens the ability of Judaism to update itself and to survive in changing situations. The Pittsburgh Platform, mentioned above, is a typical expression of this approach.

Others find a lack of dynamism specifically in the theoretical, thought-centered, philosophical–aggadic realm, which stresses ideological positions dealing with things that are abstract and non-existent. This abstract and ideological area is guilty of dogmatism, of unequivocal thinking; it is isolated from real events and needs that derive from the life of the religious community, and it is likely to function as a “Procrustean bed”.<sup>4</sup> The halakhah, by contrast, is perceived as a flexible system, meant to deal with everyday human life with all of its tumult and changes; *ipso facto*, it is not a captive of ideology of one sort or another, but it is called upon—as in the writings of Rabbi Eliezer Berkowitz—to solve the problems of the faithful by the creative use of the building blocks of halakhah in light of contemporary challenges (Berkowitz, 1987a, 150–151; 1987b, 88–89).

The second question deals with the issue of *transmission of culture*. There are those who perceive the distinction between halakhah and aggadah to be in the fact that the halakhah is “the real thing” (as is found in the Geonic tradition<sup>5</sup>): it is the “realm of knowledge” to be transmitted, which expresses the ‘Sinaitic revelation’ or the ‘Divine voice’. However, this position involves the recognition that the halakhah is not accessible to the broad public. The halakhic sages engage with ‘afterbirth and placenta’ (i.e., with technical and formal questions

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4 This critique may be found, for example, in the writings of Rabbi Moshe Avigdor Amiel, though Amiel’s teaching is more complex than this description would suggest; see at length A. Rosenak, 2005; idem., 2003b; Amiel, 1936, 71).

5 “You should know that words of aggadah are not like received tradition, but rather each person expounds that which occurs to him, by way of [saying] ‘perhaps,’ and ‘one might say,’ and not clear-cut matters; hence one does not rely upon them.... And these midrashim are not received traditions nor words of halakhah but simply ‘it is possible that...’ one says.”—Otzar ha-Geonim: Haggigah, 1984, Helek ha-Perushim, §14a, 59–60.

concerning areas which do not touch upon the hearts and interests of the masses). The aggadah, by contrast, is a realm that mediates, that allows for easy and pleasant socialization to halakhic categories and definitions. The aggadah is an area of homiletics, of narrative, of translating halakhic categories into ideas that are closer to the common person's understanding—as opposed to the ponderous elitism of the halakhah. Echoes of this distinction may be seen in Bialik's well-known essay on “Aggadah and Halakhah”, 1938, 223).

As against this approach, others will argue that the weakness of the aggadah lies in its inability to transmit its contents to the life of the broad public; its contents do not contain adequate tools to become something that is sustainable. Aggadah involves thought, speech, abstract discourse. It does not require commitment; it is lacking in those processes that serve to socialize those who engage with it. The halakhah, by contrast, is a system that pertains to the everyday life of the broad public in general, and of each member of the community in particular. The halakhah facilitates the shaping and flourishing of the members of the community into a “committed public” due to its translation of abstract ideas (found in the aggadah) into the language of practice.<sup>6</sup>

These questions lie in the background of questions discussed here: How is it possible to convey Jewish identity in the educational system? What is meant when we speak about Judaism? How is the attempt to achieve “transmission” and “socialization” answered in different ways by the constituents of culture under discussion?

The latter approach—that which celebrates specifically the vitality of the halakhah as a tool facilitating the transmission of aggadic contents—is strengthened by the model of “theory and praxis.” This is one of the widespread philosophical models in the discourse of philosophy of education, explained extensively in the writings of the neo-Aristotelian thinker Michael Oakeshott (Oakeshott, 1962, 11-12). This model takes us another step beyond what was mentioned above, turning praxis into an essential tool for transmitting culture—not only because of the mediacy which it allows and the socialization which it provides, but also because of the unique contents embodied in the act or the praxis, which can only be taught or known through practical

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6 “When we open the Hoshen Mishpat we find therein legal material that has been studied and arranged over more than three thousand years... the is distance from Mt. Sinai, which was the first source of these laws, to the city of Cracow in Poland; nevertheless, we feel that there is one spirit to all of them and that one soul unifies all the thousands of sections and details.”—Amiel, 1936, 7–8; idem., “For the Confused of Our Day”, 113–114. (Hebrew)

experience. To what does this refer?

Oakeshott distinguishes between *theoretical knowledge* and *practical knowledge*. *Theoretical knowledge* is that which it is possible to write in books: rich and complex information that encompasses and organizes a given area of knowledge. In contrast, *practical knowledge* is something that *cannot be conveyed through language*. Practical knowledge is that which we *do*, composed of various and varied nuances which are, in practice, the very heart of a living culture. The act of cooking, for example, of riding a bicycle, playing basketball, walking, and almost every other aspect of everyday life which can be imagined that requires a certain skill, can only be transmitted by the experience itself and by the wisdom of mimesis, by the imitation of the behavior of one who is skilled in it. Speech, reading, the theory of those things, cannot provide the necessary processes of inheritance or transmission needed in order to introduce the auditor into the discourse of sustainable “knowledge.” Hence, according to Oakeshott, we cannot claim that so-and-so knows something unless he knows the practical dimensions of the skill or action under discussion, even if he has acquired the theoretical knowledge. For knowledge of the skill of healing, for example, reading books about it is not sufficient, but one requires skill; similarly with the skills of driving, cooking, teaching, mastery of a foreign language, and so forth. One also might say (in relation to all the above examples) that one who knows how to do something but is unable to speak of his knowledge in theoretical terms—is nevertheless considered as “one who knows.”

An essential, if not the primary component of culture is action and occurrence, doing in actuality. It follows from this that action-doing is not only the tool for creating the socialization of aggadic thought, but that action-doing also entails a certain inner knowledge which is the very heart of the culture, which can only be acquired by taking an active part in this action-doing. This distinction is critical if one thinks about processes of fashioning identity and socialization of a potential trainee or pupil.

An expression of the vitality of halakhic–normative praxis in the process of bringing a learner into the “secret of discourse” of the community to which we wish him to belong, may be found in the writing of Rabbi Samson Raphael Hirsch, who devoted a substantial portion of his writings to the issue of socialization and education.

## Rabbi Samson Raphael Hirsh: In Defense of Judaism

The educational and cultural challenges confronted by Rabbi S. R. Hirsch (Hamburg, 1808–1888) and his feeling of the need to deal with them in a complex manner, are the background for an acquaintance with the figure of Hirsch and for understanding his contribution to the discourse involving Jewish identity in the modern period.

Hirsch was a key figure in the world of Orthodoxy in its confrontation with what Orthodoxy saw as the “great crisis” that befell German Jewry during the nineteenth century.<sup>7</sup> Hirsch (who devoted his life to the Rabbinate already from the age of 22, when he was appointed rabbi of Oldenburg), confronted the Haskalah, the Western European Emancipation, and the Reform movement in Judaism. He learned of the manner in which components of modernism were being internalized in Jewish life, and of the fashioning of barriers which then facilitated the continuation of the form of Jewish life in which he believed.

The challenges which he confronted involved components of philosophy and theology, of confrontation with Christian religion (Emanuel, 1989; M. Breuer, 1977; German, 1992; Navon, 1984), which in turn involved legal, policy and political components. He lived in a period marked by the decline of reason and metaphysics and of the ascent of romanticism. He confronted the spirit of the discourse of Enlightenment, human equality, and universalism, on the one hand, and of romantic particularism, on the other. A growing Reform movement and the strengthening of the Historical School were central elements in the background to his teaching. From a sociological-cultural viewpoint: the walls of the ghetto were broken and the Jewish community progressively disintegrated. The community changed from a given destiny (as it was in the Middle Ages) to something that needed to be established and strengthened through the willpower of its individuals (Berger, 1971, 32), and through a clear differentiation of an “inside” from an “outside”.<sup>8</sup> Exposure to general culture became widespread and easily available, and Rabbinic Judaism (as opposed to

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7 On Hirsch from a historical perspective, see: Katz, 1987a; Silber, 1992, 23-84; M. Breuer, 1991; Y. Brueur, 1982, 125-140. For an extensive examination of Hirsch's rationales for the mitzvot, see Heinemann, 1955, 2.91-161

8 It is clear that the definition of the “outside” indicates the boundaries of the “inside.” See: Ericson, 1966, 11-13. The entire discussion is based upon basic assumptions first made by Durkheim, 1960, 70-110. Cf. Zohar & Sagi, 2000, 199-200. On the nature of a culture that distinguishes between outside and inside and its opposites, see M. Rosenak, 2005.

Reform) became, in the eyes of many Jews, a symbol of ascetic, archaic, unnatural, unethical, and un-pragmatic rigidity—and thus ipso facto irrelevant.

The approach which he developed, known as *Torah im derekh-eret* (“Torah with worldliness”), derived from the educational framework given to him by his teachers. He became aware of Naftali Herz Wessely’s combination of “human teaching” with “Divine teaching” (Wessely, 1782–85), which was incorporated into the philosophy of Judaism that Hirsch learned from *Hakham* Isaac Bernays (1792–1849), and from Rabbi Jacob Ettlinger (1798–1871) in Mannheim, from whom he also received his rabbinical ordination.<sup>9</sup> Hirsch established a “middle path by which he hoped to return the Torah to life” (Chamiel, 2006, 352). And indeed, “Torah with worldliness” became the symbol of a religious revolution and of its embodiment in Modern Orthodox and Neo-Orthodox communities.

Hirsch’s solution rejected the conservative—and paradoxical innovative principles<sup>10</sup> - of the strict Ultra-Orthodoxy of the school of the *Hatam Sofer*, Rabbi Moses Sofer (Katz, 1986; Samet, 2005), despite their similar (social) contours in terms of their creation of separatist communities.<sup>11</sup> Hirsch rejected the suspicion of general culture and of secular studies<sup>12</sup> and reaffirmed the importance of studying Bible (unlike Eastern European Orthodoxy).<sup>13</sup> Hirsch’s teaching saw great

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9 On Bernay’s great influence on Hirsch, see Horwitz, 1994

10 Regarding this internal contradiction of Orthodoxy, see Katz, 1987b; cf. idem., 1984, 181–182.

11 This statement is correct, not only of Hungarian Orthodoxy, but also of German Orthodoxy. See Katz, 1995.

12 Against the background of these voices, there was also strengthened the myth that this issue was the only reason because of which the yeshiva of Volozhin was closed. See Schachter, 1990; Stampfer, 1995.

13 See Shlomo Kluger (Poland, 1785–1869): “A question [was asked] by one of the heads of the community regarding some people who formed themselves a group to study together Talmud, Hebrew language, and the works of R. Moshe Dessler [i.e., Dessau; i.e., Moses Mendelssohn], and some of the people were angered and placed them in *herem* (under the ban), and they took these works and burned them in fire... Certainly, to study grammar or logic as in the early days, when the philosophers and the heretics had not yet taken hold, it was certainly fitting to study these, but today, when they [the heretics] have taken hold of these subjects, one must distance oneself from them as far away as one can shoot an arrow... *Because we have seen with our eyes how study of grammar leads to involvement in Bible alone, and Bible leads to its translation into German, and German translation leads to heresy* ... And we must adhere only to the Talmud and *poskim* alone, so that through the light therein we hope it will return

importance, from both the value viewpoint and the aesthetic one, in full integration in the modern society and state. He affirmed the Emancipation, adopted the use of German as a Rabbinic language, changed the attitude towards the education of women, and nullified the typical external Jewish appearance.<sup>14</sup> Together with this, he preserved the conservative contours, in a manner similar to traditional Orthodoxy.

Hirsch's doctrine of *Torah im derekh-eretz* was also influenced by the rhetoric of the general Haskalah, and he sought to respond to the challenges presented by modernity. This being the case, he saw halakhah as an autonomous system (consistent with the demands of Kantian reason and ethics), but it is also clear why this autonomy did not contradict his belief in "Torah from heaven" (which saw Torah as a heteronomous system). Hirsch tried to demonstrate how the heteronomic law in practice embodies an autonomist–rationalist ideal.<sup>15</sup>

During the period of his first Rabbinic post, when he was still in his twenties, Hirsch wrote two central works: the *Nineteen Letters* and *Horeb*. These works were widely disseminated and enabled him to become the founding figure of a movement which sought to apply his clear but complex insights to the challenges of the time. Robert Liberles (Liberles, 1985) describes Hirsch as a person who saw himself as a lone figure who, "like Phineas, who was by himself zealous for God in the affair of Zimri, or like Elijah in his day on Mt. Carmel and at Mt. Horev, will be able to save faithful Judaism by rediscovering the true path of Judaism" (Chamiel, 2006, 34).<sup>16</sup>

### Socialization and Openness: A Philosophical Middle

In his educational–philosophical confrontation between Judaism and modernity, Hirsch's writings cover a wide range of subjects. The

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us to the good and open our hearts to His Torah." (Kluger, *Ha-Eleflakha Shlomo*, Pt. XIV, §257).

14 By shaving the corners of the beard and walking with uncovered head other than at times time of prayer and eating. See Samet, 1991, 22.

15 Because of this rhetoric, he also obscured the distinction between "statutes" and "laws" (*bukim* and *mishpatim*). See Heinemann, 1955, 101–147.

16 According to Chamiel Hirsch called his book *Horeb* because of his identification with the prophet Elijah at Mt. Horeb; similarly, his attempt to publish a periodical to be entitled *Carmel*, an allusion to Elijah's struggle with the prophets of Ba'al at Mt. Carmel. Cf. Hirsch, 1997, II. 230; the articles "Carmel and Sinai" and "Pinhas-Eliyahu" (1997, VIII. 61-71). On Geiger's attitude towards Hirsch, see Schorsch, 2003; Katz, 1987a.

socialization of the learner or novice to the community of the halakhah requires explanation, translation, mediation or “aggadah” in relation to various subjects; Hirsch provided such translations and explanations in abundance. He turned his attention to a wide variety of subjects which his students needed to relate to in light of the challenges of the day, including: the uniqueness of the Israel’s mission among the nations (Hirsch, 1969, 54-56; cf. Chamiel, 2006, 327-329); the attitude towards Biblical criticism (Hirsch, 1997, I: 276-277; II, 31-32; VII, 43); confrontation with the seniority of revelation to Israel (Hirsch, 1986, at Exod 4:22-23; Lev 18:4-5; 20:26); the proper attitude towards the historization of Judaism (Hirsch, 1997, VI: 34; VII:185-187, 248; idem, 1986, at Num 17:25); the eternity and truth of the Torah (Hirsch, 1986, at Exod 19:4-15; cf. at Gen 12:6-7);<sup>17</sup> the uniqueness of the ethics of the Torah;<sup>18</sup> the relationship between religion and science;<sup>19</sup> attitude towards the “science of Judaism” (Wissenschaft des Judentums);<sup>20</sup> and towards secular studies (Chamiel, 2006, 236-244). All of these are only a small sample of the variety of subjects in which Hirsch engaged within the broad framework of his “aggadic discourse” allowing the intellectual socialization of members of his flock.<sup>21</sup>

Scholarship has already turned its attention to the general educational goal of his enterprise: Ephraim Chamiel, for example, has noted the “war against Reform” as a central concern (Chamiel, 2006, 352). Michael Rosenak defined this as the obligation of loyalty (M. Rosenak, 2013). According to him, Hirsch wished to bring the members of his community to a multi-leveled, nuanced relationship with the

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17 Against adapting the Torah to the times, Exod 32:1.

18 Ibid., 1997, V:17-18. On the importance of ethics, see idem., 1986, Gen 2:3,15; Deut 8:6; on the uniqueness of Divine ethics, Gen 2:25.; Lev 18:4-5

19 According to Hirsch, religion and science are identical. See 1997, II:247-248, 387-388; VI, 257-259; regarding the inappropriateness and temporary nature of human knowledge, see ibid. VIII: 202-203, 296; VII 261-265.

20 He rejects “Jewish science” (Wissenschaft das Judentums) and the human arrogance that accompany it. See Hirsch, 1997, II:409; and his description of the disconnect between Jewish religion and life caused by the “Wissenschaft” school: ibid., 1, 342-343; and cf. Chamiel, 2006, 244-247.

21 His writings also include more extensive discussions, such as: criticism of the Shivat Zion movement; praise of the Exile; his attitude to the Land of Israel, its sanctity and its chosenness; the antiquity of the revelation to Israel; the uniqueness of Rabbinic exegesis; his attitude to Rabbinic controversy and the thirteen hermeneutic principles; against Maimonidean rationalism, on the one hand, and in favor of (romantic) religious emotion, on the other; more. See at length in Chamiel, 2006.

Enlightenment and with the society at large; a relationship, which would allow his community to remain as a distinct, particularistic, Jewish community providing a clearly-defined identity of “us.” In light of this interpretation, Hirsch was less interested in the details of his assertions regarding each one of the subjects with which he chose to deal; his main concern was with strengthening the possibility of openness, on the one hand, and faithfulness, on the other; to walk the streets of Frankfort as a “worldly” man, but also to be identified and singled out with pride as a member of the faithful Jewish community.

But how does one create this faithfulness? How does one establish a mechanism providing identification of “our people”? One of Hirsch’s most important tools in shaping this identity (beyond the realms of aggadah and thought mentioned above) is to be found in his discussions of the mitzvot as symbols and praxis through which the identity and thinking of both the individual and the community are shaped.

### **The Mitzvot and Body Language**

Hirsch devoted a good deal of space to writing about the importance of the body, the act and praxis. His writing on this subject appeared in his book *The Commandments as Symbols*, in which he developed his semiology. Hirsch traces the relationship among theory, ideas and essences and their embodiment in the practical world. He sought to point towards ways of uncovering the meanings and means of identity formation which emerged from the symbolic act (Hirsch, 1984, 1). Hirsch noted the importance of the sensory and practical symbol, specifically, and the power of the practical act to clarify, to bring about change, or to express that which it is impossible to express in theory alone.

Hirsch concentrated upon analyzing the unique language of praxis; its ability to express and to strengthen theories and thoughts which could not be contained in speech alone (Hirsch, 1984, 1, 254); the strengthening and signifying power of the act and the mixture of different levels of the personality specifically in performance (Seidler, 2007, 337):

*When we confirm or negate, agree or refuse, express our joy... or our sorrow... by means of speech alone, we do not succeed in expressing even half of our feelings.... We accomplish the goal of expression only when speech is accompanied by a physical or sensory symbol, or when it takes the place of the word altogether. (Hirsch, 1984, 2).*

A verbal separation or meeting between two people cannot be compared to one accompanied by a handshake, an embrace or a pat on the back. These are physical expressions impressed upon our memory with greater power than any speech.<sup>22</sup> Speech entails an abstract idea that flees quickly; praxis has a long-term power of existence, and even more so if it becomes a symbol or ritual that is repeated:<sup>23</sup> “A bouquet of flowers for a poet, an expensive present for a friend” become “an eternal memory.” (Hirsch, 1984, 3). A practical symbol is a social, political and religious tool in which “all the members of the community are united... in recognition and agreement to an idea and to a feeling” (Hirsch, 1984, 5-6) and it allows one to shape and to recruit the public for acts that will sustain the society (ibid.).

The power of the practical symbol lies in its power to confirm and to add depth to ordinary speech. Praxis makes it clear “that the things come from the heart and are not merely the result of cold calculation.” The combination of the act with speech indicates that the speaker “gives... his body, his substance, to the spoken word, and thus the ideal lives in the person in its fullness“ (ibid.).

It is possible to see from Hirsch's writing the gap between himself and Oakeshott. Oakeshott argues that there is knowledge found in the world of praxis which the world of theory does not recognize, and is not even able to articulate through verbal description. The knowledge is transferred and conveyed via the body, which acts by itself. While Hirsch would agree that it is impossible to express in words that which may be expressed through bodily gestures—and in light of this he elaborates the function of the mitzvot, the halakhah, and the necessity of the act for the process of socialization of the novitiate to the community—Hirsch holds that theoretical language is capable of repeating or reconstructing that which is present within the bodily gesture, *after* the latter has been performed. The verbal description is not a substitute for the obligation of action and of the message embodied therein, but it is able to articulate that which is known through the action itself.

Another position, somewhat closer to that of Oakeshott, may be found in Hirsch's earlier work, the *Nineteen Letters*, in which Hirsch celebrates praxis without reconstructing the contents embodied therein.<sup>24</sup>

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22 One can also find context for these ideas in relation to the Sages. See: Urbach, 1983, 324.

23 Compare Mendelssohn, 1983, 102, 118, 127

24 On this matter, see the distinctions drawn by Meir Seidler and his comparison to the teachings of Rousseau, Krautzer and Scholem. Seidler, 2007, 336-337.

The young Hirsch notes the limitations of language as against action:

*In those very central events which are of far-reaching implications, as we would anticipate... a stirring speech, in which statements, sermons, lectures, declarations and so on, were meant to bring the importance of the event to the consciousness of the public and of the individual... speech is silent... In its place we encounter on the whole actions, a sequence of actions which take the place of speech in a manner that could not be achieved by even the most perfect use of the spoken word.*

*Let us examine the night of the redemption and the exodus from Egypt, a unique moment in the history of mankind as a whole. A moment... to which we are brought by the entire national past... Is this not an opportunity to speak, to orate, to preach, to lecture, to excite, to present and to awaken?! But how few words do we meet. In its place we encounter... a series of acts which are given over to the people. "A lamb for each household... and you shall slaughter it... and take the blood... and eat the flesh..." Are these no more than symbols and actions... which have the power to cause messages to penetrate with greater power than all the declarations, lectures and oratory? (Seidler, 2007, 337-338, quoting Hirsch's *Gesammelte Schriften*, III, 263-265.*

From this text it follows that the power of action is far greater than that of explicit verbiage; it has the power to shape identity more than any theoretical speech. True, at a later stage in his life Hirsch he did not refrain from writing about "the mitzvot as symbols," and as part of the hermeneutic tradition of the nineteenth century he thought that it was both necessary and possible to fully reconstruct the goals of the symbol—and to express them.<sup>25</sup> However Hirsch is not afraid to explicate the praxis and to trace and explain its significance—a purpose to which he devotes a great number of words in his writings.<sup>26</sup> In such writing he is different, not only from Oakeshott but also from the path of Franz Rosenzweig (see Glatzer, 1961; 228 ff.; A. Rosenak, 2012, 158–161) and Abraham Joshua Heschel (Chen, 1999, 83, 113; Heschel, 1956, 115-116, 281 ff.), both of whom thought that speech is unable to fully express the contents of the act, and that the meaning concealed within

25 "When, for example, the prophet Zechariah finds it difficult to understand the symbol of the menorah, the angel is forced to explain it to him: 'Not with power, nor with might, but with My spirit' (Zech 4:6)" — Seidler, 2007, 338.

26 Hirsch's verbosity stems from the urgency of the cultural mission which confronted him: removing the danger of the mitzvot seeming ridiculousness and the consequent need to explain, to translate, and to lend meaning to every jot and tittle.

the act is above and beyond that which may be contained by language (and indeed that silence might be more suitable for preserving knowledge achieved through the act). Hirsch, as we noted, concurs with the view that speech alone is unable to shape the identification and identity of the doer and of those present; however, language is able to follow, to explicate and to articulate praxis, following the event embodied in the halakhic action.<sup>27</sup> In *The Commandments as Symbols*, Hirsch attempts to explain, to describe, to “peel” and to unveil the actions. We have here, as it were, a transformation of praxis into speech which may be understood as a contradiction to his principle claim regarding uniqueness of action as impossible to translate (and this is, by the way, a tension found in almost everybody who has attempted to explain the uniqueness of praxis and of the knowledge embodied therein, specifically).

Praxis is vital for the conveyance of messages; it leads to socialization on the deepest level, one which cannot be attained through reading and speech. But Hirsch also deals with another problem related to this idea: how can we know that the praxis has indeed been understood in the proper manner to the observer and to the participant in a physical event? How do we know that the interpretation of the messages embodied in praxis, were indeed understood? How can we properly identify, for example, the significance of lifting one’s hand? Is it a request for the right to speak? An expression of pain? A way of relieving boredom? Or of pointing toward a point in the ceiling? The answer to this question is essential for the success of the realization of praxis as an efficient tool for the desired socialization.

According to Hirsch’s claim, the interpretation of practice, and the realization of the cultural and educational meaning embodied therein, depend upon an understanding of place and time, of context, of familiarity with the figures executing the act, and their relationship to one another. There is no meaning in the act itself taken in isolation from its broad context. This context bears both theoretical (verbal) and

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27 Simultaneously, one might note that Hirsch’s words about the significances of the details of the actions are not consistent with Maimonides’ words in *Guide for the Perplexed* 3.26, where he explains that it is impossible to give a reason for every detail of the practice of the mitzvot, such as why we are required to sacrifice a lamb and not a goat, why seven lambs and not eight, etc. Hirsch would seem to follow the approach of Abarvanel in the latter’s *Commentary* at Exodus 25-30, where he gives a reason for every law and every commandment in detail. However, in what I wrote there I intended to say more than that: that Hirsch’s words deal not only with the “rationales for the commandments (*ta’amei ha-mitzvot*), but also with the power of the act to shape identity—a subject which is not a part of Maimonides’ above-mentioned discussion.

physical dimensions. An act without context and without a suitable cultural context misses the essence.

Hirsch's words concerning this matter are an important component for understanding the relation between theory and praxis. He explains that a theory cannot exist without a praxis that facilitates the transmission of depth ideas that cannot be conveyed through speech; but, (equally) there can be no praxis without a framework of theory which assures that the interpretation of the praxis will be done properly. Acts, in his opinion, do not interpret themselves.

*One must know the place and time of the symbol in connection with the one who created it and the one towards whom it is addressed. Any attempt to isolate the symbol from its natural environment... and to examine its interpretation unconnected to its environment, will not be a true study of the symbol... When I do not know who shook my hand and I do not remember what connection I had with him, in the past or the present, I cannot picture to myself the intention of this handshake.... The secret of the handshake may only be understood in connection with the one shaking... When a sentence is detached from the letter [in which it appears], it is possible to introduce therein all kinds of incorrect interpretations. Yet the letter represents the direct symbol of the speech and the closest thing to it—yet nevertheless it is only possible to understand it via a strong connection with its author and its recipient, and with all the conditions of time and place in which it was written (Hirsch, 1984, 7-8).*

One ought to turn one's attention to the fact that Hirsch's question and his answer make a certain cultural assumption that is not necessarily the case: namely, the assumption that the proper interpretation captures the "intention of the author," which can be discovered and known. This assumption is part of the nineteenth century hermeneutic tradition (see Levy, 2006, sp. 104-107). For Hirsch, the loyal exegete is both obligated to and capable of arriving at the "correct interpretation." To this end, Hirsch argues, the exegete needs consistency, coherency and logical continuity that allow him to achieve his exegetical goal:

*Ten commentators may find different interpretations of the same verse, but only that interpretation which relies upon the grammatical and linguistic details and which is insistent upon the relation ... between that verse and those which precede it and follow it, is the correct one. (Hirsch, 1984, 10)*

Even if there is no “mathematical certainty” it is possible, in his view, to remove the “corruptions” in the understanding of the text—and thereby also in relation to the interpretation of the act. A symbol or an act cannot be properly understood unless the creator (actor) and the one receiving the symbol “think within the same circle of thought” (ibid.). Discourse, be it literal or of symbolic-action, can therefore exist without exegetical difficulty only on the basis of a shared (theoretical) cultural platform, based upon understanding of the cultural and practical context in which the things took place.<sup>28</sup>

We find therefore that, according to Hirsch, practice can express things and engrave itself upon the heart of the learner in ways which speech alone cannot achieve; but that praxis is significant only when it is accompanied by practical and theoretical information that brings the act into a concrete cultural context. According to Hirsch's claim, praxis does not create something from nothing but is constructed upon the basis of given “language” and “literature” (M. Rosenak, 2003, 21–25; Hirsch, 1984, 11).

Moreover, just as the action can only be understood against the background of a culture and the context which lends it meaning, so too does the opposite hold true: it is impossible to acquire a theoretical “language” or “literature” without the framework of praxis. Practice facilitates an early “bodily exercise” and it provides a context of identity, prepares the soul to “know the truth” and to “acquire ethical values.” Legalistic legislation and abstract intentions do not assure a complete ethical existence.

According to Hirsch's claim, this is the Achilles heel of Reform. According to him, the Reformists separate between knowledge of the truth and the obligation to observe it in actuality; between the literal, theoretical dimension and the obligation to practice and embody these ideas in the world. According to their approach—thus Hirsch argues— theoretical knowledge can be acquired even from a person whose life is lacking in a practice that embodies that truth (Hirsch, 1997, II: 241). As against this approach, Hirsch holds that proper education requires practical learning first, before it is accompanied by any theoretical studies. True education, in his view, involves “learning by doing.” Alongside formal, informative studies, time must be devoted to shaping the person by practical life (Hirsch, 1997, VIII: 47-57). He cites *Pirkei*

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28 See on this matter Hirsch's attitude to Biblical criticism and the obligation to understand the text being studied from within itself and not by means of external tools; see Hirsch, *Nineteen Letters*, Letter §2.

*Avot* which states that “Not study is the important thing, but practice (1.17) and the *mishnah* there which argues that:

*If there is no Torah there is no derekh-eretz [proper behavior in the world] and if there is no derekh-eretz there is no Torah... Whoever's wisdom precedes his actions, to what may he be compared? To a tree that has many branches but few roots, so that the wind comes and uproots it and turns it upon its face... But he whose actions are greater than his wisdom, to what may he be compared? To a tree that has few branches but many roots, so that even if all the winds of the world come and blow upon it, it cannot be moved from its place (ibid., 3.17)*

Kantian ethics state that “The good will is not good by the fact that it causes or succeeds in doing good... Rather, good is a *function of the will alone*, that is to say, as it is in itself.” Moreover: “If, because of the vagaries of destiny... the will is lacking any ability to realize its intentions... so that there is naught here but the good will... *Nevertheless the will stands and shines like a precious jewel, like something whose full value is within itself.*”<sup>29</sup> In contrast, Hirsch thinks that good intention which does not reach the level of action is insufficient. “In the non-Jewish world good intention may cover up for every action, but in Judaism it is not enough to have the intention of the heart. Intention must lead to action” (Hirsch, 1986, at Gen 17:1). (One also finds in the halakhah the concept of “compulsion” - which depicts a situation of good will that has encountered some obstacle which prevents a person from fulfilling the halakhah – however in such a situation, non-action is not counted against the believer).<sup>30</sup> Against the Christian doctrine of faith which, according to him, outranks practical imperatives, Hirsch says:

*Every step which takes us away from the mitzvot brings us closer to idolatry. “From this they said: Whoever acknowledges idolatry is as if he denied the entire Torah”... In sayings such as these there is stated the exact opposite of that imagined principle, that it is enough for a Jew to believe in God, even if he turns his back to all the commandments... In Judaism, belief in God is not simply belief in His existence as such,*

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29 Immanuel Kant, *Prolegomena to the Metaphysics of Morals*.

30 See s.v. *Ones*, *Encyclopedia Talmudica*, I: 347. It would appear that Hirsch is reacting, not to the concept of coercion per se, which he knew well from the halakhah (see Hirsch, 1962, passim.) but rather against the idea that intention rather than action is the essential thing, as might be thought in wake of the Kantian discussion.

*but rather an acknowledgment of God's sovereignty over us, leading to subjugation to His will (Hirsch, 1986, at Deut 11:28).*

One ought to be precise on this point and state that, from Hirsch's words here, it is not clear: Is it the acknowledgement of God's sovereignty over us that which brings us to submit to his mitzvot (which seems to follow from the simple meaning of his words, meaning that, once again, thought is prior to action), or is it that subjugation to the Divine will by fulfilling His mitzvot is that which brings us to acknowledge God's rule in the world (corresponding to Hirsch's intention in his book, *The Commandments as Symbols*, even though it is not implied by the simple meaning of the sentence quoted here)?

### **Theory and Praxis in Multi-Cultural Discourse**

We have already taken note of the controversy concerning halakhah and aggadah, which revolved round the question of the dynamic as against the static. There are those who saw in the halakhah a fixed and conservative element, as against the aggadic–philosophical element, which embodies renewal, flexibility and the ability to create relevance. On the other hand, there are those who argue the opposite: that the aggadic and theoretical constitute the more fixed ideological dimension, whereas the halakhah is committed to the living and unmitigated contact with a changing reality and with every unique event in of itself.

Hirsch, who was trained upon the hermeneutics of our time, was concerned with arriving at the one “true” interpretation; a precise and desired interpretation of this type is called for within the framework of modern culture, which is based upon clear truths and well-defined goals. The given, familiar praxis that demands imitation and repetition (mimesis) is seemingly more suitable to the conveyance of an exact message of this type. It would appear that praxis is not useful or effective for one who wishes to convey processes of socialization in a society which wishes to transmit a variety of possibilities and normative behaviors. In light of this multi-cultural goal, it seems reasonable to assume that the transmission of openness is better served by the world of thought, which is open to every new spirit. From this, there follows a new challenge: How does one create openness and multiplicity without losing the basic framework or “familial” feeling, in light of the variety of options created within the multi-cultural discourse?

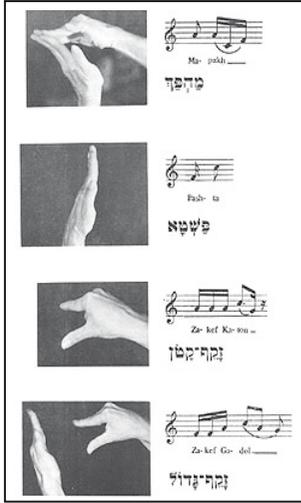
I would like to examine this question and to again reflect upon the issue of praxis, and to examine its effectiveness in light of this challenge.

My words may sharpen the assertion mentioned above (viz. halakhah and aggadah) regarding the flexibility of halakhic praxis.

I would like to use a metaphor taken from the world of music and musical notation. It seems to me that one may draw a distinction between a musical score, that includes notes and instructions for execution, and *ta'amei ha-mikra*, the cantillation notes used for reading the Torah in public. The notes of a score are a language, in which each note has a sign indicating the tone that is to be produced. The pitch of the tone is a function of the location of the note on the musical bars, so that the limits of the creativity given to the one executing the work is relatively limited. Each note indicates the exact tone to be produced at every point in the work. It is possible to engage in improvisation in terms of rhythm, tempo and style, emphases and pauses—but only if one ignores certain of the instructions given by the score through the signs indicating the length of the notes, pauses and volume of the note desired—but one in any event cannot change the notes as given. This is similar to a spoken language, in which one cannot read a word differently than what is written. *Shalom* will always sound the same way, and so on with regard to every other word in the language.

This is not the case for the notes of biblical cantillation. *Ta'amei ha-mikra* are also notes but, unlike notes of musical scores that are similar to one another, *ta'amei hamikra* indicate the desired note by means of form; they are visual. Their visual form is closer to the world of praxis (in the sense of “how it looks”) than they are to the rational semiotics of the language of notes. These signs do not indicate the exact tones to be produced, but rather how they are meant “to appear” within the entire range of tones. *Zarka* turns around like a wave, *mahpakh* indicates a note that moves quickly from right to left and back again, *zakef katan* rises up from the depths and goes back down again. But these instructions are very general, they require a certain level of consistency on the part of the reader, but there is no instruction regarding the actual pitch of the tone, the correct pace or rhythm, or many other components which compose the reading of the Torah. The only requirement is that the tones produced be to some extent similar to “this.” But what is the “this” that is required? It is open to very different interpretations, provided that these continue to be in relationship to the “this” of the depiction of the *ta'amei hamikra*.

And indeed, if one follows the behavior of people who read the Torah, one will observe that each reader has his own unique style; the tones produced as a result of same the cantillation notes are different. But



all of the different readers read “correctly,” as there is among them a unifying thread of “familial resemblance,” as embodied in the form of the cantillation note. However, this multiplicity, which embodies the cultural multiplicity of the readers—with all their different origins and personal idiosyncrasies—is considerable.

This metaphor seems a fruitful one in terms of the question of the shaping of “Jewish identity” in multi-cultural and multi-interpretative contexts, and specifically around the vitality and contribution of praxis. Bringing an individual into the circle of those who read

the Torah does not require that he learn precise notes, but rather that he acquire the skill of producing tones which follow the picture of “how it’s supposed to look.” The readers enjoy a good deal of freedom as to how things will sound in practice. The only limit imposed is that there be some coherent exegetical relationship to those cantillation notes which guide you in terms of the general contours of the “form” demanded without constrictions of “content.” By analogy, that which holds true regarding the ta’amei hamikra is also true with regard to other components of the culture to which we wish to create a relationship of identity. Similarly, the handshake, embrace or pat on the back, of which Hirsch speaks above, do not in practice carry with them precise instructions as to “how” to shake hands, embrace, or pat someone on the back. These activities can occur in very different ways. Their purpose is to express affection, and this may assume different dimensions in different forms of embrace. The same holds true with regard to halakhic instructions having to do with prayer, blessings, hand-washing, taking the lulav, and so on. We have here a praxis whose instructions are “imitative,” or to embody them in some way; but the operative interpretations may occur in ways that greatly differ from one another. Precisely because of the lack of precise instructions concerning speech, the operative interpretation may move in different directions, while preserving the proper “form,” with certain innovations of “contents.”

We may therefore summarize the course of our discussion in terms of the following answer to our initial question: the acquisition of Jewish identity as Hirsch teaches us, is not merely a matter of theory but also a wisdom of praxis. However, this knowledge does not necessarily involve

the acquisition of specific “contents,” but primarily the acquisition of form, which allows for free mimesis based upon “knowledge” that is acquired in the process of praxis, which cannot be substituted for by theory, but also cannot be isolated from theory.

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