

Forgotten Synagogue Classics Part I

A Modern Orthodox Chumash? The Hertz Pentateuch and its Polemics



Rabbi Joseph Herman Hertz (1872-1946)

I. Introduction

1) Hertz Pentateuch, From the Preface to the First Edition (p. vii) (1936)

“This work, which gives the text in Hebrew and English, accompanied by a brief exposition of both the Pentateuch and the Haftorahs for use in Synagogue, School, and Home, supplies a long-felt want among English-speaking Jews. The glosses on the Pentateuch (without the Haftorahs) by David Levi and Isaac Delgado were published 140 years ago, and are, besides, unobtainable today.”

“In the preparation of the Commentary I have had the valuable assistance of Dr. J. Abelson, Dr. A. Cohen, the late Rev. G. Friedlander, and the Rev. S. Frampton. In placing their respective manuscripts at my disposal, they allowed me the widest editorial discretion. I have condensed or enlarged, re-cast or re-written at will, myself supplying the Additional Notes as well as nearly all the introductory and concluding comments to the various sections.”

“Jewish and non-Jewish commentators--ancient, medieval, and modern--have been freely drawn upon. ‘Accept the true from whatever source it come,’ is sound Rabbinic doctrine--even if be from the pages of a devout Christian expositor or of an iconoclastic Bible scholar, Jewish or non-Jewish. This does not affect the Jewish Traditional character of the work. My conviction that the criticism of the Pentateuch associated with the name of Wellhausen is a perversion of history and a desecration of religion, is unshaken; likewise, my refusal to eliminate the Divine either from history or from human life.”

2) Preface to the One-Volume Edition (p. vii) (1937)

“The Translation in this new edition is the Version of the Holy Scriptures issued by the Jewish Publication Society of America in 1917.”

“A further word must be said as to the nature of the Commentary. Its aim is two-fold; the exposition, firstly, of the ‘plain sense’ of the Sacred Text; and, secondly, of its religious message as affecting everyday problems of human existence, and guiding the life of Israel and Humanity.”

II. Biblical Criticism

3) Julius Wellhausen, *Prolegomena to the History of Israel* (1878)

“In my student days I was attracted by the stories of Saul and David, Ahab and Elijah; the discourse of Amos and Isaiah laid strong hold on me, and I read myself well into the prophetic and historical books of the Old Testament ... At last I took courage and made my way through Exodus, Leviticus, Numbers ... my enjoyment of the latter was marred by the Law; it ... intruded itself uneasily, like a ghost that makes a noise indeed, but is not visible ... At last, ... I learned ... that ... Graf placed the law later than the Prophets, and almost without knowing his reasons for the hypothesis, I was prepared to accept it; I readily acknowledged to myself the possibility of understanding Hebrew antiquity without the book of the Torah.”

4) Solomon Schechter, “Higher Criticism—Higher Anti-Semitism” (1903)

“I remember when I used to come home from the Cheder, bleeding and crying from the wounds inflicted upon me by the Christian boys, my father used to say, ‘My child, we are in Galuth (exile), and we must submit to God’s will.’ And he made me understand that this is only a passing stage in history, as we Jews belong to eternity, when God will comfort His people. Thus the pain was only physical, but my real suffering began later in life, when I emigrated from Roumania to so-called civilized countries and found there what I might call the Higher anti-Semitism, which burns the soul though it leaves the body unhurt. ... [T]his intellectual persecution can only be fought by intellectual weapons and unless we make an effort to recover our Bible and to think out our theology for ourselves, we are irrevocably lost from both worlds. A mere protest in the pulpit or a vigorous editorial in a paper, or an amateur essay in a monthly, or even a special monograph will not help us. We have to create a really living, great literature, and do the same for the subjects of theology and the Bible that Europe has done for Jewish history and philology.”

5) Hertz Pentateuch, *Are There Two Conflicting Accounts of Creation and the Deluge in the Bible?* (p. 199)

“There is nothing strange or out of the way in such usage. In English, we choose words like Deity, Supreme Being, Almighty, God, Lord, according as the subject and occasion demand. *One and the same writer* may at various times use any one of these English terms for the Divine Being. The nature of the context decides what Divine Name is employed. In the same way,

different Divine Names in the Hebrew text do not argue a diversity of writers, but simply that the Divine Name has each time been selected in accordance with the idea to be expressed.”

“The procedure of the critics in connection with the Creation and Deluge chapters is typical of their method throughout. It justifies the protest of the late Lord Chancellor of England, the Earl of Halsbury—an excellent judge of evidence—who in 1915 found himself impelled to declare:-- ‘For my own part I consider the assignment of different fragments of Genesis to a number of wholly imaginary authors great rubbish. I do not understand the attitude of those men who base a whole theory of this kind on hypotheses for which there is no evidence whatsoever.’”

6) The Authorship of the Second Part of Isaiah (p. 942)

“Are both parts of the Book the work of one hand Isaiah, the statesman-prophet of Jerusalem? Or, [i]s the second part the work of an unknown prophet in Babylon, whose anonymous writings were later appended to the Prophecies of Isaiah? This question can be considered dispassionately. It touches no dogma, or any religious principle in Judaism; and moreover, does not materially affect the understanding of the prophecies, or of the human conditions of the Jewish people that they have in view.”

7) Isaiah 45:1

כֹּה אָמַר ה' לְמַשִּׁיחוֹ לְכוֹרֶשׁ אֲשֶׁר הִחְזַקְתִּי בְיָמָיו לְרֹד לְפָנָיו גּוֹיִם וּמַתְּנֵי מְלָכִים אֶפְתָּח לְפָנָיו
דְּלֹתֵיהֶם וּשְׁעָרֵיהֶם לֹא יִסָּגְרוּ

“So said the Lord to His anointed one, to Cyrus, whose right hand I held, to flatten nations before him, and the loins of kings I will loosen, to open portals before him, and gates shall not be closed.”

III. Morality

8) Ir Hanidachat (p. 808)

“Deut. XIII, 13-19 has had a curious history, both in the Synagogue and in the Church. In the Synagogue, it was maintained that this law was not to be carried out, even if only one *mezuzah* were found in the tainted city, as the destruction of the city would involve the cardinal sin of destroying the Name of God inscribed on that *mezuzah* ...”

“This view is not shared by the church. [The passage] was embodied in the Canon law; and the ghastly records of medieval persecution show that it was not construed as a mere warning against idolatry. In the year 1097, when The Crusaders arrived at Pelagonia in Macedon, and learned that the inhabitants of the town were ‘heretics’, they paused in their pilgrimage to the Holy Sepulchre, conquered the city, razed it to the ground, and put all its inhabitants to the sword. Again, at the beginning of the thirteenth century, crusaders annihilated the 20,000 Albigenses, men, women, and children, who had fled to Beziers, in Southern France. Not one was spared.”

9) Hoshea 1:2

תחלת דבר ה', בהושע: ויאמר ה' אל-הושע, לך קח-לך אשת זנונים וילדי זנונים--כי-
זנה תזנה הארץ, מאתרי ה'

“At the beginning of the Lord’s speaking to Hosea, the Lord said to Hosea: Go, take yourself a wife of harlotry and children of harlotry, for the land goes astray from following the Lord.”

10) Introduction to the Haftarah for Bemidbar (p. 581)

“When the similarity between his wife’s conduct and that of Israel dawned upon Hosea’s mind, he felt that his marriage with the wayward Gomer must have been the will of God; nay, that his impulse to take this woman to wife was ‘the *beginning* of God’s speaking to him’ (Hosea I, 2). He saw that it was God’s will that he should come to realize Israel’s faithlessness through the faithlessness of his wife; and God’s love of Israel, through his own persistent love of Gomer. Hence, when he writes down this parable from his life, he represents it as if God had from the first ordered him to marry a woman who *was* ‘light of love,’ and who *would* be faithless to her bond and her duty, in order by means of this parable to open the eyes of a blind and sinful people to their ingratitude and guilt (Montefiore).”

IV. Rationalism

11) Jewish Attitudes Towards Evolution (p. 194)

“Man, modern scientists declare, is cousin to the anthropoid ape. But it is not so much the descent, as the *ascent* of man, which is decisive. Furthermore, it is not the resemblance, but the *differences* between man and ape, that are of infinite importance. It is the differences between them that constitute the humanity of man, the God-likeness of man.”

12) The Ten Plagues (p. 400)

“The first nine plagues, though often spoken of as wonders, are not fantastic miracles without any *basis* in natural phenomena. As everywhere else in Scripture, the supernatural is here interwoven with the natural; and the Plagues are but miraculously intensified forms of the diseases and other natural occurrences to which Egypt is more or less liable.”

13) Balaam and the Ass (p. 671)

“For over a thousand years, however, the literal has largely given place to other interpretations of the incident.”

“Those who do not deem any of the above interpretations acceptable, should feel too deeply the *essential veracity* of the story to be troubled overmuch with minute questions about its details. In whatever way we conceive of the narrative, its representation of the strivings of conscience is of permanent human and spiritual value.”

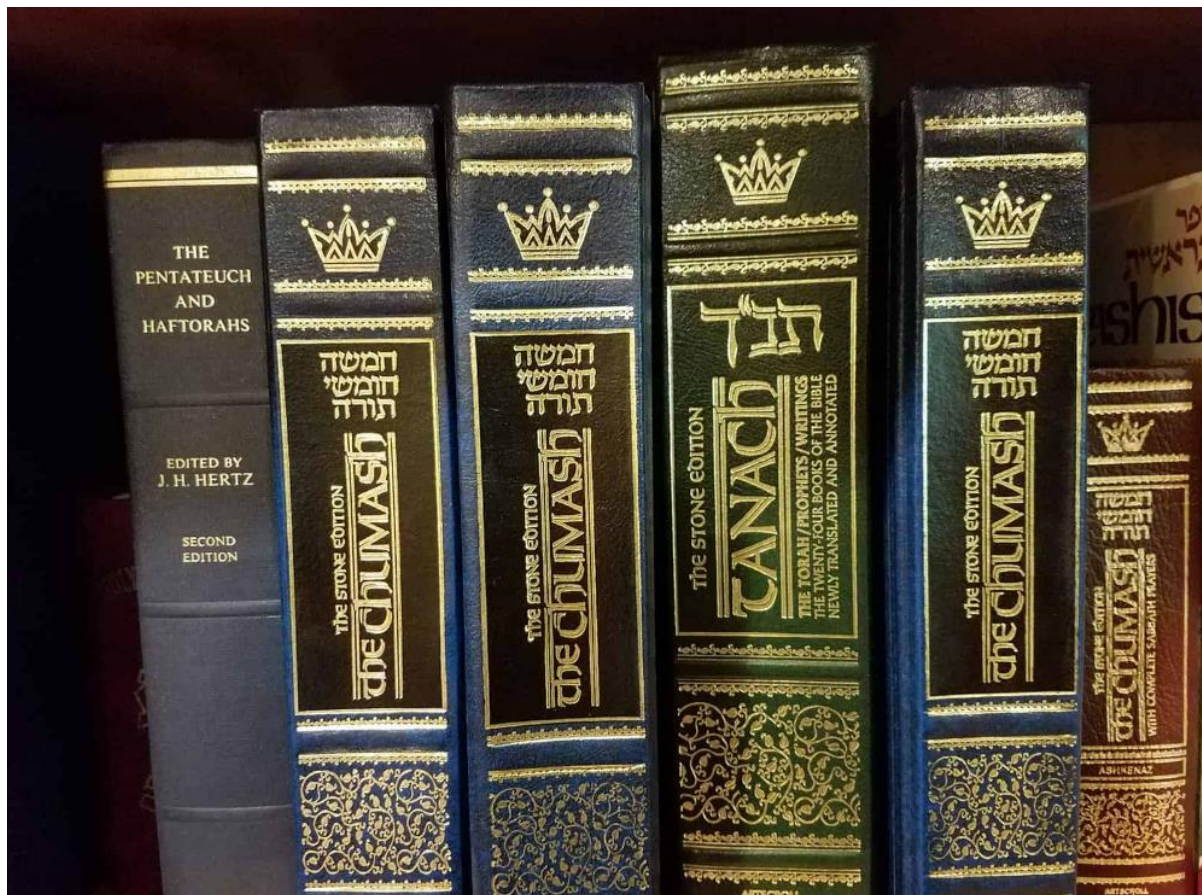
V. Reception

14) Rabbi Nosson Scherman, speaking to the *Forward* (2000)

“‘The Hertz was a masterpiece in its time, a piece of literature. What he did was heroic,’ said ArtScroll’s Rabbi Scherman. ‘He was trying to convince people that the Chumash was worthwhile. He would quote Shakespeare, church fathers and other Christian sources. Nowadays, people are offended by that. Now you have people with a yeshiva education. They want to know what the Chumash means to Jews, what the traditional sources have to say.’”

15) Rabbi Meir Zlotowitz, *The Megillah: the Book of Esther* (1976)

“It must be made clear that this is not a so-called ‘scientific’ or ‘apologetic’ commentary on the Megillah. That area has, unfortunately, been too well-covered, resulting in violence to the Jewish faith as well as to correct interpretation. It is in no way the intention of this book to demonstrate the legitimacy or historicity of Esther or Mordechai to non-believers or doubters. *Belief in the authenticity of every book of the Torah is basic to Jewish faith, and we proceed from there. ...* Rather, the aim was a specifically traditional commentary reflecting the Megillah as understood by Chazal. No non-Jewish sources have even been consulted, much less quoted. *I consider it offensive that the Torah should need authentication from the secular or so-called ‘scientific’ sources.*”



16) Rabbi Chaim Dov Keller, "Evolution Versus Intelligent Design – A Torah Perspective," *The Jewish Observer* (June 2006)

...the RCA statement speaks of "significant Jewish authorities" who have maintained that evolutionary theory is not incompatible with the first two chapters of Genesis. It is a bit surprising that the first and main authority cited is Rabbi Joseph Hertz, whose commentary to the Pentateuch is quoted lengthily. In the Preface to his *Chumash*, Rabbi Hertz writes:

Jewish and non-Jewish commentators have been freely drawn upon. "Accept the true from whatever source it comes" is sound Rabbinic doctrine – even if it be from the pages of a devout Christian expositor or of an iconoclastic Bible scholar, Jewish or non-Jewish.

Unfortunately, he seems to have forgotten or ignored the Rabbinic dictum: "If someone tells you that there is wisdom among the nations of the world – believe it. That there is Torah among the nations – don't believe it" (*Eicha Rabbasi* 2:17).

For example: He explains the splitting of the Red Sea as based upon a natural cause – a strong east wind blowing all night and acting with the ebbing tide. "G-d knows how to convert the natural and common course of things into extraordinary and marvelous events" (*Exodus* 14:21). There is no miracle. But the *passuk* in *Tehillim* (136,13) tells us "Le'gozeir Yam Suf l'igzarim" – each of the 12 tribes had its own path through the sea (*Rashi* from the Midrash) – surely a miracle of immense proportions.

Concerning the "pillar of cloud and the pillar of fire" (*Exodus* 13,21), he writes, "Luzzatto and Kalisch refer to the Oriental custom of fire-signals in front of armies, or of a brazier filled with burning wood borne along at the head of a caravan, as the natural basis of the miracle."

This tendency, to accept the explanation of non-Jewish and "iconoclastic Jewish commentators" (*Maskillim*) who do violence to the simple understanding of Torah in order to minimize the supernatural nature of the obvious miracles performed by *Hashem* for His people, fits very well with the tendency to accept uncritically and at face value the Theory of Evolution based on the position of the scientists who completely reject the supernatural.

Quite revealing of his approach to Torah is what he writes in *Genesis: Additional Notes* on the Jewish attitude towards Evolution:

There is much force in the view expressed by a modern thinker: "(The Bible) neither provides, nor, in the

nature of things, could provide faultless anticipations of sciences still unborn. If by a miracle it had provided them, without a miracle they could not have been understood" (Balfour). (emphasis added)

In other words, He Who gave us the Torah, could not, *chas veshalom*, have anticipated the great wisdom of Darwin!

Of course, as a believing Jew, Rabbi Hertz had to inject G-d into the equation as the Creator. But, as do the present day synthesizers, he could not stray from the politically correct scientific doctrine of evolution:

"G-d formed man of the dust of the ground" (*Genesis* 2,7). Whence that dust was taken is not and cannot be of fundamental importance. Science holds that man was formed from the lower animals; are they not too "dust of the ground?" (*Genesis – Additional Notes*)

This, by the way, is in direct contradiction to his commentary on this verse (*Bereishis* 2,7), where he quotes the opinions of *Chazal* that the dust was either taken from every part of the habitable earth, or from the site of the Holy Temple.

Rabbi Hertz even quotes (*ibid.*) the detailed 20-step evolutionary genealogy of man by the German biologist, Ernst Haeckel (1834-1919), which begins "monera begat amoeba" ... and ends "man-like apes begat ape-like man, ape-like man begat man" – all this with such a simple faith, as if Haeckel had been there, or at least had some sort of proof for the family tree!⁵

⁵ The fact is that Haeckel, by his own confession, was guilty of one of science's greatest hoaxes. He made and published drawings of early embryos of various vertebrate animals, which showed extreme similarities between different groups and species, supposedly proving that they all descended from a common ancestor. These drawings were printed in biology textbooks up till a few years ago. In 1997, a team of international embryologists compared Haeckel's drawings with actual photographs of such embryos and clearly showed that he had faked the drawings.

In 1901 Haeckel had actually admitted the forgery himself. (Elizabeth Pennisi, "Haeckel's Embryos: Fraud Rediscovered," *Science*, September, 1997)

17) Rabbi Gil Student, “In Defense of Rabbi Hertz,” *Hirhurim* (2006)

A recent article objected to certain aspects of the commentary to the Torah edited by R. Joseph H. Hertz. Below are his objections and some responses. But first, let me relate this story:

When I was in yeshiva, a friend of mine who lived in a shrinking Jewish neighborhood brought the following question to R. Ahron Soloveichik: His synagogue was dwindling and had just hired a new rabbi. This rabbi’s first act upon assuming his position was to insist that all the Hertz chumashim be replaced with Artscroll chumashim. The congregants were upset over this and my friend asked R. Ahron what they should do. R. Ahron told him, “There is nothing wrong with the Hertz chumash.” However, since this rabbi was the synagogue’s last hope, they should let him do this. They did, and despite the new rabbi, the synagogue closed down within a few years.

And now to the objections:

1. R. Hertz writes: “Jewish and non-Jewish commentators have been freely drawn upon. ‘Accept the true from whatever source it comes’ is sound Rabbinic doctrine...” The author objects: “Unfortunately, he seems to have forgotten or ignored the Rabbinic dictum: ‘If someone tells you that there is wisdom among the nations of the world — believe it. That there is Torah among the nations — don’t believe it’ (Eicha Rabbasi 2:17).”

This was not an innovation of R. Hertz. As noted earlier ([link](#)), Abarbanel quotes Christian commentators regularly. As to the midrash, we apparently have a problem. The simple fact, as easily verifiable by finding a good Christian commentary and looking at it, is that gentiles can and do have insight into the Torah. While they may have many comments to which we object, they can still have profound insight (e.g. Brevard Childs’ classic commentary on Exodus). Either this midrash contradicts a clear and verifiable reality or we are misunderstanding it. I believe the latter to be the case. “Torah” in the midrash can easily mean a way of life, as R. Hershel Schachter has explained it ([link](#)). Alternately, it can mean a ruling on halakhic practice; i.e. do not look to gentiles for halakhic rulings.

2. R. Hertz explains Ex. 14:21 (“And the Lord caused the sea to go back by a strong east wind all the night, and made the sea dry land, and the waters were divided”) as follows (quoting Kalisch): “As in all the wonders of Egypt, this also, the greatest of all, is based upon a natural cause; and in this the boundless power of God, who, by an insignificant change, knows how to convert the natural and common course of things into extraordinary and marvellous events, is sublimely manifest.” About this, the author writes: “There is no miracle.”

Reading the excerpt above, that is clearly an incorrect inference. The author quotes the midrash that the sea was split so that there were 12 paths, 1 for each tribe. However, the author seems not to differentiate between peshat and midrash. On a peshat level, there are no 12 paths, and that is the level on which R. Hertz’s commentary is operating. Perhaps more importantly, the objection to the attempt to “naturalize” miracles such as the ten plagues is not necessarily anything wrong.

As discussed earlier, the recently published book by R. Joseph B. Soloveitchik, *The Emergence of Ethical Man*, does just that (I, II)!

3. The author quotes R. Hertz's commentary to Ex. 13:21 about the pillars of cloud and fire that represented God's presence as being similar to ancient practices of having fire signals in front of armies, i.e. being a "natural basis of the miracle." While there is nothing inherently wrong with such an approach, as above, it is worth quoting the next sentence of R. Hertz's commentary that the author cut off: "In that case, we should have in this narrative of the guiding Cloud and Pillar another instance of the interweaving of the supernatural and the natural in Scripture." Note the tone of a mere suggestion, rather than an authoritative interpretation and, perhaps more importantly, the explicit acceptance of supernatural. In other words, R. Hertz was saying, "Even if they are right and this was not a supernatural miracle, it does not detract from the wonder." That, I believe, is of a very different nature than the impression the author gave of R. Hertz trying to remove supernatural events from the Torah.

4. R. Hertz wrote the following in his additional notes to Genesis (p. 195): "There is much force in the view expressed by a modern thinker: '(The Bible) neither provides, nor, in the nature of things, could provide, faultless anticipation of sciences still unborn. If by a miracle it had provided them, without a miracle they could not have been understood' (Balfour)." The author interpreted this to mean: "In other words, He Who gave us the Torah, could not, chas veshalom, have anticipated the great wisdom of Darwin!"

I believe this to be a misinterpretation. In my reading, R. Hertz's meaning was simply that God, of course, knew how He created the world but could not relay that information clearly in the Torah because the recipients of the Torah were not ready to understand that complex biological mechanism. As R. Slifkin explores in his new book, there are parallels to this approach in the rishonim. It is certainly unthinkable that R. Hertz would claim that God did not know how the world was created. That would contradict everything that R. Hertz taught throughout his life, as evident in his many published writings.

5. The author notes a contradiction between the Additional Notes and the commentary itself. In the Additional Notes, R. Hertz suggests that man being created from the "dust of the ground" (Gen. 2:7) could refer to lower animals while in the commentary to that verse he quotes midrashic interpretations. However, that passage in the commentary is clearly written in a homiletic fashion and not on a peshat level.

6. The author objects to R. Hertz quoting Haeckel's "monera begat amoeba... man-like ape begat ape-like man, ape-like man begat man" (p. 195). The author writes: "[A]ll this with simple faith, as if Haeckel had been there, or at least had some sort of proof for the family tree!"

But that is all beside the point. R. Hertz was not accepting that as authoritative. He was quoting it as an example of how evolution could not have been recorded in the Torah. The order, the details, the exact language are all beside the point. His point still stands, if one take the time to think about it.