GESHER

BRIDGING THE SPECTRUM OF ORTHODOX JEWISH SCHOLARSHIP

A PUBLICATION OF THE STUDENT ORGANIZATION OF YESHIVA
RABBI ISAAC ELCHANAN THEOLOGICAL SEMINARY

IN HONOR OF THE FIFTIETH ANNIVERSARY OF YESHIVA COLLEGE

1928 - 1978 **5688 - 5738**

As we examine retrospectively the fifty-year history of Yeshiva College while engaged in planning for the next fifty years, we stand on an often precariously-constructed *gesher* or bridge of our own. We look back to the pioneering years, the efforts to establish rigorous academic standards and the interests of student bodies which have changed over time, and we realize that time may have tempered but not necessarily undermined the structures and processes so patently constructed at Yeshiva College.

Nonetheless, we must build new academic structures on the strong foundations already existing. The material and resources are here: an outstanding faculty and superior student body. The next few years will be exciting but demanding—demanding of our time, commitment and resources. Let us all share the burdens so that we may all share the benefits.

DANIEL C. KURTZER
Dean, Yeshiva College.

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We would like to take this opportunity to thank Henry Kamioner, Arden Kaismen and Shlomo Mostofsky, officers of SOY, for their help and support in the production of this edition of GESHER.

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Printed in the United States of America by
BALSHON PRINTING AND OFFSET CO.

PREFACE

Yeshiva University is a large and complex institution with various disciplines molded together to form a cohesive totality. In choosing to dedicate this edition of *Gesher* to one aspect of the whole, to mark the fiftieth anniversary of the undergraduate program termed Yeshiva College, we are indicating the significance of the "Mada" aspect of our institution. Yeshiva College has had a major impact on Jewish intellectualism, helping to produce religious scholars and talmudic experts who are now spread throughout the world. Perhaps it is the environment, perhaps the important cultural exchange, perhaps the technical skills and background provided by the college which helps students and alumni articulate the beliefs, thoughts and religious philosophies that have shaped the contours of Orthodox Judaism in a modern society.

But Yeshiva College could not and is not basking in glories of days past. Now entering its fiftieth year, there is a totally new administration with fresh ideas and new approaches to meet the challenges of educating today's Jewish youth. A renewed effort is being directed towards producing the complete and polished Jew who is armed with the contemporary sociological and scientific principles necessary to complement the aspects of traditional lore previously internalized as a result of various classes and shiurim taught within the three religious divisions.

In this edition of *Gesher,* we present both the old and the new, alumni of years past many of whom are now professors and instructors, and students who are presently still enrolled in Yeshiva College. By combining both elements in a journal of this sort, we are not only bridging the spectrum in a historical sense, but also within an intellectual context. It is Yeshiva College which has influenced and has helped train sophisticated Judaic scholars capable of producing the type of Orthodox Jewish scholarship featured in *Gesher.*

Our last issue of *Gesher* was well received by all facets of

the Jewish community and there is reason to believe that we have begun to develop quite a following amongst rabbis, scholars and laymen in general. But if we are to continue to publish at all, we require the strong financial backing of our readers, something which was not forthcoming in our past efforts. The Student Organization of Yeshiva has underwritten the costs for *Gesher* in the past, but, realistically speaking, cannot continue to carry the financial burden of producing such a journal forever. We, therefore, implore you, the readers who have provided critical acclaim in the past, to support us and help provide a sound financial backing for a journal which greatly contributes to the proliferation of Orthodox Jewish thought.

Next year's edition will contain a new list of editors who will be the new governing board of *Gesher*, and we hope that they will be as successful as we have been during these last two years. Looking back nostalgically, we can say with certainty that the rejuvenation of *Gesher* was indeed a very worthwhile and meaningful project for all those involved with its publication. Although we are graduating at the end of this year, we are confident that *Gesher* will continue to be an excellent journal of Judaic studies for many years to come.

THE EDITORS

Jordan Cherrick Aaron Stiefel Shelly Senders

We are very honored to have Professor Schwarzschild serve as this year's guest contributor. World renowned scholar and Jewish thinker, Dr. Schwarzschild is currently Professor of Philosophy and Chairman of the Department of Judaic Studies at Washington University, St. Louis.

KARL MARX'S JEWISH THEORY OF USURY *

Marx's negative image of the Jew is overwhelmingly due to his equation "Jew=usurer."[1] From this equation he derives another: "Jewish god=money."[1a] In this he is not, of course, alone: most of western culture sets up the same first equation, even when, for reasons of Christian theological self-interest, it does not follow Marx in the second equation.

There were many factors in Marx's personal life that confirmed and strengthened this western stereotype in his mind.[2] His and his family's centuries-long prominent connection with the Jewish community of Treves (Trier), in which the Jewish money-trade had always played a large role, was bound to push the question of usury to the fore of his attention.[3] Indeed, Marx's uncle, Samuel, who was the rabbi of his home-town well into his own life-time, had also been a member of Napoleon's "Sanhedrin," and this Sanhedrin had been constrained to address itself to the problem of Jewish usury especially in Alsace-Lorraine as virtually the most important item on its agenda.[4] Marx had increasingly acrimonious fights with both of his parents over money.[5] Throughout his life-long poverty he suffered of pawn-shops, landlords, and petty merchants.[6] Above all, in western and central Europe Jews were perceived, not without considerable justification, as having made use of their emancipation in order to forge ahead fast in the expanding banking and commercial economies of the 19th-century.[7] As for the well-entrenched stereotype as such, his-

torians, antisemites, and apologists have produced a vast literature about the historical role of Jews in the mediaeval and modern money-trade. We need not rehearse this material here.

What does not seem to have been done, however, is to compare Marx's views of "usury", interest-bearing capital, etc. with the relevant authentic Jewish teachings and law. The general historians and analysts of interest seem to have no access to internal Jewish sources.[8] And the few Jewish historians of this subject never track the story down to Marx.[9] By performing this task here now we will get away from the heavily biographical approach to the Jew Marx followed by Massiczek and Kuenzli[10] and, instead, enter into substantive material; i.e. we will be able to compare Marxism and Jewish teachings, at least on this point, rather than only Marx's mind with "the Jewish ethos." Also, unlike virtually all of Marx's biographers, including the ones already mentioned, we shall be dealing with first-hand Jewish sources. On the other hand, we cannot, of course, cover anywhere near all of the relevant material, either so far as Marx and Marxological literature or so far as Jewish legal and other literature dealing with monetary interest is concerned; we will adduce only as much as seems needed for a broad conceptual comparison.

Marx's Theory of Interest

Marx symbolizes commerce in the formula M—C—M. That is, *M*oney acquires *C*ommodities, which are transformed back into *M*oney. What is noteworthy about this mercantile process is, in the first place, that it does not produce anything, i.e. any product or commodity; it only uses them as a "mediation" between money. Commerce, in other words, is unproductive for human ends, for consumption. Money is here its own purpose, a *"Selbstzweck."*[11] The second feature of the M—C—M formula that must be noted is that it should really be M—C—M plus delta M — that is, since the merchant makes a profit, the amount of money which he has at the end of the

(unproductive) mercantile process shows an increment. By our previous definition this increment has come to him although he has produced no additional "goods."[12]

Up to now we have dealt with mercantile money. Finance money, i.e. money lent out and returned with a profit, must be symbolized as M—M plus delta M. Here the "capitalist receives a profit without commodities having played even an intermediary role. One could represent this process as M—M—M plus delta M — i.e. money is its own commodity; it merely changes (temporary) ownership through a purely "juristic," non-economic, unproductive act. The end-result of the capitalist production of interest is expressed in the formula M=M plus delta M, or, for example 4=5.[13]

The conventional justification for monetary interest under such circumstances is that the lender cannot make use of his money for his own purposes during the time that he has lent it to the borrower (*"inter-est"*, "it is in-between"); interest is then regarded as compensation for money-time lost. In the *Grundrisse*[14] as well as elsewhere Marx subjects this justification to a thoroughgoing analysis and shows its invalidity. It is true, of course, that the producer often has to wait for his financial return, and he then uses creditors to tide him over.[15] But, in the first place, it is clear that creditors and middlemen, *viz. e.g.* shippers, do not add value to the consumer-object as such, and, therefore, since, as we shall see shortly, the value of the product is determined by the labor-time invested in it, they have no share in its value. The profit which they derive from it must, therefore, have been taken out of the surplus-value, i.e. the wages improperly retained from the worker in the form of capitalist profit to begin with.[16] In the second place, the function which creditors and middlemen perform could, rationally, also be performed by the workers themselves, as for example in co-operatives "from farm to table" or "from factory to home," and thus the additional and unearned profits of the capitalist in his capacity as a consumer could be spared the ultimate buyer. As Marx puts it sarcastically, that the

capitalist in this situation does in fact make use of his free time for economic purposes is no more deserving of reward than if he spent it with his mistress.[17]

Having then arrived at the equation 4 = 5, it cannot come as a surprise that Marx calls this process an "absurd self-contradiction . . . insane . . . nonsense," etc.[18] But, as we have just had to ask, where does the increment come from? It is part of the capitalist's profit. Marx claims to have shown in the first volume of *Capital* that profit is "surplus-value" of the worker's labor — i.e. value robbed by the unproductive member of the capitalist process of production from the productive member. Interest is, therefore, like capitalist profit in general, robbery.[19]

Aristotle had already known that "money does not breed." He was punning on the word *"tokos,"* which means "parturition," "giving birth," and "interest," and what he was saying was that money = metal cannot produce and, therefore, should not "bear" interest.[20] More than two-thousand years later Marx takes him up at this point and, in a paragraph resounding of prophetic excoriation and rhetoric, condemns monetary interest under capitalism: "Money now has love in its body . . . It produces interest, whether it sleeps or wakes, at home or on the way, by day and by night. Thus in interest-bearing monetary capital . . . the pious wish of the creator (*'Bildner'*) of wealth ('hoard') is realized."[21] A few pages later[22] he then calls it by the name of the idol-god "Moloch." The religious tenor of this passage is obvious.[23] Marx is saying that under capitalism money is "the creator," albeit a fetish-god. Moreover, the refrain of the *sh'ma* — prayer, which the Jew recites twice every day in his life, is unmistakable, where, however, it is not mammon but the words of God which are to accompany the faithful "when thou sittest in thy house, when thou walkest by the way, when thou liest down, and when thou risest up . . ."[24]

Capitalism as idolatry, as the absolutization of at best relative values, is the fundamental theme that underlies not

only Marx's later economic writings in general and *Capital* in particular but lays at the very source also of his youthful, more philosophic thoughts. In his "Notes" of 1844[25] he had treated money as "mammon," a fetish-god. He had shown that it is the all-powerful "mediator" between men, and "it is clear that this *mediator* (Marx's emphases) becomes an *actual god*,"[26] precisely analogous to the "mediator's" role in Christian theology.[27]

There is another irrational factor in interest, according to Marx. By virtue of Ricardo's "labor-theory of value," which he takes over, labor is the only authentic determinant of economic value. But, since interest is produced without labor, there is no "rational" ground for interest as such and, therefore, also no reason why it should be of one magnitude rather than another. No authentic determination, namely labor, only the "abstract" determination of the competition of the money-market rules the rate of interest. There is no "natural rate of interest."[28] Furthermore, when the financial capitalist and the industrial capitalist divide among themselves the surplus-value which they have stolen from the laborer they do this, too, in a purely arbitrary and quantitative fashion: the increment that has accrued to the latter is simply called "profit," while the increment of the former is dogmatically designated as "interest." In other words, a quantitative judgment has been meaninglessly turned into a qualitative one.[29] Again it can take no wonder that Marx, looking at such irrationalities, erupts in a long line of imprecations: interest is "unconceptual . . . in and of itself lawless and arbitrary . . . purely empirical, a fact belonging to the realm of the accidental . . . a mere thing . . . an automatic fetish . . . the most general and hence most inexplicable and absurd formula" of capitalism.[30]

The main point to be remembered from Marx's analysis of interest is that interest is shown not to comprise within its economic function either production or consumption of goods, i.e. the human purposes of the economy, but it operates purely in the non-human, inhuman world of money. He regards it,

therefore, as the epitome of capitalism: "In interest-bearing capital capital-relations attain to their most alienated, fetishistic form . . . , the relation of a thing, namely money, to itself."[31] Interest is "this personification of things and thingification of relations of production — this religion of the work-day . . ."[32]

We must note the place in history which Marx assigns to interest. He offers, after all, a doctrine of "historical materialism," not of unhistorical, "rationalistic" or metaphysical materialism. This will also prove to be crucial to our subsequent analysis of its relationship to Jewish doctrine.

On Marx's view mercantile capitalism precedes financial capitalism. The former acquires capital which can then be "invested," and it expands the markets which later industrial, mass capitalist production will require.[33] In the dialectic of economic development mercantilism is, therefore, "progressive" in relation to its predecessor in social development, feudalism, and "reactionary" in relation to finance capitalism that grows out of it.[34] Once finance capitalism, too, has begun to run its course it produces certain "inner self-contradictions," which propel it beyond capitalism all together: investment capital is increasingly concentrated in banks, and thereby the individual capitalist is made superfluous, "socialized" in a manner of speaking;[35] and corporations as well as cooperatives demonstrate ever more convincingly that directors or independent "owners" no longer have an economic function beyond that of "managers," while managers may very well emerge from among the production-workers. "Thus neither lender nor user of capital is owner or producer. [The economic process] thus sublates ("*hebt auf*") the private character of capital and hence contains within itself, albeit only in itself ("*an sich*") the sublation of capitalism."[36] This is not, of course, socialism as yet by a long shot, but it does, "in itself," i.e. in its noumenal essence, though not as yet in phenomenal reality, contain the possibility and necessity of the socialist development. The socialist revolution will then transform this possibility into the reality of "the realm of freedom . . . of associative labor . . .

and of socialized man."[37] Only here will it no longer be true that "the process of production masters men (" *die Menschen*") instead of man ("*der Mensch*") it."[38]

In his famous/notorious early essays "About the Jewish Question"[39] Marx had in effect identified the Jew with money *per se* and with the role of non-productive merchant and usurer. This was, therefore, the equation with which we began the present investigation. One would, then, reasonably expect him to speak of the Jew frequently in his historical survey of the development of capitalism, which we have just sketched. Such is not the case, however. Even in passages where the logic of the argument would seem to dictate it and where the reader expects the Jew to pop up any minute he is in fact strangely neglected.[40] To the contrary, it is Christianity and, in a brilliant paragraph, especially Protestantism,[41] which is identified with "the capitalist spirit."[42] About the Jew there is a strange silence in *Capital*. He seems to occur only three times, and since on each of these occasions it is one and the same sentence that is laid down one might say that he occurs only once.[43] It is the famous sentence about mercantile peoples, like the Jews, living in the "interstices" of society — i.e. filling the lacunae of the immobility of commodities and money which relatively backward economies must fill in order to develop. In other words, the Jew plays a very subordinate role, though, like similar mercantile peoples, a very important one, which is imposed on him by the economic needs of the development of total capitalist society.[44]

Benjamin Nelson claimed that after 1840 "the ghost of Deuteronomy," i.e. the notion that interest on money-loans is immoral and ought to be illegal, was finally and forever laid.[45] The case of Marx even to the limited extent to which we have here considered it, proves that this claim is false. The ghost of Deuteronomy obviously lives in him—and thus essentially in Marxists after him — to this day.

The economic analysis of Ernest Mandel, generally conceded to be the most comprehensive and knowledgeable of its kind at this time, presents a re-statement of Marx's own theory

of interest.[46] Also "some Cambridge controversies in the theory of capital,"[47] which are pre-occupying the technicians in the field at this time, seem to have the thrust of re-asserting Marx's analysis even among academic professionals, like Joan Robinson and her followers. She, too, "proposed to measure capital in terms of labor time . . .";[48] "Marx's theory of exploitation (is) brought up to date . . ."[49] And the socialist relations of men rather than of things are here rehabilitated, as over against the "microeconomic" technicians who want to justify and improve the capitalist mode of capital development.[50]

What we now want to investigate is whether, to what extent, and in what way this is, indeed, "the Deuteronomic spirit," i.e. the Jewish ethos at work in Marx.

Jewish Law of Interest

The Bible prohibits all interest from a fellow-Israelite but permits it from a "foreigner."[51] The origins and reasons for this legal arrangement have often been studied,[52] but, since we are not concerned with etiological or apologetic considerations here, it will perhaps suffice to say that this basic attitude of what Benjamin Nelson called "tribal brotherhood" and Max Weber called *"Binnenmoral"* corresponds, clearly, what to the historical stage which Marx and Engels called "primitive communism."[53] Toward this end of primitive communism, limited in application though it may have been, the institutions of the sabbatical and jubilee years also contributed: they eventually canceled out all indebtedness and restored land to the ownership ship of the tribal community.[54]

The ultimate, radical universalization of the prohibition of monetary interests is laid down by the Talmudic rabbis: "Also interest from the non-Jew" is, according to them, proscribed by God.[55]

This basic principle must be kept in mind throughout the rest of our analysis; otherwise the rest does not make sense. But a number of features defining the status of this principle must also be understood. It is both more as well as less than

Jewish law in general and than Rabbinic enactment in particular. The Talmudic authorities, which define authoritative Jewish law as such, do not regard this universalization as an innovation but rather as an explanation of Biblical standards. (This is, of course, the self-understanding of all of the Talmud). Thus they hold that *Psalm* 15 would not have bothered to speak of the prohibition of interest again if David had not intended to add something not mentioned in the corresponding Pentateuchal passages, and this increment is the universalization. It is, furthermore, more than mere law — the mere technical requirements of regulations — in that it is the moral demand, the ideal of God ("within the line of the law"),[56] one of the eleven fundamental values to which the Torah boils down.[57] To lend money without charging a price is *imitatio Dei,* because this is how God balances nature itself.[58] It is, by the same token, not a legal requirement but a moral ideal, an aggadic rather than an halachic rule. Moral ideals are ultimate norms, not necessarily immediate requirements, — and if there are overwhelming immediate needs they may take precedence over ultimate moral ideals. Thus the criterion is laid down that if the absolute needs of a livelihood require it interest on loans to non-Jews may be taken — especially by "scholars," who are not likely to be influenced by the pagans with whom they will thus enter into personal relationships.[59] (The exegetical and casuistic literature that has accrued to this ruling never seems to ask what it is that the Jew should not learn from the pagan. Presumably it must be first and foremost how to charge interest: "One who increases money-lending on interest is an idolator.")[60] Now then, these are clearly exceptions to the rule, not the rule itself; on the other hand, of course, they are very real and, as we shall see immediately, very consequential as exceptions: the provision for such exceptions became the basis for the entire complex development of Jewish money-lending over the next two thousand years.

As loans become more and more a matter of commercial rather than private needs in the development of a commercial

rather than communal-agricultural society, and as the economic and political situation of the Jews in this alien and developing economy of the first Christian millenium becomes more and more restricted and tenuous, exceptions — or evasions — are heaped upon exceptions, until eventually one has to look extremely hard in order to find the ideal norm underneath the real and legitimized practices.[61] (This, undoubtedly, is why the students and writers on the subject almost never seem to come to grips with the continuing and basic but hidden norm). Thus to take a famous example from intra-Jewish law, Hillel's institution of the *prozbol* overcame even the economic demands of the sabbatical year, — although one must quickly add that even then the ideal was not lost sight of: the *prozbul*, when in fact technically carried out, contained within itself, after all, its own perpetual reminder that it was a legal fiction; it was, furthermore, declared valid only while Jewry was exiled from its land and while the sabbatical year could, therefore, not be observed in the proper sense. The *prozbul* was stated to pursue exclusively the purpose of "making worldly life better" (*mipnay tikkun ha'olam*), and the great Amora Samuel was even then so outraged by its defiance of the ideal that he announced he would nullify it if only he could.[62]

The vast growth of "usury" during the next two millenia having been acknowledged, it should be stressed — not for apologetic purposes but for the sake of our conceptual analysis and if only in order to balance the accounts — that the ideal of the universal prohibition of interest was not only formulated and maintained by the Talmudic rabbis but was also expounded and accentuated tremendously beyond anything that Biblical law had provided. Two entire categories of interest were added — and prohibited — beyond direct, fixed profit: "the dust of interest" (*'avak ribbit*), i.e. any increment that accrues to the original sum by natural economic development rather than by contract,[63] and "evasions" (*ha'armat ribbit*).[64] Even entirely non-economic gains, to the point of kindly or instructive speech which would not otherwise have been uttered, is forbidden as

a return for loans.[65] The Biblical permission of non-Jewish interest is interpreted by some[66] as permission to pay interest to, not to take interest from, a gentile.[67] Men who violate the prohibition of interest are castigated in the strongest possible theological and ethical terms: they are "robbers,"[68] "murderers," "have no share in Him who has forbidden interest,"[69] and will not participate in the ultimate resurrection.[70]

The theory that underlies this positive law regarding interest is, in the first place, a labor-theory of value rather than a time-theory of interest, exactly as we have seen to be the case with Marx. It is held that only labor produces authentic economic gain and, therefore, profit. When nature produces by itself, "naturally," or even when animals provide human benefits without having worked toward this end, the result is illegitimate.[71] Lending is not laboring, and interest, defined as "compensation for waiting" (Aramaic: *'agar natar*,[72] Hebrew: *s'char hamtanat ma'ot*),[73] is, therefore, illegitimate.[74] Even transporting goods is not a productive process and, therefore, not in itself entitled to a profit.[75] In the second place, money is not itself a commodity, and from this follows one of the most important principles of Talmudic law of property: "money does not effect possession or give title."[76] (Marx had equivalently argued that to treat money as its own commodity is an "absurd" and "irrational" procedure). The only real value which coins possess is their physical reality, and, since the identical coins that were lent out are not the ones returned to the lender, interest cannot even be said to be compensation for depreciation by use.[77] The actual symbolic form in which Marx illustrates the irrationality of interest, "4=5," is formulated by the Rabbinic authorities: interest is the equation "1 Sela=1¼ Sela's,"[78] "20 liters=100 liters."[79] A profit is legitimate only when substantial commercial risks have been taken — i.e. when the lender is involved in the actual productive economic process.[80] If money were "sold" on any other basis, *e.g.* that 3 Sela's are 4 Sela's, one would be dealing with the *halachic* category of *'ona'ah* i.e. illegally raised prices. Finally and quintessentially, the chief concern through-

out is personal human relations, whereas "the market nexus" is regarded, precisely as by Marx, to be "impersonal" and "alienated." "Deal with the producer, therefore, not on the market," is the recommendation.[81] Borrowing money on interest is a relation which destroys human equality, unlike even the buying-selling relationship — *Proverbs* 22:7: "The wealthy rules over the poor, and he who borrows is a servant to him who lends." E. Cohen summarized and defined the Talmudic view of the ethical illegitimacy of usury then in this apt sentence: "Usury, according to the Talmud, occurs when one who is economically stronger accepts, intentionally or not, pay in some form or other from one who is economically weaker in return for the favor of extending to him commercial credit in some form or other . . ."[82]

And then ensue the long torturous centuries of the Jewish Middle-Ages. "Filling the interstices" of relatively backward societies, Jews to a large extent initiate commerce and are then increasingly replaced by Christians and Moslems.[83] This is the historic process that Levi[84] calls "the tragic dialectic of Jewish history in exile," namely that Jews strengthen the local economy to the point where they have made themselves superfluous and are replaced by those who regard themselves as the indigenous population.[85] This process is therefore repeated with respect to the money-trade. Exceptions and evasions to the prohibition of interest-taking multiply, until, like brushfire, they seem virtually to burn off the healthy grass of the Talmudic ideal. The reasons, both internal as well as external to the Jewish community, for this development have so often — albeit so differently — been traced, especially for antisemitic and apologetic purposes, that they need not here be repeated. To say that it was a matter of political and economic necessities would seem to be a good summary, although it must also not be denied that the plain desire for financial gain played its significant part.[86] All sorts of better and worse legal fictions are constructed:

Non-Jewish intermediate agents are introduced.[87] The

Tosafists develop the "letter of business-partnership" (*heter iska*).[88] And thus even monetary interest from Jew to Jew, not to speak of Jews and non-Jews, comes to the fore more and more. In the Renaissance, especially in Italy where Jewish banking had assumed a particularly significant role because of its fast developing precapitalist economy, men like Abraham Farrisol, David de'Ponis, Leon de Modena,[89] and Yechi'el Nissim da Pisa[90] go through the paces which Nelson described[91] as the "Calvinistic" break-through from "tribal brotherhood" to "universal otherhood," i.e. the capitalist, "alienated" notion that henceforth all men stand in the relationship to one another that in Biblical times only strangers, foreigners, not members of the same community, had with one another. Soon it is Dutch ex-Marrano Jews that take over from Italian Renaissance Jewry, as the center of gravity of European economic developments shifts. Here Isaac de Pinto played a specially important role.[92] He "propounded a modern capitalist theory, in which the role of Jewish financial speculators like himself became both vital and beneficial."[93] (Marx was to be painfully aware of de Pinto's role in the development of capitalist theory, as, indeed, Adam Smith had been, though with a different evaluation.)[94]

As far as Jewry is concerned, it is a sad and worrysome story. One might even want to disregard the economic morality or immorality of it — one might wish to engage in the implied *tu quoque* argument that Christians went through precisely the same dialectic, from St. Ambrosia's *ubi ius belli ibi ius usurae* as applied to non-Christians through the scholastic *societas* and *contractus trinus* which developed in exact historical parallelism with the *shtar iska*[95] — and one may certainly point out that these Jewish money-lenders were used as "milkcows" that were fed the borrowers' money in order then to be milked by their own secular and ecclesiastical non-Jewish overlords —; all this and other factors notwithstanding, it remains true that the Jews let themselves be so used. They paid for it in death, pogroms, persecutions, expulsions, and calumny, a fate and a name which have not really ceased to be effective to this day.[96]

The phrase "halachah in exile," which H. Soloveitchik uses in his title, "A Study in Ribbit and of the Halakah in Exile,"[97] bears the sad and worrysome overtones of this story very well.[98] Even with the beginning of their West-European emancipation this development did not terminate: now that "universal brotherhood" became serious for them, exaggerated interest from anyone, but also fraternal generosity to one's own, were ruled out.[99] This determines, at least indirectly but to a considerable degree, the socio-economic structure of Western Jewry down to the present, including even its own Zionist Left-wing counter-reaction. In the latter camp, not unaffected by Marxism, there was, after all, a very strong animus to the "unhealthy," "abnormal" vocational structure of "ghetto Jewry" and a persistent demand to get away from being middlemen in order to be "productive" peasants and workers.[100]

Again, having said all this, it must be stressed that throughout this entire capitalist development the radical ideal of the total prohibition of lending on interest to any and to all was never lost sight of in any generation. For one thing, of almost all the rabbinic authorities who permitted one or another of all the evasions of the ultimate ideal G. Rosenthal's statement is true: "It was with uneasy conscience that the Jews practiced this despicable trade . . ."[101] When Rashi permits interest through an agent he adds that this is technically legal but undesirable, and, therefore, the public should not be made aware of it.[102] Rabbenu Tam, the godfather of the Tosafist school of leniency on this issue, repeats R. Chiya's principle in the Talmud that such interest is legitimate only as a matter of scratching out one's livelihood, and R. Eliezer of Metz, one of his disciples, apologizes in terms of the bad times on which Jews have fallen.[103] Earlier a whole Babylonian and Ga'onic tradition[104] had found characteristic expression in Rav Amran Ga'on's prohibition of interest, fixed or "dust," from Jew or non-Jew, by scholar or layman,[105] and even those who ruled contrary to him displayed the bad conscience of which we are speaking by adding: "Anyone who is strict should refrain from

charging interest."[106] Baron mentions the wide-spread phenomenon that people who had made money by lending on interest would try to compensate for their sins by increasing their charitable contributions.[107] The "German pietists" (*chassiday 'ashkenaz*) in the 12th and 13th centuries were unfavorably disposed toward capitalist, urbanizing, and commercializing trends in general and among Jews in particular and, therefore, imprecated especially severely against interest from gentiles.[108]

A conceptual analysis of the *shtar iska* enables us to see that it, too, embodies precisely Marx's analysis of capitalist interest.[109] The *shtar iska* insists that legitimate interest may result only from a partnership of the lender with the borrower in the latter's "productive" employment of the money. I.e., the formula must be (M—M)—C—M plus delta M, not M—M—M plus delta M.[110] From the latter all interest is illegitimate. In that this way the *shtar iska* displays, reveals — instead of hiding — the real nature of capitalist lending: not lending money but using it for production creates real value, and once the producer owns his own means of production — i.e. he does not need to borrow money anymore — interest will automatically vanish.

Maimonides, with his usual aristocratic bent, favored contemporaneous pre-capitalist developments.[111] But even he re-iterated that legitimate interest is based only on real need and that it were better not to have to resort to it at all.[112] And at the end of the Spanish period — no doubt again as a function of the changed politico-economic status of Jewry — a new exegetical twist is introduced, in part perhaps also for apologetic, self-defensive reasons, which re-asserts the power of the Talmudic ideal: R. Joseph Albo rules that interest from aliens was intended only for the seven aboriginal peoples of Canaan — that a "*nochri*," "foreigner," in this sense is today only a Jewish apostate — and that Biblically permitted interest applies, therefore, only to converts from Judaism![113] Isaac Abarbanel, in a not dissimilar situation, and himself one of the great and fascinating political, philosophical, economic,

and millenarian figures at the end of the 15th century, appropriates R. Albo's argument — as such regards it as a measure "for the sake of worldly peace" (*mipnay darchay shalom*) — and also resumes the Talmudic interpretation, repeated in Rashi's commentary to *Deut.* 23:20f., that Biblically permitted interest allows Jewish borrowing, not Jewish lending, on interest.[114]

Sphorno, the teacher of Reuchlin, follows in the wake of this school of thought.[115] Even Yechi'el Nissim, while writing a whole book about money-lending practices, displays "the bad conscience" and re-asserts the moral ideal: the use of gentile interest has caused the internal demoralization of Jewry;[116] therefore, one who wishes to do penance for having taken interest from a fellow-Jew must thenceforth not take it even from a gentile.[117] Altogether, R. Yechi'el laments, the business of banking has got out of hand, and as a result we Jews are Jews in name only, while in fact being worse than the Christians.[118] The exemption of scholars from the prohibition of usury has lapsed, because, in the first place, there are no more real scholars in our time that deserve the name, and, in the second place, scholars should, in any case, set a good example, not infect others with bad models.[119] Interest may legitimately be charged at most in order to eke out a living.[120] Above all, Yechi'el Nissim concludes, redemption is near, and usury delays its advent![121]

In our overview of the preservation of the Talmudic ideal of the universal abolition of usury in the midst of the development of a plethora of different forms of gain from money a special glance ought to be cast on the *Shulchan 'Aruch.* It summarizes the legal situation up to the middle of the 16th century and codifies basically operative Jewish law to the present day. In the *Shulchan 'Aruch* "the laws of interest" are placed in the Part *"Yoreh De'ah,"* chapters 159-177, the part that deals with religious and moral duties, not the part that deals with civil law. Within this Part these chapters are placed in the section whose theme is "act not like the heathens!" As

is the case generally in that age, the laws of interest in *"Yoreh De'ah"* are shot through with innumerable exceptions and evasions, making interest from Jew to non-Jew feasible in many different ways. Even so, in the first place, here again "the bad conscience" manifests itself over and over again. "The letter of business-partnership" is, for example, introduced by its formulator on the ground that it is better to have Jews use a legal evasion than to let them violate the law. The "Notes" of R. Moses Isserles (who adjusts R. Joseph's Karo's Sephardic code to Ashkenazic conditions and consequently tends to be more lenient on this score) often exclaims with resignation, in effect saying: such-and-such is the wide-spread practice; it is really most lamentable — but let it ride! Contrary to Nelson's "Calvinistic" universalization of "otherhood," the basic principle of at least Jewish "brotherhood" and the rigorous prohibition of interest from a fellow-Jew is, furthermore, maintained clearly in theory and largely in practice even now.

Above all, the first chapter, no. 159, is of great interest. All subsequent chapters deal in one way or another with the intricacies of prohibited interest, i.e. interest from a "brother." Only this chapter deals with and is entitled "That it is permitted to lend to non-Jews on Interest." In fact, however, the thrust of its content runs directly contrary to its title. Paragraph 1 begins as follows: "According to the Torah it is permitted to lend to non-Jews on interest (*Be'er Hetev* commentary: 'also the reverse'), but the Talmud prohibits it, except in order to preserve life itself . . . Today, however, it is permitted." Paragraph 2 deals with the permissibility of interest from "heretics,"[122] — which R. Isserles, however, immediately qualifies: "It is better to be rigorous against interest, if this is at all feasible." In line with this tendency to try to extricate oneself from Biblically permitted interest the *'Eshel Abraham* commentary to Paragraph 3 rules that Karaite "heretics" may not be treated as heretics *tout court* but must, at any given time, be examined from the perspective of their possible return to the fold and consequent elimination from the area of permitted

interest. R. Isserles lays the foundation for going even further: a Jewish child may have been captured and raised by non-Jews — from such a person no interest may, of course, be taken.[123] (If there were a modern decisor who had the courage to tackle this whole problematic in so radical conceptually analytic a fashion, the halachic situation not only of monetary interest but also of a large number of other pressing social problems could be fundamentally revitalized, by combining the basic Talmudic moral ideal with the possible legal fiction [and lamentably often the empirical reality] that, at least potentially, the non-Jew may be "a Jewish child in captivity"!) And it must finally be added that in R. Karo's and especially R. Isserles' codifications numerous references occur to gentile persecutions, oppressions, and exploitations[124] at the time, which entirely accords with what is known of contemporary history and is quite explanatory of the massive deviations from the Talmudic ideal.

Whenever thereafter the *"Mussar"* (normal-pietistic) spirit came to the fore again among North-European Jews the goal of the abolition of usury loomed large. The example of the famous Chafetz Chayim (earlier 20th century) makes the point sufficiently. He devoted an entire book, *Ahavat Chessed* ("The Love of Grace"), to the evil of interest. The divine Biblical quality of *"chessed"*, "lovingkindness" or grace, is here totally identified with lending money without gain, or altruistic helping. Whoever takes interest, even from the gentile, "diminishes the amount of *chessed* in the world,"[125] and he had better compensate for it by increased acts of love.[126]

Comparison

Jewish "usury" — Karl Marx's bogey-man — was real enough. It was, however, — and monetary interest still is — exactly what Marx's doctrine of historical materialism holds it to be: an evil necessitated by the dialectic of historico-economic development, and thus a transitional good. It becomes

a total evil only when, as Marx proves of what he calls "the vulgarian economists," a historically determined and thereby delimited phenomenon is declared a metaphysical, eternal, and self-justifying good. So also Rabbinic Judaism: it declares interest legitimate only when this is "necessary" for one's livelihood; political conditions in exile make it further "necessary." through what he aptly calls *"halachah le'achar hama'aseh,"* i.e. *"ex post facto* law," law that made its (relative) peace with established reality.[127] And as Marx says of capital accumulation that, reprehensible though it is morally and humanly, it lays the foundation for the subsequent development of both capitalism and socialism,[128] so the historians also attribute a fundamentally significant role in the emergence of unified modern states and an international economy to Jewish banking.[129]

Equally clear is it that in the Jewish view monetary interest is at best a limited, transitional good and, therefore, ultimately evil. The Biblical prohibition of fraternal interest, the Talmudic ideal of the abolition of all interest, the historical bad conscience that has always resided within the very practice of Jewish money-lending for profit, and the perennial re-assertion of the Talmudic ideal prove this abundantly. It is true that some historical teachers and practitioners of Judaism lost sight of the goal while going along the road. Thus Maimonides' favoring of capitalist developments does, on the whole, throw the delicate balance of historical realism and eschatological radicalism out of kilter in the direction of realism, but even this has to be put in the wider framework of his total eschatology.[130] Certainly when, for example, the Tosafist R. Eliezer of Metz argues that Jews do in fact level interest, and whatever Jews do cannot be wrong, for "all Thy people are righteous,"[131] then the messianic goal is heavily shrouded — whatever the historical explanation. But, then, also Marx did not, of course, imagine or claim that all historically progressive developments could be or had to be self-conscious of their own limited, albeit progressive, character. The capitalist thinks of himself as in-

herently good, whereas in fact he is inherently bad and good only in that he unwittingly helps along the dialectical dynamic of history toward socialism. This is, in the esoteric language of Jewish historiography, the *'ormah 'elokit* the divine providence which makes use of men's intentions for its own superior purposes.[132] Hegel's "world-spirit" moves "behind the back" of the historical actors, and so does Marx's.[133]

The cap-stone in this Marxist "justification" of Jewish law and practice must, then, be a consideration of what the status of interest will be in the messianic perspective.. Here, if anywhere, Marx's socialist-eschatological and Judaism's messianic-eschatological goals would have to be expected to coincide, — as, indeed, they do.[133a]

The literature on Jewish messianism is, of course, unencompassable. By now also the literature on Marxist eschatology is vast. We can here adduce only one typical instance as *pars pro toto.*

The theologico-messianic character of Marx's economic theory is strikingly brought out in the famous chapter *Capital* 1/24 on "The Original Accumulation of Capital." Marx analogizes his problem explicitly with the theological problem of original sin: before man sins he must be able to sin, but in order to be able to sin he must have been less than good in the first place, and where does this defect in creation stem from?[134] By the same token, to be a capitalist one must have capital, but in order to acquire capital one must first have broken away from the primitive, integrated community, — and, in the absence of pre-capitalism, what could have caused such a break?[135]

There can be little question as to the Jewish, indeed "anti-defamation" agenda that underlies this question. An ancient European legend had it that the Jews possessed this "original treasure" ("hoard"), with which the capitalist enterprise could be initiated, in the form of the Temple treasury which they salvaged in Jerusalem and carried with them into exile in the Roman empire. (One remembers adolescent dreams of

pirates' treasures in the Caribbean). Werner Sombart based his entire and vastly, insidiously influential theory of the role of the Jews in the development of capitalism on this hoary legend as late as the beginning of the present century. Ignaz Schipper had to devote his "Anfaenge des Kapitalismus bei den abendlaendischen Juden im Frueheren Mittelalter (bis zum Ausgang des 12. Jahrhunderts")[136] to refuting this doctrine. All sides agree, however, that the "Puritan ethos," i.e. delayed satisfactions, increased business acumen, incremental savings, etc., cannot produce the large original wealth which is pre-requisite to capitalist enterprises. Marx then finds "the original accumulation" in war-conquests and, tellingly, not in Jewish original wealth but in the secularization of church property during the period of the Reformation, especially in the tyro of industrialization — England. The strangely mixed vocabulary of *Capital* 1/24, comprising religious, Hegelian, historical, economic, and ethical components, is then easily comprehensible as the result of an essentially Jewish, self-defensive exercise.

For our limited purposes it suffices to say that, according to Marx, the nature of social man necessitated the history which leads from primitive innocence, through feudalism, pre-capitalism, and capitalism to socialism — and this in a dialectically necessary progressive spiral, through the instrumentality of mercantile and financial "middlemen,"[137] — and the ultimate stage is then "paradise re-gained," the retrieval of the original "innocence" ("social man"), though now, unlike the genuine original innocence, on the highest possible, differentiated, advanced level of social production — the Hegelian synthesis of "absolute spirit."[138]

On the Jewish side we have earlier noted R. Yechi'el Nissim's extraordinary coda to his book of rules, codifying legitimate banking practices: redemption is near, but usury delays it.[139] And R. Yechi'el was not joking. Scion of one of the great Italian-Jewish families during the Renaissance, he was host to David Reubeni for an extended period.[139a] When he speaks of the nearness of redemption, while the pseudo-

messiah Reubeni is conducting his campaign from his own premises, one may see that he is serious about the evils of usury.[139b] Nachmanides, in his commentary to *Gen.* 34:13, stipulates that Noachites are subject like Jews to the prohibition of giving or taking interest,[140] — and this clearly means that Judaism looks forward to the ultimate abolition of all interest, for, of course, in the messianic kingdom there will be none but, at most, Jews and Noachites.[141] It is in this sense of "almost fulfilled eschatology" that also declarations of the French Sanhedrin under Napoleon must be regarded when, in the dawn of the "new age," emancipation, the re-conquest of the Holy Land, and the elimination of the barrier in Jewish law between Jews and non-Jews are proclaimed.

In any case, the permissibility of non-Jewish interest has always been, in theory and in practice, under the rubric of the Talmudic principle that "the (civil) law of the land is (also) the law (of Judaism.") Where civil law forbids it also Judaism forbids usury,[142] and in historical fact civil authorities have commonly imposed it on Jews, for their own reasons.[143] Now that they will no longer make invidious distinctions between their citizens on the basis of religion, Jewish interest-taking from non-Jews will also be handled on an egalitarian basis. Thus in the end, interest-free mutual help and collaboration are both the goal and the ultimate economic truth for Judaism as for Karl Marx. Their common platform might be said to be *Isaiah* 55, which begins with the words: "Ho, everyone that thirsteth, come ye for water, and he that hath no money, come ye, acquire and eat; come and acquire wine and milk without money and without price, . . ."[144] and which then expands into one of the classic poetic visions of the ideal society — universal, moral, and materially as well as spiritually affluent.[145]

Am I making the claim, in sum, that Marx derived his theory of monetary interest from Judaism? He obviously knew next to none of the sources which we have here adduced and without which he could not have done so. Massiczek's and

Kuenzli's theory of the unconscious cultural inheritance massively at work in Marx could account, at least in part, for this historical gap. The genealogical and contemporaneous interface between Karl Marx and the Jewish inheritance also would account for at least a part of the correlation between the two.[146] Another bridge yet from classic Judaism to him is — as it has been in so many ways for the bulk of modernized, western Jewry — the Jewish component in Christianity and in western culture. In *Capital* Marx quotes Luther's fulminations against usury frequently and at great length. Both Marx and Engels familiarized themselves thoroughly with, and used to good advantage, the literature of the radical Left wing of the Reformation, Thomas Muenzer at its head. Nelson[147] cites some examples of how the radical Reformation wanted to return *ad fontes*, to the Hebrew Bible, also in regard to economics, by, for example, trying to revive the sabbatical year.[148] (Thus the radical wing of the Reformation wanted to universalize "brotherhood," rather than, like Calvin, "otherhood.") And the direct Jewish in-put into the Reformation as well as into the revival of kabbalism in German Romanticism at the turn of the 18th century is a matter of record (though an as yet incomplete record).[149] But if, finally, all of these historical bridges between Judaism and Karl Marx should not suffice to span the gap, then we are forced to fall back and say that, on a depth-conceptual analysis of the two, they express and work out the same ethical ideal on the same lines, — a "co-incidence" which is so powerful that it certainly deserves further historical investigation.

Marx knew very little about Judaism directly. Tawney did not know any more. Tawney said famously: "The last of the schoolmen was Karl Marx."[150] As a result of our investigation we should rather say: "The first of the neo-Talmudists was Karl Marx."[151]

NOTES

* This is a chapter out of a book-length manuscript tentatively entitled "The Jew Marx." We are discussing here a Jewish theory of usury, not, of course, a theory of Jewish usury.

1. *Cf. e.g.* the quotations from his letter in A. Prinz, "New Perspectives on Marx as a Jew" (in which, however, there is nothing new), *Leo Baeck Institute Year Book* XV, 1970, pp. 107-124.

1a. That it has allegedly and lamentably become true that "money = god" is a theme well worth tracing in history in general. At the time with which we are here concerned the popular mind in France, for example, sang an old song *"L'Argent est un Dieu sur Terre." Cf.* Rene Perrout, *Les Images d'Epinal,* new ed., Paris, n.d.. pp. 49ff. (It is interesting to note that the wide-spread, popular prints of Epinal had as one of their persistent themes "The Wandering Jew," [*ibid.,* pp. 55-61], but they never seem to have combined it with the notion of Jewish money-lenders). Marx's sometime-friend Heinrich Heine also displayed this syndrome at the time: *cf. Memoiren,* ed. Herbert Eulenberg, Berlin, n.d. In school Heine believed that French for "faith" was *"le crédit"* (p. 37). Of Americans it is said that "money is their god" (p. 170), and at large "money is the god of our time, and Rothschild is his prophet" (p. 562).

2. In my study "The Jew Marx" there is a detailed chapter which analyzes Marx's biography. This in turn is heavily indebted to Albert Massiczek, *Der Menschliche Mensch — Karl Marx' Juedischer Humanismus,* Vienna/Frankfurt/Zurich: Europa Verlag, 1968, pp. 654. Why Massiczek's book has not been translated nor, for that matter, even been paid any attention would itself be worth analyzing.

3. *Cf.* G. Liebe, "Die rechtlichen und wirtschaftlichen Zustaende der Juden im Erzstift Trier," *Westdeutsche Zeitschrift f. Geschichte u. Kunst* (Treves), pp. 311-374; Jacob Marx (no relative!), *Geschichte des Erzstifts Trier . . .,* 5 vols., 1858/Aalen 1969, esp. vol. I/1, chapt. 60, pp. 503-515, "The Jews;" A. Kober, "Die rechtliche Lage der Juden im Rheinland waehrend des 14. Jahrhunderts im Hinblick auf das kirchliche Zinsverbot," *Westdeusche Zeitschr., op. cit.,* II/III time with reference to Sombart's *The Jews and Modern Capitalism,* (1909), pp. 7, 11f. (Most of this literature accumulated around that Glencoe 1951. Note esp. M. Hoffmann, *Judentum und Kapitalismus — eine kritische Wuerdigung von W. Sombarts 'Die Juden und das Wirtschaftsleben,'* Berlin 1912, which argues that the Jewish role in the rise of capitalism contradicts Jewish Tradition and calls for an exposition of "Judaism and socialism" [p. 25], also in the context

of Zionist and Orthodox hopes [p. 105], — and the early classic in this field, G. Caro, *Sozial — und Wirtschaftsgeschichte der Juden im Mittelalter und der Neuzeit,* 2 vols., Leipzig 1908/1920, esp. I, p. 458).

4. *Cf.* Heinz Monz, *K. Marx u. Trier* (Schriftenreihe zur Trierischen Landesgeschichte u. Volkskunde, vol. 12), Treves 1964, p. 130. *Cf.* n.

5. Arnold Kuenzli, *Karl Marx — Eine Psychographic,* Vienna/Frankfurt/Zurich: Europa Verlag, 1966, pp. 38f., 107, 129f. The Kuenzli and Massiczek studies are causally related. For details *cf.* the chapter in my study "The History of Marx Historiography." Kuenzli's 869 pp. are, in some ways, a sort of extrapolation of Leopold Schwarzschild's anti-biography *The Red Prussian,* N.Y. 1947.

6. Kuenzli, *op. cit.,* pp. 96, 249, 255.

7. *Ibid.,* pp. 67, 134, 136. Cf. also F. Brunner, "Juden als Bankiers — ihre voelkerverbindende Taetigkeit," *Bishnay 'Olamot — on S. Moser's 75th Birthday,* Tel Aviv 1962, pp. 509-535, which amasses impressive material on this score.

8. Benjamin Nelson, *The Idea of Usury — From Tribal Brotherhood to Universal Otherhood,* 2nd ed., Chicago, 1969, admits as much and presents scant Jewish material.

9. The one exception is Ze'ev Levi, "On the Question of Interest in Jewish History" (Hebrew) in *Orlogia* XIII, Febr. 1957, pp. 237-248, the Marxist-oriented literary journal edited by the poet A. Shlonsky.

10. *Cf.* nn. 2, 5, *supra.*

11. *Das Kapital,* Berlin 1953, vol. III, pp. 358, 362. — The third vol. was written *c.* 1863-1867 and posthumously edited by Friedrich Engels up to the spring of 1893. It was in very bad, tentative shape at the time of Marx's death. But Engels says that the sections on interest etc. from which we shall be quoting are published pretty much the way Marx had written them: *ibid.,* p. 8. — Marx's pejorative use of the term *"Selbstzweck"* ("end in itself") for money is one of literally thousands of examples that could be cited for his heavily philosophical, Hegelian mode of thought, vocabulary, and method of analysis, even in his most technically economic studies. And, of course, his Hegelianism needs to be derived from Kant. *Cf. e.g.,* Jean Hyppolite, *Etudes sur Marx et Hegel,* Paris 1955, pp. 82ff., 142ff. — The only true *"Selbstzweck"* according to Marx is, of course, man: *Das Kapital, loc. cit.,* p. 874.

12. *Ibid.,* p. 358.

13. *Ibid.,* pp. 374f., 380ff., 388, 410f., 871, etc.

14. Karl Marx, *Grundrisse,* tr. and intr. M. Nicolaus, N.Y.: Vintage Books 1973.

15. *Ibid.,* pp. 518-550, 621-634.

16. *Ibid.,* pp. 624ff., 633f.

17. *Ibid.*, Cp. *infra* p. 11.
18. *Kapital, loc. cit.*, pp. 388, 412, 871, etc.
19. *Ibid.*, pp. 371, 389, 412, 414, 643, 867, 869, etc., etc. This is, of course, Marx's version of Proudhon's *"la propriété c'est le vol."*
20. *Cf. Politics*, p. 1258b.
21. *Kapital, loc. cit.*, p. 429.
22. *Ibid.*, p. 433.
23. This is, indeed, true of *Capital* as a whole: *cf. e.g.*, vol. I, pp. 76, 78, 85 in the chapter on the fetishistic character of capitalist commodities, and chapt. 24, *cf. infra* p. 22.
24. *Deut.* 6:6f. — That Marx knew the *sh'ma* see *Marx/Engels Werke* (MEW), vol. III, p. 92. Cp. an equivalent use of the idolatrous equation "money=man in the *sh'ma*" in MANUS, vol. I, pp. 143f. *Kapital, loc. cit.*, I, p. 162 describes the capitalist accumulator as the "creator of treasure" (*"Schatzbildner"*), who, Calvinistically, sacrifices consumption to the gospel of restraint. *Cf.* Delekat, "Vom Wesen des Geldes — Theologische Analyse eines Grundbegriffes in K. Marx," *Marxismusstudien* III, 1954, pp. 59ff.
25. *Cf.* Easton and Guddat, *Writings of the Young Marx on Philosophy and Society*, N.Y. 1967, "Money and Alienated Man," pp. 265-277.
26. *Ibid.*, p. 266.
27. *Ibid.*, p. 269; *Grundrisse, loc. cit.*, p. 276; T. B. Bottomore, *K. Marx — Early Writings*, N.Y. etc.: McGraw-Hill 1963, pp. 165-168. — I devote a whole chapter in my study of Marx to the most basic move made by him, namely a Jewish monotheistic stripping off of the Christian trinitarianism that underlines all of Hegel's philosophizing; *cf. e.g.*, Rosdolsky (*cf.* n. 28), p. 46.
28. *Kapital, loc. cit.*, vol. III, pp. 390, 396; Roman Rosdolsky, *Zur Entstehungsgeschichte des Marxschen 'Kapital' — Der Rohentwurf des 'Kapital' 1857-8*, Vienna/Frankfurt 1968, p. 439.
30. *Ibid.*, pp. 382, 390, 398, 426f., 871, 822.
31. The onanistic, psychoanalytical significance of the whole notion of the relationship of something to itself in the history of philosophy in general and in Hegel in particular deserves proper consideration.
32. *Ibid.*, pp. 355, 426f., 884. Cp. Marx's use of the notion of "the religion of the work-day" with respect to the Jew, as distinct from "the Sabbath-Jew" (about whom also Marx's friend Heine wrote, in "The Sabbath Queen"), at the very beginning of his "On The Jewish Question."
33. *Ibid.*, pp. 358, 365. Cp. *infra*, p. 21f.
34. *Ibid.*, 360, 643, 645, 650, vol. I, p. 791.
35. *Ibid.*, p. 403.
36. *Ibid.*, pp. 421-424, 655.
37. *Ibid.*, p. 873.

38. *Ibid.*, vol. I, pp. 87, 802f. Note the thoroughgoing Hegelianism of this passage as well as the characteristic switch to the singular *"der Mensch"* at the eschatological end of the sentence; cp. p. 21ff.
39. In my unabreviated study of "The Jew Marx" there is a whole chapter analyzing not only "About the Jewish Question" but also its historiographical treatment.
40. *E.g. ibid.*, vol. I, pp. 83, 791, etc., vol. III, p. 360.
41. *Ibid.*, vol. I, pp. 760, 793, vol. III, p. 640. It is here, of course, that Max Weber's thesis of the nexus between Protestantism and capitalism takes off, whereas Werner Sombart reverts to Marx's thesis in "About the Jewish Question."
42. *Ibid.*, vol. I, pp. 85, 794, vol. III, p. 661, chapt. 48, "The Trinitarian Formula," etc.
43. *Ibid.*, vol. I, p. 85—vol. III, pp. 362, 646. It should be noted that these pages occur precisely in the chapter on the fetishism of commodities, the merchant, and the finance-capitalist. *Cf.* also *Grundrisse, op. cit.*, pp. 253, 256, 487. Many trivial references are made to Jews *en passant*, but they are invariably accompanied by considerably stronger side-swipes at Christianity: *e.g., Kapital, op. cit.*, vol. I, pp. 57, 162.
44. The famous phrase is actually taken from the antisemite Bruno Bauer, whom Marx combats in "About the Jewish Question": *cf.* Helmut Hirsch, "Marxiana Judaica," *Institut de Science Economique Appliqué — Séries S.*, 1965, no. 9, p. 33.
45. Nelson, *op. cit.*, pp. xvlf., 109. — Marx obviously also disagrees with Nelson that "universal otherhood" constitutes ultimate progress.
46. *Marxist Economic Theory*, N.Y. 1968, vol. I, pp. 222-237; also *ibid.*, pp. 102ff. — Mandel's own Jewishness and his times are obviously very different from Marx's. Nonetheless, these two are not totally dissimilar. Mandel, too, knows of and cites Jewish sources almost not at all, unlike his use of Moslem material, and his quite conventional derogation of Talmudic economics in favor of Thomas Aquinas (*ibid.*, vol. II, pp. 696f.) will be invalidated *infra*.
47. G. C. Harcourt, in the *Journal of Economic Literature*, VII/2, June 1969, pp. 369-405.
48. *Ibid.*, p. 371a.
49. *Ibid.*, p. 394b.
50. *Ibid.*, pp. 380b, 395a.
51. *Ex.* 22:24, *Lev.* 25:36f., *Deut.* 23:21f.; cp. also *Ezek.* 18:18, *Psalms* 15:1f., etc.
52. *Cf. e.g.* E. Neufeld, "The Prohibitions against Loans at Interest in Ancient Hebrew Laws," *HUCA* XXVI (1955), pp. 355-412; S. E. Loewenstamm, "Tarbit and Neshekh," *J.B.L.* LXXXVIII/1, March

1969, pp. 78-80. Generally in the material about to be used I have found most useful and intelligent the three studies by S. Stein, "The Laws on Interest in the Old Testament," *Journal of Theological Studies*, n.s., IV/2, Oct. 1953, pp. 160-170, "The Development of the Jewish Law on Interest from the Biblical Period to the Expulsion of the Jews from *England*," *Historia Judaica* XVII (1955), pp. 3-40, and "Interest taken by Jews from Gentiles — an evaluation of source material (14th to 17th centuries)," *Journal of Semitic Studies* I (1956), pp. 141-164. The Rabbinic material is conveniently, though neither fully nor analytically, brought together in Judah Rosenthal, "Interest from the Foreigner" (Hebrew), *Talpiyot* V (N.Y. 1952), pp. 475-492, VI (1953), pp. 130-152. *Cf.* also Josef Marcuse, *Das Biblisch-Talmudische Zinsrecht*, Koenigsberg 1895.

53. *Cf. Kapital, op. cit.*, vol. III, p. 886.
54. *Cf. Lev.* 25.
55. *Cf. Baba Metzi'a* 70b, 71a, *Y.B.M.* 10d, *Makk.* 24a, *Sanh.* 25b; *cf.* Rosenthal, *loc. cit.*, pp. 479f.
56. *Cf. B.M.* V/5, 74bf. *Re* "within the line of the law," *cf.* Schwarzschild, "Moral Radicalism and 'Middlingness' in Maimonides' Ethics," *Studies in Medieval Culture* XI, The Medieval Institute, Western Michigan University, 1977, p. 66 and n. 11.
57. *Makk.* 23af.
58. *Midr. Tanchuma, "mishpatim,"* 7 on *Ps.* 19; cp. *Ber.* 32b. On *imitatio Dei* cp. Schwarzschild, *loc. cit.*, and "The Legal Foundation of Jewish Aesthetics," *Journal of Aesthetic Education*, IX/1, Jan. 1975, p. 40, nn. 14ff.
59. *B.M.* 62b, 65b, 70b.
60. *Ex. R.* 31 *ad Ex.* 22:25.
61. The best attempt to deal with the philosophical concepts and the historical dynamic embodied in this material is to be found in Emil Cohn, "Der Wucher im Talmud, seine Theorie und ihre Entwicklung," *Zeitschr. f. vergleichende Rechtswissenschaft* XVIII (1905), pp. 37-72.
62. *Gitt.* 34b-36b; S. Zeitlin, "Prosbol: A Stndy in Tannaitic Jurisprudence," *J.Q.R.*, n.s., XXXVII/4 (1947), pp. 341-362. Like the universalization of the prohibition of interest, so also *prozbul* is, of course, treated not as an innovation but as the formalization of the Biblical institution of "bills" (*sh'tarot*): *Makk.* 4af.
63. *Cf. e.g.*, Boaz Cohen, "Antichresis in Jewish and Roman Law," in *Jewish and Roman Law*, N.Y. 1966, vol. II, pp. 433-456.
64. A. Gulak, *Yessoday HaMishpat Ha'Ivri*, Berlin 1923, vol. II, pp. 170-176, esp. pp. 174ff.
65. *B.M.* 75b, etc.
66. *B.M.* 70b; *Mechilta*, Lauterbach ed., III, p. 148.

67. There is, however, also the view that Jews not only may bnt must take interest from non-Jews: *Sifré*, Friedman ed., p. 121b, *Tosefta*, "idolatry", p. 77, *Pesikta R.*, *"ki taytzay."* Stein, *Journal of Technological Studies, loc. cit.*, p. 162, explains this as a result of the sharpening persecution of Jews in the Roman empire. Maimonides codifies this view ("Laws of Borrower and Lender," 5:1, *Book of Commandments*, Positive Laws, no. 198: to do harm to idoltary) (cp. n. 111 *infra*), against the entire stream of normative Jewish exegesis, as we have by now seen. Baron explains this in turn ("Economic Views of Maimonides," *Essays on Maimonides*, N.Y. 1941, p. 226) as a product of the intolerance of the Almohades and crusades.
68. *B.M.* 62a.
69. *Ibid.*, 61b.
70. *Ex. R.* 31:5 to *Ezek.* 37, *B.M.* 70b *tosfot*, etc.; Baron, *loc. cit.*, p. 207, n. 138 makes the perceptive point that when Maimonides reiterates this Talmudic doctrine ("Laws of Borrower and Lender," 4:7) it becomes for him part of his philosophically sophisticated doctrine of individual providence extended to the human species — cp. also Schwarzschild, "Moral Radicalism . . .," *loc. cit.*
71. *Cf. B.M.* 5:3, 64a, 65b, 68b, 74a.
72. *B.H.* 63b.
73. Rashi *ad Deut.* 23:21; Maimonides, *Code*, "Laws of Selling," 13:15f., 14:1; cp. Cohn, *op. cit.*, pp. 69ff.
74. *Cf.* for example on *B.M.* 5:6, 63b, 65a. Cp. *supra* p. 3.
75. *Ibid.*, 73a; *Shulchan 'Aruch, "yoreh de'ah,"* 173:15f.
76. *B.M.* 4:2, 74bf.; Baron, *op. cit.*, p. 191; cp. also Yechi'el Nissim da Pisa, in *Eternal Life*, cf. G. Rosenthal, *Banking and Finance among Jews in Renaissance Italy — A Critical Edition of "The Eternal Life,"* N.Y. 1962, p. 148, where it is beautifully argued that God made everything that is, except lies, which "are not," and that interest, which is an economic lie, therefore, morally "is not." For this cp. Maimonides' doctrine of evil as privation: *Guide* III/8ff.
77. *B.M.* 69b, Maimonides, *loc. cit.*, 5:16.
78. *B.M.* 60b.
79. *Shulchan 'Aruch, loc. cit., Be'er Hetev* to 173:17.
80. *B.M.* 65b and the notion of the "iron flock," *ibid.*, 69b, comparable to the scholastic "leonine contract."
81. *Aboth deR. Nathan*, 30:6. Maimonides wants to retain this principle, otherwise impracticable in the Dispersion, at least for eggs: *cf.* Baron, *loc. cit.*, p. 182.
82. E. Cohn, *op. cit.*, pp. 41ff.
83. *Cf.* Stein, *Historia Judaica, op. cit.*, p. 17; Baron, *A Social and*

Religious History of the Jews, 2nd. ed., vol. VII, N.Y. 1967, pp. 150, 197.

84. Levi, *loc. cit.*, pp. 238f., 242, 245.
85. Kober, *loc. cit.*, p. 3.
86. Baron, . . . *History* . . ., vol. IV, pp. 197-227 and notes.
87. Elfenbein, *Rashi's Responsa* (Hebrew), N.Y. 1943, nos. 49, 229; Abraham M. Fuss, "Inter-Jewish Loans in Pre-Expulsion England," *J.Q.R.*, ns.s., LXV/4, Apr. 1975, p. 232.
88. *Cf.* E. Urbach, *The Tosaphists: Their History, Writings and Methods* (Hebrew), Jerusalem 1955, pp. 57, 78, 123, 136, 204, etc.; A. Gulak, *op. cit.*, p. 175; G. Horowitz, *The Spirit of Jewish Law*, N.Y. 1963, pp. 493, 562ff. *Cf.* Esriel E. Hildesheimer, *Das Juedische Gesellschaftsrecht*, Leipzig 1930, pp. 92-131. That the mediaeval "*commenda*" was neither derived from nor based on the same principle as the *iska cf.* A. L. Udovitch, "At the Origin of the Western *Commenda*: Islam, Israel, Byzantium?" *Speculum* 37 (1962), esp. p. 201: i.e. the wide-spread Jewish use of the *commenda* was in fact an evasion of Jewish law. Cp. Udovitch, *Partnership and Profit in Mediaeval Islam*, Princeton University Press 1970, p. 258; also Walter Fischel, "The Origin of Banking in Mediaeval Islam: a contribution to the history of the Jews of Baghdad in the 10th century," *Journal of the Royal Asiatic Society*, London 1933, pp. 339-352, 569-604; S. D. Goitein, *A Mediterranean Society — The Jewish Communities of the Arab World as Portrayed in the Documents of the Cairo Genizah*, vol. I, "Economic Foundations," University of California Press (Berkeley/L.A.) 1967, pp. 230-262.
89. Stein, *Journal of Semitic Studies, loc. cit.*, pp. 155-163.
90. *Cf.* G. Rosenthal, *op. cit.*
91. Nelson, *op. cit.*
92. *Cf. e.g.* Richard Popkin, "Hume and Isaac de Pinto," *Texas Studies in Literature and Language* XII/3, Fall 1970, pp. 417-430, and "Isaac de Pinto's criticism of Mandeville and Hume on Luxury," *Studies on Voltaire and the 18th Century*, CL-CLV, Oxford: Voltaire Foundation of the Taylor Institution, 1976, pp. 1708-1714."
93. *Ibid.*, p. 426.
94. *Ibid.*, pp. 427f.
95. *Cf.* J. Noonan, *The Scholastic Analysis of Usury*, Cambridge, Mass. 1957, pp. 133ff., 207ff.; W. Endemann, *Studien i. d. romanisch-kanonistischen Wirtschafts—u. Rechtsgeschichte bis gegen Ende des 17. Jahrhunderts*, 2 vols., Berlin 1874/1883; Toni Oelsner, "The Place of the Jews in Economic History as viewed by German Scholars," *Leo Baeck Institute Year Book* VIII (1962), p. 197.
96. Baron, . . . *History*, . . . *op. cit.*, chapt. LIII; J. Parkes, *The Jew in*

the Mediaeval Community, London 1938, Part III, "The Royal Usurer," pp. 327ff.

97. *Proceedings of the American Academy of Jewish Research* vols. 38-39, 1972.
98. When one looks, for example, at one of the early classics of anti-semitism, Eisenmenger's *Entdecktes Judentum*, Koenigsberg 1711, vol. II, pp. 597-613, one discovers that it turns out not to be so unbalanced a presentation of this subject as one might expect.
99. *Cf. e.g. Sendschreiben des Rabbi David Sinzheim an seine Juedischen Mitbrueder in Niederrheinischen Department*, Strasbourg 1803, which is part of the syndrome of Napoleon's "Sanhedrin." In the latter, as in Magna Carta, Jewish money-lending played a crucial part. For Sinzheim *cf.* Richard Popkin, "LaPereyre, the Abbé Grégoire, and the Jewish Question," in *Studies in 18th Century Culture*, American Society for 18th Century Studies, vol. 4, 1975, pp. 209-222, and Franz Kobler, *Napoleon and the Jews*, N.Y.: Schocken Books 1976; and J. D. Sintzheim, *Min'hat David* . . ., Jerusalem: Institut de recherches talmudiques 1974/1975 (2 vols.) (Hebrew). The messianic thrust underneath this emancipatory and usury-abolitionist movement deserves further consideration. David Sinzheim's father, Isaac, preceded Marx's greatgrandfather Moses Lvov as rabbi of Treves! *Cf.* B. Wachstein, "Die Abstammung von K. Marx,"*Festskrift Simonsen*, Copenhagen 1923, p. 281, and B. Brilling, "Beitraege zur Geschichte der Juden in Trier," *Trierisches Jahrbuch* 1958, pp. 46-50.
100. *Cf. e.g.* A. Hertzberg, *The Zionist Idea*, N.Y. 1960 — the tradition from Hess through N. Syrkin, Borochov, to A. D. Gordon and Katzenelson, esp. pp. 370, 390. M. Nordau, *Zionistische Schriften*, Berlin 1923, p. 307 (speech in Amsterdam on April 17, 1899): "Can you believe that it is by accident that it was the Jew Marx and Lassalle who are the fathers of modern socialism . . . ?" Amos Kenan, "The Gods of the Banks," *Ha'aretz*, May 18, 1972: "As the God of Israel in the Diaspora was a rebellious *chassid* and a poor *tzaddik*, so the lords of the Army of Israel run banks and real-estate companies." On the other hand, the Reform-Jewish ultra-capitalist historian Ellis Rivkin ends his *The Shaping of Jewish History — A Radical Interpretation*, N.Y. 1971, by, in so many words, identifying God with compound interest! (p. 248) Cp. also Arthur M. Silver, "The Prohibition against Interest Todav." *Tradition* 15/3, Fall 1975, pp. 97-109.
101. Rosenthal, *op. cit.*, p. 15.
102. Elfenbein, *loc. cit.*
103. Urbach, *op. cit.*
104. Rosenthal, *loc. cit.*, p. 481ff.
105. *Sha'aray Tzedek*, ed. 1792, p. 40a; Rosenthal, *loc. cit.*, p. 483, n. 36.

106. Rosenthal, *loc cit.*, pp. 483ff., 492.
107. Baron, . . . *History*, . . . *loc cit.*, p. 330, n. 53.
108. *Cf. e.g. Sefer Chassidim*, no. 808, etc.
109. For help with the analysis in this paragraph I am indebted to my friend and colleague Dr. Tzvi Eric Blanchard.
110. *Cf. supra* p. 2ff.
111. Cp. n. 67 etc. *supra*. R. Karo's two commentaries *ad locum* and Nachmanides contradict him forcefully, and the Rabad *ad locum* goes so far as to say that what he "has heard from divine tradition" opposes what Maimonides claims to "have heard from it."
112. *Cf.* Baron, "Maimonides," *loc. cit.*, p. 226.
113. *Sefer 'Ikkarim*, Husik ed., vol. III, chapt. 25, p. 237f. — The German Rabbenu Gershom, "Light of the Exile" and part of the early "German pietistic" atmosphere, had much earlier spoken in this vein: *cf.* J. Katz, *Exclusiveness and Tolerance*, Oxford 1961, p. 33.
114. *Merkabat Mishneh*, on *taytzay*: "interest is of itself noxious."
115. *Cf.* Stein, *Journal of Semitic Studies, loc. cit.*, p. 153, and Rosenthal, *op. cit.*, p. 130f.
116. Rosenthal, *op. cit.*, pp. 35, 91.
117. *Ibid.*, p. 97. This is also the ruling of *Emek HaMelech*, II, "Institutions of Repentance," 20:4, p. 600.
118. Rosenthal, *op. cit.*, p. 151.
119. *Ibid.*, p. 54.
120. *Ibid.*, p. 90.
121. *Ibid.*, pp. 172f.
122. Rashi had ruled against this: Elfenbein, *op. cit.*, no. 175; cp. S. Freehof, *A Treasury of Responsa*, Phil. 1963, p. 20f.
123. The source for this concept is *Can. R.* I/5-6, *Ex. R.* 48:2.
124. *E.g.* no. 170:2, Isserles, 173:4, 174:4, Isserles and *Be'er Hetev* 177:11.
125. Tr. L. Oschry, Jerusalem/N.Y. 1967, p. 144.
126. *Ibid.*, p. 148.
127. Stein, *Historia Judaica, loc. cit.*, p. 33.
128. *Kapital, op. cit.*, vol. I, pp. 802ff.; *cf. e.g.* for the positive role of capitalism in the flowering of socialism, a fundamental point of Marx's which his conventional followers prefer to disregard, *Grundrisse, op. cit.*, p. 409.
129. *Cf. e.g.* Baron, . . . *History*, . . . *loc. cit.*, p. 173, and further Selma Stern's extended works about the court-Jews.
130. *Cf.* Schwarzschild, "Moral Radicalism, . . ." *loc cit.*
131. *Is.* 60:21, *Aboth*, motto.
132. The role of the concept of *'ormah* in Jewish and general intellectual history is extremely subtle and complex: for a start, see Schwarzschild, "Moral Radicalism, . . ." *loc cit.*, p. 76 n. 91; from there it would have to be taken further into Kant and Hegel.

133. *Cf.* for Marx's use of this Hegelian notion in a strictly economic context: *Kapital, op. cit.*, vol. I, p. 111, *Grundrisse*, op. cit., p. 244, etc.
133a. Avineri argues against this — unconvincingly: S. Avineri, *The Social and Political Thought of K. Marx*, Cambridge University Press 1970, p. 4. As only one out of numerous examples of the opposite, and better view, *cf.* H. D. Wendland, "Christliche und Kommunistische Hoffnung," in *Marxismustudien* III, *op. cit.*, which, interestingly, sees the difference between Christian eschatology and Marx's in the "Judaization of eschatology" at Marx's hands: pp. 220, 236.
134. Cp. also *MEW*, vol. XXIII, pp. 741, 619ff.
135. *Kapital, op. cit.*, p. 751; cp. *ibid.*, pp. 93, 139, 144, and Rosdolsky, *op. cit.*, p. 324, where it is said that, for example, "original accumulation" cannot happen *ex nihilo*.
136. *Zeitschr. f. Volkswirtschaft, Sozialpolitik u. Verwaltung*, XV (1906), Vienna, pp. 1-66.
137. *Kapital, op. cit.*, pp. 784f., 789f.
138. For an excellent statement of the Marxist theory of the withering away of the whole apparatus of alienated social life, state, capitalism, philosopby, political economics, etc., *cf.* Mandel, *op. cit.*, vol. II, pp. 665ff., 690ff., 729ff.
139. Rosenthal, *loc. cit.*, p. 172f.
139a. *Cf.* David Kaufmann, *Gesammelte Schriften*, vol. 2, ed. M. Brann, Frankfurt o/M 1910, "Ein Jahrhundert aus der Geshichte der Familie Jechiel von Pisa," pp. 257-276, and "Zur Geschichte der Familie Pisa," *ibid.*, pp. 277-284, esp. pp. 265-269, 273, 281, and the further references there, and A. Z. Aescoly, *Sippur David HaRer'ubeni* . . . (Hebrew), Jerusalem: Palestine Society for History and Ethnography 1940, pp. 52-60 and Hebrew pp. 118-121.
139b. An aunt of R. Yechi'el's, daughter of his grandfather — clearly the patriarch of the family, by the name of Rica, "seems," as Kaufmann puts it (*ibid.*, p. 261, and the reference to Graetz there), "to have resisted the lure of society so little that she even turned her back on her father's religion." The grief that this caused far beyond her own immediate family is found in the extant records. Under the circumstances one cannot help but think of "The Merchant of Venice." This ambience, too, is part of the price that Jews have historically had to pay for being in the money-business.
140. Stein, *Historia Judaica, loc lit.*, p. 24 traces this interpretation to *Targum Yerushalmi* to *Ex.* 13:17 and *Pirkay deR. Eliezer*, Friedlander ed., chapt. 33, but I have not been able to locate it in either place.
141. *Cf.* Schwarzschild, "A Note on the Nature of Ideal Society — A Rabbinic Study," *Curt Silberman Festschrift*, eds. H. Strauss and H.

Reissner, N.Y. 1969, pp. 86-105, and "Noachitic Law," *Encyclopaedia Judaica*, Jerusalem 1971; J. Rosenthal, loc cit., p. 152.

142. *B.M.* 73b, Maimonides, *loc. cit.*, 5:17.
143. *Shulchan 'Aruch, loc. cit.*, 165:1, Isserles: "We follow the decrees of the king, for 'the law of the land is the law';" Fuss, *loc. cit.*, p. 240.
144. For the abolition of the money-nexus in messianic society according to Jewish law, *cf.* Schwarzschild, "A Note on Ideal Society," *loc. cit.*, p. 97, n. 7.
145. Levi (*op. cit.*), as a Marxist, has an entirely correct diagnosis; as a Zionist his therapy is very peculiar: only the return to Zion will eliminate the middlemen's functions imposed on Jews by either existence in exile. Does this mean that if only Jews had not been exiled neither the world as a whole nor the Jews in Israel would have had or will have to experience the dialectical, negative stage of capitalism? In any case, he is entirely blind to the normative, "ideal" notion of the abolition of interest in Jewish literature and in Marx himself, which he never mentions.
146. *Cf.* the chapter on Marx's biography in my complete Marx study.
147. *Op. cit.*, pp. 36,45.
148. The desire to restore the institution of the sabbatical year never ceases. Henry George is only one of its many embodiments in the 20th century. Also in the 18th and earlier 19th centuries, leading up to Marx, it was frequently expressed and manifested; *cf. e.g.* Johann Jacob Michaelis, *Gedanken ueber das seltsame Gesez des Moses*, . . . Bern 1765.
149. *Cf. Schwarzschild*, "Moral Radicalism, . . ." *loc. cit.*, ns. 69, 72, to which much should be added. Cp. Juergen Habermas, "Ernst Bloch —A Marxist Romantic," in *Legacy of the German Refugee Intellectuals*, ed. R. Boyers, N.Y. 1972, p. 316f., where the "Jewish sensibility in Marxism" is rightly derived from the German mystics and romantics.
150. *Religion and the Rise of Capitalism*, N.Y. 1948, p. 39.
151. With proper historiographical admiration one must say that Edmund Wilson worked out literally all the themes that post-World War II Marxology is still working on so hard, including a proper understanding of Marx's Jewishness, as early as 1940 in *To the Finland Station*. See also Erich Fromm, *Marx's Concept of Man*, N.Y. 1969, p. 3: "Marx's philosophy was, in secular, nontheistic language, a new and radical step forward in the tradition of prophetic messianism." And Massiczek, *op. cit.*, p. 25: "Marx was a Jew and can be understood only as a Jew;" p. 282: "That he himself did not realize this was the tragedy of his life. And it is the tragedy of Marxism that it has never overcome Marx's own mistake."

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POLITICAL SOVEREIGNTY: A JEWISH VIEW

Jewish thought assigns to political sovereignty a theological basis. The idea of a theologically based political arrangement is, of course, repugnant to the modern mind which is more comfortable with the notion that government finds its sanction in the will of the people (in the case of democracy) or a historical process (in the case of communism). A theologically sanctioned sovereign is, for most people, one who rules, by divine right, as an absolute monarch; but such notions are alien to popular views on legitimate sovereignty.

Notwithstanding, a Jewish conception of sovereignty will be developed here which is explicitly theological, yet it conforms to contemporary political attitudes because it treats sovereignty as an essentially *secular* activity. This circumstance makes possible theologically grounded political opposition which provides the most effective obstacle to absolutism. These conclusions will emerge out of an analysis of the two notions that are central to the concept of sovereignty, viz., authority and power.

I

The term 'authority', in this context, will mean the right to impose obligations. Other senses can be attached to this word as well. It is sometimes defined in terms of the possession of expertise; for example, an authority on the theory of rela-

tivity can answer questions on the subject and an authority in ethics can resolve complicated moral problems. Authority is sometimes equated with power. A conquering general's authority, in so far as the vanquished are concerned, is construed in terms of the power he wields over them. An employer's authority consists in the economic forces he can bring to bear upon his employees. The term 'authority' as it will be used here has neither of these senses. The Jewish political sovereign may not have any special expertise, desirable though it may be; he may not have much power, though power is indeed essential to sovereignty; he nevertheless deserves obedience because he has the right to *impose* obligations.

From where does this right derive? From the standpoint of Jewish theology, there is but one answer: the divine will. All forms of authority recognized and accepted by Judaism have the identical source. It is the biblical verse, "Honor thy father and thy mother,"[1] that imposes on the child the obligation to obey his parents. There is nothing intrinsic to the spiritual or biological anatomy of a human being that obligates obedience on the part of progeny. Where, as is often the case contemporaneously, theological and moral bases for filial piety are rejected, respect for parents declines. The right of rabbis to render judgments and issue decrees similarly has a biblical foundation. "According to the sentence of the law that they shall teach thee, and according to the judgment which they shall tell thee, thou shalt do; thou shalt not decline from the sentence which they shall show thee to the right hand, nor to the left."[2] When, for example, the rabbis prescribed the lighting of candles as the Chanukah festival's form of observance, the ritualistic pattern represented an expression of the rabbinic will but the obligation to obey had its source in the divine will.[3] The authority of a political sovereign also has a biblical basis. "From among thy brethren shalt thou set a king over thee."[4] The ultimate basis for sovereign authority is divine sanction.

Several conclusions can be drawn. First, no human being

has an *inherent* right to exercise mastery over another. The fact that one person is the progenitor of another, that he is spiritually more accomplished, that he is superior by some physical, intellectual or moral standard or that he occupies a sovereign position in society may *inspire* another to obedience but does not *obligate* it. Authority, that is the right to impose obligations, does not flow from individual characteristics or the relations that one person has to another. The principle of human equality is not needed to repudiate a claim to political authority. Judaism recognizes that people are equal. Talent, intellectual capacity, social position are not evenly distributed among the members of society. Notwithstanding, even the superman (assuming one exists) does not have an inherent right to dominate another. For Judaism, the right to command derives exclusively from a single source, the will of God.

Second, the divine will mediates the relations of citizen to sovereign. Indeed, the will of God is present in all relations of moral and political obligation, theologically construed. Whenever I perform a duty towards man, I fulfill an obligation to God. This is the meaning of a passage by Baachya in which he declares, "It also follows that no virtue can exist in anyone whose heart is devoid of humility before God."[5] Virtues arise out of the fulfillment of obligations. The just man is one who conforms to the obligation to practice justice and a generous individual responds to the obligation to assist those in need. But these obligations have God as their source and the sense of humility is that by which one recognizes them as an expression of God's will. It follows that one cannot possess a religious virtue without a sense of humility.

It may be argued that there is one additional source of obligation, at least in the political arena, namely, the social contract. If a society is viewed as arising out of an agreement which formulates the terms of social association and cooperation, is it not reasonable to assume that such a contractual arrangement itself imposes obligations and confers sovereign authority? Now Jewish thinkers have acknowledged the validity

of social agreements.[6] Still, they regarded sovereign authority as possessing theological roots and the social agreement as effective only to the extent of justifying the selection of one form of government over another and of designating certain individuals rather than others to the role of sovereign. Jewish monarchs were originally appointed by prophetic choice combined with a decree of the Sanhedrin. When these institutions disappeared from Jewish life, they were replaced by something like the social contract. But, regardless of the method employed to organize a government, the basis for sovereign authority remained the biblical verse, "From among thy brethren shalt thou set a king over thee."

It follows that no political law or decree has legitimacy if it contravenes the divine will. A Jewish state may, of course, have the capacity to compel compliance with its legislation because of the power concentrated in it, but its laws will not have sanction unless they are consistent with Jewish religious precepts. Hence, while the democratic form of government may well be compatible with Jewish political theory, Judaism cannot regard legislation in a democracy as acceptable, if it merely conforms to the will of the people. An interesting analogy is afforded by the democratic experience. The nature of laws in a democratic society is often debated. Some believe that the only requirement they must satisfy is consistency with what the people regard as in their best interests. Others maintain that they must also conform to a higher moral code. The Supreme Court, for example, is unique to the American system of democracy; it is not part of the governmental structure of other democracies, for example England and Israel. This court has the right to declare unconstitutional a law that was approved by a majority of Congress and which ostensibly reflects the will of the people. Some political thinkers have objected to the assignment of such extraordinary power to a handful of men and have argued that the people's will should be the sole controlling factor. It is evident that, in American democracy at least, the legislative branch of government is

subject to a set of principles in which greater authority is lodged. The Jewish political conception is analogous. An election process and the social contract out of which it emerges are essential to the creation of a government, but that government must remain responsive to those transcendental principles which theology recognizes as the expression of God's will. Maimonides put it simply:

> If one ignores a sovereign edict because he is engaged in the performance of a *mitzvah* . . . he is free of guilt. When the master speaks and the servant speaks, the words of the master are to be given priority. Needless to say, if the sovereign's decree is intended to abolish a *mitzvah*, he shall not be obeyed.[7]

It is illuminating to observe in this connection that the principle of the majority by which the will of the people is made explicit in legislation is essentially a means, not an end. It is a method of assuring self-government to the members of society. It is a way of reducing at least the abuses and exploitation from which people suffer in a state where this safeguard is not available. But the application of this principle does not guarantee that the best interests of the people will, at all times, be served. Many a piece of legislation duly approved by a properly constituted legislative body in accordance with the majority principle was neither consistent with the well being of the community nor with the requirements of morality. Often enough, the laws of a democratic state disenfranchise and provide unequal and hence unjust treatment for large segments of society, for example, laws that deny the ballot to those who are unable to pay a required tax. Laws can also be inherently unjust. This is recognized in both Jewish and American political views; both acknowledge an authority higher than the will of the people.

II

The sovereign, therefore, rules by divine sanction and must be responsive to the divine will. Still, his fundamental

aim and his methods are political rather than theological. This is basically the difference between political and rabbinic authority. Rabbis are concerned primarily with the application of biblical and rabbinic precepts to human events. They seek to embody the will of God in human conduct, interpersonal relations and community patterns. They seek to make God's presence felt in human affairs. The sovereign, on the other hand, though he has a divine mandate, is instructed to introduce laws designed to accomplish essentially political ends. It is not so much God's will as the needs of society to which he must respond through legislation. As one classic rabbinic thinker put it:

> But the purpose of the judge (rabbinic) and the Sanhedrin was to judge the people according to truth and justice in order that the divine element may cling to us (the Jewish people) . . . But kings were appointed to arrange the political order and to do what was needed because of the times.[8]

It follows that the political structure of the Jewish State is not fixed for all times. Theological principles are eternal and categorical; political structures are transitory and tentative, i.e. they change from generation to generation. They must always be adjusted according to the exigencies of the time. Political imperatives are legislated in the light of specific goals which, in turn, reflect what people regard as their fundamental political needs. A monarchy will be chosen, as Hobbes argued, if the primary concern is security; a democracy will be selected if priority is assigned to freedom. Men will opt for a socialistic society if they seek a more uniform distribution of economic goods; they will choose capitalism if they place greater emphasis on freedom in the market place. A variety of circumstances prompt a people to adopt a specific political objective and the laws of a society generally reflect the choice that was made.

The biblical sanction of sovereignty is then the principle that conveys to the Jewish community, when it recognizes certain objectives as desirable, the right to choose political

arrangements suitable for their realization. Monarchy is not the only type of government acceptable to Jewish theological thought. The point has already been assumed above; it must be emphasized. It is true that the biblical endorsement of political sovereignty occurs in the statement "From among thy brethren shalt thou set a king over thee" in which the word 'king' is explicitly used. This imperative, however, should be understood as providing the authority to create a political sovereign and not as the requirement that the sovereign shall take the form of a monarch. A talmudic passage, for example, in a discussion of the difference between a judgment rendered by a *bet din* (a Jewish court of law) and one pronounced by a sovereign, places Joshua, the successor to Moses and a judge, in the category of a monarch.[9] It follows that the Talmud does not assign to the word 'king' in the biblical precept a literal meaning. Maimonides declared that the Jewish leaders of the ancient Babylonian community, none of whom was ever so designated, enjoyed the status of kings in that they had the right to judge and to execute their judgments in the manner of kings.[10] Maimonides also asserts that one of non-Jewish identity may not be designated to any position of authority in Jewish life — such as king, president, judge or captain — and explains that this prohibition is to be inferred from the previously cited biblical precept.[11] Maimonides, then, also understands the word 'king' in a generic way. A talmudic commentator, Meiri, declared that the laws of sovereignty hold at all times and grants to Jewish leaders of every generation the right to punish and to impose the death penalty in the fashion of a king.[12] Again, the biblical precept is not taken literally. It is understood as commanding sovereignty, not monarchy. The sovereign may be a king or even a combination of a president, prime minister and Knesset.

III

Implicit in the doctrine that the sovereign's primary objective is political rather than theological, is the view that

the Jew lives in two domains — the natural and the transcendental; there is the city of man which is organized according to purposes that emerge out of the human condition and the nature of society, and the city of God, arranged according to Torah precepts whose function it is to bring the individual Jew and the Jewish community into close and intimate relation with the Divine Being. Activity in the natural world must, of course, be limited and bounded by transcendental principles. One could not, for example, permit work on the Sabbath when no threat to life exists on the grounds that it will serve the national purpose. But there are occasions when the *halakhah* is not directly applicable or when it suspends itself in order to permit the application of a natural principle. Transcendental precepts, for example, do not prescribe a schedule for a war tax or determine that drivers should keep to the right or left lane of a highway. The suspension of *halakhah* occurs in instances where a threat to life exists and where, for example, the laws of medicine and biology become authoritative. Such a suspension could take place for individuals as well as communities. There are also cases where the *halakhah* itself permits the sovereign to set aside a *halakhic* precept in order to better achieve a *halakhic* objective. This happens when the principle of *tikun haolam*, the moral improvement of society, is applied. Maimonides, for example, writes, "He who kills without leaving clear evidence or without having been warned or even in the presence of one witness . . . may be killed by the sovereign authority for the improvement of society and as the times may require."[13] There is a Jewish legal principle which prohibits assigning the death penalty to a murderer unless he attacked his victim in the presence of two witnesses and was warned, antecedent to the crime, not to do so. The strict and unexceptional application of this principle would permit the proliferation of murderers and leave the Jewish community defenseless. The sovereign was accordingly permitted to impose the death penalty to preserve the moral character of society.

Further, the transcendental is the arena of obligation; the

natural is that of rights. In the city of God, the human posture must be that of responsibility and unselfishness; in the city of man, one may pursue the fulfillment of his own needs and assign priority to that which gives him satisfaction. There is a realm of freedom in Jewish life — in that sense of 'freedom' according to which every person may do as he wishes. Such freedom is available to the individual. Rashi, on the verse, "And thou shalt proclaim liberty (*dror*) throughout the land to all the inhabitants thereof"[14] points out that the Hebrew word for 'liberty' (*dror*) that occurs here has precisely that connotation. There is an area in which the Jew is authorized to act according to considerations of self-interest. Such a right is also available to the Jewish people considered as a single entity. Not all of a people's communal life is bound by obligatory precepts. The right of the people to do that which it regards as in its best interests, that is, the people's freedom, is implied in the biblical precept authorizing sovereignty. The ideal sovereign acts invariably, when permitted to do so by transcendental principles, according to the national interest.

There is still another difference between the natural and the transcendental spheres that deserves attention. A representative of the transcendental, a rabbi for example, cannot retain authority if he explicitly denies or rejects the principles of the domain he claims to represent. He could not, at least in a traditional context, be both a rabbi and an atheist. It is otherwise with a political sovereign. It is certainly possible, from a logical perspective at least, to regard his authority as theologically sanctioned even while he is openly hostile to Judaism. One may argue that such a person should not be designated to leadership in Jewish life, as Maimonides declares explicitly,[15] but it is clear that the prophetic books of the Bible acknowledge the sovereignty of many such individuals.

Notwithstanding these differences, however, the two domains remain connected. Cooperation in the enterprise of realizing the religious objective is, at least, desirable on the part of the political sovereign. He must strive to create con-

ditions in which the principles of Jewish life could be embodied in social patterns. It was the sovereign who was granted the authority to punish an offender who threatened the moral and religious life of the community in the event that the *halakhah* prevented such punishment from being carried out. It was the sovereign (King Solomon, for example) who had the power and the resources to build the holy temple which was so crucial to the development of the religious life of the community. The Jew must act upon transcendental principles in the natural world and it is the sovereign who has the capacity and the obligation to mold the natural world in a manner that would make it available to the practice of these principles.

The implications of this discussion for the modern state of Israel are clear. The government has the obligation to legislate and to act in a manner that is consistent with the national interest. It must do so in accordance with the best information made available by economic, sociological, political and military sciences. The preservation of the state and the well-being of its people are its paramount considerations. It must also constantly strive to create conditions in which the practice of Judaism would be supported and encouraged.

IV

Sovereignty also means power. The organization of natural conditions to achieve national objectives requires massive quantities of various forms of power—military, economic, political, cultural. The principal problem is that of making sovereign power coexistensive with sovereign authority. Power has the tendency to break through boundaries of legitimacy and this is especially the case with state power, which, if not effectively restrained,tends towards absolutism.

First, what are the limits of sovereign power, that is, what are the boundaries beyond which a sovereign may not use power to enforce authority? Jewish thought does not supply a precise answer to this question. Several observations, however, are in order. First, there is a talmudic debate as to the extent

that even a prophetically designated monarch may go in the exercise of power. It is based on the passage in *Samuel I* in which, in response to the people's demand that he appoint a king to govern them, the prophet enumerated a list of monarchial prerogatives. Samuel declared that the king was permitted all that he, the prophet, described. Rav's opposing view holds that it was not the prophet's intention to sanction such conduct, but only to stress the fact that the monarch was to be treated with reverence.[16] The debate on the limits of sovereign power is ancient in rabbinic literature.

There is a second consideration. It has been noted above that when the institutions of the prophet and Sanhedrin disappeared from Jewish life, the leaders of the Jewish community, who according to the *Halakhah* enjoyed sovereign status, were appointed by the people. The suggestion is then plausible that the rights of the sovereign are limited to those which the people are willing to confer upon him. This is particularly reasonable according to Rabbi Abraham I. Kook who declared that, in the absence of a prophetically designated king, it is the *people* who assume sovereign authority. In connection with the legislative authority of the sovereign, for example, he writes, "I believe, that when there is no king, because the legislation of the commonwealth relates also to the general well-being of the people, all legislative rights return to the people."[17] If this is so, no one designated by the people to lead them may exercise more power than that which they willingly grant.

We return to the original problem — how is power to be restrained? There are two obstacles to the undue expansion of sovereign power. The first is religious in character. The religious community in its totality is heir to the prophetic mission, often political in nature, of providing opposition to sovereign power. The pious individual will not abide by the sovereign will when it contradicts the divine will. Those who are moved by religious commitment will reject a law of the state if the result of its observance is the violation of a Torah

precept. A Jewish sovereign power, even if it is secular in orientation, will recognize and respond to the force that is concentrated in the religious community and will invariably try to avoid legislation that will arouse opposition and hostility. This is certainly the case in the contemporary Jewish state. To the extent that any government must be responsive to its citizenry and to the extent that a democratic government is particularly so, Israel's religious community will always be a factor in political considerations — with or without the existence of a religious political party. The second is political. If the citizens of a Jewish state arrive at the realization that the sovereign power has overstepped the boundaries of legal propriety they may rise in opposition.

The religious basis for disobedience is, of course, more effective than the political. The motivation to oppose unacceptable legislation is much stronger among those who have a religious commitment than it is for those who seek to maintain a cherished political order. In addition, opposition on religious grounds normally does not require the deliberation that is essential to politically prompted disobedience. The religiously minded individual will simply reject the demand by a sovereign power that a Torah precept be violated when no threat to life exists. Religious principles are, in most instances, readily applied. When, however, sovereign action appears to be inconsistent with political requirements, the would-be opponent must first determine that such action is indeed illegitimate and, in addition, that it is desirable, by some pragmatic standard, for him to disobey. While the religious domain is one of conscience where frequently little room is left for deliberation, the political realm is one of rights in which calculation is inevitable. Citizens may decide that, notwithstanding sovereign transgression, it is advantageous not to insist on accepted political procedures.

V

The Jewish idea of political sovereignty is ancient and yet

modern. It is certainly consistent with the practice of democracy and even strengthens the democratic principle of government by providing a strong basis for political opposition which is not available to its secular counterpart. It is an idea that is always contemporary in application.

NOTES :

1. *Exodus,* XX, 12.
2. *Deuteronomy,* XII, 11.
3. This example of the Chanukah lights is, according to Maimonides, a good illustration of the biblical precept cited here. Nachmanides disagrees. See the debate in the first *shoresh* of the *Sefer Hamitzvot.*
4. *Deuteronomy* XVII, 15.
5. *Chovot halevavot,* Sixth Treatise, Chapter VIII.
6. Among them is, for example, Rabbi Zvi Hirsh Chajes (known as the Maharatz Chajes). He is quoted by Menahem Eilon, *Hamishpat Haivri* (Jerusalem: Hebrew U., 1973), Vol. I, p. 46, note 143.
7. *Yad,* "Melakhim", III, 10.
8. Rabbeinu Nissim of Gerondi, *Drashot Haran* (Jerusalem: Mechon Sholom, 1974), pp. 191-2.
9. *Sanhedrin,* 48b-49a.
10. *Yad,* "Sanhedrin", IV, 13.
11. *Ibid.,* "Melakhim", I, 4.
12. On *Sanhedrin* (Frankfort: Cherman Press), A. Sofer, editor p. 212.
13. *Yad* "Melakhim", III, 10.
14. *Leviticus,* XXV, 10.
15. *Yad,* "Melakhim", I, 7.
16. *Sanhedrin,* 20a.
17. *Mishpat Kohen* (Jerusalem, 1937), p. 337.

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THE ROLE OF THE COURT JEWS IN JEWISH HISTORY

The Court Jews (or *Hofjuden*) were individual Jews who played a significant role in the business and financial activities of the German rulers of the seventeenth and eighteenth centuries, the period of centralized absolutism. Their historical significance, however, goes far beyond their mere economic endeavors. Indeed, the Court Jews have become key personalities in Jewish history, serving as transitional figures between the medieval and modern periods. Some view them as causative agents for Jewish emancipation in Western Europe, while others treat them as precursors of Jewish social modernity. According to political theorist and historian Hannah Arendt, an appreciation of the role played by the Court Jews is essential for a complete understanding of modern antisemitism. Hence, it is no wonder that most Jewish historians have felt compelled to deal with them in some fashion.

In this paper, we will analyze the methods with which different historians have treated the Court Jews. Thus, this paper will not only be a discussion of the historical role of the Court Jews but, more importantly, it will also be an analysis of differing methodological and historiographical approaches.

There is, however, one major problem encountered with regard to the Court Jew; namely, that although there are a significant number of secular primary sources which adequately reveal his basic functions, there is very little Jewish primary source material. It is, therefore, extremely difficult to determine how the individual Court Jew viewed his role. Did he consider himself to be within the Jewish community, having no

desire to adopt the secular value system, or did he consciously want to leave the Jewish community and adopt the values of the modern world? In the last analysis, answers to such questions must be left to the realm of speculation for we can only make such judgments by analyzing the external actions of the Court Jew; we can never be sure of his true intentions and motives.

The one significant primary source[1] that does exist is the memoirs of Glückel of Hameln, a famous Jewish "businesswoman" who lived during the period of centralized absolutism and who commented in the memoirs written to her children about many Court Jews whom she knew personally. While her impressions are helpful in elucidating the character of the Court Jews as well as in giving the reader an idea of contemporary Jewish attitudes towards them, the historian must exercise great caution when evaluating her opinions. The book is written with a limited perspective, as she exhibits strong religious feelings that affect her entire *Weltanschauung*. In addition, her evaluations of different Court Jews cannot be considered totally objective simply because she was usually related to the ones she knew. Nevertheless, if one reads Glückel with these caveats in mind, her thoughts can be very enlightening.

I

Casting this problem aside, we can now approach the central aspect of the essay.

The first step in our analysis is to discuss the "factual" issues involved: why did the Court Jews play such an important role during this period and how did they differ from earlier counterparts in Jewish history? Why was their influence primarily limited to Germany and Austria, and to what extent did the Thirty Years' War affect this influence? Was their role limited to the economic sphere or were they given greater responsibilities? What was the nature of Court Jews' relationship with their "protectors"—the monarchs and Princes—the

non-Jewish general public, and the Jewish communities? Were the Court Jews successful in their endeavors and, if so, how can one account for their swift decline in the nineteenth century? Two historians, Selma Stern in her work, *The Court Jew,* and Heinrich Schnee in his three volume work, *Die Hoffinanz und der moderne Staat,*[2] have done excellent jobs in providing answers for most of these questions by analyzing the relevant primary and secondary sources. By using these general works, one can receive a good understanding of the Court Jew phenomenon and some of its ramifications.

The rise of the Court Jews must be understood within a political context; it began during the period of centralized absolutism in Western Europe in the seventeenth and eighteenth centuries. Actually, this period, in which the state was governed by the Princes, can be said to have begun in the sixteenth century but the Court Jews did not play any role in this earlier period. During the sixteenth century, the Princes were able to receive financial support from their wealthy subservient countries and therefore, Jewish economic assistance was not needed. However, the Thirty Years' War (1618-49) caused a drastic change in the economic picture. Europe became a veritable battlefield as an attempt was made to prevent the Catholic Hapsburg Emperors from gaining supremacy in the continent. The German Princes fought to preserve Protestantism. The end of the war saw the destruction of Catholic Europe, which had been embodied in the form of the old Holy Roman Empire. The Hapsburgs were weakened considerably and, in addition, Germany was devastated and suffered an economic collapse. When the Treaty of Westphalia restored the Princes' power, they were faced with the unenviable task of rebuilding their states; but, their bankers and rich native subjects had lost their wealth. Thus, unlike other Western European countries such as France, Spain or England, which were financially sound or had other financial resources, Germany had very serious economic problems.

During this period, the Princes' basic political philosophy

was to break down the old feudal order by taking away the powers of the Estates and the Church. They attempted to form a centralized system of government by gathering all the power for themselves; no rival political force group was allowed in society. In addition, the Princes attempted to unify their territorial possessions and to build up the prestige of the state. The model of this era was Louis XIV in France with his magnificent Versailles. The Princes tried to emulate him by building large castles, having huge banquets and parties and dressing in exquisite clothing.

Economically, the Princes sought mercantilist policies. The state controlled all economic development as the bourgeoisie was essentially non-existent. The entire policy was designed to increase the state's ability to wage war. Thus, all economic and political power centered upon the state, which was totally controlled by the Princes.

In order to achieve their goals, the Princes needed a strong administration and a unified bureaucracy. More importantly, they required secure financial assistance to support the state. As mentioned above, sufficient amounts of financial support from the general populace no longer existed. The Princes were forced to look for new alternatives. The Jews were usually qualified to assist the court in both political and economic areas. As a result, individual Court Jews were selected to hold such influential positions as war commissary, commercial agent, food contractors, mint master, and cabinet factor. Some even managed to get involved in trade and industry, and these Court Jews, who were predominantly in Prussia, earned their fortunes as manufacturers. However, once the states no longer needed the services of the Court Jews, as in the mid-nineteenth century when economic conditions had changed, they gradually disappeared from the political scene.

What makes the phenomenon of the Court Jews so extraordinary is that it emerged while medieval antisemitic views still persisted. While the state may have adopted a secular orientation, the foundations of the state were still religious.

Thus, it was only because of these Jews' great economic usefulness that the Princes overlooked their anti-Jewish feelings and allowed them to become members of their court. This fact is extremely significant because it explains the Court Jews' precarious position. Their actual existence depended solely upon one person: the Prince. Everyone else, including the general populace as well as other non-Jewish members of the court, envied and disliked them. They had no recognized status and therefore were totally at the mercy of the Prince. If the Prince was unhappy with their work or, indeed, if the Prince died or was overthrown, the Court Jew could quickly lose his position.

Aside from the basic Christian antisemitism, another factor which increased the hatred of the masses was that the Court Jews executed the policies of the state, including the widely criticized policies of taxation. The Jews, not the Prince, were held responsible for any unpopular political or economic policy. Moreover, the people resented the new Jewish competition which had not previously existed. And because of their inherent vulnerability within the state organization, the Court Jews were easy targets.[3]

This analysis of the connection between antisemitism and the Court Jews belongs to F. L. Carsten. He maintains that the Court Jews' vulnerability and "competitive" nature contributed to their quick descent from power. Selma Stern argues with a slightly different emphasis. She states that Court Jews were hated because they represented the new system of centralized absolutism and the overthrow of the old feudal order. She denies that theological antisemitism was a factor when she states:

> Theirs was the bitter and implacable hatred of a class that sees its age-old privileges endangered. Though ostensibly their Jew hatred was directed toward the Jew and heretic, it was not the stranger and infidel they wanted to annihilate; they were really attacking the co-founder of the banks, monopolies, industries, and companies and the exponent of the luxury and money trades. Though they accused him to the world of being an enemy of Christ and Christ's name, it was in reality not their

> Church and not their religion they sought to preserve, but rather the guild system, the doctrine of fair price, the patrimonial state government, and medieval society of the Estates.[4]

Carsten correctly rejects Stern's arguments because he insists that the ideas of absolute government and economic mercantilism had existed since the sixteenth century. Clearly, the "new order" was secure and the Court Jews were not its initiators.

Aside from the previously mentioned fact that there were not enough Gentiles capable or willing to assume the responsibilities accepted by the Court Jews, the question still remains as to why the Jews were such preeminent candidates for their positions. Ironically, their "Jewishness" played an important role in this rise to power; it made them uniquely qualified. As mentioned above, Jews had no legal support in Germany and thus were totally dependent upon the Princes whom they served. Moreover, they had no ties to any group in society. This allowed them to become "scapegoats" for any unpopular state policies. By having the anger of the masses vented through antisemitism, the Princes could escape criticism. In addition, years of experience in monetary affairs had greatly developed Jewish business acumen. The fact that Jews had contacts all over Europe in the form of co-religionists allowed them to receive the latest commercial and political news. Their co-religionists could also be used as important trade agents or middlemen; indeed, the Court Jews were able to develop an entire network of traders and suppliers by using their "international" connections. Also, because of their intense desire for wealth and power, the Court Jews were willing to take the great financial risks involved in their activities. As a result, bankruptcy was not an uncommon occurrence among Court Jews.

Fritz Redlich, in his essay on Jewish mint-masters in Brandenburg, Prussia,[5] argues that their "Jewishness" allowed them to operate with a double standard of morality. The Court Jews had no compunctions about engaging in "shady" business deals with Gentiles. "It cannot be doubted that the underprivileged group of businessmen had developed an ethical code

valid within the group, a code which, however, gave them a certain freedom in their dealings with outsiders. Those outsiders, on the other hand, aware of the existence of the two sets of sanctions turned to members of the underprivileged group when business came up which was shady within their code . . ."[6] It should be noted that the area with which Redlich deals, Jewish mint-masters, was well-known for its unethical practices. In many instances open fraud was perpetrated by Jewish mint-masters with the king acting as a party to it.[7] Such overt unethical practices, however, were not evident in all areas in which the Court Jews participated.

Salo Baron offers additional reasons as to why the Court Jews were selected to serve the government during this period.[8] He stresses the uniqueness of this era which witnessed the Commercial Revolution and the Protestant Reformation, both of which were developing in a state that had centralized absolutism. These factors stressed individualism in a very nationalistic state which had previously tried to control all aspects of society. The Jew, who generally fares best in a liberal society in which the state plays a limited role, was thus helped by the presence of these individualistic features.

While the Princes gave the Jews special privileges and position, in no way did they determine the Court Jews' success or failure. In fact, the Court Jews actually saved their countries from ruin during difficult periods.[9] They were certainly key factors in the development of the modern state; yet, one should also realize that they provided only one of the states' supports. Schnee rightfully points out that their contribution should not be overestimated.[10] He speaks of the many other factors which aided the state considerably, such as taxation from the non-privileged classes, the military organization, and the state officials who administered the revenues.

Schnee, however, does not underestimate the Court Jews' great successes either. In accounting for them, he follows the Weber-Sombart thesis which posits an "internal connection between the Jewish religion and moral teaching, between the

Old Testament puritanical spirit and the economic activities of the Court Jews."[11] Carsten rejects this argument and argues cogently that the Jews "were especially hardworking and determined to be successful, especially eager to escape from the poverty of the ghetto."[12]

The extraordinary achievements of the Court Jews can therefore be explained by their "power source," that is, by the large amounts of control given to them by their court protectors, as well as by their driving ambition to succeed. These two factors are the major distinguishing features between the "premodern" Court Jews with whom we are dealing and their medieval predecessors. As Jacob Katz observes, "Still, the Court Jews of the seventeenth and eighteenth centuries seem to have surpassed all their precursors. They were more numerous, their business activities were more extensive, and their influence increased; so did their proximity to those in power."[13] Selma Stern goes even further:

> He differed from the Court Jew of the earlier period not only in that his activities were of a more varied nature and embraced finance, diplomacy, commerce and politics, but also in that he possessed a remarkable degree of industriousness and restlessness, a great interest in speculation and action, a strong desire for success, a lust for money and profit, an ambition to climb higher and higher and assimilate as completely as possible to his environment in speech, dress, and manners.[14]

Indeed, the Court Jew stands between the medieval and modern periods in Jewish history. *Prima facie,* he seems to represent a new stage in Jewish history, but whether or not he is truly a modern figure will be discussed at length later.

We have already spoken of the role of the Court Jews as entrepreneurs and financiers. It should also be mentioned that they had significant political roles within the state government and within their own Jewish communities as well. Some became advisors in matters of financial administration, while others had diplomatic duties. The most famous example was Josef Süss Oppenheimer, confidential advisor to Duke Charles

Alexander of Württemberg. Oppenheimer wielded a tremendous amount of power being in charge of the Duke's financial policies.

The Court Jews' political role *vis-à-vis* their own communities was in the form of *shtadlanim* or mediators. To understand the institution of *shtadlanut,* one must first understand the relationship of the government to the Jewish community. As explained above, the rulers who employed the political philosophy of centralized absolutism had one major objective: making everything and everyone in the government totally subservient to the state. The previously autonomous Jewish community was thus forced to change its internal government. The Princes appointed court officials or *shtadlanim* to govern the communities. Frequently, Court Jews were given this position because they were already members of the court.

The manner in which the *shtadlanim* executed their duties depended upon their individual personalities. Many felt a genuine obligation to help their fellow Jews and were instrumental in protecting Jewish rights. Others, however, abandoned their Jewish communities, exacting harsher demands than the government itself! (e.g. Israel Aron, Bernard Levi, or Jost and Esther Liebmann). These Court Jews became enthralled with their power, acting as actual tyrants over their native communities. Many, however, were in the middle of both extremes. On the one hand, they felt, as government officials, an obligation to support the government policies; on the other hand, they felt responsible for their co-religionists' protection. Thus, the fact that there were many disputes between the *shtadlanim* and community leaders is quite understandable. Ultimately, political control of the Jewish community was at stake, and Jewish communal leaders refused to yield autonomy easily.

While many Court Jews were still official members of their native communities, they developed an elitist class of their own. They became a type of Jewish aristocracy that possessed its own value system, often arranging "profitable" marriages within their group so as to keep their wealth and

power within the "family." Externally, they could be singled out by their fine dress and mannerisms; indeed, they tried to adopt the trappings of court life. Though one might argue that the Court Jews therefore cannot be identified with their native communities, one should also realize that the Jewish community itself was stratified.

Though the Court Jews can be analyzed as one group, it was not the case that all filled the same roles. As mentioned above, while some were involved primarily in economic endeavors, others were best known for their political activities. This can easily be seen by viewing the lives of some of the most important Court Jews. Samuel Oppenheimer played a key role in supplying the armies of the Hapsburg emperors. Stern claims that Oppenheimer in particular saved the state from ruin.[15] Indeed, when Oppenheimer died, there was utter chaos and the government was forced to reorganize. The career of such a Court Jew forces one to acknowledge the Court Jews' great economic importance during this period.

Oppenheimer is significant for another reason. He was very much concerned with protecting the rights of his co-religionists. Possessing an important position in the court, he felt it his duty to look after their rights, often emphasizing that he felt this was one of the Court Jews' major functions.[16]

Fritz Redlich, in his analysis of Jewish mint-masters in Prussia, emphasizes the mint-masters' significant role in the development of Jewish enterprises. He writes, "It is not generally known that outside of England and Holland, Jewish enterprise had reached a size and importance evidenced by concerns such as those of Gompertzs, Ephraims, and Itzigs."[17] Though minting activities were very risky and many mint-masters were forced to conduct shady transactions, Redlich finds that their profits were enormous. The Court Jews also became involved in industry; Frederick the Great induced many to invest their profits in industrial enterprises such as lace, silk, salt, and textiles.

The Court Jew who had the most significant political role

was Josef Süss Oppenheimer. Officially, he was "Privy Finance Councillor and Cabinet Treasurer" for Duke Charles Alexander of Württemberg. His major task was to carry out the policies of princely despotism by taking away the power of the Estates and by giving the Duke absolute control over the state. Thus, he totally transformed Württemberg into an authoritarian and police state. Süss' power, however, was short-lived. Charles Alexander died prematurely during a planned revolution in which he attempted to overpower the Church. As a result, Süss' only power base was gone, leaving him to the vengeance of those who hated him for the policies to which he had administered. After a lengthy trial, he was publicly hanged because "he had sown distrust against the ministers, councillors, and Estates, had infringed all basic treaties and rent asunder all laws and constitutions."[18] Süss' death is a clear indication of the Court Jews inherent vulnerability and precarious position within society.

II

Having discussed the Court Jews' rise to power as well as their basic functions within society, we can now deal with the Court Jews' role in modern Jewish history. Three basic questions must be asked. First, were the Court Jews transitional figures, precursors of modernity who adopted elements of modern society, or were they really medieval figures thrust into a culture which they had no intention of adopting? Second, what role did the Court Jew play in Jewish emancipation? And third, how did the Court Jews contribute to the development of modern antisemitism? Although all of these issues are connected in many respects, we will try to isolate them as much as possible in order to understand the peculiarities involved in each. In doing so, we will also analyze the differing historiographical approaches.

The most crucial factor involved in answering these questions concerns one's definition of modernity. One might speak of political, intellectual, social, and economic modernity independently or one might argue that all factors must be con-

sidered together. The way in which the historian deals with this issue will determine to a large degree his historiographical approach.

The first issue raised concerns the question of the intellectual and social modernity of the Court Jews. Were they the intellectual precursors of the modern emancipated Jews of Europe? Superficially, they indeed seem to be very modern figures leaving their Jewish communities to become a part of the non-Jewish political structure. They were men of great power and influence who were able to amass much wealth. Moreover, the Court Jews adopted part of the life style of the secular world; for example, they wore fine clothes, lived in great mansions, and spoke the language of the non-Jewish culture. And all of this occurred within a society that was anti-Jewish; a society whose members would not allow the Court Jews to mix even socially with them. Yet, the key question is: what were the Court Jews' true intentions? Were they really medieval Jewish figures who were simply motivated by a burning ambition for wealth and power as a vehicle for cultural and social advancement? These questions can never be answered definitively because of the lack of primary sources spoken of earlier. One can only speculate based upon an analysis of the actions of the Court Jews.

Glückel of Hameln comments on the lives of several Court Jews and it seems quite evident that she considers them to be motivated by religious concerns.[19] To be sure, they had acquired wealth, power, and foreign languages; yet, they were still religiously traditional Jews who used their positions to help the Jewish community. Glückel herself was a wealthy businesswoman and she writes of the lavish weddings she attended in her Jewish circles. In addition, she speaks of a desire to know French so that she could converse with the community officials of Metz who had come to congratulate her and her well-known husband, Moshe Levy, on their marriage. Because of her ignorance of French, Levy acted as an interpreter. But despite these external symbols of modernity, there can be no doubt

that Glückel was not affected by either secular or non-Jewish values. She had an extraordinary belief in God and felt that He controlled every aspect of man's life. She assumes that the Court Jews had a similar *Weltanschauung*. Thus, she has constant praise for their activities. While writing about Samson Baiersdorf, an influential Court Jew of the Duke of Margrave, she states, "It is impossible to describe in what honor and trust he, a Jew, is held by Margrave. May God grant that this exalted position remain until the coming of the Messiah."[20]

Glückel's accounts must be read with caution. As mentioned earlier, she was acquainted with only a limited number of Court Jews and she was related to most of those whom she knew. In addition, her observations were based on the actions of the Court Jews as she did not know most of them intimately. Her religious *Weltanschauung* also influenced her thoughts significantly. The historian therefore cannot rely on her analysis exclusively.

Fritz Redlich also discussed the issue from a limited perspective; his analysis is limited to the Jewish mint-masters of Prussia. One might argue that these were the most "modern" Court Jews because they were forced to commit open violations of fraud while in collusion with the princes. These actions might indicate a rejection of the Jewish value-system in favor of the unethical business practices of the non-Jewish world. Redlich, however, argues to the contrary. As discussed above, he points out that the *raison d'etre* for the Court Jews was their Jewishness and that therefore they possessed a double moral standard for Jews and gentiles in which unethical business practices were considered acceptable when dealing with non-Jews.

Jacob Katz also concurs with this analysis. For Katz, "modernity" requires social change; the modern period begins when the Jews can be said to have adopted the non-Jewish value-system. He thus rejects Azriel Schochet's thesis that genuine acculturation began as early as the year 1700 when German Jews began departing from traditional patterns of

life.[21] Katz argues that these "deviations" were not the result of a new *Weltanschauung* among German Jews. Their intentions were crucial, and he finds that they justified their actions in terms of tradition. In regard to the Court Jews, Katz contends that though business relationships between Jews and gentiles were common, cultural and social relationships were very limited. "Between the Court Jew and the master he served in a variety of capacities, a mutual attachment may have sprung up. Nonetheless, the relation between the two remained hierarchic, with each side aware of the social distance; such a relationship could continue only as long as the manifest purpose justified it."[22]

Hannah Arendt also agrees with this argument. She feels the Court Jews had no social ambitions and no desire for social relations with non-Jews. She emphasizes their selfish motives — a desire for power, wealth and dictatorial control over the Jewish communities. This motivated the Court Jews to develop into an elitist caste that separated itself from the Jewish community. Much of Arendt's discussion however, must be understood as part of her stinging critique of Jewish leadership throughout modern Jewish history, about which more will be said later.

Though F. L. Carsten does not discuss the problem at length, he does seem to consider the Court Jews pre-modern figures. "The Court Jews were not only assimilated in their way of life, their manners and their clothes to the ways of the ruling-classes, but equally in their ideas and *esprit*."[23] Interestingly, the full title of his article, "The Court Jew, A Prelude To Emancipation," also suggests this view. Although the subtitle may only be referring to the Court Jews' causal role in the emancipation process, it is more likely that it has a double-meaning in light of the above quotation.

Selma Stern contradicts herself when discussing this issue. On the one hand, she emphasizes the basic psychological motivations which caused Court Jews to strive for wealth and power:

> Behind these complaints and accusations was the psychological need of a people suffering from centuries of persecution to express its resentment and to struggle to change. Because the surrounding world did not recognize them, they had to try to win recognition themselves. Because they were always considered inferior, they had to compensate for their feeling of inferiority by developing an attitude of self-assurance and even arrogance.[24]

She uses this analysis to explain the dictatorial qualities of some of the *shtadlanim* as well as the "antisemitic" nature of Court Jews such as Israel Aron and Jost and Esther Liebmann.

On the other hand, Stern also argues that the Court Jews actively sought to leave the ghetto and join the modern world. Unlike Redlich, she contends that the mint Jews' unethical activities can be attributed to their acceptance of the non-Jewish ethic which justified unethical behavior in certain circumstances. She further states:

> Is it any wonder that Jews should long to escape from the narrow Jewish quarter where nothing ever changed, where his horizon was bounded by his home and business, the synagogue and the community, or that he should wish to free himself from the social, economic, and political restrictions which segregated him from the people around him?"[25]

She analyzes the tensions within the personalities of these Court Jews who struggled with the conflicting values of Judaism and the modern world. Josef Süss Oppenheimer is a notable example. He rejected much of his religion and became a free-thinker and a skeptic, absorbing the spirit of the Enlightenment. Yet, at the same time, he also felt a longing for his Judaism and indeed felt morally compelled to help the Jewish communities through his powerful position. While he was in prison awaiting his execution, he remarked to a pastor who tried to convert him, "I am a Jew and will remain a Jew. I will not become a Christian even if I could become an Emperor."[26] Josef Süss Oppenheimer finally resolved his tension when he died on the gallows with the words of "Shma" on his lips.

These types of contradictory analyses are frequent in

Stern's book. She doesn't raise the issues clearly; nor does she seem to realize the historical significance of her wealth of information and statistics. She is prone to speculating on many issues on which there is no primary source material, and the reader quickly finds out that speculative analyses can easily lead to contradictory approaches to an issue. Thus, although Stern provides the information to formulate a response to all of the issues, the reader is forced to raise the issues independently, extract Stern's sometimes contradictory response, and finally develop an approach of his own.

With regard to the social modernity issue, we feel that all historiographical approaches can best be reconciled and a compromise solution formed. The evidence seems to indicate that while the majority of the Court Jews simply desired the wealth, power, and prestige which their positions contained and had no interest in adopting the value-system of the modern world, there was a minority who did possess a modern *Weltanschauung*. These Court Jews, of whom Josef Süss Oppenheimer is perhaps the best example, sought the modern world even though they were denied entrance. Their personalities can be characterized by a genuine internal struggle in which the forces of the ghetto fought with the forces of the modern world. Forcing all Court Jews to conform with this model, however, is grossly unfair.

The most famous novelistic account of the Court Jew, "Jew Süss" by Lion Feuchtwanger, is about the life of Josef Süss Oppenheimer. Feuchtwanger's account basically follows the historical life of Oppenheimer and much of his analysis concerning Oppenheimer's role as a Court Jew is correct. He depicts the powerful and wealthy "Süss" as being totally dependent upon the Duke, Karl Alexander, thus emphasizing the tenuousness of his position. Feuchtwanger also stresses the antisemitism exhibited towards Süss not only by the general populace but also by members of the royal family. In line with Stern's analysis Süss' personality is shown to be filled with many tensions. He seeks the values of the non-Jewish

world; he is even willing to compromise his entire ethical value-system to become accepted by the Duke. (The best example is when he offers an innocent young girl, whom he really loves, as a prostitute for the Duke). At the same time, however, he cannot escape his Judaism. This latter point is dramatized emphatically with regard to Süss' daughter Naemi. The Duke's attempted rape of Naemi and her subsequent "accidental" death cause Süss' return to Judaism. Naemi's death is avenged by the downfall of the Duke, and Süss dies a contented man. His last words are, "This life is but a straining after breath, One and eternal is the Lord of Israel, Adonai, the everlasting, the infinite."[27]

The role of the Court Jews in the emancipation process is related to the "modernity" issue, and it is also debated among historians. There is no doubt that Court Jews were active in procuring better conditions for the Jewish communities, but the key question is whether emancipation can be wholly attributed to their power and influence. In concluding his three-volume study, Heinrich Schnee opines that the "Emancipation of the Jews was the work of the *Hoffactoren.*"[28] Jacob Katz feels that Schnee regards the Court Jews as the most significant cause of emancipation and that he totally disregards other social, political, economic, or intellectual factors.[29] Carsten agrees with Schnee's basic analysis when he concludes his article by stating that the role of the Court Jew came to an end with ". . . the general emancipation of the Jews during the same period (i.e. the 19th century), which their earlier emancipation had helped so much to bring about."[30] In addition, as already mentioned, the title of Carsten's article also alludes to the Court Jews' causal role in emancipation.

Katz argues vehemently against this thesis. He considers the Court Jew to be just one of the factors which caused emancipation. More importantly, he feels, one must consider the new universal ideas of the Enlightenment, the waning of religion and the rise of secularism, the political repercussions of the French Revolution, as well as capitalistic growth in the

modern nation-state. The Court Jews should be only understood as manifestations of the political, economic, social, and intellectual development of their times. Thus, Katz contends that the Court Jews' influence could only be effective when society was ready to accept Jews in general. And since at the height of their influence (fifty to one hundred years before emancipation) society could not even envisage emancipation, they were of necessity relatively ineffective. Moreover, Katz asserts that not all pro-Jewish legislation was supported by Court Jews nor owed its origin to their influence. To be sure, the Court Jews' influence was significant in Germany, but two very important acts, the Edict of Tolerance in Austria in 1781-2 and the granting of citizenship in France by the National Assembly in 1790-91, were accomplished without any help from Court Jews.

Ellis Rivkin has an entirely different approach to the problem; however, to fully appreciate Rivkin's thesis, one must first understand his "radical" philosophy of Jewish history. Rivkin has a Toynbee-like historiographical approach which is marked by a type of economic determinism and a Marxian analysis of the role of ideas. The central element in Jewish history is what he terms the "unity theory," which holds that the Jewish belief in monotheism has determined the Jewish response to changing historical circumstances. The most significant changes were always economic simply because "the rise and fall of wealth compells human response"[31] and the rise of "developmental capitalism" was most important in the modern period. Social and political factors should be considered but given only a secondary role as causative agents of events. Ideas serve only as "rationalizations" of existing historical conditions. In line with this analysis, Rivkin sees developmental capitalism as the primary cause of emancipation. The rise of Court Jews, or the first Jewish entrepreneurs, is therefore an indication of the emergence of capitalism in the nation-state.

Closely related is Rivkin's treatment of modern anti-semitism. Earlier, we spoke in general terms of the Court

Jews *vis-à-vis* antisemitism, and it was concluded that the unique position of the Court Jews provoked the antisemitism of the general populace. Rivkin argues that antisemitism can also be directly related to economic development. Capitalism required Jewish participation in the economic development of society; it therefore encouraged emancipation, and discouraged antisemitism. Though the Court Jews represented the beginnings of capitalistic development, many pre-capitalist forms and institutions remained (such as absolute monarchism) which accounted for the preservation of such things as antisemitism. It was not until the economic development could effectively restructure the political life of the society that antisemitism decreased.

Rivkin's argument concerning capitalism's role in emancipation is well-taken; however, his general philosophy of history is fraught with errors. A monistic approach to the whole of Jewish history is foolhardy as it rejects the unique historical conditions in different countries and periods. Our criticisms, however, will be limited to his analysis of the Court Jews and antisemitism. First, while he admits that political and social factors have causative roles, he neglects to acknowledge the political significance of absolute monarchism in the rise of the Court Jews. He admits that the monarchs used the Court Jews for their mercantilist endeavors, but he fails to recognize the political ramifications of the Thirty Years' War which necessitated the Court Jew's role in the government. It was thus a political factor which was the ultimate cause of the rise of the Court Jews. Second, in his analysis of antisemitism, Rivkin refuses to acknowledge the impact of theologically oriented Christian antisemitism which most historians consider to be the essence of medieval antisemitism.[32] His negation of the causative role of ideas in history can thus seriously be questioned. There can be no doubt that religious beliefs have had a significant impact upon Western civilization, especially in regard to medieval antisemitism.

Salo Baron, in his analysis of modern antisemitism, empha-

sizes the political factors. He posits that the Jews fare best in a country which emphasizes the individual, not the state. On the other hand, those countries which possess a strong nationalism or which defy the state are likely to be antisemitic. Economic policies usually reflect the political philosophy of the state. Thus, capitalism is typical of a liberal government which relegates the state to the background, while mercantilism is typical of a nationalistic government which places the state on a pedestal.

Baron recognizes that there have been historical exceptions to his theory. The case of the Court Jews during the period of absolute monarchism is one such exception. As mentioned earlier, Baron observes two peculiarities of this period, the individual commercial revolution and the Protestant Reformation, in explaining the rise of the Court Jew. However, at the same time, he cautions that ". . . the sentiment of the population, for the most part, remained hostile to the Jews. Capitalist evolution necessarily led to the overthrow of well-established modes of earning a living and to the ruin of many vested interests, the Jew becoming the scapegoat . . ."[33] Moreover, Baron comments on the vulnerability of the Court Jew who was merely an instrument of a monarch who often abused him. Finally, it should be mentioned that Baron does not consider the Court Jews to be causative agents of emancipation. He does not discuss this issue explicitly but the omission of the Court Jews in his discussion of the causes of emancipation is glaring.

Hannah Arendt disagrees with Baron and others who, as we have seen, contend that the Court Jews' causative role in emancipation was minimal. She argues that the Court Jews were originally given privileges as individuals because of the special role they played in the state. When the nation-state began to grow, the limited group of Court Jews could no longer handle the increasing demands of the state, and the privileges embodied in emancipation were extended to all of Western and Central European Jewry. The initial existence

of the Court Jews was crucial for later emancipation as they showed the government that Jews could indeed be economically and politically beneficial to the state. Arendt, however, acknowledges that there were other causes of emancipation. She notes that the political and legal structure of new nation-states could function only if political and legal equality existed for all members of society.[34]

The role of the Court Jews in emancipation must be understood in connection with her theory on modern anti-semitism. Arendt finds the origins of modern antisemitism in the Court Jews, as they represented a paradigm for Jewish political behavior in the nineteenth and twentieth centuries. Antisemitism resulted from the unique relationship that existed between the Jews and the state. The Jews would ally with the state to seek its protection. This caused any group which opposed the state to become antisemitic because the Jews were represented by the state. While the state continued to protect the Jews as was the case with the Court Jews, antisemitism existed on a mild level. However, when the state no longer needed the services of the Jews or when the state machinery broke down, the Jews were confronted with significant expressions of antisemitism. And the Jews had nowhere to turn because they had never sought the political protection of any group other than the state. Arendt applies Tocqueville's theory concerning the downfall of the French nobility after the Revolution to the Jews: wealth with a function can be tolerated but wealth without a function is intolerable.[35]

In this respect, the fact that the Court Jews played a role in emancipation shows that they had significant political power within the state; this, in turn, bolsters Arendt's theory of anti-semitism which depends upon the Jews' critical connection with the state. Arthur Hertzberg, in the *French Enlightenment And The Jews,* questions the validity of Arendt's argument. He argues that "the fashioning of the French State was the paradigm of that entire historical process. Jews played no role of any consequence there; during the last century of the "old order"

the French monarchy was largely financed by foreign Protestant bankers."[36] As we have seen earlier, Katz, too, questions the validity of a theory which encompasses emancipation in all of Western Europe. To be sure, the Court Jews' role in Germany was significant, but their influence in other Western European countries is dubious.

Notwithstanding the above criticism, one might defend Arendt on the grounds that for the government to grant emancipation, the Jews first had to show they were capable of changing. The Court Jews were therefore necessary for emancipation because they allayed all doubts the government might have had. On closer inspection, we find that this argument also cannot be supported. In France, for example, the acculturated Sephardic community showed the Jews' willingness to change. In Germany, Mendelssohn and his group of "enlightened" Jews were considered to be evidence of the basic "humanity" of the Jews. There, the role of the Court Jews in emancipation must be minimized. If the counter-factual question were raised, "Would the Jews have been emancipated had the Court Jews never existed," one would have to answer resoundingly in the affirmative.

Arendt can also be criticized for not recognizing the role of medieval Christian antisemitism. She neglects the implications which the secularization process that accompanied emancipation had for antisemitism.

Finally, one must understand Arendt's analysis in light of her critique of Jewish leadership in modern Jewish history. Arendt insists on moralizing while writing history. For her, "History, in this sense, has its moral, and if our scholars, with their impartial objectivity, are unable to discover this moral in history, it means only that they are incapable of understanding the world we have created; just like the people who are unable to make use of the very institutions they have produced."[37] In a later comment, the reader can fully appreciate her pronounced bias against general political leadership in modern history: "The moral of the history of the nineteenth century

is the fact that men who are not ready to assume a responsible role in public affairs in the end were turned into mere beasts who could be used for anything before being led to the slaughter. Institutions, moreover, left to themselves without control and guidance by men, turned into monsters devouring nations and countries."[38] In terms of Jewish leadership, Arendt uses the Court Jews as a model for Jewish political naiveté. The *Judenrate,* in Nazi-occupied Europe, were to receive even greater condemnation.

In response to Arendt, one is compelled to look once again at Jewish motivations. Though the Court Jews may have acted as a result of certain selfish goals, they surely had no idea that they would significantly increase the already existing antisemitism within society. On the contrary, they probably felt that they would be in a good position to help their Jewish communities through their influence with the state. If the historian places himself in the position of the Court Jews, he will not find their actions to be so naive; unaware of the vast future political implications of their policies, their actions are indeed very understandable. However, viewing them two hundred years later, it is not difficult to condemn their actions. Arendt's habit of judging historical figures in such a fashion is therefore unjust.

Ironically, Arendt is guilty of her own charge that historians have a nasty propensity to manipulate the facts of history to fit into their grandiose historical schemes. She writes, "Caution in handling generally accepted opinions that claim to explain whole trends of history is especially important for the historian of modern times, because the last century has produced an abundance of ideologies that pretend to be keys to history but are actually nothing but desparate efforts to escape responsibility."[39] Rivkin is even more culpable in this regard. What redeeming features do their theories contain that can justify such approaches to history?

In defense of Rivkin and Arendt, one must realize that though they may not consider all the factors involved in an

issue, they at least contribute to our understanding of part of the historical development. Thus, for example, Arendt's brilliant analysis of modern antisemitism and Rivkin's discussion of the importance of capitalism go a long way in helping the historian understand the causes of modern antisemitism and emancipation, respectively. Moreover, Arendt and Rivkin must not necessarily be seen as articulating simple cause-effect relationships within history. Both of them are discussing history on a higher level. Their emphases are on the critical "forces" that move history and their analyses attempt to explain the progression of these profound forces. Understood in this light, there is much value in their theories.

As our analysis of the Court Jews is concluded, it is now possible to understand why modern Jewish historians find the Court Jews to be such significant figures. Indeed, they raise three of the most important issues in modern Jewish history: Jewish modernity, emancipation, and modern antisemitism. Unfortunately, the lack of primary source material precludes the historian from achieving a definitive analysis of their ultimate role. Thus, they must remain an enigma within Jewish history.

NOTES :

1. It should be noted that there are a few other less important Jewish primary sources. For example, Josef Süss Oppenheimer, the famous Court Jew for Duke Charles Alexander of Württemberg, wrote a short diary before he was hanged. It reflects therefore, the views of a dying man and must be understood in this light.
2. See Selma Stern, *The Court Jew,* translator, Ralph Weiman (Philadelphia: Jewish Publication Society, 1950); and Heinrich Schnee, *The Hoffinanz und der moderne Staat,* three volumes, (Berlin, 1953-5). This writer used F. L. Carsten's summary of Schnee's German work. See F. L. Carsten, "The Court Jews: A Prelude to Emancipation," *Leo Baeck Institute Year Book,* III, (1958), pp. 140-156. The basic information for the following general analysis of the development and functions of the Court Jews was taken from these works unless specified to the contrary.
3. Carsten, p. 150.

4. Stern, pp. 266-7.
5. Fritz Redlich, "Jewish Enterprise and Prussian Coinage in the Eighteenth Century," *Explorations in Entrepreneurical History*, volume three, p. 178.
6. *Ibid.*
7. *Ibid.*, p. 171.
8. Salo Baron, *Social and Religious History of the Jews*, volume three, (New York: Columbia University Press, 1937), p. 422.
9. Stern, p. 37.
10. Carsten, p. 141; Schnee, volume three, pp. 255-6.
11. Carsten, p. 154.
12. *Ibid.*, p. 155.
    In general, Carsten observes that Schnee's analysis is marred by an antisemitic bias which is especially apparent in Schnee's evaluation of the Court Jews' economic achievements. In many instances he explains their success as part of a peculiarly Jewish propensity for making exorbitant profits. In this respect, he attacks the Jewish ethical system.
13. Jacob Katz, *Out Of The Ghetto*, (Cambridge: Harvard University Press, 1937), p. 29.
14. Stern, p. 11.
15. *Ibid.*, p. 37.
16. *Ibid.*, p. 197.
17. Redlich, p. 178.
18. Carsten, p. 148.
19. Glückel speaks of two notable exceptions. These men apparently received permission from the king to be the government's representatives in the Jewish community. They acted contrary to the wishes of the community leaders and caused a major power struggle in which the community leaders finally prevailed. See Glückel of Hameln, *The Life Of Glückel Of Hameln*, translated and edited by Beth-Zion Abrahams, (New York: Thomas Yoseloff, 1964), pp. 31-2.
20. *Ibid.*, p. 148.
21. Katz, p. 34.
22. *Ibid.*, p. 43.
23. Carsten, p. 151.
24. Stern, p. 190.
25. *Ibid.*, p. 39.
26. *Ibid.*, p. 262.
27. Lion Feuchtwanger, *Jew Süss*, (New York: Viking Press, 1930), pp. 177-8.
28. Schnee, volume III, p. 215. Quoted in Katz, p. 30.
29. Katz, p. 30.
30. Carsten, p. 156.

31. Ellis Rivkin, *The Shaping Of Jewish History*, (New York: Charles Scribner's Sons, 1971), p. XXV.
32. See, for example, Leon Poliakov, *The History Of Antisemitism*, (New York: Schocken, 1965).
33. Baron, p. 188.
34. Hannah Arendt, *The Origins Of Totalitarianism*, (New York: Harvest Books, 1973), p. 12.
35. *Ibid.*, p. 4.
36. Arthur Hertzberg, *French Enlightenment And The Jews*, (New York: Schocken, 1970), p. 6.
37. Hannah Arendt, "Privileged Jews", *Jewish Social Studies*, volume 8, (1946), p. 5.
38. *Ibid.*, p. 6.
39. Arendt, *The Origins Of Totalitarianism*, p. 9.

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DARKEI SHALOM*

Darkei Shalom (on account of the ways of peace) represents a maxim which is frequently invoked in Talmudic literature as justification for a variety of rabbinic ordinances designed to supplement or modify biblical legislation. The range of subjects where the application of this rule has exerted a pronounced impact is rather extensive. But for fairly obvious reasons, it was primarily in areas where the utilization of this principle has affected relationships to the non-Jewish world that the analysis of its meaning and significance has evoked the greatest interest.

The basic question that must be faced is whether the enactments prompted by concern for *Darkei Shalom* should be regarded as expediency measures dictated by the enlightened self-interest of the Jewish community or whether we are dealing in these cases with a supreme ethical principle which transcends purely pragmatic considerations.

Historically, divergent views have been presented on this question. On the one hand, Christian writers, bent as they are on demonstrating the alleged superiority of Christian universalism or Jewish particularism, tend to relegate *Darkei Shalom* to the level of a purely prudential device aiming at facilitating coexistence with the non-Jewish world.

In what appears to be an overreaction precipitated by apologetic fervor, an array of prominent scholars such as

* This paper is excerpted from a larger study which includes extensive documentation for the thesis presented here.

Professors Hoffman, Lazarus, and Lauterbach categorically reject any suggestion that *Darkei Shalom* was intended solely as a device to protect the stability and security of the Jewish community. The ordinances promulgated to advance the "ways of peace," they argue, were inspired not by purely pragmatic considerations of enlightened self-interest, but rather by lofty ethical principles.

One of the most crucial arguments advanced in support of the thesis that the "ways of peace" represent an overriding ethical principle, and do not merely reflect considerations of expediency, is based upon a Talmudic passage.[1] The Babylonian Talmud states that the entire Torah reflects "the ways of peace," as it is written, "Its ways are the ways of pleasantness and all its paths are peace."[2] It has been argued, that if, "the ways of peace" represent an all pervasive distinguishing feature of the entire Torah, how could such a prominent characteristic be relegated to the purely pragmatic level. What is overlooked in this argument, is a rather significant point. There is no indication whatsoever in the Talmudic passage cited, that "the ways of peace" represent the ultimate aim and overall objective of the Torah. The texts in question really emphasize that "the ways of peace" represent one of the numerous features characterizing the precepts of the Torah. There is no evidence whatsoever that these characteristics constitute any more than merely pragmatically useful consequences which ensue in the wake of living in accordance with the precepts of the Torah. The text, however, does not provide any support for the contention that the very purpose of the Torah is to bring about conditions of peace and pleasantness.[3]

Another frequently advanced argument in support of the ethical thesis is equally unconvincing. It has been maintained that the term *Darkei Shalom* conveys much more than merely the intent to prevent animosity between individuals. If *Darkei Shalom* merely amounted to an effort to reduce or prevent friction or strife, then, so it is claimed, the appropriate term would have been *Devar Hashalom*[4] or *Mipnei Eivah* (prevention of animosity). The very usage of the term *Darkei Shalom*

(the *ways* of peace) is construed as evidence that what the Talmudic sages had in mind was a far more general and sublime ethical goal than merely the attainment of a stable social order.

The only trouble with this kind of argument is that it is not borne out by the facts. Many Tannaitic ordinances which are similar to the type of enactments justified in the Mishnah on the grounds that they are vital because of *Darkei Shalom* are in the Gemarra explained on the grounds they were prompted by the attempt to prevent *"eivah"* (hatred). This clearly shows that insofar as the Talmud is concerned, there is really no conceptual difference between the positive formulation ("the ways of peace") and the negative formulation *Mipnei Eivah* (prevention of hatred).

As a matter of fact, it seems that, disregarding one or possibly two exceptions, the term *"eivah"* is not at all employed by the Tannaim either in the Mishnah or in the Tosefta.[5] On the other hand, when the Amoraim explained the reasons for certain enactments previously decreed by the Tannaim, they have recourse to the term *"eivah"*. But since the Amoraim employ the term *"eivah"*, to explain Tannaitic enactments which are similar to those justified in the Mishnah explicitly by reference to *Darkei Shalom*, it follows that insofar as the Amoraim were concerned, "the ways of peace" were the equivalent of the prevention of *"eivah"*.

To be sure, nothing we have established so far can be construed as evidence against the "moral" thesis. There is no reason whatsoever that the prevention of *"eivah"* should be regarded as a purely pragmatic objective. After all, in the Jewish religious code, the mandate to pursue peace plays a very important role. Among the religious acts that qualify for reward, both in this world and in the world to come, are included the measures designed to promote peace between man and his fellow man.

But even if we recognize that efforts to eliminate friction are endowed with enormous religious and ethical significance, we are still left with a major question. We have not yet

resolved whether *Darkei Shalom* or *"eivah"* when applied to relationships with the non-Jewish community represent an intrinsic or an instrumental value. It might well be argued that ultimately our concern for "the ways of peace" in our relationship with the non-Jewish world stems ultimately from Jewish self-interest. Obviously, the well-being of the Jewish community would be adversely affected by inviting friction with the non-Jewish community. Thus, it would be only the moral and religious imperative to insure the stability and security of the Jewish Community that would serve as the matrix for the enactment of regulations aiming to remove grounds for friction with the non-Jewish community. With such an approach to *Darkei Shalom* there would be totally absent from the Jewish value structure any intrinsic concern for the well being of those outside of the Jewish covenantal community. We would be left only with counsels for enlightened self-interest.

In contrast with this ethnocentric conception one might with the same degree of plausibility advance the thesis that "the ways of peace" and, for that matter, considerations of *"eivah"* reflect an overriding universal moral principle. Accordingly, *Darkei Shalom* would provide the matrix for binding moral obligations extending the range and scope of legalistic requirements. In this conception, *Darkei Shalom* supplements legalistic formulations and adds a moral dimension of universal significance.

Upon closer examination, it becomes evident that the two respective interpretations of the rabbinic maxim are perfectly compatible with the source material. Significantly, rabbinic authorities in the Middle Ages already held divergent views with respect to the nature and scope of the concept. On the one hand, some scholars operated within a purely ethnocentric framework and maintained that regulations rooted in "the ways of peace" or *"eivah"* were in effect only when the Jewish society in some sense depended upon the goodwill of the non-Jewish world. But in situations where Jews had no ground to fear the reaction of the non-Jewish world, no allowances had to me made for "the ways of peace."[6]

Other scholars categorically rejected this position and insisted upon the unconditional applicability of the precept, irrespective of any considerations as to whether or not an action in question would enhance the welfare of the Jewish Community *per se*. Maimonides, for example, makes it abundantly clear that concern for the welfare of a non-Jew transcends consideration of enlightened self-interest and reflects the religious mandate to imitate the ethical attitudes of God. It is for this reason, that when Maimonides[7] discusses the obligation to give alms to non-Jews, he cites the verse "God is good to everyone and His mercy encompasses all His creatures,"[8] before quoting the passage from Proverbs which the Talmud invokes as justification for "the ways of peace." Apparently, Maimonides went out of his way to guard against any attempt to look upon moral actions towards non-Jews as grounded exclusively in purely pragmatic considerations calculated to secure the peace of the Jewish community. By linking the pursuit of "the ways of peace" with the divine attribute of compassion, Maimonides suggests that what is involved in "the ways of peace" is an overriding religious imperative. Significantly, the verse "God's mercy extends to all His creatures" is also cited by Maimonides[9] as evidence that the cultivation of compassion constitutes one of the ways in which we comply with the mandate to emulate divine attributes of ethical perfection.

What emerges from the Maimonidian formulation of "the ways of peace" is an emphasis of what might be termed "agent-morality". Accordingly, even in situations where for a variety of reasons certain provisions of "act-morality" may not be applicable, considerations of agent-morality form the matrix of additional obligations. To give a specific example, the Biblical commandment prescribing alms-giving does not include an obligation to support non-Jewish poor. Yet, considerations of agent-morality (the precept mandating the cultivation of moral disposition patterning itself after the divine model) dictate that we display compassion to all individuals regardless of their religious or ethnic background. Thus, while Jewish

act-morality might contain features that differentiate between obligations toward Jews and those who are outside of the convenantal community, agent-morality, relating as it does to the dispositions of the agent, eliminates all such differences. Insensitivity to the needs of others is no less reprehensible a trait when it is exhibited in behavior toward non-Jews than it would be towards fellow Jews. It should also be noted that in the context of Maimonides' philosophy, the expression "the ways of peace" is especially appropriate to convey a moral thrust. Characteristically, for Maimonides, the entire system of law governing interpersonal relationships can be subsumed under the overall principle of altruism. And it is through altruistic behavior that, in the Maimonidian view, one helps create the kind of social order which is conducive both to general welfare and personal happiness. As a matter of fact, it is precisely because ethical acts have such beneficial consequences, that they create their own reward, in this world, apart from the spiritual reward that can be expected in the world to come.

To be sure, Maimonides is by no means alone in the contention that concern for peace is integrally related to various other ethical norms. According to an opinion expressed by *Tosafot*, "the ways of peace" are so broadly defined as to include features which not even by the widest stretch of the imagination could possibly be regarded as constitutent elements of domestic peace. *Tosafot* contends that the proviso that one may deviate from the truth on account of considerations of humility or modesty is part and parcel of the general rule that considerations of "the ways of peace" warrant the telling of white lies.[10] It is noteworthy that *Tosafot* does not adopt the approach of many other commentators who regard concern for various moral virtues as a completely independent category justifying deviation from the truth, without, in any way, being reducible to the right to deviate from the truth on account of the interests of peace. *Tosafot's* broad definition of "the ways of peace" is obviously totally incompatible with the thesis that the notion amounts merely to a counsel of prudence devoid of any intrinsic moral significance.

It might, of course, be argued that the expression, *Darkei Shalom* possesses a variety of meanings ranging from mere consideration of expediency to the loftiest moral maxims. There certainly is no conclusive proof that the expression must have the same meaning in the various contexts in which it has been employed. One, therefore, might contend that while for *Tosafot, Darkei Shalom* in certain cases represents an ultimate religious moral ideal, in other cases, for example, in the relationship to the non-Jewish community, it amounts merely to the counsel of enlightened self-interest.

While such a position is indeed logically tenable, it appears that the burden of proof rests upon those who insist that "the ways of peace" hold an entirely different meaning when applied to relationships with the non-Jewish world. At any rate, it can be seen from our preceeding analysis, that at least for Maimonides, and possibly for many other Jewish authorities, "the ways of peace" are treated as the ethical religious norm and not merely as a pragmatic device to safeguard Jewish self-interest.

NOTES:

1. *Gittin* 59b.
2. Proverbs 3:17.
3. We need but recall the well-known comment of the Tur in *Choshen Mishpat* 1. Accordingly, truth, war, and peace are treated as necessary conditions for the existence of the world, but not as the *raison d'etre* or ultimate purpose.
4. This term is employed in *Yavamot* 67b.
5. There are, of course, two exceptions to this rule. The Mishnah in *Kiddushin* 63a, and according to some versions, the Tosefta in *Betzah* 4:10 also employ this term.
6. *Tosafot Yeshanim* on *Shabbat* 19b; Rashba on *Baba Metzia* 32b.
7. *Melakhim* 10:12.
8. Psalms 119:9.
9. *Avadim* 9:8.
10. *Tosafot, Baba Metzia* 23b. It should be observed that *Tosafot* unlike Maimonides, does not differentiate between *Darkei Shalom* and *Devar hashalom.*

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TOWARDS UNIVERSAL PRAISE: T'HILLA HAL'LUYAH, HALLEL[1]

> "Rabbi Y'hoshua ben Levi said: Ten expressions of praise are employed in the Book of Psalms: *Nitstsuah* (conducting an orchestra), *Niggun* (playing of instruments), *Maskil* (enlightenment), *Mizmor* (hymn), *Shir* (song), *Ashrei* (happiness), *T'hilla* (praise), *T'filla* (prayer), *Hoda'ah,* (thanksgiving), *Hal'luyah* (praise the Lord). Greatest of all is *Hal'luyah,* for [it incorporates] simultaneously the name [of God] and the [expression of His] praise." (*P'sahim* 117a).

At first glance, this passage seems to contribute nothing to our understanding of the psalms themselves. The Talmud compiles, in a seemingly arbitrary manner, ten expressions of praise, and offers no explanation as to the differences between them. Nor is the listing complete; a number of expressions of praise are deleted for no apparent reason. While many of the deleted terms can be understood as ascriptions of authorship or names of musical instruments, some can be taken only as expressions of praise. Examples of the latter are *Rinna* (Psalm 33, 95) and *B'rakha* (104)[2]

We suggest that these particular ten expressions were enumerated because they serve as "praise-signatures", much as musical compositions have time-signatures.[3] While we cannot examine the precise meaning of all the terms within this paper, we will however attempt to define five of the praise signatures and in so doing describe our methodology and approach.

I

"Nitstsuah and niggun [refer to] the world-to-come."[4,5] Rashi: Wherever *laMnatstseah biNginoth* is mentioned, (*ibid*) it refers to the future.[6] "Maskil [was said] through a *turg'man.*" (*ibid*) Rashi: He recites and another explains. Rashbam: He says [softly] and another announces it to the public . . .(*ibid* 116b).

From the above statements, it is clear that nitstsuah and niggun are thematic headings relating to the future world. The thematic substance of maskil is rather unclear however. Rashbam equates the *turg'man* with the *amora,* a title that originally referred to those who shouted forth the lessons of the Tannaim so that all may hear. The difficulty with this explanation is that the general meaning of *turg'man* is translator, and refers to the one who translated the Torah during public reading.[7] Rashi seems to have understood accordingly.

The main purpose of the targum was to offer the Aramaic-speaking masses a simple translation of the Scriptures. When we consider that Biblical Hebrew was the vernacular throughout the First Temple era, it is not surprising that we find no mention of a targum prior to the return from the Babylonian exile.[8,9]

A second function of the targum, however, was the elucidation of difficult verses that even the learned were not able to interpret properly.[10] This aspect of targum cannot logically be limited to the Second Temple period. Indeed, we are of the opinion that a partial targum did exist from earliest times,[11] in the form of an oral tradition[12] among the sages regarding the standard interpretation of given passages. Upon their return from exile, the sages expanded that targum to include a full translation of the Scriptures.

Besides interpreting obscure expressions, the targum elaborated on various themes. The Talmud mentions that the targum that Yonathan ben Uzziel had intended to transcribe for *K'thuvim* contained the secret of the messianic arrival.[13] It is likely that this targum dealt with philosophical problems, as well.

Examining the Psalms more closely, one finds that those whose praise signature is maskil[14] deal with the following significant themes among others: penitence, prayer, forgiveness, salvation, righteous and wicked, suffering pious, Israel in danger, monarchy, trust in God (*bittahon*), an overview of Jewish history, and the concept of a Davidic dynasty, all of which are sensitive topics that require in depth explanations. So the statement: "maskil through a *turg'man*" would mean that maskil indicated a complicated philosophical theme, not given to superficial understanding, which was therefore read with the aid of a *turg'man.*[15]

We have seen how three of the ten praise signatures mentioned by the sages, nitstsuah, niggun and maskil, have thematic implications. Let us now examine two more such expressions.

II

One notices that T'hilla and Hal'luyah are derived from the Hebrew root HLL, and share the same meaning, i.e. praise. The difference between them, as pointed out by the Talmud, is that while T'hilla indicates praise, Hal'luyah incorporates God's name, which is the object of praise.

T'hilla appears only once as a heading of a psalm; Psalm 145 opens *"T'hilla l'David"*, a T'hilla by David. A discussion is recorded in the Talmud regarding this psalm:

R. Elazar said in the name of R. Avina: "Whoever recites *T'hilla l'David* daily[16] is guaranteed a portion in the world to-come."

What is the reason [for this]? If you say [the reason is] that it is alphabetically ordered, then say [Psalm 119 that begins] "Happy are those whose way is blameless"[17] that comes in eighthfold [alphabetization].

If [the reason is] that it includes [the verse], "Thou openest thy hand and satisfiest the desire of every living being (v. 16), then [you can just as well] say "The Great Hallel" (Psalm 136 that includes [the verse] "Who gives bread to all flesh for His steadfast love endures forever" (v. 25).

[The answer is:] It contains both [alphabetization and the verse].
(*B'rakhoth* 4b)

The sages seem to have promised ultimate reward for two seemingly trivial reasons. Those few Rishonim that comment on the passage offer laconic statements that are not readily understandable.[18] We will attempt to achieve a better understanding.

We must make reference to a general problem of religious praise, i.e. how can finite man praise infinite God? This issue was discussed in great detail by the classical Jewish philosophers.[19] Biblical poetry was forced to deal with it as well. Let us mention two obvious techniques: (1) The indirect statement of God's glory through enumeration of His actions;[20] (2) An opening disclaimer stating that a total overview is an impossibility.[21]

It is not our purpose to catalogue the available options, but rather to note the unique approach David employed in T'hilla. David does not shrink from direct description of God's glory, nor does he confess his limitations. Quite to the contrary, there is reference to this praise continuing forever (v. 1, v. 2). Rather, David encompasses the entirety of his means of expression, the alphabet, in stating God's praise, thereby suggesting symbolically, that man is so overwhelmed by God's greatness that he feels compelled to leave no facet of expression untouched. The alphabetical sequence indicates that from the outset David was aware of his limitations.

Further analysis shows that in achieving a description of a totality of praise, the alphabetical motif is but one of three used in T'hilla; the remaining two are the repeated concepts of totality of time and totality of humanity.

David introduces and concludes the T'hilla with a description of man's praise continuing indefinitely. ". . . I will bless thy name for ever and ever (v. 1) . . . let all flesh bless His holy name for ever and ever (v. 21)." The positioning of this motif at the beginning and end of the T'hilla suggests its importance.

David also employs an innovative technique in stating the motif of the totality of humanity. While the object of praise is always God, the subject is gradually expanded to include all mankind. David opens: "I will extol thee . . .", continues: "generation to generation will praise thy works (v. 4)", and concludes ". . . let all flesh bless His holy name for ever and ever."

In keeping with the totality of humanity motif, we can divide the T'hilla into three sections, each representing one era in the history of the human race. Verses 1-3 speak in the first person singular, and refer to the pre-Abrahamatic world, in which scattered individuals worshiped God[22] but society as a whole was committed to paganism. Verses 4-9 make reference to "generation to generation" praising God, and suggest the world of revelation[23], the world as it presently exists, with the Jewish nation advocating monotheism and Divine morality and the balance of mankind worshipping idols or Man himself.[24] Verses 10-20 introduce the motif of "all thy works" thanking God (v. 10).[25],[26] Verse 21 concludes in general, 'My mouth shall speak the praise of the Lord . . ." for the present; ultimately however, "let all flesh bless his holy name forever and ever."

It is apparent that David innovated a theme of totalities: the totality of man's means of expression will be employed by what will eventually be the totality of mankind for the purpose of praising God, and that will continue for all time. No greater statement of man's inability to fully express God's praise is necessary.

In the Talmudic passage quoted above, alphabetization is seen as one of the two dominant qualities of the T'hilla. We believe that alphabetization, as the most striking feature of the T'hilla, was mentioned as representative of the entire theme of totalities. The totalities of time and of humanity serve to augment the feeling of man's limitations in praising God, a feeling that is suggested at the purely literary level by alphabetization.[27]

It is the totality of expression to which Abu-dirham[28]

may have alluded when he explained that the importance of alphabetization is "that he praises God using all the articulators."

Another motif developed in the T'hilla is the universality of God's kindness. "God is good to all, His mercies are over all His works (v. 9) . . . God upholds all that fall and raises up all those who are bowed down (v. 14) . . . satisfiest the desire of every living being (v. 16). God is righteous in all His ways and gracious in all His works (v. 17). God is near to all those who call Him (v. 18) . . ."

Most of these verses appear in the third section of the T'hilla, in which man's universal praise of God is described. David balances his accounts of God's kindness in creation with man's recognition of that kindness. This, then, is the main theme of the T'hilla: God's kindness is universal, and ultimately all of humanity will praise God with the totality of its means of expression forever.

The sages did not refer explicitly to the theme of universal kindness. Rather, they selected its most significant aspect, universal sustenance, and used it to represent all other aspects of God's compassion.[29]

Let us now review the entire passage:

> ". . . Whoever recites *T'hilla l'David* daily is guaranteed a portion in the world-to-come.
>
> What is the reason for this? If you say that is alphabetically ordered (i.e. the theme of totalities), then say Psalm 119 that has eightfold (alphabetization).
>
> If the reason is the verse, "Thou openest thy hand and satisfiest the desire of every living being" (i.e. the theme of universal kindness), then say "The Great Hallel" that includes, "Who gives bread to all flesh . . ." The answer is: *T'hilla l'David* has both (the theme of totalities as well as the theme of universal kindness: the reciprocity of the God-man relationship).

The Talmud's conclusion is that whoever recites the T'hilla daily, and is thereby inspired to trust in God of universal kindness and to dream of the spiritual heights of the messianic era, is indeed worthy of a portion in the world-to-come.

Here we meet David the Dreamer. He was a shepherd, a warrior, a king, an inspired poet and a composer; he envisioned the ultimate dynasty of man, and in moments of inspiration expressed his loftiest dream, of a world cognizant of, and thankful for, God's endless goodness. David was not alone in that aspiration; it was expressed by many of the prophets. For example, Zephaniah centuries later was to say, "For then will I convert the peoples to a purer language, that they may all call upon the name of the Lord, and serve Him with one consent" (3:9): To that vision David assigned the praise-signature T'hilla, meaning praise, the ultimate praise.

III

We have previously noted that T'hilla and Hal'luyah derive from one Hebrew root, and that they share the same basic meaning, i.e. praise.[30] Their common etymology is manifest in the thematic structures they indicate; both T'hilla and Hal'luyah speak of increasingly universal praise of God. Hal'luyah differs from T'hilla in that it does not develop a complete theme of totalities (e.g. totalities of expression and of time), nor does it refer to God's kindness in universal terms. It does, however, develop the motif of universal praise in greater detail than T'hilla.[31]

The Talmud observes that Hal'luyah is the greatest of the ten expressions of praise because it incorporates simultaneously God's name and His praise. We would like to explain that in the following manner: Hal'luyah expresses the aspiration that God's praise will become so universalized and so integrated in man's consciousness that the very mention of His name will naturally raise associations of praise. This integration of God's name and man's praise of Him is expressed symbolically by the fusion of both concepts into one word.

The three-part sequence of T'hilla is maintained in

Hal'luyah, symbolizing first individual man, then the Jewish nation, and ultimately all mankind fusing God's name and His praise. The level of fusion to which Hal'luyah alludes depends upon its situation in the sequence.

> R. Yosi said: "May my portion [in the world-to-come] be among those who recite Hallel (Psalms 113-118) daily."
>
> Is that so? We have learned: "He who recites Hallel daily blaphemes!"[32] [The answer is.] We are referring to [one who recites] Hallel in *P'suqei d'zimra* (praise recited as an introduction to the morning service).
>
> (*Shabbath* 118b)

The Talmud concludes that the reference to Hallel is not to be taken literally, and in fact refers to Psalms 145-150.[33] These divide into two sub-units based on their praise-signatures: T'hilla (145), and Hal'luyah (146-150). We will briefly analyze the thematic structure of this Hal'luyah sequence.

Psalm 146 introduces the sequence with the development of the individual theme. After a short opening consisting of Hal'luyah and a call to praise, the following motifs are developed:

(a) Man praising God (v. 2)

(b) the mortality of man and the futility of trusting in him (v. 3, 4)

(c) the trustworthiness of God (v. 5) who is the God of creation (v. 6) and the God of support and mercy (v. 7, 8, 9)

(d) God's eternal reign (v. 10). Hal'luyah.

The development reaches its climax when man, having contemplated God's deeds and His worldly order, concludes that God's Kingdom is eternal. The psalm closes with Hal'luyah —the individual Hal'luyah, signifying the fusion by man the individual, of God's name and His praise, an integration reflective of his enhanced perception of the universe.

Psalm 147 is the first of three psalms that together com-

prise the psalmist's development of the national theme. Many of the motifs which characterize the previous psalm are repeated, with the addition of national themes, such as Jerusalem, Israel, and Divine Revelation. After an introductory Hal'luyah and call to praise, the following motifs are developed:

(a) God of redemption (v. 2, 3)

(b) God of creation (v. 4, 5, compare 146:6)

(c) God of mercy and justice (v. 6, compare 146:7)

(d) A second call to praise (v. 7, compare 146:2)

(e) God of sustenance (v. 8, 9, compare 146:7)

(f) God of worship (v. 10, 11)

(g) Saviour of His nation (v. 12-14)

(h) God of Nature (v. 15-18, compare 146:6)

(i) God of Revelation (v. 19,20).

Many of these themes are familiar to us from the previous psalm; only the national motifs are new. This is a similar technique to that employed in *T'hilla l'David*, where individual praise is restated in the national section, and national praise in the universal section.

The next psalm continues the national theme with an account of the Jewish nation's call to the cosmos to praise God. No mention is made as to whether or not creation responds[34] possibly indicative of a complete lack of response.

The psalmist's conception of national theme is concluded in Psalm 149. The Jewish nation, on the verge of fulfilling destiny, rejoices in God (v. 2) and sings His praise (v. 3-6). The rest of the world, however, is bracing for the judgment that Israel will soon administer: "To execute upon them the judgment written . . . (v. 9)."[35]

Psalm 150 states the national theme. It consists of ten calls to praise,[36] but does not include Israel-related ideas. Even the first call to praise (". . . Praise God in His sanctuary . . .")

is to be taken in the universal context to Isaiah's prophecy: ". . . for my house shall be called *a house of prayer* for all people."[37]

Verses 3-5 describe the various instruments used in praise. In the beginning, the shofar, harp and lyre, timbrel, pipe and stringed instruments are mentioned, conjuring up a scene in which there is a loud but hardly deafening euphony. But mankind soon finds these sounds inadequate, and so "sounding (loud) cymbals" and "loud (louder) clashing cymbals" are brought forth. There is a crescendo of praise as the loudest instruments are used to praise God.

"Let everything that has breath praise the Lord; Hal'luyah (v. 6)." This is the ultimate dream, the ultimate inspired vision, the ultimate fusion of God's name and His praise. In the ultimate sense it is Hal'luyah. The Book of Psalms is now fittingly concluded.

Let us recall the saying of R. Yosi: "May my portion be among those who conclude Hallel (The Book of Psalms) daily.[38]

We have elaborated above[39] on the thesis that each of the three sections in *T'hilla l'David* refers to a specific era in the development of man's relationship to God, with three stages depicted: the pre-Abrahamatic period of individual devotion, the post-Revelation[40] era of national commitment, and the messianic days of universal recognition. We have shown how the Hal'luyah sequence also follows this progression: Psalm 146 is individual in nature, the middle psalms deal with national themes, and Psalm 150 is clearly messianic in content and tone.

Each of those psalms may hint at a specific period in Jewish history. Psalm 147 climaxes with the mention of Revelation, and Psalm 149 describes the events immediately preceding the messianic era.[41] Psalm 148 can be taken as a description of the interval between those two points in time, when the advocates of monotheism and Divine morality call upon an unresponsive world to recognize God and praise His name.

As a result of our analysis, we feel that the five-psalm sequence can be viewed in the following manner:

Psalm 146: Individual theme (corresponds to T'hilla: 1-3)

Psalm 147: Revelation — transition to national theme

Psalm 148: National theme (corresponds to T'hilla: 4-9)

Psalm 149: Messianic judgment — transition to universal theme

Psalm 150: Universal theme (corresponds to T'hilla: 10-21).

IV

Psalms 113-118 are known as *Hallel Hammitsri*,[42] the Egyptian Hallel, or simply as Hallel, recited on those festivals that relate to the Exodus as an expression of joy,[43] as well as on Hanukkah in commemoration of God's miraculous salvation. The Tosafists[44] allow that Psalms 113-117 may be considered one chapter. If they do indeed form one unit, then Hal'luyah serves as the opening and closing praise signature, and is interspersed thrice in context, as well. Any mention of Hal'luyah automatically brings to mind the theme of increasingly universal praise, and we shall adumbrate briefly how it is developed.

The first three psalms comprise the national theme, which for some reason precedes its individual counterpart. Psalm 113 opens with a call to praise (v. 1: compare 146:1, 147:1, 148:1, 149:1, 150:1), and follows with a statement that, at least insofar as the "servants of the Lord" are concerned, God's name is to be blessed eternally (v. 2, 3: compare 145:1, 2: 146:10). As if to illustrate, the psalmist immediately commences with the praise of the Almighty (v. 4-6) and merciful God (v. 7-9). The psalm closes with Hal'luyah, reflecting the national recognition stated in verses 2 and 3.

Psalm 114 describes in metaphor the great expression of God's special relationship with His people — the splitting of the Red Sea. This awesome manifestation of His mighty

hand inspires Israel to pray for universal recognition of His great name (Psalm 115). The helplessness of idols is mockingly portrayed (v. 4-8), followed by a call to renewed trust in God (v. 9-11: compare 146:3-5) and an optimistic view of the future of His nation (v. 12-15).[45] Verse 18 recapitulates: the rest of humanity notwithstanding, we will praise the Lord forever. That last statement is emphasized by the restatement of the national Hal'luyah.[46]

Psalm 116 states the individual theme, and follows a format similar to that of the national section. God's hearkening unto His servant's prayers and His intervention on His behalf (v. 1-6) inspire him to renewed faith, coupled with a loss of trust in man (v. 7-11). God's servant thanks Him for His goodness (v. 12-14) and prays for his personal salvation (v. 15-16).[47] The servant's gratitude for God's salvation is expressed through sacrifices of thanksgiving (v. 17-19).[48], [49] The individual exposition concludes with Hal'luyah.[50]

The Hal'luyah-sequence reaches its climax with the fervent wish that all people will ultimately recognize God's goodness and thank Him in His Temple, as the prophet Y'sha'ayahu later envisioned. "Even them will bring to my holy mountain and make them joyful in my house of prayer, their burnt offerings and their sacrifices shall be accepted on my alter; for my house shall be called *a house of prayer* for all people (56:7)." In its moments of salvation and commemorative rejoicing, the Jewish nation dreams of universal recognition of God's kindness and the eternity of His truth (117:2). The ultimate destiny of the world now stated, the exposition closes with the universal Hal'luyah.

The Talmud records the ancient custom of the communally recited Hallel, where the Reader would chant a verse or phrase and the assemblage would respond. What was their response? The answer is simple. In *Sukka*, the Mishnah states that it was Hal'luyah, whereas in *Sota* it is described as *Rashei P'raqim*, the opening of each psalm.[51]

Rishonim disagree as to how this discrepancy is resolved. Rashi and Rambam[52] explain that the initial response in each

psalm is *Rashei P'raqim*, and the remaining responses are Hal'luyah.

The Tosafists[53] reject that approach, and maintain that all the responses are *Rashei P'raqim*.[54] After further deliberation, however, they conclude that "perhaps from the beginning of Hallel till *Hodu ladonai* (i.e. Psalms 113-117) is one chapter." In accordance with the principle of *Rashei P'raqim*, the response for all five psalms would be Hal'luyah.[55] Maran Harav Joseph B. Soloveitchik has emphasized that the Tosafist's statement is not to be understood as a denial of the written *Massora* regarding the division into chapters,[56] but rather as a definition of the two thematic units comprising Hallel:[57] man addressing God (113-117) and man addressing the congregation (118).[58]

This division of Hallel is reflected in the praise signatures: man communicates with God using the praise-signature Hal'luyah (113-117), and calls upon his fellow man through Hoda'ah (118). We therefore conclude that the halakhah of responsive reading of Hallel is based on thematic considerations, and those are reflected in the praise-signatures. Our understanding of this view of the Tosafists supports our contention that the ten praise-signatures are indicative of thematic structure.

> R. Shmuel B. Nahmani said in the name of R. Yohanan: any portion (of Psalms) that David favored he opened with *Ashrei* and closed with *Ashrei*.
>
> (*B'rakhoth* 10a)

> . . . Not necessarily *Ashrei*, but any conclusion similar to the opening, such as T'hilla . . . Hal'luyah . . .
>
> (*Tosafoth*)

Those psalms whose praise signature is T'hilla or Hal'luyah are reflective of David's most inspired dreams of a world cognizant of God's glory, and were understandably among his most favorite compositions.

V

The thematic structural development of T'hilla and Hal'luyah can be traced in the formulation of many sections of liturgy. Let us consider some of these.

(a) *Tanya*: R. Eliezer says: Whoever does not say [thanks for the] "beloved, good, and spacious land" in the second blessing [*of Birkath Hammazon*] . . . did not fulfill his obligation. Nahum the Elder says: He must mention [the] Covenent [of circumcision]. R. Yosi says: He must mention Torah . . . R. Abba says: He must give thanks [in the] beginning and end. (*B'rakhoth*.48b-49a).

The various required praises of the second blessing, all national in nature, are included in the first thanksgiving. The concluding thanksgiving, however, has an added motif: "For everything we thank thee and bless thee; may thy name be blessed by all living continually, for ever and ever.[59], [60] An identical formulation appears at the conclusion of the blessings following the *Haftara.*

(b) A similar formulation was instituted for the eighteenth blessing of the *Amida*: "We thank thee, Lord, our Almighty God, and the Almighty God of our Fathers, the strength of our lives, protector of our salvation . . . for them all may thy name be blessed and elavated continually; and may all living beings thank thee forever . . ." The Rabbis learned from Psalms that praise of God includes the aspiration for universal approbation.

(c) . . . Whenever Jews gather in synagogues and houses of learning, and respond: *Y'he Shmeh Rabba M'varakh*, the Holy One, Blessed be He . . . says: Happy is the King who is praised in His house in such a manner . . . (*B'rakhoth* 3a)

Every public service includes the Kaddish, an ancient prayer that expresses the longing of the Jewish nation for the fulfillment of the prophecy of universal elevation and sanctification of God's great name.[61] That the Kaddish immediately precedes[62] and follows every *Amida* is indicative of its purpose, namely a communal reaffirmation of purpose and destiny that creates the proper frame of reference for prayer. Prayer is an act of self-judgment[63] in which man examines his motives and his needs by the measure of his dedication to his overriding obligation: the striving to self-perfection as a means of inducing universal perfection.[64], [65] When one has fully integrated this concept, he has grasped the essence of prayer, and on that merit alone he is saved from evil:

R. Y'hoshuah ben Levi said: He who responds *Amen Y'he Shmeh Rabbah M'varakh* with all his strength,[66] an evil decree against him is undone. (*Shabbath* 119b)

The cumulative effect of the repeated verbalization of messianic aspirations through the daily recitals of the T'hilla, *P'suqei d'zimra, Kaddish, Amida,* and *Birkath Hammazon,* is reflective of the intensive campaign waged by the sages to ingrain into the individual and national consciousness of the Jewish nation its obligation to consecrate every facet of its existence to the cause of the sanctification of His great name.

It is in that context that we view the custom of concluding each service with *Alenu,* a prayer consisting of national praise of God for having been chosen by Him and a fervent request for the establishment of His Kingdom on earth. Its closing passages are reminiscent of the final themes of the prayers that we have discussed:

. . . let them all accept (upon themselves) the burden of thy rule, and rule over them for ever and ever; for the Kingdom is thine, and with honor shalt thou rule for ever and ever, as it is written in thy Torah:[67] "The Lord's Kingdom exists for ever and ever.[68]

If we now glance once again at the quotation which prefaces this thematic study, the intent of Rabbi Y'hoshuah ben Levi becomes clearer. By systematically discussing in depth many of the praise-signatures presented, we have shown that

the praise-signatures that appear in Psalms express particular nuances of praise, and are distinguished by thematic considerations.

NOTES

1. ***Hakkarath hattov*** (acknowledgement of goodness) being the most basic relationship of man to God and to creation, I would like to thank the following people for their assistance:

   Dr. Edward Levy, whose instructive course in music appreciation gave me a basic understanding of musical concepts. This paper is the result of analyzing the passages and chapters discussed here from a musical perspective, and illustrates to me the value of a synthesis of Torah and *Mada.*

   Rabbi Shalom Carmy, who spent many hours on stylistic improvements, and takes credit for the title, as well.

   Rabbi Benjamin Blech, who reviewed the paper and suggested a number of substantive changes that greatly improved it.

   My father *Abba Mari,* and Arie Michelsohn, a student at MTA, who were very helpful with the technical aspects of producing the paper.
2. While almost all the enumerated expressions appear as formal headings in the sense that they do not express content, *Ashrei* is a notable exception in that it is the opening verb of the psalm (Psalm 1) and very much a part of its context. On that basis, we feel justified in considering both *Rinna* (that opens Psalm 33: *"Rann'nu tsaddiqim"*) and *B'rakha* (*"Bar'khi nafshi"*, Psalm 104) expressions of praise.
3. The term "expression of praise" relates to headings of psalms. We may understand it as a reference to headings in general, including authorship and the like, or specifically to those headings that express praise. In either case, we are suggesting that the psalmist reserved specific headings for specific themes.
4. Rashbam (*P'sahim* 116b) comments: ". . . we do not know how this is derived. Rather, it was an accepted tradition." Maharsha, however, relates nitstsuah etymologically to *netsah,* eternity, allowing for a derivation based on *"lashon nofeleth al lashon"*, i.e. phonetic similarity of roots.
5. Raddaq, in his commentary to Psalm 4, explains *Mnatstseah* as a reference to the conductor and *Nginoth* as the instrument that was played. That does not necessarily imply a rejection of the thematic explanation. He may simply understand the Talmudic analysis as

aggadic in nature, with the headings retaining their musically oriented meaning according to *p'shat.*
6. It is clear that the term *le'atid lavo* is a reference to the world-to-come, not to the general future (e.g. Mishna end of *Tamid*).
7. Mishna in *M'gilla*: 23b, 24a, 25a.
8. *M'gilla* 3a: R. Iqah b. Avin . . . said: What [is the meaning of] that which is written: "So they read in the book, in the Torah of God distinctly . . ." (Nehemiah 8:8). — "distinctly" (refers to) the targum. The sages found no source earlier than Nehemiah. See also Rambam *Hilkhoth T'fillah* 12:10. Compare 1:4.
9. It is quite possible that this observation prompted Rashbam to reject Rashi's view and reinterpret *turg'man.*
10. M'gilla 3a: R. Yosef said: Were it not for the *targum* of this verse we would not know what it is saying.
11. Perhaps that is the meaning of the statement by the *G'onim*: "The *targum* was given at Sinai" (See *Beth Yosef* to *Tur Orah Hayyim* 285).
12. The *targum* as part of *Tora Shebb'al Pe,* could not be committed to writing. Onqelos and Yonathan ben Uzziel, who lived in the Tannaitic period, seem to have been the first to transcribe targum (*M'gilla* 3a).
13. *Ibid.*
14. 32, 42-43 (these two are clearly on psalm), 44, 45, 54, 55, 78, 88, 89, 142.
15. It should be noted that maskil occassionally means "consider", as in: "Blessed is he who considers the poor, the Lord will deliver him in the day of evil" (Psalms 41:2). It is possible, then, that when maskil appears as a praise signature it means: for consideration.
16. The printed text reads: "thrice daily", reflecting, as usual, Rashi's version. All the G'onim and the majority of the Rishonim, however, do not record the word "thrice". R. Amram Gaon states in his Siddur that the second and third recitals of *T'hilla l'David* were instituted in Gaonic times for the sake of those who may have skipped it in *P'sueqei d'zimra.*
17. All translations are from The Jerusalem Bible, Koren Publishers.
18. See R. Avraham Al-Sevili (published in *Ginzei Rishonim* on *B'rakhoth;* also published in *B'rakhah M'shullesheth* on *B'rakhoth,* but misattributed to R. B'tsalel Ashkenazi author of *Shitah M'qubbetseth*); Abu-dirham; Rashi. Some of their comments will be dealt with later.
19. Among others, by Maimonides in *Moreh N'vukhim,* I; 58-59.
20. See Exodus 15, Judges 5, II Samuel 22, among others.
21. Psalms 106:2.
22. Noah and his sons, Shem and Ever, and others.
23. That "generation to generation" is a reference to Abraham and his descendants is amply clear from the following sources: "For I know him, that he will command his children and his household after him,

and they shall keep the way of the Lord . . ." (Genesis 18:19); "And that thou mayst tell in the ears of thy son, and of thy son's son, what things I have done in Egypt . . ." (Exodus 10:2): ". . . but teach them to thy sons and thy son's sons. The day that thou standest before the Lord thy God in *Horev* . . ." (Deuteronomy 4:9-10).

24. It is a commonplace of modern religious thought that the greatest sin of modern man is idolatry, with the Diety being man himself. All societies, whether democratic or totalitarian, aspire to man, rather than to G-d, as the source for their ultimate salvation.
25. That this overview of history was accepted by the Talmud is evident from the following passage in Tractate *Avoda Zara* (9a):

    > It was learned in the house [of study] of Eliyyahu: Six thousand years is the [existence of the] world. Two millenia void [of Torah], two millenia [of] Tora, two millenia [of] the messianic era. Because of our increased sins, what has passed [of the messianic era] has passed.

    The Talmud concludes that the two millenia of Tora begin with Abraham's preaching of monotheism to the people of Haran (alluded to in Genesis 12:5; see Onqelos and Rashi).
26. It should be noted that each section of the *T'hilla* supplements, but does not entirely replace, the preceding one. The national theme includes references to the individual (v. 5, 6), and the universal motif mentions both "all mankind" and "God's pious" (v. 10). This suggests that the identity of the individual righteous is maintained outside of the Jewish nation (*Hasidei Ummoth Haolam*) just as the Jewish nation will not assimilate into the rest of the world in the messianic age (cf. Isaiah 65:13-25).
27. Three alternate explanations offered for the significance of alphabetization:
    (a) Raddaq, in his commentary on Psalm 25, explains that the psalm is alphabetized because it deals with "important matters". Perhaps he is alluding to the sense of inclusiveness suggested by alphabetization, i.e. "from 'A' to 'Z'."
    (b) R. Shimshon R'phael Hirsch, in his commentary on the T'hilla, points that David indicated his intention of facilitating its recital from memory by writing in alphabetical order. This opinion is quoted in *Tiqqun T'fillah*, which appears in *Siddur Otsar haT'filloth*, in the name of *Midrash Tadsheh*. The difficulty with this approach is that the Talmud's retort of substituting Pslam 119 which is alphabetized eightfold does not suggest that alphabetization was understood as an aid to memory.
    (c) R. Meir Simha of Dvinsk, in *Meshekh Hokhmah, B'huqqothay*, says that alphabetization raised associations of nature in that it procedes steadily and without interruption from, *alef* to *tav*, and

helps to remind us that the greatness of G-d is the orderliness and completeness of nature, which is to be considered the most miraculous aspect of the world.

28. Commonly referred to as Avudraham. The transliteration I used is based on the pronunciation of Samuel Anteby, a Sephardic acquaintance who is a student of Semitic languages.
29. This contention is supported by Rashi's comment that verse 16 ("satisfiest the desire of every living being") is significant in that "it contains the praise of providing for the sustenance *of all beings*". R. Eliyyahu of Vilna (the G'ra) points out that Rashi's closing clause "of all beings", is of critical importance (see *Hiddushei Hag'ra LiVrakhoth* on 4b).
30. We have earlier explained that Hal'luyah means "praise the Lord". Another possibility offered by R. Y'hoshuah ben Levi, however, is that it means *hillulim harbeh*, many praises, or "the great praise". We will assume the first meaning because that is the one mentioned in the context of the "ten expressions of praise".**

    ** Dr. Richard Steiner pointed out, however, that any explanation would have to hold true for similar words, such as *kesyah, y'didyah merhavyah* (cf. *P'sahim* 117a).
31. My thematic analysis of Hal'luyah will be limited to Hal'luyah sequences, i.e. consecutive chapters opening or closing with Hal'lyuah. There are two such series: Psalms 146-150 and 113-117. Consequently, my analysis will not hold true for non-sequential Hal'luyah (i.e. 104:35; 105:45; 106:1, 48; 111:1; 135:1, 21).
32. The commentaries explain that the reason for this sharp rebuke is that by reciting Hallel daily, one blurs the distinction between nature and God's miraculous intervention.
33. This is the understanding of almost all authorities, including Rif, Rambam, and Rosh. Rashi, however, takes Hallel as referring to psalms 148 and 150.
34. The verb *"y'hal'lu"* in verses 5 and 13 is not to be taken as future indicative, which would mean that the response is being prophesied, but as jussive.
35. Raddaq, Malbim, and others understand it as a reference to prophesies mentioned in the Pentateuch, and for obvious reasons. Rashi, however, quotes Ezekiel 22, and is then hard-pressed to explain the historical anomaly that he has created. Rabbi Shalom Carmy pointed out that Rashi's reference to messianic prophesies offers strong support to our understanding of the psalm and, indirectly, to our understanding of the entire sequence.
36. Hal'luyah itself does not constitute a call to praise, but serves as a praise signature with thematic significance.
37. Isaiah 56:7.
38. Shabbath 118b.

39. See section II.
40. The interval from the Abrahamitic covenants to Revelation can be viewed as a transition period. See Rabbi Eliyyahu Desler, *Mikhtav Me-Eliyyahu,* vol. 3 pp. 210-214.
41. See above.
42. The name *Hallel Hammitsri* is used in contradistinction to *Hallel Haggadol* (psalm 136), which was recited communally as an expression of thanksgiving (see Tractate *Ta'aniyoth* 19a).
43. This expression of joy is in itself a manifestation of *Q'dushshath Hayyom,* the innate sanctity of the day, and does not relate to the miracles associated with those festivals. Hanukkah, however, enjoys no *Q'dushshath Hayyom,* and the Hallel recited then is commemorative.
44. *Sukkah* 38b. This opinion of the Tosafists will be elaborated upon later.
45. This order of events is paralleled in *p'suqei d'zimra*: the account of God's miracles to His nation, specifically the Revelation at Sinai (Psalm 147) is followed by Israel's call to the cosmos to praise God (148) and a description of the messianic era (149). It is more likely, however, that each of the psalms of *p'suqei d'zimrah* is reflective of a different era in the history of the Jewish nation, as we have explained in our analysis above.
46. The national theme is expressed here in a three-part development: a recounting of God's glory (113) and His miraculous salvation (114); Israel's prayer (115:1-11); national thanksgiving (115:17-18). This praise-prayer-thanksgiving sequence constitutes the format for daily prayer and would seem to support the contention made by Maimonides, in *Hilkhoth T'filla* 1:2, that all prayer must follow this order.
47. Our understanding of the thematic sequence is based on the *targum* to 116:16, that takes *ana* to mean "I beseech thee". Other commentaries, however, differentiate between *ana* with a final *alef* ("I beseech thee") and *ana* with a final *he* ("I thank thee").
48. Cf. psalm 107: He sends His word, and heals them, and delivers them from their destructions. Let them praise the Lord for His steadfast love, and for His wonderful works to the children of men. And let them sacrifice the sacrifices of thanksgiving and declare His works with rejoicing (v. 20-22).
49. We have already explained that each exposition incorporates motifs that are conceptually associated with the section that preceded it. Here, too, a national motif (". . . in the courts of the Lord's house . . .") is part of the individual development.
50. We have noted that the praise-prayer-thanksgiving sequence is universal to all *t'filla.* We still do not understand what place prayer has in a psalm of salvation. Rabbi Joseph B. Soloveitchik is quoted in *Shiurei Harav* (pp. 98-99) as explaining that supplication as an aspect of thanksgiving is a reflection of "the uncertainty inherent in the human

experience," with the reality of anticipation leaving man in a constant need for prayer.

51. *Sukka* 38a; *Sota* 30b.
52. Rashi, *Sukka* 38b *S. V. Mikkan;* Rambam *Hilkhoth Hanukkah* 3:12-13.
53. *Sukka* 38b *S.V. Mikkan.*
54. Rashi and the Tosafists both bring proof from a *Baraitha* in *Sota* 30b. Careful reading will reveal that there exist at least three variant readings of that *Baraitha,* a discrepancy which no doubt contributed to the controversy among the Rishonim.
    (a) The printed text, quoted by the Tosafists (*Sukka* 38b *S.V. Mikkan*) reads:
    > How did Israel recite the song at the Sea? As one who reads the Hallel (for the congregation) and they respond [with] *Rashei P'raqim.*
    >
    > This clearly supports the position of the Tosafists.

    (b) Rashi, in his comments on the *Mishna, Sukka* 38a, quotes as follows:
    > . . . and they respond Hal'luyah.

    On 38b, *S.V. Mikkan,* Rashi modifies that by adding that the initial response in each chapter was *Rashei P'raqim.* This is Rashi's view and agrees with that of Rambam.

    (c) In Sotah (30b), Rashi has the reading:
    > . . . and they respond *Rashei P'raqim* Hal'luyah.

    Rashi there seems to explain that Hal'luyah is considered *Rashei P'raqim* for the entire Hallel.
55. For the last psalm the response would be the first verse of that psalm, namely *Hodu ladonai ki tov ki l'olam hasdo.* It should be noted that the Ashkenazic custom of responsive reading for the first four verses of Psalm 118 is in accordance with the opinion of the Tosafists. The Reader recites each of the verses publicly, and the assembled respond: *Hodo ladonai ki tov* etc. According to Rashi and Rambam, they would respond *Hodu* after the first verse and Hal'luyah after the remaining three.
56. That the division into chapters in Hallel conforms to the masoretic tradition is clearly indicated in the Tosafoth quoted above. It is also accepted in *p'saq halakhah.* See *Mishna Brura* on *Orah Hayyim* 432:1.
57. Rav Soloveitchik explained that the Tosafists used the term "chapter" loosely, and that it merely indicates a sub-division into units of praise.
58. We believe that the basic explanation offered by the Rav is correct, though we concede that one may dispute the specific thematic descriptions that the Rav assigned.
59. The thematic sequence was probably not a part of the blessing, as is indicated by the absence of the messianic aspiration in this blessing in many early siddurim (see *Seder Rav Sa'adya*), and even in contem-

porary Sephardic ones. The addition of this motif in Ashkenazic communities is indicative of the success of the Rabbis in integrating this concept into the national consciousness of a large segment of the Jewish people.

60. A universally accepted addition to the blessing is its conclusion: "as it is written: When thou hast eaten and art replete, then thou shalt bless the Lord thy God for the good land which he has given thee." While this does restate the national theme and thereby diminish the effect of the preceding messianic motif, it is necessary so as to satisfy the halakhic requirement of *"me'en hathima samukh lahathima"*, e.g. one should precede the closing blessing with a reference to it.

    An expanded version of this appended national motif appears in *Or Zaru'a* (quoted in *Tiqqun T'filla, Siddur Otsar haT'filloth*, p. 241). It is significant to note that the national requests are followed by a restatement of the universal theme: "And may all living beings thank thee forever." This restoration of the universal motif is clinching proof of our argument for the universal theme. The fact that this second universal statement was borrowed verbatim from the eighteenth blessing of the *Amida* lends support to our comparison of the two blessings, and, indirectly, upholds our entire thesis about the influence of T'hilla and Hal'luyah in liturgy.

61. Kaddish refers only to that part misnamed "Half Kaddish". The remaining portions, i.e. *Tithqabbal* (incorrectly pronounced *Tithqabbel*), *Al Yisrael, Y'he Shlama* and *Oseh Shalom* are custom, not law (*Arukh ha Shulhan* 56:B). In *Sedar Rav Sa'adya Gaon* the only one of those four additions that is mentioned is *Oseh Shalom*.
62. The one exception to that rule is *Shaharith*, where Kaddish precedes *Bar'khu* in order to facilitate *S'mikhath G'ula lithfilla*.
63. The commentaries note that the Hebrew word for prayer, *t'filla*, derives from the root PLL, meaning to judge. (See Exodus 21:22, Deuteronomy 32:31).
64. This is far more significant than merely sanctifying His name among ourselves by stating His sanctity and glory, and thereby we understand the Halakhah that the sanctity of Kaddish is greater than the sanctity of *K'dushah*. (See *Mishna Brura* 56:6).
65. This is the concept of "a kingdom of priests" (Exodus 19).
66. Rashi: with full *Kavvana*.
67. The translation follows Onqelos.
68. This is the proper end of *Alenu* according to the Ashkenazic custom, and conforms to the text of *Alenu* as it appears in the service of the High Holy Days, from where it was transferred to the daily liturgy. The addition of the verse from Z'kharya is late, and was deleted by R. Eliyyahu of Vilna (G'ra). The S'phardic custom is to recite the first paragraph only (see *Siddur T'fillath HeHadash*, among others), though recently the custom of saying the complete prayer seems to be spreading among their congregations (see Siddur Rinnath Yisrael, S'phardic custom).

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YISRAEL VE-YISHMAEL; ASPECTS OF JEWISH AND MUSLIM FOLK-LITERATURE

Many scholars have already demonstrated the relationship between Jewish sources and the Qur'an,[1] and still others have dealt with the Jewish elements in the early post-Qur'anic literature known as the Hadith, or 'Traditions.'[2]

Since the common denominator of all Islamic sects is a belief in the Prophet Muhammad, it became the ideal of every Muslim to pattern his own behavior and thinking after Muhammad's. Hence, in the first generations after the Prophet's death, his companions and their successors were preoccupied with the collection and transmission of details and incidents of his life.

Unfortunately, the dearth of such detailed information in the Qur'an led to the enhancement of his true character and nature by totally extraneous and often fictitious elements. The practice of summoning the Prophet, so to speak, as a witness in a current theological debate had become so prevalent during the first centuries of Islam that within 200 years of Muhammad's death there were more than 600,000 Hadith extant. All of them, to be sure, purported to stem from either Muhammad himself, or from one of his companions.

In order to sift out the spurious Traditions, and to further preclude their future growth, the "Science" ('ilm) of Hadith

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was established.[3] The determinative process which evolved authenticated these Traditions, allowing them to serve as one of the foundations of Islamic Jurisprudence. The Hadith employed below were all verified in this manner no later than the third century A.H. (9th century C.E.) and were reliably attributed to a person, or persons, of the first Islamic century (7th C.E.).

The intention of this paper is to provide several illustrations of Jewish folk legends and motifs which found their way into the Hadith in general, and particularly into two anthologies of Islamic Traditions; the *Ta'arikh* (History) of the noted 9th century (C.E.) author Tabarih, and the *Qissas al-Anbiya'i* (Tales of the Prophets) of *al-Kisa'i*.[5] Equally illustrative, though not nearly as numerous, are instances of the reverse phenomenon — namely, the incorporation of Islamic material into later Jewish sources.[6]

Since Biblical and Qur'anic themes are often identical, it is no wonder that the legends and folk-tales which adorn them are equally alike in both content and form.

Creation

Let us begin "in the beginning".

1. The Torah tells us in Genesis 2, 7 that God created Adam from the earth. The Talmud[7] elaborates on this story and says that God collected this earth from all over the world. The Hadith takes note of this embellishment, but adds a further one of its own.[8]

> Abu Mussa says: I have heard in the name of the Prophet that Allah created Adam from a handful (of earth) which He gathered from the world over. Mankind thereby emerged Red (skinned), White and Black.

This notion, that the universal distribution of the matter whence Adam was created accounts for the origin of the races, is absent in the Talmud, yet it appears in two later Jewish sources.

In the Aramaic version of the Pentateuch known as Targum Yonatan (Pseudo-Jonathan), the verse (Gen. 2, 7) is translated as follows:

> And then the Lord God created Adam . . . and He took earth from the site of the Temple and from the four corners of the world. He then moistened it with water from all the seas, and fashioned him Red, Brown, and White.

The second source is the Midrash Pirqei d'Rabbi Eliezer which records:[9]

> He began to gather the dust from the four corners of the Earth; Red, Black, White, and Green.

How did the notion of multi-hued earth, or the resulting pigmentation, enter into these two sources?

As regards Pirqei d'Rabbi Eliezer, it is generally estimated to have been edited at a relatively late date, and is even thought to have been cast in the mold of the Hadith.[10] As for Targum Yonatan, it hails in part from an early era, yet it contains material which clearly bespeaks Islamic influence. Note, for instance, its translation of Genesis 21, 21 which records the names 'Adisha and Fatima' who were — respectively — the wife and daughter of Muhammad.[11]

In short, the Talmudic elaboration of the Biblical verse inspired a further embellishment in the Hadith, which — apparently — prompted a confluence of the two into the later Midrash and Targum.

2. The Torah continues with a description of the Garden of Eden, known cognatively as Jannat ul-'Adan in the Qur'an.[12] Four rivers are said to flow through it: the Pishon, the Gihon, the Hideqel, and the Prat. Taking them in reverse order, the Prat is the Euphrates, the Hidekel is the Tigris, and the Gihon is the Jaihan.[13] These are three known rivers, all flowing in Syria or Iraq.

The point of interest to us here is that while these three identifications are compatible, even linguistically,[14] with extant Mesopotamian rivers, it is the near unanimous opinion of

medieval Jewish Biblical exegetes that the fourth river, the Pishon, is the Nile. This identification is common — *inter-alia* to Rashi, Ibn Ezra, and Ramban — and makes its first known appearance in the Tafsir, the Arabic Pentateuch translation, of Sa'adyah Gaon.[15]

While Rashi's identification (and perhaps those of the other exegetes as well) can be attributed to a suggestive, though by no means conclusive, passage in the Midrash Bereshit Rabbah,[16], [17] it is noteworthy that an identical identification exists in non-Rabbinic, and even non-Jewish sources as well. Among these are the Pentateuch translation of the Samaritan Abu Sa'id, and a Biblical citation contained in the *Book on Religions and Sects* of the famous Spanish-Muslim theologian, Ibn Hazm.[18]

Since it is implausible to suggest that Abu Sa'id and Ibn Hazm derived their identifications from the aforementioned Midrash, it would appear most likely that they had a separate, independent tradition regarding the rivers of Paradise.[19] In fact, such a Tradition is extant, and it is attributed in the Hadith to Abu Hurairah, one of the Companions of Muhmmad and the foremost guarantor of the Traditions in general. He said:

> The Prophet of Allah said that the Saihan, the Jaihan, the Furat (Euphrates) and the Nile are the rivers of Paradise.[20]

3. According to the Torah (Genesis 2, 1ff.), God created the world in six days and rested on the seventh. Jewish tradition identifies the day of rest as Saturday, whence it derives that Creation began on Sunday. This point is not contested by Christianity, whose observance of Sunday as a day of rest derives from other considerations (paramount amongst which, quite simply, was its blanket rejection of Jewish practice). It is therefore very interesting to read the following Tradition recorded by Tabari:[21]

> There is a disagreement concerning the day on which Allah began Creation of the heavens and the earth. Some say that He began on Sunday . . . others say He began on Saturday.

The polemical, indeed tendentious, nature of this Tradition is made transparent by its continuation:[22]

> Ibn Hamid reported . . . that the people of the Torah say that Allah began Creation on Sunday. The people of the Gospels say He began on Monday. We, the Muslims, have received a tradition from the Messenger of Allah that He began Creation on Saturday.

Indeed, the transparency of Ibn Hamid's Tradition is accented by the fact that while he purports to establish that Friday, the Muslim holy day, was the original day of rest, he nevertheless refers to Saturday as "Yom as-Sabt", its Biblical designation of the "Sabbath".

4. Tabari also records a number of Traditions in which "The Jews" pose questions to Muhammad on other aspects of Creation. In one such response the Prophet is reported to have given the following details about the sixth day's creations:[23]

> On Friday, He created the stars, the sun, the moon, and the angels, until there were three hours left (to the day). In the first hour (of the three) He appointed the generations(?), who shall live and who shall die. In the second He imposed a curse on everything whence Mankind derives some benefit. In the third, He created Adam and settled him in Paradise. Then He commanded Iblis (Satan) to worship Adam. Then He exiled Adam from Paradise at the close of the third hour.

The points of contact with the Midrash are numerous here. To begin, the notion of isolating the closing hours of Friday for particular aspects of Creation originates in an early Jewish source, the Mishnah Avot (so-called *Ethics of the Fathers*) which notes:[24] "Ten things were created on the Sabbath eve at twilight."

The expulsion of Adam from Paradise during those twilight hours is likewise recounted in a previously mentioned Midrash, Pirqei d'Rabbi Eliezer,[25] which tells how Adam's original death sentence was mitigated by God into one of expulsion following the intercession, on his behalf, of the Sabbath day.[26] Hence the tradition, alluded to in the Talmud

as well,[27] that Adam was the author of Psalm 92, entitled: "A Psalm, a song for the Sabbath day. It is good to praise the Lord . . ."

Since we have already mentioned the late editing of this Midrash and noted its tendency to incorporate Muslim material, it is not difficult to ascertain that the same influence was at work here.[28] Indeed, the introduction of Iblis (Satan), and the reference in the Hadith to God's forcing him to worship Adam, have had other and even more appreciable influences on both this and other late Midrashim.[29]

5. Several correspondences are noticeable in the element of time as well. Tabari tells us of conflicting traditions regarding the duration of the world:[30]

> Our predecessors among the men of Science have disagreed in this regard. Some have said that the world will endure for seven thousand years . . . others maintain six thousand years.

The six thousand year figure, accepted by Tabari, is actually that of the Talmud which says:[31] "The world shall endure for six thousand years." The reliance of the Hadith upon the Talmud in this instance is advanced significantly by the fact that the Tradition cited by Tabari is reported on the authority of Ka'b al-Ahbar and Wahb ibn Munabih, two Jews who converted to Islam during the lifetime of Muhammad, and who, especially al-Ahbar, are responsible for most of the Jewish legendary material in the Hadith.[32]

6. In a related vein, Tabari records the correspondence of the duration of this world to that of the world to come:[33]

> The world to come will last for six days, each equal to one thousand years, for a total of six thousand years, equalling the duration of this world.

This notion, too, is Jewish in origin, and was born of the verse in Psalm 90 (v. 4): "For in Your eyes, a thousand years is but a day gone by." One Midrash on this verse comments:[34] "The day of the Holy One, Blessed be He, is one thousand years." Another Midrash[35] explicitly utilizes the verse as the basis for determining the duration of the world to come.

7. Finally, regarding the number of years which have elapsed since the Creation, Tabari informs us that:[36]

> The Jews claim that according to the Torah which is in their possession today, the Hijra[37] occured in the 4,642nd year to Creation.

The year 4,642 A.M. translates into 882 C.E., a far cry from the Hijra of 621-22. Tabari, however, may have misunderstood his Jewish informants, and recorded not the year of the Hijra but the current year.[38]

Paradise and Hell

With regard to descriptions of Paradise and Hell, too, we find several Traditions whose kinship with Talmudic-Midrashic literature is readily apparent. None, however, are quite as blatant as this pair:

> 1. Abu Burdah reported in the name of his father, that the Prophet said: In Hell there is a valley named 'Habhab' where all the tyrants dwell.[39]

The name 'Habhab' appears, initially, in an esoteric verse in Proverbs.[40] The Talmud, seeking to clarify the reference, says:[41] "What is 'Habhab'? Mar Ukba said: The voices of two daughters crying out from Hell." There is no explanation of the conjunction of 'Habhab' and Hell in the Hadith other than a direct borrowing from Jewish tradition.[42]

> 2. Abu Hurairah reported in the name of the Messenger of Allah. Allah has said: I have reserved for the righteous that which no eye has seen, nor any ear heard, neither has it entered into the heart of any man.[43]

This Tradition actually incorporates a Qur'anic verse,[44] and it refers to Paradise, the indescribable reward for the righteous.

Here we encounter an originally Jewish motif which entered into Islamic tradition by way of Christianity.

The Bible says (Isaiah 64, 3): "Never has it been heard or noted, neither has any eye but God's seen it." The Talmud, in explicating this verse, remarks:[45] "To what does 'no eye has seen' refer? This is Eden which no human eye has seen."

The Qur'an, however, has taken the Biblical elements of sight and sound and has added a third — that of imagination, or conception. This strengthens our impression that the immediate source of this Qur'anic passage was not the Talmud, but the New Testament. Here (I Corinthians 2, 9) the verse in Isaiah is coupled with the eschatalogical significance attached to it by the Talmud, and is presented as follows: "But as it is written; Eye hath not seen, nor ear heard, neither has it entered into the heart of man, the things which God has prepared for them that love him."

Biblical Personalities

Finally, let us note two illustrations of the correspondences between Jewish and Muslim folk legends which attached themselves to the same Biblical personalities.

1. Og, King of the Bashan: The *Qissas al-Anbiya'i* of al-Kisha'i[46] contains a lengthy description of Og and his activities. Excerpted here are those portions of that Hadith which are most illuminating in our context.

(a) His size. The Pentateuch alludes to Og's gigantic stature in Deuteronomy 3, 11 which states: "Only Og, King of the Bashan, remained from amongst the Rephaim. Behold his bedstead — which is in Rabbat Ammon — is nine cubits long and four cubits wide, as measured by a man's arm."[47] Elsewhere it is reported (Dt. 2, 10-11) that the Rephaim were "a great people, as huge as giants."[48]

The Hadith exaggerates these already grandiose proportions, and contends that Og was three thousand, three hundred cubits tall.

(b) His Appetite. A consequence of his great size was an enormous appetite. According to the Talmud,[49] he ate one thousand oxen and drank one thousand measures of water daily. According to the Hadith, he would consume two large elephants a day, and drink an entire river dry.

(c) His Past. According to both the Talmud and the Hadith, Og was a survivor of the Deluge.

Commenting on the verse (Gen. 14, 13): "And the survivor came to Abraham", the Talmud says:[50] "This is Og who survived the Deluge." According to the aforementioned Pirqei d'Rabbi Eliezer,[51] he accomplished that feat by hanging on to the ark's ladder. According to the Hadith, the water never rose above his knees.

(d) His Death. Again both the Midrash and the Hadith agree in attributing Og's death directly to Moses, and, again, the affinity of the Muslim Tradition for the earlier Jewish legends is underscored by the fact that the guarantor of this Hadith too, is Ka'b al-Ahbar.[52]

The Talmud reports[53] that Og uprooted a mountain two parsangs in breadth with which he sought to crush the Israelite camp. God then dispatched a worm which bore through the mountain splintering it, and then imbedding itself in the giant's neck. Moses, who is described as being ten cubits tall, then took his staff, which was ten cubits in length, lept ten cubits into the air, striking Og on his heel and slaying him.

The only departures from this entire episode in the Hadith are relatively minor points, including the fact that the mountain that Og uprooted is measured at three parsangs, and a hoopoe is substituted for the worm.

David and Goliath

The Biblical narrative of the encounter of David and Goliath is found in I Samuel, chapter 17. The Qur'an (Sura 2, v. 252) alludes to this exploit only casually, saying tersely that: "Israel routed (the Philistines) by the will of Allah, and David smote Goliath."

One detail of this encounter cocerns the stone with which Goliath was slain. The Qur'an is entirely silent on this point, while the Bible would appear to have given the

definite word on the subject saying first[54] "And he (David) chose five smooth stones from the brook, placing them in his shepherd's pouch," and adding subsequently that:[55] "David reached into his pouch, removed a stone, and slung it into the Philistine's forehead."

Nevertheless, both the Jewish and Muslim traditions wove legends around these stones.

The Yalqut Shim'oni says:[56] "Five stones: One in the name of the Almighty, one in the name of Aaron, and three in the names of the Patriarchs." The Yemenite Midrash HaGadol records yet another embellishment:[57]

> While David was astride his donkey he heard three stones conversing and saying; "Where is the son of Jesse? If he knew of us he would surely take us to do battle for him." Whereupon David dismounted, disrobed (to enter the stream) and took up the stones. One stone said: "I am the stone of Abraham. If David would sling me, I would knock the Philistine's helmet off his head." The second said: "I am the stone of Isaac. If he would sling me, I would strike his forehead, pass through his head, and exit through the back of his head." The third said: "I am the stone of Jacob. If he slings me, I shall strike the Philistine's heart, and cast his carcass down before all Israel."

This enchanting dialogue has no known precedent in Jewish literature; yet, it has a fascinating analogue in the Hadith. In the Qissas al-Anbiya's we read:[58]

> David went, taking with him a pouch with food for his brothers, and he girded his sling about his waist. While on his way a stone called out to him saying: "O David, take me, for I am the stone of your father Abraham." So he took it and put it in his pouch. A bit further another stone called out saying: "O David, take me, for I am the stone of your father Isaac." So he took it and put it in his pouch. A little further on, another stone called out: "O David, take me, for I am the stone of your father Jacob." So he took it and put it in his pouch.[59]

A comparison of these three sources, the Yalqut, the Midrash HaGadol, and the Qissas, shows that the briefest tradition with brevity often an indicator of primacy, is the

one contained in the Yalqut. The Hadith would appear to have expanded upon the early Midrash, while the two were further embellished in the Midrash HaGadol. This accords with the accepted chronological sequence of these three sources as well.[60]

In Conclusion

The illustrations presented here substantiate the premises which were enunciated in the introductory remarks. To wit:

(a) The Talmudic-Midrashic legends were assimilated to a noticeable degree by the Islamic Hadith.

(b) The further influences of the Hadith can be detected in later Jewish traditions, particularly in Pirqei d'Rabbi Eliezer, and the Midrash HaGadol, as well as in portions of the Palestinian Targum Yonatan.

(c) The Hadith must be recognized as a source of authentic Jewish legends, some of which are no longer extant in our Midrashic anthologies.

NOTES

1. Notably: A. Geiger: *Judaism and Islam,* C. C. Torrey: *The Jewish Foundations of Islam,* H. H. Hirschfeld: *New Researches into the Composition and Exegesis of the Quran.* For an extensive bibliography see A. Katsh: *Judaism and the Koran.*
2. Notably: M. Grunbaum: *Neue Beitrage zur semitische Sagenkunde,* B. Heller: articles in *MGWJ, REJ, JQR;* D. Sidersky: *Les Legendes Musulmanes dans le Coran et dans Les Vies des Prophetes.* For further references cf. Haim Schwartzbaum: *Studies in Jewish and World Folklore,* (Berlin, 1968), pp. 391-393.
3. For a concise description of the 'Science of Hadith' cf. A. Guillaume: *The Traditions of Islam,* (Oxford, 1924).
4. The edition utilized is that of the Dar al-Ma'arif, (Cairo, 1960).
5. The edition employed is I. Eisenberg: *Vita Prophetarum,* (Leiden, 1923).
6. Louis Ginzberg: "On Jewish Folklore" (published in *On Jewish Law and Lore* (N.Y., 1955) takes note of this point without, however, elaborating on it.

7. Sanhedrin, 38a.
8. Cited from the "Mishkat ul-Masabih" (The Niches of the Candles), an anthology of reliable Traditions (Sahih) compiled by the Imam Hussein bin Mas'ud al-Farra of Baghdad, during the years 500-515 A.H. (1106-1121). The edition used is Khatib: *Al Hadith;* (Calcutta, 1938); v. 4. This text is numbered 32:18.
9. Several editions as well as the Yalqut Shimoni (Genesis no. 13), read here: "Yellow". This would correspond more closely to the idea of pigmentation. The colors mentioned in the Targum are: Sumaq, Shehim, and Hiver.
10. Ginzberg: *op cit.,* regards it as "modeled upon the Arabic collections of Biblical legends." Grunbaum: *op. cit.,* brings numerous illustrations of this point. See, particularly, p. 55.
11. See the chapter "On Ancient Legends in the Palestinian Targumim" in I. Heinemann: *Aggadot Vetoldoteihen* (Jerusalem, 1974) particularly p. 143ff., and 181ff.
12. On the subject of Paradise in the Qur'an, cf. Joseph Horwitz: "Das koranische Paradies"; *Scripta Universitatis atque Bibliothecae Hierosolymnitanarum,* Vol. 1, 1923.
13. See the article "Djaihan" in the *Encyclopedia of Islam,* O.S., Vol. 1, p. 1002 where it is identified as the Pyramus.
    In this context, note the commentary — ad. loc. — of Abraham Maimonides (ed. Sassoon) who remarks: (English translation mine): "Gihon: This is known as Jaihon in Arabic; it is a great river like the other three. It is generally located in Persia and is not the Gihon mentioned in the Book of Kings . . . This poses a difficulty, however, since Kush (the country through which it is said to flow according to Gen. 2, 13) is Abbysinia, and if the Gihon is in Abbysinia, then it cannot be in Persia. And if — as generally regarded — it is in Persia then I don't know how (according to the verse) it was in the proximity of Kush."
    Rabbi Abraham's perplexity can be dispelled, and the 'generally accepted' identification validated, by recognizing that the Kush of Gen. 2, 13 is not Abbysinia, but Cossaea — the land of the Cassites — in Mesopotamia. Cf. E. A. Speiser: *Genesis* (Anchor Bible), p. 20.
14. Although the names Hideqel and Tigris do not, at first glimpse, appear to be cognates, the consonants dql and tgr are, nevertheless, similar. In Arabic the name of the river is Dijlat (or Diglat) with the initial Het absent as well.
15. Tafsir: 'Ismu Ahdiha an-Nil'.
16. Bereshit Rabbah 16:2. Alongside this Midrash, compare Philo (De Fuga) who writes that the Biblical 'Ed, the primary water source of Eden (Gen. 2, 6) was compared to the annual overflowing of the

Nile. On this, see further S. Belkin: *Sura* Vol. 3, p. 52, and J. Werblowsky: *JJS,* Vol. 10, pp. 118-119.

17. Abraham Maimonides, op cit., appears to have made the very connection suggested here: "Pishon; The first is the famous Nile whose name, it is said, derives from its well known overflowing which (in Hebrew) is called 'Pasho'."
18. *Kitab al Fasl fi'l Milal.* (Cairo, 1899), Vol. 1 p. 118.
19. Note, especially, that Abu Sa'id uses the term "An-Na'im" for the Biblical "Eden". This is the earliest designation of Paradise in the Qur'an, and clearly bespeaks Islamic influence.
20. Mishkat: *op. cit.* No. 42:16; Karim, Vol. 4, p. 167. On 'Saihan', cf., *Encyclopedia of Islam* (Old Series) Vol. 4, p. 75.
21. Tabari: *Ta'rikh.* Vol. 1, p. 43-44.
22. *Ibid.*
23. Tabari: *op. cit.,* p. 22.
24. Avot 5:8.
25. Chapter 19. In G. Friedlander's English edition, however, the chapter is numbered 18.
26. A similar tale is told in the "Midrash Tehillim" (also nown as "Midrash Shohar Tov") to Psalm 92. Cf. Wm. Braude: *The Midrash on Psalms,* (Yale, 1959) Vol. 2, p. 111, No. 3.
27. Baba Bathra, 14b.
28. Grunbaum: *op. cit.,* p. 65.
29. Heinemann: *op. cit.,* p. 184.
30. Tabari: *op. cit.,* p. 10.
31. Avodah Zarah, 9a.
32. I. Wolfensohn (Ben-Zeev): *Ka'ab al-Ahbar und seine Stellung in Habit und in der islamischen Legendliteratur* (Gelnhausen, 1933).
33. Tabari: *op. cit.,* p. 17.
34. Midrash Tehillim, chapter 90. Cf. Braude: *op. cit.,* p. 94 No. 12.
35. Midrash Tanhuma; Eqev., No. 7.
36. Tabari: *op. cit.*
37. The "Hijra" designates Muhammad's flight from Mecca to Medinah, and is the beginning of the Muslim era (a.h.).
38. Since Tabari lived from 839-922, it is very plausible that his error here enables us to determine the exact year in which he began his "History" (of which this section is one of the first), namely 882.
39. Mishkat, No. 657W. Karim: *op. cit.,* Vol. 4, p. 197.
40. Proverbs 30, 15; "la'aluqah shtei banot hab hab."
41. Avodah Zarah, 17a.
42. Arabic does have a quadriliteral verb 'habhab', but it means "to bark". This could conceivably be connected to the statement of Mar Ukba who uses "so'aqot" which might mean to bark. It would not, of itself, however, provide the connection with Hell.
43. Mishkat; No. 42:1. Karim: *op. cit.,* p. 161.

44. Sura 32, Vol. 17.
45. Berakhot, 34b.
46. Eisenberg: *Vita Prophetarum,* p. 233ff.
47. Cf. Rashi. *ad. loc.,* who comments that "by a man's arm" means by the arm of Og.
48. Hebrew: 'Anaqim. Of note is that according to the Qissas, Og's mother was named Anaq.'
49. Soferim, 21:9.
50. Niddah, 61a.
51. Chapter 23.
52. See note 32 above.
53. Berakhot, 54b.
54. I Samuel 17, 40.
55. *Ibid.,* v. 49.
56. Yalqut Shimoni; Samuel, No. 127.
57. ed. Fisch, (Jerusalem, 1973), Deuteronomy 21, 10.
58. Eisenberg: *op. cit.,* p. 253.
59. Cf. Tabari: *op. cit.,* p. 472, No. 555.
60. The dependence of the Midrash Hagadol on the Hadith can be supported by a significant linguistic detail as well. The Midrash calls Goliath's hat "qalinfato", a word of indeterminate origin and meaning. A preferred reading would be "qalunsato", which is the Arabic word for 'helmet'. Cf. Dozy: *Supplement aux Dictionaires Arabes,* Vol. II, p. 401.

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IS MYSTICISM AN ALIEN ELEMENT IN JUDAISM: THE SCHOLEM THESIS

At first consideration, the question of whether or not mysticism is alien to Judaism seems to merit an unqualifiedly negative answer. It is well-known that various Kabbalistic schools have, at one time or another, in the course of Jewish history, captured the religious imagination of large parts or all of the Jewish people. The Hassidic message, for example, was of crucial importance for medieval German Jewry, in its efforts to cope with the Crusaders and other persecutors.[1]

The classical case of correspondence between the spiritual impulses of the Jews as a whole and those of the Jewish mystic is, of course, the Lurianic Kabbalah. This system completely dominated 16th century Jewish speculation.[2] It was during this period that mysticism made its great inroads into normative Jewish life. The Lurianic Kabbalists left a lasting impression on several traditional outlets for religious creativity, among them the halakhah and the liturgy.[3]

Nevertheless, the most effective testimony to the prominent historical role played by the Jewish mystics may be found in a remark attributed to R. Phineas of Kovitz. It is said that this Hassidic saint would habitually thank God for having been born after the *Zohar* was written. Once pressed to explain his practice, R. Phineas did so with the terse, yet powerful comment: "for the *Zohar* has helped me to remain a Jew."[4] Professor Scholem is correct in emphasizing that this anecdote should not be taken lightly.[5]

Yet, there is a problem. Mysticism, indeed, was alien to the established Jewish religion of its time. From a historical point of view, the Kabbalistic systems were often influenced

by sources remote from those of rabbinic Judaism. To choose from an abundance of illustrations, the return of the soul to its divine home in *Merkabah* mysticism,[6] the explanation of evil given in the *Zohar,*[7] and the theory of *Shevirah* in Lurianic Kabbalah[8] all indicate Gnostic inspiration. Likewise, German Hassidism betrays revealing similarities to both Christian[9] and Platonic[10] teaching, whereas Abraham Abulafia, by according paramount importance to his own ecstatic vision,[11] could be viewed as a religious anarchist.

From a theological point of view, mysticism, in its abstract form, contrasts greatly from what Fredrich Heiler would call the "prophetic" character of authentic Judaism.[12] The position of "pure mysticism" on such crucial religious issues as the nature of man's relationship to God[13] and to life[14] and the character of spiritual authority[15] not only differ from, but also outrightly conflict with that of "prophetic" Judaism.

These two analyses seem to suggest an antagonism between normative Judaism and mysticism; however, one must not dismiss a whole tradition of Jewish mystical speculation without first carefully examining the reasons for its success. In short, the question at issue is this: Can the historical fact of mysticism's advance in Judaism be justified theologically and therefore historically?

Since the answer to this problem ultimately hinges on our definition of the nebulous terms "mysticism" and "Judaism", we would do well to clarify their meaning at the outset of our discussion. Mysticism, to paraphrase Professor Scholem, is "a stage of the religious consciousness"[16] which attempts to close the abyss between God and humanity in the souls of men. Mysticism tries to realize the ultimate unity of God and His creation while, at the same time, recognizing His transcendence over it. In short, mysticism seeks to unify the primitive world of mythology with the biblical religion of revelation on a spiritual level.[17] Furthermore, the mystical consciousness makes its appearance in a situation in which "the classical systems of institutionalized religion" no longer express the religious experience of their constituents.[18]

Every school of Jewish mysticism, each in its unique way, supports the first claim of our definition. All Kabbalists had their "gnoses" (method of approaching God). For example, the *Merkabah* mystics sought God through contemplation,[19] the German Hassidim through ascetic practices,[20] and the later Hassidim through spiritual ecstasy or *Devekut.*[21] Perhaps the most popular, yet radical manifestation of this phenomenon is the Lurianic idea of *Tikkun.* By fulfilling his religious duties, the Jew not only bridges the gap between himself and his God, but even helps restore the unity of the Godhead Itself.[22]

The Lurianic Kabbalah also illustrates the second factor in our definition. The concept of *Galut,* exile, was not new to the Jews of the 16th century. References to it abound in both biblical and Talmudic literature; however, after the Spanish Expulsion, the rabbinic interpretation of the idea had lost much of its vitality. The old notion of "exile as a punishment" was of little consolation to the uprooted Spanish Jews. At the very moment when tradition seemed unavailing, the situation was ripe for Luria to resuscitate old, dying ideas by investing them with new, relevant meaning.[23]

"Judaism" is a national-religious phenomenon characterized by particular symbols which are uniquely its own. These symbols may take the form of fundamental ideas, such as Creation, Revelation, and Redemption (to make use of Rosenzweig's categories) or of "dominant spiritual forces" such as the halakhah, the ritual law, and the liturgy.[24] Any legitimately "Jewish" system of thought must accommodate itself to these emblems.[25]

However, there is a critical clause which our definition must not fail to include. Judaism, above all, is a living society. By this, we mean that there is an ongoing development of ideas within Judaism, which complies with the ever-changing needs of the Jewish people. "The religious consciousness is not exhausted with the emergence of the classical systems of institutional religion,"[26] writes Professor Scholem. To preserve itself as a vital belief, Judaism must allow for

the creative religious spirit. Judaism must be sensitive to history; however, as we pointed out, all innovation must be qualified by a respect for the traditionally-established symbols.

Rabbinic Judaism, itself a product of historical development, permits changes under preconditions similar to our own. The major requirement is that all new ideas are to be mediated by tradition, as formulated in the Written and Oral *Torot*. In other words, innovation in Judaism takes the form of commenting on the divinely-revealed Scriptures, the "Written Torah", and the various laws and customs which have arisen as interpretation of these texts, the "Oral Torah".[27] Interestingly enough, this very method of exegesis has become the customary procedure for relieving the dialectical tension between continuity and innovation.[28]

Therefore, it should come as little surprise that Professor Scholem defines Jewish mysticism as "the attempts to put a mystical interpretation on the content of Rabbinic Judaism."[29] As we have argued, this synthesis is necessary for mysticism to assimilate itself into Judaism and, yet, retain its uniqueness as a religious experience. We must now determine whether or not the Kabbalists did, indeed, bear the heavy yoke of tradition.

However, it may be profitable to first explore the issue as a question of authority.[30] It is essential to note that Rabbinic Judaism did not strongly assert its command in the area of speculative thought. Although both the Mishnah and the Talmud include remarks and anecdotes of a philosophic or homiletic nature, which have since acquired the authority of tradition,[31] these attitudes in no way resemble a systematic ideology.[32] While halakhah is an all-embracing code of action, Judaism limits conceptual latitude with only a small number of fundamental articles of faith, like Maimonides' Thirteen Principles. Normative Judaism is primarily a practical religion rather than a contemplative one;[31] therefore, the attempt made by Maimonides to extend the halakhah to philosophy failed predictably, as did Eleazar of Worms' bid to extend the halakhah to mysticism.[34]

The Rabbis' fundamental allowance for intellectual freedom has bearing on our topic in two ways. Firstly, just as there was a philosophic tradition dating back to Mishnaic and Talmudic times, there was also a mystical tradition expressed by certain Tannaitic sources.[35] The story of the "four who entered paradise" in Tractate *Hagigah* gives ample testimony to the deeply-rooted influence of mysticism in rabbinic circles. These Talmudic references set an important precedent for mystical speculation within Jewish thought.

Secondly, one can now better evaluate the criticism of those who argue that mysticism should be excluded from Judaism because the former was affected by non-Jewish sources. If this criticism is valid, then the Kabbalah is not the sole victim. Similarly, Maimonidean rationalism is well-known for its Aristotelian bent; the Tannaim themselves could not escape the intellectual predominance of Hellenism in their day.[36]

However, it is obvious that we cannot dismiss certain thinkers as non-Jewish merely because they display extra-rabbinic persuasion. Just as few of us would exclude the works of Maimonides and *Hazal* from the lists of Jewish literature because of their non-Jewish derivations, so too, we cannot exclude the mystical writings of Nachmanides and Rabad solely on these grounds.

The acid test for Jewish thought is the acceptance of those fundamental ideas and ritual forms through which the Rabbis did exercise their authority. In so far as one's *Weltanschauung* does not conflict with the basic tenets of Judaism, it is one's own affair.

Parenthetically, the strongly-antinomian character of the heretical Sabbatian movement is no longer so coincidental as it may have seemed. The logical concomitant of Sabbatai Zevi's claim to spiritual authority is the abrogation of the major symbol of his predecessor's influence, the halakhah.[37] As the "Messiah", Sabbatai Zevi's claim rested in his power to break with Rabbinic Judaism. To complete the picture, the

Sabbatians even went so far as to replace Maimonides' Thirteen Principles with a credo of their own.[38]

On the other hand, the persecuted Hassidim remained within Judaism by accepting the law of the Torah and never transgressing it in principle.[39] To avoid antagonizing the establishment, the Hassidim compromised their beliefs and conformed to the dictates of the religious community.[40] In short, the crucial difference between a sect existing outside of Judaism and a group reshaping it from within, lies in the latter's acceptance of traditional authority, at least outwardly.

As we have said, the halakhah does not oppressively intrude into areas of speculative thought. This encourages a situation in which the Jew can have two sources of authority: one religious and one extra-religious. His ultimate priorities become evident in those moments of conflict between the dictates of these two influences. For example, when Maimonides was faced with the heretical Aristotelian doctrine of the eternity of the universe, he demonstrated his acceptance of rabbinic control by asserting the creation of the world.[41] A test of the Kabbalists' Jewishness would be an inspection of their response in similar instances of crisis.

One such case is the contrast between pure mysticism and "prophetic" Judaism concerning this very issue of religious authority. As Heiler presents the position of mysticism:

> To be sure, the mystics speak of the revelation of God in the sense of mystical inspirations, visions, and ecstasies: yet these are not the prerogatives of divinely-commissioned men, they may be vouchsafed in principle to every man . . . Moreover, they have significance only for the personal experience of devout persons who have been favored with them, but they possess no binding authority for all men. Mysticism knows only a subjective, inner revelation . . . Mysticism is ultimately exalted above all religious authority.[42]

Conversely, revelation in prophetic religion is, above all, an objective historical fact binding on all men. Those who receive this communication are few in number and retain a central position of religious authority.[43] This characterization

applies completely to Judaism, whose sanctions for command lie in the divinely-revealed Bible and in its inspired interpretation.[44] The tension for the Jewish mystic is that while he is stirred by the content of his immediate vision, he must channel his enthusiasm into set traditional molds.[45]

The Kabbalists settled the problem by recognizing the historical revelation as binding on them; however, in an ingenious twist which generally characterized their attitude towards the tradition, they expanded the meaning of the standard test to incorporate their mystical "gnoses". Their technique was the symbolic interpretation of the Scriptures.[46] By virtue of its status as God's message, or God's "Name", the Bible can be understood on multiple levels. Ultimately, it contains all truths, including mystical ones.[47] As Professor Scholem puts it, "Authority no longer resides in a single unmistakable 'meaning' of the divine communication, but in its infinite capacity for taking on new forms."[48] Thus, *Lekh Lekha* (Genesis 12:1) no longer only means "Get thee out", but also, on another plane of perception, contains the mystical message, "Go to thee".[49] Interestingly enough, this symbolic approach to the text was only the logical consequence of the exegetical method employed by the Talmudic Rabbis themselves.[50]

Not only the Scriptures, but also the dogma of Judaism took on new mystical implications in the hands of the Kabbalists. For example, the idea of "creation out of nothing", was commonly understood to mean that God created the world out of the non-existent; however, in the unbridled imagination of the Jewish mystics, 'nothing' is an allusion to the great "Nothing", the Almighty; therefore, "creation out of Nothing" refers to a central principle in mystical theosophy, "creation out of God".[51]

Furthermore, to avoid any possibility of a clash in authority between the mystical vision and the Sinaitic revelation, the Jewish community took several precautionary steps. Until its popularization with the advent of Isaac Luria, the mystical tradition in Judaism was limited to small groups of select individuals.[52] There were also stipulations that only

rabbis of high Talmudic attainment could be initiated into the world of Kabbalah,[53] presumably because their superior knowledge of Rabbinic Judaism would enable them to integrate their esoteric adventures into the tradition with a facility that others of lesser erudition might lack.[54] Finally, admonitions concerning the "dangers of the ascent" can be traced back as far as the *Merkabah* mystics.[55]

Nevertheless, the spirit of compromise often prevailed in the relations between the religious establishment and the Kabbalists. We can only speculate that one factor responsible for the society's tolerance was the high number of prominent Talmudic scholars who also distinguished themselves as mystics. Such masters of rabbinic learning as the Tosafists,[56] Rabad of Posquieres,[57] and Joseph Karo[58] were accomplished Kabbalists in their own right. Likewise, we find official recognition of the mystical vision as a revelation with the formal status of *gilluy Eliyahu*.[59] Although this 'revelation of Eliyah' was the lowest rung on the hierarchical ladder of authority, it was, nonetheless, an accreditation of mysticism on the part of the community.

The clinching factor in this question of authority may be a phenomenological consideration. The Kabbalists considered themselves to be traditional Jews,[60] and, as we have indicated, their co-religionists accepted them. Although the Jewish mystics valued their confidential "gnosis", they had no desire to rebel against tradition. Rather, we repeatedly find devotees accommodating themselves to Jewish society and its values. The laborious effort which the Kabbalists made to establish themselves within Judaism is the most telling argument for their desire to remain Jews.

It is a small step from accepting the authority of the Rabbis to also adopting their symbolic universe, and the Kabbalists had no reservations about taking it. The central ideas of Creation, Revelation, and Redemption all find a place in the theosophic systems of the Jewish mystics.[61] Likewise, the halakhah and the liturgy, two unique expressions of Jewish

spirituality, are prominently represented in several schools of Kabbalah.[62] However, these assertions beg elaboration.

The idea of a living God who manifests Himself in Creation, Revelation, and Redemption was a problematic one for the Jewish mystics. The God of pure mysticism is static and unconcerned. He is "the quiet stillness",[63] to quote Heiler. This Deity is at rest in Himself: He has no will or attributes, no interest in man or history. He withdraws from the world and remains hidden.[64]

The prophetic Diety is the antithesis of the *deus absconditus*. The God which the Bible depicts is active and willful. He manifests Himself through nature as its Creator and through history as its Redeemer. This God reveals Himself to man! Whereas the God of mysticism is hidden and passive, the God of prophetic religion is actively involved with His world.[65]

The Kabbalah avoided this conflict by retaining both conceptions of God. The infinite "Nothing" and the willful Creator became complementary characteristics of the one Deity. God is the union of these two ideas.[66] This reconciliation is most obvious in the Kabbalistic notion of *Sefiroth*. While the *deus absconditus* is at the root of all being, He emanates from Himself those various attitudes which constituted reality, the *Sefiroth*. These *Sefiroth* symbolize the inner life of God, and yet, themselves, are part of Him. In other words, God is represented both in the hidden world and in the world of attributes.[67] In this way, the author of the *Zohar* smoothed over the sharp distinctions between the *deus absconditus* and the *deus revelatus*, and salvaged the living God of the Scriptures.[68]

The symbols of Creation, Revelation, and Redemption are of central import in Zoharic theosophy, but these concepts no longer merely mirror God's relationship to the world. They now come to indicate dynamic processes taking place within the Godhead. In other words, the Kabbalists have given these traditional ideas new cosmic meaning by reintroducing the mythological element to religion.[69] Thus, Creation takes place on two levels: in the mundane universe and within God Himself. The change from the *Ein Sof* to the first *Sefirah*, from

"Nothing" into Being, is culminated in the point. This point is the primordial element linking created existence with the "Great Nothing".[70] In short, Zoharic cosmogony is merely the external representation of that which is actively originating within the Godhead.[71]

The *Sefiroth* also contain the language required for revelation. Each *Sefirah* denotes a name of God. God emanates, through the articulation of His various "names", or attributes.[72] Like Creation, Revelation now becomes a symbol for a divine process. Just as God emanates through speech, so too does He reveal Himself to man through His "Word", the Torah.[73] Just as the *Sefiroth* are the "names" of God, so too is the Torah God's communication of His "name".[74]

Finally, Redemption will take place not only on earth, but in the Godhead as well. Until the Fall, God was unified with His *Shekhinah*. Man's sin, however, disturbed this unity. The day of salvation will not only mark the reestablished contact between God and the world, but also the cosmic union of God with the *Shekhinah*.[75]

Similarly, in the Lurianic Kabbalah, we find Creation represented in the theory of *Tzimtzum*,[76] Revelation in the idea of *Partzufim*,[77] and Redemption in the doctrine of *Tikkun*;[78] however, Luria distinguished himself through his novel explanation of the concept of exile. In a variation particularly responsive to the needs of his contemporaries, Luria hypothesized that the Jews' unhappy state in the *Galut* mirrored a fundamental condition of disarray in the universe.[79] Exile, once conceived as a punishment for Israel's sins, now becomes a heroic mission to set the world right.[80] As we can see from these brief sketches , both the *Zohar* and the Lurianic Kabbalah not only make room for traditional ideas in their theosophic systems, but endow them with a new, revitalized meaning.

Jewish ritual and liturgy were also areas of Kabbalistic interest. This phenomenon indeed seems strange once we compare the abstract mystical model with the prophetic one. The mystic seeks salvation by liberating himself from the material world, by denying his ties with the finite and joining

the infinite. Morality is contained only in the removal of those impediments which prevent the mystic's union with God.[81]

Prophetic religion, on the contrary, emphasizes the importance of positive moral action as a form of divine worship. Fulfillment of God's ethical requirements is, in itself, a means of intercourse with Him. By realizing divinely-ordained ideals which have an intrinsic value, the devotee approaches the Almighty.[82]

Once again, the Kabbalists resolved their conflict by retaining the traditional symbols and giving them a novel meaning. While the performance of God's commandments is a prerequisite for redemption, these decrees do not necessarily contain an ethical content. Every religious act is a mystery even when its purpose seems obvious.[83] The real value of the *mitzvot* lies in the cosmic effect of their observance, not in an innate moral value.[84]

Consequently, the Zohar teaches that the execution of the *mitzvot* contributes to the reunification of God with the *Shekhinah* and the redemption of mankind.[85] Similarly, the Lurianic Kabbalah instructs its followers that the fulfillment of the commandments encourages the process of *Tikkun* and salvation.[86] In both these systems, there is an emphasis on action rather than on mystical contemplation, but the significance of the ritual lies not so much in the deed's intrinsic value as in the magical forces which it summons.[87]

The creative attachment of the Kabbalists to the ritual did not exhaust itself in the mystical interpretation of the traditional laws. The Jewish mystics, themselves, devised new rites. Particularly productive in this respect were the Lurianic Kabbalists. They introduced such lasting practices as the night vigil before *Shavuot* and *Hoshanna Rabba,* the fast of the firstborn before Passover, and the study of *Mishnayot* in memory of the dead.[88]

The Jewish mystics also vented their religious enthusiasm through prayer. As in their relationship to the ritual, the Kabbalists looked at the services from two angles: they gave the traditional liturgy a new mystical explanation, and they

contributed to it novel hymns of their own composition.

The German Hassidim took the interpretive approach. They made use of such devices as *Gematria* and *Notarikon* to penetrate into the underlying meaning of the text. After giving a verse of the prayer a certain numerical or alphabetical worth, these mystics would link this line to lines of similar value in the Scriptures.[89] In this way, new connections between ideas were established. More importantly, prayer was central to the Hassidim as a technique of penitence, an important category in their spirituality[90]

The *Merkabah* mystics made up new prayers as spontaneous expressions of mystical euphoria. Some hymns, like *Kedushah*[91] and *Ha'Aderet Ve Ha'Emunah*[92] were incorporated into the traditional materials. The Lurianic Kabbalah also inspired new texts of worship, the most famous of which is Alkabetz's Sabbath Son, *Lecha Dodi*.[93] Luria himself turned out prayers for each Sabbath meal.[94] We must not forget the melancholy lamentations of exile, like Kohen's "Rite for Leah", which reflect the eschatological yearnings of 16th century Jewry.[95] These are still more cases of Kabbalists communicating their deep-seated religious passions through traditional modes of expression.

Nevertheless, the most forceful claim that mysticism has to Judaism, lies, I think, in its aforementioned popularity. As a living society, it is necessary for Judaism to adapt itself to the changing conditions and needs of the Jewish people; however, this process of innovation must take place within the framework of traditional Judaism, as we have defined it. The reverence of the Kabbalists for Rabbinic Judaism has I hope, been successfully demonstrated. It now remains to prove that the Kabbalah is a true expression of the Jewish people's spirituality.

To paraphrase Max Weber, the peasant population is stirred to spiritual creativity at times of threat to its existence.[96] Needless to say, Jewish history has had its share of bleak moments. Medieval Jewry bore the ordeal of the 4th century persecutions at the hands of the Church[97] and the Crusades

and similarly savage pogroms in the 11th and 12th centuries.[98] Finally, the culmination of indignity was the expulsion from Spain in 1492.[99] Understandably, these disasters left in their wake an overwhelming sense of despair in the Jewish community. It was necessary for the Jewish religion to answer this challenge.

Unfortunately, the optimistic message of "prophetic" Judaism[100] was hardly appropriate in an age of such suffering. Since it appeared that everyone, the righteous and the innocent as well as the wicked, endured the pains of exile, it comes as no surprise that the "Biblical Promise" seemed sterile to many Jews. Indicatively, the representative thought of 13th century German Jewry, Hassidism, went so far as to neutralize the religious importance of the halakhah itself.[101] It is understandable that, after witnessing the slaughter of thousands of its most pious members, Jews sought new paths to God; consequently, traditional Judaism found itself threatened with extinction.

On the other hand, mysticism was a religious option ideally suited to the mood of the Jewish masses. Mystical religion, as Heiler points out, is characterized by a dissatisfaction with this imperfect, physical world and a desire to savor the ecstacy of the infinite "Good".[102] Given the misery of Jewish existence, a doctrine of escape from the mundane reality to a "higher", purer one had tremendous appeal; therefore, both the *Zohar* and Lurianic Kabbalah were able to stem the antinomian tide only by endowing the halakhah with the powerful metaphysical significance. Similarly, the strongly apocalyptic tone which generally characterized the Lurianic Kabbalah played an important part in its widespread acceptance among 16th century Jewry.[103] These messianic expectations aroused by Lurianic *Tikkun* were captured most notably by the Sabbatian movement. Regardless of its tragic outcome, the wild enthusiasm with which hundreds of thousands of Jews received the "Messiah"[104] irrefutably indicated the Jewish masses' yearning for the "End of Days". At perhaps a terrible expense, Jewish mysticism accommodated this passion.

Just as Judaism was menaced by the physical torment of Exile, so it was menaced by the ideological challenge of philosophy as well. With the rise of rationalism to intellectual predominance, the Bible and its doctrines were subjected to renewed criticism. Fundamental ideas such as the living God of Creation and Revelation seemed untenable in light of Aristotelian metaphysics. Here again, the centrality of halakhah was jeopardized. The agrarian laws discussed in the Talmud appeared irrelevant to the new realities of exile.[105] These old rituals had value only as a dry remembrance of a lost past, rather than as an effective link between the Jew and his environment.[106] That, under these conditions, many Jews were "breaking with Judaism" both in theory and in practice seems quite clear.[107]

As we have previously detailed, the Kabbalists rose to defend tradition in the face of these threats as well. Mythology was their weapon. The theosophic doctrines of the *Zohar* gave revitalized meaning to the concept of a living God. Likewise, the cosmic importance which De Leon and Luria vested in the halakhah helped preserve its solemnity as a spiritual form. To some, the reintroduction of the mythical into Judaism may seem deplorable, but this was seen by many as the only way to salvage the efficacy of Rabbinic Judaism at that time, and the Kabbalists were the only medieval Jewish thinkers who took this initiative.[108]

To summarize, the Kabbalah accomplished two tasks: it provided Jews who had mystical inclinations with a uniquely Jewish outlet for their religious sensibilities, and it also helped restore the potency of traditional Judaism for many of the latter's devotees.

In conclusion, although Heiler's distinction between prophetic religion and mystical religion is accurate, it is inconsequential in determining Kabbalah's place in Judaism. For as we have implied throughout, prophetic Judaism is only a stage in the religious consciousness of the Jewish people, it is not equivalent to Judaism itself. It is exactly those differences between prophetic Judaism and Jewish mysticism which account for the Kabbalah's historical success as a statement of

Jewish spirituality. The genius of the Jewish mystics lies in their transformation of traditional Judaism while retaining its essential ideas and forms. Their influence on the lives of pious Jews like R. Phineas of Kovitz is their admirable legacy.

NOTES

1. Scholem, Gershom. *Major Trends in Jewish Mysticism*, p. 81. (*MTJM*).
2. *Ibid.*, p. 287.
3. Discussion of this point in: Scholem, Gershom. "Tradition and New Creation in the Ritual of the Kabbalists" in G. Scholem. *On the Kabbalah and Its Symbolism*, pp. 118-158. (*OKIS*).
4. *MTJM. op. cit.*, p. 157.
5. *Ibid.*, p. 157.
6. *Ibid.*, p. 49.
7. *Ibid.*, p. 238.
8. *Ibid.*, p. 279.
9. *Ibid.*, p. 104.
10. *Ibid.*, p. 117.
11. *Ibid.*, p. 138.
12. Heiler, Fredrich. *Prayer*, p. 170.
13. *Ibid.*, p. 169.
14. *Ibid.*, p. 142.
15. *Ibid.*, pp. 152-154.
16. *MTJM. op. cit.*, p. 7.
17. *Ibid.*, p. 8.
18. *Ibid.*, pp. 8-9.
19. *Ibid.*, p. 44.
20. *Ibid.*, pp. 82, 104.
21. *Ibid.*, p. 341.
22. *Ibid.*, pp. 274-275.
23. *Ibid.*, p. 284.
24. *Ibid.*, p. 24.
25. I realize that this definition excludes certain modern phenomena such as national Zionism or Reform Judaism; however, although these movements may be called "Jewish", their legitimacy within "Judaism" is suspect. I employ a distinction between "Jewish" and "Judaism" attributed to Yehezkel Kaufman. It was brought to my attention by Dr. Paul Flohr of the Hebrew University.
26. *MTJM. op. cit.*, p. 8.
27. Scholem, Gershom. "Revelation and Tradition as Religious Categories

in Judaism" in: G. Scholem. *The Messianic Idea in Judaism*, p. 289. (*MIJ*).
28. *Ibid.*, pp. 282-293.
29. Scholem, Gershom. "The Meaning of Torah in Jewish Mysticism", in: G. Scholem, *On the Kabbalah and Its Mysticism*, *op. cit.*, p. 32.
30. This formulation was made by Prof. Scholem in his article: "Religious Authority and Mysticism", in: *OKIM*, pp. 5-11.
31. Scholem, Gershom. "Revelation and Tradition as Religious Categories in Judaism", in: *MIJ. op. cit.*, p. 287.
32. *MTJM. op. cit.*, p. 205.
33. I must again express my indebtedness to Dr. Paul Flohr for sharing yet another insight with me.
34. *MTJM. op. cit.*, p. 95.
35. *Ibid.*, p. 41.
36. Scholem, Gershom. "Revelation and Tradition as Religious Categories in Judaism", in: *MIJ. op. cit.*, p. 285.
37. *MTJM. op. cit.*, p. 296.
38. Scholem, Gershom. "The Crypto-Jewish Sect of the Donmeh in Turkey", in: *MIJ. op. cit.*, p. 156.
39. *MTJM. op. cit.*, p. 348.
40. *Ibid.*, pp. 336, 348.
41. Maimonides, Moses. *Guide to the Perplexed.* Book II, Chapter XIII. (Friedlander translation).
42. Heiler. *op. cit.*, p. 152.
43. *Ibid.*, pp. 153-154.
44. Discussion in Prof. Scholem's article: "Revelation and Tradition as Religious Categories in Judaism", in: *MIJ. op. cit.*, pp. 282-293.
45. Scholem, Gershom. "Religious Authority and Mysticism" in: *OKIS. op. cit.*, p. 6.
46. *Ibid.*, p. 12.
47. Scholem, Gershom. "Revelation and Tradition as Religious Categories in Judaism", in: *MIJ. op. cit.*, pp. 292-303.
48. Scholem, Gershom. "Religious Authority and Mysticism", in: *OKIS. op. cit.*, p. 13.
49. *Ibid.*, p. 15.
50. Scholem, Gershom. "Revelation and Tradition as Religious Categories in Judaism", in: *MIJ. op. cit.*, p. 293.
51. *MTJM., op. cit.*, p. 25.
52. *Ibid.*, p. 245.
53. *Ibid.*, p. 125.
54. Scholem, Gershom. "Religious Authority and Mysticism", in: *OKIS., op. cit.*, p. 26.
55. *MTJM., op. cit.*, p. 51.
56. *Ibid.*, p. 85.

57. Scholem, Gershom. "Religious Authority and Mysticism", in: *OKIS., op. cit.*, p. 20.
58. Scholem, Gershom. "Tradition and New Creation in the Ritual of the Kabbalists", in: *Ibid.*, p. 129.
59. Scholem, Gershom. "Religious Authority and Mysticism", in: *Ibid.*, p. 20.
60. Scholem, Gershom. "The Meaning of the Torah in Jewish Mysticism", in: *Ibid.*, p. 33.
61. *MTJM., op. cit.*, p. 18.
62. *Ibid.*, pp. 30-40.
63. Heiler, *op cit.*, p. 148.
64. *Ibid.*, pp. 148-149.
65. *Ibid.*, p. 151.
66. *MTJM., op. cit.*, p. 13.
67. *Ibid.*, p. 207.
68. *Ibid.*, p. 206.
69. *Ibid.*, p. 225.
70. *Ibid.*, p. 218.
71. *Ibid.*, p. 223.
72. *Ibid.*, p. 215.
73. *Ibid.*, p. 210.
74. Scholem, Gershom. "Revelation and Tradition as Religious Categories in Judaism", in: *MIJ., op. cit.*, p. 294.
75. *MTJM., op. cit.*, pp. 230-233.
76. *Ibid.*, p. 268.
77. *Ibid.*, p. 296.
78. *Ibid.*, pp. 274-275.
79. *Ibid.*, p. 267.
80. *Ibid.*, p. 284.
81. Heiler, *op. cit.*, p. 155.
82. *Ibid.*, p. 159.
83. *MTJM., op. cit.*, p. 30.
84. Scholem, Gershom. "Tradition and New Creation in the Ritual of the Kabbalists", in *OKIS., op. cit.*, p. 125.
85. *MTJM., op. cit.*, p. 233.
86. *Ibid.*, p. 274.
87. Scholem, Gershom. "Tradition and New Creation in the Ritual of the Kabbalists", in: *OKIS., op. cit.*, p. 124.
88. *MTJM., op. cit.*, p. 285.
89. *Ibid.*, p. 100.
90. *Ibid.*, p. 104.
91. *Ibid.*, p. 58.
92. Scholem, Gershom. "Tradition and New Creation in the Ritual of the Kabbalists" in: *OKIS., op. cit.*, p. 141.

93. *Ibid.*, p. 60.
94. *Ibid.*, p. 142.
95. *Ibid.*, pp. 149-150.
96. Weber, p. 80.
97. *MTJM., op. cit.*, p. 72.
98. *Ibid.*, p. 80.
99. *Ibid.*, p. 287.
100. Heiler, *op. cit.*, p. 143.
101. *MTJM., op. cit.*, p. 95.
102. Heiler, *op. cit.*, pp. 137-38.
103. *MTJM., op. cit.*, p. 245.
104. *MTJM., op. cit.*, p. 287.
105. Scholem, Gershom, "Tradition and New Creation in the Ritual of the Kabbalists," in: *OKIS, op. cit.*, p. 120.
106. *Ibid.*, p. 121.
107. *MTJM., op. cit.*, p. 203.
108. Scholem Gershom, "Tradition and New Creation in the Ritual of the Kabbalists," in *OKIS, op. cit.*, pp. 121-122.

Rabbi Tendler, spiritual leader of the Community Synagogue in Monsey, New York, exemplifies Yeshiva's *Torah U'Madah* approach, serving as both Rosh Yeshiva in the Riets Semicha program and chairman of the Biology Department in Yeshiva College.

THE ETHICS OF GENE MANIPULATION: DNA RECOMBINANT, CELL FUSION AND CELL UPTAKE RESEARCH

The commitment of the Jewish people to Torah study is all encompassing. *Lilmod U'lelamed* comprises a mastery of all knowledge that pertains to man. Much of this knowledge is prerequisite to an accurate understanding of the *mitzvos*. Some of it is utilitarian and is necessary for the survival of man in his ecological niche.

The Jew is required to engage in this acquisition of mastery over nature. The categorical imperative recorded in *Bereshis* 1:28, "Fill the earth and master it," is interpreted by the Rambam as an order to man to "forcefully rule over fish, birds, and animals, even over the earth itself — to uproot mountains, mine copper and iron . . . to do as we will with all infrahuman species."

Man is free to master the world! "From all the trees of the garden you may eat." But man must accept the truth of his created state. He is not the creator. He must accept the discipline of *one* tree that is forbidden to him, lest he delude himself into a state of self-deification. "From the tree of good and evil you shall not eat." Free mastery over nature but not the supreme *Master!* Never before in human history did man achieve such a mastery as has modern man. Never before did he cast so covetous an eye on the last remaining restriction to unfettered human activity. Never before was the lesson of man's

mortality so important to prevent him from usurping the place of God, the creator.

The Scientific Background

One hundred years ago, Friedrich Miescher discovered the organic macromolecule, deoxyribonucleic acid or DNA. This molecule now known to be the major component of the gene, the unit of function which codes for the life potential of every cell and all of its heredity traits, has been dissected, analyzed, reconstructed and reproduced, to give the cell geneticist mastery over the innermost secrets of cellular life. The Age of Genetic Engineering was ushered in less than five years ago when the secret of incorporating extrinsic genes into the genetic machinery of bacteria was learned. It is now a routine laboratory procedure to remove a cellular gene from one species and incorporate it into the self reproducing machinery of another species to give a permenantly altered progeny. This hybrid represents a hitherto nonexisting species with yet unknown potential for good or evil. Does man, in his yearning for mastery over nature have the right or obligation to partake of this tree of knowledge?

The Legal Background

In July 1974, a renowned scientist published a letter calling for a pause in certain areas of genetic research because of the inherent dangers to all of humanity in the experiments being planned.[1] An impressive conference was planned to discuss these concerns, and in May 1975 the report of the Asilomar Conference on Recombinant DNA Moleclues was submitted to the National Academy of Sciences. For the first time in recorded history, the scientific community called for self censorship. A moratorium was declared on some of the planned experiments because of the potential biohazards. This self censorship was a prudent response to research that presented dangers which could not be evaluated with our limited knowledge.

Since then, debates have raged between those who give priority to the local responsibility of the scientist not to cause injury to his fellow man even at the cost of scientific censorship, and those who either belittle the potential biohazards or feel that the danger of censorship to man's freedom of investigation takes precedent over the concern for the biohazards involved in this area of research. In Cambridge, Massachusetts, on July 7, 1976, the city council cancelled all DNA recombinant research at Harvard University declaring "knowledge, whether for its own sake or for its potential benefit to mankind, cannot serve as a justification for introducing risks to the public unless an informed citizenry is willing to accept those risks."[2,3] Senator E. M. Kennedy (D. Mass.) submitted a bill for Federal control over DNA research under special guidelines. However, on September 27, 1977, he announced withdrawal of this controversial bill (S1217) and called for a one year extension of current National Institute of Health guidelines. These guidelines were set forth as the Nine Principles of the governing council of the American Society for Microbiology.[4] Withdrawing the bill seems to have been an expression of confidence in the ability of the scientific community to discipline itself.

Was this confidence misplaced? It would appear so. Despite the moratoria, guidelines, biohazard potentials and dire warnings by numerous Nobel Laureates, early human history has repeated itself. Adam has violated his own sense of truth and justice in order to take one more nibble of the fruit of the tree of knowledge!

The National Institute of Health guidelines were violated this year when the University of California Department of Biochemistry and Biophysics used an unapproved technique in its insulin gene project.[5] The goal of this project is to isolate the human insulin manufacturing gene and incorporate it into an easily obtainable bacterium. This bacterium could then be grown, using well established fermentation techniques, to produce insulin. The financial advantages to the pharmaceutical house that perfects this technique are very great. There

may also be significant medical advantage to the patient if the human insulin offers better diabetes control than the pig insulin now used. But there are also many dangers inherent in research projects of this sort. If a gene for pathogenicity or carcinogenicity is also enclosed in this bacterium, a world wide epidemic of horrendous consequences could occur. The report of the precipitous actions of these investigators becomes particularly disturbing because of the comment that "among young graduate students and post-doctorates it seemed almost chic not to know NIH rules."

On October 28, 1977, a genetic experiment which magnifies the reality of the concern for the biohazards involved in genetic manipulations was reported.[6] In a cell uptake experiment designed to introduce a gene for nitrogen fixation into a fungus species that lives as a symbiont with pine trees, the possibility of pathogenicity was also introduced. The benefit/risk ratio seemed to be great since the consequence was judged to be remote. But the biohazard nightmare became a reality when the fungus indeed "fixed" atmosphere nitrogen, but soon thereafter began to destroy the pine tree seedlings. Fortunately the alarmed scientist killed all his preparations by autoclaving them, fearing the environmental impact if this newly created pathogen would escape his inadequate containment facilities. This experiment dramatically underscored the immanence of the biohazard dangers. The "creation" of new genetic potentials in bacteria or viruses can indeed produce a pathogen against which we have no immunological defenses or chemotherapeutic counter measures.

What is the Torah View?

"Daas Torah" on a subject new to mankind consists of constructs and relevant halachic details. The conceptual framework is often a determinant in its own right. Numerous Torah references when viewed as a unit, form a construct that questions man's right to meddle with species constancy. The laws of nature promulgated by *Elokim* contain adequate

allowance for beneficial variability within species. Man, the guest of *Hashem* on this earth which "is the Lord's," is asked to behave as a guest and not attempt to rearrange the genetic furniture in God's living room.

(A) Genesis (1:11) ". . . let the earth give forth flora that produces seed; fruit trees that produces fruit of its species."

The Talmud comments (Chulin 60a) — "When God instructed the trees to maintain their species constancy, the grasses deduced that they too must not intermingle their species, whereupon the angels proclaimed 'May the glory of God be forever, God can rejoice in the works of his hands'." (Psalms 104:31).

(B) Genesis (6:12) — "for every living thing they degraded its way on earth."

The Talmud comments on this verse (Sanhedrin 108a); "Animals mated across species lines; even man intermingled with all other species." God could not condone such actions and destroyed the earth with the Deluge.

(C) Genesis (36:24) — ". . . he is Anah who discovered the wild mules in the desert while herding the donkeys of his father Tzivon." The Talmud makes several comments on this verse:

1. Anah was an outcast or misfit. Therefore he constructed a misfit, the mule, by crossing horses and donkeys. (Pesachim 54a).
2. Anah was born of the rape of Tzivon's mother by her son (B.B. 115b).
3. Why does the verse refer to the wild desert mule as *yamim?* Because they instill fear (*aimah*) in all who see them — as Rabbi Chanina (a great physician-Talmudist) taught, "I have never succeeded in curing the wound caused by the bite of these creatures."

There were no halachic restrictions against cross breeding or grafting at that time. The Torah had not been given to mankind. Yet, a conceptualization of great clarity arises from the above references. Man should intuitively know that he must not tamper with the genetic constancy of nature. Certainly if there is the danger of producing a genetic misfit that causes irreparable harm to man the question of genetic manipulation becomes prohibitive.

Halachic Specifics

(A) In the Shulchan Aruch (*Choshen Mishpat* 155) there are forty-four codified social laws that impose restrictions on daily activities such as farming, food preparation, and home industry that may infringe on the rights of privacy or property values of neighbors. The value of the contribution to the social welfare is not the sole measure of permissibility. Absence of danger or damage is an absolute requirement to permit a questionable activity. As clearly seen from several of the clauses there recorded, social sanction or acquiescence is the key factor. But society must be asked. Society may indeed decide, that the risk/benefit ratio is proper to permit some hazardous experimentation. But no small group of scientists' vested financial, social, or professional interest can be entrusted to make this decision.

(B) In the Shulchan Aruch, (*Orach Chayim* 378-427) are codified the laws of torts, or damages. Here are specifics of man's responsibility to his fellow man and the obligation to make restitution if damage has occurred. The ability to make restitution is essential to undertake any potentially damaging activity. Some activities (see section 409) are so fraught with imminent danger that the activity is prohibited because of the likelihood of damage to others, despite the ability and willingness to "insure" restitution.

(C) Of direct bearing on our analysis of hazardous research activities are the laws codified in *Orach Chayim* 426

and in *Yoreh Deah* 116. Here are included the prohibitions against engaging in self-destructive or health-defying activities. A short quote is elucidating:

"So any obstacle that can endanger lives must be removed and guarded against well, for God commanded us 'Beware and protect your lives.' If he has failed to do so he has violated the positive commandment and in addition has transgressed the prohibition 'Thou shalt not put blood in your household'."[6] Society is properly concerned about protecting lives and preventing blood in our households. This concern must find an avenue of constructive expression. A recent editorial in "Science" (October 28, 1977 v. 198, no. 4315) directed to the scientific leadership of the world is noteworthy. "No longer dare we flaunt our perceived power or underestimate the genuine efforts of concerned citizens to protect themselves from risk. The treasured freedom of scientific inquiry can be rapidly eroded if we 'come on too strong' with self-serving pronouncements and overzealous protective positions. It is a time to speak, but it is also a time to listen — carefully."[7]

NOTES

1. Science, July 1974; 185:303.
2. Science, July 23, 1976 V. 193 pp. 301-1.
3. Science, January 21, 1977 V. 195 pp. 268-9.
4. Science, June 10, 1977 V. 195 p. 1154.
5. Science, September 30, 1977 V. 197 pp. 1342-5.
6. Shulchan Aruch, *Orach Chayim* 427:8.
7. Science, October 28, 1977 V. 198 p. 388.

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THE SOCIOLOGY OF YIDDISH AFTER THE HOLOCAUST: STATUS, NEEDS AND POSSIBILITIES

Sociolinguistic research on Yiddish has contributed significantly to the sociology of language in general. Indeed, it has followed Max Weinreich's vision that research on Yiddish that is of general theoretical interest, is better research. For over a third of a century, Weinreich pointed to various topics of great general interest that could more conveniently or definitively be studied via Yiddish materials than via data drawn from other language communities (see, e.g. his 1937, 1973), guaranteeing thereby that research on Yiddish would be of more than routine interest to the language sciences as a whole. Finally, Weinreich also concentrated the combined sophistication of the language sciences on the field of Yiddish *per se* and, particularly in his magnum opus *Di geshikhte fun der yidisher shprakh* (1973), provided an unsurpassable example of how the circle could be completed and renewed *ad infinitum*: the contributor (Yiddish) could benefit from contributions from the language sciences more generally, and, as a result, make even further note-worthy contributions. The present review is an attempt to expand upon the latter approach, particularly in connection with sociological-sociolinguistic theory, rather than in connection with the socio-historical or the linguistic-sociolinguistic issues that interested Weinreich most. Thus, this paper seeks to answer the questions: "where are we in connection with the sociology of Yiddish?" and "where should we be heading?" in such a way as to be most responsive to Max Weinreich's views mentioned above.

Perspective on the Sociology of Yiddish

Most students come to the sociology of Yiddish with a far more restricted view of the "uses and users" of the language than is warranted. Their intellectual, emotional and usage interactions with Yiddish have been skewed, either by partisan bias (positive or negative) or by simple lack of opportunity to note or to study the true variety of uses and users that obtains. Stewart's (1968) ordered dimensions of language evaluations (standardization, autonomy, historicity and vitality), when applied to Yiddish alone (rather than to a variety of languages, as one would normally do), enable the student to realize that what some consider to be a standard language, others take as a mere vernacular or dialect. However, not only can these evaluative dimensions be put to orientational use *vis-à-vis* the synchronic as well as the diachronic variability of Yiddish reality (standardization and autonomy being later stages of all sociolinguistic development than either the sense of vitality or historicity, in Yiddish as well as in other languages), but they can themselves be used as guides to research. Which of these dimensions do different (Jewish and non-Jewish) samples attribute to Yiddish today? Do these dimensions reveal an orderly progression in children's socio-cognitive development *vis-à-vis* Yiddish (e.g., among Hasidic or other ultra-Orthodox children today)? Can these dimensions be utilized (as is? with additions/deletions?) to differentiate the various ideological positions *vis-à-vis* Yiddish, e.g., those expressed at the 1908 Tshernowitz Language Conference (Rothstein, in press)? Thus far, Stewart's dimensions have been much cited but they have not been tested, refined, revised or even utilized via empirical research. The field of Yiddish could benefit from such research and would contribute to general sociolinguistic theory in so doing. Since only published (or about to be published) works will be cited in this review I can merely note that on two occasions I have interested students in empirical research on Stewart's dimensions within a Yiddish or Hebrew sociolinguistic context, and that interesting results

were obtained both times and in "both directions". Suffice it to say that "in the real world" Stewart's dimensions can arrange themselves in theoretically unexpected ways.

Yiddish in Small-Group Interaction: Units and Parameters

The first "technical problem" that students must face in connection with the sociology of Yiddish is that of the units and parameters (dimensions) in terms of which language use is to be analyzed. It has always been my preference to find such basic units at the small-group, face-to-face level and to build upon them for higher levels of analysis (community, region, nation) as well. The basic goal, at the outset, is to derive units and dimensions by means of which it can become clear that *the same interlocutors* do *not* speak (write) to each other *in the same way* on all occasions. Several systematic and parsimonious accounts of "ways" and "occasions" have been developed within the sociology of language (for four such, namely those of Labov, Erwin-Tripp, Grimshaw and Fishman, see Fishman 1971) and the sociology of Yiddish could utilize and refine any one of them. Thus far, only Herman (1968) has reported empirical work in this connection, indicating that Yiddish in Israel is utilized much more frequently in *private* than in *public* interactions and in *emotional* rather than in *task* oriented situations (English too has been shown to be subject to the same constraints in Israel, although to a lesser degree; see Rosenbaum, Nadel, Cooper and Fishman, 1976). All in all, the sociology of Yiddish is still quite deficient with respect to empirical research on the very basic notion of sociolinguistic repertoire. This is highly regrettable because it is in this area, rather than in connection with most of those that follow, that the foundations of the entire sociolinguistic enterprise are being, and will be, laid.

Weinreich's work itself is replete with linguistic *examples* of the sociolinguistic repertoire among users of Yiddish (usually, Yiddish-plus-other-languages), both in Eastern Europe and in the U.S.A. However, examples and empirical demonstrations

are not one and the same, certainly not insofar as the theoretical refinement of units and parameters is concerned.

Whatever the basic model followed, the usual finding, that of variability in "ways" across "occasions", when interlocutors are kept constant (although their status-role relations with each other may nevertheless vary), is rather less than complete. Thus, even when "occasions" are maximally dissimilar and when the "ways" involve maximally dissimilar languages, the transition from one to the other is, nevertheless, usually less than complete. To some extent this may be a reflection of a pervasive familiarity that serves to narrow inter-occasional distance for interlocutors who speak/write Yiddish to each other at least on some occasions. To some extent, however, this may also reflect a basic tendency for varieties within a common repertoire to share (that is to minimize the number of separate features, this being a reflection of a tendency within the language apparatus *per se*), which the pervasive familiarity syndrome within *Ashkenaz* (within all Jewry? within all self-perceived minorities?) merely intensifies. At any rate, and particularly if we are concerned with intra-Yiddish variation across a range of occasions from extremely informal to extremely formal, the result is a tension system between the need to mark varieties vividly so that they can be recognizably different for different occasions, and the tendency to keep the differences between them minimal, particularly in view of the pervasive familiarity which is so omnipresent at least between Yiddish users. The resulting tension is not unknown in other speech communities (see e.g., Ma and Herasimchuck 1971), but it is one that certainly could be clarified with wide-reaching implications indeed from within the field of Yiddish.

My own observations among "educated" speakers of Yiddish whose intimacy-variety is broadly Southern (Bessarabian, Podolian), is that transitions to increased formality are marked by proportionally more realizations of *a* for *o* (tate/tote, mame/mome, kalt/kolt), of *u* for *i* (puter/piter, muter/miter, shevues/shevies), and of *ay* for *a*: (zayn/za:n, mayn/ma:n, vayb/va:b). On the other hand, no such transitions seem to

occur (or if they do, at a far lower rate of realization) either for *o/u* (zog/zug, foter/futer, montik/muntik) or for e/ey (lebm/leybm, teg/teyg, ze/zey). Regardless of the underlying explanatory approach to phenomena of this type, it would seem to be insufficient to posit that the first series consists of "marks" (stereotypes) whereas the second consists merely of "variables", precisely because the speakers in question (as well as their interlocutors) are often as aware of the latter as of the former in any focused discussion of the issue. Indeed, variation within the latter series is considered pejoratively (affectatious and unnatural) whereas variation within the former is obviously capable of positive interpretation (cultured, courteous, etc.).

Similar contributions remain to be made with respect to the repertoire of occasions, particularly since their ethnographic exploration (i.e., their explication as viewed from within) is still in its infancy in the general field and entirely absent in the Yiddish sociolinguistic enterprise. What kinds of occasions will bring about what kinds/degrees of transition in the two series above? The answer to this question would be stimulating indeed.

Yiddish Usage Across Social Strata and Sectors

If the former topic usually pertains to the repertoire range as realized with the *same* interlocutors (normally with those whom intimacy relations are most clearly recognized, i.e. within close networks), then the present topic pertains to the repertoire range that is realized across the full gamut of *different* interlocutors with whom Yiddish is utilized (i.e. within open networks as well). As a result, this topic often involves greater attention to variation between Yiddish and other languages (rather than, or in addition to, the focus on intra-Yiddish variation emphasized above). Basically, however, the two topics are closely interconnected, with the range between intimacy occasions (non-status stressing, personal interactions, closed networks in home and neighborhood domains) and formality

occasions (status stressing, transactional interactions, open networks in work and education domains) merely being more extended than before. Fortunately, there has been Yiddish-related research in this latter connection, although not nearly as much as one would care to have.

Slobin (1963) demonstrated the formality-informality continuum via an analysis of the pronoun of address system (du/ir). His study would benefit from empirical replication in a variety of Yiddish using networks today, both where the co-territorial languages also make similar distinctions (e.g. Spanish, French) as well as where they do not (e.g. English, Hebrew). Indeed, given all of the research that has gone into pronouns of address in the past 15 years no one has yet studied them in such contrastive bilingual settings. In addition, such comparisons would be of interest as between native and non-native speakers of Yiddish. Finally, the latent contrastive rules (as internally explicated and commented upon) in all four settings would make for a fascinating story. A similarly fruitful line of research is that undertaken by Ronch (1969) who demonstrated that among elderly Yiddish-English bilinguals in New York, Yiddish appears to be normatively more expected in family, friendship, and "Jewish domains" and English in work, education and government domains, even when their interlocutors on all occasions are Yiddish-English bilinguals (albeit largely different ones in each domain). Seemingly, if a semantic differential study were done in the context of Yiddish-English (or of Yiddish-Xlish) connotative images, on the order of Fertig's and Fishman's study of Spanish and English among Puerto Ricans in New York City (1969), Yiddish would probably score as softer and weaker. How it would score relative to the good-bad and active-passive dimensions is more doubtful and at any rate what we need is evidence rather than speculation.

Language Reflections of Sociocultural Processes

Weinreich himself was the master in this area (see, e.g.

his 1953, 1959 and 1967 papers), anticipating Ferguson's diglossia notion by well over six years, not only in terms of *inveynikste tsveyshprakhikeyt* concerns (further developed in 1959, the same year in which Ferguson's more famous paper was published) but also in terms of the use of H as a stylistic variable within L. However, this topic does not end here. Weinreich's attempts to clarify the historically changing normative views as to when Yiddish was more appropriate and when *Loshon Kodosh* was more appropriate have been probabilistically elaborated (Fishman, in press(a)) and expanded to a consideration of systematic orthographic preferences as well (Fishman 1973). Still lacking, however, is a full-blown review of Jewish ideological and social class factors in the evaluation of Yiddish, either in days long since gone by (e.g. late 19th and early 20th centuries) or currently. Herman's demonstration (1972) that Yiddish is much more acceptable to *Ashkenazi* youngsters in Israel than to *Sefardi* ones, and to religious (*dati*) and traditional (*mesorati*) youngsters than to secular (*holani*) ones, merits replication and re/dis-confirmation far and wide. Indeed, the whole topic of Yiddish "awareness" (that is cognitions relative to Yiddish or what is known, believed, suspected), remains largely unexplored, whether among Yiddish speakers, those ignorant of Yiddish, or even non-Jews. Not so long ago Yiddish (even the very *name* "Yiddish") seems to have been considered "funny" in some Jewish circles. This itself is the reflection of sociocultural processes among its speakers, erstwhile speakers, and more distant acquaintances. The fact that such reactions are rarer today than they were, makes it all the more urgent that the former reactions (among whom? how explicated?) be documented and that the replacements be carefully monitored.

If I could pick the populations to monitor more closely (from the point of view of variance in connection with ongoing sociocultural process), I would select the ultra-orthodox in the U.S.A. and in Israel. The proportion of native born and entirely fluent (if not native) speakers of the co-territorial

languages among them is now great enough for cognitive and functional questions (and, therefore, for rationales and answers) to arise that were not necessary before. The appearance of a non-Yiddish speaking orthodoxy must have a very definite impact on the phenomenology of Yiddish among Yiddish speaking orthodoxy, both in the U.S.A. and Israel, just as the appearance of Yiddish speaking non-believers had initially, and continues to have to this very day (Poll 1965). The major problem in studying Orthodox populations, however, is that they are resistant to study even at the participant observation/ethnographic level. Rich though this level is, it nevertheless benefits, as does all research at whatever level, from cross-methodological buttressing. The goal in this area remains that of finding a speech-network that can be studied *as a whole,* so that variations in language beliefs, language feelings and language usage can be studied in relation to variations in role repertoire, both within and without the usage (speech and writing) network. In both countries ultra-orthodoxy is beginning to accept and to enact national (citizenship) roles, to interact more with non-orthodox Jews as well as with non-Jews, to be more exposed to standard Yiddish-in-print, to be more exposed to modern(ized) Hebrew for purposes of traditional Jewish scholarship and piety. All of these social processes, differentially enacted, have differential consequences *vis-à-vis* Yiddish. Their delineation for an intact speech network would represent quite an advance in the state of the sociolinguistic art today.

Language Constraints and Language Contribution to World View

Within the language sciences the Whorfian hypothesis has occupied an increasingly marginal portion during the past two decades. Having contributed several times to the marginalization of this hypothesis (most recently Fishman and Spolsky 1976), I am aware, nevertheless, of the power that this position still commands among those who hold to it. Within the

Yiddishist fold there is not only an endless reservoir of anecdotal observation concerning the absolute untranslatability and irreplacebility of Yiddish, but even firmer conviction as to its significance for the Jewish personality, authenticity and very being of the speakers. These views need to be studied, both thematically and developmentally, i.e. they need to be studied as quasi-mystic experiences rather than tested for objective validity. One interesting population to study in this connection (perhaps even more interesting than the activists studied by Hesbacher and Fishman 1965) are Yiddish literati. The latter have both a vested interest in claiming the absolute uniqueness or co-identity of Yiddish and their own personal creativity/identity, on the one hand, and a self-preserving conflicting interest in being translated into English, Hebrew, French, Spanish or other co-territorial and wider-communicational languages. The often unverbalized collision between these two positions would seem to be ripe for exploration and would represent a sociolinguistic contribution to dissonance theory as well.

Multilingualism

Almost every sociolinguistic consideration of Yiddish is bound to be in the context of multilingualism. Seemingly, this phenomenon has commonly obtained with respect to the social setting of Yiddish-using communities for the entire millenium in which the language has existed. For our purposes here, this poses the problem of whether a *separate* topic such as multilingualism might still be fruitful if all of the other topics indicated in this review are also to be retained. Although the decision in this connection is likely to be a somewhat arbitrary one, my preference is to utilize this *topic* heading for a consideration of the sociological concomitants of the genesis, spread and functional specification of Jewish languages in general and of Yiddish in particular. The most relevant *general* literature is not only that which deals with the social foundations of pidginization-creolization (Grimshaw 1971, Mintz

1971) but that concerned with elitist (specialist) — mass differences in interaction with other speech/writing communities (e.g., Tanner 1967, Pool 1972) and with socio-cultural and symbolic continuity and change more generally (Turner 1974). The sociological counterpart of linguo-genesis leads us to the entire topic of differences between linguistically more homogeneous and linguistically less heterogeneous Yiddish using networks, on the one hand, as well as to the differences between more interacting and less interacting networks (*vis-à-vis* non-Jews and non-Yiddish using Jews) on the other hand. Obviously, although the two sets of factors *do* go hand in hand on many occasions, they do *not* do so constantly. This is an issue of general theoretical importance which researchers working with Yiddish network might help clarify. The historical acquisition of some Germanic varieties had to imply interactions that had not previously existed. The internal "Judaization" of these varieties had to result from the utilization for intra-group purposes of varieties that had previously served inter-group purposes alone. These "Judaized" varieties then became available also to individuals (women, children and many men as well) who lacked inter-(ethnic) group contacts but for whom the acceptance of these varieties represented a (further) *multi-lingualization* of their repertoires, at least initially. Aspects of these processes are available for study today as Yiddish speaking Jews differentially adopt English and Hebrew, not only via interaction with "outside" networks but also via interaction with each other, within their own networks. The adoption and adaption of other vernaculars ("multilingualization") thus has varying rather than constant sociological concomitants and it is *this* fact that requires patient illumination. Who adopts from the outside, who adopts from the inside, who adapts, how does adaptation facilitate more widespread adoption, what are the restraints upon adaptation — these are all good general issues to which the sociology of Yiddish could make major post-Weinreichian empirical contributions.

Language Maintenance and Language Shift

If various theoretical issues in multilingualism research are still largely unstudied in conjunction with the sociology of Yiddish, the topic of language maintenance and language shift is among the most studied of all. Indeed, if Yiddish has almost always functioned within a context of multilingualism it has, particularly in modern times, repeatedly lived in the shadow of displacement and replacement, and, even more, been presumed to live in such a shadow without hope of surviving "a blink of history" by its very own users and champions (Howe 1976). The very process of intra-network adoption of co-territorial inter-network languages, mentioned above as part of the story of linguogenesis, has obviously, also been part of the story of linguocide for Yiddish users and remains so today, even though some three and a half million Jews could justifiably claim Yiddish as their mother tongue.

The demographic bases of shift away from Yiddish have been explored in the U.S.A. (Fishman 1965a, 1965b, 1966, 1972a), in Israel (Hofman and Fisherman 1971, Fishman and Fishman 1976), in the Soviet Union (Chicinski 1973), in Canada (Yam 1973) and even in Australia (Medding 1968, Klarberg 1970). In addition to mother-tongue or usage claims, to which most of the above studies attend, there have also been more focused *trend studies* on developments in Yiddish book-publishing (Fishman 1965c, 1972a) — periodicals circulation (Fishman 1960, 1965c, 1972a; also see Soltes 1924, Fishman and Fishman 1959), radio-broadcasting (Fishman 1965c, 1972a), use of Yiddish as a medium of Jewish education (Fishman 1952, 1965c, 1972a, Klarberg 1970; also see Schulman 1971), theater performances (Fishman 1965c, 1972a; also see Litton 1965), age of Yiddish writers (Fishman 1965c, 1972a), etc. The obviously negative trend in all of these connections (the only upward trend of recent vintage is the number in Yiddish courses taught at the tertiary level and this is the only trend that has not yet been fully or repeatedly documented in print) is so consistent and recurring that its

differential character tends to be overlooked. Thus, even after 50 years of communism, the rate of Yiddish mother-tongue claiming and use as "principle language" is higher in the Soviet Union (36 per cent/27 per cent) than it is either in the U.S.A. (27 per cent/8 per cent) or in Israel (25 per cent/20 per cent). (Compare Checinski 1973, and Fishman and Fishman 1976). The *relative* contribution of heterogeneity of origin, age, educational occupational status and settlement concentration to differential retention of Yiddish have yet to be studied *vis-à-vis* each other, much less the relative contribution of such "hard" demographic factors vs. "softer" ideological-attitudinal ones. An encompassing study of all of these factors in a few contrasted communities would have major value for the sociology of language maintenance and language shift more generally (Fishman 1969, 1972b, 1976b), in addition to its importance for the sociology of Yiddish in particular. Somewhat more encompassing data *have* been collected in conjunction with Israeli student attitudes toward Yiddish (Cooper and Fishman 1976), Israeli police attitudes toward Yiddish (Fisherman and Fishman 1975), Israeli radio listening preferences (Katz 1972, Nadel and Fishman 1976). These have consistently pointed to the improvement of attitudes (but not usage) as higher educational levels are attained. For whatever reason the "end of Yiddish" seems further away than either its friends or enemies have assumed.

Israel itself represents a rich mine for the sociological study of Yiddish, and one that must be fully exploited if only in order that the sociology of Yiddish not be reduced to the sociology of Yiddish in America. The dissolution of traditional Jewish diglossia (Fishman 1969, Fishman 1976a, Fishman 1976b), on the one hand, and the influx of English language roles and influences, on the other hand (Cooper and Fishman 1976, Allony-Fainberg 1976, Nadel and Fishman 1976, Ronen et al. 1976), have led not only to the weakening of Yiddish use in Israel but also to a rekindling of nostalgia for it among those who once spoke or heard it. Although the slang of the younger generation apparently loses its Yiddishisms more rapidly than

any other non-Hebrew borrowings (Kornblueth and Aynor 1974), that of the older generation seems to be particularly retentive of Yiddishisms (Ben-Amotz and Ben-Yehuda 1972). By and large, the response to Yiddish is non-ideological, and reveals neither the ambivalence of Bialik (Biletsky 1970) nor the forebodings of Katzenelnson (1960). Nevertheless, a haloization seems to be setting in, with increasingly favorable attitudes co-existing side-by-side with decreasing utilization of the language (Fishman 1974). Because of the interesting discontinuity between attitude and use which Yiddish in Israel so strikingly reveals (even more so than in the U.S.A., as well as more so than other diaspora-derived Jewish languages in Israel), it would appear to be a very favorable setting for further language attitude research. This discontinuity is an important topic for sociolinguistic (and for social science) research more generally and a real contribution could be made in this connection via the patient exploration of Yiddish attitude/use phenomena. The co-availability of several other diaspora-derived Jewish vernaculars, on the one hand, as well as several non-Jewish vernaculars brought by Jews as mother tongues from the diaspora all of which are moving toward extinction, makes possible a number of intriguing contrasts not easily available elsewhere for the student of language attitude vs. language use differentials.

Language Policy and Language Planning

Little attention has been given to official recognition/de-recognition of Yiddish anywhere in the world. All such action (whether in Versailles treaty "negotiations" pertaining to Poland and the Baltic states, during the Menshevik or early Bolshevik regimes, or in conjunction with the expenditure of American bilingual education funds in Hasidic neighborhoods today) proceeds via political conflict, bargaining, negotiating and compromise. The records of such processes relative to Yiddish are in a particularly unsystematized and unanalyzed state and deserve to be rescued from oblivion.

The situation with respect to corpus planning is, surprisingly, similarly primitive. Given all the concern evidenced by Yiddishist intellectuals during the past three quarters of a century for proper Yiddish orthography, for rejection of recent Germanisms and for *ausbau* from German wherever possible more generally, for purification *vis-à-vis* Slavisms and Americanisms (and, in Latin America, from Spanishisms, but very rarely in Israel from Ivritisms), there has been next to no sociological (and even very little linguistic-sociolinguistic) study of any of these phenomena. Other than Yudel Mark's survey (Anon [Yudel Mark] 1959) of the reactions to "YIVO spelling" on the part of 172 Yiddish writers, journalists and teachers (the nature of his sample of respondents and the definition of the universe from which this sample was selected both being curiously ignored) and David Gold's informal study of the personal spelling habits of most YIVO-affiliated Yiddish specialists (1976), no studies come to mind of the interaction between differential knowledge, attitudes and usage *vis-à-vis* the entire corpus planning enterprise in the modern Yiddish period (note, however, Schaechter 1969 and 1976 for good examples of the prevalent mode of textual analyses in this connection). The intriguing questions in this respect are not so much the extent to which corpus planning has penetrated into widespread written/spoken usage (which by all general indications could be expected to be relatively negligible; see, e.g., Das Gupta et al. in press), but the extent to which it is known, liked and used in even the most specialized circles. Studies of lexical and orthographic planning in Israel (e.g. Hofman 1974a, 1974b, Alloni-Fainberg 1974, Seckbach 1974) have not only indicated how shallow much corpus planning "success" may be but have provided models for exploring such topics in the Yiddish field as well. However, the Yiddish case lends itself most particularly to the study of patterned evasion or rejection of corpus planning, i.e. of language activists and language elites who not only do not know, do not like and/or do not attempt to use the products of corpus planning but whose rejection of these products is often consciously rationalized as

being in *defense* of the language (and, therefore, reflective of their stewardship thereof) rather than as an abandonment of it. Such patterned evasion/rejection of language planning by its purported custodians has only been fleetingly mentioned elsewhere (see, e.g. Rabin 1971 re Hebrew, Geerts et al. 1976 re Dutch, Gunderson 1976 re Norwegian, and O'Murchú 1976 re Irish) but has not heretofore received focused attention.

Conclusions

A rather substantial amount of sociological-sociolinguistic research has already been done with respect to Yiddish using (speaking, writing, understanding or even merely mother-tongue claiming) populations. Indeed, that which *has* already been done is sufficient in quantity and in quality for the sociology of Yiddish to appear as a recognizable field of study, research and publication (Fishman in press(b)). However, as such, its greatest contribution and its soundest development would obtain if it could simultaneously advance our understanding of topics of general theoretical interest. The underlying purposes of this review have, therefore, been twofold: to assemble the bibliography with respect to what has been done to date in connection with the post-holocaust sociology of Yiddish, as well as point to some of the most promising theoretical issues for future research.

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BUBER'S HASIDISM: DIALOGUE K'HALACHA ?

Martin Buber, one of the truly creative and outstanding minds of our age, was a versatile and gifted individual; indeed, his many talents enabled him to serve humanity as a quasi-sage, a philosopher, a philosophical anthropologist, and a translator. Perhaps most significantly, he was the man primarily responsible for introducing and interpreting Hasidism to Western readers. He spent much of his life in the fulfillment of this task.

Chaim Potok writes, "Buber regarded Hasidism as . . . the archetypal manifestation of the essence of prophetic Judaism, and he regarded the teachings of the prophets as the heart of Judaism."[1] Hasidism was "the Kabbalah become ethos";[2] it was "a realistic and active mysticism . . . for which the world is not an illusion, from which man must turn away in order to reach true being, but the reality between God and him, in which reciprocity manifests itself, the subject of the message of creation to him, the subject of his answering service of creation, destined to be redeemed through the meeting of the divine and human need . . ."[3]

I

Buber's earliest works, *Tales of Rabbi Nachman* (1906) and *Jewish Mysticism and the Legends of the Baal Shem* (1907), were strongly influenced by mysticism; in fact, "it was his discovery of the mystical core of living Judaism in the Hasidic movement that struck him most forcefully when he first came into contact with its literature and tradition."[4] Buber admitted, at that time, that his accounts of Hasidic legends had "as little to do with what is called local color as with the actual

facts."[5] He stressed, however, the purity and loftiness of the movement, in an attempt to recapture its essential beauty and spiritualism.

Later, in the 1930's and 1940's, Buber developed and consolidated his existentialist teachings. He then utilized the principle of dialogue (though the concept of dialogue was actually referred to in passing, as early as *Legends of the Baal Shem*),[6] as a criterion for understanding the essence of Hasidism,[7] which he saw as supporting the direct encounter — active and creative — between man and the world surrounding him.

According to Buber, the dialogue of encounter reveals the reality of God and the fact that the potential holiness of the cosmos is actualized upon His encounter with man. As Buber saw it, "God speaks to man in the things and beings he sends him in life. Man answers through his dealings with these things and beings."[8]

Buber sought to locate the origin of this fundamental concept, which he called "Pan-Sacramentalism", in the Hasidic doctrine that teaches of God's working through the corporeal and worldly dimensions of man's being, and he attempted to view this concept as the *essence* of Judaism. In so doing, he elevated Hasidism, while ignoring the traditional significance of halachah (Law).

As Buber's evolving philosophy of Hasidism entered into this second phase, he deemphasized the *unity* of Hasidism and Kabbalah in direct contrast to the approach used in earlier works. He now "strove to establish an essential distinction between Hasidism and Kabbalah (which he now chose to call gnosticism). He saw two conflicting minds at work in Hasidism . . . One kind was formed by the Kabbalistic tradition, which aimed at a knowledge of, or at least an insight into, the mysteries of divinity . . . This Kabbalistic gnosis was not, according to Buber, a creative element in Hasidism. Its conceptual apparatus was used by the great leaders of Hasidism, but they transferred its meaning from the sphere of divine mysteries to the world of man and his encounter with God."[10]

Buber's sudden shift away from mysticism was striking. "If at first he regarded himself as a mystic, he later came to the conclusion that mysticism . . . is essentially anti-religious, and therefore non-Jewish."[11] This turn-about was, to a great extent, the result of the shattering experience Buber described in "A Conversion":

> What happened was no more than one forenoon, after a morning of "religious" enthusiasm, I had a visit from an unknown young man, without being there in spirit. I certainly did not fail to let the meeting be friendly; I did not treat him any more remissly than all his contemporaries who were in the habit of seeking me out about this time of day as an oracle that is ready to listen to reason. I conversed attentively and openly with him — only I omitted to guess the questions he did not put. Later, not long after, I learned from one of his friends — he himself was no longer alive — the essential content of those questions; I learned that he had come to me not casually, but borne by destiny, not for a chat but for a decision.[12]

As a result of his *conversion*, Buber became "an anti-mystic: a man committed to the everyday, a man who believes that it is precisely in this earthly existence that the Thou is to be met; that the mystical realm is an escape from human responsibility."[13]

In Buber's new view of Hasidism, he saw a movement which could kindle in its followers a joy in the world-as-it-is. In this movement he saw a path to God, a way "which issues forth from every temptation, even from every sin. Without lessening the strong obligation imposed by the Torah, the movement suffused all the traditional commandments with joybringing significance and even set aside the walls separating the sacred and the profane, by teaching that every profane act can be rendered sacred by the manner in which it is performed."[14]

The inseparability of the holy and the profane in Hasidism was to become one of Buber's major themes, as his thought developed. Indeed, he believed that "everything is waiting to be hallowed by man,"[15] for the world is "a reality created not to be overcome but to be hallowed."[16]

The profane, in Buber's Hasidism, is "only a designation for the not yet hallowed. No renunciation of the object of desire is commanded: it is only necessary that man's relation to the object be hallowed in his life with nature, his work, his friendship, his marriage, and his solidarity with the community . . . 'Hallowing transforms the urges by confronting them with holiness and making them responsible toward what is holy'."[17]

Buber thus believed that "evil too is good. It is the lowest rung of perfect goodness. If you do good deeds, even evil will become good."[18] Similarly, "there is no reason to fast, as he who eats with devotion redeems the fallen sparks enclosed in the food, and gives them smell and taste."[19]

Indeed, in all *alien thoughts* dwell a spark, "anxious to be delivered . . . If (man) succeeds in liberating the pure spark from the demonic *shells*, then he helps it to return to its divine origin . . . In reality, it is the divine being itself that hides in the 'alien thoughts' and wants one to discover it therein to break through to it and liberate it. God Himself approaches us and demands of us."[20]

Buber stressed the need to purify even the most mundane. "Each man helps bring about the unity of God and the world through genuine dialogue with the created beings among whom he lives. Each man lets God into the world through hallowing the everyday."[21]

And, significantly, Buber believed that "*each* man, starting from his particular place and in a manner determined by his particular nature, is able to reach God."[22] "In every man there is something precious, which is in no one else. And so we should honor each for what is hidden within him, for what only he has, and none of his comrades."[23]

Thus, Buber's Hasidism does not require withdrawal from this world in order to achieve a state of holiness, nor does it encourage ascetic practices. Rather, it instructs every man to "approach Him (i.e. God) through becoming human. To become human is what he, the individual man, has been created for."[24]

In the words of Jacob Agus, "To be religious is to be *actual*, to live in perpetual conversation with God — a conversation which, coming from God to us, is expressed in the needs of the situation as understood by man . . . and which, returning from us to God, is concretized in the form of deed performed to meet those needs."[25]

The Hasid "is not required to abandon the external and internal reality of earthly being, but to affirm it in its true, God-oriented essence and thus so to transform it that he can offer it up to God."[26]

II

As Buber's Hasidic thought developed, his conception of the role of the Zaddik also changed. In *The Tales of Rabbi Nachman*, Buber spoke of:

> an institution of mediators who were called "Zaddikim", that is, righteous. The theory of the mediator who lives in both worlds and is the connecting link between them, through whom prayers are born above and blessings brought below, unfolded ever more exuberantly and finally overran all other teachings. The Zaddik made the Hasidic community richer in security of God, but poorer in the one thing of value — one's own seeking.[27]

In contrast to this broad conception of the role of the Zaddik, which he expressed in his earlier writings, Buber, in his later works, developed a considerably more restricted view of the Zaddik's function. The Zaddik was now:

> a helper for both body and soul . . . He can teach you to conduct your affairs so that your soul remains free, and he can teach you to strengthen your soul, to keep you steadfast beneath the blows of destiny . . . He takes you by the hand and guides you until you are able to venture on alone. He does not relieve you of doing what you have grown strong enough to do for yourself . . . The Zaddik must make communication with God easier for his Hasidim, but he cannot take their place.[28]

Moreover, "The Zaddik is neither a priest nor a monk . . . who mediates the act of salvation to the community; the Zaddik

is (simply) the man who is more intent than other men on putting his hand to the task of salvation . . ."[29]

There is a noticeable difference between Buber's conception and his later, more mature view of the Zaddik's role. And it seems that this difference indicates the fact that Buber was influenced, to a great degree, by Christian theology. To be sure, his early portrait of the Zaddik is strikingly similar to that of Jesus the Mediator, and thus, it represents a concept alien to Judaism.

Maurice Friedman, in his introduction to Buber's *Origin and Meaning of Hasidism,* has written:

> The comparison and contrast between Hasidism and Christianity is implicit or explicit in most of Buber's essays on Hasidism. Since his early writings, Buber has seen important resemblances between Hasidism and the teachings of Jesus.[30]

Chaim Potok goes further than Friedman and contends that Buber, who intensively studied Christian mysticism,[31] developed a philosophy which was closer to that of Christianity than to that of Judaism. In "Martin Buber and the Jews", he writes:

> It was a source of considerable anguish and frustration to Martin Buber that he was more appreciated by Christians than by Jews . . . His most loyal audience consists most largely of those contemporary Protestant thinkers who are disillusioned with what they take to be the excessive rationalism of liberal Protestant theology . . .[32] . . . Jews, however, have generally continued to look upon his efforts with suspicion and to regard them as outside the mainstream of Jewish thought.[33]

Potok also notes that "the fact that Buber chose Jesus (as the prototype of the realization of the I-Thou relationship with God) rather than Moses is an indication of the extent to which his early involvement with Christian mysticism remained a dominant factor in his thinking and colored his later understanding of Judaism."[34]

A similar indication is noted by James Muilenburg:[35]

> Considering the profound influence of the theology and the eschatology of Ezekiel upon the development of Judaism, it is significant that Buber has so little to say concerning him. On the contrary, Hosea and Jeremiah and, above all, Second Isaiah play a central role in his understanding of the Heilsgeschichte. With this all Christians, but perhaps not all Jews, will heartily agree.

Furthermore, it has been noted that, to Buber, "The Jewish faith-structure is exemplified in Jesus . . . It is evident from Martin Buber's writings that throughout his life he was preoccupied with the New Testament and with the Christian faith . . ."[36]

There are, in fact, a number of points in Buber's writings, which scholars have cited as further examples of Christian influence on his works. Regarding the Baal Shem, Buber wrote, "The seclusion of his youth in the stillness of the Carpathians appears like a symbol of his gathering the strength to resist the temptation. When he steps forth, it is in order to effect the healing of the body and of the soul."[37] This selection has been said to closely parallel the story of Jesus and the Temptations, in which, according to Christian legend, Jesus goes out into the wilderness to meet Temptation and returns to cure the sick and the blind and preach the word of God.[38]

Elsewhere, Buber wrote, "Thus it is held that the love of the living is the love of God, and it is higher than any other service . . . Therefore, when one has departed from God, the love of a man is his only salvation."[39] This exaltation of the loving of man and its comparison to the fulfilling of God's commands again closely parallels New Testament and Christian thought. In the words of Werner Manheim, "one is reminded of St. Francis, when it is said, 'Love to all living is love to God, and it is higher than any service'."[39a]

The above differs, however, quite markedly from traditional Hasidic thought, which, despite its exaltation of love, has always stressed the actual performance of deeds over pure emotionalism. Indeed, Hasidism is noted for its stress on the meticulous performance of *mitzvot* (commandments),[40] an aspect which Buber abandons.

Buber's writings also contain effusive expressions of a warm admiration for Jesus: "(Jesus) was incomparably the purest, the most legitimate, the most endowed with real Messianic power . . ."[41]

Furthermore, Buber wrote, "From my youth onwards, I have found in Jesus my great brother . . . I am more certain than ever that a great place belongs to him in Israel's history of faith."[42]

Buber's open-minded attitude to the figure of Jesus was often regarded as extreme. "He was reproached for having given the figure of the 'holy Yehudi' in *For the Sake of Heaven* a Christian bias."[43]

Interestingly enough, while Jewish scholars have criticized Buber for being too heavily influenced by Christian mysticism and for being out of the Jewish mainstream, Christian scholars have viewed Buber as being one of the most articulate expounders of the true spirit of Judaism. Indeed, Hans Urs von Balthasar, a German clergyman and Catholic scholar, wrote that Buber's "whole endeavor has been to recapture the essential spirit of Judaism . . .[44] (Buber) is the theologian of present-day Judaism . . . (and) the man, and, what is more, the only one, who remained in the forefront of German literature throughout the last half century, representing the Jewish race."[45]

Elsewhere, Urs von Balthasar has written, "He has represented the reality and essence of the Jew qua Jew."[46]

Similarly, James Muilenburg wrote, "Buber is not only the greatest Jewish thinker of our generation . . . but also the foremost Jewish speaker to the Christian community . . . Buber is the great Jewish teacher of Christians . . ."[47]

And the citation to Buber, in his 1953 German Book Trade Peace Prize, read: *Citation to Martin Buber — Interpreter of his People's Destiny in History.*

It is not surprising that neo-liberal Protestants find a great deal in common with Buber, for he shares with them the characteristic stance of religious existentialism:

> Buber denies the ability of unassisted human reason to respond adequately to the dilemnas and ultimate questions that confront man. He sees man as a being who is constantly faced with the need to make decisions. The most crucial decision is the one concerning man's affirmation of God, who can be reached only by total commitment. All of a man's life is staked on this choice . . . Furthermore, Buber shares with many Protestant theologians a distaste for systematic theological concepts, religious institutions, and prescribed patterns of religious behavior. When Buber views religion as a direct relationship between man and God, when he defines sin as the absolutization of the I-It relation, and when he insists that religious laws stultify man's attempts effectively to encounter God, he articulates positions that are perfectly acceptable to Protestants like Neibuhr, Tillich, Heim, and Brunner.[48]

Thus, we find a November, 1967, letter from Rev. James A. Pike (the former Bishop of the Episcopal Diocese of California) which reads,

> Dr. Buber has been a strong influence on contemporary Christian theology . . . I recall that I shared with him something going round my Church at that time:
>
> Q. Who are the principal theologians of the Episcopal Church?
> A. Martin Buber and Paul Tillich.[49]

In a similar vein, Reinhold Niebuhr wrote:

> I acknowledge my indebtedness to the great Jewish philosopher, Martin Buber, whose book *I and Thou* first instructed me . . . on the uniqueness of human selfhood and on the religious dimensions of the person.[50]

Aubrey Hodes noted, in addition, that the British Christian theologian J. H. Oldham wrote: "The Church can recover a fresh understanding of its own faith by opening its mind . . . to the truth which Buber has perceived."[51]

Among other prominent Christian religious thinkers whom Buber has significantly influenced are: John Baillie, Karl Barth, Nicholas Berdyaev, Emil Brunner, Herbert H. Farmer, J. E. Fison, Friedrich Gogarten, Karl Heim, Reuel Howe, Herman von Keyserling, Ernst Michel, H. Richard Niebuhr, and

Theodore Steinbüchel.[52] Indeed, the *New York Times* has written: "He served as a kind of patron saint for such towering Christian intellectuals as Paul Tillich, Reinhold Niebuhr, Jacques Maritain, and Gabriel Marcel."[53]

And as Buber's "enmity toward any fixed laws and rules"[54] brought him close to radical Protestantism, it naturally set him apart from the dogmatic approach of Catholicism.[55] Rudolf Pannwitz accused Buber of being "concerned with an issue between the Jewish and the Christian religion, and, indeed, to the disadvantage of Christianity."[56] He also charged Buber with *splitting* the "continuum of Christianity"[57] because Buber separated "that in it which is 'gnosis and mystery' not only from the Jewish Christ but also from the founder Christ."[58]

Chaim Potok alludes to a third possible view of Buber's philosophy *vis-à-vis* Judaism. As Potok sees it, Buber's Hasidism is neither an accurate reflection of the spirit of Judaism nor a return to early Christianity. Rather, it is Buber's own particular brand of humanism, a humanism which he persistently refused to sever from its Jewish moorings. Buber himself emphasized the distinctiveness of Hasidism, as a new movement:

> Already in its beginnings the movement is borne in the broader circles of the people by a new generation, indeed by a new type of man, who will no longer have anything to do with the fateful 'hastening of the end' and undertakes to serve God in the given life hour . . .[59]

In other words, Buber conceived Hasidism as a branch of Judaism which, when in full bloom, could exist and flourish completely independent of the Jewish tradition. Indeed he wrote:

> The teaching of redemption which existed in it was so great that Hasidism could have developed into one of the great religions of redemption in the world, but the central importance of the national element has prevented it.[60]

Despite Buber's expressions of *Zionist* sentiment, he always looked askance at the concept of *nationalism* and, in fact, opposed the establishment of a *Jewish* state in Mandate era

Palestine, preferring a bi-national, secular state instead. Thus, his exposure to Hasidism convinced him that the intense sense of national destiny permeating the movement would prevent it from reaching the *heights* of Christianity:

> The Kingdom of God in the eyes of Christianity means the establishment of God's Kingship over redeemed souls in the world, in which there is no longer a relation between the nation as a nation . . . In the eyes of Hasidism, in contrast, the Kingdom of God has remained the same as it always was in the eyes of Judaism a precept to which Hasidism has remained faithful, willingly and unwillingly . . . Certainly, this does not mean the weakening of the national existence . . . but, on the contrary, its decisive concentration.[61]

Since Buber felt that Hasidism and Judaism, its parent religion, was primarily a national-cultural movement and not a specifically "religious" movement, in the sense that Christianity is, he, therefore, approached Hasidism from a perspective which deemphasized the centrality of a belief-system. In opposition to the belief of normative Judaism and Hasidism, Buber wrote:

> Hasidism is not a teaching, but a mode of life, a mode of life that shapes a community . . . The relation between Hasidic teaching and the Hasidic mode of life, moreover, is by no means so constituted that the life is to be regarded as a realization of the teaching. On the contrary, it is rather the new mode of life that presses toward a conceptual expression, a theological explanation.[62]

The Baal Shem, according to Buber, was the personification of this "mode of life" theology. The founder of Hasidism made his impact on men through his lifestyle; the Baal Shem "did not proceed *from* a teaching, but moved *to* a teaching, in such a way that (his) life worked as a teaching, as a teaching not yet grasped in words."[63]

According to Buber's Hasidism, then, we find in the ethical child of nature the realization of human righteousness. The love of the living is the highest form of service. There is no specific need to perform the commanded *mitzvot*; one can approach the divine simply by becoming human:

> Thus lives the humble man, who is the loving man and the helper: mixing with all and untouched by all, devoted to the multitude and collected in his uniqueness, fulfilling on the rocky summits of solitude the bond with the infinite and in the valley of life the bond with the earthly, flowering out of deep devotion and withdrawn from all desire of the desiring. He knows that all is in God and greets His messengers as trusted friends. He has no fear of the before and the after, of the above and the below, of this world and the world-to-come. He is at home and never can be cast out. The earth cannot help but be his cradle, and heaven cannot help but be his mirror and his echo.[64]

III

Because Buber has played down the significance of the *mitzvot,* he has been condemned and rejected by Hasidim. The latter believe that he has misunderstood and perverted their teachings, by disregarding the centrality of the law in their category.[65] Hodes wrote, "It was one of the numerous ironies of Buber's life that he, the greatest interpreter of Hasidism to the civilization of the West, was not considered a Hasid by today's Zaddikim and their disciples. Buber did not attend prayers in synagogue and rejected the prescribed rituals."[66]

Buber "failed to realize the central role of Halachah in Jewish life, both at the practical and philosophical level."[67] He tried "to divorce the religious experience from its positive Halachic context."[68] Orthodox Jewish leader Jacob Rosenheim interpreted his position as "a dangerous glorification of subjective feeling at the expense of the objective content of actions."[69]

Statements by Buber like, "My own belief in revelation . . . does not mean that I believe that finished statements about God were handed down from heaven to earth,"[70] or, "The Torah itself is essentially not law";[71] or, "The will to the Covenant with God through the perfected reality of life in true community can only emerge in power where one does not believe that the Covenant with God is already fulfilled in

essence through the observance of prescribed form,"[72] brought down upon him the wrath of Orthodox and Traditional Jewry. In *Tradition,* a publication of the Orthodox Rabbinical Council of America, Benny Kraut wrote:

> (Buber's) approach to revelation literally devastates the idea of normative Jewish law . . . That man acts largely in accordance with his own vision rather than in obedience to objectively known Divine directions is an idea irreconcilable with the traditional conception of *mitzvot* and *halachah* . . . One cannot reconcile Buber's theological premises about Sinai, the origin of the Law, and the nature of the Bible with theologically-based reasons for the observance of Jewish law, theological reinterpretations of revelation notwithstanding.[73]

The well-known student of Jewish mysticism, Gershom Scholem, agrees with those who feel that Buber has misrepresented Hasidism. Scholem attributes the problem to Buber's virtually exclusive use of "legendary writings, biographies, and tales of the miraculous deeds and the wonderful sayings of the Zaddikim"[74] as source material for his works. By his "virtually ignoring"[75] the "very large body of theoretical writings mostly comprising homilies, commentaries on Biblical texts, and tracts on prayer and other aspects of devotion,"[76] Buber was thereby reading into Hasidism "assumptions that have no root in the texts — assumptions drawn from his own very modern philosophy of religious anarchism. Too much is left out in his presentation of Hasidism, while what has been included is overloaded with highly personal speculations."[77]

Indeed, in this matter, Scholem is almost echoed by Will Herberg,[78] who wrote:

> From Hasidism, Buber drew, perhaps without fully realizing it, what he needed for the formation of his thought at the particular stage of his thinking in which he found himself: at first, he drew largely on the mystical element, and then, increasingly, on the existential element in Hasidic teaching.

Furthermore, as Scholem puts it, "The fact, of course, is that Buber is a religious anarchist . . . and his doctrine is

religious anarchism . . . Therefore, references to the Torah and the Commandments, which to Hasidism still meant everything, become extremely nebulous in Buber's presentation."[79]

Scholem further criticizes Buber for not writing "as a scholar citing chapter and verse for his contentions. He combines facts and quotations as suits his purpose . . . He ignores much material which does not interest him, although for an understanding of Hasidism . . . it may be of the greatest value."[80]

In addition, "When Buber declared in favor of the legends of Hasidism as its truly creative contribution, he put himself in the rather paradoxical position of contending that the originality of the movement was revealed more genuinely in a genre of literature which mostly came into being almost fifty years after the period when Hasidism was actually created — a period embodied in the theoretical books he has chosen to side-step . . . We can say with assurance that the very coming into being of this Hasidic life was deeply influenced by ideas embodied in the theoretical literature . . . (Yet) I dare say that many readers of Buber would never so much as suspect that such a literature even exists . . ."[81]

"Buber, in short, by making his choice and omitting whatever clashes with its demands, assumes an authority which we can not grant him. To describe the universe of Hasidism . . . exclusively on the basis of its legends is equivalent . . . to describing Roman Catholicism by selecting and interpreting the choicest epigrams of the saints of the Church without regard to its dogmatic theology . . . One still has to go back to the primary sources which Buber has declared to be merely secondary . . ."[82]

These arguments are repeated and corroborated by Beek and Weiland:[83]

> The utterances of Hasidism . . . are not comprehensible apart from a background of Talmud and Kabbalah . . .
>
> Buber's approach to the sources is not that of the specialist scholar .

> Hasidism in its prime was rooted in the Kabbalah, possessed all the characteristics of gnosticism, and was esoteric. In that respect, it evinced elements that Buber could not assimilate, simply because — by his own admission — he was unable to comprehend them . . .

Scholem further notes that, ironically, Buber's stress on the uniqueness of the task confronting every single man was nothing novel and was not introduced by Hasidism. "On the contrary, the idea comes from the Lurianic Kabbalah — that is to say, from the very gnosis at which Buber looks askance."[84]

In addition, Scholem claims that Buber's interpretation of Hasidism as "a perfect realization of the Here-and-Now"[85] is inaccurate and says that "there is indeed an element in reality with which man can, and should, establish a positive communion, but the liberation or realization of this element simultaneously annihilates reality insofar as 'reality' signifies (as it does for Buber) the Here-and-Now. For the . . . joy which Hasidism certainly did demand of its followers is *not* joy in the Here-and-Now . . . (but in) what is *hidden* in the negligible garment of the Here-and-Now . . . It is not the fleeting Here-and-Now that is to be enjoyed but the everlasting unity and presence of Transcendence."[86]

Rivkah Schatz-Uffenheimer adds, that "Hasidism, from the very start, fixed the bounds of the permitted and the forbidden, the clean and the unclean. It follows that not everything is capable of being hallowed, and Buber's liberal formulation that all existence is endowed from the start with 'sacramental possibility' does not reflect Hasidism's new attitude to reality."[87]

And she attacks Buber's use of anecdotal material "as the sole source for understanding any of the phenomena of life and especially a religious phenomenon."[88]

IV

Buber's Hasidism, then, appears inconsistent with normative Hasidism on several fundamental points, the most significant of which is the centrality of structured, religious

law. By rejecting the traditional notion of Divine Revelation, he effectively severed Hasidism from its fundamental roots and attempted to create a new theological framework, structured on the basis of its subsequent legends. While his new model may actually reflect some of the ethical bases of Hasidism, it does not represent Hasidism in its entirety; it is a new "Hasidism", closer to existentialism than to either Judaism or real Hasidism.

Indeed, "Buber's whole philosophy can be seen as a reaction against modern man's view of the world as a chaos; it is an attempt to see the world as intrinsically suffused with meaning. In I-It encounters, this meaning remains dormant; in I-Thou encounters, it enters into the relation and charges it with value. These latter encounters, though elusive and fleeting, are remembered and retain the ability to bring some measure of meaning into later I-It encounters."[89]

And, as Glatzer writes:

> This teaching of Buber's may become increasingly important, or at the very least, challenging, as we move on further into an era of mass civilization, mass communication, and mass destiny, where individual man loses significance and individual life's meaning is called into question.[90]

This, then, is Buber's legacy to man. But, in the words of Scholem, "If we are searching for an understanding of the actual phenomenon of Hasidism . . . we shall . . . have to start all over again."[91]

NOTES:

1. Chaim Potok, "Martin Buber and the Jews," *Commentary*, vol. 41, no. 3 (March, 1966), p. 48.
2. Martin Buber, *Tales of Rabbi Nachman* (N.Y.: Horizon Press, 1956), p. 10; see also Buber, *The Origin and Meaning of Hasidism* (N.Y.: Horizon Press, 1960), p. 252.
3. Buber, *Hasidism and Modern Man* (*HMM*) (N.Y.: Harper and Row, 1958), p. 180.

4. Gershom Scholem, "Martin Buber's Hasidism: A Critique," in *The Commentary Reader*, (N.Y.: Atheneum, 1966), p. 453.
5. Buber, *Legends of the Baal Shem* (London: Dent and Sons, 1955), p. xx.
6. *Ibid.*, pp. xxiii-xxiv.
7. *Encyclopedia Judaica* (Jerusalem: Macmillan Co., 1971), article on "Hasidism".
8. Buber, *Hasidism* (N.Y.: Philosophical Library, 1948), p. 99.
9. *Encyclopedia Judaica, op. cit.*
10. Scholem, *op. cit.*, p. 454.
11. A. Steinberg, "The History of Jewish Religious Thought," in *The Jewish People — Past and Present*, vol. 1 (N.Y.: Jewish Encyclopedia Handbooks, Central Yiddish Culture Organization, 1946), p. 505a.
12. Buber, *Meetings* (La Salle, Ill.: Open Court, 1973), pp. 45-6; see also Buber, *Between Man and Man* (N.Y.: Beacon Paperback, 1955), pp. 13-4.
13. N. N. Glatzer, ed. *The Way of Response: Martin Buber* (N.Y.: Schocken Books, 1966), p. 13.
14. Buber, *Tales of the Hasidim: Early Masters* (N.Y.: Schoken Books, 1947), p. 3.
15. Maurice Friedman in Buber, *The Origin and Meaning of Hasidism*, p. 16.
16. *Ibid.*, p. 18.
17. *Ibid.*, p. 16.
18. Buber, *Ten Rungs* (N.Y.: Schocken Books, 1947), p. 90; cf. Buber, *Origin and Meaning*, p. 80.
19. Buber, *Mamre* (Melbourne: Melbourne Univ. Press, 1946), p. 77; cf. Buber, *Origin and Meaning*, p. 125.
20. Buber, *Origin and Meaning*, p. 79.
21. Maurice Friedman, *Martin Buber: The Life of Dialogue* (Chicago: University of Chicago Press, 1956), p. 282.
22. Buber, *HMM*, p. 141.
23. Buber, *Ten Rungs*, p. 80.
24. Buber, *HMM*, p. 43.
25. Jacob Agus, *Modern Philosophies of Judaism* (N.Y.: Behrman, 1941), p. 269.
26. Buber, *HMM*, pp. 126-7.
27. Buber, *Tales of Rabbi Nachman*, pp. 16-7.
28. Buber, *Tales of the Hasidim: Early Masters*, p. 5.
29. Buber, *Mamre*, p. 82.
30. Friedman in Buber, *Origin and Meaning*, pp. 11-2.
31. Potok, *op. cit.*, p. 44.
32. They relate to Buber, who completely rejected the rationalist effort to

understand and comprehend God. To Buber, God cannot be expressed; He can only be addressed as a Thou.

33. Potok, *op. cit.*, p. 43.
34. *Ibid.*, p. 46.
35. James Muilenburg in *Library of Living Philosophers*, vol. 12, p. 382.
36. M. A. Beek and J. S. Weiland, *Martin Buber: Personalist and Prophet* (N.Y.: Newman Press, 1968), pp. 86-9.
37. Buber, *Origin and Meaning*, pp. 36-7.
38. *Matthew* 4.
39. Buber, *HMM*, pp. 117-8.
39a. Werner Manheim, *Martin Buber* (N.Y.: Twayne Publishers, 1874), p. 73.
40. *Encyclopedia Judaica*, op. cit.
41. Buber, *Origin and Meaning*, p. 110 (and repeated on p. 250).
42. Buber, *Two Types of Faith* (N.Y.: Harper Torchbooks, 1961), p. 12.
43. Grete Schaeder, *The Hebrew Humanism of Martin Buber* (Detroit: Wayne State University Press, 1973), p. 393.
44. Hans Urs von Balthasar, *Martin Buber and Christianity* (N.Y. Macmillan Company, 1961), p. 10.
45. *Ibid.*, p. 9.
46. Urs von Balthasar in *Library of Living Philosophers*, vol. 12, p. 341.
47. *Ibid.*, p. 382.
48. Urs von Balthasar, *Martin Buber and Christianity*, p. 10.
49. Cited in Aubrey Hodes, *Martin Buber: An Intimate Portrait* (N.Y.: Viking Press, 1971), pp. 184-5.
50. *The Self and the Dramas of History* (N.Y.: Scribner's, 1955), p. ix.
51. Hodes, *op. cit.*, p. 179.
52. Friedman, *Life of Dialogue*, p. 268.
53. Cited in Hodes, *op. cit.*, p. 223.
54. Friedman, *Life of Dialogue*, p. 269.
55. *Ibid.*
56. Rudolf Pannwitz, "Der Chassidismus," *Merkur*, vol. 8, no. 79., pp. 810-830.
57. *Ibid.*
58. *Ibid.*
59. Buber, *Origin and Meaning*, p. 48.
60. *Ibid.*, p. 205
61. *Ibid.*, pp. 205-6.
62. *Ibid.*, pp 24-5.
63. *Ibid.*, p. 25.
64. Buber, *HMM*, pp. 121-2.
65. Potok, *op. cit.*, p. 48.
66. Hodes, *op. cit.*, p. 55.
67. *Ibid.*, p. 85.

68. *Ibid.*, p. 86.
69. Friedman, *Life of Dialogue*, p. 263.
70. Buber, *Eclipse of God* (N.Y.: Harper Torchbooks, 1957), p. 135.
71. Buber, *Two Types of Faith*, p. 57.
72. Buber in Will Herberg, ed. *The Writings of Martin Buber* (Cleveland: Meridian Books, 1956), p. 38.
73. Benny Kraut, "The Approach to Jewish Law of Martin Buber and Franz Rosenzweig," *Tradition*, vol. 12, no. 3-4 (Winter-Spring 1972), pp. 56, 64.
74. Scholem, *op. cit.*, p. 455.
75. Potok, *op. cit.*, p. 47.
76. Scholem, *op. cit.*, p. 455.
77. *Ibid.*, p. 466.
78. Herberg, *op. cit.*, p. 35.
79. Scholem, *op. cit.*, p. 464.
80. *Ibid.*, p. 453.
81. *Ibid.*, p. 456.
82. *Ibid.*, p. 457.
83. Beek and Weiland, *op. cit.*, pp. 44, 45, 49.
84. Scholem, *op. cit.*, p. 465.
85. *Ibid.*, p. 460.
86. *Ibid.*
87. *Library of Living Philosophers*, vol. 12, p. 418.
88. *Ibid.*, p. 426.
89. Potok, *op. cit.*, p. 49.
90. Glatzer, *op. cit.*, p. 11.
91. Scholem, *op. cit.*, p. 466.

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HARLEM'S JEWS AND BLACKS, 1900 - 1930: FROM COMMONALITY TO DIVERGENCE OF FATES *

The geographical place-name Harlem, evokes in most contemporary Americans the imagery of a deteriorated inner city neighborhood: New York's first and most famous black ghetto. Few people are aware that between the close of the Civil War and the end of the First World War — the decades which immediately preceded the massive black shift uptown — Harlem was home to a large variety of other ethnic and religious enclaves including a large 1910 Jewish community of well over 100,000 people. Indeed, between 1870 and 1920, Harlem's Jews, Italians, Germans and Irish outnumbered uptown's black population.[1] And it was within this period that Harlem was transformed from a sparsely populated suburban, almost rural settlement, to a fully developed new center city neighborhood, and finally to the blighted urban area it is today. But those who have until now chronicled the saga of the development and ultimate decay of this well-known section of the metropolis have generally neglected both the internal communal histories of these ethnic groups and the interesting saga of their response to, and relationship with, the slowly-emerging Harlem black majority.

This historical oversight is particularly apparent with regard to the story of uptown Jewry. And in my "History of

* This article is a revised and fully-documented version of a paper entitled "Harlem as a Transitional Ghetto" delivered at the Conference on the Ethnic Heritage of New York City, at Kingsborough Community College of City University of New York, May 17, 1977.

the Jewish Community of Harlem, 1870-1930," I have attempted to give due justice to the communal history of three generations of Jewish immigrants who constituted in their heyday not only Harlem's single largest ethnic group, but also America's second largest Jewish community. In other forums, I have written for example, of what Harlem's history teaches one about the dynamics of Jewish cultural, educational and general communal organization both within the ghetto and without.[2] In this essay, however, I would like to focus on a different, but no less significant aspect of the community's experience. I am speaking of the nature of Jewish-black relations uptown, in that neighborhood which witnessed one of the first — if not the first — major inter-racial residential encounters in a northern urban area. The specific geographical setting for this encounter was the streets of Central Harlem — that section of New York's 12th Ward lying immediately north of Central Park at 110th Street, to 145th Street, west of 5th Avenue and east of Morningside and St. Nicholas Parks. (East Harlem lying north of 96th Street to the Harlem River, east of 5th Avenue, which was destined to become Spanish Harlem in the 1930s, had no significant post-1900 black population. Its history, as we will soon see, was quite different from that of Central Harlem.)[3] The time-span of this Central Harlem encounter was the first two and one-half decades of the 20th century. There, and of course then, occurred the settlement of first Jews and then Blacks into their own circumscribed uptown enclaves. The latter's arrival elicited a variety of responses from different groups of Jews to this first black incursion into a metropolitan area Jewish neighborhood. We will note these early encounters and immediate responses and then proceed to examine the decade of residential stability which preceded the First World War.

Our paper concludes with a discussion of the decline of Jewish Harlem after 1920, and indicates the role massive post-war Black migration played in setting the timetable for immigrant removal from the previously mixed-racial neighborhood. In so doing, we will be documenting a process of

neighborhood transition — in this case, a most protracted process of neighborhood change — dictated by the differing fates of Jews and Blacks in the New York area.

Jews started settling in Central Harlem in 1904 in part in response to the arrival of the new subways in Harlem and also as part of the last stage of both the Harlem building boom and of East European Jewish immigrant uptown migration which all began almost a decade earlier. Immigrant East European Jews were settling uptown as early as 1895 both among the Irish in the dumb-bell tenement working class district east of 3rd Avenue south of uptown's Little Italy which ended around 105th Street and among the more economically-advanced Germans who populated the better-built apartment house and brownstone section of East Harlem, situated along Madison and Fifth Avenues north to 110th Street.[4] These new settlers, who constituted a community of approximately 17,000 souls by 1900 on the road to numerical supremacy ten years later, moved uptown for several reasons. Some made the break with the ghetto to take advantage of one of the temporary gluts in apartments created by overanxious builders anticipating the oft-times delayed subways to Harlem.[5] Others — primarily Jewish construction workers — moved uptown to work on these new buildings, often acting as scabs against the restrictionist Irish and German trade unionists. Still others were "forced" from the downtown ghetto, when ambitious urban renewal projects — specifically public parks, and out of tenement factories — reduced the number of available apartments on the Lower East Side, while Jewish immigration continued to increase.[6] Thus, as early as 1900, a pattern in Harlem Jewish uptown migration was set. The most affluent elements in East European Jewish society were neither the first, nor the largest group of immigrants to move uptown, and it appears that more migrated in the hope of making economic progress than as a result of achieved financial success.

This early wave of Jewish settlers was quickly inundated by thousands of their co-ethnics when the tide of Jewish immigrants uptown peaked in the years 1900-1905. Overcrowding

caused by continued ill-planned urban removal initiatives — (the construction of the Williamsburg Bridge, to note one example, caused the forced removal of 10,000 families from their homes during the peak years of Jewish immigration) drove many, often those with the most meager of resources and economic possibilities, from the ghetto to Harlem. The hope of finding work in apartment construction along the route of the finally-assured Lenox Avenue subway lured others away from downtown. The poorest of the new migrants crowded into the dumb-bell tenement district creating an uptown ghetto complete with densities of population of 700-800 person per acre; figures "respectable" on the Lower East Side. Others, with only slightly more money for rent, pushed into the once-fashionable Madison-Fifth Avenue district which soon swooned under densities of 400-500 persons per acre, driving away earlier Jewish settlers and their German, Irish and native American neighbors in the wake of this uptown "invasion". By 1905, East Harlem south of 110th Street — west of 3rd Avenue, and south of 105th Street — east of 3rd Avenue, was almost completely Russian Jewish and poor. The area east of Third Avenue — north of 105th Street to the Harlem River was Italian and poor; Little Italy, an important metropolitan area community still awaits its historian.

Many of those, Jews and others, able to successfully flee the East Harlem invasion, joined with many of New York's most affluent Jewish immigrants — real estate men, manufacturers, entrepreneurs of all stripes, David Levinsky's Jews— in settling in the modern new-law tenements and elevator apartments constructed along the wide thoroughfares of Lenox Avenue built up in time-coordination with the arrival of the new subways. The new Jewish elegant section of Central Harlem extended North of 110th Street to approximately 125th Street and West to 8th Avenue. There, Jews soon constituted approximately one-half of the total population which also included many of Irish, German and native American birth. A new fashionable apartment house district for immigrants who had made it, was born; Levinsky's Jews had risen.[7]

But, as had been the case years earlier in other uptown sections, builders and retailers overestimated the demand for accommodations in the general Central Harlem area, and by the end of 1905, investors were seeking means of avoiding great speculative losses. Confronted with a glut of apartments and recalling the aberration of cut-throat rent slashing wars of pre-1900 days, (an aspect of the Harlem story which Gilbert Osofsky failed to note in his early *Harlem — The Making of a Ghetto*) Central Harlem realtors opted to throw open their better-grade of new apartments to Blacks who were willing to pay higher rents than most Whites for accommodations. (I should note parenthetically, that we are indebted to Osofsky for his full description of this aspect of the Harlem construction story, but we must note that his failure to mention that the 1905 bust was but one of several such occurrences with similar demographic results during the preceeding decade, gives one the false impression that the forces of building boom and bust which directed Blacks to Harlem were different from those that were opened to other ethnic and racial settlements.)[8] Blacks, for their part, were anxious to move uptown for many of the same reasons which motivated Jewish migration during the same years. The desire to improve their living conditions and the need to escape the overcrowded and vice-ridden Tenderloin district prompted many ambitious black families to seek accommodations in Harlem. Their fears of renewed violence against them by Whites on the scale of the famous Tenderloin Riots of 1900 increased their ardor for migration. And Blacks struggled mightily to pay the high rents charged for their new homes. Some allocated up to one-third of their incomes, others took in lodgers, and some families doubled up to meet rent charges. Despite these problems, Black Harlem, like its neighboring Jewish Harlem, according to contemporary Black leadership was "an ideal place to live" for the aspiring family willing to make sacrifices to reside in a good neighborhood. And by 1910, enough Blacks had done just that, that the area North of 130th Street, West of Park Avenue was already established as a predominantly Black enclave. More than two-thirds of

Harlem's approximately 22,000 Blacks resided in this section of uptown.[9]

Harlem Jews reacted to the black incursion into the previously underpopulated section of their general neighborhood in several distinctly different and interesting ways. Some, like those identified by the *New York Age* as belonging to the West Side Improvement Association, joined with other Whites in attempting to block Black migration, arguing that the existence of a black neighborhood, in close proximity to their own, would automatically lower the value of their real estate holdings.[10]

The actions of these organizations and especially the participation of Jews therein was strongly condemned by other Jews, especially those writing in the contemporary Jewish press. *The American Hebrew*, for example, decried the hypocrisy of those Jewish individuals who call upon Blacks to improve themselves and then deny them a decent place to live. "How are they to become thrifty and independent and give their children the best education available," one editorialist asked, "if they are not allowed to acquire homes suitable for persons of refinement."[11]

Probably, however, the most interesting Jewish reaction — if it can be called that — was that which emanated from the several thousand Jews who by 1910 had joined with the other racial groups in settling the black section of Harlem, and it is upon their story that I wish to dwell for a moment.

The uptown black enclave, north of 130th Street, was apparently a good place to live for those Jews who were counted among the many white businessmen who reportedly resided in the black section for the conveniences it afforded them in conducting trade. Other White and Jewish residents included those who continued to own and maintain the few private homes in the area and those who reportedly had "no aversion to Negroes."[12]

And Jews remained a recognizable minority within the Black neighborhood throughout the next decade. More significantly, Jews seemed to have shown a greater degree of

persistence than other groups in those areas which between 1910-1920 became overwhelmingly black. The total Jewish presence in North Central Harlem declined only slightly during the pre-war years and on some blocks the number of Jews actually rose. For example, examining the census district 133rd-140th Streets, Fifth and Lenox Avenues, we find that the proportion of Blacks rose from approximately 50 per cent of the total in 1910 to 96 per cent ten years later. The Jewish population declined from 11 per cent to 3 per cent of the total. But the approximately 450 Jews who remained in the district constituted almost the *entire* white presence in the district. The Jewish presence in the census tract district of 134th-138th Streets, between Lenox and Eighth Avenues actually increased in the ten year period which saw the black percentage rise from less than 20 per cent to 77 per cent of the total. Some 700 Jews resided in a district where approximately 600 had resided a decade earlier.[13] Thus, for more than a decade, we note the following residential pattern — Blacks and Jews living in enclaves in close proximity to one another, and the Black incursion eliciting some Jewish opposition but sparking no mass exodus of Jews to other neighborhoods. Indeed, some Jews for a variety of reasons showed a certain affinity towards living among Blacks. And unlike other more contemporary residential encounters, it appears that in this first encounter, Jews certainly demonstrated no special or more pronounced fear of, or aversion to, living near and among Blacks.

Central Harlem's era of inter-racial residential equilibrium ended abruptly, however, in the early 1920s as a function of the differing socio-economic fates of Jews and Blacks in this city. Harlem experienced pronounced physical deterioration during the First World War under the impact of severe residential overcrowding caused both by government restrictions on all but war-related building activity, during a period of massive war worker in-to-city migration, and by the activities of rapacious local landlords who hiked rents to what State officials called "unreasonable and oppressive levels" while permitting their greatly demanded tenement properties to deteriorate.[14] When Harlem declined rapidly, Jews found the economic wherewithal to flee the now "old" neighborhood, joining the post-war, outer-borough and suburban migration. Harlem's earlier Black settlers — many of them but not all less-economically mobile than their Jewish neighbors — were blocked, some by economics and all by convention and covenant, from seeking the frontiers of suburbia. They were quickly inundated by thousands of their southern migrating brethren, moving up North as immigrants in search of better economic opportunities, who joined these early settlers in forming New York's first real black ghetto.

In actuality, the massive Jewish exodus, first from Central Harlem, later from East Harlem in the late 1920s — (the total Jewish uptown population declined from more than 100,000 in 1919 to less than 10,000 ten years later) — was only the most pronounced part of a general Jewish and other white ethnic migration to new areas of the city constructed after 1921, under a building ordinance which granted tax exemptions to builders willing to construct residential accommodations in the outlying boroughs of the city. The Lower East Side, for example, which once housed three-fourths of New York's immigrant Jews and which was, before the war, still home to one-fourth of the city's Jewish population, declined to only 15 per cent of the total during this era. The early suburban settlement of Williamsburg, similarly, lost close to one-fourth of its Jewish settlers during the same time-period. Immigrant Jews and their children during the 1920s, according to one early Jewish urban demographer, capitalizing on "the general development of the country and their successful adjustment to the socio-economic environment of the United States" moved almost in group order from the old neighborhoods to the Grand Concourse, Astoria, Washington Heights, Flatbush and Boro Park, to name but a few of the then new centers of Jewish residential life.[15]

The effects of this general Jewish post-war, intra-city migration were felt most acutely in Harlem because of the immediate and on-going in-migration of Southern immigrant

Blacks to that section of the city already occupied by their co-racials. This new population source provided uptown landlords with an anxious and "trapped" clientele which more than offset the initial number of whites leaving Harlem, and even more importantly, afforded owners the opportunity to continue to maintain the housing status quo. Harlem realtors of this era were not at all reluctant to open their doors to Blacks. They had always paid high rents for their accommodations — and now the greatly increased demand for scarce housing freed property owners from any real commitment to improving living conditions. Those landlords who were opposed to Black tenancy also capitalized upon the situation. They were able to use the threat of a "Black invasion" to extort higher rents from those remaining whites who were either unwilling or unable to leave Harlem and who were, however, desirous of continuing to reside in segregated surroundings.

This combination of a massive black incursion coupled with the steady deterioration of housing conditions and the continuing high rents charged for now inferior accommodations quickly convinced Central Harlem's upwardly-mobile Jews that uptown's "Jewish era" had ended. And as each Jewish family left the neighborhood, one or more black families replaced it, which furthered the emerging predominance of Blacks, prompting in turn the further removal of additional Jewish families.

Thus, the process of Jewish out-migration and the transformation of neighborhood, which began with the deterioration of neighborhood, and was directed by the opening of new residential areas, facilitated by the increased affluence of Jewish immigrants, was only *hastened* by the post-war black "invasion" of uptown. By 1930, this first inter-racial residential encounter was over, Harlem's Jewish history had ended, while a new era of black uptown ghetto history had only begun.

In conclusion, it is hoped that this particular case-study of inter-group relations in New York's first large racially-mixed neighborhood may challenge future researchers of these and other ethnic and racial groups in similar urban neighborhoods to study with equal sensitivity the forces pulling as well as

those pushing white ethnic groups away from emerging black neighborhoods. The Harlem historical model suggests that the dynamics of physical decay and of the upward-mobility of formerly-poor immigrants were more important than the arrival of black migrants in causing earlier settlers to leave their old neighborhoods for other parts of the city. Indeed, it is clearly apparent that for more than a decade prior to the First World War which brought such great deterioration to the uptown neighborhood, Jews showed no easily recognizable unwillingness towards, or fear of, living with and among Blacks. It is left, however, to future studies to determine the applicability of these findings for one group and one particular neighborhood towards the recognition and understanding of what may well be the truly complex combination of factors underlying the general character of inter-racial encounters in the urban setting.

NOTES

1. The basic population statistics noted here in describing the multi-ethnic character of Harlem between 1870-1930 and quoted elsewhere in discussing more specific aspects of the neighborhood's demographic history were derived from a close examination of a variety of governmental and private organizational manuscripts and published census sources. Foremost in importance were the 1900 Twelfth Decennial Federal Census manuscripts and the 1905 New York State Census of Population manuscripts. The former are housed at the National Archives in Washington, D.C. The latter are available at the Office of the Manhattan County Clerk. The most important published census reports were Walter Laidlaw, ed., *Statistical Sources for Demographic Studies of New York*, Vol. 1. (New York: World Council of Churches, 1913), passim; Walter Laidlaw, ed., *Statistical Sources for Demographic Studies of Greater New York* (New York: The New York City 1920 Census Committee, Inc., 1923), passim; Walter Laidlaw, ed., *Population of the City of New York* (City Census Committee, 1932), passim.
2. See, Jeffrey S. Gurock, "The History of the Jewish Community of Harlem" (unpublished Ph.D dissertation. Columbia University, 1976), chapters 3, 4, 5, for a complete exposition of these aspects of Harlem's Jewish history.

3. The geographical boundaries of Harlem were determined according to the following basic criteria:
   (a) *Governmental Studies of Harlem Conditions and Private Jewish Surveys of the Uptown Community.* These sources include Mayor's Committee on City Planning in Cooperation with the Works Progress Administration, *East Harlem Community Study* (New York, 1937), p. 9; Jewish Welfare Board, *Study of the Institutional Synagogue* in Relation to Harlem, N.Y.C. (New York, Jewish Welfare Board, 1938), p. 1; *Kehillah* of New York, *Jewish Communal Register of New York City,* 1917-18 (New York, Lipshitz Press, 1918), p. 74.
   (b) *How Harlem dwellers and other New York Jews defied that community.* In studying the locations of institutions calling themselves . . . of Harlem or Harlem Jewish . . . I determined that few if any "Harlem-based" organizations were situated outside the boundaries established for this study.
4. The description of physical living conditions in the several East Harlem districts discussed here and elsewhere in this study were derived from George Washington Bromley, *Atlas of the City of New York,* 1894, 1898-1899, 1905 (Philadelphia: George W. and Walter S. Bromley, 1894, 1899, 1905), passim. The socio-economic characterizations of Jewish and non-Jewish populations in Harlem's neighborhoods were derived from the 1900 Federal and 1905 New York State census manuscripts.
5. *Real Estate Record and Builders Guide,* September 2, 1899, p. 336; August 25, 1900, p. 235.
6. New York State Bureau of Labor Statistics, *16th Annual Report,* 1896, (Albany, n.p., 1986), pp. 1046, 1051.
7. Ab. Cahan, *The Rise of David Levinsky,* (New York: Harper and Brothers, 1960), passim.
8. Gilbert Osofsky, *Harlem: The Making of a Ghetto,* (New York: Harper and Row Publishers Inc., 1963), pp. 87-91.
9. National League on Urban Conditions among Negroes, *Housing Conditions Among Negroes in Harlem, New York City,* (New York: Poole Press Associates, 1915), pp. 8, 13.
10. Seth Sceiner, *Negro Mecca:A History of the Negro in New York City* 1865-1920, (New York: New York University Press, 1965), p. 26.
11. *American Hebrew,* December 16, 1911, p. 168.
12. National League on Urban Conditions, pp. 7, 13-26; see also, Osofsky, p. 111.
13. Laidlaw, *Statistical Sources for Demographic Studies of Greater New York,* passim.

14. New York State, Commission of Housing and Regional Planning, *Report of Commission of Housing and Regional Planning to Governor Alfred E. Smith and to the Legislature of the State of New York on the Present Housing Emergency, December* 12, 1923, (Albany: J. B. Lyon, 1924), p. 14.
15. See, Bureau of Jewish Social Research, *First Section: Studies in the New York Jewish Population. Jewish Communal Survey of Greater New York* (New York: Bureau of Jewish Social Research, 1928), passim for a discussion of the migration and resettlement of New York Jews during the early 1920s. See also Nathan Goldberg, "Occupational Patterns of American Jews", *Jewish Review* 3 (1943): pp. 162-186.