



ASSOCIATION FOR JEWISH STUDIES NEWSLETTER

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Editor: A. J. Band

EDITORIAL

I

For the Association for Jewish Studies, the moment of truth has come, not the consequence of external threat or personal dissension, but rather a new phase in the development of the Association as a learned society. We have been moving steadily towards the publication of our own scholarly journal of Jewish Studies, gathering confidence and experience from the various projects we have undertaken and executed. In its December 1974 meeting, our Board of Directors, encouraged by a grant from the National Foundation for Jewish Culture, voted formally to launch this periodical. The unanimous vote, expressing the will of the membership to accept the new challenge, was not cast without an acute awareness of the responsibility undertaken. I am sure that I represent the sentiment of our membership accurately when I assert that if this periodical will not achieve the highest scholarly standards, it shall not be published, and if it does not strive to embrace the totality of Jewish scholarship, to present new methods of understanding the multi-faceted experience of the Jews in history, it should not be published. And while it will be open to scholars of other countries, its support will be justified only if it gives expression primarily to the best of what is being done in this country. Herein lies the challenge — and the source of whatever hesitations we may have. Briefly: Will we receive enough quality articles to make up a periodical? While we are all aware of the impressive growth of this field in this country in terms of positions, programs, and students enrolled, the country is so large, its institutions so dispersed that it is impossible, as yet, to see the new critical mass of mature scholars. Only during our last two national conferences, did one get the feeling of the collective talent and erudition which demands and legitimizes a new periodical. The call for articles has been sounded. We now await the manuscripts.

II

As we approach the official celebration of the American Bicentennial and brace ourselves for the onslaught of pious rhetoric, we should not, in our flight from the hucksters' cries, overlook some of the fundamental facts which shape our work and interests. While it is true that of all countries outside of Israel, only America has offered the conditions so hospitable to the remarkable development of Jewish Studies in both publicly and privately supported universities, it is equally undeniable that this development is recent, limited to the past 20 years of American — and Canadian — history. Our optimism, therefore, must always be tempered by caution: historical process is not irreversible. The newness and fragility of this academic growth increases the burden of responsibility. What we do, we must do well since, working in an intellectual setting with no real analogue in the history of Jewish Studies, we set precedents more often than we realize. We should, furthermore, endeavor to derive the greatest intellectual benefits from our academic environment. The Judaics specialist must reach out from his field of specialization

through his disciplinary colleagues to other fields of study whether they are closely or remotely allied to his. If the university is the academic counterpart of the society which supports it, and the American university reflects the pluralism of American society, the best work of every specialist should embody the dynamics of his academic environment. We should use the occasion of the Bicentennial to ask some fundamental questions: Has the scholarship of the Judaics scholar been enriched by his situation in a general academic environment? Does it evidence the sophisticated methods of his colleagues in other fields? Are scholars in other fields at all aware of the preoccupations and techniques of the Judaics scholar? In sum: To what extent are the ideals and opportunities which shall be celebrated in the Bicentennial year truly operative in the universities where Jewish Studies are so widely distributed today?

IN THIS ISSUE

Editorial	1
AJS Regional Conference Program	2
Seventh Annual AJS Conference	2
Meeting of AJS Board of Directors	3
Editor and Editorial Board of	
New AJS Periodical Announced	3
From the Editor of the <i>AJS Review</i>	4
New Members	4
UCLA Summer Program in Jewish Studies	4

SIXTH ANNUAL AJS CONFERENCE

About Shalom Spiegel	
(Judah Goldin, Univ. of Pennsylvania)	5

Abstracts of papers by

Lawrence H. Schiffmann (New York Univ.)	9
Amos Funkenstein (Univ. of California-Los Angeles)	10
Gershon Greenberg (The American Univ.)	11
Avraham Avi-hai (Hebrew Univ.)	11

The 1913 New York State Civil Rights Act	
(Jeffrey S. Gurock, Columbia Univ.)	12

BIBLIOGRAPHIA JUDAICA

The New Portugal and the New Christians	
(Frank Talmage, Univ. of Toronto)	13

AJS Calendar	16
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AJS Regional Conference Program

Series III of the AJS Regional Conference Program has been scheduled as follows:

March 9-10, 1975 University of Michigan (Ann Arbor)
 March 16-17, 1975 University of Indiana (Bloomington)
 April 6-7, 1975 University of California (Berkeley)
 April 13-14, 1975 New York University (New York City)

The theme of the Michigan and N.Y.U. conferences is "Hebrew and Jewish Languages." As an experiment in team-teaching, the role of Senior Scholar at these two conferences will be shared by Yehoshua Blau (Hebrew University; visiting prof., University of California-Berkeley) and Jonas C. Greenfield (Hebrew University; visiting prof., Brandeis University). Prof. Blau's topics will be "The Historical Periods of the Hebrew Language" and "Judeo-Arabic." Prof. Greenfield's topics will be "Aramaic Dialects" and "The Languages of Palestine: 200 B.C.E.-200 C.E." Other participants in this series of conferences include: Marvin Herzog (Columbia University) - "Yiddish"; George Jochnowitz (Richmond College-C.U.N.Y.) - "Judeo-Romance Languages"; Herbert H. Paper (University of Michigan) - "Judeo-Persian"; and Denah L. Lida (Brandeis University) - "Ladino." Conference coordinators are Herbert H. Paper at Michigan and Baruch A. Levine at N.Y.U.

"Judaism from Hellenistic to Roman Times" is the theme of the Indiana and Berkeley conferences under the direction of Morton Smith (Columbia University) as Senior Scholar. Prof. Smith's topic will be "Varieties of Judaism Early in the First Century C.E." Also participating in the Indiana conference will be Jonathan Goldstein (University of Iowa) whose topic will be "Persons and Parties in the Revolt Against Antiochus Epiphanes and Others." Baruch Bokser (Berkeley) and David Winston (Graduate Theological Union) will participate in the Berkeley conference. Conference coordinators are Melvin Plotinsky at Indiana and Jacob Milgrom at Berkeley.

Registration forms and programs will be sent to all AJS members shortly. Inquiries should be directed to the respective conference coordinators.

The AJS Regional Conference Program is made possible by a grant from the National Endowment for the Humanities, with matching grants from the Council of Jewish Federations and Welfare Funds, the Institute for Jewish Life, and the National Foundation for Jewish Culture.

Seventh Annual AJS Conference

The Seventh Annual AJS Conference will be held on 21-23 December 1975 at the Copley Plaza Hotel in Boston.

Details of program and registration will be sent to all members in the Spring. The Board of Directors, in selecting a hotel as the conference site, anticipates considerable improvement in services and facilities available to the conference and special arrangements with the hotel have resulted in very attractive room rates for members attending the conference. These rates have been guaranteed despite any inflationary increase in the hotel's room rates in the course of the coming year. The housing of both program and registrants in one location should provide greater convenience and ease of communication. By holding the conference during the winter vacation period, it is hoped that even more members will be able to attend.

The Conference Program Committee consists of Frank Talmage (Univ. of Toronto), chairman; Michael A. Meyer (H.U.C.-J.I.R.), Benjamin Ravid (Brandeis), Raymond Scheindlin (J.T.S.A.).

Sessions at the 1975 AJS Conference will be devoted to the following topics:

American Jewish History (Chairman: Leon Jick, Brandeis)
 Approaches to Medieval Exegesis (Chairman: Frank Talmage, Univ. of Toronto)
 Biblical Studies (Chairman: Stanley Gevirtz, H.U.C.-J.I.R.)
 Emancipation and Enlightenment (Chairman: Ben Halpern, Brandeis)
 Historiography (Chairman: Michael A. Meyer, H.U.C.-J.I.R.)
 Midrash (Chairman: Lou Silberman, Vanderbilt)
 Renaissance Jewish History (Chairman: Benjamin Ravid, Brandeis)

In addition, a session will be devoted to a presentation of summaries of dissertations in Judaica which shall have been accepted for the degree of Ph.D. between June 1974 and Fall 1975. (Chairman: Raymond Scheindlin, J.T.S.A.)

Individuals who wish to propose papers within the above categories to be delivered at the Annual Conference are invited to submit an abstract in two copies (minimum of 600 words) to the Program Committee by March 1, 1975. Abstracts should be sent to the Association's office.



Meeting of AJS Board of Directors

A meeting of the AJS Board of Directors was held on 16-17 December 1974 at the Copley Plaza Hotel in Boston. The following were present: Arnold Band (UCLA), Charles Berlin (Harvard), Marvin Fox (Brandeis), Jane Gerber (Lehman), Bernard Goldstein (Pittsburgh), William Hallo (Yale), Marvin Herzog (Columbia), Leon Jick (Brandeis), Barry Mesch (Florida), Michael Meyer (HUC-JIR), Eric Meyers (Duke), Uriel Rappaport (Haifa; Temple), Benjamin Ravid (Brandeis), Jehuda Reinharz (Michigan), Nahum Sarna (Brandeis), Raymond Scheindlin (JTSA), Marshall Sklare (Brandeis), Frank Talmage (Toronto), and Ruth Wisse (McGill).

Items on the agenda included: the new AJS periodical; report of the Conference Program Committee; report of the Committee on Consultation and Placement; report of the Treasurer; and the American Jewish Committee's "Academy Without Walls."

After lengthy discussion of the proposed AJS periodical, the Board voted formal approval of plans to publish the new periodical. Frank Talmage was appointed editor and was authorized to set up an editorial board within guidelines suggested by the Board. It was voted to publish a call for papers and an editorial policy statement in the *AJS Newsletter*. Award of a grant from the National Foundation for Jewish Culture to assist in the publication of the new AJS periodical was reported by President Arnold Band.

The report of the Conference Program Committee was accepted. (Details appear elsewhere in this issue.)

The Committee on Consultation and Placement reported with regard to placement activity for 1974/75 that there were over 800 placement referral transactions from July through December 1974 (compared with 1100 for all of 1973/74), involving 32 positions and over 100 candidates. The Committee was urged to continue strict enforcement of membership requirements and their placement referral implications. Various membership and placement problems were referred to the Board for decision. The Board voted to revise the candidate's "Placement Questionnaire" form to permit citing only one primary and two secondary areas of competence.

Treasurer Nahum Sarna presented a financial report covering 1973/74 and a proposed operating budget for 1974/75. It was noted that membership in AJS totals some 700 members. The Board affirmed that privileges of membership such as placement referral and distribution of publications are extended only to members in good standing, such status specifically to include payment of the annual membership fee within a prescribed period. The Board voted to accept the report of the Treasurer.

President Band reported on correspondence with the American Jewish Committee with regard to the latter's Academy Without Walls and AJS efforts to arrange a meeting with AJC representatives, and on correspondence with the University of Haifa. The Board urged that AJS continue its efforts to clarify this apparent intrusion into the academic community by what is ostensibly an adult education program, and affirmed that all necessary steps be taken as authorized at the Board meeting and the Annual Business Meeting held at the October 1974 AJS Annual Conference.

Editor and Editorial Board of New AJS Periodical Announced

The Association for Jewish Studies is pleased to announce the appointment of Frank Talmage as Editor of the new *AJS Review*. Former chairman of Toronto's Jewish Studies Program, Talmage is an associate professor in the Dept. of Near Eastern Languages at the University of Toronto. He is the author of *David Kimhi: The Man and the Commentaries*, soon to be published by the Harvard University Press. In 1972, his translation of *The Book of the Covenant of Joseph Kimhi* was published by the Pontifical Institute of Medieval Studies at Toronto (which has also accepted for publication his *Francisco Machado's Espelho de Christãos Novos* in collaboration with the late M. Vieira) and the Hebrew edition (*Sefer Ha-Berit*) has just been published by Mosad Bialik in Jerusalem. Talmage's articles and reviews have appeared in *Harvard Theological Review*, *Hebrew Union College Annual*, *Judaism*, *Tradition*, *Encyclopaedia Judaica*, and *Encyclopedia of Philosophy*.

The following have to-date been appointed to the Editorial Board, to serve through the first year of publication:

Alexander Altmann (Brandeis)
 Arnold J. Band (U.C.L.A.)
 Robert Chazan (Ohio)
 Marvin Fox (Brandeis)
 Shelomo Dov Goitein (Institute for
 Advanced Study, Princeton)
 David Weiss Halivni (J.T.S.A.)
 Marvin Herzog (Columbia)
 Harry M. Orlinsky (H.U.C. - J.I.R.)
 Ismar Schorsch (J.T.S.A.)
 Marshall Sklare (Brandeis)

In addition to the above, other scholars will be invited by the Editor to serve as readers of papers wherever appropriate. AJS Executive Secretary Charles Berlin will serve as Managing Editor.

An invitation to submit papers to be considered for publication in the new AJS periodical has been issued (see elsewhere in this issue).

from the Editor of the *AJS Review*
by Frank Talmage (University of Toronto)

The *AJS Review* is now inviting the submission of articles for publication in the first issue. The *AJS Review* is intended to serve as a vehicle for the publication of scholarly articles in all fields of Judaica, defined as any subject directly bearing on the civilization and experience of the Jewish people. Articles in cognate areas will be welcome provided that they have an explicit Jewish point of reference. Papers developing new methodological approaches and "state of the field" studies will be encouraged. However, the content of the *AJS Review* will be limited to academic scholarship as opposed to personal statements of theological or political point of view. The principal criterion for selection will be that of scholarly excellence and the degree to which an article makes an original contribution to the field.

Two copies of each manuscript should be sent to the Editor, in care of the Association's office (Widener Library M, Harvard University, Cambridge, Mass. 02138).

UCLA 1975 Summer School Program in Jewish Studies

During the first Summer Session, the UCLA Summer School will offer an integrated program on "Jewish Communities in Transition." Central to the program will be a colloquium directed by Prof. H. H. Ben-Sasson of the Hebrew University, Jerusalem. Prof. Ben-Sasson's colloquium (listed as Jewish Studies 190), "The Changing Structures and Ideals of Jewish Society," will examine the nature of several Jewish communities from the 17th century to the present and will chart both their inner evolution and the impact of external political forces on them.

Clustered around this core colloquium in order to provide background and amplification are five other courses:

History 138B. Mr. H. H. Ben-Sasson. This course will provide the historical background from the 17th century to the present for an understanding of changes in the structures and ideals of communities.

Jewish Studies 151B. Mr. Arnold J. Band. A study in translation of Hebrew literary texts which reflect the disintegration of Jewish life in Europe and its transfer and reconstitution in Israel.

Yiddish 121B. Ms. Janet Hadda. Readings in 20th Century Yiddish prose in translation focusing on the changes in Eastern European Jewish society and its transfer to America.

Sociology 137. Mr. Gene Levine. The history, distribution, structure, and functioning of major Jewish communities is covered with particular focus upon North America and Israel.

New Members

(New Regular Members, September - December 1974)

Moshe Amon	Oakland University
Leora Baron	University of Massachusetts - Amherst
Ruth Beizer	State University of New York - Stony Brook
Saul J. Berman	Stern College
Nehama R. Bersohn	Princeton University
Lucyan Dobroszycki	YIVO Institute for Jewish Research
Shlomo Eidelberg	Stern College
Marcia Falk	State University of New York - Binghamton
Henry Friedlander	City College of New York
Evyatar Friesel	Hebrew University
Joseph Gamzu	University of Texas
Leonard S. Gold	New York Public Library
Alfred A. Greenbaum	University of Haifa
Tsvi B. Groner	Hebrew University
Simon N. Herman	Hebrew University
Yair Hoffmann	Bar-Ilan University
Rivka Horwitz	Temple University
William J. Horwitz	University of Oklahoma
Zipora Kagan	University of Haifa
Nathan M. Kaganoff	American Jewish Historical Society
Abraham D. Lavender	University of Maryland
B. Barry Levy	Brown University
Shimon Levy	McGill University
Charles S. Liebman	Bar-Ilan University
Steven M. Lowenstein	YIVO Institute for Jewish Research
Meir Lubetski	Baruch College - C.U.N.Y.
Peter Machinist	Case Western Reserve University
Bernard Martin	Case Western Reserve University
Shelomo Morag	Hebrew University
Yaakov Mashiah	Indiana University
Moshe Nahir	University of Wisconsin - Madison
Michael D. Oppenheim	Sir George Williams University
William W. Orbach	University of Louisville
Jean Ouelette	University of Montreal
Alti B. Rodal	Sir George Williams University
Mira Rosenfeld	State University of New York - Stony Brook
David O. Salczer	Ohio State University
Jack M. Sasson	University of North Carolina
Samuel M. Schafner	Queens College - C.U.N.Y.
Joseph Shatzmiller	University of Toronto
Yochanan Silman	Bar-Ilan University
Robert R. Stieglitz	University of Haifa
Sol Tanenzapf	York University
Arnold A. Wieder	Hebrew College
Avraham Zilkha	University of Texas

About Shalom Spiegel

by Judah Goldin (University of Pennsylvania)

Tribute to Prof. Shalom Spiegel, delivered at the Sixth Annual Conference of the Association for Jewish Studies, 27 October 1974.

Long before it had become a cliché, זכיון לאדם שלא, ואין חביון לו אלא בפניו had already gained currency as a principle which the law invoked in a variety of halakic contexts – manumission of slaves, erub of courtyards, the baptism of a fatherless minor proselyte, and so on. Since the principle seems never to be questioned (though whether something is *zechut* or *hovah* may of course be argued), and since it is obviously summoned whenever it is regarded as applicable, it is legitimate to refer to in the midst of these festivities: not as a *melitzah* – Professor Spiegel despises *melitzot* – but in its forthright sense: If you're going to do a man a good turn, you may do it behind his back, you don't need his consent; if what you're going to do to a man may bring injury to him, you need his agreement. Well, this is our dilemma – I would be delighted to do Professor Spiegel a good turn (why not?), and the law after all does not forbid it in the person's presence. Nevertheless, such things are in better taste when the recipient isn't around to be publicly embarrassed. As for the reverse, doing something which might turn out to be injurious, חרם לשלום, this alas remains a terrifying possibility in life. We often wound unwittingly, or with stupid miscalculation. There are no infallible safeguards. It's just as well, then, that he is present. But I shall take shelter, perhaps comfort, in something Professor Spiegel once taught me (and it has served me now for over two decades). What is a friend, he asked me one evening in the midst of a socratic conversation about this and that. I tried several definitions and he demolished each one, rightly so. Finally I asked him in irritation, Very well, smart one, you tell me, What is a friend. He answered calmly, A friend is someone who does not want to hurt you.

Not logically, but by association the mind recalls at this point what surely should not go unmentioned, namely, that one of the best friends of חכמת ישראל in this century has been our guest of honor. With an unsurpassed devotion, for more years than I can count, to the publication committee of Mekize Nirdamim and especially the Kohut Foundation, and privately, he has been responsible for major publications in the fields of Halakah, of exegesis, of medieval and modern letters – texts, commentaries, monographs. Who would have known this if it had not been for some prefaces? And always on the side of encouragement and generosity.

Does this perhaps suggest an eagerness to relax carefully-considered judgement occasionally? Some day – I'm sure Spiegel would prefer that I made no mention of this – see a review he did for *Speculum* of a potboiler on Judah ha-Levi, or (more seriously) some observations of his on Moshe Chaim Luzzatto in his *Hebrew Reborn*, or some introductory comments in connection with the poetry of Eleazar berabbi Abun:

אך משתפוג קדחת המציאה משנה חובה הוא שנחזור בנר ונשנן לנו כי סמיכות מקום בכ"י הגניזה אינה מעידה ולא כלום בשאלת בעלים בספרות, ויש שמחברים רחוקים בזמן ובמקום שכנים ובני-מצר הם בפתק יסו... לא ראי קונטרס פיוטים, שריד מספרי תפלות בבית כנסת יסן בפסטאט של מצרים, כראי אנתולוגיא לתולדות הספרות בטעם ארצות המערב בימינו.

Did you catch that lesson in methodology, by the way?

Truth is, however, he does not care particularly for criticism. He likes to say – I think, echoing Nietzsche – Don't argue, sing!

No, the matter is simple and ought to be made part of the record. We are enjoying an enormous amount of Hebrew and Jewish studies because this retiring man, who has remained aristocratically aloof from all the contrivances of publicity and put-on humility, has put himself out extravagantly in behalf of genuine Jewish learning and scholarship.

A scholarship to which he handed over his enviable gifts. But why synegorize? Let the defendant speak or write for himself, and maybe we can then add some ordinary glosses. We are discussing the themes and structure of the book of Job – really this is paramount, though you can be sure that Spiegel will not tell until he has drawn on Canaanite relics, Ugaritic texts, Jewish and Muslim legends, and anything anyone first-rate ever said about that trio, Noah, Danel, and Job. Here is Spiegel:

"It is the glory of the poem, and of the faith of which it is a flowering, that this challenge of the prevailing doctrine neither issues, nor results in unbelief. Quite the contrary, it stems from the passionate conviction that although condemned by men, the innocent sufferer does not incur the displeasure of God, nor is he barred from His grace. However afflicted, his is still the nearness and fellowship of a loving God. . . .

"The friends in the dialogue uphold the traditional dogma. They fear that its denial would imperil religion (15:4), and hence should never be allowed. They must therefore seek of necessity for some secret sin which will prove to their satisfaction that what failed is not virtue, for virtue cannot fail. The course of the dialogue discloses how a false principle will debase character. For if a doctrine cannot be abandoned, and being false, it must clash with the facts, a zealous adherent will sooner or later do away with the unwelcome facts. He will learn before long to find or invent the facts which invariably favor his theory, and wittingly or unwittingly he will end in mendacity. Admirable is the art, and the restraint of the author who vehemently disagreed with the spokesmen of the orthodoxy of his day, and yet did not suffer ire or irony to creep into his pen and caricature the views of his opponents."

To be dropped from a helicopter onto a mountain top is not the same as climbing the mountain to its top. Only the latter gives a sense of ascent. What Spiegel offers in the quoted passage – so revealing of the biblical poem, so provocative even when we have laid the book aside and begun to brood over the meaning of honesty – is a summit, but a summit to which one has had to climb with many views along the way up. He is an addict of detail, and this is what makes his generalizations and eloquence so firm and so persuasive. To know Job is to learn first of the particles that combine in the whole rugged myth of man's possible innocence and deliverance. It is to learn that Ezekiel is referring to Danel and not to Daniel, that in the end Aqhat is very likely delivered and returned to life, that there are deliberate layers of an older tale and a later legend, that unselfish prayer is not in vain. And even then, positive, but the opposite of opinionated:

אך כאמור השערות הן אלה ותו לא, וכבר
הזהירו חז"ל הרי אהב את השמא

Or again: שמא מרובה וברי מועס יש כאן

Or still again: סוף דבר, לקח וגם עידות אצורים וצוררים
בפרקי הפולמוס לרב פירקוי, שניצלו
באורח-פלא משכחת דורות. המפורש בהם
טום נתברר, והמרוסז עדיין תעלומה. אך
דומה, כבר עתה יש ללמוד מהם פורתא על
מוקדם וסאחר בתקופת הגאונים.

However, let us consider another aspect of Spiegel's thinking and writing quite apart from detail and quite apart from eloquence (though these are never absent); I shall pay no attention to chronology or objective, for this aspect too has been constant. The first is from an essay on Jewish legends.

"With the sacred writings of the Jews there traveled to the nations of East and West who had adopted them traditions and tales current among the Jews. Along with the Bible, legends of the Bible spread far and wide, leaving their imprint in many a celebrated center of art and literature, gaining at times a surprising hold upon popular imagination.

"For example: the Sainte-Chapelle in Paris has been rightly called the most wonderful of pictured Bibles. Eleven huge windows (out of a total of fifteen) are devoted to the Hebrew Scriptures, illustrating in countless medallions of stained glass the history and heroes of ancient Israel. The Genesis window (mostly a modern restoration, but following the thirteenth-century pattern) unrolls the stages of creation and the story of the patriarchs in eighty-four medallions. They follow a set sequence of themes, familiar to any reader of the Bible and easily recognizable, from Adam's disobedience to the death of Abel. But what comes next (in medallion 21) records the story,

unknown to the Bible but current as a legend of the Bible, of how the blind Lamech, in an untoward hunting accident, killed his ancestor Cain, unwittingly avenging the slaying of Abel.

"One can study the details of the tale in two panels of a stained-glass window at Tours, or in related illustrations such as the Manchester Bible, or the Munich Psalter of Queen Isabella, or in two frescoes by Italian masters, one by Pietro di Puccio in the Composanto at Pisa, the other in the Green Cloister at Florence, attributed to Paolo Ucello or to Dello Delli. The legend is also vividly carved in many famous cathedrals of France, England, Spain, and Italy. It was known to the Eastern Church as well, and survives in Greek Bible miniatures and superb Byzantine mosaics. The printing press and the mystery plays made the tale even more widely known. It was still capable of imaginative retelling in the sixteenth century, both in the East and West. The Greek poem by Georgios Chumnos, a native of Crete, displays no mean power of narration and feeling, and must have warmed many a pious soul by its chaste restatement of medieval faith. On the other hand, the engraving by the Dutch artist Lucas van Leyden, dated 1524, revels in candid corporeality as exhibited in the nude bodies of the huge Lamech and his chubby boy. It bespeaks the spirit and temper of the new age, impatient and wearied with the austerity and otherworldliness of the Middle Ages."

Let us postpone comment until we have listened to Spiegel a little longer; he is after all the bridegroom of this festival. This time he is getting ready to discuss an eighteenth century "soul" – "soul" is the right word – whose name has already been mentioned this evening.

פתח רבי שלום ואמר :

"From the unlovely Corso Cavour in Rome a steep staircase leads up to a secluded square where the forsaken church of San Pietro in Vincoli is situated. Though it is an early Christian basilica, the Doric columns in its nave suggest that it may be a Roman temple appropriated early in the fifth Christian century, when the pagan divinity of the southland had to make way for the less pictorial Asiatic cult.

"Art-lovers come on pilgrimages to this church in whose dusky interior is enshrined Michelangelo's magnificent statue of Moses. This "Moses," like the "Slaves" in the Louvre, is merely a fragment of the gigantic sepulcher planned by the powerful Pope Julian II. Though it is wedged between two female figures usually taken for Rachel and Leah, and imprisoned within a frame which dwarfs and constricts the form of the Jewish Prophet – or, rather, of the giant Italian condottiere – one can understand how not only the art-loving compatriots of Michelangelo, but even the image-less and image-hating Jews swarmed out of their Ghetto like cranes to see it (so Vasari relates) and wore away the great toe of its outstretched foot with devout kisses.

"The rudiments of the sepulcher planned by Julian II are, of course, included in the obligatory rounds one makes to famed works of art in Rome. In the same church, following the advice of Baedeker and Burckhart's guide book, one observes the badly faded paintings of the enigmatical Massaccio, and tells himself that many of these things, when judged from photographs and descriptions, promise much more: a feeling that every museum visitor knows. I had viewed all these things and was about to leave the church when I happened to overhear the assiduous Italian mendicant monk lauding the art of a tomb that I had found merely conventional, but my attention was caught by his remark that it harbored the remains of Nicholas Cusanus. In the dimness of that *composite* sanctuary, devoted first to the antique Roman divinity and then to the Christian god, and which was now become a shrine for art lovers through the genius of Michelangelo, there rests the remarkable, richly contradictory, *composite* personality which, Janus-headed, faced both the Middle Ages and modern times. A profound man, whose mind was still shadowed, like this church wherein he is buried, by the mystic half-light of scholasticism, though he burned with the desire for light and knowledge. Rigidly pious and orthodox — for he was a high dignitary of the church — and yet drawn to pantheism; modern in his criticism of the modes of cognition and in his anticipation of Copernicus' revolutionary ideas, but rooted deep in the Middle Ages by his speculations concerning the attributes of the angels, his prophecies of the end of the world, and his call to crusades against the infidels. Giordano Bruno thought it was the cardinal's robe which impeded Cusanus' free stride; in truth, however, it was not outward considerations, but an inner bond with the things of old which restrained the forerunner of the free spirits of modern times — of Bacon and Descartes."

A last example where background is no longer ancillary but has been fully assimilated to the theme at hand.

הד קדומים ממנהגי פולחן עתיק מבצבץ ועולה מבין השיטין של מדרש זה. ואמנם אפשר לסייע לו לרי בנייה מסודרי קרבנות שנשתמרו בכתובות כנעניות. נתגלו בצפונה של אפריקה באלג'יר בקרבת מקום אל נגאוס (Ngaus הוא Nicivibus של הרומאים), בין החרבות של מקדש ישן לסטורנוס או שכתאי, שלש מצבות מסוף המאה השנייה או תחילת המאה השלישית אחר ספה"ב, היינו מזמנו של ר' בנייה חרוטה. בהן דמות דיוקנו של האל, כשהוא אחוז מאכלת בימינו ולפניו ירבץ אייל כבספור העקדה. מתחת לציור כתובות בלשון רומי, המספרות על פלוני ופלונית, איש ואשתו, המבקשים להזכר ולהכתב להם לטובה, כי עשו כאשר צו במראה מחזיונות לילה או

כפי נדרס אשר נדרו והעלו שה לעולה תחת (בכור?) ילדיהם. אף על פי שחולה שפת כנען מלשמש לשון הדבור בפרובינציה רומית זו, נשמרו בחיי הדת מלות ואמונות כנעניות. ובכתובות הלטיניות האלו נקרא קרבן זה בשם ששרד מן השפה הפונית והמצוי בכתובות פוניות: Molchomor או Morchomor, שהוא מלך אמר או קרבן שה. להלכה לא נשכחה תביעת הדת העתיקה: פטר כל רחם קדש לאלים, וגם מבכורות אדם מן הדיון שינתן להם. אלא שלמעשה הסכימו עליונים להיות מתרצים בחילופו של בן אדם, בזבח שה. כנראה מן הכתובות היה המקריב מלך אמר עונה ואומר לפני האל: נפש תחת נפש, דם תחת דם, חיים תחת חיים הרי השה תמורה. מכאן למדנו, מטבע זה של לשון היכן נולד. מוצאו ויסודתו בחיי הדת הקדמונית, מקומו הראשון בהלכות זבח, ולא בדיני נפשות או ממונות. מלות לואי הן. שנאמר אגב קרבן החליפין.

Of course I'm overpowered by this cornucopia of learning and allusion and perceptiveness, by our author's complete at-home-ness in the primary sources and no less by his sure footing in the tropical forest of secondary literature. But on the footnote terrain, Spiegel has his equals. Not too many, I hasten to add, but without question there are others similarly thoroughgoing and encyclopedic in their expeditions. To repeat, however: it's not the rare but not unique talent at assembling treasuries of information, including the even rarer flourishes from the institutes of the art historians — though if you think that's *tour de force* or merely cosmetic, try it on your own some time — it's not these which draw one back frequently to Spiegel's writings, though undeniably they're a source of delight. It is something else entirely, which the three passages quoted at length were meant to display. Whatever Spiegel has written about — and he has been writing on Hebrew and Jewish expression almost exclusively — he has consistently related to the humanistic and humane tradition as a whole. He has never contracted his subject. Sainte-Chapelle, Nicholas of Cusa, a Punic inscription, Jerome, a Nestorian Catholicos (some of these details first observed also by a few others), a medieval or Renaissance work of art, Marbury vs. Madison long before Watergate — these are all brought within earshot of the poem or prophet or speculation Spiegel is studying. And suddenly the true reach and sweep of the Jewish expression are shockingly recognized. It's as though he were saying, if I may paraphrase a midrash, True, the Torah was revealed at Sinai to our ancestors, but from the outset it was consulted for the creation of a *world*, הקב"ה מביט בתורה. ובמראה העולם. No modern scholar I know has so conscien-

tiously helped us to see, as has Spiegel from the days he was advising what texts should be prepared for the Bet Sefer Reali and earlier, that Jewish longing, imagination, grief, and defiance are not just a shtetl idiosyncrasy, but a tumult and response in all the continents of the mind. There *are* islands, where else is one to live; but there is passage too, and it is on a number of occasions two-way. Even in heartbreak days. "ה' יראה", in angustia, Deus videbit; "מי שרחם את אברהם בהר המוריה", In monte Dominus videbitur: hoc est, sicut Abrahæ misertus est, miserebitur et nostri."

Finally a remark about what I would like to call **לשון שפיגל**. It's been occasionally compared with Agnon's Hebrew. What the comparison has meant is that both men deliberately adopt a classical, or perhaps better, a historical manner in their writings. I suppose that thus far the comparison is true, partly. But how different are their points of the compass! Agnon utilized classical Hebrew, and also old-fashioned expression, in order to turn the eyes of the contemporary *back* to a world he had dismissed or rejected, to make him recall a world gone by. Come, Agnon seems to say to us, I'll show you something of the complexity and charm and confusions and sanctity of a world you think you've surpassed with one thousand words, and your modern westernization and your so-called enlightenment. By using a past mannerism of speaking, Agnon has tried to attach the present to the past. I'll even show you, he says, sweet twentieth-century marital infidelity with the chaste vocabulary of sacred folios. So Agnon.

That's not Spiegel, **יבדל לחייה סובים**. His Hebrew has not been a solicitation to yesterday. On the contrary, if his eyes have been anywhere, they've been on the present, on the right now. Like all of us, of course, he too has his affectations. But what he has done is Audenlike, let us say, called back into today's diction and into the breakdown of its syntactical grace, a speech and radiation from the accents of earlier generations which were lost by inattention, or Haskalah biblicisms, or rabbinic indifference, or, later, journalism, but which the present needs for its own uses. His attachment to the medieval poets is the result of *his* hearing the tremors of live idiom in their lines — not just artifice.

אמר בלב ימים ללב רגז
חרד מאד כי נשאר דכים
אם תאמן באל אשר עשה
הים ועד בצח שמו קים
אל יחרידך ים בשוא גליו
כי עמך השם גבול לים.

Artifice? So be it. Then so is a **תפלת גשם** from outside the **מחזור** which Spiegel, the lifelong student of Jeremiah, also loves.

"Thou art indeed just, Lord, if I contend
With thee; but, sir, so what I plead is just.
Why do sinners' ways prosper? and why must
Disappointment all I endeavour end?

Wert thou my enemy, O thou my friend,
How wouldst thou worse, I wonder, than thou dost
Defeat, thwart me? . . .
Mine, O thou lord of life, send my roots rain."

Without artifice this could not have come into being, but artifice never brought it into being.

Spiegel draws on the resources of Scripture, Midrash, Talmud, medieval hymns and dirges and chronicles in order to increase the precision, to recover cadence and style (if you please) in the language of the present. His look is forward; and if he too draws heavily on the past, it is a memorandum: To whom it may concern, from Shalom Spiegel — The true deserves the beautiful and is not sentenced by the clock. In civilized culture, the ancient monuments address the descendants also, and instigate the present mind to fresh action and innovation.

ראשי הישיבות המחוקקים
בני הלל, אשר הם ידיר נושקים
גזעיהם בצדקם מתחזקים
בזכותם יהי צור בכסלך
מלכוד בעוז ישמור רגלך.

היתפאר בייחוס רב ממך
משרה גם מלוכה על שכמך
קום וצלח, רכב, כי אל עמך
יהי שלום ושלוח בחילך
כי על יד ימינך הוא צלך.



Scriptural Exegesis and the Qumran Legal Tradition
by Lawrence H. Schiffman (New York University)

It is strange that after a quarter century of research on the Dead Sea Scrolls, and an additional 50 years of study of the *Zadokite Fragments*, the subject of the *halakhah* of what we now call the Qumran sect has received little of the attention it deserves. Since L. Ginzberg's *Eine unbekannte jüdische Sekte* there has been no comprehensive attempt to study the legal traditions of the sect. All that has been done is to study individual *halakhot* and to compare them to the traditions of the Bible, Philo, the Jewish sects, the Rabbis and the Karaites. While these studies have often been very fruitful, they did not answer a number of fundamental questions regarding the sect. Further, they were usually based on preconceptions of the identity of the sect.

The first thing that has to be done, before individual laws are studied, is to determine what evidence exists within the Qumran corpus to inform us how laws were derived. This information comes primarily from a thorough study of the terminology with which the sectarian writers refer to the law or its derivation. An investigation of these terms, based on sound philological and exegetical method, will yield data on how the law is derived. Once this has been done, we can investigate individual laws in order to determine if they conform to the principles we have derived from the terminological study. This allows us a control on our conclusions. We can ask: Can the conclusions reached from the terminology provide us with a methodology for interpreting the difficult legal passages in the *Zadokite Fragments* and the Dead Sea Scrolls? If the answer is affirmative, it will serve as further confirmation of our views on the derivation of law. On the other hand, when we understand the principles or method by which laws were derived, we can often interpret otherwise difficult legal passages. As a final step we may then compare not only the content, but also the method of derivation of Qumran law to that of the other halakhic systems mentioned above.

These considerations were the basis for a long study of which only a part was reported at the conference. As an example of the method employed in the terminological section of the study, the terms *meduqdaq*, *nimša'*, *perush*, *mishpat*, and *mišwah* were discussed. Following is a summary of how the sect, as shown by investigation of the various terms, saw its law, and how that law was derived.

The Dead Sea sect regarded the laws of the Bible as falling into two main categories, the *nigleh* and *nistar*. The *nigleh* ("revealed") are those laws the interpretation of which is obvious to anyone. The *nistarot* ("hidden") are those precepts for which only the sect has the correct interpretation. The mainstream of Israel is responsible for violation of both types of laws. The

correct interpretation known only to the sect is derived by biblical exegesis (believed by the sect to be divinely inspired) which was carried on continuously. It was also believed that successive revelations of inspired interpretation would allow the law to change with the times. Both categories of commandments would be affected in this way. Although the sect attacked its opponents for transgression of the *nistarot*, the interpretation of these commandments was not revealed to those outside the sect. At times *nigleh* can appear as a synonym for the Torah. There is no similarity between these terms and the written and oral Laws of Rabbinic thought.

All necessary guidance in matters of *halakhah* came from biblical exegesis. While there are a large number of terms for study or legal interpretation of Scripture found at Qumran, the two most important are undoubtedly *perush* and *midrash*. *Perush* refers to an exegesis of the text which does not involve the citation of corroborative material from elsewhere in Scripture. The *midrash* is an exegetical form in which a passage is interpreted in light of a second passage. *Midrash* involves the harmonization of two biblical sources. Both forms of exegesis are performed on a written text and take place in regular sessions presided over by the *'ish ha-doresh*.

The laws were then arranged in written lists called *serakhim*. Written, not oral transmission, was the norm at Qumran. Each *serekh* dealt with a specific subject. Many of these laws were probably derived at the sessions of the *moshab ha-rabbim*, the sect's legislative and judicial assembly. Possibly, after each session, the newly derived laws were officially promulgated. Decisions of the assembly were reached by voting, although greater authority was given to the priests of Zadokite lineage. They played a leading role in the work of the assembly as well as in the courts. Priests also functioned as instructors of the law. It is clear, though, that there were also lay instructors.

It has been demonstrated that for each term investigated Qumran *halakhah* was derived only through direct exegesis of the biblical text. If interpretation of Scripture were their only source of law, the sect could not have had a dual-Torah concept or an oral Law.

In order to test the conclusions reached through the study of the Qumran terminology, a thorough study of the Sabbath laws of the *Zadokite Fragments* was undertaken. This study has confirmed the conclusions presented here.



**God as Idea and Existence in the
Thought of Hermann Cohen**

by Amos Funkenstein (University of California-Los Angeles)

The excellence of philosophical systems is often recognized through their ability to dig their own grave. The unique instruments which they create to defend their crucial positions prove to be so ingenious and valuable as to survive the system they served or even help to undermine it. I wish to show that the fruitful ambiguity of Cohen's thought, throughout his philosophical endeavor and not only in his later phase, is still today the source of its vitality and relevance. Similar tensions emerge whether we examine his philosophy of science, or his philosophy of religion, or again his claim to have outlined a genuine Jewish philosophy: he always articulated the harmonizing creeds of the 19th century in an idiom in which others will declare their crisis and breakdown later.

His philosophy of science epitomizes the 19th-century "wissenschaftsgläubigkeit", the belief in the even and organic growth of science under the same canon of rationality. But he sought to ground this his belief on the idea of science as a closed context in which facts and hypothesis, objects and modalities of cognition are throughout interdependent. In doing so, Cohen prepared the tools for dealing with the scientific revolution soon to break in. He even prepared the arguments leading to Feyerabend's anarchistic pluralism of scientific methodologies.

Better known and quoted is the ambiguity of Cohen's later philosophy of religion. Cohen always maintained the primacy of rational ethics over religion. Which was, again, one of the 19th century's axioms. Yet to defend his position, he discovered the irreducibility of the religious dimension into terms of pure ethics. The existential philosophies of both Buber and Rosenzweig drew their main figures of thought from Cohen's later writings: namely the concept of irreducibility and the dialogical principle.

And finally: as others before him, Cohen sought to prove that of all religions, Judaism is closest to the ideal of a religion of reason. He thought to do so by reinterpreting the sources of Judaism, in fact by giving a new meaning to the concept of "sources". Yet this new meaning can be easily turned against Cohen's intentions. It may help us to clarify why philosophical reasoning is much more essential to Christianity than it is to Judaism, or why we should concede the presence of considerable non-rational driving forces in Jewish history.

In short: I wish to project the better known constructive ambiguities in Cohen's later positions backwards. In his *entire* work he anticipated a crisis without having a sense of crisis, let alone a sense of despair.

Yet even if we have to reinterpret Cohen against his intention in order to unravel his constructive ambiguities as leading to contemporary position, this is not to say that the procedure of search for constructive ambiguities was in itself alien to him. To the contrary. At the very center of his methodology stands the reinterpretation of the logical forms called "infinite judgement" — the distinction between absolute and privative negations. The long and involved history of this figure has been considerably clarified by two outstanding teachers of our generation, the late H. Wolfson and *yibadel le-hayim arukim* H. Bergmann.

To Cohen, this distinction became a powerful tool with which he could exercise the dialectical method in detail without committing himself to any of Hegel's ontological positions. He recognized that at the bottom of this logical figure, since its introduction, lies the wish to find a form of negation the negation of which would not amount to a simple affirmation. It is, in itself, an attempt to formulate constructive ambiguities logically. With the help of this, his most original tool, Cohen will formulate most of his basic positions throughout his philosophical development. But the tool itself, namely Cohen's "method of beginning", is in itself ambiguous: and leads squarely to some of the ambiguities mentioned. For the "principle of beginning" as Cohen conceived it is inevitably a self-referring principle and leads to paradoxes of self-reference. Whenever Cohen applies it within science, it refers both to the concrete continuity it has established (by converting the negation of P into the privation of P) in this specific case — and to itself. It thus invites its own abrogation or modification. Cohen thought to avoid the pitfalls of self-reference by declaring the last instance of the principle to be a mere *idea*: but this is an arbitrary imposition.

Both our aims can be brought into one focus if we select one crucial problem to illustrate our argument, namely Cohen's concepts of God. We shall deal successively (1) with his abolition of the methodological concept of God from the theory of knowledge (Cohen preferred the term *Erkenntniskritik*); (2) with the revival of the methodical God as a limiting hypothesis of ethics; (3) I shall not discuss, and assume you are acquainted with, the honorable if uncomfortable abode which the existing God found in Cohen's later philosophy; but I will deal (4) with his concept of "sources".



**Franz Rosenzweig's Dual Perception of God:
From Time and In Eternity**

by Gershon Greenberg (The American University)

The thesis of this essay is that there is a split in the foundation of Rosenzweig's approach to God, notably in *The Star of Redemption*. The God of revelational experience and love is perceived from out of historical temporality. The God of the born Jew is apperceived from within the star of redemption, out of the eternal blood of Israel. Although for Rosenzweig the paradox could be endured on a personal level, it does threaten the relational system of philosophical theology which he develops for modern man.

A. The God of Temporal Revelation

Revelation emerges as the dominant force in Rosenzweig's work. Its loving and immortal character dissolves the ego's deathly isolation, which follows the shattering of Hegel's idealistic universe. Its relational and objective-subjective dimensions overcome philosophy's inability to detach itself from unbridgeable objects of thought. Revelation even succeeds the enlightenment with which *The Star of Redemption* culminates. The ecstatic vision of God's truth requires the sacrifice of life. And God is essentially loving — His truth is only intellectually predicated to him. Thus, no sooner does enlightened man envision the starry fire of ultimate truth, than he turns to its rays of life and love. Revelation becomes the center of Rosenzweig's work — between the *vorweltliche* God of philosophy and the *ueberweltliche* God of vision.

Revelational love takes place *between* eternal God and temporal man. Neither is sacrificed for the sake of relation. Time and eternity both coalesce and retain their respective identities. The temporal connection is never lost, and the eternal content retains historical dimensions. Man takes time to relate to God, and does so by reaching forth from history in ever renewed moments. Similarly, the "coming kingdom," the grand revelation *between* the secular kingdom of the world and the holy kingdom of God, is never torn from its temporal roots.

B. The God of Eternity

But Rosenzweig also portrays the born Jew as having a direct apperception of God, from within eternity. Collectively and individually, Jews reside within the star of redemption, God's starry countenance, and are nourished by its fire. Their eternal ecstasy is concretized in the blood passing through generations of Israel's veins. Israel is co-eternal with the cosmos — if not coincident with divine eternity itself. All of history, from before man even spoke to the *eschaton*, as well as all of humanity, is concentrated and distilled in the Jewish people. For Israel, the world which regards it as *unlebendig*, is meaningless until it too is elevated into divine light.

From out of its eternal root, Israel projects a uniquely sacred time, in which the borders between past, present and future are transparent. The "events" which it undergoes, e.g., exile, are implicit to its character and do not change it. Its Hebrew language and *Halachah* retain their original qualities. Jewish prayers are cyclically repetitive and are carried by eternity.

Of the star's eternal fire and sacred time, Israel's path begins, ends and is paved by divine light. This light only becomes more intensive "in place." It is never weakened by outer-directed rays. The Jew nourishes himself solely by the eternal light in his blood. Hence, God is apperceived from and in terms of the eternal.

C. The Schematic Rupture

When Rosenzweig speaks "existentially," God is never perceived by Jews — Patriarchs, Prophets, Jehudah Halevi and Franz Rosenzweig — outside of time and history. When Rosenzweig feels as a born Jew, God is apperceived from within eternity. His Jewish man can personally bear the split between the wholly and partially sacred wrought by the *Berachah*. But in *The Star of Redemption* he endeavors to introduce the systematic dimension to Judaism — as a relation of parts if not an *a priori* totality. Rosenzweig successfully relates the points of the star — God, man and world, and creation, revelation and redemption. But he is unable to relate the point of God-apperception from within the fiery star, with the point of God-apperception from out of the star's temporal rays.

**The Impact of the State of Israel on Jewish Thought:
Israelocentrism and Diasporism**

by Avraham Avi-hai (Hebrew University)

Israelocentrism is partly based on rejecting *galut* as an unworthy Jewish option; Diasporism does not perceive Jewish life outside of Israel as exile and accepts the Diaspora as a legitimate Jewish choice. Over the decades since 1948, the philosophical differences over these perceptions have yielded to a great extent to a new way of thinking rooted in the dynamics of political, military, social and psychological realities.

The attitude of US Jewry, or its identifiable and affiliated segments, towards Israel is not based on a perception of living in exile. Nonetheless, from a rejection of or indifference to Israel's centrality when expounded as the sole option for Jewish life (Israelocentrism) it has moved towards an acceptance and sometimes an embracing of Israel's central role, or at least of the state's place as *primus inter pares*. This manifests itself in a wide variety of Israel-centered or Israel-based activities and programs, and the community in a broad sense may be described as consisting of Surrogate Zionists.

Continued on page 16

The 1913 New York State Civil Rights Act
by Jeffrey S. Gurock (Columbia University)

Sherrow Prize Essay

"The 1913 New York State Civil Rights Act" was originally prepared for a graduate colloquium on "Jews and Minority Politics" conducted at Columbia University. The essay attempts to describe and evaluate the lobbying tactics used by New York Jewish civil rights activists, led by Louis Marshall, in fighting for passage of a state ordinance prohibiting the advertising of discriminatory or exclusionary practices in places of public accommodation.

Louis Marshall and his ad-hoc committee of distinguished New York Jews began pressing for passage of a state civil rights bill in 1907, in response to the well-publicized exclusion from the Blenheim-Marlborough Hotel in Atlantic City, New Jersey, of Mrs. Bertha Rayner Frank, sister of U.S. Senator Isidor Rayner.

They enlisted the aid of State Senator Martin Saxe of Manhattan's West Side, and drafted a bill which they felt confident would be passed without serious legislative opposition. To insure passage of the bill, they conceived and implemented a well-planned lobbying and newspaper campaign. Their efforts, however, ended in failure, as the Saxe bill died in committee and never reached the floor of the State Senate.

In the years between 1907-1913 no attempt was made to introduce civil rights legislation into the state legislature. Finally, in 1913, a bill, similar to Saxe's, was quietly introduced and passed unanimously and without delay, by both houses and was signed into law.

The time-lag between first introduction in 1907 and final passage in 1913 is explained by examining the power structure of the state legislature during those years. Between 1907 and 1912, key legislative committees were controlled by upstate Republicans with whom Marshall and his associates had little influence. The legislative allies utilized in 1907 — Saxe of Manhattan and Dowling and McCarren of Brooklyn — were powerless downstate leaders in an era dominated by upstaters. In 1913, downstate Democrats gained control of the key legislative committees. A.J. Levy and Robert F. Wagner, Assembly and Senate majority leaders, respectively, were enlisted to sponsor the revised bill. With Levy's and Wagner's help, the civil rights bill was passed with a minimum of publicity.

The difficulties encountered in 1907, and the simplicity with which the bill was passed in 1913, suggest that in the game of minority politics, it is not so much what you say in the way of argumentation but whom you know and use in the halls of the legislature, which makes all the difference.

The second section of the essay examines the nature of contemporary criticism leveled against Marshall and his associates from within certain Jewish circles over the question of whether legislation could ultimately insure the social acceptability of the Jew.

The paper attempts to show, by examining and comparing the editorial writings appearing in the *American Hebrew* (N.Y.) and the *Jewish Comment* (Baltimore) between 1907-1913 with those appearing in the *American Israelite* (Cincinnati) and the *B'nai B'rith News* (Chicago), that there existed a distinct ideological split between Eastern and Midwestern Jewry over the best way of fighting social discrimination. The East openly advocated the application of lobbying pressure upon state legislatures, for passage of desired legislation, Mid-western Jews advocated the more patient approach, relying on the more conservative tools of re-education and assimilation as the best means of solving the Jewish question.

It is suggested, on the basis of Marshall's correspondence with other Jewish leaders, that Midwestern Jews advocated a more patient approach because they were not as immediately affected by this abuse as were their Eastern brethren.

The concluding section of the essay attempts to re-examine the debate over activism and protest versus patience and re-education, from a historical standpoint. Through an examination of the several incidents and court cases resulting from the law's passage, it is suggested that although the 1913 act did not immediately accomplish its goal of eliminating exclusionary anti-Semitism, it was an important step towards the freeing of Jews from all social stigmas. It alerted the Jewish and non-Jewish public to the problem, and placed the actions of discriminating hotelkeepers outside the law. The act affirmed the government's aversion to social discrimination against any person, regardless of faith or background.

5

ignorance and bigotry, can so far forget himself and the duties which he owes to the entire public as to spread broadcast through the land a publication which tends to make of the Jew an outcast and a pariah, the State, and you as its right arm, cannot afford or trifle with the offender or allow an infamous precedent to be established. There is but one course to pursue, and that is to remove from the service of the State the official whose act undermines the very foundations of our governmental system.

If Mr. Dewey may to-day impose obloquy upon the Jew, he may to-morrow attack the Catholic, and the next day the Methodist, and thus in turn violate the most sacred sentiments of all the people of the State.

So far as we are concerned, Mr. Dewey may, as the president and as a stockholder of the Lake Placid company, adopt whatever policy he desires; but he must not at the same time remain the State Librarian or permit his subordinates in his private enterprise to give character to it, as they have done, by adverting to the fact "that Mr. Melvil Dewey, the president of our company, is librarian of the State of New York."

We are prepared to make satisfactory proof as to all of the statements of facts herein contained.

Dated New York, December 20, 1904.

Respectfully submitted,

LOUIS MARSHALL,
ADOLPH LEWISOHN,
ISIDOR STRAUS,
NATHAN BIJUR,
EDGAR J. NATHAN,
ABRAHAM ABRAHAM,
JACOB H. SCHIFF,
DANIEL GUGGENHEIM,
HENRY R. ICKELHEIMER,
CYRUS L. SULZBERGER,
ADOLPH S. OCHS.

From "Petition to the Regents of the University of the State of New York," asking "for the removal from office of Melvil Dewey;" printed in a leaflet titled To Lake Placid Club Members (1905).

Courtesy of Harvard College Library.

REVIEW ESSAY

The New Portugal and the New Christians
by Frank Talmage (University of Toronto)

The revolution of April 25 and the ensuing abolition of censorship was bound to bring a new face to the well-stocked counters of Lisbon's and Oporto's commodious bookshops. As might be expected in a country recoiling from fascism, much of the new literature is, as the old saw has it, black and white and red all over. Yet Karl Marx is not the only scion of Judah to serve as a focus of interest. From the late 1960's, books concerning the Jews and the New Christians (N.C.'s) of Portugal have appeared at a steadily increasing rate.

Portugal, unlike neighboring Spain, has not maintained its native Hebraist tradition. Perhaps the explanation lies partially in the response of the librarian at Coimbra to my lament over the loss of some of Portugal's magnificent Hebrew codices to the Bibliothèque Nationale: "Napoleon carted them off!" In addition, Portugal lacks that current immigration from North Africa which is not only reconstituting the ancient Spanish Jewish communities but is also creating a renaissance of Sephardic culture within the Peninsula. Yet when words of Torah are poor in one place, they are rich in another. If Hebraica and Judaica have been largely neglected in Portugal, they flourish, by contrast, in Brazil. Our sister republic to the south has, within the last few years, built up a creditable record in the field through the Center of Jewish Studies at the University of São Paulo and similar institutions. Thus a new era in the study of Luso-Brazilian Jewry seems to be dawning.

Some of the works here surveyed are to be considered as harbingers of that era; others are indeed mature signs of arrival. In the former category is Elvira Cunha Azevedo's *The Sephardic Element in Portuguese Culture (O Sefardismo na Cultura Portuguesa)*, Oporto: Paisagem, 1974, 233 pp.). With a lack of definition characteristic of exploratory works, the volume would have been better entitled "The Portuguese Element in Sephardic Culture." Even then, there is much more emphasis placed upon Castile than upon Lusitania. Thus, after a brief introduction to the cultural history of Spanish Jewry, the bulk of the work is devoted to a discussion and presentation of Castilian poetry composed by Jews in the Sephardic diaspora. To the author, however, all this is "supremely Portuguese" (*portuguesíssima*) while Ladino itself is taken to be Portuguese in character. While one may not wish to go as far as some Sephardi patriots do in seeing Portuguese influence in Ladino culture as a blot on the escutcheon, one must confess that the Jewish element in Portuguese civilization must be sought elsewhere.

More fundamental to this quest is the new translation of M. Kayserling's *Geschichte der Juden in Portugal (História dos Judeus em Portugal)*, São Paulo: Pioneira, 1971, xxii + 334 pp.).

Although now over a century old, Kayserling's work remains one of the few attempts at a comprehensive survey of Portuguese Jewry. The translation itself exudes irony in the reading: A Jewish nationalist tone is seldom to be encountered in a Portuguese language work! Not surprisingly, the translation stems not from Portugal but Brazil – the work of G. B. Corrêa da Silva and the indefatigable Anita Novinsky of the University of São Paulo. The latter has furnished the book with an introduction which places it in context, and also a bibliography and a number of translator's notes which refer to subsequent studies, point out particular biases of Kayserling, or suggest *desiderata* for further research. For this, of course, the opportunities are abundant. Most of Kayserling, as indeed the bulk of historical research in the area in general, is preoccupied with the period following 1497, since the study of professing Jews in the Kingdom has been eclipsed by the more dramatic story of the N.C.'s.

One contribution to our knowledge of pre-expulsion Jewry is M. J. Pimenta Ferro's *Jews in Portugal in the Fourteenth Century (Os Judeus em Portugal no Século XIV)*, Lisbon: Instituto de Alta Cultura, 1970, 351 pp.). Expanding considerably on earlier works (although Kayserling is not mentioned at all), the volume contains an essay on the social and communal structure of Portuguese Jewry, their relations with the Christians, and their economic activities, and is enhanced by an appendix containing a large number of relevant documents. A study such as this must address itself to certain persistent questions. Portuguese Jewry is traditionally pictured as having lived in relative ease, generally free from the persecutions and oppressive measures characteristic of other European countries. This, of course, adds a dimension of irony to the situation of the Jews following 1497 and the later establishment of the Inquisition. The author confirms this point of view: The early kings are seen as favorably inclined towards the Jews. The wearing of distinctive marks appears to be ignored until Alfonso IV while residential *apartheid* exists but is lax. The author neutralizes Christian animosity by seeing it as economic rivalry rather than religiously based hostility. As Christians became more inclined to commerce, they saw the Jews as an ever greater threat (even though, as the author stresses, many Jews were involved in agrarian pursuits). Nonetheless, we find that aversion for the tax-farmer is expressed in the traditional language of theological anti-semitism. It remains true, however, that, except for the near disaster of the crisis of 1384-85, popular uprisings were unknown.

This calls into question the whole notion of "popular hatred" of the Jews. On this point, Prof. Novinsky has taken issue with Kayserling's "over-emphasis" of this phenomenon in connection with the N.C.'s (Kayserling, p. 126, n. 14), noting that much research needs to be done before an adequate picture can be obtained. Whatever may be learned about the post-1497 era, the relative calm which characterized the earlier period would seem to go hand in hand with the apparent lack of zeal on the part of churchmen in inciting against or evangelizing among the Jews.

The well-known lack of Portuguese *adversus Judaeos* literature before the sixteenth century would seem to corroborate this.

On another level, one could wish for more information about the inner life of Portuguese Jewry. Ms. Ferro's attempts to reconstruct Jewish cultural life and education from her material could benefit from a study of the relevant Hebrew literature. In general, it would be desirable that authors of future studies in this vein check to be sure that their conceptions of Judaism and Jewish practice are accurate.

Despite the appearance of this work, it is still the N.C.'s and not professing Jews who occupy the forefront of interest. That António José Saraiva's *Inquisition and New Christians (Inquisição e Cristãos Novos)*, Oporto: Inova, 1969, 319pp.) went through four editions in its first year is ample testimony to this. Saraiva among the Portuguese is like Netanyahu among the Jews, an advocate of an extreme position with which everyone, like it or not, feels compelled to deal. His motto is a statement ascribed to a deputy of the Inquisition in the eighteenth century: "In the Calçetaria there is a building where they make coins; in the Rossio there is another where they make Jews." For Saraiva, the N.C.'s are not to be seen as a religious group but as a socio-economic class which the Inquisition wished to eliminate for its own and, at times, for the Crown's benefit. Already fully assimilated and inclined to skepticism because of their background, the N.C.'s were forced by their isolation to create an inner life of their own. If they did judaize, they did so only because they were made to do what the Inquisition claimed they did; they were, to use Saraiva's term, "made in *Inquisição*." (A suggestive modern day parallel might be the phenomenon of "judaizing" in the Soviet Union, where assimilated Russians become Jews apparently only because they are told that that is what they are and a fragmented "cult" develops in which *Simhat Torah* assumes the same exaggerated importance that the Fast of Esther did for the Marranos.)

On the all important question of method, Saraiva rejects out of hand the credibility of the inquisitorial archives. The purpose of the archives was the justification of the Inquisition and their testimony is therefore considered invalid. In a later polemic with I. S. Révah who relied heavily on inquisitorial materials, Saraiva is alleged to have observed that Prof. Révah had studied only one thousand cases and therefore had no right to make generalizations until he had studied the other twenty-nine thousand!

"Saraiva's Complaint" is not difficult to diagnose; it is a common enough malady these days. After a brilliant lecture on the glories of Portugal in the sixteenth century given by a professor at the University of Lisbon, one student pathetically asked: "So what *happened* to us?" The reply: "It's simple. We had an inquisition." Despite Herculano's warning that any institution, no matter how corrupt, is entitled to a fair hearing by the historian, the Grand Inquisitors, whether they are to be called

Prince Henry, Salazar, or Caetano, are seen as the cause of all of Portugal's ills and are consequently to be discredited on every level. For this reason perhaps, Saraiva's thesis has become accepted doctrine and enters the standard histories unquestioned. (See A. H. de Oliveira-Marques, *História de Portugal*, Lisbon: Ágora, 1972-73, I, 543f.)

Yet it would be misleading to say that Saraiva deals only in negatives. He cites a number of texts, including biographical materials, to support his thesis. Space will allow us to dwell on only one of these: the treatise of A. N. Ribeiro Sanches which is now available in a convenient edition prepared by Raul Rego (*Christãos Novos e Christãos Velhos em Portugal*², Lisbon: Paisagem, 1973, 81pp.). Ribeiro Sanches was a Marrano physician who, denounced to the Inquisition in 1724, fled to England, became circumcised, and then settled in Paris after traveling around Europe. In Paris, after an apparent return to Catholicism, he wrote a treatise which attempted to prove that the Inquisition was counter-productive in that it created Judaism instead of exterminating it. Describing the life of the N.C., he tells how, from his earliest years, the child is made to feel different by other children and by the clergy who intimidate him. He is taught by his mother that he might be taken by the Inquisition and that, if he wishes to save himself, he must confess to things he has never done in order not to be burned as a recalcitrant. He is thus taught about all those practices which the inquisition considered "judaizing." If someone should object that the N.C.'s revert to Judaism when they leave Portugal, he explains that they naturally tend to join their fellow Portuguese who happen to be Jews.

Ribeiro Sanches's account would seem to be perfect evidence for Saraiva's thesis. Yet, if the inquisitorial archives are to be discounted as tendentious, one might well note that if ever there was a document which bespoke "persecution and the art of writing," it is Ribeiro Sanches. The author protests in his introduction: "If I did not harbor a sincere zeal for the success of the Catholic religion and for the benefit of Portugal, how is it possible that I would have set myself to writing on such a difficult and thankless subject without hope of reward or praise. . . ." How indeed, unless in the guise of a good Catholic seeking the welfare of the Catholic Church, he was actually seeking the welfare of his N.C. brethren. In his criticism of Saraiva, Révah gives this text yet another interpretation. He understands Ribeiro Sanches not as a statement that the Inquisition *created* Jews but that it contributed to the *maintenance* of an authentic crypto-Judaism.

The rather lively polemic between Révah and Saraiva is to be found, remarkably enough, in the pages of the *Diário de Lisboa* (May, 1971). For those of us who do not have the *Diário* at their fingertips, the entire encounter was summarized in G. Nahon's able survey of Révah's writings on the subject ("Les Sephardim, les Marranes, les Inquisitions Péninsulaires, et leurs Archives dans les Travaux Récents de I. S. Révah," *REJ* CXXXII (1973), pp.

5-48). While the reportage of a newspaper article often tends to exaggerate the polarization, it remains an illuminating presentation of the issues.

One of the points discussed in the Nahon article which is advocated by those who posit the genuineness of crypto-Judaism is the fact of the surviving Marrano communities whom Saraiva dismisses as fossils not to be taken seriously. Acknowledging Saraiva's contribution to an understanding of the role of the Inquisition, Amílcar Paulo's *The Crypto-Jews, (Os Criptojudéus, Oporto: Athena, 1969, 123pp.)* argues that Saraiva errs in separating the "N.C. question" from the "Jewish question". As evidence he adduces a brief survey of his folkloristic researches among the Marranos in Northern Portugal. (A particularly readable account of the community of Belmonte may be found in A. Novinsky and A. Paulo, "The Last Marranos," *Commentary* XLIII (May, 1967), pp. 76-81.)

In addition to metropolitan Portugal, the question of judaizing in Brazil has been the subject of several recent studies. It would appear that if vilification of the Inquisition is the prime motive in Portuguese historiography, another factor is at play among the Brazilians. Some of the latter play down judaizing in order to show the great assimilatory powers of the *pátria* which still holds fast to the melting-pot image now out of vogue in North America.

Goncalves Salvador's *New Christians, Jesuits, and Inquisition (Cristãos Novos, Jesuítas, e Inquisição, São Paulo: Pioneira - Universidade de São Paulo, 1969, xxvii + 222pp.)* uses Brazilian and Portuguese archival materials to study the influx of N.C.'s into Brazilian religious orders, especially the Jesuits, in the sixteenth and seventeenth centuries. The author concludes that before the Inquisition, the Portuguese had been tolerant because of their polyglot culture. This tolerance, while coming to an end in Portugal, was transplanted to Brazil where it was encouraged by the pioneer atmosphere. For this reason Brazilian Jesuits were more open to, or at least less adamant against, the N.C.'s thereby approaching the attitude of Ignatius of Loyola himself. The author finds that the degree of piety of some N.C. clerics left something to be desired but ascribes it to the temper of the times rather than to any specific N.C. deviation. Indeed, if anything, he implies that Israelite spirituality might have led to better things!

Elias Lipiner's *Judaizers in the Northern Provinces (Os Judaizantes nas Capitanias de Cima, São Paulo: Brasiliense, 1969, 223pp.)* is an anecdotal survey of judaizing in Bahia and Pernambuco as reflected in the published records of the inquisitorial "visitations" to Brazil in 1591-93 and 1618-20. Lipiner does not devote much space to theoretical analysis but he clearly avoids any all-encompassing definition of the term N.C. This

requires a selective assessment of the credibility of the various depositions in the inquisitorial hearings. Thus the accusation that a N.C. had rejected a crucifix on his deathbed ("Take it away!") could be believed when coupled with a fairly accurate description of Jewish practice. On the other hand, when an accuser denounces someone as a judaizer for possessing a Torah (*toura*), described as having the form of an ox, fabrication is suspected. Here, of course, the confusion is due to a folk etymology. This would indicate that the content of the depositions was learned from or influenced by traditions on how one judaized which could be gleaned from hearsay or from the Edicts of Grace. Finally, at the other extreme, were deliberately malicious denunciations such as those directed against the tax-farmer João Nunes, the "Rabbi" of Pernambuco.

An intriguing approach to the problem of the Brazilian N.C. is A. Novinsky's *New Christians in Bahia (Cristãos Novos na Bahia, São Paulo: Perspectiva, 1972, xviii + 239pp.)*. The author has confined her investigation to Bahia between the years 1624 and 1654, the period during which northeastern Brazil was under Dutch occupation. We are therefore dealing with people who *could* have gone to Pernambuco to profess Judaism openly but did not. For the author, the Brazilian N.C. was fundamentally different from his confrères who went to northern Europe. Not Jewish enough to want to return to Judaism, their existence as a pariah class maintained them as judaizers. "The Jewish practices which they vaguely remembered," writes the author, "were less an inner necessity of religious character than a complex of attitudes which responded to a need for adherence, participation, and identification." The Bahian N.C. was neither a good Christian nor a good Jew. Skepticism and irreligiosity were characteristic of Brazilians in general but were even more pronounced among the N.C.'s because of their relatively brief exposure to Christianity. Although her interpretation of Bahia seems to support Saraiva, Mrs. Novinsky is no diehard Saraivist. Saraiva's theory is true for some but Révah's formulation of Marranism as a "potential Judaism" (à la João de Barros) is true for others. Beyond the carefully drawn picture of seventeenth-century Bahia which the author presents, there emerges again the notion that no one principle can define the N.C. and that the concept of the normative N.C. must go the way of that of the normative Jew. For while some returned to the fold and others abandoned it completely, still others, with a strange touch of pride all their own, were neither Jew nor Christian but "*New Christian*, by the grace of God."



**The Impact of the State of Israel on Jewish Thought:
Israelocentrism and Diasporism
(Continued from page 11)**

This Surrogate Zionism involves supporting the idea of a sovereign Jewish state, expressing that support in material and political terms, thus wearing away lines of distinction between the former political Zionists and non-Zionists. Both groups do not actively carry out personal 'aliyah nor support it as a program for American Jews.

In Israel, the negative side of Israelocentrism, that is rejection of the *galut* as a viable or legitimate alternative for Jews is still the dominant mode. Many Israelis, and in increasing numbers so it seems, recognize the reality of continuing Diaspora existence, and wish to build interchanges on many levels to enhance Israeli and Diaspora life, for the mutual benefit of both. A growing minority in Israel calls for greater understanding of the Diaspora. While these centrifugal forces are dominant, there is a minor element in the Diaspora seeking to establish a Diasporism which would work against Israel's centrality.

Israel is to a great extent dependent on Diaspora political, moral and material support. Diaspora Jewry needs Israel for its own survival and dignity, and requires Israel's resources in a number of educational and cultural areas. The new ethnicity in

the US tends to reinforce Jewish self-awareness and education. Whether the US or Israel experience further traumas such as war or economic travail, both Jewries will continue to need each other. A more tolerant Israelocentrism in the State and a deepening Israel-centered Diasporism abroad may very well lead among the committed segments of Jewry to a growing mutuality and interdependence.

AJS CALENDAR

March 1, 1975:	Deadline for proposing papers for Annual Conference.
March 9-10, 1975:	Regional Conference, University of Michigan.
March 16-17, 1975:	Regional Conference, University of Indiana.
April 6-7, 1975:	Regional Conference, University of California-Berkeley.
April 13-14, 1975:	Regional Conference, New York University.
April 18, 1975:	Deadline for submitting material for Spring issue of <i>AJS Newsletter</i> .
May 1, 1975:	Deadline for submitting articles for first issue of <i>AJS Review</i> .
December 21-23, 1975:	Seventh Annual Conference.

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