BROWN JUDAIC STUDIES

# Jewish Thought Adrift

## Max Wiener (1882–1950)

ROBERT S. SCHINE

# JEWISH THOUGHT ADRIFT

Program in Judaic Studies
Brown University
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*For Elisa, Gabriel, Joseph, Tobias*
*and Marita*

*Contents*

## *Abbreviations*

### *Works by Wiener*

*APS* *Die Anschauungen der Propheten von der Sittlichkeit.*. Schriften der Lehranstalt für die Wissenschaft des Judenthums. Vol. 1, no. 3,4. Berlin: Mayer und Müller, 1909.

*JFRD* "Jüdische Frömmigkeit und religiöses Dogma." *MGWJ* 67(1923): 153-167, 225-244; 68(1924): 27-47; reprinted in Kurt Wilhelm, *Wissenschaft des Judentums im deutschen Sprachbereich* 2:679-735. Tübingen: J.C.B. Mohr (Paul Siebeck), 1967.

*JRZE* *Jüdische Religion im Zeitalter der Emanzipation.* Berlin: Philo Verlag, 1933.

### *Archives*

AJA American Jewish Archives, Cincinnati Campus, Hebrew Union College-Jewish Institute of Religion, Cincinnati, Ohio

LBIA Leo Baeck Institute Archives, New York

### *Other Abbreviations*

*BHWJ* *Berichte der Hochschule für die Wissenschaft des Judentums* (until 1920 [No.39] under the title *Bericht der Lehranstalt für die Wissenschaft des Judentums*), Berlin.

*EJ* *Encyclopedia Judaica.* Jerusalem, 1974.

*Gemeindeblatt..Berlin*
*Gemeindeblatt der Jüdischen Gemeinde zu Berlin, Amtliches Organ des Gemeindevorstandes*, Berlin.

*HUCA* *Hebrew Union College Annual*

*JE* *Jewish Encyclopedia*, ed. Isidore Singer

*JL* *Jüdisches Lexikon.* Berlin: Jüdischer Verlag, 1928.

*JR* *Jüdische Rundschau*

*JS* Cohen, Hermann. *Jüdische Schriften.* 3 Vols. Veröffentlichungen der Akademie für die Wissenschaft des Judentums. Edited by Bruno Strauss. Intro. by Franz Rosenzweig. Berlin: 1924.

*LBIY* *Leo Baeck Institute Yearbook*

*LJ* *Liberales Judentum*

*MGWJ* *Monatsschrift für die Geschichte und Wissenschaft des Judentums*

*ZAW* *Zeitschrift für die alttestamentliche Wissenschaft*

## *Publishers' Preface*

Brown Judaic Studies has been publishing scholarly books in all areas of Judaic studies for forty years. Our books, many of which contain groundbreaking scholarship, were typically printed in small runs and are not easily accessible outside of major research libraries. We are delighted that with the support of a grant from the National Endowment for the Humanities/Andrew W. Mellon Foundation Humanities Open Book Program, we are now able to make available, in digital, open-access, format, fifty titles from our backlist.

Robert Schine's intellectual biography of Max Wiener, *Jewish Thought Adrift: Max Wiener, 1882-1950* (1992), profiles a liberal German-Jewish thinker who turned toward Zionism as the only natural future for Judaism. Schine puts Wiener's thought into conversation with those of his German contemporaries (both Jewish and Christian) while also resuscitating Wiener's thought as a resource for contemporary theologians.

This edition is unchanged from the original.

Michael L. Satlow
Managing Editor
January, 2020

## *Foreword*

The years between the beginning of this century and the expulsion and annihilation of German Jewry were a period of great ferment in German Judaism. With the First World War, Jews were swept into the crisis of confidence which gripped European intellectual life in general, and raised religious questions in particular. Jewish thinkers and rabbis of various stripes sought a new self-definition, a "new orientation," as some called it. In the midst of this searching came the Balfour Declaration, an electrifying moment for the aspirations of the Zionist movement which, in turn, sparked renewed reflection on the very nature of Judaism itself.

The history of German-Jewish thought in this period is also the history of the repercussions of the philosophy and personality of Hermann Cohen. What was said of Kant for German philosophy in the 19th century can be said of Cohen for German-Jewish thought in the 20th: one can philosophize with him, or against him, but not without him. Cohen's was the voice of a child of the 19th century, professing a faith in the progress of humanity in general, a progress which to him seemed messianic, and a faith in the German nation in particular, a nation which to him was playing a central role in this messianic drama. This attitude, which was influenced by and in turn influenced Cohen's social and political station as a Jew, was just one side of a complex Jewish philosophical life. In it, Cohen achieved a synthesis between philosophy and Jewish belief, a synthesis in which he interpreted the Jewish belief in God as the knowledge of an *idea*. It was a world-view which assigned Judaism a role in the unfolding drama of moral progress; it gave an articulate and modern expression to the vision of Judaism as the agent of a mission in world history. Jews could see in their own cause the universal cause of humanity: the labor of the messiah, which meant nothing other than to join with zeal in the striving to perfect this world.

The great German Jewish thinkers who followed Cohen defined themselves in his light. Leo Baeck set Cohen's messianic optimism into the prose-poetry of his *Essence of Judaism*. Buber challenged Cohen publicly over his opposition to Jewish nationalism. Rosenzweig saw him as his teacher, and sought to bring Cohen's thought into a closer proximity with his own by arguing for a great shift in the thinking of Cohen's later years.

A lesser known contemporary was Max Wiener. For decades, scholars of the history of modern Judaism have esteemed his book, *Jüdische Religion im Zeitalter der Emanzipation*, as an insightful guide to the transformations which Judaism underwent in the wake of the Emancipation. "I believe that no one from among our circle," Hans Liebeschütz wrote in 1966 to Max Kreutzberger of the Leo Baeck Institute, "has written on 19th century Jewish intellectual history without citing this work as the classic study."[1] However, Wiener was both a historian and a thinker, and his essays on philosophical questions are less known.[2]

For Wiener, too, Hermann Cohen was the touchstone, and while Wiener was not the architect of a bold new system, his career as a thinker is paradigmatic for Jewish-German thought of the Weimar years. The repercussions of Cohen's thought resound throughout his life, and in different keys. Thus, as he finishes his university years, he is an ardent follower of Cohen, and devotes his first book to the detailed elaboration of Cohen's understanding of the teachings of the prophets. His intellectual discipleship did not endure, however. Part One of this study explores this discipleship and Wiener's break with it. There followed a period of philosophical wandering, in which two beacons shone clearly: Wiener's disaffection with the kind of philosophical Judaism espoused by Cohen, and his conviction about the centrality of the national idea in Jewish life and thought. This period is the subject of Part Two. These studies of Wiener's thought are intended to illuminate the motives and interpretive hues of his book on Judaism in the Emancipation era, which is, so to speak, a memoir of German Judaism. Part Three is an exposition of that work. Wiener's story, then, is the story of a German Jew, educated at the universities and Jewish seminaries of the Wilhelminian era, seeking new spiritual bearings in the Weimar period.

* * *

This study of Wiener began, in one sense, in the fledgling library of the *Hochschule für Jüdische Studien* in Heidelberg several years ago, where I first encountered Wiener's book on the Emancipation and was prompted to learn more about its astute author. I found that Wiener's unpublished papers had been

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[1]Hans Liebeschütz, Liverpool, to Max Kreutzberger, New York, 16 July 1966. Sybil Milton, former archivist at the Leo Baeck Institute in New York, ferreted out this letter from the Institute's office files.

[2]For previous literature on Wiener, see the writings of Yehoshua Amir, Hans Liebeschütz, Ehud Luz, and Pinhas Rosenblüth in the Bibliography.

deposited by his family in the Leo Baeck Archives in New York and spent many days there, sifting through boxes of yellowed sermons, notes, drafts of never-finished articles, and some manuscripts which were complete, but never published. I wrote to his son, Dr. Theodore Wiener, who readily agreed to meet me, and suggested others I might interview. I found myself encountering a circle of men, all of whom had known Wiener in Germany and all of whom shared a respect, and occasionally a genuine veneration, for Wiener's thought and work. In these interviews, with Alfred Jospe, the late Alexander Altmann, and Max Grünewald, and twice with Theodore Wiener himself, I began to form an image of Wiener the man and the milieu in which he had worked. From the American Jewish Archives in Cincinnati and the Central Zionist Archives in Jerusalem came valuable copies of correspondence. In the Prologue and Epilogue I have tried to weave these, other documents, and the interviews into biographical vignettes which frame the exposition of Wiener's thought.

Many people and institutions have helped me bring this project to fruition. I would like to thank:

- My teachers at the Jewish Theological Seminary, especially Fritz A. Rothschild and Ismar Schorsch, for their critical guidance and especially for their never-failing encouragement and kindness;

- To my colleagues at Middlebury College, to Robert L. Ferm, who made helpful observations on the manuscript, and, for the rest, was a source of serene encouragement and cheerful wit; and to Katherine Sonderegger, who not only shared unstintingly of her critical expertise in modern theology—our conversations reverberate especially in the discussion of Wiener and Barth—but also proofread the entire manuscript; to Jonathan Price, now of the University of Tel Aviv, and Kirin Narayan, now of the University of Wisconsin, who both commented on earlier drafts;

- To Edward Greenstein and Michael A. Meyer, whose criticisms saved me from not a few errors and strengthened the study;

- To Dr. Fred Grubel, the former Director of the Leo Baeck Institute, New York, which supported this project through its David Baumgardt Memorial Fund; and to Rabbi Robert Jacobs, the present Director of the Institute; to the librarians and archivists of the Institute, particularly Dr. Frank Mecklenburg, who were always helpful in making its treasures accessible;

- To Wendell S. Dietrich and Ernest L. Frerich, for expediting the publication of this book under the aegis of Brown Judaic Studies;

- To Herbert A. Strauss, who, in the course of his research on the history of the Berlin *Hochschule*, discovered a letter of reference on Wiener written by Hermann Cohen and has graciously allowed me to publish it here;

- To the Inter-Library Loan Department of Starr Library, Middlebury College, which filled dozens of requests for materials from far-away places, to Nathaniel B. Levtow, who undertook the tedious task of checking and editing the bibliography and notes, and to Nicholas D. Humez, who created the index to this volume;

- To the Jewish Theological Seminary, to the Charles H. Revson Foundation, to the Memorial Foundation for Jewish Culture for financial support, and finally, to Middlebury College, for supporting this project through its Faculty Professional Development Fund.

In another sense, however, this study began at Kenyon College in Gambier, Ohio, where, as a young student, I was introduced to the study of philosophy, of Hebrew, and of Jewish thought by Professor Eugen Kullmann. Like Wiener, he is one of the עם שרידי חרב, "the people who survived the sword." Love of learning, and love of teaching, I have learned from him.

From the first, Theodore Wiener, Judaica Cataloger at the Library of Congress, has taken a friendly interest in the project. His filial piety made my task immeasurably easier: while librarian at the Hebrew Union College in Cincinnati, Dr. Wiener compiled an extensive bibliography of his father's writings. That bibliography is contained in the published catalogue of the Klau Library, and I have been able to add only a little to it.

Beyond bibliographical expertise, however, my conversations and correspondence with Theodore Wiener have given me valuable insight and detail. In the early stages of this project he remarked that he did not think that his father had a "system." This study corroborates his surmise. In Wiener's thought, ambiguity, indecision, and eclecticism abound. However, just because Wiener is a mirror of the conflicting intellectual tendencies of his generation, this study of the man as historian and thinker will represent, I hope, a contribution to the intellectual history of the last generations of German Jewry.

*Max Wiener during the Berlin years*
(Fotoarchiv Abraham Pisarek, Berlin)

# Prologue

## From Oppeln to Berlin

When Isidor Wiener would arrive in the synagogue of the town of Oppeln on Sabbath morning, he always recited first the customary blessing over the prayer shawl, closing his broad *tallit* around his face for a moment as he did so, and then joined the worshippers. Years later the young rabbi of the congregation, Leo Baeck, recalled that in those days, in that congregation, this was a sign of a more traditional Jew. The "liberal" Jews, with less ceremony, simply draped the *tallit* around their shoulders in a fold.[1] Max Wiener, born in Oppeln on April 22, 1882, was one of the four children of Isidor and his wife Amalie.

In the recollection of one of Wiener's contemporaries, the town of Oppeln, in Upper Silesia,[2] was as "gray as the cement which was manufactured in its factories," but it was also a town in which, in modern times, the Jews prospered.[3] Jews had lived there before the fourteenth century.[4] One prominent Jew, Abraham of Oppeln, was martyred there in 1453, during a persecution unleashed by a charge of host desecration. In the middle of the 16th century the Jews were expelled from the city and its surrounding territories, and do not reappear in the historical record until 1742, when the city was under Prussian rule.

In the two centuries of its modern existence, the Jewish community of Oppeln was at the vanguard of religious reform in Judaism. The struggle to re-

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[1]Theodore Wiener, interview by author, 26 October 1984, Washington, D.C. Theodore Wiener, Max Wiener's son, was born in 1918 in Stettin, Germany.

[2]Now Opole, Poland.

[3]Leonard Baker, *Days of Sorrow and Pain, Leo Baeck and the Berlin Jews* (New York and London: Macmillan and Collier Macmillan, 1978), 29.

[4]My account of the history of the Jews in Oppeln is based on the article Leo Baeck wrote in 1904 in *JE*, s.v. "Oppeln," 9:408-9.

spond to modernity, controversies over ritual reform, the arduous fight to obtain the right of citizenship and, at the same time, to prove oneself worthy of that right, the inveterate tension between *Deutschtum* and *Judentum*, Germandom and Judaism, all reverberated in the collective memory of the Jews of the city of Wiener's childhood and youth.

It was not far from the city of Breslau, where, in 1838, the Jewish community became embroiled in an acrimonious dispute over the nomination of Abraham Geiger for the post of assistant rabbi, a dispute which pitched the supporters of the Orthodox rabbi, Solomon Tiktin, against the advocates of reform.[5] Geiger was eventually confirmed in the office, and when, in 1842, the Oppeln congregation completed the construction of its own synagogue, Geiger was invited to the city to dedicate it. The invitation indicates that at least the leaders of the Oppeln congregation were in sympathy with the movement toward reform which, in Germany, crystallized under the banner of "Liberal Judaism."

The second rabbi of the Oppeln congregation, Adolf Wiener (1811-1895),[6] whose tenure spanned four decades, advocated radical reforms. Baeck reports that "it was due to his efforts that the community, the first to use the modern ritual, became the champion of religious progress in Upper Silesia."[7] Indeed, at his first pulpit, in Posen, Adolf Wiener had aroused such opposition by delivering his German sermons in the synagogue that his services could be conducted only under police protection. He was a resolute opponent of the authority of Talmudic law; at the Rabbinical Assemblies of the 1840's and 50's he advocated such changes as the introduction of the organ in the synagogue service, permitting travel on the Sabbath, and the abolition of all the second days of the festivals of the Jewish calendar.[8] One congregant recalls that he even advocated changing the beginning of the Sabbath from sundown Friday to sundown Saturday to coincide with the Christian sabbath. However, he did not impose his will on the community, and his congregants, in turn, esteemed their rabbi. He had the respect of others in Oppeln as well, and was honored by the city on his eightieth birthday.

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[5]Wiener would later describe the controversy in his *Abraham Geiger and Liberal Judaism: the Challenge of the Nineteenth Century*, compiled with a biographical introd. by Max Wiener, translated from German by Ernst Schlochauer (Philadelphia: Jewish Publication Society, 1962; reprint ed., Cincinnati: Hebrew Union College Press, 1981), 17-33.

[6]Not related to the family of Max Wiener. Theodore Wiener, interview by author, Washington, 26 October 1984. Adolf Wiener was rabbi in Oppeln from 1853 to 1895. His grand-daughter, Natalie, married Leo Baeck.

[7]Leo Baeck, "*Oppeln.*"

[8]*JE*, *s.v.* "Wiener, Adolph."

Adolf Wiener was succeeded by Hermann Vogelstein (1870-1942), whose path would cross Max Wiener's on a few occasions. Vogelstein came to Oppeln in 1895. He belonged to that majority of German rabbis who resolutely opposed Jewish nationalism. It was a stance which he had inherited from his father, Heinemann, rabbi in Stettin. The elder Vogelstein had edited a prayerbook for Liberal congregations from which he expunged all allusions to the messianic yearning for the national restoration of Israel.[9] It was only consistent that the elder Vogelstein also joined in the admonition published by the rabbis of Germany two months before the First Zionist Congress in Basel (1897), demanding that, out of piety and "love of fatherland," German Jews neither participate in the Congress nor support its goals.[10] The younger Vogelstein held the Oppeln post for two years, leaving to become rabbi in Königsberg, and later in Breslau. Years later, he and Wiener would have a public argument about Zionism. It was sometime in the early 1920's, as Wiener's son recalls, at a meeting of the Keren Hayyesod in Breslau.[11] Wiener was the guest speaker, and Vogelstein, then rabbi of the city, delivered a response which Wiener called a "harangue." Vogelstein then proceeded to reprimand his "former pupil" for this insult. Erich Bildhauer, Wiener's cousin and editor of the Breslau *Jüdische Zeitung*, came to his defense. Hermann Vogelstein would later declare in a rabbinical conference that Judaism "is compatible with any form of nationalism—with the exception of Jewish nationalism."[12]

Vogelstein's place was taken by Baeck. It was Baeck's first pulpit, and he was the first to officiate in a new, larger synagogue. He dedicated it soon after his arrival, built on Wilhelmstal Island, a tranquil island in the Oder River in the center of the town.[13] Wiener was a student in those years at the Royal Catholic *Gymnasium* in Oppeln, where Baeck gave the Jewish students religious instruction. The encounter with Baeck marked the beginning of an association which would remain close until Wiener fled to America in 1939.

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[9]See Max Wiener's article, "Vogelstein, Heinemann," *JL* 5:1219. The prayerbook was adopted in Westphalia and came to be known as The Westphalian Prayerbook—"Das westfälische Gebetbuch." He also wrote a broadside against Zionism: *Der Zionismus, eine Gefahr für die gedeihliche Entwicklung des Judentums* (1906).

[10]Max Wiener, "Vogelstein, Heinemann." Herzl called the group the "Protestrabbiner."

[11]Keren Hayyesod served as a discreet fund-raising arm of the Zionist movement.

[12]Theodore Wiener described the Keren Hayyesod meeting in a letter to me, September 29, 1988. For the rabbinical conference, see below, Part Two, p. 111.

[13]Baker, *Days of Sorrow and Pain*, 29. Baker includes two pictures of the new synagogue, one showing the building consumed by flames during the November Pogrom, 1938, among the photographs following p. 112.

Baeck was a conciliatory presence in the Oppeln community. He had sympathy for the customs of traditional Judaism, which he called the "poetry" of Jewish existence, and which he upheld in his own life. Unlike Vogelstein, he thought that the national aspect of Judaism had to be recognized. In a lecture he gave after World War I, he proclaimed that "Judaism is a unique happening in the history of mankind, a word of the Creator's which may no longer be repeated...Neither the element of religion nor that of peoplehood can be removed from Jewish existence."[14] That is a formulation which Wiener would use as well. When, in 1898, Hermann Vogelstein voted for the resolution protesting the Basel Congress, Baeck cast his vote against it, one of only two to do so. Even though Baeck did not yet consider himself a Zionist, the attempt by older colleagues to brand all dissenters as heretics disturbed him.[15]

Wiener belonged to the third generation of his family to have enjoyed a secular education.[16] When he left his hometown, he followed Baeck's footsteps—perhaps his advice as well—taking up studies in philosophy at the University of Breslau, and rabbinical studies simultaneously at the Jewish-Theological Seminary which Zacharias Frankel had established there one-half century before. He recorded in his *curriculum vitae* that he graduated from the *Gymnasium* on Easter, 1902; his university transcript shows that he enrolled there on the second of May.[17] As was not unusual for German students, Wiener did not confine himself to a single university. After one year, he sought out the University of Berlin, but returned to Breslau in the autumn of 1904.

At the Breslau University Wiener concentrated on philosophy and psychology. He attended Jacob Freudenthal's lectures on Psychology, General History of Philosophy, on Kant's *Critique of Pure Reason*, and his seminars on Aristotle, on whom Freudenthal was an authority.[18] He also attended lectures by

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[14]Unpublished lecture, cited in Baker's judicious treatment of Baeck's position on Zionism, Baker, 119.

[15]Baker, 39. Also in Alexander Altmann, "The German Rabbi: 1910-1939," *LBIY* 19 (1974): 33.

[16]See the recollections of his family by Theodore Wiener, "The German-Jewish Legacy: An Overstated Ideal," in *The German-Jewish Legacy in America 1938-1988, From Bildung to the Bill of Rights*, edited by A. J. Peck (Detroit: Wayne State University Press, 1989), 151-155.

[17]Quite remarkably, the Archives of the University of Breslau, now Wroclaw, still has Wiener's *Anmeldungs-Buch*. I thank the Director, Dr. Stefan Kubów, for sending me a photocopy.

[18]Jacob Freudenthal (1839-1907) first taught at the Samson School in Wolfenbüttel, and from 1864 at the Breslau Seminary. From 1875 he also taught at the University of Breslau. In addition to his works on Aristotle, he also published studies on Jewish Hellenistic philosophy and on Spinoza. *EJ*, s.v. "Freudenthal, Jacob."

Hermann Ebbinghaus[19] in philosophy and psychology, and by Baumgartner in 19th century philosophy and epistemology. He received an introduction to Arabic from Carl Brockelmann,[20] and read Ibn Hišâms "Life of Muhammed" with Frankel. He also studied Roman history and French poetry, and attended a course on Darwinism. At the University in Berlin, Wiener had the opportunity to attend lectures by many of the outstanding thinkers and scholars of his time, among them Wilhelm Dilthey.[21]

While at each university, Wiener was pursuing rabbinical studies, in Breslau at the Jewish Theological Seminary, and in Berlin at the *Lehranstalt für die Wissenschaft des Judentums*, established in 1872. The *Lehranstalt* had fulfilled a long-standing wish of Abraham Geiger to establish an academy for the Science of Judaism. It is plausible that in this, too, Wiener was heeding the counsel of his mentor Leo Baeck, who once publicly proposed that all rabbinical students, whether enrolled at the *Lehranstalt*, the Breslau Seminary, or at the Neo-Orthodox Hildesheimer Seminary in Berlin, be required to take a semester at the other institutions.[22] In Breslau, he studied Jewish history under Marcus Brann, Graetz' successor, and Talmud under Saul Horowitz.[23] At the

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[19]Hermann Ebbinghaus (1850-1909) was known for his advances in experimental psychology, in particular as applied to the study of memory.

[20]Carl Brockelmann, (b. 1868), philologian of Semitic languages.

[21]See below, Part One, for his influence on Wiener's interpretation of the prophets. The Berlin professors and *Privatdozenten* whom Wiener lists from that year are: Barth, Dilthey, Horowitz, Lasson, R. Lehmann, Paulsen, Schmoller, Strack, Stumpf, Thiele, Vierkandt. (Wiener's *Anmeldebuch* from the *Königliche Friedrich-Wilhelms-Universität zu Berlin* in AJA, Max Wiener File.) Jacob Barth (1851-1914) taught Semitic philology and Bible exegesis, and was the author of *Die Nominalbildung in den Semitischen Sprachen*. (*EJ*, s.v. "Barth, Jacob.) Horowitz is Josef Horowitz (1874-1931), who taught Oriental Languages at the University of Berlin from 1902-1907. (*EJ*, s.v. "Horowitz, Josef") Adolf Lasson (1832-1917, originally Aaron Lazarussohn) was a Hegelian whose work focused on philosophy of law and religion. (*EJ*, s.v. "Lasson, Adolf.") Rudolf Lehmann (1855-1927), was *Privatdozent* for philosophy and education; Friedrich Paulsen (1846-1908) likewise taught philosophy and education. Gustav Schmoller (1838-1917) was professor of economics and an advocate of the social welfare state. Hermann Strack (1848-1922) was the professor of oriental languages who was active both in the defense of the Jews against Anti-semitism and in the Protestant mission to convert them. With Paul Billerbeck he wrote a commentary to the New Testament based on Rabbinic literature (1922-28). Carl Stumpf (1848-1936) developed a theory of perception and knowledge which he applied to music. Alfred Vierkandt (1867-1953) taught philosophy and sociology. (*Der Grosse Brockhaus*, 16. Aufl. [Wiesbaden: Brockhaus Verlag, 1952-57]; see the respective articles on each.)

[22]Baker, 38.

[23]Saul Horowitz (1859-1921). For a survey of Horowitz' comprehensive erudition, see the article on him in *JL*. In the spirit of his predecessor, Israel Lewy, he produced critical editions

*Lehranstalt* in Berlin, he studied homiletics and midrash under Sigmund Maybaum, liturgy and history under Ismar Elbogen, Bible under A.S. Yahuda,[24] and Talmud and codes under Eduard Baneth.[25]

Just four years after arriving in Breslau, Wiener defended his doctoral dissertation in the Aula Leopoldina of the University, at midday on the last Friday of April, 1906. The dissertation dealt with Fichte's conception of history; Freudenthal was his mentor, and in the *curriculum vitae* which, following the German university custom, is appended to his dissertation, Wiener includes a special appreciation of his encouragement and support. As was also the custom, he defended a number of theses that day, not all of which bore directly on his dissertation. One had to do with an alleged misinterpretation of Kant by Helmholtz, and the last with the critical approach to the Bible: "Chapters 46-51 of the book of Jeremiah"—they contain the oracles against the nations—"are most certainly not genuine."

Doctorate in hand, Wiener left the Breslau seminary for the Berlin *Lehranstalt*. Like Baeck before him, he joined many who, in those days, broke away from Breslau for the broad *allées* of Berlin. But it was not merely the cosmopolitan air of the capital which drew students there from the Breslau Seminary. The Seminary was confining. Many sensed that dispassionate inquiry was not really possible. The critical approach to the Bible was taboo. One former student recalls that a certain religious extremism on the part of some members of the faculty may have contributed to this modest exodus.[26] Wiener joined the exodus and took full advantage of the Berlin University, attending Georg Simmel's lectures on "Philosophy of Culture," Hermann Gunkel's on "Old Testament Theology," as well as classes in philosophy with Max Frischeisen-Köhler[27] and Ernst Cassirer. At the *Lehranstalt* he heard Hermann Cohen, whose influence on him would prove to be strong and problematic. In 1907 Wiener was ordained rabbi.

The summer of 1907 was also Leo Baeck's last in Oppeln. In November he became rabbi of the larger community of Düsseldorf, and saw to it that in the following year Wiener, then twenty-six years old, was engaged as his assistant.

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of rabbinic texts, and, spurred by his teaching responsibilities in the field, wrote studies on medieval Jewish philosophy.

[24]On Yahuda, see below, Part One, p. 18.

[25](1855-1930). For the courses taught by the various professors of the *Lehranstalt* and *Hochschule*, see the annual reports, *e.g. BHWJ* 23 (1905): 10.

[26]Rabbi Max Grünewald, interview by author, 6 July 1987, Millburn, New Jersey .

[27](1878-1923), in his philosophy close to Dilthey, and co-editor of the *Kant-Studien.*

Wiener's main duty was religious instruction for the youth.[28] Like Baeck, he was a scholar-rabbi, and he wrote his first major study while serving as assistant rabbi there.[29] The position was a waystation, however, to a pulpit of his own in Stettin. When Wiener left for his new post in 1912, the board of the Düsseldorf synagogue presented him with a testimonial which speaks of his broad knowledge and conscientious attention to his rabbinic office.[30]

Wiener inherited the Stettin congregation from Heinemann Vogelstein, Hermann's father. The elder Vogelstein died while vacationing in St. Moritz in the summer of 1911, after a tenure in Stettin which had spanned three decades, and had been rife with controversy. The modern Stettin congregation was precisely 100 years old in 1912, and an influx of immigrants from Eastern Europe during the 19th century had accelerated its growth.[31] The growing community had spawned factions which clashed over proposals to change the liturgy. Under Vogelstein's predecessor, Abraham Treuenfels (rabbi in Stettin from 1860-79), a Commission on Changes in the Liturgy, over the objections of the Orthodox, deleted the "particularistic"—perhaps even nationalistic?—and thus objectionable reference to the election of Israel "from among all the nations"—מכל העמים—from the prayerbook, and introduced an organ into the synagogue, as well.[32] Sometime in the 1860's, a more Orthodox congregation, called the *Adaß-Jisroel-Gemeinde*, was founded in Stettin by those dissenting from the reformist tendencies of the main synagogue. Nonetheless, its leaders, in the spirit of communal unity, maintained their membership in the main synagogue as well.[33] But conflicts erupted over the liturgy to be followed in the "great" synagogue. Vogelstein pressed the issue when, in 1897, he petitioned the synagogue board that it either adopt an entirely new prayerbook or allow the full use of "the

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[28]The annual report of the *Lehranstalt* notes his appointment as "*Religionslehrer*," *BHWJ* 26 (1909), 9.

[29]The focus of Part One of this study.

[30]Testimonial of April 11, 1912 in AJA, Max Wiener File.

[31]M. Elk, "Vorwort des Herausgebers" in Jacob Peiser, *Die Geschichte der Synagogen-Gemeinde zu Stettin*, Ostdeutsche Beiträge aus dem Göttinger Arbeitskreis, vol. 37 (Würzburg: Holzner Verlag, 1965), 11. Rabbi Elk was Max Wiener's successor in Stettin, until 1935, when he settled in Palestine. The first report sent by the American embassy to the State Department concerning the deportation of German Jews to Poland describes the deportation of the 1200 Jews remaining in Stettin in February, 1940. They included the residents of two old-age homes, some of whom were carried to the railroad station on stretchers. (See Arthur D. Morse, *While Six Million Died, A Chronicle of American Apathy* [Woodstock, New York: Overlook Press, 1983], 290.)

[32]Peiser, *op. cit.*, 42.

[33]*Ibid.*, 99-101, for the history of the *Adaß-Jisroel-Gemeinde*.

Joël prayerbook," the prayerbook which Manuel Joël (1826-90) had edited for the new Breslau synagogue. Eventually the board's commission adopted Heinemann's own prayerbook, but in the traditional faction, discontent festered with Vogelstein's thorough purge of the belief in election, and they lobbied for the restoration of the contested words "from among all the nations." The commission forfeited doctrinal consistency for communal peace and arrived at a compromise: the phrase would be deleted from all prayers, except for the blessing before the reading from the Torah! Aside from changes in liturgy and custom, one of which allowed cremation and burial in urns, Vogelstein also instituted religious instruction for children "above the age of fourteen" and conducted services especially for the youth of the congregation.[34] While Liberal Judaism flourished in Stettin during Vogelstein's tenure, membership in the Orthodox *Adaß-Jisroel-Gemeinde* dwindled. After the First World War it encountered hard times, and by 1920 it was unable to gather the quorum of ten men required for worship.

In the congregation which Wiener inherited rabbis were not empowered to decide on change, but only to propose it. Wiener's contract with the synagogue also allowed (!) him to argue for his suggestions before the governing bodies of the congregation.[35] The congregation maintained a measure of tranquility between constituents of differing provenance and religious practice simply by allowing diversity. Hence, a multitude of duties are enumerated in Wiener's contract, reflecting the diverse loyalties of his congregants: he was to preach in the "great synagogue" every Sabbath and holiday, and in the "branch worship service" once a year, a second service which became necessary in the first decades of the century, when the congregation outgrew its synagogue. Wiener was also to furnish *responsa* on halakhic questions, supervise the kosher butcher, and conduct religious instruction, including the classes for confirmands. These classes were probably those originally instituted by Vogelstein for pupils above the age of fourteen.

The chronicle of the history of the Jews of Stettin makes no mention of great controversy during Wiener's years. World War I would soon come to preoccupy all Germans, Jewish and Christian. On Wiener's initiative, a synagogue newsletter was started during the war, the first issue appearing in November,

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[34]*Ibid.*, for prayerbook controversy, 42; burial in urns, 68; youth programs, 43, 53.

[35]The contract is in the AJA, Max Wiener File.

1916.[36] Wiener wanted to extend the reach of his weekly Sabbath sermon.[37] He edited the newsletter himself, but in July, 1917, was drafted as an army chaplain, assigned a wagon, two horses and a driver, and sent to the front with the troops of the First Army.[38] Thereafter, the modest publication appeared irregularly, carrying articles which Wiener wrote for his congregation from the front. One report, "The Jewish Community at the Front," describes in detail the obstacles he had to surmount to bring any kind of Jewish life to the troops.[39] In June 1919, he published a meditation on the Ten Commandments—perhaps it was a sermon for Shavuot—which bears dramatic witness to the impact of the war on Wiener and to the remorse it evoked in him and his generation.

> What in the political life of the world manifests itself as the drive to conquer, as imperialism, is only the direct continuation of what, in the domestic life of a people, is unbridled desire for wealth, unrestrained competition, unabashed greed, the desire to accumulate as much as possible, by means of as little honest work as possible. Sin against the eighth commandment, "Thou shalt not steal!" has infested, and finally destroyed our world. Nations are human beings of monstrous proportions.[40]

The analysis is striking. Wiener writes that any peace which does not eradicate the source of the evil, economic greed, will be an illusion. He exhorts his congregants to strive for a genuine community of justice.[41] The war exploded Wiener's confidence in old political orders. He also writes frequently of his worry that a society and economy which war has harnessed and unified for its own destructive purposes might be redirected to peaceful aims only with great difficulty.[42]

In the years after the war, Wiener devoted himself to his rabbinical office and his writing. (In fact, nearly all the actual writing was done by his wife, Toni, who served as her husband's amanuensis throughout his life. Even his corre-

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[36]*Jüdisches Gemeindeblatt für die Mitglieder der Synagogengemeinde Stettin.* The Library of the Leo Baeck Institute, New York, possesses a nearly complete run.

[37]Peiser, *op. cit.*, 75.

[38]The "Ausweis für den Herrn Dr. Wiener in Stettin zur Ausübung der jüdischen Seelsorge bei der Armee," AJA, Max Wiener File, lists all the equipment and provisions allowed the *Feldrabbiner*, food and lodging for himself, rations for the horses, and the like.

[39]"Die jüdische Feldgemeinde," *Jüdisches Gemeindeblatt...Stettin*, Jahrg. 1, Nr. 4, 27-31.

[40]"Ende und Anfang," *Jüdisches Gemeindeblatt...Stettin*, Jahrg. 3, Nr. 2, 9.

[41]*Ibid.*, 12.

[42]"Geist und Uniform," *Jüdisches Gemeindeblatt...Stettin*, Jahrg. 1, Nr. 4, 25-27.

spondence and drafts of his sermons are written in her graceful script.[43]) Wiener was always seeking to educate his congregants about their heritage; for the lawyers and doctors of Stettin he gave special courses in which he compared contemporary medicine and law with its Talmudic counterpart. One pupil who graduated from the *Gymnasium* in 1927 and had been in Wiener's classes through all his school years except the last, wrote six decades later that he still felt much indebted to Dr. Wiener, particularly in the area of philosophy of religion. In his classes as in his sermons, Wiener never read from notes, and in each class he always resumed at the very point where he had left off at the end of the session before.

> Because of our close contact with him, we, his pupils, were able to understand his sermons adequately, sometimes quite well. But he spoke hopelessly high over the heads of the congregation. Very few could understand his exceedingly worthwhile but difficult discourses. When he gave eulogies the congregation was simply lost.[44]

His first lengthy statement on theological issues belongs to this period.[45] It was also during this period that he was invited to become rabbi of the city of Mannheim, but declined, and during this period as well that the faculty of the *Hochschule* in Berlin nominated him to become the first Hermann Cohen Professor of Philosophy of Religion. It seems that his candidacy was scuttled by Cohen himself. The chair was an endowment given the Hochschule on the occasion of Cohen's seventieth birthday, but Cohen saw in Wiener, forty years his

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[43]The literary estate is in LBIA, Max Wiener File. Theodore Wiener, interview by author, Washington, D.C., 26 October 1984, Washington, D.C.

[44]Hans Heinz Altmann, member of the *Vorstand* of the Jewish community of Freiburg i.Br., born 1908 in Stettin, in a letter to me, May 22, 1988:

> "Dr. Max Wiener war, fast bis zu meinem Abitur im Jahre 1927, mein Religionslehrer...Ich verdanke ihm sehr viel, besonders auf dem Gebiet der Religionsphilosophie...Er hat seinen Unterricht, wie auch seine Predigten, ohne jedes Manuskript durchgeführt. In den Religionsstunden konnte er an demselben Punkt wieder ansetzen, wo er das letzte Mal aufhörte.
>
> Wir, seine Schüler, verstanden seine Predigten auf Grund des engen Kontaktes ausreichend bis sehr gut. Über die Köpfe der Gemeinde redete er rettungslos hinweg. Nur wenige verstanden seine ausserordentlich wertvollen aber schwierigen Ausführungen. Verloren war die Gemeinde bei seinen Beerdigungs-Ansprachen. Da war schon einfacher mit dem zweiten Rabbiner Dr. Worms oder seinem Nachfolger Dr. Elk. Zu dem, einem sehr guten Rabbiner, mochte ich nicht mehr gehen, da der wissenschaftliche Vortrag von Dr. Wiener so überragend anregend war, daß ich mich nicht umgewöhnen konnte."

[45]See below, Part Two, p. 73f.

junior, a philosophical "immaturity" which made him unfit to assume the chair bearing the master's name.[46]

The year 1917, the same year Wiener was drafted into the German army as chaplain, was also the year of the Balfour declaration, a diplomatic breakthrough which charged the Zionist movement with new energy. Wiener, too, emerged from the First World War with a sense of Jewish nationhood which would soon crystallize into a theological outlook that supported Zionist goals.[47] The year 1926 brought him to Berlin, again following Baeck, who was instrumental in arranging for his appointment.[48] He also had the support of Alfred Klee, a Berlin lawyer and leader in the Zionist *Jüdische Volkspartei* ("Jewish People's Party"), who, at that time, was launching a campaign to win the allegiance particularly of the Liberal Jewish communities, which tended to be indifferent or even hostile to Zionism. He must have seized upon the rare opportunity to bring in a Liberal rabbi whom he knew was sympathetic to his cause.[49]

Wiener was installed as rabbi in Berlin on the eve of Shavuot, 1926. To the music of the choir and organ he was led into the Fasanenstraße synagogue, in which every seat was taken.[50] Like all of the Berlin rabbis, Wiener was not assigned to a specific synagogue. There were eleven synagogues under the aegis of the Jewish Community of Berlin and its board determined where and when the rabbis preached. Wiener's contract stipulated only that he would have the duty of preaching in synagogues with an organ, a code for the Liberal synagogues. He preached initially in Fasanenstraße and Lützowstraße, and later in the Prinzregentenstraße synagogue, which had abolished separate seating for men and women. He had reached the pinnacle of his career: to be rabbi in the city which was home to half of Germany's Jews, and which, as Wiener put it in his first Berlin sermon, was a mirror of the spiritual state of the Jews of Western Europe in general. "Renaissance" and "disintegration," he said, exist in Berlin

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[46]For the Mannheim offer: Max Wiener, Fairmont, West Virginia, to William Rosenau, Baltimore, 30 September 1942. AJA Rosenau File. On the endowed Cohen chair, *30. BHWJ*, 1912. The documentation for Wiener's candidacy is a letter of reference on Wiener, dated February 1, 1912, and solicited, apparently by the *Hochschule*, from Cohen himself, "Zum Vorschlag des Lehrerkollegiums für Dr. Wiener..." A copy of this document was given to me by Herbert A. Strauss, with whose permission it is published and translated here as an Appendix (pp. 181-183).

[47]See below, Part Two, "The Theological Zionist," pp. 109-120.

[48]Alfred Jospe, interview by author, Washington, D.C., 22 April 1985.

[49]On Klee (1875-1943), who fled to Holland and perished in the camp at Westerbork, see *EJ*, s.v. "Klee, Alfred," 10:1096-7.

[50]"Amtseinführung des Herrn Rabbiners Dr. Max Wiener," *Gemeindeblatt... Berlin* vol. 16, no. 7 (1926): 145.

side by side. To arrest the process of "disintegration," Wiener threw himself into the work of the Berlin community's impressive program in adult education, serving as the director, planning curricula and courses, and organizing, as well, the lecture series sponsored by the Jewish Cultural Union (*Jüdischer Kulturbund*).[51] He also accepted the assignment of serving as chaplain to the Jewish students at the university. It was the first chaplaincy of its kind, a precursor of the American "Hillel rabbi" and a "brief but imaginative experiment" which was terminated by the rise of National Socialism.[52]

Wiener was not a gregarious rabbi; he was a scholar. While the Berlin system itself compelled each of its rabbis to be something of an itinerant preacher, acquainted with several congregations and intimate with none,[53] Wiener's scholarly reclusiveness only isolated him more. Just as in Stettin, his sermons were philosophical discourses. One younger colleague with an appreciation of his keen intellect would seek out the synagogue where Wiener was preaching on a particular sabbath just for that reason.[54] His sermons were not intended to make his co-religionists comfortable, but to challenge them.

Wiener's sermon on the evening of his installation conveyed the message to the curious listeners that the newcomer was a Liberal rabbi of a different hue. One of those present wrote about that evening in a tribute to Wiener after his death:

> It was probably one of the strangest sermons I ever heard in my long career. Its effect was neither inspiring nor captivating. A scholar stood there, and his profound line of reasoning could not be followed by every Jew. We were astounded by the frankness, by the unusual boldness with which Wiener sought to raise the congregation to his plane of discourse...Fitting sentence to sentence, in this three-quarter hour long sermon he erected a monumental edifice of Jewish philosophy.[55]

The laconic summary of Wiener's sermon which was published at the time in the official organ of the community gives slight clue to its content. Wiener took the festival of the giving of the law as an occasion to stress the character of revela-

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[51]On Wiener's activities in Berlin, Theodore Wiener, interview by author, Washington, D.C., 26 October 1984.

[52]Alfred Jospe, "A Profession in Transition, The German Rabbinate 1910-1939," *LBIY* 19 (1974): 58.

[53]Jospe, who was Wiener's junior colleague in the Berlin rabbinate, even complained from his pulpit in the Levetzowstraße synagogue, "Ich soll ein Seelsorger sein, aber ich kenne kaum eine einzige Seele hier." *Ibid.*, 52.

[54]Alfred Jospe, interview by author, Washington, D.C., 22 April 1985.

[55]Magnus Davidsohn, "Einem Großen in Israel," *Allgemeine Jüdische Wochenzeitung* 5, 19:6.

tion as commandment. The central message of the festival of revelation, he said, is the "Thou shalt." The commandments are law, and they point to the divine law-giver. We Jews are obliged to live as Jews, not to heed the voices of others which beckon, "Become like us!" In a veiled fashion, he also expressed his sympathy with the Zionist movement, concluding with an exhortation to his listeners to support all constructive efforts in modern Judaism, whatever they may be. Wiener was stating his position. In that sermon he became, as the listener recalled, "his own commentator," defining himself as a Liberal rabbi who was different.

# Part One

## Interpreting the Biblical Legacy

*Introduction*

At a Rabbinical Conference convened in Berlin at the end of 1906, Benno Jacob (1862-1945) delivered a lecture in which he bemoaned the "dismal state" of Jewish Biblical scholarship. Jacob, who was then the newly appointed rabbi of Dortmund, declared: "We should not, for dogmatic reasons, leave Biblical scholarship to Protestant theologians; we need unbiased scholarship of our own."[1] It was Jacob who, at the urging of his friend Franz Rosenzweig, would later devote years of labor to a scholarly, Jewish exegesis of the Bible. "It seemed to me," he would write in the 1933 foreword to his commentary on Genesis, "that our times urgently needed a scholarly, independent Jewish commentary which would remove the disgrace from our community that, for the scholarly explanation of its own and holiest book it should be wholly dependent on Christian commentaries."[2] At the Rabbinical Conference, however, Jacob's

[1]The following incident is recounted in a memoir by Caesar Seligmann (1860-1950), a leader of the Liberal movement: *Erinnerungen*, ed. Erwin Seligmann (Frankfurt am Main: Verlag von Waldemar Kramer, 1975), 137ff., and also in Kurt Wilhelm, "Benno Jacob, a Militant Rabbi," *LBIY* 7 (1962): 86-88. Jacob's address was part of a broader critique of *Wissenschaft des Judentums* and was published in the conference proceedings.

[2]Benno Jacob, *Das erste Buch der Tora. Genesis übersetzt und erklärt* (Berlin: Schocken, 1934), 12. The foreword, written in 1933, makes mention of Rosenzweig's role.

call for a critical approach enraged the Orthodox rabbis present. They surrounded the dais, and one Rabbi Kohn of Ansbach, flung down a slip of paper in which he declared his resignation from the Conference.[3] A tumult ensued which did not abate until an ad hoc commission was appointed, comprising representatives of both the liberal and orthodox factions, to determine whether Jacob had violated a statute of the conference which sought to keep the peace between the two factions by barring discussion of any "religious issues which might involve a violation of the legal decisions of the prevailing authorities." The commission found Jacob's lecture out of order, and the plenary session of the assembly confirmed the commission's resolution by a majority vote.

The reaction to Jacob's lecture reflects an aversion to Biblical criticism which springs from deep religious roots. Biblical, and in particular, Pentateuchal criticism was an arrow aimed at the heart of traditional Judaism. Belief in the Mosaic authorship of the Pentateuch, shared by both Jewish and Christian tradition, is old. It is witnessed both by Josephus[4] and by the well-known passage in the Babylonian Talmud in which the Rabbis discuss the authorship of the Biblical books.[5] It was this belief which Spinoza, a harbinger of modern Biblical research, sought to dismantle in the year 1670 in his—then anonymous—*Theological-Political Treatise*, concluding that it is "clearer than the sun at noonday that the Pentateuch was not written by Moses, but by someone who lived long after..."[6] The era of modern Biblical research was ushered in by Jean Astruc, who argued in 1753 that the Pentateuch, and, in particular, the book of Genesis, might be composed of discrete sources, each distinguished by the various names used to refer to Deity.[7] He laid the cornerstone of the edifice later known as the "documentary hypothesis," the focal point of both the proponents and the detractors of Biblical scholarship in the nineteenth century.

The results of modern Biblical scholarship were reluctantly received in Jewish circles. It was a field in which, as Jacob lamented, Jews deferred to Christians. The nineteenth century offers some exceptions to this general rule, a

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[3]Pinhas Kohn (1867-1942) was rabbi in Ansbach from 1896 to 1916, and became a prominent leader among Orthodox rabbis.

[4] Flavius Josephus, *Against Apion* I, 8:38-42.

[5]*b. Baba Bathra* 14b-15a.

[6]*Theological Political Treatise*, trans. R.H.M. Elwes, (New York: Dover, 1951), 1:124. The author, according to Spinoza, was Ezra, who expanded on a Mosaic core.

[7]Jean Astruc (1684-1766), *Conjectures sur les mémoires originaux dont il paroit que Moyse s'est servi pour composer le livre de la Genèse* (Brussels, 1753).

handful of Jewish scholars who made their own contributions to the field. One was Leopold Zunz (1794-1886), who was the first to propose that Chronicles, and Ezra-Nehemiah were written by the same author, and whose Biblical essays show, for example, that he accepted DeWette's dating of Deuteronomy to the Josianic reform.[8] Another was Abraham Geiger (1810-74), whose *Urschrift* argued that no divine hand had protected the cradle in which the text of the Hebrew Bible matured.[9] Graetz, too, takes a critical approach to some books of the Bible, but not to the Pentateuch.[10] In general, the Jewish posture towards Biblical criticism was characterized by either hostility or indifference.

Religious scruples, however, were not the only reason for the reserve with which modern Biblical scholarship was received in Jewish circles. Protestant Biblical scholarship of the nineteenth century was perceived as tendentious, as a new philological enactment of old prejudices, and this perception cast a shadow over the enterprise as a whole. In 1879 Ludwig Philippson summed up the objections to the critical study of the Bible:

> No literature of antiquity has been seized upon by such scathing and destructive critical study as our Biblical books. For more than two centuries scholars have labored continually to refute traditional notions...to demonstrate that the canonical version of these books is incorrect, that they are composed of various fragments, that they contain glosses and additions, and to prove that the date of their composition is not at all that which has been assumed heretofore. If, in their criticism, scholars were to proceed with deliberation, thoroughly weighing all relevant factors, if they were scrupulously circumspect, dispassionate and impartial, then we would only willingly grant this kind of inquiry its rightful place. This, however, is not the case...[11]

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[8]For Chronicles: "Divrei Hajamim oder die Bücher der Chronik" in *Gottesdienstliche Vorträge der Juden historisch entwickelt* (1832). For Deuteronomy: "Bibelkritisches," in *Gesammelte Schriften* (Berlin, 1875), 1:217ff.

[9]Abraham Geiger, *Urschrift und Übersetzungen der Bibel in ihrer Abhängigkeit von der inneren Entwicklung des Judentums* (Breslau, 1857). For a précis and estimation of the influence of the *Urschrift*, see Felix Perles, "Bibel," in *Abraham Geiger - Leben und Lebenswerk*, ed. Ludwig Geiger (Berlin: Georg Riemer, 1910), 316-327.

[10]Wiener would later discuss the attitudes of Graetz and other 19th century scholars toward modern Biblical criticism and their own use of it. See below, Part Three, p. 154.

[11]Ludwig Philippson, "Die Einheit der Ideen in der Heiligen Schrift," *Allgemeine Zeitung des Judentums*, 1879 (= *Gesammelte Abhandlungen* [Leipzig: Gustav Fock, 1911] 2:91). Philippson's essay was intended as a public response to the "most recent product" of modern Biblical criticism, presumably Julius Wellhausen's *Geschichte Israels*, which appeared the year before, and which was later published under its more familiar title: *Prolegomena zur Geschichte Israels* (1883).

In consonance with this attitude, Biblical criticism was accorded no place in Jewish academic institutions in the nineteenth century. When Max Wiener arrived at the Breslau Jewish Theological Seminary from his hometown of Oppeln in 1902, the critical-historical study of the Bible was not part of the curriculum. Even two decades later, according to one graduate, an understanding prevailed that "Biblical criticism was not possible in Breslau...one could talk about it, but it was not taught..."[12]

A somewhat freer atmosphere prevailed at the Berlin Academy for the Study of Judaism, the *Hochschule für die Wissenschaft des Judentums*, to which, like Wiener, many Breslau students were drawn over the years. Far from banning the teaching of Biblical criticism, as the Breslau Seminary had done, the *Hochschule*, in spite of its ever precarious financial condition, established a chair for Semitic Philology and Bible Exegesis in 1904,[13] bringing the number of full-time faculty to four. A.S. Yahuda was appointed to the chair, a follower of the comparative school who, in his inaugural lecture, felt obligated to remind the audience of the "great merits of the Dutch and Halle schools [of biblical criticism] and of the outstanding achievements of Gesenius, Ewald, Fleischer, Wetzstein, Franz Delitzsch and others."[14] Wiener attended Yahuda's lectures, and pursued Biblical studies outside the *Hochschule* as well.[15] In his first semester at the university, he attended Hermann Gunkel's lectures on "Old Testament Theology."[16] He was preparing himself to engage in that kind of "unbiased" Biblical scholarship for which Benno Jacob had called.

At the *Hochschule*, however, Wiener encountered another figure whose thought provided the philosophical framework for his Biblical studies. In March of 1905, Hermann Cohen, then still the professor of philosophy in Marburg, began his custom of travelling to Berlin and giving courses on ethics and philosophy of religion during the long hiatus between semesters.[17] Cohen's lectures during Wiener's first winter in Berlin spanned the distance between Jewish and general culture: "The Philosophy of Plato" and "On the Background of Medieval

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[12]Alfred Jospe, interview by author, 22 April 1985, Washington, D.C. Rabbi Jospe, who was born in Berlin in 1909, entered the Breslau Seminary in 1928.

[13]*23. BHWJ* 1905, 4.

[14]*24. BHWJ* 1906, 4f.

[15]See the *vita* appended to his doctoral dissertation: *J.G. Fichtes Lehre vom Wesen und Inhalt der Geschichte* (Kirchhain N.-L.: M. Schmersow, 1906).

[16]Information culled from Wiener's "*Anmeldebuch*," in AJA *Max Wiener - Miscellaneous File.*

[17]*23. BHWJ*, 1905, 4f. The courses were called "*Ferienkurse.*"

Jewish Philosophy of Religion in Greek Philosophy."[18] It was Cohen's conception of the religion of the prophets, however, which formed Wiener's. The prophets, Cohen held, were the authors of the idea of the universal God.[19] The "idea" of God is *the* pillar of his philosophical system. In its logical aspect, it is the unifying origin of all being. In its moral aspect, it is the idea of morality.[20] Because the "idea" is taken in this technical sense as the "hypothesis" underlying all being, the idea of God is presupposed in all thought about existence. It is an "*a priori*" which historical experience has, perforce, to bear out.[21]

For Wiener's generation of Liberal Jews, Cohen was a kind of culture hero, to whose system Wiener, the young student, was attracted. Even his choice of topic for an essay, "A Portrait of the Prophet Amos," which won him a prize from the faculty of the *Hochschule*, may betray the influence of Cohen, for whom Amos was the rustic, terse prophet who proclaimed the universality of the Israelite God.[22] The prize essay was the seed of the book he published three years later, *The Views of the Prophets on Morality*,[23] a book that bears the clear stamp of his master. Indeed, in the foreword, Wiener expresses his gratitude to the man whose understanding of the "character of the prophets and their role in world-history decisively influenced" his own presentation.[24]

The letter in which Cohen advised the Berlin *Hochschule* against appointing Wiener to the chair named in his honor throws light on the making of this book. As evidence that the young Wiener was not yet a seasoned scholar, Cohen writes that the book on the prophets

> came into being only after the first draft had been quite thoroughly revised several times by me. The draft suffered from a very worrisome lack of maturity,

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[18]*30. BHWJ*, 1912.

[19]Hermann Cohen, "Religion und Sittlichkeit, eine Betrachtung zur Gundlegung der Religionsphilosophie," *JS* 3:123. Originally published in the *Jahrbücher für jüdische Geschichte und Literatur* 10 (1907): 98-171; also as a separate monograph (Berlin: Poppelauer, 1907), and then reprinted in *JS* 3:98-168.

[20]*cf.* Julius Guttmann, *Philosophie des Judentums* (Munich:Verlag Ernst Reinhardt, 1933), 346f. (English transl. D. W. Silberman: *Philosophies of Judaism* [New York:Holt, Rinehart, Winston, 1964], 353f.)

[21]Eliezer Schweid argues plausibly that this method is not unique to Cohen's interpretation of the Bible, but applies to his "interpretation" of all spheres of human culture. See "Hermann Cohen as Interpreter of the Bible," (in Hebrew) *Da'at* 10 (1982): 93-122, esp. 99.

[22]*24. BHWJ*, 1906, 34-5.

[23]*Die Anschauungen der Propheten von der Sittlichkeit*, Schriften der Lehranstalt für die Wissenschaft des Judenthums, Vol. 1, No. 3-4, (Berlin: Meyer & Müller, 1909).

[24]*APS*, v.

> in that it shared the biases of Protestant Biblical criticism. Dr. W. acknowledged this, and thus, to my delight, a different spirit entered into the book, which still has has earned recognition by Protestant Bible scholars as well.[25]

There is a certain irony in Cohen's criticism. Cohen himself embraced the Wellhausen school of Biblical criticism, and shared its view that the prophets represent Israelite religion at the height of its development. But Cohen was aware of the now subtle, now obvious anti-Jewish tendencies of Protestant Biblical criticism, and may have admonished Wiener on that account. Whatever the reason for his criticism, Wiener's book as it now stands does have a double agenda.

It was his first interpretation of the prophetic legacy to Judaism. Cohen, by transposing Wellhausen's interpretation of the prophets in a Jewish key, provided the score for Wiener's project. Wiener carried out the Cohenian project in detail. As such, the book represents a stage in Wiener's life and thought which he later overcomes. The book also represents an episode in the Jewish absorption of and reaction to the Protestant Biblical scholarship of the nineteenth century.[26] Whether in this, too, Wiener took his cue from Cohen, we cannot know. Wiener did not remain within the Cohenian fold for long. Indeed, Cohen's diagnosis of intellectual immaturity may well have been a symptom of a distance which had begun to separate him from his former student. The revolution in Wiener's interpretation of the prophets shows how this distance grew into a gulf sundering one generation from another. He, too, adopts the central thesis of Wellhausen's documentary hypothesis, which ruled the field of Biblical criticism. He is also careful about what he imports from Protestant Bible scholarship into the Jewish sphere and what he excludes. He contends with the anti-Jewish tendency of Wellhausen and his school. However, he finally bids Cohen and his school farewell, as the prophets are transformed in his view from heralds of universal ethical monotheism into ardent voices of a religiously inspired nationalism.

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[25]Hermann Cohen, "Zum Vorschlag des Lehrerkollegiums für Dr. Wiener...", in Appendix.

[26]An account of the Jewish reception of modern Biblical scholarship has yet to be written. Uriel Tal and Ismar Schorsch have drawn attention to its significance in connection with religious polemics: Uriel Tal, *Christians and Jews in Germany: Religion, Politics and Ideology in the Second Reich, 1870-1914*, trans. by Noah J. Jacobs (Ithaca and London: Cornell University Press, 1975), 192-200; Ismar Schorsch, *Jewish Reactions to German Anti-semitism, 1870-1914* (New York and London: Columbia University Press and Philadelphia: Jewish Publication Society, 1972), 169-177.

*Wellhausen*

Shortly after Julius Wellhausen died in 1918, Hermann Cohen hastened to eulogize him, not, as he said, because he considered himself competent to judge his importance as a scholar of the Bible, but because, as a Jew, he regarded it as "an honor and a duty" to pay homage to the memory of a man who had "devoted his life's efforts to the investigation of the Old Testament and who made enduring contributions to the understanding of the Israelite prophets."[27]

What was Julius Wellhausen's understanding of the prophets? What was their place in his scheme of the history of Biblical religion? There are two answers to this question: Wellhausen gives one in the *Prolegomena zur Geschichte Israels*,[28] the book which marks the culmination of the "documentary hypothesis," and a variant in his later *Israelitische und jüdische Geschichte* (1894), which represents his mature conception of early Jewish history.[29]

In the revealing autobiographical introduction to the *Prolegomena*, Wellhausen writes that in the summer of 1867 he learned that Karl Heinrich Graf (1815-69) had assigned the "Law" a date later than that of the prophets. Wellhausen was persuaded at once. Then, he wrote, "I was able to allow that Hebrew antiquity could be understood *without the book of the Torah.*"[30] Accordingly, Wellhausen formulated the task of the *Prolegomena*:

> The problem addressed in the present volume is the historical position of the Mosaic law...whether it is the point of departure for the history of ancient Israel or for the history of Judaism.[31]

Early Israelite religion knew no law. It had customs, but no legal canon. The latter was produced during and after the Babylonian Exile. The establishment of law was one of the symptoms of the process of degeneration and petrifaction which reached its nadir in the emergence of Judaism. The task Wellhausen sets himself in the *Prolegomena* is to describe this process.

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[27]Hermann Cohen: "Julius Wellhausen - Ein Abschiedsgruß," *JS*, 2:463.

[28]Julius Wellhausen, *Prolegomena zur Geschichte Israels*, 3rd ed. (Berlin: Georg Riemer, 1886); *Prolegomena to the History of Ancient Israel,* translated by W. Robertson Smith (Gloucester, Mass: Peter Smith, 1973). Here as elsewhere, all translations are my own. The number in parentheses refers the reader to the corresponding page of the translation by W. Robertson Smith.

[29]Julius Wellhausen, *Israelitische und jüdische Geschichte*, 2nd ed. (Berlin: Georg Riemer, 1895).

[30]*Idem, Prolegomena...*, 4 (3-4). Emphasis added.

[31]*Ibid.*, 1 (1).

In Wellhausen's scheme it took place in three stages. Each stage marks an epoch in the history of "Israelite" religion, and each expresses itself in a discrete literary stratum of the Pentateuch: the Jahwist stratum portrays religious life during the period of the early monarchy; the Deuteronomist source reflects the changes brought on by the Josianic reforms at the end of the seventh century; and the Priestly Code is the document on which the Jews organized their religious community under Ezra.[32] Wellhausen's departure from the "documentary hypothesis" of his predecessors lies in the dating of this "Code": he argues that it was composed in Ezra's time, and therefore postdates the Deuteronomist source.

Wellhausen's map of Biblical history in the *Prolegomena* thus shows the Babylonian Exile as a continental divide sundering "Judaism" on this side from "Israelite religion" on the other. The early period of Israelite religion, reflected in the Jahwist stratum, was a spontaneous, natural religion. The early Israelites, for example, had a multitude of sacrificial altars; there is not a trace of evidence, argues Wellhausen, that the Israelites believed that there was only one licit sacrificial altar.[33] The sacrificial ritual itself was, in ancient times, believed to be a meal at which the worshipper is the guest of the deity.[34] And the festivals of the ancient Israelites were oriented on the natural rhythm of agricultural life.[35]

The reforms of King Josiah introduced the first corruption into this pristine state, bringing about a "crisis" in the history of the sacrificial cult. He legislated that it be centralized in Jerusalem, thus uprooting it from the natural conditions of life in which it had grown.[36] If the Deuteronomic legislation only "*calls for*" the centralization of the sacrificial cult, the Priestly code, stemming from the period of the restoration, "*presupposes*" it.[37] Wellhausen then adduces any number of Biblical passages to demonstrate that the priestly writers sought to retroject this conception of the centralized cult onto the Jahwist narratives. They even graft the later architecture of the temple onto the conveyance constructed for the tablets of the law in the desert.

In the Priestly Code, sacrifice is severed from its natural root and "refined." Wellhausen proposes the idea that, whereas sacrifice, in its original form, was understood as a sharing of food with the deity, a communion meal, the

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[32]*Ibid.*, 9 (8-9).

[33]*Ibid.*, 17 (17).

[34]*Ibid.*, 64 (62).

[35]*Ibid.*, 84f. (83f.)

[36]*Ibid.*, 78 (77).

[37]*Ibid.*, 36 (36).

priestly laws on sacrifice betoken an estrangement from its original, natural meaning. Sacrifice has become an end in itself.[38]

The festivals undergo a similar estrangement. Originally agricultural festivals (Jahwist stage), then invested with historical meaning (Deuteronomist stage), the priests anchor them to a rigid calendar (Leviticus 23). They all suffer the same fate as the Pesach festival of the Priestly Code, in which, says Wellhausen,

> nothing is free or natural, nothing is left vague or in flux, but everything is fixed and clear as daylight.[39]

All these examples testify to what Wellhausen terms a process of "denaturalization"[40] which has come about because of the imposition of artificial laws on the natural customs of a pristine religion. Ancient custom, Wellhausen writes elsewhere, was like a green tree; after the "reform" of Josiah, it resembled trimmed lumber.[41]

"Historical development," the principle which is the moving force of Wellhausen's research, means—in the *Prolegomena*—historical regress and deterioration. The cause of this deterioration is law. Just as Josiah introduced the Deuteronomic code in the 7th century, Ezra introduced the Torah in the post-exilic period, and the priests codified it. The purpose of Wellhausen's arguments in the *Prolegomena* is to render the editorial activity of the priests transparent, thus showing how they deliberately altered the picture of ancient Israelite religion to make it -- "Jewish." Those who continue to be fooled by the literary artifice of the priests, and still cling to an early date for the priestly legislation are the target of Wellhausen's polemic:

> The antiquity of the priestly legislation is demonstrated by placing it in a historical sphere created by its own legal premises, a sphere which cannot be found in actual history and must, therefore, have preceded it. The priestly legislation, then, hovers above ground, holding itself up by its own hair.[42]

Thus the "Law" in its codified form was artificial, a late invention of the founders of Judaism, the priests and scribes who both composed their own legislation and then sought to remake Israelite history in its image. The fixing of a

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[38]*Ibid.*, 74 (72).

[39]*Ibid.*, 104 (103).

[40]*Ibid.*, 103 (102)

[41]*Ibid.*, 83 (81).

[42]*Ibid.*, 40 (39).

canon of law was the culmination of that process of "denaturalization" of the "natural," pristine Israelite faith in which—to use a phrase of Wellhausen's—the "Jewish tendency to remove God from man" is all-pervasive.[43] With the emergence of nomistic Judaism, the development of Israelite religion had reached its end.

In the scheme of the *Prolegomena* the prophets figure as spirited critics who stand apart from the institutions of Israelite religion. Wellhausen cites their attitude toward the sacrificial cult as evidence that the priestly "Torah" did not yet exist in pre-exilic times. They condemn the sacrificial cult, he argues, without any indication that they thereby seek to undermine the prevailing laws. On the contrary, they challenge the sacrificial cult by reminding its practitioners that Yahweh never demanded sacrifices of them. Amos' polemic (Amos 5) is "directed against the practices of his contemporaries, but he places it on a theoretical foundation with which his contemporaries concur: the sacrificial cult is not of Mosaic origin."[44]

The prophets were a vital force in the religion of Israel, but their warnings were not heeded, their critique of the sacrificial cult ignored. Instead, legalistic "Judaism" prevailed over the "religion of Israel." It brought about "the death of prophecy," which was suffocated by the "Law."[45] Because of the institution of law codes, the Israelites degenerated from a "people of the Word" to a "people of the book."[46] Thus it is the canon, the written Torah, which sets Judaism apart from ancient Israel: "Later generations took the bubbling spring water of the past and stored it in cisterns."[47] The living voice of the prophets was stifled.

In the last chapter of the *Prolegomena*, which bears the title "Theocracy as Idea and Institution," Wellhausen presents a corollary to this thesis: that the idea of a theocracy founded by Moses, like the "law," was alien to the period of the monarchy and is, likewise, of late origin. The so-called Mosaic theocracy was not the residue of some extinct polity, but a fiction invented under foreign subjugation and retrojected into Israelite beginnings.

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[43]In summing up his treatment of the sacrificial cult: "Wie endlich alles dies zusammenhängt mit der judaistischen Fernrückung Gottes vom Menschen, ist klar." *Ibid.*, 81 (79).

[44]*Ibid.*, 59 (56).

[45]See the third and final part of the *Prolegomena*, "Israel and Judaism." *Ibid.*, 421 (402-3).

[46]*Ibid.*, 428 (409).

[47]*Ibid.* 429 (410). "Das Wasser, das in der Vergangenheit gequollen war, faßten die Epigonen in Cisternen."

This was Wellhausen's conception of Judaism in the *Prolegomena*. Judaism was the still-born child of those who had repudiated the teachings of the prophets; the emergence of Judaism thus betokened a sharp break in the history of the Israelites. Judaism spurned its prophetic legacy.

Wellhausen revised this scheme in his *Israelite and Jewish History* (1894). In the *Prolegomena*, the prophets appear as harbingers of Pauline Christianity, opponents of the "letter that killeth," preachers of "the spirit that giveth life" (II Corinthians 3:6). In his later work, Wellhausen understood the interplay between priest and prophet to be more complex. Whereas in the *Prolegomena*, the "law" marked a dramatic change in Israelite history, Wellhausen's *Israelite and Jewish History* offers a different view:

> The law did not bring about a sudden break in the preceding development [of Israelite religion]. Its stifling effect was gradual; much time elapsed before the pith beneath the surface turned to wood. Up to the time of Pharisaism the free impulses which had issued from the prophets remained alive and forceful.[48]

The "cult," in this revised version of Israelite history, did not enjoy a complete victory over prophecy. Prophetic teaching was not "dead." What, then, is Wellhausen's understanding of prophecy in this later work?

In his reconstruction, the prophets are responsible for the transformation of the Israelite conception of God from that of a national God into that of a universal God, who is ruler over all the world.[49] This "universalism" of belief was born under the impact of the Assyrian expansion, which put an end to the numerous kingdoms of the ancient Near East, and, with them, to their belief in the efficacy of their gods. They now appear merely as tools in the hand of the one true God (*cf.* Isaiah 10:5). This, according to Wellhausen, explains the prophets' disdain and even revulsion at the cultic shrines and observances dedicated to the appeasement of these national deities. The faith of the prophets is a faith in a divine rule which will bring about justice. It calls for a different kind of piety: obedience to the divine will. "In this way the prophets created the foundation for legal piety."[50] The law was seen as an expression of the divine will. The re-

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[48]*Idem, Israelitische und jüdische Geschichte*, 198f.

[49]Hans Liebeschütz, *Das Judentum im deutschen Geschichtsbild von Hegel bis Max Weber* (Tübingen: J.C.B. Mohr, 1967), 254. See Liebeschütz' analysis of Wellhausen in Chap. 8: "Das Geschichtsbild der Bibelkritik: Julius Wellhausen." Liebeschütz omits the *Prolegomena* from his exposition.

[50]*Ibid.*

ligion of the prophets did not, in the scheme of Wellhausen's later book, lead directly to the religion of the gospels.[51]

But the prophets were the initiators of the idea of *individual* piety. In this development Jeremiah represents a turning point. Jeremiah, painfully conscious of the failure of the people to save themselves through repentance and return, is the prophet who inaugurated the personal dialogue with God. His laments show that the individual who feels abandoned, persecuted or helpless can appeal to God.

The teaching of the prophets, however, did not suffice to cement the community of exiles; thus the law jumped into the breach, creating an organization which would insure "the endurance of the idea."[52] Wellhausen views the "prophetic priest" Ezekiel as a mediator in this process, in that he, unlike his predecessors, was concerned mainly with the defilement of God's holiness and His sanctuary.[53] "On the whole, Wellhausen sees the significance of Ezekiel in the fact that he was already planning, in exile, what was to be realized under Persian rule: the organization of Judaism under the 'law.'"[54]

While Wellhausen, in his later *Israelite and Jewish History*, understands the transition from prophetic to priestly religion to be less abrupt and more complex than he did in the *Prolegomena*, here, too, Judaism allegedly assumes its final form at the nadir of Biblical history. It is implied that Judaism was necessary, to be sure, as the matrix of the liberating message of the Gospels, as a *praeparatio evangelica*, but that it was a stage now overcome. Wellhausen concludes his *Israelite and Jewish History* with these words:

> Thus Judaism came to an end: transforming itself into the written letter and preserving itself by following the letter. The extensive Jewish literature of the Middle Ages which came thereafter cannot really be considered a product of authentic origin.[55]

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[51]*Ibid.*

[52]*Ibid.*, 258.

[53]*Ibid.*

[54]*Ibid.*, 259.

[55]"Mit dieser Arbeit, sich selbst im Buchstaben aufzuheben und dann nach dem Buchstaben zu conservieren, schließt das Judentum ab. Die ausgedehnte jüdische Literatur des späteren Mittelalters kann man nicht eigentlich als ein Product aus echter Wurzel betrachten." Wellhausen, *Israelitische und jüdische Geschichte*, 377. Given this view of *early* Judaism, it is easy to understand how the term "Late Judaism" (*Spätjudentum*) gained currency in Protestant theology, referring to the same period, but to the death rattle of Judaism as the star of Christianity rose.

Both the provenance and the motivations of Wellhausen's historiography have evoked much discussion. Because of the neat three-stage progression, some have thought the scheme of the *Prolegomena* Hegelian. That assessment is superficial, taking a similarity in form for similarity in content. For Hegel, the progression from thesis to antithesis to synthesis always rises to a new and higher stage in the manifestation of the Spirit. Wellhausen does not operate with this Hegelian pattern. His conception of Israelite history is entirely pessimistic. Judaism is not, as for Hegel, the "religion of negativity," which is taken up and transformed in a new synthesis. Where progress comes about with the advent of Christianity, it is not as a higher synthesis of the stages of history which have preceded it, but as a rejuvenation of the pristine spirit of prophetic faith. A romantic yearning for a pristine past determines the tenor of Wellhausen's thought.[56]

It is hardly astonishing that rabbis, Jewish philosophers, scholars, publicists, and others took offense at Wellhausen's reconstruction of Biblical history. The documentary hypothesis, as it came to be known, was based upon it, and was thus more than a philological achievement; it rested on historical assumptions, or better, prejudices about the value of Judaism, and then corroborated the reconstruction in impressive detail. It offended traditional and liberal Jews alike, the former by undermining the antiquity—and sanctity—of Mosaic law, and the latter by expropriating the teachings of the prophets.

Hermann Cohen praises Wellhausen for having discovered the significance of prophetic piety, and gently chides him for failure to face the "historical problem" that Judaism does indeed survive the birth of Christianity. Later critics of Wellhausen, such as Yehezkel Kaufmann, would reject the historical frame-

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[56]It has been shown that the likely source for Wellhausen's conception of a "pristine" age of Biblical religion was Johann Gottfried Herder. *Cf.* H.-J. Kraus, *Geschichte der historisch-kritischen Erforschung des Alten Testaments*, 4th ed. (Neukirchen-Vluyn: Neukirchener Verlag, 1988), 268. The facile Hegelian thesis is refuted by both F. Boschwitz, *Julius Wellhausen: Motive und Maßstäbe seiner Geschichtsschreibung* (Marburg Dissertation, 1938; reprinted 1968), (cited in Liebeschütz, *Judentum*, 263, n. 42), and Lothar Perlitt, *Vatke und Wellhausen. Geschichtsphilosophische Voraussetzungen und historiographische Motive für die Darstellung der Religion und Geschichte Israels durch Wilhelm Vatke und Julius Wellhausen*, ZAW Beiträge 94 (Berlin, 1965). Stephen A. Geller has argued that there is a conflict in Wellhausen between a romantic and linear-progressive conception of history. Wellhausen's conception of Biblical history seems to me to be thoroughly romantic, informed by that pessimism about the present which yearns for the pristine, natural past. See Stephen A. Geller, "Wellhausen and Kaufmann," *Midstream*, (December, 1985): 39-48, esp. 44. (I thank Professor Yohanan Muffs for referring me to Perlitt's study, Professor Ismar Schorsch for Geller's essay.)

work of the documentary hypothesis "in toto," while acknowledging the composite literary make-up of the Pentateuch. It was Wellhausen's relegation of the "Priestly" stratum to the post-Exilic period which rankled Kaufmann particularly.[57] Wiener, however, accepted both the method of the documentary hypothesis, as well as its periodization of Israelite history. He was, however, well aware of its theological and historical prejudices. In his hands the documentary hypothesis became a tool for questioning Wellhausen's history of early Judaism, for disputing the Protestant usurpation of the prophetic legacy by the Wellhausen school, and for demonstrating how it has endured in Judaism. That is the apologetic aim which guides the program of his first book, *The Views of the Prophets on Morality.*

## *The Prophets on Morality*

*The Views of the Prophets on Morality* transports Hermann Cohen's philosophical conception of prophetic religion into the realm of Biblical scholarship. To be sure, it has been written that the book "was not so much designed as a monograph in the field of Biblical studies than as a contribution to the philosophical understanding of Judaism as a whole."[58] All the same, the book also reflects Wiener's concern with exposing and refuting those assumptions and conclusions of modern Biblical scholarship which misrepresented Judaism and its Biblical legacy.

The preface betrays Cohen's patrimony: in any field of the history of culture, writes Wiener, philosophical ethics must provide the idea according to which phenomena can be judged and evaluated. This holds true for morality as for any other sphere of human culture. The *idea* of morality, therefore, must provide the standard for any attempt to evaluate the history of ethical views.[59]

This method is what Cohen termed "idealization."[60] All knowledge must be viewed in its relationship to the "idea." All disciplines of knowledge are

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[57]Yehezkel Kaufmann, *The Religion of Israel: From its Beginnings to the Babylonian Exile*, translated by Moshe Greenberg (Chicago: University of Chicago Press, 1960), 153-166.

[58]Hans Liebeschütz, *Von Georg Simmel zu Franz Rosenzweig* (Tübingen: J.C.B. Mohr [Paul Siebeck], 1970), 177.

[59]*APS*, 1.

[60]"Die Bedeutung des Judentums für den religiösen Fortschritt der Menschheit," Cohen, *JS* 1:18.

connected, the mathematical and scientific disciplines by principles of logic, and the humanities by principles of morality.[61] Wiener's approach seems bold and even unfounded if it is not seen against the background of Cohen's conception of the "unity of cultural consciousness," a unity grounded in reason. If one assumes such a rational unity of all culture, then it is legitimate to presuppose an "idea" of morality, as Wiener does, and to proceed to seek its reflection in phenomena.

Wiener is well aware that the prophets did not produce a system of philosophical ethics. The term "morality," therefore, in this context, refers to the social conduct of human beings in a broad and "rough" sense.[62] It was the prophets, Cohen had stated, who made morality in this sense—as the realm of the interpersonal—the focus of religion: "the relation of the 'I' to his fellow human being."

> This is the perspective which the prophet introduces into the consciousness of man... in his eternal literary works, he seeks to accustom man to look to the relationship of human beings to one another as the way to seek God.[63]

Wiener also shows himself the pupil of Cohen, and thereby of Wellhausen also, in his assessment of the prophets' position as a turning point in the course of Israelite history.

> Because the prophets preach a God who takes more pleasure in love of one's neighbor than in sacrifice, a God, moreover, to whom sacrifice without justice is an abomination, they herald the victory of ethical motives over specifically religious ones, which is to say cultic motives in their thinking.[64]

This victory was won by a process in which prophetic religion refined the "baser ideas of popular faith in God" and "eliminated or transformed the admixture of mythical elements which were present in an earlier stage."[65] To be sure, the prophets address these ethical questions indirectly; their thoughts lie concealed under a "religious mantle." We see here, moreover, how Wiener—following Cohen's cue—accepts from Wellhausen the tenet that the earlier stage of Israelite religion was more "primitive;" yet, unlike Wellhausen, Wiener maintains that it was not "pagan." The seed of ethical monotheism is present in it,

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[61]Cohen is distinguishing between the *Naturwissenschaften* and the *Geisteswissenschaften*. *Cf.* "Religion und Sittlichkeit," *JS* 3:105.

[62]*APS*, 1

[63]Hermann Cohen, "Religion und Sittlichkeit," *JS* 3:124. Cited in *APS*, 2.

[64]*APS*, 3

[65]*APS*, 3

and is concealed under a "religious mantle" which the interpreter must lift in order to expose the ethical ideas beneath. That is the method of "idealization."

The first chapter of *The Views of the Prophets on Morality* is entitled "Divine Revelation and Human Knowledge," and the problem which occupies Wiener here is not so much one of Biblical exegesis as of philosophical and theological ethics. Is it possible to claim that the source of ethical commandments is divine revelation without forfeiting the idea of human autonomy, that idea which—as Kant had taught—is the *sine qua non* of ethics? Wiener assumes that some belief in revelation is inherent in any religion, that the belief in divine revelation is as elemental to religious consciousness as the belief in a deity.[66] The question, then, reformulated, is: can the commandments of a religion, which are the content of this revelation, coexist with the idea of moral autonomy? What is the "answer" offered by the prophets to this philosophical problem?

The answer is offered by the way in which Wiener conceives of revelation, a problem on which he later elaborates in a number of essays.[67] To the prophets the experience of divine revelation was direct and personal. Revelation refers to the *experience* of revelation, and not to an historical event, the authority of which can be invoked by those who follow later. "The prophets, who are themselves filled with the divine, do not need to refer to the giving of the law on Sinai."[68]

Wiener has to distinguish, then, between "revelation" which is an awareness characterized by its immediacy, and "revelation" which is the object of reflection, an historical event from which the believer is separated both by time, and by the chasm which "reflectedness" imposes between the human being and the sense of immediacy. To be sure, there are the beginnings of such a "theological" concept of revelation within the Bible itself. The book of Deuteronomy is the oldest example of such a document, which presents its commandments and curses as a revelation once given to the prophet Moses, an historical event recalled from the hoary past. Yet, explains Wiener, there is a distinction between revelation, even if it is informed by a "consciousness of its historical origin,"[69] and the concept of revelation in post-Biblical religion, when Jews were aware that they lived in a post-classical age in which, as the Rabbis

[66]*APS*, 8.

[67]See below on "Offenbarung" (1913) and "Vernunft und Offenbarung" (1925), Part 2, 73f.

[68]*APS*, 10.

[69]*Ibid.*, "*Bewußtsein der Geschichtlichkeit.*"

put it, the "springs of prophecy" had run dry.[70] Only in such times, writes Wiener, did the Jews, conscious of a vanishing sense of communion with God, take refuge in the notion of "historical revelation," and in the fixing of divine commandment.

> Revelation which has crystallized into holy writ, the very wording of which claims origin in divine inspiration, has often enough crippled moral energy. It alone compels the human being to mistrust his own reason. It alone is susceptible to the accusation of heteronomy which has been leveled against religious ethics.[71]

This, then, is the crux of the problem. Wiener seeks to defend revelation-based morality against the accusation that moral precepts based on the authority of revelation amount to a form of heteronomy of the will—to use Kantian language—or hold the will "captive," to use Pauline language.[72] Wiener is arguing here with the ghost of Kant, who contended that, because of the "heteronomous" character of Jewish law, Judaism was not a religion at all.[73] Here, too, Wiener's solution follows the master: as Cohen equates God with the *source* of morality, Wiener equates knowledge of God with morality itself.[74] In characterizing the prophet, Wiener can then say that the "prophet, divinely inspired, certain of his revelation in all its immediacy, does not feel a trace of disharmony."[75] The prophet identifies his person with his mission. "Knowledge of God and morality are entirely identical."[76] Just as Kant had paradoxically defined freedom as a "kind of causality" which inheres in the will, Wiener arrives at a paradoxical conception of prophecy: the prophet's consciousness of revelation is his autonomy.

Accordingly, Wiener produces Biblical sources to demonstrate that, although all law and morality is revealed by Yahweh, ancient Israel saw the indi-

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[70]A 1929 essay of Wiener's, "Tradition und Kritik im Judentum," for a volume edited by Paul Tillich, contains a summary history of Judaism in which his periodization of Jewish history is determined by the evolution of the concept of revelation.

[71]*APS*, 12.

[72]*Romans* 7:6.

[73]Immanuel Kant: *Religion within the Limits of Reason Alone*, translated with an Introduction and Notes by Theodore M. Greene and Hoyt H. Hudson (New York: Harper and Row, 1960), 116.

[74]Hermann Cohen, *Ethik des reinen Willens*, 2nd ed., (Berlin: Bruno Cassirer, 1907; reprint, Hildesheim: Georg Olms, 1981), 394; Wiener, *APS*, 13

[75]*APS*, 12

[76]*Ibid.*, 13.

vidual as an autonomous moral agent. In the mentality of the ancient Israelites the consciousness of revelation "does not dull the individual's sense of morality."[77] He sees evidence of a notion of autonomous moral judgment, for example, in the Bible's assessment of the crime in Gibea as the worst crime in Israel's history. The Israelites of the pre-prophetic period, Wiener argues, sensed the distinction between cultic and moral precepts, and held the latter in higher regard. "The ancient Covenant Code is rather free of cultic regulations."[78]

Of course, this style of argumentation belongs to the sphere of religious apologetics. It means little to argue that the Covenant Code (Ex. 21-23) is "rather" free of cultic concerns, when it is hardly entirely free of them. Indeed, it is striking that the cultic regulations which it does contain, such as the prohibition of sacrifices to other gods (22:20), the laws concerning sacrifices (22:29 and 23:18-19), or the duty to observe the "three festivals" (23:14-17) are interspersed among the other laws, giving the impression—quite contrary to Wiener's argument—that the framer of this ancient law code was unperturbed by any sense of differentiation among these regulations, and that, in his mind, these "cultic" and "ethical" laws were all of a piece. The distortion of the Biblical text reveals Wiener's apologetic intent: to argue that the idea of the moral autonomy of the individual, while refined by the prophets, was not their invention. It actually predates them, and is, in fact, contained in the Torah itself.

Wiener seems to be aware of the paradox in his conception of the prophet and seeks to resolve it. On one hand, the prophet sees himself only as a purveyor of a divine message. The prophet speaks only in the name of God, never on his own authority.[79] For prophetic ethics this means that "the norms, to which human conduct should conform, are considered by the prophets to have been established by God."[80] Wiener skirts any discussion of the psychology of prophecy.[81] What, from the subjective vantage point of the prophet, is consciousness of revelation is, from the objective point of view, the conscience of the individual.[82]

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[77]*Ibid.*, 15

[78]*Ibid.*, 15

[79]*Ibid.*, 16

[80]*Ibid.*, 18

[81]*Ibid.*, 16

[82]*Ibid.*, 19 "Und hier wird dem Propheten das Offenbarungsbewußtsein völlig gleichbedeutend mit dem Gewissen; und die Berufung auf Gottes Wort wandelt sich geradezu zum sprachlichen Ausdruck dieser Tatsache."

The moral conscience of the prophet speaks through the Torah, and to the prophets the Torah comes to mean the "moral law."[83] This explains the prophetic "indifference" to the cult, an indifference which signified a radical transvaluation of values.[84] Isaiah and Jeremiah are called as witnesses for this concept of Torah, Isaiah for the idea that Torah is the knowledge necessary for a righteous life, Jeremiah for the conviction that the Torah must be internalized, written upon the heart.[85] And the poems of Second Isaiah are cited as texts which declare the universal validity of this divine instruction.[86]

Thus, Wiener can conclude: in the prophetic understanding of the meaning of divine revelation, God is the source of moral law. However,

> the moral law which God teaches to humankind is nothing alien; on the contrary, man is able, using his own power of judgment, to comprehend the excellence and wisdom of the law. Thus the word of God, originating as it does—from an objective standpoint—solely from the moral genius, from the conscience of the prophet, becomes, for those who submit themselves to it, a clear, self-evident commandment.[87]

This seems to be Wiener's solution to "the old question" of whether God determines the content of morality, or whether "His commands conform to absolute ethical norms."[88] This question, with which he opened this chapter, is resolved when Wiener, following Hermann Cohen, defines God as "morality," and claims that this equation was valid in the prophetic consciousness as well. "God's will and the good, which, for the prophet, is the ethical, are considered to be one and the same."[89]

For Wiener, the answer to this question determines the answer to another: the question of the "particularity" or "universality" of the Torah. If morality is grounded in the human conscience, then moral laws are not the special legacy of the Israelites, but a universal, human one. This view is reflected not only in Amos' addresses to the nations, but also in ancient lore, such as the story of the punishment of Sodom and Gomorrah, who sinned "against the Lord" (Gen. 18:20). According to Wiener, the story reflects the Israelite assumption that sin,

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[83]*Ibid.*, 19

[84]*Ibid.*, 20

[85]*Ibid.*, 20 and 21. See Isaiah 1:10, Jeremiah 31:32

[86]*Ibid.*, 22

[87]*Ibid.*, 22

[88]*Ibid.*, 23

[89]*Ibid.*, 24

wherever committed, is a sin against Yahweh. Yahweh is a universal standard of morality.

Wiener cites another episode from Biblical lore, which, to Wiener, provides an important insight on Biblical ethics. When Abraham pleaded for the sinners of Sodom, he asks God, "Shall not the judge of all the earth do right?" (Gen.18:25) This one question demonstrates the autonomy of the human conscience. Divine morality may be measured by a human yardstick. The narrative, Wiener emphasizes, dates from ancient times.[90] And it betrays the same awareness of the autonomy of human moral judgment as Jeremiah's test for false prophecy, which measures the authenticity of prophecy by the moral fruit it bears.[91] Wiener concludes this chapter:

> The mystical feeling of revelation, which guarantees validity only to one who is "inspired," must pass the test of objective ethical norms. Such a test, however, is the prerogative neither of a prophet nor of any other human being. It is a right common to all.[92]

The second chapter, "Israel and the Nations," has a twofold purpose: one is to render an answer to the question whether the religion of the prophets can be characterized as "universalistic" or "particularistic." This question stemmed from the realm not so much of Biblical exegesis as of religious apologetics. Nineteenth century theology and historiography in Germany cast Judaism as the religion of "particularism," which Christianity unleashed to become a "universalistic" religion. In responding, Wiener again takes his cue from Cohen, in whose view the greatest achievement of ethical monotheism was its vision of a humankind united in a messianic age, of which Israel is to be the harbinger. That is the universalism of the prophets: the belief that there is One God of a united humankind.

The second, and secondary, purpose of the chapter seems, likewise, to be an apologetic one. Wellhausen had characterized the religion of the Israelites of the early monarchy as "natural" and "earthy." It was the prophets, in his view, who transformed this pagan conception of a "natural" and "direct" relationship to God into an ethical one. They are held up as the moral geniuses who brought about the dramatic departure from the past. One Jewish apologete, writing in the year 1907, complained that, to the Protestant Bible scholars of his day, the prophets "appeared as isolated luminaries, who, independently and usually also

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[90]*Ibid.*, 25

[91]See Jer. 23:22, which Wiener cites, *APS*, 25

[92]*Ibid.*, 25

misunderstood by their own people, arose in the difficult hours of their fate and preached new religious ideas to them."[93]

Nothing in Israel's past, according to this view, anticipated the teachings of the prophets, nor, by extension, did the subsequent history of Judaism preserve them. Bernhard Duhm, one of the prominent scholars whose anti-Jewish orientation evoked sharp criticism from Wiener, drew the conclusion that the prophets do not not really constitute an essential part of the history of *Israelite* or *Jewish* religion:

> Thus prophecy, too, has its history, which, while it is very closely connected with the development of its people, is not identical with it, a history from which the religiously minded individual can come to know God's ways and purposes... [I]t was not a straight path which led from the prophets to Christianity. The period which followed the two century long efflorescence of prophecy signified a decline... The river of Israelite history had reached its final waters, a placid land-locked lake. In its prophetic leaders, Israel had lost its position of spiritual leadership in world-history and isolated itself—at once hating and hated—from "the nations." It crucified the dangerous reformer, who dared to say: "You have heard that it was said to the ancients, I however say unto you...[94]

Thus Wellhausen and his followers dispossess Judaism of the prophetic legacy. They present the prophets as a comet-like episode: they appeared suddenly, unanticipated, and vanished without making a lasting mark in Judaism, only to be revived in the teachings of Jesus.

Wiener seeks to demonstrate the fallaciousness of this scheme, not only by pointing to the continuities which connect the religion of the early Biblical period with that of the prophets,[95] but also by arguing, less explicitly, that Judaism did not, as a "particularistic" group, "isolate itself—at once hating and hated—from the nations," but envisioned, in its messianic ideal, a united hu-

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[93] Joseph Eschelbacher, *Das Judentum im Urteil der modernen protestantischen Theologie* (Leipzig: Gustav Fock, 1907), 5. Joseph Eschelbacher, born in 1848, was rabbi in Bruchsal from 1876 to 1900, and thereafter in Berlin, until his death in 1916.

[94] Bernhard Duhm, *Israels Propheten* (Tübingen: J.C.B. Mohr [Paul Siebeck], 1916), 8. Duhm's statement does postdate the book under discussion, but it is typical of the literature of the period. It was Duhm (1847-1928) who was the first to distinguish between Deutero-Isaiah (Is. 40-55) and Trito-Isaiah (Is. 56-66) in his *Jesaia-Kommentar* (1892).

[95] Julius Guttmann recognized the significance of Wiener's book as a contribution toward such a revision of the view of the Wellhausen school. Julius Guttmann, *Philosophies of Judaism* with an introduction by R.J. Zwi Werblowsky, trans. David W. Silverman (New York: Holt, Rinehart and Winston, 1964), 413, n. 1; German ed.: *Philosophie des Judentums* (Munich: Ernst Reinhardt, 1933), 370, n. 1.

mankind. To refute that "particularistic" stereotype is the aim of the next section.

We will take the secondary purpose first. Wiener wants to demonstrate that the period of the early monarchy was "pregnant with 'prophetic' ideas."[96] To these he reckons the sense of a special national identity, which was not, as some might have it, a chauvinistic sense of superiority to other peoples, but a religious identity which derived from the consciousness of worshipping the *one* God.[97] This idea of monotheism developed in three stages: First,

> a naive standpoint, at which Yahweh is recognized as Israel's only God, but not yet as Lord of the world. At the same time as these henotheistic ideas, and in conflict with them, monotheistic faith lived a vigorous life. Under its aegis there awakened the consciousness of religious uniqueness, of election; finally messianic religion.[98]

Such nascent monotheism Wiener sees, for example, in that cryptic verse in Genesis, which proclaims that in Abraham all the nations of the earth shall bless themselves. But above all, he sees it in the task which God envisions for Abraham:

> ... that he may charge his children and his household after him to keep the way of the Lord by doing righteousness and justice...[99]

The moral task which chosenness imposes on those chosen is made as explicit by the Torah, Wiener argues, as it is by Amos centuries later. Thus

> even the most ancient notions of Israel's unique relationship to the One God contained a powerful antidote against the pitfall of arrogance: they contained the belief that Israel's special position imposes special duties on the nation.[100]

Wiener is therefore seeking to refute the view of the Wellhausen school of Biblical scholarship: that the religion of the Israelites before the prophetic era was a religion barren of ethical concerns, but infused with nationalistic conceit,

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[96]*APS*, 31

[97]See Wiener's comment on Alfred Bertholet, a follower of Wellhausen, in *APS*, 30. Bertholet's monograph on the attitudes of the Israelites towards foreigners, *Die Stellung der Israeliten und der Juden zu den Fremden* (Freiburg i.Br. and Leipzig: [J.C.B. Mohr] Paul Siebeck, 1896) sets itself the tendentious goal of explaining why "the Jews were incapable, in spite of all the universalistic tendencies which have developed now and then, to break with this physically limited conception" of ethnic parochialism (p. vii.).

[98]*APS*, 28.

[99]Genesis 18:19.

[100]*APS*, 35.

and lacking, finally, in the universalistic spirit which was the advance achieved by the prophets.[101]

Wiener's rejection of the accepted understanding of the development of Biblical religion stems from a distinct conception of religion itself. The character of a religion, Wiener wrote in the opening words of the book, can be discerned from the nature of its commandments.[102] Religion is, in its essence, *ethical*. The relationship between God and man requires, at all levels of religious development, obedience.[103] "In this sense, the relationship is always ethical, never natural."[104]

By adopting this conception of religion, Wiener accepts the Wellhausen principle of development in Biblical religion, but he rejects the manner in which the Wellhausen school applied it. Wellhausen's schematic division of Israelite history into a "natural," or pagan and a "prophetic," or ethical period blinded him to the continuities which connect the two. The prophets did not create *ex nihilo*; they built on what preceded them; the so-called "pagan" period was also "ethical" in character. There is no sharp line of demarcation. Wiener's presentation of the religion of the literary prophets will serve to buttress this claim.

The prophets act as politicians, and their political stances are cosmopolitan, but only because of the prophet's belief in a *divine* plan in history, of which he is the messenger. "In no way were they politicians of the usual stripe. Otherwise they would not have been able to function as God's deputies, even to the extreme of denying their own people's right to exist."[105] The very character of the prophets' political activity bespeaks—and it seems to be Wiener's motive in this argument to demonstrate this—a conception of God not as a national deity, but as the God whose sovereignty extends over all the world, who is "universal."

Consonant with his contention that the religion of the prophets does not mark a break with the past, Wiener argues that their accomplishment was not to have invented the idea of the universal God, but to have refined and elaborated

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[101]*Ibid.*, 37.

[102]*Ibid.*, 8.

[103]*Ibid.*, 37.

[104]*Ibid.*, 38, *cf.* also 44.

[105]*Ibid.*, 41.

it. Their significance lies less in their having produced fundamentally new religious ideas, as in the moral elaboration of inherited ones.[106]

The clearest spokesman for this conception of God as the God of universal morality is Amos. Once again, Wiener contests the "critical" scheme of Biblical history, which asserts that the Israelite religion was first "henotheistic," that is, that the Israelites acknowledged the existence of other gods, yet worshipped their own God as superior.[107] Amos' well-known saying:

> You alone have I known among all the families of the earth...[108]

shows that Amos could assume a common view of the people's past in which God was understood to be the sole God, of all the earth. Amos' oracle in chapter 3 shows, in a word, that the Israelites he was addressing were monotheists.

In Wiener's view, Amos contributed to the development of the Israelite conception of God in another way as well. He promulgated the idea of world justice, of which God is the arbiter. In the speeches to the nations (Amos 1-2) Amos announces to all of Israel's neighbors the divine judgment that awaits them. Nor does Amos shy away from drawing the direst consequences for his own people. Not only may they claim no immunity from divine judgment, they are to be judged all the more severely on account of being chosen:

> ...therefore I shall punish you for all your iniquities.[109]

Amos' significance thus lies in having moved the ideal of divine justice to the forefront of religious consciousness. In this, Wiener is in agreement with Wellhausen, for whom the seers of earlier times differed from Amos inasmuch as they saw "the working of universal moral laws in the course of world history..."[110] Wiener's argument with Wellhausen and his followers has to do with the place which they assign to Amos in the scheme of Biblical history. In Wellhausen's version, the Torah was alien to the prophets and he was therefore

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[106]*Ibid.*, 43.

[107]The term "henotheism" seems to have been coined by Max Müller to connote the worship of a single deity by an ethnic group, without denying the existence of other gods, and was therefore taken by him to be a preliminary stage of monotheism. See Müller's *Vorlesung über den Ursprung und der Entwicklung der Religion* (1880), 158f. This definition is given by Wiener as well in his encyclopedia entry in *JL* 2:1544, *s.v. Henotheismus*.

[108]Amos 3:2a.

[109]Amos 3:2b.

[110]Wellhausen, *Israelitische und jüdische Geschichte*, 109.

able to understand the prophets "without it."[111] In Wiener's version, the Torah reflects the very matrix from which the prophets grew. None of Amos' ideas were *novel*.[112] Thus, his significance for the history of the idea of election lies not in having discovered the idea of universal divine justice, but in having emphasized the moral duty which it imposes on Israel.

Wiener argues that Hosea differs from Amos only in personality and in the historical situation out of which he wrote, and not in his conception of God. Hosea is, in Wiener's words, the most fervent patriot, who has created a personification of Israel in verse, at once as God's bride, at once as his child. And yet, as with Amos, he derives from Israel's special status only the meaning that "its measure of duties has been made fuller, and that it will not be spared punishment."[113] God's love is a gift, which can be withdrawn if Israel does not prove itself morally worthy. Only because of Amos' emphasis on divine justice is the equality of all humankind clearer in his teachings than in his younger contemporary Hosea.[114]

Isaiah brings the idea of universalism to its culmination. Wiener stresses two ideas in Isaiah's teachings: his notion of the "remnant" of Israel and his messianic vision of a united humankind. The idea of the remnant which "will return"[115] marks the end of the people of Israel as a national or political concept. "The remnant, the future congregation of Israel has hardly national or political meaning any longer."[116] The remnant is defined not by birthright or citizenship, but by religious loyalty, and therefore acquires an ethical meaning which was not present in Amos. One has the sense that, for Wiener, the denationalization of the nation of Israel prepared the ground for Isaiah's messianic ideal, which is the summation of prophetic teaching. For Isaiah's messianic vision of united humankind is telelogical. Here is the idea of the purposefulness of world-history. Just as the survival of a "remnant" of Israel has its purpose, so do all events have a purpose, even if it be concealed from human understanding. The

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[111]See above, p. 21.

[112]*APS*, 49.

[113]*Ibid.*, 50.

[114]*Ibid.*, 55.

[115]Isaiah 10:21

[116]*APS*, 59.

very strangeness of God's deeds, Wiener sensitively points out, is, to Isaiah, a confirmation of God's sublimity.[117]

God's final goal, however, is known to all: universal justice, and that is the ideal which Isaiah sees realized in his vision of the end of days. The significance of the messianic prophecies for the development of the idea of universalism lies in the fact that this vision of the realization of a united humankind assumes the *idea* of one humanity. And the unification of all humankind in the end of time means the acknowledgment, by all, of one God.[118] Thus, Wiener confirms Cohen's argument, that the meaning of Israelite monotheism has, from the very beginning, lain in messianism, and the unity of God means—and has meant from the beginning—nothing other than the unity of humankind.[119]

Deutero-Isaiah, according to Wiener, only draws the consequences from First Isaiah.[120] Again, Wiener's interest in rebutting tendentious contemporary views is apparent. An extensive note is given over to the apologetical task of disarming Alfred Bertholet's assertion that Deutero-Isaiah develops "strangely lofty notions on the uniqueness of Israel," so much so that "it seems that foreigners exist solely for the sake of Israel."[121] What, to Bertholet, is chauvinistic nationalism, is, to Wiener, an understandable compensation for the exiles' unhappy plight.

Wiener's very brief discussion of the prophets of the period of the restoration likewise betrays an apologetical aim. He does not deny the stark contrast between post- and pre-exilic prophets, but argues—with some justification—that the post-exilic perpetuate one element in particular from the rich legacy of their predecessors: the idea of universalism. That holds true, in any event, for Zechariah,[122] and the welcome extended to non-Israelites by Trito-Isaiah bespeaks "not national-religious arrogance, but a concern about contamination of one religion with another..."[123]

In retrospect, Wiener's *apologia* for Jewish universalism may seem dubious. Wiener has only given thorough expression to a position which was adum-

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[117]*Ibid.*, 62. See Isaiah 28:21: "...to do his deed - strange is his deed / and to work his work - alien is his work!"

[118]*APS*, 65.

[119]Cohen, *Ethik des reinen Willens*, 214.

[120]*APS*, 67, 69.

[121]Bertholet, *Stellung*, 120f., cited in *APS*, 68, n. 4.

[122]Zechariah 2:15

[123]*APS*, 70. See Isaiah 56:1-8

brated in broad strokes by Cohen: that the Israelite—and thus the Jewish—religion is, at its core, monotheistic, and that the history of Biblical religion is the history of the unfolding of this idea. Indeed, this conception of Judaism was challenged in Wiener's time.[124] On a concrete level, one might ask whether the continuity Wiener establishes between the Early Monarchy and prophets of the eighth century is made possible only by the method of "idealization." Furthermore, one might ask how the indisputably nationalistic and ethnic zeal reflected in the books of Ezra and Nehemiah can be accommodated in his conception of the development of messianic universalism. There are points of friction, and Wiener himself will have to reckon with them. However, the apologete passes over them in silence.

The next question which Wiener addresses, the prophets' notion of the moral agent, of the "moral person," must also be viewed against its background in the realm of religious apologetics. Wiener seems to be fighting here on two fronts: to show that the Israelite religion, while preserving some relics of ancient beliefs and practices, had advanced beyond the stage of "primitive culture" in its understanding of the relationship between the individual and the group; and to show that this advance is evidenced in Israelite religion—and thus in early Judaism—by its well-developed conception of the moral personality. The first argument seems to be directed against those Biblical scholars who applied the new methods of anthropological research to the study of Biblical religion. The second argument is directed, in particular, against Duhm, whose interpretation of Ezekiel Wiener vigorously opposes as an archaizing and mis-begotten application of Pauline polemic to prophetic teachings. Wiener's concern with exposing the flaws in Duhm's view, and by extension, of dominant Protestant scholarship, leads him into an extended discussion of the nature of sin.

In the latter part of the 19th century the new discipline of anthropology inaugurated the study of "primitive culture," and it was natural that the insights and methods of the new science be applied to Biblical studies. The "ancient Hebrews" were thought of as primitives, and some Biblical scholars sought answers about the nature of "primitive" Israelite society in the customs and mores of contemporary "primitive" peoples.[125] Here, too, Wiener sensed that the clas-

[124]See below, "Farewell to Cohen," 54-67.

[125]J.W. Rogerson, in his worthwhile study of the connections between anthropology and scholarship on the Hebrew Bible, points out that Biblical scholars utilized an anthropological assumption of the second half of the 19th century—usually unwittingly—that the culture of a locale is "preserved" over millennia. The assumption, Rogerson remarks, was false, but dominated Biblical scholarship for years. A remarkable, and early example of such thinking at

sification of the religion of the Israelites as "primitive" implied a degradation of the Judaism which arose out of it, and he was diligent in exposing the defects in the interpretation of Biblical sources on which this classification was based. Emile Durkheim (1858-1917), for example, writes in his first major work, *The Division of Labor in Society* (1893):

> in primitive societies the bonds of cohesion are formed by global, undifferentiated norms of the 'common conscience'. In such a society law is repressive; it operates through sanctions designed to obliterate the offenses to the common conscience and to heal its wounds.[126]

The more primitive the society, the more homogeneous its members, in Durkheim's words, the "more resemblances there are among the individuals who compose them." "Repressive" law functions to maintain this homogeneous mentality, or, in Durkheim's term, the "common conscience." Thus the "state of the law in very inferior societies...appears to be entirely repressive." As an illustration of such a society, Durkheim proposes none other than ancient Israel, in which the savage—*i.e* the Israelite—is "in no part free." Durkheim—the descendant of rabbis—claims that in the "four or five thousand verses" of the last four books of the Pentateuch, "there is a relatively small number wherein laws which can rigorously be called other than repressive are set down."[127] Durkheim held that in societies where such repressive law predominates, and the "common conscience" constitutes a kind of corporate personality, little if any importance is attached to the individual.

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work was the expedition dispatched to Arabia in 1761 by the Göttingen orientalist J.G. Michaelis. See *Anthropology and the Old Testament*, (Oxford: Basil Blackwell and Atlanta: John Knox Press, 1979), 2,4,13. Rogerson also criticizes the 1935 Göttingen lecture by H. Wheeler Robinson (1872-1945), *Corporate Personality in Ancient Israel*, rev. ed., (Philadelphia: Fortress Press, 1980), who revived the Wellhausen thesis that the awakening of the consciousness of the individual represents a more advanced stage in the development of culture. Unlike Wellhausen, however, Robinson regarded the principle of corporate personality not as a stigma but as a virtue, fostering solidarity within a group: "We do not exaggerate when we say that Hebrew morality, and consequently Christian morality, are what they are because they sprung up within a society dominated by the principle of corporate personality." (44)

[126]Cited in the *International Encyclopedia of the Social Sciences*, 1968 ed., *s.v.* "Durkheim, Emile," by Talcott Parsons, 9:60f.

[127]Emile Durkheim, *The Division of Labor in Society*, trans. George Simpson (Glencoe: The Free Press, 1949), 138.

These views migrated to the realm of Biblical studies. Wiener comments that, because the study of primitive cultures values the individual only as a part of the collective, and not as an individual of inherent worth,

> the belief is common that one should find, in the religious and ethical doctrines of the Old Testament only indifference towards the individual.[128]

Wiener demonstrates that although, in the Biblical view, world history is acted out by "peoples," the *individual* is hardly a matter of indifference to the Israelite mind, and thus to the prophets. The sins which Amos condemns are the sins of individuals.[129] For Hosea, the metaphor of Israel as a wayward wife does not belie some kind of conception of Israel as a corporate personality; this is borne out all the more by Hosea's exhortations to moral betterment, which are addressed to the individual.[130] Isaiah, as well, while developing the idea of peoples as "world-historical personalities," certainly does not conceive of "his own people" as a "homogeneous mass." He is the prophet who produced the idea of the messiah, and of a "remnant which returns."[131]

Wiener's first argument, which, it must be granted, is somewhat oblique, seeks to establish the sophistication of ancient Israelite conceptions of the individual and his or her relationship to the group, thus exploding any misconception that the books of the Bible, although they may contain literary fossils, are documents of a "primitive society." His second, and primary argument on the "the moral person," however, takes as its point of departure the concept of sin.

Wiener's discussion is based on the juxtaposition between myth and ethics which is the crux of Hermann Cohen's comparison of Judaism and Christianity. Myth, according to Cohen, is the matrix out of which all religion originated. It represents the infancy of natural science, in which all of nature is seen as besouled, and these souls are "gods." Mythical religion senses no distance between the human and the godly, "for man is himself a god, just as god is only a kind of man."[132] Thus, the life of the gods makes up the content of mythology—and, significantly for Cohen, the life of the "gods" is likened to nature, and to

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[128]*APS*, 71.

[129]Here Wiener disregards the addresses against the nations (Chs. 1-2), so significant in his argument for Israelite "universalism."

[130]For Amos, *APS*, 72; for Hosea, 73.

[131]*APS*, 75

[132]Cohen, "Religion und Sittlichkeit," *JS* 3:120. Wiener knew this treatise, which was first published in 1907, and cited it elsewhere in *APS* (2).

human nature itself. Myth, polytheism and pantheism, therefore, are linked in one nexus.

Consequently, in Cohen's scheme, the mythical consciousness leaves no room for ethics.[133] Cohen's rationale for this conclusion is a formal, philosophical—and Kantian one: where no discrepancy is possible between nature and human will, the necessary condition for an ethical system is wanting. It was the achievement of the prophets, however, that they established—in Cohen's terminology—not only the unity, but also the uniqueness of God. The uniqueness of God sets Him apart from nature, and thus elevates the idea of God above "henotheism" as well.[134] For the prophets, "to know God does not mean to fathom his nature and essence;" it means to acknowledge one's ethical task as a human being.[135]

Wiener's concern is with the emergence of the conception of the "moral agent" in Israelite religion, and his emphasis is therefore somewhat different. He shows that Cohen's conception of mythology implies a certain understanding of sin. In the "mythological" world view, men are to the gods as "flies to wanton boys;" actions are entirely subject to external forces beyond human influence, fated by the gods. Wiener—with Cohen—holds that the mythological world-view lames the moral will, and jeopardizes the ethical life.[136]

> In the mythological world-view, sin does not really exist; for sin assumes a man as the author and agent of his deeds. Myth knows of man only as the object of fate.[137]

The pendant to sin in the mythological world-view is "guilt."

The contours of the argument become clear: Wiener's polemic is directed against the doctrine of "original sin," which, however, he does not mention by name. Like Cohen and, like his mentor Baeck, Wiener seeks to demonstrate that the doctrine of original sin is a mythological relic and that, like the ancient, polytheistic belief in fate, it lames the moral vigor of the believer.[138]

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[133]"Religion und Sittlichkeit," 121.

[134]*Ibid.*, 123.

[135]Cohen, *Ethik des reinen Willens*, 403, cited in *APS*, 79.

[136]*APS*, 80.

[137]*APS*, 82.

[138]Leo Baeck characterized Christianity as "romantic religion," and romanticism as lacking "any strong ethical impulse, any will to conquer life ethically." *Judaism and Christianity*, trans. with an introduction by Walter Kaufmann, (New York: Harper Torchbook, 1966), "Romantic Religion," 92. See also Leo Baeck, *The Essence of Judaism*, trans. Victor Grubenwieser and Leonard Pearl, ed. Irving Howe (New York: Schocken, 1961), 90. For

Wiener acknowledges that there is a strong mythological strain in Israelite religion. He sees the struggle between the "ethical" and the "mythical" reflected in the Biblical writings:

> ...in the moral as in the religious realm, two old tendencies run parallel to one another. One, of obscure, mythical origin, devours the individual and his autonomy...burdens him with the deeds of others, and requires that the family or community be punished for the misdeeds of one individual. The other tendency, rather rare, to be sure, in ancient times, develops into the doctrine of Ezekiel: only the soul which sins must die.[139]

Wiener portrays the prophets as the moral teachers who labored, on the one hand, to purge Israelite religion of those mythological notions and factors which hinder the self-determination of the moral agent and, on the other hand, to educate the will to freedom. He argues that Israelite religion, beginning in the seventh century with Deuteronomy and Jeremiah, evolves a conception of the moral personality which can be educated and refined, a conception which reaches maturity in Ezekiel.[140]

Much turns, then, on Wiener's interpretation of Ezekiel. To Wiener, Ezekiel's radical doctrine of individual responsibility (Ezekiel 18) was not an original idea, but the maturation of one which predates the prophets.[141] Here, too, Wiener is intent on revealing the continuities between early Israelite and prophetic religion. The prophets, however, move the principle of individual responsibility from the periphery to the center. This is also the motivation for the prophets' opposition to the sacrificial cult. Wherever its origins may have lain, the institution of sacrifice functioned as a mechanism of vicarious atonement which could, in a mysterious manner, remove guilt from the supplicant. It is therefore grounded on mythological assumptions and is, accordingly, to be rejected.[142]

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Baeck's views on Christianity, and a critical review of same by J. Louis Martyn, see now *Jewish Perspectives on Christianity: The Views of Leo Baeck, Martin Buber, Franz Rosenzweig, Will Herberg, and Abraham J. Heschel*, edited by F. A. Rothschild (New York: Crossroad, 1990), 21-108.

[139]*APS*, 93.

[140]*Ibid.*, 88. Wiener's subtle and instructive analysis of the ethical ideas of Jeremiah casts the latter as the precursor of Ezekiel (*APS*, 95-100).

[141]*Ibid.*, 94, where Wiener cites the story of King Amaziah's leniency towards his father's murderers, where the author of 2 Kings (in 14:5-6) invokes a Mosaic doctrine of individual culpability (Deut. 24:16). Wiener argues that Deuteronomy must have merely fixed a long-standing legal practice in writing.

[142]*Ibid.*, 94.

Ezekiel refines the doctrine of individual responsibility further by teaching the possibility of repentance and return; he brings "liberation to the individual."[143] He proclaims that the individual is capable of reform, hindered neither by fate from without, nor by an irrevocably evil nature from within. Through the idea of the "freedom of return," Ezekiel finds the true conception of moral action: deeds done by an individual, who is a morally responsible agent precisely because the possibility of the good deed is always open to him. Conversely, only a misdeed committed by such a free individual can be called "sin."[144] In this interpretation, too, Wiener is following Cohen's cue, who wrote, in his characteristic laconic style: "In sin the [concept of] person was discovered."[145]

Wiener thus takes the position that Ezekiel is important for his ethical message, for his rejection of the notion of collective guilt, tainted as it was with traces of archaic mythological notions, and for his doctrine of repentance, his proclamation that the sinner may always reform by—doing good. Wiener's position brings him into direct conflict with Wellhausen and his school, notably Duhm and Bertholet.[146] To Wellhausen, Ezekiel was the "prophetic priest" who, in his concern with holiness and to the sanctuary, prepared the way for legalistic Judaism.[147] Duhm adds to this the complaint that Ezekiel teaches an "atomism of the individual," that the human being thus becomes nothing more than a "bundle of unconnected" deeds, with no enduring disposition lending any continuity to his character.[148] Duhm makes Ezekiel out to be a proponent of a religion of "works," more concerned with the "externalities" of the cult and worship, than with morals, and, in particular, with the inner moral character of the individual.

While Wiener has to concede that Ezekiel takes a more sympathetic view of the cult and priestly matters than did the prophets before him, he perceives the influence here of the Pauline-Lutheran polemic against the efficacy of "good works." To claim that, for instance, chapter 18 of Ezekiel "externalizes" ethics and subordinates ethical to cultic matters, Wiener retorts,

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[143]*Ibid.*, 100.

[144]*Ibid.*, 103.

[145]"Liebe und Gerechtigkeit in den Begriffen Gott und Mensch," *Jahrbuch für jüdische Geschichte und Literatur* 3 (1900): 122 (= *JS* 3:78). Cited in *APS*, 102.

[146]Bernhard Duhm, *Theologie der Propheten* (1875), 259ff.; Alfred Bertholet, *Kommentar zu Hezekiel*, 21. Cited in *APS*, 104.

[147]See above, 26.

[148]*APS*, 104.

> really means, after all, to demand of the prophet that he adopt the polemics of Protestant theologians against good works.[149]

Wiener's interpretation of Ezekiel is thus more than an interpretation; it is an *apologia* for Judaism, directed at its Protestant detractors, among whom Duhm is most certainly to be counted.[150] To be sure, throughout his discussion, Wiener has assumed a definition of sin which diverges significantly from that assumed by his Protestant interlocutors: sin is a sin committed, not a state of "sinfulness." It is therefore the sin of the individual, which can be atoned only by that individual's return and reform, and not vicariously, by means of the sacrifice or atonement of another.[151]

Ironically, Wiener is so firmly convinced that this doctrine is both the heart of Ezekiel's teaching and the culmination of prophetic ethics altogether, that he, by an exegetical sleight-of-hand, concurs with Duhm in denying the authenticity of the Servant Songs, on the grounds that the idea of the vicarious atonement which occurs there cannot possibly be of prophetic origin.[152] Thus, Wiener, in accord with some Protestant Bible critics, dismisses as a mythical accretion the very poems of Deutero-Isaiah which Christianity claims as the "Old Testament" prefigurement of the messiah of the New. He dismisses as non-Israelite the conception of humankind as irrevocably sinful. Indeed, the crux of prophetic teaching assures the human being that he or she is always capable of return. Wiener argues, and rightly, that Duhm's view of Ezekiel—and by implication, Wellhausen's—is based on Protestant concepts of sin and redemption, and is therefore flawed from the start.

Wiener closes his book with a discussion of questions which, once again, intermingle Biblical exegesis and religious apologetic: in what sense can prophetic ethics be called messianic? and do prophetic ethics allow for a concept of human autonomy, in other words, do prophetic ethics qualify—in Kantian terms—as ethics?

The first question is of importance to Wiener because he—following Cohen—wishes to demonstrate that the social ideal of the prophets is not some utopia, which can only be sought in a "new creation," but is to be sought in the perfection of *this* world. Wiener treats of this question in a chapter entitled "The Realization of Morality," with two goals in mind: he demythologizes the

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[149]*Ibid.*, 107.

[150]See above, 35.

[151]*APS*, 109.

[152]*Ibid.*, 112.

"messiah," and replaces him with the abstract idea of a "messianic age"; and, in a Jewish response to the Christian scholarship, he uses the new methods of the religio-historical school to demonstrate the continuity between the messianic beliefs of the "Old" Testament and the Messiah of the New. Wiener had studied Hugo Gressmann's *Ursprung der israelitisch-jüdischen Eschatologie* (1905)[153] in which Gressmann demonstrates that the eschatological notions of the Bible had their origins in ancient Mesopotamian myth. Wiener accepts this point. In Israelite eschatology, ancient eschatological visions become connected with the image of the idealized king, celebrated in the style of the ancient near eastern royal court. After the Exile, however, a "prophetic Messiah," whom Gressmann sees personified in the Servant of the Lord of Deutero-Isaiah, supersedes this vision of a "political messiah." Gressmann, seeking a line of historical development, discerns a chain of development which leads to the vision of the "Son of Man" (Daniel 7) and finally to the "Son of Man" of the New Testament. To summarize: in his historical scheme, the vision of the eschaton begins as a myth, is "politicized" in Ancient Israel, depoliticized during the Babylonian Exile, and universalized in Christianity.[154] Wiener musters the Biblical evidence to set Cohen's conception of messianism against this scholarly, Christian view.

In Gressmann's version, the belief in the messiah would have remained stunted without its completion in the "universalistic" Christian belief in the "Son of Man." For Wiener—who again follows Cohen's lead—the idea of the messiah had already reached the pinnacle of its development in the prophets. Even in the early days of prophecy, Cohen had maintained, the notion of an ideal historical age was evolving, replacing, in its function, the belief in a personal messiah![155] Thus, Wiener accepts Gressmann's thesis that eschatology has its origins in folk beliefs about the catastrophic end of time, but argues that the prophets transformed this myth into a vision of world-judgment.[156] Hence, the prophets hardly render this myth apolitical, for the arena of world judgment is world politics.

In Wiener's presentation of the issue, as in that of his model Cohen, one can detect that apologetic tone of nineteenth century liberal Judaism, which reinterprets—and mollifies—the national focus of the messianic hope. In the

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[153]Cited *Ibid.*, 115 n. 2. Gressmann (1877-1927) expanded and revised this work in his *Der Messias*. On Gressmann, see Kraus, *op. cit.*, 337ff.

[154]Kraus, *op. cit.*, 338, 339.

[155]Cohen, "Die Messiasidee," *JS* 1:109.

[156]*APS*, 115.

stirring conclusion of a lecture which is a paradigmatic expression of this tendency, and which, characteristically, is entitled "The *Idea* of the Messiah," Cohen constructs the messianic yearning for Jerusalem as a yearning for the kingdom of God:

> Our Jerusalem is this world renewed, not some limited territory, to which a modern movement would once again like to confine us. The error of this movement consists, in a word, in this: it would forfeit our religious mission in world history for a political debacle or opportunity. Israel's vocation is to establish a religious diaspora based on faith in the Jerusalem of all humanity.[157]

Wiener echoes this view when he writes: "Inherent in the messianic idea is the extension of the kingdom of God over all peoples." Thus, even though the imagery of the ideal king may make the messianic age appear Israel-centered, it is, in truth, a universalistic vision, of "a peace embracing humankind and animals alike." Wiener, then, following Cohen, transforms the person of the messiah into the idea of the messiah, and the idea of the messiah into the idea of a messianic age, which is not "the end of this world, but the realization of the ideals of morality."[158]

Wiener then takes up the question of human autonomy with more thoroughness than in the opening chapter of the book, this time involving the issue of the motivation for duty again, in its relation to the issue of "universalism" as well as to the Biblical conception of virtue. The discussion leads to the much debated question of the distinction between "moral" and "religious" duties and of the prophets' attitude towards the "cult".

It is, again, a confrontation with the ghost of Kant. Kant—and his followers—hold that the ethical must be self-evident, and that moral law commands the respect, the esteem of the individual[159] in its own right and without recourse to any other authority. How can this idea be reconciled with the "principle of religious morality," which is "divine will, or better, obedience to it," and which, for the religious individual, is "self-evident?"[160] Does not such obedience amount to what Kant would have called "heteronomy," to the absence of freedom, the very characteristic of the Jewish religion which prompted Kant himself

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[157]Cohen, "Die Messiasidee," *JS* 1:124. The lecture was probably given in February 1892, and remained unpublished during Cohen's lifetime. See Bruno Strauss' notes on the text, *JS* 1:338.

[158]*APS*, 122.

[159]Kant's term was "*Achtung*."

[160]*APS*, 123.

to dismiss Judaism as nothing but a conglomeration of laws, denying that it is a religion at all?[161]

Wiener's answer is an attempt to place the principles of Kantian ethics on the lips of the prophets, and it is a modern case of the kind of philosophical Bible exegesis which—disingenuously to be sure—"discovers" the concepts of its times in the pages of the Bible. This purpose is visible through all the twists and turns of Wiener's argument.

Wiener's first task is to confute the erroneous conception that the ethics of the prophets is premised on the principle of reward and punishment. This is no easy task, for the threat of punishment is a tool used often by the prophets to goad a recalcitrant, backsliding people. Wiener argues that while, for the prophets, the prospect of reward or punishment was of pedagogical value, this does not justify the conclusion "that in prophetic ethics moral action follows from eudaimonistic motives."[162] Wiener, of course, is at a loss to cite a passage from the prophets which declares that "the ethical is self-evident." However, he argues that, in particular, Jeremiah and the book of Deuteronomy reflect a belief that the ethical nature of the divine commandments is self-evident, that they "may command respect on account of their content" alone.[163] These are the commandments of "love, pity, mercy and friendship." It is the specific nature of these commandments, though they be given as a covenant with one specific people, which makes them *universal.* "Moral obligation is everywhere one and the same."[164]

Wiener seems to want to accomplish two aims: one is to argue that the prophets are, so to speak, Kantians before Kant. They insist that moral duties are binding not because they flow from a divine source, but because the universal human virtues they prescribe are self-evident. This seems to be his argument even when he cites the sense of "gratitude" to God as the author of the commandments as a motivation for moral action.[165] His argument carries with it the implication that prophetic ethics, since it is concerned with the universal, is immune to the "scandal of particularity."

His strongest authority for this view of the ethical is the book of Deuteronomy, which Wiener—like Zunz and Cohen—dates to the lifetime of

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[161]see above, 31.

[162]*APS*, 124f.

[163]*Ibid.*, 125.

[164]*Ibid.*, 126.

[165]*Ibid.*, 127f.

Jeremiah and on which he adopts the view of Protestant Biblical scholarship, taking the ethics of Deuteronomy as a kind of codification of prophetic teaching.[166] Deuteronomy, Wiener argues, is permeated with the spirit of the brotherhood of all mankind, with concern for the poor, the slave, the widow, the day-laborer, the debtor. Mercy is to know no national boundaries. Wiener stresses this feature of Deuteronomic ethics because his purpose here is also an apologetical one: to exonerate Biblical and Jewish ethics of the charge of parochialism. The legislation concerning the sojourner—the *ger*—which affords special rights and protection to those who are not, by lineage, a part of the nation, are characteristic of Deuteronomic spirit.[167] Wiener sums up:

> The awareness that human beings have ethical duties which are everywhere analogous amounts to a recognition of their ethical dignity. The book of Deuteronomy maintains this position even when it appears to fall into nationalistic parochialism; it always presupposes the feeling of duty; and this obligation may indeed be assumed all the more readily, since Deuteronomy concedes such a large role to that natural ethics which need not first be divinely revealed.[168]

Whoever argues from the universality of Biblical law must also account for those provisions which are clearly not universal in their application, the specific duties which Israelite religion demands of its adherents, and Wiener also concludes by doing so. He formulates the problem as the relationship between those duties which are "purely ethical," and those which are "specifically religious."[169]

This distinction, in various permutations, has a long and complex history. Even the Sages of the Talmud intimated an awareness of the self-evidential nature of the "strictly ethical" laws, when they spoke of laws which "would be *fit* to be written in the Torah even if they were not *written* there," implying that there are other laws the binding character of which is derived solely from being "written," that is, divinely revealed.[170] Since the Enlightenment era, the endeavor to "rationalize the commandments"—to give *ta'amei ha- mitzvoth* as the Middle Ages called them—had taken on added significance. Practices pre-

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[166]*Ibid.*, 129, 147.

[167]*Ibid.*, 130-131. Wiener's target is, specifically, an offending passage in Alfred Bertholet, *Die Stellung der Israeliten und der Juden zu den Fremden* (Freiburg i.Br. and Leipzig: J.C.B. Mohr [Paul Siebeck], 1896), which revived the age-old misconception that Biblical law allows, and even encourages usury, as long as the injured party is not Israelite.

[168]*APS*, 133.

[169]*Ibid.*, 134.

[170]For the Talmudic source: *B. Yoma* 67b. (Emphasis my own.)

scribed by the "ceremonial" laws[171] often presented an obstacle to the Jew aspiring to normal civil and social status in the nation-states of modern Europe, and heated debates over traditional practice often amount to debates over whether the rhythm of Jewish life should step in time with the Christian majority. Thus there is a real connection, still in Wiener's time, between the debate over "ceremonial law" and what was called "the national question."

Wiener's portrayal of the prophets' position on the "cult" must therefore be seen as more than an exercise in Biblical studies. Cohen's position was schematic: the great achievement of the prophets was to have made the relationship of person to person, rather than the relationship of man to God, the focus of religion. By so doing, the prophets established the unity of God, derived from the unity of the good. From the one Good to the one God: this is the nexus which, for Cohen, connects religion and morality. The essence of the idea of God is morality. Cohen, by means of this construction of the Jewish idea of God, defended Judaism—quite deliberately—against the charge of "particularism."[172]

Wiener used this Cohenian framework for his presentation. However, he seems to be both too committed to Cohen's framework to alter it, and too rooted in Biblical religion to ignore those texts which present a more complex picture than Cohen's framework can accommodate. It is precisely in the prophets' attitude towards sacrifice that one can discern this ambivalence.

Wiener writes: "...for no prophet does the realization of moral duties constitute the whole of religion."[173] The prophets do not categorically repudiate the sacrificial cult; they do, however, "rob it of its central position in religious practice."[174] It is an overstatement—which, in Wiener's view, has some justification—to assert that the "prophetic spirit" signifies the "reaction of the moral consciousness" against cultic and ceremonial interests.[175] Wiener supports his contention by means of a survey of the prophetic attitudes on sacrifice: Amos is,

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[171]It seems that the term "ceremonial law" was used in this context first by Spinoza, who regarded these laws as relics of the now defunct polity of the Second Commonwealth which serve only to isolate the Jews from the rest of humanity. He contends that the survival of the Jews and Judaism is due only to their having separated themselves from the rest of humanity, thereby bringing down upon themselves the hatred of other peoples - "*nationum odium.*" Spinoza, *op. cit.*, 55.

[172]Cohen, "Religion und Sittlichkeit," *JS* 3:123-6, 134.

[173]*APS*, 138.

[174]*Ibid.*, 135.

[175]*Ibid.*, 154.

among the prophets, "the most determined moralist," but he was not opposed, in principle, to religious ritual.[176] He only means that rite and ritual will be of no avail to an unrepentant Israel. Hosea, Wiener observes, also did not oppose the sacrificial cult on principle, but on the grounds that it was of foreign, Canaanite origin. He longs for the unalloyed, pristine piety of the desert.[177] Similarly, Isaiah condemns the cult as a foreign import. The dominant tendency of these pre-Exilic prophets is to see the sacrificial cult as a corruption of original, venerable Israelite custom.[178]

Conversely, in his treatment of the post-Exilic prophets, who, as Wiener notes, clearly had far more sympathy for the "cult" than their pre-Exilic forbears, and to whom, in stark contrast to the latter, the Temple was of great importance, Wiener is careful to note that even they never lose sight of the inseverable connection between "religion" and "morality."[179] Wiener thus seeks to paint a picture in which the contours are not as sharp as the Wellhausen school would have it. Neither were the pre-Exilic prophets so repelled by the cult that they excluded it from the sphere of "religion," nor were the post-Exilic prophets so enamored of the cult that their religion was devoid of ethics. Wiener concludes his discussion with the last of the prophets, Malachi:

> There is an air of weariness in the faith of his comrades and disappointment; doubt and religious exhaustion have to be fought off. This fatigue gradually becomes noticeable in the prophets themselves. To be sure, the spirit of their great predecessors has not abandoned them entirely, but the sharp, incisive one-sidedness in the juxtaposition of cultic and ethical demands has been lost in the historical upheavals.[180]

The standards of morality which the prophets demand of the individual find their public expression in social justice. The prophets, Wiener observes, were not opponents of worldly institutions and worldly goods as such. It would be erroneous to interpret them as the rustic representatives of the simple life confronting the evils of urbanized civilization.[181] They are "the critics of public life," not proponents of a return to the nomadic life.[182] They are advocates of a *just*

[176] *Ibid.*, 134, 136.

[177] *Ibid.*, 140.

[178] *Ibid.*, 141. *Cf.* Is. 2:6.

[179] *Ibid.*, 152-154.

[180] *Ibid.*, 154.

[181] As Ernst Troeltsch was to do; see below, 57.

[182] *APS*, 157-159. Wiener concedes that Hosea's opposition to the institution of kingship is an exception.

"state." That is the utterly non-eschatological, concrete ethical message of the prophets.

### *Farewell to Cohen*

When Hermann Cohen eulogized Julius Wellhausen in 1918,[183] he challenged the "recent aberrations" of some scholars in their understanding of the prophets, who fail, in his view, to recognize the inherent connection between prophecy and morality, and are ignorant of its religious aspect:

> What position do you take, gentlemen, in your minds and in your hearts, on the God of the prophets, who created the world to rule over it; for whom there is no beginning and no end, who, being eternal, guarantees the future of humankind and its moral development?[184]

Franz Rosenzweig—using the fencing jargon of a student—called this attack a "thrust which does not abide by the rules," but which, nonetheless, seals the victory.[185]

The jousting partner was Ernst Troeltsch (1865-1923), who, in 1916, delivered a lecture, later published in the Neo-Kantian journal *Logos*, entitled "The Ethos of the Hebrew Prophets."[186] Cohen's controversy with Troeltsch provoked response and counter-response.[187] By the time Wiener articulates his

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[183]See above, 21.

[184]*JS* 2:465.

[185]Franz Rosenzweig in his introduction to *Hermann Cohens Jüdische Schriften*: "Einleitung," *JS*. 1:lv.

[186]"Das Ethos der hebräischen Propheten," *Logos* 6 (1916). Later under the title: "Glaube und Ethos der hebräischen Propheten," in *Gesammelte Schriften*, ed. H. Baron, vol. 4, *Aufsätze zur Geistesgeschichte und Religionssoziologie* (Tübingen: J.C.B. Mohr [Paul Siebeck], 1925; reprint ed., Aalen: Scientia Verlag, 1966), 34-65. Hereafter cited as Troeltsch, *Ethos*, by the pagination of the reprint in the *Gesammelte Schriften*.

[187]For the positions of Troeltsch and Cohen, see Wendell Dietrich, "The Prophetic Ethos in Dispute," Chap. 2 in *Cohen and Troeltsch: Ethical Monotheistic Religion and Theory of Culture*, Brown Judaic Studies, no. 120 (Atlanta: Scholars Press, 1986). See also William Kluback's general treatment, "A Critique of Historical Reality: Ernst Troeltsch and Hermann Cohen," Chap. 10 in William Kluback, *The Idea of Humanity: Herman Cohen's Legacy to Philosophy and Theology*, Studies in Judaism (Lanham, London and New York: University Press of America, 1987).

own position in 1919, a decade after his book on the prophets, he has clearly broken away from the circle around Hermann Cohen.

In the 1916 essay Troeltsch argues that the two methodologies then dominating the study of religion are inadequate. According to one, which he terms "positivistic-empirical," religion is to be understood as a form of magic which serves primitive peoples as a surrogate for science and technology. The history of religion is the history of the shedding of these magical, cultic elements; religious revivals are caused when they undergo a resurgence. Troeltsch probably had the emerging anthropological study of religion in mind.[188]

According to the second, which he terms "idealistic-transcendental," religion, as everything else, is derived from an idea. Here Cohen, with his method of "idealization," is certainly among the accused. The world of ideas, including the "religious idea," is a production[189] of the human mind. The task of religion is to distill this pure religious idea and promote it to the status of a world religion.[190]

Troeltsch's critique takes these methods to task on their commonality: they both subscribe to the assumption of historical development and its explicability. Whether by means of "positive-empirical" derivation or "idealistic-transcendental" deduction, religion, it is argued, can be "explained."

> The actual life of religion, however, nowhere shows such explicability, neither out of primitive causal thinking...nor out of the articulation of an ideal necessity... Here [in the realm of religion] everything is to be understood and sensed by empathy; there is little to explain and derive.[191]

This is the heart of Troeltsch's critique of historicism—in whatever version—as a tool for the understanding of religion. The religious phenomenon is spontaneous; it has no historical moorings. The matrix of religion is the feeling of the uniqueness of the moment, and a spontaneous, unique event is, by definition, not derived. As something unique, it can only be "lived," and then "understood" by the researcher.[192]

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[188]Troeltsch, *Ethos*, 34.

[189]*Erzeugung* - Cohen's technical term.

[190]*Ibid.*, 35.

[191]*Ibid.*, 36. "Understand" and "sense by empathy" render the German *verstehen* and *nachfühlen* respectively. See the next note.

[192]*Ibid.*, 37. *Verstehen* - "understanding," and "*Erleben*" or "*Erlebnis*" are technical terms, the former having been mediated to Troeltsch's generation from the philosophy of Wilhelm Dilthey (1833-1911). For Dilthey, the "*Erlebnis*"—"lived-experience"—is the awareness of an irreducible "unit of life" (*Lebenseinheit*). One can approach this lived-experience

Troeltsch's aim is to illustrate this method in the example of Hebrew prophecy, demonstrating the "connection of prophecy with an ethic which is highly active and vital, and yet indifferent, even hostile towards civilization."[193] Troeltsch juxtaposes this view to what he terms the dominant view: ancient Israelite prophecy was a reaction to the disintegration of national life.[194] As a remedy, the prophets offered the idea of a universal, creator-God to a forlorn people who were then able to understand their fate as the working of divine justice. In this way a national deity was "transformed into the spiritual God of ethical monotheism."[195] The prophets develop into a kind of intermediary between the "church and the people."[196] Troeltsch's version of late Biblical history, on the other hand, has themes in common with the later Wellhausen; it speaks of the "narrowing" of Judaism into a nationalistic, legalistic, cultic religion, while the universalistic prophetic spirit found renewed expression and life in Christianity.

This view of Israelite history is compatible, according to Troeltsch, with both of the methods mentioned, for the history of Israelite religion is understood both as an advance from primitive, mythical religion to the belief in a moral world order, and as the gradual self-assertion of an idea, of the universal religious idea. It is thus the product of both the positive-empirical as well as the idealistic-transcendental method.

Hence, Troeltsch outlines a modified Wellhausen view—and rejects it, because it disregards the concrete, historical circumstances in which prophecy flourished. That is the heart of Troeltsch's critique of the "transcendental-idealistic" method. In a polemic, in which the obvious but unnamed opponent is Cohen, he writes:

> Prophecy has, in truth, nothing to do with speculation, abstraction, a rational tendency towards unity or any kind of philosophy... The prophets are not fanatics of monotheism...but representatives of the unadulterated and pure Israelite

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(*Erlebnis*) only through understanding (*Verstehen*), which seeks not to reduce the lived-experience to its derivative parts, but "to become aware of it as a whole." Max Weber (1864-1920) elevated the philosophical concept of *Verstehen* to a methodological principle of the sociologist attempting to understand the meaning which social beings themselves attribute to their actions. It is in this sense in which Troeltsch is probably making use of the term here. See *The Encyclopedia of Philosophy*, 1967, s.v. "Weber, Max," by Peter Winch.

[193]Troeltsch, *Ethos*, 38. "Civilization" renders the German *Kultur*.

[194]*Ibid.*, 39-42, summarizes this view.

[195]*Ibid.*, 40.

[196]*Ibid.*, 41.

> character, in which old ancestral customs were still closely connected with the Yahweh cult.[197]

Troeltsch's formal objection to the method of "idealization," to use Cohen's term, is that it ignores historical fact. The fact ignored here is the rural provenance of the prophetic ethic. Its teachings bespeak the confrontation of rural, peasant mores, mingled with a residue of the nomadic way of life, with the bureaucracy, the pomp, the wealth of the royal courts, the corruption and the decadence of city life. Troeltsch argues that the values articulated in prophetic ethics—and he lists them—can all be explained from the societal matrix, "out of the social and political history of the country and the Israelite settlement."[198]

There is, then, nothing "universal" about prophetic ethics. It is a national ethic, the product of the meeting of two cultures, the peasant culture of the highlands, which the Hebrew immigrants brought with them, and the developed urban civilization of the Canaanite lowlanders.[199] Whatever is novel about prophetic ethics can be explained on the basis of these origins: the reliance not on military prowess but on repentance and divine salvation, the distaste for the war ethic, the hope for revenge in the form of divine judgment, not in the heroic deeds of men. This prophetic ethic, Troeltsch continues, could never stand the test of application to real political situations. This is why the ruling powers, unable to enact the teachings of the prophets, appointed court prophets of their own.[200] The prophets themselves preached a utopia.[201]

It is not difficult to understand why Hermann Cohen would denounce this essay as an "aberration." In a study of Cohen and Troeltsch, Wendell Dietrich has correctly noted that in Cohen's eyes the essay represented a sociological reduction which "radically relativizes" the prophetic faith and ethos:

> Troeltsch compromises the universal character of prophetic monotheism, calling into question its freedom from the narrow limits of tribe and nation.

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[197]*Ibid.*, 43, 51.

[198]*Ibid.*, 51-2.

[199]*Ibid.*, 53.

[200]*Ibid.*, 58.

[201]*Ibid.*, 59. Dietrich, *Cohen and Troeltsch*, 38, notes that this characterization of prophetic teaching as utopian, though usually attributed to Weber, actually stems from Troeltsch. However, Wiener's polemic against this view in his 1909 book suggests that it is even older. See above, p. 47.

> Troeltsch thus throws doubt on the validity of the prophetic breakthrough to ethical monotheism as an unsurpassable ethical and religious moment.[202]

If the ethics of the prophets is "demoted to a peasant ethic," as Cohen put it,[203] and the connection between the prophets and universal, ethical monotheism is denied, then Cohen's interpretation of Judaism as the bearer of the idea of the One God forfeits its biblical foundation and collapses. Beyond this fundamental difference, however, there was another factor.

Dietrich astutely observes:

> Cohen, it would appear, senses that Troeltsch's reinterpretation of the prophetic ethos, if it were injected into the intra-Jewish Zionist debate, would give aid and comfort to his Zionist foes.[204]

Indeed, while Troeltsch's sociological interpretation of the prophets construes Judaism as a national phenomenon, Cohen had resisted Jewish nationalism throughout his life. Troeltsch's interpretation did indeed aid Cohen's Zionist foes, and the possibilities for a Zionist appropriation of Troeltsch's views became apparent only a short time later in an article by Gustav Witkowsky written from "the front," which was published in 1918 in *Der jüdische Wille*, the organ of a union of Zionist student organizations.[205] Cohen himself did not live to see the subsequent issue of the journal, in which Max Wiener endorsed Witkowsky's essay and denounced the very standpoint he had held a decade before—with one significant reservation.

However, Cohen did deputize a loyal pupil, Benzion Kellermann, to carry out a counter-attack on Troeltsch's lecture. Kellermann had attended the lecture and raised objections to it in the discussion which followed. He was later asked by the "Commission on Apologetics" of the Association of German Jews to expand his objections into a monograph, which Cohen then recommended for publication in *Logos*, the same journal in which Troeltsch had published his lecture.

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[202]Dietrich, *Cohen and Troeltsch*, 31.

[203]Cohen, "Der Prophetismus und die Soziologie," *JS* 2:399.

[204]Dietrich, *Cohen and Troeltsch*, 36.

[205]The union was the *Kartell jüdischer Verbindungen* in Berlin. Gustav Witkowsky, "Der Prophetismus als kulturgeschichtliches Problem," *Der jüdische Wille* 1(1918): 87-107. Dietrich anticipated this Zionist response to Troeltsch. Liebeschütz overlooked the essays in *Der Jüdische Wille*, which explains why he did not recognize that Wiener broke with Cohen during the latter's lifetime. Liebeschütz, *Von Georg Simmel zu Franz Rosenzweig*, 200.

After much delay, the editor rejected Kellermann's essay, and it was published independently.[206]

In his lecture, Troeltsch had ridiculed the claim that the religion of the prophets is

> a kind of Kantian philosophy of religion before Kant, and before the Stoics, still bound to a nation and caught up in anthropomorphic imagery and objects, but which need only shed this covering, in order to reveal the pure religion of humanity beneath.[207]

In his monograph, Kellermann sought to sustain that very claim. He argued that Biblical scholarship had already demonstrated that, in Hebrew prophecy, the ideas of God and of humanity had attained—on an intuitive plane—a level which philosophy only reached in the transcendental philosophy of Kant.[208] He discerned in Troeltsch's method of "empathy"[209] a dangerous principle which would substitute a chaotic subjectivism for a logic grounded in the uniformity of reason:

> ...if ethical perfection is supplanted by the theory of "empathy," now endorsed by Troeltsch, then not only German humanism, but humanism altogether will lose the unity and the force which make it a system, and will disintegrate into as many atoms and particles as there are subjects and feelings.[210]

Yet it is precisely the universality of ethics itself, "intuited" by the prophets, which Kellermann adduces as the main argument on "Nationalism and Universalism." It is only the "transcendental character of the ethical" which offers a remedy to a "skepticism which undermines all culture."[211] As Cohen put it, in Kellermann's book "it is stated as clearly as can be that the sole difference between prophetic religion and Kantian ethics consists in their respective logical foundation, in no way, however, in the content of their moral doctrines."[212]

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[206]Benzion Kellermann: *Der ethische Monotheismus der Propheten und seine soziologische Würdigung* (Berlin: C.A. Schwetschke & Sohn, 1917). Kellermann (1869-1923), appointed rabbi in Berlin in 1917, was a follower of Marburg Neo-Kantianism. For a bibliography of his works, see *EJ* 10:900. Cohen, indignant about the events preceding the publication of Kellermann's book, recounts them in *JS* 2:481. (It is also mentioned in Dietrich, *Cohen and Troeltsch*, 30, and in Liebeschütz, *Von Georg Simmel zu Franz Rosenzweig*, 52.)

[207]Troeltsch, *Ethos*, 50.

[208]Kellermann, 10.

[209]See above, p. 80.

[210]Kellermann, 70.

[211]*Ibid.*, Ch. 5, esp. 30.

[212]Cohen, "Der Prophetismus und die Soziologie," *JS* 2:400.

Kellermann presents the position of the Cohen school on Jewish nationalism and on the Jewish belief in the messiah. For Kellermann, as for Wiener the young rabbi, the concept of the "people" of Israel is a moral concept, not a "biological" or ethnic one.[213] The people of Israel evolves into a morally refined "remnant." It is "denationalized," just as in Wiener's book of 1909. The national foci of "Jerusalem, the Jewish people, the Jewish king" Kellermann interprets—interprets away?—as types of an ideal and idealized world-view.[214] The prophetic state of the future is a paradigm of the "world-state, borne by love of man." Kellermann offers a remarkable comparison with German nationalism:

> Is not this the same standpoint which Fichte represents in his *Addresses to the German Nation*? One can hardly assume that Troeltsch would label someone as a nationalistic and morally inferior chauvinist if he were to say: "The day will come when emissaries of all the nations of the world will come to Germany, to pay tribute to the German spirit as it has manifested itself in science and art, in trade and industry, in moral simplicity and purity."[215]

Witkowsky's response, which was written "at the front," is given here because it appears to be typical of the Zionist reaction to Cohen's followers, and because it—now—finds Wiener's approval. Witkowsky argues that Kellermann's transcendental method assumes an idea as the telos of events, which are then interpreted to be stages of development in its anticipation. In this way, the ethical teachings of the prophets anticipate Kantian ethics, but this interpretation is only possible because one places the idea before the empirical evidence. The objection of "subjectivity" which Kellermann levels at Troeltsch thus redounds to his own disadvantage, holding true for him as well. In fact, writes Witkowsky—striking the tone so discordant to Cohen's ear—Troeltsch has provided the tool for an "objectivity" of sorts: by severing the study of religion from the idea of development. Every religious phenomenon is unique, and a feeling for its unique character,[216] which excludes any subjection to laws of development, is the key to understanding.

What entices Witkowsky in Troeltsch's method is, of course, his conclusion that the "unique character" of the Israelite religion consists in its passionate national faith, and in the belief in an incorruptible bond between the Israelite

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[213]Kellermann, 31ff.

[214]*Ibid.*, 32.

[215]*Ibid.*, 33. The appropriation of German nationalist ideology of the Wilhelminian era by Zionist thinkers has been noted by George Mosse and is discussed below. Its appropriation in liberal Judaism is a variation on the same theme, and the two phenomena merit a joint study.

[216]"*Gefühl für die Eigenart*," Witkowsky, 91.

people and their God. When, writes Witkowsky, one is free to assess each religious phenomenon in its own right, then, in the case of Israelite religion, one can observe how the sense of communion between a national God and his people evolves into ardent, personal faith, which, however, is still rooted in the national consciousness.[217] Witkowsky's prooftexts are the emotional oracles of Hosea and Jeremiah on the love between Israel and God. The prophets, thus interpreted, become witnesses, not of a transition, as the Neo-Kantian version would have it, from the belief in a tribal or national Deity to the belief in the universal God, but of an increased national fervor.

Witkowsky, then, sees the prophetic visions of the future in this nationalistic light. It is impossible to ignore, he writes,

> that Yahweh's special relationship to his people is like a thread connecting all the [prophetic] books, and that the world and humanity appear, in the context of this relationship, to be matters of astonishing indifference.[218]

Verses from the visions of Isaiah and from Trito-Isaiah—falsely ascribed to Deutero-Isaiah—are cited to buttress this view, portraying the future subordination of the "nations" to Israel.

Witkowsky disputes the Cohenian idea—reiterated by Kellermann and Wiener—of the identity of "God" and "morality."[219] In its place, he argues that the Israelite conception of God is conditioned through and through by the fact of its national character and agricultural origins. From the welcome which Solomon extends to foreigners in his temple speech, from which Kellermann had derived the universality of the Israelite conception of God, Witkowsky derives its ethnocentricity, pointing out that foreigners, as a pre-condition, are expected to pray to Yahweh.[220]

It is not my purpose to evaluate these positions critically, positions staked out in the heyday of religious apologetics and inner-Jewish debate. Witkowsky's and Kellermann's portrayals of the "prophets" are one-sided, each in its own way. Kellermann's essay is a document of the Cohen School, Witkowsky's of German Zionism, absorbing Troeltsch's disavowal of historicism and adapting it to its own purposes.

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[217]Witkowsky, 93.

[218]*Ibid.*, 94.

[219]See above, p. 24.

[220]1 Kgs 8:41. See Witkowsky, 95.

And Witkowsky must modify Troeltsch's method in order to adapt it to his purposes. Troeltsch, having made the case for the infathomability of religious phenomena, then sets himself an "arbitrary boundary," failing to probe beyond the prophetic faith in the inviolability of Israel, to identify the spiritual quality from which it springs. Witkowsky writes:

> It is the character, the spirit, the unique genius [*Eigenart*] of a people which is that absolutely undefinable element, enigmatic like all organic being, in that it cannot be classified in a higher category...[221]

That undefinable element is the "nation," the "*Volk*," and it is source of the Jewish ethic. This is the appropriation of Troeltsch which Cohen had feared.

Witkowsky's productive critique of Troeltsch goes one step further. He perceives the influence of Nietzsche in Troeltsch's failure to distinguish between the Christian doctrine of humility and the prophetic spirit, which, he claims, far from being a precursor of the meek humility which Nietzsche bewails, never sought to impede the nation's spirit or even military vigor! (Here one would have to ask Witkowsky how, for example, Jeremiah can be accommodated in this scheme.) This accounts, according to Witkowsky, for Troeltsch's oversimplified characterization of Jewish history as the history of the difficult relationship between Western culture and a pure ghetto Judaism.

> Troeltsch apparently fully misunderstands the character of Zionism. For it does not seek a reconciliation of contrasts, but a decision. Zionism thus involves nothing problematic, for it demands abandoning the West at any price. The question posed by Zionism lies deeper. Should ghetto Judaism, the character of the pariah...be transported to our new home and perpetuated there? Or should a new humanity arise with those natural instincts of power and might which are not, as some naive minds fancy, the exclusive legacy of the German race, but inhere in all the active and struggling nations of the globe? That is the fateful question of the Jewish people, which its will has to answer.[222]

Wiener entered the debate on Troeltsch in *Der jüdische Wille* with an essay entitled "Nationalism and Universalism in the Jewish Prophets."[223] When held up against the 1909 book on the prophets, this essay betokens nothing less than an intellectual upheaval. Even in 1912, when Wiener published an abridged, popular version of that earlier book, he changed nothing of sub-

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[221]Witkowsky, 100.

[222]*Ibid.*, 107.

[223]"Nationalismus und Universalismus bei den jüdischen Propheten," *Der jüdische Wille* 2 (Berlin, 1919): 190-200. Hereafter "Nationalismus und Universalismus."

stance.[224] Yet now, with seemingly detached circumspection—and clear disapproval—he surveys the motives and arguments of liberal Jewish apologetics, of which he, seven years before, had been such a vigorous spokesman.

What, asks Wiener, is at stake in the question of the "universalism" or "particularism" of the prophets? Why universalism?

> Particular circumstances have willed it that, because of the general fate of the history of religions, the discussion of this problem in contemporary Judaism has been diverted from a productive path. Liberal Protestant theology, in its efforts to dissolve the traditional church dogma of the divine nature of the Christ into [the ideal of] a perfect humanity, had to demonstrate that the ethics of the gospels is an advance beyond the ethics of the Old Testament. As the main achievement of this new stage they lauded the overcoming of national particularism, and the breakthrough to a pure, world-encompassing idea of humanity. That drew the opposition of liberal Judaism into the arena. Its goal, in turn, was the total denationalization of the Jewish character...and it welcomed the prophets as confederates in this battle against the ethnic elements[225] of custom, cult and ritual. Their mightiest representatives, Amos, Hosea, Isaiah, Michah, Jeremiah and even Jonah appeared in this light as the protagonists of the ideas of internationalism and humanity, as the surmounters of ethnic religion and tribal cult, as the harbingers of a purely "spiritual" religion of world humanity. In this view, however...truth and error are intertwined.
>
> In any case, such a "spiritualizing" view, which goes hand in hand with denationalization, signifies...first of all a deconcretization of Judaism over the whole spectrum, encompassing Jewish life and doctrine: out of the messiah, the king from David's line, who is to gather the dispersed members of the Jewish people back to Zion, is made the idea of the messianic age... Wherever possible, the idea of the election of Israel is purged of its tribal and ethnic aspect. Any feeling for the corporeal reality of Jewish human existence with its distinctive character, and perhaps distinctive goals...pales before this idealizing and rationalizing method. The latter regards Israel only as the instrument of a world mission, of pure monotheism, as a vessel of divine truth. The "spirit" of Judaism, or what is taken as such, thus overshadows the living soul of Jewry; abstract truth girds itself to march over red-blooded reality, and the consequences of a doctrine seem to prevail over the inalienable demands of life.[226]

The charm of the Cohenian circle has been broken. Wiener has now arrived at the insight that the liberal Jewish concept of the world mission of Judaism, of its role as the champion of the universal ethical ideal, was an apologetical response

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[224]*Die Religion der Propheten*, Volksschriften über die jüdische Religion, 1,1 (Frankfurt a.M.: Kauffmann, 1912).

[225] "*völkische Elemente.*"

[226]Wiener, "Nationalismus und Universalismus," 190-91.

to an apologetical position of liberal Christianity.[227] It denuded Judaism of its "national" elements, which Wiener now—unlike in 1909—clearly reckons to its essential nature. The tribal, the folkloristic, the ethnic—everything signified by that untranslatable and later so fateful German word "*völkisch*" has migrated from the periphery to the center of Wiener's conception of Judaism.

These paragraphs are significant for an understanding of Wiener's philosophical shift, as well. In decrying the "deconcretization" of Judaism, which has forfeited "living Jewry" in deference to an arid "spiritualization," Wiener has abandoned the method of the Cohen school. No longer would he posit the idea "a priori," as he did the idea of "ethics" in the *Views of the Prophets on Morality*, and then seek to show how historical events lead to it. In place of the method of "idealization," Wiener seeks "concretization."

> The rationalistic exegesis which finds the norms and values of transcendental philosophy contained in the ethical monotheism of the Jewish prophets is no more objective than empathy, which takes the object of religious inquiry as detached from any developmental chain, not in relation to values extraneous to it, but in its own being.[228]

Wiener has now joined in the call for a new method in the study of religion which seeks, "by means of 'empathy' to relive experience in its uniqueness and incomparability."[229] He thus gives his approval to Troeltsch's method, and declares himself in agreement with Witkowsky's rebuttal of Kellermann, the disciple of Wiener's former philosophical patron.

Nonetheless, he criticizes Troeltsch on one point, his understanding of the "particularism" of the prophets. Wiener's criticism, preceded by a review of the prophetic understanding of "nation," illustrates the change in his orientation. He begins his exposition with the Early Monarchy and its sense of nationhood, describing King David's naive nationalism in a paragraph cribbed nearly verbatim from his 1909 book.[230] The similarity, however, ends there. In Wiener's earlier work, this "naive" nationalism represented the stage of henotheism, a way-station on the path of development which leads through the religious idea of elec-

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[227]The trend in Christology to which Wiener refers is prepared in Kant, who views the question of the historicity of Christ with indifference and conceives of him as the "personified idea of the good." Kant, *Religion within the Limits of Reason Alone*, trans. T.M. Greene and H.H. Hudson (New York: Harper Torchbook, 1960), 54ff. Its foremost spokesmen in the 19th century were Ritschl and Harnack.

[228]Wiener, "Nationalismus und Universalismus," 192.

[229]*Ibid.*, 191.

[230]*Ibid.*, 193. *Cf. APS*, 28f.

tion to the goal of messianic religion.[231] As would now be expected, in the later essay the idea of development is absent. Theoretically, Wiener writes, as if in a concession to his earlier views, rational thought could have it that the God who is creator of all the world, must also be God of all humanity. "In reality, however, in the immediacy with which God is felt and with which the human being feels touched by him, he remains God for Israel alone."[232] Throughout the prophetic period of Israelite religion this feeling does not abate. Quite the contrary, Wiener now writes, it deepens and strengthens. For the prophets,

> their own nation always remains the focus of their vision. It is the nation which is the concern of the prophets and of the prophetic God. Here, religion and patriotism are one and the same. It is impossible to conceive of monotheism as a kind of universalism, in which the one God corresponds to a unity of humankind. Israel, and only Israel is this God's realm.[233]

Here Wiener's renunciation of his Cohenian youth is explicit. In 1909 Wiener wrote that the prophet is "first and foremost a cosmopolitan."[234] The very verses—Amos 9:7 and 3:2 - which, in 1909, were prooftexts for universal divine concern and impartial divine justice are now merely a reflection of Israel's anxiety over the punishment which its disloyalty may incur.[235] The "novelty of prophetic piety" Wiener now sees in the prophets' boundless loyalty to Yahweh and in their belief in the profound "existential communion between God and his *tribe*."[236]

> To be sure, one can speak of a monotheism. But it is directed less towards without...than inward, filling the soul of the faithful with the certainty that Yahweh alone, nothing and no one else, is sovereign over them.[237]

Furthermore, in Wiener's revised view, Ezekiel is no longer the prophet whose doctrine of the individual moral agent indicates a waning of the collective, national consciousness. That common view, he now writes, is a paradigmatic example of the failure of an overly theoretical and rationalizing method to

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[231]See above, pp. 56ff.

[232]Wiener, "Nationalismus und Universalismus," 194.

[233]*Ibid.*, 194. Emphasis added.

[234]*APS*, 40.

[235]Wiener, "Nationalismus und Universalismus," 194. For Wiener's earlier interpretation, *APS*, 40 and 48.

[236]Emphasis my own. "Tribe" renders the German "*Stamm*." Wiener, "Nationalismus und Universalismus," 195.

[237]*Ibid.*, 195.

recognize facts which are as clear as day. "If one wants to distill one single doctrine from the words of the prophets, then nothing is more certain than this: the subject of their religion is the ethnic community; all divine concern, his providence and his rule are limited to it."[238] The drama of the prophetic call, for example, the anguish and personal agony with which the prophet finally acquiesces to the power of divine, are evidence, not of a doctrine of individualism, but of "strong personalities."[239]

However, Wiener cannot accept Troeltsch's portrayal of the prophetic ethos without reservation. Here we see the same Wiener who took umbrage at every disparagement of Judaism he encountered in the Wellhausen school. He allows that it is true that the prophetic ethos represents the national ethic of an agricultural people. But it is more than that. Troeltsch has not recognized—as would be possible using his method of "empathy"—that the Israelite ethos does transcend national boundaries, and that this can be sensed in its "unmediated moral feeling."[240] Wiener argues that, according to Troeltsch, the central concern of the prophets was to protect the Israelite nation from adulteration with foreign peoples and worship, hence their energetic polemic against the Canaanite sacrificial cult. This polemic, Wiener counters, is addressed not only at the Canaanite Baal worship, but at all sacrifices. And although, Wiener writes—echoing his 1909 book[241]—that the prophets do not categorically condemn the sacrificial cult, they juxtapose the hollow ritual which they criticize with the moral conduct they commend: "For I desire love and not sacrifice." "The devotion of the heart," which Wiener now believes to have derived, not by the superseded method of "idealization," but by an empathetic probing of the prophetic ethos, "corresponds precisely to what we call morality."[242] This is the ethic which is required by unshakeable loyalty to Yahweh, and which the prophets want to impress on their countrymen. It is an ethic distinct—because of its moral position—from that of the Israelites' neighbors, and it constitutes the substance of the prophetic ethos.[243]

Despite his declaration of loyalty to the national character of faith in Yahweh, Wiener still proposes that this idea of a morality which transcends na-

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[238]"Ethnic community" renders the German "*völkische Gemeinschaft.*" *Ibid.*, 196.

[239]*Ibid.*

[240]*Ibid.*,"*im unmittelbaren sittlichen Gefühl*," 197.

[241]See above, 75.

[242]Wiener, "Nationalismus und Universalismus," 197.

[243]*Ibid.*, 198.

tional boundaries gives the prophetic conception of God a universal dimension. And with that, after all, we have arrived at the position which, in its ethical content, resembles the Cohenian messianic ideal. However, Wiener would argue, the path which led to this position was different. The "idea" of a unified humanity was not presupposed; it was derived by means of an empathetic encounter with the Biblical sources, which were allowed to speak for themselves.

Wiener is aware that he is still caught between "two opposing tendencies." There is the profundity of the relationship between God and Israel, as felt by the prophets. And yet this relationship, just because of its intimacy, contains the germ of universalism, since the moral demands which God makes are universally human. Nonetheless, he has clearly abandoned the classical doctrine of liberal Judaism on the mission of Israel. Wiener proclaims that even in Second Isaiah, the textual pillar on which liberal Judaism bases its doctrine of Israel's mission as a "light to nations," the "ethnic self-consciousness" finds expression in the personification of Israel as the servant of the Lord. Its mission, Wiener now proclaims, is not to the world, but to itself.[244]

### *Retrospect and Prospect*

Wiener is eclectic. Ideas of disparate origin converge in his thinking, creating tensions which await resolution. In the heady days following the Balfour Declaration, he developed a sense of the uniqueness of Jewish "ethnicity," to use a modern term, which, upon reflection, compelled him to renounce the affinity for Cohen which informed his youth. He arrives at the insight that Cohen's vision of the messianic mission of the Jewish religion is made possible only by a myopic vision of Judaism itself, in which its national element is eclipsed. He came to regard this version of Jewish history as a happy fiction. In the debate over the nature of the prophetic ethos, it is clear that he has become an advocate of Jewish nationalism, and he thus became a maverick among the Liberal rabbis of his generation. At the same time, he was also unable to abandon Cohen's universalistic vision entirely.

Cohen's 1912 letter to the *Hochschule* foreshadowed the philosophical parting of ways. For him the decision on the Cohen Chair in Philosophy of Religion was fraught with significance; its incumbent would be heir to the task

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[244]*Ibid.*, 200.

for which Cohen felt responsible: of defining Judaism for the world of German academe and high culture. "For this chair," he wrote, "we bear the greatest responsibility in the eyes of the civilized world, more than for any other."[245] With proprietary earnestness Cohen declared: "I cannot...entrust our philosophy of religion to anyone who has not achieved perfect clarity about the relationship of philosophy of religion to ethics."

Cohen wrote that an essay of Wiener's "On the Logic of Religious Metaphysics," which had appeared in a journal the previous week, displayed to him a "lack of maturity" on just this question. The question is so crucial because the "proper" resolution of it demonstrates that Judaism is a historical instantiation of the *idea* of morality, that its ethos is therefore essentially attuned to the Protestant ethos, that its moral teachings coincide with the universal good, that Judaism is a "religion of reason." Cohen doubted that Wiener would carry on his work. He was cognizant of new philosophical trends, but wanted to stay their advance. Indeed, in the objectionable essay, Wiener begins with a discussion of the development of religion out of mythology, and of the relation of religion to philosophy, which is Cohenian through and through. Religion and philosophy, though diverse in method, are akin inasmuch as they both seek a form of knowledge.[246] But later in the essay he argues that religion originates in "feeling," in a particular ethos, in the immediate experience of the pious, an experience which in itself is fluid and "elastic," and becomes rigid only when appropriated as the foundation of a revealed religion.[247] Here the reverberations of Schleiermacher are unmistakable. Although Wiener will later dismiss Schleiermacher's conception of religion as the feeling of absolute dependence on God as a peculiarly Christian conception, he absorbs something of Schleiermacher's "ethos" from his Protestant environs nonetheless. "What the Bible contains," Wiener writes, "is religion...What later periods have made out of it is theology."[248]

Cohen was right in his sense that Wiener was not a committed member of the Marburg Neo-Kantian School. He was right, too, in his assessment that Wiener's thinking was not yet fully formed. Maturity, however, brought not a

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[245]Hermann Cohen, "Zum Vorschlag des Lehrerkollegiums für Dr. Wiener...", see Appendix.

[246]Max Wiener, "Zur Logik der religiösen Metaphysik," *Religion und Geisteskultur: Zeitschrift zur Förderung der Religionsphilosophie und Religionspsychologie*, 6, no. 1 (1912): 4.

[247]*Ibid.*, 12.

[248]*Ibid.*, 13. On Wiener's dismissal of Schleiermacher, see below, Part Two, p. 00.

rapprochement with the Kantianism of his youth, but greater distance. In the 1912 essay he is clumsily straining at the anchor. By the time World War I had passed, and Wiener's attention shifted from the interpretation of Biblical theology to the construction of his own theological framework, he had cast off from the security of the Cohenian mooring and struck out on his own.

*Faculty and students at the Berlin Hochschule für die Wissenschaft des Judentums. Wiener is standing at the front center. Leo Baeck is seated at the far right; standing next to him is Ismar Elbogen. (Courtesy of the Leo Baeck Institute New York)*

# Part Two

## Jewish Thought Adrift

### *The Thinker*

It is not easy to present a portrait of Wiener's thought. Just because his thought is eclectic, inconsistent and unsystematic, the portrait's features are fluid and elusive. He embraced the methods of modern Bible scholarship. He also abhorred its anti-Jewish bias, and spared no effort to expose it wherever it was in evidence. From his pen flowed, in later years, the critical reviews of Biblical scholarship which appeared in the *Monatsschrift für Geschichte und Wissenschaft des Judentums*, as well as many of the articles on Biblical subjects in the *Encyclopaedia Judaica* and the *Jüdisches Lexikon*, which he co-edited.[1] He wrote interpretations of Jewish religious philosophy of the Middle Ages, reviews of Biblical scholarship, essays on Jewish education, and then his classic *Judaism in the Age of Emancipation*.[2] He also attempted, in numerous essays, to construct his own Jewish theology. From the First World War until his flight to the United States, his writings include a book and nearly one hundred essays and articles.

They yield a portrait of a thinker acted upon by the intellectual and religious currents of his times, and who, in turn, is responding to them, conscious of the need for religious reorientation, casting about for a cleft in solid rock to grant

[1]See the Chronological Bibliography of Wiener's works.

[2]*Jüdische Religion im Zeitalter der Emanzipation* (Berlin: Philo Verlag, 1933). Hereafter *JRZE*.

the certainty he seeks. He is seeking a warrant for the truth of revelation, apart from philosophical truth. Soon he finds it in "pious feeling," soon in the "fact" of revelation. For Schleiermacher and his followers "pious feeling" is the source of religion, and in Wiener's time Schleiermacher's conception is revived and reworked by Rudolf Otto in his widely-read book *Das Heilige* (*The Idea of the Holy*). Wiener, however, seeks to account for the particular "facts" of Jewish revelation, and looks less to "feeling," and more to the concreteness of history. The particular, historical and a-rational quality of revelation in Judaism is what, in Wiener's view, sets Judaism apart from Christianity. It is also Wiener's conception of revelation which provides an instrument for the interpretation of medieval philosophy, and which attracted him to the contemporary Protestant movement known as "Dialectical Theology." Like Judah Halevi centuries before, Wiener too stresses the special status of the Jewish people as the bearer of revelation. This "Biblical faith" finds its echo in his advocacy of Zionist aspirations. These are some of the contours of the shifting portrait of this thinker.

It is in Wiener's prodigious literary production in the third and fourth decade of his life that we find his position on the nature of revelation and other questions in the philosophy of religion.[3] Discontented with the legacy of the nineteenth century, he takes an anti-philosophical stance. He chides philosophical "idealism" as a system of self-certainty, congratulating itself on the achievements of human knowledge.

[3]While Wiener published many shorter, popular and homiletic essays in the Jewish press, his lengthier philosophical essays appeared in the *Monatsschrift für die Geschichte und Wissenschaft des Judentums* and in *Der Morgen*, which commenced publication in 1925, edited by Julius Goldstein, professor of philosophy at the *Technische Hochschule* in Darmstadt. The major statement of his views in this period is an essay which appeared in three installments in the *Monatsschrift*: "Jüdische Frömmigkeit und religiöses Dogma," *MGWJ* 67 (1923): 153-167, 225-244; 68 (1924): 27-47. (Reprinted as a separate monograph, with a new foreword [Berlin: Philo-Verlag, 1924], and in Kurt Wilhelm, *Wissenschaft des Judentums im deutschen Sprachbereich* [Tübingen: J.C.B. Mohr (Paul Siebeck), 1967], vol. 2, 679-735; partial English translation, beginning with p. 692 of the 1967 reprint, in Alfred Jospe, *Studies in Jewish Thought* [Detroit: Wayne State University Press, 1981], 70-111, cited hereafter as *JFRD* by the pagination of the 1967 German edition.)

*Revelation and Philosophy*

Wiener speaks of all rationalistic philosophical systems as "monisms." All thought is rational thought. Anything which can be an object of thought, the realm of "all possible experience," to use the Kantian term, is rational, and united in a system. Rationality is the principle of this unity. "Reason knows only of a uniform universe of possible experience."[4]

> Reason is absolute and sovereign. Nothing which would be an element of reality escapes its domain. Reason alone decides what is real and unreal. It is the source of all rules and laws which determine the theoretical or practical validity of any content. It tolerates no boundaries, does not allow the division of the totality of being into spheres, one of which might be, in principle, beyond its grasp. Reason knows well of unfinished tasks, awaiting future resolution, but rejects the argument that another principle could take its place or share in its work. For there is but one truth, and it is under the control of reason... The monism of the knowing mind is inseparable from its nature.[5]

And yet, the sovereignty of reason is breached by that "lived-experience" of God which Wiener calls revelation. "Religiosity" is a discrete, autonomous "sphere of consciousness." Reason, then, does not encompass all reality in its realm; the "fact" of revelation supplies the evidence of reason's inadequacy. This is a leitmotif in Wiener's thought: philosophy is, by definition, rational thought. It is "monistic," and can therefore can never comprehend religion.

Wiener's dissatisfaction with the "inadequacy" of philosophy crystallizes early. One can see it in a series of popular philosophical sketches on the "History of the Religious Enlightenment," which he wrote while rabbi under Leo Baeck in Düsseldorf, sketching the development of the modern concept of religion.[6] He surveys the history of philosophical systems as the history of archetypical positions on the truth of divine revelation. The belief in divine revelation has been eclipsed by the modern concept of reason. Wiener's later thought is an attempt to retrieve it.

Wiener begins his presentation of Enlightenment philosophy of religion with Descartes, whom he sees as

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[4]Max Wiener, "Vernunft und Offenbarung," *Der Morgen* 1, no. 3 (1925): 257.

[5]*JFRD*, 685.

[6]"Zur Geschichte der religiösen Aufklärung," *Liberales Judentum* (hereafter: *LJ*), 3 (Frankfurt a.M.,1911) "I. Descartes," 13-15; "II. Spinozas Stellung zur Religion in der Offenbarung," 155-158; "III. Das Wesen der Religion und der Pantheismus Spinozas," 207-210; "IV. Leibniz' religiöser Optimismus," 259-263; "V. Kant: das Gute und die Güter," 274-278.

> one of those great thinkers whose spiritual character is dominated by an odd contradiction: personal religiosity, indeed an ecclesiastically proper faith, coexists in him with a theoretical world-view the immediate consequences of which are incompatible with the world-view approved by the church.[7]

The root of this incompatibility lay in Descartes' view of the world as a mechanism driven not by divine providence, but by blind force. The instrument for fathoming the world so conceived is reason. Reason assumes importance as the vehicle and *method* of investigation; it is declared sovereign as the highest authority before which everything must render account. The elevation of rational method sounds the "death knell" for the medieval belief in the authority of revelation and marks the "beginning of the crisis of religious consciousness" in which we moderns, writes Wiener, are still caught.[8]

If, in Descartes, personal religiosity and philosophical world-view contradicted one another, Spinoza, with inexorable consistency, made his world-view the basis of his critique of revelation. He finishes the task which Descartes had begun, taking as his guide the principle that there can be no other truth except that which reason discloses. Accordingly, Spinoza calls into question the Jewish and Christian belief that Scripture is a document containing a truth—divine revelation—which can claim a validity independent of reason or even in opposition to it.[9] Indeed, Spinoza

> recognizes that Biblical religion originally taught no "world-view" at all in the genuine theoretical sense of the term...Spinoza raises himself high above the common sort of religious rationalism, which, even in our day, has not entirely died out. Never does this philosopher fall into the error of reconciling the undeniable contradiction between many of the theoretical propositions of religion and the conclusions of philosophy by meddling with the interpretation of the former until they surrender their...offending, original meaning.[10]

In this popular essay Wiener also presents Spinoza's view of divine law: that the law of God comes to humankind not from without, but rather that it is anchored in human nature itself, in reason. Thus, the ceremonial law and the stories of its origin may well be edifying and pedagogically useful, but they are

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[7]*LJ*, 3:14.

[8]*LJ*, 3:14,15.

[9]*LJ*, 3:156.

[10]*LJ*, 3:157. "Philosophy" renders the German *Wissenschaft*.

only coincidental trappings, a "collection of regulations which spring from the arbitrary will of an anthropomorphically conceived God."[11]

There is nothing unusual in this presentation of Spinoza, but it is significant as evidence of the influence of the legacy of Spinoza even in a thinker who renounces both the philosopher and his philosophy.[12] To modern thinkers Spinoza left his view of Scripture as a document which is philosophically neutral, a document the intent of which is *not* to convey a world-view. It contains no philosophical truth, neither explicitly nor by allegory. Hence, meddling philosophical Biblical exegesis, which reached its pinnacle in Maimonides, meets its demise in Spinoza. Wiener is heir to this conception of the Bible as a non-philosophical text. For him, however, it is precisely because the Bible seems to contain rationally insupportable ideas that one can recognize in it a word coming from "another realm."

Spinoza was significant for Wiener in another way as well. Spinoza gave a philosophical argument for the demise of the authority of divine law. Divine law as recorded in Scripture is a serendipitous conglomeration of regulations, hallowed by tradition to be sure, but serendipitous nonetheless, lacking the logical necessity which can be ascribed only to the laws of reason. True divine law, according to Spinoza, can only be rational law, and must be universal because, being the commandment to pursue the highest good, it is common to all humankind. Therefore, it can "not demand the performance of ceremonies" which are considered good merely by the fact of "their institution," that is, by virtue of their having been revealed.[13] Spinoza has thus supplied the *theoretical* underpinning to what would later become Wiener's sociological argument: that the Emancipation brought about the *actual* demise of the authority of divine law in Jewish life. The history of Judaism in the Emancipation period he then interprets as the history of responses to this demise.[14]

However, in Wiener's thinking at this stage, Spinoza's system epitomizes the monistic world-view. He accuses Spinoza of having ventured far from the religious center of Judaism. Whereas Judaism, he writes, is characterized by faith in moral progress, Spinoza's world-view is static. Spinoza, by abolishing the very concept of purpose, of teleology, precluded the concept of progress to-

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[11]*LJ*, 3:158.

[12]See below, 116-18.

[13]*The Chief Works of Benedict Spinoza*, trans. R.H.M. Elwes, vol. 1, *Theological Political Treatise* (New York: Dover, 1951), ch. 4, 61.

[14]See below, p. 128f..

ward a moral ideal. It becomes impossible to understand the world as a purposeful cosmos ruled by a divine will. Furthermore, writes Wiener, Spinoza's *amor intellectualis Dei* culminates in a mystical union with God. Human beings are all "modes" of substance, of God. The individual moral agent, as required by the religion of commandment, is absent.[15] Spinoza thus suffers from the "illness of all monism, in that he totally uproots the independent existence of man..."[16]

Indeed, it is remarkable to note in these early essays in the history of philosophy that Wiener's unabashed theological position is already formed. In his portrayal of Kant, an even-handed exposition of Kantian ethics as a response to English eudaemonism, Wiener notes—and correctly—that Kant's derivation of the two practical postulates of the immortality of the soul and the existence of God represents a deviation from the strict rigorism of his ethics. He also notes that the doctrine of "postulates" is a weak foundation on which to construct the central ideas of religion. "For religion, God and immortality are irreducible concepts. One cannot force one's way to them as is done [by Kant] here."[17]

It is a dubious undertaking to want to extract too much from these early essays. But it is interesting to note why Wiener dismisses Kant's derivation of the "postulates" of God and immortality. To be sure, the doctrine of the postulates is a weak timber in the Kantian edifice, and it has been criticized by many. However, what Wiener criticizes is not so much this inner inconsistency in Kant's system as the aridity of his critical philosophy altogether. Wiener's theological thirst is not slaked by Kant's metaphysical modesty, which, having conceded that the central ideas of religion cannot be theoretically demonstrated, must invent the "practical postulate" in order to encompass them in his system. He was not satisfied with a thinker who derives religion from the requirements—or postulates—of ethics. He sought an idea of God—or perhaps not an idea at all—but God, who was neither "grounded" in another idea, nor "postulated" by the "fact" of duty, but simply and plainly "given."

It is curious that Wiener should have given such a broad-brush, archetypical view of "philosophy." Certainly it is not unusual for the thinkers of those decades to speak of an antagonism between "reason" and "religion," but in his equation of "rational philosophy" and monism Wiener seems to want to equate

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[15]*LJ*, 3:208-210.

[16]*LJ*, 3:260.

[17]"Doch wir werden dazu sagen: Für die Religion bedeuten Gott und Unsterblichkeit unzerstörbare Begriffe. Aber so wie hier darf der Weg zu ihnen nicht erzwungen werden." *LJ*, 3:277-278.

all philosophical systems with the German Idealism of the nineteenth century. In his critique of "monism" it is clear that, by "reason," he intends various meanings. At once it refers to a function, the instrument of human knowing. The limits of this function are evidenced by the "lived-experience" of revelation. Like Franz Rosenzweig's repudiation of all metaphysics from "Ionia to Jena," Wiener's critique of monism is a specific disavowal of German Idealism, which sees reason as the origin of being, from which the web of reality is spun. In Wiener's thinking, reason is both substance and function. This vagueness does not obscure Wiener's purpose, however: his concern, as religious thinker, to "make room" for revelation drives his interpretation of the Enlightenment and his later thought.

Wiener avails himself of various conceptual frameworks in his effort to overcome the putative "monism" of the nineteenth century. In one, revelation is taken as an "eruption" from another realm, which, being "self-evident," breaks the grip of "monism." Another such framework is offered by the concept of the "lived-experience," which Wiener adopted from the thought of Wilhelm Dilthey and blended with Otto's language of feeling, the "numinous," and the "Wholly Other." Yet another, which is connected with the first, is the idea that revelation transpired in a classical age, but an age which is irretrievably past, and that religious tradition is the sole link with it.[18] Wiener also absorbed the language of the "philosophy of dialogue," which was winning a following in the 1920's. He is not concerned with systematizing these ideas, but they all have this in common: they rebuff reason's claim to absolute authority over truth.

Wiener makes a connection between the "eruption" of a transcendent sphere into our own, and the "lived-experience" of revelation: as early as 1913, he spoke of revelation as a "religious lived-experience...rooted in the vague awareness of a being which is never illuminated in the broad daylight of cognition."[19] This unfathomable being is thus a "mystery," which the believer takes as the "ground" of the knowable realm. The certainty felt by the believer is the subjective side. This certainty, however, cannot be granted by a being which

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[18]This is the theme of his 1929 essay "Tradition und Kritik im Judentum," in *Protestantismus als Kritik und Gestaltung*, ed. Paul Tillich (Darmstadt: Otto Reichl Verlag, 1929), 347-407. (Hereafter "Tradition und Kritik im Judentum.")

[19]"Offenbarung," *LJ* 5 (1913):121, a homily on the occasion of the "festival of revelation," Shavuoth.

remains a "mystery;" it must disclose itself. "God can only become God for us if he reveals himself."[20] This is the "objective side."

This disclosure takes place as the "eruption" of another sphere into the sphere of rational knowledge. The consciousness of such revelation cannot be attained through effort. It comes uninvited, as the "consciousness of being affected by God."[21] Wiener can describe revelation itself only in the language of the mystical: if one seeks to retrieve the religious experience from the obscurity of the past and

> to establish the meaning of the lived-experience of revelation for the inspired person himself... then, by the nature of the thing, a precise answer or adequate description is impossible. For how should it be possible to describe something, or even represent it in clear and distinct ideas in one's own mind, which, by its nature, eludes the scope of...intelligible reality, which is confined to a sphere removed from the laws of nature, and thus of intelligibility? Inspiration, as an act, can only have mystical meaning. It is the lived-experience of union with the divine. That is a genuine μετάβασις εἰς ἄλλο γένος, a leap into an indescribable sphere, a sphere which, from the opposite shore, can never even be discerned... Silence is the language which the "here" speaks of the "yonder."[22]

Wiener thus argues that "religiosity" is a discrete, autonomous "sphere of consciousness." He describes the religious experience as "mystical," but defines the mystical only in the most general way. It means union with the divine, and all religion assumes it, at least for the religious genius, for the founding personalities of a religion. However, Wiener shrinks from simply equating Jewish religiosity with the mystical. In "genuine mysticism," he writes, the religious experience is all-consuming; a negation of the world is the result.[23] (One can hear the resonance of his earlier polemic against Spinoza.) From such mysticism Wiener distinguishes religion "based on transcendence," in which the existence of the world is acknowledged, but another "transcendent sphere" is taken to exist beyond it. Nonetheless, "the primary experience of such religiosity," Wiener maintains, "what offers itself as revelation, as an eruption of a transcendent reality, does not differ at all from such eruption as it occurs in genuine mysticism."[24]

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[20]*Ibid.*, 122.

[21]"...das Bewußtsein des Erleidens Gottes...", "Vernunft und Offenbarung," *Der Morgen* 1, no. 3 (1925): 256.

[22]*JFRD*, 688.

[23]"Negation of the world" renders the German "Akosmismus," *JFRD*, 689.

[24]*JFRD*, 689. Nowhere, however, does Wiener elaborate on the role of mysticism in Judaism. He also gives slight attention in his writings to Jewish mystical literature. Indeed, it has been noted that Wiener might have found allies for his understanding of religion had he delved into

What the prophets "experienced" was such an eruption of the transcendent realm into their own. That was the prophets' "lived-experience of revelation."[25] This is an idea which Wiener had put forth in his book on the prophets, despite its Schleiermachian ring, and its incompatibility with the Cohenian conception of religion. He depicted the prophetic experience as an awareness characterized by "immediacy."[26] He juxtaposed "revelation" *per se* to that revelation which can become "knowledge." Revelation characterized by "immediacy" is unreflected and personal. Revelation become knowledge, however, is reflected; it is mediated by the intellect and can be rendered into abstractions. It is, in a word, theology. He uses the same argument in the 1912 essay which Cohen criticized. Religions have a classical age of "belief in revelation" in which religious consciousness is in a constant state of flux, always taking on new forms, open to development.[27] As he would later put it, religion begins with revelation.[28] Such is its classical age; later generations look back on the prophetic adept, guarding and "interpreting" the "tradition" to which one may not add and from which one may not take away. In this way, Wiener sets the foundation stone of a tradition: it is constructed upon the "lived-experience" of revelation, in which the prophets were conscious of receiving "Torah from heaven."[29] Foreshadowing a *leitmotif* of his later thought, Wiener wrote in the 1912 essay that medieval philosophies of religion, whether Christian, Jewish, or Muslim, with their goal of reconciling this revealed tradition with the "rational" truths of Neo-Aristotelian thought, had strayed far from their origins in the immediacy of belief in revelation. However, whether intellect or feeling predominates in any given stage of a religion's his-

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the Kabbalah, but he did not. (Ehud Luz, "Max Wiener as Historian of Judaism in the Emancipation," *HUCA* 56 [1985]: 29-46 [Hebrew Section], 37, n. 21.) He shows an appreciation of the ideas of the Zohar and of the Lurianic Kabbalah as popular movements, but otherwise seems to share the aversion toward the Kabbalah which characterizes most Jewish thinkers from Graetz until Scholem. See Wiener's summary of Kabbalistic doctrines in "Tradition und Kritik im Judentum," 391-396.

[25]"Tradition und Kritik im Judentum," 354.

[26]*APS*, 10.

[27]He speaks here of "Offenbarungsglauben." Max Wiener, "Zur Logik der religiösen Metaphysik," *Religion und Geisteskultur: Zeitschrift zur Förderung der Religionsphilosophie und Religionspsychologie*, 6, no. 1 (1912): 12.

[28]"Säkularisierte Religion," *Der Jude*, Sonderheft, no. 4 (Berlin, 1927):10.

[29]"Tradition und Kritik im Judentum," 349ff.

tory is an expression not of any principle, but of the disposition of its adherents, of the underlying mood on which their lives play themselves out.[30]

Wiener's position here bears some similarity with Rudolf Otto's conception of the relation between the "rational" and "irrational" in the idea in his book *The Holy*, which appeared in 1917.[31] Otto also laments the over-rationalization of religion by theology, and seeks to demonstrate the centrality of "creature feeling," as the human response to the non-rational in God, to the numinous. He too argues that the difference between rationalism and its irrationalism lies in "a peculiar difference of *quality* in the mental attitude and emotional content of the religious life itself."[32] Both Wiener and Otto labor here in the shadow of Schleiermacher, for whom pious feeling, in the technical sense of "immediate self-consciousness" is the matrix not only of religion, but of all knowledge and ethics.[33] But the differences between Wiener's position and that of Otto are significant. Otto does not deny the role of rational theology in religion; the rational and the non-rational are, for him, "the warp and the woof" of the fabric of religious life.[34] For Wiener, religion conceived of rationally is not religion any more. Otto recognizes "creature-feeling" as the source of religion; it is a feeling with no more specific content. For Wiener the irrationality of Judaism has a specific content, as will become apparent, anchored in the historical experience of the Jewish people.[35]

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[30]"Zur Logik der religiösen Metaphysik," 12. Wiener speaks of "...die Gestimmtheit des gesamten gerade herrschenden Lebensinhalts..."

[31]Rudolf Otto, *Das Heilige. Über das Irrationale in der Idee des göttlichen und sein Verhältnis zum Irrationalen* (Munich: C.H. Beck, 1963). The title of the English translation, *The Idea of the Holy. An Inquiry into the non-rational factor in the idea of the divine and its relation to the rational*, 2nd ed., translated by John W. Harvey (London, Oxford, New York: Oxford University Press, 1950), stresses the Kantian tendency in Otto's thought, most pronounced where he argues (Ch. 16) that the holy is a category *a priori*.

[32]*The Idea of the Holy*, p. 3.

[33]For the systematic statement of the role of "immediate self-consciousness" see Friedrich Schleiermacher, *Der christliche Glaube*, 7th ed. (Berlin: Walter de Gruyter & Co., 1960), vol. 1, p. 14ff.

[34]John W. Harvey in his Translator's Preface to Otto, *op. cit.*, xvii, and *The Idea of the Holy*, ch. 1.

[35]In his introduction to the Hebrew edition of Wiener's book, Yehoshua Amir has argued that Wiener, in his theology of the "irrational," was influenced by Rudolf Otto (Yehoshua Amir, "מקס ויינר ויצירתו," in הדת היהודית בתקופת האמנציפציה, translated by Leah Zegagi [Jerusalem: Mossad Bialik and Leo Baeck Institute, 1974], p. 11.). I would argue that his influence should not be overstressed. Wiener does not set himself the task, as Otto did, of describing the "reflex in feeling" (*Gefühlsreflex*) of the holy in human life. Wiener's use of a term and even

Elsewhere Wiener argues for a discrete religious realm derived from the distinction between person and thing. In the experience of God as personality, Wiener writes, man also experiences himself as a *person* set apart from experience in the realm of *things*.[36] Wiener takes the consciousness of the human personality, of one's own and of that of the other, as the "evidence," so to speak, of the transcendent. He even asserts that the question of freewill and determinism is only a manifestation of the disjunction between the personality and the realm of knowledge.[37] Wiener seems to be claiming that the intrahuman, the encounter with the "other," discloses a transcendent realm, on the one hand, and that the tension between these realms is the same as that between "causality" and "freedom," on the other. For Wiener, however, the significance of the "personality" lies not in its being the ground of moral responsibility. Instead, it is a "primal feeling," which discloses to us a sphere apart from "the realm of *things*," indeed places us in it.[38] It is therefore not "derived" or "deduced," in a Kantian way, from the fact of duty.

This approach, with its distinction between person and thing, between the "I" and the "It," evokes at least the terminology of the movement known as philosophy of dialogue, which emerged earlier in the same decade in which Wiener was writing.[39] But he uses only the terminology. The philosophy of dialogue

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an idea of Otto's, after *Das Heilige* made its appearance in 1917, is characteristic of his eclectic manner. But even before 1917, Wiener's discussion of the rational and irrational shows that both he and Otto were drawing from the same Schleiermachean matrix of Protestant thought. They both are symptomatic of the period and its turn to the "irrational." Amir also alludes to the influence of the Protestant school of "Dialectical Theology," as did Hans Liebeschütz before him in his 1960 essay: Hans Liebeschütz, "Max Wiener's Reinterpretation of Liberal Judaism," *Leo Baeck Institute Yearbook* 5 (1960): 56. That tack has seemed to me more fruitful, and is the one which I take below.

[36]"Unsterblichkeit," *Der Morgen*, 3 (1927): 135-143.

[37]"Unsterblichkeit," *Ibid.*, 136.

[38]"...jenes Grundgefühl, durch das wir jenseits alles Denkens und Begründens uns selber und die anderen—die 'Mitmenschen'—aus dem Bereich dinghaften Seins herauslösen und in eine eigene Sphäre pflanzen." "Unsterblichkeit," *LJ* 3:136.

[39]Rosenzweig's *Star of Redemption* appeared in 1921, Buber's *I and Thou* and Ferdinand Ebner's *Das Wort und die geistigen Realitäten* in 1923. For the history of the philosophy of "I and Thou," parts of Buber's essay "Nachwort: Zur Geschichte des dialogischen Prinzips" are instructive, reprinted in Martin Buber, *Das Dialogische Prinzip* (Heidelberg: Lambert Schneider, 1973), 299-319. (English translation in *Between Man and Man* [New York: Macmillan, 1965], 209-224.)

takes the interpersonal, the relationship *between* persons as reality. Reality is in the interstices. As Buber writes: "All real life is encounter."[40]

In Wiener's thinking the concept of personality serves as a "window," so to speak, on the transcendent. Wiener takes belief in the existence of a deity as his point of departure:

> When the existence of a deity is proclaimed and this deity is taken as possessing freedom and omnipotence, creative power and knowledge, an entity which has the self-sufficient, independent and free existence of the perfect personality, then something is projected into the cosmic and absolute, which, as a postulate, makes possible the existence of the human being and the relation of one human being to another.[41]

Wiener does not proceed with the same metaphysical restraint which informed Buber's *I and Thou*, for he holds not that it is in the relation of one personality to another, in the "interpersonal," that another realm is disclosed. When Buber writes that, in "relation" or "encounter" "one has nothing," he holds at safe distance any implication that the "reality" disclosed in "relation" is an object of knowledge, a being in the realm of "It." Wiener seems unperturbed by this problem. In his hand, the concept of person is a tool, a "principle which is distinct from all other being entirely."[42] It is a principle which discloses the personality of God, and thus points to a realm beyond the domain of human knowledge. From the "subjective" side, it is the awareness of personality which extends the human horizon into the transcendent. For Wiener, however, from the "objective" side, the existence of a transcendent—divine—being is assumed from the first.

His religious motive for this conception of deity is to secure the independence of the religious from any human norms of truth. In his attempt to describe what it means to speak of God as personality, Wiener overwhelms the reader with "attributes": God is endowed with will, "creative vitality," unfettered by the constraints of "nature."[43] In the consciousness of being "created in God's image" one participates in this freedom oneself. Wiener unambiguously distances himself from Kantian philosophy of religion, in which the "postulate" of freedom is derived from the human awareness of duty, and the idea of God, in turn,

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[40]Buber, *Ich und Du*, in *Das dialogische Prinzip*, 15.

[41]"Unsterblichkeit," *LJ* 3:136.

[42]"Unsterblichkeit," *LJ* 3:137.

[43]*Ibid.*, 138.

from the exigencies of ethical conduct. For Wiener, God, as personality, is presupposed.

In this essay, the significance of "personality" lies in its being endowed with will. When Wiener discusses Maimonides, for example, he takes the Maimonidean arguments for creation, miracles and divine providence as witnesses to the tenacity of belief in divine will. To be sure, Maimonides would not concur in this interpretation, since for him, the idea of the divine will, as any other divine attribute, is "equivocal" and thus can no more serve as a bridge between the human and the divine than can any other divine attribute.[44] In a later essay, Wiener grapples with the question of how the medieval proponents of the doctrine of attributes could conceive of this doctrine as an elaboration of the Jewish belief in God. There again, he notes that the fate of the doctrine of divine attributes in the subsequent history of Jewish thought confirms just how alien the doctrine was perceived to be.[45]

To sum up: in these essays of the 1920's Wiener is seeking terms with which to point to a transcendental realm, and in this search, his thinking drifts from one conceptual framework to another. In describing revelation as the "lived-experience" of God, he adapts a coinage of Dilthey's to his own purpose: of juxtaposing an a-rational realm to the realm of rational knowledge. A similar motive is at work in this use of the concept of person. Whatever the ambiguities, it is clear that he first borrows—if only in name—the concept of person from the philosophy of dialogue, juxtaposing the realm of "things," which is accessible to reason, to the realm of "persons," which is not, and then superimposes the modern term on the Maimonidean conception of divine will. For Wiener, the importance of the concepts of person and personality—he uses the terms interchangeably—is that the awareness of "persons" intimates an extra-logical realm.

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[44]See Maimonides, *The Guide of the Perplexed*, translated by Shlomo Pines (Chicago and London: Chicago University Press, 1963), II:18; vol. 2, p. 301.

[45]"Vorbemerkung zum religiösen Verständnis der religionsphilosophischen Attributenlehre" in *Festschrift Dr. Jakob Freimann zum 70. Geburtstage gewidmet von der Jüdischen Gemeinde zu Berlin und dem Rabbiner-Seminar zu Berlin* (Berlin, 1937), 193. Hereafter: "*Vorbemerkung*."

*Anti-philosophy, Dogma and Christianity*

Although he is himself steeped in the philosophical nomenclature of his time, Wiener considers philosophy and religion to be inimical to one another. Philosophy seeks to integrate all objects of knowledge into a "world-view," which encompasses God and "religious experience," as well. The seed of religion, however, is a-rational, and wherever the "lived-experience" of revelation has been translated into concepts it has been distorted. Religion cannot be reduced to a "world-view," and Judaism is not "a museum of theories."[46] When a religion proffers a world-view, it subjects itself to the logical criteria of rational thought, and thus forfeits its claim to an inviolate truth.[47] "That means, in principle, the triumph of scientific, systematic knowledge"—and the annulment of "revelation."[48] Religious truth is *sui generis*.

This argument is a recurrent theme in his writings. One of his students in Berlin reports that Wiener always emphasized this distinction, with a clarity which seemed to him paradoxical

> to the extent that he sought to make us understand the legitimate limits of conceptual understanding itself, and to warn against obscuring the chasm which, by principle, separates philosophical knowledge from religious certainty.[49]

What is the nature of "religious certainty"? "Truth must inhere in religion, if religion is to have any meaning."[50] But this truth is not of the same kind as theoretical or philosophical truth. Wiener points to the error in the history of religions that religion has been regarded at its core as a "world-view," and "that its 'truth' is sought and defined on analogy with systematic, theoretical knowledge."[51] Religion thus understood cannot compete with scientific knowledge.

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[46]Wiener's words in a 1921 homily: "Du sollst es künden deinem Sohne. Eine Pessachbetrachtung," *Gemeindeblatt...Berlin*, vol. 11 (1921): 31-32.

[47]*JFRD*, 684.

[48]*JFRD*, 685.

[49]Yehoshua Amir recalls Wiener's lectures at the *Hochschule* in his introduction—"ויצירתו מקס ויינר"—to the Hebrew translation of Wiener's 1933 book, היהודית בתקופת האמנציפציה הדת, transl. Leah Zegagi (Jerusalem: Mossad Bialik and Leo Baeck Institute, 1974), 8.

[50]*JFRD*, 682.

[51]"...daß die *weltanschauliche* Seite des Religiösen als sein Kern angesehen wird, daß seine '*Wahrheit*' gesucht und diese Wahrheit nach Analogie mit der *wissenschaftlichen Erkenntnis* bestimmt wird." *JFRD*, 683.

"Secular knowledge overcomes knowledge nurtured by revelation, and the final result is nought."[52]

The error to which Wiener refers is, in his view, the consequence of the Christian idea of religion:

> If the scientific study of religious phenomena wants to liberate itself from the misleading consequences of this Christian idea of world religion, then it has to see through the intellectualism in which Christianity has been unavoidably entangled on account of its indispensable dogmatic structure.[53]

That "indispensable dogmatic structure" is the doctrine of grace, which, Wiener stresses, has the status of a theoretical proposition.

Wiener, as did Jewish thinkers of various stripes before him, puts forth a philosophical argument with the patent apologetical motive of establishing the superiority of Judaism over Christianity. "Theoretical," or "scientific," or "philosophical" truth—*Wissenschaft*—seeks, by its nature, consistency. It brooks no contradiction. Religious truth, on the other hand, is of another kind; it does not, or ought not, seek to express itself in a world-view, or, in fact, in any theoretical propositions about the world, because, in that endeavor, it will always be bettered by theoretical knowledge. Theoretical knowledge claims universal validity; that, as we have seen, is the meaning of "monism" here. Thus, when Christianity—and this is Wiener's argument—lays claim to "truth," and this truth is the truth of a proposition, it is claiming universal validity. It subjects itself to the logical criteria of rational truth, and must elaborate its truth in the form of theology:

> Theology, and thus systematic knowledge (*Wissenschaft*), the exclusivity of the theoretical claim to truth, has always remained the authoritative voice in [Christian] religious life.[54]

The direction of his argument is clear enough: that Christianity is a religion of dogma, indeed, is built upon dogma, whereas Judaism, having its origin elsewhere—and indeed, Wiener's *positive* conception of Judaism remains to be described—is not burdened by the claims which dogma makes on one's scientific or philosophical outlook.

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[52]*Ibid.*

[53]*JFRD*, 683.

[54]*Ibid.*

Wiener stands here in a tradition of modern Jewish apologetics which began with Moses Mendelssohn, who gave this argument its classic and oft-invoked expression in his *Jerusalem*:

> I believe that Judaism knows of no revealed religion in the sense in which Christians understand this term. The Israelites possess a divine *legislation*—laws, commandments, ordinances, rules of life, instruction in the will of God as to how they should conduct themselves in order to attain temporal and eternal felicity. Propositions and prescriptions of this kind were revealed to them by Moses in a miraculous and supernatural manner, but no doctrinal opinions, no saving truths, no universal propositions of reason.[55]

This conception of Judaism is rooted in none other than Spinoza. Julius Guttmann has shown that the definition of Judaism as revealed legislation, the "central theory of *Jerusalem*" is at the same time the point which shows Mendelssohn's connection with Spinoza most clearly."[56] He demonstrates that Spinoza determined the direction of Enlightenment philosophy of religion, and in particular, that of Mendelssohn.[57]

Spinoza and Mendelssohn pursue different ends: Spinoza, defining piety simply as quality of character, seeks the annulment of any claim by theology to possess a special truth, and any claim by Judaism to possess a "divine law."[58] The revelation to the Jews contained only the laws of a particular polity, now defunct, and certainly no special truth. Similarly, the Bibles of both the Jews and the Christians contain useful guidance for the conduct of a moral life, but no philosophical truths. Theology may interpret the Bible, but not as philosophical book; philosophy and theology are rent asunder.

In his *Jerusalem* Mendelssohn sought to reconcile religion and philosophy again. He sees the Bible as a repository of the rational truths which are the

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[55]Moses Mendelssohn, *Jerusalem, or on Religious Power and Judaism*, trans. Allan Arkush (Hanover and London: University Press of New England, 1983), 89f. [Hereafter: *Jerusalem.*]

[56]Julius Guttmann, "Mendelssohn's *Jerusalem* and Spinoza's *Theological-Political Treatise*," in Alfred Jospe, ed., *Studies in Jewish Thought* (Detroit: Wayne State University Press, 1981), 364. (German original: "Mendelssohns *Jerusalem* und Spinozas *Theologisch-Politischer Traktat*," in *48. BHWJ* [Berlin, 1931]: 33-67.)

[57]*Ibid.*, 362 (English ed.). Guttmann notes that there were others before him who perceived these connections: Saul Ascher (1767-1822), and Albert Lewkowitz (1883-1954), "Das Judentum und die geistigen Strömungen der Neuzeit II," in *Festschrift zum 75jährigen Bestehen des jüdisch-theologischen Seminars Fränckelscher Stiftung*, vol. 1 (Breslau, 1929). Lewkowitz was a student at the Breslau Seminary at the same time as Wiener and was later appointed to its faculty.

[58]*Theological-Political Treatise*, 118.

common property of all rational religion. However, as Guttmann has shown, Mendelssohn has taken his central doctrine from Spinoza: Judaism consists of "revealed legislation." Its specific stipulations are incumbent upon the Jews alone, but, at the same time, they are based on the eternal truths, or refer to them, in such a way that they all form a unity.[59]

Mendelssohn's pronouncement that Judaism is free of dogma, but consists, instead, of "revealed legislation," was thus a reassertion of Spinoza's position, even if Mendelssohn does not acknowledge his patrimony. Mendelssohn served as the conduit which, to be sure, changed the trajectory of Spinoza's definition of Judaism, and, by so doing, provided the thinkers of Liberal Judaism in the modern era with a polemical thought of remarkable longevity. This is all the more remarkable because its torch-bearers were also Spinoza's most vigorous detractors. The Mendelssohnian argument reëmerges as the claim that Christianity, which rejoices in its disencumbrance from the law, is encumbered nevertheless by dogma, whereas Judaism, which rejoices in the "yoke of the commandments," is unencumbered by the shackles of an obligatory creed.

This argument was taken up by Abraham Geiger and Hermann Cohen, appropriated by Leo Baeck, and finally, given a radical twist by Wiener. From Cohen, Wiener inherited the argument in the following form:[60] Judaism represents rational religion. Through its prophets the idea of the one and unique God entered into world history, as the ideal of morality. The prophets achieved this breakthrough by overcoming the mythical conception of deity, in which the gods are simply men, larger than life. In myth, "man is himself a god, just as God is only a kind of man."[61] Cohen illustrates the advance from the mythical to the ethical conception of deity in the prophetic critique of sacrifice. Sacrifice was originally understood to be a communal meal, prepared by humans to share with God (or gods).[62] Its purpose was therefore to cultivate a relationship between man and God. The prophets, however, by declaring the ethical ideal the sole object of God's desire, indeed—to properly demythologize—by taking the ethi-

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[59]*Jerusalem*, 99.

[60]For Cohen's argument: "Religion und Sittlichkeit," *JS*, 3:98-168. See Part One, p. 19, n. 19 for bibliography.

[61]*JS* 3:120.

[62]The thesis of W. Robertson Smith, *Lectures on the Religion of the Semites*, revised ed. (London: A. & C. Black, 1894).

cal ideal as the content of the idea of God, make the relationship between man and man the focus of religion.[63]

> Myth is fixated on the relationship between man and God; the prophetic conception of God has its origin in the relationship between man and man. Only from this stage does there arise the relationship to God.[64]

Cohen thus argues that the Jewish idea of God long ago overcame its mythical origins, and that "ethical monotheism" is the historical expression of the ideal of morality.

That sets the stage for the position Cohen takes on dogma. In Christianity, he argues, myth has combined with Greek dialectics, and, "as a *philosophema* has been reforged into dogma."[65] In Judaism, he argues, the prophetic conception of God as ethical ideal was refined ever more, attaining philosophical expression in the medieval doctrine that the only attributes of God which the human being can know are the attributes of action, those which describe not God, but only His actions. The significance of the divine attributes of action—as defined by Halevi in the *Kuzari* and, in their strictest form, by Maimonides in the *Guide of the Perplexed*—is that they define God *only* as the paradigm of morality. Beyond such moral interest, "the essence of God is unfathomable, i.e. an object neither of philosophical interest nor of religious belief."[66]

Whereas Judaism preserves the idea of God as an ethical paradigm, in the Christian idea of God there is an admixture of myth. In Christianity God means more than a moral ideal, a model for ethical action. God functions as a redeemer, through the second person of the Trinity.[67] It is the special virtue of Christianity, Cohen continues, that it proclaims a relation of "immediacy" to God. Paradoxically, the relationship of "immediacy" (the terminology is Schleiermachian through and through) requires the agency of a mediator, and it is the mediator—Christ—who represents the moral ideal. This seems to be what

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[63]"Religion und Sittlichkeit," *JS* 3:124. It will be recalled that this position on the prophets was that elaborated by Wiener in *Die Anschauungen der Propheten von der Sittlichkeit.*

[64]*JS* 3:125.

[65]*JS* 3:131.

[66]"Nur diejenigen Attribute Gottes sollen Gegenstand der menschlichen, der religiösen Erkenntnis sein dürfen, welche das Wesen Gottes als das Urbild der Sittlichkeit bestimmen. Außerhalb dieses Interesses an der Sittlichkeit ist das Wesen Gottes unerforschlich, d.h. nicht Gegenstand des philosophischen Interesses und ebensowenig des religiösen Glaubens." *JS* 3:133. Wiener regards this same doctrine of attributes as an errant episode in the history of Jewish thought; see below, 97.

[67]*JS* 3:137.

Cohen means here, when he sharpens the paradox of Christian doctrine to the point that

> through Christ, the human being does not need God in order to come to God. This tautology is avoided, however, by the fact that morality, in this intermediate position, takes the place of God. One does not need God, then, in order to attain to morality.[68]

For the position of the individual in relation to God, this means that the individual's salvation is dependent on the recognition of the divine act of mediation, that is, on faith in Christ. Where knowledge of this redemptive act is wanting, neither salvation, nor moral action are possible. Thus, the function of the doctrine of redemption, through the incarnation of God in the Christ, relegates ethics to second rank. It makes the knowledge of God in this particular form the precondition of human morality.[69] That is its offense. Judaism, on the other hand, adheres to its conception of God as ethical ideal, for which there is no mediator save the human being himself.

Thus Cohen preserves Judaism from the scandal of dogma. Knowledge of God is "practical."[70] Cohen's disclaimer, that he is not hazarding a value-judgment here, is politic, to be sure, but not persuasive. Judaism preserves the God-idea in its purity, whereas Christianity has amalgamated this idea with the myth of God-become-man, dying and rising again, and has thus erected an edifice of dogma, a barrier between God and the human being.

Wiener was well acquainted with this argument and may perhaps even have heard it from Leo Baeck's pulpit in Oppeln or Düsseldorf. Surely, he followed the controversy over dogma in Judaism, in which Baeck's position was challenged.[71] Baeck argues as Cohen had, that dogmas are only necessary where

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[68] In Cohen's elliptic prose: "Damit ist gemeint, daß der Mensch durch Christus keines Gottes bedarf, um zu Gott zu gelangen. Dieser Tautologie wird jedoch dadurch ausgewichen, daß an zweiter Stelle für Gott die Sittlichkeit eintritt. Man bedarf also keines Gottes um zur Sittlichkeit zu gelangen." *JS* 3:137f.

[69] "Religion und Sittlichkeit," *JS* 3:139.

[70] Cohen's unique interpretation of Maimonides as a Platonist is to be seen in this light. See "Charakteristik der Ethik Maimunis," *JS* 3:221-289.

[71] Baeck rehearses this argument on dogma in the opening chapter of the *Essence of Judaism*, the second edition of which appeared in 1921. Leo Baeck, *Wesen des Judentums*, 6th ed., (Frankfurt a.M., 1932; repr. ed., Wiesbaden: Fourier Verlag, n.d.), 4ff. (English edition, with many flaws in translation: *The Essence of Judaism*, New York, Schocken, 1967, 12f.) The ensuing debate was carried out in the pages of the *Monatsschrift*. See *MGWJ* 70, 1926 and 1927, articles by Scheftelowitz, Goldmann and Julius Guttmann, and Baeck's response "Hat das überlieferte Judentum Dogmen?" *MGWJ* 70 (1926): 225-236. A revised version reprinted in

belief in the efficacy of a particular act of sanctification stands at the center of a religion, in short, in a religion of sacrament. At the center of Judaism, however, stand the commandments.

Baeck adds an historical element to his argument, drawn from Abraham Geiger, and based on a very narrow definition of dogma. Dogma is a tenet of belief, the affirmation of which is a condition for acceptance into the body of the faithful. Such dogmas are wanting in Judaism because there is no central authority which could enjoin them, and establish them as binding for all. Thus, the preëminence of *halakhah* over doctrine on the one hand, coupled with the lack of a central religious authority on the other, account for the flexibility of doctrine in Judaism. Ideas yes, but no dogmas. Judaism has always been a "kind of philosophy of religion," ever-changing, and therefore far more adaptable to changes in world-view than Christianity has been.[72] Whether Baeck's oft-repeated conviction may be regarded as a happy fiction is a question which need not occupy us here.[73] Nonetheless, Baeck's fusion of Cohen's and Geiger's arguments provided the springboard for Wiener's more extreme position, which is actually an odd renewal of Mendelssohn's conception of Judaism.

Wiener, as did Baeck, appropriates Cohen's apologetics: Christianity is the religion of "thought." It is "constructed on a foundation of dogma."[74] Wiener, however, takes dogma in a very broad sense, to mean any religious tenet whatsoever. Specifically, Christianity is based on the doctrine of grace, which, in turn, presupposes the dogma of original sin. It must assume a sinful human nature which can only be redeemed by the gift of divine grace. Schleiermacher, Wiener continues, stated only part of the case when he claimed that Christianity rests on a foundation of feeling, of the feeling of "absolute dependence" on God. Without the prehistory of the dogma of original sin this feeling would be incomprehensible, for it is only because of original sin, after all, that humankind *is*

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Leo Baeck, *Aus drei Jahrtausenden*, (Tübingen: J.C.B. Mohr [Paul Siebeck], 1958), 12-27; again in Kurt Wilhelm, *Wissenschaft des Judentums im deutschen Sprachbereich*, 2 vols. (Tübingen: J.C.B. Mohr [Paul Siebeck], 1967) vol. 2, 737-752.

[72]For Geiger, see Baeck, *Aus drei Jahrtausenden*, 17.

[73]The claim that it is indeed a "happy and polemical thought" is substantiated by Michael E. Panitz, "New Heavens and a New Earth: Seventeenth- to Nineteenth Century Jewish Responses to the New Astronomy," *Conservative Judaism* 40, 2 (Winter 1987/1988): 28-42.

[74]*JFRD*, 683.

absolutely dependent on divine grace, which alone can set it free.[75] It is not "absolute" feeling, but a particular feeling of dependence which is the basis of Christianity, and this feeling presupposes the acceptance of certain doctrines. That acceptance is an intellectual act. Christianity thus requires an intellectualized conception of religion. It has imposed this conception of religion on the modern world, and modern Judaism has acquiesced in it.

Wiener extends his argument to a point far more radical than Baeck's: thought itself is dogma. Dogma is present whenever a religion seeks to grasp the world in concepts, to formulate what Wiener calls a "world-view." Unlike Baeck, Wiener saw philosophical reflection as an accretion to Judaism, a foreign element which has never belonged to its essence. It is for this reason that Wiener takes such a dim view of Jewish philosophy. He assigns both the philosophers of the Middle Ages, particularly Maimonides, and those modern theologians of Judaism who seek to reduce Judaism to a "confession," to the periphery of the history of Jewish religion. One need only compare Cohen's admiration for the Maimonides of the *Guide of the Perplexed* with Wiener's disdain, to comprehend the ardor of his anti-philosophical stance. Maimonides is, for Wiener, the exemplar of the rational theologian:

> His religious doctrine, which has found its sharpest expression in the terse formulae of the Thirteen Articles of faith, serves more a need for philosophical systematization than it does the self-expression of genuine religious spirit. Inasmuch as the fundamentals of religion, the doctrine of God, are derived from pure reason, and then the specifically Jewish doctrines of revelation, prophecy, and Torah are appended to this rational theology, the whole reflects a conflation of metaphysical elements with irrational, historical ones. One gets the impression that the religious tenets of Judaism are being worked into the general framework of a religion of reason, that the thinker is proceeding less from a Jewish point of departure than that he is seeking to give the propositions of philosophical religion a Biblical-talmudic hue. Just as certainly as the Thirteen Articles reflect in this way the convictions of their author, they can equally certainly make no claim to document the religious self-understanding of Judaism, even if their content is unobjectionable.[76]

Wiener's argument against dogma, then, is an argument not merely that Judaism is free of primitive, blasphemous myths, burdensome credos and mysterious sacraments, but a loud objection to a perceived intellectualization of religion.

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[75]*JFRD*, 684. His critique of Schleiermacher seems to miss the mark, since the feeling of "absolute dependence" is first and foremost the feeling of the dependency of a creature on creation, not of a sinner's dependency on grace.

[76]*JFRD*, 714f.

Judaism—indeed religion in general—cannot and ought not be reduced to philosophical statements about the nature of the world, humankind or God. Religion does not contest the claim staked out by reason around the realm of theoretical truth. Its truth must be of another kind.

### *Interpreting Jewish Philosophy*

Wiener's strict separation of the spheres of philosophical and religious truth determines his approach towards the history of Jewish philosophy. His differed significantly from the tack taken by Julius Guttmann, the historian of Jewish philosophy whom Wiener succeeded at the *Hochschule für die Wissenschaft des Judentums* when he finally was appointed to the faculty there in 1935.[77] Guttmann approached the history of Jewish thought as an historian of ideas. In his classic *Philosophies of Judaism,* published in 1933, he set himself the goal of writing the history of Jewish philosophy as a history "of successive absorptions of foreign ideas which were then transformed and adapted according to specific Jewish points of view."[78] The task of Jewish philosophy, as he saw it, was either to fortify the truth of revelation with a philosophical justification—to be the *ancilla theologiae*—or to reconcile the competing claims to truth made by philosophy and revelation.[79]

Isaak Heinemann, in a critical review, compares Guttmann, unfavorably, with Wiener, faulting Guttmann for his failure to approach religious philosophy as the manifestation of a living context—*mutatis mutandis*—a life "captured in concepts." He contrasts Guttmann's *Philosophies of Judaism* with Wiener's essays in the history of medieval thought, which he considers exemplary.[80] While Wiener, in his essays, does not take Guttmann to task directly, the distance from Guttmann's approach is implicit. A more direct critique of Guttmann, on the other hand, was levelled against his *Philosophies of Judaism*

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[77]Guttmann left the *Hochschule* for the Hebrew University in Jerusalem in 1934. His biography is given in the late Fritz Bamberger's fine essay, "Julius Guttmann: Philosopher of Judaism," *LBIY* 5 (1960): 3-34.

[78]Julius Guttmann, *Philosophie des Judentums* (Munich: Verlag Ernst Reinhardt, 1933), 9.

[79]*Ibid.*, 10.

[80]Isaak Heinemann, in his brief notice of *Philosophie des Judentums*, in *MGWJ* 77(1933), 394-398. Heinemann also criticizes Guttmann for neglecting mystical thought in Judaism.

by Leo Strauss. While his conception of Jewish philosophy differs from Wiener's, their approaches are kindred.

Strauss argues that Guttmann's approach is flawed because it proceeds from the Schleiermachian assumption that philosophy, like religion, originates in self-consciousness. Because of this common source, the task of religious philosophy is thus to determine the "special methodological status" of religious truth.[81] Whether Guttmann regards as the task of Jewish philosophy to function as *ancilla theologiae* or to "reconcile" the competing truth claims of philosophy and revelation, he has failed even to address the problem—as Strauss sees it—of modernity: the persisting conflict between the Enlightenment and Orthodoxy, which, in turn, is really a conflict between atheism and orthodoxy. To seek the "special methodological status" of religious truth in the medievals is anachronistic, since "the medieval philosophers understand religion not as a 'sphere of validity,' and not as a 'dimension of consciousness,' and least of all as a 'sphere of culture,' but as *law*."[82] The medievals, then, saw as their task to disclose the foundation, *in law*, of philosophy. It assumes—and this is the feature of medieval philosophy of religion which Strauss seeks to salvage for modernity—that the law, which is the content of revelation, might be true.[83]

Strauss is reminding the modern reader that, to the medieval mind, knowledge is not compartmentalized. The problems of method, of the criteria of truth particular to each branch of knowledge, the problems which occupied the Cohen-disciple Guttmann, are alien to medieval thought. Revelation—for Strauss, revelation as law—rules all spheres of knowledge. It is here that Wiener and Strauss strike the same chord.

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[81]"*der methodische Eigenwert der Religion*," Guttmann, *op. cit.* 10. Leo Strauss, *Philosophie und Gesetz, Beiträge zum Verständnis Maimunis und seiner Vorläufer* (Berlin: Schocken, 1935), 30. As far as I know, this is the only trenchant criticism of Julius Guttmann to date. (The English edition, recently published, is marred by serious deficiencies in translation: *Philosophy and Law: Essays Toward the Understanding of Maimonides and his Predecessors*, trans. Fred Baumann, introduction by Ralph Lerner [Philadelphia, New York and Jerusalem: Jewish Publication Society, 1987]. For an exposition of Strauss' argument and a corrective to the English translation, see Eve Adler, "Review Essay," *AJS Review* vol. 14, no. 2[Fall, 1989]: 263-288.)

[82]Strauss, *Philosophie und Gesetz*, 48.

[83]Guttmann responded to Strauss' "political interpretation" of Maimonides in an essay published posthumously, "Philosophie der Religion oder Philosophie des Gesetzes," in *Proceedings of the Israel Academy of Sciences and Humanities* 5 (1976), 148-173.

What earned Wiener praise from Heinemann was, in particular, a study of Saadia which Wiener wrote in Hebrew in 1924.[84] His presentation of Saadia's thought is revealing of his own. Its clear goal is to show that medieval religious philosophy is only "rational" to a point, for the source of certainty, in all realms of knowledge, is revelation. Saadia makes a distinction between religious and philosophical knowledge, but theological knowledge is not seen as some branch of general knowledge with defined boundaries. It is, on the contrary, the root.[85] Medieval culture is under the "rule of revelation."[86] Ethics and natural science alike are dependent on revelation, the former because revelation, through the commandments, establishes "value," and the latter because revelation tells us that the natural order is a creation of divine will. It may be that this content of revelation—Saadia speaks here, as will medieval Jewish philosophers after him, of "prophecy"—can be communicated in a rational form, but its rationality does not serve as a warrant for its truth. That warrant is the self-evidence of revelation. The experience, the "seeing" of revelation is its own confirmation. If this quality of revelation were lacking, reason could never compensate for it.

Wiener discerns in Saadia an unwavering belief in the foundation of revelation, and he seeks to elucidate its role in the seminal questions of Saadia's thought. Miracles, for example, have the function of a "sign" which "authenticates" prophecy, corroborating the validity of an idea. But Wiener stresses the point that Saadia sees miracles as events which, while countermanding the "natural order," are nonetheless part of it, because they too were pre-ordained by God with the creation. It is true that Saadia follows the atomistic doctrine of the early Kalam, according to which every moment, so to speak, is in God's hand, and each event, therefore, is a miracle. Belief in miracles, then, is not an obstacle to rational thought. For rational thought is itself nothing but the contemplation of the divine creation, in which the amazing—the miraculous—is also embedded. Hence the difference between those events which are a part of the so-called natural order and those which are exceptions to it is only a relative one; they are both combinations of the elements willed by God.[87] Wiener says explicitly that his intent is not to claim that "Saadia actually succeeded in overcoming the duality [of the natural and the transcendent] in his understanding of

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[84]"הרציונליזמוס הפרימיטיבי בפילוסופיה הדתית של רבנו סעדיה," *D'vir*, vol. 2 (Berlin, 1924): 176-197, cited hereafter as "Rationalism." On *D'vir*, see below, p. 108, n. 132.

[85]"Rationalism," 178.

[86]*Ibid.*, 180.

[87]*Ibid.*, 184.

miracles," but only to accentuate how his endeavor to connect the religious ideas of God, prophecy and miracles with general theory of knowledge results in a blurring of the boundary between the two.[88]

This view on the place of miracles in the natural order is based on the fundamental assumption of the unity of the world. That is an assumption in Saadia, which, in Wiener's view, is the crux of Saadia's thought, and yet flows from *religious feeling*.[89] One God, one divine will, one natural order, one world. It is this conviction which motivates Saadia's painstaking refutation of every cosmological theory under the sun which is incompatible with the idea of *creatio ex nihilo*. Wiener argues that religious feeling provides Saadia with the imperturbable sense of certainty on this point, which translates, for theology, into the idea of God who is apart from the world, perfect, wise and holy.[90]

Wiener is thus a twentieth century interpreter who reserved some sympathy for Saadia, the acknowledged founder of medieval Jewish thought, just because he understood his "rationalism" to be based on religious feeling. In this sense it is "primitive." There is no doubt in Wiener's mind that Saadia never wavered in his fervent conviction of the primacy of revelation, that the hierarchy of sources of validity was always clear to him.

Guttmann, by contrast, recognizes the ambiguities which are present in Saadia's epistemology, and with which Saadia contends in the Prolegomenon to his *Book of Beliefs and Opinions*. He, like Wiener, notes that for Saadia the most important characteristic of religious truth is its "origin in revelation." But he also notes that there is a tension in Saadia, evident in the Prolegomenon.

> In his systematic discussion of the problem he demands that the believer approach philosophy with the prior conviction of the truth of revelation. The task of philosophy was merely to provide rational proof of what was already known through revelation. Elsewhere, however, Saadia declares agreement with reason to be a necessary precondition for the acceptance of any doctrine claiming the status of revelation.[91]

That is not quite the same Saadia whom Wiener describes. The strength of Guttmann's sober presentation lies in his nuanced attention to such ambiguities. Wiener's study, on the other hand, accentuates Saadia the Jew, firm in his belief in the truth of revelation as recorded in the Bible, and passes, with its broad

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[88]*Ibid.*, 185.

[89]*Ibid.*, 192.

[90]*Ibid.*, 194.

[91]Guttmann, *Philosophies of Judaism*, 63.

brush, over any signs of a more serious allegiance to the truth claims of philosophy. Saadia the Jew is acting in a polemical context—his relish for polemic is well-known—seeking to buttress the faith of Jews, and to demonstrate the "reasonableness of Judaism" before an Islamic audience.

While Wiener may have respected Saadia's "primitive rationalism," he sees the enterprise of medieval Jewish philosophy as a whole as an aberration, and it is Maimonides who represents the high ridge on the trail on which Saadia embarked. While the content of his philosophy may be "unobjectionable," as Wiener wrote, its method forces "religious truth" into a competition with philosophical. Jewish faith, when it is firmly anchored in belief in revelation and its Biblical record, will not be lured from its path by the sirens of philosophy.

Wiener's interpretation of the doctrine of attributes illustrates what he faults in medieval rationalism. What engages him is the question of the religious motive of the medieval philosophers. In the development of this doctrine, Wiener writes, the philosophers of the Middle Ages advanced steadily towards demonstrating the unknowability of the nature of God, and there can be no doubt (!) that, in so doing, they strayed far from actual Jewish belief. The subsequent history of Judaism pronounced its own verdict on this doctrine.[92] But how, Wiener asks, could the medieval proponents of the doctrine of attributes construe this doctrine to be an elaboration of the Jewish belief in God?[93]

Jewish theology, beginning in antiquity, has sought to purge the conception of deity of anthropomorphic images.[94] This evolution of the understanding of God culminates in the doctrine of the negative attributes of God, which attains its most extreme form in Maimonides. As Wiener explains, the terms "thought and knowledge, will and reason" do not have the same meaning when applied to God as they do when applied to human beings. Before the divine, language is impotent. To Wiener this doctrine appears bleak—as it did to Maimonides' opponents—and he laments:

> ...then the possibility of any communion between divine and extra-divine being seems foreclosed and any possibility of its [the divine's] connection with the world is cast in doubt by having rendered the idea of God so sublime.[95]

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[92]"Vorbemerkung," 193.

[93]*Ibid.*

[94]Wiener is probably referring to the tendency of the *Targumim* to soften the anthropomorphic passages in the Bible.

[95]"Unsterblichkeit," *LJ* 3:137. Wiener alludes here to Maimonides' doctrine of "strict equivocation" (Hebrew: *shituph*), or "homonymy."

In the history of this doctrine, Wiener sees—and he seems to have Maimonides in mind—the tenacity of the personalistic conception of God. The importance of the belief in creation out of nothing in Maimonides is that it shows the omnipotence of divine will. Wiener sees all the antinomies in Maimonides' thought in an analogous way: the tension between general and particular providence, between laws of nature and the belief in miracles, between the notion of the emanation of natural reason and the spontaneous burst of prophecy, as evidence of the free creativity of divine personality.

Wiener suggests that the doctrine of negative attributes was not only the result of an alienation of the Jewish belief in God. By "Jewish belief" Wiener means God conceived of as a person. The thesis of his 1937 essay on the doctrine of attributes is that it is an assimilation of Neo-Platonic ideas into Judaism. The doctrine of negative attributes, in its most radical Maimonidean version, inverts even the assertion of God's existence to mean only that God is *not non*-existent. It thus makes the God of Judaism into the One of Plotinus, beyond knowledge and beyond being.[96] On the other hand, Wiener argues that in Neo-Platonism there is the parallel line, as well, which sees the One as the terminus of a series of emanations, in which the One is perfect thought. Thus, both fullness—perfection and emptiness—absence of any predicate, apply to the One.

The purpose of his interpretation of Plotinus is clear enough: it is to argue that Maimonides was drawn into the doctrine of negative attributes by this dual aspect of Neoplatonic theology. One aspect of the Neo-Platonic doctrine emphasizes God as the fullness with which the human soul yearns to be united; in the parallel aspect, God is reduced to pure negation.[97] That pure negation cannot have been Maimonides "true" conception of God is shown, Wiener holds, by the concept of God assumed in Maimonides' proofs for God's existence. It is the Aristotelian concept of God as prime mover, and *ens necessarium*. As pure actuality, God is pure intellect. Wiener then takes the next step, which illuminates the tension in Maimonides' thought.

He draws attention to the inconsistencies in Maimonides' statements on the nature of the divine intellect. What is divine knowledge, and in particular, divine providence? Maimonides is not satisfied with what he identifies as the Aristotelian version of this doctrine, according to which providence influences only the intellect, not matter, and therefore not individuals. Divine providence,

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[96]"*Vorbemerkung*," 195, 198.

[97]"*Vorbemerkung*," 199f. Wiener never elaborated on this interpretation of Maimonides.

thus understood, is aloof, and cannot accommodate the traditional rabbinic belief in individual reward and punishment.

The contradictions on the subject of divine providence in the *Guide* are sufficient testimony to Maimonides' ambivalence. Guttmann had only noted these contradictions, without suggesting any explanation.[98] Wiener suggests that it is the traditional, rabbinic belief in divine providence and judgment which tenaciously asserts itself in Maimonides here. In this later essay as well, Wiener seeks to mollify Maimonides' doctrine of negative attributes. They mean no more than that any description of God is inadequate:

> Any susceptibility to definition gives [God] up to finitude; all description renders him untrue. We may wish to interpret him, but we must also remain conscious that what is plain to us is only an emanation of his power.[99]

Even the unknowability of God is only a human term. Thus, the ambivalences in Maimonides' thought can be explained as the manifestations of an inner conflict between traditional piety and philosophical influences.

Even if Wiener's treatment of Maimonides in this later essay is more sympathetic, his conviction that philosophy is, by nature, inimical to the religious life remains unchanged. The credo of Jewish faith has validity by the sheer force of its proclamation, before which philosophy must simply yield. Nowhere does this attitude shine through with more clarity than in an invective against Spinoza which Wiener wrote for the three hundredth anniversary of his birth in 1932. Here Wiener gives us the most succinct statement of his "anti-philosophical Judaism." Spinoza, he maintains, represents the farthest distance one can wander from the center of Judaism.

> The Jewish Bible, in its opening sentences, established the most paradoxical thought ever uttered: "In the beginning God created heaven and earth." From what? —Out of nothing. Of all the possible explanations of the origin of the world this is certainly the most improbable of all...But we do not take these sentences to teach us about what "was" in the beginning, and how everything else followed from it, but about the spirit, about our Jewish spirit, for which this most paradoxical of all sentences was the most certain. This sentence is the apotheosis of the power of will. It signifies: will, personality, freedom...in

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[98]The contradictions on the doctrine of divine providence, which, like the controversies on Maimonides' true opinion concerning creation, go to the heart of the dispute over the "genuine" Maimonides. See Charles M. Raffel, "Providence as Consequent upon the Intellect: Maimonides' Theory of Providence," *AJS Review* vol. 12, no. 1 (Spring, 1987): 25ff.

[99]"Vorbemerkung," 200.

> heaven as on earth, in God as in the human being. The meaning of being, in its sublime holy Original-Being, revealed in divine revelation, is personality... God may not be identical with the world; for he and those in the world who are created in his image must be capable of acting, consciously and willfully. That requires space... There must not be only One and one being: for direction, goal, attitude and freedom must be present for will to develop. The omnipotent God would become a mere chimera if he had no human beings upon which to act; frail human nature is the image of God, can become like God, but not one with God, if it lives and acts in the world of personalities.
>
> From a scientific and philosophical standpoint all of that may sound like sheer nonsense. Psychology and metaphysics, natural science and criminology (*sic*), political economy and history may demonstrate that it is untenable. *But that is, nonetheless, the meaning of Judaism.* And it is the meaning of the Biblical-Jewish religion to defy, with this paradox, the scientific spirit. The latter can do no different than to negate creation and freedom, God and man, personality and will...or rather to regard all of these as utterly incomprehensible propositions.[100]

True, Wiener erroneously assumes that *creatio ex nihilo* is a Biblical doctrine. That slip, however, is insignificant in light of Wiener's intent here, which is a radical renunciation of every human criterion of truth. Revelation undermines and overturns all philosophy and all thought. Whether Spinoza was right or wrong, Wiener continues, is not the question. "What does it mean to be right or wrong in matters of the ultimate and most profound impulses of thought?"

This shows us Wiener's true colors. The truths of religion are founded on a sacred narrative. Its veracity cannot be demonstrated; it can only be felt. But the question of its veracity is moot, for the truths of religion are immune from prosecution before the tribunal of rational thought and its discipline, philosophy. Wiener has removed himself from the academies of the philosophers, and embraces a philosophically untenable position. Incoherence is of no import here. What Biblical proclamation hath joined together, let no thinker rend asunder. Hence, Wiener does not perceive himself as a philosopher. He understands his task to be theological, and seeks a light by which to navigate.

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[100]"Unser Spinoza? Ein Nachwort zum Jubiläum," *Jüdische Zeitung* (*Jüdische Volkszeitung*) (Breslau, 27 January 1933): 1. The newspaper was edited by Wiener's cousin, Erich Bildhauer.

## *"Dialectical Theology" in a Jewish Key*

The 1920's were rife with theological options which sought to restore the "irrational" to religious thought. Aside from Otto's *The Idea of the Holy*, and the philosophy of dialogue, another movement within Protestant thought, inaugurated by Karl Barth (1886-1968), and known as "Dialectical Theology" or the "Theology of the Word" provided a tool for Wiener's thinking. Just as with other thinkers whose influence in Wiener's writings is as clear as it is anonymous, there is no bibliographical trail of references to Barth. There are few allusions to writers or books read. Connections must be drawn on the basis of ideas and methods which have been appropriated, and it is clear that Wiener appropriated the theological method of "Dialectical Theology." A conception of Judaism as "lived-experience," or as the feeling of awe before the Wholly Other was not sufficiently specific; it is a concept of faith without content. Yet Wiener knew that Judaism could not be explained in this way, that its revelation proclaimed certain truths, and that Jewish religiosity meant—very concretely—feeling addressed and claimed by God through the commandments, given to the people of Israel. Barth's thought provided him with the language to speak of the concrete content of Judaism's revelation.

It was Barth's own encounter with the Bible, in particular with Paul, of which his "commentary" *The Epistle to the Romans* is the record, which marks its beginning. The publication of the second edition of that work in 1921 determined the course of theological debate for the rest of the decade. That Jewish thinkers would try to make his theology fruitful for Judaism is an outcome which Barth would not have anticipated. Nevertheless, some did: Wiener, and Hans-Joachim Schoeps,[101] in particular, attempted to transpose Dialectical Theology into a Jewish key. That attempt drew protest, in turn, from the Orthodox camp. It is this episode in the history of Jewish theology of the 1920's, and Wiener's part in it, to which I turn now.

Karl Barth's interpreters, and Barth himself, stress that his theology was fed from two springs: one was his encounter with the "strange world of the Bible." As Thomas F. Torrance has portrayed his early years, one primary factor was

> his pastoral charge at Safenwil, and his discovery there of the new world within the Bible, as week by week he ploughed over the ground in careful laborious

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[101]Hans-Joachim Schoeps, *Jüdischer Glaube in dieser Zeit, Prolegomena zur Grundlegung einer systematischen Theologie des Judentums* (Philo Verlag: Berlin, 1932).

> exegesis, like the farm-workers in his parish who from very early in the morning turned over the soil in assiduous husbandry acutely aware that each furrow was—of bitter necessity—a new furrow.[102]

Barth, reflecting later on his interpretation of *Romans*, remarked that it began as the endeavor of a preacher to disclose the message within the Bible, and to convey it uncorrupted and unfiltered by any general world-view. "My sole aim," he wrote, "was to interpret Scripture."[103]

In his own self-understanding, then, it was the interpretation of Scripture which led him to the insight into the unbreachable distance between the divine and the human that only God could cross. That insight, then, did not spring from theological argument. It cannot be reduced to the disjunction intended by any of the stock theological couplets like "infinite" and "finite," or "eternal" and "temporal." The explosive significance of his commentary was its radical departure from the theological categories of the nineteenth century. His aim was not to construct a philosophical theology, but to let the "the message of the Gospel speak for itself..."[104] When it is allowed to do so, it "judges." Barth writes:

> In announcing the limitation of the known world by another that is unknown, the Gospel does not enter into competition with the many attempts to disclose within the known world some more or less unknown and higher form of existence and make it accessible to man. The gospel is not a truth among truths. Rather it sets a question mark among all truths.[105]

The Gospel confronts all human thought with its own limitation, a limitation which is the result not of some internal self-critique. Human thought does not limit itself from within, before the "tribunal of reason;" it is limited from without, by the "word of God" as conveyed in the Gospel.

The Gospel cannot, therefore, be contained in any truth of which humans can conceive. "The Gospel speaks of God as He is," and yet is speaking of the "UNKNOWN God."[106] Barth is fully aware of the paradoxical position which he

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[102]Thomas F. Torrance, *Karl Barth: an Introduction to his Early Theology, 1910-1931* (London: SCM Press Ltd, 1962), 34. My account follows Torrance's conventional, "orthodox" interpretation of Barth's development.

[103]In the preface to the English edition, Karl Barth, *The Epistle to the Romans*, trans. Edwyn C. Hoskyns (London, Oxford, New York: Oxford University Press, 1968), ix. (Cited hereafter as Barth, *Romans*).

[104]Torrance, *op.cit.*, 50.

[105]Barth, *Romans*, 35.

[106]*Ibid.*, 37.

takes here: the search for God must begin with the "perception...which proceeds *from God outwards.*"[107] This is the paradoxical, contradictory nature of his thought: in revelation the human being comes to "perceive" God, and yet the perception must proceed from "God outwards." "And yet..."—this is that "nevertheless" of faith which seems to be the message of the name of the movement Barth inspired.

Barth is scrupulous to emphasize that the Gospel is not a one-sided, gloomy message of the human distance from God, that distance to which Dialectical Theology terms "*diastasis.*" The counterpoint to this distance, for Barth, is justification by grace. It is grace which opens the way out of human limitation, but in a very concrete way. Grace "justifies" the sinful human being. Sin is thus the principle which has interposed "distance" between God and the human being. As Torrance puts it:

> Sin has become a world power—that is to say, the whole of our existence is conditioned by sin, so that there has come into being a *cosmos* determined by the fact that it has somehow broken loose from God. And that is reflected within us in that we live in contradiction, in this breaking-apart of a "world without" from a "world within"; we live our life in a cosmic movement towards independence from God, of a world in which things try to exist in their own right... This may take the form of a divinised worldliness or worldly divinity, but whichever way we take it, it is a perversion of what God made.[108]

Sin, judgment and grace are thus interdependent in Barth's thinking. But it is sin which is the ground of the cosmos, "broken loose" from God. Sin is the ground of the disjunction between the human and the divine. Judgment marks the limit which separates these two; grace overcomes it—in some way. The judgment and reconciliation of a sinful world constitute the message which Barth encountered in the Epistle to the Romans. To describe this message is, to Barth, the task of theology, or, to use his favored term, of "dogmatics."

The other spring which fed Barth's thinking seems to have been an event: his break with liberal Protestant theology. For Barth, the First World War marked a watershed, and the sympathetic stance taken towards Germany's nationalistic war-time aspirations by those liberal theologians whom Barth had revered signified a theological failure.[109] It exposed the flaw in the belief that

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[107]*Ibid.* Emphasis added.

[108]Torrance, *op.cit.*, 67.

[109]He calls it "...Versagen gegenüber der Kriegsideologie," from the Barth-Thurneysen correspondence, cited in *Theologische Realenzyklopädie* (Berlin and New York, 1981) *s.v.* "Dialektische Theologie," by Wilfred Härle.

the divine—the goal of religion—could somehow consist in the perfection of the human. That was the flaw of the liberal theology of the nineteenth century, epitomized for Barth in the thought of Schleiermacher. To speak generally: nineteenth century liberal theology holds the belief that the "kingdom of God" is identical with the advance of civilization. It spawned an optimistic faith in "Protestantism and Culture."[110] The hubris of Germany's nationalism appeared to him as the inevitable, noxious fruit of the spirit of the nineteenth century.

Schleiermacher epitomizes this spirit because, as Barth presents him, he derives religion from human self-awareness—and by so doing reduces religion to a function of the human mind. To Schleiermacher, religion is a particular kind of feeling or self-awareness, of being utterly dependent on—and thereby connected with—God. Feeling is given prime importance here, and knowledge relegated to second rank.[111] What irks Barth in Schleiermacher's thought is the method: the way to God leads through human self-awareness. "Christian pious self-awareness contemplates and describes itself: that is in principle the be-all and end-all of this theology."[112] The method assumes a continuum between human awareness and God. "God" is a symbol in this continuum, to which one can only relate in self-consciousness.[113]

Against this alleged subsumption of God into a stage or aspect of self-consciousness, Barth seeks to reassert the absoluteness of the word of *God.* Schleiermacher, on the other hand, in Barth's interpretation, "does not consider an objectless, absolute relationship with God...as a possibility that need be taken seriously into account."[114]

These, then, were the two motives driving Barth's thought, which are not really separate: the proclamation of the Gospel and the disavowal of the nineteenth century's confidence in "Christian culture." "The Gospel," as Barth had written, "does not enter into competition with the many attempts to disclose within the known world some more or less unknown and higher form of existence and make it accessible to man."[115] That is Barth's repudiation of the nineteenth century as he understood it. It sought "God" in the ideal of human perfec-

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[110]"*Kulturprotestantismus.*" Karl Barth, *Protestant Theology in the 19th Century* (London: SCM Press, 1972), 435.

[111]*Ibid..*, 454.

[112]*Ibid.*, 457.

[113]Torrance, *op. cit.*, 72f.

[114]Barth, *Protestant Theology in the 19th Century*, 472.

[115]Barth, *Romans*, 35.

tion, of human progress. The "Gospel," however, breaches the sovereignty of human culture. It is "not a truth among truths. Rather it sets a question mark among all truths."

"Dialectical theology," Wiener wrote in 1933, is of significance not only for Christianity, but for Judaism as well. For aside from whatever else it teaches,

> it discloses the primal religious fact that all human thought about God...cannot be classified under any other category of knowledge. All human thinking—and therefore theological thought as well—is repelled at the barrier of divine unfathomability...[116]

This thought was congenial to Wiener: revelation sets a limit to human thinking. The religion of revelation

> is cognizant of the unique and fundamental significance of divine self-communication.[117]

Here is the analogue in Wiener's thinking to the the "perception...which proceeds from God outwards." God is the "transcendent, which imparts to us knowledge of itself, giving itself to us."[118] And yet, we have no knowledge of the transcendent, of God. We cannot disclose God to ourselves, yet God discloses himself to us in revelation. This is the theological paradox which, in Wiener's view, Dialectical Theology has properly illuminated, and which makes this movement significant for Jews.[119] The insight into the unknowability of the divine—the oxymoron is the idiom of Dialectical Theology—is the same insight which led, in Jewish philosophy, to the doctrine of negative attributes. The task which then remains for "theology" is to interpret the *content* of revelation. Just as Barth saw the task of theology in the description of the message of the Gospel, Wiener, analogously, sees the task of Jewish theology in interpreting those exalted moments when God revealed Himself to human beings:

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[116]"Begriff und Aufgabe der jüdischen Theologie," *MGWJ* 77 (1933): 5. A similar assessment of the import of "Dialectical Theology" is found in Wiener's article, "Theologische Probleme im Judentum, aus der Tagung des Allgemeinen Rabbinerverbandes (15. und 16. November)" *JR* 37 (1932): 465-466. I thank Paul Mendes-Flohr for bringing the article in the *Jüdische Rundschau* to my attention.

[117]"Begriff und Aufgabe...," 4.

[118]*Ibid.*

[119]*Ibid.*, 5.

> If all theology, seeking to preserve the unique meaning of its subject, proceeds from the fact of revelation which it finds given, and the reality of which it neither can, nor needs to prove, then its essential task consists in interpreting what the authoritative bearers of this divine message have understood it to mean...[Theology] proceeds from the fact, which it presupposes, that God, who is real, speaks and spoke to the human being.[120]

There was much, then, in "Dialectical Theology" to which Wiener was drawn: first, the strict separation between religion and all forms of "culture," a separation based on the absolute disjunction between revelation and all forms of human knowledge. In Wiener, this idea takes on the form of the renunciation of all forms of philosophical monism. Then there is the the status assigned by Barth to the Gospel as the proclamation of the divine message. Similarly, for Wiener, the Hebrew Bible is the document of revelation, of the days when God spoke to His messengers the prophets. Scripture is the "bearer" of the divine message.[121] And finally, Barth's faith in the nineteenth century and the advance of "Christian culture" was shaken by the catastrophe of the First World War, which likewise disabused Wiener of his Cohenian confidence in the "moral progress of humankind."

The importation of Barth into Jewish theology by both Wiener and Schoeps drew a sharp response from the late Alexander Altmann, then a young instructor at the Hildesheimer Rabbinical Seminary in Berlin. In a monograph entitled "What is Jewish Theology?" Altmann reserves the far sharper criticism for Schoeps' seemingly uncritical appropriation of Barthian thought, but accuses them both of a fundamental naïveté. The disjunction between the human and the divine, writes Altmann, what Dialectical Theology calls the "crisis," is really the disjunction between the human being, who is sin-laden, and God who is righteous. This "insuperable difference" between Jewish theology and Protestant Dialectical Theology makes its adoption by Jewish thinkers "naive" and "uncritical." The qualitative difference between the human and the divine is based, in Dialectical Theology, on the dogma of original sin and is therefore not "merely a logical dialectic."[122] It certainly may not be seen—Altmann's repri-

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[120]*Ibid.*

[121]It is this aspect, the "Biblical faith" of Barth's theology, which seems to have engaged latter-day Jewish Barthians as well. See, for example, Michael Wyschogrod, *The Body of Faith: Judaism as Corporeal Election* (New York: Seabury Press, 1983), 78-80, part of an account of the the significance of Barth's theology for Judaism.

[122]Alexander Altmann, *Was ist jüdische Theologie? Beiträge zur jüdischen Neuorientierung* (Frankfurt a.M.:Verlag des Israelit und Hermon G.m.b.H., 1933). Altmann held the post in philosophy of religion at the Hildesheimer *Rabbinerseminar* analogous to the one Wiener later

mand is addressed to Wiener—as the motive for the doctrine of negative attributes. That is precisely the kind of generalization of the idea of "diastasis" which its specifically Christian, doctrinal provenance prohibits.

In this essay of his youth, Altmann constructs a "Jewish theology," setting up two poles: divine law and peoplehood (*Volkstum*). The task of the Jewish people is the "unfolding" of Jewish law; the "labor of the *halakhah*" is the focus of Jewish theology.[123] If this "halakhic atmosphere" were renewed, thought Altmann, a Jewish national revival would result.

In Jewish theology, according to Altmann, the *halakhah* bridges the chasm between the human and the divine. The *halakhah* is the enactment of the covenant, which is inherently "particularistic." It is the central symbol of *Jewish* theology and only of Jewish theology. Altmann makes no pretense to a conception of Judaism in which the particular and the universal stand in some kind of productive tension to one another.[124] He commends Wiener for emphasizing, once again, the particularistic character of Jewish law, but chides him for seeing the task of Jewish theology in harmonizing this particularistic *halakhah* with universalistic ideas on God and divine providence. Jewish theology, as Jewish law, *is* intrinsically particularistic.[125]

In one respect, Altmann's critique hits the mark. He understands Barth as Barth understood himself. Dialectical theology does not proceed from a general disjunction between the human and the divine, and does not develop, from this disjunction, a "merely logical dialectic." It proceeds, rather, from the belief in the disjunction between the sinfulness of man and the "righteousness of God." That is the deficiency which the human being alone cannot remedy, and which therefore requires a mediator, the Christ, and a place on earth where the mediation transpires, the Church, as the "locus of grace."[126] It is *Christian* dogmatics.

Wiener does, however, distill from this specifically Christian doctrine what he finds useful: the chasm between the divine and the human. He does not

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held at the *Hochschule*. This monograph has now been translated in Alexander Altmann, *The Meaning of Jewish Existence. Theological Essays 1930-39*, translated by Edith Ehrlich and Leonard H. Ehrlich (Hanover and London: University Press of New England, 1992), p. 40-56.

[123]Altmann, *Was ist jüdische Theologie?*, 14.

[124]as Wiener did, see *JFRD*, 703-712.

[125]Altmann, *Was ist jüdische Theologie?*, 23, 27.

[126]See Altmann's sequel to the 1933 monograph, in which he discusses the specific doctrines of dialectical theology: "Zur Auseinandersetzung mit der 'dialektischen Theologie,'" *MGWJ* 79 (1935): 345-361. (Now translated in Altmann, *The Meaning of Jewish Existence. Theological Essays*, 1930-39, p. 77-87.)

recognize, Altmann would say, that Dialectical Theology is a growth which cannot be transplanted into Judaism.[127] However, Wiener was neither naive nor indiscriminate. While he does, in his broad-brush fashion, embrace what the dialecticians called "diastasis," he does not rest there, and cautions against the uncritical adoption of alien religious categories. The core of a specifically Jewish theology must be specifically Jewish, and he finds it in the covenant.[128] Here, finally, we arrive at Wiener's positive understanding of the Jewish religion.

In that brief discourse on "Theological Problems in Judaism," Wiener declared:

> For a positive Jewish faith the assumption suffices that the meaning of this religion is built on certain great historical moments.

That historical height is the revelation on Sinai. It is the common religious heritage which transcends the difference between "liberal" and "orthodox." The Jewish religion

> stands and falls with belief in the core of that revelation which has been borne throughout all of Biblical-Jewish history, the covenant of the omnipotent living God with the people of Israel.[129]

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[127]This recognition is indirectly confirmed by one Barthian, G.L.B. Sloan, who argued in a *Festschrift* for Barth that the absorption of Barth's ideas by Jewish theologians could serve only one end, that of a *Praeparatio Evangelica.* The assimilation of Barthian ideas in Jewish circles seemed anomalous to Barthians themselves. G.L.B. Sloan, "Das Problem der Judenmission und die dialektische Theologie," in *Theologische Aufsätze, Karl Barth zum 50. Geburtstag* (Munich: Chr. Kaiser, 1936), 514-522. Sloan finds fault with the "general state of thought in modern Judaism" for its "astonishing superficiality" (!) and "uncritical optimism, which has scarcely been shaken, even by tragic events." One must assume that Sloan is referring to the trials of Anti-Semitism, and more recently, to the advent of National Socialism, which ought to have disabused the Jews of this stubborn optimism. He welcomes Hans-Joachim Schoeps as the Jewish proponent of a Barthian "theology of the word." "His incisive, profound critique of superficiality in religious philosophy and of the humanistic Enlightenment optimism will, if it prevails, have a beneficial effect on Jewish thought, and can even serve as a valuable *Praeparatio Evangelica* among the Jews." (521) Dialectical Theology has, then, no legitimate role to play in Judaism, except to lead Jews out of it. Alexander Altmann was only drawing out the conclusion which is implicit here: that the use of dialectical theology by Jews is naive, and he subjects Schoeps to a severe critique. See Altmann, *op. cit.,* 358-361. I am indebted to my colleague Katherine Sonderegger for bringing Sloan's essay to my attention.

[128]Wiener, "Theologische Probleme im Judentum..." 465; and *JFRD*, 726.

[129]Wiener, "Theologische Probleme...," 465.

This, then, is Wiener's answer to the divine "Word" of Dialectical Theology. The core of Jewish faith is that event which created the Jewish people. And the Jewish people is the mediator between the individual and God.[130] Revelation is the cement which moulded and which maintains the existence of the Jews as a nation, making the Jewish people the particular bearer of a universal truth. It is therefore no stigma when Christian apologetes brand Judaism as a religion of law. Judaism is just that, for that is the meaning of the covenant, that it imposed on the people of Israel the duties of the law.[131]

The other pole of the covenant, the Jewish people, is of equal significance in Wiener's thinking. The existence of the Jewish people, as a religious community, is the necessary pendant to the Torah. That is his theological position, foreshadowed in 1919 in the controversy over the nature of prophetic religion, and fully articulated now.

Wiener appears here as the sole thinker in the Liberal rabbinate in Germany who uses theology not to argue against the centrality of Jewish nationality, but, on the contrary, to bring it into clear focus. The "people of Israel" is a concrete historical—and theological—fact. His advocacy of Zionist aspirations grew from this unusual "Liberal" position. He was a "political" and a "cultural" Zionist.[132] But this orientation grew out of his stance as a "theological" Zionist. It is that side of Wiener's thought to which I will turn now.

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[130]*Ibid.*, 466.

[131]*Ibid.* This is a point which Wiener made in 1923 (see *JFRD*, 715f.), and which he reiterated often elsewhere, and even decades later in "Aufriß einer jüdischen Theologie," *HUCA* 18 (1943): 384.

[132]Wiener's Hebrew essay on Saadia, discussed above, was his contribution to the first volume of the journal *D'vir*, founded in 1914 by Elbogen, Torczyner and Epstein at the suggestion of Hayyim Nahman Bialik as a Hebrew vehicle for the *Wissenschaft des Judentums*. The editors' intent was to promote a Hebrew literary revival in the midst of the "national revival." (See the editors' introduction to the first issue, "לפתיחת שערי דביר," in *D'vir* 1, no. 1 (1924): v.) Bialik wrote the editors a congratulatory letter, published in the first issue, in which he urges the restoration of Hebrew as the medium of Jewish culture. To neglect the Hebrew language is to forsake the covenant! (viii) Wiener's participation in the short-lived journal is evidence of his concern with these cultural-Zionist goals.

*The Theological Zionist*

In 1926, Wiener attended the World Congress of Progressive Judaism convened in London. The question whether the movement ought to endorse political Zionism was so divisive that the moderators of the conference insisted on avoiding the question altogether. Neutrality seemed the only means of keeping the peace. Claude Goldsmid Montefiore, the grand nephew of Sir Moses, opened the conference by imploring the delegates to avoid any discussion of Jewish nationalism, citing the great differences of opinion. Stephen Wise, however, undeterred by this appeal for gentility, asked during the ensuing discussion whether Zionism would be permitted on the agenda at all. That provoked a firm rebuke from the chair, who declared in the name of the British, German, and American delegations sponsoring the conference that the conference would pass no resolution on Zionism, that one's position on Zionism ought to be a private matter, and that, as chair, he forbade any further discussion of the issue.[133]

The gag order from the chair only reflected the traditional position of the *leadership* of liberal Judaism. The political goal of establishing a Jewish state for the Jewish people seemed incompatible with the Liberal goal of spreading the light of Judaism "to the nations." While Zionism sought to inculcate a sense of the "Jewish nation," Liberal Judaism strove for the attainment of Judaism's universalist vision, a vision which seemed to require a disavowal of the idea of Jewish "peoplehood" or "nationhood," and, conversely, an affirmation of Judaism solely as a "religious denomination" or "*Konfession*." As Michael Meyer has summed up in his history of the Reform movement: "...it was in German Liberal Judaism that anti-Zionism became almost an article of faith and in some instances assumed extreme form."[134]

The position of the American Reform leaders on Jewish nationalism was no different; at the London conference, as at American conferences, Stephen Wise was the conspicuous exception. And yet, there were supporters of Zionism among the laity, and the frictions which resulted would soon become explo-

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[133]The chairman was Rabbi Dr. Mattuck. "Weltkonferenz des liberalen Judentums," *Israelitisches Familienblatt*, 28, no. 29 (22 July 1926), 10. See also "Die Deutschen auf dem Londoner Kongreß," *Israelitisches Familienblatt*, 28, no. 30 (29 July 1926). Wiener gave an address at the conference; see Chronological Bibliography.

[134]Michael Meyer, *Response to Modernity* (New York and Oxford: Oxford University Press, 1988), 209.

sive.[135] The situation in Germany was similar. While the leadership of the Jewish communities remained opposed, a battle was being waged to win the hearts of the laity, and at the next international conference of Liberal Judaism, which was held in Berlin in 1928, the dissent surfaced in the liberal German rabbinate itself.

There the conference was opened by Caesar Seligmann (1860-1950), one of the patriarchs of Liberal Judaism, who also attempted to limit the discussion to "purely religious questions," and to exclude "political" ones. Robert Weltsch, the editor of the German Zionist organization's newspaper, the *Jüdische Rundschau*, gives us a vivid portrait of that conference, colored by his organization's stock diagnosis of Liberal Judaism, that it is, above all, a mode of social and cultural accommodation and assimilation, a religion of the *bourgeoisie*. However, in this conference he discerns a certain glimmer of a national spirit.[136] In the debate about the nature of religious liberalism, he singles out one figure—Wiener—who probed the depth of the question and raised the discussion above the plane of debate over ritual reform. We hear Wiener bringing his theological position to bear on the issues of his day.

He argued that what is at stake is the essence of religion, a category *sui generis* having nothing to do with science or even with ethics (!). The *particular* form which the "mystery" of religion assumes in Judaism, however, is its existence in a particular people. Weltsch reports:

> When, at this point, Wiener drew the consequence that Jewish liberalism, as well, could not sidestep the idea of Jewish peoplehood (*Volkstum*), he was interrupted for no apparent reason by the chairman, *Justizrat* Dr. Blau, who invoked a resolution that the question of Jewish nationalism was not to be discussed at the conference.[137]

We now know that Wiener had long since overcome the aversion of Liberal Judaism to any identification with a "particular" nation. In an article published shortly after the conference, Wiener even argues that Liberal Judaism, in the reverence it accords the human interpretation of divine revelation, assumes a such a "concrete community" which is charged with this task of interpretation.

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[135]For the generally adverse position of the American Reform movement on Zionism, and the dissenting views of Stephen Wise, *ibid.*, 326.

[136]Robert Weltsch, "Die Liberale Weltkonferenz," *Jüdische Rundschau* 33, no. 67 (24 July 1928), 479.

[137]*Ibid.*

Liberal Judaism *requires* acknowledging the existence of the Jewish nation.[138] He was thus one of the first in the Liberal German rabbinate to seek to cleanse Jewish nationalism of the "scandal of particularity." The more conventional position was epitomized by another participant at the 1928 conference, Hermann Vogelstein, the same Vogelstein with whom Wiener had publicly argued some years earlier. "Judaism," he declared, "is compatible with any form of nationalism, except for Jewish nationalism."[139]

Wiener's Jewish "nationalism," however, is of a particular kind. He strives for a middle way. At one pole is the view that "Judaism is some kind of confession, which, coincidentally, so to speak, has been restricted to the members of one ethnic group."[140] That is a rhetorical flourish which summarizes the radical liberal view, represented at that Congress by Claude Montefiore. The other pole is the view that "the religious is merely a mantle, a cloak in which a national core has been preserved all through the millennia."[141] There Wiener seems to have Ahad Ha'am's conception of a "Hebrew culture" in mind.[142] Wiener argues for what he calls an "empirical" approach, or elsewhere, a "phenomenological" approach, relying, he suggests,

> ...solely on facts which are empirically given, not distorted by some interpretive theory. And these facts are, first of all, the phenomenon that the Jews dispersed and living today all over the globe are all of putatively common origin, that is, they are connected by bonds of blood, and second, the fact that they have come to see the meaning and content of their being Jewish in the feeling of obligation to a teaching which has been sanctified by their religion.[143]

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[138]Max Wiener, "Der Begriff der Religion und die Eigentümlichkeit der jüdischen," in: *Die jüdische Idee und ihre Träger. Beiträge zur Frage des jüdischen Liberalismus und Nationalismus* (Berlin: Verlag der jüdischen Rundschau, 1928). In conjunction with the 1928 World Congress of Liberal Judaism in Berlin, the *Jüdische Rundschau* invited Liberal Jewish leaders to contribute essays on Jewish nationalism, which were then published as a brochure. The booklet seems to have been part of an effort by Weltsch, the editor of the *Jüdische Rundschau*, to foster support for Jewish nationalism among Liberal Jews. "It is interesting," Kurt Blumenfeld (1884-1963) wrote in the foreword, "that the unresolved and, it seems, unresolvable problem of Jewish existence in the *Galuth* is recognized as such by many Liberal leaders today. They understand that, as a mere religion of the bourgeoisie (*Bourgeoisreligion*), Judaism will not be able to develop." (*Ibid.*, 5.)

[139]On Vogelstein, see above, p. 3. For this statement, *JR* 33 (24 March 1928), 171.

[140]"Ethnic group" renders "*Stamm.*"

[141]*JFRD*, 680.

[142]See, for example, Ahad Ha'am, "The Spiritual Revival," in Leon Simon, ed. and trans., *Selected Essays of Ahad Ha-'Am* (New York: Atheneum, 1981), 261f.

[143]*JFRD*, 680. "Bonds of blood" renders "*Blutsbande.*"

Wiener goes this allegedly "empirical" path in order to avoid attempting to settle the question whether the essence of Judaism is religious or national, or whether "race in general, and the Jewish race in particular, leaves an indelible imprint on one's character."[144]

Both the argument itself, and the language in which it is conveyed, however, leave no doubt on one point: the Jews comprise a "tribe," or "ethnic group," even a "race," bound together by common blood. Any negation of this national nexus—Wiener will be thinking of his erstwhile teacher Cohen here—is an aberration, for every assessment of the essence of Judaism "must be oriented on the *fundamental fact* that the Jewish religion is professed only by persons of Jewish stock."[145]

However, in Wiener's view the origin of this "race" is not biological, but theological. He sees the Jewish "people" through the spectacles of his stark Biblical realism, to which he gives the cumbersome name "historical-metaphysical irrationalism."[146] Irrationalism alone does not set Judaism apart from, for instance, Christianity. But a part of religious truth in Judaism is the "fact" of election. Judaism conceives of its own origin, he writes, as the collective historical experience of an entire people in which God "reveals himself in a supernatural...way."[147] The *historical* irrationalism consists here in the restriction of this revelation to a particular people, and in the uniqueness which that people attributes to its subsequent history. Judah Halevi's *Kuzari* resounds here. Absent are the apologetic maneuvers of the nineteenth century, or, for that matter, the twentieth. Particularism is not a "scandal;" it is a fact of revelation, a "lived-experience."

> Jewish religious feeling in its naked sense, undistorted by interpretation, signifies the reception and internalization of the tradition of that experience from a heroic age by those of later generations who are born Jewish.[148]

The "mystery" of Judaism, then, lies in its existence as an historical anomaly.

> Why did God elect just this people Israel? Why do they remain God's chosen even in their infidelity?[149]

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[144]*JFRD*, 680.

[145]"Persons of Jewish stock" renders *"Menschen jüdischen Stammes,"* *JFRD*, 692.

[146]*JFRD*, 696.

[147]*Ibid.*

[148]*Ibid.*

[149]*Ibid.*, 697.

That is the historical irrationalism which is both peculiar to Judaism and essential to it. The "particularism" is not a transitional stage on the path towards universalism. The Jewish people exists not in order to forfeit its *raison d'etre*. It is permanent, and the preservation of the stock is likewise essential. Wiener has arrived at a formula compounded of two elements, the ethnic and the religious.

> Judaism is thus, according to the testimony of its own wakeful sensibility, a tribe in the literal sense, in which ethnic and religious elements are fused.[150]

That is Wiener's position, laid out quite starkly.

An obvious question presents itself here. How is this stance, in a Liberal rabbi of the 1920's and 30's, to be understood? How does the concept of *Volk*, of nation, come to figure so importantly in Wiener's thinking? How does he come to define *Volk*, which is professedly a theological term here, in the Neo-Romantic language of "blood ties," "belongingness," and "national or communal feeling"[151]?

Part of the answer may lie in the subject of his Breslau dissertation: in it Wiener traced the development of Fichte's conception of history, giving a critical assessment of the place and function of the "nation" (*Volk*) in Fichte's thought.[152] His conception of "nation" is rooted in the insight, fundamental to Fichte's philosophy, that "reality is the unfolding of the Idea."[153] Furthermore, each nation is to be judged by the degree to which it, as a particular concretion, takes part in the realization of the Idea, that is, the divine Idea. The worth of nations is derived not from their particularity, but from their participation in this universal Idea.

Wiener clearly found this conceptual framework useful. However, he was also critical of Fichte's one-sidedness in his treatment of the German nation. Fichte did, after all, propose that one nation—the *German* nation—participated in the Idea more than any other. In Wiener's eyes, Fichte's partiality jeopardizes his entire appreciation of the idea of nation. He assigns to the German people an exclusive position and extols the German stock (*Stamm*) in particular

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[150]*Ibid.*, 700. "Tribe" renders "*Stamm.*"

[151]*Volksgefühl.*

[152]Max Wiener, *J.G. Fichtes Lehre vom Wesen und Inhalt der Geschichte* (Kirchhain N.-L.: Druck von Max Schmersow, 1906), 17.

[153]*Ibid.*, 110. That Fichte, with this idea, had anticipated Hegel was one of the theses Wiener presented at his doctoral defense.

as the perfect embodiment of the Idea, with a special role in world history.[154] Wiener is willing to forgive Fichte his chauvinism because it does no detriment to the idea of nation *per se*. He has only committed the error of making out of a law of social development—out of the necessity, for the ethical advancement of humanity, that nations exist at all—a specific historical fact: the existence of the German nation as an "absolute people."[155] Nonetheless, Wiener concludes that the "singular and the greatest achievement of Fichte's philosophy of history is the sympathetic understanding which he brought to the essence of the national," the value of which, to be sure, is diminished by his arbitrary assessment of the German people.[156]

Here we have a classical formulation of an idea which would take its place at the center of the German collective consciousness, the idea of the world-historical importance of the German people. It was an idea, however, which the Zionist movement was able to appropriate for its own purposes. Robert Weltsch called upon every Jew to become a "little Fichte."[157] To Wiener, as well, the idea of the nation *per se* was important enough that he could excuse Fichte's patriotic excesses, and his tirades against the Jews, whose heads, filled as they were with pernicious Jewish ideas, he wanted to chop off in one night.[158] Even a decade and a half later, when Wiener could assess the ugly fruits of such nationalist thinking in modern "cultured" Anti-semitism, he exonerated German philosophy of any responsibility for it. In a popular essay on "The German Spirit and Scientific Anti-semitism," he argues that so-called "scientific" or "academic" Anti-semitism was only possible by means of a distortion of the

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[154]*Ibid.*, 17.

[155]*Ibid.*, 110. Elsewhere in the dissertation, Wiener discusses Fichte's "deduction," in the technical sense, of society (20f.) from the necessity of moral progress. In his apologia for Fichte, he does not differentiate between society (*Gesellschaft*) and nation (*Volk*). See also 120.

[156]*Ibid.*, 120.

[157]Robert Weltsch, "1813," *Jüdische Monatshefte für Turnen und Sport*, vol. 14, no. 2 (May 1913): 49. Cited in George L. Mosse, *Germans and Jews* (New York: Howard Fertig, 1970), 89.

[158]"I see no other way to grant them civil rights," Fichte wrote in 1793, "than to cut off all their heads in one night and replace them with new ones in which there is not a single Jewish idea." J.G. Fichte, *Beitrag zur Berichtigung der Urtheile des Publikums über die französische Revolution* (1793), *J.G. Fichte-Gesamtausgabe der Bayerischen Akademie der Wissenschaften*, vol. I,1, edited by R. Lauth and H. Gliwitzky (Stuttgart: Frommann, 1962), 293.

German spirit.[159] The concept of "spirit" in German philosophy is "productive and creative." Its creative power is most evident in its function as will. Thus it produces concepts of value. The error of nineteenth century nationalism, led—*nota bene*—by non-Germans (!) has been that it has assigned moral categories to national characters, assigning each nation its own immutable imprint. That distortion of German idealism is at the root of the so-called scientific Anti-semitism.

From our perspective, this is melancholy reading. Wiener exonerates German philosophy of responsibility for the excesses of French or English Anti-semites. And in fact, Wiener's argument that "the Anti-semitism of each nation has its own particular hue, stemming from its character and fate" betokens his own allegiance to the Fichtean conception—or misconception?—that each nation has its own indelibly fixed national character.[160]

In retrospect, the dramatic transformation in Wiener's interpretation of the prophets becomes more plausible. Two souls dwelt in his breast. One was Cohen's, denying the fact of Jewish nationhood; the other was Fichte's, urging itself upon Wiener, and asking to be grafted upon the Jewish belief in the election of Israel. The prophets, after Wiener's break with Cohen, do indeed appear to him as "little Fichtes," fervent nationalists with a vision of the divine ideal.

Wiener's early study of Fichte, however, provides only part of the answer. His thinking on Jewish peoplehood is also suffused with the language of Neo-Romantic "volkist" ideology. George Mosse has argued that pre-War and Weimar culture was pervasively "volkist," and has shown that "volkist" ideology was assimilated in Judaism, in the youth movements and by some Zionist thinkers as well, particularly by Buber.[161]

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[159]"Deutscher Geist und wissenschaftlicher Antisemitismus," *C.V.-Zeitung*, I (Berlin, 1922), 140-1.

[160]*Ibid.*, 140 .

[161]George Mosse, "The Influence of the Volkish Idea on German Jewry," chap. 4 in *Germans and Jews*. Mosse bases the sweeping thesis of this chapter on two groups of evidence: Buber's early "Addresses on Judaism" and the ethos of the Jewish "rambling" clubs. It is highly questionable that Buber's addresses had the penetrating influence which Mosse claims. Independently of Mosse, Liebeschütz depicts Buber as the main spokesman of a renewal of romantic thinking in German Judaism. Liebeschütz is correct that Buber was not an influence in Wiener's life, but he certainly errs when he overlooks the romantic streak in Wiener's own nationalism. See Hans Liebeschütz, *Von Georg Simmel zu Franz Rosenzweig*, (Tübingen: J.C.B. Mohr [Paul Siebeck], 1970), 183-5. A similar view in Pinhas Rosenblüth, "Religion and Nationality in the Thought of Max Wiener," in *Proceedings of the 8th World Congress of Jewish Studies*, Division C, 111-116. Jerusalem: 1982, [in Hebrew]. Rosenblüth implies

The case of Wiener suggests that the influence of volkist ideology was broader than Mosse has shown. For Wiener, "bonds of blood" define the religious community. As Halevi did nearly a millennium before him, Wiener also conceives of Judaism as a race. Judaism, Wiener wrote, is primarily the belief and practice of *born Jews*. One might argue that the use of Neo-Romantic and volkist terminology by Wiener is merely a superficial appropriation of fashionable language, and that, as such, it is meaningless. We are not allowed the luxury of that comfortable interpretation. Here is the flow of nationalistic feeling, the Neo-Romantic metaphors of blood bonds, the talk of fiery love and loyalty to one's kind. These are not merely the metaphors characteristic of the epoch, which, we may argue in retrospect, denote something else. In Wiener they are of the essence.

As an illustration of Wiener's attitude—and it is an attitude, not an argument—some excerpts from his popular essays will suffice. The first comes from his 1932 appreciations of Spinoza. One, which appeared in the Berlin *Gemeindeblatt*, the official monthly of the board of the Jewish community of Berlin, reproaches Spinoza in a subdued tone for his "cold, even unkind personal attitude" towards "the community into which he was born, towards its history and its spiritual character." Any feeling of connection with his heritage, Wiener writes, is lacking.[162]

The second essay, written for the *Jüdische Zeitung* of Breslau, shows none of the restraint of the piece Wiener published in the official organ of his own community. Under the title "Our Spinoza? an Epilogue to the Tricentennial" he blasts Felix Weltsch for arguing in the Prague *Selbstwehr* that Spinoza can be claimed as a "Jewish thinker."[163] Weltsch, in his article, had asked the rhetorical question:

> Is it not really mere collective vanity and national parochialism when we stand before the world and reclaim as a Jewish philosopher this great mind, who rejected our ancestors and who taught a concept of God at odds with our reli-

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some connection between Buber and Wiener; there is no evidence for it. It seems much more plausible that both Buber and Wiener were assimilating the language and ideas of romantic, "volkist" ideology and using them in their own ways.

[162]*Gemeindeblatt...Berlin* 22:11 [November, 1932], 263-6. (The numerous tributes to Spinoza in the Jewish press that year are a mirror of the German-Jewish self-image, and would merit a cultural-historical study.)

[163] "Unser Spinoza? Ein Nachwort zum Jubiläum," *Jüdische Zeitung* (*Jüdische Volkszeitung*) 4 (Breslau, 27 January 1933), 1.

> gion? Is it not a petty bourgeois sort of book-keeping, when we try to credit the name of Spinoza to our account?[164]

Weltsch then argues that Spinoza's thought is an authentic expression of Jewish philosophy, not final and definitive, but one possible way of "thinking Judaism through to the end."[165]

The vehemence of Wiener's response reveals how central the factor of loyalty to one's natural community has now become for him.

> But we may never forget that the fact of birth in a group or nation (*Stamm*) not only brings with it the moral demand of fidelity to one's natural community, the duty to affirm one's divinely ordained fate, but that fidelity and duty must be be translated into action.[166]

Other Jewish philosophers such as Solomon ibn Gabirol, Crescas, or even Maimonides, Wiener writes, have created an equally wide "chasm between their own doctrines and the generally accepted Jewish world-view." But Spinoza's hostility towards his ancestral faith is witnessed in the *Theological Political Treatise*, which, Wiener inveighs, "*is a monstrous example of Jewish self-hatred.*"[167]

It is, then, not only the "fact" of Judaism's election, which grounds that feeling of "obligation" which all Jews ought share. It is also the fact of being born into this community. Wiener condemns Spinoza not so much for having professed ideas so alien to the spirit of Judaism, but more for his abandonment of his religious community, and his indulgence in Jewish "self-hatred." Wiener concluded his 1923 essay on "Jewish Piety and Religious Dogma" in a similar vein, comparing Spinoza with Solomon ibn Gabirol:

> Both are philosophers of religion, and their religious philosophies—their metaphysical speculations—have nothing to do with the intellectual content of Biblical and rabbinic Judaism. For several centuries Gabirol's work was actually taken as the product of a non-Jew, until scholarly research rectified the error. And yet this completely un-Jewish thinker is, next to Judah Halevi, our greatest religious poet and, in his hymns composed for religious worship, a sublime interpreter of the deepest Jewish emotions, of the joys, sorrows, hopes, and fears that bind us to one another. Spinoza's speculative system is not far-

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[164]Felix Weltsch, "War er unser?" *Selbstwehr—Jüdisches Volksblatt*, vol. 26, no. 48 (Prague: 25 November 1932), 1.

[165]*Ibid.* "Denn seine Philosophie ist gewiß nicht *das*, wohl aber ein zu Ende gedachtes Judentum."

[166]*Ibid.*

[167]*Ibid.*

> ther removed from Judaism than Gabirol's, but in his innermost heart Spinoza is a bitter foe and relentless accuser of his brethren. There does not remain in him any spark of the fiery love of Jewish being which burned so brightly in Gabirol.[168]

What matters then is feeling. One must feel that one belongs to the Jewish people. One's opinions in matters philosophical are immaterial, as is one's loyalty to the "liberal" or "orthodox" branch of Judaism. There is a plane, as Wiener had said at the Berlin congress, which is above such doctrinal disputes.

Wiener did point undauntingly to the implications of his attitude for the social position of the Jews in Germany. A member of the radical Reform Congregation in Berlin (*Reformgemeinde*), Ernst Samter, once wrote an article for *Liberales Judentum* entitled "German Judaism"—*Deutsches Judentum*—in which he urged his fellow Jews to shed every relic and residue of Jewish national existence: the use of Hebrew in prayer, dietary laws, in short all the "inconvenient" aspects of Judaism with which the rabbinical conferences of the previous century had wrestled.

> For the use of the Hebrew language in worship the justification is often given that it is a means of uniting Jews of different nationalities. But precisely this reason speaks against it. We do not want any national bond among Jews, since, with regard to nationality, we only want to be German.[169]

He concludes with an exhortation to protect Jewish youth from Zionist influences.

Wiener responded in the next issue under the heading "Jewish Judaism." Revelation brooks no compromise, he writes. National and patriotic considerations mean nothing when held alongside the revealed fact of our election. We Jews are what we are, he continues, by virtue of "spirit, fate, and blood."[170]

At the same time as Wiener was availing himself of the language and discourse of nation, *Volk*, and race, he seems to have been aware of the hazards of nationalist fervor. Writing from the front during the First World War for the newsletter of his congregation in Stettin, he was not at all sanguine about the

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[168]*JFRD*, 734. (Engl., 109.) I have followed Jospe's translation, except for the last sentence, which Jospe renders in more subdued tones. The romantic style, however, is the key to Wiener's stance, and ought not be edited away.

[169]Ernst Samter, "Deutsches Judentum," *LJ* 9, no. 1 and 2 (January and February 1917). Samter was the husband of Wiener's sister-in-law and professor at the *Gymnasium zum Grauen Kloster* in Berlin.

[170]Max Wiener, "Jüdisches Judentum," *LJ* 9, no. 1 and 2 (January and February 1917), 37.

future status of German Jews. The war, he recognized, had fueled the fires of nationalism, and, in spite of the much lauded participation of Jews in it, Wiener sensed that this heightened German nationalism did not bode well for the full participation of Jews in other spheres of national life once the war was past. But such misgivings about the course of German nationalism did not prevent him from assimilating its ideas.

To sum up: Wiener anchors the idea of Jewish peoplehood in the inscrutable "fact" of revelation. Dialectical Theology provided him a theological style and vocabulary which he used to articulate a faith in the sheer power of the proclamation of Scripture. As the narrative of revelation, Scripture had, for Wiener, its own logic, invulnerable to the scrutiny of philosophical critique. Hence, the covenant, commandment, and the existence and the career of the Jewish people charged with its fulfilment are all facts which have simply been disclosed. What the revelation of the Gospel is to Dialectical Theology, the revelation of "peoplehood" is to Wiener. As a theological position, he called this "historical-metaphysical irrationalism."

But Wiener fuses his "irrationalism," which is a theological position, with another element: the ethnic conception of "*Volk.*" This emerges as the seeming result of historical description and sociological observation: the Jewish consciousness that it is a duty to persevere as a "community of shared blood" at any price, loyalty to Jewish law and a common historical fate have combined to produce a national identity which "cannot be dissolved, if this religion is to retain its meaning."[171] Where Wiener exchanges the theologian's hat for that of the sociologist or historian of religion, he confuses the *theological* idea of covenant and nation, and comes very close to defining Judaism by an ethnic, and not a theological category.[172] He substitutes a romantic appeal to the volkist ideas of shared heritage, blood, feeling and experience for what Alexander Altmann called the "halakhic atmosphere." Or more precisely: the fact of "putatively common origin" is elevated to the status of a theological fact with a validity like that of revelation.[173]

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[171]"Tradition und Kritik im Judentum," 407. "Community of shared blood" renders "*Blutsgemeinschaft.*"

[172]Wiener, in the age of German "Volkism," anticipated an understanding of Judaism which was to gain popularity in the country in which he later took refuge, the United States. I would argue that those manners of self-description so popular among American Jews, who regard themselves as "ethnically Jewish," or as possessing a strong sense of "Jewishness," or "Jewish identity," are confessing to a sentiment like Wiener's *jüdisches Volksgefühl.*

[173]*JFRD*, 680.

We are left with a portrait of a thinker buffeted by the intellectual currents of his time. To be sure, he takes a series of positions: he criticizes the "monistic" philosophies of the nineteenth century; he discounts philosophical systems in general as worthy vehicles of religion. His dissatisfaction with both leads him back to the Bible as the classical document of revelation. There he recovers the Biblical nexus of nation, covenant and law. However much he contaminates this theological position with elements of volkist ideology, he reclaims the "national idea" for Liberal Judaism, and, as a rabbi and religious leader, argued that modern Judaism, including its "Liberal" branch, would find its fulfilment in Zionism.

> The question is whether national life, the soul of which has been driven vigorously for many thousands of years by religious motives, will have the strength, once it is rejuvenated, to create fresh, new forms. In its original home the prospect of success is perhaps better than in the realm of the ponderous intellectual Judaism of the European-American world.[174]

While Wiener never did advance beyond laying the foundation stones of a system, the positions he took do serve as principles for his critique of that modern diaspora Judaism which he thought so anemic, and govern his thinking in the plan and execution of his book *Jüdische Religion im Zeitalter der Emanzipation*, "Judaism in the Age of Emancipation."

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[174]*Ibid.* "National life" renders "*volkhaftes Leben.*"

# Part Three

## A Memoir of German Judaism

### *The Book*

Wiener wrote his book, *Judaism in the Age of Emancipation*, in the hope that it would gain him entrance into the faculty of the University of Berlin. The year he completed it, however, 1933, was the same year Jews were expelled from the halls of German universities. The book, a penetrating history of Jewish religious thought and theory, became a refugee, like its author. Nevertheless, more than five decades later it is still esteemed by many as a standard work, the best work on this period of Jewish religious history.[1] It found its way to Israel, where it was translated into Hebrew in 1974. Sympathetic critics have recognized that Wiener documents the failure of the religious movements of the nineteenth century to reconstruct Judaism from the ruins of the eighteenth, and that he thus prepares the theological ground for the Zionist enterprise.[2] In Orthodox

[1]*Encyclopaedia Britannica, Macropaedia*, vol. 10, 329. I thank Theodore Wiener for the reference.

[2]For the Hebrew translation, see Chronological Bibliography. For sympathetic critics, see Ehud Luz, "Max Wiener as Historian of Judaism in the Emancipation," *HUCA* 56 (1985), 29-46 [Hebrew Section]. See also Pinhas E. Rosenblüth, "'Gesetzesreligion' als positiver Begriff: Max Wieners Verständnis der Thora," in *Treue zur Thora, Beiträge zur Mitte des christlich-jüdischen Gesprächs. Festschrift für Günther Harder zum 75. Geburtstag*, edited by P. v. d. Osten-Sacken (Berlin: 1977), esp. 104, and *idem.*, "Religion and Nationality in the Thought of Max Wiener," in *Proceedings of the eighth World Congress of Jewish Studies*, Division C, 111-116 (Jerusalem, 1982), in Hebrew.

circles, its sensitive portrayal of orthodox piety has been appreciated.[3] It has also gained recognition for its impartial treatment of the Reform movement.[4]

The book is a bold analysis of the transformation of Judaism in the modern era, and has been largely ignored in the world of Anglo-Jewish letters. Wiener argues that the emancipation of the Jews was a social and political phenomenon which precipitated an irreparable rupture on the religious plane: it brought on the demise of *halakhah*. He envisions the pre-Emancipatory era, the Jewish middle ages, as an age of wholeness in which *halakhah* functioned as an all-encompassing system, a life-context. This wholeness was fractured by the Emancipation. On a pragmatic plane, the curtailment of the authority of rabbinical law was the price of admission to the rights of citizenship in modern Europe.[5] Wiener's argument, however, is that the pragmatic change in political status required more than a mere pragmatic response, and that one fails to understand the religious movements of the nineteenth century if one understands them only as efforts at pragmatic, or even opportunistic accommodation to changed social conditions. The social change compelled Jews—or ought to have compelled them—to forge a new idea of religion. Until the Emancipation, *halakhah* was simply the given medium of Jewish life; the *principle* of the halakhic way of life had never been challenged or questioned. It had never been, and could never have been, "a problem."[6] Now, however, it had become one.

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[3]See Mordechai Breuer, *Jüdische Orthodoxie im deutschen Reich 1871-1918* (Frankfurt a.M.: Athenäum [Jüdischer Verlag], 1986), 154, where Breuer attests to Wiener's "profound understanding" of Orthodoxy.

[4]In the bibliographical essay appended to his *Response to Modernity: A History of the Reform Movement in Judaism*, Michael A. Meyer writes that "Wiener's treatment of the subject represented an important breakthrough. For the first time [in the history of books on the Reform movement], the author's own predisposition was not a significant factor. Wiener did not write as the partisan of any one faction in modern Jewry and therefore was remarkably able to see the strengths and weaknesses of competing positions." (476f.) It is true that Wiener has an uncanny sense for such strengths and weaknesses, but equally true that his own position is made clear in the book, as this exposition will show. Arthur Hertzberg, in one of his published lectures, calls Wiener's book "a very important book...that hardly anyone has read." He writes: "Max Wiener makes the point that those who were trying to maintain Jewish life after the Emancipation did so in a posthalakhic, postbelieving age. The preservative movements of Jewish modernity, those which wanted to find a reason for continuing some form of separate Jewish life, are thus a set of substitutes for the earlier unquestioning faith in the divinity of the revealed traditions." "Varieties of Jewish Modernity," in Arthur Hertzberg, *Being Jewish in Modernity* (New York: Schocken Books, 1979), 8.

[5]*JRZE*, 27.

[6]*Ibid.*, 34.

This, according to Wiener, is the particular Jewish variant of the general transformation which religion underwent upon crossing the threshold between the middle ages and modernity. Religion relinquished its exalted position as the unifying principle of culture and became a particular, discrete sphere of existence. Vanished was the wholeness of the middle ages.[7]

This characterization of the difference between medieval and modern culture was commonplace in German historiography. Jacob Burckhardt speaks in his *Culture of the Renaissance in Italy* (1860) of the unity of the medieval mind, in which people saw themselves not as individuals, but only as a part of an organic whole, be it of a race, a people, or a corporation. Only in the Renaissance did the individual become conscious of itself.[8] Closer to Wiener's generation, Ernst Troeltsch distinguishes medieval Christian culture from its modern successor in similar terms, calling the former a "Church-civilization." Everywhere modern civilization opposes it and "is substituting for it ideals of civilization independently arrived at, the authority of which depends on their inherent and immediate capacity to produce conviction." The church functions as a "bond of union." When it disappears, "the immediate consequence is a splitting up..."[9]

Wiener argues, however, that there is a distinction between the Christian and Jewish versions of this transition. In the middle ages both Christianity and Judaism were "holistic cultures."[10] In Christianity the fragmentation of this holistic culture was gradual, whereas in Judaism it was abrupt and sudden. In Christianity the movement toward change originated from within, whereas in Judaism it came from without.

> The Christian world underwent a transformation beginning with the Renaissance and the age of Humanism which can only be described as an emancipation from the autocratic rule of religious values. The religious difference between this general European emancipation and the Jewish emancipation, however, is clear. In the extra-Jewish sphere, this change took place in a particular way. In part, the secularization of the totality of life was a consequence of the further development of the idea of religion itself, similar to the consequences of the Reformation for the medieval spirit. In part, changes in social conditions and world-view brought about changes in religion. In either case, it was an internal process taking place in one society.... In Judaism,

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[7]*Ibid.*, 5.

[8]Jacob Burckhardt, *Die Cultur der Renaissance in Italien* (1860; reprint, Vienna: Phaidon Verlag, n.d.), 76.

[9]Ernst Troeltsch, *Protestantism and Progress, A Historical Study of the Relation of Protestantism to the Modern World*, trans. W. Montgomery (1912; reprint, Boston: Beacon Press, 1966), 11, 17, 19.

[10]"*Einheitskulturen*," *JRZE*, 6.

> however, the decisive impulse came from without. As a result of the transformed circumstances in the surrounding world, the whole organism of Judaism was confronted with a new situation. The new problems were not intrinsic, but were imposed on Judaism by momentous intellectual and cultural upheavals in Europe which either washed away Judaism's previous existence or dislodged its foundation. Hence, religious life, embedded in the social, was drawn into powerful currents and eddies which were produced from without.[11]

In this way the Jews were thrust into the "post-halakhic age," suddenly, and unprepared. The task of constructing a new conception of religion was thrust upon Judaism by the flood-tides of modernity, which traditional religious society could not withstand.[12]

As Wiener tours the Emancipation era, describing the attempts at this reconstruction, one senses an air of nostalgia for the middle ages, for the harmony of life under *halakhah*, real or romanticized, for *le temps perdu.* The Jewish middle ages is seen not so much as a "vale of tears," but as a period in which Jews were still firmly rooted in the soil of national life. Like the medievals of Burckhardt's vision, Jews saw themselves as part of an organic whole.[13]

Wiener, among thinkers with Zionist inclinations, was not alone in this wistful view of the ghetto of the middle ages. Max Nordau, in a speech before the Zionist Congress, muses upon the ghetto as a manifestation of autonomous Jewish life.[14] Before the intrusion of modernity, life was whole. There, as in Wiener, one senses that a polarity is being exaggerated, and both Nordau and Wiener display something of what Peter Gay has identified as the "hunger for wholeness" which permeates Weimar culture.[15]

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[11]*Ibid.*, 27.

[12]It is worth noting that Jacob Katz, in his *Tradition and Crisis* (Glencoe: The Free Press, 1961), writes the social history of the Jews at the end of the middle ages from a parallel point of view. Medieval Jewish society was a traditional society, "a type of society which regards its existence as based on a common body of knowledge and values handed down from the past." (3) While Wiener offers only an historiographical sketch, Katz documents these political changes. (247f.) Wiener's book, which is included in the select bibliography of Katz' English edition, may well have influenced the plan of Katz' study.

[13]"National" is, in this context, less a political term than a religious and cultural one, referring to the cohesion of the "Jewish nation." This conception of Jewish history we find echoed in Katz' claim that the national unity of the Jewish people is an "indisputable fact," reflected in the history of its middle ages. *Ibid.*, 7-9.

[14]Nordau's speech quoted in Shlomo Avineri, *The Making of Modern Zionism* (New York: Basic Books, 1981), 104.

[15]Peter Gay, *Weimar Culture, The Outsider as Insider* (1968; reprint, New York: Harper and Row, 1970), 70-101. Gay's insights into the longing to retrieve the "organic" side of life in the Weimar period have influenced my understanding of the context of Wiener's thought.

Indeed, the very word *halakhah* takes on a valence in Wiener's book which confirms this impression. *Halakhah* refers not only to the corpus of rabbinic law and its observance. It is Jewish life itself, a "system of existence" which has formed the character of Judaism.[16]

> The position of religious law as the backbone of the totality of Jewish life is so firmly and clearly established in all periods of Jewish history, that it appears as the fixed form which assimilates to itself all ideas and strivings...The Halakhah has always been sensed to be the reality of Judaism.[17]

Wiener uses *halakhah* as an all-embracing category, as a principle of the "wholeness" of traditional Jewish life. It becomes a term for Jewish life itself, a way of life prescribed by law, "a system of existence."[18] It becomes apparent why, in Wiener's scheme, the breach of this way of life brought about by the Emancipation necessarily precipitated a religious crisis. *Halakhah* is anchored, after all, in the bedrock of revelation. Wiener's own position provides the backdrop here: in Judaism revelation becomes articulate as law. If religious law is undermined, the validity of revelation is undermined as well.[19] The Emancipation was a social and political earthquake which shook the edifice of the *halakhah*. Its aftershock on the theological plane threatened to claim another victim: the belief in revelation. Inasmuch as Wiener sees the Emancipation in this light, as a socio-political process with a profound, destructive theological impact, there is a certain pathos in the largely dispassionate text of this book.

Because it is this problem which engages Wiener, he set out to write a book which would be more than yet another discussion of the liturgical reforms of the nineteenth century as a manifestation of religious change. He wants to probe the "inner processes of change within the religion itself."[20]

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[16] Note the use of the term, for example, in *JRZE*, 40, *halakhah* as "*gesetzlich formulierte Lebensordnung*," and on 113, in Wiener's juxtaposition of "halakhic" and "philosophical" piety.

[17] *JRZE*, 28. "Fixed form" renders "*geprägte Form,*" an allusion to Goethe's poem "Daimon," (in his "Urworte. Orphisch") which is a veritable celebration of the idea of organic growth. The *daimon* is the "fixed form:" "*Und keine Zeit und keine Macht zerstückelt / Geprägte Form, die lebend sich entwickelt.*"

[18] "*...ein Daseinssystem...*" *Ibid.*, 113. Paraphrases of the same idea abound.

[19] *Ibid.*, 28.

[20] *Ibid.*, 5.

> Civil Emancipation assumed here the character of a spiritual movement, which not only led out of Judaism, but also made a serious effort to rejuvenate its ideas and vitality.[21]

Wiener describes these attempts at rejuvenation, as signals of the beginning of a new epoch. His thesis:

> We believe that the religious-spiritual history of Judaism [in this period] represents, in fact, an entirely new edifice, a reconstruction from the ruins left behind when Judaism collapsed. [It represents] not an unbroken, straight continuation, but a selective creation of new realities from possibilities contained in the old.[22]

Wiener's specific question, then, is this: whether these new creations of the Emancipation era succeeded in forging a new principle of Judaism, a surrogate for the principle of halakhic piety which had been the sinew of Jewish life, and which was buried in the ruins of the Judaism that was. He measures the religious movements of the nineteenth century by their success or failure in establishing a new "critical principle of religion" which could function in the post-halakhic age as the *halakhah* had functioned before.

The inquiry is not historically exhaustive. Wiener seeks instead to provide a survey of typical forms in the struggle for a new "principle" of Jewish religion. To be sure, the fact that, with the exception of S. D. Luzzatto, all the typical personalities and movements he includes are German, makes the book appear to be not so much an account of the Judaism in Europe during the age of Emancipation as a memoir of German Judaism alone. Chronologically, the veritable eruption of Jewish nationalism at the end of the nineteenth century marked, for Wiener, the end of the Emancipation era. The books presents, then, one epoch. The events of Wiener's own day loomed forebodingly over its publication and cast their shadow over the foreword, which, written in September, 1933, closes with these words:

> The structure of this book was prepared long before the tragic events of our day befell German Judaism. Present experience, therefore, has not influenced its form. To be sure, religious life operates according to its own laws and occupies its own spiritual sphere. However, the sphere of its existence is not hermetically sealed off. When we consider the immense influence exercised by the external fate of the Jews in the last century on the earnest—and not always opportunistic—endeavors to endow Judaism with contemporary meaning, then we are justified in the assumption that the experiences of the present will have

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[21] *Ibid.*, 3.

[22] *Ibid.*, 24.

> their effect as well. Hence, events themselves have defined, unambiguously, the end of our period. It has now truly become "historical."[23]

Similarly, Wiener's book has become a true memoir.

In keeping with his circumscription of the topic, Wiener does not give any space to Zionist thinkers. But, as we have seen, the existence of the Jewish nation is, for Wiener, a "theological fact." Whether, and how, the thinkers of the nineteenth century take it into account is a question which attends nearly every discussion in his book.

The book is structured into four sections. The first theme which Wiener addresses is the question of the integrity of the halakhic way of life or its disintegration, and he addresses it under a heading which reflects, once again, the holistic sense in which he understands "law": "Religious Law and Life-Form."[24] In the second part of the book, "Philosophy and World-View" he surveys, with all the technical refinement of the scholar of philosophy, the nineteenth century attempts to construct a system of Jewish philosophy.[25] At the same time, he documents his own antipathy toward such systems as unsuccessful attempts to provide a surrogate for *halakhah*. Furthermore, with some notable exceptions, the philosophers of Judaism of the nineteenth century, in Wiener's view, have proven to be either blind or inimical to the national character of Judaism.

In the third part of the book Wiener seeks to lay bare the idea of religion motivating the labors of the founders of the "Scientific Study of Judaism," the "*Wissenschaft des Judentums*."[26] Although he acknowledges his debt to Sinai Ucko, his work is pioneering. Wiener seems to be the first to reflect on both the social and religious significance of the *Wissenschaft* movement.[27] Finally, he concludes the book with what may seem like a postscript, but is not. He calls it "Judaism as a State of Mind,"[28] and presents a number of figures, among them Heinrich Heine, Moses Hess and Gabriel Riesser: poet, socialist thinker and vigorous defender of the civil Emancipation of the Jews. In the work of none of these does one detect an endeavor to establish a new "principle" of Judaism, but all their lives represent a metamorphosis of Judaism, its sublimation into a state

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[23]*Ibid.*, 4.

[24]"Religionsgesetz und Lebensform," *ibid.*, 28-113.

[25]"Philosophie und Weltanschauung," *ibid.*, 114-174.

[26]"Die religiöse Idee in der Wissenschaft vom Judentum," *ibid.*, 175-257.

[27]In recent years, the social and religious motives of the *Wissenschaft* movement have been the subject of debate. See below, p. 150 n. 108.

[28]"Judentum als Stimmung," 258-274. I thank Michael A. Meyer for suggesting that I translate "Stimmung" as "state of mind." The meaning of the word is discussed below, p. 159.

of mind, a "mood" or ethos. As an historian of Judaism, Wiener takes their creativity as an expression of the Jewish national spirit, and as a surrogate for the vanished "halakhic atmosphere." For this reason, they may take their places in the text of Wiener's book.

In reviewing the arguments of this book, my method will be the same as that which Wiener himself employed in analyzing the Emancipation period: to strive not for exhaustiveness, but for the typical. I select those interpretations which clearly reflect the theological positions Wiener took in the 1920's, and those which seem especially revealing for his stance as historian or theologian. My aim, then, is not to retell Wiener's history of the Emancipation era in capsule form, but to use his history to extract part of the story of the historian.

## *National Character and* Halakhah

In an essay occasioned by the two hundredth anniversary of Mendelssohn's birth, Wiener skilfully shows how Mendelssohn's understanding of Judaism leads, almost by necessity, to its "denationalization" and "confessionalization."[29] It is Mendelssohn's definition of Judaism as "revealed legislation," he argues, which is responsible. It "explodes the fabric of the totality of Jewish life" first by rending the spheres of *halakhah* and belief asunder, and then, by confining the substance of *halakhah* to matters of ritual. In his book, Wiener calls this an "oddly distorted assessment of the relationship between belief and law."[30] Mendelssohn figures centrally in Wiener's scheme, and, indeed, has to figure centrally, because in Mendelssohn's *Jerusalem* all the tensions are present which Mendelssohn's posterity had to attempt to resolve. Judaism, with regard to its beliefs, is equated with the rational truths of eighteenth century Deism. Its doctrine is universal, identical to the—purportedly—universally acknowledged truths of reason. At the same time, Judaism's laws, the very content of its specific revelation, are declared politically inert. As a nation, the Jews had received the laws, and the practices they enjoin had, in turn, defined the Jews as a nation throughout the millennia. Their validity, while

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[29]Max Wiener, "Moses Mendelssohn und die religiösen Gestaltungen des Judentums im 19. Jahrhundert," *Zeitschrift für die Geschichte der Juden in Deutschland* 1 (Berlin, 1929), 207. "Hier aber zeigt sich,...wie seine Deutung des Judentums als geoffenbartes Gesetz das Gefüge einer jüdischen Lebenstotalität sprengt und diese letztere durch Eingrenzung auf ein lediglich religionsgesetzliches Handeln zerstört."

[30]*JRZE*, 34.

grounded in historical revelation, *par excellence*, is now declared to be both voluntary and temporary. A Judaism without specific Jewish beliefs—this is one unresolved tension which Mendelssohn left to the nineteenth century.[31] In his own life, Mendelssohn was able to combine theistic belief and traditional Jewish practice. But the history of Judaism demonstrates that the situation was an anomaly.[32]

Hence, in Wiener's eyes, Mendelssohn's thought represents the philosophical anticipation of the consequences of Emancipation. Wiener reports with some satisfaction on the remonstrations of Saul Ascher, who, in his *Leviathan* (1792), was the first to recognize the full gravity of the theoretical problem cast in Judaism's path by Mendelssohn's *Jerusalem*. Ascher develops a theory of Judaism which is just the opposite of Mendelssohn's: Judaism is, above all, a religion of faith. Its laws are merely a constitution which clothe the spiritual, more important core. To be sure, where Ascher argues that the internal reformation of Judaism is a prerequisite for the improvement of the civil status of the Jews, Wiener faults him for a common sin of the Reform movement: the obfuscation, by opportunistic concerns, of the legitimate critique of religion.[33] In spite of this opportunistic lapse, Ascher earns praise from Wiener for seeing the profundity of the theoretical problem of the post-Mendelssohn age much more clearly than the leaders of the Reform movement saw it. The latter waged their battles with halakhic weapons, seeking changes in liturgy and worship, not seeming to understand that it was the very principle of *halakhah* itself which had been undermined. Ascher, however, attempted to erect a new Judaism on a foundation of dogma.[34] This discussion of Mendelssohn and his first critic exemplify Wiener's sober impartiality. He appreciates Ascher's unyielding determination to achieve theoretical consistency—to establish a new principle of the Jewish religion.[35]

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[31]On the history of Mendelssohn's contention that Judaism is a religion without dogma, see above, p. 86f.

[32]*JRZE*, 45.

[33]*Ibid.*, 40.

[34]*Ibid.*, 46.

[35]His predilection for Ascher is reflected in the fact that, in addition to the attention he gives Ascher in this book, he wrote articles about him as well. One manuscript was translated into Yiddish for the journal of the YIVO Institute: "Shaul Ascher un die Teoria vegen Yidentum vi a Religie," *Yivo Bleter* (New York, 1944), and later, "An Early Theory of Liberal Judaism: Saul Ascher, Forerunner of Liberal Judaism," *Liberal Judaism* 17, no. 3, 22-26. For a more recent study, see Ellen Littmann, "Saul Ascher, First Theorist of Progressive Judaism," *LBIY* 5 (1960), 107-121.

The young Geiger also receives approbation from Wiener for his correct diagnosis of the "inadequacy" of the early Reform. This diagnosis, in the private letters Geiger wrote to Joseph Dernburg in the 1830's, show a Geiger who is radical in his demand for the formulation of "the Jewish idea," which is to be the ideal of a universal humanistic religion.[36] What Wiener detects here is a profound aversion on Geiger's part to the ceremonial law. To Geiger it represents the outward manifestation of the particularistic national character of Judaism, which Geiger would like to shed, and the way of life it prescribes is simply insufferable![37] Wiener thus likens Geiger to Ascher in a fundamental way: they are both seeking the "idea of Judaism." Indeed, in one of those youthful letters to Dernburg, Geiger writes that the Jews, as a religious and cultural minority, stand in need of such an "idea" far more than the Christians, the predominant majority. It is an existential need; only such a "Jewish idea" will provide the argument which will justify remaining unflinchingly at one's post.[38] The elaboration of the "Jewish idea" preoccupied Geiger. It would provide the surrogate for the particularistic *halakhah* which he so loathed. Indeed, according to Wiener, his preoccupation with the struggle to distill an "idea of Judaism" blinds him to the predicament of real Jews in his own time.

Wiener's interpretation makes it possible to understand Geiger's well-known and puzzling comment on the Damascus affair:

> That Jews in Prussia may have the chance to become pharmacists or lawyers is much more important to me than the rescue of all the Jews in Asia and Africa, an undertaking with which I sympathize as a human being.... [T]his is my honest conviction, intimately interwoven with the entire structure of my intellectual view of things.[39]

The pain he felt over the tedious progress of the emancipation of the Jews in Europe had numbed any sense he might have had for the cohesiveness of the Jews as a nation.

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[36]*JRZE*, 48. A selection of these letters appears in the English anthology of Geiger's writings compiled by Wiener and published posthumously. *Abraham Geiger and Liberal Judaism: the Challenge of the Nineteenth Century*, compiled with a bibliographical introd. by Max Wiener, transl. from German by Ernst Schlochauer (Philadelphia, 1962; reprint, Cincinnati: Hebrew Union College Press, 1981), 83-96.

[37]*JRZE*, 51.

[38]*Ibid.* See the letter to Dernburg of Sept. 30, 1833 in Wiener, ed., *Abraham Geiger and Liberal Judaism*, 83.

[39]*JRZE*, 53. *Abraham Geiger and Liberal Judaism*, 90.

In Wiener's judgment, such obtuseness is symptomatic of the early Geiger's aversion to the complexities of the life prescribed by *halakhah*. The *halakhah* is, however, what

> constitutes the genuine substance of actual and concrete Judaism. He and the majority of his allies are lacking the elementary awareness that this constitution of [Jewish] existence—whether one considers it legitimate or not—represents the result of the life of the entire Jewish nation, which, like it or not, historical fate has assigned to this Jewish religion.[40]

From this perspective Wiener understands Geiger's envy of the universalism of Christianity, and his desire to liberate Judaism from its restrictive national bonds. Geiger thus seeks a universal Jewish idea, which can answer the universalism of Christianity. He argues that the "concretization" of Judaism into a specific community was a deviation from the pristine meaning of religion. The latter found its purest expression in the religion, or more precisely, the ethics of the prophets. This, then, is the positive side of Geiger's critique: the recovery of the universal ethics of the prophets as an antidote to the narrow formalism of rabbinic tradition.

Hence, the "principle for the critique of religion" which is Geiger's achievement, while vague and unfinished, offers some guidance: it calls for a ruthless critique of rabbinic tradition, which Geiger attacks with zeal. In the early letters to Dernburg, Geiger declares not only the rabbinic tradition, but the entire Bible—including the Pentateuch—fair game for "reform."[41] At the same time, the goal of such scientific, but clearly pragmatically motivated study of religious texts, is to lay bare the prophetic ethic in its pristine state.

Geiger and the early Reform movement receive a treatment from Wiener which is at once sympathetic and censorious. He defends the Reform movement against the charge of opportunism, and grants that Geiger was seeking to develop a new, positive concept of Judaism. But he takes Geiger to task for failing to recognize that *halakhah* is more than a burdensome accumulation of rabbinic practices; it is itself the religious life of a "nation." The concept of nationality is the yardstick which Wiener uses here.

Accordingly, the figure portrayed as a counterpoint to Geiger is Samuel David Luzzatto, in whom Wiener discovers a kindred spirit. In fact, although Wiener does not mention Luzzatto in his earlier writings, one has the feeling that he certainly would have, had he turned his attention to him earlier. Wiener later planned to write a biographical study of Luzzatto which, however, never reached

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[40]*Ibid.*, 54.

[41]*Ibid.*, 50.

fruition. Furthermore, one of the last editions of the *Schocken-Almanach* announces an anthology of Luzzatto's correspondence, translated and edited by Wiener, which likewise never saw print. It may have been among the many manuscripts which Wiener abandoned when he left Berlin. Among his unpublished papers in the Archives of the Leo Baeck Institute in New York, I happened across a complete outline, extensive notes and sketches for an ambitious biography of Luzzatto, with chapters on the Jews in Italy, on the history of the Luzzatto family, on Luzzatto as scholar, as teacher of rabbis, his extensive correspondence, his researches in Hebrew literature, his thought, and finally on his personality.[42] The outline of the chapter on Luzzatto's thought mirrors the discussion in the book. Wiener seems to have drafted only the chapter on the Jews in Italy; for the other chapters there are only unorganized notes. These studies on Luzzatto only corroborate the affinity for him apparent in his published book.

In Luzzatto, he writes, Judaism permeates the whole man, and this Judaism is rooted in a strong feeling of nationhood.[43] From this root Luzzatto's views grew: his condemnation of the civil Emancipation as an denial of the Jewish national character; his call for an "inner emancipation," a liberation of the Jewish spirit from all "Atticism," as he calls it; his literal belief in revelation as recorded in the Biblical history of Israel's miraculous origins; his romanticizing vision of medieval Judaism as a "noble period" of Jewish history when *halakhah*, moral and ethical law, were one indistinguishable whole.[44] In his unpublished draft on Luzzatto, he ranks him, as a Jewish scholar, above the practitioners of the "Scientific Study of Judaism" movement, because he never faltered in his faith in revelation, and because he always remained actively engaged in Jewish institutions and Jewish life.[45]

It is especially the nature of Luzzatto's belief in revelation and the particular brand of religious nationalism flowing from it which explain Wiener's affinity for him. Revelation, transmitted through tradition, renders the search for philosophical certainty superfluous. Wiener cites a letter in which Luzzatto writes that philosophical proofs for the existence of God do not mean as much as

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[42]LBIA 3760, Nr. 11

[43]"Luzzattos Jüdischkeit geht, wenn man so sagen darf, aufs ganze." (*JRZE*, 69) On the "feeling of nationhood," see citation from Luzzatto's letter to Jost, *JRZE*, 50-51.

[44]*JRZE*, 60, 61, 65.

[45]LBIA 3760, no. 11, p. 3. On Wiener's view of the "Science of Judaism," see below, p. 149f.

> the belief in Moses as a personality and the belief in miracles, attested by valid historical tradition, like the life and the deeds of Julius Caesar. For me there is no modern belief. My religion commands or prohibits actions.[46]

What Luzzatto intends here is not a Mendelssohnian position, according to which Judaism is "revealed legislation," which might someday, having led its adherents to the eternal truths, outlive its utility. What surfaces here is Luzzatto's profound anti-metaphysical posture, which, in turn, resounded sympathetically in Wiener's anti-philosophical ear.[47]

Wiener makes clear that for Luzzatto all of the spheres of *halakhah* have a common quality and goal: they engender a feeling of religious edification and solemnity. On this scale, no single commandment, to apply the Talmudic dictum, is "heavier" or "lighter" than the other. Luzzatto does not accept any hierarchy of moral and "ceremonial" law. As a parallel to this unitary view of the revealed law, Luzzatto derives the whole corpus of Jewish law from a universal psychological principle: sympathy.[48] The Jewish nation, entrusted with this uniform law code, cannot therefore outlive its purpose and render itself obsolete. The laws are not, as in Mendelssohn's scheme, a propaedeutic for the messianic age.[49] Luzzatto's religious nationalism is of the essence. It is only characteristic that Luzzatto developed an idealized form of Zionism in his later years, advocating the renewal of a Jewish agricultural society in Palestine, such as he imagined existed in Biblical and Talmudic times.

Wiener proceeds to show that, although Luzzatto's position may bear a superficial resemblance to that of Samson Raphael Hirsch, the latter's Neo-Orthodoxy is actually very different.[50] While Hirsch represents, in Wiener's view, the "most integrated personality of the period," his system, as such, is untenable.[51] Both points, the difference between Hirsch and Luzzatto, and the inner inconsistency, are brought into clear focus in Hirsch's understanding of the

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[46]*JRZE*, 61.

[47]Luzzatto's polemics against Maimonides are well-known, and Krochmal lambastes him for them in a letter to S.L. Goldenberg, the editor of *Kerem Hemed.* See *Kitvei RaNaK*, ed. Simon Rawidowicz (Berlin: 1924; repr. ed. London and Waltham, Mass.: Ararat Publ., 1961), 432-443.

[48]*JRZE*, 64. Hebrew *hemlah*. The outline of the biography of Luzzatto which Wiener never wrote shows that he had planned to investigate the influence of Condillac, Rousseau and English "altruistic" ethics on the doctrine of sympathy. LBIA 3760, no. 11, p. "g."

[49]*JRZE*, 62-3.

[50]Hirsch is discussed in *JRZE*, 69-81.

[51]*Ibid.*, 79.

role and function of Jewish law, on the one hand, and of its concomitant, Jewish nationhood, on the other.

According to Wiener, Hirsch's understanding of Jewish law is ambiguous. On the one hand, he regards all Jewish law as rational and indeed argues that the ideal which is realized in the adherence to Jewish law is nothing less than the ideal of humanity itself. The cultivation of Jewish values is thus a step forward in the general moral progress of humanity. As Wiener astutely observes, in this regard Hirsch assigns Judaism the same goal as was assigned it by the very Reformers whom he so loathed: the ethical ideal. Wiener summarizes:

> ...the religious and the ethical thus coalesce, but the clear cognition and attainment of this goal can be achieved without fail only through the laws of Judaism and the Jewish way of life.[52]

At the same time, however, Hirsch knows that to render the *halakhah* rational means to nullify its character as positive revelation. Hence, even though Hirsch argues, in his classification of the commandments and his work on Jewish symbolism, that each of the commandments inculcates a certain idea—a line of thinking which might seem continuous with the Maimonidean-Mendelssohnian tradition—Hirsch's belief in the halakhic system is grounded in a belief in a positive revelation. Wiener has the following to say about Hirsch's *Outlines of Jewish Symbolism*:

> Hirsch's *Symbolism* is certainly one of those books for which a generous measure of empathy with the standpoint of the author is required to keep the reader from being frightened off from the first. However simplistic and bland some of the ideas contained in these symbols may be, however rambling and arbitrary the use of fantasy in interpretation, and however much the entire book may be more an amalgam of unorganized thoughts than a philosophical treatise, one thing shines through the whole book with wonderful clarity: a profound belief in life under the yoke of the commandments as the true and indisputably certain expression of God's will.[53]

Hirsch assumes the rationality of Jewish law; but, at the same time, takes delight in its *irrationality*.

Wiener uses Hirsch's stance on the status of the Jewish nation to bring the distance between Hirsch and Luzzatto into clear focus. According to Hirsch, fidelity to the Torah is the mortar which has held the Jewish people together, even since Biblical times, and not cohesion as a nation. "Land and soil never func-

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[52]*Ibid.*, 71.

[53]*Ibid.*, 77. Wiener refers to Hirsch's *Grundlinien einer jüdischen Symbolik*. (The reader who compares my translation with the original will notice that I have allowed myself some freedom to paraphrase.)

tioned as bonds of unity, only the common task of Torah."[54] Hirsch spiritualizes the concept of Jewish nationhood, and this has consequences for his attitude toward the Emancipation. Since the "national" character of Judaism is of a purely spiritual nature, Jews will always be capable of attaching themselves to any "nation" in the conventional sense.[55] Jeremiah's exhortation to the exiles, to seek the peace of the cities of their diaspora (*Jeremiah* 29), becomes Hirsch's motto.

Wiener's critique of Hirsch is then predictable. Hirsch believes that the Jewish nation, because of its spiritual character is, to use the term Rosenzweig would later coin, "metahistorical." As a spiritual nation, whose cohesiveness derives from its common devotion to commandments of the Torah, it is untouched by the vicisssitudes of external fate, by political upheaval, persecution, or even emancipation. Hence, Hirsch does not conceive of the Emancipation as the event which has confronted Judaism with the greatest spiritual challenge of its history. "Hirsch does not want to see that, with the Emancipation, more has to change than merely one's external lot."[56]

Wiener is aware, at the same as he criticizes the inconsistencies in Hirsch's thought, that his significance lies in the movement he founded, and here Wiener offers an observation which anticipates recent research on Hirsch's secessionist movement.[57] Wiener realizes that the essential problem for Hirsch is the preservation of religious practice, and Hirsch resolves this problem by disengaging his "society" from the errant majority of the Jews.

> We may leave aside the question whether, in reality, [Hirsch] is right. From a sociological point of view, his movement to rally the intransigent Orthodox signifies a kind of modern sectarianism...The conviction that one is preserving one's loyalty to Judaism alone and at the cost of great hardship evokes a pow-

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[54]*Ibid.*, 73.

[55]*Ibid.*, 73. Hirsch's distinction between "spiritual" and "political" nationality represents a precursor to Rosenzweig's view. Both provide the intellectual underpinnings for the co-existence of "Deutschtum" and "Judentum." See Franz Rosenzweig, *Stern der Erlösung*, 3rd ed. (Heidelberg: Lambert Schneider, 1954), Book 3, 49-59, esp. 55.

[56]*JRZE*, 73.

[57]In recent research, Robert Liberles' sociological study of the Neo-Orthodox movement has sought to show that Hirsch ought to be called less the founder of the Neo-Orthodox movement than its principal spokesman, and that important social factors led to the growth of the movement itself. See Robert Liberles, *Religious Change in Social Context: The Resurgence of Orthodox Judaism in Frankfurt am Main, 1838-1877* (Westport, Conn.: Greenwood Press, 1985).

> erful feeling of chosenness, and a proud, often haughty rejection of all those who not belong to one's own circle.[58]

Wiener's assumes the role not only of the intellectual historian, but of the sociologist of religion as well.

Revealing of Wiener's own understanding of the nexus binding *halakhah* to the collective life of the Jewish people is his discussion of Michael Sachs (1808-64). He takes Sachs as a figure representative of a centrist position known as "historical Judaism." Wiener speaks here not of a system, but of a style, albeit a theological style, "which cannot be couched in a definite formula."[59]

What evokes Wiener's sympathy seems to be a combination of Sachs' rootedness in the practice, custom and culture of Judaism—his major work was his study of the liturgical poetry of Spanish Jewry—and the "natural" quality of his fidelity to revelation and to the forms of Jewish worship and practice which are the fruit of historical development. Wiener writes a paean to Sachs' religious personality:

> His historical significance lies in his power as preacher and as a congenial herald of the poetical heritage of Israel. His devotion to Torah as an enduring standard shows such depth and such natural conservatism, his enthusiastic spirit endows the traditional way of life with such beauty, and his conviction has such a genuine and easy air about it, that his opponents on the right gradually became mute. And yet, in his scholarly attitude toward the origin and character of the tradition he takes the gradual evolution of tradition as a process of historical becoming and growth. To be sure, Jewish law had 'always' been a present force in Judaism, but the Torah constitutes the center, around which the norms of the Oral Law grew in a process of 'gradual' expansion.[60]

Hence, Wiener makes clear the distinction which must be drawn between Sachs and the thinking—one must assume—of the young Geiger. Sachs' standpoint is that of

> a solemn pleasure in Jewish life determined by its religious system, just the opposite of that sullen and spiritually empty position to which religious law means nothing, and which therefore uses the study of antiquity as means to cast off its yoke. *Nowhere is the primacy of the practical made apparent with more clarity than in the figure of Michael Sachs.* He is captivated by Jewish life, which he affirms with pride and enthusiasm; his high-minded idealism, which he does not allow to be called into question by the darker aspects of his faith, and which either overlooks whatever is aberrant or archaic out of a sense of the

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[58]*JRZE*, 80-81.

[59]*Ibid.*, 85.

[60]*Ibid.*, 85-86.

> overarching value of the whole, or simply leaves it aside—all this requires no theoretical foundation in the belief in tradition. His solid classical education meshes beautifully with his Jewish erudition. And thus, in this eloquent poet and soulful translator of the prayerbook, *there is revealed the totality of Judaism as an immediate reality in artistic form.*[61]

The tribute to Sachs is short—two pages in all—but is also infused with a warmth otherwise absent from Wiener's book. Only here does Wiener's language soar, where he sketches the vignette of a personality who seems to Wiener to have been successful in living the totality of Judaism as an organic whole and in achieving, at the same time, a symbiosis with the wider world of European culture.

Equally remarkable, but for different reasons, is the discussion of Samuel Holdheim (1806-1860) which follows. Wiener admires him certainly not for his religious position and personality, but for the energetic and inexorable manner in which he "by means of his hypercritical attitude toward traditional Judaism...has given a clear answer to a clearly stated question." The question is, again, that of the nexus between *halakhah* and nation.

This, according to Wiener, is the question which is at stake in Holdheim's critique of the Jewish laws of marriage and divorce, the subject of his best-known book.[62] The principal question is whether the Jew, since the destruction of the Second Temple and hence the demise of political independence, is, in such personal matters, still subject to Jewish law. Holdheim's answer is a resounding "no". He is responding to Bruno Bauer, whose *Die Judenfrage* appeared in the same year, and who also published a number of articles in which he averred that the Jews were immovably bound to their law and history, and were thus irreparably unfit for integration into European society. As his counterargument, Holdheim proposes that political autonomy and nationality are identical. When the political autonomy of the Jews came to an end, so did their national existence. Jewish national law was only valid in the context of a politically autonomous Jewish nation. Eternally valid is the religious part only.[63] On an analogy with Spinoza, who, having pronounced Jewish law dead, explained the survival of the Jewish nation as the tenacious cohesiveness of a people besieged by animosity from all sides, Holdheim explains the survival of Jewish law as an anomaly. It is a relic which has found a vacant niche in which to reside in the

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[61] *Ibid.*, 86. Italics added.

[62] *Über die Autonomie der Rabbinen und das Prinzip der jüdischen Ehe* (1843).

[63] *JRZE*, 89.

modern world, only because the state has neglected to fill it. If the jurisdiction of the state were complete, Jewish law would be extinct altogether.

It is at this point that Wiener voices his critique. The identification of nationality and political constitution is a theory, a response to the Mendelssohnian definition of Judaism as revealed law. Holdheim rejects that definition, because he seeks to develop a conception of Judaism as a *religion*. He retrojects this conception into the history of Judaism, arguing that the end of the Jewish polity also meant the end of Jewish nationality.

> For Holdheim, who always equates nationality and citizenship, and who understands nothing of the varied strata of national life, of which the legal-constitutional stratum is just one, the national aspect of Judaism is thus non-existent, because the sole non-religious element, its particular legal constitution, was only meaningful within the context of a Jewish state. In the concrete historical reality of Jewish consciousness, things are seen differently, as Holdheim himself admits.[64]

Wiener uses Holdheim's proposals for the accommodation of the Sabbath to the life of the emancipated German Jew as the target for his critique. Holdheim engages in a lengthy discussion of the problems posed by Sabbath observance to the Jew who, for example, is drafted into military service, or who, as a civil servant, must work on a Saturday. Wiener criticizes the incongruity of these two examples, the former referring to a duty imposed on all male citizens, the latter to a job which, while desirable in the eyes of some, is not obligatory. To make his case, Holdheim argues that the Jewish state of ancient times made provision for the violation of the Sabbath under specific conditions. Certain commandments, such as timely circumcision, the sacrificial rite of the Temple, and the rounds of the messengers entrusted with the proclamation of the New Moon had precedence. Wiener's comment:

> That the violations of the Sabbath adduced here were regarded as religious, and that subtle halakhic discussions are carried on over the question of the precedence of more significant over less significant sacred actions, and that, therefore, the entire discussion remains in the arena of the sacred and has no connection with a separate political sphere—there is no trace of such thinking in Holdheim, the Talmudist.

Hence, Wiener is emboldened to declare that Holdheim's reconstruction of the Jewish polity of old is a chimera, an impracticable Jewish fiction.

> Was the Jewish state, sanctioned by religious law, feasible if all the stipulations which the Rabbis deemed necessary were observed? Is a polity comprised

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[64]*Ibid.*, 90.

> solely of Jews even conceivable? a polity in which the perfected ideal of the rabbinic way of life is the norm? Holdheim concerns himself with the *raison d'être* of the German state, which seeks to accept the Jews as citizens and, to this end, abolishes Jewish law in great part, purportedly with the consent of Jewish law itself. Instead, he should have posed the fundamental question, whether a state can possibly endure, if its populace consists only of the religiously observant. The answer probably would have been that the Jews can observe the totality of Jewish law in any other state better than in a Jewish one...[I]nstead of such deference to the modern state, which is compelled, for its own sake, to curtail the observance of the Sabbath for a handful of Jews, Holdheim could have taken the issue by the horns and shown that the Jewish way of life which he criticizes was, altogether, only the product of the ghettoized segregation of the Jews, not the fruit of a whole, full, deep, self-sufficient and self-sustaining national life.[65]

Once again, Wiener's critique can be anticipated, and it comes clothed in the language of the romantic nationalist, speaking of the many layers of national life, and of the concreteness of Jewish national consciousness. Holdheim concocted a fictional Jewish state, and a Jewish "religion" which, as a discrete element, was also fictional. Holdheim's system bears the stigma of artificiality, because his principle, the distillation and then the rejection of the political and legal component of Judaism, ruptures the natural wholeness of the Jewish nation.[66] In theory, such a change may be possible; but in reality it is not.[67]

At the same time, Wiener betrays a certain appreciation of Holdheim for the consistency with which he adhered to the principle of the "denationalization of Judaism," to its reform into a *religion*. This side of Holdheim shines through Wiener's analysis of the controversies aired at the three rabbinical Conferences held mid-century.[68] Holdheim was consistent: at the Braunschweig Conference, he advocated abolishing the authority of the Talmudic law to determine what constitutes a violation of the Sabbath. Solemnity, he argues, can be achieved without absolute abstinence from all those activities deemed to be work according to Jewish law. At the Breslau Conference two years later he was more radical. He argued that the purpose of the Sabbath was not that it be hallowed, but that, on the Sabbath, man hallow himself. Whatever might be an obstacle to that end—such as one's occupation—should be avoided; for this reason Holdheim

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[65]*Ibid.*, 93.

[66]*Ibid.*, 95.

[67]*Ibid.*, 98.

[68]At Braunschweig (1844), Frankfurt am Main (1845), and at Breslau (1846). See Wiener's analysis, *ibid.*, 98-113.

advocates the celebration of the Sabbath on Sunday, to save Jews from such conflicts with their societal obligations.[69]

The lengthy discussions at the Frankfurt Conference on the permissibility of organ music in the synagogue on the Sabbath are evidence to Wiener of a "peculiar confusion in the argumentation" used by the Reformers, and again, of Holdheim's consistency of principle. The Reformers, and even Geiger, looked to the Talmud for some halakhic precedent, seeking to derive the license to use an organ in the synagogues of Germany from the use of instruments in the Temple at Jerusalem. "Only Holdheim's radicalism is more straightforward in this matter; he makes short shrift of all such considerations [of Talmudic precedent], dismissing them as an impediment to religion"![70]

The debate over the organ is, to Wiener, an example of the theoretical malaise which beset these conferences.

> [A]side from a few rare exceptions, the halakhic character of Judaism was not denied, but ... all the attempts to work out clear guidelines for simpler norms were unsuccessful...[71]

Wiener's verdict on the Rabbinical Conferences and the Synods which followed them is a verdict on the Reform as a whole. It fails to clarify a new "critical principle of religion."[72] This elusive phrase seems to point to a principle which would function as a tribunal from outside the halakhic system. Hence Wiener criticizes those reformers who are unable or are too timid to venture beyond the halakhic boundaries. It is a new definition of *religion* which is needed, of the religion into which Judaism ought be reformed.

This should not be misconstrued to mean that Wiener would style himself a supporter of the Reformers of the nineteenth century. He faults the reformers for lack of consistency or courage, and even admires the one reformer—Holdheim—who does not lack these virtues, but he also would not have endorsed an emboldened reform. For it could only lead, one has to conclude, to the abandonment of halakhah altogether. This should also not be misconstrued to mean that Wiener was arguing for a renaissance of halakhic observance. He would later remark that he considered the halakhic way of life defunct. Nonetheless, *halakhah* remains the "fixed form" of Jewish life, and reborn in

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[69]*Ibid.*, 100 and 108.

[70]*Ibid.*, 105.

[71]*Ibid.*, 110.

[72]*Ibid.* I have translated this phrase, "*das...religionskritische Prinzip*," which occurs not only here, as "critical principle of religion."

new forms, will continue to set the dominant tone of Jewish life. Wiener concludes with a note on the contemporaneity this chapter of the book:

> ...however much Judaism may splinter into religious factions, the natural gravity of the rabbinic way of life and of the *halakhah* which sets its norms still molds its character. What position to take regarding this system of existence, whether it is to be accepted, rejected, or selectively modified, will, for a long time to come, continue to be the central problem of Jewish life.[73]

### *The Philosophers*

Wiener enters into his portrayal of the Jewish thinkers of the nineteenth century with reservations, which ought come as no surprise from one who has relegated philosophy of religion to the periphery of religious life. Throughout the preceding decade he had argued that religion does not seek to establish universal theoretical truths or to formulate a "world-view," that it is irreducible to a "philosophy."[74] At the same time, he enters this chapter with all the conceptual equipment of the trained student of philosophy, and dispatches philosophy with philosophical expertise.

The controversies which Wiener describes in the first part of his book all seek to justify the repudiation, preservation or modification of the traditional function of religious law. The focus of controversy was the sacred texts of Judaism, which were regarded as documents of revelation, and the tools to decide their status were the tools of historical and philological research.[75] For Wiener the history of these controversies has a particular, and characteristic meaning.

> Judaism as a concrete historical entity is the subject of this inquiry. Indeed, it is the actual existence of the bearers of Judaism which is the focus both of the reformers and of the opponents of innovation.[76]

The subject of the inquiry, then, is the Jewish people. Its particularistic character is anchored in the revelation on Sinai. Even the belief in the universalistic mission of the Jews presupposes the concrete existence of this *particular* nation. A certain Jewish exclusivity is taken for granted:

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[73]*Ibid.*, 113.

[74]See above, Part 2, "Anti-philosophy, Dogma and Christianity," 84f.

[75]*JRZE*, 114.

[76]*Ibid.*, 114.

> The inclusion of a ritual and moral code in one system, the indifference, if not aversion, to propagandizing among adherents of other religions, the general sense of self-sufficiency in one's own milieu, the cultivation of the collective historical memory, now become an essential part of the religion; all these show in manifold ways that the *body of Jewry is felt to be the substantive and necessary complement of the idea of Judaism*.... Halakhic Judaism...regards the ethnic community as the actual subject of religious life.[77]

The philosophical attitude, however, represents the antithesis of halakhic Judaism, for it sees in Judaism only the expression and articulation of religious truth.

From the outset, then, Wiener is not inclined to regard as "complete" the systems of Jewish philosophy which were produced by the nineteenth century. Their goal is a theory, and not a "concrete" historical reality. Wiener brings his own criterion to bear upon these systems, measuring them by their positions on "peoplehood"—"*Volkstum*"—whether they can account for the necessity of the "body of Jewry" as the complement to the "Jewish idea."

Wiener's earlier endeavor to set revelation apart from all modes of knowledge is also reflected in this chapter. Formstecher and Samuel Hirsch emerge as "rationalists" on this question, whereas Steinheim is obviously favored as the critic of contemporary Jewish theology who understood that the central problem is the nature of revelation and that revelation must be essentially distinct from any rational knowledge. Steinheim, in whom, like Luzzatto, Wiener must have discerned a spiritual forebear, receives a thorough discussion.

Samuel Formstecher (1808-1889) stands in the discussion as an example of the "rationalist" because of his view that there is no revealed truth separate from truth of reason. Jewish "belief" is the belief in certain facts of history.

> ...a religious duty to believe, which requires accepting any doctrine as a truth of religion, even if it contradicts reason, and only because it is communicated by a higher divine authority, is alien to Judaism... [F]or this reason, God ought not be the object of belief, but ought to be known through his works, as part of a world-view.[78]

Formstecher lays out a position reminiscent of Hegel: Judaism can be accounted for because it is a necessary stage in the development of world history; the phenomenon of Judaism is the reflex of an Idea. Revelation is not distinct from ra-

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[77]*Ibid.*, 115. Emphasis added. "Ethnic community" renders "*Stammesgemeinschaft.*"

[78]Formstecher, *Die Religion des Geistes, eine wissenschaftliche Darstellung des Judentums nach seinem Character, Entwicklungsgange und Berufe in der Menschheit* (1841), 10. Cited by Wiener, *JRZE*, 120.

tional knowledge; it signifies the beginning of any knowledge of existence by the mind.[79]

According to Formstecher, then, Judaism passed through a stage in which its national character was indeed fully articulate. Of significance for Wiener is the fact that Formstecher regards this national character of Judaism exclusively as the manifestation of an idea. However, the stage of its history in which the cohesion of the Jewish nation was rooted in a homeland or commonwealth has been overcome.[80] That notion prepares the way for Formstecher's philosophy of history. The task of religion is to come to know an ideal and to realize that ideal within a community.[81] For Judaism the object of knowledge is God and his moral qualities; its task is their translation into action. Hence, Jewish theology in its pure form is ethics.[82]

Wiener lays out Formstecher's scheme of world history in some detail. To Wiener, Formstecher represents the rationalist who, in spite of his immersion in the discourse of German Idealism, still bears the legacy of the Enlightenment, identifying the truth of religion with the truths of reason, and the task of Judaism with ethics. In such a scheme, in which history is only the manifestation of the idea, in which phenomena come and go, but the idea from which they flow abides, there could be no place for the "concrete" existence of the Jewish people. Wiener refrains from pronouncing judgment on Formstecher's thought, citing only its pale generalizations. Nevertheless, from the little that has been said, it is obvious that Formstecher's philosophy of Judaism is the philosophy of a chimera, a disembodied Judaism, which, to Wiener, is simply incomplete.[83]

Samuel Hirsch, in Wiener's view, is much more thoroughly influenced by Hegel, and is also closer to traditional Judaism. However, on a general plane, the two thinkers have much in common.[84] Wiener's exposition is straightforward; he begins by laying out Hirsch's scheme of the history of religions, in which paganism is a necessary stage, Judaism stands out as a pinnacle, and Christianity represents a lapse into paganism. The history of religion in general

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[79]*JRZE*, 122.

[80]*Ibid.*, 126.

[81]*Ibid.*, 122.

[82]*Ibid.*, 131.

[83]Another figure who receives a brief citation for "spiritualizing" Judaism is I.A. Francolm (1788-1849), whose writings rarefy Judaism into a system identical with universal ethics. *Ibid.*, 118-120.

[84]The exposition of Hirsch covers 131-147.

is the history of the evolution or the realization of the ethical.[85] Human reason suffices to overcome the stage of paganism. This is the meaning which Hirsch derives from the story of the migration of Abraham, adding his own note to an old midrashic tradition. Human reason is a sufficient tool to free oneself from nature—and from the apotheosis of nature which is paganism. Thus, in his system, "no extraordinary revelation is required."[86] Hirsch interprets the rationalistic, or rationalistic sounding passages in the Bible and Rabbinic literature in such a way that positive revelation appears superfluous.

One need not reproduce Wiener's exposition in much detail to see that both Formstecher and Hirsch, situated in the tradition of German Idealism, stand as lucid examples of the monistic philosophy which was the target of Wiener's critical essays of the 1920's, or, perhaps more accurately, that the critical position he adopted then is providing the framework of his interpretation here.

That same critical position explains his affinity for Salomon Ludwig Steinheim (1789-1866). Steinheim is a thinker who, since his own generation and until quite recently, had been almost entirely ignored.[87] Wiener writes:

> What distinguishes S.L. Steinheim's work from the systems treated above, and is indeed outstanding about it, is the consciousness that the problem of Judaism is one of the meaning of religious knowledge in general, and only secondarily a problem of the content of religious knowledge, which is then to be compared with knowledge acquired by some other philosophical or systematic method. Personally Steinheim was remote from knowledge of traditional doctrine and, probably, from Jewish practice as well, and yet he is the only one of this series of thinkers to whose mind the problem of religion as a *sui generis* was clear from the first. The characteristic title of his work, *Revelation according to the Doctrine of the Synagogue*, focuses on that criterion which is peculiar to religion: that it is the product of revelation.[88]

Here is a figure who is wrestling with Wiener's problem: revelation. The task of Jewish philosophy is not to rationalize the content of revelation, nor to reconcile it with some other truth, but to determine the specific criterion of its own truth.

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[85]*JRZE*, 134.

[86]*Ibid.*, 136.

[87]For recent scholarship on Steinheim, see Michael A. Meyer, *Response to Modernity: A History of the Reform Movement in Judaism* (New York and Oxford: Oxford University Press, 1988), 410, n. 17. Volume 1, and excerpts from the other three volumes of Steinheim's main work, *Die Offenbarung nach dem Lehrbegriff der Synagoge*, published in four volumes between 1835 and 1865, are translated in Joshua O. Haberman, *Philosopher of Revelation, the Life and Thought of S. L. Steinheim* (Philadelphia: Jewish Publication Society, 1990).

[88]*JRZE*, 147.

(Hence the sub-title of Steinheim's book: "*A Shibboleth.*") And the criterion must come from revelation itself. Revelation must validate itself.

Steinheim poses this problem against the backdrop of a critique of the inadequacies of other justifications of religious truth, and in this, too, Wiener will have sensed an affinity. Religious truth might be taken to be of the same kind as historical truth, as with the belief that historical revelation is true in the same sense as any account of an historical event. Or it might be taken to be of the same kind as metaphysical truth, as is with rationalism. In either case, however, religion is reduced to a matter of knowledge.[89]

The "religion of revelation" is an historical religion; that means that it is the religion of a revelation which has occurred at a specific time, a disclosure of something to the human being which was, until then, unknown. That event cannot be subsumed into some other continuity, such as the eternal validity of rational ideas; nor can it derive its legitimacy from being a propaedeutic, in typical Enlightenment fashion, for the realization of a rational ideal. In such modes of thought, revelation is transferred into the realm of "non-revelation."[90]

It is an equally grievous error to conceive of religion as a particular psychic state, as the feeling of dependence, for example. When Steinheim published the second volume of his work, two decades after the first, he included specific arguments against the "theologians of feeling," specifically Schleiermacher, whom he saw as the contemporary representative of a tradition which places the source of religion in some kind of religious faculty. He also criticizes Hirsch and Formstecher for their use of philosophical idealism as a surrogate for a religion based on true revelation. To be sure, Steinheim counters the "theology of feeling" with his program of "belief as an exact science," and the function of reason in that program entails problems which Wiener discusses, but his arguments against both the "theology of feeling" and against philosophical idealism demonstrate that his fundamental position on the uniqueness of revelation does not change.[91]

Wiener acknowledges that this conception of revelation involves difficulties. Steinheim argues that his conception of revelation is historical, that it is the conception of an event of disclosure which takes place at a specific time. He says as well that this revelation is the special possession of the people Israel, indeed that the event of revelation was the formative event in the history of the

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[89]*Ibid.*, 148. "Die historische sowohl wie die gegenständlich metaphysische Einstellung nivelliert das Religiöse dem Erkenntnismäßigen überhaupt."

[90]*Ibid.*, 149.

[91]On the arguments of the second volume of Steinheim's *magnum opus*, see *ibid.*, 160-161.

people Israel. More than that, it is revelation which has made Israel a "people" in an ideal sense; "Jewish peoplehood" is the eternal problem of the translation of the sole genuine idea of God and humanity into word and deed.[92] But Steinheim must first establish what he means by the concept of revelation, and what kind of "knowledge" it is which revelation yields.

Steinheim is of the view that revelation is necessary because reason, in its effort to arrive at true ideas, necessarily and unavoidably becomes enmeshed in antinomies. Confronted with the contradictions inherent in its own claims, it concedes the necessity of some other source of knowledge.[93] For, according to Steinheim, it is revelation which reveals reason's inadequacy to itself. The doctrine of creation out of nothing is such a revelation, which contains its own self-validation. Creation confronts reason with the miracle of the "incomprehensible personality"—God—and his free act of the will. Freedom of the will is equivalent to "the power of absolute creation."[94] Revelation proves itself just because it flaunts the logic of reason. *Credo quia absurdum.*

Steinheim's conception of revelation is fraught with paradox, and Wiener takes note of that. If revelation makes itself known by its irrationality, if irrationality is its "shibboleth," how are we to distinguish true revelation from simply any absurd idea? Steinheim's answers seem restricted to rhetorics; it is easier to say what true revelation is not than to say what it is.[95] Furthermore, Steinheim, like any thinker after Kant's "Copernican revolution," cannot ignore the problem of how it is possible for reason to have knowledge of revelation and yet not render the knowledge of revelation in some way rational. If reason mediates knowledge of revelation, even if that knowledge is only the recognition of its irrationality, has not revelation then been brought into relation with the rational and thus, so to speak, under its control? Wiener does not formulate the problem in exactly that way, but does point to the problem which Steinheim must address. He criticizes Steinheim for failing to make any distinction between reason and spirit, implying that "spirit" could be regarded as a non-rational faculty which is receptacle of revelation.[96]

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[92]*Ibid.*, 150. Steinheim may have given the impetus here for Franz Rosenzweig's idea of the Jewish people as the "eternal people" in his *Stern der Erlösung*, 3rd ed., Part 3, Book 1, 86-96. Wiener makes no mention of it, but is generally reticent on Rosenzweig.

[93]*JRZE*, 151.

[94]*Ibid.*

[95]*Ibid.*, 153.

[96]*Ibid.*, 150.

Steinheim does give an exact account of the religious ideas which are the content of "revelation," and constructs them in such a way that each follows from the preceding.[97] The first is the idea of the unity of God. To the medieval idea of an incomparable "unity" he adds the aspect of personality. The second is the idea of creation, the idea in which reason is somehow compelled to acquiesce because of its own incapacity to comprehend it. From the idea of creation, which functions as a paradigm of the free act, the idea of freedom is derived in turn. Just as the one, incomparable, that is, "wholly other" divine personality acted in utter spontaneity to create the world, the possibility is given to human beings to act freely, to choose the ethical deed. Rational knowledge does not lead humankind to the awareness of this freedom. It is a "pure product of revelation."[98] Steinheim also threads the doctrine of the immortality of the soul into this fabric.

Wiener is not the only historian of Jewish philosophy to have noted that Steinheim's scheme bears a formal similarity with Kant's doctrine of postulates.[99] Kant is the philosopher of the antinomy, of the unresolvable contradiction: the questions of the existence of God, human freedom, and the immortality of the soul all frustrate human reason. Kant's postulate of freedom, "postulated" because ethics "requires" it, breaks the stalemate by allowing a glimpse into the realm beyond the confines of human knowledge. Steinheim's appeal to revelation functions in an analogous way. Wiener arrives at the judgment:

> [A]s willful and headstrong as the way may be in which [Steinheim] believes he must distinguish [his doctrine] from all philosophical dogmatics, it agrees, in content, with Kant's postulates of practical reason. According to Steinheim, however, they are derived not from reason, but from revelation.[100]

Wiener's analysis is astute. He shows that Steinheim, with all homage to the Tertullian motto, is really a rationalist. For when Steinheim speaks of reason being "taken captive" by the ideas of revelation, it can mean nothing other than that these ideas are incorporated into consciousness.[101] The criterion of their unreasonableness is reason itself. The true scope of Steinheim's version of *credo quia absurdum* is this: *credo* means to believe empirical facts, even though the belief be absurd in the light of rational demonstration.

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[97]Wiener's account in *ibid.*, 157-160.

[98]*Ibid.*, 159.

[99]Julius Guttmann arrives at the same conclusion in his *Philosophie des Judentums*, 341.

[100]*JRZE*, 164.

[101]*Ibid.*, 162, 164.

> The much-celebrated absurdity thus amounts to irrationality.... Thus the systematic theology which Steinheim seeks to inaugurate, with regard to the character of the evidence for its propositions, comes close to an empirical natural science. Accordingly, Steinheim would require that the theologian should be schooled in the method of inductive knowledge. What Steinheim acknowledges as a "taking captive" of reason is thus a meaningful act within the confines of reason itself, which retains the final authority to decide what is to be credited as truth.[102]

I have given such generous attention to Wiener's discussion of Steinheim for two reasons. One is that so many of Steinheim's ideas are familiar from Wiener's own thought. One need only recall his polemic against Spinoza to see the kinship: God as personality with the spontaneity of free will; creation out of nothing as an empirically unsupportable, indeed, irrational doctrine, and yet true because revealed. Another affinity is to be seen in Steinheim's aversion to those philosophical systems which would make the truths of religion rationally transparent. Revelation cannot be reduced to a rational system because it is disclosed to the human being from outside the rational sphere. The kinship with Wiener's version of the ideas of Dialectic Theology is apparent as well. Indeed, it is remarkable that Wiener does not mention Steinheim in any of his earlier writings. In this book, by virtue of historian's integrity, he had to give him his due, and so probably "discovered" him, the only Jewish thinker of the nineteenth century who recognized the crucial question of religious philosophy: the problem of the nature and validity of revelation.

### *The Religious Meaning of Jewish Scholarship* - "Wissenschaft des Judentums"

Wiener was one of the first to attempt to elucidate the religious character of the "Scientific Study of Judaism," or *Wissenschaft des Judentums*, the name purportedly given to the movement by one of its vanguards, Eduard Gans. The nature of that movement, its formative influences and its motives have since become the focus of polemic and debate. In Wiener's discussion we detect this debate in its nascent stage. Furthermore, his assessment of the *Wissenschaft* movement is not always consistent, with the result that he anticipated some of the arguments on both sides.[103]

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[102]*JRZE*, 162, also for Wiener's discussion of Steinheim's division of knowledge into the mathematical and empirical.

[103]The relevant chapter is "*Die religiöse Idee in der Wissenschaft des Judentums*," *JRZE*, 175-257. See also 16, 53. On the name *Wissenschaft des Judentums*, which Eduard Gans

On one hand, Wiener is well aware that the aims of its practitioners were not simply academic or even antiquarian. His view is more nuanced than that espoused and popularized by Gershom Scholem, even taking into account the ambiguities in Scholem's position.[104] Wiener recognizes that to the proponents of *Wissenschaft* the times posed a challenge which was religious through and through: how, while affirming one's place in European culture, the Jew could preserve his or her Judaism. In this task, scholarly inquiry was the key to the recovery of the past, and thus to the creation of a Jewish history:

> In the situation in which Judaism found itself at the beginning of our period, the discovery and illumination of the past was necessary not only in order to understand it, but in order to continue altogether to lead a life in accordance with Jewish ideas. The light streaming in from without so dazzled these Jews, who were suffering from a past which they did not understand, that it became a question of life and death to enlighten them about their history and the ideas of their tradition, to instill pride in their heritage, so that they might look to the future confident and joyful. That—one might say—is the existential meaning of the *Wissenschaft des Judentums*.[105]

Wiener argues that *Wissenschaft des Judentums* is scholarship serving a two-fold pragmatic purpose. One is the quest for a genuine form of Jewish life "in accordance with Jewish ideas" which could serve modern times; the other is the effort to present the noble history of Jewish culture and religion to Jews themselves, to illuminate their role on the grand stage of "world history." The labors of the practitioners of *Wissenschaft* thus had the dual aim of reform and *apologia.* As reformers, they sought to create a modern form of Judaism; as apologetes, they sought to inculcate pride in their co-religionists and to create for them a usable history, to remedy the other side of assimilation, "the loss of respect for one's own past."[106]

Most telling, however, are those characterizations of the *Wissenschaft* movement which Wiener gives incidentally in some other context, in passing, or

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(1796-1839) coined in the course of the debate over the proper name for the society, see Sinai Ucko, "Geistesgeschichtliche Grundlagen der Wissenschaft des Judentums (Motive des Kulturvereins vom Jahre 1819)," in Kurt Wilhelm, ed., *Wissenschaft des Judentums im deutschen Sprachbereich*, Schriftenreihe wissenschaftlicher Abhandlungen des Leo Baeck Institutes 16/I, (Tübingen: J.C.B. Mohr [Paul Siebeck], 1967), 336. (Reprint of original essay in *Zeitschrift für Geschichte der Juden in Deutschland* 5 (1934), 1-34.) On this essay, see below, 151f.

[104]David Biale presents these ambiguities in his biography, *Gershom Scholem: Kabbalah and Counter-History* (Cambridge, Mass. and London: Harvard University Press, 1979), 4-12.

[105]*JRZE*, 176.

[106]*Ibid.*, 177.

as a summation.[107] Then he writes that the *Wissenschaft* movement is scholarship with an ulterior motive. These scholars want to obtain equal rank for Judaism in the world of the European spirit. The reformer may reap some incidental benefit from their efforts, but the *Wissenschaft* scholars, Wiener argues, are more concerned with matters theoretical than practical.[108] *Wissenschaft* was an *apologia* directed not only at Jews, but at Christian culture as well, and sought to achieve for Judaism what Emancipation was supposed to achieve for Jews: equal status. Elsewhere Wiener draws a parallel between the truculent anti-Rabbinism of the young Geiger, which he regards as religiously motivated, and the attitude of the young intellectuals who gathered in Berlin to form the Association for Culture and Scientific Study of Judaism, the *Culturverein*,[109] whom he regards as opportunists who were all too willing to abandon Judaism entirely when their efforts were frustrated. He delivers a disdainful verdict:

> At its base, the intent of the members of the *Culturverein* was really only to lend a hand to the integration of the Jews into German society, which was advancing entirely on its own in any case. They gave up all too soon—the first was Eduard Gans himself, their standard-bearer—when harsh reality did not yield so readily to their lofty intentions. If the Jewish world did not wish to be happy, then, for the individual, there was still a most convenient path, that of the "ticket of admission" to the world at large in which alone salvation was to be found.[110]

Wiener's interpretation of the origins of *Wissenschaft des Judentums* as an opportunistic movement was based on a reading of the early documents of the Assocation, culled from the papers of Leopold Zunz by Sinai Ucko, and analyzed in his study of its early history. Wiener dissents, however, from Ucko's conclusions. From Ucko's article, which was later published, one can reconstruct the substance of the disagreement.[111]

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[107]For two examples, see *ibid.*, 16 and 53.

[108]*Ibid.*, 16. This ivory-tower image of the *Wissenschaft* scholars is being modified. See Ismar Schorsch, "Moritz Steinschneider on Liturgical Reform," *HUCA* 53 (1982): 241-264.

[109]Its full name was the *Verein für Cultur und Wissenschaft der Juden.*

[110]*JRZE*, 53. The "ticket of admission" (*Entréebillet*) was Heine's mocking locution for the social acceptance which many Jews, like Heine himself, hoped to achieve by conversion to Christianity.

[111]*Ibid.*, 276, n. 34. Sinai (Siegfried) Ucko (1905-1976) was a former student at the Berlin Hochschule and rabbi in Offenburg in Baden. The study in question was the manuscript cited above, n. 103. The history of the *Verein* has now been vividly reconstructed by Ismar Schorsch, "Breakthrough into the Past: The *Verein für Cultur und Wissenschaft der Juden*," *LBIY* 33 (1988), 3-28.

Mindful of the philosophical atmosphere in which the young intellectuals comprising the Association were educated, Ucko argued that the articulation of a *Wissenschaft des Judentums* amounted to the entrance of Judaism into "general culture."

> Only when Jewish existence is made the object of inquiry by Jews themselves, and the methods of this inquiry are not determined immanently by an established concept of revelation, with all its consequences, when, instead, one takes the bold step of regarding the phenomenon of Judaism as a phenomenon of general culture, only then has one entered the latter.[112]

To Ucko the inauguration of a *Wissenschaft des Judentums* signified the beginning of self-reflection. The task of traditional learning was the explication of "revelation"; the task of *Wissenschaft* was to bring an external idea, "general culture," to bear upon Judaism.

In Ucko's view, these first proponents of Jewish *Wissenschaft* are seeking to make *Wissenschaft* the organ of a vital national Jewish culture. As one "national spirit" among others, Judaism may then take its rightful place in the arena of general culture. The struggle for equality is carried into the realm of popular philosophy. The theme is a familiar Hegelian one, but the vehicle is now scholarship, aiding in an abstruse and yet fervent attempt to crystallize and articulate the eternal national essence of Judaism. In a letter to the Association which Ucko cites, I.A. List calls this national essence a "pure nationality, which is no mere product of the times, no mere passing phenomenon."[113] *Wissenschaft des Judentums* seeks to articulate the "Idea" of this pure national Jewish existence; only consciousness of this essence as an idea can establish the necessity for the continued existence of the culture which manifests it.[114]

This is, of course, a Hegelian motiv, or, more accurately, an antiphony to Hegel. For it is intoned by those whom Hegel's philosophy of history had relegated to a stage of history overcome in the past. Ucko's argument, which presents the early *Wissenschaft* movement as a response to the marginalization of Judaism by Hegel, is quite plausible. In Hegel's scheme, the Jews as a "nation," as a *Volk*, have a special role, just as does any other nation on the stage of world history. To be sure, the Jewish nation did manifest a certain aspect of the Spirit at a certain time. Its role was to accomplish the negation of paganism, proclaiming the religion of pure spirit. Thus, it represents the concept of the religion of

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[112]Ucko, *op. cit.*, 315.

[113]*Ibid.*, 325.

[114]*Ibid.*

sublimity, the negation of nature.[115] According to Hegel it was the consciousness of this pure idea of God which defined the Jewish nation. Judaism, however, jealously guarded this national treasure, confined it to its national existence, and was thus unable to mediate this idea to the world. That task was delegated by world history to Christianity, and it is in the light of the world-historical role of Christianity that Hegel reconstructs all the events which precede its appearance. In Judaism, the idea of God remains chained to one nation; Christianity opened the horizon to all humanity.

The particular stigma to which the early proponents of *Wissenschaft* were reacting, then, was the sublimation imposed by Hegel on the Jewish nation. Having fulfilled its role in world history, it should have vanished from the stage long ago, as the empires of Greece and Rome did. Its existence is certainly no longer necessary.[116] The Hegelian conception of history taught that the very religion which the Jews of the nineteenth century sought to save from obsolescence was indeed obsolete, a spent force in world history.

The Hegelian antiphony is most audible in the speeches of Eduard Gans, the philosophical dean of the group and the most valuable witness for Ucko's case. Gans speaks of living in an age which desires not merely "to be," but also "to know itself," and to know oneself is to know that one's existence is *the necessary consequence of an idea.* Jewish culture must become self-aware, conscious of itself, must become spirit reflecting on itself. In short, it must become, in the Hegelian sense, *Wissenschaft.* What the times demand, Gans argued, is consciousness of itself; not merely "to be," but know oneself is the goal.[117]

This concern with the philosophical legitimization of Jewish existence had, of course, a very pragmatic purpose. It was to integrate the Jew into modern culture by rescuing him from it. The leaders of the *Verein* sought to nurture Jewish national culture, to demonstrate the necessity of its existence and to foster and perpetuate it by drawing up ambitious plans for Jewish education. According to Ucko, these efforts comprised a kind of "ethical nationalism."[118]

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[115]Hans Liebeschütz, *Das Judentum im deutschen Geschichtsbild von Hegel bis Max Weber* (Tübingen: J.C.B. Mohr [Paul Siebeck], 1967), 36.

[116]The Hegelian idea—shared by Herder—that the Jewish nation has a particular role in world history, was appropriated and turned to advantage by intellectual precursors of the Zionist movement as well. In Krochmal's hands, for example, the Jewish nation becomes the one enduring bearer of a pure God-idea. The lines which lead to Jewish nationalism are clear. See Avineri, *op. cit.*, chs. 1 and 2 on Krochmal and Graetz.

[117]Ucko, *op. cit.*, 344.

[118]*Ibid.*, 348.

He saw a further motive in the leaders of the *Verein* as well: the substitution of a faith in the course of world-history for the traditional belief in a messianic age. Their adoption of the Hegelian conception of history meant for them that their culture and their epoch needed, once again, to acquire world-historical significance. Ucko sums up the motives of the founders of the *Wissenschaft des Judentums*:

> Only once in world history...can a nation, as a complete entity, produce an [historical] epoch; then—after this one time—its spirit lives on as a wave in the ocean of the spirit, which, by means of self-knowledge, advances towards realization. The Jews outlived their national epoch—that is the verdict of the times, from which not even the young Jew can escape. One is helpless, confronted with the anomaly that the Jew still exists as an independent entity, while the spirit which once issued from him has become a component of the spiritual cosmos of Europe, of humanity. If the Jew wants to find purpose, then he can only do so by advancing the knowledge of this spiritual cosmos, by bringing it closer to human consciousness. In the knowledge of Judaism, which is a part of the whole, a part of world-reason and of world spirit, Jewish existence is justified, because the part which one can comprehend in Judaism is a part of the whole, and the whole lives in its parts.[119]

Thus, in Ucko's interpretation, by exposing the Jewish national spirit to the light of consciousness, *Wissenschaft* enables Jews to participate in the history of the advancement of consciousness, that is, in world history itself, in its Hegelian conception. That is the labor which will inaugurate the messianic age, which is seen not in a "world to come," but in the full realization of the Spirit of this one.

While Ucko is attuned to the philosophical matrix of the Association, and interprets it as a manifestation of "ethical nationalism," Wiener is loath to concede any such clear positive purpose in its activities.[120] Where Ucko sees the healthy seed of a strong movement, Wiener sees a vague concept of *Wissenschaft* capable neither of producing a positive *idea* of the *Wissenschaft des Judentums* for the future nor of fostering any ethical nationalism. List's appeal to "our pure nationality," for example, evokes severe critique from Wiener. List argues for the necessity of continued Jewish national existence, but never defines what Jewish nationality means.[121] He shares the general contempt of the Association for the institutions of Rabbinic Judaism and for the halakhic system, and this contempt, Wiener argues, only further attests to the shallowness of their nationalism. Zionism, by contrast, would later appreciate Rabbinic

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[119]*Ibid.*, 351.

[120]*JRZE*, 184.

[121]*Ibid.*, 186.

Judaism as a manifestation of a vital national spirit and a part of Judaism's national heritage. The nationalism of the theoreticians of the *Verein*, however, is empty.[122]

Wiener's discussion of the later history of the *Wissenschaft des Judentums* remains critical. The approach to texts employed by the scholars of the nineteenth century is faulted for being half-hearted. Casting his glance back on the accomplishments of Geiger, Zunz, Steinschneider, Jost and Graetz, Wiener comes to the conclusion that *Wissenschaft des Judentums* never wrestled fully with the question of the authority of the texts themselves as documents of revelation.

> For it is a characteristic of this scholarship (*Wissenschaft*) that it is concerned far more with the peripheral religious literature than with the core itself. Torah, the other parts of Holy Scripture, Mishnah, Gemara, the extra-Talmudical targumic, midrashic and rabbinic literature all represent concentric circles of descending grades of sanctity, so to speak, which any critical inquiry must heed. The farther removed one of these spheres is from the center of the Torah, the greater the candor and resoluteness with which it is considered open to purely academic, historical inquiry. The greater its proximity to the core, the less accessible the sphere is to dispassionate research.[123]

Wiener sees no distinction, in principle, between the more Orthodox and the more liberal scholars, but only a distinction in the distance they each maintain from the center, the Torah. They all, however, maintain their distance. Thus he gains a standpoint from which to evaluate the debates within the *Wissenschaft* movement. In general, it fails to grapple with the philosophical meaning of the historical-critical approach: that religious truth is established by the use of reason, which thus supplants belief in historical revelation as the criterion of validity.

What Wiener means here by belief in historical revelation is belief in the historicity of the Torah. The *Wissenschaft des Judentums* movement takes up all manner of historical and literary questions, but never the textual core of Judaism. "The Torah remains, even for most of the uninhibited critical spirits, a *noli me*

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[122]*Ibid.*, 186-7. The argument on the attitude of Zionism toward Rabbinic Judaism is questionable. Wiener may have had sentiments like those of Nordau in mind (see above, n. 14), but the relationship between "Rabbinic Judaism" and the Zionist movement is far more complex. See Arthur Hertzberg, "Introduction," *The Zionist Idea, A Historical Analysis and Reader* (New York: Temple [Atheneum], 1969), 15-22, 29.

[123]*JRZE*, 228.

*tangere.*"[124] Once again, the attitude towards Biblical revelation becomes the touchstone.

Isaak Markus Jost is criticized for deceiving himself that historical research can be theologically neutral. He denies the historicity of all the miracles recounted in Scripture—all except that of the revelation at Sinai.[125] Nor does Graetz escape notice in this context, inasmuch as the critical approach to the Pentateuch is absent from his *History of the Jews.* Graetz subscribes neither to the orthodox belief in the unity of the Pentateuch, nor to the historical-critical approach to the text. Wiener illustrates Graetz' ambivalence with the example of his account of the book of Deuteronomy. Graetz discusses the book in connection with the reign of Josiah, revealing his concurrence with DeWette, on the one hand, that the book is to be dated to Josiah's reign. On the other hand, Wiener finds that he evades, and then dismisses as immaterial, the questions which ought to engage any historian: what does it mean that the book was "discovered"? When was the book actually written, during Josiah's reign or centuries before?[126] Wiener attributes this indifference to historical questions in Graetz to his "personal attitude toward Judaism."

> To him, his nation has existed from the first, without having emerged as a nation from a complex process of development. It is the bearer of the most noble ideas of the one God and of an unsurpassable ethical truth.... That is why philological critique may not lay its interpretive hand on the most important documents.[127]

Even Geiger is subjected to similar criticism. To be sure, Geiger's purpose in the *Urschrift* was to demonstrate that it was not so much inspiration as historical circumstance which molded the text of Scripture, yet he shies away from demonstrating this for the Pentateuch itself.[128]

Thus, Wiener's criticism of the *Wissenschaft* movement focuses on two points: its alleged opportunism, and, more seriously, its lack of theoretical courage. It skirts the main theological problem: the status of Scripture, which it still regards as sacrosanct, and therefore off-limits for critical scholarship.

Nevertheless Wiener singles out certain figures within the *Wissenschaft* movement for more sympathetic treatment, and it is worthwhile to note why.

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[124]*Ibid.*, 229, 230.

[125]*Ibid.*, 211.

[126]*Ibid.*, 233.

[127]*Ibid.*, 236.

[128]*Ibid.*, 251.

One of these figures is Zunz.[129] Here we find Wiener sympathetic to the earnestness of purpose which is manifest, for example, in Zunz' programmatic essay "On Rabbinic Literature." The history of Jewish literature is not simply history with an antiquarian interest, it is the history of the Jewish people itself, even its "core." Wiener attributes Zunz' despondency about the future of the Jewish people—he urges scholars to assemble a catalog of Jewish literature that very year, in 1818, "when Hebrew books are not yet as difficult to obtain as they will be in the year 1919"[130]—to his personal attitude. He argues that such moody utterances, which have been exploited by scholars since Wiener as testimony that these alienated men thought Judaism was moribund, must be kept separate from Zunz' conception of Judaism.[131] Wiener understands Zunz as one who is seeking an "idea of Judaism" which will serve as a surrogate for Talmudic authority. He reconstructs from scattered statements in Zunz' writings—and it is indeed possible to do so—the pieces of a quasi-Hegelian organic conception of the Jewish nation. All the departments of Jewish *Wissenschaft* are actually organic parts of this unity. To take the outstanding example, liturgical poetry was, to Zunz, such an expression of the national soul. His goal was to understand all the productions of culture "as the spiritual forms of a total national life, by which, in turn, they are 'commanded'..."[132] To be sure, the elevation of the idea of the Jewish "nation" to the status of a commanding authority is problematic, but it is precisely this side of Zunz' thought to which Wiener was sympathetic. Here is the language of the romantic: the organic unity of national culture, and a striving to establish a religion based upon it, in some amorphous way.

In fact, Wiener interprets the ethos of the men of the Breslau Jewish Theological Seminary, of "the movement of the middle," as a nostalgic, romantic Judaism. The Historical School possesses less of a clear theoretical underpinning for its religious and practical outlook than the Neo-Orthodoxy of Samson Raphael Hirsch. Wiener charges the Historical School with inconsis-

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[129]*Ibid.*, 179. Wiener is defending Zunz against the criticism of Fritz Baer, who concluded that Zunz had a comprehensive plan, but executed only a small part of it, literary history, and even then did not formulate any *idea* of Judaism. Fritz Baer, עקרים בחקירת תולדות ישראל (Jerusalem, 1931), 6f. Cited in *JRZE*, 277, n. 179.

[130]Leopold Zunz, "Etwas über die rabbinische Literatur," (1818) *Gesammelte Schriften*, vol. 1, 4. Paraphrased in *JRZE*, 181. For a partial English translation, see Paul Mendes-Flohr and Jehuda Reinharz, eds. *The Jew in the Modern World: A Documentary History* (New York and Oxford: Oxford University Press, 1980).

[131]*JRZE*, 181.

[132]*Ibid.*, 183. "...die geistigen Formen eines totalen Volkslebens..."

tency. Neo-Orthodoxy lamented the forfeiture of whole sectors of religious law to accommodate modern life, while upholding the "fiction" of an all-encompassing system of law which regulates the lives of the individual and the collective. The centrist position of the Historical School lacked even this theoretical rationale. In the Historical School "everything is feeling, mood, which is both imponderable and indisputable."[133] Wiener writes:

> It assumed the distinctive name Historical School because it sought not only to maintain a continuity of development, but also to reject the all-too-prevalent imitation [by Jews] of alien customs and institutions. And yet, this was all a vain attempt at a concrete formulation of something which can be handled in this way or that, as soon as a firm norm is wanting. The most probable interpretation of this appeal to history is to see it as the result of national sentiment, national not in the modern Zionist sense with its definite political and cultural aims, but national in the sense of that bond of Jewish humanity, forged by history and fate, which, while conceding and even stressing the universalistic nature of Jewish doctrine, nevertheless maintains the concrete unity of the Jewish nation and its sense of a responsible community. Thus they are devoted to the Hebrew language and fight to assure its precedence or even exclusive rights in worship.... They seek to preserve a large share of the holy customs of religion, because such customs are symbolic of the link with past generations as well as of the unity of the present.... They neither declare the Shulchan Aruch binding, nor do they explicitly annul it.... But it does not represent an inviolable duty, neither in theory nor in practice. And thus it can come about that many, and probably the majority of German Jews, preserve, in their personal lives, only some meager remains of the old customs and the old outlook, and yet hold fast, with a kind of romantic love, to the notion that the Jewish way of life is Judaism itself, which they neither repudiate, nor affirm.[134]

In some measure this wistful critique of the Breslau position is autobiographical. It is worthwhile to note that Wiener, for all his critique of the theoretical fecklessness of the Breslau school, does accord it importance as a variation on the theme of a nationalism of the Jewish spirit.

Wiener is able to illustrate this quality of the Historical School with other figures as well. Wiener counted Michael Sachs among its adherents, as well as Manuel Joël.[135] Joël, the author of the Breslau prayerbook, articulates an understanding of prayer in a dispute with Geiger which, in turn, offers an example of the meaning of the term "historical."[136] Joël refuses to allow the prayers for the return to Holy Land and for the restoration of the Temple sacrifices to be re-

[133]*Ibid.*, 236-7.

[134]*Ibid.*, 237.

[135]*Ibid.*, 85-86.

[136]*Ibid.*, 256. The Joël prayerbook figures in the history of the Stettin Jewish community. See above Prologue, 7f.

moved not because he, unlike Geiger, might still find them vital and relevant, but because they are so deeply anchored in the collective memory of the Jewish nation that they are worthy of commemoration. Wiener argues that, while Geiger's position may be the more consistent one, the more radical and therefore easier to formulate, Joël's illustrates once more the power of feeling in the Historical School. And here the reason for Wiener's sympathy with this trend within the *Wissenschaft* movement comes into sharp focus. The controversy with Geiger, he writes,

> may serve as an illustration of the power of feeling within the Historical School, which, to a rationalist spirit like Geiger, had to appear...to be a theology of compromise. *For indeed, the Jewish religion more than any other is unable to endure a reform motivated by pure reason.* Everything which the Left either rejects as "mere form," as ritual and ceremony, or at least judges, dismisses or modifies solely on the principle of contemporary relevance, was, after all, in truth the concrete manifestation of the life process of a religious-national totality.[137]

A familiar motif reappears. Wiener sees in the Historical School a subliminal acknowledgement that Jewish religious life cannot be regulated by "rational" reforms and yet survive, because it is anchored in the irrational. The Historical School, whatever its theoretical inconsistencies, acknowledged this. Its concern with history of Judaism was a "symbol which signified that Judaism was still experienced as an organic historical entity..."[138] Indeed, its lack of an articulate principle is reckoned not as a shortcoming but as a sign of Jewish authenticity.

### *Religion as State of Mind*

By interpreting the Historical School as an ethos or "mood," for which the lack of a clear doctrine does not signify a shortcoming,[139] Wiener opens another horizon for the historian of Judaism. He concludes the book with a short chapter, "Judaism as State of Mind," which seems at first blush like a postscript, but which, in fact, is an additional component of his description of the "totality of Jewish national life." The insight from which the chapter flows is one which Wiener had argued ten years earlier, in "Jewish Piety and Religious Dogma." Millennia of Jewish communal life, with its consciousness of being charged, as a

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[137]*Ibid.*, 256. Emphasis added.

[138]*Ibid.*, 257.

[139]Stated explicitly in *JRZE*, 258.

people, with the fulfillment of the commandments, continue to reverberate as a feeling or as an "ethos" long after that halakhic system itself, in any whole form, has ceased to hold sway in daily life. The German word here, "*Stimmung*," is a musical metaphor, derived from the word for voice, "*Stimme*," and evocative of the language of Romanticism. A "*Stimmung*" is a mood, but more than a mood, not merely a fleeting emotion, but a dominant tone, the keynote in the musicality of existence. These reverberations still fall within the orbit of Jewish life.

> Distinct alike from both the traditional faith of Orthodoxy and from the Reform theology of Liberal Judaism, there developed a mode of Jewish life which, although it cannot be classified in any definite categories, nonetheless still represents Jewish reality.[140]

Here Wiener writes that whatever the attitude toward a conscious principle of Jewish life may generally prevail,

> the historical consciousness of being Jewish, of being rooted in a nation with its own mode of spirituality and religion, the communal memory of which is alive in every Jew, whether he delights in it or would rather extirpate it from his soul, these represent a powerful force, even if neither its sources nor its manifestations can be defined with precision.[141]

Wiener presents a number of portraits, case studies in amorphous Judaism: Heinrich Heine, Moses Hess, Gabriel Riesser and Ludwig Börne, to name some of them. In each case, he argues that Jewish "feeling" functions as a matrix in which their activity in a general cultural sphere—literature, socialism, and politics—is embedded. Since the common matrix is the Jewish ethos or "mood," they are cut from the same cloth. It is that matrix which links them them to historical Judaism, but it is their lack of devotion to the traditional Jewish life which distances them from it. In this context, Heine is the foremost example of the Jewish romantic, the "most pregnant example of a Judaism rarefied into pure mood,"[142] whose Judaism was of a detached sort. Wiener even regards Heine's so-called "return" to Judaism as a return to a "soil in which he had never been very deeply rooted."[143]

Hess also belongs in the ranks of the Jewish romantics. Wiener discerns the Jewish element in his religious conception of history as a development which will culminate in a harmony of nations, and which, therefore, will not be complete until all nations—among them the Jewish nation—are free to take their

[140]*Ibid.*

[141]*Ibid.*, 258.

[142]*Ibid.*, 259.

[143]*Ibid.*, 261.

places in the community of autonomous equals. Wiener stresses that Hess is a Jewish nationalist of a unique stripe, remaining throughout his life the universalist-socialist he was from the first. At the same time, the tone of his Jewish nationalism is religious, envisioning a harmony of the nations reminiscent of Hebrew prophecy of world peace. Wiener argues that the motives underlying Hess' *Rome and Jerusalem* are more religious than socio-economic, more Jewish than Marxist.[144] Hess represents a middle ground between Liberal Judaism and the footloose Romanticism of a Heine. With the former he shares the idea of a Jewish mission to the world. With the latter he shares the love of the Jewish national spirit.[145]

To be sure, both Heine and Hess are presented here to serve a specific argument, and Wiener's interpretations require critical evaluation. Wiener's portrait of Hess, for example, ignores entirely Hess' alienation from Judaism in his early years. Shlomo Avineri has shown that, in fact, it was Hess' vitriolic essay "On Capital" which provided his friend Karl Marx with all the polemical ammunition for the latter's "On the Jewish Question."[146] Wiener, however, confines his discussion to the later *Rome and Jerusalem.* In fact, what Wiener later says of Marx holds for the younger Hess as well: that any trace of a personal fidelity to his religion had yielded to a "rationalistic" view of Judaism solely as a sociological factor.[147] Hess revived his earlier fidelity; Marx did not.

Gabriel Riesser and Ludwig Börne appear here as examples of the sublimation of Judaism into politics, which Wiener understands

> not in the sense of the oft-heard anti-Semitic charge that "concrete Jewish interests" become influential, but in the sense that one hopes, with the attainment to universal civil liberty...to achieve the final integration of the Jews into society.[148]

This general political goal then becomes the overarching interest into which religious energies are absorbed.

The conclusion of the book is vague, and its argument elusive. What is it which makes the work of each of these men "Jewish"? Their parentage? or a Jewish "ethos"? or some other criterion? The content of this ethos is left undefined, except that Wiener asserts the existence of a deeply rooted consciousness,

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[144]*Ibid.*, 264-5; 273.

[145]*Ibid.*, 267.

[146]On Hess' essay, "*Über das Geldwesen*", see Avineri *op. cit.*, 40-41, and Julius Carlebach, "The Problem of Moses Hess' Influence on the Young Marx," *LBIY* 18 (1973), 27-40.

[147]*JRZE*, 271.

[148]*Ibid.*, 271.

be it ever so concealed under layers of secular culture, a collective Jewish memory working quietly but persistently in the Jewish subconscious. This Jewish national spirit was eclipsed in the minds of fighters for emancipation such as Riesser or Börne because they sought an Enlightenment ideal of universal enfranchisement for individuals, in which national allegiances become immaterial. Such allegiances, however, did assume importance again with the resurgence of European nationalism in the nineteenth century. That development, as Wiener poignantly remarks in 1933, would eventually reverse many of the accomplishments of the Emancipation, and lead to the invigoration of Jewish nationalism.

## *Reflections*

Jewish nationalism appears as the destination towards which all the paths in Wiener's book lead. He writes that his times are a period of great fluidity: the Zionist movement has compelled Jews of all stripes to reassess the meaning of Judaism. That was the challenge which confronted German Jewish thought at the beginning of the twentieth century. It was in this period of fluidity that Max Wiener, too, conceived the plan of his book and executed it. Having returned from the First World War transformed into a Zionist, he now turned to the reassessment of the legacy of the nineteenth century from the shifted perspective of the twentieth. At the conclusion of his book, Wiener writes:

> The national movement in Judaism has long since recognized that the Jews are not one nation among other nations, that not only their fate, but also their spiritual make-up and a deeply-rooted world-view have molded them into a community *sui generis*. And even the opponents of the national movement are no longer satisfied with a mere confession of faith, to which Judaism was reduced, at any price, during the period when assimilation was the goal. Things are fluid now. What kind of a synthesis it will be which, one day, in calmer times, will once again will provide Judaism with a clear self-conception, no one can foretell.[149]

Wiener never does offer that synthesis. It was not the task of the book, and even his later theological essays are only variations on earlier themes, even if they hint at the direction a constructive Jewish theology might take.[150] His accomplishment in this 1933 book is a critical retrospective on the legacies of the nine-

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[149]*Ibid.*

[150]For example "Aufriß einer jüdischen Theologie," *HUCA* 18 (1943), 353-39.

teenth century from the threshold of the new era marked by the eruption of Zionism.

He was conscious of this particular perspective. While he surveys religious movements, philosophical trends, and the religious significance of the *Wissenschaft* movement with an acumen which has rightly earned him praise, he is ever evaluating the thinkers and their ideas by a nationalist measure, albeit a vaguely defined one. His abiding concern throughout the book is the positions of these nineteenth century movements and thinkers on Jewish nationality: whether it is acknowledged or denied, explicitly or implicitly, whether it is recognized as a social reality or as an ethereal, eternal idea.

The conclusion of Wiener's chapter on "Religious Law and Life-Form" bears out this claim. There is an autobiographical tone in Wiener's observation that "since the end of the last century the vigorous interest in a secularized Judaism of national orientation has led to renewed self-examination and new formulations in the Liberal camp."[151] Some simply trot out the old arguments—Judaism is a religion of ideas, not bound to its own nationality and therefore compatible with any other. All of these arguments bear the "stigma of obsolescence."[152] The Jewish national movement, Wiener argues, is prompting a change in Jewish consciousness in particular among those for whom the religious bond connecting the Jews of the world is "a fundamental, non-negotiable fact."[153] He speculates that this renewal might yield a form of Jewish life of a particular hue, "comparable with that which the men of 'Historical Judaism' lived more as a feeling than as a system of thought."[154] In the "Historical School," the terms "positive" and "historical," rather than signifying a doctrine, denoted something which was *felt* to be desirable.

One may conclude: on the one hand, Wiener's book is a reminder, addressed to the "post-halakhic" age, that the special character of Judaism consists in a way of life guided by a corpus of religious law, by *halakhah*, and furthermore, that this corpus of law, communicated to a people, indeed forming that people in an act of revelation, has so molded the daily life of Jews for millennia, that it is yet and shall remain enmeshed with Jewish life. In whatever direction Judaism may develop, *halakhah* shall be there like a river Jabbok and a man in the night, with whom it must wrestle. On the other hand, Wiener also points in

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[151]*JRZE*, 113.

[152]A translation of the phrase Wiener coins at the end of his book: "das Stigma der Vorgestrigkeit." *Ibid.*, 274.

[153]*Ibid.*, 113.

[154]*Ibid.*, "...mehr erfühlt als erdacht haben."

another direction: in the post-halakhic age, a sense of Jewish nationality may emerge in the vacuum left by the lapse in the vitality of Jewish law.

That Wiener did indeed envision such a development is confirmed from another quarter. He speculates that it was the lapse of the authority of tradition among the laity with leanings towards the "Historical School" which prepared the ground for the Zionist movement:

> Thus there is a parallel: at the same time as traditional Judaism is on the decline, as Jews drift away from the customs which were a part of it, and as they detach themselves from the set forms and formulae of historical faith, in these same circles Jewish interest and Jewish yearning intensifies. All these feelings merge at the end of the century in Zionism....[155]

Wiener does not offer the evidence for this historical hypothesis, but its validity is not of concern here. What the hypothesis shows is the pattern which Wiener assumes: as the authority of halakhah wanes, nationalist stirrings grow, in the twentieth century no less than in the nineteenth.

In Wiener's view, the Zionist awakening similarly marked the end of the dominance of the rationalist theological constructions of the nineteenth century. These had reached their culmination in Hermann Cohen's equation of the task of Judaism with the ethical task of humanity. Zionism, which to Cohen was "an aberration," imposed a corrective. In a curious, contradictory comment, Wiener proposes that the roots of modern Jewish nationalism may also lead to the rationalist equation of the ideals of Judaism with the ideals of humanity in general. But this path of inquiry, like many he suggests in the book, is left a road not taken.[156]

For every chapter and theme in this study, then, Zionism is the foil. It does not always occupy the center of the stage, but it always reappears. At the same time, it must be noted that Wiener's constant invocation of the organic quality of Jewish nationhood and his evaluation of the relationship of thinkers to their own "nation," is seemingly devoid of content. It is itself a feeling, not an argument which Wiener makes, but a position which he invokes.

This may explain the abrupt and tentative ending of his study of the Emancipation. We hear that we live in the post-halakhic age, and we hear faint hints of what might ensue, but there is no bold statement, only a demonstration that all of the attempts of the nineteenth century to formulate a new "idea of Judaism" have failed, in some way, to point the way towards a Jewish future, all

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[155]*Ibid.*, 238.

[156]*Ibid.*, 174.

except the Zionist idea, which awakens to life at the close of the period of Emancipation.

# Epilogue

## Into Exile

During his years as rabbi in Berlin, Wiener's contemporaries—Liberal and, in some cases, Orthodox—discerned in him a Liberal rabbi who was different. Two aspects of his thought set him apart: his recognition that "law"—the *halakhah*—is the core of Judaism, no matter how it may be transformed or sublimated, and his recognition of the national rootedness of the Jewish religion. One might presume that his position on *halakhah* would have brought him into a certain proximity to orthodoxy. It did not, at least not in practice. At the same time that he prodded his Liberal colleagues by reminding them of the legal character of Judaism, he urged his orthodox colleagues to acknowledge the consequences of historical critical scholarship for belief in revelation. Some of his contemporaries remember him publicly challenging orthodox views on the Bible.[1]

On one occasion Alexander Altmann, who, at the time, taught Jewish philosophy at the "Hildesheimer," the Orthodox rabbinical seminary in Berlin, invited Wiener to speak at a meeting of the Association of Jewish Academicians, a group with affiliates at several German universities which sought to provide a forum for Orthodox students and older academics to discuss the tensions between their religious and academic lives.[2] Altmann was president of the association, and it was unusual to invite a lecturer connected with the *Hochschule* to

[1]Max Grünewald, interview by author, 6 July 1987, Millburn, New Jersey.

[2]On the association, called the *Bund jüdischer Akademiker*, see Mordechai Breuer, *Jüdische Orthodoxie im deutschen Reich 1871-1918* (Frankfurt a.M.: Athenäum [Jüdischer Verlag], 1986), 331-334.

speak to a group whose allegiance lay with the Orthodox Hildesheimer Seminary. As Altmann would later recall,

> One cannot say that relations between the *Hochschule* and the [Hildesheimer] Rabbinical Seminary were strained. There simply were none.[3]

Nonetheless, he extended the invitation. Wiener spoke on the Bible, but, instead of deferring to his audience by avoiding the Pentateuch, he plunged into an analysis of the dietary laws of Leviticus from the standpoint of modern Biblical scholarship. Altmann remembered that he spoke "bluntly and boldly," and that his audience was dismayed.[4]

One might also presume that his spiritual identification with Jewish nationalism might have led him to take active part in Zionist communal or political organizations. It did not. He spoke out in advocacy of Zionist ideas and ideals, but felt that the rabbinic office restrained him from plunging into the fray of Jewish politics. He explains his scruples in a revealing letter to Alfred Klee in 1930. The rivalry between the Zionists and non-Zionists in the Jewish community had apparently become very heated, and Klee, the Berlin head of the Zionist Jewish People's Party, the *Jüdische Volkspartei*, had written Wiener a letter which the latter understood as a request to give Klee's party a public endorsement. Wiener responded:

> I need not reiterate, especially not to you, that my personal position on Jewish affairs places me where I see Jewish political ideas, serious goals and dedicated work for their fulfillment, that, for me, a genuine Jewish program in the so-called religious community (*Religionsgemeinde*) must include, as highly significant points, the establishment of a Jewish educational system, the advancement of the projects in Palestine, and solidarity with all of Jewry. As a practicing rabbi I have always regarded it as an important duty to draw attention to these tasks. I have acted on this principle and *nothing can happen which could change my mind.*

Wiener then proceeds to explain why, however, he must disappoint Klee, if what he indeed sought was the public support of a rabbi for his party:

> There is a subtle difference, but a real and pronounced one, a difference of great significance for a rabbi dealing with group rivalries, between advocacy of ideas and express advocacy of a specific party. In the heated situation we have now, I think it is incumbent on me not to do so. But I will, as I stated, act as a

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[3]Alexander Altmann, interview by author, 17 December 1985, Newton Center, Massachusetts.

[4]Altmann said of Wiener: "Er redete frisch von der Leber weg." Alexander Altmann interview, 17 December 1985.

spokesman for those Jewish ideas and goals which conform to my convictions.[5]

Klee clearly wrote to Wiener because he knew he was one of theirs. Wiener's response, even to the aside implying that "religion" alone, that is without nationality, does not make a "community," confirms it.

While, in his theological position, Wiener took "revelation" as a given, he took scholarship as his inexorable guide. He sought that harmony of scholarship and rabbinate, which, in his view, both Geiger and Luzzatto had achieved, each in his own way. Like Geiger, he was of the opinion that the study of Judaism deserved a proper place in the university, and he had entertained hopes for a university position for himself. The Philosophical Faculty at the University of Berlin was sympathetic to his idea of joining the faculty as an adjunct docent,

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[5]Max Wiener, Berlin to Alfred Klee, Berlin, 14 November 1930. Central Zionist Archives, Jerusalem A142/87/9a (Alfred Klee File). The italics are mine. The full text of the original letter:

Sehr geehrter, lieber Herr Dr. Klee,

ich danke Ihnen aufrichtig für Ihren Brief, datiert vom 7.11.30, den ich am 11. erhalten habe.

Daß meine persönliche Haltung zu den jüdischen Dingen mir den Platz da anweist, wo ich politische jüdische Gedanken, ernsthafte Zielsetzungen und hingabungsvolle Arbeit um ihre Erreichung sehe, daß mir so als höchst bedeutsame Punkte eines wahrhaft jüdischen Programms auf der sogenannten Religionsgemeinde die Ausgestaltung eines jüdischen Schulwesens, die Förderung des Palästinawerks, die Solidarität mit der Gesamtjudenheit erscheinen, brauche ich gerade Ihnen nicht zu wiederholen. Der Hinweis auf solche Aufgaben ist von mir seit jeher als eine wichtige Pflicht innerhalb der praktischen Tätigkeit des Rabbiners empfunden worden. Ich habe nach dieser Einsicht gehandelt, und nichts kann geschehen, um mich anderen Sinnes werden zu lassen.

Wenn ich dennoch die Aufforderung Ihres Briefes so verstehen soll, gerade jetzt in einer kritischen Zeit in der Betätigung einer solchen Gesinnung nicht zu erlahmen, so gehen unser beider Intentionen durchaus konform. Daß ich, wo immer ich Gelegenheit dazu habe, jüdische Probleme zu erörtern, dies in dem mir positiv und fruchtbar erscheinenden Sinne tue, ist ganz selbstverständlich. Ich weiß indessen nicht, ob Ihre Zeilen nicht noch mehr bezwecken, ob Ihnen mit der Förderung bestimmter Ideen Genüge geschieht, oder ob Sie von das ausdrückliche Eintreten und die propagandistische Bemühung für eine Partei erwarten. Dieses letztere würde ich für mich nicht für angängig betrachten. Es mag ein feiner Unterschied sein, aber es ist doch ein wirklicher starker und innerhalb der Gruppenrivalitäten gerade für den Rabbiner höchst bedeutsamer Unterschied, ob er sich für Ideen einsetzt oder expressis verbis für eine bestimmte Partei. Wie sich die Dinge bei uns zugespitzt haben, glaube ich dieses nicht tun zu sollen, wohl aber, wie gesagt, mich zum Fürsprech der meiner Überzeugung zusagenden jüdischen Gedanken und praktischen Ziele zu machen. Es muß wenigstens ein paar Leute geben, die bei ehrlichster und deutlichster Offenbarung ihrer Gesinnung vom Kampf Mann gegen Mann sich fernhalten.

Wenn der zweite Teil dieses Briefes überflüssig gewesen sein sollte, so verzeihen Sie mir in guter Freundschaft die Behelligung, daß Sie ihn lesen mußten.

Ich begrüße Sie mit Gut - Schabbat - Wünschen
in aufrichtiger Freundschaft

als Ihr sehr ergebener

(signed) M Wiener

but when Jews were barred from academic life in 1933, his hopes were dashed. His *magnum opus*, *Judaism in the Age of Emancipation* would have served as the obligatory second dissertation.[6] However, his appetite for the academic life was satisfied—at least partially—in another way.

In 1924, Julius Guttmann was invited to spend the spring semester at the Jewish Institute of Religion in New York, and Wiener, even while he was still rabbi in Stettin, was invited to replace him at the *Hochschule*. In June, he also gave a summer course for rabbis and teachers, six lectures on "Judah Halevi and Moses Maimonides as Religious Personalities," in which he, no doubt, juxtaposed the ardent faith of Halevi with Maimonides' sterile philosophical piety.[7] When Guttmann was invited to spend a year at the Hebrew Union College in Cincinnati, Wiener again took his place, giving a course on Saadia, and on Jewish philosophy in the nineteenth century.[8] When, after the Nazi regime was in power, Guttmann emigrated to Jerusalem, Wiener was appointed in 1935 as his successor, to teach "Philosophy of Religion, and the History of Jewish Philosophy within Judaism in its Relation to Systematic Philosophy and its History." As all professors at the *Hochschule*, Wiener was duty-bound to adhere to its statutes: to "deliver his lectures solely in the interest of the preservation, advancement and dissemination of the science of Judaism."[9] His students remember the clarity of his well-structured lectures, even at a time when Wiener had to divide his attention between the threatened Jewish community of Berlin and his academic life. One of his students remembers him arriving at the *Hochschule* directly from meetings with the Nazi authorities, yet delivering his lectures with the same power of concentration which always made such a deep impression on those who heard him.[10]

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[6]*"Habilitationsschrift."* On Wiener's hopes for his book, Alfred Jospe, interview by author, 22 April 1985, Washington, D.C., and Hans Liebeschütz, "Max Wiener: Die Theologie des Glaubensvolkes," chap. in *Von Georg Simmel zu Franz Rosenzweig: Studien zum jüdischen Denken im deutschen Kulturbereich* (Tübingen: J.C.B. Mohr [Paul Siebeck], 1970), 177. Liebeschütz was a colleague of Wiener's at the *Hochschule*.

[7]*BHWJ* 41 (1924), 2-3. The titles of the courses which Wiener gave in Guttmann's stead were very general: "Die wichtigsten Grundlagen des religiösen Lebens im Judentum mit anschließender Aussprache," and "Ausgewählte religionsphilosophische Texte mit Bezug auf die Vorlesung." (9)

[8]*BHWJ* 47 (1929).

[9]From Wiener's letter of appointment, November 1, 1935. AJA, Max Wiener File.

[10]Yehoshua Amir, "מקס ויינר ויצירתו." Introduction to the Hebrew translation of Wiener's 1933 book, הדת היהודית בתקופת האמנציפציה, trans. Leah Zegagi (Jerusalem: Mossad Bialik and Leo Baeck Institute, 1974), 8.

Wiener's appointment to the faculty of the *Hochschule* came at the time of the gradual dissolution of German Jewry. Synagogues and other Jewish institutions came to serve as havens in a hostile sea. "In *our* situation," Wiener wrote in a letter to an American colleague in 1938, "the synagogue has obtained an importance as it had not had for centuries; it has become a synagogue in the real sense of a 'house of gathering.'[11] We cannot say 'for how long,' but we know that it fulfills now a real task."[12] At the *Hochschule*, the ranks of students and auditors grew as Jews were expelled from German universities. It, too, became a refuge.

It was clear to those at the *Hochschule* that their lives in Germany were tenuous, and they sought to emigrate. The obstacles, as is well known, were daunting.[13] In most cases, prospective emigrés faced discriminatory immigration regulations, particularly the American immigration "quotas," administered by discriminatory officials. When Wiener applied to the American consulate in Berlin for a visa, the official in charge asked him: "Why do you want to emigrate? In five years the situation will be the same in America."[14]

In April of 1939, Wiener received a letter from Julian Morgenstern, the President of Hebrew Union College, extending a call to him as "Research Professor in Jewish Theology and Philosophy" at a salary of $1,800 per annum. It was accompanied by a second letter clarifying the first. The first, Morgenstern explained, was intended for Wiener's use at the consulate. The College, he continued,

> has collected a certain sum of money to be used for the purpose of enabling a number of outstanding Jewish scholars to come to America in a professional capacity outside the quota. It contemplates providing for these scholars for a period of two, or possibly even three, years in order that they may have time to

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[11]Wiener uses the Hebrew word for "synagogue," בית הכנסת.

[12]Max Wiener, Berlin, to William Rosenau, rabbi in Baltimore, 11 March 1938, AJA, William Rosenau File.

[13]A sizable historical literature has now been written on the policies and actions of those countries which might have offered a haven to the refugees from Germany. See, for example, Arthur D. Morse, *While Six Million Died, A Chronicle of American Apathy* (1964; reprint, Woodstock, New York: Overlook Press, 1983); and the work of David S. Wyman, *Paper Walls: America and the Refugee Crisis, 1938-1941* (Amherst: University of Massachusetts Press, 1968) and *The Abandonment of the Jews, America and the Holocaust* (New York: Pantheon, 1984).

[14]Michael Meyer, "The Refugee Scholars Project of the Hebrew Union College," in *A Bicentennial Festschrift for Jacob Rader Marcus*, edited by Bertram Wallace Korn (Waltham, Mass. and New York: American Jewish Historical Society and Ktav Publishing House,1976), 375, n. 41.

> adjust themselves to conditions here in America and find some permanent field of self-maintenance.[15]

Morgenstern explained that Wiener and his wife would be expected to live in the college's dormitory and to take their meals in its dining rooms, and that a corresponding sum would be deducted from his annual salary. In no case, the letter stipulated, did the College undertake any commitment to Wiener beyond the initial period of three years.

Wiener was one of eleven scholars whose flight from Nazi Germany the Hebrew Union College sought to expedite by circumventing the immigration quotas.[16] In the end, Wiener was able to obtain a visa by other means.[17] He had already accepted the invitation of a Reform congregation in Syracuse, New York to function as assistant rabbi. That invitation enabled him to enter the United States as a clergyman, exempt from the quota restrictions.[18] He never had the intention of remaining with the Syracuse congregation for very long, and the invitation by Hebrew Union College promised him a situation in which he could continue his own scholarly work. Hence, he accepted Morgenstern's invitation, responding to it in impeccable English on the day it arrived, and expressing his gratitude for the "beautiful" task offered to him.

Wiener arrived in New York on September 5th, 1939. While the Wieners were at sea, Hitler's armies had invaded Poland, and France and England had declared war on Germany. In a letter to Morgenstern the next day, Wiener ex-

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[15]Julian Morgenstern, Cincinnati, to Max Wiener, Berlin, April 6, 1939. AJA, Julian Morgenstern File.

[16]A complete account is given by Michael Meyer in the article cited above, n. 14.

[17]The experience of other members of the faculty of the *Hochschule* demonstrates that the use of Morgenstern's invitation would indeed have resulted in a delay. The immigration regulations of the United States allowed a professor of a foreign institution to circumvent the quotas in order to accept a position at an American institution *of equal niveau*. The Nazi regime, however, had demoted the *Hochschule*—a "college"—to *Lehranstalt*—an "academy." The American officials in Berlin allowed themselves to be guided by the regime's evaluation, according to which the "*Lehranstalt*" was not a genuine institution of higher learning, and its professors not genuine professors. Morgenstern's invitation to Arthur Spanier was rejected on the rationale that his call to the Hebrew Union College would thus have amounted to a promotion. (See Meyer, *op. cit.*, 364.) The last full-time member of the faculty, Alexander Guttmann, had to persuade the reluctant Secretary of the *Hochschule* to allow him to take along the original charter documenting the institution's *Hochschule* status to the Consulate, clearing the way for his passage to America. (Alexander Guttmann in conversation with the author, 8 July 1981, Neckarsteinach, Germany.) Spanier's application, however, was finally rejected by the State Department a second time because he had only been librarian at the *Hochschule*, and not professor. He perished in Bergen-Belsen.

[18]*Ibid.*, 367.

pressed his relief at having escaped just in time.[19] To satisfy the conditions of his visa, he took up his *pro forma* position as assistant rabbi in Syracuse, and waited until after the Jewish holidays to report to the College in Cincinnati.[20]

Wiener's adjustment to conditions in America was not easy, nor was his stay in Cincinnati happy. Morgenstern assigned him to courses in Mishnah and Talmud in the Preparatory Department of the College, for new students unfledged in rabbinic texts. He was never asked to teach in his own field. When Zwi Diesendruck died in 1940, leaving the chair in Jewish philosophy vacant, Wiener was not asked to teach in his stead. His pride did not allow him to seek the post actively, for, as he wrote to William Rosenau, a Baltimore rabbi and member of the College's Board of Governors, "my presence in C.[incinnati] could not be unknown."[21] It was a painful letter he sent to Rosenau:

> Without boasting I may say that this is the first letter I have written on my work. Till now I have done something without speaking of it. But I have the feeling that what was good in Europe is not good in America, and so I have to assimilate myself to the usual practice of this country. I am convinced that you will excuse me...[22]

Wiener listed his major publications and professional activities in Germany, and mentioned the manuscript of a book on "The Religion of Jewish Philosophers of Religion" left behind among his books in Berlin. Whether Rosenau then intervened is unknown. However, Wiener never lectured at the College on the subjects which he had taught at the *Hochschule*.

During his Cincinnati years, Wiener apparently preached occasionally on the High Holy Days, in German, presumably before a congregation of refugees.[23] On the eve of the New Year in 1941, while pondering the annihilation of European Jewry, Wiener reflected on the course of Jewish history in modern Germany, summing up in a sermon one of the messages of his scholarship. Because of their context, his words suggest a melancholy reprimand:

> Yet it was an error on our part that we believed that we had to be redeemed as individuals, and not as the nation (*Volk*) of the Jews. It was an error all the

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[19]Max Wiener, New York City, to Julian Morgenstern, 6 September 1939. AJA, Julian Morgenstern File.

[20]*Ibid.* and Max Wiener, Syracuse, New York, to Julian Morgenstern, 26 Sept. 1939, AJA, Julian Morgenstern File.

[21]Max Wiener, Cincinnati, to William Rosenau, 22 Sept. 1940, AJA, William Rosenau File.

[22]*Ibid.*

[23]LBIA 3760, nos. 21 and 22.

> more, since everyone else regarded us as such a group; only we ourselves did not.[24]

In 1941 the college found a pulpit for Wiener in West Virginia, where he was even less content. He found the congregation uncultured and uneducated. "This community," he wrote to Rosenau, "cannot be characterized as a Jewish congregation.... Each of my four predecessors left after a couple of months because they didn't feel well here."[25] One friend recalled that his congregation "knew that they had a scholar," but that Wiener was not the right rabbi for them.[26]

Wiener hoped to find some position in which he could once again become the lecturer, in which he could play the role of the rabbi-scholar in which he had prospered in Germany. He suggested to Rosenau that in a larger congregation he might be of use to the education department. Rosenau arranged an interview for him with another synagogue in West Virginia, but the salary would have been so low that Wiener withdrew. He never did find a niche in an American congregation.

One may only speculate on the reasons. Wiener himself, in letter which he wrote in English late in his life, and which perhaps can be seen as an autobiographical commentary, reflects on the differences between German Liberal Judaism and American Reform.[27] Although "Jewish religion never has developed metaphysical systems of its own," nonetheless, in Europe, and particularly in Germany, Jews were planted in fertile philosophical soil. They drew from it, and constructed their own theological systems. The situation was different in America:

> Well, 19th and even 20th century America make a poor showing as far as metaphysics on which a systematic theology could be established is concerned. American psychologism...is positively unfit to open the gates to the field of religion... Therefore, as the American Jews certainly have no deeper philosophical genius of their own than the German Jews had, and [since] there is no fertile soil outside the Pale in which Jewish love for speculation can strike root,

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[24]LBIA 3760, no. 22, p. 3.

[25]Max Wiener, Fairmont, West Virginia, to William Rosenau, Baltimore, 8 March 1942, AJA, William Rosenau File.

[26]Alfred Jospe, interview by author, 22 April 1985, Washington, D.C.

[27]Max Wiener, New York, to Alfred Jospe, 26 August 1947. After Dr. Jospe learned of my project, he was kind enough to search out this revealing letter and place it at my disposal. It is now in the Max Wiener Collection, LBIA.

> there cannot be an American Jewish theology. The consequence is that our German liberalism could not and cannot thrive in this country.[28]

Reform Judaism in America, Wiener continued, "is an affair without spiritual background. Religion coincides here completely with ethics."[29] This is an assessment borne perhaps of the frustration of a philosophically trained Liberal German rabbi who was uprooted and exiled to what seemed to him a metaphysical barrens.

However, there was a German congregation in America where Wiener could strike root. Hugo Hahn, rabbi of Congregation Habonim in New York City, brought Wiener there in 1943 as educator and "special rabbi." The congregation was an American outpost of German Liberal Judaism. Here Wiener spent his last years, living in an small apartment on the Upper West Side of Manhattan, serving as a teacher among the exiles. On the New Year and Day of Atonement, when the ranks of the worshippers swelled, Wiener and Hahn led two simultaneous services. But Wiener's main task consisted in transplanting to New York the program of adult education he had cultivated in Berlin. Each winter he gave a series of "Sunday Morning Lectures," delivered in German. One of these series was a course on the "History of the Relationship between the Christian Churches and the Jews." Another was a series of philosophical portraits of great Jewish thinkers. One of his "students" summarized his lectures regularly in the bulletin of the congregation. She was conscious that the Sunday Morning Lectures served as a surrogate for what these emigrés had irretrievably lost. The audience, she wrote, sensed that it was transported back to the Frankfurt *Lehrhaus* or the Berlin *Hochschule*.[30] Wiener was appreciated there; among the refugees he found refuge.

He continued his scholarly work, compelled to overcome the linguistic hurdle of writing in a new language. He published not a few articles in English, but for his last theological statement, an outline of Jewish theology, he reverted to German.[31] Among his papers is an extensive manuscript, in English, in which he elaborated upon the sketch of the thinking of the precursors of the Reform movement which he gave in his *Jewish Religion in the Age of Emancipation*.[32] When he died, his last book, a biography of Abraham Geiger and an anthology

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[28]*Ibid.*, 2-3.

[29]*Ibid.*, 4.

[30]Clara Karo, "Max Wiener als Dozent," *Bulletin Congregation Habonim*, n.d., in LBIA, Box AR-CZ 434/1822, No. 26.

[31]"Aufriß der jüdischen Theologie," 1943. See the *Chronological Bibliography*.

[32]Untitled manuscript, LBIA, Max Wiener File.

from his works, lay ready as a German manuscript. It was translated and published posthumously more than a decade later. But in his later years, his work was frequently interrupted by illness. When Leo Baeck visited him in New York, he found his old colleague ailing; in the summer of 1950, he passed away.

Hugo Hahn gave the eulogy. Wiener and he had often discussed the tendency towards simplicity in speech and in writing which Wiener had detected in himself as he grew older.[33] He no longer spoke over the heads of the congregation. But, Wiener knew that the congregation to which he could speak was vanishing, that its epoch was soon to become an historical epoch. In an anniversary tribute to Congregation Habonim he wrote, in the last year of his life: "We have become history, but true history is not only past, but also present and future."[34]

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Wiener leaves a legacy fraught with problems and paradoxes. The cornerstone of his religious thought is his understanding of revelation. To Wiener it discloses a realm which is inaccessible to human thought. It was this idea of an absolute disjunction between the human and the divine which drew him to Barth. "All human thinking," Wiener wrote, "is repelled at the barrier of divine unfathomability."[35] When revelation takes place, it is an act of divine self-communication, and the task of theology, as Wiener described it, is to interpret its content.[36]

This conception of revelation, borrowed from Dialectical Theology, brings the dialectical paradox of that school in its tow. Wiener does not confront the problematic side of this concept: in order for God to disclose Himself, in order for "divine self-communication" to transpire, the communication must be perceived by the human recipient. Yet, when that occurs, the light of divine "communication" is refracted in the prism of human knowledge, and thus becomes human. One must confront the gravity of this problem, for it calls into question whether the very content of revelation itself, which Wiener terms a divine gift, is not itself the product of human cognition. Divine revelation is distinct from all knowledge, but it becomes known to humankind, and yet does so without becoming knowledge.

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[33]"Worte der Trauer gesprochen an der Bahre von Rabbiner Dr. Max Wiener am 2. Juli 1950 von Rabbiner Dr. Hugo Hahn," LBIA, Box AR-CZ 434/1822, No. 29.

[34]"The Jews from Germany who Survived," in *Congregation Habonim, New York, N.Y., Anniversary Year Book* (New York, 1949), 16.

[35]See above, Part Two, 104.

[36]See above, Part Two, 105.

Wiener does not confront this paradox directly, althought it would be critical that he do so. The shortcoming is ironic, for the objections which Wiener himself raises against Steinheim's concept of revelation can be turned back upon Wiener himself! In Steinheim, Wiener pointed his finger at the interdependence of the concepts of rationality and irrationality, and hence of revelation, and argued that Steinheim, because he makes irrationality the "shibboleth" of revelation, remains himself a rationalist.[37]

This shortcoming is more than ironic, however; it is puzzling, because the paradox of revelation was confronted boldly and clearly in Wiener's generation by another thinker on whom Wiener is strangely silent: Franz Rosenzweig. Rosenzweig's essay "The Builders," shows that he had developed an understanding of Jewish law as an organic principle similar to Wiener's, of law as the backbone of Jewish life, of the "law of millennia, studied and lived, analyzed and rhapsodized, the law of the everyday and of the day of death, petty and yet sublime, sober and yet woven in legend; a law which knows both the fire of the Sabbath candle and that of the martyr's stake..."[38] At the same time, Rosenzweig was unambiguous on the connection between law and revelation. In an exchange of letters with Buber, in which Rosenzweig mentions Wiener explicitly and approvingly, Rosenzweig writes:

> Thus revelation is certainly not an act of law-giving; it is altogether merely—revelation. In and of itself it has only itself as content. At "He came down" the revelation is really already finished, at "He spoke" interpretation has already begun, to say nothing of at "I." But where does this "Interpretation" cease to be legitimate?...[39]

Rosenzweig, unlike Wiener, draws an unambiguous line of demarcation. Revelation itself is without content. It is mute, and only speaks when it is "interpreted." This line of demarcation is not blurred by talk of "divine self-communication," or of knowledge which originates "in another sphere." Only as interpreted, does "revelation" become "law."

Wiener's imprecision on this point left the way open for his eclectic conception of revelation. At times, his position is close to that of Rosenzweig's:

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[37]See above, 146.

[38]Nahum Glatzer, ed. and transl., *Franz Rosenzweig, His Life and Thought*, 2 ed., (New York: Schocken, 1961), 237-238.

[39]Grete Schaeder, *Martin Buber, Briefwechsel aus sieben Jahrzehnten*, (Heidelberg: Lambert Schneider, 1972), vol. 2, 223. On Rosenzweig's interpretation of the Decalogue, see Gershom Scholem, *On the Kabbalah and its Symbolism* (New York: Schocken, 1965), 30, n. 3.

"Silence is the language which the 'here' speaks of the 'yonder.'"[40] Revelation is the unutterable experience of being "touched" by God, an experience which the prophets had. We of later generations can only experience an intimation of this "immediacy," but we *can* experience it.

At other times, however, it is clear that for Wiener the Bible is *the* document of the experience of revelation. This points to another paradox in his life and thought. Wiener espouses the historical-critical approach to the Biblical text. He thus assumes that it is the historical record of human life, the product of historical circumstance, and that its meaning is therefore accessible to human knowledge. At the same time, however, Wiener takes the narrative of the Biblical text as the narrative of revelation, which is the "self-communication" of God. It is an "extraordinary" knowledge. It establishes the election of the Jewish people as partners to the covenant and does so with an authority that is immune to historical relativization. Wiener must attempt to reconcile these two contradictory standpoints.

Among his writings there is only one essay in which Wiener addresses this paradox directly and explicitly. Entitled "Belief in Revelation in the Light of Biblical Criticism," it is the address which he gave at the World Congress of Progressive Judaism in 1926.[41] The title itself acknowledges the tension between belief in the two, and the address shows not only how Wiener would resolve this paradox, but also how revelation, *halakhah* and Jewish nationalism are interrelated in his thinking. In it, it is apparent that, for Wiener, belief in revelation is modified in religious liberalism, referring not so much to the revelation *of* the "word," as to revelation *to* the human spirit, in "inspiration."[42] He argues, as he did in "Jewish Piety and Religious Dogma," that there is no qualitative difference between religious "inspiration" in a Biblical prophet and religious inspiration in a Berlin Jew. If we moderns did not have some intimation of the divine, we would be unable even to recognize the divine quality of Biblical prophecy.[43] If revelation is defined in this way, then Scripture can be regarded as the literary precipitate of an *experience* of which we too are capable. It is only a literary "tradition." The experience of revelation, and not the tradition about it, is the authority. Hence, Wiener can say that Biblical criticism touches only tradition, which is, in turn, only the sheath in which the *experience* is encased.

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[40]See above, Part Two, 78 and following.

[41]"Der Offenbarungsglaube im Lichte der Bibelkritik," in *World Union for Progressive Judaism. Die erste Weltkonferenz* (Berlin, 1926), 27-32, 97-98.

[42]*Ibid.*, 28.

[43]*Ibid.*

> If it is clear that revelation is nothing which, in a genuine sense, can be communicated or conveyed, that, in its more or less precise expression, we are really able to...interpret our own ... lived-experiences of the divine, and if it is clear that the prophet's religious inspiration can never, if we are lacking in it, take the place of our own, then we can approach Scripture with complete freedom.[44]

This stance is a radical rejection of the authority of tradition. It is anti-Rabbinic. It provides a philosophical basis for the rejection of the halakhic tradition which Wiener had presented as the "fixed form" encompassing the the collective life of Judaism. But he recognizes that where the halakhic framework has been dismantled, religious anarchy can result. Wiener is himself a symptom of the post-halakhic age he diagnoses in his book, and he too seeks a surrogate for the lost authority of *halakhah*.

His very problematic principle of religious authority is the "*Volk*," the Jewish people, not as a principle of halakhic authority, but, so to speak, as a theological "fact." He argues that Liberal or Reform Judaism, when it foreswears fidelity to the tradition of Jewish observance, should stress this theological "fact," the national character of Judaism, not less, but more. Wiener told the 1926 congress:

> As Liberal Jews, therefore, we have a double obligation to cultivate those bonds which are given us by the natural community of the Jewish nation (*Stamm*) with particular care and love.[45]

Where Jewish tradition no longer has the same binding power as it does in more traditional circles, Jewish nationalism must take its place.

In these arguments, the schematic character of Wiener's conception of Jewish law comes to the surface. Although he could write sympathetically and movingly of the ethos of the traditional Jewish life of halakhic observance, his understanding of Jewish law is rigid, and does not allow for the possibility of a rejuvenation of Jewish observance in the 20th century. As the historian of the Emancipation period, he truly did believe that the halakhic way of life was defunct. His was, as I have shown, a romantic conception of modern Jewish history. While his understanding of the demise of *halakhah* was a fruitful interpretive tool, it led Wiener to this pronounced tension in his thought, a rigid bifurcation between "halakhah" and "nation." Where fidelity to *halakhah* slackens, nationalism must supplant it.

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[44]*Ibid.*, 30

[45]*Ibid.*

Two essays which Wiener wrote after his flight to the United States show that this tension persisted for the rest of his life. The tragedy and devastation wrought by the glorification of nationalism in Nazi Germany did not occasion a rethinking of the role of nationalism in his own theology. In an essay on "Jewish Nationalism and Religiosity," written in 1945, Wiener invokes the same conception of the Jewish "tribe"—he is undoubtedly translating the German "*Stamm*"—as the organic coalescence of all the elements of national life which figured so largely in his thinking in the 1920's and 30's.[46] He writes for an age in which he considers it "extremely unlikely that...unquestioning acceptance of authority, repugnant to the modern mode of thinking, can be revitalized."[47] In a sermon in the 1940's, he voiced the opinion that there was no prospect of a revival of "Torah-true" Judaism, and doubts that any of the contemporary attempts by Reform rabbis to compile a Reform *Shulhan Aruch* could lead to success.[48] Since, to Wiener's thinking, *halakhah* is defunct, the principal task of Jewish education will then lie in the cultivation of that national spirit which must take its place.[49]

In these mature reflections, the problematic conflict at the core of Wiener's position is clearly visible. Here Jewish nationality seems cut loose from the nexus of *halakhah*, revelation, and nationhood. He takes this tack, perhaps more in his calling as a rabbi than as a theologian, in order to deliver a challenge to Jewish education. Yet when he does so, whether in this context or in his essays of the Weimar years, he obscures his positive contribution to liberal Jewish thought: in Germany, as in his American exile, he cast aside preponderant Reform doctrine by declaring that, for Liberal or Reform Judaism too, Judaism remains a religion of law, that its legal character is not its stigma, but its strength, and that it is in the belief in the revelation of *halakhah*, of a Jewish way of life, to a particular people, that the Jewish nation itself is defined. That is his "metaphysical-historical irrationalism." Had he remained a faithful disciple of Hermann Cohen, he would never have arrived at this insight. The advance of the Zionist movement, however, awakened him from his Cohenian slumbers, and in so doing, made Wiener into a prescient religious thinker, who, while belonging to a branch of German Judaism which had elevated anti-Zionism to an "article of faith," understood the importance of Zionist aspirations a generation before historical events made their importance unmistakable.

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[46]Max Wiener, "Jewish Nationalism and Religiosity," *The Jewish Review* 3 (1945), 187-206.

[47]*Ibid.*

[48]LBIA 3760, No. 19.

[49]"Jewish Nationalism and Religiosity," 189.

Towards the end of his life, Wiener tried his hand once more at the construction of a Jewish theology.[50] Since the 1920's and 30's, his thinking had changed in neither substance nor style. In a kind of summation, he speaks of the "nation" and its history as the framework of any Jewish theology, and states with clarity that the spiritual cohesion of the group is founded upon a common faith in the Biblical covenant, and not in that "fact," or assumed fact, of a common "natural" origin.[51] Israel is made partner to this covenant not in some inarticulate event of "inspiration," but in the collective experience of God, in the age of prophecy, as law-giver. Here, toward the end of his career, Wiener acknowledges, in a weighty phrase which only lightly veils the gravity of the problem, that there is some difficulty in reconciling two ideas: that of a community based on spiritual cohesion, a covenant community, and that of a community based on natural origin, an ethnic community.[52] These two disparate conceptions accompanied Wiener into exile, the dual legacy of Hermann Cohen on the one hand and of neo-Romantic nationalism on the other. Wiener never reconciled them, and the tension between them troubles Judaism still.

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[50]"Aufriß einer jüdischen Theologie," *HUCA* 18 (1943): 353-396.

[51]*Ibid.*, 376.

[52]Wiener terms the former *Gesinnungsgemeinschaft* and the latter *Volksgemeinschaft*. *Ibid.*

*In a Cincinnati park*
*(Courtesy of the Leo Baeck Institute New York)*

*Appendix: Hermann Cohen's Letter of Reference on Wiener's Candidacy for the Faculty of the* Hochschule für die Wissenschaft des Judentums

Zum Vorschlag des Lehrerkollegiums für Dr. Wiener
bin ich in der Lage mich "schleunig" gutachtlich zu äußern, da leider sehr wenig von Dr. W. vorliegt. Die Schrift über den Prophetismus ist unter meiner sehr eingehenden mehrmaligen Korrektur des ersten Entwurfes zu Stande gekommen. Dieser litt an einer sehr bedenklichen Unreife, da er ganz die Befangenheit der protestantischen Bibelkritik teilte. Dr. W. hat dies eingesehen, & so ist erfreulicherweise ein anderer Geist in die Schrift gekommen, die dennoch von jener Seite anerkannt worden ist. Ich würde dies nicht erwähnen, wenn es nicht charakteristisch wäre für die Unfertigkeit dieses jungen, mir sehr sympathischen Mannes in seiner Entwickelung. Nun ist gerade in voriger Woche ein Aufsatz von 14 Seiten in der Zeitschrift für Religion & Geisteskultur, Jahrg. 6, Heft 1 erschienen, der dieselbe sehr bedenkliche Unreife in philosophischer Hinsicht unverkennbar macht. Bei mündlicher Auseinandersetzung könnte ich dies klarstellen, schriftlich erfordert es eine größere Auseinandersetzung. Es zeigt sich bei ihm noch Unklarheit über das Verhältnis der Religionsgeschichte & Religionpsychologie zur systematischen Religionsphilosophie. Ich verweise hierfür besonders auf S. 11. Ich kann aber Niemand unsere Religionsphilosophie anvertrauen, der nicht zu einer vollen Klarheit sich durchgerungen hat über das Verhältnis der Religionsphilosophie zur Ethik. Was übrigens den Freimut betrifft, so läßt dieser nichts zu wünschen übrig. Was ich vermisse, ist die Abgeklärtheit & ruhige Einsicht in der methodischen Behandlung dieses schwierigen Problems.

Ich möchte den jungen Mann durchaus nicht fallenlassen. Ich habe ihm in voller Offenheit meine Bedenken mitgeteilt, als er mich vorgestern hier besuchte. Er ist vielleicht auf gutem Wege, wenn man ihm Zeit & Ruhe läßt sich zu entwickeln. Aber so lange er noch nicht über die Methodik im Klaren ist, die er bei dem Entwurf seiner Vorlesungen zu befolgen hat, kann ich nicht dazu raten, ihm dieses verantwortungsvollste Amt schon jetzt anzuvertrauen. Wir haben für diesen Stuhl mehr als für jeden anderen vor der ganzen gebildeten Welt die größte Verantwortung. Ich kann nicht einsehen, warum wir bei dieser unserer Notlage in diesem Fache gerade mit der Besetzung dieses Stuhles so sehr eilen wollen, daß wir Jemand für ihn berufen wollten, von dem nicht nur keine

Leistungen vorliegen, sondern dessen Proben dem Fachmann, der objektiv urteilt, schwere Bedenken erregen. Ich wiederhole: wenn Dr. W. ohne Hast & nicht nur in einem kurzen Entwurf arbeiten & publicieren wird, so will ich gar nicht an seiner künftigen Würdigkeit zweifeln. Ich habe aber in meiner langjährigen Wirksamkeit öfter die Erfahrung gemacht, wenn ich mich von Schülern nicht habe drängen lassen, daß sie es mir später gedankt haben, & daß sie nur durch die Forderung sichererer Gründlichkeit zu reifen Leistungen gekommen sind. Diese Vorsicht gilt schon für den Privatdocenten, geschweige für die große ordentliche Professur, um die es hier sich handelt. Ich kann nicht anders, ich habe für diese Frage die volle Verantwortlichkeit des Sachverständigen: ich rate zur Vorsicht, & nicht zur Eile.

H. Cohen 1/2 12 [1 Februar 1912]

*Translation*

On Dr. Wiener's nomination by the faculty

I am able to provide a letter of reference "quickly," because, unfortunately, Dr. W. has published very little. His book on prophecy came into being only after the first draft had been quite thoroughly revised several times by me. The draft suffered from a very worrisome lack of maturity, in that it shared the biases of Protestant Biblical criticism. Dr. W. acknowledged this, and thus, to my delight, a different spirit entered into the book, which nevertheless has earned recognition by Protestant Bible scholars as well. I would not mention this if it were not characteristic of the incomplete development of this likable young man. Just last week a 14 page essay appeared in the *Zeitschrift für Religion und Geisteskultur*, Vol. 6, No. 1, in which the same worrisome lack of maturity is evident, in this case with regard to philosophy. In conversation I could make this clear; in writing it would require a longer discussion. It is apparent that he does not yet possess clarity on the relationship of the history of and the psychology of religion to systematic philosophy of religion. I refer in particular to p. 11. I cannot, however, entrust our Philosophy of Religion to anyone who has not achieved perfect clarity about the relationship of philosophy of religion to ethics. As far as his independence of mind is concerned, there is nothing left to be desired. What I miss is detachment and calm judgment in treating this difficult problem.

I certainly do not wish to let the young man fall by the wayside. I informed him of my reservations quite candidly when he visited me here two days ago. He may be on the right track if he has the time and tranquility to develop. However, as long as he is not clear about the methodology he must follow in designing his courses, I cannot recommend entrusting him with this most responsible of positions at this time. For this chair we bear the greatest responsi-

bility in the eyes of the civilized world, more than for any other. I cannot understand why, given the dire situation in this field, we should be in such a hurry to fill this position that we would appoint someone who not only has no accomplishments to show for himself, but who also evokes serious reservations from the expert in an objective assessment of a sampling of his work. I repeat: if Dr. W. does not work in haste and publishes more than brief sketches, then I would not doubt that he would be qualified some time in the future. In the many years of my professional work, however, I have often observed that if I do not allow myself to be pressured by students, they have been grateful to me for it later, and that they have then been able to produce mature work only when a solid foundation was demanded of them. Such caution is appropriate in the case of a lecturer; how much more so for the important professorship which is at stake here. I can do no other! In this question I bear the full responsibility of the expert: I counsel caution, not haste.

(signed)
H. Cohen, 1 February 1912

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