

The “Hebrew Law Society” and the Emergence of Hebrew-Nationalism in the Early 20th-Century Russian Empire¹

Mordechai Zalkin

On Saturday evening, December 29, 1917, about two months after the political, social, and cultural “earthquake” that the Bolshevik revolution brought about, the “Jewish Law society” was founded in Moscow. In a hall next to the local synagogue, a small group of lawyers, rabbis, intellectuals, and Jewish public figures, who saw the study of Jewish law as a crucial stage in the process of the cultural-national revival of the Jewish people, took advantage of this unexpected historic moment and made the first step in order to realize their vision.² However, despite the many years since the founding of this association, and the growing interest in the study of Jewish law, this society has not received appropriate attention in historical research. Yet, in this article I do not intend to review the history of this association at length but rather to examine the background and reasons for its appearance and establishment at that time and place.

Why Moscow? Why 1917? Could not the founding fathers of the “Hebrew Law Society” have found a better and more appropriate venue to embark on the long journey of the modern study of Jewish law? Why did they not choose to place the new center for the study of Jewish law in one of the important Jewish cultural centers in then-contemporary Europe, such as Warsaw, Vilnius, Berlin, or Odessa? In order to answer these questions, one must reexamine

- 1 An expanded version of a lecture at the “Jewish Law Society 20th International Conference – 100 Years of the Jewish Law Movement,” Moscow 2018.
- 2 Samuel Eisenstadt, “Ha-Asefa Ha-Meyasedet shel Ha-Hevra Ha-Mada‘it ‘Ha-Mishpat Ha-Ivri’ Be-Moskva,” *Ha-Am*, January 10, 1918, pp. 28–29; idem, “Le-Toledot Hevrat ‘Ha-Mishpat Ha-Ivri,’” *Ha-Mishpat* 2 (1927): 220–22.

the processes of cultural, social, and political change that Jewish society in the Russian Empire underwent during the nineteenth century.³

Alongside the great wave of Jewish emigration from Eastern Europe to the “New World,” we witness, during the last decades of the nineteenth century, the emergence of new “Hebrew-nationalist” trends among various social and intellectual Jewish circles in the Russian Empire. These trends should be seen against the backdrop of the formation of a Jewish civil society,⁴ the spread of national revival ideas among different local ethnic groups,⁵ and the subterranean Hebrew cultural currents, prevalent for almost a century in various circles, not necessarily religious, of the Jewish society in the Russian Empire.⁶ However, contrary to the Zionist narrative, which viewed nationalism as the basis and an initial stage on the way to the establishment of a Jewish nation-state, whether through the ideology of “Practical Zionism,” or through the other faction, known as “Spiritual Zionism,” among wide circles of this society this concept was not necessarily linked to the idea of territorial independence in the form of a nation-state.⁷ Due to the dominance of the Zionist narrative, this trend was marginalized in the collective historical memory, and therefore did not receive significant attention in the historiography of Russian Jewry.

The then-contemporary public debate on the proper solution to what was known as the “Jewish Question” was characterized by great diversity. Unlike those who were trying to preserve the traditional Jewish way of life and the religious culture that accompanied it, and those, like historian Mikhail Gershenzon,⁸ who nurtured the idea of full cultural integration into

3 For a general discussion see Brian Horowitz, *Empire Jews: Jewish Nationalism and Acculturation in 19th- and Early 20th-Century Russia* (Bloomington: Indiana University Press, 2009).

4 Vladimir Levin, *From Revolution to War, Jewish Politics in Russia, 1907–1914* (Jerusalem: Zalman Shazar Center for Jewish History, 2016), 404–23 (Hebrew).

5 Miroslav Hroch, *Social Preconditions of National Revival in Europe* (Cambridge: Cambridge University Press, 1985).

6 See Abraham Levinson, *The Hebrew Movement in the Diaspora* (Warsaw: Brith Ivrit Olamith, 1935).

7 For a detailed discussion see Dmitry Shumsky, *Beyond the Nation-State: The Zionist Political Imagination from Pinsker to Ben-Gurion* (New Haven: Yale University Press, 2018).

8 Brian Horowitz, “Jewish Identity and Russian Culture: The Case of M. O. Gershenzon,” *Nationalities Papers* 25 (1997): 699–713.

the surrounding society, for many local Jews the sense of need for change and renewal, accumulated over a period of half a century, was manifested through a unique interpretation of the concept of nationalism. Nationalism, in these circles, was understood as a process of reshaping the cultural environment of the local Jewish society, without referring to the question of the geopolitical space in which the process of change will take place.⁹ For some among them, the focus of the process of cultural change had to be in the linguistic arena, mainly by the revival of the Yiddish culture,¹⁰ while, for others, it entailed placing "Hebrewness" at the center of the Jew's cultural arena. Among the latter were, for instance, Lazar Nisselovitch, a graduate of the Law Faculty of St. Petersburg University and a jury attorney of the St. Petersburg Court of Justice,¹¹ and Henrik Sliozberg, one of the most prominent Jewish lawyers in Russia, who argued that "I am a nationalist but I am not a Zionist. Nationalism is not necessarily limited to a territorial expression."¹² In the local Jewish-Russian context, this trend was manifested, primarily, in the fields of Hebrew language,¹³ Hebrew literature, and Jewish education. Thus, already in the first decade of the twentieth century, the association "Hovevei Sefat Ever" [lovers of the Hebrew language]¹⁴ was officially established,¹⁵ which a few years later was transformed into the Zionist orientated Hebrew "Tarbut" education network.¹⁶ This cultural trend gained further momentum with the establishment of the Hebrew Law Society in late 1917, some of whose founders were also among the founders of the above-mentioned "Tarbut"

9 For a comprehensive discussion see Horowitz, *Empire Jews*.

10 See Emanuel S. Goldsmith, *Architects of Yiddishism at the Beginning of the Twentieth Century: A Study in Jewish Cultural History* (Rutherford, N.J.: Fairleigh Dickinson University Press, 1976).

11 On him see Levin, *From Revolution*; Judah Solodoha, "About the Language Issue in the Technion in Haifa," *Ha-Zfirah*, December 17, 1913.

12 *Darkenu* (Odessa: Hovevei Sefat Ever, 1917), 95 (Hebrew).

13 Israel Bartal, "From Traditional Bilingualism to National Monolingualism," in *Hebrew in Ashkenaz: A Language in Exile*, ed. Lewis Glinert (Oxford: Oxford University Press, 1993), 141–50.

14 Shmuel Eisenstadt, *Our Living Hebrew Language* (Tel Aviv: Tekuma, 1967), 99–101 (Hebrew).

15 See Va'ad Agudat Hovevei Sefat Ever, *Yedi'ot Ha-Va'ad* (St. Petersburg: Agudat Hovevei Sefat Ever, October 1908); n.a., *Takanot* (Warsaw: Starowolsky, 1909); Levinson, *Hebrew Movement*, 11.

16 Levinson, *Hebrew Movement*, 36.

education network. Thus, for instance, in his talk in the founding conference of “Tarbut” in Poland, convened in January 1922 in Warsaw, Dr. David Levin, the former general director of this organization in Moscow, placed the Hebrew language as the main constructive principle of modern Jewish education.¹⁷

What was the background of this phenomenon, in its various social, cultural, and political aspects? Who were the people behind this trend? Did they share a common cultural background? What was their connection to the local Jewish enlightenment circles and its ideology?¹⁸ Did they share a similar political, religious, and cultural worldview? Why did this phenomenon take place mainly in the empire’s big cities, such as Odessa, Moscow, and St. Petersburg, and not in the major Jewish demographic centers located in the empire’s Northwest regions? The answers to these questions may enable a better understanding of both the phenomenon of “New Hebrewness” in the Russian empire during this period, as well as the motives and the processes behind the establishment of the Hebrew Law Society.

Undoubtedly, the most striking expression of the above-mentioned cultural-national trend was, primarily, in the educational sphere. The roots of this trend in the Russian empire can be discerned already at the beginning of the nineteenth century with the appearance of the early modern Jewish schools.¹⁹ However, while in the German and Galician regions this was a limited and short-lived phenomenon, in the Pale of Settlement on the other hand, and especially in the Jewish-Lithuanian cultural sphere, this modern school system expanded rapidly and became an inherent part of the local cultural and social Jewish life. Within a relatively short period, these schools were the most important expression of the cultural transformation and the processes of modernization undergone by various groups of the local Jewish society. The transition from the “Heder,” or from the private home schooling, to modern school, was, of course, not just an organizational move but also a significant expression of the cultural transformation undergone by the **parents** of the young students. In addition to the desire to shape their children’s cultural

17 David Levin, “On the Scope and Form of Organization of ‘Tarbut,’” *Tarbut* 1 (1922): 116–25.

18 On this see Mordechai Zalkin, *A New Dawn, the Jewish Enlightenment in the Russian Empire – Social Aspects* (Jerusalem: Magnes Press, 2000) (Hebrew).

19 Eliyana Adler, *In Her Hands: The Education of Jewish Girls in Tsarist Russia* (Detroit: Wayne State University Press, 2011); Mordechai Zalkin, *Modernizing Jewish Education in Nineteenth Century Eastern Europe* (Leiden: Brill, 2016).

world in light of the principles of European Enlightenment, this step was also a sort of public declaration of the cultural worldview of the entire family. These thousands of parents, who have adopted this new cultural worldview, have actually created a new socio-cultural environment that constantly fed itself, and served as the basis for the expansion of the modern Jewish school system. As we have learned from studies of this phenomenon, by the end of the nineteenth century thousands of Jewish students attended these schools, along with an increasing number of Jewish students who attended public schools, gymnasiums,²⁰ and universities.²¹

However, although many of these educational systems defined themselves, explicitly or implicitly, as nationalist, it was a type of nationalism that was not directed at a nation-state. The prevailing perception among these circles did not negate the idea of emigration, either to Palestine or to other destinations, but did not attribute any ideological significance to it. This attitude was expressed, for example, in the collection "*Darkenu*" [Our Way], published in Odessa in 1917, devoted entirely to the question of the essence of national Jewish education. In his article "National Education," published in this collection, philanthropist Hillel Zlatopolsky (1868–1932)²² argued that national education means "an education that fits the requirements of pedagogy... education beneficial to the entire nation. The goal of national education is to contribute to the continued existence and prosperity of the Jewish people."²³ What is absent from this educational conception is, of course, the Zionist-oriented national component. In other words, despite his deep involvement in the Zionist project, Zlatopolsky, like many members of his circle, interpreted the concept of nationalism more broadly than was common among the circles of what was known as "Practical Zionism." The effects of this educational system went far beyond the immediate educational field. Many of its graduates became prominent activists in different public Jewish organizations in the Russian Empire, such as "The Society for the

20 Alex Valdman, "The Making of Jewish-Russian Intelligentsia: Jewish Pupils and Students in the Late Nineteenth-Century Russian Empire" (Ph.D. diss., Ben-Gurion University, 2017) (Hebrew).

21 Benjamin Nathans, *Beyond the Pale: The Jewish Encounter with Late Imperial Russia* (Berkeley: University of California Press, 2002).

22 On him see Moshe Glickson, *Kitvey M. Glickson* (Tel-Aviv: Devir, 1940), 231–37; David Smilanski, *Im Bnei Dori* (Tel Aviv: Yedidim, 1942), 175–78.

23 *Darkenu*, Odessa 1917.

Dissemination of the Enlightenment in Russia,"²⁴ "Hevrat Mekize Nirdamim,"²⁵ ORT,²⁶ OZE,²⁷ and others.

This trend was also developed against the emergence of the so-called "new Hebrew culture." This phenomenon was manifested already in the first half of the nineteenth century by the emergence of a huge volume of Hebrew literature and poetry, such as the writings of Abraham Mapu, Adam Hakohen, Micha Yosef Levenson, Yehuda Leib Gordon, and others.²⁸ Another important and significant aspect of this new phenomenon was the Hebrew press, which was first published in Eastern Europe in the late 1850s. Due to its large circulation, the frequency and continuity of its appearance, and no less because it was intended for a wide readership, for which it also served as a new platform for (almost) uncensored public discourse, this press's contribution to shaping the consciousness of "Hebrewness" was much more significant than that of modern Hebrew literature.²⁹ The main purpose of these Hebrew newspapers and journal was, as defined by Shaul Pinhas Rabinovitch, "To unite all parts of the nation for the purpose of renewing the spirit of the nation itself, to find our salvation – within us."³⁰ In other words, to create a non-ideological and non-partisan unified Hebrew cultural infrastructure, which will serve Jewish society as a whole. However, contrary to the common Zionist historical narrative, the process of reshaping the Jewish cultural space was conditioned not by the popularity and the wide circulation of Hebrew literature and poetry but primarily by the modern Jewish education system that, by its very existence, created the potential

24 Brian Horwitz, *Jewish Philanthropy and Enlightenment in Late Tsarist Russia* (Seattle: University of Washington Press, 2008).

25 On this society, see Shulamit Elizur, ed., *From Oblivion to the Bookshelf, the 150th Anniversary of Mekize Nirdamim* (Jerusalem: Magnes, 2013) (Hebrew).

26 Leon Shapiro, *The History of ORT: A Jewish Movement for Social Change* (New York: Schocken Books, 1980), 53–70.

27 Mikhail Beizer, "'Que le Juif courbé redresse l'échine': la naissance de l'OZE en Russie 1912-1917," in *L'oeuvre de secours aux enfants et les populations juives au XXe siècle*, ed. Laura Hobson Faure et al. (Paris: Armand Colin, 2014), 24–45.

28 See Israel Bartal, "Heritage and Rebellion: Hebrew Literature in the Russian Empire," in *History of the Jews in Russia*, ed. Ilia Lurie (Jerusalem: Zalman Shazar Center for Jewish History, 2012), 2: 305–32 (Hebrew).

29 Gideon Kouts, *The Hebrew and Jewish Press in Europe* (Saint-Denis: Suger Press, 2006).

30 Shaul Pinhas Rabinovitch, "Petach Davar," *Kneset Yisrael* 1 (1886): xv.

readership both in term of expanding its students' cultural horizons as well as by providing them with the necessary linguistic skills.³¹ Since the cultural horizons and the linguistic skills of the vast majority of the graduates of the Heder were very limited, to say the least,³² without this modern educational system the potential audience of these presses, literature, and poetry was narrow and limited, and their authors would remain, in a sense, as "a voice in the desert." In a broader perspective, the combination of these two systems, the educational and the cultural, has fundamentally transformed the social and cultural structure of contemporary Jewish society. In this process, a society that was divided between a small elitist intellectual group with free access to the treasures of Jewish culture, and the masses which were denied almost any possible access to these treasures, was transformed into a society that provided its young members, regardless of class or gender distinction, the basic tools and skills to enjoy these spiritual and cultural treasures, as well as to use them in order to promote their professional career and social status.³³ This tectonic change, which rightly resembles Martin Luther's mid-sixteenth century religious revolution, as well as his most famous slogan "Sola Scriptura" ["By the book"], was the main cause of the expanding split in contemporary Jewish society between conservatives and modernists. This split, which was commonly attributed to the conflict between the traditionalists and the Reform movement's worldview, began, largely, here, in this educational system, and stemmed from the fear of the traditional rabbinical elite of losing its exclusive control over the norms, the values, and the lifestyle of contemporary Jewish society.³⁴

The third source of this "Hebrewness" was, of course, the ideology of nationalism and its institutional expressions that were prevalent in Europe during this century, and in the present case, the "Hibbat Zion" and the Zionist movements. The popularity of these movements in the Jewish street should be largely attributed to those who placed this issue at the center of the Jewish

31 Iris Parush, *Reading Jewish Women: Marginality and Modernization in Nineteenth-Century Eastern European Jewish Society* (Waltham, MA: Brandeis University Press, 2004).

32 Zalkin, *Modernizing Jewish Education*, ch. 1.

33 Mordechai Zalkin, "Isaac Rumsh – Between 'Educating the Periphery' and 'Peripheral Education'," in *Old World—New People: Jewish Communities in the Age of Modernization* (Beer Sheva: Ben-Gurion University of the Negev, 2005), 185–213 (Hebrew).

34 Zalkin, *Modernizing Jewish Education*, 72–77.

public discourse, mainly through the above-mentioned Hebrew press. These newspapers served, from early 1860s, as the main platform of the Jewish public ideological discourse.³⁵ One of the most prominent and significant figures that took part in this discourse was David Gordon, a journalist and the editor of the newspaper "Ha-Maggid," who for many years devoted extensive space in his newspaper to an exhaustive discussion on the "Jewish national question."³⁶ Thus, by the end of the nineteenth century, we witness a process in which growing groups within the Jewish society in Europe, especially in the eastern part of the continent, adopted and internalized the concept of "Hebrewness." A Jewish family whose children attended a Jewish modern school; that in her home the best Modern Hebrew literature, as well as Hebrew newspapers such as "Hamelitz" or "Hazfira" could be found, and its members visited a Hebrew theatre,³⁷ was a common phenomenon.³⁸

Following the above-mentioned process, more and more young Jews who were educated in the traditional Jewish education system, some of whom even studied for a few years in a Yeshiva, discovered the academic world, with all the cultural and social implications that accompanied it. Among this group, which can be considered as "the Russian Jewish Hebrew Intelligentsia," were, for example, intellectuals such as historian Simon Dubnow, journalist Judah Leib Kantor and linguist Israel Abraham Rabin,³⁹ as well as Rabbis Jacob Mazzeh and Chaim Tshernowitz.⁴⁰ This was also the background for the new phenomenon of Jewish jurists in this area. Indeed, as far as traditional Jewish society was concerned, the legal field was particularly sensitive, mainly because

35 David Tal, *J. L. Kantor: Pioneer of the Daily Hebrew Press* (Tel Aviv: Ha-Kibbutz Ha-Meuchad, 2011) (Hebrew).

36 Yosef Salmon, "David Gordon and 'Ha-Maggid': Changing Attitudes Toward Jewish Nationalism, 1860–1882," *Modern Judaism* 17 (1997): 109–24.

37 See Hillel Kazovsky, "Art, Music and Theatre in the National Culture of Russian Jewry," in *History of the Jews in Russia*, ed. Ilia Lurie (Jerusalem: Zalman Shazar Center for Jewish History, 2012), 2: 376–406.

38 Mordechai Zalkin, "Tradition, Enlightenment and Democracy in 19th century East European Jewish Society," in *In the Democratic Way: On the Historical Sources of the Israeli Democracy*, ed. Allon Gal et al. (Sedeh-Boker: Ben-Gurion Research Institute, 2012), 133–52.

39 On him see Ester Rabin, *Schattenbilder* (Givatayim: Massada, 1975) (Hebrew).

40 See Zeev Gries, "Zionism, Nationality and Religion in the Writings of 'Rav Tzair,'" in *Jewish Thought and Jewish Belief*, ed. Daniel J. Lasker (Beer-Sheva: Ben-Gurion University Press, 2012), 191–247.

of the traditional perception of the Halakha as the only legitimate legal canon, which also forms one of the most important demarcation lines between the Jewish society and the surrounding world. At the same time, the non-Jewish society, and in this case the Russian authorities, whose willingness to allow the young Jewish intelligentsia to integrate into the political, administrative and legal systems was extremely limited, to say the least, hardly allowed Jews to act within its judicial system, either as lawyers and obviously not as judges. Indeed, when we examine the process of integration of Jews into various fields of higher education in the Russian empire, it is most evident that the field of law was one of the last among them.⁴¹ Although Jewish students were admitted to law faculties in Russian universities as early as the beginning of the nineteenth century, in practice they were prevented from practicing this profession in state courts until after the reforms initiated by Tsar Alexander II in early 1860s.⁴² However, despite these obstacles, quite a few young talented Jews studied law in various local institutions with the intention of integrating into this field when possible. Among those who studied law at the universities of St. Petersburg, Moscow, Odessa and Kiev, were, for example, Oscar Gruzenberg,⁴³ Rabbi Jacob Mazzeh⁴⁴ and Arnold Margolin,⁴⁵ all known for their role in defending Mendel Beilis in the blood libel case that took place in Kiev in September 1913, as well as the famous lawyers, at least in the history of Russian Jewry, Maksim Vinaver⁴⁶ and Henrik Sliozberg.⁴⁷ Only by the last quarter of the nineteenth century, because of the easing of the restrictions

41 Nathans, *Beyond the Pale*, 208–9.

42 Ibid., 227. On the first Jewish lawyer in the Russian empire see Iuli Gessen, "Pervyi everi-iurist v Rossii: Simon Levin Vulf," *Perezhitoe* 2 (1910): 311–15. On Mikhail Margolis see Horowitz, *Empire Jews*, 154–80.

43 Яков Айзенштаг, "Духовный облик Оскара Грузенберга", *Евреи в культуре русского зарубежья*, I (1992), сс. 485–500.

44 Marina Turkiniets, "Jakob Mazeh – the Last Zionist Leader of Jewish Community in Moscow (1860–1924)" (master's thesis, Bar-Ilan University, 2002) (Hebrew).

45 Viktoria Khiterer, "Arnold Davidovich Margolin: Ukrainian-Jewish Jurist, Statesman And Diplomat," *Revolutionary Russia* 18 (2005): 145–67. A few years after the Beilis affair, Margolin was appointed a member of the supreme court of the Ukrainian People's Republic.

46 Виктор Ефимович Кельнер, "Люди черты : адвокат Мордыхай (Максим) Винавер", *Черта; к 100-летию отмены черты оседлости в Российской империи*, Москва 2017, сс. 245–46.

47 On him see Horowitz, *Empire Jews*, 139–52.

on the integration of Jews into the legal system in the Russian Empire, the number of Jewish students in the local faculties of law increased significantly.⁴⁸

However, many of those who applied for law studies at universities in the Russian Empire, as well as in other European universities, not only did **not** see themselves as part of the Zionist national project, but also showed little interest in Jewish law. They were members of the post-enlightenment Jewish society, while constituting the new “Russian Jewish intelligentsia,” to use the term coined by Yehuda Slutsky.⁴⁹ These Jews, as Slutsky portrayed them, “spoke Russian, lived their social Jewish lives in this language, and tried to create a Russian Jewish literature and science.”⁵⁰ Their public discourse environment was not the Hebrew press, but the Russian-language Jewish press,⁵¹ especially the journal *Perezhitoe*.⁵² Thus, at a time when many Jewish doctors, scientists, writers, poets and businessmen were already integrated into the process that led from the narrow alleys of the Shtetl to new areas of Jewish culture and nationalism, whether in its political or its cultural form, the legal realm remained, to a large extent, out of the picture. Among the few who had an interest in the field of law, most of them directed this intellectual energy to the realm of the general law.

However, there were few who tried to divert their “ship of intellectual interest” to the course of a Jewish direction, or at least to attach to it a small lifeboat on which the heavy load of the Jewish law was loaded. Shmuel Eisenshtadt,⁵³ Judah Leib Asher Gulak,⁵⁴ Jacob Mazzeh,⁵⁵

48 Nathans, *Beyond the Pale*, 342–66. One of the most prominent among them was Jacob Teitel. On him see Brian Horowitz, “A Portrait of a Russian-Jewish Shtadlan: Jacob Teitel’s Social Solution,” *Shofar* 18 (2000): 1–12.

49 Yehuda Slutsky, *The Russian-Jewish Press in the Nineteenth Century* (Jerusalem: Bialik Institute, 1970), 13–36 (Hebrew).

50 *Ibid.*, 13.

51 Slutsky, *Russian-Jewish Press*; Alexander Orbach, *New Voices of Russian Jewry: A Study of the Russian-Jewish Press of Odessa in the Era of the Great Reforms, 1860–1871* (Leiden: Brill, 1980).

52 Alex Valdman, *Historical Almanach Perezhitoe* (master’s thesis, Ben-Gurion University, 2010) (Hebrew).

53 Studied law at Bern University. On him see Tehilla Ofer, *Man of Vision and Action: The Life of Prof. Samuel Eisenstadt* (Herzliya: Milo, 1999) (Hebrew).

54 Studied law at Dorpat University. On him see Aryeh Zeev Fink, “Prof. Dr. Yehudah Leib Asher Gulak,” *Yavneh* 3 (1942): 2–9.

55 Studied law at Moscow University.

Judah Yunovitch,⁵⁶ Paltiel Dickstein,⁵⁷ Moses Glikson,⁵⁸ Jacob Teplizki,⁵⁹ Joseph Rosenthal,⁶⁰ and Joseph Persits,⁶¹ the future founding fathers of the "Jewish Law Society," were the pioneering figures among them. Although few, their deep commitment to the revival of Hebrew culture led them to seek a way to integrate the field of Jewish law into the general trend I already described.⁶²

- 56 Studied philosophy at Strasburg University. On him see Gezel Kressel, *Lexicon of Modern Hebrew Literature* (Merhavia: Sifriyat Poalim, 1967), 2:67 (Hebrew).
- 57 Studied law at Odessa University. On him see *ibid.*, 1:557–58.
- 58 Studied philosophy at Marburg and Bern Universities. On him see Moshe Medzini, "Dr. Moshe Glikson," *Katzir* 2 (1972): 373–80 (Hebrew).
- 59 Studied law. On him see Ben-Tzion Katz, *Al Itonim Ve-Anashim* (Tel Aviv: Tcherikover, 1983), 112; Kressel, *Lexicon*, 1:31.
- 60 On him see *The Jewish Encyclopedia*, s.v. "Rosenthal, Joseph," 10:479–80.
- 61 *Kitvey M. Glickson*, 282–84.
- 62 In his article "Jewish Law in London," *Jewish Law Annual* 18 (2008): 81–135, Amihai Radziner argues that "for some of the Society's members, and perhaps its most active ones, there was a deeper connection between the substance of Jewish law and the physical territory of Palestine" (p. 84). This connection was also expressed, according to Radziner, by the fact that "the founding conference of the Jewish Law Society was held soon after the Balfour declaration" (*ibid.*, n. 2; see also Asher Gulak, "Organizing our Legal Life in the Land of Israel," in *The Jewish Law and the State of Israel*, ed. Jacob Bazak [Jerusalem: Mosad Ha-Rav Kook, 1969], 28–35). Indeed, in the opening speech of Rabbi Jacob Mazzeh at the founding conference of the Society, he explicitly mentioned the connection to the Balfour Declaration. Yet, beyond the sense of euphoria prevalent in the then Jewish public discourse, and that arises from his words and those of some other speakers, there is no evidence whatsoever that the founders of the Society adopted the concept of a Jewish nation-state as a binding ideology. Not only that, but the Society's agenda, proposed in this event by Dr. Yunovitch, focuses on a continuing activities of the Society in **Russia**, along with a proposal to establish a Jewish law research institution in Jerusalem, a proposal that resembles the ideology of the Spiritual Zionism of Ahad Ha'am's school. Moreover, an examination of the biographies of the Society's founders clearly indicates that not only some of them never actually participated in realizing the vision of the Jewish nation-state, but even that those who left Russia and immigrated to Palestine did so only because "the chaotic state of Bolshevism that had overtaken Russia dispersed the Society's members" (Gulak, "Organizing," 34). For instance, in his autobiography, Samuel Eisenstadt, the driving force behind the Society, describes in detail his activities in Moscow in the field of Hebrew culture between the years 1919 and 1925, when he decided to immigrate to Palestine (Ofer, *Man of Vision*, 37). See also Samuel Eisenstadt, *Zion with Justice* (Tel Aviv: Ha-Mishpat, 1967), 31–33 (Hebrew).

Yet, despite the extensive Jewish public, cultural and social activity in this period,⁶³ due to the relative delay in the integration of Jews into the field of law, the academic interest in Jewish law has not yet matured to the level of establishing a society that will deal with this subject intensively. Thus, only after the revolution, the moment has come to realize this initiative. During the first years after the revolution, the new regime adopted a relatively tolerant attitude for the Jewish cause,⁶⁴ a trend that was expressed in the fields of Jewish publications,⁶⁵ Jewish education, and Jewish language and culture.⁶⁶ This chapter in the history of Russian Jewry is largely unknown and is beyond the scope of this paper. Nevertheless, due to the concentration of many Jewish intellectuals in Moscow during World War I, the capital city of the new Soviet Republic became a vibrant center of Jewish cultural activity.⁶⁷ Moreover, this moment was, in fact, the first time in Russia's long history that the country's Jews enjoyed full civil and political rights. Thus, among the local intellectuals who noticed this window of opportunity that suddenly opened were Dr. Shmuel Eisenshtadt, advocate Judah Leib Asher Gulak, Rabbi Dr. Jacob Mazzeh, Dr. Judah Yunovitch, Paltiel Dickstein, Dr. Moses Glikson, Jacob Teplizki, as well as jurists Joseph Rosenthal and Joseph Persits. For them, this moment seemed to be the fulfillment of a dream of many years. This is the reason why only in December 29, 1917 was the founding conference of the "Jewish Law Society" held in Moscow.

63 See Jeffrey Veidlinger, *Jewish Public Culture in the Late Russian Empire* (Bloomington: Indiana University Press, 2009).

64 Arkadi Zeltser, "The Soviet Approach to the Ethnic Autonomy: The Case of the Jews," in *History of the Jews in Russia*, ed. Michael Beizer (Jerusalem: Zalman Shazar Center for Jewish History, 2015), 3:141–60 (Hebrew).

65 For instance, the publication of the two volumes of the Hebrew historical journal "*He-Avar*" (Petrograd, 1918), and the periodical "*Ha-Mishpat Ha-Ivri*" (Moscow, 1918).

66 See Kenneth B. Moss, "Revolution in Jewish Culture," in *History of the Jews in Russia*, ed. Michael Beizer (Jerusalem: Zalman Shazar Center for Jewish History, 2015), 3:73–86 (Hebrew).

67 Shmuel Eisenshtadt, "Moskva Ha-Ivrit Biyemei Milhemet Ha-Olam Ha-Rishona," *Katzir* 1 (1964): 143–57; idem, *The Pioneer on the Line* (Tel Aviv: Likud, 1965), 160 (Hebrew).