Hyman Gerson Enelow
1877–1934
HYMAN GERSON ENELOW

BY DAVID PHILIPSON

Standing by the bier of Hyman G. Enelow at the funeral service held at Chicago on February 22, 1934, I said in the course of my brief address, "If there was one trait that characterized Hyman G. Enelow above all others, it was his love of learning for its own sake. All the splendors of worldly success and material glory weighed lightly in the scale when balanced against this. In his devotion to study he was a true spiritual disciple of the great rabbis and sages of all ages who have made the record of Judaism glorious. Worthy is he to be mentioned in their company. He magnified and glorified the Torah. He shed luster upon the name rabbi in its best and highest sense, as scholar and as teacher. He upheld the finest ideals of Jewish literary tradition. In the roll of fame of American Jewish scholarship he holds and shall ever hold a very high and honored place. Even if he did not gain the frenzied applause of the crowd, he obtained the admiration of the discerning and discriminating few who could appreciate true worth. He made real contributions to Hebraic lore. I believe that it may be said without fear of contradiction that he stood in the very forefront of midrashists in this land."

These words I believe stress the leading characteristic in the life and striving of this real Talmud Hakam, who made the ancient maxim "Talmud torah keneged kulam" the motto of his life. For him learning and research held the first place, whatever else may have been secondary.

Hyman G. Enelow was born on October 26, 1877 at Kovno, Russia, the first-born son of Leopold and Matilda Marver Enelow. The father was a tea broker and later extended his activity to the tobacco business. He had some Hebrew learning. When Hyman was still an infant, the family removed to Libau. The father emigrated to this country in 1893, and settled in Chicago where he conducted
a small tobacco manufacturing business. Shortly after the father had departed with the intention of making a home for his family in the United States, Hyman and a friend left Libau with the intention of going to the University of Heidelberg, but, en route, he changed his mind and came directly to Chicago to join his father. Here he came to know Rabbis Emil G. Hirsch and Joseph Stolz. The unusual mentality of the newly-arrived youth aroused the interest of these rabbis. Despite his youth, he matriculated at the University of Chicago, where he secured a scholarship. He studied at this University for two years when he determined to go to the Hebrew Union College in Cincinnati, in order to prepare himself for a rabbinical career. This was made possible through the agency of Dr. Hirsch who secured financial aid for him from Sinai Congregation.

While at the Hebrew Union College, young Enelow ranked very high as a student. Because of his advanced knowledge of Hebrew he was admitted at once to the Collegiate Department, entering in September 1895 and being graduated in 1898. The degree of rabbi was conferred upon him by the President, Isaac M. Wise. His first rabbinical position was at Paducah, Kentucky, where he served as rabbi of Temple Israel for three years. In March 1901, he was elected junior rabbi of Congregation Adath Israel of Louisville, Kentucky, as associate of Dr. Adolph Moses. After Dr. Moses' death, in January 1902, his young associate was elected rabbi of the congregation. His relationship with his senior, during the brief period of their association, was ideal. Shortly after the death of Dr. Moses, the Louisville section of the Council of Jewish Women decided to issue a volume containing a memoir as well as a number of addresses by their revered rabbi, and Dr. Enelow was entrusted with the task of writing the memoir and selecting the essays for publication. The memorial volume entitled "Yahwism and Other Discourses" by Adolph Moses opened with the memoir of thirty-eight pages. The approval with which the young rabbi quotes his predecessor's ideal of what the rabbi should cherish as his primary task is prophetic of the path which the writer himself was to follow. That ideal he pictures in these words: "The rabbi must be a scholar. As no functions of a
priestly or redemptory character appertain to the work of a Jewish minister, which consists rather in the intellectual and spiritual training of his congregants, he must make learning his chief pursuit. The Jew unconsciously respects scholarship, the rabbi always has been the center of learning to his community, and though our ideals of culture may differ from those held by Jews in former days and other parts, culture alone, in the highest sense, will secure the influence of the rabbi. Just as the Polish rabbi heads the talmudic scholars of his town, his American compeer should lead the aristocracy of intelligence."

This was the light which led Enelow on, the torch which he held high throughout his career.

The first fruit of his independent study was the thesis which he presented to the faculty of the Hebrew Union College in fulfillment of the requirement for the degree of Doctor of Divinity. This thesis was entitled "The Jewish Synod; A Study in the History of an Institution." The thesis was found adequate and the degree was conferred upon him in 1902. Knowing that the youthful rabbi was working on this subject, and feeling that it would be an appropriate theme for presentation to the Central Conference of American Rabbis, the committee on program for the Buffalo meeting of which I was the Chairman, invited him to read a paper on the Synod at that meeting. He accepted the commission gratefully, and, at the conference meeting in July 1900 in the lake city, read a comprehensive paper on the theme "The Synod in the Past and Its Feasibility in the Present." The essay made a deep impression upon the men present. It was felt that a new and worthy aspirant to inclusion in the company of the learned in Israel had appeared. The subject of the paper was earnestly discussed by advocates and opponents of the Synodical idea.

In the sermon delivered on the occasion of the fortieth anniversary of the Central Conference at Detroit in 1929, at which time Dr. Enelow was the President of the Conference, I referred to this paper in the following words:

"A paper on the theme 'The Synod in the Past and Its Feasibility in the Present' had been assigned to a recent
graduate of the Hebrew Union College, none other than our present president, who presented an exhaustive study of the subject. At the close of his brilliant paper, the young writer said: ‘The Synod remained to his last day one of Wise’s ideals, of which, however, portions have been realized owing to his indefatigable energy . . . Both the rabbinical and the congregational unions (the Central Conference and the Union of American Hebrew Congregations), are manifestations of the synodical ideas—they are two fragments of this ideal which Wise never ceased to nourish and which possibly yet awaits complete realization, the continuance of the Jewish religion in the New World through the medium of that time honored institution the Synod.’

Enelow’s paper on the Synod was the first gun fired in a contest that was to last six years. Although no definite action was taken at this Buffalo conference, two presidents, Doctors Joseph Silverman and Joseph Krauskopf, in their messages of 1903 and 1904, respectively, advocated the formation of a synod for the consideration of the religious problems in American Jewish life. Dr. Enelow was appointed Chairman of a Committee on Synod. He wrote an elaborate report which was presented at the meeting of the Conference held in his city, Louisville, in 1904. The subject was debated at great length not only at this Louisville Conference but also at the two succeeding conferences, namely at Cleveland in 1905 and at Indianapolis in 1906. The widest divergency of opinions became manifest during these debates, ranging from a fierce denunciation of a synod as tyrannical ecclesiasticism, to enthusiastic endorsement of such a body as the supreme need to bring order into distracted Judaism, whose followers were like wanderers in an uncharted land. At Louisville, where the president had recommended the establishment of a synod in his message, the committee on that message were divided, so that a majority and a minority report were presented on this one suggestion, although the committee was unanimous in the report on the remainder of the message. As Chairman of the Committee on Synod, Dr. Enelow was one of the leaders on the affirmative side. When it came to a vote, the
advocates and the opponents were so evenly divided that, although they had a majority of one vote, the proponents for a synod withdrew the proposition because they did not wish to endanger the very existence of the Conference by the possibility of a split. The vote at Indianapolis was in the negative. Here ended this latest chapter in the history of synodical effort, launched by the youthful Enelow six years previously.

While in Louisville, Enelow not only continued his studies but also took a leading part not alone in congregational but in communal activities as well. In 1903, he founded the Adath Israel Sisterhood. The following year, he organized the Geiger Society for the study and discussion of the problems of liberal Judaism and others. In the same year, he began the agitation for a new temple, which reached a successful conclusion when the beautiful building was dedicated, with appropriate exercises, on September 7, 8 and 9, 1906. The writer had been asked to deliver the dedication sermon. He can never forget the joy of his youthful friend and pupil at the consummation of his heart's desire, in the dedication of the stately new structure.

Although the primary interest of the rabbi lay in his congregational work and in his private study, still he was no recluse. He took a very active share in the larger life of the Jewish and the general community. Thus, he was not only a founder and a member of the Executive Committee of the Federation of the Jewish Charities of Louisville from the time of the origin of this Federation in 1908 until 1911, but he was also president of the State Conference of Charities and Corrections, and of the Conference of Social Workers of Louisville, in 1910–11. He filled a large place in the philanthropic and civic life of the city. On July 30, 1909 the first number of The Temple, a Louisville Jewish weekly, appeared. Enelow served as editor of this journal until April 22, 1910.

When the Central Conference of American Rabbis met in New York City in November 1910, Enelow was entrusted with the important task of delivering the Conference sermon. This New York meeting marked not only the twentieth anniversary of the organization and the one
hundredth anniversary of the birth of both Samuel Adler, an early rabbi of Temple Emanu-El, of that city, and of David Einhorn, one of the great figures in the Jewish reform movement, but this meeting took place at a critical time in the life of the liberal Jewish movement. Enelow's conference sermon was a masterly deliverance. He entitled it "The Old Wells." It was a characterization of Reform Judaism as a restorer of the pure water in the old wells which had been clogged. Challengingly, the preacher cried out:

"Whatever effort has been made at any time to regain the Jew for the spiritual life of the fathers, to reanimate his grasp of the underlying principles of Judaism, to have him sweep away the dust and mire of ages from the ancestral foundations, has led to a deepening and broadening, and to the conservation of Judaism, whether it was a Moses, an Aaron, an Ezra, a Hillel, a Philo, a Saadya, a Maimonides, a Luria, a Geiger, an Einhorn, an Isaac M. Wise who acted as messenger of the age, as restorer of the old wells, as emancipator of the spirit from the shackles of mechanical conformity and meaningless externalism. I know little of the history of Reform, and have studied Geiger and Einhorn and Holdheim to no avail, and sat without profit at the feet of our lamented teacher and leader, if this be not the work that Reform Judaism sought to accomplish."

And his master passion, his love of learning found expression in his plea to his colleagues,

"In the valley of life let us keep on digging for the old well. Let us strive to open for the modern Jew the well of the Torah, of Religious knowledge. Is not ignorance of Judaism one of the most serious maladies of our age? There is the famine of our land! All sections it embraces and nothing is a greater bane to our spiritual life. And by ignorance I do not mean merely unfamiliarity with the more delicate problems of Jewish life or the more subtle speculations of religion or the more remote events of our history; what I have in mind is the appalling spread of the grosser form of ignorance—ignorance of our Bible, our
prayers, our principles and purpose—of the *Am Haaretz* type, absence of that fundamental Jewish knowledge and spiritual understanding which the prophets designated as *Daath Elohim*, and without which the people cannot but perish ... It is not Reform nor Orthodoxy that forms the chief menace of our age; it is ignorance, stupidity, arrogant philistinism. 'It is stupidity alone' says Carlyle, 'with never so many rituals, that kills religion.' It is certainly a shame and a snare to modern Judaism.'

Enelow’s fame as one of the most gifted leaders in liberal Judaism was spreading not only in the United States but also abroad. Hence, when Mr. Claude G. Montefiore came to this country in 1910, upon the invitation of the Central Conference of American Rabbis, to read a paper at the Charlevoix meeting, and sought a rabbi for the Liberal Jewish movement in England, he turned to Hyman G. Enelow. This was, indeed, a remarkable tribute. Moved though Enelow must have been by such an appreciation of his service in the cause of Liberal Judaism, he did not see his way clear to accept the offer tendered by Mr. Montefiore. He continued his work in Louisville until September 1912, when he entered upon his duties as a rabbi of Temple Emanu-El, New York, to which position he had been elected the preceding spring.

On June 8 of the same year, he delivered the baccalaureate sermon at the graduation exercises of the Hebrew Union College. He had served finely as rabbi of the Louisville congregation. He was on the eve of entering a new field, to be an associate rabbi of the largest Jewish reform congregation in the country. It was for him a time for renewed searching and probing of the function of the Jewish ministry. In his address to the young men of that class of 1912 he revealed what was in his heart. Were his words prophetic of what lay before him? In the course of that address which he called “The Jewish Leader of Today” he said:

"It is certain that, first of all, the Jewish leader must know what his Judaism stands for, and that he must be in perfect harmony with it. He must go back to the
very origin of his faith, and make clear to himself what in its origin and in its essence it meant and whether with that essential character of Judaism he is in hearty sympathy and accord. Mere theories are not all. A mere intellectual comprehension will not suffice. Half sympathies will not be enough. You must know clearly and definitely what this Judaism of yours stands for, and what it everlastingly must continue to stand for, and into that character and pursuit of Judaism you must be able and willing to throw your whole soul, before you can hope for anything like an impressive and fruitful leadership. The Bible—we Jews of late have not paid sufficient heed to the Bible. We have allowed others to surpass us in the study and diffusion of the greatest product of the Jewish mind and soul. The leader will have to bear in mind that the Bible, the Torah, is our bien mayim chayim, our well of living waters, the well dug by the original princes of our people, by the first foreleaders of our faith, that from it Israel and mankind have drawn waters of moral and spiritual blessing throughout the ages, and that upon renewed knowledge and love of the Bible depends the nourishment of Israel's spiritual life today.

"But we must not forget that the Torah has not been a stationary well. Like the miraculous well of desert-day, it has kept journeying with Israel. Judaism is a religion that has existed these thousands of years, that has existed in all sorts of countries and under all kinds of conditions, and in order to live, it has had to develop, to change, to pass through a varied process of evolution. The history of Judaism is a creative evolution—to use the phrase of the modern philosopher—an evolution which has meant change, constant adaption to new needs and conditions, constant creation of new values and expressions, constant utilization of what promotes life and escape from what impedes and imperils life. That is the sort of evolution that Judaism has undergone, and nothing is more wonderful than the story of this evolution as mirrored in the vast literature of Israel, written in many ages, lands and tongues. No Jew can enjoy the full consciousness of what it means to be a devotee of
Judaism, who does not possess some acquaintance with this noble history and literature of the evolution of his faith. And surely no man can be an effective leader of Israel without an understanding, love and unceasing study of that evolution. Think of what a curriculum of study this means! Think of what demands it entails on our industry, time and scholarship. Think of the languages, the philosophies, the sciences one should know and cultivate in order to enjoy an increasing understanding of Judaism to be able to vindicate its claims in the eyes of the world! No wonder the old poet sang: 'I can see a limit to every perfection, but Thy commandment is exceeding broad.' And yet there are not a few nowadays who are drunk with the delusion that all a modern rabbi ought to know is sociology and that he only needs to be able to prattle the latter-day shibboleths of philanthropy to be a true priest of the times. Of course we want sociology, and it is well known that the synagogue has always been a bulwark of philanthropy and promoter of social service. But let us beware of making Judaism synonymous with nothing but sociology. Let us beware of an idolatry of sociology, the new golden calf around which so many dance about in ecstasy, crying, These are thy Gods, O Israel! Judaism is more than sociology. The God of Israel is more than any fortuitous interest of the hour. Jewish study means infinitely more. And only the leader who realizes this will serve the Judaism of the ages, and not merely the Judaism of a brief day and narrow place, and make his leadership a source of lasting benefit to his faith and of highest value to his people.'

Enelow entered upon his position in Temple Emanu-El, New York, in the fall of 1912. From the very start he found his chief interest in the educational work of the congregation. Religious education, both of the children in the religious school and of the youth and the adult, was literally a passion with him. He took personal charge of the religious school. He made direct contacts with the teachers and the children; there was no principal superintending the work of the school. He himself visited the class rooms and conducted the school assembly.
In order to enlist the interest of the adolescent youth he organized the Junior Society, twenty years ago. Mr. Jacob S. Manheimer who has been the leader of this society for the past nine years writes me:

"The Junior Society has become the most virile organization in Temple Emanu-El . . . . It maintains at least a dozen activities. The activity of the Junior Society which was closest to the heart of Dr. Enelow was the Scholarship Fund. This fund was organized shortly after the Society came into being and is designed to help young people to continue with their education after they have been graduated from the elementary school. At the present time, we maintain about twenty-five scholarship children who go to high schools, trade schools or commercial schools, so that they may be better equipped to fight the battles of life. Each spring, the Junior Society holds a big entertainment for the purpose of raising money for this scholarship fund. We almost always succeed in raising several thousand dollars.

"Among some of the other activities of the Junior Society is the Bulletin, a mimeograph edition of which reaches them every Saturday morning, the Student Forum, the Religious Discussion Group, the Debating Committee, the Choral Committee, the Athletic Committee, the Entertainment Committee, etc.

"Dr. Enelow always kept the Junior Society under his special protection and never permitted interference in its work. He was particularly proud of this organization and was especially touched, shortly before his death, at a dinner given by the Junior Society in his honor, on his retirement."

Enelow felt that an educated laity is a prime necessity in Jewish life. He dwelt upon this constantly. Never did he express himself on this subject more forcibly and more eloquently than in his presidential message at the meeting of the Central Conference of American Rabbis at Detroit, Michigan on June 27, 1929, the fortieth anniversary convention of the Conference. "Back to education," he cried.
"This as I conceive it, is our greatest need. Back to the Torah, in its broad and comprehensive sense! And by this I do not mean merely the children or the youth, about whom we hear so much nowadays in connection with religious education, and who seem to be regarded as our vicarious burden-bearers in matters of religion. Children’s services! Young people’s classes! What can we do for the piety of the adolescents? Not to those objects of our spiritual solicitude am I referring now. I mean the adult, grown men and women, the members and officers of our congregations, the trustees of our religious schools, the parents of those little ones for whose spiritual growth and welfare we profess so lively a concern. Little shall the religious schooling of the young profit us if the elders set the example of ignorance and indifference. With all our love for Reform Judaism we must admit that, insofar as it is allied or content with ignorance of Judaism and of Religion, insofar does it fall below the standards of those other forms of Judaism which have given to neglect of education no sanction. Reform Judaism cannot live by mere Rhetoric and Publicity. It cannot thrive on earthiness, Am haaratsuth. It must not allow its temples to be branded as bate k’nesyoth shel ame ha-aretz, as synagogues of ignorant folk. It must dedicate its devotees anew to the Torah, to Jewish study and enlightenment; and our own organization must work unceasingly toward that end. ‘I will give you shepherds according to My heart,’ as we read in Jeremiah, ‘who shall feed you with knowledge and understanding.’"

He was a member of the Commission on Jewish Education of the Union of American Hebrew Congregations for years and served particularly as Chairman of the Committee on Adult Education. While thus serving he wrote an essay on Adult Education which the Commission published in pamphlet form.

He not only wrote on this subject, so near and dear to him, but he was able to communicate his enthusiasm in this high cause to others. This took substantial form when he influenced Mrs. Nathan Miller, a friend, to establish at Columbia University a Professorship of Jewish History,
Literature and Institutions, and another friend, Mr. Lucius N. Littauer, to provide the funds for the establishment of the Nathan Littauer Professorship of Jewish Literature and Philosophy at Harvard University.

Through his efforts also, Mr. Littauer contributed a sum of five thousand dollars a year for two years, to the Central Conference of American Rabbis for the furtherance of progress in Judaism in "research, education and general amelioration." The correspondence that passed between Mr. Littauer and Dr. Enelow, and which the latter included in his presidential report to the meeting of the Conference at Detroit in 1929, is of historical interest and may well be included here. On July 19, 1928, Mr. Littauer wrote Dr. Enelow as follows:

"Principally for the purpose of a memorandum, I desire hereby to advise you that in January, 1929, (on the occasion of my seventieth birthday) I will send my check to the Conference for $5,000, and again the year thereafter I will send a like amount, for the purpose of creating a fund such as you have described to me for distribution to individuals and bodies in furtherance of progressive Judaism in research, education and general amelioration."

On July 20, Dr. Enelow replied to Mr. Littauer:

"I wish to acknowledge, with profound gratitude your kind letter of July 19th. It would be futile for me to try to express my appreciation of your generous act. The fund will enable the Central Conference of American Rabbis to grant a subvention to the sort of literary and spiritual enterprises which, as a rule, find it most difficult to get support. I earnestly hope that our use of your gift during the first two years will please you, and lead to the permanent foundation which you have so large-heartedly conceived.

"I am happy that this new effort of yours will coincide with your seventieth birthday, and I hope you will allow me to express the hope that you may enjoy many more years of health and strength, and that it may be granted to you to derive increasing satisfaction from the numerous
benign activities in which you are engaging in so quiet and helpful a spirit.

"I should like to add, if I may, that I really think that this Central Conference of American Rabbis fund that you are creating will be quite unique in American life, and will serve to express the unusual kind of interest that you have been taking in what some of us think is finest in the Jewish purpose and life."

In speaking of the fund, towards the close of his presidential message, Dr. Enelow used these words:

"It is out of this fund that during the past year the Conference was able to assist a number of important enterprises. Out of it, it was enabled to bring about the reparation, and so the conservation of the Jacobson Temple at Seesen; to support the new Jewish congregation at Bragança, Portugal, consisting of returned Marranos; and to subsidize several literary enterprises of unusual worth."

Throughout his career, Enelow was a protagonist of Reform or Progressive Judaism. He understood throughly the underlying principles of Reform. There was no one in the American Rabbinate who had a clearer grasp of these principles. His ripe thought on the subject found full expression in his paper on "The Theoretical Foundation of Reform Judaism" and in his two presidential messages presented to the Central Conference of American Rabbis that have already been referred to. The former paper was part of a symposium held at the Conference meeting at Cedar Point, Ohio, in July, 1924, in recognition of the centenary of the pioneer Reform organization in the United States, the "Reformed Society of Israelites" of Charleston, South Carolina. In that thoughtful paper, Enelow demonstrated that what went to make Reform Judaism was not merely external conditions and fortuitous circumstances, but rather certain definite ideas and convictions concerning religion in general and Judaism in particular. Yes, Reform was the attempt to adjust Judaism to new conditions, but, asked he, is not adjustment the very law of life? Reform
Judaism regards Judaism as mobile, as subject to change and adaptation, correlated with the diverse conditions of successive ages. This is the first element in the theory of Reform Judaism. Reform maintains that there has been no such thing as a uniform, stationary, unalterable Judaism in point of belief or practice. It stands for the progression in, and adaptation of, the contents of Tradition. It views tradition as a continual stream, not as a congealed cumulus. In this, it is closely related to the best phases of Pharisaism.

It is one of the merits of the pioneers of Reform Judaism that, long before it became common practice, they realized the need of the historical method in the study of religion, and that, before these terms came into use among others, they pointed to the element of relativity and development, in the life of Judaism. These pioneers were not inspired by a desire to imitate non-Jews, but rather by a desire to revive Judaism for the Jew. He emphasized the view of Abraham Geiger that Reform is the ever creative principle working from age to age for the continuing renewal and effectiveness of Judaism. He claimed that Reform harks back to the religious teaching of the prophets and that it takes the prophetic position, to the effect that the spiritual and ethical affirmations of Judaism are its inevitable permanent elements and that all other things—customs, rites and secondary construction of fundamental ideas—are relative. He closes his fine analysis of what Reform Judaism stands for with these paragraphs:

"The paramount principles of Reform Judaism, I believe, are three: first, that Judaism is mobile, rather than a fixed, form of religious life; second, that its permanent and essential part is found in certain ethical and spiritual affirmations rather than in fixed ceremonial observances; and, thirdly, that by nature and destiny it is universal, and not national or local.

"These convictions have formed the theoretical foundation of Reform Judaism, and upon this foundation it has sought to build. If Reform Judaism has stimulated the systematic study of Jewish history and literature; if it has reorganized the liturgy and revived the sermon; if it has tried to reconstruct Jewish theology and to pro-
mote religious education; if it has accentuated the place of woman and of youth in the religious community; if it has insisted upon ethical conduct and social helpfulness; if it has tried to make the contents and commands of Judaism known to the world at large; if it has sought to contribute toward the ascent of the human race—all this has been the outgrowth, the active expression, of those convictions which are at the core of its construction of the meaning and purpose of Judaism."

And in his presidential message to the Central Conference of American Rabbis at Detroit, Michigan, in 1929, in referring to the attacks of the critics of Reform Judaism, he takes up the challenge by asking the question:

"Shall this hue and cry cause us to lose faith in Reform Judaism or to forget its achievements?

And he answers:

"Quite the contrary, I say. We must recognize and emphasize anew the ineluctable demand for the principle of Reform in Judaism, as well as its undeniable legitimacy. Reform, as we view it, is not a whim of the moderns; it is not a token of irresponsible levity on the part of latter-day radicals. It is a principle that has inhered in Judaism from the very beginning of its existence and it is thanks to its persistence that Judaism has been able to live and thrive amid all the changes of its long history. Perhaps the birth of Judaism, as Dr. Leo Baeck would have it, was an act of Revolution rather than Reform. It is easy to construe the Revelation that came to Abraham as a revolution in the religious history of mankind. As for the rest, however, the vitality of Judaism has lain in its capacity for constant self-renewal, for the tireless process of readjustment, in a word, for Reform. Renewal, as a French writer said the other day, is the true hope, yes, it is the old hope of Religion. Moses was a teacher of Reform as was every prophet and every epoch-making master of Judaism through the ages. Jeremiah, in demanding the separation of religion from politics, was just as imbued with the principle of Reform, as was Samuel
Holdheim; Ezekiel, who taught his people that God could be worshiped in Babylon as well as in Jerusalem, was no less swayed by the idea of Reform than was Abraham Geiger; and Johanan b. Zakkai, who, among the ruins of the Temple, helped his contemporaries to erect the new temple of prayer, beneficence, and spiritual pursuits, illustrated the power of Reform perhaps even more startlingly than ever did David Einhorn. Always Judaism has been conceived by its true exponents in terms of life, and whatever lives must change and grow. 'It is a tree of life to those who cling to it.' Judaism has grown and changed throughout the ages. That the Reform Judaism of the nineteenth century was accompanied by more striking doctrinal and practical changes than had occurred for many preceding centuries, was due to the general transformation that took place in the life of the Jews when they emerged from medieval seclusion and entered the modern world,—the most radical change, in a way, since the destruction of the Jerusalem Temple and of the Jewish State.

"It is this capacity for adjustment to the new environment, shown by Reform Judaism, that has enabled Judaism to live in the new age and the new country, and to serve the spiritual needs of its adherents."

Although primarily a student, still Enelow did not keep aloof from the currents of life as they eddied about him. He was in constant touch with the vicissitudes of American and World Jewry. He was finely informed of what was transpiring. When, for example, Henry Ford in 1927 made his famous retraction of the notorious articles against the Jews that had appeared in the *Dearborn Independent*, Enelow, who shortly before that had been elected President of the Conference, sent the following message:

"Please accept my congratulations on your manly and patriotic act in repudiating the anti-Jewish campaign of the *Dearborn Independent* and apologizing for it. May your example help to stop religious and racial antagonism, and contribute to the spread of good will and fellowship the world over."
During the World War, Enelow performed devoted service as a member of the Overseas Commission of the Jewish Welfare Board, which went to France in July 1918. The first Annual report of the Jewish Welfare Board (1919) states that while in France, the Commission secured official recognition from General Pershing for the work of the Jewish Welfare Board, made important contacts with the military and civil authorities of America and France, established Overseas Headquarters in Paris, and carried a message of service to American soldiers, Jewish and non-Jewish, in the trenches and in the rest camps behind the trenches. The Jewish Welfare Board made provision for services on the High Holy Days for all Jews with the Expeditionary Forces during the period of furlough. These services were conducted in part by the members of the Commission, among them Dr. Enelow, in part by the American Jewish Chaplains; also by the Jewish Chaplains of the Allied countries, and, in some degree, by French Jews and the American soldiers themselves.

Dr. Enelow acted as Chairman of the Commission for a time and served as a member continuously from the date of his arrival on July 18, 1918 until April 16, 1919. After that, having been appointed to the College of Letters at the A. E. F. University of Beaune, France, he gave courses in Old Testament history and literature and in Jewish history, arranged for by the Educational Corps of the United States Army. Besides serving as lecturer at the University, Dr. Enelow acted as field secretary and liaison officer for the Jewish Welfare Board in connection with the University, secured a census of the Jewish soldiers, and facilitated arrangements for the transportation and billeting of men in Beaune, in connection with the observance of the Feast of Passover in April 1919. He also conducted religious services on Friday evenings at the headquarters of the Jewish Welfare Board in Beaune, and on Saturday evenings at a neighboring encampment.

Dr. Enelow submitted a report to the Jewish Welfare Board and the people of Temple Emanu-El on November 11, 1918. This report set forth in detail his activities from the time of his arrival in France on July 18, 1918. The report was published in *The Emanu-El Review* for January
1919. The same number contains the sermon "The War and the Future of Religion" preached by Dr. Enelow, in French, at the temple of the Liberal Union of Paris, on Sunday, November 17; 1918.

Through the courtesy of Mr. Max Enelow, a number of letters which Dr. Enelow wrote to his mother, brothers and sister have been placed at my disposal. I am including here extracts from these letters hitherto unpublished. They are human documents of great interest and attest that Dr. Enelow was not only a man of fine mind but also of great heart.

June 16, 1918.

(While making arrangements to go to France)

"***No doubt, you heard about the tangle regarding my passport. I am going to Washington this afternoon to see whether it can't be straightened out. I sincerely hope it can, as I am eager to go to France. I feel I can help, and it is my duty to go. It would be a great disappointment, if I were kept from going." [The difficulty referred to was adjusted and the passport granted].

July 18, 1918

"I arrived at Paris last night.****There are four men in our commission, and I am hoping most earnestly that our coming may do good. There are many of our men here, and I realize more and more every day that it is our duty to be here and help."

August 1, 1918

"****You may be sure I am glad to be here. There is work for everybody who wants to be helpful. It is a pity more Jewish workers are not here. Other organizations are strongly represented—to some extent by a fine group of men and women, and the absence of Jewish organized work is rather conspicuous. Our men in the service are very happy to see me. They feel they are not forgotten and there is also the element of pride in communal representation. Besides, one can really do a lot of good. Personally, in addition to my official duties, I have
spent practically every day several hours at a certain hospital. It means a great deal to the fellows, particularly as our doctors and nurses are terribly overworked and short of help. The day before yesterday I was several hours with a poor fellow in a dying condition. He has passed away, and I went out to the burial. One not on the spot can hardly realize that it means to a fellow. All our men are brave and noble. I shall probably remain in France, though I am not sure yet in what capacity."

October 24, 1918.

"I have covered a great deal of ground and am about to return to headquarters for several days. Wherever one goes, one is made to feel how necessary and worthwhile this kind of work is here. I only regret that I cannot remain long enough at any one place. I have been to some places where one sees the boys going and coming from trenches. Everywhere they are glad to see a Rabbi and hear a kind word. It makes them feel they are not forgotten. I have seen men from all over the country and in every branch of the service.

"Then there are the hospitals. Of course the doctors and nurses do all they can—but it isn’t like somebody coming in to see them especially. They appreciate a Rabbi if they never did before. It is an incomparable privilege to be able to do something for these lads. The expressions of thanks they use are beyond belief. I daren’t repeat them—they might sound queer. Yet they mean it—because it means so much to them to be visited, helped and comforted. ****I have applied for a position as chaplain in the army, but meantime I shall continue in my present capacity."

October 28, 1918.

"****One thing I can tell you—it is a real privilege to be able to move about among the men. Wherever I go, I try to meet as many men as possible and they are all glad to see one. It means to them that they are not forgotten by the Jewish community and they get a chance to talk over their difficulties and problems. Of
course, they always wonder why they can’t have a permanent representative in their locality, but thus far there are no men here. Recently I was near the trenches and the boys going and coming felt good about it. Of course, those in the hospitals are profusely cordial and grateful. Their expressions of gratitude are extravagant. You can imagine what it means to a lad with a wonderful, bright face, transfigured by suffering, with one of his legs gone and the other about to go—with a brow burning with fever—thousands of miles away from home—what it means for such a lad for a Rabbi to come in, talk to him like a brother, put his hand on his brow and give him such help as one can. Their expressions of happiness and gratitude are beyond belief. It is a pity our leaders at home don’t understand these things. I have the privilege, also, of meeting with representatives of the French Jewish communities, many of whom have done much for our men. My ability to speak French helps greatly. In fact, wherever I go, there is so much to do, I always feel like remaining. One of my addresses—on France and the Jews—is now appearing in a French Jewish weekly. It was a surprise to me. No doubt, it was prompted by the Grand Rabbi of France to whom I sent a copy of the booklet and who wrote me a very complimentary note. **** I have applied for a commission as army chaplain—for many reasons!"

November 14, 1918.

(Immediately after the Armistice, in Paris).

“These have been wonderful days in Paris. It was my good fortune to be here. Ever since the signing of the Armistice, the streets have been full of wild enthusiasm. The people don’t seem to be able to find a way to express their joy. And no wonder! The most terrible war in human history has come to an end. And in a marvelous victory for the Allies. It is hard to realize that the things that have happened since the day I landed in France—July 18th—have really come to pass. It seems like a dream, yet it is so! I am staying here for an address I am to make Sunday morning, next, at the Liberal Syn-
agogue. It is to be in French—my first offense—and on the war and the future of religion—something like the one I gave at Sinai Temple but in a different form.”

November 26, 1919.

“***There are so few Jewish workers here that I regard it a duty to remain here as long as possible. It has not been possible to do much for them. ***On Thanksgiving Day I am to take part in services at a large Synagogue here.”

December 16, 1918.

“For sometime I have been at LeMans. We have opened here a center for the Jewish Welfare Board and I am, so to speak, in charge for the present. This place is going to be known as an embarkation camp and a large number of our men will pass through here on their way home. In our center we have a great many people every day, and there are several divisions scattered in this area. One meets men from all over the country and it is a real pleasure to be able to serve them. Most of my helpers are men in the service who have been detailed to the work, thanks to the interest of some non-Jewish officers. ****The town is very interesting—full of old buildings. It is not cold here, but always rainy and damp. I don’t mind, however, as I like the rain.”

Christmas Day, 1918.

(6 weeks after the Armistice).

“*****We started a center here for the J. W. B. At first it was thought that I would take charge of it. Now, however, more workers are coming over. It will not be necessary for me to remain in charge of this place.”

December 29, 1918.

“*****For three weeks I was in various camps and the experience was worth everything. On the Holy Days I held services at two places—with the help of a car lent me by the Colonel in charge of our forces in France. I
had services on New Year’s and on Atonement Day. It was a great privilege to serve. Wherever one goes, one is glad to be. —— is doing unprecedented work here and one is glad to be on hand. *****If the Jewish work here doesn’t improve much in point of organization, I may go in as army chaplain.”

January 9, 1919.

“****Aside from the J. W. B. work, I am interested in a new effort known as the Comrades-In-Service. It is under the joint auspices of the army and the welfare organizations—chiefly the Y.M.C.A. I have been able to help with suggestions which I think will be adopted. Broadly, it is an effort to capitalize the sense of fellowship the war has created. I am really interested in it and if I could, I would give it my whole time for a while. Right now, I am preparing a syllabus of lectures for it on “Comradeship in American Life.” My duty, however, is to continue to act for the J. W. B. (or the Jewish community). I am going to Vichy tomorrow to conduct services. After a couple of days there, I return here for some meetings and then I am going into the field again for several weeks. I may go as far as Coblenz.”

February 6, 1919.

“***I am feeling fine. I feel that Providence is taking care of me as I have come out all right of every experience I have had. At the different camps I have met many friends who have done much to help the work. Commanding officers have been very obliging.”

March 5, 1919.

“I am in Paris for several days and busier than ever. My last trip covered almost two months and a vast area . . . all the way from Marseilles to Brest—and many places in between. It was a very busy one. In addition to opening up a number of centers for the J. W. B., I made a great many addresses. Thank heaven, I’ve kept very well. I think I am under special protec-
tion. The men everywhere are very grateful and I am glad to do what I can. In a day or so I am off on another trip but shall hope to return to Paris shortly for an engagement."

March 14, 1919.

"****Of late I have opened centers for the J. W. B. at any number of places, including some of our most important camps. It is most interesting work and it keeps me on the go continually. Yesterday I secured a place at Beaune where the A. E. F. University is located. It was most fortunate I got the place as premises are very scarce there. My procedure is to turn the work over to a local secretary as soon as I have completed arrangements. On Sunday night (Purim) I am due at Chaumont (G. H. Q.) for an address and then I proceed into the area of the second army, around Toul, Bar-le-Duc, etc. All this area I visited before the Armistice, but we had no workers here and nothing permanent could be done. It's different now. The J. W. B. is doing some good work now, and the fellows appreciate it. The young women are particularly effective. Everybody is glad to see an American girl here, particularly if she is no fool nor snob."

April 17, 1919.

"****For two weeks I have been at Beaune, where the A. E. F. University is situated. I was assigned here to teach Jewish history and bible as well as to act as Rabbi. As it was too late to go home for the season's work, I decided to accept the assignment. The work is very interesting. My classes are small but the men are in earnest. In one class I have Christians only, in the other there are a couple of Jews, the others Christians. Yesterday the whole staff of instructors who are not army men were taken over into the army as members of the Army Educational Corps, which has just been formed. We are officers without rank. I have signed for the rest of the term, which means I shall remain here until summer. On Passover Eve we had a Seder here. Over three
hundred men were present and they all enjoyed it greatly. I also held service both days of Passover, in addition to my university work. I think it is greatly worth while being here. I also had the J. W. B. open a center here."

_August 27, 1919._

"Here I am in Paris again—after three weeks at the seashore and in the mountains of Southern France. The change has done me a lot of good and I am beginning to feel normal again. My nerves were in none too good a state—largely I believe, because of my experience with the J. W. B. The work I enjoyed very much. But the conduct of the Jewish Bureaucracy irritated me very much. However, it’s all over now. Plan to sail for home on September 4th. My boat is the _France_ of the French line."

_August 29, 1919._

"****It is a good thing for me to be away from people—from squabbles, intrigues and harangues. Paris is delightful again—not crowded and the weather fine. It is good to spend several days here quietly. I am to sail next Thursday, September 4th."

After his return to the United States from France he was very reticent about his experiences over there. He had indeed done his bit. He put all this behind him and resumed his rabbinical work with accustomed conscientiousness after the nine months absence in his country’s service.

In his president’s report to the Central Conference of America Rabbis at Chicago, Ill., in July 1928 he acquainted the members with an appeal directly connected with his war experiences. That appeal was made to him by Rabbi Leon Sommer of Tours, France, who, in a letter dated May 21, 1928, wrote as follows:

"The American soldiers who sojourned at Tours during the troublous period of the War, have just bought in our city a large site, upon which they are planning to erect a monument to perpetuate the memory of their stay at Tours."
"It has occurred to me that the Jewish soldiers of America, who belonged to the magnificent legion of those who so largely contributed to the victory, might perhaps follow me in my idea to commemorate forever the period during which they were fraternally welcomed by their co-religionists of Tours, and to do so under the auspices of our sacred religion.

"The Jewish young people of our community have just formed a section of the Jewish Youth World Organization, the object of which is, among other things, to awaken and cultivate Jewish sentiment by the study and the diffusion of the Hebrew language and of the religious and literary history of Israel. What we need is a social hall, which, however, the smallness of our resources prevents us from building. The site we have; it lies behind our temple. Nor do we wish to erect anything but a very modest structure, which has become indispensable in order to enable us to bring together our dear young people, who are avid to obtain instruction in the marvelous history of our religion and to illumine their young souls with the light of the Torah."

In commenting upon this letter Dr. Enelow said:

"Those of us who were in France during the War will recall the warm-hearted hospitality extended by Rabbi Sommer and his family to the members of the A. E. F., and more especially to the Jewish men and women who either were stationed or passed through that center of the S. O. S. Especially helpful were his services in arranging for the conduct of Holy Day Services and the extension of hospitality on those occasions. It would mark a gracious acknowledgment of those kindnesses, which meant so much in those days, if Rabbi Sommer's appeal found a favorable response, and I believe that there must be many former Jewish members of the A. E. F. who would be pleased to contribute to such a fund.

"I should like to recommend, first, that this Convention endorse Rabbi Sommer's appeal for contributions toward the building at Tours of a social annex to the synagog, in commemoration of the Jewish members of the A. E. F. who sojourned there during the War. And,
secondly, that a committee be appointed, consisting perhaps of former chaplains who served in France and who are members of this Conference, for the purpose of helping to make this appeal effective and successful.”

The Conference acted favorably on both these recommendations.

But when all is said, Enelow was primarily a student and a scholar. His scholarly interests were wide. He contributed largely to volumes of studies. Among these contributions may be mentioned the essay “Kawwana; The Struggle for Inwardness in Judaism,” in the volume, Studies in Jewish Literature, issued in honor of Dr. Kaufmann Kohler on the occasion of the seventieth anniversary of his birth (Berlin 1913); the essay “Isaac Bellinfonte, an Eighteenth Century Bibliophile,” contributed to the A. S. Freidus Memorial volume (New York 1920); the essay “Raphael Norzi, A Rabbi of the Renaissance,” in the Hebrew Union College Jubilee volume which marked the fiftieth anniversary of the Hebrew Union College (Cincinnati 1925); the essay “God the Eternal” in the volume “My Idea of God,” edited by J. F. Newton (Boston 1926); the address “Lincoln the Patriot” in Abraham Lincoln, The Tribute of the Synagogue, edited by Emanuel Hertz (New York 1927). He published many volumes of Sermons, namely, “The Jewish Life,” (1915); “the Synagogue in Modern Life,” (1916); “The Effects of Religion, (1917); “The Allied Countries and the Jews,” (1918); “The War and the Bible,” (1918); “The Adequacy of Judaism,” (1920); “The Jew and the World,” (1921); “The Diverse Elements of Religion,” (1924); Other volumes that he wrote are “Aspects of the Bible,” (1911); “The Varied Beauty of the Psalms,” (1917); “The Faith of Israel,” (1917); “A Jewish View of Jesus,” (1920). He edited, with a biographical essay, the volume “The Origin of the Synagogue and the Church,” by Dr. K. Kohler.

However, the peak of his achievement was attained when he gave to the literary world two hitherto unpublished manuscripts which he edited with scholarly introductions and copious notes. These were the “Menorat Ha-maor
by R. Israel Ibn Al-Nakawa, From a Unique Manuscript in the Bodleian Library, Oxford," which he edited in four parts (New York 1929–1932), and the "Mishnah of Rabbi Eliezer, or The Midrash of Thirty Two Hermeneutic Rules, Edited from Old Manuscripts," (New York 1933). In the preface to Part I of the former book, he tells us that his interest in Al-Nakawa's work was first aroused in Paducah, Kentucky, when he was reading many years ago Elijah di Vidas' book on "The Beginning of Wisdom." He was struck by the resemblance between parts of Al-Nakawa copied by di Vidas and parallel passages in the well-known book, "Menorat ha-Maor," by Isaac Aboab. Many years later, in 1925, he had the opportunity of examining the only existing manuscript of Al Nakawa’s work in the Bodleian Library at Oxford. This examination convinced him that this work was largely the source of Aboab’s book, or that Aboab’s book is an imitation of Al Nakawa’s work and an adaptation of its material. “Whatever credit has been given to Aboab, both for the contents of his book and his quotations from older writings, really belongs to Al-Nakawa, the rock whence his work was hewn and the well whence he drew” (Introduction to Part I, p. 18). In fact, this examination convinced him of the correctness of the conjecture made in his essay, "Midrash Hashkem Quotations in Alnaqua’s Menorat Ha-maor," (Hebrew Union College Annual IV, 311–345) where, in answer to his own question, “Was not Alnaqua’s work the source of the Menorat ha-Maor attributed to Isaac Aboab?” he says: “If one compares the two texts one cannot escape such a conclusion . . . . Aboab’s Menorat is a reproduction of Alnaqua’s work for a less learned public than the one which Alnaqua addressed,” and a little later on he says: “Some day I hope to publish the manuscript for its own sake.” This hope was realized when through the permission of Dr. A. E. Cowley, the librarian of the Bodleian, he secured a photograph copy of this unique manuscript.¹

¹In note 3 on page 14 of the Introduction to Part I of his edition of the Menorat ha-Maor, Enelow states that although in this previous essay he had used the form "Alnaqua," popularized by Zunz, he had decided to use in this magnum opus the form "Al-Nakawa," because it corresponds more accurately to the Hebrew of the author.
Al-Nakawa's work is a comprehensive ethical treatise. It consists of twenty chapters as follows: I Charity, II Prayer, III Repentance, IV Humility, V The Study of the Torah, VI the Mizwot, Precepts on Rites and Observances, VII Bestowal of Kindness, VIII Honoring Sabbath and Festivals, IX Honor due Father and Mother, X Marriage, XI Education of the Young, XII The Honorable Conduct of Business, XIII Justice, Its Officers and Administration, XIV Contentment, XV Anger and Indignation, XVI Flat-tery and Scoffing, XVII Love of One's Fellowmen and Friendship, XVIII Evil Talk, XIX Keeping Another's Secret, XX Derek Eretz—Good Manners.

In Part II, the editor included two poems by Al-Nakawa, and in Part IV at the close of the twentieth chapter, he adds three supplements of which he says, "although these have already appeared in various publications, [they] are given here for the first time in their complete form and in their proper setting."

The four Introductions by Enelow attest his great ability and his thoroughness. He was completely at home in his subject. As an example of this thoroughness, I may quote appositely from the Introduction to Part III:

"At Toledo, Al-Nakawa's native city, the tradition of ethical idealism was particularly strong. R. Abraham Ibn Daud, in the twelfth century, had there written his philosophic work "Emunah Ramah" ("The Sublime Faith"), in the course of which he tried to show that "all the moral qualities recommended by the authors of ethical works, can be found in more perfect form in the Torah." There R. Jonah b. Abraham Gerondi (d. 1263) had been active and produced his famous ethical works, including the Sha'are Teshubah ("Chapters on Repentance"), the Hayye 'Olam ("Eternal Life"), and his Commentaries on the Book of Proverbs and the Chapters of the Fathers. It was at Toledo, also that R. Asher b. Yehiel had taught (d. 1327); and his ethical testament, as well as that of his son, R. Judah, became popular documents. Moreover, R. Israel b. Joseph Ibn Israel, the disciple and friend of R. Asher, had there devoted his learning and literary skill to ethical instruction, especially in his Arabic commentary on the Chapters of
the Fathers, which was probably translated into Hebrew soon after its appearance and later in the fourteenth century (1368) served as the basis of R. Isaac B. Solomon Ibn Israel’s Commentary. Though he lived at Saragossa, R. Bahya b. Asher (d. 1340). was no doubt well-known at Toledo, with his Commentary on the Bible, which is preeminently ethical, as well as his Commentary on the Chapters of the Fathers (of which there is a manuscript in the British Museum). About the same time another resident of Saragossa, but native of Toledo, wrote a noteworthy commentary on the Chapters of the Fathers, namely, Don Joseph Ibn Shoshan. At Toledo, also, R. Menahem Ibn Zerah (d. 1385), an older contemporary of R. Israel Al-Nakawa, wrote his Sedah La-Derek (“Provision for the Way”), which often deals with ethical subjects. Many another Toledo author had sought to keep alive the ethical tradition of Jewish literature."

The concluding words of the Introduction to Part IV, the final portion, may well be set down here as a further indication of how adequately Enelow was prepared and fitted for the task he so admirably and completely fulfilled:

"In point of spiritual influence, however, R. Israel Al-Nakawa was destined to become the most eminent member of his family. Whatever may be the final decision in regard to the relation of his work to that of R. Isaac Aboab, it is certain that by way of R. Judah Ibn Kalaaz’s Sepher Ha-Musar, R. Elijah di Vidas’s Reshit Hokmah, and R. Isaac b. Elyakim’s Leb Tob, his work traveled through the ages. Even into a chrestomathy of the Jewish-German tongue, made in the seventeenth century by Johann Christ of Wagenseil, a Christian scholar, Al-Nakawa’s chapter on the ethics of good behavior found its way—this time through the Leb Tob. On the other hand, R. Jacob Emden, the champion of religious enlightenment at Altona, Germany (1697–1776), included the same section, in the original Hebrew, in his ethical work, Migdal 'Oz (“The Tower of Strength”). Finally, in the second half of the nineteenth century, two separate
Yiddish translations of the 'Or 'Olam section appeared in Wilna—one by R. Israel of Minsk and another by R. Meir b. Solomon Her.

The last literary task which it was given this great scholar to complete was the publication of The Mishnah of Rabbi Eliezer or The Midrash of Thirty Two Hermeneutic Rules. This was a long lost Agadic work which Enelow was privileged to discover. He tells the story of the discovery in his article The Midrash of Thirty Two Rules of Interpretation in the *Jewish Quarterly Review* (Volume XXIII New Series 357–367).

"This lost work I was so fortunate as to discover on Tuesday, November 15, 1932 while examining one of the Yememite manuscripts recently acquired by the Library of the Jewish Theological Seminary of America."

In the preface to his edition of this Mishnah of Eliezer, he traces the discovery he was enabled to make to his pre-occupation with the Al-Nakawa treatise. In the thoroughly documented Introduction, he sets forth the various steps that led to the full identification of this lost work. No complete manuscript had been preserved. With keen perspicacity, Enelow pieced together fragments of the work which he found in various manuscripts and was thus enabled to restore the entire book. This achievement is one of the romances of modern Jewish scholarship. An important Agadic treatise, from which quotations were made in a number of works, was thus pieced together from the fragments which had been fortunately preserved. The discoverer of this lost work brought it out in a very beautiful edition of three hundred and seventy-four pages, with two full indices in Hebrew of names and books quoted in the work. There is also the learned introduction of sixty pages from the pen of Dr. Enelow as well as an English Index to Authors and Works quoted in the Introduction and Notes. The very copious footnotes attest the wide reading and full knowledge of this modern sage whose name is thus inextricably bound up with the ancient sage Rabbi Eliezer ben Rabbi Jose ha-Gelili. Through these two fine contributions, the Al-Nakawa and the Mishnah of Rabbi Eliezer, Hvman
Gerson Enelow has secured a lasting place in Jewish scholarship's Hall of Fame.

I close this sketch of the life and work of this unusual man as I began it, namely with some words from the tribute I paid his memory on the day that he was laid to rest.

“A clear thinker and an incisive speaker, Dr. Enelow could always be relied upon to throw light upon any subject in question or in controversy. The fullness of his knowledge and his power of expression made him an ideal interpreter, whether it was of a learned treatise or of a popular theme. It is a far cry from being the author of a popular tract like his early essay, ‘What Jews Believe,’ to the editorship of the manuscript, ‘Mishnat R. Eliezer or Midrash Sheloshim ushetayim middot,’ the latest contribution to Hebraic lore to come from his literary workshop, but in both such fields he was equally competent and painstaking. Modest to a degree when acclaimed for his scholarly achievements by his peers, he was ever ready to recognize the merits of other workers in the soil that he was ploughing. Aye, and not only that. Many an impoverished scholar here and abroad was the object of his deepest solicitude. He extended a helping hand and urged wealthy friends to do likewise to enable such scholars to continue their researches and studies. From New York to Jerusalem many such a one has frequently arisen and called Hyman G. Enelow blessed! And we who knew him best and admired the essential qualities that formed the core of his being, utter a similar word and in the time-honored words say of him with fullest conviction, Zeker tzaddik librakah, the memory of this righteous man is and shall be a blessing!”
George Alexander Kohut
1874-1933
GEORGE ALEXANDER KOHUT

By ALEXANDER MARX

A life rich in accomplishment was cut short when George Alexander Kohut passed away on December 31, 1933, a few weeks before his sixtieth birthday.

Born in Stuhlweissenburg, Hungary, February 11, 1874, as the son of the eminent Rabbi and scholar, Dr. Alexander Kohut, he received his early education in the Real Schule and Gymnasium of that city and of Grosswardein where his father subsequently became Chief Rabbi. In 1885, he came to this country. He entered the public schools of New York City and was graduated from the College of the City of New York. Ill health prevented his continuing his education until 1890 when he entered Columbia University and the Jewish Theological Seminary. At Columbia, he studied under Professors A. V. Williams Jackson, Bjoranson, Richard Gottheil and others, and at the Jewish Theological Seminary under Dr. H. P. Mendes, Dr. Bernard Drachman and Dr. Joshua A. Joffe. He also received private instruction from Dr. Arnold B. Erlich and from his own father, Dr. Alexander Kohut. The latter spent every spare moment endeavoring to supplement his son's interrupted studies by teaching him Talmud and Midrash. He had just passed his twentieth year when he lost his beloved father whose influence shaped the course of his whole life.

In 1895 he went to Berlin, and there, at the Hochschule für die Wissenschaft des Judentums, he continued his Rabbinical studies which he had begun at the Jewish Theological Seminary of America. At the same time, he attended the lectures of Moritz Steinschneider at the Veitel-Heine-Ephraimsche Lehranstalt and soon became a favorite pupil of the great master of Hebrew bibliography and literature. Both Professor and Mrs. Steinschneider took a deep interest in the charming young American; he also won the love of his co-students among whom there were
scholars, such as Poznanski and Rieger, who were to attain a great reputation. In Steinschneider's house he was a very frequent visitor, and there he found a second home, the Steinschneiders showing a great interest in his well-being and a deep concern about his health.

Kohut was never a strong boy. He was always of delicate health, and the trip to Berlin was suggested by his physician, Dr. Isaac Adler, who advised him to leave the inclement climate of New York. But his health did not improve in Berlin. After two years of eager and successful study, he had to leave for Reichenau, near Vienna, taking along the best wishes of his teachers. The testimony he had received, March 1897, from Dr. Martin Schreiner, Professor H. Steinthal and Steinschneider, give evidence of his industry and promise.

Upon his return to the United States, May 1897, he received a Rabbinical diploma from the Rev. Dr. B. Felsenthal, and, in the same year, he accepted the position of Rabbi of Congregation Emanuel at Dallas, Texas. There, he was eminently successful, and it was owing to his efforts that unity was restored in the Congregation and that the building of a new Temple was started in 1899. Though he had decided to leave his post in that year, he was prevailed upon by the admiring members of the Congregation to remain for another year and see the fruition of his labor. His Rabbinical activity was, however, cut short when he suffered an attack while in the pulpit. He had to return to the North in 1900, but the few years of his ministration left a lasting impression, and, after thirty years, his memory is still cherished in his former Congregation.

On his return to New York he became a teacher of Latin and German in the Kohut School for Girls. From 1902–1912 he was the Principal of the Religious School of Temple Emanu-El, and from 1902–1905 Assistant Librarian of the Jewish Theological Seminary.

In 1906, he again accepted a Rabbinical position at the Sinai Congregation, Mount Vernon, but he gave it up in the following year, because of ill health. In 1907, he established Kamp Kohut at Oxford, Maine, which he maintained for twenty years, and in 1909, he formed the Kohut School for Boys of which he was the principal for a decade. In
1920, Dr. Campbell turned over to him the Columbia Grammar School where he served as Principal and Executive Director until his last day.

As a Trustee of the Jewish Institute of Religion, he took a deep interest in the progress of that institution since its foundation, in 1923, by his life-long friend Dr. Stephen S. Wise. In 1928, the Institute conferred upon him the well-deserved honorary degree of Doctor of Hebrew Letters.

Being very fond of children, who adored him, and a born educator, Kohut was very successful in his school and camp. The considerable income he derived from these undertakings enabled him to do much for the promotion of Jewish learning by publishing valuable works of which I shall speak later.

During all those years, since entering his father’s house in 1887, Mrs. Rebekah Kohut had taken care of him with great devotion and motherly love, and it was owing to her efforts that, in spite of his poor health and frequent illness, Kohut attained the age of sixty. It was an ideal companionship between mother and son, who shared their cares and their joys, their plans and hopes.

In shaping his career, the two men who had the greatest influence on him were his illustrious father and Moritz Steinschneider.

Having grown up in the house of the eminent lexicographer, he had learned from his early childhood to appreciate Jewish learning and to be familiar with the names of the prominent representatives in this field. When he later made their personal acquaintance, his father’s name proved an “open sesame” for him. To follow in his father’s footsteps became his ideal. The motto from the Book of Proverbs (17, 6) which he added to the dedication of his “Hebrew Anthology,” “inscribed to the ever cherished memory” of his father: ‘The glory of sons are their fathers,’ can fittingly be called the Leitmotiv of his whole life.

It was the example of his father which caused him, in spite of tender health, to choose the rabbinical calling, and it was from him that he learned to love Jewish scholarship. Evidently the interest in bibliography was inborn in Kohut, but it was to a great extent strengthened by Steinschneider. Already in 1894, after his father’s death, the
young man had published a "Memoir of his Literary Activity" which was followed in 1927 by a "Tentative Bibliography Concerning Dr. Alexander Kohut."

When Steinschneider reached his eightieth birthday in 1896, a Festschrift was published to which Kohut, who together with Poznanski edited that volume, contributed a careful and exhaustive bibliography of the innumerable works of Steinschneider. He planned a revised and completed edition for his ninetieth birthday, and in recent years repeatedly discussed a new edition. I am certain that, had he lived longer, this plan would have been carried out.

In the following year (1897), while still in Berlin, he published "Semitic Studies in Memory of Alexander Kohut" to which forty-three eminent Jewish and Christian orientalists, biblical and rabbinical scholars wrote valuable contributions.

George A. Kohut was fond of showing his admiration and appreciation of scholars by Jubilee or Memorial Volumes. Besides the two mentioned above, he was the editor of the "Israel Abrahams Memorial Volume" (1927), the inspirer of the "Studies in Memory of Freidus" (1929), and "Abhandlungen zur Erinnerung an H. P. Chajes" (1933). He also helped to make possible the enlarged issue of the Monatsschrift (1934) in honor of the eightieth birthday of Immanuel Loew of Szegedin, Hungary, to which he contributed a paper containing the correspondence of his father and Steinschneider with Loew.

There are numerous evidences of Kohut's appreciation of Jewish scholars whom he loved and admired. He published repeatedly tributes to his master Steinschneider (1900 and 1906) and his more elaborate "Steinscheideriana" (1929). A more important new instalment which was to throw much new light on the life of the revered master was the subject of our conversation during his last visit to the Seminary Library. Together we looked over his correspondence which Frl. Adeline Goldberg, Steinschneider's devoted secretary, turned over to the Seminary Library at the suggestion and urging of Kohut. He intended to prepare a paper on those documents for the annual meeting of the American Academy for Jewish Research, December 1933.
Kohut wrote about twenty tributes on some outstanding personalities and scholars, such as David Kaufman and Solomon Munk, as well as the Hungarian patriot Kossuth, giving expression to his enthusiastic admiration for these men.

A subject in which he was greatly interested and in which his wide reading in many fields was particularly helpful was that of folklore. Repeatedly he dealt with the popular songs at the end of the Passover service, the Had Gadya and the Ehad Mi-Yode'a. In a learned paper in 1895, he gathered parallels from modern Greek and German sources referring to numerous other literatures. A fuller treatment is given in an interesting article reprinted in the *Jewish Exponent* (1903), in which parallels from French, English, German and Siamese for the one, and Latin, French and Bohemian for the other song, are printed and a host of others are referred to. A very rich literature on Had Gadya is gathered in his article in the *Jewish Encyclopedia*, Volume VI.

From various sources, Kohut quoted “Some Oriental Analogues to the Ballad of King John and the Abbot of Canterbury” (1901). He dealt with “Bloodtest as Proof of Kinship in Jewish Folklore” (1903), and translated (1893) “Folk legends of Hungary and of the Adjacent Countries.”

In the field of Jewish history, the romance of Jewish martyrdom especially appealed to Kohut, and to this subject he devoted a number of valuable papers. His “Jewish Martyrs of the Inquisition in South America” (1896), endeavored to collect all available material from widely scattered sources. It was followed by more detailed studies of “The Trial of Francisco Maldonado de Silva” (1906), “Jewish Heretics in the Philippines in the Sixteenth and Seventeenth Centuries (1904), “The Martyrdom of the Carbajal Family in Mexico 1590–1601” (1904). In his “Some Jewish Heroines” (1895) he gives a tentative list of sixty-seven martyrs who suffered from the hands of the Spanish Inquisition, adding the all too scanty facts recorded in the sources.
These papers, at the same time, fall within another favorite subject of Kohut, that of American Jewish History, a subject to which he contributed very much and in which he was particularly interested. He was one of the group which participated in the meeting at which the American Jewish Historical Society was founded, and at the last meeting of this Society, before his death the thirty-ninth, he presented to it all his valuable Americana—books and documents which he had accumulated with the greatest zeal and understanding. Several of the above-mentioned papers have appeared in its *Publications*. In his “Early Jewish Literature in America” (1895), still the fullest treatment of the subject, there is a wealth of information gathered from various sources. Kohut was fond of bringing curious facts to light and thus he had published “Correspondence between the Jews of Malabar and New York a Century Ago” (1897), and “A Letter from the Members of Shearith Israel Congregation to the Jews of China” (1897). From an eighteenth century English chap book he reprinted a lengthy treatise on “The Lost Ten Tribes in America” (1909).

His volume “Ezra Stiles and the Jews,” and his essay “Judah Monis” fall within another sphere which always attracted him—Christian Hebraists. Of the very rich material he had accumulated in the course of years his paper on “Royal Hebraists” (1927) gives evidence. His long-planned volume which was to contain an “Anthology of Hebrew Writings of Christian Scholars from Reuchlin to Renan” is one of the projects which his untimely death cut off.

During the last months of his life, he gathered material for a volume on “Curiosities of Jewish Literature.” With his enormously wide reading, his store of information and his grace of style, he would have treated this subject as few others could.

Kohut had a fine sense for literature, in which he was very well versed, and he was a voracious reader. But it was always the Jewish side that attracted him in particular. He wrote for the centenaries of Victor Hugo (1902), Charles Dickens (1912) and the famous preacher Henry Ward
Beecher (1913) on their relation to the Jews, and prepared for a similar occasion a George Eliot Anthology (1919–1920). A more ambitious undertaking was his "A Hebrew Anthology: A Collection of Poems and Dramas Inspired by the Old Testament and Post-Biblical Tradition, Gathered from Writings of English Poets, from the Elizabethan Period and Earlier to the Present Day" (1913), for which he selected the material for two volumes with care and taste. In 1917, after the author's death, he edited Joseph Friedlander's "Standard Book of Jewish Verse." In the same year appeared his edition of Lessing's "Nathan the Wise" in Patrick Maxwell's translation with a full introduction dealing with the author's relation to Mendelssohn. He reedited with additional notes Zunz's classical "The Sufferings of the Jews During the Middle Ages" (1907) and Hyman Hurwitz' "Hebrew Tales" (1911) in Bloch's Library of Jewish Classics.

Kohut showed a great facility in verse and numerous poems of his appeared in various magazines, a good many in honor or memory of his friends. He published a small selection in a limited edition under the title "Besides the Still Waters. Legends, Lyrics, Elegies" (1912). While they are not all of equal merit, some show genuine poetic gift.

During the years 1901–1908, he was the editor of various magazines: "Helpful Thoughts" (1901–1903); "Jewish Home" (1903–1904); "New Era Illustrated Magazine" (1903); "Young Israel" (1907–1908). They contained numerous contributions in prose and verse from his own pen.

The wide range of his interests and his amazing versatility are evidenced by the large number of books in widely different fields which he reviewed in learned magazines and in Jewish weeklies.

It is impossible to give in this place an adequate outline of George A. Kohut's contribution to Jewish literature and learning which prove his many-sidedness, the brilliance of his intellect and the charm of his writings. His life was spent in an effort to further and enrich Jewish learning, not only by his own studies but, during the last two decades, in an ever-increasing ratio, also by the stimulation of others and the publication of their works. With his limited means,
singlehanded, he practically fulfilled the functions of an academy, and the array of volumes that owe the possibility of their publication to his enthusiastic and unselfish efforts and to his magnificent generosity would shed lustre on any learned body.

All these publications bear the imprint of the "Alexander Kohut Memorial Foundation," established in connection with various institutions—a unique memorial of rare filial piety.

At Yale University, to which he gave his father's library and left the greater part of his own, besides a valuable Heine Collection, he established in 1915 "The Alexander Kohut Memorial Publication Fund" under the auspices of which appeared: a volume of "Early Babylonian Letters from Larsa" by H. F. Lutz (1917); two volumes of Biblical and Oriental Studies by his friend, Professor A. J. Clay (1919 and 1923), and "An Important Arabic Historian" edited by another intimate friend, Professor Charles C. Torrey (1922), as well as Dr. J. Obermann's edition of the Arabic original of R. Nissim b. Jakob's famous "Book of Stories" (1933). Dr. S. L. Skoss's edition of the "Hebrew-Arabic Dictionary by a Tenth Century Karaite, David ben Abraham al-Fasi" is now going through the press, and the first volume is to appear soon.

In 1919 Kohut established at Yale an "Alexander Kohut Research Fellowship in Semitics," for stimulating postgraduate study.

In 1922 and 1923, Kohut Foundations were established in Vienna, Berlin, Budapest and New York.

Two volumes of Aptowitzter (1922 and 1927), the Jubilee Volume of the Budapest Seminary (1927), R. T. Herfords's edition of the "Sayings of the Fathers" (1925), M. H. Segal's "Grammar of Mishnaic Hebrew" (1927), C. Levias' Hebrew "Grammar of Babylonian Aramaic" (1930), M. Schlesinger's elaborate Syntax of the Babylonian Talmud (1928), M. L. Margolis' classical edition of "The Greek Joshua" of which two parts have appeared (1931), Thackercray's "Lexicon to Josephus" (1930) (the second part of this work which is continued by Dr. R. Marcus is to appear soon), and above all the four volumes of I. Loew's fundamental work "Flora der Juden" (1924–1934)—all these
and several others were published by the "Alexander Kohut Memorial Foundation."

A supplementary volume to his father's famous edition of the Arukh, which was to bring this work up to date, was to crown these publications, and only recently arrangements for its printing were concluded. Fate did not permit him to see the fruition of this favorite plan as of so many others.

These publications occupied a great deal of Kohut's time and attention; he constantly worked over them and worried about them. A number of prominent scholars served as Trustees and advisers of the Foundation, but the burden of the work he carried almost exclusively on his own shoulders, while his friends only occasionally assisted him with their counsel.

Besides these works published entirely at his expense, material subventions of the Kohut Foundation made possible the publication of several other works of outstanding importance, such as the reproduction of the Kaufmann Codex of the Mishna (1929), Leisegang's "Index" to the Berlin Academy edition of Philo's Works (1926-1930), as well as the three volumes of Klatzkin's "Hebrew Philosophical Dictionary" (1928-1930).

Besides the Kohut Foundations he established a "Dr. A. S. Bettelheim Foundation," in memory of Mrs. Kohut's father, at the Vienna Pedagogium under the auspices of which appeared Leo Fuchs's volume on the Jews of Egypt (1924) and Taubes' study on the President of the Sanhedrin (1925). By the "Dr. H. P. Chajes-Preisstiftung" at the Vienna Seminary, Zimmels' volume on the historical material in the Responsa of R. Meir of Rothenburg was published (1926).

Kohut had seen in his youth with what difficulties his father had to contend in order to raise the funds for the publication of his great dictionary, and the son wished to save scholars engaged in original research such humiliation, tribulations and agony, and to enable them to publish the results of their investigations free of material care. It must be said, in addition, that several of the most important works of the Kohut Foundation might never have been
written, but for the inspiration and the enthusiasm for Jewish learning of George Alexander Kohut. Being prevented time and again by ill health from carrying out his own scientific plans, he took pride in such vicarious contributions to Jewish learning by stimulating and helping others.

But he wished that all the credit should be given to the memory of his father. For himself, he shunned honor and public recognition. When friends planned to have his efforts recognized by an honorary degree of one of the leading universities, he forbade them to proceed, and Dr. Wise had practically to force on him the honorary degree of Doctor of Hebrew Letters.

Kohut's interests were not limited to the publications of his Foundations; he had great sympathy for those of other institutions, such as the American Academy for Jewish Research, of which he was an honorary member. He was particularly anxious to see its Maimonides project realized and made various efforts to this end.

Many of his own plans, from his early intention to edit Joseph ha-Cohen's unpublished work on the discovery of America to his latest schemes which were previously mentioned, remained unfinished, but in spite of the state of his health which forced him to desist from steady application, it was a full life that he had lived, a life that was a blessing to a host of less fortunate people.

George Alexander Kohut was a man of great talent, a lovable personality with a warm heart. Kindly, gracious, sympathetic, he was full of response, full of stimulation, very modest, and generous to a fault. He had a gift for friendship, always ready to deprive himself in order to help others. His enthusiasm was contagious; the sweetness of his disposition, the brilliance of his conversation, the radiance of youth which he retained to the very end, made the association with him a rare pleasure.

In devoting the last eighteen years of his life to the perpetuation of the name of his father by the work of the Kohut Foundation, he has erected for himself a monument aere perennius.
THE FEDERATION IN THE CHANGING AMERICAN SCENE*

By B. M. Selekmam

The Federation is the modern expression given by American Jewry to the age-old impulse of Jewish communities to provide through organized effort for social, economic and cultural needs. In performing this historical task, it has achieved an honorable record. It has coordinated into a community program agencies for family welfare, child welfare, hospitals, homes for the aged, settlements and centers. To a less degree it has promoted and supported programs for Jewish and religious education. It has become by and large the most influential organization in American Jewish life.

Today, however, the impact of vast social changes has given new challenge once again to the Jewish tradition of communal responsibility. For, like all people, American Jewry faces today the central problem of our times—adaptation to rapidly moving economic and social forces. Above all else, the present moment demands intelligent and authoritative leadership for achieving our adjustments to the new world into which these forces are propelling us.

Can the Federation serve as the vehicle for such authoritative yet pioneering leadership? The theory underlying present-day Federation would seem to indicate it at once as the most promising instrument for answering just this need. But its concrete practice reveals fundamental limitations which must be met before it will be really adequate to our changing situation. For one thing the Federation

*This paper is based on a report prepared for the annual meeting of the National Council of Jewish Federations and Welfare Funds held in Chicago on January 6—7, 1934. While the author assumes full responsibility for statements of facts and conclusions, he wishes to express appreciation for valuable help from Messrs. Michael Freund, Solomon Lowenstein, Harry Lurie, George W. Rabinoff and Ira M. Younker.
until now has administered in the main the purely philanthropic activities of the Jewish community. For a second, even in this field it has not exerted really effective leadership. It has operated, instead, almost exclusively as a fund-raising organization for the societies and institutions which are its constituent agencies. Those primary services of study and research, of community planning, of reorganization of services to meet new and changing conditions—services by which alone any social institution can achieve the continuous adjustment prerequisite to efficiency in dynamic contemporary society—the Federation has undertaken only to a minimum degree.

Thus it is that the Jewish community has lacked direction not only on issues of general policy but even in the specialized field of social service.

The world depression has served to emphasize the dangers of such a vacuum where there should be sure guidance and strategy. But it has merely emphasized what was in fact becoming apparent. For the inadequacies of the Federation grow out of its genesis and development. We must bear in mind that the individual agencies now contained in the Federation fold existed, in most communities, before the Federation itself. They were launched by various groups already established in the United States to handle the inevitable problems of maladjustment created by the continuous arrival of immigrant newcomers to already crowded urban centers. The passing years thus produced a multiple crop of uncoordinated organizations—relief agencies, child caring agencies, hospitals, institutions for the aged, settlements and neighborhood houses—all competing for community support. Obviously such a situation offered three steadily aggravating difficulties. On the one hand an inevitable duplication of agencies appeared in various areas and various services. On another, the needs of the community viewed as a whole were neither well nor adequately met. And finally, the contributing public was increasingly plagued by unending and competitive money-raising campaigns.

The federation movement emerged as the general and logical answer. Considerable resistance to its advance,
however, was offered by large and well-established agencies. Mindful of their accumulated reserves and their supporting publics, they feared the possible affects of federation upon their own autonomy and their budgets.

Thus, from the very beginning, Federation has suffered the limitations of its origins. Sponsored chiefly by the wealthy givers, it had to reflect their conceptions of Jewish communal work, although purposing to represent the whole community. To persuade agencies to join it at all it had virtually to promise them complete autonomy and freedom from interference. To assuage their budgetary fears it had to concentrate almost exclusively on money-raising efforts.

But, within the restricted scope thus set for it, the Federation movement forged rapidly ahead. It proved on the whole an efficient money-raising mechanism. From the growing subscription totals of their annual campaigns, Federations were able to amplify progressively the budgets voted to their constituent agencies. They became the means of linking the prosperity and status achieved by American Jewry during the first thirty years of the current century—years perhaps unparalleled during any other period of the Diaspora—with recognized community responsibility for the disadvantaged and under-privileged.

Beyond this, however, the record remained unsatisfactory and confused. Without the primary powers of a central organization, Federations could not impose order in our complex development. They could not effectively study, plan in terms of needs and resources, integrate existing agencies, or launch new ones. In community after community, haphazard building programs multiplied new hospitals and added new centers. By the same token they multiplied mortgage indebtedness. With characteristic American confidence in continuing prosperity, sponsors laid corner-stones before assuring initial cash payments, or providing for amortization and operating budgets. Meanwhile the rapid shifts in Jewish populations made for constantly changing needs. Expensive and elaborate institutions, built primarily to serve Jewish clienteles, found themselves catering to non-Jewish groups. Other institutions became
obsolete in terms of developing social work standards. Still others unnecessarily duplicated functions already served by existing agencies. Even in the fund-raising process, unhealthy features appeared. Too great reliance was placed on large donors without any serious attempt to develop the potential balance weight of mass support. When general community chests were formed, some Federations joined before their communities were really ready for such a move. The results proved unfortunate, bringing insufficient contributions from the Jewish group, and a weakened sense of Jewish community consciousness.

A RECONSIDERATION OF THE FEDERATION PROGRAM IN VIEW OF RECENT DEVELOPMENTS

Nevertheless, until the full effects of the depression began to make themselves felt, Federations proved able to continue in their established, if inadequate, ways. Until 1931, they maintained their growing rate in the collection of funds. But, since that year, they have suffered a decrease in income approximating roughly 30 per cent per annum. If we could drift without hazarding actual shipwreck before the depression, we can hardly afford to take such chances any longer. The almost catastrophic influences of the past four years have so affected the whole Federation position as to make imperative a reconsideration of scope, objectives, function and structure.

There are eight major conditioning factors, each of which determines the demands upon, and the efficiency of the Federation in some fundamental way. They are, in summary:

1. The chronic insecurity of the masses of people in our present economic structure, periodically intensified by such depression times as the years since 1929 with their emergency unemployment, dependency, broken homes, impaired morale, and, accordingly, unprecedented demands for relief.

2. The economic instability among Jews arising from their concentration in hard-pressed occupations, overcrowded professions and small business, accompanied by
an increasing discrimination against them in industry, trade and the professions.

3. The prospects of increased demands upon American givers for the needs of European Jewry and developing Palestine indicated by existing anti-Semitism and particularly by recent developments in Germany.

4. The heavy carrying costs accumulated by over-ambitious and often financially unsound building programs as a result of the lack of central community planning.

5. An unbalanced emphasis, in Federation campaigns, upon securing large gifts from relatively few members of the community, the impairment of wealth and income among these donors, and the outlook for a more comprehensive and more rigidly enforced program of taxation—all of which may perforce reduce Federation income.

6. Difficulties arising in recent years from the participation of Jewish Federations in community chests facing the uncertainties of voluntary giving.

7. The development in the United States during the depression of an elaborate program of public social work, particularly in the field of relief.

8. The launching or promise of various socio-economic measures under the Roosevelt administration that aim both to bring about recovery and to lay a foundation for a stable economic life and a decent standard of living.

A Reconsideration of Established Federation Functions

What reconstruction in the Federation program does this combination of factors recommend? Obviously they would seem to presage a situation in which steadily increasing Jewish communal demands confront probably shrinking Jewish communal resources, but with the coincident mitigation promised by the rise of new public agencies for handling some of the conditions of human distress among us. Would it not, then, appear the counsel of elemental wisdom in such a situation to place decreasing emphasis upon whatever part of our program other competent agencies will handle; and increasing emphasis on (1) those
functions which will help Jewish families and individuals in their grave problems of adjustment arising out of our developing economic life, and (2) those functions which are so specifically Jewish that none but Jews can be expected to deal with them? More concretely, may we not formulate it as a working principle that, where public social work and the protective devices of social legislation can be made to operate, Jews will participate as citizens in the general community, at the same time retaining and fostering such services as may be necessary to help Jews make their adjustment in a new and rapidly changing American society; and where the efficient performance, or perhaps even the survival of distinctively Jewish communal work is at stake, there Jews will shoulder the full and sole responsibility?

How would such a realistic approach affect our present procedure? Budgetary practice until now has allocated by far the bulk of Federation funds to relief, health and child care; a small residuum to character building, Jewish culture and Jewish education; and little, if any, to constructive projects for social and economic adjustments, or to Jewish work of national or international character. Now, however, national policy seems unmistakably heading toward an increasing assumption by public agencies of responsibility for Jews, as for other citizens, who may need services in relief, health and child care. This is exactly as it should be. We should encourage and strengthen this policy to become an accepted government function and support all efforts which seek constructively to improve the economic position of the masses of people. But we should also examine how far we can, by freeing Federations of primary relief demands, release funds toward the support of adjustment projects for the economic and social welfare of the Jewish group, and for distinctively Jewish communal activities.

Family Welfare.—Let us consider first the field which has hitherto constituted the most important phase of social work, namely, family welfare. While there should be diminishing emphasis on remedial efforts, as such, in this field, a continuing responsibility for maintaining a family welfare program unquestionably lies with Federation. Such a
program, in the light of our new conditions, will not only emphasize, as usual, the skill and experience necessary for the conservation of normal family life; it will also concern itself with such newer ventures as industrial retraining, the mobilization of credit resources to underwrite self-support projects, and the direction of the unemployed into new fields of work. In fact, the serious industrial dislocations uncovered by the depression years urge special and early attention to experiments in the economic rehabilitation of displaced Jewish wage-earners and, similarly, open-minded cooperation in governmental plans now under way for the establishment of subsistence homesteads. Just as the private agency pioneered in the individualized treatment of social problems through case-work methods, so it must now pioneer with demonstration projects in the social treatment of individual economic rehabilitation. Indeed, public relief agencies are, and for some time will be, so overwhelmed with immediate relief demands that they will have little time or energy, even where the will exists, to experiment with new approaches to economic dislocation. The Federation and its family welfare agency must, in concert with other forces in the community, also bring pressure to bear upon public welfare departments for the establishment of adequate standards of relief and treatment. Obviously, there will always be in addition a residuum of relief work, entailed by the needs of alien dependents, certain types of transients and complicated service cases, for which the Jewish Federation will have to assume responsibility.

On the whole, then, we may say that, for the time being, family welfare service still stands in a position of large importance as an agency for the execution of such prime functions as experimenting with new types of economic adjustment, bringing pressure upon the public agency to assure adequacy and discrimination in its work, and providing residual case work and relief services for which responsibility cannot be lodged elsewhere. But when all this has been said we still confront this fundamental, long-range question: In view of the certainly growing responsibilities of a specifically Jewish nature, the probable shrinking of private giving, and the rapid growth of public social work, must we not plan a changed role for family welfare service
both within its own field of operation and in relation to the total Federation program? Within its own field the change, we believe, should center its activities more upon social standards as they affect all Jewish families rather than exclusively upon the dependent classes and poverty groups for whom governmental responsibility is being extended. In relation to the total community program, Federations should consider shaping their budgetary policy toward making smaller appropriations for family welfare services in order to release larger funds for specifically Jewish work, than have hitherto been available. Such a change in budgetary policy may not necessarily involve a reduction in the scope of family welfare programs. For money of a quasi-public nature has become available for the purpose in a number of communities. Illustrations which come immediately to mind are the emergency funds raised under one name or another through voluntary subscriptions in New York, Boston and Chicago.

Child Care.—Very similar considerations apply to the field of child care. Of course, what might be termed a specific sectarian factor is at work here—the laudable desire of the community to assure the upbringing of Jewish children in the Jewish faith. However, public funds in some communities are already supporting this function to a large extent even when it is conducted under Jewish auspices. In other communities, where the public agency reserves administration of the whole service to itself, the law provides that Jewish children must be maintained in Jewish homes or Jewish institutions. But here, as in family welfare services, the entry of the public agency raises the question of adequate standards. Until the public child-care agency maintains social work standards as high as those of the private, the Jewish community will probably insist upon maintaining dependent and neglected children of the Jewish faith as its wards. A first task of Federations and their child welfare agencies would seem to be, therefore, cooperation with other interested organizations toward achieving desired improvements in the standards of the public agency. Likewise, pressure should be put upon the proper public authorities for better and more adequate
mothers' aid legislation. And within its own child-care fold, the Federation can seek diligently ways for eliminating unnecessary expenditures and performing more efficient service. It should effect mergers where they appear desirable, and close institutions no longer necessary or representative of modern practice. Indeed, it has been suggested in non-Jewish as well as in Jewish groups, that a single case-working agency serving both families and children might produce better results than the separate agencies now working with them as distinct clients. This idea merits careful discussion from the individual Federations.

But again as in the case of family service, a modern program of community responsibility in this field should not be limited to dependent children or to broken homes. Concern for the welfare of Jewish children involves a broad interest in the health, the education, the cultural and vocational training of Jewish youth. The trend in child welfare must be towards that reorganization of community life which will yield an improved environment as well as modernized agencies and institutions to assure a hopeful future for the present generation of children.

Health.—Perhaps more than any other activity of the Jewish community, its health services present striking anomalies and contradictions. In itself the maintenance of health in all its aspects would certainly seem a generalized public responsibility. But two specific needs may be advanced in justification of Jewish hospitals: first, to offer training facilities for Jewish medical men; and second, to provide kosher food for orthodox patients. Experience, however, has demonstrated that, even when these ends are accepted, rapid shifts of Jewish population make difficult, if not impossible, the planned location of Jewish hospitals and clinics so that they will actually serve a Jewish clientele over an enduring period. Indeed, there are instances of Jewish hospitals which, built some time ago, are now serving preponderantly non-Jewish elements of the population in cities where large Jewish areas have no easily accessible Jewish hospital services.

Certainly, in view of the actual and probably continued decline in annual Federation income, Jewish communities
from now on will hardly be justified in launching hospitals. As for the problem of kashruth, the possibility of establishing units which serve kosher food in public or general private hospitals should be explored. In communities where more than one Jewish hospital exists, the possibility of mergers to decrease total expenditure should be canvassed as soon as possible. In other communities, where the burden of supporting the Jewish hospitals has become too great or where Jewish hospitals are serving an increasingly non-Jewish clientele, the possibility of converting them into public institutions should similarly be investigated.

Beyond the problems of hospitals themselves, the Federations should study the findings and recommendations of the Committee on the Costs of Medical Care. Cooperation with other interested groups in encouraging the establishment of group insurance, group practice and other constructive recommendations of the report should then be undertaken. In much the same way, Federations should work to promote a legally established system of compulsory health insurance. The United States has lagged badly behind the industrial countries of Europe in this field.

Care of the Aged.—For all the inadequacy of statutory old-age pensions, the recent progress of the movement for their establishment presages increasing public subsidy for dependent old people. Therefore, despite the growing proportion of older Jews produced by the cessation of immigration and the normal consequences of a stabilized population, the creation of additional institutional facilities for our dependent aged would seem to constitute unwise community policy. In this field, as in all others, it is important that we do not permit the immediate strains of the depression to deceive us. From the long-time point of view, whatever the current appearances, we face excess institutional capacity for the normal aged. On the other hand, we confront a real dearth of facilities for the care of the aged who are chronically ill and in need of hospital or custodial care. Accordingly, Federations should urge that some of the existing facilities for the able-bodied aged be readapted to the needs of the chronic sick who require
such treatment. They should also, of course, cooperate in the movement for providing adequate laws for old age security. Until such laws are generally enacted, they should further such methods for care of the Jewish aged as:

1. Allowances from Jewish agencies for maintenance in their own homes.
2. Placement in family homes.
3. Placement in Jewish institutions.
4. Placement with follow-up service, in other institutions, in those cases for which there is no Jewish institutional provision.

**Jewish Education and Cultural Activities.**—When we pass to educational and cultural functions, we confront a segment of the community program that cannot be transferred to governmental or non-Jewish auspices. It is a segment also that has long received a relatively small share of Federation funds. Yet the sharpened thrust of anti-Semitism, that dark feature of our present situation, makes more than ever imperative strengthened inner resources among our people. Unless our Jewish youth are brought up to understand deeply the historical experience of their people and the values of their cultural heritage, they lack a rational basis for self-respecting adjustment to the general, and unfortunately antagonistic, environment in which they must live. To refuse one’s Jewishness is not to escape its penalties in a period of intense nationalism and confused racial prejudices; it is merely to forfeit its recompenses of spiritual dignity and armor.

If we have to face discrimination and prejudice and even persecution, shall we merely crumble as before some cruel and incomprehensible catastrophe? Or shall we take our stand behind the rich and positive meanings of our inheritance, reevaluated and integrated into our modern life? Here the problem before Federations becomes outstandingly their opportunity. By actively promoting, instead of merely tolerating cultural and educational activities, by stimulating the adaptation of inherited cultural traditions to fit more nearly the needs of modern Jewish life, Federations can both accept and build leadership in the most creative sense for a most trying period.
To recognize the need, however, is by no means to solve the problem. Any attempt to accord educational activities a larger part in the total Federation program cuts across both a rooted concept of what is the best allocation of Federation funds, and the vested agency interests which have long been beneficiaries of that concept. In its early days, educational and cultural activities were not recognized as an essential obligation of the Federation movement. This arose from the very conception of Federation as an instrument primarily of philanthropic aid to the dependent. For Jewish religious or cultural concerns, it was believed other communal organizations, such as the synagogues and congregational groups, adequately assumed responsibility. Even the development of the Jewish settlement and the Jewish center proceeded from this same philanthropic approach; they directed their activities largely towards adjusting newly-arrived European Jews and their children to the prevailing forms of American culture.

However, as the later Jewish immigrants, especially those from Eastern Europe, attained a more secure place in the community, they urged another directing impulse for Federation programs. With the orthodoxy they brought to the side of conservatism and reform, they brought likewise the strong feeling that every Jewish child should grow up not only an American, but also a Jew. To them this meant that every Jewish child should be given a Jewish education. Thus it is important to bear in mind that in the eyes of a large part, if not of a majority of our people, Jewish education performs an all-important and integral function in Jewish life. Federation cannot fail to satisfy this point of view, and at the same time claim that it represents the entire Jewish community.

But we are not yet anywhere near a settlement of this long contested issue—whether Jewish education should be included in the Federation program and to what extent. If anything, indeed, the depression has exacerbated the conflict of ideas over it. Because other organizations possessed prior lien on Federation funds, and because Federation incomes were shrinking while sheer emergency relief demands were mounting precipitately, Federation
executives have had more than ever to strive mightily to convince their boards that Jewish education is so important a function it must be supported, regardless of what seem more immediate claims. But just at this time, Federation supporters cannot afford to forget that, as a matter of historical fact, the Jewish community has always taxed itself to maintain its educational system. Indeed, the divorce of Jewish education from such a primary Jewish organization as the Federation would, if ever consummated, constitute a break with our historic tradition and cultural continuity.

Some of the indifference or actual antagonism of Federation leadership towards the inclusion of Jewish education in the Federation program has derived from the fact that its forms and content as brought here by recent immigrant groups seemed poorly adapted to the needs of the American generation. Experts in the field have themselves been aware of this problem and have given constructive thought to reorganizing Jewish education in terms of modern knowledge, outlook and demands. Federation has the responsibility not merely to support their efforts, but to support them in such a way that the more general viewpoint of intelligent community leadership will be consciously joined with their specialized, professional thinking to formulate the educational program. A promising instrument of such cooperation is the so-called Bureaus of Jewish Education—the organizations of centralized service developed in the field. They have as their aims the training of modern Jewish pedagogues for the general Jewish school system and the coordination and improvement of the curriculum and the school system itself. The responsibility for maintaining this service seems logically to belong to Federations, and most Federations accept it, though at times grudgingly.

The subsidization of the Hebrew schools, the Talmud Torahs and the Sunday schools, appears, however, quite a different matter. From studies thus far made, it would seem that the funds required to instruct the Jewish children of school age may well imply a burden beyond the present resources of the Federation. But this does not justify our
complete withdrawal from the problem. For we know from actual experience that the failure of Federations to finance the schools transfers the responsibility to those elements in the community least able to carry it. It is almost as if the city of New York told the people of its lower East Side that they must support their own public schools while it would undertake to finance teachers' training schools and, perhaps, Hunter and City Colleges. How long would it be before the children of the Lower East Side would attend either no schools at all, or very poor and impoverished ones? A realistic policy for Federations would seem to lie rather in a careful joint inventory of the Jewish educational program with the synagogues, looking toward a division of responsibility with them. Only such schools as receive the endorsement of the central bureau of Jewish education should be included in any financing program, to assure the community that the best in education will be maintained.

As an immediately practical measure, the Federation, in cooperation with the interested agencies, should explore the possibility of bringing more closely together the functions of the Jewish center and Jewish education. In recent years the Center has recognized the necessity for relating traditional Jewish cultural patterns to the American environment and its programs have included activities for the strengthening of Jewish cultural interests. There is obviously, therefore, now so much in common between the two, that closer cooperation ought to result in strengthening and enlarging the whole function of cultural education.

Moreover, Federations have a positive responsibility for studying, evaluating and reformulating, again in cooperation with all interested groups, the complete scope and content of the community program in Jewish cultural and educational activities. For the whole field is in a state of flux, with serious differences of opinion even among the educators. The Federation, as the community agent, has a vital contribution to make in helping shape content and policy.
NATIONAL AND INTERNATIONAL ACTIVITIES AS A RESPONSIBILITY OF THE FEDERATION

Just as the present situation counsels a reconsideration of traditional functions, it counsels also a new attention to Jewish activities of national or international scope which the Federation has hitherto either ignored or touched only incidentally.

There are three classes of Jewish national agencies which perform important service to Jewish communities. The first embraces such organizations of actual aid to local Federations and their constituent societies as the Bureau of Jewish Social Research, the Graduate School for Jewish Social Work, the National Desertion Bureau, and the Jewish Welfare Board. The second, represented by the tuberculosis sanitoria, serve not Federations as such, but individuals in the community. The third includes those organizations, like the Hillel Foundation and the Menorah Society, that pursue dominantly cultural purposes. Though Federations grant subsidies to some extent to the first type of agencies, the others must depend almost entirely on their own money-raising efforts for support. All compete in local communities for funds.

The plight of Jews arising out of the World War, and most recently since the advent of the Nazis in Germany, has brought the international agency dramatically to the foreground of the attention of all Jewish communities. There are three major types of international agencies; although, as in the national field, so here too, institutions exist for education and cultural purposes, outstanding among these being the Hebrew University in Palestine. The first type of international agency makes relief, economic redirection, and colonization its primary functions, and while the Joint Distribution Committee constitutes the outstanding agency functioning in the field, there are others. The second is typified by the American Palestine Campaign which is devoted primarily to the basic purposes entailed by the reestablishment of the national homeland. As such it has a fundamental importance in the Jewish scheme of things beyond any organization established to
handle emergencies that develop from time to time in the diaspora. The third aims to combat anti-Semitism both at home and abroad, and is illustrated by the activities of the American Jewish Committee, the American Jewish Congress and the B'nai B'rith.

The work of these agencies presents unquestioned responsibility for the Federation. In our Jewish communities, relatively large sums of money are asked for their purposes, and large numbers of individuals are naturally concerned with the problems they handle. Two courses are open. In the smaller community, funds for this type of national and international work may be included in the campaign for the support of local Jewish community activities. In the larger community, where such a policy may not be practicable, the Federation should help in uniting fund-raising efforts for all national and international agencies to replace the multiple campaigns now usually launched, with the inevitable wastes and unfortunate competitions that often create disunity where unity is so badly needed. A number of communities have already adopted this practice through their Welfare Funds.

It goes without saying that, in so far as Federations persuade national and international agencies to modify their usual methods of money-raising, they assume a certain contractual responsibility toward them. They cannot very well ask them to stay out of the community on the understanding that a reasonable quota will be given each one, and then arbitrarily reduce that quota when and if the local campaign does not reach a satisfactory total. On the other hand, Federations cannot simply be asked to accept quotas assigned them by national committees. Accordingly it may be desirable that the National Council of Jewish Federations and Welfare Funds be empowered to represent the several Federations in evaluating programs, in helping to shape the policies of these agencies, in determining national and local quotas, in making relevant recommendations, and in general, in attempting to maintain a balance between the local, national, and international needs of the Jewish community.
A Reconsideration of Fund-Raising Methods

Whatever changes may be made in the performance of established functions of Federation, whatever new ones may be added to it, whatever fresh relationships may be created within the whole of community service, the raising and distributing of funds will remain, as it always has been, a central Federation responsibility. Consequently, Federations cannot proceed too early to test their existing methods by the factors of our changing situation. Four considerations suggest themselves:

1. The Federation must achieve more authority over the whole field of Jewish community planning. It must be authorized not only to make changes in existing institutions and services, but also to study new projects in relation to community needs, existing resources for meeting them, and prospects for adequate financing and maintenance.

2. Federations must broaden the sources of their annual money-raising by enlisting as many new subscribers of small and middle-sized contributions as possible, instead of concentrating too exclusively upon the relatively few wealthier members of the community. A number of cities have already made notable progress in this direction.

3. From the experience of those Federations which have already joined community chests, the following appear helpful guiding principles:
   a. A Federation should consider merger with a chest only if, on the one hand, the Jewish community is organized under responsible leadership with a well-established financial and social program; and, on the other, if the chest in question has proved itself efficient over a period of years.
   b. Success can follow merger only if the Jewish group maintains its own organization and solicits the Jewish groups in the general chest campaign. For this is the safest way of assuring a group contribution adequate enough to prevent the feeling on the part of other groups that the Jewish agencies are drawing out of the chest a larger sum of money than the Jewish community is contributing to it.
4. When emergency campaigns are organized during a depression period, as they have been in recent years in a number of communities, Jewish Federations face a clear-cut responsibility to participate both as beneficiaries and as contributors.

**Cooperation in Social Movements**

The social and economic life of Jews is shaped more or less by the same conditions that affect all Americans. It is important for us, as for all Americans, therefore, to realize that deep-rooted, long-developing forces are creating a new frame-work for our American life. We have attained complete economic maturity very different from the expanding, expansive environment of earlier America. Today, in obvious contrast to yesterday, our population approaches not only a stable but perhaps even a declining rate of growth. Today there is no longer a margin of unsettled free land—a western frontier to which hard-pressed Americans can escape, as their forebears did, from the industrial east. Today we constitute a highly industrialized, highly mechanized, exporting, creditor nation. All the evidence indicates, moreover, that industrialization and the development of machine technology will continue apace.

Social policy-making in the future thus confronts, in the United States, a completed appropriation of land and natural resources, and a diminution of once wide-spread industrial opportunities. In mature America, poor boys born in log cabins or city slums are apt to grow up poor men. In mature America, continuing inventions will throw men out of work without a frontier-homestead, small business, or professional opportunity ready at hand as outlets to absorb them. Only social adjustment through shorter hours of work, rising wages, social insurance, new social purposes, and industrial planning, can now care for them.

This new American background, then, presents a two-fold demand upon all concerned with human beings. It demands a program of institutional reconstruction for
adjustment to a changed and continuously changing American scene; it demands also a series of social defences for the men, women and children forced to live in the meanwhile, in the inevitable periods of maladjustment arising during transition from the old to the new.

As Jews, our tradition of social morality, social justice, and group responsibility must keep us constantly mindful of the challenge presented by human suffering amidst resources adequate for a good life for all. Even as we accept the need for fundamental reconstruction, we cannot forget that much must be done before our country will assure to all its citizens the security and abundance potentially possible. The very minimum machinery, long established and functioning in other countries, has yet to be created among us. We have made beginnings, but merely beginnings, towards enacting basic social legislation and towards setting up proper administrative machinery for enforcement. We have moved very tentatively toward erecting a rounded system of social insurance, permanently abolishing child labor, establishing minimum wage standards, providing adequate relief and protective measures. We urge that Federations take active part in all these movements, in the name of the increasing protection they will assure not only Jews, but all people.

We confront in addition special problems of economic redirection arising from our peculiar concentration in certain urban occupations and professions. Rooted though this concentration may be in historic and economic forces, we cannot afford to neglect its implications in the new scene for the continued security of the Jewish group. The best we have available in economic and social intelligence should be devoted to comprehensive planning for a more desirable distribution of Jews within the productive organization of the country.

NECESSARY CHANGES IN FEDERATION STRUCTURE

To act thus for the Jewish community on the totality of Jewish problems, Federations must undergo radical alterations in their basic structure. From an organization typically serving its constituent agencies as a fund-raising mechanism
while guaranteeing them complete autonomy, the Federation must become the authoritative leader of a community program carefully planned and administered as a whole. Revision in By-Laws must be made both in the central and constituent agencies to further the type of operation most effective under present conditions.

But changes in By-Laws represent admittedly mere mechanics. They will be translated into living realities only after deliberation and discussion among all elements of the community have won understanding and consent. The Jewish community must be challenged to choose between authoritative leadership, with its ordered advance and adjustment, and continuing drift, with its inevitable confusion and chaos.

The new type of community organization which may emerge should draw allegiance from all elements of the Jewish population. By and large, the present Federation represents only the wealthier elements. Labor, the middle classes, the professions and various functional groups are not represented at all; or at best, in a very minor degree. But, it would seem axiomatic that, if the Federation wishes to exercise the kind of leadership and authority present conditions increasingly demand, it must represent, in fact as well as in theory, all elements in the community.

BUDGETING

With the uncertainties of present economic conditions, the consequent difficulties of fund-raising, and the continuing shrinkage of Federation incomes, we must face the immediate problem of best allocating resources to secure the objectives presented in this discussion. Obviously, we cannot at this time count upon a rapid restoration to former levels of the community's capacity for financing its essential communal projects. For this is dependent upon many factors, such as returning prosperity and increased interest on the part of contributors in the functions which the Federation seeks to support. We may hope that a more stimulating program will ultimately assure, through voluntary giving, the resources which essential services
require, especially since we know that, even in periods of general prosperity, only a very small part of the income of the Jewish group has been devoted to philanthropic and communal necessities. At the present time, however, we face the immediate problem of budgeting our program of work with inadequate resources.

There is no perfect solution for this dilemma, but intelligent and courageous decisions can help considerably in our budgeting process. Primarily, we must find ways and means of overcoming the obstacles of intrenched institutional interests which have in the past blocked community planning. We must relinquish our interest in agencies as such and emphasize problems and needs in our budgetary distribution. This is not an easy task, since so much of Federation support is derived from personal interest and the habit of attaching that interest to particular institutions. It is necessary that the community express confidence in Federation leadership, to permit it to reorganize and remold agency services. To continue services which are uneconomical or antiquated in character at the expense of more modern programs of social welfare is an undesirable and, in the long run, a suicidal policy for the Federation. The budgetary process should stimulate agency reorganization, and the Federation is the logical instrument to achieve this result. We must, in addition, intensify the tendency toward non-institutional rather than institutional forms of service and thus make our programs more flexible for the changing requirements of Jewish life both here and abroad.

Summary

In the crisis which confronts American Jewry, in common with world Jewry, the Federation stands out as the most representative and influential organization developed in the Jewish communities of this country. If, however, it is to continue as a vital instrument for meeting the problems which are cumulating upon us, careful consideration must be given to a change of emphasis in scope, objectives, functions and structure. These changes may be summarized as follows:
1. In view of the increasing assumption of responsibility on the part of public agencies for relief, the Federation may be expected to give a decreasing emphasis on relief functions as such, and increasing emphasis on: (a) problems of occupational redistribution to help secure a better balance for Jews in the economic life of the country; and (b) those activities which are so specifically Jewish that none but Jews can be expected to support them. From the point of view of budgetary practice, this implies the granting of larger appropriations, than have been allotted in the past, to cultural and educational work, and relatively smaller appropriations to family welfare, child care and health, the three fields which have hitherto received the bulk of Federation funds. Indeed, the impact of anti-Semitism in all its ramifications calls for a strengthening of those agencies which aim to bring to our people the values inherent in the Jewish tradition and experience.

2. The Federation must assume a more direct responsibility for the proper organization of support for national and international agencies. The work of these agencies is as important to the protection and survival of the Jewish people as is the work of local agencies. Their present method of competitive fund-raising leads to disunity and to a minimum of financial results. Where the Federation cannot itself assume responsibility for raising funds for national and international work, it should organize an efficient fund-raising mechanism for the purpose. The experience of welfare funds in operation in a number of communities for central fund-raising for all Jewish needs should be studied for the light it may throw on this problem.

3. The Federations must review their traditional fund-raising methods for the purpose of broadening the sources of their support by enlisting new subscribers of small and middle-sized contributions instead of concentrating too exclusively, as it has in the past, upon the relatively few wealthier members of the community.

4. Since Jews are affected by fundamental economic and social forces that affect all Americans, the Federation, as
representative of the Jewish community, should cooperate in promoting desirable social legislation and governmental action to provide security and a progressively rising standard of living for the masses of people.

5. The Federation must be made the authoritative agency of the Jewish community for studying, planning, reorganizing and creating the type of instrumentality which will best serve the needs of the community. This calls, on the one hand, for a modification of the rights of autonomy of individual agencies, the elimination of antiquated services, and the promotion of amalgamations where desirable; and, on the other hand, for the democratization of the Federation structure so that all groups of the Jewish community will be represented in the governing body.
MINORITY AND REFUGEE QUESTIONS BEFORE THE LEAGUE OF NATIONS

INTRODUCTION

Popular indignation against Nazi Germany's race theories and official anti-Jewish program arose spontaneously and immediately on the part of those millions throughout the world who were outraged by its cruelty and ignorance.

It was not long before the popular protest was followed by the expression of the opinion of governments, on the occasion of the discussion of the petition of Franz Bernheim by the Council of the League of Nations, May 26 to June 6, 1933. The text of the Bernheim Petition and extracts from the Minutes of the sessions of the Council of the League of Nations concerning the Petition were published in Volume 35 of the AMERICAN JEWISH YEAR BOOK, pp. 74–101. It will be recalled that, with the German representative abstaining from voting, the Council adopted the report of Sean Lester, the representative of the Irish Free State, who had been appointed rapporteur on the Bernheim Petition. This report held that, insofar as Upper Silesia was concerned, the anti-Jewish measures put into effect in Germany violated the German-Polish convention as to Upper Silesia of May 15, 1922, and took note of the formal statement of the German government that “the anti-Jewish measures taken by subordinate authorities that were not compatible with the Silesian Convention would be corrected.”

Morally, the adoption of this report was a striking demonstration of Germany’s loneliness among the nations on the basic issues of human rights, and served to focus public opinion on the Jewish situation in Germany. Besides, several representatives on the Council made it clear that they would bring the question up again, using it as a lever for extending the principle of minority rights to the whole of Germany. The official government declarations made at
Geneva in the fall of 1933 constituted an act of joint international intervention for the Jews on humanitarian grounds, continuing where the Bernheim petition left off.

Such an intervention was not without precedent in international practice. The protest of the United States against Roumania's oppression of her Jewish population, appealing "in the name of humanity" through the famous note of John Hay in 1902, is an outstanding example of such action. In similar fashion, and on similar grounds, the states of the world, in the 1933 Assembly, protested in concert the violation by Nazi Germany of the fundamental rights of man, although no specific minorities treaty guaranteed these rights for the Jews in Germany.* This League intervention was based upon paragraph 2, article 11, of the Covenant, which reads as follows:

"It is also declared to be the friendly right of each Member of the League to bring to the attention of the Assembly or of the Council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends."

*This general right of intervention, however, is implemented by Germany's express pledges to the Allied Powers (including the United States) guaranteeing protection of her own racial minorities according to the same principles established for Poland's minorities and embodied in treaty form. On May 29, 1919, in a supplement to its note to the Allies, the German delegation to the Peace Conference pledged:

"Germany advocates in principle the protection of national minorities. The protection may be settled to the best purpose within the scope of the League of Nations. Germany on her part, however, must demand such assurances as are already fixed by the Peace Treaty for those German minorities which, by cession, will pass over into alien sovereignty. Such minorities must be afforded the possibility of cultivating their German characteristics, especially through permission to maintain and attend German schools and churches, and to publish German papers. A still more extensive cultural autonomy based on national registration would be desirable. Germany on her part is resolved to treat minorities of alien origin in her territories according to the same principles." (H. Kraus, Das Recht der Minderheiten, p. 42; Kraus & Rödiger, Urkunden zum Friedensvertrag von Versailles von 28 Juni 1919, Vol. 1, p. 456, translated in "International Conciliation" October, 1919, No. 143, p. 30, entitled "Comments by the German Delegations the Conditions of Peace.")

The Allies, in turn, in a declaration of June 16, 1919, stated that they "are prepared to accord guarantees under the protection of the League of Nations for the educational, religious, and cultural rights of German minorities transferred from the German Empire to the new States created by treaty. These guarantees will be placed under the protection of the League of Nations. The Allied and Associated Powers take note of the statement of the German delegates that Germany is determined to treat the minorities within her territory according to the same principles." (H. Kraus, Das Recht der Minderheiten, pp. 42-43; also quoted in D. H. Miller, The Drafting of the Covenant, 1, 9, 548). Furthermore, there is ground for the assertion that these "pledges" are legally and not merely morally binding. (Cf., J. W. Garner, "The Internationally Binding Force of Unilateral Oral Declarations," American Journal of International Law, July 1933, pp. 493-7, where the analogous opinion of the World Court in the Eastern Greenland Case is cited.)
The 1933 Assembly opened in Geneva on September 25th in an atmosphere of profound unrest. The disarmament negotiations had entered one of their periodic critical stages. It is all the more surprising that, under such conditions, the problem of the Jews in Germany received the full attention of the delegates present. Perhaps this was because it was soon realized that the plight of the Jewish minority there symbolized the political crisis facing the world, and the League itself, which needed decisively to be faced. In his opening speech, M. Mowinckel, president of the Council and delegate of Norway, sounded this note when he reminded the diplomats present of Aristide Briand's appeal at the 1929 Assembly. Briand had said:

"When children are taught to love peace, to respect other nations and to look for what men have in common rather than for their points of difference, we shall no longer need to apportion guarantees or to apply Article 8 of the Covenant. Peace will already be enthroned among the nations."

Anticipating the later discussions and Germany's usual claim to sovereign independence in her policy toward the Jews, Salvador de Madariaga, Ambassador of Spain to Paris, said in his opening speech: "It is far less important to respect the line between domestic and foreign politics than the line which separates peace from war." It was just this general realization by all delegates of the crisis in world affairs, and this realistic treatment of the Jewish problem, which gave the 1933 Assembly a color and a vigor quite unusual in ordinary diplomatic conferences.

Even in the opening declarations by the delegates on the annual "Report on the work of the League since the last session of the Assembly," this condemnation of the German racial policies was presaged. The Foreign Minister of Sweden expressed this spirit when he quoted Kant's eloquent sentence, "We are all members of the same humanity," and pointed out that "to proclaim the principle of inequality in the world is, in effect, to renounce the League." M. Lucien Hubert, member of the French Senate, recalled the glorious contributions of Israel to world civilization. M. Frangulis, Secretary-General of the International
Diplomatic Academy, asked the League to consider an international guarantee of the rights of man. Foreign Minister Paul-Boncour of France reminded his fellow-diplomats that "the lesson to be drawn from this Assembly, its object, the watch-word that must be heard throughout its discursive debates, must be sought not in constantly restated formulas of vague hope, nor as an echo of the pessimism of our detractors, but by taking firm resolves." And Jonkheer de Graeff, Minister for Foreign Affairs of the Netherlands, proposed as a first step "international collaboration" to deal with the refugee problem.

The discussions were then continued in the Sixth and Second Committees of the Assembly, dealing with political and social questions, respectively. The Sixth Committee prepared a draft resolution on the minorities question, and the Second Committee treated the organization of refugee relief. The most important texts of these debates, and the draft resolutions, pertaining to these questions, are given verbatim below.

In addition, however, two proposals on the minority question bear indirectly upon the plight of the Jews in Germany and throughout the world. Poland had for many years demanded that all states be required to assume international obligations toward their minorities. She renewed her plea before the Sixth Committee, and her wishes were incorporated in the final draft resolution presented to the Assembly. This draft, later accepted by all of the states except Germany, renewed the Assembly's recommendation of 1922, "expressing the hope that States not bound to the League of Nations by any legal obligations with regard to minorities, will nevertheless observe in the treatment of their minorities of race, of religion, or of language, at least the same degree of justice and tolerance" required by the minorities treaties.

Likewise, M. Frangulis, Secretary of the International Diplomatic Academy, as Delegate of Haiti, suggested the conclusion of an international treaty guarantying equality before the law to all citizens throughout the world without distinction of race, language, or religion.

The Nazi government refused to accept paragraph 2 of
the final resolution adopted by the Assembly, and prepared by the Sixth Committee, pleading that the Jews could not be treated as a minority and that consequently Germany's policy toward them was a private affair. Also the German delegation soon made it clear that it would not take part in the work of assistance to refugees fleeing from its territory, although it could not prevent international relief action.

In the light of such declarations and the spirit of the general discussions, it is not to be wondered that Nazi Germany found the League's ideals of democracy incompatible with its belligerent realpolitik. The withdrawal, a few weeks after the Assembly had closed, of the Hitler government from the League of Nations, from the Disarmament Conference, from the World Court, from the International Labor Organization, and from all other organized efforts to ensure world peace, is indicative of the new foreign policy of Germany. As Foreign Minister Sandler of Sweden boldly put it: "Any effort the object or the effect of which is to divide humanity into separate species necessarily goes counter to the ideals out of which the League of Nations was born."

The states of the world had spoken clearly and unmistakably their condemnation of Nazi policies as a danger to their common civilization. Refusing to heed this warning, Nazi Germany has seen fit to go its own way, despite an aroused public opinion and world-wide governmental protestation.

The following extracts from the discussion of the 1933 Assembly are taken verbatim from the Official Journal of the League of Nations.
A. DISCUSSION BEFORE THE PLENARY ASSEMBLY*

ADDRESS OF M. Sandler, Minister for Foreign Affairs
of Sweden

Each country remains the master of its fate. It is for each country to give to its own national social institutions the form which accords with its own particular conditions, requirements and intentions. The League of Nations can never set itself up as judge in the conflict of ideas, systems and parties. But there exist nevertheless unquestioned human values, the conservation of which the League, in the interest of peace and humanity, cannot neglect.

Long before the League was set up, it was realised that the victims of war could not be excluded from the rights of man under international law.

* * * *

A problem of the same kind, which has been frequently discussed and is at all times acute, is the problem of minorities, one of the special aspects of which is the position of the Jewish minority. It is desirable to consider the possibility of a thorough discussion of this problem in the competent committee, in which there will be every opportunity of submitting observations. I will here confine myself to saying that my Government would be glad to see a discussion on the possibility and methods of a more general application of the principles of the special treaties as a means of introducing the conception of equality in this connection also.

If I venture to raise these questions here, it is for the fundamental reason that the conception of the equality of men and nations is at the basis of this institution of the League of Nations. The League has not renounced its lofty aspiration of achieving universality. Any effort, the object or the effect of which is to divide humanity into separate species, necessarily goes counter to the ideas out of which the League of Nations was born. To proclaim the principle of inequality in the world is, in effect, to renounce the League.

Two centuries ago, an immortal voice proclaimed that no one had the right to make one man the instrument of another. That categoric imperative is applicable to nations as to individuals. Immanuel Kant, the spiritual founder of the League of Nations, long since gave voice to the truth which is at the very foundation of the League when he said: "We are all members of the same humanity."

* September 29 and 30, October 2 and 7, 1933; Official Journal, Special Supplement No. 115, pp. 44, 48, 50-51, 65 and 75.
MINORITY AND REFUGEE QUESTIONS

ADDRESS OF JONKHEER DE GRAEFF, MINISTER FOR FOREIGN AFFAIRS OF NETHERLANDS

As regards assistance to refugees, also, the League has proved its value. In this field it will, in our opinion, have fresh work to do. A large number of German nationals have taken refuge in neighbouring countries during the last few months. Private initiative, which has hitherto striven to succour them, cannot long continue to do so, and the presence of so large a number of immigrants is bound very soon, owing to the existing unemployment, to cause serious difficulties in several countries. In the circumstances, it will be necessary to organise international collaboration in order to take the appropriate measures —inter alia, to place these refugees in different countries without harming the national economy of those countries.

Nothing is further from our thoughts than a desire to interfere in international affairs coming under Germany's sovereignty. We have no wish to examine the reasons why these people have left their country, but we are faced with the undeniable fact that thousands of German subjects have crossed the frontiers of neighbouring countries and are refusing to return to their homes, for reasons which we are not called upon to judge. For us, therefore, it is a purely technical problem, and its solution must be found by common agreement. It is a problem that lies within the competence of the League, which in the past has frequently dealt with questions of this kind.

ADDRESS OF M. FRANGULIS, DELEGATE OF HAITI

This equality of rights so ardently desired for the nations has not yet been given any real international guarantee in the domestic sphere of the different countries. As a result of the absence, in the Covenant itself, of any definition of the rights of the different nations, fifteen small and medium-sized States have been compelled to assume minority obligations, while the remainder of the fifty-six States Members of the League have not assumed any such obligations.

Moreover, although the various treaties of 1919 and 1920 relate to a definite category of citizens in various States, they do not, on the other hand, make any provision from the international point of view for the status of the other citizens. The outcome of this inequality of status has been that those rights which were claimed in the international sphere by the various collectivities composing the League have not been applied within the domestic realm of the States. Thus, more was required of international law than of national law, which had to define the rights and obligations of those citizens whom in fact it was desired to protect.

As a consequence of this inequality, owing to the disturbances which have arisen in the social and economic sphere as the aftermath of the war, the fundamental principles governing human societies have been shaken and the most sacred rights of men and of citizens are no longer respected.
I have therefore the honour to lay before you the following draft resolution:

"The Fourteenth Assembly of the League of Nations,
"Considering:
"That the minorities treaties concluded in 1919 and 1920 by the Principal Allied and Associated Powers bind a certain number of States to respect the rights of men and of citizens;
"That the international protection of the rights of men and citizens solemnly affirmed in the minority treaties is in harmony with the juridical sentiments of the contemporary world;
"That, therefore, the generalisation of the protection of the rights of men and of citizens is highly desirable;
"Considering that, at the present moment, these rights might be so formulated as to ensure that every inhabitant of a State should have the right to the full and entire protection of his life and liberty, and that all the citizens of a State should be equal before the law and should enjoy the same civil and political rights, without distinction of race, language or religion;
"Expresses the hope that a world convention may be drawn up under the auspices of the League of Nations, ensuring the protection and respect of such rights."

This resolution was adopted on November 8th, 1928, by the International Diplomatic Academy, which is attended by the most distinguished diplomats of seventy-three countries. The same resolution, if not textually, at all events in essence, was adopted by the Institute of International Law on October 12th, 1932, at its meeting in New York, and it has been taken up by the International Leagues for the Rights of Man and by the Federation of League of Nations Unions. It therefore represents the very essence of the juridical and moral conscience of the contemporary world.

ADDRESS OF M. SALVADOR DE MADARIAGA Y ROJO,
DELEGATE OF THE SPANISH REPUBLIC

...Side by side with the anarchy of facts there is the anarchy in men's minds. Before entering upon this delicate question, I should not like it to be said that I had forgotten the line which separates domestic politics from foreign politics. I therefore entirely associate myself with the view expressed here at the beginning of the present Assembly by the delegates of Sweden and the Netherlands, who spoke with more authority than I can do, with regard to the undeniable fact that this line is becoming more and more vague and that it is extremely difficult to respect it in the old strict and legal sense, seeing that we are all living in the same world and that the domestic politics of one country react, or may react, most seriously on those of other countries, and also—
which is still more serious—on international politics. In my opinion, it is far less important to respect the line between domestic and foreign politics than the line which separates peace from war.

* * * *

We must respect the right of each country, not exactly its sovereignty—for since the birth of the League this conception is perhaps destined, slowly or rapidly, to fade away—but the right to develop its own personality and to follow its own evolution in accordance with its own genius. There is, however, a reciprocal duty—namely, to adjust this inward evolution to the outward evolution of humanity. At a time when we are endeavouring, in the international field, to ensure the peace of the world by respect for the liberty of each people and by free discussion, it is, to say the least, disturbing, and naturally gives the impression that anarchy among men's minds is increasing, to observe the rise of movements in which the authoritarian element predominates too strongly over the liberal element; such systems can only be regarded as in decreasing harmony with the Geneva system, which believes, and has always believed, in free discussion and liberty.

* * * *

To-day, when the Jewish question is to the fore, the Spanish Republic turns its eyes towards that great race, to which it is indebted for illustrious men of letters, lawyers, mystics, doctors and statesmen. Spain believes that the attempt to be made in the twentieth century should cover the entire world and—to use the words of a famous French writer—nothing but the world, that it should embrace all men, all races, all religions, all nations . . .

ADDRESS OF M. PAUL-BONCOUR, MINISTER FOR FOREIGN AFFAIRS OF FRANCE

. . . It is precisely because, during this discussion, the League has received a moving request from a number of nations, including some which, for historical or geographical reasons, were spared the recent conflicts, but which nevertheless realise that the threat of new conflicts will not spare them, that I have come to this platform to tell them that France is with them. France is with the first delegate of Norway, who was the first to say what needed to be said; with the first delegate of Austria, in defending the independence of his country against all machinations, external or internal; with the first delegate of Sweden, who, quoting Kant, recalled that man must not be the slave of man; with the first delegate of the Netherlands, in support of the noble initiative he has taken; and, I hope, with you all, in the desire and the determination that, not force, but the League of Nations, its procedure and its verdicts, may remain our common safeguard and the guarantee of a peace which cannot be jeopardised unless we show ourselves incapable of defending it, and defending it here.
The lesson to be drawn from this Assembly, its object, the watch-word that must be heard throughout its discursive debates, must be sought, not in constantly restated formulas of vague hope, nor as an echo of the pessimism of our detractors, but by taking firm resolves.

ADDRESS OF M. LUCIEN HUBERT, DELEGATE OF FRANCE

... In connection with the mandate for Palestine, our eminent colleague, M. Benes, raised quite logically, the question of Jewish refugees—a particularly distressing and delicate problem.

Throughout the ages, the Jews have tended to incorporate themselves in the various nations which have received them; but after the great war it was asked whether the Jewish nation might not perhaps arise from the tomb of centuries and return to Zion. Palestine seemed to be an opening, but Palestine is the cradle of so many religions and so many legends; the thunders of Sinai gave birth to the Mosaic Law. On the banks of the Lake of Tiberias, the gentler doctrines of Christianity were given to the world; while the burning flame of Islam issued forth from the desert of Damascus. In this land of Job and his misfortunes, Jerusalem is the meeting-point of Christianity, of Mohammedanism and of Judaism; and that is the great difficulty.

It might have been thought that, after so many racial quarrels, an indissoluble bond would have been welded between the Jews and the nations which gave them refuge.

When the call to arms came, the Jews, too, rallied pro aris et focis and their loyalty was made manifest on both sides of the battle-line. That was not enough; and we are now faced with a really mediaeval problem which touches at once our reason and our hearts. M. Benes was right in linking the problem of the German refugees with that of the mandates of the Levant. But, when the Jews left their native home, it was amply large enough to harbour them. During long journeyings through the world, the family has increased, and now that the question of their returning—or even a minority of them—has arisen, their home has become too small for them, and their neighbours are not in the mood to give up theirs...

B. THE DEBATES IN THE SIXTH COMMITTEE*

RESOLUTIONS OF THE ASSEMBLY, DRAFTED BY THE SIXTH COMMITTEE, FOR THE PROTECTION OF MINORITIES

The draft resolutions are as follows:

"I. The Assembly, reiterating the recommendation which it passed on September 21st, 1922:

'Expresses the hope that the States which are not bound by legal obligations to the League with respect to minorities will nevertheless observe in the treatment of their own racial, religious...

or linguistic minorities at least as high a standard of justice and
toleration as is required by any of the treaties and by the regular
action of the Council."

"II. The Assembly considers that the principles expounded
in resolution I, which reaffirms the recommendation of 1922, must
be applied without exception to all classes of nationals of a State
that differ from the majority of the population in race, language
or religion.

"III. The Assembly requests the Secretary-General to com-
municate to the Council the discussion which has taken place in
the Sixth Committee on the question of minorities as a whole."

(The German Delegation refused to accept the Second Resolution
because "it tends essentially to tie up the treatment of the Jews in
Germany with the application of the first resolution." Since unanimity
was required, only paragraphs I and III were adopted).

OPENING SPEECH OF DR. VON KELLER,
REPRESENTATIVE OF GERMANY

... A factor of special importance in any appreciation of the present
state of the problem of nationalities is the tendency to proceed to a
more or less forcible assimilation of the foreign minorities by the major-
ity population—a tendency which still continues to manifest itself. ... 
We call this tendency the avowal of the link with the Volkstum—that
is to say, the ethnic nationality. This avowal expresses the unity of
feeling in all those who are bound by common blood or by a common
language, and who enjoy the same civilisation and customs. The
members of a nation or an ethnic group living in a foreign environment
constitute, not a total number of individuals calculated mechanically,
but, on the contrary, the members of an organic community, and it
is thus, that, at the bottom of their hearts, they view themselves.
They also desire recognition as a group where their rights are concerned.
The very fact that they belong to a nation means that the nation in
question has a natural and moral right to consider that all its members
—even those separated from the mother country by State frontiers—
constitute a moral and cultural whole.

It is not by chance, nor yet arbitrarily, that the organic nature of a
nation and the close ties which bind the individual to his own people
are emphasised with so much insistence. On the contrary, there is a
close interdependence between this fact and the general evolution of
the conceptions of life in every sphere. Any amplification of the details
of a remarkable parallel in evolution might, in present circumstances,
be of doubtful value. The point with which we are really concerned
is that of human communities. There we find human beings making
every effort to escape from the misfortune into which they have fallen
as a result of ever-increasing isolation, and regaining a consciousness
of the natural ties which bind them to a community, and in particular
to an ethnic nationality—the source from which they derive the force
they require for the preservation of their very existence. It is also in that ethnic nationality that their moral and cultural roots originate.

Possibly it is among the German people that the evolution to which I have referred has had a more intensive development than in the case of any other nation; it is thus no chance emphasis that Germans lay upon the significance of the natural ties binding the individual to his ethnic nationality.

The Chancellor of the German Reich has, in several of his speeches, stressed the fact that the German people is devotedly attached to the conception of its ethnic nationality, and is fully aware of the close and indissoluble ties which bind it to all Germans, in no matter what part of the world they dwell. These statements are inspired by a profound conviction of the conceptions of life. That same conviction has also meant that the German people has never ceased to emphasise that the new Germany affords proof of a profound understanding of the similar sentiments and of the vital interests of other nationalities; these we are ready to respect. Hence we have always been prepared to advocate, within the League, not only the protection of the German minority, but that of all other minorities likewise. This we shall continue to do in future. We are opposed in principle to any kind of assimilation, because it is our belief that nations have their own cultural peculiarities and that peoples differ from one another. The idea of "Germanising" is unknown to us. On the other hand, we intend to resist any attempt in denationalise Germans, whatever may be their origin.

It seems to me that many premonitory symptoms exist which suggest that this view is also beginning to prevail in other countries. The only unfortunate thing is that German racial groups abroad frequently have occasion to learn, to their sorrow, that foreign nations are not yet prepared, in principle, to allow the German minorities living among them the same rights as they claim for themselves and for their own minorities living in other countries.

In the course of the public discussion, the Jewish question has frequently been confused with the minority question. The Jewish question is a peculiar problem of race, and must not be connected with the general question of minorities. First and foremost, the Jews in Germany are neither a linguistic nor a national minority. They do not look upon themselves as such, and have never expressed any desire to be treated as a minority. The practice of Judaism is completely free, and the religious question plays no part whatever in the settlement of the Jewish problem in Germany. In Germany, it is primarily a demographical, social and moral problem which has been peculiarly aggravated by a mass migration of Jews from Eastern Europe westwards. It is a problem sui generis, for which, accordingly, a special settlement will have to be found. Incidentally, I was interested to note, when listening to the remarks made by certain speakers yesterday on other problems connected with mandates, that it was agreed, outside Germany, that the Jewish question was a special problem for which solutions were being sought in a large number of countries...
I will, if need be, submit later, on behalf of France, any further remarks I may have to make on the nature of the racial problem raised by the German delegation. To-day, I propose merely to stress the constancy with which the German delegation, in accordance with its traditional method, has, this year again, brought up the question of minorities for discussion in the Sixth Committee.

If we refer to the discussions in the Council, of which the Minutes provide the principal subject-matter of our study, we might suppose that the German delegation had changed its policy in regard to the protection of minorities. We might feel that it was less firmly convinced—to deal only with the procedure—of the importance of placing the widest possible interpretation on the League's competence in this matter, permitting all minority petitions, even those of a most individualistic character, to reach the League and of giving the widest possible publicity to the measures taken by a State to correct any breaches which the Council might have found to exist. We can, I think, regard the statements just made by M. von Keller as indicating a veritable, but perfectly comprehensible, evolution on the part of Germany—an evolution of which we take note.

Among the minorities questions handled during the year, the Bernheim petition from Upper Silesia deserves special attention, for two reasons which markedly differentiate that case from the majority of those which the Council has had to examine hitherto.

In the first place, the Council was not faced with, so to speak, an indirect breach, due to the tendentious interpretation of a law which is in conformity, in its principles, with the treaties, but with a categorical affirmation of principles which are in themselves at variance with the principles laid down in the Minorities Treaties.

Secondly—and it is this which shows up even more clearly the special nature of the Bernheim case—the Council, which is competent only as regards the protection of minorities in one particular area of a big State, has none the less had to examine a general law applicable also in the rest of the Reich. In finding, therefore, that a breach had been committed in that area, it *ipso facto* established that the general law of the Reich, of which it could only take cognisance in so far as it concerned Upper Silesia, was formally at variance with the principles laid down by the treaties governing the protection of minorities.

The Council was not called upon this year, under the terms of its standing orders, to offer any observations upon this general law. The Assembly, however, as we know, has a far wider mandate, since its competence is derived, not from the Minorities Treaties, but from the general rules contained in Article 3 of the Covenant. On the basis of the principles enunciated in that article, one of our predecessors, the Sixth Committee of the 1922 Assembly, found it possible to lay down the general rules by which the framework of the treaties has been enlarged and which I should like, with your permission, to call to the attention of our 1933 Sixth Committee to-day:
"The Assembly expresses the hope that the States which are not bound by any legal obligations to the League with respect to minorities will nevertheless observe in the treatment of their own racial, religious or linguistic minorities at least as high a standard of justice and toleration as is required by any of the treaties and by the regular action of the Council."

On the basis of this fundamental recommendation, I will for the moment confine myself to asking the German delegation how it reconciles the laws of the Reich, which the Council has had to examine in connection with the Bernheim case, with the treaties on which the League is founded, and more particularly with Article 67 of the Upper Silesia Convention, which reproduces Article 7 of the Minorities Treaties and which I should like to read by way of conclusion:

"All German nationals shall be equal before the law and shall enjoy the same civil and political rights without distinction as to race or religion.

"Differences of religion, creed or confession shall not prejudice any German national in matters relating to the enjoyment of civil or political rights, as, for instance, admission to public employments, functions and honours, or the exercise of professions and industries."

SPEECH OF M. BENES, REPRESENTATIVE OF CZECHOSLOVAKIA

... M. von Keller emphasised the theory of ethnic nationality, without, however, going into the details of the political and legal consequences of such a doctrine within the League of Nations. As I see it, this theory would, if carried to the extreme, overthrow all the legal conceptions upon which not only the Minorities Treaties, but also the international relations between States composed of two or more nationalities, are based. The League's work for peace would be singularly complicated if it were to accept and propagate such theories. I feel that we should hold to our former doctrines, and therefore I cannot support M. von Keller's contention.

Another of his points also affects one of the legal and political doctrines endorsed by the League. I refer to the question whether the Jews do or do not constitute a racial or religious minority.

Without entering into any long theoretical dissertation, I would merely state: (1) that all the Minorities Treaties dealing with the Jewish question and of which the League of Nations is a guarantor consider the Jews to be a racial or religious minority; (2) that any action which has hitherto been undertaken either by the Council, the various organs of the League or the Assembly, and which dealt with the Jews as citizens of any European State, has been based on the legal and political doctrine that the Jews should be considered as a racial or religious minority. Unless we wish to create new problems in international law, insoluble in the present state of affairs, we should hold to this theory...
...I must say something about the big issue which was raised before this Committee by the German delegate yesterday, namely, the conception of the State based upon racial homogeneity and the consequent international relations which he opened up by saying that, quite apart from the basis of the State being ethnical, a State having that ethnical homogeneity had a right and a duty to concern itself with the citizens of another State who belonged to the ethnical compost of the State in question. That will carry us very far. I tremble to think of the responsibilities of my Government in respect of every citizen of the United States who claims descent from those who went over in the “Mayflower”—and there are millions—if this idea were put into operation. We reject absolutely this conception put forward by the German delegate yesterday regarding the racial homogeneity of political units and States. How could we do otherwise?

Look at the British Empire: people of every race, every colour, every creed! Why, even in our own little island of Great Britain we have a population of the most mixed stock. Ever since neolithic times there has been an infiltration into Britain of various races and strains from all over the world, and inside our own unit of Great Britain we have three quite conscious nationalities, the English, the Scotch and the Welsh—each, again, subdivided into many races—the dark-haired Welshman, the red-haired Welshman, the Pict and the Scot—one could go on. This Aryan doctrine, and the doctrine of homogeneity quite frankly cannot apply to the British Empire, for the danger of attempting to base our political systems and our national Governments on a purely racial basis and racial conception involves inevitably the conception of ascendency of the majority race, while it has always been a cardinal principle of the British Empire that no person shall be debarred from holding any office under the Crown, or from occupying posts in any profession or the like, in the famous words of Queen Victoria in her Proclamation as Empress of India, “By reason of race, colour or creed.” That is fundamental, and the only thing that holds the British Empire together is equality of status and freedom. If we were to substitute for our present conceptions of the British Empire this conception of the race ascendency of one element in it,—I presume it would be the Scotch—quite frankly it would be the end. The British Empire does not conceive of itself in terms of racial solidarity, but in terms of the free association of free people, encouraged to develop their national consciousness within the greater unity and, above all, bound together by what is the real guarantee for all minorities all over the world—free self-governing institutions. We have always said “rather self-government than even good government.” We believe firmly in the parliamentary system whereby minorities can be heard and can bring their case to a government, and in a free Press. Parliamentary institutions are the cement of the British Empire.

I must allude to the challenge of Dr Goebbels the other day when
he talked about the obsolete character of parliamentary government. We believe that the liberties of England are based upon parliamentary government. It is an institution that has survived in our country unbroken for 650 years, and neither in the name of democracy nor anything else are we going to abandon our free parliamentary system, whereby no Government shall introduce a law or a decree until it has been discussed in the face of minorities and oppositions and gone through clause by clause and line by line.

I pass from that general subject to a particular subject which was brought forward yesterday by the German delegate. I would not have alluded to it now, because I have already said something on the question of the Jews, had not the German Delegate queried in his speech whether we ought to regard the Jews as a minority in any country. He said, quite truly, that in Germany they do not form a linguistic minority or a national minority, and that in the exercise of their religion they have not been subject to any interference. Let us say at once that Germany has a long tradition of religious toleration and there has never been any interference there; but we must regard the Jews, not merely in Germany but elsewhere, quite definitely as a racial minority. If the German delegate, in connection with Germans in Czechoslovakia and other neighbouring countries, emphasizes the ethnical basis, the racial consciousness and racial homogeneity of the German people, he cannot have it both ways. If the racialism of the Aryan German is emphasized, it must be admitted that the Jew has a racial identity and is bound by those same ties of blood and kinship and history to all the Jews of the world.

Let me give an example of how we must regard the matter in my own country. I belong to what is called the "Tory" party, the party of the Right. Every 19th of April, on Primrose Day, I and others of my party go on pilgrimage to lay primroses on the statue of one who led my party for a whole generation. I refer to Benjamin Disraeli, Earl of Beaconsfield, three times Prime Minister of England. The Earl of Beaconsfield descended from Spanish Jews driven out of Spain at the time of Ferdinand and Isabella. He was nationally a devoted and patriotic Englishman. In religion he was a baptised and conforming member of the Church of England and was buried with Christian rites in his own parish church in Buckinghamshire. Nevertheless, throughout his life, public and private, whether as a writer of books or in public and social life, he proclaimed himself the proudest of Jews, a Hebrew of Hebrews as St. Paul. His books are full of tributes to the race, to which he was proud to belong, for the culture, religion, art, and science they have given to humanity. I say definitely that there is among the Jews a sense of their historic continuity throughout their dispersal and that they do form a racial minority which deserves the same treatment everywhere as all other minorities in all countries.

What is that treatment? Above all, equal rights of citizenship and fair treatment as loyal citizens of the nation to which they have been attached. Wherever the Jews have been well and liberally treated, they have been the most loyal and helpful members of the nation.

In view of the attention which this question is attracting throughout
the world, people in England are reading what Chancellor Hitler has written on the subject in his famous book and are trying to understand the German point of view. What we read quite frankly makes us nervous, and I think it is necessary that we should solemnly reaffirm the resolution passed by the Third Assembly in 1922. That is the main thing we have to do...

SECOND SPEECH OF DR. VON KELLER, REPRESENTATIVE OF GERMANY

... The French representative has seen fit during this general discussion to mention the Bernheim case to Germany’s disadvantage, and in alluding to it he made certain observations and put to me certain questions for which I can find no warrant. The minorities States have always received in the League a treatment making full allowance for their interests; but it seems that there is a desire to apply a different measure to Germany which, in the sphere of the protection of minorities, is bound only by the Geneva Convention relative to the protection of minorities in Upper Silesia.

I do not, however, propose to dwell over-long on this aspect of the question, which concerns rather the method of the discussion. I will pass at once to the question of fact.

The question of the application of certain German laws in the territory of Upper Silesia under the jurisdiction of the Geneva Convention—the question raised by the Bernheim petition—was settled in the discussions of the Council. The German Government, by reason of its interpretation of the Geneva Convention, did not consider the petition as founded in law. The Committee of Jurists set up by the Council having, however, decided against the German view, the German Government immediately drew the necessary consequences and took all the requisite measures to ensure the proper execution of the Geneva Convention. The Council’s Rapporteur was informed to this effect in conformity with the decision taken by the Council in June, and, if I am correctly informed, he immediately notified the fact to all the Members of the Council. I am therefore forced to assume that, in offering the observations he made yesterday, the French representative was fully informed of the facts. The Council considered the Bernheim petition in the full light of publicity. Never once did we raise any objection to the publicity of its deliberations. I do not therefore understand what are the material reasons for which the Bernheim petition should once again be brought into discussion in this Committee.

It is true, of course, that M. Bérenger attempted—and this was obviously his purpose in bringing up the Bernheim affair again—to pass on from the provisions of the Geneva Convention to general conditions in Germany. He made use of the provisions of Article 67 of the Geneva Convention relative to Upper Silesia in order to convert them into a general rule which he endeavoured to apply to German legislation. I must make a vigorous protest against this roundabout attempt to
open a discussion here on German law. The Geneva Convention is an agreement applying solely to a specific territory and contemplating the specific local conditions of that territory. No one is entitled to transform the provisions of that Convention into a general rule applicable to German legislation outside Upper Silesia.

The Sixth Committee has no jurisdiction to consider the laws of Germany. The French representative himself entirely appreciated the accuracy of this view, and that is why he went on to establish a connection between the German laws on the Jewish question and an Assembly resolution of December 21st, 1922. I cannot, however, allow any criticism of German legislation from this standpoint either. In this connection, I need only repeat what I said in my remarks at the beginning of the discussion—namely, that the Jewish problem in Germany is a special problem *sui generis* and cannot possibly be treated here simply like an ordinary minority question. The German Government has already given the world, and also Geneva, a clear explanation of its views on this problem, and I see no reason to make any addition to them whatever.

The observations offered to-day by the United Kingdom representative have not introduced into the discussion any elements that might induce me to depart from this attitude. All that is clear, in my opinion, from his remarks, in so far as they refer to the Jewish question in Germany, is the fact that the United Kingdom representative has failed to appreciate at their true force the conclusive factors characterising the entirely special situation of this problem in Germany as compared with almost all other countries. Disregarding that part of his observations which concerned the Jewish question, I can say with satisfaction that, notwithstanding the opposition in conceptions of principle stressed by him, his practical proposals contain many points which I think deserve attention . . .

**SECOND SPEECH OF M. HENRI BÉRENGER, REPRESENTATIVE OF FRANCE**

. . . I am anxious to say a few words in reply to the very courteous explanation which the German delegate made in answer to my previous speech.

M. von Keller seemed surprised that the French delegate had raised in the Sixth Committee, during a discussion on the status of minorities, three questions which he judged to be inopportune and importunate—the first, that of the general laws of the Reich regarding the status of certain classes of its population, described as non-Aryan; the second, that of the race problem in its relation to nationality and the general principles of the League; the third, that of the Jews in Germany.

I venture to say to the representative of the Reich with all courtesy and due deference that I am surprised at his surprise.

Was it not the German delegation which inaugurated the present discussion? Was it not the first to draw attention from this platform
to the three problems in question? Was it not M. von Keller who, speaking in the name of his delegation, first referred to developments regarding the new principles of what Germany calls Volkstum, and regarding the situation of the Jews in Germany and throughout the world?

* * * * 

Since he took this step and invited our Committee to enter into these controversies—to use his own expression—the German delegation might well expect that others should take up the subject. The right to initiative calls forth a duty to reply. The French delegation fulfilled this duty in throwing light on certain points in the discussion originally raised by the Germany delegation. We did not seek to avoid the invitation issued because we felt that we were doing greater honour to the remarks submitted by the delegate for the Reich than if we had treated them with indifference and passed them over in silence.

This discussion, moreover, was necessary. It was worthy of the international mission of justice and toleration which has always been and should remain the chief prerogative of the League of Nations.

After the powerful speeches made in this Committee both yesterday and to-day by the delegates of various States, and in particular by Mr. Ormsby-Gore, whose eloquent analysis of the principle of the relations of a nation with its component races we applauded, I have no wish to cover afresh ground which has already been covered in such a decisive, witty and conclusive statement. This is no gathering of anthropologists and I am convinced that none of us will regret exoneration from the task of investigating the prehistoric habitat of Neanderthal man.

As I listened to Mr. Ormsby-Gore recalling England’s traditions, and the variety of its component elements co-existent with that conception of unity which, maintained throughout the centuries, had made the British Empire what it is, I could not help thinking of all those other nations, old and new, composed of several races; for instance, the Swiss Republic which welcomes us here and whose national force seems to be as strongly welded, as just and as human as that of other nations which flatter themselves—and perhaps somewhat presumptuously—that their national sentiment is founded on ethnical considerations alone. Is not the fundamental aim and the very condition of the existence of our League of Nations the principle that each nation must be left its liberty and its form in a spirit of justice and toleration applied to all?

Are the Jews a minority? Are they not a minority? The question has been much debated, and I believe that the Jews themselves would not be agreed upon the reply. Were you to question the French Jews, for instance, you would find few, if any, who would consent to term themselves a minority; they call themselves French citizens like the rest. And I am fully convinced, with M. von Keller, that if the same question had been put to German Jews some years ago, they, too, would not have wished to look upon themselves as anything but Ger-
mans. I have recently been reading Count Kessler's excellent book on Walter Rathenau. No book could prove more movingly the patriotic feeling for Germany of a Jew who did his utmost to serve his country well. Had this not been the feeling of the German Jews, it is obvious that, in 1919, the Jewish delegations which fixed the first outline of the texts on which the Peace Conference was to base the treaties for the protection of minorities would have asked for this protection for themselves. This they did not do, so idle and so anachronistic did such protection appear in their eyes. They felt themselves assimilated, safe in their position, thanks to the traditions of a century of equality.

However true the facts which I have just recalled, there is no denying the precept accepted by all authors that as soon as there is legal discrimination a minority exists within the meaning of modern law. The Jewish minority as such may not have existed in Germany. It is created when discriminatory treatment is accorded to the German Jews. There is no escaping this dilemma, and, once we find ourselves in this position, the German delegation must understand that we cannot—in this discussion, where that delegation itself brought up the question of minorities in its most general aspect—fail to feel for the Jewish minority that same sentiment of human solidarity, that same spirit of equity which the German delegation asks of us when other national minorities outside Germany are involved, and which, as you know, have been our guiding principles till now, as they will remain in the future.

I would not wish this discussion of principle which has, and rightly, occupied the main part of our debate, to prevent us from considering other statements on points of fact to which the Committee has listened; I refer in particular to M. Beneš's admirable speech. Neither would I wish to fail to recognise—while addressing to the States signatories to the treaties the thanks which M. Beneš regretted to find lacking for the way in which they have helped to execute those treaties—the debt we owe to the States not directly concerned, which, both in the Council and in the Minorities Committees, spend their time ensuring that the minorities shall be subjected to no injustice as regards the rights which they are recognised by the treaties to possess. In this connection, I desire to pay a special tribute to the members of the Council who, owing to the inevitable expiration of their term of office, are obliged to leave the Council, to the Irish representative, who has shown so much impartiality and so much enlightenment in his capacity as Rapporteur to the Council on these matters, and to the Norwegian representative, who has always shown such devotion to the cause of minorities. We ourselves come within this category of States which are not actually concerned, and which try loyally to apply the treaties in that spirit of justice and moderation which M. Briand has so often defined before this Committee. The German delegate gave us great pleasure when he called Aristide Briand to our minds. I am fully aware that I am called upon to continue here his tradition. It is in that spirit that I have the honour, in the name of the French Republic, guardian of the principles at the basis of a Revolution which proclaimed the rights of man and of citizens without distinction of race, religion or origin, to propose a draft resolution, the object of which is to confirm, while defining more clearly its
scope, the recommendation with regard to the rights of minorities, adopted by the Assembly of 1922. . .
(This draft resolution was incorporated in the Sixth Committee's final proposal to the plenary Assembly, Articles I and II).

SPEECH OF M. NICHOLAS POLITIS, REPRESENTATIVE OF GREECE

First and foremost, it seems to me that a certain confusion prevails as to the actual principle of the problem—I mean as to the definition of minorities. Although the population of no country in the world is absolutely uniform in the matters of religion, language, or even racial origin, there are a large number of countries, both in Western Europe and over a great part of America, which look upon themselves as having no minorities in their territories. At first sight, this is difficult to understand. One cannot see why, for instance, the Jews—who are indisputably a minority in oriental countries—should not be a minority in western countries.

On reflection, however, I think an explanation can be found, and has already been outlined by Senator Bérenger in the admirable speech he delivered just now.

In some countries, there is no longer any distinction, in law or in fact, between minorities and the rest of the population. The minorities have become fused in a single and indivisible population, and in those countries they have no desire to be regarded as minorities. Their sole reason for not wishing to be regarded as minorities is that it is not in their interest, and the reason why it is not in their interest is that they possess, not only legally but in fact, exactly the same status as other sections of the population. None the less, they are still latent minorities—sleeping minorities, as one might say—ready to awaken at any moment when their moral union with the rest of the population may be relaxed; and it might be relaxed in either of two ways: either the minorities might seek to secure a special position in the State, or the State itself might treat them differently from the other sections of the population.

That, I think, is how the Jewish question, which has been so much discussed here, can be settled. Either the Jews are a minority or they are not. That depends on the particular case. They are a minority where, whether through their own act or through that of the State, they hold a special position; but they are not a minority where no distinction, legal or in fact, is drawn between them and the rest of the population.

That, it seems to me, is the explanation of the at first sight inexplicable phenomenon that the same people can be a minority in one country and not in other countries. What conclusion is to be drawn? It is in order to decide this that I have enunciated the foregoing premises.

In my view, the unavoidable conclusion is that the division of a people into a majority and a minority is neither necessary nor permanent; and, if you agree with this conclusion, you will at once see a strong light shed upon the aspect of the problem that has received
particular attention here when the question was raised whether the present system for the international protection of minorities is an exceptional system, and, as such, destined to disappear, or whether it is the germ of an improvement which will in due course become general in every country in the world.

C. INTERNATIONAL ASSISTANCE FOR REFUGEES (JEWISH AND OTHER) COMING FROM GERMANY

RESOLUTION DRAFTED BY THE SECOND COMMITTEE

The Assembly,

Having regard to the situation created by the fact that a large number of persons, Jewish and other, coming from Germany have, in recent months, taken refuge in several countries;

Considering that their presence in those countries constitutes an economic, financial and social problem, which can be solved only by international collaboration:

Suggests that the Council should nominate a High Commissioner to negotiate and direct such collaboration, and particularly to provide, as far as possible, work for the refugees in all countries which are able to offer it;

Requests the Council of the League of Nations to invite States and, if it thinks it advisable, private organisations best able to assist these refugees to be represented on a Governing Body of which the duty will be to aid the High Commissioner in his work, the High Commissioner having to submit periodical reports on the development and fulfilment of his task to the said Governing Body, which would forward them to the States likely to be able to assist in the action contemplated;

Suggests further that the expenses of this collaboration and of the High Commissioner’s office should be defrayed by funds contributed voluntarily from private or other sources;

Recommends to the Council that, in accordance with Article 33, paragraph 2, of the Regulations for the Financial Administration of the League, it should approve that a sum not exceeding 25,000 francs should be advanced to the High Commissioner from the Working Capital Fund, it being understood that this advance will be refunded to the League out of the funds placed at the disposal of the High Commissioner;

Is convinced that all Governments will assist the High Commissioner to the best of their abilities in the tasks defined above; with this object, the present resolution will be communicated to States Members and to non-members of the League;

Finally, the Assembly expresses the firm hope that private organisations will collaborate in every way with the High Commissioner for the success of this relief action.

(The German delegation finding this action unnecessary, refused in the Second Committee to take any part in the drafting of the resolution or organization of assistance).
As he had already said in his speech in the Assembly, nothing was further from the desire of the Netherlands delegation than to interfere in the internal politics of Germany. It did not wish to criticise either the regime under which the internal affairs of that great country were being directed or the steps taken in Germany against large groups of German nationals whose race or political convictions did not find favour with the Government and with the public opinion of the country. The Netherlands delegation merely noted the fact that thousands of these nationals, out of fear for the fate which awaited them if they remained in their country, had taken refuge in neighbouring countries. He would not discuss whether that fear was well founded or not. The fact remained that it existed among the groups in question, that it had caused a mass exodus and that the refugees refused to return to their country.

There were no exact figures as to the number of these refugees. It was estimated, up to the present, at about 50,000 or 60,000. The Netherlands alone had received 6,000 to 7,000 refugees, part of whom had probably in the meantime proceeded to other countries—in particular, to Palestine or France.

In this period of unemployment, it was out of the question that all these refugees could find means of existence in the countries bordering on Germany. As a result of the German Government’s provisions for preventing the flight of capital, only very few of them had financial resources of their own. As regards the Jews, Jewish organisations had come to their assistance and had contributed largely to the cost of their maintenance. It was, however, to be expected that, as the funds from private sources became exhausted, a constantly increasing number of refugees would become a burden on public funds.

In order to avoid these unfortunate consequences, an effort should be made, as had been already proposed by the seventeenth General Labour Conference in its resolution of June 29th, 1933, to place the refugees in various countries without detriment to the economic welfare of those countries. This would no doubt not be easy, in view of the attitude adopted by most countries towards immigration. It should, however, be pointed out that the refugees included a large number of persons exercising professions of which there was a lack in certain parts of the world, particularly persons of the medical profession. The possibility might also be considered, as had been pointed out in the Sixth Committee during the discussion on mandates, of widening and promoting immigration into Palestine, due account being taken of the weighty reasons which compelled the mandatory Power to proceed in this matter with great circumspection.

For such migration, the refugees needed passports. But many of them had left Germany without valid passports; persons without nationality who had been residing in Germany were unable to obtain passports; German nationals, on the other hand, could apparently only obtain from the German Consulates abroad papers for returning to Germany within a short time-limit.

In order to remove all these obstacles to the finding of employment for refugees, the Netherlands delegation considered that an international organisation should be created. It could not be contended that this was a question which the countries bordering on Germany should settle among themselves, since the solution of the problem demanded the co-operation of other countries. Any attempt to bring about a settlement of this question exclusively by the States into which the stream of refugees had hitherto flowed was doomed to failure. All the cases where the League had intervened on behalf of refugees proved that the universal character of such problems was recognised from the outset and that the League's competence to deal with them was an accepted fact.

The Netherlands delegation did not flatter itself that the methods indicated would be sufficient to find employment for all the German refugees at an early date. A considerable financial outlay would be required to provide for the needs of those for whom no employment could immediately be found. Did this mean that the League of Nations should vote large credits for the purpose? The Netherlands resolution did not contemplate this object. It was merely a question of voting a very limited amount in order to enable suitable measures to be taken to institute the organisation which would deal with this work. The necessary funds for actual relief and the cost of administration of the central organisation must come from other sources. There was a great difference between this case and other cases in which the League had dealt with refugees. In this case, there were, in all parts of the world, organisations and private persons belonging to the same race as most of the refugees, who were able and willing to grant financial help to those who had been compelled to leave their homes in Germany under present circumstances. The Netherlands delegation, for instance, had good reason to believe that the Jewish organisations in various countries would be prepared to place large sums at the disposal of the organisation which was to be created, provided the work was centralised and carried out under the auspices of the League.

The final form to be taken by this organisation must be fixed by the League Council. The Nansen Office might be entrusted with this task. If it was felt, however, that it was inadvisable to impose any further duties on that institution, which was already in course of liquidation, a small special autonomous organisation could be created, under the direction of a League commissioner, which would report regularly to the Council and the financial administration of which would be supervised by the League accountants.

Whatever form was chosen, the Netherlands delegation considered that it was of capital importance to establish a very close link between the organisation to be created and the League. Only if it was connected with the League could the organisation possess the necessary authority and prestige to ensure success in its work. The institution of an inter-
national organisation outside the League would be taken by the world as signifying lack of faith in League methods and would, he thought, be harmful to its future development. By using the available administrative organs both of the Secretariat and of the International Labour Office there would be no overlapping and the expenditure to be incurred by the League could be reduced to a minimum.

If it was found necessary to give the Council instructions as to the manner in which the Assembly wished the assistance to be organised, it might be advisable to appoint a small sub-committee to study the system of co-operation between the autonomous organ to be created for the refugees and the League.

**DECLARATION OF HERR RITTER,**
**DELEGATE OF GERMANY**

"The honourable representative of the Netherlands stated at the plenary meeting of the Assembly—and has repeated to-day—that the present proposal in no way involves any criticism of internal measures taken in Germany and that it merely aims at a technical procedure for the settlement of difficulties which have arisen in a number of countries during the last few months as a result of the influx of German nationals into their territories. The German delegation has taken note of this statement. It would, indeed, strongly oppose any discussion exceeding the limits so clearly traced by the Netherlands Minister for Foreign Affairs himself.

"But even within the limits established by the honourable representative of the Netherlands, the German delegation is not in a position, in the circumstances, to take part in a discussion on the substance of the questions raised by the Netherlands proposal.

"The persons to whom this proposal refers proceeded to foreign countries for the most various reasons. Some of them did so because the new position created in Germany by the national revolution no longer assured them the privileged position in the social and commercial sphere which they had formerly occupied in Germany; others left Germany because the conditions of internal politics were no longer in agreement with their selfish desires; lastly, others felt obliged to go abroad because their conscience was not clear. Moreover, it must not be forgotten that, for a considerable time and in particular since the war, Germany has been subject to very great immigration from Eastern regions, and that, in spite of her own distress, she has admitted a great number of foreigners to her territory. Only a very small number of these persons have now left Germany for neighbouring countries. In this connection, it is worthy of note that the persons in question have not returned to the territories from which they came to Germany, but have proceeded to other neighbouring countries which are not even in a position to give them a permanent domicile in their territory.

"If these neighbouring countries now consider that international steps must be taken to regulate the treatment of the persons concerned, the
German delegation must leave it to the delegations of the countries concerned to consider the necessity for such steps. The German delegation does not, however, consider that the achievement of the object aimed at by the Netherlands proposal should be included in the tasks which the League of Nations is called upon to fulfil.

"Whatever decision is taken by the Second Committee in this matter, it should be borne in mind that the measures contemplated should not be such as to give any encouragement to the elements engaged abroad either openly or secretly in a campaign against the German Government. What would be the result if institutions created under the auspices of the League were misused in this manner for political purposes? The German delegation is convinced that this brief observation will be sufficient to draw the attention of members of the Committee to the fact that all Governments are equally interested in preventing such inadmissible consequences from the outset."

Messrs. Kunz-Jízský, Czechoslovakia; Yvon Delbos, France; Gwiazdowski, Poland; Kraft, Denmark; Vasconcellos, Portugal, and Hacking, United Kingdom, expressed their approval of the Netherlands Proposal. The delegate of Spain recommended that Palestine be given "serious consideration" for purposes of settlement.

The Committee decided to appoint a sub-committee, consisting of representatives of Belgium, the United Kingdom, Czechoslovakia, France, Italy, the Netherlands, Spain, Sweden and Uruguay, to which the Netherlands delegation's proposal would be referred, together with the draft recommendation submitted by the Spanish delegation and any other proposals that might be made on the same subject.

The Chairman, Count Carton de Wiart, Belgium, stated that he had intended to propose that Germany be a member of the sub-committee, but the German representative had stated that the German delegation had no intention of taking part in the sub-committee's work.

**NINTH MEETING**

M. Guani (Uruguay), Rapporteur, stated that, after a fresh consultation between the delegates of France, the United Kingdom, Italy, Norway and the Netherlands, he had made the following changes in the text of the draft resolution:

The third paragraph to read as follows:

"Suggests that the Council should nominate a High Commissioner to negotiate and direct such collaboration, and particularly to provide, as far as possible, work for the refugees in all countries which are able to offer it."

The two paragraphs to which the Italian delegation had taken exception and the final paragraph to be replaced by the following:

"Is convinced that all Governments will assist the High Commissioner to the best of their abilities in the tasks defined above, and directs the Secretary-General to communicate this resolution to States non-members of the League;"
"Finally, the Assembly expresses the firm hope that private organisations will collaborate in every way with the High Commissioner for the success of this relief action."

The object of these changes was to instruct the High Commissioner, who would be appointed by the Council, to provide as far as possible work for the refugees in all countries which were able to offer it, without making special requests of the States which had not yet received any German refugees. The five delegations in question had accepted the new text without reservation.

* * * *

M. RITTER (Germany) said that, as he had already stated at the beginning of the discussion, the German delegation had no intention of taking part in the debate. He regretted that he was obliged to speak again on account of the procedure followed in the matter. The German delegation in its first statement had made some remarks regarding that procedure; in particular, it had emphasised the fact that it was inadvisable to entrust the League of Nations with such a task. The text of the resolution submitted for the approval of the Committee showed very clearly that the organs of the League would have to undertake very far-reaching action in this matter and take the responsibility for the measures adopted. The German delegation could not agree to this solution. It should frankly state immediately that it would be unable either to accept or to carry out such a resolution.

The German delegation considered that the problem at present before the Committee might be settled in other ways than that which had been followed. It would not make any suggestions on this subject, but wished to draw the attention of the Committee to this possibility.

M. Motta (Switzerland) said the Swiss delegation was in favour of the draft resolution. As regards procedure, he felt bound to say that if the rules which applied to the plenary Assembly were also applied strictly to the Committees, the negative vote of one State would be sufficient to annul a resolution voted by a Committee. In practice, however, it was usually considered possible to bring before the Assembly even resolutions which had not been unanimously voted in the Committees; it was therefore sufficient in the present case for the German delegation to vote in the plenary Assembly against the draft resolution in order to annul that resolution.

M. Motta, however, had understood that the German delegation was not opposed to the question with which the Committee was dealing being the subject of discussion between States which were not directly concerned in it. It would appear that the German delegation did not deny the existence of the fact and admitted that this fact called for a solution. In accordance with the instructions which it had received, it merely objected to the League or its organs dealing with a problem which undoubtedly existed and which called for settlement.

In these circumstances, M. Motta wondered whether it was advisable to bring the draft resolution before the Assembly and run the risk of Germany maintaining her opposition and annulling the resolution which might be adopted, or whether it would not be preferable to
consider the possibility of an agreement which would enable a resolution to be voted.

The Swiss delegate considered that the German delegation, which could rest assured of the sentiments of deep friendship on the part of all the Members of the League, should be requested to explain to its Government that there was a very strong current of opinion both in the Committee and in the Assembly in favour of solving the problem by the friendly intervention of the League. It might be possible, by the date when the Assembly would have to pronounce on the subject, to reach an agreement or *modus vivendi* between Germany and all the other States. The problem before the Committee could not be solved without the goodwill of Germany.

\[\text{* * * *}\]

(M. Casalni, Italy, and M. Finat y Rojas, Spain, agreed with the delegate of Switzerland.)

M. Ritter (Germany) thanked the Swiss delegate for his efforts to find a solution to such a difficult problem. He would, however, assure the Committee that the statement which he had made at the beginning of the discussion was the outcome of a decision taken by the German Government after a careful and thorough examination of the problem. The German Government was well aware of the position at Geneva when it decided to vote against the resolution. The German delegation would transmit to its Government the appeal addressed to it by the Swiss delegate and would ask that the situation be reconsidered.

(M. Lucien Hubert, France, associated himself with the opinion of the Swiss delegate.)

M. Motta (Switzerland) suggested that the Sub-Committee which had already examined the problem might be asked to keep in close touch with the situation, and try to find a solution which could be unanimously accepted by the Committee. If it were found impossible to reach such a solution, the discussion might be brought before the Assembly. It was, however, essential that every effort should be made to avoid a discussion which would have no practical result if the country concerned was determined to vote against the resolution to be submitted to the Assembly.

M. De Graeff (Netherlands) considered it desirable to arrange for the participation of Germany in the Sub-Committee's discussions.

M. Ritter (Germany) said that the German delegation had previously refused to be represented in the Sub-Committee because the German delegation had no intention of taking part in a discussion on the substance of the question. Now that it was a question of solving a technical difficulty, the German delegation was prepared to give its assistance.

*The Committee decided to adjourn the discussion.*

It further decided that the Sub-Committee should, if necessary, be convened by the Rapporteur and could, if it thought fit, invite the German delegation to give its assistance.
STATUTES OF THE INTERNATIONAL HIGH COMMISSION*

Article 1

In accordance with the resolution of the Assembly of the League of Nations dated October 11th, 1933, and with the decision of the Council of the League dated October 12th, 1933, an International High Commission for Refugees (Jewish and other) coming from Germany (hereinafter called the "High Commission") is hereby created, and shall be governed by the provisions set out below.

Article 2

The High Commission is established for the purpose of solving by international action economic, financial, and social problems that have arisen in consequence of the fact that a large number of persons, Jewish and other, (hereinafter called "refugees"), have left Germany and taken refuge in various countries.

Article 3

The office of the High Commission shall be at Lausanne.

Article 4

The organs of the High Commission shall be:—

The High Commissioner;
The Governing Body;
The Permanent Committee;

Article 5

The High Commissioner appointed by the Council of the League of Nations shall direct the High Commission within the framework outlined by the Governing Body. He shall report periodically to the Governing Body on his activities, including his financial administration. He shall be empowered to sign the correspondence of the High Commission and to enter into commitments binding upon it.

Article 6

The Governing Body shall comprise:—

1) the representatives of the Governments of the Argentine, Belgium, Brazil, the United Kingdom, Denmark, Spain, the United States of America, France, Italy, Netherlands, Poland, Sweden, Switzerland, Czechoslovakia, and Uruguay;

2) the representatives of other Governments which may subsequently be invited by the Governing Body to be represented upon it;

3) the High Commissioner.

*Adopted by the Governing Body at Lausanne, Switzerland, December 5, 1933.
The Governing Body shall invite certain private organizations to appoint representatives to an Advisory Council which shall cooperate in its work; and it may summon to any of its meetings members of the Advisory Council, or a committee thereof, in a consultative capacity.

Article 7

The Governing Body shall outline the general framework of the High Commission's activities and assist the High Commissioner in his work.

Article 8

The Permanent Committee shall consist of the Chairman and of the Vice-Chairman of the Governing Body, the High Commissioner, and three members of the Governing Body selected by the latter.

It may invite to any meeting in a consultative capacity members of the Advisory Council, or a Committee thereof, which shall be selected in such manner as may be prescribed by the Governing Body.

Article 9

The Permanent Committee shall act as representative of the Governing Body during the intervals between sessions of the latter, more especially in urgent matters calling for immediate action.

Article 10

The High Commission shall have full power to deal with all matters relating to its administration and activities.

Article 11

The persons forming the organs of the High Commission shall not be responsible either jointly or severally, for any action taken by the High Commission.

Article 12

The resources of the High Commission are constituted by funds contributed voluntarily from private or other sources.

Article 13

The budget of the High Commission shall be fixed by the Governing body.

All the accounts of the High Commission shall be audited yearly by an auditor or auditors appointed by the Governing Body.
Article 14

In regard to questions within his province, the High Commissioner may communicate with the Governments or any other bodies or persons likely to be able to assist in his work.

Article 15

Within the limits of these Statutes, the Governing Body shall lay down the necessary executive provisions in Rules of Procedure and Financial Regulations.

Article 16

These Statutes may be amended, in any way if inconsistent with the resolution of the Assembly and the decision of the Council of the League of Nations referred to in Article 1 hereof, by a two-thirds vote of all the members of the Governing Body, provided that notice in writing of the proposed amendment shall have been given to the Members at least three months in advance.

Article 17

These Statutes and any amendments thereto shall be so construed and interpreted as not to be in conflict or inconsistent with the terms of the resolution and decision referred to in Article 1 hereof.

Done at Lausanne on December 5, 1933