

Professor Kaplan, of the Jewish Studies Program of McGill University, offers a provocative analysis of a discourse of Rabbi Yitzhak Hutner dealing with the significance of the Holocaust.

## RABBI ISAAC HUTNER'S "DAAT TORAH PERSPECTIVE" ON THE HOLOCAUST: A CRITICAL ANALYSIS

### *Introduction*

Three years ago *The Jewish Observer*, a magazine published by the Agudat Israel of America, printed a discourse by Rabbi Yitzhak Hutner Shlita, Dean of *Yeshivas Rabbenu Hayyim Berlin* and a member of the *Moetzes Gedola HaTorah*, the rabbinical council of the Agudah, on the subject of teaching the Holocaust in religious schools (" 'Holocaust'—A Study of the Term and the Epoch It's Meant to Describe," October 1977). This discourse aroused a good deal of discussion and controversy within the Orthodox Jewish community, both inside and outside the pages of *The Jewish Observer*. Nevertheless, despite the variety of comments, criticism, and clarifications—in particular Rabbi Yaakov Feitman's *chazarah* clarification essay, "Reviewing a Shiur" (*The Jewish Observer*, January 1978)—the discourse has not as yet elicited the thorough, rigorous, and dispassionate scrutiny that, in light of its importance and controversial nature, it so evidently deserves.

Rabbi Hutner's discourse is important for several reasons. First, Rabbi Hutner is perhaps the leading thinker in the traditional yeshivah world, and a discourse of his on the delicate and important subject of teaching the Holocaust in religious schools is bound to carry great weight. Second, as will become clear in the second part of this article, Rabbi Hutner's discourse indicates that the yeshivah world and the Agudah, of which Rabbi Hutner is an outstanding representative, despite their pragmatic accommodation with the State

of Israel and more recently with the Israeli government, have not abandoned their ideological hostility to Zionism,<sup>1</sup> a hostility that I will argue, in the case of Rabbi Hutner, has influenced his evaluation of historical events. Third, as I hope to show in the first part of this article, paradoxically enough a number of Rabbi Hutner's theological premises, if placed in a proper historical framework, lead ironically to classic religious Zionist conclusions. Finally, as I will demonstrate at the conclusion of this article, Rabbi Hutner's discourse, beyond its specific subject, raises certain important general issues that are, or ought to be, of central concern to Orthodox Jews today. I would, therefore, like to examine, in a systematic and detailed fashion, some of the implications suggested by the discourse and some of the problems it raises.

I

Rav Hutner's essay may be divided into two sections, each dealing with one of the "two new directions in recent Jewish history with reference to the gentile persecution of the Jew."

The first "epochal change" that Rav Hutner discerns with respect to the nature of anti-Semitism is "the shift from generations of gentile mistreatment of Jews which, if unwelcome, was nevertheless expected and indeed announced by our oppressors—to an era where promises of equality were made and then broken, rights were granted and then revoked, benevolence was anticipated only to be crushed by cruel malevolence." As a result of this modern pattern, "from trust in the gentile world, the Jewish nation was cruelly brought to a repudiation of that trust. . . . Disappointment in the non-Jewish world was deeply imprinted upon the Jewish soul." For Rav Hutner this new historical pattern is "a seminal movement in our progress to *acharit Hayamim*—the inevitable culmination of our history in absolute redemption." The very first step in the "*teshuvah* of *aharit Hayamim*," that is, "the repudiation of innocence," will be reached by *Klal Yisroel* "through their repudiation of their earlier infatuation with gentile ways."

The Jewish people "move toward repentance because of disappointment in gentiles." But "this can only come about through promises rescinded, rights revoked and anticipations aborted."

Rabbi Hutner's historical characterization of this new pattern and its effects is undoubtedly correct. Indeed, in a secularized form, it is representative of all recent historical accounts and analyses of modern anti-Semitism and its impact on Jews. Rabbi Hutner,

however, is seriously misleading when, in giving examples of “promises rescinded, rights revoked and anticipations aborted,” he only refers to the events in Europe in the 1920s and 1930s that culminated in the Holocaust. The first wave of reversals, where “promises of equality were made and then broken . . . where anticipated benevolence was crushed by cruel malevolence,” took place four decades earlier in the 1880s and 1890s with the pogroms of 1881 in Russia and the subsequent enactment of harsh restrictive laws by Alexander III reversing the liberal treatment of the Jews on the part of Alexander II, the rise of modern, political anti-Semitism and anti-Semitic parties in the 1880s in Germany and Austria, and the Dreyfus Affair in the 1890s in France. These events were a traumatic series of shocks to many liberal Jews who had previously been enamored with the gentile world of modern Western European society. Many Jewish liberal circles experienced a deep sense of depression, confusion, and disarray. In short, if not to the extent experienced after World War II, “in a relatively short historical period disappointment in the non-Jewish world was deeply imprinted upon the Jewish soul”—or at least on certain hitherto trusting segments thereof.

What was the primary historical repercussion of these events? What was the most significant Jewish movement that arose out of this sense of disillusionment, this “disappointment in the gentiles?” The answer is well known: modern, secular, political Zionism! It is yet another historical fact that most of the outstanding early leaders of the Zionist movement, Moshe Leib Lilienblum, Leo Pinsker, Max Nordau and, most important of all, Theodor Herzl, were all former liberals who, as a result of these sudden and unexpected reversals, experienced precisely the same sense of disillusionment, the same shattering of trust that Rabbi Hutner so eloquently describes. These leaders, who had been so bewitched by the alluring gentile society surrounding them, now abandoned indeed, turned on and sharply criticized their former reformist, assimilationist ideals, affirmed Jewish peoplehood, and strove for a nationalist solution to what they perceived to be the alarming and untenable situation of the Jews in Europe. If Rabbi Hutner is correct in affirming that the first stage in the eschatological process of repentance can only be reached by “*Klal Yisroel* through their repudiation of their earlier infatuation with gentile ways,” if “disappointment in gentiles” is a necessary step in the move toward repentance, then does it not necessarily follow that the rise of the Zionist movement, *which was the first major, historical expression of this shattering of trust in the gentile world, resulting precisely from aborted anticipations*, is the very first

step in this eschatological process, a halting, inadequate, and deeply flawed step, to be sure, *but a step nevertheless?*

This, of course, was precisely the position of Rav Kook z.t.l. who, despite his acute awareness of the failings of secular Zionism, nevertheless saw the movement as part of an eschatological process whereby assimilated Jews would first return to the people of Israel and then, given the intimate and indissoluble link between the people of Israel and the God and Torah of Israel, would ultimately return to God and Torah. As Rav Kook wrote:

Jewish secular nationalism is a form of self-delusion: the spirit of Israel is so closely linked to the spirit of God that the Jewish nationalist, no matter how secularist his intentions may be, must, despite himself affirm the divine. An individual can sever the tie that binds him to the Eternal One, but the House of Israel as a whole cannot. All of its most cherished possessions—its land, language, history and customs—are vessels of the spirit of the Lord.

We can see Rabbi Kook's prediction being fulfilled nowadays in what I would call, in accordance with my extension of Rabbi Hutner's analysis, the *second* stage of the *teshuvah* process. Many secular Zionists are now beginning to see the emptiness and hollowness of a purely secular nationalism and find themselves being driven inexorably to search out the religious, the Divine roots of that Jewish peoplehood and culture that they had previously mistakenly thought they could affirm in a purely secular form.

Whether or not the editors and readers of *The Jewish Observer* and, indeed, Rav Hutner himself, would or should be pleased or disconcerted with this conclusion is not for me to say, but the implications of Rabbi Hutner's position as I have drawn them seem, to me at least, to be inescapable. It might be of interest to note, however, that when Rav Hutner was in *Eretz Yisroel* in the 1920s he was a confidante both of Rabbi Kook and Rabbi Yosef Chaim Sonnenfeld z.t.l.

## II

The second, and more controversial, section of Rabbi Hutner's discourse discusses the second new feature of recent gentile persecution of the Jews, that is, the collaboration of the Muslim nations of the East with the Christian nations of the West in murdering Jews. In this section Rabbi Hutner develops an extended argument that may be broken down to the following points, the first five of which are purely historical, while the sixth and last is a value judgment.

1. The Nazi Holocaust was the first time in history when the Christian West and Muslim East, as represented by Hitler and the Mufti, respectively (*Yemakh Shemom*), collaborated for the purpose of persecuting and killing Jews.
2. This collaboration was "one of the most significant alliances of modern times": The Mufti played a significant role in influencing the Nazi decision to annihilate all European Jews and entered into a symbiotic relationship with Hitler. Indeed, at one point, Eichmann (*yemakh shemo*) "even seemed to blame the Mufti for the entire extermination plan."
3. The Mufti originally, "until the great public pressure for the establishment of a Jewish state," was not an enemy of the Jews.
4. It was only these public pressures that turned him against the Jews and transformed him into "the incarnation of the angel of death."
5. This episode "has been completely suppressed and expunged from the record."
6. This whole sequence of events is a "shameful episode where the founders and early leaders of the State were clearly a factor in the destruction of many Jews." They must therefore share some of the guilt and culpability for the destruction of European Jewry.

This argument, if valid, would constitute a devastating moral critique of Zionism and, no doubt, Rabbi Hutner intended it as such. However, in truth, all of the claims embodied in these points are at least questionable or irrelevant and at worst mistaken. Let us proceed to an examination of each point separately.

### III

1. The Nazi annihilation of European Jewry was *not* the first instance in history of Muslim-Christian collaboration in the persecution and murder of Jews. Rabbi Hutner obviously forgot about the Damascus affair of 1840, the most notorious blood libel of the nineteenth century. In that case a Christian friar in Damascus had disappeared, and a number of Jews were accused of murdering him for "ritual purposes." The Christian French consul in Syria, Ratti-Meton, and the Muslim Governor-General, Sharif Padia, with the tacit connivance of the Syrian ruler, Muhammed Ali, conspired together and cruelly tortured the accused Jews in order to extract confessions from them. A number of Jews died under the torture, and others converted. This bar-

baric act aroused a storm of protest in Western countries, among both Jews and non-Jews. (In those idyllic times when the mass murders of our enlightened century were not even a bad dream, people were able to feel a sense of outrage at even "only" a few unjust deaths.) Strong diplomatic pressures were exerted by European embassies in the Middle East, mass rallies were held in various European cities, and a delegation of prominent Jews went to Egypt in order to intervene. Finally, all the Jews who had not either died or converted but were still rotting in prison were released. As a result of this affair, the Alliance Israelite Universelle was founded in order to protect Jewish rights everywhere. What should be noted in this context is that one of the major causes of this storm of protest was precisely the fact that an official representative of "liberal, enlightened," Christian France was collaborating with representatives of the "backward, primitive" Muslim east in perpetrating this atrocity.

2. Contrary to Rabbi Hutner's claim, the role of the Mufti with regard to the Nazi decision to annihilate the Jews was minimal. Both Rabbi Hutner in his discourse and Rabbi Feitman in his essay rely on Joseph Schectman's biography, *The Mufti and the Fuhrer*, in order to substantiate their claim as to the Mufti's importance in this matter. It should be pointed out that biographers of political figures often succumb to the natural and understandable temptation to exaggerate the role of their subject in historical events and that Schectman's generally fine and objective study is not wholly free of this weakness. However, Schectman's biography, even on its own terms, does not sustain Rabbi Hutner's claim. It is surprising that despite their reliance on Schectman neither Rabbi Hutner nor Rabbi Feitman see fit to cite Schectman's general conclusion regarding the question of the Mufti's role in influencing the decision to annihilate the Jews. Schectman writes, "It would be wrong and misleading to assume that the presence of [the Mufti] was the sole, *or even the major factor* [italics added] in the shaping and intensification of the Nazi final solution of the Jewish problem which supplanted forced emigration by wholesale extermination." Or does one only quote those statements of an authority that tend to support one's thesis while ignoring all statements that might tend to discredit it? Schectman goes on to state, "There is, however, abundant first-hand evidence on the part the Mufti played in making foolproof the ban on emigration." Schectman here is referring to the Mufti's objections to certain hypothetical and tentative plans that would have

allowed a small, but not negligible, number of Jewish children to emigrate from Europe to Palestine. However, as Schectman himself points out, those plans might never have materialized even without the Mufti's objections; moreover, Eichmann pointed out, that even before the Mufti's arrival there had been "objections to emigration to Palestine," although it is true that the Mufti's presence strengthened these objections. In any event, it is with regard to the cancellation of these highly limited, tentative emigration plans and *not*, as Rabbi Hutner mistakenly asserts, with regard "to the entire extermination plan" that Eichmann ascribed responsibility to the Mufti when he said: "I am a personal friend of the Grand Mufti. We have promised that no European Jew would enter Palestine anymore." Moreover, even then Eichmann was, again theoretically, willing to entertain other destinations for these potential emigrants. (Regarding all this, see Schectman, p. 158.)

What, then, was the Mufti's role regarding the decision to annihilate all European Jewry? Both Rabbi Hutner and Rabbi Feitman make much of the fact that the Wannsee Conference, where the formal decision to annihilate the Jews was made, took place on January 20, 1942, 2 months after the Mufti's arrival in Berlin. However, they overlook a number of important facts that tend conclusively to disallow any role the Mufti had in influencing the final decision to annihilate the Jews. First, both Rabbis Hutner and Feitman overlook the fact that hundreds of thousands of Jews in Lithuania and Russia had already been murdered by *Einsatzgruppen* in *Aktions* that took place in September and October of 1941, months before the Mufti ever arrived in Germany. Second, the Wannsee Conference was originally scheduled for December 8, 1941, only 2 weeks after the Mufti met with Von Ribbentrop and Hitler, meetings in which, incidentally, the "Jewish question" was apparently not even discussed. The conference was only postponed to January 1942 because of the surprise attack (a surprise to the Nazis as well) on Pearl Harbor. Anyone who knows the Nazis' thoroughness in planning for a conference, particularly one that would arrange such a thorough undertaking as genocide, realizes that the planning for the "final solution" must have been going on months before the Mufti's arrival in Berlin.

Third and most conclusive is the directive of July 31, 1941 from Goering to Heydrich that clearly marks the beginning of the plans for the "final solution." Rabbi Feitman claims that "a careful

reading of this directive reveals that there is no specific mention of total destruction and certainly not with the specificity of the Wannsee Conference.” But all that Rabbi Feitman’s “close reading” proves is that he hasn’t the slightest idea how to read Nazi documents. Isn’t Rabbi Feitman aware of the phenomenon of Nazi-Deutsch, “a language that concealed more than it communicated, its very structure and vocabulary buffering speaker and listener from reality?” (Lucy Dawidowicz, *A Holocaust Reader*, p. 14.) Isn’t Rabbi Feitman aware of the systematic use in Nazi documents of code words and euphemisms? Thus the term in Goering’s directive to Hedrich, “a total solution of the Jewish problem” and particularly the term “evacuation,” added to the term “emigration,” are clear code words for murder plain and simple. Of course, this directive does not have the specificity of the minutes of the Wannsee Conference! The conference was designed to work out the details of the overall general plan of murder suggested in the directive. But where in the minutes of the conference will one find any reference to annihilation of the Jews?

The minutes consistently speak about resettlement. But we all know what “resettlement” meant, and there is no reason to think that anything different was meant by Goering when he spoke of “evacuation.” Indeed, in none of the official Nazi documents concerning the “final solution” do we find any reference to murder. Will Rabbi Feitman then contend that the annihilation of the Jews just happened, that there never was any conscious official Nazi decision to murder all European Jewry? Such are the absurd, obscene, and grotesque conclusions that must result from Rabbi Feitman’s strained and desperate attempt to defend an initially untenable historical hypothesis.<sup>2</sup> Rabbi Feitman might have done both himself and his readers a favor if he had heeded the rabbinic dictum, “he who is not competent in these matters, let him have nothing to do with them.”

3. Schectman’s biography clearly proves that contrary to Rabbi Hutner’s claim, the Mufti, from the time of his accession to power in 1921, was a consistent oppressor, persecutor, and enemy of the Jewish community in Palestine. Haj Amim was appointed Mufti in March 1921, and in May 1921 he already fomented a pogrom in which 13 Jews were massacred; he adopted a rule never to have any contact with Jewish leaders; he was responsible for the pogrom of 1929 in which 132 Jews were killed and 187 Jews were wounded; the list goes on and on (Schectman, Chapter 1).



Rabbi Hutner mentions that "years ago, it was still easy to find old residents of Jerusalem who remembered the cordial relations they had maintained with the Mufti in the years before the impending creation of the Jewish state." But what does this prove? Only that oppressors of a people always like to pick out some particularly harmless, docile, or servile representatives of that people and shower kindness and benevolence on them in order to show that they are not really prejudiced. No doubt members of the Klu Klux Klan had their own favorite Negroes, and the Russian Czars had their favored and protected Jews. Or perhaps Nicholas I and Alexander III were really friends of the Jewish people? The fact that these old residents could maintain cordial relations with a man who had the blood of hundreds of Jews on his hands only reflects on them and not on him. Indeed, in this respect, the action of the Mufti only shows that he fits into the long line of traditional oppressors of the Jews and that his anti-Semitism was of a traditional nature that differed from the radical anti-Semitism of the Nazis, which recognized no such category as "favored" or "protected" or "good" Jews but consigned them all to death.

4. Since, as we have seen, the Mufti was an enemy of the Jews from the start, it is impossible to say that it was the public pressure for the state that turned him into their enemy. To be sure, the public pressure no doubt increased his enmity. But, again, what does that prove? Only that oppressors, when confronted with resistance on the part of the oppressed, will intensify their oppression. But we know this already from the Pharaoh's response to Moses' request to free the Jews. Or perhaps Moses was "clearly a factor" in the "shameful episode" of the Pharaoh's intensified repression and perhaps we, like the Israelites of old, should assign some of the blame and guilt to him.
5. Contrary to Rabbi Hutner's claims, the Mufti's role in the "final solution" has not been "completely suppressed and expunged from the record." Even if we leave Schectman's book to the side—Schectman as a revisionist although he describes himself as a "confirmed Zionist" may be viewed as not representative of the Zionist establishment—one can find a clear description of the Mufti's role in the "final solution" in all of the works on the capture and trial of Eichmann, all of them written by typical establishment Zionists. Of course, none of them ascribe to the Mufti a central role in the "final solution," as does Rabbi Hutner, but then, as we have seen, there is no valid historical reason to assign him such a role. And if they ignore the role of the

public pressures for the establishment of the state in turning the Mufti into the enemy of the Jews then, as we have seen, there is good reason for that.

6. Finally, we leave the realm of historical fact and come to the realm of values and judgments. Even if all of Rabbi Hutner's historical assertions were correct—and, as we have seen, *none of them* are correct—his conclusion would not follow. Here I cannot improve on the statement of Rabbi Shubert Spero (*Jewish Observer*, January 1978), a statement that bears repetition.

Let us assume for the sake of argument that the alleged causal claim could be demonstrated by hard historical evidence. Would it really prove that the founders of Israel were “culpable,” i.e. guilty of some criminal or immoral deed? Only if it could be shown that these “founders” should have known in advance that by calling for a Jewish State they would infuriate the Mufti to the point where he would decide to “exterminate all the Jews of Warsaw, Budapest and Vilna” and that he would have enough influence on the leaders of Germany to develop an elaborate system of destruction and actually carry out their “final solutions.” Can such knowledge be assumed?

Is it right at anytime to call for the establishment of a Jewish State in *Eretz Yisroel* and seek the aliyah of Jews? If yes (and nothing in the article says that it is not), then surely Jews have to do what is right, and not be concerned with the reactions of evil anti-Semites. Our Sages have taught us that one of the root causes of hatred of the Jew is the fact that he bears and observes the Torah. In a sense therefore we, the observant Jews, are “culpable,” are a “factor” and have contributed to the rise of an Amalek. Does it follow that we should abandon our Torah because it brings out the worst not only in a Mufti and Hitler but also in Haman and Torquemada?

I find absolutely nothing in Rabbi Feitman's *chazarah* essay that responds in the slightest to Rabbi Spero's cogent and, in my opinion, irrefutable arguments. To be sure, Rabbi Feitman makes a great deal of distinguishing between cause and effect and sin and punishment (a distinction with which I agree) and states that Rabbi Hutner's discourse “was in no way an exercise in seeking to place blame.” No? When Rabbi Hutner speaks of the “culpability of the forerunners of the state in the tragedy of European Jewry,” when he speaks of their “guilt,” of their “clearly being a factor” in “the shameful episode” (i.e., the episode of the Mufti),<sup>3</sup> is not all this an exercise in the placing of blame? What is Rabbi Hutner doing if not placing the blame of the Mufti's greatly exaggerated influence on the final solution on those who fought for the establishment of the State of Israel? *Hadra Kushta le-dukhtei*—Rabbi Spero's forceful queries remain unanswered.

IV

I have dealt with all of the major points of Rabbi Hutner's essay, but two general issues remain to be discussed: *Ahavat Yisroel* and *Daat Torah*.

Rabbi Feitman, in responding to certain unnamed critics who claimed that Rav Hutner's discourse demonstrated a lack of *Ahavat Yisroel*, stated that *Ahavat Yisroel* is not to be "identified with equanimity towards the undercutting of *Kavod Gedolim*."<sup>4</sup> This is certainly correct. But can it be identified with an attempt to put part of the blame, guilt, and culpability of the Holocaust, through the use of faulty, misleading, and inaccurate historical data and dubious logical and moral reasoning, on the shoulders of Jews with whom one may have an otherwise valid quarrel? It was only with the greatest reluctance that I wrote this last sentence, which is so sharply critical of Rabbi Hutner, whose profound Torah scholarship all acknowledge, but the truth must be spoken. With respect to Rabbi Hutner's discourse, at least its second part, one truly say *Ha-devarim einom reuyim lemi she-armram*, the words are not worthy of Harav, Hagon R. Yitzchok Hutner, Shlita. And I must add that a number of admirers of Rabbi Hutner, themselves members of Agudat Israel, expressed to me their dismay over the article. I am certain that the tendency I detected both in Rabbi Hutner's article and that of Rabbi Joseph Elias, a leading spokesman of Agudah of the Hirschian school in the same issue of *The Jewish Observer* dealing with "churban Europa" (i.e., the tendency to use the Holocaust as a stick to beat over the heads of those with whom one is in disagreement, in this instance secular Jews and, in particular, secular Zionists) was unintentional. But one thing is certain: the fact that the philosophy of Agudat Israel can, for whatever reason, result in such distortions should serve to prevent Orthodox Jews who are committed to the principles of religious Zionism from being seduced by the siren song of Agudah, to wit: that their viewpoint and only theirs represent the view of *Daat Torah*.

And here we come to the final and perhaps most fundamental point. On its cover page *The Jewish Observer* described Rabbi Hutner's discourse as offering "a *Daas Torah* perspective" on the Holocaust. I believe that Orthodox Jews who are not adherents of Agudat Israel and its philosophy should be wary of the entire concept of *Daat Torah* and its all too casual use, both in the pages of *The Jewish Observer* and on the part of Agudah spokesmen in general.

Rabbi Bernard Weinberger, in an important article in an early

issue of *The Jewish Observer* ("The Role of the Gedolim," October 1963), defines *Daat Torah* as "a special endowment or capacity to penetrate objective reality, recognize the facts as they really are and apply the pertinent halakhic principles. It is a form of *Ruah Hakodesh*, as it were, which borders, if only remotely, on the periphery of prophecy." This concept, particularly in the preceding definition, is highly problematic. What are the roots of this concept in the halakhic tradition? What is the source of the term itself? Does it have a firm base in the traditional sources? Or is it really paradoxically enough, a modern notion?<sup>5</sup> Or should we dispense with all questions and simply accept the notion of *Daat Torah* on the basis of *Daat Torah*? Moreover, the too casual use of the term on the part of the Agudah and the yeshivah world is often nothing more than an attempt to invest their own particular, highly partisan, ideological position that represents only a limited spectrum of legitimate Orthodox options, with quasi-divine status, brooking no dissent. In this respect we may say that the notion of *Daat Torah*, with its oracular nature, is radically opposed to the whole process of reasoned halakhic *pesak*. While *pesak* always leaves room for more discussion, for further analysis, and for responsible criticism, the whole purpose of *Daat Torah* is to close off and suppress discussion.<sup>6</sup> It enables one person or one group to impose, *ex cathedra*, a personal, particular viewpoint on all persons or all groups—and no questions asked!<sup>7</sup> Such a concept, I submit, is not only inherently problematic, it is also a highly dangerous weapon that may one day backfire on those who so readily and recklessly wield it.

Yet despite my sharp criticisms of Rabbi Hutner's article in general and the notion of *Daat Torah* in particular I think that *The Jewish Observer* performed an important public service to the Orthodox Jewish community in printing the discourse as is and particularly in describing it as a "*Daas Torah*" perspective. I hope that at least some readers of *The Jewish Observer* who are members of the Agudah and who were rightfully disturbed by Rabbi Hutner's discourse have been lead to reexamine and rethink the whole concept of *Daat Torah* from a more critical and probing perspective. Perhaps they were impelled to ask themselves, even if not wholly consciously, the following questions.

Is Rabbi Hutner's view a form of *Ruah Hakodesh*? Does it stem from "a special endowment or capacity to penetrate objective reality, recognize the facts as they really are, [the facts about the Mufti and the Zionists!] and apply the pertinent Halakhic principles." When Rabbi Hutner, on the basis of his analysis, arrives at the conclusion that the founders of the State of Israel bear

part of the guilt for the Mufti's supposed actions must we, as Rabbi Weinberger claims we must, "demonstrate [our] faith in gedolim and subdue [our] own alleged acumen in behalf of the Godol's judgment of the facts?" Must we?

But whether or not any members of *Agudah* have become more critical of the concept of *Daat Torah*,<sup>8</sup> the message of this entire episode for all Orthodox Jews who adhere to the principles of religious Zionism—and I am proud to include myself in their number—is clear. Let us ignore the Agudah's ritual invocations of *Daat Torah*. Let us be wary of separatist groups, which are led by their philosophy to engage, albeit unwittingly, in highly selective forms of *Ahavat Yisroel*. Instead, let us continue in our classic tradition of working from within for the advance of our old but ever new goal of *Klal Yisroel*, the land of Israel, for the people of Israel, in accordance with the Torah of Israel.

## NOTES

1. This is an important distinction to keep in mind. Thus such an astute observer of Zionism as Harold Fisch, precisely because he fails to make this distinction, mistakenly assumes (*The Zionist Revolution: A New Perspective*. [London 1968], pp. 83-86) that because "Agudat Yisroel representatives joined the provisional government of Israel in 1948" one may conclude that "they are committed to Zionism"—as if establishing a *modus vivendi* with an historical reality and being committed to that reality are one and the same! The truth is, as a representative of Agudat Israel recently very candidly put it to me, that for Agudat Israel the establishment of the Jewish state was a purely *neutral* development that, however, the Orthodox community must acknowledge and attempt to utilize to further its own purposes.
2. Rabbi Feitman, in a final attempt to salvage Rabbi Hutner's thesis, further argues, "Even had the 'final solution' been implemented without the Mufti's urging, there can be no question that in a war which was being inexorably won by the Allies, precious time was lost by the Mufti's machinations behind the scenes to speed up the murderous process." Rabbi Feitman here, in effect, concedes the point to Rabbi Hutner's critics and introduces a new argument of his own. But even this argument will not avail him. In 1941, 1942, and 1943, when Lithuanian and Polish Jewry were being murdered, the war was not being won inexorably by the allies. (This is not to mention the fact that there is no hard evidence that the Mufti played a role in speeding up the murder process. The Nazis need no instructions or encouragement on how to murder people with speed and efficiency.) The question of precious time being lost only applies to the murder of Hungarian Jewry, which took place from 1944 to 1945 when, indeed, the war was being inexorably won by the Allies and several months and even weeks might have made the difference between life and death for tens of thousands of Jews. But Hungarian Jewry became subject to the murderous annihilation process through a complex and tragic series of events in which the Mufti played no part. One should also remember that millions of non-Jews were also enslaved and annihilated by the Nazis, although never with the murderous thoroughness to which the Jews were subject. Was the Mufti's fear and hatred of the Zionists responsible for this as well?
3. In his essay, Rabbi Feitman alludes to the "guilt" of the Zionists with respect to other aspects of the Holocaust. However, since Rabbi Hutner, in his discourse, only spoke of

the culpability of the Zionists vis-à-vis the Mufti's supposed role in influencing the Nazi decision to annihilate the Jews, Rabbi Feitman's assertion, in addition to being unsubstantiated, is irrelevant.

4. This is a reference to Rabbi Hutner's sharp rejection of those who wish to put part of the blame of the Holocaust on the shoulders of the *Gedolim*, inasmuch as the latter did not urge their followers to leave Europe for the land of Israel while there was still time.
5. The term "*Da'at Torah*" is used once in the Talmud in contrast to "*Da'at notah*." (*Hullin 90b*). Interestingly, although Rashi explains "*Da'at notah*" ("the matter is not certain but probable"), neither he nor any of the classical commentators for that matter, explains "*Daat Torah*." In the Hebrew translation of the *Guide* we find the term "*Da'at Tora-teynu*" used a number of times in referring to fundamental theological opinions (see *Guide* II, 32 and III, 25). However, the term *Daat Torah* in its current ideological sense seems to originate in the latter part of the nineteenth and in the first part of the twentieth century among heads of the Eastern European yeshivot who were associated with Agudat Israel (e.g., the Hofetz Haayyim and R. Elkhanan Wasserman z.t.l.) as a response to the challenges to and breakdown of traditional rabbinic authority. It is a well-known phenomenon that it is precisely when an institution has lost real power that it makes extreme and excessive theoretical claims on its own behalf. In sociological terms, "Status anxiety . . . increases the assertiveness of status claims" (*International Encyclopedia of the Social Sciences*, Vol. 15, 1968, p.253). (I am indebted for much of this information to Professor Gershon Bacon of the Jewish Theological Seminary.) Let me make my own position clear. Since I do not accept the view of the Hatam Sofer that *hadash asur min ha-Torah* (that is, that all new developments in the area of religion are *ipso facto* forbidden by Jewish law), I do not view the fact that *Daat Torah* is a modern concept as necessarily impugning its validity if it could be shown that the concept, while modern, can be organically related to the Jewish tradition. For me, the notion of *Daat Torah* is invalid primarily because, as stated in the text, its oracular nature seems opposed to the whole process of halakhic *pesak*. Nevertheless, it strikes me as ironic that precisely the group that subscribes to the view *hadash asur min ha-Torah* is the group that subscribes to the notion of *Daat Torah*. Certainly, as indicated, there is nothing in Orthodox Judaism newer than *Daat Torah*!
6. A similar point was made by Professor Zvi Gittelman of the University of Michigan at a session of the 1978 conference of the Association of Jewish Studies.
7. Ironically, the noted Torah scholar, R. Chayim Zimmerman, issued a strong critique of Rabbi Hutner's article and, in some circles, *his* position was acclaimed as representing the "true" *Daat Torah* viewpoint. Now it might be possible to judge opposing arguments of Torah scholars on their merits. But when different factions acclaim *their* leaders as representing the true and only viewpoint of *Daat Torah*, possessing that special endowment of quasi *Ruah Ha-Kodesh* and brooking no dissent, how is the poor ordinary Jew to decide? Of course, one might try to solve this problem by institutionalizing the notion of *Daat Torah* (à la Weber's routinized charisma). Thus one might insist that a person must be a member of a particular group, say *Mo'etztes Gedolei Ha-Torah*, for his views to qualify as *Daat Torah*. Such a development, however, while not surprising, and almost inevitable, would be highly ironic in addition to being inherently problematic. Rabbi Weinberger, in his analysis of *Daat Torah*, specifically states that the authority of the *gadol*, which enables him to issue *Daat Torah* pronouncements, derives not from any institutional position he may hold but from the community's spontaneous recognition of his personal inherent greatness. But no doubt we could suitably tailor Rabbi Weinberg's thesis to accommodate this Weberian development.
8. Recently I heard from a friend who has connections with traditional yeshivah circles in New York City that in those circles Rabbi Hutner's viewpoint on the "relationship" between Zionism and the Holocaust is gradually becoming the accepted, authoritative position. No doubt this demonstration of faith in Rabbi Hutner's judgment of the facts is impressive, but I must confess that this news fills me with more dismay than anything contained in Rabbi Hutner's essay itself.