MAX WEBER'S CONCEPTION OF COVENANT IN ANCIENT JUDAISM, WITH REFERENCE TO THE BOOK OF JUDGES

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Max Weber provided an important methodological tool for the modern study of the Jewish political tradition: a predominantly socio-political analysis of Israelite covenants. Yet in emphasizing a functional analysis of covenanting, Weber problematized covenant as a theological concept. Arriving at an appropriate balance of political and theological elements in the analysis and interpretation of covenant is crucial to any adequate account of the Jewish political tradition. This essay offers an explication of Weber's views, a contemporary critique of them by Julius Guttmann, who was sensitive to the methodological problem, and a challenge to future writing on the Jewish political tradition.

Jewish Political Studies Review 6:1-2 (Spring 1994)

Weber's Contribution to Our Understanding of Jewish Political Traditions

Max Weber (1864–1920) may seem at first an unlikely contributor toward our modern understanding of the political traditions of the Jewish people. A product of the nineteenth century German university, Weber partook of its many prejudices toward and preconceptions about the Jews. While not an antisemite, neither was Weber a pluralist. He believed that Jewish identity in the modern world was a traditionalistic anomaly which had no real place in the German nation-state. The problem of the Jewish "pariah people," a term he did much to popularize, was to be solved through radical assimilation. In views such as this, Weber was of a piece with the entirety of the liberal movement in Wilhelmian Germany.[1]

In addition to his negative judgment on the viability of Jewish identity in his own time, Weber drew, in his scholarly study of ancient Judaism, from the German tradition of "higher criticism," principally from the work of Julius Wellhausen and Eduard Meyer. In our time, the methods and theses of higher criticism are much in doubt. Weber's indebtedness to this scholarship circumscribes his contemporary relevance. In its own epoch, higher criticism was founded on several assumptions that may properly be labelled anti-Judaic (though not antisemitic). Influenced by both classical Christian theology and its recent secular incarnation, Hegelian immanentist-evolutionary thought, Wellhausen, for example, saw in the history of ancient Israel a proto-evangelium. Israelite history moved toward an anticipation (by the literary prophets) of an inner freedom and a moral universalism fully realized only by Christianity. Israel itself foundered on the narrow shoals of priestly ritualism and nationalistic self-centeredness. The immanent dynamic of the Israelite spirit, badly misunderstood by Israel itself, lay dormant until the rise of Christianity. In Wellhausen's source-critical view, the priestly corpus represented by Leviticus is the last stage in the evolution/devolution of Israelite religion. Rabbinic Judaism, denominated "late Judaism," is a fossilized extension of the sterile priestly religion into which Judaism had degenerated.[2]

Weber inherits these views from the scholars on whom he relied, yet it cannot be said that he followed them blindly. Insofar as Weber was explicitly devoted to putting the sociology of religion on a sound scientific basis, he was alert to the infiltration of theological or metaphysical elements.[3] To a certain extent, therefore, he succeeded in freeing himself from standard theology-driven methodological assumptions.[4] On the other hand, Weber remains solidly committed to what we today denominate as a "hermeneutics of suspicion." He assumes that the actual course of Israelite history differs radically from the narrative presentation of that history in the Bible. He is convinced of the basic soundness of source criticism and is confident that P, for example, is the latest stage in the redactional process. Weber buttresses this assumption by his own formidable theory of rationalization. While this assumption is not necessarily anti-Judaic, it does imply a notion of increasing rigidity and decline. Weber does not free himself from such views.

What then can Weber contribute to an understanding of Jewish political tradition? His contribution is three-fold: substantive, methodological, and cautionary. Both his theses, his sociological approach, and his limits are instructive.

Substantively, Weber was the first modern scholar to work out the implications of a concept of covenant rooted in sociopolitical rather than strictly theological categories. Weber's posthumous classic, *Das antike Judentum* (1921), had a profound impact on the development of subsequent German Bible scholarship. Influenced by Weber, the works of Albrecht Alt and Martin Noth came to shape the research of American scholars such as William Foxwell Albright and George Mendenhall. Our modern understanding of covenant as the form of the Israelite polity is directly indebted to Weber's interpretation.[5] This interpretation, with references to Judges, is explored in greater detail below.

Weber's substantive appreciation of covenant follows from his methodology. Methodologically, all subsequent sociologists of religion are, more or less, in Weber's debt. Here we briefly review some of the methodological aspects of his sociology of religion, his thesis on covenant, and some points of Julius

Guttmann's critique of Weber which illustrate the problems and the limits of a highly political reading of biblical texts.

An "Understanding" *(Verstehende)* Sociology

Weber was a practitioner of what has been called the sociology of knowledge. He learned from Marx to implicate the world of ideas in a network of material factors.[6] Unlike Marx, however, Weber did not believe that material factors *caused* constellations of ideas and values in a straightforward manner. The ideational sphere is not, in Weber's thought, simply an expression of the play of material interests. Neither is it ever the case that religious ideas alone determine the historical process, as a typical misunderstanding of Weber's thesis on Puritanism and the rise of capitalism would have it. The interrelation of ideas and material factors is more problematic.

To start, Weber rejects Marx's monocausal emphasis on the determinative force of economic factors. He faults Marx for failing to distinguish between an idea being *caused* by economic forces and economic forces being relevant to the progress of an idea. In Weber's celebrated thesis on the Puritan ethic, capitalism is not caused by Puritanism. Puritanism is, rather, relevant as a factor among factors in the development of the type of mentality which was able to rationalize the organization of production.

Weber is more concerned to study the interrelatedness of all spheres of social life: economic, political, religious, technological, aesthetic, military, legal and ideational, than he is to privilege any of them. All of these orders are linked in relations of causation, expression, and affinity. Unlike Marx, Weber rejects historical necessity as an illicit philosophical concept which ought to have no role in science. Weber sees a great deal of accident, arbitrariness, and, of course, uniqueness in social reality. Social arrangements do not cause ideas. Rather, arrangements and ideas coexist. Ideas and values are often produced by extraordinary, charismatic individuals for idiosyncratic, unpredictable reasons. Once an idea becomes available, social groups, driven by particular interests, may find an affinity with it and institutionalize it. The chosen idea then becomes an ideology

which endures to the extent that it enables its bearers to survive and succeed. As we shall see, covenant is just such an idea for Weber.

Verstehende sociology has as its purpose to understand the ideas and values of historical groups as *they themselves understand* them. This emphasis on empathy was a legacy of the German historicist tradition. By affirming *Verstehen*, Weber rejects Marxism's claim to objective knowledge of the meaning of historical events. Objective meaning construed against an essentially metaphysical construction of the process of history is an illicit notion for Weber. What *can* be understood objectively, indeed what *must* be understood objectively (for science requires objectivity) is how historical agents themselves understood or defined their situation. What did the values of a group mean to the group? Why did they choose these values and not others? How did these values effect empirical reality? Did the subjects who chose them act rationally, i.e., consistently, according to them? At a higher level of abstraction, Weber asks, what would ideal, rational behavior according to x values be like?

Using an abstract standard of ideal rational congruence with some set of values, Weber derives the heuristic concept of an "ideal type." Ideal types (e.g., capitalism, Christianity, asceticism, salvation, charisma) are generalizing concepts which enable us to talk comparatively and abstractly about the brute, infinite particularity of empirical reality. Unlike the historicists, Weber, while respecting the unique irreplacability of human events, does not believe that empathy alone suffices to grasp their meaning. Sociology is not an imaginative hermeneutics by which we reexperience (Dilthey's *Nachdenken*) the *Erlebnis* of others. Sociology, rather, discerns amid the flux of human events an underlying lawful structure. This structure is described by postulating ideal types.

Ideal types may be compared to the grammar of a language. No one ever speaks a language entirely in accordance with the norms of grammar. Yet grammar, in all its abstractness, describes as well as prescribes how a language functions.[7] Similarly, ideal types — when applied to human relations and social structures — clarify the forms of rationality implicit in a culture. Weber believed that human beings in society often acted ratio-

nally, i.e., consistently within a given framework of ideas and values. Insofar as the researcher can rationally explore the rational action of his subjects, *verstehende* sociology is a strictly scientific inquiry.

There are, however, two great irrationalities at the margins of scientific praxis. One is the researcher's choice of data. That, Weber granted, is governed by subjective preference.[8] But after that choice is made, science is "value-free." The other field of irrationality has more radical consequences. Weber believed that *all* values are essentially ungrounded, human constructions. The universe itself is meaningless. Religion arises in response to meaningless suffering. Humans do not wrest meaning from the universe, they ascribe sense and intelligibility *(Sinn und Bedeutung)* to the meaningless infinity of events.[9] Neutral with respect to such axiological commitments, the scientist looks upon this irrational process of sense-making and traces its rational consequences.

The view that the world is *in se* meaningless, Weber terms the "disenchantment of the world." Disenchantment is the correlate of rationalization, by which Weber implies an increasing coherence and consistency of ideas, associated with an increasing systematization of institutions. Rationalization is promoted by the intellectual strata of cultures such as Confucian mandarins or biblical prophets. Opposing rationalization is charisma, the characteristic of extraordinary personal authority associated with uniquely powerful individuals. Charisma often introduces discontinuity into rational procedures. Just as often, eruptions of charisma are institutionalized and hence rationalized. Where rationalization progresses, belief in the adventitious, spirit-animated character of the world and confidence in magical means to manipulate it diminishes. When an ethical, righteous God replaces a world of competing spirits or nature divinities, rational action, i.e., ethics, replaces magic. Only in the West, under the impact of Israelite monotheism, did a consistently anti-magical worldview prevail. In Weber's view, such an ontology was a necessary (but not a sufficient) condition for the emergence of capitalism.

Weber's studies of world religions were generated by the problem of charting the growth of rationalization in relevant cultures of the East and West.[10] Given the historical prevalence

of rationalization/disenchantment, why did capitalism only arise to an advanced degree in the West? What factors in China and India inhibited the growth of economic rationality? These economic concerns stimulated, but did not exhaust, Weber's interest in world religions.

Thus Weber's specific interest in Judaism stems from his conviction that only Judaism intuited the complete disenchantment and hence the complete rationalization of the world:

> The world was conceived [by ancient Judaism] as neither eternal nor unchangeable, but rather as having been created. Its present structures were a product of man's activities, above all those of the Jews and of God's reactions to them. Hence the world was an historical product designed to give way again to the truly God-ordained order....There existed in addition a highly rational religious ethic of social conduct; it was free of magic and all forms of irrational quest for salvation; it was inwardly worlds apart from the paths of salvation offered by Asian religions. To a large extent this ethic still underlies contemporary Mid Eastern and European ethic. World-historical interest in Jewry rests upon this fact.[11]

Unlike the great ancient cultures of the East, the Jews did not produce contemplative mystics, but "inner worldly ascetics." (Contemplative mysticism and inner-worldly asceticism are ideal types which permit comparative analysis of religious groups.) The Jews conceived of man as an instrument for purposive action, not as a vessel for salvific, unitive experience. Doing the divine will through a rationally elaborated system of commandments, rather than ruminating on the meaning of the universe as a whole, marked Jewish religiosity. "The only problems which could arise were those which were concrete and topical and concerned action in the world; any other problem was excluded."[12] By "inner-worldly asceticism," Weber implies a religious type of historically-conscious, sober, activist piety centered on fulfillment in history and society of divine will. This form of religiosity, fully articulated by the prophets, originates in the covenantal thought of early Israel at the time of the judges.

The Concept of Covenant

The importance and insight of Weber's concept of covenant can best be gained by contrasting it with Wellhausen's. In the latter's view, covenant is a theologically charged metaphor for Israel's relationship with God.[13] A product of prophetic religion, it is not earlier than the eighth century. Prior to prophecy, God's relationship with Israel was conceived as a natural bond between father and son. God provides immediate help with things such as rain, war or oppression, not future salvation or deliverance. The prophets shatter this "naturalistic" understanding of God, replacing it by a contingent, ethical one. God becomes a transcendent god of righteousness, rather than a tribal numen. The relationship of God and Israel is one of divine demand and human performance. Its conditionality is expressed metaphorically in the form of a contract or covenant.

Wellhausen rejects the historicity of Mosaic/Sinaitic traditions. Moses, if he existed, was probably a leader and judge, on the model of the *shoftim*, who promulgated individual laws in the form of God's oracular guidance. The presentation of this guidance as a great corpus of law, deriving once and for all from Sinai, was a prophetic innovation designed to illustrate the absolute otherness and transcendence of a righteous god. The ethical relation this god required awakened, as it were, an antithesis within the thesis of "naturalistic," tribalistic Israel. Not until Christianity was a synthesis, in which ethical universalism triumphs, achieved.

Weber decisively rejects this strictly theological concept of covenant. For him, by contrast, Israel has its origins in covenant *(brith)*. Israel both develops and acquires its peculiar character as an "oath-bound confederation" through negotiated agreements between sub-groups and through an overall agreement with YHVH. The "inner political history of Israel developed through ever-repeated ritualistic confederate resolutions."[14] Weber believed that individual tribes such as Judah formed through agreements between various ethnic and status groups,[15] that kings were accepted through covenanting, that Deuteronomy was accepted as a Yahwistic constitution by the polity through covenant, and that the procedure of covenanting carried Israel

through the Exile and established the post-exilic community under Nehemiah.[16]

To understand the central role Weber ascribes to covenanting, we must first grasp his account of Israelite origins. As stated above, Weber does not accept the bald historicity of the biblical narrative. With higher criticism, he tends to view the patriarchs as eponymous ancestors. Nonetheless, the patriarchal materials — particularly through consideration of their redactional layers — can tell us something about the composition of Israel before the time of the judges.[17] Weber also believes that Moses probably was an historical figure and possibly a non-Israelite. YHVH was a non-Israelite god, worshipped by Midianite bedouin surrounding the Kadesh oasis.[18] Moses learned of this god from his father-in-law, Jethro. Moses and the group he led out of Egypt, possibly *habiru*, attributed their deliverance to YHVH.[19] The group gathered around the charismatic Moses, covenanted to accept the rites of previous YHVH-worship (prohibition of images, circumcision, oracles by lot, army summons) and became "Israel," which Weber takes to mean "the people of the fighting god."[20]

YHVH is a war god of a group originally conceived as a war confederation. His awe and incipient transcendence derive from the fact that YHVH was not originally a domestic numen of the early proto-Israelites. He came from afar, from Seir (Judges 5:4). That Israel did not know or control him, gave him a majestic and mysterious otherness. Devotion to him gave the oath-bound confederation its sacral quality.[21] Although YHVH loses his war-like character and function in the course of Israelite history, affecting the quality of a benign providence, his forte remains might, not order.[22] Judaism is a response to his will, not his logos. Insofar as YHVH's original purpose was historical deliverance and guidance, Judaism's conception of salvation is political-historical, not ontic. In this is found the germ cell of "inner worldly asceticism."

Weber does not give an account of how the Moses-group confederates with populations already in Canaan. Insofar as he sees Israel as a confederation of numerous strata from a variety of ethnic groups, including free peasants, Levites, smiths, artisans (whom he takes to be metics, *gerim*), small stock holders, cattle breeders, and urban warlords (*gibborim*), he does not feel

compelled to give a unilinear account of Israelite origins from the patriarchs on. All of these various groups occupied different regions of the country and were driven by different interests. They covenanted with each other in shifting alliances to secure their interests. Small stock breeders, e.g., had to negotiate traverse rights for their herds with free peasants or with the ever-expanding urban patriciate. Dan becomes a settled tribe in this way (Judges 18:1). Cattle breeders and peasants, often at odds over control of pasturage, had a common interest in fighting bedouin raiders.

> The covenant concept was important for Israel because the ancient social structure of Israel in part rested essentially upon a contractually regulated, permanent relationship of landed warrior sibs with guest tribes as legally protected metics: itinerant herdsmen and guest artisans, merchants and priests. An entire maze of such fraternal arrangements...dominated the social and economic structure.[23]

Yet such contracting for rights lacks stability. Interests are fluid rather than static. While war, for example, brings about the composition of clans and tribes as fighting units, peace causes organizational disintegration. As the prosperity of peasants or livestock holders increases, so does pressure on land. Clans — associations of families held together by charismatic headmen — disintegrate in the face of economic pressures (cf., the parting of Abraham and Lot) and dissolve into constitutive family units. In Weber's view, sacred covenant is the technique the Israelites hit upon to solve the problem of chronic social instability. Religious unity, i.e., devotion to a common YHVH cult, was discovered to produce a durable confederation.

Weber is making a Durkheimian point. Religion provides a strong cement for group solidarity. The Rechabites, a Kenite tribe of strict Yahwists, appear in biblical narratives from the time of Jehu through Nehemiah. Weber suggests that groups such as the Rechabites had an adaptive survival advantage which Israelites could have observed and emulated. Israelite elements found an affinity between the covenant idea and their own needs relative to their circumstances:

> Now, the point at issue is not that the life conditions of the Bedouins and semi-nomads had "produced" an order whose establishment could be considered as something like the "ideological exponent" of its economic conditions. This form of historical materialistic construction is here, as elsewhere, inadequate. The point is, rather, that once such an order was established the life conditions of these strata gave it by far the greater opportunity to survive in the selective struggle for existence against the other, less stable political organizations. The question, however, why such an order emerged at all, was determined by quite concrete religious-historical and often highly personal circumstances and vicissitudes. Once the religious fraternization had proven its efficiency as a political and economic instrument of power and was recognized as such it contributed, of course, tremendously to the diffusion of the pattern.[24]

Weber's rejection of Marxist determinism and his attribution of religious ideas to charismatic sources is clear in the above quote. The transformation of socio-economic contracts into sacred covenants was an innovation of charismatic leaders such as Jonadav ben Rechav. Once such a structure becomes available, it will succeed if it enables a group to successfully compete in the struggle for survival. Weber's Darwinian reading of the utility of traditions is reminiscent of the work of Friedrich Hayek on this same theme.

Weber's Reading of the Book of Judges: An Analysis and Contemporary Critique

Insofar as Weber views the Israelite covenantal community *(Eidgenossenschaft)* as a war confederation under YHVH, he understands the image of Israel in the Book of Judges to have a core of historical value. To be sure, Judges retrospectively attributes too much ethnic and political unity to Israel. It does, however, capture the character of whatever degree of unity did actually exist.

The judges *(shoftim)* were charismatic war heroes whose relative ephemerality indicates the unsettled nature of the life of the stock breeders among whom many of them originate.

> An example of the instability and purely charismatic character of warlordism among tribes of pure cattle-breeders is the view of Jephthah's position in the tradition. The elders of the tribe Gilead initially offered to Jephthah, an East Jordan war hero, only the dignity of a "*kazir*," a war leader corresponding to the Germanic duke (*Herzog*). This was offered for the duration of the war of liberation against the Ammonites (Judges 11:6). He refused, and the army (*ha'am*, the men), at the proposal of the elders, conferred to him life-long, but non-hereditary, dignity of a *rosh* (chieftain, prince, headman, Judges 11:11). The numerous ephemeral judges (*shofetim*) of early Israelite times, partly were mere charismatic war leaders, partly, perhaps, also endowed with the charisma of judicial wisdom, were apparently, of the same type. Their power remained purely personal.[25]

Eventually, the institution of kingship will emerge from the precedent of warrior nobles who recruit on the basis of their personal charisma. Weber sees that transition occurring in Judges with the story of Abimelech of Shechem (Judges 9). Abimelech's usurpation of the rights of Shechem's traditional patriciate (the local *bnei hamor*) is presented by the text as tyranny. Both Abimelech and, in time, the kings will continue to have to reckon with the power of the landed, urban patriciate (*bnei chayil*) and the traditional authority of the elders who are considered to be authentic representatives of the people.[26] In other words, political authority, as portrayed by Judges, is both traditional and charismatic.

By portraying the judges as primarily charismatic war heroes, Weber means to cast doubt on their "judicial" role. From time to time, proven war heroes may have been called upon to settle civil matters in peace time, but in general Weber finds that role to be the traditional prerogative of the elders (*zekenim*). He takes Samuel's multi-faceted activity to be an anachronistic retrojection.[27] Only Solomon takes legal matters into his own hands. Weber makes this point in order to assert that the Israel-

ite confederacy had no permanent political organs until the time of the kings. Power was broadly diffused.[28] Whatever unity there was found its expression in a YHVH-certified war hero who was able to claim authority outside of his or her tribe, as, e.g., in the case of Deborah (Judges 4:5).

> As far as can be determined this unstable Israelite confederation till the time of kings had no permanent political organs at all. The tribes engage in occasional feuds with one another. The religious international law, which, for example, prohibited the cutting down of fruit trees, applied — if at all extending back to ancient times — presumably to such feuds as occurred within the organization. The league members in the Song of Deborah partly withheld their support. Occasionally this led to their being cursed and to holy war against the oath-breaking member. There existed no common citizenship. Such was present, apparently, only in the tribe. To be sure, grave violation of metic rights, which every Israelite enjoyed in every other tribe, under certain circumstances was revenged by the confederacy. But there existed, obviously, no unitary court or unified administrative organ of any sort in times of peace.[29]

Weber's characterization of Israelite society at the time of the judges appears paradoxical. On the one hand, he gives the concept of covenant a strongly political dimension. On the other, he deprives the polity, ordered in the name of covenant, of any stable political structures. Julius Guttmann, in his extensive 1925 review essay of *Das antike Judentum*, sensed this problem and faulted Weber for his stress on the political dimension as the prime cause of Israelite unity. Guttmann's critique clarifies what is at stake in as strongly a socio-political reading of these texts as Weber's.

Guttmann rejects Weber's reading of the political character of the covenant. Due to Weber's strong socio-political reading, he attributes Israel's sense of unity to its covenantal act of mutual commitment in wartime. Yet Guttmann is troubled by the postulation of a polity without political institutions. He therefore follows a more traditional reading of the text and asserts that religious unity precedes and transcends political

unity. Israel conceived of itself as a natural unity (*eine naturliche Einheit*) and a religious whole prior to any alleged political need to do so.[30] His proof of this is that after the division of Solomon's kingdom, despite political differentiation, Israel conceived of itself as a religious unity. A primordial consciousness of religious unity suffices to explain, e.g., the obligation to mutual assistance in war time. No postulation of a political confederacy is required. Israel's God is the God of the community of Israelite persons (*Gott der Personengemeinschaft*), not of the state or of the land, a point Weber himself makes.[31] Why interpolate a state-like entity between YHVH and Israel?

In line with this ascription of primordial religious unity to Israel, Guttmann believes that Weber has over-politicized Israel's concept of God. If God is first and foremost a God of covenant (*seinem primaren Charakter nach ist Ihvh Bundeskriegsgott und sozialer Verbandsgott*), we are at a loss to explain this god's apparent activities in nature.[32] Guttmann believes that Israel must have had early religious experiences of God, such as those of the patriarchs, in which the nature and universality of God were intuited. Israel understood the God of the covenant to be the same God as that of its primordial experience and that is why they consented to covenant with him.

The argument between Guttmann and Weber is essentially methodological. Guttmann advocates a more radical application of *Verstehen* than Weber. Guttmann is phenomenologically oriented. He wants to grasp those structures of consciousness which are the necessary preconditions for the self-presentation of Israel in its sacred texts. As such, he locates a primordial consciousness of religious unity in the earliest Israelite experience. He views such unity as a precondition, not as an instrumental value or effect. Guttmann believes in phenomenologically pristine religious experience, apparently taking the biblical descriptions of revelation more or less at their word. In this, he carries on the kind of quasi-theological scholarship Weber rejects in the name of science.

Weber, while not excluding the possibility of religious experience, places much more emphasis on the pragmatic employment of religious ideas, derived from the religious experiences of charismatic individuals, in a social system. His accent is less on ideational structures than on value-laden behavior. Further-

more, Weber's sociological concern for discerning different occupational and status groups and specifying their interests undercuts ascriptions of unity and thematizes conflict. The Israelites, who are, at any rate, an amalgam of numerous ethnic groups, continue to harbor the same inter-group conflicts as the Canaanites before them. It makes little difference, in Weber's view, whether the small livestock breeders squeezed by the urban patriciate are Israelites or Canaanites. Economically informed interests carry their own momentum.

Guttmann's critique, therefore, faults Weber for insufficiently pursuing the method of *Verstehen*, and placing too much weight on "objective" factors. Those who research the Jewish political tradition are caught, to an extent, between these two methodological poles. It is tempting, with Guttmann, to seek in authentic religious experience the origins and self-definition of biblical Israel. Yet this form of discourse is always at risk of conducting covert theology. Weber's thoroughgoing secularism is methodologically agnostic and anti-theological. It remains controversial whether such an instrument categorically fails to grasp essential features of religious phenomena.

To the extent that our goal is to thematize political institutions, we always run the risk, as Weber has apparently done, of categorically relativizing religious experience. Unless one can have it both ways, the borderline between writing the theology and the history of the Jewish political tradition will never be clear.

Notes

1. Gary A. Abraham, *Max Weber and the Jewish Question* (Urbana: University of Illinois Press, 1992), chs. 2 and 3. On Jews and liberalism in imperial Germany, cf. Marjorie Lamberti, *Jewish Activism in Imperial Germany* (New Haven: Yale University Press, 1978); and Ismar Schorsch, *Jewish Reactions to German Anti-Semitism* (New York: Columbia University Press, 1972).
2. Hans Liebeschütz, *Das Judentum im deutschen Geschichtsbild von Hegel bis Weber* (Tübingen: Mohr/Siebeck, 1967), ch. 8.
3. Freddy Raphaël, "Max Weber and Ancient Judaism," *Leo Baeck Institute Year Book*, vol. 18 (1973), p. 47.

4. This was noted with appreciation by Julius Guttmann in his appreciative 1925 review essay of *Das antike Judentum*, "Max Webers Soziologie des antiken Judentums," *Monatsschrift für Geschichte und Wissenschaft des Judentums*, vol. 69 (1925), p. 198.
5. Ernest W. Nicholson, *God and His People: Covenant and Theology in the Old Testament* (New York: Oxford University Press, 1986), pp. 38-44.
6. H.H. Gerth and C. Wright Mills, eds., *From Max Weber* (New York: Oxford University Press, 1978), Introduction.
7. Georg G. Iggers, *The German Conception of History* (Middletown: Wesleyan University Press, 1968), p. 164.
8. *Ibid.*, p. 166.
9. *Ibid.*, p. 162. Note also Leo Strauss' philosophical critique of Weber's presuppositions in *Natural Right and History* (Chicago: University of Chicago Press, 1953), ch. 2.
10. Weber's studies of particular religions appeared over a sixteen-year period in the *Archiv für Sozialwissenschaft und Sozialforschung*. They are compiled in a posthumous collection, *Gesammelte Aufsätze zur Religionssoziologie*, 6 vols. (Tübingen: Mohr/Siebeck, 1972) and are available in English as: *The Protestant Ethic and the Spirit of Capitalism* (New York: Scribner's, 1958); *The Religion of China: Confucianism and Taoism* (Glencoe: Free Press, 1951); *The Religion of India: the Sociology of Hinduism and Buddhism* (New York: Free Press, 1958); and *Ancient Judaism* (Glencoe: Free Press, 1952). His chief synthetic study, "Religionssoziologie," appeared in his magnum opus, *Wirtschaft und Gesellschaft* and is available in English as *The Sociology of Religion* (Boston: Beacon Press, 1963).
11. *Ancient Judaism*, p. 4.
12. Raphaël, "Max Weber and Ancient Judaism," p. 51.
13. Nicholson, *God and His People*, pp. 4-7.
14. *Ancient Judaism*, p. 77.
15. *Ibid.*, p. 81.
16. *Ibid.*, p. 78.
17. The patriarchs are portrayed as metic, small livestock breeders who must contract with urban patricians for pasturage rights. Weber held this situation to be typical in Canaanite and early Israelite times. While the patriarchs appear to be humble yet shrewd small stock breeders, the texts also present them as cattle breeders and warrior heroes. Weber suggests that the redactional process transformed them from *gibborim* to pacifists owing to a

process transformed them from *gibborim* to pacifists owing to a general transformation from semi-nomadism to urbanism. The disintegration of cattle breeding tribes such as Shimon and Reuven, in evidence in Moses' Blessing (Deuteronomy 33), supports this theses, in Weber's view. Cf. *Ancient Judaism*, pp. 41-42, 52.

18. *Ancient Judaism*, p. 123.
19. *Ibid.*, p. 75.
20. *Ibid.*, p. 81.
21. *Ibid.*, p. 124.
22. *Ibid.*, pp. 126-129.
23. *Ibid.*, p. 79.
24. *Ibid.*, p. 79-80.
25. *Ibid.*, p. 40.
26. *Ibid.*, p. 19.
27. *Ibid.*, p. 85.
28. *Ibid.*, p. 18.
29. *Ibid.*, p. 83.
30. Guttmann, "Max Webers Soziologie des antiken Judentums," p. 202.
31. *Ibid.*, p. 203.
32. *Ibid.*, p. 210.