Integration through Distinction: German-Jewish Immigrants, the Legal Profession and Patterns of Bourgeois Culture in British-ruled Jewish Palestine[1]

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Abstract This article examines the encounter of the German Jewish immigrants with the crystallizing of local Jewish community in British-ruled Palestine during the 1930s and 1940s. It argues that their accepted image as cultural aliens, based on their allegedly incompatible European-like bourgeois life-style, was propagated by both parties in this encounter, causing their marginalization and at the same time serving them as an important socio-cultural resource. Focusing on the field of the legal profession, it analyses the 1930's and the already emerging and highly-accepted patterns of a local middle-class civic culture (despite its rejection by the political discourse), which facilitated the advancement of an elite group of German-born lawyers in this field.

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The status of the German Jewish immigrants (known under the popular nickname *Yekkes*) in British-ruled Palestine during the 1930s has always been viewed as an exceptional case to the accepted "melting-pot" narrative of the formation of pre-State Jewish – later to become Israeli – society and culture. Although much has already been said about their peculiar cultural identity, their encounter with the local Jewish community (the *Yishuv*) and their role in the shaping of the emerging local Hebrew culture are still intriguing matters. This encounter still raises questions about their retention tendency as immigrants, the conditions, strategies and consequences of sustaining their old-country culture, and its possible dissemination in the destination society, and about how this *cultural* tendency related to their prospects of *social* assimilation (Gans 1997). As is widely accepted by students of immigration, the identity of immigrant groups is (re)constructed and transformed under the conditions of their new social environment. Accordingly, their tendency to retain their distinctive old-country sense of identity may often be situational and depending on their chances to capitalize on it in the context of their relations with other groups within the new environment. In other words, the intensity of their "ethnic commitment," expressed in their willful perpetuation of old-country cultural patterns (such as language use, everyday practices, sentiments and values) hinges on the possibility that these cultural elements be "seen as a positive

heritage worth holding onto" (Alba 1990: 76), namely, that they be experienced and evaluated as significantly and positively distinguishing.

The story of the *Yekkes* in Palestine makes no exception. It is a case of an encounter between new and earlier immigrants, under conditions of permeating efforts to build a new culture, where the veteran immigrants have the advantageous position of acting as the champions of this culture building project.[2] By the mid -1930s, when a massive wave of immigrants from Germany arrived,[3] the semi-autonomous Jewish society in Palestine was already in an accelerating process of formation, both socially and culturally. Although this has never been a homogeneous ethnic community, but rather predominantly a community of immigrants that absorbed new waves of newcomers every few years, those from Germany and other German-speaking countries were still regarded as a separate foreign element in this crystallizing local culture. However, while studies of immigration and ethnic exclusion mainly deal with lower-status deprived groups, the German newcomers in Palestine were not in any inferior position, to say the least, and their social and economic chances did not entirely depend on their perfect acculturation. Nor was an ethnic segregation imposed on them. In the history of inter-ethnic relations that underlay the formation of this society, theirs was the first case of a marginal yet high-status immigration group.[4]

There are several reasons why the *Yekkes*, despite their being a large, mostly well educated group, professionally skilled and often in possession of capital, have never been considered by historians to be a central force in the formation of the Jewish-Palestinian society. A major reason seems to be their accentuated European-like bourgeois, even highbrow cultural image, which was not in line with what was seen as the hard core of the desired modern Hebrew culture. Studies of this group (e.g., Worman 1970; Reinharz 1978; Getter 1979, 1981; Ben-Avram 1984; Niederland 1984; Eliav 1985; Gay 1989; Gelber 1990; Stachel 1995; Berkowitz 1997; Stone 1997; Miron 2004) take it for granted that their distinctive home culture had caused their alienation and prevented them from integrating in the local culture. But how truly incompatible was their culture with that of the local society? It is my contention that this view of the German newcomers as "cultural aliens" has been overstated, because it was highly instrumental in molding their relations with the locals in Palestine.

True, there is a consensus in mainstream Israeli historiography regarding the hegemony of the Eastern European and native elite in the local Jewish culture, which is believed to have been united around a nationalist agenda of building a "productive" society

of workers, as opposed to a capitalist, civic "bourgeois" society. Apparently, this ideological view was so compelling that it was taken a bit too much at face value to be a true reflection of reality. The conviction that this was actually the prevailing attitude of the local Jewish society at large has overshadowed other existing options of cultural identity, specifically that of a civic middle-class, which seemed peripheral from this point of view (Ben-Avram & Nir 1995; Ben-Porat 1999; Bar-On & De Vries 2001). However, as recent studies have increasingly recognized, there had been a strong – and growing – bourgeois element that shaped the Jewish society in Palestine, even if its political organization was relatively weak (e.g., Ben-Porat 1999; Shamir 2001; see review in Karlinksy 2000). While studies of this social sector are mostly concerned with its economic and political aspects (see however Helman 2000; Shamir 2001), I focus on its *cultural repertoire*,[5] which is a most important resource on which people draw in their work of identity construction and maintaining group boundaries. Specifically, I focus in this article on the production and use of this sector's cultural image and the values attached to it.

In as much as the Jewish bourgeoisie *is* discussed at all, there is often a tendency to highlight the role of the *Yekkes* in shaping it. In light of this common view, I would like to re-examine the question of the *Yekkes*' "position-taking" as a cultural group, and the part they played in disseminating this kind of culture in Palestine. My analysis is concentrated on one particular field of action, that of the legal profession. Focusing on the legal field seems almost "natural" in view of the fact that this was a highly pursued profession by Jews in Germany and strongly stereotyped as an image of the *Yekkes* in Palestine, to the point that it calls for reviewing. However, no two fields are alike, and in light of the social stratification of this large immigration group[6] and the diversity of their professions and forms of life, the legal field can only be seen as just one single case, albeit conspicuous, of the *Yekkes'* experience in their country of immigration.

My discussion will proceed along three parts: first, I will begin by discussing the special cultural image and status of the German immigrants in the local Jewish society in general; second, I will review the elements of a bourgeois culture, specifically the ethos of professionalism and the cultural conflict it stimulated in the specific arena of the legal filed; and finally, I will attempt to assess the prominent position of a restricted circle of German immigrants in the legal field, in light of these cultural structures.

I. The Cultural Image and Position of the Yekkes in the Local Jewish Society: Distinction-Through-Affinity

Sarcastic anecdotes about the *Yekkes* in Palestine are plentiful. One such anecdote was told by journalist Yaacov Gal in his column in the evening paper *Maariv* in the late 1940s (published posthumously; Gal 1952):

> [. . .] I was going in a taxicab with a tourist down Herzl Street, a major traffic disaster especially during early noon. Suddenly an ambulance siren shrieked. None of the drivers were impressed, including our cab driver. There was only one little car that seemed very obedient – it immediately turned to the side; the driver parked it and gestured to the ambulance to pass. Everyone else kept on driving without any effort to clear the way. [. . .] The tourist commented: "I have never seen anything like this . . . only one person stopped their car." To which the driver instantly replied: "Look at him and you can immediately see that he's a *Yekke*. Only the *Yekkes* are such idiots" (Gal 1952, p. 136; all translations are mine – R.S.).

Whether this incident actually happened or not, it illustrates the stereotypical image which was formed of the *Yekkes* from the beginning – an image of people with a propensity for formalism, who blindly obey the law and public order. The salient qualities of this group-portrait were a sense of duty, discipline, integrity and lawfulness, efficiency, meticulousness and frugality, bordering on inflexibility, lack of ingenuity and emotional inhibitions, a taste for highbrow culture and good European manners, as well as an accentuated sense of professional dignity (e.g., Ben-Avram 1984, pp. 250–253) and a political moderation and weak partisan alignment (Getter 1981; Gay 1989). Such qualities, appreciated both positively and negatively, marked them as an odd and detached group in the eyes of the locals, one which held fast to the lifestyle which they brought from their fatherland (Worman 1970; Getter 1979; Ben-Avram 1984; Gay 1989; Stachel 1995; Stone 1997; Miron 2004).

Whether or not this stereotypic image actually accorded with the real life of all the *Yekkes* in Palestine, and regardless of the inevitable adjustments of their actual lifestyle practices (as discussed below), it was obviously taken to reflect an utter incompatibility with local life. In fact, this image was intensely promoted by the public discourse, which was controlled by leading veteran agencies with predominantly East-European background, for instance through certain official organs of the labor movement, such as *Hapoel Hatzair* (The Labor Party's organ; established 1908). There the *Yekkes* were charged with extreme separatism, on the one hand, and with a patronizing tendency to impose their own cultural standards, on the other. Articles published in this periodical during the 1930s discussed the "integration problem" of the

German newcomers, accusing them of an opportunistic attitude and indifference to the nation-building project (e.g., Eisenstadt 1933; Preuss 1933, 1940; Brachman 1934; Lubrani, 1934; Ben-David 1938, 1939; Troupe 1940; Brill 1944).[7] They also accused them with haughtiness as pretentiously more "civilized" and culturally superior. The aggressiveness directed towards the *Yekkes*' loyalty to their home language and customs certainly reveals that the locals felt threatened by it. Arie Ben-David writes, for instance:

[The German immigrants] are absolutely certain, without any shame or embarrassment, that the *Yishuv* must adapt to them. They arrogantly speak German, in cafés and on the bus, in shops, everywhere in public. Moreover, they are deeply insulted and often retort in an insolent and aggressive manner if anyone refuses to respond in German [. . .]. The desire for a new life and a Hebrew culture, which is the driving force of our life here, is absolutely foreign to them.[. . .] one often gets the impression that the 70,000 German speakers in the country are the "majority" within the 300,000 Hebrew speakers in the *Yishuv* [. . .] This is not a mere linguistic issue, but also a cultural-intellectual one (Ben-David, 1939, p. 11).

Yet in spite of this accentuated *cultural* alienation, the fact is that the *Yekkes* have shown an outstanding ability to integrate in the local *society* and *economy*. They contributed considerably to the development of various fields, such as medicine, industry and technology, construction, banking, tourism and welfare, not to mention the academia and music institutions (e.g., Getter 1979; Niederland 1984; Eliav 1985; Gelber 1990; Stachel 1995). And although many of them indeed preferred to speak German and tended to stick together in communities of German origins, they did not transmit this sense of separatism to the second generation. In fact, contrary to the claim that "German Jews were not endowed with the same adaptation skills which characterize Eastern European Jews" (Ben-David 1938, p. 12), there is substantial evidence to their flexibility and pragmatism, especially in terms of occupation opportunities: many German immigrants underwent professional retraining and a relatively high percentage turned to agriculture (Gelber 1990, pp. 173–257, 317–384; *Palestine and Jewish Emigration from Germany* 1939, pp. 19–22).[8] Their dispersion in the country was balanced (Preuss 1940; Gelber 1990), and they played an important part in the development of middle-class rural settlements (Gelber 1990, pp. 257–384). Even the rate of emigrants among them was not as high as commonly thought (Gelber 1990, pp. 233–236; see also Preuss quoted in Erel 1989, p. 14).[9]

This seeming discrepancy between their *social* and *cultural* tendencies is also reflected by the testimonies of the *Yekkes*

themselves, at least those who wrote memoirs (see Miron 2004). They were often aware of the veterans' hostility towards them, which they experienced as an unjustified rejection. Yet at the same time they also acknowledged their cultural distinction and took pride in it. One example is that of Cesi Rosenblit, who was very active in organizing social work in Haifa and in Jewish women's organizations ever since her arrival in 1924. On the one hand she divulges a patronizing tone when she tells about how she was determined "[. . .] to become part not only of the social circles of "German immigrants", although they were the educated circles and in certain sense also the community leaders in Haifa [. . .]" (Rosenblit 1978, p. 45). Yet she also sounds very frustrated by the locals' negative reactions to her, despite her achievements: "Some kept telling me that I was still "green" in the country. [. . .] I also encountered resistance from The Labor Federation representatives, who argued that a "bourgeois" like me could not possibly understand the workers' needs" (Rosenblit 1978, p. 45). In the end, she says, "[T]he locals may welcome the new wave of immigration, but their subconscious harbors suspicion and resentment" (ibid).

This ambivalence of integration and rejection calls into question the self-evidence of the *Yekkes*' image of estrangement. There was no "objective" obstacle to their integration. They were neither deprived of education or skills, nor lacking the ambition to succeed in the new society. The image constructed for them – and by themselves – should thus be understood as a powerful tool in a social struggle. It points to a tension between the *Been-Heres* and the *Come-Heres* (Spain 1993).[10] But contrary to the assumption that such inter-ethnical tensions stem from cultural *differences*, in this case the tension seems to have emanated precisely from an *affinity* between the two "rival" groups (the East-European veterans and the newcomers).[11] The local Jewish elite, including the restricted group of East- European "pioneers" (as they were called) who set the tone in the public discourse, actually aspired to the same modern, secular European-oriented society that the German newcomers appeared to represent. And in any case, the majority of those who came to Palestine before 1930, in the Fourth – and even already in the Third – Immigration Waves, were themselves largely urban middle-class people (Ben-Avram & Nir 1995, Ben-Porat 1999). Thus, both parties actually rivaled for monopolizing the same cultural repertoire. In a way, the tension created in the local society between the veteran dominant group of Eastern Europeans and the German newcomers was the continuation and reversal of the ambivalence with which German Jews approached the *Ostjuden* (a derogative expression for "Eastern Jews") while still in Europe (Wertheimer 1981; Aschheim 1982; Volkov 2002; Bloom,

unpublished). However, unlike such typical cases where the new-comers are seen as culturally inferior, in this case it was the new-comers who felt superior, being in possession of that highly valued cultural repertoire which also served as a model for the veterans.

Under these circumstances, the wave of German newcomers spelled a threat to the veteran dominant group not because of their detachment but precisely because of their potential to compete in extant systems. Their image of foreignness was therefore not so much the reason for this tension as it was stimulated by it. A barrier was thus erected to block the personal chances of German immigrants from ever reaching leadership positions, especially in the political sphere.[12] As studies of other immigration groups suggest (e.g., Neeman 1990; Horowitz 2005), groups in such a posi-tion may often retain their home culture – and overstress its dis-tinctiveness – precisely as means of "gaining a seat at the common table" (Boyer 2001; see Sela-Sheffy 1999). They tend to mobilize their peculiar cultural assets in order to formulate alternative bases of social power and prestige. Therefore it seems that, con-trary to accepted views, the *Yekkes*' cultural separatism was in a way a successful strategy of social *integration*, taken from a non-confrontational approach.[13] Their non-assimilative tendency remained a matter of gaining symbolic capital more than it was a social and economic problem.

II. Patterns of a Civic Bourgeois Culture in Palestine: The Legal Profession

1. The Yekkes in the Legal Field: Presence Through Absence

As said, the legal field seems, at first glance, to be a typical arena for examining the *Yekkes*' integration in the local culture, if only because this had been a very popular occupation among German Jews (Jarausch 1991; Niederland 1996).[14] However, the number of lawyers who emigrated from Germany to Palestine was small compared to their share in the Jewish population in Germany itself (Niederland 1988, 1996). Moreover, many of those who came to Palestine were not integrated in the local legal system.[15] The reasons for this are hard to establish. It is often claimed that the lawyers from Germany were not familiar with the English legal system (although this would apply to all lawyers trained on the Continent as well), and did not speak the language of litigation (Gelber 1990, pp. 447–449). The hard competition and limited job market for Jewish lawyers during Mandate times (Shamir 2001) and the impediments imposed on lawyers with foreign diplomas

(Strasman 1984) surely also played a role here. We can also think about a deeper culture-based reason, which was their sense of alienation from what they saw as unprofessional, deteriorated standards of the legal practice in Palestine. An example from a personal memoir testifies to this sentiment:

> [. . .] And the opinion of [my private Hebrew tutor] was, that as a typical *Yekke*, I could never adapt to the "corrupt" conditions in the country, that is, I won't be able to "get on" with the officials, I won't understand the mentality of the local clients, and I would never know how to run a trial the way it should be run in Palestine [. . .] (S. Wichselbaum, quoted in Gelber 1990, p. 447).

The immigrants from Germany were thus not a dominant group within the actual population of Jewish legal practitioners.[16] Nevertheless, even if they failed to actually practice their profession, their mythological image as "professionals at heart" persisted as their "authentic" mental formation, as it were, on which they tended to capitalize in their claim for status.[17] Journalist Gerda Luft (formerly Arlozorov), recounting the career of her (second) husband, Zvi Luft, as the Secretary of the Agricultural Federation, tells about his "innovative organizing methods" in fighting for order and cost-cutting. Although Luft himself was born and raised in Galicia, his years of law schooling in Austria qualified him in her mind as a "*Yekke* at heart": "It was the fight of a man from Central-Europe who studied law, with the impulsive man from Eastern-Europe, who came from the *Shtetl* and knew nothing about organizing a modern office" (Luft 1987: 63).

　　The traces of the profession in the collective portrait of the *Yekke*s had thus more to do with their cultural image than with their actual occupation in Palestine. However, it was also due to the personal mark left by certain personalities of German origins who came to occupy key positions in the legal system when the State of Israel was established (see Rubinstein 1975; Yadin 1990; Shachar 1991; Oz-Saltzberger & Saltzberger 1998). I am referring, first and foremost, to Pinchas Rosen (then Felix Rosenblueth), Israel's first Minister of Justice; Moshe Smoira, the first Chief President of the Supreme Court; and Haim (then Hermann) Cohen, the first General Attorney.[18] These three names in particular have eventually become canonical historical figures of the Israeli legal system, despite the fact that they did not represent a demographic majority within the active Jewish legal practitioners at the time. On the personal level, then, the "German imprint" on the legal field was restricted to that select elite circle, which became the senior officials and policy makers of the justice system of the new state.

2. Two Cultural Agendas in the Legal Field: Professionalism vs. a
Nation-Building Project

What was the cultural setting in the legal field itself during that
period? Although this had nothing to do with demographic peculi-
arities, there is much evidence to suggest that the legal profession
was seen as a symbol of bourgeois culture, and as such was treated
with ambivalence by certain sectors of society. The dominant labor
political discourse resented this profession for allegedly being an
urban, exploitative occupation performed by greedy deceitful
people. The following lines, a free translation from the poet Nathan
Alterman's satirical verse *Lawyers*, written in 1934 for the *Matate*
("The Broomstick") satirical Theater, clearly testify to it:

> Not all of us are rich / but the business is convenient / the key thing is the gadgets
> / telephone and micro-brain / Tel-Aviv demands law and order / Tel-Aviv will not
> rest / here everyone is brought to judgment / except for those who kill them-
> selves.//[. . .] The lawyer is a gentle person / he works like your cleaning lady /
> every conscience, just like linen / he can clean with great ability. / Your conscience
> is safe in the bag / linked to US interest rates / And if you are an old villain / your
> advocate will build himself a villa! (Alterman 1976, p. 37)

This rejection was reinforced by the fact that an autonomous Hebrew
system was not really extant and Jewish lawyers had to operate
within the British-Mandate system (Ben David 1955; Shamir 2001).
Therefore, contrary to other professions, such as teaching or medi-
cine, which were largely absorbed by autonomous Jewish networks,
the legal profession was accused of being alien "in spirit," oppor-
tunistic and lacking in national engagement (Ben David 1955, pp.
148–149). As late as the mid-1950s, articles in *Hapoel Hatzair* crit-
icized the pursuit of this profession because it allegedly jeopardized
what they saw as more vital vocations for building a "productive"
society, above all agriculture and manual labor (see, e.g., Mash
1955; Ankarion 1955).[19] They presented it as a syndrome of the
so-called bourgeoisie takeover of the career choices of the younger
generations (e.g., Neeman 1955; Löwenberg 1956).

   Yet from the perspective of the lawyers themselves, this ideological
propagation was apparently not all that effective. Judging by the
publications of the Lawyers' Associations and the *Federation of
Jewish Lawyers in Palestine* (which were operating ever since the
1920s), they sought to rectify their reputation and gain prestige by
promoting a respectable *professional* and *apolitical* image for their
trade. These organizations were very much concerned with ac-
celerating a process of professionalization, by establishing unified
ethics and working procedures, rules of self-management and
means of control (see Shamir 2001). In actual fact, the Jewish
lawyers were rapidly growing as a professional guild.[20]

Reports published by their periodicals reveal their massive efforts to draw the boundaries of the profession. This was obviously about protecting the interests of the Jewish lawyers in a saturated market, in the face of the strong competition with non-professional legal practitioners, especially those "who still officiate in their Ottoman title of Petition Writers" (*Report* 44, 25) and accountants, and the meager demand for Jewish professionals (Shamir 1998; Bar-On & De-Vries 2001). But in order to gain control of the market they had to construct for themselves a specific kind of symbolic capital. Their struggle was therefore formulated in terms of fighting for better *cultural norms*. There were plenty of complaints about the allegedly corrupt, non-modern, unprofessional standards which they claimed prevailed as the legacy of Ottoman rule. For instance, one report warns that

[. . .] a lawyer concerned with the dignity of the profession and who sees clients in his office cannot promise to expedite matters by prodding the relevant official so that matters are settled in the client's best interests – he cannot compete with those petition writers unless he adjusts to their methods. [. . .] As a result of this corruption, there is almost no place for a lawyer who conceives his duty as a man of law who fights with legal means (*Report* 1944, p. 26).

A pressing issue was the adherence to unified and fixed fees (e.g., *Survey* 1944). The strong symbolic effect of such professional regulations may be understood only in light of the fact that in the local culture they were regarded, along with other issues, such as general standards of service, or regulated work and rest hours, as decent European norms of modern civic conduct.[21] In short, the lawyers sought to set the norms of expertise, rules and decency, as their advantageous points in their claim for primacy in the legal practice.

But beyond this strictly professional level, there was also a broader repertoire of "how to behave" as a professional *person*, which the lawyers adapted as part of their general lifestyle. All evidence show that the lawyers' organizations acted as agencies of modernization and implementation of a bourgeois lifestyle in general. There are many reports about their care for the lawyers' working conditions, for instance by upgrading office furniture, installing telephones, adapting their attire to the weather (short khaki uniforms for the summer), or establishing regular vacations, as well as catering to the lawyers' cultural needs, through seminars, lectures, trips and parties (e.g., *Review* 1944, p. 42).

The status of this profession as part of an accepted middle-class lifestyle can also be inferred from the growing demand for legal education (which increased in the 1930s and 1940s as part of the process of urbanization and the transformation of the occupational

structure; Lissak 1994). The expansion of legal training venues testifies to this fact. The only authorized institution was the British-Mandate Law School, established in Jerusalem in 1920. This school was open for Arab and Jewish students alike, but its policy was to limit the number of graduates by raising entry requirements and prolonging the program of study (Shamir 2001). The offer of jobs for Jewish lawyers by the Mandate government was also restricted (Bar-on & De Vries 2001). And yet, in 1935 a Hebrew School of Law and Economy was also established in Tel Aviv. Although this school had never been allowed to grant diploma degrees and was always treated with indifference (not to say hostility) by both the British authorities and the Jewish establishment, it operated regularly and even expanded from its inauguration to its merging with the Hebrew University in 1949.[22]

The fact that this institution managed to survive for two decades with almost no support from the authorities[23] points to its success potential based on market demand: its income from tuition amounted to 50% of the budget and more (*Budget* 1935; *Sponsors* 1935).[24] One reason for this was the fact that it was the only institute of higher education in Tel-Aviv (Eisenstadt 1941).[25] Most of the students used this law school as a springboard for entering the labor market – especially in various clerical occupations (*Curriculum* 1940/41; *Course of Studies* 1944/45). However, the demand for this line of education suggests that in spite of its contemptible image that was being propagated in the public discourse, it was still conceived by the locals as a legitimate and desired milestone of an educated urban life trajectory.

It is consequently apparent that the status of the legal profession was not dependent on a nationalist agenda. Not that this agenda was never evoked. In fact, the legal field has been an interesting site for the clash between these two rival strategies of action: that of national ideologists and that of practicing professionals. Several initiatives were being taken for mobilizing the legal field for the national project, with the objective of establishing an independent national legal system. This line – epitomized in the *Hebrew Law of Peace* that operated in the 1920s as a voluntary arbitration tribunal – was upheld by a group of Eastern European Jewish jurists who were active in the "Hebrew Law Society" (first in Russia and later in Palestine), including names like Shemuel Eisenstadt, Paltiel Dickstein and others. As a national movement, they embraced the romantic discourse of the history of the nation, and drew a parallel between the revival of the ancient Hebrew language and that of ancient Hebrew law. They saw themselves, first and foremost, as scholars and ideologues rather than lawyers, and focused more on teaching and publishing than on the legal practice.[26] Embracing

this self-image as a basis for their claim for moral superiority and prestige, they, too, were contemptuous towards the lawyers' "plainly professional mindset," which they called opportunist and lacking Zionist vision and zeal.[27]

However, in spite of the zeal and energy invested in this revivalist "National Law" agenda, it has not taken root (Likhovski 1998, 2001; Shamir 1998; Harris 2002). It has never lent its upholders power in the legal field, nor gained support from the Jewish political leadership. In fact, it was paradoxically the *minor importance* attached by the Jewish labor establishment to this profession that actually facilitated the increasing trend of *professionalism* within it (Bar-On & De Vries 2001). The nationalist rhetoric always had some symbolic value which Jewish lawyers could mobilize, at least as a lip service, to justify the formation and operation of their professional bodies. However, even spokesmen at the associations' conferences themselves always accused the lawyers of indifference to this matter. The intensifying ethos of professionalism was eventually the main source on which lawyers have drawn for their symbolic capital.

III. The *Yekke* Judiciary Elite

It is therefore safe to say that the Jewish legal field in Palestine served as a habitat for a bourgeois life-style and sense of identity. Yet this cultural infrastructure had been laid by veteran Jewish lawyers, mainly of Eastern-European origins, already during the 1920s and 1930s, before the masses of German newcomers arrived. This certainly puts in perspective the claim that the German immigrants were seen as total "strangers" and could not integrate in the local life because it was so entirely incompatible with their bourgeois habitus. On the contrary, in fact: it appears that this already extant infrastructure was precisely what enabled a small group of *Yekke* lawyers to eventually occupy a prominent position in the legal field, in spite of the fact that they did not represent a demographic majority within it.

It is commonly argued that the reason for the appointment of Pinchas Rosen (Felix Rosenblueth) as Israel's first Minister of Justice in 1948 was political: prime-minister Ben-Gurion wanted to share power with the Progressive Party led by Rosen.[28] But beyond this political conjuncture, there was an element of *cultural compatibility* at play here: The bourgeois ethos that prevailed in the legal field made the personal and public conduct of these *Yekkes* particularly appropriate, allowing them to establish a stronghold which also enhanced their public position outside this field. What they were unable to achieve in the political sphere and in more

labor-oriented domains, they have been able to achieve in this professional field.

Three aspects in particular characterized the action of these German lawyers: First, they were successful practicing lawyers, not publicists or ideologues. It is true that Moshe Smoira and Haim Cohen had also adopted the persona of a scholarly intellectual jurist.[29] And yet Moshe Smoira, the father of them all, did have a leading private law practice (1923–1948), which was actually among the oldest and most reputable Jewish law firms in Palestine, and constituted an important milestone in the career path of many jurists who worked there as interns.[30] In fact, this handful of German lawyers have managed to create a winning combination between their professional pragmatism as providers of legal services and their moderate Zionism, which helped them in the political sphere. They were personally well connected to the *Yishuv* leadership: Moshe Smoira was a *Mapai* member and a legal representative of the *Histadrut*, Uri Yadin represented *Mekorot* [The National Water Works], Felix Rosenblueth (Pinchas Rosen), was a prominent Zionist activist and a dominant figure in the organizations of German immigrants. Their national outlook and political style differed significantly from the dominant *Mapai* line.[31] But their professional approach, so different from that of the National Law group, was in fact much more attractive to the labor leadership, which was actually not interested in oppositional national initiatives when it came to the realm of the law.

Second, these German lawyers felt free to cooperate with the Mandate legal system without jeopardizing their relations with the Zionist leadership. Thus, while Moshe Smoira served as the legal advisor of the *Histadrut* and as chairmen of the *Histadrut* Tribunal,[32] he could also work for many years as a lecturer at the Mandate government Law School, and officiate as a member of the governmental Judicial Council.

Third, the glue that kept this German circle together was primarily *personal and societal*, that of a "band." As an immigrant group, they strongly relied on their networks of *Landsleute*, family and friends with common origin, language and customs, and shared memories from youth days in Germany. This accentuated sense of kinship is often manifest in figures of speech such as "ours," "one of us" or "brothers," which they used very often.[33] Accounts of their societal ties – their family relations, and the time they spent together in social evenings, vacations, hiking clubs and so on – amount to near-mythological folklore tales (see, for instance, Shashar 1989; Bondy 1990; Yadin 1990; Smoira-Cohen 1997).[34]

This personal closeness did not lead to their isolation as an ethnic group. On the contrary, as mentioned, they were very well planted into circles of local Jewish elite. But along with this integration, their group communality as German compatriots was preserved, and heightened their sense of distinction.[35] A series of conversations with Supreme Judge Haim Cohen, published in a book by Michael Shashar (1989), reflect the delicate balance maintained in the circles in which Cohen and his friends were moving. These conversations illustrate Cohen's strong position among the local elite, yet at the same time his incidental comments reveal the importance of his affiliation with the restricted *Yekke* milieu as the source of a unique cultural code, self-image and prestige. For instance, he often comments that his clients were mostly *Yekkes* themselves, and at one point he says: "My client was a *Yekke* and it was inconceivable that he would not speak the truth" (Shashar 1989, p. 201). His affection for Pinchas Rosen (Rosenblueth) he describes in terms of their shared sense of cultural distinction:

He was a *Yekke* down to the core, and that also was manifest in professional matters. [. . .] He was a *Yekke* in appearance as well: always closely shaved and spotlessly dressed. You would never find a piece of paper or a book lying about out of place, because he could not tolerate disorder. By the way, in this respect he found an ally in me. I am the same way [. . .]. That was another trait of Rosen – his thoroughness – unlike most of the other ministers. Ben-Gurion could be very thorough when he so wished, but only if he was sufficiently interested. Most of the other ministers would make decisions [. . .] without extensive research, rather unlike Rosen (Shashar 1989, pp. 98–99).[36]

Obviously, the personal fraternity and accentuated sense of cultural distinction of this *Yekke* group were leverage to their professional, public and political promotion, and especially in the legal field, where their cultural image was definitely valued as an asset. There is plenty of evidence for this,[37] some of which were supplied by these personalities themselves, albeit with caution.[38] Ruth Bondy, Rosenblueth's biographer, writes about his entering partnership with Smoira law firm in the early 1930s, when he settled in Palestine: "Whether it was due to his position in the Zionist movement, or because he was older, or their long-standing friendship – Felix was appointed as second partner [in the practice] after Smoira himself, despite the fact that both other partners, Haim Krohngold and Israel Bar-Shira, served as lawyers in Palestine long before him" (Bondy, 1990, p. 240).[39] Such close group ties and mutual help are by no means unusual for immigrant groups. However, they are not always so highly rewarding in creating opportunities for members of these groups.

IV Conclusion

The strategy of integration-through-distinction of the German Jewish immigrants in their encounter with the veteran Jewish community in Palestine during the 1930s is revealed through their operation in the local Jewish legal field. The cultural fights, and the energy invested on the part of the veterans in condemning both the Germans, as an immigrant group, and the lawyers, as a professional group, suggest that the cultural option they epitomized was not all that marginal and undesirable in the local society. To the contrary, it appears that the European-like bourgeois type of "civilizedness" they represented was already regarded as an important cultural asset, and the struggle to appropriate it was very central to the formation of the local culture during that period. In other words, in spite of the common opinion that the *Yekkes* have failed to integrate in the local culture because of their European-like bourgeois cultural distinctiveness, patterns of middle class civic culture were already emergent and valued in the local setting prior to their arrival. In the legal field at least, the dissemination of this cultural repertoire was promoted by Jewish jurists of predominantly Eastern European origins, already during the 1920s. Consequently, the sense of distinction and separatism of the German newcomers and the veterans' resentment towards them were intensified by both parties alike, precisely because of an affinity between the veteran community and the newly arrived, and thus, out of a competition between them, and not merely out of alienation. Since the *Yekkes* were seen as setting the model for this bourgeois cultural identity, they were able to capitalize on it (if also attacked and disparaged for it) the most. In light of this dynamics, the peculiar cultural formation of the Jewish legal field in Palestine made it a very successful channel for enhancing the distinctive image of the German immigrants, and their separate socio-cultural identification and accentuated ethnic sentiments, as a source of prestige and means of achieving status. The elite circle of *Yekke* legal professionals thus functioned as a prominent agency which guaranteed the perpetuation and effectiveness of this legendary distinctiveness of the *Yekkes* in Palestine.

Notes

² The discussion of the *Yekkes*' encounter with the locals in 1930s Palestine is restricted in this article to the context of the modern Jewish society (the Jewish *Yishuv*), leaving aside questions of their encounter with other groups, such as the Jewish (Sephardic and orthodox *Ashkenazi*) communities of the "old *Yishuv*", or local non-Jewish groups, notably the Arab Palestinian. At that period, the *Yishuv* society in Palestine was already rather crystallized as the most strongly organized Jewish sector in the region, and largely (though certainly not hermetically) dissociated from the local Arab society, at least in terms of its autonomous cultural, political and welfare systems, as well as its largely separate economy. Therefore, the struggles a new wave of Jewish immigrants had to fight while entering this society were predominantly with forces within those Jewish-*Yishuv* social arenas, in which other Jewish and non-Jewish communities, including Arab Palestinians, were usually not present.

³ According to various sources, until 1928 the number of Jewish German immigrants in Palestine ranged between 1,000 and 2,132 people. By the end of the 1930s they were joined by some 60,000 new immigrants from Germany and Central Europe (figures often include also immigrants from Austria and Czechoslovakia; Gelber 1990: 60). The estimated Jewish *Yishuv* population at the time amounted to around 500,000 people.

⁴ In this respect, despite the significant changes in the local host society and the conditions of absorption, the similarities between the situation of the newcomers from Germany during the 1930s and that of the massive wave of immigration from the former Soviet Union to Israel during the 1990s (e.g., Remennick 2004; Horowitz 2005) are often evoked.

⁵ For the concept of repertoire as a dynamic stock of models of action and perception of the world which direct the individual's behavior as a member of a certain cultural group in every area of life, see Swidler 1986; Even-Zohar 1997b; Sheffy 1997.

⁶ The adaptation strategies of the German immigrants varied according to their socioeconomic background and their motivation to immigrate. Roughly, they may be divided by three major categories: the early Zionists, who arrived during the 1920s, usually with high education and affluent background; the "disillusioned", who left Germany after the Nazis rose to power, but were still able to consider their options and maintain property; and those who came as refugees after 1938 (Getter 1979; Niederland 1996). However, a major distinction is usually drawn between the large wave of immigration of 1933–1939, which amounted to tens of thousands of people, and the small community of mostly Zionist German Jews who had settled in Palestine in the early 1920s and later served as supportive and organizing elite for the newcomers during the 1930s.

⁷ To quote one example: "The majority of West European immigrants have an external relationship with the *Histadrut* (The General Federation of Labor). They see the *Histadrut* as the only channel for landing job opportunities. In addition, they enjoy the benefits of *Kupat Holim* (Health Fund), *Mish'an* (old age support system) and the rest of the services and rights to which *Histadrut* members are entitled. But the very phenomenon of the *Histadrut* and the (Labor) party, and their value for [our] national revival and building of the land, they have yet to comprehend; and although the intellectual basis of our party, its views and actions are akin to Western European counterparts, only a small minority [of them] has actually joined its ranks." (Ben-David 1938, p.12).

[8] According to the *Palestine and Jewish Emigration from Germany 1939* Report, 16,000 out of 50,000 German immigrants in Palestine settled in rural places of residence. Erel cites sources reporting that 15% of the immigrants from Central Europe settled in *Kibbutzim* and villages (Erel 1989: 10).

[9] Walter Preuss reports about less than 10% of emigration among German Jewish immigrants in Palestine until 1956, compared to over 25% of the general population in the years 1919–1931 (Cited in Erel 1989:14).

[10] It should be noted that by "Been-Heres" I refer in this context mainly to the dominant veteran Jewish group of East-European origins. These veteran immigrants constituted both the demographic majority and the group representing the cultural hegemony and the one setting the tone in the veteran *Jewish* society in British-ruled Palestine, from the ranks of which emerged the most powerful political and cultural elites at the time. There were veteran Sephardic, as well as orthodox *Ashkenazi*, communities of pre-Zionist "old *Yishuv*", who settled in various ancient towns in Palestine between the 16th and the 19th centuries. These communities were hardly interested in (if not hostile to) participating in the emerging Zionist-oriented Jewish community and its modern Hebrew culture. There were also immigrant groups who came from various Middle-East and Mediterranean, including Arab territories. But the massive immigration of Jews from Arab territories did not arrive before 1948/9, when the State of Israel was founded. The majority of the growing Jewish society in Palestine before 1930 was composed mainly of waves of immigration from Russia, Poland, and other East-European territories. It was essentially these people, who had better access to the *Yishuv*'s centers of power, with whom the wave of German immigrants had to fight during the 1930s, and toward whom they developed animosity and a sense of cultural superiority.

[11] On the understanding that conflict between ethnic groups may develop on the basis of their affinity rather than difference in identity, see, for instance, Harrison 1999. This understanding in fact challenges the misleading tendency which prevails in the post-Zionist critical discourse to lump together all Jews who came from various places in Europe and assume they all had equally privileged status and a-priori chances of gaining power in the social figuration of the Jewish *Yishuv* as "*Ashkenazi*" or "white Jews" (an assumption that is refuted by the fate of other Jewish groups of "white" origins, such as Romanians or Bulgarians). In the case of the *Yekkes*, it was apparently precisely their high status image as "Western" that caused their rejection by the *Ashkenazi* locals.

[12] *Mapai* (The United Labor Party) may have wanted the German immigrants to join its ranks, but their leaders stood no chance of ever occupying key positions in the party (see Getter 1981; Gay 1989, p. 576).

[13] A typical manifestation of this approach was the fact that their attempts to organize politically on a separate basis were soon aborted (Getter 1981).

[14] According to Niederland, in 1933 there were 5000 Jewish lawyers in Germany. Jarausch notes that in Prussia their number amounted to 28.5% of the general population of lawyers; in the big cities, like Berlin and Frankfurt, it reached over 45%, and in Breslau it was 35.6% (Jarausch 1991, pp. 176–177; see also Niederland 1988. On the share of academics and professionals among Jewish immigrants from Germany between the world wars see Niederland 1996, pp. 86–87).

[15] According to data presented in a review of the "German *Aliya* in the *Yishuv*," published in *Hapoel Hatzair* in November 1934, during

1933–1934 only 250 Jewish lawyers (out of 600 who left Germany until June 1934; Niederland 1996) arrived in Palestine (compared to 550 physicians). Only 135 of them passed the local bar examinations or intended to take them; the rest underwent retraining or turned to farming (Brachman 1934, p. 13. See also Gelber 1990, pp. 447–449). However, upon the establishment of the state, many of them managed to integrate in the judiciary civil service, which was to a large extent controlled by an elite circle of *Yekke* jurists (Gelber *ibid.* And see below).

[16] Based on the fragmentary biographical data (e.g., Kalai 1937, Tidhar 1950–1956, Strasman 1984), it is in fact impossible to classify the population of the Jewish lawyers in the *Yishuv* as an ethnically distinct group at all. And the same is true for the legal education system during that period. For instance, data regarding faculty members of the Tel-Aviv School of Law and Economy (founded 1935) suggest that German immigrants were not predominantly represented there (although some of them did study in Germany, Austria or Switzerland [*Curriculum* 1935/36]). The same applies to the population of students in that school: the share of students from Germany and other central European territories in the general population was extremely small. According to data for the year 1937 (*Brochure* 1938), out of the 120 students, the majority came from Poland (54%), Russia (20.8%), or were natives of Palestine (10%). Only two students came from Germany. Five years later, the numbers remain very similar (*Curriculum* 1940/1).

[17] Eliezer Lubrani describes it in his review of Dr. Alfred Kupferberg's book, *German Jews – in the Land of the Jews*, "[. . .] The doctor becomes builder; the lawyer is now a bee-keeper, the singer is a wall plasterer, and a woman artist drives a taxicab" (Lubrani, 1934, p. 13). On the role of the legal profession in 19th century Europe as a major formative agency of modern middle class, and of German bourgeoisie in particular, see Ledford 1996.

[18] Other German immigrants in the higher echelons of the state legal system upon its establishment were Uri Yadin (then Rudolf Heinsheimer), the first head of the Legislation Department (Cohen and Yadin also served as committee chairmen on the pre-state Judicial Council), and Siegfried Moses, the first State Controller, as well as several known Supreme Judges (Such as Menachem Dunkelblum, Alfred Vitkon, Moshe Landau, Yoel Sussman and Benjamin HaLevi. Dunkelblum and Sussman were regarded as *Yekkes* by their education and personal conduct, although they were born in Austrian-Galicia; Oz-Salzberger & Salzberger 1998).

[19] In a report in *Hapoel Hatzair* reviewing the problems of the early state's legal system, H. Naaman explains that the "bottle neck" is "primarily the detachment of the legal profession people from the public," citing the following as an example: "In a Tel-Aviv law office, one employee deemed it appropriate and desirable to spend a few days off as a construction worker. The young future advocates were outraged and organized a general protest: It is unconceivable for a builder to be among us, men of the 'noble profession' (a phrase inherited from the British rulers). If he stays here, then we shall leave" (Naaman 1950, p. 4).

[20] The first Hebrew Lawyers' association was founded in Tel-Aviv in 1922; according to Strasman (1984), it was founded by eight lawyers out of the 14 then practicing in Tel-Aviv. At that time, according to various sources, there were seven Jewish lawyers in Jerusalem. The first national convention of the Federation of Jewish Lawyers in Palestine, held in Jerusalem in the spring of 1928, was attended by 54 lawyers from the

three major cities. In 1936 there were 246 Jewish lawyers in Palestine, whereas in 1943 their number in Tel-Aviv alone was 381 (Strasman, 1984, pp. 161–162).

[21] Unsurprisingly, these norms of conduct were associated with the *Yekkes*. This judgment is suggested by the impressions recounted by veterans who marveled at the manners of German immigrants' in trade and service (see, e.g., Rabau 1982, Horowitz 1993, p. 26). So, for instance, Yithak Navon (the 5th President of the state of Israel) tells Shlomo Erel (1989) how as a young boy he was deeply impressed with the central European immigrants, who, he says, were "disciplined, honest and fair (the goods offered by merchants from these countries were always sold at fixed prices and they never bargained, contrary to the common practice in the Orient). Their approach to order and rigor in private and public life is exemplary, and the *Sabra* offspring of these families [. . .] have won our admiration with their integrity and moral lifestyle" (Erel 1989, p. 14. See also Gay 1989, p. 574).

[22] Except for the war years (1942–1943), the number of students in the school grew from 119 in 1935 to 175 in 1947/48 (*Yearbook* 1947/48). After the state was established (1948), the number increased to 1,500, including the Haifa extension (Rudy 1959). Concurrently, the number of faculty members grew as well, from 15 lecturers in 1935 to 127 "scientific workers" in its last year (*ibid*).

[23] It was established with the declared sponsorship of Tel-Aviv Mayor Meir Dizengoff, but the municipality's support seemed to have dwindled over the years.

[24] A letter from the school's management (*Management* 1939) states that "due to the lack of funding by the municipality and the institutions, and the general public, 95% of the school's sustenance must be financed by tuition."

[25] It was certainly regarded as such by the Tel-Aviv municipality. In a letter to the President of the Courts, Israel Rokach, Mayor of Tel-Aviv, writes: "The school's scientific level is well known, and it meets an important need for higher education of the Hebrew *Yishuv* in Tel-Aviv and its vicinity. [. . .] As mayor, I wholeheartedly support their just request that local residents should have a venue for higher education in Tel-Aviv, without the need to travel abroad or to Jerusalem [. . .]" (*Rokach* 1945).

[26] Among other sources, this self-image is manifest in the portrayal of deceased jurists in obituaries published in the trade publications through the years. This, for instance, was the lament on the passing away of Shimshon Rosenbaum, a member of the "Hebrew Law Society": "One of this generation's luminaries has left us, a brilliant figure, who has written a fine page in the chronicles of public life and the Zionist movement. His prominence in Zionist lobbying has been told, is being told and will be retold by a multitude of others in the Jewish public. [. . .] Those who say that by dedicating himself to the welfare of the people, to the needs of the great national movement, he has neglected his profession are wrong. I would say the opposite: He was a professional in his general public work as well, because his chosen profession left its mark on every facet of his diverse public work [. . .]" (Rosenbaum, 1935, p. 1)

[27] Something about this intellectual-ideologist self-image and the aspirations attached to it may be gleaned from a very bitter document penned by Zvi Rudy, a veteran faculty member of the Tel Aviv School of Law and Economy (Rudy 1959). Recounting the School's history and lamenting its failure, he characterizes the founding group and the first generation of

students as a select team of "[. . .] seekers of knowledge and teachings, who despite their desire for professional training of the highest academic quality, have never regarded establishing law practices and gold-raking bookkeeping firms as their ultimate goal" (Rudy 1959, p. 2). For the "rising stars" in the lawyers' milieu he has nothing but contempt' calling them narrow-minded and craving money and titles.

[28] Opinions differ, however, on whether this appointment indicates a lack of respect on Ben-Gurion's part for the justice portfolio (see Baron 2001; Harris 2002; and Haim Cohen as quoted in Shashar 1989, p. 99).

[29] Haim Cohen comments on Moshe Smoira: "[. . .] Like me, he wasn't a natural born lawyer. He hated the practice. He was an academic, and wanted to study the law and write about the law. He was always interested in the theoretical aspect, never in the practical. Having realized that his clients didn't like it so much, he took on a partner, Haim Krohngold, who was his exact opposite. He had no interest in anything theoretical, all he ever cared about was the practical side, and he managed the practice for Smoira" (Shashar 1989, p. 113).

[30] Moshe Smoira was in fact the first among this group of German lawyers who, unlike the majority of lawyers who arrived from Germany in the 1930s, have managed to integrate as individuals in the existing legal system (Gelber 1990, p. 449), and establish their professional, social and economic status.

[31] For the distinctive political positions of German immigrants' organizations and their contacts with *Mapai* see Getter 1981; see also Lavsky 1996. Haim Cohen's comment on Smoira's linkage to this party is revealing: "[He] was a significant and devoted member of *Mapai*, but I don't believe he was truly a socialist" (Shashar 1989, p. 113; see also Luft 1987, p. 82).

[32] Along with various other positions he held in Hebrew organizations: he was chairman of the Federation of Jewish Lawyers in Palestine, advisor to the Zionist Executive Committee, President of the Court of the Zionist Congress, member of the Executive Committee of the Federation of Jewish Lawyers, and of its Board of the Internal Court of Appeals, of which Rosenblueth had also been a member (See *Report* 1944, p. 38).

[33] For instance, Yadin describes Smoira as "one of us, my mentor and friend ever since I arrived" (Yadin 1990, p. 50); and Ruth Bondy, Rosen's biographer, describes the German newcomers in Rosen's words: "The KJV [Jewish student association in Germany] *brothers* began to arrive" (Bondy 1990, p. 244; emphasis added).

[34] This social network naturally comprised a larger group of people who were not necessarily involved in the legal field. Some were not even of German origin. It is, however, possible to distinguish a pool of people, the majority of whom were of German origin, with whom this circle of German lawyers maintained close contacts. Shlomo Erel counts in this list Arthus Ruppin, Felix Danziger, Georg Landauer, Ludwig Feiner and Moshe and Esther Kalvari (Erel 1989, pp. 186–187). The most prominent others in this circle include Haim Arlozorov, Kurt Blumenfeld, Max Tuchler, Erich Cohen, Moshe Landau, Gustav Krojanker, Azriel Karlebach, Julius and Johanna Rosenfeld, Zalman Schoken and Zalman Shazar.

[35] Gerda Luft, who was part of the "old German guard" and associated with the Labor Party through her two husbands – Haim Arlozorov and Zvi Luft –, describes this sense of belonging-through-distinction: "[. . .] Arlozorov had equal standing with the workers' leaders right from the start. His advantage was his Western education. [. . .] Luft also had equal

standing, mainly due to his organizational skills. [. . .] Some of the leaders, I already knew from Berlin. [. . .] But my closest contacts were with the *Yekkes*, who were already settled in Jerusalem, [. . .] By the 1920s it was already clear that there were differences in style between Eastern and Western European immigrants. That difference clearly sharpened during the 1930s wave of German immigration" (Luft 1987, pp. 81–82).

[36] He goes on to describe Ben-Gurion's deep impression with the *Yekkes*: "Ben-Gurion selected Fritz Naftali and Giora Josefthal for cabinet membership only because of their professionalism, although they were *Mapai* supporters. They were both *Yekke* academics. [. . .] Ben-Gurion was amazed not only by their accents, but also by their professional and moral standards. He would often ask me where did the *Yekkes* (and the Yemenites) get such excellent talents' (Shashar 1989, p. 79).

[37] Rosen's decision to appoint Smoira as the first President of the Supreme Court is a famous example (see Baron 2001). As for the Ministry of Justice appointments, Yadin recounts of Cohen: "Hermann Cohen [. . .] is still debating between the position of judge, litigator (he asked Rosen-blueth's permission to represent the government in the first case where the government is a party to the Supreme Court hearings; Rosenblueth agreed of course), and the General Director of the Ministry of Justice [. . .]" (Yadin 1990, p. 35).

[38] Yadin, for instance, is careful, in his diary, to note that he was not among Rosen's people (he and Haim Cohen were appointed to the Judicial Council by Minister Dov [Bernard] Joseph): "A new man, Rosenblueth, joined the 'Thirteen's Group', and was assigned the Justice portfolio. He is totally new and had no part in the preliminary work" (Yadin 1990, p. 18). And yet his testimony suggests that he worked in the environment of a German group comradeship: "[. . .] It's a good thing that young [Adolf] Boehm has joined the group; we make a good team and understand each other easily" (ibid).

[39] However, aware of the flavor of protectionism which could be associated with such fraternity at the Ministry of Justice, Bondy is careful to renounce it in Rosen's name. For instance: "contrary to the *Yekke* image of the Ministry of Justice, most of its senior employees – Shapira, Berensohn, Mani, Becker – were not of German origin, and Heinsheimer-Yadin, who was an intern at Smoira-Rosenblueth's law offices, was selected by Dov Joseph. The minister was the butt of office jokes: one should not be disqualified just for being a *Yekke* [. . .] The only member of the minister's staff who was close to him in terms of background – KJV, *Aliya Hadasha* and all the rest – was attorney Rudy Avraham. [. . .]" (Bondy 1990, pp. 417–418). And later on she is at pains to explain: "Even if Felix did love Smoira very much [. . .], it was not his love that got him the appointment as President of the Supreme Court. [. . .] Smoira served for many years as chairman of the Palestinian Lawyers Federation, and was well accepted by them. His friendship and partnership with Rosen could only be an obstacle, not an advantage to Smoira – and he was the only *Yekke* in the proposed composition of the court" (Bondy 1990, p. 421).

References

Alba, Richard D. 1990. *Ethnic Identity: The Transformation of White America*. New Haven and London: Yale University Press.

Alterman, Nathan 1976 (1934). "Lawyers." In: idem. *Popular Songs and Lyrics* (eds. Rina Klinov and Menachem Dorman), Tel Aviv: Hakibbutz Hameuchad Press, 37. [Hebrew]

Ankarion, Ari 1955. "Lawyers in Israel." *Hapoel Hatzair*, February 15 1955, 10–11. [Hebrew]

Aschheim, Steven E. 1982. *Brothers and Strangers: The East European Jew in German and German Jewish Consciousness 1800–1923*. Madison: Wisconsin University Press.

Baron, Nathan 2001. "The Lost Honor of the Supreme Judge: The Affaire of Judge Gad Frumkin's Non-Nomination to the Israel Supreme Court." (Part 1) *Cathedra* 101, 151–190. [Hebrew]

Bar-On, Shani and David De Vries 2001. "'In the Dire Straight of Professionalism': Lawyers and the Shaping of the *Histadrut* Tribunal in the 1920 and 1930s." *Avoda, Hevra u-Mishpat* 8, 15–42. [Hebrew]

Ben-Avram, Baruch 1984. "The Zionists of Germany in the Third Immigration Wave." In: *A Nation and its History*, ed. Shmuel Ettinger, Jerusalem: Shazar Center, 243–260. [Hebrew]

Ben-Avram, Baruch and Henri Nir 1995. *Studies in the Third Aliya (1919–1924): Image and Reality*. Jerusalem: Yad Izhak Ben-Zvi Press. [Hebrew]

Ben-David, Arie 1938. "The German Immigrants and the Party." *Hapoel Hatzair*, December 30 1938, 12–13. [Hebrew]

——— 1939. "For the German-Speaking Immigrants." *Hapoel Hatzair*, March 14 1939, 11–12. [Hebrew]

Ben-David, Joseph 1955. "Profession and Social Structure in Israel." *Scripta Hierosolymitana*, III, 126–152.

Ben-Porat, Amir 1999. *The Bourgeoisie. The History of the Israeli Bourgeoises*. Jerusalem: The Magnes Press. [Hebrew]

Berkowitz, Michael 1997. "Zion's Cities' Projections of Urbanism and German-Jewish Self Consciousness, 1090–1933". *Leo Beack Institute Year Book* 42, 111–121.

Bloom, Eitan (unpublished manuscript). *What Did Father Have in Mind? The Theory and Practice of Arthur Ruppin (1876–1943)*. [Hebrew]

Bondy, Ruth 1990. *Felix: Pinchas Rosen and his Time*. Tel Aviv: Zmora-Bitan Press. [Hebrew]

Boyer, P. 2001. "Cultural Assimilation". *International Encyclopedia of the Social & Behavioral Sciences*, Oxford: Elsevier Science, 3032–3035.

Brachman, Moshe 1934. "The German *Aliya* in the *Yishuv*." *Hapoel Hatzair*, November 12 1934, 11–14. [Hebrew]

Brill P. 1944. "The German *Aliya* and its New Party." *Hapoel Hatzair*, January 19 1944, 12–13. [Hebrew]

Eisenstadt, Shemuel 1933. "On our Cultural Work with the German *Aliya*." *Hapoel Hatzair*, August 4 1933, 7–8. [Hebrew]

——— ed. 1941. *Law and Economy: Studies in Theoretical and Practical Questions in Law and Economy*, Tel Aviv. [Hebrew]

Eliav, Mordechai 1985. "German Jews" Share in the Building of the National Home, Palestine and the State of Israel." *Leo Baeck Institute Year Book* 30, 255–263.

Erel, Shlomo 1989. *The "Jeckes": 50 Years of German-Speakers' Immigration*. Jerusalem: Reuven Mas Press. [Hebrew]

Even-Zohar, Itamar 1997. "Factors and Dependencies in Culture: A Revised Draft for Polysystem Culture Research." *Canadian Review of Comparative Literature* XXIV(1), 15–34.

Gal, Yaacov. *The Realm of High Justice*. Tel Aviv: Maariv Press. [Hebrew]

Gans, Herbert J. 1997. "Toward a Reconciliation of 'Assimilation' and 'Pluralism': The Interplay of Acculturation and Ethnic Retention." *International Migration Review* 31(4), 875–892.

Gay, Ruth 1989. "Danke Schön, Herr Doktor: German Jews in Palestine." *The American Scholar* (Autumn), 567–577.

Gelber, Yoav 1990. *A New Homeland: Immigration and Absorption of Central European Jews, 1933–1948*. Jerusalem: Yad Itzhak Ben Zvi & Leo Baeck Institute Press. [Hebrew]

Getter, Miriam 1979. "The Immigration from Germany 1933–1939: Socio-Economic vs. Socio-Cultural Absorption." *Cathedra* 12, 125–147. [Hebrew]

———— 1981. "The Separate Political Organization of the German-Jewish Immigrants." *HaZiyonut* 7, 240–291. [Hebrew]

Harris, Ron 2002. "Absent Minded Misses and Historical Opportunities: Jewish Law, Israeli Law and the Establishment of the State of Israel." In: *On Both Sides of the Bridge: Religion and State in the Early Years of Israel*, eds. Mordechai Bar-On and Zvi Zameret, Jerusalem: Yad Izhak Ben-Zvi Press, 21–55. [Hebrew]

Harrison, Simon 1999. "Identity as a Scarce Resource". *Social Anthropology* 7(3), 239–251.

Helman, Anat 2000. "The Crystallization of a Civic Society and Urban Culture in Tel Aviv in the 1920s and 1930s." PhD. Dissertation, Hebrew University of Jerusalem. [Hebrew]

Horowitz, Dan 1993. *The Heavens and the Earth: A Self-Portrait of the 1948 Generation*. Jerusalem: Keter Press. [Hebrew]

Horowitz, Tamar 2005. "The Integration of Immigrants from the Former Soviet Union." *Israel Affairs* 11(1), 117–137.

Jarausch, Konrad H. 1991. "Jewish Lawyers in Germany, 1848–1938: The Disintegration of a Profession." *Leo Baeck Institute Year Book* 36, 71–190.

Kalai, David, ed. 1937. *The Book of Personalities: an Eretz-Israeli Lexicon*. Tel Aviv: Masada Press. [Hebrew]

Lavsky, Hagit 1996. *Before Catastrophe: The Distinctive Path of German Zionism*. Detroit: Wayne State University Press.

Ledford, Kenneth F. 1996 *From General Estate to Special Interest. German Lawyers 1878–1933*. Cambridge University Press.

Likhovski, Assaf 1998. "Jewish Law and Zionist Ideology in Mandatory Palestine." In: *Multiculturalism in a Democratic and Jewish State*, eds. Menahem Mautner et al. Tel-Aviv: Ramot press, 633–659. [Hebrew]

———— 2001. "Legal Education in Mandatory Palestine." *Tel Aviv University Law Review*, 25/29, 343–368. [Hebrew]

Lissak, Moshe 1994. "Occupational Structure, Occupational Mobility and Status Symbols in the New Jewish Community, 1918–1948." *Iyunim bi-Tequmat Israel* 4, 345–377. [Hebrew]

Löwenberg, Alisa 1956. "The Worker Intelligentia and the Party." *Hapoel Hatzair*, August 7 1956, 15–16. [Hebrew]

Lubrani, Eliezer 1934. "German Jews in Eretz-Israel." *Hapoel Hatzair*, November 23 1934, 12–13. [Hebrew]

Luft, Gerda 1987. *Memoirs*. Tel Aviv: Am Oved press. [Hebrew]

Mash, A. 1955. "The Abundance of Lawyers in Israel." *Hapoel Hatzair*, January 25 1955, 10. [Hebrew]

Miron, Guy 2004. *German Jews in Israel. Memories and Past Images*. Jerusalem: The Magnes Press. [Hebrew]

Naaman, Haim 1950. "The Justice Machine Works Slowly." *Hapoel Hatzair*, October 17 1950, 4. [Hebrew]

Neeman, Aharon 1955. "Agricultural Training." *Hapoel Hatzair*, February 1 1955, 7–9. [Hebrew]

Neeman, Rina 1990. "Existential Aspects of Ethnic Culture: an Anthropological Study of an Association of Rumanian Israelis." PhD. Dissertation, Tel Aviv University. [Hebrew]

Niederland, Doron 1984. "The Influence of Medical-Doctors Immigrants from Germany on the Evolution of Medicine in Eretz-Israel." *Cathedra* 30, 111–160. [Hebrew]

——— 1988. "The Emigration of Jewish Academics and Professionals from Germany in the First Years of Nazi Rule." *Leo Baeck Institute Year Book* 33, 285–300.

——— 1996. *German Jews: Emigrants or Refugees?* Jerusalem: The Magnes Press. [Hebrew]

Oz-Salzberger, Fania and Eli Salzberger 1998. "The Secret German Sources of the Israeli Supreme Court." *Israeli Studies* 3(2), 159–192.

Preuss, Walter 1933. "Eretz-Israel in the Face of the German Aliya." *Hapoel Hatzair*, October 27 1933, 3–6. [Hebrew]

——— 1940. "The Working Aliya from Western Europe in the Years 1933–1939 and its Ways in Eretz-Israel." *Hapoel Hatzair*, February 16 1944, 12–14. [Hebrew]

Reinharz, Jehuda 1978. "Three Generations of German Zionism." *The Jerusalem Quarterly* 9, 95–110.

Remennick, Larissa 2004. "Language Acquisition, Ethnicity and Social Integration Among Former Soviet Immigrants of the 1990s in Israel." *Ethnic and Racial Studies* 27(3), 431–454.

Rosenblit, Cesi 1978. *From Berlin to Ganegar: A Life Story*. Tel Aviv: Hakibbutz Hameuchad Press. [Hebrew]

Rubinstein, Elyakim 1975. *Judges of the Land.* Tel Aviv: Schocken Press [Hebrew]

Sela-Sheffy, Rakefet 1999. *Literarische Dynamik und Kulturbildung: Zur Konstruktion des Repertoires deutscher Literatur im ausgehenden 18. Jahrhundert.* Gerlingen: Bleicher Verlag.

Shachar, Yoram 1991. "The Notebook of Uri Yadin." *Iyune Mishpat* 16(3), 537–557. [Hebrew]

Shamir, Ronen 1998. "*Lex Moriendi*: On the Death of Israeli Justice." In: *Multiculturalism in a Democratic and Jewish State*, eds. Menahem Mautner et al., Tel-Aviv: Ramot Press, 582–632. [Hebrew]

——— 2001. "Nation-Building and Colonialism: the Case of Jewish Lawyers in Palestine". *International Journal of the Legal Profession* 8(2), 109–123.

Shashar, Michael 1989. *Haim Cohen, a Supreme Judge: Conversations with Michael Shashar*. Jerusalem: Keter Press. [Hebrew]

Sheffy, Rakefet. 1997. "Models and Habituses: Problems in the Idea of Cultural Repertoires." *Canadian Review of Comparative Literature* XXIV(1), 35–47.

Smoira-Cohen, Michal 1997. *A Personal Repertoire*. Tel Aviv: Zmora-Bitan Press. [Hebrew]

Spain, Daphne 1993. "Been-Heres Versus Come-Heres: Negotiating Conflicting Community Identities." *Journal of the American Planning Association.* 59(2), 156–171.

Stachel, Gideon 1996. "The Jewish Immigration from Germany to Palestine during the Years 1933–1939 and their Meeting with the People of

the Yishuv from the Immigrants' Point of View." PhD. Dissertation, Hebrew University of Jerusalem. [Hebrew]

Stone, Lilo 1997. "German Zionists in Palestine before 1933." *Journal of Contemporary History* 32(2), 171–186.

Strasman, Gabriel 1984. *Wearing the Robes: History of the Lawyer's Profession in Palestine*. Tel Aviv: Israel Law Chamber. [Hebrew]

Swidler, Ann. 1986. "Culture in Action: Symbols and Strategies." *American Sociological Review* 51(2), 273–286.

Tidhar, David 1950–1956. *Encyclopedia of the Builders of the Land*. Tel Aviv: Sifriyat Rishonim. [Hebrew]

Troupe, A 1940. "A Band of Immigrants from Central-Europe." *Hapoel Hatzair*, January 26 1940, 23. [Hebrew]

Volkov, Shulamith 2002. *The Magic Circle: German Jews and Anti-Semites*. Tel Aviv: Am Oved Press. [Hebrew].

Wertheimer, Jack 1981. "The Unwanted Element: East European Jews in Imperial Germany." *Leo Baeck Institute Year Book* XXVI, 23–40.

Worman, Curt D. 1970. "German Jews in Israel: Their Cultural Situation since 1933." *Leo Baeck Institute Year Book* XV, 73–103.

Yadin, Uri 1990 (1948–1951). "Uri Yadin's Diary." In: *The Book of Uri Yadin*, eds. Aharon Barak and Tena Spanitz, Tel Aviv: Bursi Press, 17–63. [Hebrew]

Primary sources [Hebrew, except where indicated]

Brochure 1938. Brochure of The Tel Aviv School of Law and Economy for the Year 1938. (The Tel Aviv School of Law and Economy Archive, Yizhak Oren file).

Budget 1935/36. Budget of The Tel Aviv School of Law and Economy for the Year 1935/36. (Tel Aviv-Jaffa Archive, file 4/1826[1])

Course of Study 1944/45. The Tel Aviv School of Law and Economy Course of Study for the Year 1944/45 (June 1944). (The Tel Aviv School of Law and Economy Archive, Bar-Shira file, 47/9).

Curriculum 1935/36. Curriculum and Information of The Tel Aviv School of Law and Economy for the Year 1935/36. (The Tel Aviv School of Law and Economy Archive, Bar-Shira file, 47/9).

Curriculum 1940/41. Curriculum and Information of The Tel Aviv School of Law and Economy for the Year 1940/41. (The Tel Aviv School of Law and Economy Archive, Bar-Shira file, 47/9).

Decisions 1928. "Decisions of the National Convention of Jewish Lawyers in Eretz-Israel of April 9th 1928." *Hamishpat* 3 (1928), 45–47.

Management 1939. Letter from the Management of The Tel Aviv School of Law and Economy to Tel Aviv Town Council, March 19 1939. (Tel Aviv-Jaffa Archive, file 4/1826[3])

Palestine and Jewish Emigration from Germany, 1939 (Jerusalem: Keren Hayesod, Palestine Foundation Fund). [English]

Report 1944. "Report of the Central Committee of the Jewish Lawyer Federation in Eretz-Israel for the Period of January 1934 – November 1944." *Hapraqlit* 1 (December 1944): 24–26.

Rokach, Israel 1945. A letter to the President of the Courts in Jerusalem of May 29, 1945. (Tel Aviv-Jaffa Archive, file 4/1826[1])

Rosenbaum 1935: "The Late Shimshon Rosenbaum." *Hamishpat* 5 (1935), 1–2.

Rudy, Zvi 1959. "University Merging or an Academic Corruption." A letter to Mordechai Namir, the Mayor of Tel Aviv, December 28 1959. (Tel Aviv-Jaffa Archive, file 1827[2])

Sponsors 1935. Letter from the Sponsors Association of The Tel Aviv School of Law and Economy, December 31 1935. (Tel Aviv-Jaffa Archive 4/1826[1])

Survey 1944. "A Survey of the Jewish Lawyer Association in Tel Aviv for the period of 1.11.42–30.10.44." *Hapraqlit* 1 (December 1944), 40–43.

Yearbook 1947/48. The Tel Aviv School of Law and Economy Yearbook for 1947/48. (The Tel Aviv School of Law and Economy Archive, Yizhak Oren file)