

# iEngage

## Together and Apart: The Future of Jewish Peoplehood

*Source Book*



SHALOM HARTMAN INSTITUTE מכון  
OF NORTH AMERICA שלום הרטמן

[www.hartman.org.il](http://www.hartman.org.il)

Shalom Hartman Institute  
Jerusalem, Israel, 2020  
1st Edition

## **Source Book**

All rights reserved. No part of this book may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, scanning, or by any information storage and retrieval system, without permission in writing from the publisher.

This book is an accompanying resource for the educational lecture series *Together and Apart: The Future of Jewish Peoplehood*. It is not designed to be sold or packaged separately and cannot be purchased separately. It is an education resource for students of the lecture series only. These sources were prepared for publication by Gene Matanky and Levi Morrow.

For information regarding permission to reprint material from this book, please send your request to Shalom Hartman Institute at one of the addresses below.

### **Shalom Hartman Institute**

11 Gedalyahu Alon St., Jerusalem, 9108001  
Israel  
Tel: +972-2-567-5320, Fax: +972-2-561-1913  
shi@shi.org.il

### **Shalom Hartman Institute North America**

475 Riverside Drive, Suite 1450  
New York, NY  
Tel: 212-268-0300  
info@shalomhartman.org

### **Canadian Friends of Shalom Hartman Institute**

8888 Blvd Pie IX  
Montreal, QC H1Z4J5  
info@cfshi.org

Set in Arno Pro by Raphaël Freeman MISTD, Renana Typesetting

Printed in Israel by Gefen Publishing

[www.hartman.org.il](http://www.hartman.org.il)

Copyright 2020 by Shalom Hartman Institute

1st Edition

**The Shalom Hartman Institute** is a leading center of Jewish thought and education, serving Israel and North America. Our mission is to strengthen Jewish peoplehood, identity, and pluralism and ensure that Judaism is a compelling force for good in the 21st century. Our work focuses on:

*Judaism and Modernity*: Developing compelling Jewish ideas capable of competing in the modern marketplace of identities and thought;

*Religious Pluralism*: Building a Jewish people and a State of Israel that respect and celebrate diversity;

*Jewish and Democratic Israel*: Ensuring Israel's foundations as the democratic homeland of the Jewish people, committed to equal rights and religious freedom for all;

*Jewish Peoplehood*: Forming a strong mutual commitment between world Jewry and Israelis as equal partners in the future of Jewish life;

*Judaism and the World*: Serving as a gateway for leaders of other faiths to engage with Judaism and Israel and build new foundations of understanding and cooperation.

**The iEngage Project** creates a new narrative regarding the significance of Israel for Jewish life. This narrative serves as a foundation for a new covenant between Israel and world Jewry – elevating the existing discourse from a crisis-based focus to one rooted in Jewish values and ideas. Led by a team of internationally renowned scholars in the fields of Jewish studies, Middle East politics, and history, iEngage is committed to addressing core questions pertaining to the necessity and significance of the State of Israel.



## Contents

Acknowledgments	vii
Series Introduction	xi
Unit Summaries	xiii
About the iEngage Team	xvii
About the Interviewees	xxi
<b>Part I: Stories of Jewish Peoplehood</b>	<b>1</b>
Unit 1: From No Home to Two Homes	3
Unit 2: Judaism of Being	13
Unit 3: Judaism of Becoming	35
Unit 4: On Universalism and Particularism	55
<b>Part II: Contemporary Challenges to Jewish Peoplehood</b>	<b>83</b>
Unit 5: Between Nationalism, Ultra-Nationalism, and Fascism	85
Unit 6: Moral Implications of Jewish Nationalism	133
Unit 7: Israel's Nation-State Law: Ramifications for a Jewish and Democratic State	145
Unit 8: Antisemitism as a Divisive Force	167
Unit 9: Antisemitism and Anti-Zionism	189
Unit 10: The Accusation and Dilemma of Dual Loyalties	227
Unit 11: "What's Good for the Jews?" Identity Politics in North America	247
<b>Part III: New Relationship Models for Jewish Peoplehood</b>	<b>261</b>
Unit 12: From Family to Consumer	263
Unit 13: Shared Believers, Partners, and Investors	279
Unit 14: At-Homeness	285



## Acknowledgments

Thank you to the CLAWS Foundation for their support of the development and production of *iEngage – Together and Apart: The Future of Jewish Peoplehood*.

The Shalom Hartman Institute gratefully acknowledges the following scholars who have contributed their time and experience to the formulation, development, and articulation of the project: Donniel Hartman, Yehuda Kurtzer, Tal Becker, Lauren Berkun, Mijal Bitton, Sara Hirschhorn, Yossi Klein Halevi, Gene Matanky, Renana Ravitsky Pilzer, and Elana Stein Hain.

The following individuals have been essential in transforming the ideas into a deliverable product: Alan Abbey, Dan Friedman, Gidon Mais, Levi Morrow, Daniel Price, Tova Serkin, Vered Shapira, Chaya Solomon, and Sabra Waxman.

### **Grateful acknowledgement is made to the authors and publishers cited within:**

Excerpts from the NJPS Tanakh, reprinted with permission by Nebraska University Press.

Excerpts from pp. 25–30 from *Sapiens* by Yuval Noah Harari. Copyright (c) 2015 by Yuval Noah Harari. Used by permission of HarperCollins Publishers.

Excerpts from “Jewish Dualism” from *Revelation and Concealment* by Haim Nahman Bialik, translated by Maurice Shudofsky. Reprinted by permission of Ibis Editions, Haim Nahman Bialik, *Revelment and Concealment: Five Essays* (2000).

Excerpts from “For Love of Country?” by Martha C. Nussbaum. Copyright © 1996 by Martha C. Nussbaum and Joshua Cohen. Reprinted by permission of Beacon Press, Boston. The passages reproduced here no longer represent the views of the author. Readers can find her current views in her new book, *The Cosmopolitan Tradition* (2019).

Excerpts from “Interview with Emmanuel Levinas regarding the Sabra and Chatila Massacre – Sept 28, 1982,” published in *Les Nouveaux Cahiers*, trans. Sean Hand – *The Levinas Reader*. Reprinted by permission of Alliance Israelite Universelle, publisher of the original French text.

Excerpts from Hilary Putnam, “Must We Choose between Patriotism and Universal Reason,” in *For Love of Country: Debating the Limits of Patriotism*, ed. Martha C. Nussbaum, 91–97. Reprinted by permission of Beacon Press, Boston.

Excerpts from Peter Singer, *One World Now* (New Haven: Yale University Press, 2016), 180–182, 188–189, 206. Reprinted under Fair-Use with acknowledgment to Yale University Press.

Excerpts from Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality* (New York: Basic Books, 1983), 12. Reprinted with permission.

“Understanding the Real Origin of that New York Times Cartoon”, by Izabella Tabarovsky. Published June 26 2019. This story originally appeared in Tablet Magazine, at [tabletmag.com](http://tabletmag.com), and is reprinted with permission.

Excerpts from Michael Sandel, *Justice: What's the Right Thing to Do?* (New York: Farrar, Straus and Giroux, 2010), 237. Reprinted under Fair-Use with acknowledgment to Farrar, Straus and Giroux.

Excerpts from Martha C. Nussbaum, *Political Emotions, Why Love Matters for Justice* (Cambridge: Harvard University Press, 2015), 208–9, 212, 256. Reprinted under Fair-Use with acknowledgment to Harvard University Press.

Excerpts from Yoram Hazony, *The Virtue of Nationalism* (New York: Basic Books, 2018), Conclusion. Reprinted under Fair-Use with acknowledgment to Basic Books.

Jill Lepore, “A New Americanism: Why a Nation Needs a National Story,” *Foreign Affairs*, March 2019, 10–19. (c) 2019 Council on Foreign Relations, publisher of *Foreign Affairs*. All rights reserved. Distributed by Tribune Content Agency, LLC.

Kwame Anthony Appiah, “The Importance of Elsewhere: In Defense of Cosmopolitanism,” *Foreign Affairs*, March 2019, 20–26. (c) 2019 Council on Foreign Relations, publisher of *Foreign Affairs*. All rights reserved. Distributed by Tribune Content Agency, LLC.

Andreas Wimmer, “Why Nationalism Works: And Why It Isn’t Going Away,” *Foreign Affairs*, March 2019, 27–34. (c) 2019 Council on Foreign Relations, publisher of *Foreign Affairs*. All rights reserved. Distributed by Tribune Content Agency, LLC.

Jan-Werner Muller, “False Flags: The Myth of the Nationalist Resurgence,” *Foreign Affairs*, March 2019, 35–41. (c) 2019 Council on Foreign Relations, publisher of *Foreign Affairs*. All rights reserved. Distributed by Tribune Content Agency, LLC.

Yael Tamir, “Building a Better Nationalism: The Nation’s Place in a Globalized World,” *Foreign Affairs*, March 2019, 48–52. (c) 2019 Council on Foreign Relations, publisher of *Foreign Affairs*. All rights reserved. Distributed by Tribune Content Agency, LLC.

Jack Snyder, “The Broken Bargain: How Nationalism Came Back,” *Foreign Affairs*, March 2019, 54–62. (c) 2019 Council on Foreign Relations, publisher of *Foreign Affairs*. All rights reserved. Distributed by Tribune Content Agency, LLC.

Natan Sharansky, “3D Test of Anti-Semitism: Demonization, Double Standards, Delegitimization,” *Jewish Political Studies Review* 16 (Fall 2004), 3–4. Reprinted with permission of the Jerusalem Center for Public Affairs.

Yehudah Mirsky, “The Multiple Loyalties of American Jews: Being a patriotic American and a supporter of Israel,” *My Jewish Learning* (2007). Reprinted with permission of the author and My Jewish Learning.

Moshe Koppel and Eugene Kontorovich, “Why All the Outrage Over Israel’s Nation-State Law?” *Mosaic Magazine*, Oct. 8, 2018. Reprinted with permission of Mosaic Magazine.

Shaul Magid, “Keep Jews Interesting: It’s Time to Stop Being Defined by Anti-Semitism,” *Rewire.News*, Oct. 10, 2019. This article first appeared on Religion Dispatches, [www.religiondispatches.org](http://www.religiondispatches.org). Reprinted with permission.

Excerpt(s) from *POWER & POWERLESSNESS IN JEWISH HISTORY* by David Biale, copyright © 1986 by Penguin Random House LLC. Used by permission of Schocken Books, an imprint of the Knopf Doubleday Publishing Group, a division of Penguin Random House LLC. All rights reserved.

Every effort has been made to secure the rights contained in the book. If you have a question about any citation, please contact us at [shi@shi.org.il](mailto:shi@shi.org.il).



## Series Introduction

Welcome to **Together and Apart: The Future of Jewish Peoplehood**, the newest iEngage Video Lecture Series from the Shalom Hartman Institute. Our goal is to create new possibilities for a strong and vibrant connection between Israel and world Jewry. Our work is founded on the belief that there is no Judaism without Jewish peoplehood, and that Jewish identity is enriched and strengthened when Israeli Jews and Jews around the world see each other as essential parts of a larger whole.

It is an extraordinary feature of history that the Jewish people have managed to maintain feelings of solidarity and a common sense of peoplehood – despite Jewish communities being separated from one another for centuries by geography, language, and cultural differences. These circumstances may have led us to expect more fragmentation and assimilation, and perhaps even disappearance as a distinct people from the world arena. However, a unique set of external and internal factors helped Jews retain our singular form of peoplehood.

Now, following the Holocaust and the establishment of the State of Israel, close to 90% of Jewish life has become more concentrated in two central locations – Israel and North America. Nevertheless, Zionism, and the return to our ancient homeland itself in the twentieth century, served as a major source of Jewish unity which transcended denominationalism and created deep feelings of common identity and connection.

In recent years, however, we are increasingly aware of the fact that Jews in Israel and in North America have embarked on different historical and often ideological trajectories. We are separated not merely by thousands of miles and dramatically dissimilar environments and dangers, but by an ever-growing sense of disparity on issues of identity, religion, politics, values, and priorities. Real questions have been asked about whether Jewish peoplehood, in the way it has been traditionally understood as a global “family” with its self-evident sense of loyalty and relationships, is still compelling. At the deepest level, we may be witnessing the crumbling of a meta-narrative that has transcended boundaries and united Jews for generations. This would constitute a redefinition of Jewishness in exclusively religious or cultural terms, devoid of its peoplehood dimension which served as so essential a component for Jewish identity, vitality, and survival.

These new realities require that we create new language and paradigms for understanding and maintaining the relationship between Jews in Israel and across the world. *iEngage: Together and Apart* is an attempt to do precisely that. In this series, we will embark on an exploration of the concepts of Jewish peoplehood, its most significant contemporary challenges, and new meta-narratives that can unite the Jewish people today.

The iEngage methodology is grounded in an aspirational, values-driven discourse which works to identify and develop values that we can share while respecting our diverse political and ideological positions. Our aim is to create a conversation that transcends partisan divides and goes to our underlining values, instead of their political manifestations. When it comes to the issue of the future of Jewish peoplehood and

the consequent relationship between Israel and world Jewry, we will explore which models, conceptual categories, and ideas can sustain peoplehood and a connection to Israel today and into the future. Which assumptions and belief-structures need to be reimagined or discarded? How do we embrace our increasingly wide cultural and political differences and still work to create frameworks for relationships that can connect Jews to Israel and to each other?

The *Together and Apart* course is organized around three parts: 1) classical categories and complexities of Jewish peoplehood; 2) contemporary sources of tension that are challenging Jewish peoplehood, including nationalism, antisemitism, dual loyalties, and identity politics; 3) new conceptual categories and metaphors for understanding Jewish peoplehood in an era of multiple homes. Throughout the course, we will present new ideas and ways of thinking and talking about the relationship between Israel and world Jewry which may allow the Jewish people to better engage with the realities and sensibilities of twenty-first-century Jewish life.

## Unit Summaries

### PART I – STORIES OF JEWISH PEOPLEHOOD

This section explores the traditional multifaceted features of Jewish peoplehood and asks whether we have the language, categories, ideas, and imagination to tell a story of Jewish peoplehood that works for this age. How can we ensure that the relationship between Jews in Israel and Jews across the world remains dynamic and meaningful despite our many differences?

#### *Unit 1 – From No Home to Two Homes*

The Jewish people have moved in less than a century from a people with a consciousness of having no home to a people that have two homes – in Israel and North America. This introductory unit examines the stories we have told about ourselves throughout history and asks whether we need a new grand narrative of Jewish peoplehood today.

#### *Unit 2 – Judaism of Being*

The story of Jewish peoplehood has always been complicated by two different stories, the Covenant of Being and the Covenant of Becoming. In the Covenant of Being, Jews are defined by who we *are*, and not by what we *do*. In this ethnic, familial identity, Jewishness is permanent and unconditional. This unit explores the advantages, obligations, and risks associated with this dimension of Jewish identity.

#### *Unit 3 – Judaism of Becoming*

In the Covenant of Becoming, Jews are defined by what they *do*. In this mission-based, aspirational Jewishness, identity is shaped around shared beliefs and practices. This unit explores the essence of the Covenant of Becoming and its consequences for understanding peoplehood. Finally, the unit raises the necessity of weaving both stories of Being and Becoming into a sustainable story of Jewish peoplehood today.

#### *Unit 4 – On Universalism and Particularism*

The concept of Jewish peoplehood is built on a balance between the commitments of universalism and particularism. Jewish divisiveness often arises from a false dichotomy in which Jews are distinguished as either particularists or universalists. This unit explores the relationship between the commitments of Jewish particularism and Jewish universalism, and how the dance between these ideas has characterized the development of modern Zionism and debates around Jewish peoplehood today.

### PART II – CONTEMPORARY CHALLENGES TO JEWISH PEOPLEHOOD

This section of the course explores some of the central issues challenging the experience and viability of a unified Jewish people in the twenty-first century. Jewishness involves a collective identity and consciousness. Throughout our history, this awareness was challenged by ideological, religious, cultural, and geographic differences which threatened to pull us apart. What is particularly challenging today is that it is precisely those forces which served to *unite* Jews in the twentieth century – Israel,

Zionism, and antisemitism – that have become the locus of Jewish debate and divisiveness. The upcoming units delve into the sources of these disagreements and explore ways to foster greater understanding and clarity about the challenges we face and the possible ways forward.

#### ***Unit 5 – Between Nationalism, Ultra-Nationalism, and Fascism***

A significantly divisive issue in Jewish life today is nationalism. In today's partisan environment, it is a toxic category for many. Israel and Zionism are intimately connected to the idea of nationalism, with Israel defining itself as the nation-state of the Jewish people. If Israeli Jews are principally nationalists and many North American Jews reject the category altogether, we face a schism of potentially momentous proportions. This session will explore whether nationalism itself is inherently corrupt, or whether it is a category that is often abused today by ultra-nationalists. The first part of the lecture clarifies the distinctions between nationalism, ultra-nationalism, and fascism. The second part reflects on how Jews approach nationalism as encumbered beings, distinct from radical individualism or globalism.

#### ***Unit 6 – Moral Implications of Jewish Nationalism***

This unit continues the exploration of nationalism with a focus on the moral consequences of nationalism. In particular, we will explore whether nationalism is inherently morally flawed or just interpreted in morally problematic ways by some. What can constitute moral foundations for nationalism in general and Jewish nationalism in particular?

#### ***Unit 7 – Israel's Nation-State Law: Ramifications for a Jewish and Democratic State***

Much of the recent debate around Israeli nationalism has focused on the Nation-State Law. Some denounce the moral failing of this law and its threat to Israel as a democracy. Others embrace its moral and legal legitimacy and significance for the future of Israel as a Jewish and democratic state. This session explores both perspectives on this law through interviews with Mohammad Darawshe and Moshe Koppel, each representing differing positions regarding the 2018 Basic Law of Israel as the Nation-State of the Jewish People.

#### ***Unit 8 – Antisemitism as a Divisive Force***

This unit explores the challenges to Jewish peoplehood posed by the current internal Jewish debate around antisemitism. For millennia, if there was any issue that united Jews, it was antisemitism. Today, however, it has become a central dividing line between Jews on the Left and on the Right, in Israel and in North America. We disagree on who should be classified as antisemitic and how we should respond to them. The goal of this session is to understand the causes and underpinnings of this new reality. We will explore new ways for thinking about the divide and detoxifying the debate that it has generated.

#### ***Unit 9 – Antisemitism and Anti-Zionism***

This unit delves further into the meaning and definition of antisemitism and the relationship between antisemitism and anti-Zionism. We will explore whether all

expressions of anti-Zionism are, in fact, antisemitism. We will analyze the differences between the manifestations of antisemitism from the far-Left and those from the far-Right. Finally, we will examine how a commitment to Jewish peoplehood impacts our discourse on this issue.

#### ***Unit 10 – The Accusation and Dilemma of Dual Loyalties***

This unit explores the notion of dual loyalty and its impact on Jewish peoplehood. Does a commitment to Jewish peoplehood demand dual loyalty, and does dual loyalty connote *conflicting* loyalties? The accusation of dual loyalty has accompanied the Jewish people from our inception. In its current manifestation, however, it emerges precisely because we are a people with two homes. Can Jewish peoplehood survive this reality or does overcoming the stigma of dual loyalty demand a realignment of our loyalties and our identities? In essence, the issue is how Israel and world Jewry can maintain a sense of togetherness while fully aware of the loyalty demands of a people, each in their own distinct home.

#### ***Unit 11 – “What’s Good for the Jews?” Identity Politics in North America***

This unit explores the ways in which the current discourse around identity politics poses new challenges to Jewish peoplehood and a relationship with Israel. To better understand the meaning and implications of Jewish peoplehood, as well as disagreements about Israel, we need to understand the divergent strategies within the Jewish community to advocate for Jewish interests within the larger context of North American society.

### **PART III – NEW RELATIONSHIP MODELS FOR JEWISH PEOPLEHOOD**

In the previous section, we analyzed five contemporary challenges to Jewish peoplehood: 1) the discourse on nationalism; 2) debates around Zionism; 3) the lack of consensus on antisemitism; 4) the challenge of dual loyalty; and 5) identity politics in North America. In this section, we shift to the question of conceptualizing Jewish peoplehood. What frameworks and models have been used in the past to define and govern the relationship between Israel and world Jewry? How can we reimagine models of peoplehood that can rebuild a sense of togetherness?

#### ***Unit 12 – From Family to Consumer***

This unit introduces five categories which shape the narrative of Jewish peoplehood: 1) family; 2) shared believers; 3) partners; 4) investors; 5) consumers. The unit then focuses on the categories of family and consumer and how a synergy between the two can strengthen the relationship between Israel and North American Jewry.

#### ***Unit 13 – Shared Believers, Partners, and Investors***

This unit focuses on the other three models within our matrix which shape and define the nature of Jewish peoplehood and the relationship between Israel and world Jewry: shared believers, partners, and investors. We will explore each of these conceptual categories to see if they can be helpful foundations for Jewish collective life today. What does each require? What does each assume? Are they still relevant today, and what do we need to do to revitalize them as constructive forces?

#### *Unit 14 – At-Homeness*

In this concluding unit, Yehuda Kurtzer and Donniel Hartman reflect on their respective experiences of “at-homeness” in North America and in Israel. Yehuda focuses on the challenge of being at home in North America, while maintaining a sense of homeland in Israel, and on the ways in which the dual sense of being at home can and should play itself out. Donniel explores a nuanced analysis of Israel as home and the need for Israel to redefine its relationship with and responsibilities toward world Jewry. Finally, Tal Becker, Yehuda Kurtzer, and Donniel Hartman reflect on the *Together and Apart* series as a whole and how the Jewish people can envision a future together.

## About the iEngage Team



RABBI DR. DONNIEL HARTMAN is President of the Shalom Hartman Institute and author of the highly regarded 2016 book, *Putting God Second: How to Save Religion from Itself*. Donniel is the founder of some of the most extensive education, training, and enrichment programs for scholars, educators, rabbis, and religious and lay leaders in Israel and North America. He is a prominent essayist, blogger, and lecturer on issues of Israeli politics, policy, Judaism, and the Jewish community. He earned his doctorate in Jewish philosophy from Hebrew University, an M.A. in political philosophy from New York University, an M.A. in religion from Temple University, and rabbinic ordination from the Shalom Hartman Institute. He is the author of *The Boundaries of Judaism*, co-author of *Spheres of Jewish Identity* (Hebrew) and co-editor of *Judaism and the Challenges of Modern Life*. He is currently working on his next book, entitled *Who are the Jews?* He is married to Adina and is the father of three children and three grandchildren.



DR. YEHUDA KURTZER is President of the Shalom Hartman Institute of North America. Yehuda is a leading thinker and author on the meaning of Israel to American Jews, on Jewish history and Jewish memory, and on questions of leadership and change in American Jewish life. Yehuda led the creation of the Shalom Hartman Institute of North America in 2010 as a pioneering research and educational center for the leadership of the North American Jewish community, and teaches in its many platforms for rabbis, lay leaders, Jewish professionals, and leaders of other faith communities. Yehuda earned his doctorate in Jewish Studies from Harvard University and an M.A. in Religion from Brown University and is an alumnus of both the Bronfman Youth and Wexner Graduate Fellowships. Previously, Yehuda served as faculty member at Brandeis University where he held the inaugural Chair in Jewish Communal Innovation. He is the author of *Shuva: The Future of the Jewish Past*, which offers new thinking to contemporary Jews on navigating the tensions between history and memory; and the co-editor of the forthcoming volume *The New Jewish Canon*, a collection of the most significant Jewish ideas and debates of the past two generations. He lives in New York with his wife Stephanie Ives and their three children.



DR. TAL BECKER is a Senior Fellow at the Shalom Hartman Institute in Jerusalem where he leads educational initiatives on Israel and the Jewish world. Tal also serves as the Legal Advisor of the Israeli Ministry of Foreign Affairs and has been a senior member of the Israeli peace negotiation team in successive rounds of peace negotiations. He has years of experience as a veteran negotiator and key behind-the-scenes representative on the front lines of many of Israel's most pressing diplomatic, legal and policy challenges in a wide variety of contexts. Among numerous previous positions, Tal has been a senior fellow at the Washington Institute for Near East Policy, senior policy advisor to Israel's Minister of Foreign Affairs, a lead negotiator and drafter in the Annapolis peace talks, Director

of the International Law Department at the Israeli Foreign Ministry, counsel to Israel's UN Mission in New York, and an international law expert for the Israel Defense Forces. He earned his doctorate from Columbia University and, among numerous scholarly awards, is the winner of the Rabin Peace Prize and the 2007 Guggenheim Prize for best international law book for his *Terrorism and the State*.



RABBI LAUREN BERKUN is a Vice President of the Shalom Hartman Institute of North America where she directs rabbinic initiatives and is a member of the senior executive team. She also oversees staff education, training, and curriculum development for Hartman's iEngage project. She is a *summa cum laude* graduate of Princeton University with a B.A. in Religion, where she was a member of Phi Beta Kappa, and was ordained at the Jewish Theological Seminary. Lauren was a Wexner Graduate Fellow, a CLAL Rabbinic Intern, and a Rabbinic Fellow in the Hartman Rabbinic Leadership Initiative (RLI). She has also served as the JTS Midwest KOLLOT Rabbinic Scholar, Director of Lifelong Learning at Congregation Shaarey Zedek in Southfield, Michigan, and frequent scholar-in-residence for leadership seminars at Jewish Federations across North America. Lauren has written and taught extensively on the topics of mikveh, sexual ethics, and body image. She is also a certified Sivananda yoga instructor. She lives in Aventura, Florida, with her husband, Rabbi Jonathan Berkun of Aventura Turnberry Jewish Center, and their three children.



DR. MIJAL BITTON is a Fellow in Residence and faculty member at Shalom Hartman Institute of North America and the Rosh Kehilla (communal leader) and co-founder of the Downtown Minyan in New York City. Through her fellowship and teaching at Hartman, Mijal explores new paradigms of Jewish identity for diverse Jewish populations and expanding normative conceptions such as "Jewishness," "religion," and "tradition." Mijal received a B.A. from Yeshiva University and earned her doctorate from New York University, where she conducted an ethnographic study of a Syrian Jewish community with a focus on developing the field of contemporary Sephardic studies in America. She is an alumna of the Wexner Graduate Fellowship. In 2018, Mijal was selected for inclusion in '36 under 36' in *New York Jewish Week*. She lives in Manhattan with her husband Zion and their two children.



DR. SARA YAEL HIRSCHHORN is a Research Fellow at the Shalom Hartman Institute of North America. She joined the faculty of Northwestern University in fall 2018 as the Visiting Assistant Professor in Israel Studies at the Crown Family Center for Jewish and Israel Studies, where her research, teaching, and public engagement activities focus on Diaspora-Israel relations, the Arab-Israeli conflict, and the Israel ultra-nationalist movement. Sara is a graduate of Yale University (B.A.) and the University of Chicago (M.A., Ph.D.) and the recipient of numerous grants and fellowships. Her first book, *City on a Hilltop: American Jews and the Israeli Settler Movement* (Harvard, 2017) was the winner of the 2018 Sami Rohr Prize in Jewish Literature Choice Award and a finalist for the 2017 National Jewish Book Award. She is currently working on a new book manuscript,

tentatively titled “*From Jackson to Johannesburg to Jerusalem: How the 1967 War Transformed Diaspora Zionists Into White People*,” which is a transnational history of Diaspora Zionism since the Six Day War, alongside other articles and projects. Prior to her appointment at Northwestern, Sara was the University Research Lecturer and Sidney Brichto Fellow in Israel Studies at the University of Oxford (2013–2018) and a postdoctoral fellow in Israel Studies at Brandeis University (2012–2013). Apart from her academic work, Sara is also a frequent public speaker, writer, media commentator, and policy consultant on Israel/Jewish Affairs.



YOSSI KLEIN HALEVI is a Senior Fellow at the Shalom Hartman Institute. Together with Imam Abdullah Antepli of Duke University, he co-directs the Institute’s Muslim Leadership Initiative. Yossi is the author of New York Times bestseller *Letters to My Palestinian Neighbor*, published in 2018. His 2013 book, *Like Dreamers*, won the Jewish Book Council’s Everett Family Foundation Jewish Book of the Year Award. Yossi writes for the op-ed pages of leading American newspapers and is a frequent commentator on Middle East affairs for international media. He has been active in Middle East reconciliation work and serves as chairman of Open House, an Arab Israeli-Jewish Israeli center in the town of Ramle, near Tel Aviv. Yossi was one of the founders of the now-defunct Israeli-Palestinian Media Forum, which brought together Israeli and Palestinian journalists. He was a senior fellow at the Shalem Center in Jerusalem from 2003–2009. Born and raised in Brooklyn, he has a B.A. in Jewish studies from Brooklyn College and an M.S. in journalism from Northwestern University. He moved to Israel in 1982 and lives in Jerusalem with his wife, Sarah, who helps run a center for Jewish meditation. They have three children.



GENE MATANKY is the Administrative Director and Research Assistant of the David Hartman Center for Intellectual Leadership and Kogod Research Center for Contemporary Jewish Thought. Additionally, he is a doctoral candidate at Tel Aviv University. His research interests include kabbalah, hasidism, modern Jewish philosophy, contemporary Judaism, and new religious movements. He has translated *Holiness and Transgression: The Mother of the Messiah in Jewish Myth*, by Ruth Kara-Ivanov Kaniel (Academic Studies Press, 2017) and *Imagery Techniques in Modern Jewish Mysticism* by Daniel Reiser (De Gruyter, 2018), both from the Hebrew. He is currently working on his dissertation analyzing the reception history of Cordoverean kabbalah, the organization of esoteric knowledge, and modes of reading and interpretation in the early modern period. His work has also appeared in *Shofar: An Interdisciplinary Journal of Jewish Studies* and in the *Journal of Philosophy of Education*.



DR. RENANA RAVITSKY PILZER is the Educational Director of the Shalom Hartman Institute’s Center for Israeli-Jewish Identity. She works to define the center’s educational direction and the integration of the Institute’s philosophical-pluralistic approach in the center’s curricula and teaching. Renana has studied and worked at the Institute for many years in different capacities. Among her positions, she has served as the co-director of the Melamdin

School for Teacher Training, and for the past several years as the head of the Beit Midrash at the Midrashiya Girls High School, where she developed the school's Orthodox feminist curriculum. She is also active at the Midrashiya and as a Kogod Center research fellow. Renana's academic interest focuses on Jewish thought and Midrash. She earned her doctorate in Midrash and Gender from the Bar-Ilan University Gender Studies Program. Renana is a graduate of and former teacher in the Elul Beit Midrash and is one of the founders and leaders of Kehilat Shira Hadasha in Jerusalem. She is married to Mennie and a mother of four.



DR. ELANA STEIN HAIN is a Scholar in Residence and Director of Faculty at the Shalom Hartman Institute of North America, where she serves as lead faculty and oversees the content of lay and professional leadership programs. Elana also co-leads the Created Equal research team. A widely well-regarded teacher and scholar, Elana earned her doctorate in Religion from Columbia University with a dissertation on the topic of legal loopholes in rabbinic law. She is an alumna of the Yeshiva University Graduate Program in Advanced Talmudic Studies (GPATS) and the Consortium in Jewish Studies and Legal Theory Graduate Fellowship. Elana also served for eight years as a clergy member on the Upper West Side of Manhattan, at both Lincoln Square Synagogue and the Jewish Center, and taught at the Wagner School at NYU. Elana lives on the Upper West Side of Manhattan with her family.

## About the Interviewees



RABBI DOTAN ARIELI is the Director of Nigun Nashim at the Elga Stulman Institute for Judaism and Gender of HaMidrasha at Oranim and the head of Leshma, a HaMidrasha educational program that promotes gender equality in pre-army programs and beyond. She is a group facilitator in Jewish and gender identity workshops and teaches in programs sponsored by Israel's Joint Council of Pre-military Academies, the school system, and women's organizations, and officiates at egalitarian Jewish lifecycle ceremonies. Dotan holds an M.A. in Jewish thought and midrash from the Schechter Institute and graduated from the Beit Hamidrash for Israeli Rabbis, a project of the Shalom Hartman Institute and HaMidrasha at Oranim. She is a fellow in the seventh cohort of the Hartman Rabbinic Leadership Initiative (RLI). Dotan is the mother to Alma and Be'eri. She lives in Kibbutz Sha'ar Ha'amakim where she serves as a spiritual leader.



RABBI ANGELA WARNICK BUCHDAHL serves as the Senior Rabbi of Central Synagogue in New York City, the first woman to lead the large Reform congregation in its 180-year history. Rabbi Buchdahl first joined Central Synagogue as Senior Cantor in 2006 and was chosen as Senior Rabbi in 2014. Rabbi Buchdahl was invested as a cantor and ordained as a rabbi by the Hebrew Union College-Jewish Institute of Religion where she was a Wexner Graduate fellow. She earned a B.A. in Religious Studies from Yale University in 1994. Born in Korea to a Jewish American father and a Korean Buddhist mother, Rabbi Buchdahl is the first Asian American to be ordained as cantor or rabbi in North America. Rabbi Buchdahl has been nationally recognized for her innovations in leading worship, which draw large crowds both in the congregation's historic Main Sanctuary and via live stream and cable broadcast to viewers in more than 100 countries. Rabbi Buchdahl has been featured in dozens of news outlets including the Today Show, NPR, PBS and was listed as one of Newsweek's "America's 50 Most Influential Rabbis." She serves on the boards of AJC, Avodah Jewish Service Corps, and the UJA-Federation of NY. She is a fellow in the seventh cohort of the Hartman Rabbinic Leadership Initiative (RLI). Rabbi Buchdahl and her husband Jacob Buchdahl have three children.



MOHAMMAD DARAWSHE is Director of Planning, Equality and Shared Society at Givat Haviva Educational Center. He previously served as Co-Director of The Abraham Fund Initiatives and as Elections Campaign Manager for the Democratic Arab Party and later The United Arab List. Mohammad Darawshe is considered a leading expert on Jewish-Arab relations and has presented lectures and papers at the European parliament, NATO Defense College, World Economic Forum, and Club de Madrid, US Congress, Herzliya Conference, and Israel's Presidential Conference. He was the recipient of the Peacemakers Award from the Catholic Theological Union, and the Peace and Security Award of the World Association of NGOs and was Leadership Fellow at the New Israel Fund. In 2008,

Mohammad Darawshe was elected as a city council member in his hometown Iksal. In 2009, he served as a member of the National Committee which drafted Israel's Coexistence Education policy. He holds a B.A. from The Hebrew University in Jerusalem and an M.A. Arts in Public Administration from Hartford University. He lives in Iksal with his wife and four children.



TEHILA FRIEDMAN is the Director of the Jewish Peoplehood Initiative at the Shalom Hartman Institute and a Research Fellow. Tehila is also a senior fellow at the Shohat Institute, a think-tank and leadership incubator that promotes a politics of the common good. A leading Israeli activist, thinker, and writer, Tehila's work focuses on fostering social solidarity and pluralism, creating inclusive religious life, and confronting the growing rift in Israel-Diaspora relations. In the last Israeli elections, Tehila was a political candidate running on the Blue & White Party list. Tehila is at the forefront of political and legal struggles for the restructuring of Israel's religious institutions and protecting gender equality in the public sphere. She was a founder of "Hatnua Hayerushalmit", the movement of religious and secular Jews for a vital, pluralist, and livable Jerusalem. She was also chair of the board of "Ne'emanei Torah Va'Avodah," a religious Zionist movement that works to strengthen openness in the Orthodox world and unity in Israeli society. Professionally, Tehila was an advisor to Natan Sharansky during his tenure as Minister for Jerusalem and Diaspora Affairs. She served as the Director of the Jewish Federation of Central New Jersey's Israel Office, as a grant officer at Yad Hanadiv-The Rothschild Foundation, and as the director of the leadership development institute at Kolot. Tehila lectures on many subjects that are crucial to Israel as an evolving state. Tehila is a lawyer and holds an advanced legal degree from Hebrew University. She has pursued religious studies at Midreshet Lindenbaum and Beit Morasha. She completed a two-year fellowship at the Mandel Leadership Institute in 2014. Tehila lives in Jerusalem with her husband and five children.



DR. MICAH GOODMAN is an Israeli-American Jewish philosopher and one of the Jerusalem Post's 50 most influential Jews in 2017. He is a leading voice on Judaism, Zionism, the Bible, and the challenges and opportunities facing Israel and contemporary world Jewry. Micah is the author of five Israeli bestsellers, including *Catch-67: The Left, The Right and The Legacy of the Six Day War*, published by Yale University Press in August 2018. Taking a new approach to analyzing Israel's longest-standing and most painful national controversy, *Catch-67* has been discussed by leading news sites such as The New York Times and The Atlantic, and by Israel's political and military elite and major opinion-shapers, informing the country's approach to the conflict. The book was published in Hebrew in March 2017 by Kinneret Zmora-Bitan Dvir and topped the country's bestsellers lists within a week of its release. Micah's newest book is a compelling examination of Jewish-Israeli identity; published in Israel in Hebrew in April 2018, it will come out in English with Yale University Press in 2020. His previous books, published in 2014, 2012, and 2011 by Kinneret Zmora-Bitan Dvir, all ranked at the top of Israel's bestsellers lists for months and earned endorsements by the likes of Rabbi Lord Jonathan Sacks and former Israeli president Shimon Peres. Micah directs Beit Midrash Yisraeli-Ein Prat,

Israel's leading pluralistic Zionist Beit Midrash for young adults. With some 3,000 alumni and thousands more participating in its programs annually, Ein Prat strengthens the Jewish character of Israel's young creative class and fosters a new Israeli mainstream of thoughtful, engaged, connected young adults. In 2014, Micah received the Marc and Henia Liebhaber Prize for Religious Tolerance for his work and writings. Goodman lectures across North America and Europe, as well as at Israel's leading universities, think tanks, and cultural venues to audiences that include Israel's political and national leaders. Among other venues, in the past year he has lectured and taught at the Knesset, the official residence of Israel's Prime Minister, and the official residence of Israel's President. Micah has a doctorate in Jewish Thought from The Hebrew University of Jerusalem and teaches at his alma mater. He is a member of the Global Forum of the National Library of Israel and a senior fellow at the Shalom Hartman Institute in Jerusalem.



**RABBI YONAH HAIN** is a Faculty Member and Campus Faculty Consultant at the Shalom Hartman Institute of North America. He is the Campus Rabbi of Columbia University where he leads the educational, interfaith, and religious initiatives of Columbia/Barnard Hillel's robust pluralistic Jewish community. A yeshiva-trained talmudist, Yonah has served as faculty at the Drisha Institute, Mechon Hadar, and Hillel International's Office of Innovation, and their continuing education branch, Hillel U. Yonah serves as adjunct faculty at YCT Rabbinical School and he is the only Hillel rabbi graduate of the Sha Hartman Rabbinic Leadership Initiative (RLI). Including previous work at NYU's Bronfman Center, this is Yonah's fourteenth year working on NYC campus. He lives on the Upper West Side of Manhattan with his family.



**DR. MELILA HELLNER-ESHED**, is a Research Fellow at the Shalom Hartman Institute. She is a professor of Jewish mysticism and Zohar in the department of Jewish Studies at the Hebrew University in Jerusalem. She received her doctorate from Hebrew University under the tutelage of Professor Yehuda Liebes. For the past two decades, Melila has been a central figure in the Israeli renaissance of the study of Jewish texts by Israeli adults of all paths of life in various frameworks. She initiated and directs the Institute's Rabbinic Students Seminar, a program for rabbinic students from all denominations spending a year in Israel. She is also the co-director of the Institute's Beit Midrash program. She has been teaching and working with Jewish communities in North America, Europe, and the former Soviet Union for many years. Her book, *A River Flows from Eden: On the Language of Mystical Experience in the Zohar*, was published by Stanford University Press in 2009. Melila is on the faculty of the Institute of Jewish Spirituality and is active in the 'Sulha' – a reconciliation project that brings together Israelis and Palestinians.



**RABBI DAVID-SETH KIRSHNER** has been the Rabbi of Temple Emanu-El since July 2007. Prior to joining Temple Emanu-El, Rabbi Kirshner worked at the Jewish Theological Seminary, which he joined in 1999, serving as Senior Director of Institutional Advancement, overseeing the

Seminary's development and outreach efforts. For five years, Rabbi Kirshner also served as Rabbi for the Hebrew Congregation of Fitzgerald, GA, traveling every three weeks to this community in Southern Georgia. Rabbi Kirshner is the Past President of the New Jersey Board of Rabbi's, Past President of the New York Board of Rabbis, a member of the Chancellor's Rabbinic Cabinet at the Jewish Theological Seminary and was selected among 50 rabbis to participate in the inaugural class of the Kellogg School of Rabbinic Management at Northwestern University. Additionally, David sits on the UJC Rabbinic Cabinet and serves on the board of the Solomon Schechter Day School of Bergen County. He was appointed to the National Council of the American Israel Public Affairs Committee (AIPAC) and was a fellow in the fourth cohort of the Hartman Rabbinic Leadership Initiative (RLI). David has written articles for many media sources and is regularly published in the Jewish Standard, the Bergen Record, and the New York Times and has been featured on national television programs including Nightline, MSNBC, and Faith to Faith. David holds a B.A. degree from York University in Toronto, Canada, and earned an M.A. in Hebrew Letters and rabbinic ordination from the Jewish Theological Seminary. He is married to Dori Frumin Kirshner and they have two children.



DR. MOSHE KOPPEL is a Professor of Computer Science at Bar-Ilan University and the author of three books on Judaism and over 100 papers in leading journals on computer science, mathematics, linguistics and other disciplines. He is the founder and head of Dicta, a private research institute focused on the application of cutting-edge technologies in computational linguistics to Jewish and Hebrew literature. He is also the founding chairman of the Kohelet Policy Forum, a conservative-libertarian policy think tank in Jerusalem.



AMBASSADOR (RET.) DANIEL C. KURTZER is the S. Daniel Abraham Professor of Middle East Policy Studies at Princeton University's Woodrow Wilson School of Public and International Affairs. Following a 29-year career in the U.S. Foreign Service, Kurtzer retired in 2005 with the rank of Career-Minister. From 2001–2005 he served as the United States Ambassador to Israel and from 1997–2001 as the United States Ambassador to Egypt. Previous positions included speechwriter for Secretary of State George P. Shultz and member of the Policy Planning Staff, Deputy Assistant Secretary of State for Near Eastern Affairs, and Principal Deputy Assistant Secretary of State for Intelligence and Research. Throughout his career, Daniel was instrumental in formulating and executing U.S. policy toward the Middle East peace process. Daniel was appointed by Secretary of State John Kerry to serve on the Secretary's Foreign Affairs Policy Board. Governor Phil Murphy has appointed Daniel to serve on the New Jersey-Israel State Commission. Previously, Daniel served as an advisor to the bipartisan Iraq Study Group, and as a member of the Advisory Council of the American Bar Association's Middle East Rule of Law Initiative. In 2007, he was named as the first Commissioner of the professional Israel Baseball League. He is the co-author of *Negotiating Arab-Israeli Peace: American Leadership in the Middle East*; co-author of *The Peace Puzzle: America's Quest for Arab-Israeli Peace, 1989–2011*; and editor of *Pathways to Peace: America and the Arab-Israeli Conflict*. He earned his doctorate from Columbia University.



RABBI SARA LURIA has extensive experience as a community organizer, birth doula, and hospital chaplain inspired her to found ImmerseNYC, a pluralistic, feminist, grassroots-energized community mikveh project. Her new project, Beloved, is a home-based experiment in Jewish life and community and is an outgrowth of the ImmerseNYC community. The seed of Beloved was planted for Sara on the bus home from the Women’s March in DC when she realized that what is needed in the Jewish community are places where we can learn – using the tools of our powerful tradition – to open our hearts to each other, share our grief and our longings, and break bread together. Nothing less will allow us to awaken ourselves to the transformation we are seeking. Sara has published poetry and essays on motherhood, Jewish innovation, and healing in various Jewish books and publications. She was ordained from the Hebrew Union College-Jewish Institute of Religion in New York in 2013, and also serves as the program director for HUC’s Tisch/Star Leadership Fellowship. She currently lives back in her hometown of Brooklyn with her husband, Isaac, and her three kiddos, Caleb, Eva, and Judah.



DR. MASUA SAGIV is the Academic Director of the Center for Jewish and Democratic Law at Bar-Ilan University faculty of law. She is also a post-doctorate fellow at the David Hartman Center for Intellectual Leadership at the Shalom Hartman Institute and an adjunct lecturer at Tel Aviv University faculty of law. Masua earned her LL.B. in law and political science (*magna cum laude*) from Bar-Ilan University, her LL.M. (with honors) from Columbia University School of Law, and her doctorate in law from Tel Aviv University. Her research areas are law and social change, religious feminism, and Judaism and democracy.



RABBI RACHEL TIMONER is grateful and proud to serve as Senior Rabbi of Congregation Beth Elohim in Park Slope, Brooklyn. She is honored to stand with families at the moments of greatest joy and deepest sorrow in their lives, and she is delighted to be part of a flowering of creativity, community, learning, spirituality, and action at CBE. Rachel grew up in Miami, Florida, received a B.A. from Yale University, and received her rabbinical degree from Hebrew Union College-Jewish Institute of Religion. She is a fellow in the seventh cohort of the Hartman Rabbinic Leadership Initiative (RLI).



DR. GIL TROY is Distinguished Scholar in North American History at McGill University currently living in Jerusalem. He is an award-winning American presidential historian and a leading Zionist activist. In the foreword to Troy’s latest book, *The Zionist Ideas: Visions for the Jewish Homeland – Then, Now, Tomorrow*, Natan Sharansky writes: “This magnificent work is the perfect follow-up to Arthur Hertzberg’s classic *The Zionist Idea*. Combining, like Hertzberg, a scholar’s eye and an activist’s ear, Gil Troy demonstrates that we now live in a world of *Zionist Ideas*, with many different ways to help Israel flourish as a democratic Jewish state.” Recently designated an *Algemeiner* J-100, one of the top 100 people “positively influencing Jewish life,” Troy wrote *The Age of Clinton: America in the 1990s*, and ten other books on the American presidency. One leading historian called *Age of Clinton* “the best book on the man and his times.” Troy edited and

updated another classic, the multi-volume *History of American Presidential Campaigns*, originally edited by Arthur M. Schlesinger, Jr. and Fred Israel. He is now writing new essays on the 2012 and 2016 elections. Troy's book *Moynihan's Moment: America's Fight against Zionism as Racism*, describes the fall of the UN, the rise of Reagan, and the spread of anti-Zionism. *Jewish Ideas Daily* designated it one of 2012's "best books." He appeared as a featured commentator on CNN's popular multipart documentaries, *The Eighties*, *The Nineties*, and *The 2000s*. He has been interviewed on most major North American TV and Radio networks. Troy has published essays in the American, Canadian, and Israeli media, including writing essays for the New York Times' "Campaign Stops" in 2012 and 2016. He writes a weekly column for the Daily Beast, "Secret Lives," putting current events in historical perspective, and writes a weekly column for the Jerusalem Post.



RABBI SHAY ZARCHI is one of the founders of Nigun haLev in Nahallal, and a founder and Educational Director of the Beit Midrash for Israeli Rabbis. Born and raised in Kibbutz Ginnegar, where he lives to this day, Shay has forged the way for thousands of Israelis to connect with Judaism through his role in the founding of HaMidrasha at Oranim. He is the co-editor of a Haggadah and an Israeli-Jewish lifecycle book.

**PART I**

**STORIES OF  
JEWISH PEOPLEHOOD**





## UNIT 1

# FROM NO HOME TO TWO HOMES

The Jewish people have moved in less than a century from a people with a consciousness of having no home to a people that have two homes – in Israel and in North America. This introductory unit examines the stories we have told about ourselves throughout history and asks whether we need a new grand narrative of Jewish peoplehood today.

### UNIT 1 SOURCES

1. Passover Haggadah	4
2. Exodus 1:8–11	4
3. Esther 3:1–11	5
4. Genesis 12:1–2	6
5. Genesis 12:10	6
6. Jeremiah 29:1–14	6
7. Psalms 137:1–5	7
8. Jacob Blaustein, “The Voice of Reason,” Address to American Jewish Committee’s Executive Community, Apr. 29, 1950	7

### BACKGROUND READING

1. Yuval Noah Harari, <i>Sapiens: A Brief History of Humankind</i> (2011), 25–30	8
2. Hayyim Nahman Bialik, “Jewish Dualism,” <i>Revelment and Concealment</i> (2000)	9
3. Exchange Between AJC President Jacob Blaustein and PM David Ben Gurion, Aug. 23, 1950	10

## 1. Passover Haggadah

We were slaves to Pharaoh in Egypt, and the LORD, our God, took us out from there with a strong hand and with an outstretched arm. If the Holy One, blessed be He, had not taken our fathers out of Egypt, then we, our children and our children's children would have remained enslaved to Pharaoh in Egypt. Even if all of us were wise, all of us understanding, all of us knowing the Torah, we would still be obligated to discuss the exodus from Egypt; and everyone who discusses the exodus from Egypt at length is praiseworthy.

In every generation a person is obligated to see themselves as if he or she was personally redeemed from Egypt.

## 2. Exodus 1:8–11

<sup>8</sup> A new king arose over Egypt who did not know Joseph. <sup>9</sup> And he said to his people, “Look, the Israelite people are much too numerous for us. <sup>10</sup> Let us deal shrewdly with them, so that they may not increase; otherwise in the event of war they may join our enemies in fighting against us and rise from the ground.” <sup>11</sup> So they set taskmasters over them to oppress them with forced labor; and they built garrison cities for Pharaoh: Pithom and Rameses.

עבדים היינו לפרעה במצרים, ויוציאנו יי אלהינו משם ביד חזקה ובזרוע נטויה. ואלו לא הוציא הקדוש ברוך הוא את אבותינו ממצרים, הרי אנו ובנינו ובני בנינו משעבדים היינו לפרעה במצרים. ואפילו כלנו חכמים, כלנו נבונים, כלנו זקנים, כלנו יודעים את התורה, מצוה עלינו לספר ביציאת מצרים. וכל המרבה לספר ביציאת מצרים הרי זה משבח.

בכל דור ודור חייב אדם לראות את עצמו כאילו הוא יצא ממצרים.

ח ויקם מלך חדש, על-מצרים, אשר לא-ידע, את-יוסף. ט ויאמר, אל-עמו: הנה, עם בני ישראל - רב ועצום, ממנו. י הבה נתחכמה, לו: פן-ירבה, והיה כ-תקראנה מלחמה ונוסף גם-הוא על-שנאינו, ונלחם-בנו, ועלה מן-הארץ. יא וישמו עליו שרי מסים, למען ענתו בסבלתם; ויבן ערי מסכנות, לפרעה - את-פתם, ואת-רעמסס.

### 3. Esther 3:1–11

<sup>1</sup> Some time afterward, King Ahasuerus promoted Haman son of Hammedatha the Agagite; he advanced him and seated him higher than any of his fellow officials. <sup>2</sup> All the king's courtiers in the palace gate knelt and bowed low to Haman, for such was the king's order concerning him; but Mordecai would not kneel or bow low. <sup>3</sup> Then the king's courtiers who were in the palace gate said to Mordecai, "Why do you disobey the king's order?" <sup>4</sup> When they spoke to him day after day and he would not listen to them, they told Haman, in order to see whether Mordecai's resolve would prevail; for he had explained to them that he was a Jew! <sup>5</sup> When Haman saw that Mordecai would not kneel or bow low to him, Haman was filled with rage. <sup>6</sup> But he disdained to lay hands on Mordecai alone; having been told who Mordecai's people were, Haman plotted to do away with all the Jews, Mordecai's people, throughout the kingdom of Ahasuerus. <sup>7</sup> In the first month, that is, the month of Nisan, in the twelfth year of King Ahasuerus, *pur* – which means "the lot" – was cast before Haman concerning every day and every month, [until it fell on] the twelfth month, that is, the month of Adar. <sup>8</sup> Haman then said to King Ahasuerus, "There is a certain people, scattered and dispersed among the other peoples in all the provinces of your realm, whose laws are different from those of any other people and who do not obey the king's laws; and it is not in Your Majesty's interest to tolerate them. <sup>9</sup> If it please Your Majesty, let an edict be drawn for their destruction, and I will pay ten thousand talents of silver to the stewards for deposit in the royal treasury." <sup>10</sup> Thereupon the king removed his signet ring from his hand and gave it to Haman son of Hammedatha the Agagite, the foe of the Jews. <sup>11</sup> And the king said, "The money and the people are yours to do with as you see fit."

א אחר הדברים האלה, גדל המלך אחשוורוש את-המן בן-המדתא האגגי - וינשאהו; וישם, את-כסאו, מעל, כל-השרים אשר אתו. ב וכל-עבדי המלך אשר-בשער המלך, כרעים ומשתחוים להמן - כיי-כן, צוה-לו המלך; ומרדכי - לא יכרע, ולא ישתחוה. ג ויאמרו עבדי המלך, אשר-בשער המלך - למרדכי: מדוע אתה עובר, את מצות המלך. ד ויהי, באמרם (כאמרם) אליו יום ויום, ולא שמע, אליהם; ויגידו להמן, לראות היעמדו דברי מרדכי - כיהגיד להם, אשר-הוא יהודי. ה וירא המן - כיי-איו מרדכי, כרע ומשתחוה לו; וימלא המן, חמה. ו ויבו בעיניו, לשלח יד במרדכי לבדו - כיהגידו לו, את-עם מרדכי; ויבקש המן, להשמיד את-כל-היהודים אשר בכל-מלכות אחשוורוש - עם מרדכי. ז בחדש הראשון, הוא-חדש ניסן, בשנת שתים עשרה, למלך אחשוורוש: הפיל פור הוא הגורל לפני המן, מיום ליום ומחדש לחדש שנים-עשר - הוא-חדש אדר. ח ויאמר המן, למלך אחשוורוש - ישנו עם אחד מפזר ומפזר בין העמים, בכל מדינות מלכותך; ודתיהם שנות מפל-עם, ואת-דתי המלך אינם עשים, ולמלך אין-שוה, להניחם. ט אם-על-המלך טוב, יכתב לאבדם; ועשרת אלפים כפר-כסף, אשקול על-ידי עשי המלאכה, להביא, אל-גנזי המלך. י ויסר המלך את-טבעתו, מעל ידו; ויתנה, להמן בן-המדתא האגגי - צרר היהודים. יא ויאמר המלך להמן, הכסף נתון לך; והעם, לעשות בו כטוב בעיניך.

#### 4. Genesis 12:1–2

<sup>1</sup> The LORD said to Abram, “Go forth from your native land and from your father’s house to the land that I will show you. <sup>2</sup> I will make of you a great nation, and I will bless you; I will make your name great, and you shall be a blessing.

א וַיֹּאמֶר יְהוָה אֶל־אַבְרָם, לֵךְ־לְךָ מֵאֶרֶץ וּמִמּוֹלַדְתְּךָ וּמִבֵּית אָבִיךָ, אֶל־הָאָרֶץ, אֲשֶׁר אֲרָאָךְ. ב וְאַעֲשֶׂה לְךָ גְדוֹל, וְאַבְרַכְךָ, וְאַגְדֹּלְךָ שְׁמִי; וְהָיָה, בְּרַכְּךָ.

#### 5. Genesis 12:10

<sup>10</sup> There was a famine in the land, and Abram went down to Egypt to sojourn there, for the famine was severe in the land.

י וַיְהִי רָעָב, בְּאֶרֶץ; וַיֵּרֶד אַבְרָם מִצְרַיִם לְגוֹר שָׁם, כִּי־כָבֵד הָרָעָב בְּאֶרֶץ.

#### 6. Jeremiah 29:1–14

<sup>1</sup> This is the text of the letter which the prophet Jeremiah sent from Jerusalem to the priests, the prophets, the rest of the elders of the exile community, and to all the people whom Nebuchadnezzar had exiled from Jerusalem to Babylon – <sup>2</sup> after King Jeconiah, the queen mother, the eunuchs, the officials of Judah and Jerusalem, and the craftsmen and smiths had left Jerusalem. <sup>3</sup> [The letter was sent] through Elasah son of Shaphan and Gemariah son of Hilkiah, whom King Zedekiah of Judah had dispatched to Babylon, to King Nebuchadnezzar of Babylon.

א וְאֵלֶּה דְבַרֵי הַסֵּפֶר, אֲשֶׁר שָׁלַח יְרֵמְיָה הַנְּבִיא מִירוּשָׁלַם – אֶל־יְתָר זְקַנֵי הַגּוֹלָה, וְאֶל־הַכֹּהֲנִים וְאֶל־הַנְּבִיאִים וְאֶל־כָּל־הָעָם, אֲשֶׁר הִגְלָה נְבוּכַדְנֶאצַּר מִירוּשָׁלַם, בַּבֶּלָה. ב אַחֲרֵי צֵאת יְכִנְיָה־הַמֶּלֶךְ וְהַגְבִּירָה וְהַסְּרִיסִים שְׂרֵי יְהוּדָה וִירוּשָׁלַם, וְהַחֲרָשׁ וְהַמְּסַגֵּר – מִירוּשָׁלַם. ג בֵּיַד אֶלְעָשָׂה בִן־שַׁפָּן, וְגַמְרִיָּה בִן־חֶלְקִיָּה: אֲשֶׁר שָׁלַח צְדָקְיָה מֶלֶךְ־יְהוּדָה, אֶל־נְבוּכַדְנֶאצַּר מֶלֶךְ בָּבֶל – בְּבָלָה לֵאמֹר.

<sup>4</sup> Thus said the LORD of Hosts, the God of Israel, to the whole community which I exiled from Jerusalem to Babylon: <sup>5</sup> Build houses and live in them, plant gardens and eat their fruit.

ד כֹּה אָמַר יְהוָה צְבָאוֹת, אֱלֹהֵי יִשְׂרָאֵל: לְכֹל־הַגּוֹלָה – אֲשֶׁר־הִגַּלְתִּי מִירוּשָׁלַם, בְּבָלָה. ה בְּנוּ בָתִּים, וְשִׁבוּ; וְנִטְעוּ גִּנּוֹת, וְאָכְלוּ אֶת־פְּרִיָן. ו קָחוּ נָשִׁים, וְהוֹלִידוּ בָנִים וּבָנוֹת, וְקָחוּ לְבָנֵיכֶם נָשִׁים וְאֶת־בָּנוֹתֵיכֶם תְּנוּ לְאִנָּשִׁים, וְתִלְדְּנָה בָנִים וּבָנוֹת; וּרְבוּ־שָׁם, וְאַל־תִּמְעָטוּ. ז וְדַרְשׁוּ אֶת־שְׁלוֹם הָעִיר, אֲשֶׁר הִגַּלְתִּי אֶתְכֶם שָׁמָּה, וְהִתְפַּלְלוּ בְעַדָּהּ, אֶל־יְהוָה: כִּי בְשָׁלוֹמָהּ, יְהִי־לָכֶם שְׁלוֹם.

<sup>6</sup> Take wives and beget sons and daughters; and take wives for your sons, and give your daughters to husbands, that they may bear sons and daughters. Multiply there, do not decrease.

<sup>7</sup> And seek the welfare of the city to which I have exiled you and pray to the LORD on its behalf; for in its prosperity you shall prosper.

<sup>8</sup> For thus said the LORD of Hosts, the God of Israel: Let not the prophets and diviners in your midst deceive you, and pay no heed to the dreams they dream. <sup>9</sup> For they prophesy to you in My name falsely; I did not send

ח כִּי כֹה אָמַר יְהוָה צְבָאוֹת, אֱלֹהֵי יִשְׂרָאֵל, אֶל־יְשִׁיאֵי לָכֶם נְבִיאֵיכֶם אֲשֶׁר־בְּקִרְבְּכֶם, וְקִסְמֵיכֶם; וְאַל־תִּשְׁמְעוּ, אֶל־חֲלֹמֹתֵיכֶם, אֲשֶׁר אַתֶּם, מְחַלְמִים. ט כִּי בְשֶׁקֶר, הֵם נִבְאִים לָכֶם בְּשְׁמִי: לֹא שְׁלַחְתִּים, נְאֻם־יְהוָה.

them – declares the LORD. <sup>10</sup> For thus said the LORD: When Babylon's seventy years are over, I will take note of you, and I will fulfill to you My promise of favor-to bring you back to this place. <sup>11</sup> For I am mindful of the plans I have made concerning you – declares the LORD – plans for your welfare, not for disaster, to give you a hopeful future. <sup>12</sup> When you call Me, and come and pray to Me, I will give heed to you. <sup>13</sup> You will search for Me and find Me, if only you seek Me wholeheartedly. <sup>14</sup> I will be at hand for you – declares the LORD – and I will restore your fortunes. And I will gather you from all the nations and from all the places to which I have banished you-declares the LORD and I will bring you back to the place from which I have exiled you.

י כִּי־כֹה, אָמַר יְהוָה, כִּי לְפִי מְלֵאת לְכָבֵד שְׂבָעִים שָׁנָה, אֶפְקֹד אֶתְכֶם; וְהִקְמַתִי עֲלֵיכֶם, אֶת־דְּבַר־יְהוָה הַטּוֹב, לְהָשִׁיב אֶתְכֶם, אֶל־הַמָּקוֹם הַזֶּה. יא כִּי אֲנֹכִי יֹדְעֵתִי אֶת־הַמַּחְשְׁבֹת, אֲשֶׁר אֲנֹכִי חָשַׁב עֲלֵיכֶם – נְאֻם־יְהוָה: מַחְשְׁבוֹת שְׁלוֹם וְלֹא לְרָעָה, לְתֵת לָכֶם אַחֲרַיִת וְתִקְוָה. יב וְקִרְאתֶם אֵתִי וְהִלַּכְתֶּם, וְהִתְפַּלַּלְתֶּם אֵלָי; וְשָׁמַעְתִּי, אֵלֵיכֶם. יג וּבִקְשַׁתֶּם אֵתִי, וּמְצֹאתֶם: כִּי תִדְרְשֻׁנִי, בְּכָל־לִבְבְּכֶם. יד וְנִמְצָאתִי לָכֶם, נְאֻם־יְהוָה, וְשָׁבַתִּי אֶת־שְׂבִיתְכֶם (שְׂבוּתְכֶם) וְקִבַּצְתִּי אֶתְכֶם מִכָּל־הַגּוֹיִם וּמִכָּל־הַמְּקוֹמוֹת אֲשֶׁר הִדַּחְתִּי אֶתְכֶם שָׁם, נְאֻם־יְהוָה; וְהִשְׁבַּתִּי אֶתְכֶם – אֶל־הַמָּקוֹם, אֲשֶׁר־הִגְלִיתִי אֶתְכֶם מִשָּׁם.

## 7. Psalms 137:1–5

<sup>1</sup> By the rivers of Babylon, there we sat, sat and wept, as we thought of Zion. <sup>2</sup> There on the poplars we hung up our lyres, <sup>3</sup> for our captors asked us there for songs, our tormentors for amusement, “Sing us one of the songs of Zion.” <sup>4</sup> How can we sing a song of the LORD on alien soil? <sup>5</sup> If I forget you, O Jerusalem, let my right hand wither.

א עַל נְהַרוֹת, בְּכָל־שָׁם יֹשְׁבָנוּ, גַּם־בָּכִינוּ: בְּזִכְרֵנוּ, אֶת־צִיּוֹן. ב עַל־עַרְבִים בְּתוֹכָהּ – תְּלִינוּ, כְּנִרְוֹתֵינוּ. ג כִּי שָׁם שָׁאֲלוּנוּ שׁוֹבֵינֵנוּ, דְּבַר־יְהוָה – וְתוֹלְלֵינוּ שְׁמִיחָה: שִׁירוּ לָנוּ, מְשִׁיר צִיּוֹן. ד אִיךָ – נִשְׁרֵר אֶת־שִׁיר־יְהוָה: עַל, אֲדַמַּת נָכַר. ה אִם־אֶשְׁכַּחךָ יְרוּשָׁלָּם – תִּשְׁכַּח יְמִינִי.

## 8. Jacob Blaustein, "The Voice of Reason," Address to American Jewish Committee's Executive Community, Apr. 29, 1950, excerpt

There are a few unthinking Jewish nationalists who appear to want to assign to Israel the role of ingathering Jews from all over the world in the false belief that Jewish life outside of Israel – in exile as they put it – is without spiritual value, cultural significance, or hope of personal or group security... We repudiate vigorously the suggestion that American Jews are in Exile. The future of American Jewry, of our children and our children's children is entirely linked with the future of America. We have no alternative, and we want no alternative.

## Background Reading

### 1. Yuval Noah Harari, *Sapiens: A Brief History of Humankind* (2011), 25–30

Our chimpanzee cousins usually live in small troops of several dozen individuals. They form close friendships, hunt together and fight shoulder to shoulder against baboons, cheetahs and enemy chimpanzees . . . There are clear limits to the size of groups that can be maintained in such a way. In order to function, all members of the group must know each other intimately. Two chimpanzees who have never met, never fought and never engaged in mutual grooming will not know whether they can trust each one another, whether it would be worthwhile to help one another, and which of them ranks higher. Under natural conditions a typical chimpanzee troop consists of about twenty to fifty individuals. As the number of chimpanzees in a troop increases, the social order destabilizes, eventually leading to rupture and the formation of a new troop by some of the animals . . .

Similar patterns probably dominated the social lives of early humans, including archaic *Homo sapiens*. Humans, like chimps, have social instincts that enabled our ancestors to form friendships, and hierarchies, and to hunt and fight together. However, like the social instincts of chimps, those of humans were adapted only for small intimate groups. When the group grew too large, its social order destabilized and the band split . . .

How did *Homo sapiens* manage to cross this critical threshold, eventually founding cities comprising tens of thousands of inhabitants and empires ruling hundreds of millions? The secret was probably the appearance of fiction. Large numbers of strangers can cooperate by believing in common myths.

Any large-scale human cooperation – whether a modern state, a medieval church, an ancient city or an archaic tribe – is rooted in common myths that exist only in people’s collective imagination. Churches are rooted in common religious myths. Two Catholics who have never met can nevertheless go together on crusade or pool funds to build a hospital because they both believe that God was incarnated in human flesh and allowed Himself to be crucified to redeem our sins. States are rooted in common national myths. Two Serbs who have never met might risk their lives to save one another because both believe in the existence of the Serbian nation, the Serbian homeland and the Serbian flag . . .

Telling effective stories is not easy. The difficulty lies not in telling the story, but in convincing everyone else to believe it. Much of history revolves around this question: how does one convince millions of people to believe particular stories about gods, or nations, or limited liability companies? Yet when it succeeds, it gives Sapiens immense power, because it enables millions of strangers to cooperate and work towards common goals . . .

Unlike lying, an imagined reality is something that everyone believes in, and as long as this communal belief persists, the imagined reality exerts force in the world . . .

Since large scale human cooperation is based on myths, the ways people cooperate can be altered by changing the myths, by telling different stories.

## 2. Hayyim Nahman Bialik, "Jewish Dualism," *Revelment and Concealment* (2000), excerpt

Many students of our nation *Gestalt* have dealt with the phenomenon of dualism in our psyche as fundamental characteristic of the Jewish people. By dualism we mean the rule of two traits in the nation's soul, one contradicting the other. In this dualism, we can discern the source of our misfortunes and greatest afflictions but it is the source of our strength and happiness as well.

This dualism turns the soul of the nation into a battlefield where an incessant war rages. It is an impoverishing war. The two forces maul each other, thereby weakening the nation; but, on the other hand, they enrich our national content by not permitting us to drop off to sleep. Paradoxically enough, these opposing forces couple and are fruitful, so that the nation becomes many-sided and diversified.

In what is this Hebrew dualism revealed? One does not have to look for it long or in faraway places. It is to be found in all the primary and secondary views of Jewish history. It will be enough to recall the two aims serving the nation side by side as well as alternately, one declining for a time and the other in the ascendancy again for a time. I mean the tendency to expand and its opposite, to contract. These two tendencies have left their stamp on our whole history from beginning to end, on all the nation's modes of life and thought, and, wittingly or unwittingly, on its chief actions. And this was true not only during exile. If we investigate ancient Jewish times and perhaps even its earliest history we shall discover these two tendencies – on the one hand the desire to expand from the center and, on the other, to contract toward it and cleave to it. No nation strives to be swallowed up in other groups as much as the Jews and, at the same time, to remain an entity – an entity whose least particle is still recognizably Jewish: a nation which builds a ghetto for itself in its place of dispersion and adjusts its life to an alien environment and, in a time of national emergency, permits itself to be killed over a minuscule change in its religion; a group which adapts itself to the way of life of a whole world but nevertheless remains "a people dwelling apart, not reckoned among nations" ...

After wandering for thousands of years and after endless changes and re-evaluations, after influencing the whole world and being influenced by it, we are now, for the third or fourth time, once again returning to our land. And here we are destined to fashion a culture sevenfold greater and richer than any we have heretofore created or absorbed. And who knows? Perhaps after hundreds of years we will be emboldened to make another exodus which will lead to the spreading of our spirit over the world and an assiduous striving toward glory.

### 3. Exchange Between AJC President Jacob Blaustein and PM David Ben Gurion, Aug. 23, 1950

From: Paul Mendes-Flohr and Jehuda Reinharz, eds., *The Jew in the Modern World: A Documentary History*, 2nd ed., 524–528

STATEMENTS BY PRIME MINISTER DAVID BEN-GURION AND MR. JACOB BLAUSTEIN ON THE RELATIONSHIP BETWEEN ISRAEL AND AMERICAN JEWS  
AUGUST 23, 1950

MR. BEN-GURION: We are very happy to welcome you here in our midst as a representative of the great Jewry of the United States to whom Israel owes so much. No other community abroad has so great a stake in what has been achieved in this country during the present generation as have the Jews of America. Their material and political support, their warm-hearted and practical idealism, has been one of the principal sources of our strength and our success. In supporting our effort, American Jewry has developed, on a new plane, the noble conception, maintained for more than half a century, of extending its help for the protection of Jewish rights throughout the world and of rendering economic aid wherever it was needed. We are deeply conscious of the help which America has given to us here in our great effort of reconstruction and during our struggle for independence. This great tradition has been continued since the establishment of the State of Israel. You, Mr. Blaustein, are one of the finest examples of that tradition, and as an American and as a Jew you have made many and significant contributions to the Jewish cause and to the cause of democracy. We are therefore happy on this occasion of your visit here as our guest, to discuss with you matters of mutual interest and to clarify some of the problems which have arisen in regard to the relationship between the people of Israel and the Jewish communities abroad, in particular the Jewish community of the United States. It is our great pride that our newly gained independence has enabled us in this small country to undertake the major share of the great and urgent task of providing permanent homes under conditions of full equality to hundreds of thousands of our brethren who cannot remain where they are and whose heart is set on rebuilding their lives in Israel. In this great task you and we are engaged in a close partnership. Without the readiness for sacrifice of the people of Israel and without the help of America this urgent task can hardly be achieved. It is most unfortunate that since our State came into being some confusion and misunderstanding should have arisen as regards the relationship between Israel and the Jewish communities abroad, in particular that of the United States. These misunderstandings are likely to alienate sympathies and create disharmony where friendship and close understanding are of vital necessity. To my mind, the position is perfectly clear. The Jews of the United States, as a community and as individuals, have only one political attachment and that is to the United States of America. They owe no political allegiance to Israel. In the first statement which the representative of Israel made before the United Nations after her admission to that international organization, he clearly stated, without any reservation, that the State of Israel represents and speaks only on behalf of its own citizens and in no way presumes to represent or speak in the name of the Jews who are citizens of any other country.

We, the people of Israel, have no desire and no intention to interfere in any way with the internal affairs of Jewish communities abroad. The Government and the people of Israel fully respect the right and integrity of the Jewish communities in other countries to develop their own mode of life and their indigenous social, economic and cultural institutions in accordance with their own needs and aspirations. Any weakening of American Jewry, any disruption of its communal life, any lowering of its sense of security, any diminution of its status, is a definite loss to Jews everywhere and to Israel in particular. We are happy to know of the deep and growing interest which American Jews of all shades and convictions take in what it has fallen to us to achieve in this country. Were we, God forbid, to fail in what we have undertaken on our own behalf and on behalf of our suffering brethren, that failure would cause grievous pain to Jews everywhere and nowhere more than in your community. Our success or failure depends in a large measure on our cooperation with, and on the strength of, the great Jewish community of the United States, and we, therefore, are anxious that nothing should be said or done which could in the slightest degree undermine the sense of security and stability of American Jewry. In this connection let me say a word about immigration. We should like to see American Jews come and take part in our effort. We need their technical knowledge, their unrivalled experience, their spirit of enterprise, their bold vision, their "know-how." We need engineers, chemists, builders, work managers and technicians. The tasks which face us in this country are eminently such as would appeal to the American genius for technical development and social progress. But the decision as to whether they wish to come – permanently or temporarily – rests with the free discretion of each American Jew himself. It is entirely a matter of his own volition. We need halutzim, pioneers, too. Halutzim have come to us – and we believe more will come, not only from those countries where the Jews are oppressed and in "exile" but also from countries where the Jews live a life of freedom and are equal in status to all other citizens in their country. But the essence of halutzit is free choice. They will come from among those who believe that their aspirations as human beings and as Jews can best be fulfilled by life and work in Israel. I believe I know something of the spirit of American Jewry among whom I lived for some years. I am convinced that it will continue to make a major contribution towards our great effort of reconstruction, and I hope that the talks we have had with you during these last few days will make for even closer cooperation between our two communities.

MR. BLAUSTEIN: I am very happy, Mr. Prime Minister, to have come here at your invitation and to have discussed with you and other leaders of Israel the various important problems of mutual interest. This is the second time I have been here since the State of Israel was created. A year and a half ago my colleagues and I, of the American Jewish Committee, saw evidence of the valor that had been displayed, and felt the hopes and aspirations that had inspired the people to win a war against terrific odds. This time, I have witnessed the great achievements that have taken place in the interval and have discussed the plans which point the road upon which the present-day Israel intends to travel. I find that tremendous progress has been made under your great leadership; but also, as you well know, tremendous problems loom ahead. The

nation is confronted with gigantic tasks of reconstruction and rehabilitation, and with large economic and other problems, as is to be expected in so young a state. I am sure that with your rare combination of idealism and realism, you will continue to tackle these matters vigorously; and that with your usual energy, resourcefulness and common sense, you will be able to overcome them. Traveling over the country and visiting both old and newly established settlements, it has been a thrill to observe how you are conquering the desert of the Negev and the rocks of Galilee and are thus displaying the same pioneering spirit that opened up the great West of my own country. It has been satisfying to see right on the scene, how well and to what good advantage you are utilizing the support from the American Jewish community. I am sure, too, that the American tractors and other machinery and equipment acquired through the loan granted by the Export-Import Bank will further contribute to the technological development of your country.



## UNIT 2

# JUDAISM OF BEING

The story of Jewish peoplehood has always been complicated by two different stories, the Covenant of Being and the Covenant of Becoming. In the Covenant of Being, Jews are defined by who we *are*, and not by what we *do*. In this ethnic, familial identity, Jewishness is permanent and unconditional. This unit explores the advantages, obligations, and risks associated with this dimension of Jewish identity.

### UNIT 2 SOURCES

1. Nehemiah 9:6–31	14
2. Genesis 12:1–3	16
3. Genesis 13:14–17	16
4. Genesis 22:16–18	17
5. Genesis Rabbah 63:6	17
6. Rashi on Genesis 25:25	17
7. Genesis Rabbah 63:10	17
8. Genesis Rabbah 65:1	18
9. Numbers Rabbah 3:2	18
10. Leviticus 26:44–45	18
11. Babylonian Talmud, Sanhedrin 44a	18
12. Tzitz Eliezer 13:93	19
13. Passover Haggadah	19
14. The Fathers According to Rabbi Nathan, Chapter 2	20

### BACKGROUND READING

1. Donniel Hartman, “The Genesis Jew: The Judaism Of Being,” <i>Who Are the Jews?</i> (Forthcoming)	21
---	----

## 1. Nehemiah 9:6–31

<sup>6</sup> And Ezra said: ‘**You** are the LORD, **you** alone; **you** have made heaven, the heaven of heavens, with all their host, the earth and all that is on it, the seas and all that is in them. To all of them **you** give life, and the host of heaven worships **you**. <sup>7</sup> **You** are the LORD, the God who chose Abram and brought him out of Ur of the Chaldeans and gave him the name Abraham; <sup>8</sup> and **you** found his heart faithful before **you**, and made with him a covenant to give to his descendants the land of the Canaanite, the Hittite, the Amorite, the Perizzite, the Jebusite, and the Girsashite; and **you** have fulfilled your promise, for **you** are righteous. <sup>9</sup> And **you** saw the distress of our ancestors in Egypt and heard their cry at the Red Sea. <sup>10</sup> **You** performed signs and wonders against Pharaoh and all his servants and all the people of his land, for **you** knew that **they** acted insolently against our ancestors. **You** made a name for yourself, which remains to this day. <sup>11</sup> And **you** divided the sea before them, so that **they** passed through the sea on dry land, but **you** threw their pursuers into the depths, like a stone into mighty waters. <sup>12</sup> Moreover, **you** led them by day with a pillar of cloud, and by night with a pillar of fire, to give them light on the way in which **they** should go. <sup>13</sup> **You** came down also upon Mount Sinai, and spoke with them from heaven, and gave them right ordinances and true laws, good statutes and commandments. <sup>14</sup> and **you** made known your holy sabbath to them and gave them commandments and statutes and a law through your servant Moses. <sup>15</sup> For their hunger **you** gave them bread from heaven, and for their thirst **you** brought water for them out of the rock, and **you** told them to go in to possess the land that **you** swore to give them.

<sup>16</sup> ‘But **they** and our ancestors acted presumptuously and stiffened their necks and did not obey your commandments; <sup>17</sup> **they** refused to obey, and were not mindful of the wonders that **you** performed among them; but **they** stiffened

ו אתה־הוא יהוה, לְבַדְּךָ – את (אתה) עשית את־השמים  
שמי השמים וכל־צבאם הארץ וכל־אשר עליה הימים  
וכל־אשר בהם, ואתה מחיה את־כלם; וצבא השמים,  
לך משתחוים. ו אתה־הוא, יהוה האלהים, אשר בחרת  
באברם, והוצאתו מאור כשדים; ושמת שמו, אברהם.  
ו ומצאת את־לבו, נאמן לפניך, וכרות עמו הברית  
לתת את־ארץ הכנעני החתי האמרי והפרזי והיבוסי  
והגרגשי, לתת לזרעו; ותקם, את־דברך, כי צדיק,  
אתה. ו תרא את־עני אבתינו, במצרים; ואת־זעקתם  
שמעת, על־ים־סוף. ו ותתן אתה ומפתים בפרעה  
ובכל־עבדיו, ובכל־עם ארצו – כי ידעת, כי הזידו  
עליהם; ותעש־לך שם, כהיום הזה. יא והים בקעת  
לפניהם, ויעברו בתוך־הים ביבשה; ואת־רדפייהם  
השלת במצולת, כמו־אבן – במים עזים. יב ובעמוד  
ענן, הנחיתם יומם; ובעמוד אש, לילה, להאיר להם,  
את־הדרך אשר ילכו־בה. יג ועל הר־סיני ירדת, ודבר  
עמם משמים; ותתן להם משפטים ישרים, ותורות  
אמת – חקים ומצוות, טובים. יד ואת־שבת קדשך,  
הודעת להם; ומצוות וחקים, ותורה, צוית להם, ביד  
משה עבדך. טו ולחם משמים נתתה להם, לרעבם,  
ומים מסלע הוצאת להם, לצמאם; ותאמר להם, לבוא  
לרשת את־הארץ, אשר־נשאת את־יך, לתת להם.

טז והם ואבתינו, הזידו; ויקשו, את־ערפם, ולא שמעו,  
אל־מצותיך. יז וימאנו לשמע, ולא־זכרו נפלאתיך  
אשר עשית עמם, ויקשו את־ערפם, ויתנו־ראש לשוב  
לעבדתם במרים; ואתה אלוה סליחות חנון ורחום,  
ארה־אפים ורבי־חסד (חסד) – ולא עזבתם.

their necks and determined to return to their slavery in Egypt. But **you** are a God ready to forgive, gracious and merciful, slow to anger and abounding in steadfast love, and **you** did not forsake them.

<sup>18</sup> Even when **they** had cast an image of a calf for themselves and said, “This is your God who brought **you** up out of Egypt”, and had committed great blasphemies, <sup>19</sup> **you** in your great mercies did not forsake them in the wilderness; the pillar of cloud that led them in the way did not leave them by day, nor the pillar of fire by night that gave them light on the way by which **they** should go. <sup>20</sup> **You** gave **your** good spirit to instruct them, and did not withhold your manna from their mouths, and gave them water for their thirst. <sup>21</sup> For forty years **you** sustained them in the wilderness so that **they** lacked nothing; their clothes did not wear out and their feet did not swell. <sup>22</sup> And **you** gave them kingdoms and peoples, and allotted to them every corner, so **they** took possession of the land of King Sihon of Heshbon and the land of King Og of Bashan. <sup>23</sup> **You** multiplied their descendants like the stars of heaven, and brought them into the land that **you** had told their ancestors to enter and possess. <sup>24</sup> So the descendants went in and possessed the land, and **you** subdued before them the inhabitants of the land, the Canaanites, and gave them into their hands, with their kings and the peoples of the land, to do with them as **they** pleased. <sup>25</sup> And **they** captured fortress cities and a rich land, and took possession of houses filled with all sorts of goods, hewn cisterns, vineyards, olive orchards, and fruit trees in abundance; so **they** ate, and were filled and became fat, and delighted in your great goodness.

<sup>26</sup> ‘Nevertheless **they** were disobedient and rebelled against **you** and cast your law behind their backs and killed your prophets, who had warned them in order to turn them back to **you**, and **they** committed great blasphemies.

<sup>27</sup> Therefore **you** gave them into the hands of

יח אף, כִּי־עָשׂוּ לָהֶם עֲגֹל מַסְכָּה, וַיֹּאמְרוּ, זֶה אֱלֹהֵיךָ  
אֲשֶׁר הֵעֲלֶךָ מִמִּצְרָיִם; וַיַּעֲשׂוּ, נִאֲצוֹת גְּדוֹלוֹת. יט וְאֵתָה  
בְּרַחֲמֶיךָ הַרְבִּימָה, לֹא עֲזַבְתָּם בַּמִּדְבָּר; אֶת־עַמּוּד הָעָנָן  
לֹא־סָר מֵעֲלֵיהֶם בְּיוֹמָם, לְהַנְחִיתָם בַּהֲדָרָה, וְאֶת־עַמּוּד  
הָאֵשׁ בְּלַיְלָה לְהַאֲוִיר לָהֶם, וְאֶת־הַדֶּרֶךְ אֲשֶׁר יִלְכוּ־בָהּ.  
כ וְרוּחְךָ, הַשׁוֹבָה, נָתַתָּ, לְהַשְׂכִּילָם; וּמִנָּה לֹא־מִנַּעַתָּ  
מִפִּיהֶם, וַיִּמַּח נִתְּתָה לָהֶם לְצַמְאֵם. כא וְאַרְבָּעִים שָׁנָה  
כָּל־כַּלְתָּם בַּמִּדְבָּר, לֹא חָסְרוּ; שָׁלַמְתִּיהֶם לֹא כָלוּ,  
וְרַגְלֵיהֶם לֹא כָצְקוּ. כב וַתִּתֵּן לָהֶם מַמְלָכוֹת וְעַמְּמִים,  
וַתַּחֲלִקֵם לְפָאָה; וַיִּירְשׂוּ אֶת־אֶרֶץ סִיחֹן, וְאֶת־אֶרֶץ  
מֶלֶךְ חֶשְׁבוֹן, וְאֶת־אֶרֶץ, עוֹג מֶלֶךְ־הַבְּשָׁן. כג וּבְנִייהֶם  
הַרְבִּיתָ, כַּכֹּכָבִים הַשָּׁמַיִם; וַתְּבִיאֵם, אֶל־הָאֶרֶץ, אֲשֶׁר־  
אָמַרְתָּ לְאַבְתֵּיהֶם, לְכוּ לְרִשְׁתָּהּ. כד וַיָּבֹאוּ הַבְּנִיִּים, וַיִּירְשׂוּ  
אֶת־הָאֶרֶץ, וַתִּכְנַע לְפָנֵיהֶם אֶת־יֹשְׁבֵי הָאֶרֶץ הַכְּנַעֲנִים,  
וַתִּתְּנֵם בְּיָדָם; וְאֶת־מַלְכֵיהֶם וְאֶת־עַמְּמֵי הָאֶרֶץ, לַעֲשׂוֹת  
בָּהֶם כְּרִצּוֹנָם. כה וַיִּלְכְּדוּ עָרִים בְּצוּרֹת, וְאֲדָמָה שְׂמֹנֶה,  
וַיִּירְשׂוּ בָתִּים מְלֵאִים־כֶּל־טוֹב בְּרוֹת חֲצוּבִים כְּרָמִים  
וְזֵיתִים וְעֵץ מֵאֲכָל, לָרֵב; וַיֹּאכְלוּ וַיִּשְׂבְּעוּ וַיִּשְׂמִינוּ,  
וַיִּתְעַדְנוּ בְּטוֹבְךָ הַגָּדוֹל.

כז וַיִּמְרְדוּ וַיִּשְׁלַכּוּ אֶת־תּוֹרָתְךָ אַחֲרֵי גֹם,  
וְאֶת־נְבִיאֶיךָ הֲרַגּוּ, אֲשֶׁר־הִעִידוּ בָּם לְהַשִּׁיבָם אֵלֶיךָ;  
וַיַּעֲשׂוּ, נִאֲצוֹת גְּדוֹלוֹת. כח וַתִּתְּנֵם בְּיַד צָרִיהֶם, וַיִּצְרוּ  
לָהֶם; וּבָעַת צָרְתָם, יִצְעָקוּ אֵלֶיךָ, וְאֵתָה מִשְׁמִים תִּשְׁמָע,  
וּכְרַחֲמֶיךָ הַרְבִּימָה תִּתֵּן לָהֶם מוֹשִׁיעִים וַיּוֹשִׁיעוּם מִיַּד  
צָרֵיהֶם.

their enemies, who made them suffer. Then in the time of their suffering **they** cried out to **you** and **you** heard them from heaven, and according to your great mercies **you** gave them saviours who saved them from the hands of their enemies.<sup>28</sup> But after **they** had rest, **they** again did evil before **you**, and **you** abandoned them to the hands of their enemies, so that **they** had dominion over them; yet when **they** turned and cried to **you**, **you** heard from heaven, and many times **you** rescued them according to your mercies.<sup>29</sup> And **you** warned them in order to turn them back to your law. Yet **they** acted presumptuously and did not obey your commandments, but sinned against your ordinances, by the observance of which a person shall live. **They** turned a stubborn shoulder and stiffened their neck and would not obey.<sup>30</sup> For many years **you** were patient with them, and warned them by your spirit through your prophets; yet **they** would not listen. Therefore **you** handed them over to the peoples of the lands.<sup>31</sup> Nevertheless, in your great mercies **you** did not make an end of them or forsake them, for **you** are a gracious and merciful God.

## 2. Genesis 12:1–3

<sup>1</sup> Now the LORD said to Abram, ‘Go from your country and your kindred and your father’s house to the land that I will show you.’<sup>2</sup> I will make of you a great nation, and I will bless you, and make your name great, so that you will be a blessing.<sup>3</sup> I will bless those who bless you, and the one who curses you I will curse; and in you all the families of the earth shall be blessed.

## 3. Genesis 13:14–17

<sup>14</sup> The LORD said to Abram, after Lot had separated from him, ‘Raise your eyes now, and look from the place where you are, northwards and southwards and eastwards and westwards;’<sup>15</sup> for all the land that you see I will give to you and to your offspring forever.<sup>16</sup> I will make your

כח וכנוח להם - ישובו, לעשות רע לפניך; ותעזבם ביד איביהם, וירדו בהם, וישובו ויזעקו, ואתה משמים תשמע ותצילם כרחמיך רבות עתים. כט ותעד בהם להשיכם אל-תורתך, והמה הזידו ולא-שמעו למצותיך ובמשפטיך חטאו-כם, אשר-יעשה אדם, וחייה בהם; ויתנו כתף סוררת, וערפם הקשו ולא שמעו. ל ותמשך עליהם שנים רבות, ותעד כם ברוחה ביד-נביאיך ולא האזינו; ותתנם, ביד עמי הארצת. לא וברחמיך הרבים לא-עשיתם כלה, ולא עזבתם: כי אל-חגון ורחום, אתה.

א ויאמר יהוה אל-אברם, לך-לך מארצך וממולדתך ומבית אביך, אל-הארץ, אשר אראך. ב ואעשה, לגוי גדול, ואברכה, ואגדלה שמך; והיה, ברכה. ג ואברכה, מברכך, ומקללך, אאר; ונברכו כה, כל משפחת האדמה.

יד ויהוה אמר אל-אברם, אחרי הפרד-לוט מעמו, שא נא עיניך וראה, מן-המקום אשר-אתה שם-צפנה ונגבה, וקדמה וימה. טו כי את-כל-הארץ אשר-אתה ראה, לך אתננה, ולזרעה, עד-עולם. טז ושמתי את-זרעה, כעפר הארץ: אשר אם-יוכל איש, למנות את-עפר הארץ-גם-זרעה, ימנה.

offspring like the dust of the earth; so that if one can count the dust of the earth, your offspring also can be counted.<sup>17</sup> Rise up, walk through the length and the breadth of the land, for I will give it to you.

#### 4. Genesis 22:16–18

<sup>16</sup> And said, “By Myself I swear, the LORD declares: Because you have done this and have not withheld your son, your favored one,<sup>17</sup> I will bestow My blessing upon you and make your descendants as numerous as the stars of heaven and the sands on the seashore; and your descendants shall seize the gates of their foes.<sup>18</sup> All the nations of the earth shall bless themselves by your descendants, because you have obeyed My command.”

#### 5. Genesis Rabbah 63:6

“And the children struggled in her womb.” (Genesis 25:22) When she came near synagogues or schools (of Torah learning), Jacob struggled to come out... While when she passed idolatrous temples, Esau eagerly struggled to come out.

#### 6. Rashi on Genesis 25:25

“The first one emerged red, like a hairy mantle all over; so they named him Esau.” (Genesis 25:25) “Red”: a sign that he would always be shedding blood.

#### 7. Genesis Rabbah 63:10

“When the boys grew up [Esau became a skillful hunter, a man of the outdoors; but Jacob was a mild man who stayed in camp].” (Genesis 25:27) So long as they were young they could not be distinguished by what they did, and no one paid much attention to their characters, but when they reached the age of thirteen, one went his way to the houses of learning and the other went his way to the idolatrous temples.

י קום התהלך בארץ, לארבה ולרחבה: כי לה, אתננה.

טו ויאמר, בי נשבעתי נאם-יהוה: כי, יען אשר עשית את-הדבר הזה, ולא חשכת, את-בנה את-יחידה. יז כי-ברוך אברכה, והרבה ארבה את-זרעה ככוכבי השמים, וכחול, אשר על-שפת הים; וירש זרעה, את שער איביו. יח והתברכו בזרעה, כל גויי הארץ, עקב, אשר שמעת בקלי.

ויתרצו הננים בקרבה (בראשית כה, כב). בשעה שהיתה עומדת על בתי כנסיות ובתי מדרשות יעקב מפרסם לצאת... ובשעה שהיתה עוברת על בתי עבודת פוכבים עשו רץ ומפרסם לצאת.

“ויצא הראשון אדמוני, כלו כאדרת שער; ויקראו שמו, עשו” (בראשית כה, כה) אדמוני - סימן הוא שיהא שופך דמים.

ויגדלו הנערים ויהי עשו איש ידע ציד איש שדה ויעקב איש תם ישב אהלים (בראשית כה, כז), רבי לוי אמר משל להרס ועצבונת שהיו גדלים זה על גבי זה, וכיון שהגדילו והפריחו זה נותן ריחו וזה חוחו, כך כל י”ג שנה שניהם הולכים לבית הספר ושניהם באים מבית הספר, לאחר י”ג שנה זה היה הולך לבתי מדרשות וזה היה הולך לבתי עבודת פוכבים.

## 8. Genesis Rabbah 65:1

“And when Esau was forty years old, he took to wife Judith daughter of Beeri the Hittite.” (Genesis 26:34) For forty years Esau used to ensnare married women and violate them, yet when he attained forty years he compared himself to his father, saying, “As my father was forty years old when he married, so I will marry at the age of forty.”

וַיְהִי עֲשׂוֹ בֶן אַרְבָּעִים שָׁנָה וַיִּקַּח אִשָּׁה אֶת־יְהוּדִית בַּת־בְּעֻרֵי הַחִתִּי (בראשית כו, לד) . . . כִּדְ עֲשׂוֹ כָּל אַרְבָּעִים שָׁנָה צָד נָשִׁי אֲנָשִׁים וּמְעַנָּה אוֹתָם, וְכִיּוֹן שֶׁהִגִּיעַ לְאַרְבָּעִים שָׁנָה דָּמָה עֲצָמוֹ לְאַבְיוֹ, אָמַר מָה אָבִא נָשָׂא אִשָּׁה בֶן אַרְבָּעִים שָׁנָה אִף אֲנִי נוֹשֵׂא אִשָּׁה בֶן אַרְבָּעִים שָׁנָה.

## 9. Numbers Rabbah 3:2

The Holy One, blessed be He, chose Jacob, as it is stated (Psalms 135:4), “For Jacob did the LORD choose.” And so [too] it says (Isaiah 41:8), “Jacob whom You have chosen.” But He did not bring him close, but rather [Jacob] brought himself close, as it is stated (Genesis 25:27), “Jacob was a simple man that sat in tents.”

יַעֲקֹב, בָּחַרוּ הַקְּרוֹשׁ בְּרוּךְ הוּא, שֶׁנֶּאֱמַר (תהלים קלה, ד): כִּי יַעֲקֹב בָּחַר לוֹ יְהוָה, וְכֵן הוּא אוֹמֵר (ישעיה מא, ח): יַעֲקֹב אֲשֶׁר בָּחַרְתִּי, אֲכַל לֹא קָרְבוֹ אֶלָּא הוּא קָרַב אֶת עֲצָמוֹ, שֶׁנֶּאֱמַר (בראשית כה, כז): וַיַּעֲקֹב אִישׁ תָּם יָשֵׁב אֹהֲלִים.

## 10. Leviticus 26:44–45

<sup>44</sup> Yet, even then, when they are in the land of their enemies, I will not reject them or spurn them so as to destroy them, annulling My covenant with them: for I the LORD am their God. <sup>45</sup> I will remember in their favor the covenant with the ancients, whom I freed from the land of Egypt in the sight of the nations to be their God: I, the LORD.

מִדּוֹ וְאַף־גַּם־זֹאת בְּהִיּוֹתָם בְּאֶרֶץ אִי־בִיָּהֶם, לֹא־מֵאַסְתִּים וְלֹא־גַעַלְתִּים לְכַלְתֶּם־לְהַפֵּר בְּרִיתִי, אִתָּם: כִּי אֲנִי יְהוָה, אֱלֹהֵיהֶם. מִה וְזָכַרְתִּי לָהֶם, בְּרִית רֵאשִׁימִים: אֲשֶׁר הוֹצֵאתִי־אֹתָם מֵאֶרֶץ מִצְרַיִם לְעֵינֵי הַגּוֹיִם, לְהִיּוֹת לָהֶם לְאֱלֹהִים־אֲנִי יְהוָה.

## 11. Babylonian Talmud, Sanhedrin 44a

Israel hath sinned. R. Abba b. Zabda said: Even though [the people] have sinned, they are still [called] “Israel” R. Abba said: Thus people say, A myrtle, though it stands among reeds, is still a myrtle, and it is so called.

חטא ישראל אמר רבי אבא בר זבדא אע"פ שחטא ישראל הוא אמר ר' אבא היינו דאמרי אינשי אסא דקאי בני חילפי אסא שמיה ואסא קרו ליה.

## 12. Tzitz Eliezer 13:93

The case came before me regarding a woman, the daughter of Jewish parents who submitted a request to the courts to allow her to return to the fold of Judaism. In front of the court she explained that she had converted to Christianity in the Anglican Church, as a result of wanting to marry someone who belonged to the Anglican religion. Now she expresses complete remorse over her actions...

It is obvious and simple that according to Jewish law, a Jew is in no way capable of freeing him or herself from the bonds of the Torah and severing the ties and the roots of his connection to his people. A Jew's fundamental connection to the Jewish people is founded on the fact that he was born to Jewish parents, or more accurately to a Jewish mother...

It is, therefore, a central principle of our religion and our holy Torah that no one of the offspring of Jacob can escape from it, whether voluntarily or involuntarily. Against his will, a Jew remains a Jew, connected to the religion of Moses, with no recourse to free himself from it...

It is therefore simple and clear that the conversion to a different religion of this woman who wants to return to Judaism is something that never happened. She never left the framework of Judaism, neither religiously nor nationally, and her return to Judaism is like the return of a daughter to her mother.

## 13. Passover Haggadah

The wicked one, what does he say? "What is this service to you?" He says "to you" but not "to him!" By excluding himself like this from the community he has denied the essential foundations of our faith. You should then blunt his teeth and say to him: "It is because of this that the LORD did for me when I left Egypt." "For me" – but not for him! If he had been there he would not have been redeemed.

עובדא הוה (בשנת תשכ"ג) באשה אחת בת להורים יהודים שהגישה בקשה לביה"ד להחזירה לחיק היהדות. בהופעתה לפני ביה"ד מיררה בבכי וסיפרה פרשת המרתה את דתה בכנסיה האנגליקאני (האנגליקאני) מתוך טירוף ובילכול דעת באשר שרצתה להנשא לאחד מבין הדת האנגליקאנית, והביעה את חרטתה הגמורה על מה שעשתה...

הנה פשוט וברור כי לפי ההלכה היהודית אין ביכולתו של יהודי בשום פנים להשתחרר ולפרוק עולו מתורתו ולנתק את קשריו ושורש יניקתו מעמו השתייכותו השרשית לעם היהודי מבוססת על העובדה הקיימת שהוא נולד להורים יהודים – או יותר מדויק: מאם יהודיה...

הרי לנו שהעיקר הגדול מיסודי דת – תורתנו – הקדושה הוא ששום אחד מזרע יעקב לא יוכל להמלט ממנה לעולם בין ברצונו ובין שלא ברצונו ובעל כרחו הוא נשאר יהודי דבוק לדת משה, מבלי יכולת בשום פנים להשתחרר ממנה...

ועל כן פשוט וברור שדבר המרתה של המבקשת את דתה – היהודי היה כלא היה. ומעולם לא יצתה ממסגרת יהדותה לא בדתה לא בלאומיותה וחזרתה ליהדות היא כחזרת בת לחיק אמה.

רְשַׁע מָה הוּא אוֹמֵר? "מָה הָעֲבֹדָה הַזֹּאת לָכֶם?" (שמות יב כו), לָכֶם – וְלֹא לוֹ. וְלִפִּי שֶׁהוֹצִיא אֶת עַצְמוֹ מִן הַכֶּלֶל, כִּפָּר בְּעֶקֶר. וְאַף אֶתֶּה הִקְהָה אֶת שְׁנֵי וְאָמַר לוֹ: "בְּעִבּוֹר זֶה עָשָׂה יְיָ לִי בְּצֵאתִי מִמִּצְרַיִם" (שמות יג ח), לִי – וְלֹא לוֹ. אֵילוֹ הָיָה שָׁם, לֹא הָיָה נִגְאָל.

## 14. The Fathers According to Rabbi Nathan, Chapter 2

This is one of the things which Moses did of his own accord... He broke the Tablets of the Commandments, and his judgment coincided with God's... But he took the Tablets of the Commandments and descended and was exceedingly glad. When he beheld the offense which they committed in the making of the golden calf, he said to himself: "How can I give them the Tablets of the Commandments, for if I do so I will be obligating them to major commandments and condemning them to death at the hands of Heaven; for this is it written in the Commandments: 'You shall have no other gods before Me.' (Exodus 20:3) He then started back (up the mountain), but the seventy Elders saw him and ran after him. He held fast to one end of the Tablets and they held fast to the other end, but the strength of Moses prevailed over theirs... (As he was ascending the mountain) he looked at the Tablets and saw that the words had flown away and ascended from them. How can I give Israel tablets which have nothing on them, he thought; better I take hold of them and break them, as it says, "Thereupon I gripped the two tablets and flung them away with both my hands, smashing them." (Deuteronomy 9:17)

אחד מהדברים שעשה משה מדעתו... שבר את הלוחות והסכימה דעתו לדעת המקום... נטלן וירד והיה שמח שמחה גדולה. כיון שראה אותו סרחון שסרחו במעשה העגל אמר, היאך אני נותן להם את הלוחות, מזקיני אותן למצות חמורות, ומחייבני אותן מיתה לשמים, שכן כתוב בהן "לא יהיה לך אלהים אחרים על פני". חזר לאחוריו. וראו אותו שבעים זקנים ורצו אחריו. הוא אחז בראש הלוח, והן אחזו בראש הלוח. חזק כוחו של משה מכולן... נסתכל בהן וראה שפרח כתב מעליהן. אמר, היאך אני נותן להם לישראל את הלוחות שאין בהם ממש, אלא אאחזו ואשברם, שנאמר, (שם ט) "ואתפוש בשני הלוחות ואשליכם מעל שתי ידי ואשברם".

## Background Reading

1. Donniel Hartman, "The Genesis Jew: The Judaism Of Being," *Who Are the Jews?* (Forthcoming)

### The Tales of a Jewish Traveler

As an Orthodox Jew, I generally travel around the world wearing my *kippah*. My calculation is that a place where I am not comfortable wearing it, is a place I am not inclined to visit as a tourist. One of the remarkable things, which I don't take for granted, is in how much of North America I am accepted and feel comfortable and welcomed as a Jew. As I travel, I am aware of how unique my feeling is from the perspective of Jewish history.

My *kippah* has been the inspiration for many experiences. The most common I refer to as the "Jewish nod." Most of the time, my *kippah* is simply part of the multi-cultural, relatively tolerant landscape, of North America or Western Europe. Very often, however, my *kippah* activates a strange response from some fellow traveler, who begins to stretch their neck in unnatural ways, as they try to make "secret" eye contact. The bizarreness of the move, indeed attracts my attention, and the moment we make eye contact, I receive a subtle, almost indiscernible nod of the head. What is particular about this nod, is that while the neck bends, the eyes remain firmly in place. This is the "Jewish nod," a nod meant to silently communicate that I have been seen, and that s/he too is a Jew. We are an *us*. Protocol requires that I respond immediately, in kind, with a parallel nod, thus declaring that I have seen, that they have seen me and I in turn see them. At times the formal ritual ends here. At times a third nod is delivered, declaring that they acknowledge that they have seen, that I have seen, that they have seen me, and that we are an *us*.

The Jewish nod is non-verbal, and no words follow. All that needs to be said has been said, for, in reality, we are strangers to each other and have very different short-term agendas – especially if we are on a plane and need to sleep. The alternate reality is, however, that amongst the community of travelers, we are not strangers. We shared a nod, a *communiqué*, founded on an unexplained and self-evident bond of a shared identity that transcends anything reality could legitimize or justify.

Once, during a ski trip to Vale, I was skiing on a slope outside my skill set as a Rabbi, and instead of skiing around a mogul, skied out of control over it. As I was falling, I cut my knee on the edge of my ski. I was whisked away, off the mountain, by the wonderful emergency team and taken to the hospital for stitches. This was the first day of my long-awaited vacation, and as I lay in the hospital, angry at myself and upset over my ruined vacation, a stranger approached me and asked: "Excuse me. Are you Jewish?"

My *kippah* notwithstanding, one of the reasons for going skiing in Vale is to be anonymous. Throughout the year, I am surrounded by Jews and entrenched in the Jewish community. This was my chance to commune with snow. I wasn't interested in being a Jew at that moment. Frankly, I wanted to be left alone. But duty called, and

I reluctantly answered in the affirmative. “Great,” he responded. “I am also Jewish, and live in Mexico. Do you possibly know someone who I can set up with my daughter?” While flattered that he might be referring indirectly to me, the last thing I was interested in was someone else’s problems, let alone a stranger from a foreign country who wanted to find a spouse for a daughter who I did not know, had never seen, nor would ever see, being married with three children. I wanted to sulk.

Yet almost against my will I found my mind *wandering*. . . *Who do we know in Mexico? Does Adina (my wife) know anyone?*

This stranger, in some strange way, claimed me. Lay claim to my interest, loyalty, concern and care, simply by virtue of some notion that we were both Jews. But this community of “strangers” did not assume any shared beliefs or practices, any common values or goals. He reached out to me simply because I was Jewish, and I to him, for the same reason. This is the Judaism of Being.

## Jewishness Without Judaism: The Golden Calf Motif

The first element of this ancient story finds salient archetypal echoes in the tale of the golden calf. The golden calf isn’t just a moment in the Bible: it *is* the Bible, in a proverbial nutshell. The Bible can be summarized, more or less, as:

*And God spoke to Moses, saying, “Speak unto the Children of Israel and say unto them, ‘I command you to do A, B, C or D.’” And the Children of Israel replied unto Moses, “Speak unto God and say unto Him or Her: ‘No.’”*

For most of the period recounted in the Bible, the Jews remained largely idolators, indifferent to, and at times in open rebellion of, God’s word. It’s not who we were supposed to be, but it is who we were: Jews who did anything and everything but Judaism; whose Jewishness was devoid of Judaism. We were, as I will explain, *Genesis Jews* – a form of Jewishness that first occurs in the book of Genesis, and becomes the dominant Jewish identity of the biblical period.

Claiming that the first historical definition of being Jewish was devoid of Judaism might sound strange, counterintuitive, and perhaps even somewhat heretical. In my defense, I might call as a witness the last chronological book of the Hebrew Bible, Nehemiah, which looks back at the 700-year journey that has just been recounted and says: *Let me tell you what I just heard.*

Here is Nehemiah’s summary of the biblical story:

Forty years, *you* God, sustained them in the wilderness so that they lacked nothing. Their clothes did not wear out; their feet did not swell. *You* gave them kingdoms and peoples and allotted them territory. They took possession of the land of Sihon, the land of King of Heshbon, the land of Og, King of Bashan. *You* made their children as numerous as the stars of heaven and brought them to the land that *You* told their fathers to go and possess. The sons came and took possession of the land. *You* subdued the Canaanite inhabitants of the land. . . . *You* delivered them, both their kings and their people. *You* captured fortified cities, rich lands, and took possession of houses filled with everything good. (Nehemiah 9:21–25; emphasis added.)

God, in short, delivered on *Your* side of the covenant, fulfilling all of the people's wants and needs. Everything God promised, God did. Which made it all the more galling, for God and the prophet, when:

Defying You, *they* rebelled. *They* cast your teaching behind their back. *They* killed your prophets who admonished them to turn them back to you. *They* committed great impieties. You delivered them into the power of their adversaries who oppressed them. In their time of trouble, *they* cried out to You; You in heaven heard them, and in Your abundant compassion gave them saviors who saved them. But when *they* had relief, *they* again did what was evil in Your sight, so You abandoned them again to the power of their enemies, who subjugated them. Again, *they* cried to You, and You in heaven heard and rescued them in Your compassion, time after time. You admonished them in order to turn them back to Your teaching, but *they* acted presumptuously and disobeyed Your commandments, and sinned against Your rules, by following which a man shall live. *They* turned a defiant shoulder, stiffened their neck, and would not obey. You, God, bore with them for many years, admonished them. Your prophets did the same, but *they* would not give ear, so finally You delivered them into the power of the peoples of the land. (Nehemiah 9:26–30; emphasis added)

This is Nehemiah's summary of the Bible – a close to thousand-year snapshot of a people who remained Jewish, generation after generation, without doing Judaism. The Judaism of the Bible existed primarily in the eyes and mind of God, who fantasized about a Jewish people who would be faithful to God and God's commandments. But for the Jews themselves, Jewish identity had nothing to do with *doing* Jewish. *They* were raised on a different narrative, one that I refer to as a Judaism of Being – a Judaism whose roots are first planted in the book of Genesis, but which grows to define the Jewish identity of the Bible and beyond.

## The Chosen People: An Inherited Identity

In the book of Genesis, while Abraham is chosen on condition that he leave his native land, his father's house, and embark on a journey to an unknown land that God promises to show him (Genesis 12:1) – his descendants are promised to be a great nation, God's chosen people, simply by virtue of being Abraham's offspring.

And the LORD said to Abraham, after Lot had parted from him, 'Raise your eyes and look out from where you are, to the North and South, to the East and West, for I give all the land that you see to you and *your seed* forever. I will make *your seed* as the dust of the earth, so that if one can count the dust of the earth, then *your seed* too can be counted.' (Genesis 13:14–16; emphasis added.)

This promise gets carried down throughout the book of Genesis, as generation after generation inherits God's promise merely as a function of being Abraham's seed. It begins with Isaac:

And the LORD appeared to [Isaac] and said, 'Do not go down to Egypt; stay in the land which I point out to you. Reside in this land, and I will be with you and

bless you. I will assign all these lands to you and to your seed, *fulfilling the oath that I swore to your father Abraham*. I will make your seed as numerous as the stars of heaven, and assign to your seed all of these lands. And all the nations of the earth shall be blessed through your seed.” (Genesis 26:2–4; emphasis added.)

The promise is then passed down to Jacob:

And the LORD was standing beside [Jacob], and He said, ‘I am the LORD, the God of your father Abraham, and the God of Isaac. The ground on which you are lying I will give to you and to your seed. Your seed shall be as the dust of the earth, and you shall spread out to the West and to the East, to the North and to the South; all the nations of the earth shall bless themselves through you and your seed. Remember I am with you: I will protect you wherever you go, and I will bring you back to this land. I will not leave you until I have done what I have promised you.’ (Genesis 28:13–15)

Abraham clearly earns his status as God’s elect, as he undergoes travail after travail – exile, famine, war, lifelong childlessness – culminating in the horrific test of loyalty known as the Binding of Isaac.

Sometime afterward, God put Abraham to the test. He said to him, ‘Abraham,’ and he answered, ‘Here I am.’ And he said, ‘Take your son, your favored one, Isaac, whom you love, and go to the land of Moriah, and offer him there as a burnt-offering on one of the heights that I will point out to you.’ (Genesis 22:1–2)

Early the next morning, Abraham rises, takes Isaac, and embarks on a journey to fulfill God’s command. While at the last moment before Abraham is about to slay his son on the altar of his loyalty to God, God stays the decree, and Abraham’s willingness was deemed sufficient to guarantee the chosen status of all his progeny:

By Myself I swear, the LORD declares: *Because* you have done this, and have not withheld your son, your favored one, I will bestow My blessing upon you, and make your seed as numerous as the stars of heaven, and the sands of the seashore. And your seed shall inherit the gates of their enemies. It is through your seed that all the nations of the earth shall be blessed, *because* you have obeyed My command. (Genesis 22:16–18; emphasis added.)

While Abraham’s status is clearly reflective of his willingness to faithfully walk with God, none of his descendants, by the Bible’s own account, distinguish themselves through any heroic acts of faith or particular greatness of character. The essential feature of these Genesis Jews, is that after Abraham, Jewishness comes to be defined by the totally passive act of being born into Abraham’s family. Quite distinct from its treatment of Abraham, the Bible makes no effort to associate noble qualities with Abraham’s seed. At best, they are depicted as mediocre; more often than not, as deeply flawed. When one descendant is chosen over another, as in the case between Isaac and Ishmael, and Jacob and Esau, no grounds are given for the particular selection; no attempt to justify it with claims of moral or spiritual superiority. In the case of Esau and Jacob, the former is actually portrayed in far more positive and sympathetic terms than the latter.

The children of Jacob, all of whom inherit Abraham's blessing, and who become the backbone out of which the nation of Israel is formed, are depicted as somewhat morally challenged. They disobey their father, plot to kill their brother Joseph, and sell him as a slave, all the while torturing their father with a story of his death at the hands of wild beasts. Shimon and Levi are depicted as devious and murderous thugs. Reuven sleeps with one of his father's half-wives, while Judah sleeps with prostitutes and mistakenly impregnates his own daughter-in-law. Joseph, the supposed 'good apple,' is depicted as spoiled, arrogant, and self-aggrandizing – as he assembles his father and brothers to share his dreams in which they will all one day bow down to him. The families of Isaac and Jacob, as depicted in the book of Genesis, are basically dysfunctional, with constant strife and animosity between the children, while Isaac and Jacob are father figures who are out of touch with both their families and God's plans.

Genesis Jews who inherit the status of chosenness, go down into Egypt, where they in turn come to define the nature of our national identity. Initially, the Children of Israel was the name of the family of Jacob (whose name was converted to Israel). "These are the names of the children (sons) of Israel who came to Egypt with Jacob, each coming with his household." (Exodus 1:1) According to the Bible, after the death of Jacob and his sons, their offspring was fertile and prolific, so that eventually the land of Egypt was filled with them. The Children of Israel are no longer simply a nuclear family, but a community, and as a result the Bible struggles with our name, "A new king arose over Egypt who did not know Joseph. And he said to his people, 'Look, the *People* of the Children of Israel (*Am B'nei Yisrael*) are much too numerous for us. Let us deal shrewdly with them, so that they may not increase' ... But the more they were oppressed, the more they increased and spread out, so that the Egyptians came to dread the Children of Israel." (Exodus 1:8–12)

Here we are no longer literally the children of Jacob, but a people distinct from the Egyptians in whose midst we lived. And for a moment, through the mediating words of Pharaoh, the Bible recognizes this transition by calling us, "the *People* of the Children of Israel" – the only instance in the Bible in which this term is used. Henceforth, the nomenclature "people" is dropped, and we revert back to being simply the "Children of Israel": a nation now, but one still identified and defined solely through its familial roots.

## An Imagined Family – Not a Race

Does the notion of Jewishness without Judaism, the Judaism of Being, define Jewish peoplehood as a race? If so, it is an idea that, while grounded in the historical book of Genesis, has outlived its usefulness – indeed has become a moral anachronism – and should be both condemned, and exorcised from Jewish self-understanding.

In this context, it is important to recall that the book of Genesis, and indeed much of the Torah, sanctions intermarriage between the descendants of Abraham and those who are not, so long as they are not a part of the seven Canaanite nations. Isaac and Jacob both marry "out," as do their children. The Children of Israel, while maintaining a familial tribal name, are a people – inhabited by those who have ancestral ties

back to Abraham, but also to those who married into the family. In general, family, while positioned as a collective constituted by ties of blood, is in fact one of the most porous of collectives, constantly welcoming “non-blood” into its midst though the institution of marriage. In fact, outsiders are the only ones to marry, with marriage in the family often defined as incest.

The Covenant of Being, then, is less of a factual statement regarding the genetic composition of the Jewish people than a perceptual lens through which Jews have viewed themselves – a community bound by a decision to see its fellow members as family – an institution in which membership is not determined by what one does but by who one is, or more accurately who one sees oneself to be.

This idea becomes even more pronounced when in the Second Temple period Jewishness is not solely determined by who is a member of the Tribe or Judea or the inhabitant of Judea, but also a term for converts. (Shaye Cohen, *The Beginnings of Jewishness*.) When the rabbinic tradition declares that an individual who converts is like a new-born child, (BT Yevamot 22a), they are not speaking of family in genetic/racist terms, but of an imagined family bound together by the decision to see and treat each other as such.

## Salvation and the Guaranteed Covenant

Following the Genesis template, in the Exodus story no attempt is made by the biblical author to distinguish the character of the Children of Israel from that of the Egyptians – some superior attribute by virtue of which they might warrant salvation and the gift of liberation from Egypt. All that is mentioned is their and God’s connection to their forefathers:

And God said further to Moses, ‘Thus shall you speak to the Israelites: The LORD, the God of your fathers, the God of Abraham, the God of Isaac, and the God of Jacob, has sent me to you: This shall be My name forever, this My appellation for all eternity. Go and assemble the elders of Israel and say to them: “The LORD, the God of your Fathers, the God of Abraham, Isaac, and Jacob, has appeared to me and said, ‘I have taken note of you, and what is being done to you in Egypt, and I have declared: “I will take you out of the misery of Egypt to the land of the Canaanites, the Hittites, the Amorites, the Perizzites, the Hivites, the Jebusites, to a land flowing with milk and honey.”’ (Exodus 3: 15–17)

All the Jewish people need to do, in order to warrant the salvation of God, is to be the descendants of their ancestors. As God’s chosen people, their suffering alone is sufficient to activate divine intervention on their behalf.

I have now heard the moaning of the Israelites, because the Egyptians are holding them in bondage, *and I have remembered My covenant*. Say therefore to the Israelite people: ‘I am the LORD. I will free you from the labors of the Egyptians and deliver you from their bondage. I will redeem you with an outstretched arm, and through extraordinary chastisement.’ (Exodus 6:5–6; emphasis added.)

Similarly, in the future when God's patience and compassion run out, and God pours God's wrath upon us – even to the extent of banishing us from the Promised Land – one dominant biblical motif posits that ultimately redemption and a return to both the land, and God's blessing, is guaranteed. Like the Children of Israel in Egypt, we too are guaranteed redemption by mere virtue of our pedigree and the suffering we are experiencing.

Yet even then, when they are in the land of their enemies, I will not reject them or spurn them so as to destroy them, annulling my covenant with them: for I the LORD am their God. I will remember in their favor the covenant of the ancestors, whom I freed from the land of Egypt in the sight of the nations to be their God: I, the LORD. (Leviticus 26: 44–45)

Similarly, the prophet Isaiah declares:

Comfort, O comfort my people, says your God. Speak tenderly to Jerusalem and declare to her that her term of service is over, that her iniquity is expiated; for she has received at the hands of the LORD double for all her sins. (Isaiah 40:1–2)

But you, Israel, my servant, Jacob whom I have chosen, Seed of Abraham My friend – you whom I drew from the ends of the earth, and called from its far corners, to whom I said: You are my servant; I chose you, I have not rejected you – fear not, for I am with you, be not frightened, for I am your God; I strengthen you and help you, I uphold you with My victorious right hand. (Isaiah 41:8–10)

Comfort and redemption are guaranteed and will come when the allotted time arrives, as a result of God's grace and as the consequence of the original covenant. Salvation is in no way contingent on our behavior, on our earning or deserving it.

## Israel as Genesis Jews

Both during the Exodus from Egypt and afterwards, in classic Genesis mode, the Bible continues to depict the Jewish people as uninspired by the divine word. “But when Moses told this to the Israelites, they would not listen to Moses, their spirits crushed by cruel bondage.” (Exodus 6:9) In what essentially encapsulates the story of his whole prophecy, when God tells Moses to tell Pharaoh to let God's people go, Moses replies, “The Israelites will not listen to me” (Exodus 6:12) – and as the continuation of the story reveals, he is right.

At every step of their Exodus and journey to their Promised Land, the Children of Israel are consistently depicted as a reluctant party at best. Despite witnessing the miraculous power of God, at any crossroads of danger or uncertainty, they complained, rebelled, and pleaded to be allowed to return to a life of slavery in Egypt.

As Pharaoh drew near, the Israelites caught sight of the Egyptians advancing upon them. Greatly frightened, the Israelites cried out to the LORD. And they said to Moses, “Was it for want of graves in Egypt that you brought us to die in the wilderness? What have you done to us, taking us out of Egypt? Is this not the very

thing we told you in Egypt, saying: Let us be, and we will serve the Egyptians, for it is better for us to serve the Egyptians than to die in the wilderness?” (Exodus 14:10–12)

Summarizing their life together over forty years in the desert, as Israel is about to be brought into their Promised Land, God states:

Hear O Israel! . . . *It is not because of your virtues and your rectitude that you will be able to possess this country; but it is because of their wickedness that the LORD your God is dispossessing those nations before you, and in order to fulfill the oath that the LORD made to your fathers, Abraham, Isaac, and Jacob. Know, then, that it is not for any virtue of yours that the LORD your God is giving this good land to possess; for you are a stiff-necked people. Remember, never forget, how you provoked the LORD your God to anger in the wilderness: from the day that you left the land of Egypt until you reached this place, you have continued defiant toward the LORD.*” (Deuteronomy 9:1–7; emphasis added.)

The seed of Genesis Jews bear fruit and give birth to a Jewish people, whom the Bible takes great care to consistently depict as absolutely nothing more than a tribal family who fail or refuse to embody any unique values or noble attributes. They inherit the status of God’s “Chosen People” as a family heirloom, and this inherited status seems to exhaust the content of their Jewish identity.

## A Judaism of Being: From Descriptive to Prescriptive

For many years, as I returned again and again to the book of Genesis, I was deeply troubled by its content and message – or, more accurately, its seeming lack of message. Besides Abraham and possibly Rebecca, no figures seem worthy of emulation; no individuals emerge who are models of virtuous behavior. Since the Bible is clearly not a book of history, but a book aimed at shaping the values and thoughts that ought to embody our lives, what purpose do we have in the forty plus chapters of obviously mediocre ancestors? What lessons about Judaism does it teach us?

I wondered, along with the rabbis, why it was necessary to include this book in our canon. Why begin with the creation of the world, why not simply begin the bible with Exodus 12, with the first commandment given to the Jewish people, skipping over a narrative that does not seem to offer any insight or direction on how to live our lives. (See, Midrash Tanhuma, Parashat Bereshit, 11, and Rashi, Genesis 1:1).

The rabbinic tradition was so deeply troubled by the negative depiction of Abraham’s seed that they engaged in a systemic project to rewrite the Genesis narrative through midrashic exegesis, wherein the qualities of our forefathers and their descendants are whitewashed and glorified. Ishmael and Esau are depicted as whoring, idolatrous, and murderous lowlives, while Isaac and Jacob are rehabilitated as faithful pietists, lovers of God and scholars of Torah. Even the Jewish People in Egypt receive a minor upgrade, depicted in midrash as a people who were steadfast in maintaining their traditions and values – preserving customs that ensured that they not assimilate into the idolatrous Egyptian culture. (Leviticus Rabbah 32:5)

But perhaps saving the book of Genesis lies not in reinterpreting it, but in seeing it not as the mere description of the Jews, but a prescriptive definition of Jewishness. Consequently, I would argue that this rabbinic “rehabilitation project” misapprehends the essential point that the book of Genesis is attempting to establish. The point is that Jewishness does not require abiding by the word of God as validation of one’s Jewish identity. God certainly wants the Jews to obey God’s commands, but the conceptual foundation set forth first in the book of Genesis is that this is *not necessary* for Jewish identity or the fulfillment of the covenant. By granting an eternal inviolable covenant to Abraham’s descendants, God, and not merely the de facto reality of millennia-long sinning Jews, lays the foundation for a core understanding of what constitutes being Jewish: to be Jewish is simply *to be*, to be a member of a tribal family.

The Judaism of Being teaches that regardless of who you are as a person, and what you do, the covenant is sustained. This is the core message of the book. The God of the book of Genesis, who stayed with Abraham’s seed despite their persistent mediocrity and failure, and at times outright depravity, is the God who stays with the Jewish people throughout the Bible, despite their rebelliousness, faithlessness, and moral failures. Nehemiah thus should not be read as depicting a failed covenantal history, but rather a history playing out the principles of the Judaism of Being.

For Genesis Jews, religious devotion and practice did not define our identity – or perhaps more accurately, a narrow conception of religiosity did not exhaust Jewish identity in the Bible, which was far larger and broader than simply a system of faith, belief and actions. That more narrow definition was not the way either God or our ancestors understood who we were: a community who after and because of Abraham, were a community with a narrative of shared familial roots.

For the first 1,000 years of our existence, then, the core feature of what it meant to be Jewish was dependent neither on what you believed, nor what you did; a Jewishness without Judaism. Abraham’s promise was inherited simply by virtue of being Abraham’s seed. You were freed from Egypt, just because you suffered. You were brought into the Land and given the Land of Israel because it was promised to your ancestors, not because of anything you did to earn it. And ultimately, even punishment was only temporary, and redemption guaranteed. Judaism was principally a modality of being, not of doing.

## Genesis Consciousness: Once a Jew, Always a Jew

Continuing this notion that the Jews of Genesis were not failures as Jews, but a particular core type of Jew, later Jewish tradition embraced and canonized this idea into one of the most important principles in Jewish life. This principle shaping the course of our collective identity for thousands of years – a principle I call “Genesis Consciousness.” Genesis Consciousness is the form of identity, the individual and collective frame of mind – the culture – that emerges from the understanding that Judaism is in its essence a modality of being, not of doing. That Jewishness is not how you act, it is who you are.

The conceptual bedrock of Genesis Consciousness is that Jewish identity is permanent and unconditional. Just as one cannot void the covenant, there is nothing any

individual can do to alter one's membership status. An early rabbinic law rules that the immutability of membership applies not only to those born Jewish, but to converts as well. Under Jewish law, even a recent convert to Judaism, who retracts their conversion and returns to his or her prior religious beliefs and practices, is classified as an Israelite "deviant" and maintains their full legal status as a Jew. (BT Tractate Yevamot 47b) Once a Jew – even if only for a minute – always a Jew.

The classical rabbinic formulation of the "immutability principle" of Jewish membership is found in the Talmudic pronouncement: "Even though they have sinned, they are still Israel." (Heb. *Af-al-pi she-hata, Yisrael hu*; BT Tractate Sanhedrin 44a) The meaning of the saying is that sin, while generating sanctions, never severs the basic connection between the sinner and the community. Based on this ancient source, by the Middle Ages, it became an axiom of our collective identity that one's Jewishness could never be revoked for any reason, even actions or beliefs that the tradition deems deviant in the extreme (See Jacob Katz, *Halakhah and Kabbalah*, "Af-al-pi she-Hata Yisrael Hu").

Throughout Jewish history, this has been one of the few principles so universally held as to virtually transcend debate. A powerful example of its bedrock status can be found in the modern legal responsa of Rabbi Eliezer Waldenberg (head of the Orthodox Jerusalem Rabbinical court in the 1960s) regarding the status of a woman who converted to Christianity, and then subsequently petitioned the court to allow her to re-convert to Judaism. Waldenberg rejected her request to re-convert, on the following grounds:

It is obvious and simple that according to Jewish law, a Jew is in no way capable of freeing him or herself from the bonds of the Torah and severing the ties and the roots of his or her connection to his or her people. A Jew's fundamental connection to the Jewish people is founded on the fact that s/he was born to Jewish parents, or more accurately to a Jewish mother. . . .

It is, therefore, a central principal of our religion and our holy Torah that no one of the offspring of Jacob can escape from it, whether voluntarily or non-voluntarily. Against his or her will, a Jew remains a Jew, connected to the religion of Moshe, with no recourse to free him or herself from it . . .

It is, therefore, simple and clear that the conversion to a different religion of this woman, who wants to return to Judaism, *is something that never happened*. She never left the framework of Judaism, either religiously or nationally, and her return to Judaism is like the return of a daughter to her mother. (Responsa Tzitz Eliezer 13:93)

The Jewish people throughout the biblical narrative remained the "Children of Israel" despite their almost total rejection of God and Judaism – and the same applies to future generations as well. Genesis Consciousness translates this truth into an "operating system," of Jewish self-understanding, beginning with the immutability of membership in the Jewish people.

## Genesis Consciousness and Loyalty Bonds

A second core element of Genesis Consciousness is the conception of mutual loyalty as a constitutive principle of Jewish identity. To be a Jew demands, fundamentally, a core loyalty to one's fellow Jews. If the Judaism of Being creates an inviolable covenant between God and the Jewish people, so that God is "stuck" with them irrespective of their virtues or faults, Genesis Consciousness consigns all Jews to the same "stuckness" with respect to each other.

This idea is expressed very powerfully in the Passover Haggadah, with the introduction of the figure of the Wicked Child. "Who is the wicked child? S/he who says, 'What is this [Passover] ritual to you' – to *you*, and not to *her*. And by removing herself from the collective, s/he is a heretic in the essence [of Judaism]." Here we have a definition of what constitutes the paradigm of wickedness in Jewish tradition: seeing oneself as separate from the community. Even more intriguing is that the tradition does not leave it there – the moral wickedness of removing oneself from the collective is branded not merely as religiously deviant, but a heresy in the essence. It is the essence not only of Jewish peoplehood, but of Jewish faith, to see oneself as inextricably bound together with all other Jews.

Maimonides, in the context of a comprehensive catalogue of various deviancies of belief, defines one of the core heresies of Judaism as "one who separates him/herself from the community." Even if they have not sinned at all, and their only deviance is their separation from fellow Jews – "not worshipping with them, not identifying with their suffering, not mourning in their times of mourning" – for Maimonides, they are embracing a non-Jewish identity, "walking in their ways as if they were one of the nations of the world." (Maimonides, *Hilkhot Teshuvah* 3:11)

Such a person could be totally observant of Jewish law, a tireless devotee of God's word, keeping all the commandments, and not sinning at all. The kind of person my father used to say is so stringent in the laws of kashrut, that they won't even eat in their own home. Yet for Maimonides, the mere fact of not seeing oneself as part of the community, makes one an archetypal deviant of Jewish tradition. To remain bound to the Jewish People as a whole, just as God is, is the essential substance of Genesis Consciousness. So that if a fellow Jew is in trouble, for example, we don't ask which commandments they observed and which they transgressed – we just stand up and say, *Here I am. What can I do?*

The significance of mutual loyalty is illustrated in the tense biblical standoff that threatened – for the second time – the ability of the Jewish People to enter the land of Israel. The first attempt failed because of the sin of the spies who caused the people to reject their promised land. The second attempt was threatened forty years later, when they were again on the verge of crossing over into the Promised Land – because the tribes of Reuven and Gad owned much cattle. This concern over the maintenance of their property and wealth proved so grave that as they approached the border to the Land of Israel, they noted that the land just outside of it was more suited to their economic needs: "Your servants have cattle. It would be a favor for us that this land (outside of the Promised Land) should be given to us as a holding. Do not move us across the Jordan." (Numbers 32:3)

Hearing this request, Moses only has one thing on his mind – loyalty: “Are your brothers to go to war while you stay here?” (Numbers 32:4) Using the Genesis Jews’ language of family, Moses critiques any sense of self-interest that would trump the obligation of collective loyalty. Siblings do not shirk their responsibilities to each other. It is only when Reuven and Gad promise that they will accompany their family in their battles to possess their homeland, and indeed will lead them in battle and only return to their land on the other side of the Jordan after everyone has completed taking possession of their inheritance, that Moses acquiesces. Family loyalty must take precedence.

This idea is powerfully reemphasized, and institutionalized into law, in the Biblical commandment to forgive all loans every seven years. (Heb. *Shemitat Kesafim*; Deuteronomy 15) The Bible posits that those who follow the word of God will be rewarded with blessings of prosperity. By implication, poverty is the consequence of sin, and the persistence of poor people can only be understood as a consequence of their stubborn insistence on continuing to sin. Based on this logic, it would be perfectly natural to see a poor person and say, “Let them repent and then God will provide for them!”

Yet, this move is the antithesis of Genesis Consciousness, which requires an unconditional loyalty to help and assist. The God who continues to feed the Children of Israel for forty years in the desert, despite their behavior, serves as the model for our collective responsibility to each other. “For there will never cease to be needy ones in your land, which is why I command you: open your hand to your poor and needy brother in your land.” (Deuteronomy 15:11) As family, the mere existence of need is sufficient to activate the responsibility of the other.

This family-loyalty ethos is elaborated expansively in a sequence of verses culminating in the nation-wide liberation mandated in the Jubilee Year.

And if your brother with you becomes poor, his strength fallen into decline, then you shall strengthen him, and let him live by your side as your kinsman. Take no interest or increase from him, but fear your God – that your brother shall live with you. I the LORD am your God, who brought you forth out of the land of Egypt, to give you the land of Canaan, to be your God. And if your brother with you becomes poor, and sells himself to you, do not subject him to the treatment of a slave. As a hired servant and a kinsman, he shall be with you; he shall serve with you until the Jubilee Year. Then he shall go out from you, he and his children with him, and shall return to his own family, and to the possession of his fathers shall he return. For they are my servants, whom I brought forth from the Land of Egypt; they may not give themselves over into servitude. (Leviticus 25:35–42)

“Your brother . . . your kinsman . . . your brother . . . your kinsman” – the essence of Genesis Consciousness is that family bonds create obligations of mutual care and assistance. Brothers don’t use their siblings’ misfortune as an opportunity for personal gain, nor do they treat them as slaves. The God that redeemed the Jews from Egypt requires us to walk in God’s ways and follow suit by redeeming each other.

In one of the most powerful narratives of loyalty and its primacy within the Jewish pantheon of values, we return to Moses and the story of the Golden Calf. Upon

descending from the mountain at God's command, Moses finds himself holding the Ten Commandments and witnessing the Israelites dancing around and worshipping the idol. The Bible recounts this moment in the following manner. "As soon as Moses came near the camp and saw the calf and the dancing, he became enraged; and he hurled the tablets from his hands and shattered them at the foot of the mountain." (Exodus 32:19) Moses, in a fit of fury, deems the people unworthy of the stones that were "God's work, and the writing was God's writing, incised upon the tablet." (Exodus 32:16) Consequently, he chooses to destroy them rather than hand them over to the impure and unworthy Israelites.

Here again the Rabbinic pen weaves a different tale.

This is one of the things which Moses did of his own accord... He broke the Tablets of the Commandments, and his judgment coincided with God's... But he took the Tablets of the Commandments and descended and was exceedingly glad. When he beheld the offense which they committed in the making of the golden calf, he said to himself: "How can I give them the Tablets of the Commandments, for if I do so I will be obligating them to major commandments and condemning them to death at the hands of Heaven; for this is it written in the Commandments: 'You shall have no other gods before Me.' (Exodus 20:3) He then started back (up the mountain), but the seventy Elders saw him and ran after him. He held fast to one end of the Tablets and they held fast to the other end, but the strength of Moses prevailed over theirs... (As he was ascending the mountain) he looked at the Tablets and saw that the words had flown away and ascended from them. How can I give Israel tablets which have nothing on them, he thought; better I take hold of them and break them. (The Fathers According to Rabbi Nathan, Chapter 2)

The rabbinic tradition notices that while God commands Moses to descend from the mountain, God nevertheless leaves the Commandments in Moses' hands. It is Moses's decision to break the commandments, an act which serves as fertile ground for the rabbinic imagination to interpret. The story they tell is not one of anger and disgust, but of love, care, and ultimate loyalty. Moses wants to return the Torah to God because he realizes that if he gives it to the people in their current idolatrous state, he will be condemning them to death as violators of the prohibition against idolatry. Where does Moses' primary loyalty lie: to the word of God, or to God's people? Moses chooses the latter and decides to give back the Torah to God, for his obligation to the wellbeing of the people is primary.

Now, as is always the case, there are those who believe that religious faith advances and requires a different prioritization. That loyalty to God's word must conquer, regardless of the consequence. This voice is represented in this rabbinic narrative by the seventy Elders. In the drama that unfolds, Moses ultimately prevails and begins to ascend back up the mountain to return the Commandments to God, thus reversing the revelatory event of Sinai. At that moment, God realizes God's mistake – and, learning from Moses, takes the letters back off the tablets and into the ether. Ultimately, Moses breaks a set of blank tablets.

Through the interpretive lens of the rabbis, the Tablets were not broken out of

concern for their desecration, but out of loyalty and concern for the people. Loyalty does not just require a willingness to offer financial assistance, or to be willing to incur financial loss, for one's family in need. It also requires a willingness to sacrifice Torah when it endangers the wellbeing of the people. In the narrative of the Judaism of Being, the Jewish people are not formed around the religion which is Judaism. Rather, Judaism is the religion that is given to the Jewish people, the Children of Israel, who preceded it and thus also take precedence over it.

In many ways, this argument of the rabbis is the ultimate expression of the Judaism of Being. For over 1,000 years, we walked through the world as the Children of Israel – initially a family, eventually a tribe, and finally a nation, united almost exclusively by a narrative myth of shared ancestry: a Jewish identity that exists independent of the Jewish religion. It is not merely a description of who we were; it is an ideological assessment of who we are. Consequently, it calls for a reprioritization of our core values, demanding that loyalty to the people inherently takes precedence over both personal interests and religious commitments. Or more precisely, that when loyalty to the people takes precedence, we are expressing most deeply our commitment to our roots as Genesis Jews, to the Judaism of Being, and the form of consciousness to which it gives rise.



## UNIT 3

# JUDAISM OF BECOMING

In the Covenant of Becoming, Jews are defined by what they *do*. In this mission-based, aspirational Jewishness, identity is shaped around shared beliefs and practices. This unit explores the essence of the Covenant of Becoming and its consequences for understanding peoplehood. Finally, the unit raises the necessity of weaving both stories of Being and Becoming into a sustainable story of Jewish peoplehood today.

### UNIT 3 SOURCES

1. Exodus 19:1–6	36
2. Exodus 20:2–13	36
3. Leviticus 19:1–2	37
4. Isaiah 43:10	37
5. Deuteronomy 5:1–3	37
6. Deuteronomy 6:1	38
7. Deuteronomy 12:1	38
8. Deuteronomy 30:15–20	38
9. Maimonides, Introduction to Perek Hēlek	38

### BACKGROUND READING

1. Donniel Hartman, “Exodus Jews and the Covenant of Becoming,” <i>Who Are the Jews?</i> (Forthcoming)	40
---	----

## 1. Exodus 19:1–6

<sup>1</sup> On the third new moon after the Israelites had gone forth from the land of Egypt, on that very day, they entered the wilderness of Sinai. <sup>2</sup> Having journeyed from Rephidim, they entered the wilderness of Sinai and encamped in the wilderness. Israel encamped there in front of the mountain, <sup>3</sup> and Moses went up to God, and the LORD called him from the mountain, saying, “Thus shall you say to the House of Jacob, and declare of the Children of Israel: <sup>4</sup> ‘You have seen what I did to the Egyptians, how I bore you on eagles’ wings and brought you to Me. <sup>5</sup> Now then, if you will obey Me faithfully, and keep My covenant, you shall be My treasured possession among all the people. Indeed, all the earth is Mine, <sup>6</sup> but you shall be to me a kingdom of priests and a holy nation. These are the words that you shall speak to the Children of Israel.’”

## 2. Exodus 20:2–13

<sup>2</sup> I the LORD am your God who brought you out of the land of Egypt, the house of bondage: You shall have no other gods besides Me. <sup>3</sup> You shall not make for yourself a sculptured image, or any likeness of what is in the heavens above, or on the earth below, or in the waters under the earth. <sup>4</sup> You shall not bow down to them or serve them. For I the LORD your God am an impassioned God, visiting the guilt of the parents upon the children, upon the third and upon the fourth generations of those who reject Me, <sup>5</sup> but showing kindness to the thousandth generation of those who love Me and keep My commandments.

<sup>6</sup> You shall not swear falsely by the name of the LORD your God; for the LORD will not clear one who swears falsely by His name. <sup>7</sup> Remember the sabbath day and keep it holy. <sup>8</sup> Six days you shall labor and do all your work, <sup>9</sup> but the seventh day is a sabbath of the LORD your God: you shall not do any work – you, your son or

א בחדש השלישי, לצאת בני ישראל, מארץ מצרים –  
ביום הזה, באו מדבר סיני. ב ויסעו מרפידים, ויבאו  
מדבר סיני, ויחנו, במדבר; ויחן-שם ישראל, נגד ההר.  
ג ומשה עלה, אל-האלהים; ויקרא אליו יהוה, מן-ההר  
לאמר, כה תאמר לבית יעקב, ותגיד לבני ישראל.  
ד אתם ראיתם, אשר עשיתי למצרים; ואשא אתכם  
על-כנפי נשרים, ואבא אתכם אלי. ה ועתה, אם-  
שמוע תשמעו בקלי, ושמרתם, את-בריתי – והייתם  
לי סגלה מכל-העמים, כי-לי כל-הארץ. ו ואתם תהיו-  
לי ממלכת כהנים, וגוי קדוש: אלה, הדברים, אשר  
תדבר, אל-בני ישראל.

ב אנכי יהוה אלהיך, אשר הוצאתיך מארץ מצרים –  
מבית עבדים: לא-יהיה לך אלהים אחרים, על-פני.  
ג לא-תעשה לך פסל, וכל-תמונה, אשר בשמים  
ממעל, ואשר בארץ מתחת – ואשר במים, מתחת  
לארץ. ד לא-תשתחוו להם, ולא תעבדם: כי אנכי יהוה  
אלהיך, אל קנא – פקד עון אבת על-בנים על-שלישים  
ועל-רבעים, לשנאי. ה ועשה חסד, לאלפים – לאהבי,  
ולשמרי מצותי.

ו לא תשא את-שם-יהוה אלהיך, לשוא: כי לא ינקה  
יהוה, את אשר-ישא את-שמו לשוא. ז זכור את-יום  
השבת, לקדשו. ח ששת ימים תעבד, ועשית כל-  
מלאכתך. ט ויום, השביעי – שבת, ליהוה אלהיך:  
לא-תעשה כל-מלאכה אתה ובנך ובתך, עבדך ואמתך  
ובהמתך, וגרך, אשר בשעריך.

daughter, your male or female slave, or your cattle, or the stranger who is within your settlements. <sup>10</sup> For in six days the LORD made heaven and earth and sea, and all that is in them, and He rested on the seventh day; therefore the LORD blessed the sabbath day and hallowed it. <sup>11</sup> Honor your father and your mother, that you may long endure on the land that the LORD your God is assigning to you. <sup>12</sup> You shall not murder. You shall not commit adultery. You shall not steal. You shall not bear false witness against your neighbor. <sup>13</sup> You shall not covet your neighbor's house: you shall not covet your neighbor's wife, or his male or female slave, or his ox or his ass, or anything that is your neighbor's.

י כי ששת ימים עשה יהוה את השמים ואת הארץ, את הים ואת כל אשר בם, וינח, ביום השביעי; על כן, ברוך יהוה את יום השבת - ויקדשהו. יא כבוד את אביה, ואת אמה - למען, יארכו ימיה, על האדמה, אשר יהוה אלהיה נתן לך. יב לא תרצח, לא תנאף; לא תגנב, לא תענה ברעך עד שקר. יג לא תחמד, בית רעה; לא תחמד אשת רעה, ועבדו ואמתו ושורו וחמרו, וכל אשר לרעה.

### 3. Leviticus 19:1-2

<sup>1</sup> The LORD spoke to Moses, saying: <sup>2</sup> Speak to the whole Israelite community and say to them: You shall be holy, for I the LORD your God, am holy.

א וידבר יהוה, אל משה לאמר. ב דבר אל כל עדת בני ישראל, ואמרת אליהם - קדשים תהיו: כי קדוש, אני יהוה אלהיכם.

### 4. Isaiah 43:10

<sup>10</sup> You are my witnesses, declares the LORD, my servant whom I have chosen to the end that you may take thought and believe in Me and understand that I am He. Before Me no god was formed, and after Me none shall exist.

י אתם עדי נאם יהוה, ועבדי אשר בחרתי: למען תדעו ותאמינו לי ותבינו, כי אני הוא - לפני לא נוצר אל, ואחרי לא יהיה.

### 5. Deuteronomy 5:1-3

<sup>1</sup> Moses summoned all the Israelites and said to them: Hear, O Israel, the laws and rules that I proclaim to you this day! Study them and observe them faithfully! <sup>2</sup> The LORD our God made a covenant with us at Horeb. <sup>3</sup> It was not with our fathers that the LORD made this covenant, but with us, the living, every one of us who is here today.

א ויקרא משה, אל כל ישראל, ויאמר אליהם שמע ישראל את החקים ואת המשפטים, אשר אנכי דבר באזניכם היום; ולמדתם אתם, ושמרתם לעשתם. ב יהוה אלהינו, כרת עמנו ברית - בחרב. ג לא את אבותינו, כרת יהוה את הברית הזאת: כי אתנו, אנחנו אלה פה היום כלנו חיים.

## 6. Deuteronomy 6:1

<sup>1</sup> And this is the Instruction – the laws and the rules that the LORD your God has commanded [me] to impart to you, to be observed in the land that you are about to cross into and occupy.

א זאת המצוה, החקים והמשפטים, אשר צוה יהוה אליהם, ללמד אתכם - לעשות בארץ, אשר אתם עברים שמה לרשתה.

## 7. Deuteronomy 12:1

<sup>1</sup> These are the laws and rules that you must carefully observe in the land that the LORD, God of your fathers, is giving you to possess, as long as you live on earth.

א אלה החקים והמשפטים, אשר תשמרון לעשות, בארץ, אשר נתן יהוה אלהי אבותיך לך לרשתה: כל-הימים - אשר-אתם חיים, על-הארמה.

## 8. Deuteronomy 30:15–20

<sup>15</sup> See, I set before you this day life and prosperity, death and adversity. <sup>16</sup> For I command you this day, to love the LORD your God, to walk in His ways, and to keep His commandments, His laws, and His rules, that you may thrive and increase, and that the LORD your God may bless you in the land that you are about to enter and possess. <sup>17</sup> But if your heart turns away and you give no heed, and are lured into the worship and service of other gods, <sup>18</sup> I declare to you this day that you shall certainly perish; you shall not long endure on the soil that you are crossing the Jordan to enter and possess. <sup>19</sup> I call heaven and earth to witness against you this day: I have put before you life and death, blessing and curse. Choose life-if you and your offspring would live <sup>20</sup> by loving the LORD your God, heeding His commands, and holding fast to Him. For thereby you shall have life and shall long endure upon the soil that the LORD swore to your ancestors, Abraham, Isaac, and Jacob, to give to them.

טו ראה נתתי לפניך היום, את-החיים ואת-הטוב, ואת-המוות, ואת-הרע. טז אשר אנכי מצוה, היום, לאהבה את-יהוה אלהיך ללכת בדרכיו, ולשמור מצותיו וחקותיו ומשפטים; וחיית ורבית - וברכה יהוה אלהיך, בארץ אשר-אתה בא-שמה לרשתה. יז ואם-יפנה לךבך, ולא תשמע; ונדחת, והשתחוית לאלהים אחרים - ועבדתם. יח הגדתי לכם היום, כי אבד תאבדון: לא-תאריכון ימים, על-הארמה, אשר אתה עבר את-הירדן, לבוא שמה לרשתה. יט העדתי בכם היום, את-השמים ואת-הארץ - החיים והמוות נתתי לפניך, הברכה והקללה; ובחרת, בחיים - למען תחיה, אתה וזרעך. כ לאהבה את-יהוה אלהיך, לשמע בקלו ולדבקה-בו: כי הוא חיה, וארך ימיה - לשבת על-הארמה אשר נשבע יהוה לאבותיך לאברהם ליצחק וליעקב, לתת להם.

## 9. Maimonides, Introduction to Perek H'elek

And when an individual believes in these principles, and their truth is clarified to him, *then* he/she enters into Israel and we are commanded to love and to have compassion upon him, and to treat him in all the ways that God commanded

וכאשר יאמין האדם אלה היסודות כולם, ונתבררה אמונתו בהם - הוא נכנס בכלל ישראל. ומצוה לאהבו ולרחם עליו, ולנהג עמו בכל מה שצוה השם יתברך איש לחברו מן האהבה והאחווה...

a human being to treat his or her fellow Jew:  
with love and compassion . . .

But when a person's faith in one of these principles is corrupted, he has separated from the community. He is a heretic in the essence, he is called a heretic, an apostate, and an individual who cuts the plantings. It is a commandment to hate him and to destroy him. And about him it is said, "Your enemy's God I will hate; those who hate you, God, I will hate." (Ps. 139:21)

וְכִשְׁנִתְקַלְקַל לְאָדָם יִסּוּד מֵאֱלֹהֵי הַיְסוּדוֹת - הֲרֵי יֵצֵא  
מִן הַכֹּלֵל וְכֹפֵר בְּעֵיקָר. וְנִקְרָא "מֵיִן" וְ"אֶפֶיִקוֹרוֹס"  
וְ"קוֹצֵץ בְּנֻטְיָעוֹת". וּמִצְוָה לְשׁוֹנְאוֹ וּלְאַבְדּוֹ. וְעַלִּי  
נֹאמֵר (תְּהִלִּים קֵלֶט כֹּא): "הָלוֹא מְשִׁנְאֵיהֶ יְיָ אֲשֵׁנָא,  
וּבְתִקוּמֵיהֶ אֶתְקוּטֵט".

## Background Reading

1. Donniel Hartman, "Exodus Jews and the Covenant of Becoming," *Who Are the Jews?* (Forthcoming)

### Commanded to Become

While the Covenant of Being introduced in Genesis covers a broad swathe of cultural and conceptual territory – both the early lived reality of Jews during the biblical period and a foundational understanding of Jewish identity that abides to this day – it is only the first piece of the Jewish collective-identity story, whose continuation is fully fleshed out in the book of Exodus. For this reason, as distinct from Genesis Jews, I refer to its adherents as Exodus Jews, called by the biblical God into a Covenant of Becoming.

The Covenant of Becoming constructs Jewish identity primarily as a journey along a path: a way of life defined by particular behaviors and beliefs, an enduring commitment to live a life in accordance with God's will. It is a Covenant of *Becoming*, because, to paraphrase the Rabbis, one never completes the journey. To live with commandments is to never desist from the lifelong project of self-improvement, of working to actualize one's many latent potentialities and gifts and live a life increasingly aligned with the divine.

The essence of this covenant is perhaps most elegantly expressed in the most frequently recurring verse in the Bible: "And God spoke to Moses, saying, 'Speak to the Children of Israel and say unto them . . .'" – and what follows is a divine aspiration for humanity translated into a commandment to act. It is in the response to this calling that Jewish identity is endowed with purpose: that it ceases to be a mere accident of birth, something both inherited and imposed, and is transformed into a choice and a mission to create a life of value.

### Revelation: A Collective "Lekh Lekha"

It is in the book of Exodus that the Ten Commandments literally storm onto the scene of Jewish history in an awesome revelatory display, heralding this dimension of Jewishness. The Ten Commandments announce not only the aspirations engraved on their tablets, but the broader declaration that Jewishness is not just an inherited or assumed identity, but a way of life comprised of obligations and commitments:

I am the LORD your God, who took you out of the Land of Egypt, the house of bondage: you shall have no other gods besides me . . . you shall not make for yourself a sculptured image . . . you shall not take the name of the LORD your God in vain . . . Remember the Sabbath day and keep it holy . . . Honor your father and your mother . . . You shall not murder . . . You shall not commit adultery . . . You shall not steal . . . You shall not bear false witness . . . You shall not covet your neighbor's house . . . (Exodus 20:2–14)

Here the Exodus from Egypt catalyzes a new phase of Jewish collective meaning and identity. The same God “who took you out of the Land of Egypt” because of Covenant-of-Being-based responsibilities to the descendants of Abraham, now, from the mountaintop at Sinai, demands something in return – namely obedience, loyalty, and faith: “You shall have no other gods besides Me.” While Genesis Jews live in a covenant that is essentially a one-sided manifesto of God’s commitments to the Jewish people, Exodus Jews are bound together, and to God, by a reciprocal covenant of divine aspiration and human response. With this Covenant of Becoming and its gifts come commandments and expectations – thus constituting a new, qualitatively different relationship with the divine, based not on the past, but on the choices we make from Sinai hence.

In Genesis, there is a fundamental distinction between Abraham and the rest of the Jewish people. The latter, his descendants, as Genesis Jews, are required only to be. But Abraham himself spent his entire life in a process of doing and becoming. The Book of Exodus returns our focus, and that of the tradition as a whole, back to the moment at which Abraham was called by God on a mission to leave his entire known world – “Go!” (*lekh lekha*) – and calls on the rest of us to respond as Abraham did, rising early to strike out on a new path of intimacy and relationship with the divine. The revelation of the Torah at Sinai is the collective *lekh lekha* moment of the Jewish People.

### “It Is Not with Our Ancestors”: Covenant for a New Nation on Their Land

A generational framework for understanding the move from Being to Becoming is offered when the story of the Ten Commandments is retold in the Book of Deuteronomy. At the moment the Children of Israel are poised to cross the Jordan and enter the Promised Land of Canaan,

Moses summoned all Israel and said: Hear, Israel, the decrees and laws I declare in your hearing today. Learn them and be sure to follow them. *The LORD our God made a covenant with us at Horeb. It was not with our ancestors that the LORD made this covenant, but with us, with all of us who are alive here today.* The LORD spoke to you face to face out of the fire on the mountain . . . (Deuteronomy 5:1–4; emphasis added)

“It was not with our ancestors that the LORD made this covenant” – The Covenant of Being *is what brought you here*, the Jewish People are told in preparation for the next phase of their collective evolution. *But to live in the land requires nothing short of a break from this mindset and an entirely new orientation towards Jewish tradition and community.* Living as Genesis Jews, it is here argued, was but a temporary reality: a prefatory, preparatory stage of our collective identity. Becoming Exodus Jews is the beginning of the new – permanent, fully realized – chapter of Jewishness.

An analogous dynamic can be found in the Bible’s framing of the future life of the Jewish People in their Land:

Now this is the commandment, the statutes and the ordinances, which the LORD your God commanded to teach you, *that you will do them in the Land...* These are *the statutes and the ordinances, which you shall observe to do in the Land* which the LORD, the God of your fathers, has given you to possess... (Deuteronomy 6:1, 12:1; emphasis added)

In contrast to the many verses quoted above promising the land to Abraham's seed as a matter of birthright, Deuteronomy here depicts the land as a place with a purpose – for the Children of Israel to fulfill the Covenant of Becoming, by becoming Exodus Jews.

### “If You Will Obey Me Faithfully”: The Conditional Covenant

One of the most salient and telling features of the Covenant of Becoming is its redefinition of the notion of chosenness as conditional upon the fulfillment of God's commandments. For the Genesis Jew, chosenness is inherited: an unearned and inscrutable status hidden within the infinite will and wisdom of the divine. God, without explanation or even the slightest prelude, turns to Abraham and commands him to “Go forth from your native land and from your father's house, to the land that I will show you.” Abraham is plucked from total anonymity out of the totality of humankind and given a unique opportunity to be in a covenantal relationship with God – a relationship that up to that point he has done nothing to deserve. His descendants, in turn, inherit the blessing of Abraham simply by being born of his seed into a Covenant of Being.

This Genesis-based version of chosenness is antithetical to the Exodus Jew, whose Covenant of Becoming defines Jewishness as the commitment to an ongoing process of aligning one's actions and beliefs with God's will. Here election is not an inheritance, but a responsibility and an insistent claim; chosenness is not bestowed, it must be realized, achieved. To be chosen means to be selected *for* something (like a responsibility or task), not *as* something (like an elevated status). In this paradigm, covenantal partnership is not simply a permanent function of the past election of Abraham, but a variable status that must continually be established (and re-established) by one's actions in the present.

The God of the Exodus Jew does dispense blessings – but in the Covenant of Becoming, these are conditional upon Israel's fulfillment of its divine designs. This theme, implicit in the Ten Commandments itself, is explicitly introduced when the Children of Israel arrive at the base of Mount Sinai. It is at this point that Moses receives an introductory message from God outlining the basic proposition of the new covenantal relationship:

The LORD called him from the mountain, saying, “Thus shall you say to the House of Jacob, and declare of the Children of Israel: “You have seen what I did to the Egyptians, how I bore you on eagles' wings and brought you to Me. Now then, *if you will obey Me faithfully, and keep My covenant, (then) you shall be My treasured possession among all the people. Indeed, all the earth is Mine, but you*

shall be to me a kingdom of priests and a holy nation. These are the words that you shall speak to the Children of Israel. (Exodus 19:3–6; emphasis added)

Couched in the elevated register of a love poem is not merely a clear *quid pro quo* but a redefinition of the covenant itself as reciprocal. No longer a unilateral divine promise, the covenant is now something the human partners are only awarded “if” they “keep” and “obey.” *Only in exchange for doing so* will God keep the divine side of the covenant and single out the Jews as a “treasured possession,” a “kingdom of priests and a holy nation.”

This theme is elaborated in dramatic fashion in a series of blessings and curses in the Book of Leviticus that paint the conditionality of the covenant in vivid terms:

*‘If you follow my decrees and are careful to obey my commands, I will send you rain in its season, and the ground will yield its crops and the trees their fruit. Your threshing will continue until grape harvest and the grape harvest will continue until planting, and you will eat all the food you want and live in safety in your land. . . . But if you will not listen to me and carry out all these commands, and if you reject my decrees and abhor my laws and fail to carry out all my commands and so violate my covenant, then I will do this to you: I will bring on you sudden terror, wasting diseases and fever that will destroy your sight and sap your strength. You will plant seed in vain, because your enemies will eat it. I will set my face against you so that you will be defeated by your enemies; those who hate you will rule over you, and you will flee even when no one is pursuing you. ‘‘If after all this you will not listen to me, I will punish you for your sins seven times over. I will break down your stubborn pride and make the sky above you like iron and the ground beneath you like bronze. Your strength will be spent in vain, because your soil will not yield its crops, nor will the trees of your land yield their fruit. ‘‘If you remain hostile toward me and refuse to listen to me, I will multiply your afflictions seven times over, as your sins deserve. I will send wild animals against you, and they will rob you of your children, destroy your cattle and make you so few in number that your roads will be deserted. (Leviticus 26:3–22; emphasis added)*

While we retain our national identity as the House of Jacob and the Children of Israel, being showered with divine blessing is something we no longer can claim as an inherited birthright. *‘‘If you obey me . . . you shall be my treasured possession . . .’’* No longer is our relationship to God based only on our ancestry (or, for that matter, on our suffering). Indeed, if we fall too far out of line, we might just as easily be hounded by divine curse.

Not satisfied with viewing Jewishness only as a modality of being – a status, essentially, one passively inherited and passively passed on – Exodus Judaism casts Jewish identity as a mission. Isaiah defines the nature of the mission with majestic precision:

*‘In the name of God, my witnesses are you,’ declares the LORD, ‘my servant whom I have chosen to the end that you may take thought and believe in Me and understand that I am He. Before Me no god was formed, and after Me none shall exist.’ (Isaiah 43:10; emphasis added)*

## “Should You Act Wickedly”: The Violable Covenant

Once mission, and conditions, are introduced into the equation, the covenant can no longer be seen as inviolable – one of the defining features of the Covenant of Being. According to the Covenant of Becoming, the contract can be breached; God can withdraw.

When you have begotten children and children’s children and are long established in the land, should you act wickedly, and make for yourselves a sculptured image in any likeness, causing the LORD your God displeasure and vexation, I call heaven and earth this day to witness against you that *you shall soon perish from the land* that you are crossing the Jordan to possess: you shall not long endure in it, *but shall be utterly wiped out*. The LORD will scatter you among the peoples, and only a scant few of you shall be left among the nations to which the LORD will drive you. There you will serve man-made gods of wood and stone that cannot see or hear or eat or smell. “(Deuteronomy 4:25–28; emphasis added)

The Exodus Jew’s narrative oscillates on the possibility of God withdrawing from the covenant, and the Jewish people perishing, if their disobedience becomes overly brazen and/or widespread. Once the covenant is built on commandments, its rewards must be earned, and its violation must have dire consequences. The Covenant of Becoming raises the possibility as a logical consequence that failure to observe the covenant can lead to its abrogation. Repeatedly, language is invoked that suggests the Jewish people will surely perish.

## “Then at Last Shall Their Obdurate Heart Humble itself”: The Available Covenant

Does anything remain of the Genesis Covenant’s eternal unconditional promise?

Where the Genesis-based Covenant of Being can be traced to in the Exodus narrative is the bedrock promise that the covenant will remain, while not inviolable, eternally *available* – forever open to being activated by a remnant who will choose to reaffirm their commitment to Becoming. Here the meaning of God being “with us” is that God will always *wait* for us to become . . . Exodus Jews. If we tarry, however, the covenant can remain suspended indefinitely.

After declaring the covenant violable, for example, God promises in a continuation of the Deuteronomy speech quoted above:

But if you search there for the LORD your God, you will find him, if only you seek him with all your heart and soul – when you are in distress because all these things have befallen you and in the end, return to the LORD your God and obey Him, for the LORD your God is a compassionate God: He will not fail you, nor will he let you perish; He will not forget the covenant which He made on oath with your fathers. (Deuteronomy 4:29–31)

This motif is repeated throughout the Torah:

Those of you who survive shall be heartsick over their iniquity in the land of their enemies; more, they shall be heartsick over the iniquity of their fathers; and they shall confess their iniquity, and the iniquity of their fathers, in that they trespassed against me, yea, were hostile to me. When I, have been hostile to them, and have removed them into the land of their enemies, then at last shall their obdurate heart humble itself, and they shall atone for their iniquity. *Then* will I remember My covenant with Jacob: I will remember also my covenant with Isaac, and also my covenant with Abraham.” (Leviticus 26:39–42)

When all these things befall you – the blessing and the curse that I have set before you – and you take them to heart amidst the various nations to which the LORD your God has banished you, and you return to the LORD your God, and you and your children heed his command with all your heart and soul, just as I enjoin upon you this day, *then* the LORD your God will restore your fortunes and take you back in love. He will bring you together again from all the peoples where the LORD your God has scattered you. Even if your outcasts are at the end of the world, from there the LORD your God will gather you, from there he will fetch you. And the LORD your God will bring you to the land that your fathers possessed, and you shall possess it; and He will make you more prosperous and more numerous than your fathers. (Deuteronomy 30:1–5)

The inherited dimension of the covenant no longer promises blessing, but rather the *possibility* of blessing, in exchange for observing the commandments. The Exodus from Egypt, and God’s deliverance of the Children of Israel into the Promised Land, were based solely on their status as Genesis Jews reaping the benefits of a one-sided Covenant of Being. For the Exodus Jew, however, the ability to *remain* in the land, to continue receiving the blessing in the present – to say nothing of future redemption from exile – will no longer follow the Genesis model, but must henceforth to be earned: *When you return to me*, God offers, *then I will return to you*.

What remains of the Covenant of Being, then, is the *imprint* of an eternal possibility of return: no matter how far one may have strayed from it, the path of the Covenant of Becoming is always open.

This idea of the available covenant is the foundation of a famous Talmudic debate over the mechanism that will trigger the messianic redemption:

R. Eliezer said: if Israel repent, they will be redeemed; if not, they will not be redeemed. R. Joshua said to him, if they do not repent, will they not be redeemed? But the Holy One, blessed be He, will set up a king over them, whose decrees shall be as cruel as Haman’s, whereby Israel shall engage in repentance, and he will thus bring them back to the right path. (BT Tractate Sanhedrin 97b)

Both R. Eliezer and R. Joshua reject the comfort of the Covenant of Being and agree that redemption is always but a *potentiality*, only to become actualized if the Jewish people decide to repent and change their ways. What R. Joshua adds is that Exodus Jews’ framing of the covenantal relationship does not envision God as a

mere bystander awaiting their decision. Once the covenant is essentially suspended as a result of the Jewish people's breach, God is on the edge of God's seat, as it were, eagerly encouraging them to reengage, to return and become who they ought to be. It is God, according to R. Joshua, who will create the historical conditions that force their hand and move them from being Genesis Jews to becoming Exodus Jews.

## Genesis Stories through an Exodus Lens

One of the ways that advocates of the Covenant of Becoming attempted to establish its primacy was through a broad reinterpretation of the core sources shaping the identity of Genesis Judaism. Not only did they posit that the Covenant of Becoming is the real, authentic Judaism of the Jews in their Land. They further engaged in a comprehensive effort to reinterpret the Genesis story itself, recasting Genesis ancestors within the parameters of Exodus Judaism.

First up for recasting was Abraham himself. As the Rabbis reinterpreted the biblical narrative, they shaded away the mystery of Abraham's election by reimagining him as a true believer who chose God before God chose him. Commenting on the verse in Genesis about the youngest of Terah's three sons, Haran, inscrutably dying "in the presence of his father Terah in the land of his nativity, in Ur of the Chaldees," (Genesis 11:28), the Rabbis unfurl a midrashic origin-story designed to emphasize Abraham's bona fides as a fearless and cannily subversive spiritual warrior on behalf of the monotheistic God.

Terah was a manufacturer of idols who once went away somewhere and left Abraham to sell them in his place. A man came and wished to buy one. "How old are you?" Abraham asked him. "Fifty years," was the reply. "Woe to such a man!" he exclaimed, "you are fifty years old and would worship a day-old object!" At this he became ashamed and departed.

On another occasion, a woman came with a plate full of flour and requested him, "Take this and offer it to them." So, he took a stick, broke them with it, and then put it in the hand of the largest. When his father returned he demanded, "What have you done to them?" "I cannot conceal it from you," he rejoined, "A woman came with a plateful of fine meal and requested me to offer it to them. One claimed, 'I must eat first,' while another claimed 'I must eat first.' Thereupon the largest arose, took the stick, and broke them."

"Why do you make sport of me," he cried out; "have they then any knowledge?" "Should not your ears listen to what your mouth is saying," he retorted. Thereupon he (Terah) seized him (Abraham) and delivered him to [the Emperor] Nimrod.

"Let us worship the fire!" he (Nimrod) proposed. "Let us worship water, which extinguishes the fire," replied he. "Then let us worship water!" "Let us rather worship the clouds which bear the water." "Then let us worship the clouds!" "Let us rather worship the winds which disperse the clouds." "Then let us worship the wind!" "Let us rather worship human beings, who withstand the wind," "You are just bandying words," he exclaimed; "we will worship naught but the fire. Behold I will cast you into it, and let your God, whom you adore, come and save you from

it.” Now [Abraham’s brother] Haran was standing there undecided. If Abraham is victorious (thought he), I will say that I am of Abraham’s belief, while if Nimrod is victorious, I will say that I am on Nimrod’s side. When Abram descended into the fiery furnace and was saved, he (Nimrod) asked him (Haran), “Of whose belief are you?” “Of Abram’s” he replied. Thereupon he seized and cast him into the fire; his innards were scorched and he died in his father’s presence. Hence it is written, “And Haran died in the presence of [here read, “on account of”] his father Terah. (Genesis Rabbah, Noah, 38:13)

Long before he received the divine call, in the rabbis’ retelling, Abraham initiated a turn to God on his own. For this self-generated iconoclasm, he was exiled by the ruling political power from his father’s house and his native land. It was only in response to his spiritual heroism, in this somewhat radical rabbinic retelling, that God turns to this unique seeker and says, *Come walk with Me. I choose you because you alone believe in Me.*

Jewish chosenness, in this context, is the reenacting in one’s life of the midrashic-Abrahamic moment of choosing and committing oneself to God and everything that that choice and commitment entails.

This rabbinic recasting of Genesis stories through an Exodus lens is perhaps most starkly and concisely illustrated in the midrashic commentary on Jacob and Esau – the former chosen to receive the blessing of Abraham, the latter not. With no regard or apparent loyalty or connection to the most straightforward understanding of the verses, the Rabbis justify this selection by painting Esau as an inveterate bloodthirsty liar and sinner, and Jacob as living in accordance with classic Exodus Judaism: chosen, like the midrashic Abraham above, for his learning, wisdom, and character.

This interpretative legacy begins in Rebecca’s womb, and extends throughout their lives:

“And the children struggled in her womb.” (Genesis 25:22) When she came near synagogues or schools (of Torah learning), Jacob struggled to come out . . . While when she passed idolatrous temples, Esau eagerly struggled to come out. (Genesis Rabbah, Toldot, 63:6)

“The first one emerged red, like a hairy mantle all over; so they named him Esau.” (Genesis 25:25) “Red”: a sign that he would always be shedding blood. (Rashi on Genesis 25:25)

“When the boys grew up, Esau became a skillful hunter, a man of the outdoors; but Jacob was a mild man who stayed in camp.” (Genesis 25:27) So long as they were young they could not be distinguished by what they did, and no one paid much attention to their characters, but when they reached the age of thirteen, one went his way to the houses of learning and the other went his way to the idolatrous temples. (Genesis Rabbah 63:10).

“And When Esau was forty years old, he took to wife Judith daughter of Beerit the Hittite.” (Genesis 26:34) For forty years Esau used to ensnare married women and violate them, yet when he attained forty years he compared himself to his father, saying, “As my father was forty years old when he married, so I will marry at the age of forty.” (Genesis Rabbah 65:1)

The Holy One, blessed be He, chose Jacob, as it is stated (Psalms 135:4), “For Jacob did the LORD choose.” And so [too] it says (Isaiah 41:8), “Jacob whom You have chosen.” But He did not bring him close, but rather [Jacob] brought himself close, as it is stated (Genesis 25:27), “Jacob was a simple man that sat in tents.” (Bamidbar Rabbah 3:2)

In these highly motivated midrashic retellings, the Genesis narrative is projected through the lens of the Exodus Covenant and Jews of Being emerge as Jews of Becoming. Those who choose to walk the path of God and Torah are thus invited to take their place as full covenant partners, and receive all associated blessings and rewards.

## Exodus Consciousness: The Invention of ‘Good’ and ‘Bad’ Jews

Like Genesis Judaism, Exodus Judaism’s mindset and worldview also generated a distinct Jewish culture with a distinct consciousness. It is a consciousness that emerges from the foundational understanding that the covenant entails a responsibility to shape one’s life in accordance with a set of values, practices and beliefs – to become something. The understanding that Jewishness is not essentially who you are, but how you act. This frame of mind – and the universe of implications and applications it engenders – are what I term “Exodus Consciousness.”

As discussed in the previous chapter, a conceptual bedrock of Genesis Consciousness is that Jewish identity is permanent – once a Jew, always a Jew – which in turn produces a high degree of tolerance and loyalty among members. In a Covenant of Being extended equally and unconditionally to every Jew, there is no basis to judge any Jew as more or less Jewish than any other. A God who bestows forbearing tolerance on all Jews models the standard for human emulation: just as God tolerates an expansive range of multiplicity and diversity within the Covenant of Being, so must we aspire to total inclusivity around our communal table.

Exodus Consciousness yields very different attitudes and dynamics around the issues of social tolerance and loyalty, indeed around identity itself. Once Judaism is conceived as a Covenant of Becoming, members’ behaviors and beliefs begin to take on far greater significance, including the potential to impact one’s social status. Those who do not conform to prevalent beliefs and practices will find it difficult to remain Jews in good standing.

One of the great exemplars and disseminators of Exodus Consciousness – and perhaps Jewish thought’s most famous critic of the religion of the Genesis Jew – is the medieval rabbinic luminary and philosopher Maimonides. Throughout much of his writing, Maimonides advocated that Judaism be defined almost exclusively through an Exodus lens. In one of his most famous and influential theological essays (*The Introduction to Perek Helek*), he codifies the thirteen core principles of faith that define the essence of his Exodus Judaism:

1. Believing in the existence of the Creator
2. The uniqueness of God
3. Denying the corporeality of God

4. Recognizing both the primacy of God and the fact that God is eternal
5. Understanding that God alone is worthy of worship
6. Accepting prophecy
7. Believing in the prophecy, and the unique status of the prophecy, of Moses
8. That the Torah has a divine origin
9. That the Torah is a direct replicate of the word of God
10. That God is aware of human behavior and cognizant of it
11. That God rewards the righteous and punishes the wicked
12. That there will be a messianic era in which the world will be redeemed
13. That at that time there will be resurrection of the dead.

For Maimonides, these are not only the core principles of faith upon which Judaism is founded, the core elements of the Covenant of Becoming. They are also, in essence, the gateway through which all Jews become Jews:

And when an individual believes in these principles, and their truth is clarified to him, *then* he enters into Israel and we are commanded to love and to have compassion upon him and to treat him in all the ways that God commanded a human being to treat his or her fellow: with love and compassion.

In the powerfully Exodus-based theology of Maimonides, one becomes a Jew through the gauntlet of a sequence of beliefs. The moment one accepts these beliefs, one is in turn accepted into the community as an insider with all the benefits of membership.

The obverse side of this admittance policy, however, is a strict exclusion policy for those who deviate from these core beliefs – a policy incoherent from the standpoint of Genesis Consciousness:

But when one of these principles or when a person's faith in one of these principles is corrupted, he has separated from the community. He is a heretic in the essence, he is called a heretic (*min*), an apostate (*apikorus*), and an individual who cuts the plantings. It is a commandment to hate him and to destroy him. And about him it is said, 'Your enemy's God I will hate; those who hate you, God, I will hate.' (Psalms 139:21)

In Maimonides' view, a person could keep Shabbat, reject idolatry, live as a Jew and be part of the community – but if they do not accept, in total, the core foundational principles that are essential to his strictly Becoming-based version of Judaism, their Judaism is less-than acceptable, invalid. While in some sense they may remain Jewish, they have become 'bad' Jews. Since Judaism is a modality of becoming, if I have been chosen, as Isaiah posits, to be God's witness, then I must strive with every fiber of my being to embody the testimony as outlined in the Covenant of Becoming. I must in turn demand the same of every member of my community, and distinguish between those agree and those who refuse.

## The Boundaries of Loyalty

As we saw in Maimonides, a Jewish world divided between ‘good’ and ‘bad’ Jews ends up discriminating in its allocation of care, concern and loyalty. The one who believes and practices in line with communal norms is embraced with love and compassion, while the one who falls short is to be hated and destroyed. For Genesis Consciousness, just as the covenant is unconditional and God is stuck with us, so too, we are stuck with each other, and obligated to treat each other with a heightened loyalty reflective of our indissoluble covenantal bonds. In Exodus Consciousness, loyalty can no longer be taken for granted, but becomes contingent upon *what one does* towards increasingly aligning their lives with the covenant. It is the rabbis, embodying the sensibilities of an Exodus Consciousness, who first develop a comprehensive theory of the boundaries of loyalty.

“Sacrifices are accepted from Israelite sinners, so that they will repent,” (BT Tractate Hullin 5a) the Talmud rules – reflecting both an acceptance that sinners exist as part of the “Israelite” community, and an expression of overarching concern that the system allows them the means to repent of their misdeeds. However, the rabbis then proceed to list three exceptions – three types of deviants who are no longer permitted to bring sacrifices to the Temple – the apostate, the idolater, and the public desecrator of Shabbat. While we will analyze this text and these categories in greater depth in chapter four, what is clear is that certain forms of deviance from the standards of the Covenant of Becoming break the bonds of acceptance and loyalty. Being excluded from bringing the penitential sacrifice (*korban hatat*), a primary vehicle for moral and spiritual atonement, effectively blocks these “intolerable” deviants’ path to restoration, forcing them to the margins of communal life. This prohibition reflects an abandonment of responsibility for their rehabilitation. The member to whom it is applied is implicitly, but decisively, removed from the sphere of communal concern: the community no longer feels compelled to look after her spiritual well-being, much less facilitate it. Loyalty has become severely attenuated.

The Talmud goes further in sanctioning what are deemed to be certain forms of extreme deviance by stripping the perpetrator of even the most basic claim to communal loyalty – to the extent of encouraging the imposition of an extra-legal death penalty (*moridin ve-lo ma’alin*, lit. “Throw them down and don’t bring them up”) by fellow community-members.

The heretics (*minim*), apostates (*meshumadim*) and informers, may be cast in and need not be raised up (*moridin ve-lo ma-alin*). (Tosefta Baba Metzia 2:33)

A class of Jewish deviants, heretics, apostates and informers – who personify an extreme rejection of central principles of the covenant of becoming, may be actively placed in the direst of situations. This may involve such trickery as asking them to go down into a pit (*moridin*) in order to retrieve something and then removing the ladder (*ve-lo ma-alin*), thus causing them to die.

What is perhaps most peculiar about this extreme form of sanction is that it is not implemented by a court of law, which reviews evidence as to guilt prior to issuing its judgment. Rather, it empowers regular citizens to take the law in to their own hands

in order to rid society of certain forms of intolerable deviance deemed extreme, subversive, clearly discernable, and public in nature. According to Maimonides, “Anyone who kills one of them has fulfilled a great mitzvah and removed a stumbling block.” (Maimonides, *Hilkhot Mamrim* 3:1)

This is clearly one of the more extreme expressions of being sanctioned in the sphere of loyalty. In the normal course of communal life, members understand as basic the responsibility to protect one another from physical danger and imminent harm. Towards these intolerable deviants, however, not only is this basic form of care suspended, but overt acts of aggression are actually encouraged. Their goal is to mark, marginalize, and ultimately banish these deviants through intimidation and/or death.

In a similar vein, the Talmud offers a ruling that repudiates fellow-Jews’ responsibility to redeem the extreme deviant from captivity, even when the consequence will be loss of life.

A certain [Jewish] man sold himself to the [non-Jewish] Lydian tribe and then appealed to R. Ami saying: ‘Redeem me.’ So, he [R. Ami] said: We have learned, “If a man sells himself and his children to a heathen he is not to be redeemed, but his children are to be redeemed after the death of their father, to prevent their going astray.” All the more so here, where there is a danger of their being killed. The rabbis said to R. Ami: this man is an Israelite apostate who has been seen eating non-kosher meat. He [R. Ami] said to them: Possibly he did so because he was motivated by desire? They said: There have been times when he had the choice of permitted and forbidden meat and he left the former and took the latter [thus indicating that the motivation was spite and not desire]. He thereupon said to the man: Be off, they will not let me ransom you. (BT Tractate Gittin 46b–47a)

While the community is legally obligated to redeem all its members who fall into captivity, this particular case involves an individual who sold himself into captivity, an act which generally absolves the community of its responsibility. R. Ami nonetheless argues for intervention on the grounds that the captors are Lydians, whom some commentators identify as cannibals, or conveners of gladiator events with their slaves. In doing so, he invokes a special clause, a kind of loyalty failsafe: in a case with clear life/death ramifications, the exemption from redeeming one who sells himself is overridden.

The rabbis, who appear to accept the failsafe premise in principle, nonetheless dismiss R. Ami’s claim in this particular case – reasoning that, because the deviance in question was committed out of spite (the conscious intent to defy God’s will), rather than desire (which may be understood as a sense of inner compulsion), his status shifts to that of an intolerable deviant towards whom all bonds of loyalty are forfeit.

If the emphasis of Genesis Consciousness is on the presence of an unconditional bond shared by all Jews, in the world of Exodus Consciousness loyalty becomes contingent, and can no longer be assumed. While the Covenant of Being offers the inexhaustible loyalty of an unconditional promise, the Covenant of Becoming comes to condition and qualify both. Even the ultimate biblical statement of unconditional communal love – “Love your neighbor as yourself” – is reinterpreted by some rabbis to exclude the neighbor who violates the law – with love only afforded to those who are included in your community of shared religious practice. (Cf. BT Pesahim 113b)

## “You Shall be Holy, for I the LORD Your God Am Holy”: The Mutual Covenant

Genesis and Exodus Consciousness depict two distinct notions of Jewish identity, which are intimately linked to different notions of a relationship with God. Genesis exemplifies the God who chooses, and who bears the brunt of the covenantal responsibility. “I will make of you a great nation . . . as numerous as the stars in the sky . . . I will redeem you . . .” The God of Exodus Consciousness, while a God of power, miracles, and blessing, is defined primarily as a God who commands. Consequently, the covenant takes on a new dimension of reciprocity, as human partners attempt to respond to the divine call and anticipate a deepened relationship with God in return. The ensuing blessing is the consequence of the covenant, not its expression.

Exodus Consciousness finds its ultimate expression in the verse, “You shall be holy, for I, the LORD your God, am holy.” God is not merely the source of benevolence and blessing, but the object of striving and emulation. To enter into the covenant is not simply to be chosen for a reward, but to be challenged to become like God.

Genesis and Exodus consciousness, while expressing two clearly distinct modalities of identity and covenant, evolve in parallel throughout the Bible. The deep challenge of biblical Judaism can be distilled into the question, How do they coexist in one people?

The difference between the Genesis-based Covenant of Being and the Exodus-based Covenant of Becoming is that in the Bible, one describes the lived reality of the Jewish people – *who are the Jews* – and the other prescribes the aspirational ideal of what Jewish identity can and must be as envisioned by God. They occupy parallel realities, ultimately only achieving synthesis in visions of an eschatological end of days:

“The days are coming,” declares the LORD, “when I will make a new covenant with the people of Israel and with the people of Judah. It will not be like the covenant I made with their ancestors when I took them by the hand to lead them out of Egypt, because they broke my covenant though I was a husband to them,” declares the LORD. “This is the covenant I will make with the people of Israel after that time,” declares the LORD. “I will put my law in their minds and write it on their hearts. I will be their God, and they will be my people. No longer will they teach their neighbor, or say to one another, ‘Know the LORD,’ because they will all know me, from the least of them to the greatest,” declares the LORD. (Jeremiah 31:31–34)

While this lofty vision would have to await the end of history, it was already as the Biblical Period yielded to the Rabbinic Period that the Covenant of Becoming emerged from the domain of divine fantasy and aspiration, and began, no less than the Covenant of Being, to describe the lived reality of many Jews.

After the period of the biblical Book of Nehemiah, the notion that Jewish identity means more than being born Jewish – it means doing Jewish things in a lifelong effort to become more attuned to the music of the covenant – emerged as a dominant counterpoint to the Jewishness of the Genesis Jews that had preceded it. By the Hasmonean

period, the Jewish community can be seen coalescing around some shared notions of meaning, practice, and belief. (Shaye Cohen, *The Beginnings of Jewishness*)

This is not to say that the Jews uniformly transformed themselves into a community of committed pietists. But for the first time, Jews believe in the same God, their communities rest publicly on the Sabbath. They circumcise their children, keep Passover. By the rabbinic period, Genesis and Exodus Consciousness begin to coexist in various ways within the lived reality of Jewish peoplehood. Instead of occupying alternate realities, they begin to dialogue and shape a new synthesis in Jewish identity – a synthesis that we will explore in the next two chapters.

In the end, we inherit the Judaism of both Genesis and Exodus. Each in isolation has its own context, but both lay claim to a legitimate place within the tradition. Genesis Judaism depicts Jewishness in accordance with the Covenant of Being – celebrating the blessing of Jewish identity while unbound and unbothered by any sense of commandedness – a Judaism where Jews are not classified as sinners or “bad” Jews. Nor does Exodus Judaism get to carry the mantle of the ‘good,’ ‘pure’ Judaism of God. The Covenant of Being is as much God’s Covenant as the Covenant of Becoming. While in the Bible the two do not seem to overlap – in the totality of what has become the biblical narrative, both exist, and both have critical roles to play.

And that is the Bible’s real answer to the question, *Who is a Jew?*





## UNIT 4

# ON UNIVERSALISM AND PARTICULARISM

The concept of Jewish peoplehood is built on a balance between the commitments of universalism and particularism. Jewish divisiveness often arises from a false dichotomy in which Jews are distinguished as either particularists or universalists. This unit explores the relationship between the commitments of Jewish particularism and Jewish universalism, and how the dance between these ideas has characterized the development of modern Zionism and debates around Jewish peoplehood today.

### UNIT 4 SOURCES

1. Genesis 1:27	57
2. Genesis 9:6	57
3. Mishnah Sanhedrin 4:5	57
4. Genesis 12:1–3	57
5. Genesis 17:1–14, 20–21	58
6. Genesis 18:16–33	59
7. Isaiah 43:10	60

### BACKGROUND READING

1. Martha C. Nussbaum, “Reply,” <i>For Love of Country: Debating the Limits of Patriotism</i> (1996), 131–133	61
2. Leon Pinsker, “Auto-Emancipation” (1882)	62
3. Theodore Herzl, “The Jewish State,” in Arthur Herzberg, <i>The Zionist Idea: A Historical Analysis and Reader</i> (1997), 208–209, 225–226	64
4. Ze’ev Jabotinsky, “The Social Question,” <i>HaYarden</i> , Oct. 21, 1938	66
5. Daniel Gordis, “When Balance Becomes Betrayal,” <i>The Times of Israel</i> , Nov. 18, 2012	66
6. Sharon Brous, “Lowering the Bar,” <i>The Times of Israel</i> , Nov. 19, 2012	69

7. Ed Feinstein, “All the Families of the Earth,” *The Times of Israel*, Nov. 23, 2012 70
8. Daniel Gordis, “A Responsibility to Speak,” *The Times of Israel*, Nov. 26, 2012 72
9. Abraham Isaac Kook, *Eight Notebooks* (1912–1913), 3:1–2 77
10. Gil Troy, “Confronting Hamas Totalitarianism Unapologetically but Humanely,” *The Times of Israel*, Nov. 25, 2012 77
11. David N. Myers, “Response to Gordis: A Simplistic Misreading of History,” *The Times of Israel*, Nov. 19, 2012 79
12. Adam R. Bronfman, “‘If Not Now, When?’ A Response to Gordis’ Criticism of Brous,” *The Times of Israel*, Nov. 21, 2012 81
13. Interview with Emmanuel Levinas regarding the Sabra and Chatila Massacre – Sept. 28, 1982, published in *Les Nouveaux Cahiers*, trans. Sean Hand 82
14. Hilary Putnam, “Must We Choose between Patriotism and Universal Reason,” in *For Love of Country: Debating the Limits of Patriotism*, ed. Martha C. Nussbaum (1996), 97 82

## 1. Genesis 1:27

<sup>27</sup> And God created man in His image, in the image of God He created him; male and female He created them.

כִּי וַיִּבְרָא אֱלֹהִים אֶת־הָאָדָם כְּצַלְמוֹ, בְּצַלְמֵם אֱלֹהִים בָּרָא אֹתוֹ: זָכָר וּנְקֵבָה, בָּרָא אֹתָם.

## 2. Genesis 9:6

<sup>6</sup> Whoever sheds the blood of man, by man shall his blood be shed; for in His image did God make man.

וְשִׁפַּךְ דַּם הָאָדָם, בְּאָדָם דָּמוֹ יִשְׁפָּךְ: כִּי בְּצַלְמֵם אֱלֹהִים, עָשָׂה אֶת־הָאָדָם.

## 3. Mishnah Sanhedrin 4:5

Therefore but a single person was created in the world, to teach that if any man has caused a single life to perish (from Israel), he is deemed by Scripture as if he had caused a whole world to perish; and anyone who saves a single soul (from Israel), he is deemed by Scripture as if he had saved a whole world. Again [but a single person was created] for the sake of peace among humankind, that one should not say to another, “My father was greater than your father”. Again, [but a single person was created] against the heretics so they should not say, “There are many ruling powers in heaven”. Again [but a single person was created] to proclaim the greatness of the Holy Blessed One; for humans stamp many coins with one seal and they are all like one another; but the King of kings, the Holy Blessed One, has stamped every human with the seal of the first man, yet not one of them are like another.

לְפִיכָךְ נִבְרָא אָדָם יְחִידִי, לְלַמְדָּהּ, שְׁכָל הַמַּאֲבָד נֶפֶשׁ אַחַת (מִיִּשְׂרָאֵל), מַעֲלָה עָלָיו הַכְּתוּב כְּאִלּוּ אֶבֶד עוֹלָם מְלֵא. וְכָל הַמְקִיִּים נֶפֶשׁ אַחַת (מִיִּשְׂרָאֵל), מַעֲלָה עָלָיו הַכְּתוּב כְּאִלּוּ קִיִּים עוֹלָם מְלֵא. וּמִפְּנֵי שְׁלוֹם הַבְּרִיּוֹת, שְׂלֵא יֵאמֶר אָדָם לַחֲבֵרוֹ אֲבֵא גְדוֹל מֵאֲבִיךָ. וְשְׂלֵא יְהוּ מִיִּנְיָן אוֹמְרִים, הֲרֵבָה רְשָׁיוֹת בְּשָׁמַיִם. וְלִהְגִּיד גְּדֻלָּתוֹ שֶׁל הַקְּדוֹשׁ בְּרוּךְ הוּא, שְׂאָדָם טוֹבֵעַ כַּמָּה מִטְּבָעוֹת בְּחוֹתָם אֶחָד וְכֵלֶן דּוֹמִין זֶה לָזֶה, וּמְלִךְ מְלִכֵי הַמְּלָכִים הַקְּדוֹשׁ בְּרוּךְ הוּא טֹבֵעַ כָּל אָדָם בְּחוֹתָמוֹ שֶׁל אָדָם הָרִאשׁוֹן וְאֵין אֶחָד מֵהֶן דּוֹמֵה לַחֲבֵרוֹ.

## 4. Genesis 12:1–3

<sup>1</sup> The LORD said to Abram, “Go forth from your native land and from your father’s house to the land that I will show you. <sup>2</sup> I will make of you a great nation, and I will bless you; I will make your name great, and you shall be a blessing. <sup>3</sup> I will bless those who bless you And curse him that curses you; and all the families of the earth shall bless themselves by you.”

א וַיֹּאמֶר יְהוָה אֶל־אַבְרָם, לֶךְ־לְךָ מֵאֶרֶץְךָ וּמִמּוֹלַדְתְּךָ וּמִבֵּית אָבִיךָ, אֶל־הָאֶרֶץ, אֲשֶׁר אֲרָאָךְ. ב וְאַעֲשֶׂה, לְגוֹי גְדוֹל, וְאַבְרַכְךָ, וְאֶגְדַּלְּךָ שְׁמֶךָ; וְהָיָה, בְּרַכְּהָ. ג וְאַבְרַכְּךָ מִבְּרַכְיָה, וּמִמְקַלְלָה, אָאָר; וְנִבְרַכּוּ בְךָ, כָּל מִשְׁפַּחַת הָאָדָמָה.

## 5. Genesis 17:1–14, 20–21

<sup>1</sup> When Abram was ninety-nine years old, the LORD appeared to Abram and said to him, “I am El Shaddai.” Walk in My ways and be blameless.

<sup>2</sup> I will establish My covenant between Me and you, and I will make you exceedingly numerous.”

<sup>3</sup> Abram threw himself on his face; and God spoke to him further, <sup>4</sup> “As for Me, this is My covenant with you: You shall be the father of a multitude of nations.

<sup>5</sup> And you shall no longer be called Abram, but your name shall be Abraham,” for I make you the father of a multitude of nations.

<sup>6</sup> I will make you exceedingly fertile, and make nations of you; and kings shall come forth from you.

<sup>7</sup> I will maintain My covenant between Me and you, and your offspring to come, as an everlasting covenant throughout the ages, to be God to you and to your offspring to come.

<sup>8</sup> I assign the land you sojourn in to you and your offspring to come, all the land of Canaan, as an everlasting holding. I will be their God.

<sup>9</sup> God further said to Abraham, “As for you, you and your offspring to come throughout the ages shall keep My covenant.

<sup>10</sup> Such shall be the covenant between Me and you and your offspring to follow which you shall keep: every male among you shall be circumcised.

<sup>11</sup> You shall circumcise the flesh of your foreskin, and that shall be the sign of the covenant between Me and you.

<sup>12</sup> And throughout the generations, every male among you shall be circumcised at the age of eight days. As for the homeborn slave and the one bought from an outsider who is not of your offspring,

<sup>13</sup> they must be circumcised, homeborn, and purchased alike. Thus shall My covenant be marked in your flesh as an everlasting pact.

<sup>14</sup> And if any male who is uncircumcised fails to circumcise the flesh of his foreskin, that person shall be cut off from his kin; he has broken My covenant.” ...

<sup>20</sup> As for Ishmael, I have heeded you. I hereby bless him. I will make him fertile and exceedingly numerous. He shall be the father of twelve chieftains, and I will make of him a great nation.

א וַיְהִי אֲבָרָם, בְּתֹשַׁע־שָׁנָה וְתִשְׁעֵי שָׁנִים; וַיֵּרָא יְהוָה אֶל־אֲבָרָם, וַיֹּאמֶר אֵלָיו אֲנִי־אל שְׁדַי - הַתְּהַלֵּךְ לִפְנֵי, וְהָיָה תָמִים. ב וְאֶתְנָה בְרִיתִי, בֵּינִי וּבֵינֶךָ; וְאָרְכָה אוֹתְךָ, בְּמָאד מְאֹד. ג וַיִּפֶל אֲבָרָם, עַל־פָּנָיו; וַיְדַבֵּר אֶתְּוֹ אֱלֹהִים, לֵאמֹר. ד אֲנִי, הִנֵּה בְרִיתִי אִתְּךָ; וְהָיִיתָ, לְאָב הַמּוֹן גּוֹיִם. ה וְלֹא־יִקְרָא עוֹד אֶת־שְׁמֶךָ, אֲבָרָם; וְהָיָה שְׁמֶךָ אֲבָרָהָם, כִּי אֲבֹה־מוֹן גּוֹיִם נִתְּתִיָּהּ. ו וְהִפְרַתִּי אִתְּךָ בְּמָאד מְאֹד, וְנִתְּתִיָּהּ לְגוֹיִם; וּמְלָכִים, מִמֶּךָ יֵצְאוּ. ז וְהִקְמַתִּי אֶת־בְּרִיתִי בֵּינִי וּבֵינֶךָ, וּבֵין זַרְעֶךָ אַחֲרֶיךָ לְדֹרֹתָם - לְבְרִית עוֹלָם: הַלְּהִיּוֹת לְךָ לְאֱלֹהִים, וּלְזַרְעֶךָ אַחֲרֶיךָ. ח וְנִתְּתִי לְךָ וּלְזַרְעֶךָ אַחֲרֶיךָ אֶת אֶרֶץ מְגֻרֶיךָ, אֶת כָּל־אֶרֶץ כְּנָעַן, לְאֶחְזָת, עוֹלָם; וְהָיִיתִי לָהֶם, לְאֱלֹהִים. ט וַיֹּאמֶר אֱלֹהִים אֶל־אֲבָרָהָם, וְאֶתְּהָ אֶת־בְּרִיתִי תִשְׁמֹר - אֶתְּהָ וְזַרְעֶךָ אַחֲרֶיךָ, לְדֹרֹתָם. י זֹאת בְּרִיתִי אֲשֶׁר תִּשְׁמְרוּ, בֵּינִי וּבֵינֵיכֶם, וּבֵין זַרְעֶךָ, אַחֲרֶיךָ: הַמּוֹל לָכֶם, כָּל־זָכָר. יא וְנִמְלַתֶם, אֶת בְּשָׂר עַרְלַתְכֶם; וְהָיָה לְאוֹת בְּרִית, בֵּינִי וּבֵינֵיכֶם. יב וּבֶן־שְׁמֹנֶת יָמִים, יְמוֹל לָכֶם כָּל־זָכָר - לְדֹרֹתֵיכֶם: יְלִיד בֵּית - וּמִקְנַת־כֶּסֶף מִכָּל בֶּן־נֶכֶד, אֲשֶׁר לֹא מִזַּרְעֶךָ הוּא. יג הַמּוֹל יְמוֹל יְלִיד בֵּיתְךָ, וּמִקְנַת כֶּסֶף; וְהָיְתָה בְרִיתִי בְּכַשְׂרְכֶם, לְבְרִית עוֹלָם. יד וְעָרַל זָכָר, אֲשֶׁר לֹא־יְמוֹל אֶת־בְּשָׂר עַרְלָתוֹ - וְנִכְרְתָה הַנֶּפֶשׁ הַהִוא, מֵעַמִּיהָ: אֶת־בְּרִיתִי, הִפֵּר... .

כ וְלִישְׁמַעֵאל, שְׁמַעְתִּיָּהּ - הִנֵּה בְּרַכְתִּי אֶתְּוֹ וְהִפְרַתִּי אֶתְּוֹ וְהִרְבִּיתִי אֶתְּוֹ, בְּמָאד מְאֹד: שְׁנַיִם־עָשָׂר נְשִׂאִים יוֹלִיד, וְנִתְּתִיו לְגוֹי גָּדוֹל. כא וְאֶת־בְּרִיתִי, אֶקִּים אֶת־יִצְחָק, אֲשֶׁר תֵּלֵד לְךָ שָׂרָה לְמוֹעֵד הַזֶּה, בְּשָׁנָה הָאַחֲרֶת.

<sup>21</sup> But My covenant I will maintain with Isaac, whom Sarah shall bear to you at this season next year.”

## 6. Genesis 18:16–33

<sup>16</sup> The men set out from there and looked down toward Sodom, Abraham walking with them to see them off. <sup>17</sup> Now the LORD had said, “Shall I hide from Abraham what I am about to do, <sup>18</sup> since Abraham is to become a great and populous nation and all the nations of the earth are to bless themselves by him? <sup>19</sup> For I have singled him out, that he may instruct his children and his posterity to keep the way of the LORD by doing what is just and right, in order that the LORD may bring about for Abraham what He has promised him.” <sup>20</sup> Then the LORD said, “The outrage of Sodom and Gomorrah is so great, and their sin so grave! <sup>21</sup> I will go down to see whether they have acted altogether according to the outcry that has reached Me; if not, I will take note.” <sup>22</sup> The men went on from there to Sodom, while Abraham remained standing before the LORD. <sup>23</sup> Abraham came forward and said, “Will You sweep away the innocent along with the guilty? <sup>24</sup> What if there should be fifty innocent within the city; will You then wipe out the place and not forgive it for the sake of the innocent fifty who are in it? <sup>25</sup> Far be it from You to do such a thing, to bring death upon the innocent as well as the guilty, so that innocent and guilty fare alike. Far be it from You! Shall not the Judge of all the earth deal justly?” <sup>26</sup> And the LORD answered, “If I find within the city of Sodom fifty innocent ones, I will forgive the whole place for their sake.” <sup>27</sup> Abraham spoke up, saying, “Here I venture to speak to my LORD, I who am but dust and ashes: <sup>28</sup> What if the fifty innocent should lack five? Will You destroy the whole city for want of the five?” And He answered, “I will not destroy if I find forty-five there.” <sup>29</sup> But he spoke to Him again, and said, “What if forty should be found there?” And He answered, “I will not do it, for

טו וַיִּקְמוּ מִשָּׁם הָאֲנָשִׁים, וַיִּשְׁקְפוּ עַל-פְּנֵי סֹדֶם; וְאַבְרָהָם - הִלֵּךְ עִמָּם, לְשַׁלְחָם. יו וַיְהִי, אָמַר: הַמַּכְסָּה אֲנִי מֵאַבְרָהָם, אֲשֶׁר אֲנִי עֹשֶׂה. יח וְאַבְרָהָם - הָיָה יְהִיָּה לְגֹי גְדוֹל, וְעַצוֹם; וְנִבְרָכוּ-בוֹ - כָּל, גֹּיֵי הָאָרֶץ. יט כִּי יִדְעֵתִיו, לְמַעַן אֲשֶׁר יִצְוֶה אֶת-בְּנָיו וְאֶת-בֵּיתוֹ אַחֲרָיו, וְשָׁמְרוּ דְרָךְ יְהוָה, לַעֲשׂוֹת צְדָקָה וּמִשְׁפָּט - לְמַעַן, הִבִּיא יְהוָה עַל-אַבְרָהָם, אֶת אֲשֶׁר-דִּבֶּר, עָלָיו. כ וַיֹּאמֶר יְהוָה, וְעַקַּת סֹדֶם וְעַמּוּרָה כִּי-רַבָּה; וְחַטָּאתָם - כִּי כָבְדָה, מְאֹד. כא אֲרֹדֶה-נָא וְאַרְאֶה, הַכְּצַעֲקָתָהּ הַבָּאָה אֵלַי עֲשׂוּ כְלָה; וְאִם-לֹא, אֲדַעָה. כב וַיִּפְנּוּ מִשָּׁם הָאֲנָשִׁים, וַיֵּלְכוּ סֹדֶמָה; וְאַבְרָהָם - עֹדְנֵנו עֹמֵד, לְפָנָי יְהוָה. כג וַיִּגַּשׁ אַבְרָהָם, וַיֹּאמֶר: הֲאֵף תִּסְפָּה, צְדִיק עִם-רָשָׁע. כד אוֹלֵי יֵשׁ חַמְשִׁים צְדִיקִים, בְּתוֹךְ הָעִיר; הֲאֵף תִּסְפָּה וְלֹא-תִשָּׂא לְמַקּוֹם, לְמַעַן חַמְשִׁים הַצְּדִיקִים אֲשֶׁר בְּקִרְבָּה. כה חֲלָלָה לָךְ מַעֲשֵׂת כְּדָבַר הַזֶּה, לְהַמִּית צְדִיק עִם-רָשָׁע, וְהָיָה כְּצְדִיק, כְּרָשָׁע; חֲלָלָה לָךְ - הַשִּׁפְט כָּל-הָאָרֶץ, לֹא יַעֲשֶׂה מִשְׁפָּט. כו וַיֹּאמֶר יְהוָה, אִם-אֶמְצָא בְּסֹדֶם חַמְשִׁים צְדִיקִים בְּתוֹךְ הָעִיר - וְנִשְׂאתִי לְכָל-הַמַּקּוֹם, בְּעֵבֹרָם. כז וַיַּעַן אַבְרָהָם, וַיֹּאמֶר: הִנֵּה-נָא הוֹאֲלֵתִי לְדַבֵּר אֶל-אֱלֹדֵנִי, וְאִנְכִי עֹפֵר וְאֹפֵר. כח אוֹלֵי יַחְסְרוֹן חַמְשִׁים הַצְּדִיקִים, חַמְשָׁה - הַתְּשַׁחִית בְּחַמְשָׁה, אֶת-כָּל-הָעִיר; וַיֹּאמֶר, לֹא אֲשַׁחִית, אִם-אֶמְצָא שָׁם, אַרְבָּעִים וְחַמְשָׁה. כט וַיִּסָּף עוֹד לְדַבֵּר אֵלָיו, וַיֹּאמֶר, אוֹלֵי יִמְצְאוּן שָׁם, אַרְבָּעִים; וַיֹּאמֶר לֹא אֶעֱשֶׂה, בְּעֵבֹר הָאַרְבָּעִים. ל וַיֹּאמֶר אֶל-נָא יַחַר לְאֹדֵנִי, וְאַדְבָּרָה - אוֹלֵי יִמְצְאוּן שָׁם, שְׁלֹשִׁים; וַיֹּאמֶר לֹא אֶעֱשֶׂה, אִם-אֶמְצָא שָׁם שְׁלֹשִׁים. לא וַיֹּאמֶר, הִנֵּה-נָא הוֹאֲלֵתִי לְדַבֵּר אֶל-אֱדֹנָי - אוֹלֵי יִמְצְאוּן שָׁם, עֶשְׂרִים; וַיֹּאמֶר לֹא אֲשַׁחִית, בְּעֵבֹר הָעֶשְׂרִים. לב וַיֹּאמֶר אֶל-נָא יַחַר לְאֹדֵנִי, וְאַדְבָּרָה אֶךְ-הַפַּעַם - אוֹלֵי יִמְצְאוּן שָׁם, עֶשְׂרָה; וַיֹּאמֶר לֹא אֲשַׁחִית, בְּעֵבֹר הָעֶשְׂרָה. לג וַיֵּלֶךְ יְהוָה - כְּאֲשֶׁר כָּלָה, לְדַבֵּר אֶל-אַבְרָהָם; וְאַבְרָהָם, שָׁב לְמַקְמוֹ.

the sake of the forty.”<sup>30</sup> And he said, “Let not my LORD be angry if I go on: What if thirty should be found there?” And He answered, “I will not do it if I find thirty there.”<sup>31</sup> And he said, “I venture again to speak to my LORD: What if twenty should be found there?” And He answered, “I will not destroy, for the sake of the twenty.”<sup>32</sup> And he said, “Let not my LORD be angry if I speak but this last time: What if ten should be found there?” And He answered, “I will not destroy, for the sake of the ten.”<sup>33</sup> When the LORD had finished speaking to Abraham, He departed; and Abraham returned to his place.

## 7. Isaiah 43:10

<sup>10</sup> My witnesses are *you* – declares the LORD My servant, whom I have chosen. To the end that you may take thought, and believe in Me, and understand that I am He: Before Me no god was formed, and after Me none shall exist.

י אַתֶּם עֲרֵי נְאֻם־יְהוָה, וְעַבְדֵי אֲשֶׁר בְּחַרְתִּי: לְמַעַן תִּדְעוּ  
וְתִאֲמִינוּ לִי וְתִבְיִנוּ, כִּי־אֲנִי הוּא - לְפָנַי לֹא־נִוצַר אֵל,  
וְאַחֲרַי לֹא יִהְיֶה.

## Background Reading

### 1. Martha C. Nussbaum, "Reply," *For Love of Country: Debating the Limits of Patriotism* (1996), 131–133

As a visitor walks into Yad Vashem, the Holocaust memorial in Jerusalem, she comes upon a long avenue of trees. Each of these trees bears a number, a name or names, and a place. As of December 1995, there are, I believe, 1172 such trees. Each tree honors a person (or couple or family) who risked death to save a Jew or Jews. These people were *goyim* – French or Belgian or Polish or Scandinavian or Japanese or German, and atheist or Christian or members of some other religion. They had their own local identities and nationalities and, often, religions. They had friends and, in many cases, families. Sometimes some of these loyalties supported their actions; religion was frequently among their sources of support. Sometimes these loyalties opposed their choices – local politics always opposed them. These “righteous *goyim*,” however, risked the loss of all that was near and dear to them to save a stranger. They did not need to do so. Everything pointed the other way. But somehow, against all odds, their imaginations had acquired a certain capacity to recognize and respond to the human, above and beyond the claims of nation, religion, and even family.

The sight of this avenue of trees can strike the visitor with a peculiarly stark terror, made all the more searing by the peaceful leafiness of the young trees, in such contrast to the monumental architecture that surrounds them. The terror, which persists, is the terror of the question they pose: Would one, in similar circumstances, have the moral courage to risk one’s life to save a human being, simply because he or she is human? More generally, would one, in similar circumstances, have the moral courage to recognize humanity and respond to its claim, even if the powers that be denied its presence? That recognition, wherever it is made, is the basic act of world citizenship.

We have so many devious ways of refusing the claim of humanity. Rousseau speaks of the imagination’s tendency to engage itself sympathetically only with those who resemble us, whose possibilities we see as real possibilities for ourselves. Kings don’t pity subjects because they think they never will be subjects. But this is a fragile stratagem, both false and self-deceptive. We are all born naked and poor; we are all subject to disease and misery of all kinds; finally, we are all condemned to death. The sight of these common miseries can, therefore, carry our hearts to humanity – if we live in a society that encourages us to make the imaginative leap into the life of the other.

We also easily suppose, Rousseau adds, that people who are not like us do not really suffer as we suffer, do not really mind their pain. These obstacles in the mind were powerfully manipulated by Nazi antisemitism, which situated Jews at a distance from other citizens, constructed their possibilities as different from those of others, and encouraged citizens to imagine them as vermin or insects, who would really not suffer the way human beings suffer. And of course they let people know that to recognize human suffering would bring heavy penalties. Despite these obstacles, the people represented by the 1,172 trees recognized the human, and made this recognition the benchmark of their conduct.

My essay in defense of cosmopolitanism argues, in essence, that we should follow them and try as hard as we can to construct societies in which that norm will be realized in as many minds and hearts as possible and promoted by legal and institutional arrangements. Whatever else we are bound by and pursue, we should recognize, at whatever personal or social cost, that each human being is human and counts as the moral equal of every other. To use the words of John Rawls, “Each person possesses an inviolability founded on justice.”

To count people as moral equals is to treat nationality, ethnicity, religion, class, race, and gender as “morally irrelevant” – as irrelevant to that equal standing. Of course, these factors properly enter into our deliberations in many contexts. But the accident of being born a Sri Lankan, or a Jew, or a female, or an African-American, or a poor person, is just that – an accident of birth. It is not and should not be taken to be a determinant of moral worth: Human personhood, by which I mean the possession of practical reason and other basic moral capacities, is the source of our moral worth, and this worth is equal. To recognize these facts is a powerful constraint on what one may choose and on the way in which one attempts to comport oneself as a citizen. What I am saying about education is that we should cultivate the factual and imaginative prerequisites for recognizing humanity in the stranger and the other. Rousseau is correct when he says that ignorance and distance cramp the consciousness. What I am saying about politics is that we should view the equal worth of all human beings as a regulative constraint on our political actions and aspirations.

## 2. Leon Pinsker, “Auto-Emancipation” (1882)

*Translated from the German by Dr. D.S. Blondheim, Federation of American Zionists, 1916*

“If I am not for myself, who will be for me? And if not now, when?”

### PREFACE

After the terror of the bloody atrocities a moment of calm followed for baiter and baited to catch their breath. Meanwhile the Jewish refugees, with the very funds collected for their immigration, are being – “repatriated”! But the Western Jews have again learned to suffer the cry, “hep! hep!” as their brothers in the old days. The eruption of blazing indignation over the shame to which they were subjected has turned to a rain of ashes, gradually covering the glowing soil. Shut your eyes and hide your head like an ostrich – there is to be no lasting peace unless in the fleeting intervals of relaxation you apply a remedy more thoroughgoing than those palliatives to which our hapless people have been turning for 2000 years.

## AUTO-EMANCIPATION:

### An Appeal to His People

By a Russian Jew

The hoary problem, subsumed under "the Jewish question," today, as ever in the past, provokes discussion. Like the squaring of the circle it remains unsolved, but unlike it, continues to be the ever-burning question of the day. That is because the problem is not one of mere theoretical interest: it renews and revives in every-day life and presses ever more urgently for solution.

This is the kernel of the problem, as we see it: the Jews comprise a distinctive element among the nations under which they dwell, and as such can neither assimilate nor be readily digested by any nation.

Hence the solution lies in finding a means of so readjusting this exclusive element to the family of nations, that the basis of the Jewish question will be permanently removed.

This does not mean, of course, that we must think of waiting for the age of universal harmony.

No previous civilization has been able to achieve it, nor can we see even in the remote distance, that day of the Messiah, when national barriers will no longer exist and all mankind will live in brotherhood and concord. Until then, the nations must narrow their aspirations to achieve a tolerable *modus vivendi*.

The world has yet long to wait for eternal peace. Meanwhile nations live side by side in a state of relative peace, secured by treaties and international law, but based chiefly on the fundamental equality between them.

But it is different with the people of Israel. There is no such equality in the nations' dealings with the Jews. The basis is absent upon which treaties and international law may be applied: mutual respect. Only when this basis is established, when the equality of Jews with other nations becomes a fact, can the Jewish problem be considered solved.

An equality of this kind did exist in the now long forgotten past, but unfortunately, under present conditions, the prospect that will readmit the Jewish people to the status of nationhood is so remote as to seem illusory. It lacks most of the essential attributes by which a nation is recognized. It lacks that autochthonous life which is inconceivable without a common language and customs and without cohesion in space. The Jewish people has no fatherland of its own, though many motherlands; no center of focus or gravity, no government of its own, no official representation. They home everywhere, but are nowhere at home. The nations have never to deal with a Jewish nation but always with mere Jews. The Jews are not a nation because they lack a certain distinctive national character, inherent in all other nations, which is formed by common residence in a single state. It was clearly impossible for this national character to be developed in the Diaspora; the Jews seem rather to have lost all remembrance of their former home. Thanks to their ready adaptability, they have all the more easily acquired characteristics, not inborn, of the people among whom fate has thrown them. Often to please their protectors, they recommend

their traditional individuality entirely. They acquired or persuaded themselves into certain cosmopolitan tendencies which could no more appeal to others than bring satisfaction to themselves.

In seeking to fuse with other peoples they deliberately renounced to some extent their own nationality. Yet nowhere did they succeed in obtaining from their fellow-citizens recognition as natives of equal status.

### 3. Theodore Herzl, "The Jewish State," in Arthur Herzberg, *The Zionist Idea: A Historical Analysis and Reader* (1997), 208–209, 225–226

We now possess slave labor of unexampled productivity, whose appearance in civilization has proved fatal competition to handicrafts; these slaves are our machines. It is true that we need workmen to set our machinery in motion; but for this the Jews have manpower enough, too much, in fact. Only those who are ignorant of the condition of Jews in many countries of eastern Europe would dare assert that Jews are unfit or unwilling to perform manual labor.

But in this pamphlet I will offer no defense of the Jews. It would be useless. Everything that reason and everything that sentiment can possibly say in their defense already has been said. Obviously, arguments fit to appeal to reason and sentiment are not enough; one's audience must first of all be able to understand or one is only preaching in a vacuum. But if the audience is already so far advanced, then the sermon itself is superfluous. I believe that man is steadily advancing to a higher ethical level; but I see this ascent to be fearfully – slow. Should we wait for the average man to become as generously minded as was Lessing when he wrote *Nathan the Wise*, we would have to wait beyond our own lifetime, beyond the lifetimes of our children, of our grandchildren, and of our great-grandchildren. But destiny favors us in a different respect.

The technical achievements of our century have brought about a remarkable renaissance; but we have not yet seen this fabulous advance applied for the benefit of humanity. Distance has ceased to be an obstacle, yet we complain of the problem of congestion. Our great steamships carry us swiftly and surely over hitherto uncharted seas. Our railways carry us safely into a mountain world hitherto cautiously scaled on foot. Events occurring in countries undiscovered when Europe first confined Jews in ghettos are known to us in a matter of an hour. That is why the plight of the Jews is an anachronism – not because over a hundred years ago there was a period of enlightenment which in reality affected only the most elevated spirits.

To my mind, the electric light was certainly not invented so that the drawing rooms of a few snobs might be illuminated, but rather to enable us to solve some of the problems of humanity by its light. One of these problems, and not the least of them, is the Jewish question. In solving it we are working not only for ourselves, but also for many other downtrodden and oppressed beings.

The Jewish question still exists. It would be foolish to deny it. It is a misplaced piece of medievalism which civilized nations do not even yet seem able to shake off, try as they will. They proved they had this high-minded desire when they emancipated us.

The Jewish question persists wherever Jews live in appreciable numbers. Wherever it does not exist, it is brought in together with Jewish immigrants. We are naturally drawn into those places where we are not persecuted, and our appearance there gives rise to persecution. This is the case, and will inevitably be so, everywhere, even in highly civilized countries – see, for instance, France – so long as the Jewish question is not solved on the political level. The unfortunate Jews are now carrying the seeds of anti-Semitism into England; they have already introduced it into America.

Anti-Semitism is a highly complex movement, which I think I understand. I approach this movement as a Jew, yet without fear or hatred. I believe that I can see in it the elements of cruel sport, of common commercial rivalry, of inherited prejudice, of religious intolerance – but also of a supposed need for self-defense. I consider the Jewish question neither a social nor a religious one, even though it sometimes takes these and other forms. It is a national question, and to solve it we must first of all establish it as an international political problem to be discussed and settled by the civilized nations of the world in council.

We are a people – *one* people.

We have sincerely tried everywhere to merge with the national communities in which we live, seeking only to preserve the faith of our fathers. It is not permitted us. In vain are we loyal patriots, sometimes superloyal; in vain do we make the same sacrifices of life and property as our fellow citizens; in vain do we strive to enhance the fame of our native lands in the arts and sciences, or her wealth by trade and commerce. In our native lands where we have lived for centuries we are still decried as aliens, often by men whose ancestors had not yet come at a time when Jewish sighs had long been heard in the country. The majority decide who the “alien” is; this, and all else in the relations between peoples, is a matter of power. I do not surrender any part of our prescriptive right when I make this statement merely in my own name, as an individual. In the world as it now is and will probably remain, for an indefinite period, might takes precedence over right. It is without avail, therefore, for us to be loyal patriots, as were the Huguenots, who were forced to emigrate. If we Were left in peace...

But I think we shall not be left in peace.

Oppression and persecution cannot exterminate us. No nation on earth has endured such struggles and sufferings as we have. Jew-baiting has merely winnowed out our weaklings; the strong among us defiantly return to their own whenever persecution breaks out.

[...]

But first the minds must be enlightened. The idea must make its way into the uttermost miserable holes where our people dwell. They will awaken from barren brooding. For into all our lives will come a new meaning. Every man need think only of himself, and the movement will become an overwhelming one.

And what glory awaits the selfless fighters for the cause!

Therefore I believe that a wondrous breed of Jews will spring up from the earth. The Maccabees will rise again.

Let me repeat once more my opening words: The Jews who will it shan achieve their State. We shall live at last as free men on our own soil, and in our own homes peacefully die.

The world will be liberated by our freedom, enriched by our wealth, magnified by our greatness.

And whatever we attempt there for our own benefit will redound mightily and beneficially to the good of all mankind.

#### **4. Ze'ev Jabotinsky, "The Social Question," *HaYarden*, Oct. 21, 1938**

It is a mistake to say that if a government relies on the majority, that means it is a democratic government. This understanding is the result of historical development, of struggling with governments run by a minority. However, this is not a real democracy. Democracy means freedom. A regime supported by the majority can still deny people their freedom, and if nothing guarantees the individual's freedom, then it's not democracy. We should rightly minimize these antagonisms. In a Jewish state we will need to achieve a form of social order wherein the minority will not be defenseless. Democracy's goal is to guarantee the minority influence on the life of the state. Ultimately, the minority is composed of individuals, who were created "in the image and form of God."

#### **5. Daniel Gordis, "When Balance Becomes Betrayal," *The Times of Israel*, Nov. 18, 2012**

Universalism, Cynthia Ozick once noted, has become the particularism of the Jews. Increasingly, our most fundamental belief about ourselves is that we dare not care about ourselves any more than we can about others. Noble Jews have moved beyond difference.

This inability to distinguish ourselves from the mass of humanity, this inability to celebrate our own origins, our own People and our own homeland, I argue in my latest book, *The Promise of Israel*, is dysfunctional. Do we not care about our own children more than we care about other people's children? And shouldn't we? Are our own parents not our responsibility in a way that other people's parents are not? The same is true of nations and ethnicities. The French care about the French more than they do about others. So do the Italians. So do the Spanish. It's only this new, re-imagined Jew who is constantly seeking to transcend origins which actually make us who we are and enable us to leave our distinct fingerprints on the world.

That an utterly universalized Judaism is almost entirely divorced from the richness of Jewish heritage and the worldview of our classic texts is bad enough. But on weeks like this, with hundreds of thousands of Israelis sleeping in bomb shelters and many millions more unspeakably frightened, it's become clear that this universalized Judaism has rendered not only platitudinous Jews, but something worse. It bequeaths us a new Jew utterly incapable of feeling loyalty. The need for balance is so pervasive that even an expression of gut-level love for Israelis more than for their enemies is impossible. Balance has now bequeathed betrayal.

For me, the most devastating representation of this ethical and emotional confusion this week came from the pen of someone for whom I have great admiration, respect and affection. Rabbi Sharon Brous is, to my mind, one of the most intelligent

and creative minds in the American Jewish community. A perpetual fixture among the *Forward 50*, she is almost universally recognized for her path-breaking vision of what a synagogue can be, and her combination of deep intelligence and authentic soulfulness have reached many Jews who would otherwise not be attached to the Jewish world.

Because I hold Rabbi Brous in such high esteem and consider her a friend, I was especially devastated to read her message to her community this week, which I quote in full:

*It has been a devastating couple of days in Israel and Gaza.*

*I believe that the Israeli people, who have for years endured a barrage of rocket attacks targeting innocents and designed to create terror, instability and havoc, have the right and the obligation to defend themselves. I also believe that the Palestinian people, both in Gaza and the West Bank, have suffered terribly and deserve to live full and dignified lives. And I happen to agree with the editors of the New York Times that the best way for Israel to diminish the potency of Hamas – which poses a genuine threat to Israel – is to engage earnestly and immediately in peace negotiations with the Palestinian Authority.*

*But most critically at this hour, I believe that there is a real and profound need for all of us to witness with empathy and grace. Take a breath. We are deeply entrenched in our narratives of good and evil, victim and perpetrator – and we are scared. Over one million Israelis will sleep in bomb shelters tonight and rockets have nearly reached Tel Aviv. So it's tempting to dig in our heels, to diminish the loss on the other side of the border, even to gloat. This is not the Jewish way. However you feel about the wisdom and timing of Israel's response to the Hamas threat, the people of Israel need our strong support and solidarity. At the same time, supporting Israel's right to protect and defend itself does not diminish the reality that the Palestinian people are also children of God, whose suffering is real and undeniable.*

*Let us pray that this conflict comes to an end quickly, and that we soon see a return to negotiations and a real, viable and sustainable peace.*

It is, on the surface, a lovely and innocuous message. But what's deeply troubling about it is that every single expression of sympathy for Israelis immediately coupled to a similar sentiment about the Palestinians. Absolute balance, even on a week like this, has become the supreme commandment. "Thou shall love thy neighbor who attacks thee as yourself."

What do we have? Israelis have a right and obligation to defend themselves, but in the very next sentence, Palestinians have a right to lives of dignity. Nothing wrong with that. Israelis are scared, but so are Palestinians, and it is not our place to gloat. Fair enough. And even more balance: "the people of Israel need our strong support and solidarity. At the same time, supporting Israel's right to protect and defend itself does not diminish the reality that the Palestinian people are also children of God, whose suffering is real and undeniable."

Unobjectionable, sort of.

For the clincher is this: "We are deeply entrenched in our narratives of good and evil, victim and perpetrator – and we are scared." Yes, we are all deeply entrenched in our narratives of good and evil. But why does Rabbi Brous not feel that it's her

place as a rabbi to tell her community (I know that I sound like a dinosaur to her community in saying this) which side is good and which side is evil?

Of course Israel is far from perfect, and yes, much of life in Gaza is miserable. Yet why can we not actually say what we know to be true? Why cannot a leader of the American Jewish community say that the only reason that Israel and Hamas are at war is that Hamas wants to destroy Israel? Does anyone really imagine that even a return to the 1967 borders would mollify Hamas? How do I know that it would not? Because they *say* so. They say that they will never end the “armed resistance” until the “Zionist entity” is utterly eradicated. Why don’t we believe them? Why this paternalistic, virtually racist, “oh they couldn’t possibly mean that – it must be a cultural difference in how we express ourselves”?

The “we’re all entrenched in our narratives of good and evil” worldview leaves no space for calling evil what it is. Why can we not simply say that at this moment, Israel’s enemies are evil? That they’re wrong? Why cannot someone as insightful and soulful as Rabbi Brous just say, without obfuscation, that whatever fault one finds with Israel, it is the Jewish State that for seventy years has sued for peace and the Arabs/Palestinians who have always refused. Does anyone bother pointing out to her community that whatever you think of Israel’s presence on the West Bank (or Judea/Samaria), that when Israel left Gaza, the Palestinians elected Hamas, and that when Mubarak fell, the Egyptians elected the Muslim Brotherhood? Why are these obvious facts utterly unmentionable? Because hope must spring eternal?

Yes, Jewish hope must spring eternal. And in order for it to do so, in order for us to find the strength to continue, to send our children to war and to raise another generation in a place that will tragically not know peace in any of our lifetimes, we need to tell Jews what this is. This is a battle of good versus evil, the battle between those struggling to avoid civilian casualties and those who are intentionally trying to kill civilians, the battle between those who have time and again sought peace, and those who said “no” in Khartoum in 1967 and still say “no.”

As I read Rabbi Brous’s missive, I couldn’t stop thinking about my two sons, both in the army, each doing his share to save the Jewish state from this latest onslaught. What I wanted to hear was that Rabbi Brous cares about my boys (for whom she actually babysat when we were all much younger) more than she cares about the children of terrorists. Especially this week, I wanted her to tell her community to love my family and my neighbors more than they love the people who elected Hamas and who celebrate each time a suicide bomber kills Jews. Is that really too much to ask?

But my friend left me heartbroken. If people as wise and as deeply Jewishly knowledgeable as Rabbi Brous (whom I told that this response was forthcoming) cannot come out and say that at least at this moment, we care about Israel more than we care about its enemies because we care about the future of the Jews more than almost anything else in the world, then her Jewish world and mine simply no longer inhabit overlapping universes.

I knew, even before reading Rabbi Brous’s missive, that we Israelis are surrounded by enemies. When I finished reading her, though, I understood that matters are much worse than that. Yes, we’re surrounded, but increasingly, we are also truly alone, utterly abandoned by those who ought to be unabashedly at our side.

## 6. Sharon Brous, "Lowering the Bar," *The Times of Israel*, Nov. 19, 2012

Rabbi Danny Gordis brought the discourse on Israel to a new low this week. In a missive against me in the *Times of Israel*, Gordis, a former teacher and friend, a person for whom I have for years had deep affection and respect, accuses me of betrayal against both the State of Israel and his family. One might wonder what treasonous words one needs to utter these days to provoke such a serious accusation. Here's what I did not say: I did not challenge Israel's right to respond to Hamas rockets; on the contrary I said that Israel had not only a right but an obligation to defend its people. Nor did I suggest a moral equivalency between Hamas operatives targeting Jewish civilians and Israeli soldiers targeting Hamas operatives but inadvertently hitting Palestinian civilians.

My act of betrayal: the fairly unremarkable call to those who care deeply about Israel and bear witness to the fighting from across the Ocean to remember as the battle intensifies that war is never to be celebrated and that loss of human life is tragic.

Wielding the power of the pen, Gordis sets me up as a straw (wo)man, a representative voice of a naïve Jewish ideology, one that is willing to jettison allegiance to the Jewish people for the sake of some self-congratulatory humanism. Such Judaism, he claims, is "utterly universalized . . . almost entirely divorced from the richness of Jewish heritage and the worldview of our classic texts."

What is shameful is that Gordis knows what many of his readers do not. For years my teacher and friend, he knows precisely what is the character of my Judaism, he knows just how deeply Jewish traditions and texts run in my blood. But it is far easier to cast aspersions on a straw man than engage in discourse with a real live colleague who shares his concern for Israel, the Jewish people and its future but nevertheless sees things differently than he does. So he follows the disturbing pattern he established years ago – pinpoint one voice, publicly eviscerate, hit send and reap the rewards of the resulting publicity. This may be a fine strategy to keep Gordis's agenda on the radar of the American Jewish community, but it does not actually serve the interests of the Jewish people, his ostensible concern.

Gordis believes that empathy for Palestinian victims of war is an act of disloyalty. He comes to this conclusion based on two sloppy assumptions: First, he reads my call for empathy as an insistence that we love our enemies as much as we love our own children (or his). That is not something that I have ever argued, and he knows as much. Second, Gordis assumes that in asking American Jews to resist gloating and instead witness with humility and compassion I am necessarily indicating that one position is no more righteous than the other. This is also of course not the case. Grieving for your enemy's babies – or babies that have the misfortune of living a block away from your enemy – does not call into question the legitimacy of your mission, your love of your people or your loyalty to the Jewish State. It simply means that you are a human being. Israeli generals, as Gordis well knows, take this so seriously that they work with ethicists and Talmudists to determine every possible measure to minimize civilian casualties in military action. I know of few armies in the world that take this mandate as seriously as Israel's does.

Faced with the unimaginable vulnerability of sending one's children off to war, I understand that Gordis may feel deeply isolated right now, as many Israelis do. But if he's feeling alone in the world, I'd have recommended a moment of hesitation before accusing a colleague and friend of betrayal. In so doing, Gordis draws some terrifying new fault lines: he now redefines a traitor not only as someone who challenges Israel on any count (farewell, democracy), but also as anyone who recognizes the human tragedy of war while loving and supporting Israel.

The same day that his criticism of my letter appeared, Gordis published another article, this time in Tablet. There he decried the narrowing of discourse on Israel in the American Jewish community, evidenced by the cancellation of Peter Beinart's speaking event at an Atlanta Jewish book fair. "Engaging with those whose views seem to me dangerous is infinitely harder, but far more important..." Gordis wrote. "Are we not ashamed to have created a community so shrill that any semblance of... Talmudic curiosity has been banished?"

Ironically, Gordis attacks me the same day, with no apparent awareness that such reckless, public assaults might be the precise cause of the shrillness in our community and the narrowing of discourse. It ought not be an act of courage in the American Jewish community to remind us that as Jews we are called to affirm our essential humanity even in the most trying of times. Indeed, many of us see that as a powerful expression of loyalty to Israel, a state built on the promise of freedom, justice and peace as envisaged by the prophets. One could even argue that these are the aspirations that have kept the Jewish people alive through a long and tumultuous history. If I remember correctly, this is a lesson I learned years ago from a former teacher and friend, a rabbi who saw his job as teaching Torah and giving people hope.

## 7. Ed Feinstein, "All the Families of the Earth," *The Times of Israel*, Nov. 23, 2012

*I will make of you a great nation,  
And I will bless you;  
I will make your name great,  
And you shall be a blessing.  
I will bless those who bless you  
And curse him that curses you;  
And all the families of the earth  
Shall bless themselves by you.*

*Genesis 12*

A living Judaism demands an exquisite balance between inside and outside, concern for our own and concern for the other, particularism and universalism. From era to era and generation to generation, the balance point shifts. But as long as Jewish life holds fast to both, it thrives. In our time, the balance has broken. Perhaps this is the residual effect of living in the shadow of the Holocaust – a symptom of our collective PTSD. Instead of an active tension, we are left with severe polarization. Jews today turn inward and resent the suggestion that they are responsible for the world. Or they turn

outward and reject the value of Jewish identification. One side interprets Judaism exclusively in universalist terms; for them, *tikkun olam* – repairing the world – is the only *mitzvah*. The other holds that Jewish concern is entirely internal; for them the only world, and the only repair, is *mitzvah*. Such polarization will suffocate Judaism.

Rabbis Daniel Gordis and Sharon Brous are among the contemporary Jewish intellectual heroes struggling to resuscitate contemporary Judaism by reviving the balance. That is what makes their controversy so painful to witness. Gordis inveighs against Brous's concern for the other, and charges that her loyalty to her own is insufficient. In his eyes, her sensitivity to the suffering of Palestinian children somehow displaces her commitment to his own children and the children of Israel. This attack only deepens the polarization.

So incendiary is Rabbi Gordis's critique of Rabbi Brous, it obscures the simple fact: He needs her. First, he needs her Torah. The polarization of our community runs largely along generational and denominational lines. The young, non-traditional Jews that Rabbi Brous addresses do not resonate to expressions of Jewish particularism. Gordis fails to acknowledge how skillfully she has brought them back into the Jewish conversation, teaching them to interpret their universalism and humanism in a traditional Jewish idiom. (It's time you come visit IKAR, Danny!)

Second, he needs her conscience. The voice of Jewish particularism needs the balancing voice of Jewish universalism, else it turns chauvinistic, narrow, and cruel. Too easily do we fall into a narrative of victimhood and wallow in [*sic*] attitude that overlooks brutality and excuses all moral infractions.

Finally, he needs her moral vision. The primary task of Zionism, as Gordis so well understands, was to make a safe place for Jews and Jewish life. But that was never its sole purpose. Zionism was always an expression of Jewish moral aspiration. The best exponent of this impulse is Gordis' former Shalem Center colleague, now Israel's ambassador, Michael Oren. Every time Oren was interviewed on CNN this past week, he carefully detailed the painstaking efforts taken by Israel's military to avoid harming Palestinian civilians. Given just a few precious moments of the world's media attention, Oren talked of the text messages, phone calls and leaflets dropped into Gaza neighborhoods warning of impending attacks and guiding Palestinian families toward safe havens. This, he argues persuasively, is what distinguishes a democracy from a regime of terror. This is what keeps us from becoming them. This is what makes Israel a Jewish state. And this, despite himself, is why Rabbi Gordis needs Rabbi Brous.

Danny, with all our hearts we pray for your sons. We pray they carry out their sacred duty defending the State of Israel and the People Israel with courage and wisdom. And they return to you and Elisheva whole in body and soul. We pray for all the sons and daughters of Israel who sleep in bomb-shelters, their homes and dreams shaken. May they be whole and know the blessings of peace, soon, in our time. And we pray as well for the children of Palestine, frightened and broken, that they too might soon know peace. We pray that they will come to see us as we see them, children of the God of Abraham, who commanded us to bring blessings to all the families of the earth.

## 8. Daniel Gordis, "A Responsibility to Speak," *The Times of Israel*, Nov. 26, 2012

It is the nature of Jewish life that its most critical issues have often been debated fiercely, and in public.

In the Bible, there's Korach versus Moses, disputing the critical question of what constitutes legitimate leadership. Millennia later there was the conflict between Spinoza and the Amsterdam rabbis who essentially excommunicated him, over whether Jewish disputes should be kept in the community or taken to public courts. Then there were searing disputes between the Vilna Ga'on and the Ba'al Shem Tov about what constituted the essence of Jewish religion, as a result of which Jews refused to eat each other's food or have their children marry the children of the other. There's the still simmering dispute between Reformers and Orthodoxy, the former arguing that under Orthodoxy, Judaism would wilt and wither, and the latter arguing that what Reform proposed wasn't Judaism at all. And, of course, there was the vitriol between Zionists and anti-Zionists in the last two centuries, in a debate which has largely been settled by history.

The Jewish community has always been a passionate, argumentative one. Might we be better off if we adopted a certain Protestant etiquette, a less-passionate and less-vitriolic way of conducting our affairs? In theory, perhaps. But that's never happened, for the questions in all these disputes are fundamental and existential – they are about the very survival of the Jewish people. For those who engaged in those debates, it was not a single issue that was at stake, but rather, their entire world, the People that defined the very essence of who they were as human beings.

This debate now unfolding in *The Times of Israel* is no different. What is at stake is yet another issue on which the Jewish future may hinge – the question of the degree to which Jews owe allegiance to Jews first, and then, secondarily, to a universal ethic. That question has been part of Jewish life since time immemorial, but it has emerged with a vengeance in recent years, largely because of the dangerous abdication of particularistic responsibility in much of Progressive Judaism.

\* \* \*

There is obviously much to celebrate in the largely non-denominational Progressive movement. It is restoring a vibrancy to worship that has long been absent in most of the organized Jewish community. In many cases, and especially in the case of Rabbi Brous, it has restored a vital and central role for Jewish tradition, while coupling to it deep intellectual sophistication and moral sensitivity. There is much more to applaud in the movement in general, and especially in the work of Rabbi Brous, who, as I explicitly stated in my opening column on the subject, is to my mind one of the great and most creative and visionary rabbis in American Jewish life.

But too often, Progressive Judaism's moral sensitivity is devolving into a pallid universalism that actually silences the classic Jewish voice which says that when it comes to our love and our devotion, the members of our community come first (Bava Metzi'a 71a). It's not because other people don't need us. Rather, there's a more substantive view at the heart of that Talmudic claim: We learn caring, and we learn love,

from our innermost circles. To love all of humanity equally is ultimately to love no one. Devotion and loyalty demand priority and specificity. *Sans* such specificity, we ultimately stand for nothing.

Consequently, to care about one's enemies as much as one cares about one's self is to be no one.

Many of Israel's harshest critics understood that last week's fighting between Israel and Hamas was very different from the "standard" Israeli-Palestinian conflict. Gershon Baskin, a regular critic of Israeli policy, had this to say on his Facebook page:

*Wouldn't it be great if the people of Gaza said to Hamas and Jihad "we don't want you to defend us by sending rockets into Israel... We want our leadership to invest in building schools, parks, museums, factories, etc. and not rockets, bunkers, and bombs"... [Gaza] is not like the West Bank -Israel has no territorial claims or aspirations in Gaza.*

Last week called for moral clarity. Richard Cohen, the *Washington Post* columnist, is hardly a passionate Zionist. During the Second Lebanon War, he wrote: "The greatest mistake Israel could make at the moment is to forget that Israel itself is a mistake." Ouch. But this past week, Cohen understood that Israel was at war with unadulterated evil, and this time, Cohen wrote:

*Hamas is not the passive party in this struggle... It chose to make war by allowing more militant groups to use Gaza as a launching pad for rockets and firing off the occasional rocket itself. No nation is going to put up with this sort of terror. The rockets do some, not a lot of damage, but that's not the point. The point instead is that people who have the wherewithal will not continue to live in a place where even the occasional rocket can come down on your kids' school. This is not a mere border problem. For Israel, this is an existential threat.*

*... Both sides have a case and both sides have proved to be indomitable. But both sides are not equally right in all instances. Hamas sent rockets into Israel, not caring if they hit a chicken coop or a group of toddlers jumping in and out of a sprinkler. You want balance? Here's balance. Hamas didn't care if its own people died either.*

That is what Jewish leaders needed to say, too.

Even Rabbi Eric Yoffie, formerly the President of the Union for Reform Judaism and not one to back away from critique of Israel, wrote in *Haaretz* how troubled he was by the absence of outrage in the Progressive community:

*Progressives, of course, want the use of force to be a last resort. But it would be hard to imagine a case where Israel was more patient than Gaza. ... With sickening regularity, rockets fall on civilian centers and hundreds of thousands of Israeli citizens flee to shelters. Israel responds, usually with modest force aimed at lower level operatives, the violence stops for a while, and then the cycle begins again. Progressives should be as outraged as everyone else about this.*

\* \* \*

Which brings us to my column about Rabbi Brous' message to her congregation. What I found so painful, and what felt like a betrayal to me as the father of a soldier-son

who was on the Gaza border as shells were falling, was the lack of outrage, an unwillingness to state the obvious truth: Hamas is murderously evil.

To say “We are deeply entrenched in our narratives of good and evil, victim and perpetrator” is a sentiment I might understand regarding the West Bank or a host of other issues. Rabbi Brous and I probably disagree about some of those issues, but that’s not only fine, it’s healthy. This time, though, the evil that Israel was facing was so clear that not to assail Hamas and to distinguish it clearly from Israel was, to me, a classic example of moral equivalence; an abdication of responsibility to moral clarity and to the Jewish particularism that I believe has always characterized Jewish life (sometimes to excess, of course).

Jeffrey Goldberg put it best when he tweeted, “Rabbi Daniel Gordis asks Rabbi Sharon Brous to love Jews a little more than she loves Palestinians.” That was the point, plain and simple.

In hindsight, there are phrases I should have worded differently. I should have said that as the father of a son on the border, her column “*felt* like a betrayal.” And I should have been clearer that she certainly did not create this Jewish universalism. It’s become Progressive Judaism’s trademark. Indeed, upon publication of my first column, a friend wrote to say:

We attended a progressive congregation for many years until the Shabbat services following the Dolphinarium disco suicide bombing in Tel Aviv in which 21 teenagers were killed and more than 100 injured. During that Shabbat morning service following less than a day after the suicide bombing, one of the shul’s rabbis actually said from the pulpit that before we condemn the Palestinians for this act, we should remember that “we have our Baruch Goldsteins, too.” I have never been so revolted by a Jewish leader as at that moment. I care about the Palestinians and argue with those who compare them to Amalek. But I love my own people before others.

“[I]t’s tempting to dig in our heels, to diminish the loss on the other side of the border, even to gloat,” Rabbi Brous wrote. But who was gloating? The people I know were simply petrified. Instead of telling us not to gloat, can leaders of the Progressive community say what my friend wrote: “But I love my own people before others”? Increasingly, I suspect not.

Absent the ability to say those words, does the Jewish people stand a chance? I fear not. *That* is the new debate the Jewish world must have. It was the debate I sought to surface.

\* \* \*

The debate, however, needs to be sophisticated. It must be rooted in a broad read of the Jewish canon, not in sound-bites thereof. While Adam Bronfman is obviously right that Hillel admonished “if I am only for myself, who am I?” Adam also surely agrees with me that Jewish discourse must not devolve into “pin the tail on the rabbinic aphorism.” We need more than an exercise in which one person cites “if I am only for myself,” (*Avot* 1:14) while another pulls out “if someone is coming to kill you, kill him first.” (*BaMidbar Rabbah* 21:4). Then someone will tweet the *midrash* that has God weeping over the Egyptians drowning in the sea (*Megillah* 10b), just begging for someone else to point out that there is another version of the same

*midrash* that has God trembling in fear over what might happen to the *Israelites* (Exodus Rabbah 23:7).

Ideas, not “greatest hits,” are what matter. We need a community-wide conversation, learned, frank and ongoing, as to whether the Bible and rabbinic literature have a sense of particularism at their core. If they do, to what extent should that color our worldview? Without particularism, is Judaism recognizable? Are those books our guides, or just volumes in the library? To the extent that we do not wish them to shape us, in what shall our Judaism be grounded? Those are the questions that matter.

David Myers urged that I brush up on Ze’ev Jabotinsky and Menachem Begin to see how deeply they were grounded in a universal ethic. Yes, they were. But it was precisely because Jabotinsky understood Arab dignity that he advocated an “iron wall which the native population cannot break through,” for “as long as there is a spark of hope that they can get rid of us, they will not sell these hopes.” Therefore, he insisted, “the only way to reach an agreement in the future is to abandon all idea of seeking an agreement at present.” That doesn’t sound like an abdication of particularism to me.

And as for Begin, when he gave his famous “a little more time, and there will be no Katyusha’s in Kiryat Shmona” speech as he prepared to invade Lebanon, did he not understand that Lebanese children would die in the war he was unleashing? Of course he did. But he was a Jew and a leader of the Jewish people. The future of Jewish children mattered to him more. His entire life was testament to that.

I say this not to advocate an “iron fist” or to suggest that we needed an invasion of Gaza. I say it simply because just as we ought not play the “rabbinic aphorism game,” neither should we subject people like Jabotinsky or Begin to what Myers calls a “simplistic misreading.” They, like the challenges we face, were complex and nuanced. The same should be true for the arguments we adduce today.

Rabbi Brous says that my column brought Zionist discourse to a new low, but she knows that’s not true. I wrote, and repeat: “Rabbi Sharon Brous is one of the most intelligent and creative minds in the American Jewish community. She is almost universally recognized for her path-breaking vision of what a synagogue can be, and her combination of deep intelligence and authentic soulfulness have reached many Jews who would otherwise not be attached to the Jewish world.” How’s that a new low?

It was Rabbi Ed Feinstein’s response that gave me pause. Rabbi Feinstein is a person of such wisdom and careful judgment that when he wrote that my column was “incendiary,” I was struck. I read and re-read my column, and don’t see it. But if he felt that it read that way, then I clearly didn’t word things nearly as well as I should have. And for that, I apologize. Finally, I understand that Rabbi Brous has received no small amount of hate mail following that first column; my disgust for anyone who would do that knows no bounds.

\* \* \*

*A cri de coeur* is no guarantee of success. The Sadducees lost their battle with the Pharisees, and are no longer. The *mitnagdim* were unsuccessful in rooting out Hassidism. Orthodoxy failed to prevent the rise of Reform. It is entirely possible that those of us terrified by the specter of a largely universalist American Judaism will also fail and

that history will view us as the losers in an unwinnable battle. Perhaps it will also be said that we were wrong to be so worried in the first place.

Perhaps. But each of us can only believe what we believe. I have few axiomatic beliefs, but here are two of them: I believe that our most sacred responsibility in life is to strive to leave the Jewish people in a better place than it was when we were born. And I believe that four thousand years of Jewish tradition are committed to the proposition that particularism is key to who we are, and that the inability to love our people before we love others cuts out the heart of one Judaism's great sustaining characteristics.

For those of us who hold those beliefs, refusing to say what we think would be our greatest failure. Unpopular though our views may be, if we choose silence, we abdicate what may well be our most sacred responsibility.

## 9. Abraham Isaac Kook, *Eight Notebooks* (1912–1913), 3:1–2

Three forces now wrestle within the Jewish People. The war is felt more strongly in the Land of Israel, but it derives from the life of the nation as a whole... spirituality, nationalism and cosmopolitanism – these are the three central demands which all life, ours and that of every human being in whatever form, are composed of... The synthesis of these three great demands is necessary for every group which hopes to have a future... Each of these movements becomes alienated from the other due to the opposing side which each sees in its fellow...

It is well understood that a healthy situation all three of these ideals are needed together. And we must always strive for this healthy situation... that each should generously appreciate the affirmative task of the other. And this awareness should proceed to the point that not only does one recognize the affirmative task of each of these ideals... but it should proceed further to the point of appreciating specifically the opposition of the other ideals to one's own ideal... for each group must be influenced by the opposing force of the other... this will save each group from the defects of fundamentalism and extremism.

שלשה כחות מתאבקים כעת במחננו. המלחמה ניכרת היא ביותר בארץ ישראל אבל פעולתם היא פעולה נמשכת מחיי האומה בכלל... הקודש, האומה והאנושיות, אלה הם שלשת התביעות העיקריות, שהחיים כולם, שלנו ושל כל אדם, של איזה צורה שהיא, מורכבים הם מהם... ההתמזגות המוכרחת של שלשת התביעות הגדולות הללו, מוכרחת היא לבא בכל קבוצה שיש לה תקווה של חיים עתידיים... הפירוד יסודתו הוא בצדדים השליליים שכל כח רואה בחבירו...

הדבר מובן, שבמצב בריא יש צורך בשלשת הכחות יחד. ותמיד צריכים אנו לשאוף לידי המצב הבריא הזה... להכיר בעין יפה כל אחד את התפקיד החיובי של חברו. וההכרה הזאת תהיה הולכת ומשתלמת, עד שלא די שיכיר כל אחד את הצד החיובי שיש בכל כח... אלא שעוד הלאה ילך, עד שגם את התוכן החיובי שיש בהצד השלילי שבכל כח וכח, על פי המדה הנכונה, גם כן יכיר לטוב, וידע שלטובתו של הכח המיוחד שהוא יותר נוטה אליו, צריך הוא להיות מושפע גם כן באיזה מדה מהכח השולל, שהכח האחר שולל את הכח החביב שלו, מפני שבשלילתו הוא מעמידו על מדתו הראויה לו, ומצילו מהגרעון של התוספת וההפרזה.

## 10. Gil Troy, "Confronting Hamas Totalitarianism Unapologetically but Humanely," *The Times of Israel*, Nov. 25, 2012

The angry brouhaha between Daniel Gordis, Sharon Brous, David Myers and Adam Bronfman, pivots on a sensitive subject: while defending Israel, how do Jews relate to Palestinians, in whose name our people are being terrorized and delegitimized, maimed and murdered? I only know Gordis, but I feel everyone's anguish. Perhaps the American statesman Daniel Patrick Moynihan's political insights can reframe the conversation, shifting it away from personal acrimony toward the substantive ideological clash at play here.

As an American, a Jew, a Zionist, a human being, I share the Brous-Myer-Bronfman empathy impulse. We were raised on Abraham Lincoln's with-malice-toward-none-with-charity-toward-all nobility toward defeated Confederate soldiers. Hebrew

School teachers who dared teach us about Dina's, ahem, "ordeal," condemned her brothers Simon and Levy for ambushing her attacker's tribe after tricking them into circumcisions. And many Zionists, left to right, viewed Palestine's Arabs, romantically, respectfully, culminating in the 1948 Proclamation of Independence guaranteeing equal rights. Moreover, we all, as sensitive human beings, sincerely regret Palestinian suffering.

Yet Lincoln understood the Constitution was not a suicide pact; he violated basic rights like habeas corpus to save the union. The Torah brooks no compromise with Amalek, who attacked the most vulnerable – as Palestinian terrorists do. Zionism entailed self-defense and self-determination, informed by the basic human instinct to survive.

I share Gordis's fear of some Jews' addiction to a "We are the world" evenhandedness, which he mocks as: "Thou shall love thy neighbor who attacks thee as yourself." But his understandable disdain for this trendy cosmopolitanism should not be misread as believing that either Judaism or Zionism reject broad universal ideals. In "The Promise of Israel," Gordis argues that Judaism and Zionism teach that we can best fulfill our universal ideals, including redeeming the world, through our particular identity, by knowing who we are. Adam Bronfman is correct. Hillel celebrated survival *and* altruism, self-defense *and* empathy.

The traditional universal-particular tension is less relevant here. We are facing the modern problem of how democracy defends itself against totalitarianism, a problem navigated by America's former UN ambassador and the four-term New York Senator, Daniel Patrick Moynihan. As I argue in my new book, "Moynihan's Moment: America's Fight Against Zionism as Racism," Moynihan realized that totalitarians subordinated everything to serve their goal. Calling Zionism racism was sweeping, totalitarian, demonizing Israel, justifying any violence against it. This insight explains the Hamas charter's absolutism, negating Israel's right to exist, rejecting any compromise, championing Jihad. Understanding totalitarianism explains Hamas's delight in targeting Israelis and its fanatic willingness to sacrifice Palestinian children in its fight.

Moynihan also understood that self-critical post-sixties liberals had difficulty grasping totalitarian extremism and fighting it. Many open-minded progressives, he complained, believe "our assailants are motivated by what is wrong about us." But Moynihan insisted. "They are wrong. We are assailed because of what is right about us. We are assailed because we are a democracy."

Believing that "words do hurt us" and ideas count, Moynihan rejected moral equivalences or pleas for restraint when fighting evil. "What is this word 'toning' down; when you are faced with an outright lie about the United States and we go in and say this is not true. . . . Do you say it is only half untrue?" he asked. "What kind of people are we?"

So, no, Gordis is not guilty of what Myers called "a simplistic misreading of history" by talking about good and evil. Good does not mean perfect and Hamas is evil. Gordis admits: "Israel is far from perfect, and yes, much of life in Gaza is miserable." Although national mythologies need revising, relying only on revisionists is also "simplistic."

After September 11, Moynihan and 59 other intellectuals, from left to right, explained "What We're Fighting For" – refuting the trendy, guilty assumption "that

the American use of force always represents an imperial or nefarious purpose.” While trusting “reason and careful moral reflection,” the manifesto affirmed that sometimes “the first and most important reply to evil is to stop it.”

In this spirit of “reason and careful moral reflection,” let’s acknowledge that we are fiddling on the steepest, slipperiest part of our national Jewish roof – albeit as proud, safe Israelis and Americans, not oppressed Tevyas and Goldas. Brous, Gordis, Myers, Bronfman and I all agree that we must distinguish between Palestinians and Palestinian totalitarians, because Palestinian terrorist totalitarianism betrays Palestinians too. But we should respect Palestinians enough to acknowledge that many Palestinians cheer and choose the violence. We can abhor Palestinian political culture while mourning Palestinian suffering.

Moynihan, reflecting the American, Jewish, Zionist and humanistic traditions all these writers share, taught that democracies must fight for survival sometimes. We must remember our common humanity, seeking as Israel does, that golden mean between making war and pursuing peace, between hating our enemies but not hating our neighbors, between fighting totalitarianism and protecting our souls.

#### **11. David N. Myers, “Response to Gordis: A Simplistic Misreading of History,” *The Times of Israel*, Nov. 19, 2012**

Rabbi Daniel Gordis’s critique of Rabbi Sharon Brous induces in the reader a certain fatigued response. On more than a few occasions, he has seen fit to anoint himself as the guardian of a fixed moral boundary line, insisting that one either stands with him – or against the Jews. In his latest pronouncement, he issues his own “J’accuse” against one of the most promising leaders to be found in American Judaism (who, in the name of full disclosure, happens to be a friend), Rabbi Sharon Brous. The crime? Nothing less than betrayal of the Jewish people. That the accused has inculcated a love of Judaism, Jews, the Jewish people, and the State of Israel in thousands of young people is of little moment to Rabbi Gordis.

What’s the heart of his brief? Plain and simple: universalism. How could a Jew, no less a Jewish leader, have the temerity and heartlessness to assert that Israelis *and* Palestinians have the right to live in peace and security? Even more outrageous is Rabbi Brous’s assertion that “Israel’s right to protect and defend itself does not diminish the reality that the Palestinian people are also children of God, whose suffering is real and undeniable.” Such expressions reveal to Rabbi Gordis an utterly universalized Judaism that is treasonous and full of self-loathing.

I’ve often asked myself when reading his postings – and all the more so today: In what world does Daniel Gordis live? All I can summon up is a certain milieu of American Zionists huddled around a campfire circa 1958, just after the appearance of the *Urtext* of Zionist moral virtue, Leon Uris’ *Exodus*. To Rabbi Gordis’s credit, he is very effective at channeling this hyper-sentimentalized, heroic model of Zionism into a form avidly consumed by hundreds, perhaps thousands of American Jews (though with barely a trace of resonance, it would seem, in Israel).

What is wrong with this view? Well, in historical terms, just about everything. Time permits only two short examples to demonstrate the problems:

The unbridgeable chasm between Judaism and universalism that Rabbi Gordis proposes is wrong-headed and simple-minded. It's too large a subject to take on here. Let us retreat to slightly more contested terrain: the opposition between Zionism, of which Rabbi Gordis regards himself as a proud representative, and universalism. It is not only that the great liberal German Jews who came to Palestine such as Martin Buber, Gershom Scholem, and Ernst Simon – those whom Rabbi Gordis's Shalem Center colleague Yoram Hazony unfairly excoriated in *The Jewish State* – saw Zionist and universal ideals as harmonious. Nor is it that good Labor Zionists such as David Ben-Gurion and Berl Katzelson often spoke of the confluence of Zionist and universal values. Rabbi Gordis would do well to brush up on the writings of Revisionist Zionist icons, Vladimir Zeev Jabotinsky and Menachem Begin, both of whom drew amply on non-Jewish thinkers such as George Washington, Thomas Jefferson, Giuseppe Mazzini, and Tomas Masaryk to make the point that Zionism can and must be nourished on universal values. Or perhaps he can recall the archway in a home in the Jerusalem neighborhood of Talpiot that belonged to Revisionist-oriented Zionist and Hebrew University professor Joseph Klausner. It was etched with the phrase "Judaism and Humanity." Would this render Klausner guilty of betrayal in Rabbi Gordis's book? Incidentally, should Rabbi Gordis have any questions about the importance of concern for civilians caught in conflict on the other side of Israel's borders – exactly that sin for which he castigates Rabbi Brous – he may want to consult the Israel Defense Forces' vaunted code of "*tohar ha-neshek*" (purity of arms), one of whose four principal sources is "universal moral values based on the value and dignity of human life."

In the grand cosmic divide between good and evil that Rabbi Gordis proposes – and indeed, this kind of absolutism seems at least as dangerous as the moral equivalence of which he accuses Rabbi Brous – he maintains that "it is the Jewish State that for seventy years has sued for peace and the Arabs-Palestinians who have always refused." One can't and shouldn't dispute that the Arab side has, sadly and all too frequently, evinced little interest in a peace agreement with Israel. But it is simply not true that Zionists and Israel have only been peace-seekers for 70 years. In the midst of a war they did not start, Zionist and later Israeli leaders saw an opportunity in 1948 to rid the land of non-Jewish undesirables – native Palestinian Arabs – the overwhelming majority of whom would in fact be displaced. The notion that they then aggressively sought peace with the displaced Palestinians or their Arab neighbors has been seriously challenged by archivally based scholars such as Benny Morris and Avi Shlaim. Moreover, the recent book by Avi Raz, another archivally based researcher, *The Bride and the Dowry*, calls into question the claim that Israel was intent on suing for peace after the Six-Day War. (I might recommend that Rabbi Gordis catch up on recent scholarship on the infamous Khartoum Summit that he mentions; scholars such as Avi Raz and Yoram Meital suggest that the summit was less a story of Arab rejectionism and more of a new Arab realism.)

Mentioning these examples is not intended to bring joy, but rather a dose of humility in making sweeping claims of our own moral virtue – and a measure of caution before brandishing the claim of betrayal against a fellow Jew. These are extremely tense and scary times. Of course, our thoughts and prayers should be – and for many

of us, naturally are – with our own. But one needn't and shouldn't attack others simply because their sense of compassion and ethical propriety extends beyond the tribe. On the contrary, we should be applauding just that capacity to manifest empathy beyond one's own without surrendering a sense of love and belonging to the Jewish people.

Rabbi Daniel Gordis is a smart, talented, and admirably committed Jew, but for too long he has been hectoring us about adhering to his brand of Zionism which rests on a rigid moral absolutism, a troubling set of false dichotomies, and a highly imperfect reading of the past. Our times demand better. Let us pray for *shalom 'al Yisrael ve'al kol yoshve tevel* (peace upon Israel and people the world over).

## 12. Adam R. Bronfman, "'If Not Now, When?' A Response to Gordis' Criticism of Brous," *The Times of Israel*, Nov. 21, 2012

In his November 18th blog post, Rabbi Daniel Gordis excoriates Rabbi Sharon Brous for her most excellent message regarding the current conflict between the IDF and Hamas. Rabbi Gordis seems to misread Rabbi Brous's intent and her display of deep compassion.

Brous expresses a deep sense of solidarity with fellow Jews in Israel and affirms their "right and obligation" to defend themselves from the terror unleashed by Hamas. Yet Brous deftly suggests that the "best way to diminish the potency of Hamas – which possess a genuine threat to Israel – is to engage earnestly and immediately in peace negotiations with the Palestinian Authority." Brous also calls on each of us to find that place within us that is most human, and therefore most Jewish, that place that is the source of "empathy and grace." With so many innocent Israelis facing existential threat, she acknowledges that Jews are scared. Rabbi Brous also reminds us that there are innocent Palestinians who are suffering, under threat, and "children of God."

Rabbi Gordis charges that this message is an attempt at "balance," that it is somehow an attempt to sow universalism and diminish the primary importance of Jewish solidarity. Further, he declares that this is "almost entirely divorced from the richness of Jewish heritage and the worldview of our classic texts." This is completely false. Rabbi Brous is adhering to the very admonition of Rabbi Hillel and the Ethics of the Fathers.

*If I am not for myself, who will be for me? But if I am only for myself, who am I? If not now, when?*

*Ethics of the Fathers, 1:14*

Rabbi Brous's message is a clear and passionate acknowledgement that Jews must be "for" ourselves. We must protect our own, show solidarity, and be willing to endure the hardship and fear that accompany self defense. In essence, if we Jews are not for ourselves, who will be for us? Who will defend us? It is clear we must be self reliant and express a strong peoplehood. Yet Rabbi Brous thoughtfully and compassionately reminds us of the other, greater, nobler side of being Jewish. As individuals and as a people we must understand that morals, ethics, and compassion are universal rights, even for those outside our family. For if we are only "for" ourselves, who are we?

From Rabbi Brous, I hear a message that calls on us to ever examine our world view and beware of our tendency to demonize all Palestinians. The current cycle of

violence is killing the mothers, fathers and children of our family and theirs. This endless war and violence seem to only beget more death and destruction and an ever-widening distance from a “viable and sustainable peace.” We are all grieving for our families, and yes (I pray) for our neighbor’s family too. I stand with Sharon Brous. Let us all ask . . . “If not now, When?”

**13. Interview with Emmanuel Levinas regarding the Sabra and Chatila Massacre – Sept. 28, 1982, published in *Les Nouveaux Cahiers*, trans. Sean Hand**

I think that there’s a direct contradiction between ethics and politics, if both these demands are taken to the extreme . . . The Zionist idea, as I now see it . . . is nevertheless a political idea which has an ethical justification. It has an ethical justification insofar as a political solution imposes itself as a way of putting an end to the arbitrariness which marked the Jewish condition, and to the spilt blood which for centuries has flowed with impunity across the world . . . Its necessity is ethical- indeed, it’s an old ethical idea which commands us precisely to defend our neighbours. My people and my kin are still my neighbours. When you defend the Jewish people, you defend your neighbor; and every Jew in particular defends his neighbour when he defends.

However, there is also an ethical limit to this ethically necessary political existence. But what is this limit? Perhaps what is happening today in Israel marks the place where ethics and politics will come into confrontation and where their limits will be sought. Unfortunately, contradictions like those at play between morals and politics are not only resolved in the reflections of philosophers. It takes events, that is, human lived experience . . .

**14. Hilary Putnam, “Must We Choose between Patriotism and Universal Reason,” in *For Love of Country: Debating the Limits of Patriotism*, ed. Martha C. Nussbaum (1996), 97**

I am no relativist. Like Martha Nussbaum, I believe that there is such a thing as reasoning well about moral issues. But, I repeat, actual reasoning is necessarily always situated within one or another historical tradition. To be sure, members of different traditions can and do enter into discussion and debate. But (as Dewey also stressed) in such discussions we typically find ourselves forced to renegotiate our understanding of reason itself. Because reason calls for such endless renegotiation, it cannot function as a neutral sources of values for “world citizens” to live by, while they view their own cultural inheritances as if they were merely the loved (to be sure) but regrettably parochial families one happens to have. We all have to live and judge from within our particular inheritances while remaining open to insights and criticisms from outside. And that is why the best kind of patriotism – loyalty to what is best in the traditions one has inherited – is indispensable. In sum, we do not have to choose between patriotism and universal reason; critical intelligence and loyalty to what is best in our traditions, including our national and ethnic traditions, are interdependent.

**PART II**

**CONTEMPORARY  
CHALLENGES TO  
JEWISH PEOPLEHOOD**





## UNIT 5

# BETWEEN NATIONALISM, ULTRA-NATIONALISM, AND FASCISM

A significantly divisive issue in Jewish life today is nationalism. In today's partisan environment, it is a toxic category for many. Israel and Zionism are intimately connected to the idea of nationalism, with Israel defining itself as the nation-state of the Jewish people. If Israeli Jews are principally nationalists and many North American Jews reject the category altogether, we face a schism of potentially momentous proportions. This session will explore whether nationalism itself is inherently corrupt, or whether it is a category that is often abused today by ultra-Nationalists. The first part of the lecture clarifies the distinctions between nationalism, ultra-nationalism, and fascism. The second part reflects on how Jews approach nationalism as encumbered beings, distinct from radical individualism or globalism.

### UNIT 5 SOURCES

1. Definitions of Categories	87
2. Genesis 1:26–28	87
3. Genesis 2:18–24	88
4. Genesis 4:1–12	88
5. Genesis 6:5–8, 17–18; 7:1	89
6. Genesis 12:1–7	89
7. Numbers 32:1–7	90
8. Leviticus 19:17–18, 33–34	90
9. Babylonian Talmud, Gittin 61a	91

### BACKGROUND READING

1. Peter Singer, <i>One World Now</i> (2016), 180–182, 188–189, 206	92
2. Michael Walzer, <i>Spheres of Justice</i> (1983), 12	93

3. Martha C. Nussbaum, <i>Political Emotions</i> (2013), 208–209, 212, 256	93
4. Yoram Hazony, <i>The Virtue of Nationalism</i> (2018), Conclusion	94
5. Michael Sandel, <i>Justice: What’s the Right Thing to Do?</i> (2010), 236–237	95
6. Jill Lepore, “A New Americanism: Why a Nation Needs a National Story,” <i>Foreign Affairs</i> , March 2019	96
7. Kwame Anthony Appiah, “The Importance of Elsewhere: In Defense of Cosmopolitanism,” <i>Foreign Affairs</i> , March 2019	105
8. Andreas Wimmer, “Why Nationalism Works: And Why It Isn’t Going Away,” <i>Foreign Affairs</i> , March 2019	110
9. Jan-Werner Muller, “False Flags: The Myth of the Nationalist Resurgence,” <i>Foreign Affairs</i> , March 2019	116
10. Yael Tamir, “Building a Better Nationalism: The Nation’s Place in a Globalized World,” <i>Foreign Affairs</i> , March 2019	122
11. Jack Snyder, “The Broken Bargain: How Nationalism Came Back,” <i>Foreign Affairs</i> , March 2019	126

## 1. Definitions of Categories

Below are some definitions for categories which will be using during the series. The aim of the definitions is to clarify and enable a shared discourse without claiming to exhaust or represent the sole possible meaning of each term. In the case of fascism and globalism, categories with so many debated characterizations and qualities, the definitions focus on an aspect of each which is important for their comparison to and association with our theme of nationalism.

**Nationalism** – Advocates for loyalty/devotion/identification to/with one’s own nation and support for its interest, including the prioritization of some of these interests over those of others. It views the sovereign state as a morally legitimate and necessary political framework wherein members/citizens distribute to each other goods and pursue, protect, and promulgate their identity, values, and culture.

**Fascism** – Embraces the exalting of one’s nation/race above others and legitimizes the support for its interests to the exclusion and discrimination of others.

**Ethnicity** – Relates to a population subgroup founded on a narrative of a common and shared origin, history, language, religion, and culture.

**Ethnic Nationalism** – Legitimizes and advocates for the formation of nation-states around members of a particular ethnic majority despite the presence of other ethnic minorities living within it. The state is owned by the ethnic majority, which is defined independently from the state and predates it.

**Civic Nationalism** – Legitimizes or gives preference to nation-states formed around the inhabitants/citizens of the state in which they live regardless of their ethnic origin and/or majority or minority status.

**Individualism** – Views individuals, rather than collectives, as the basic unit of moral concern. The rights that individuals possess and duties to which they are subject are all grounded in their humanity rather than their national, civic, or ethnic identity.

**Globalism** – A view which sees the boundaries and interests of nation-states as arbitrary and/or morally problematic and which advocates for bonds with individuals and groups around the world on the basis of their individualism, or an identification with their socio-economic, cultural, gender, and ideological positions and concerns.

## 2. Genesis 1:26–28

<sup>26</sup> And God said, “Let us make man in our image, after our likeness. They shall rule the fish of the sea, the birds of the sky, the cattle, the whole earth, and all the creeping things that creep on earth.” <sup>27</sup> And God created man in His image, in the image of God He created him; male and female He created them. <sup>28</sup> God blessed them and God said to them, “Be fertile

כִּי וַיֹּאמֶר אֱלֹהִים, נַעֲשֶׂה אָדָם בְּצַלְמֵנוּ כְּדְמוּתֵנוּ; וַיְרִדוּ בְדִגַּת הַיָּם וּבְעוֹף הַשָּׁמַיִם, וּבַבְּהֵמָה וּבְכָל־הָאָרֶץ, וּבְכָל־הָרֶמֶשׂ, הָרֹמֵשׂ עַל־הָאָרֶץ. כִּי וַיְבָרָא אֱלֹהִים אֶת־הָאָדָם בְּצַלְמוֹ, בְּצֶלֶם אֱלֹהִים בָּרָא אֹתוֹ: זָכָר וּנְקֵבָה, בָּרָא אֹתָם. כִּי וַיְבָרֶךְ אֹתָם, אֱלֹהִים, וַיֹּאמֶר לָהֶם אֱלֹהִים פְּרוּ וּרְבוּ וּמְלֵאוּ אֶת־הָאָרֶץ, וּכְבִשְׁתֶּהּ; וַרְדוּ בְּדִגַּת הַיָּם, וּבְעוֹף הַשָּׁמַיִם, וּבְכָל־חַיָּה, הָרֹמֶשֶׂת עַל־הָאָרֶץ.

and increase, fill the earth and master it; and rule the fish of the sea, the birds of the sky, and all the living things that creep on earth.”

### 3. Genesis 2:18–24

<sup>18</sup> The LORD God said: “It is not good for man to be alone; I will make a fitting helper for him.”

<sup>19</sup> And the LORD God formed out of the earth all the wild beasts and all the birds of the sky, and brought them to the man to see what he would call them; and whatever the man called each living creature, that would be its name.

<sup>20</sup> And the man gave names to all the cattle and to the birds of the sky and to all the wild beasts; but for Adam no fitting helper was found. <sup>21</sup> So the LORD God cast a deep sleep upon the man; and, while he slept, He took one of his ribs and closed up the flesh at that spot. <sup>22</sup> And the LORD God fashioned the rib that He had taken from the man into a woman; and He brought her to the man. <sup>23</sup> Then the man said: “This one at last Is bone of my bones And flesh of my flesh. This one shall be called Woman, For from man was she taken.” <sup>24</sup> Hence a man leaves his father and mother and clings to his wife, so that they become one flesh.

יח ויאמר יהוה אלהים, לא טוב היות האדם לבדו; אעשה-לו עזר, כנגדו. יט ויצר יהוה אלהים מן-האדמה, כל-חית השדה ואת כל-עוף השמים, ויבא אל-האדם, לראות מה-יקרא-לו; וכל אשר יקרא-לו האדם נפש חיה, הוא שמו. כ ויקרא האדם שמות, לכל-הבהמה ולעוף השמים, ולכל, חית השדה; ולאדם, לא-מצא עזר כנגדו. כא ויפל יהוה אלהים תרדמה על-האדם, וישן; ויקח, אחת מצלעותיו, ויסגר בשר, תחתנה. כב ויבן יהוה אלהים את-הצלע אשר-לקח מן-האדם, לאשה; ויבאה, אל-האדם. כג ויאמר, האדם, זאת הפעם עצם מעצמי, ובשר מבשרי; לזאת יקרא אשה, כי מאיש לקחה-זאת. כד על-כן, יעזב-איש, את-אביו, ואת-אמו; וירבק באשתו, והיו לבשר אחד.

### 4. Genesis 4:1–12

<sup>1</sup> Now the man knew his wife Eve, and she conceived and bore Cain, saying, “I have gained a male child with the help of the LORD.” <sup>2</sup> She then bore his brother Abel. Abel became a keeper of sheep, and Cain became a tiller of the soil. <sup>3</sup> In the course of time, Cain brought an offering to the LORD from the fruit of the soil;

<sup>4</sup> And Abel, for his part, brought the choicest of the firstlings of his flock. the LORD paid heed to Abel and his offering, <sup>5</sup> but to and his offering He paid no heed. Cain was much distressed and his face fell. <sup>6</sup> And the LORD said to Cain: “Why are you distressed, and why is your face fallen?

<sup>7</sup> Surely, if you do right, there is uplift. But if you do not do right sin couches at the door; its

א והאדם, ידע את-חווה אשתו; ותהר, ותלד את-קין, ותאמר, קניתי איש את-יהוה. ב ותסוף ללדת, את-אחיו את-הבל; ויהי-הבל, רעה צאן, וקין, היתה עבד אדמה. ג ויהי, מקץ ימים; ויבא קין מפרי האדמה, מנחה - ליהוה. ד והבל הביא גם-הוא מבכורות צאנו, ומחלבהן; וישע יהוה, אל-הבל ואל-מנחתו. ה ואל-קין ואל-מנחתו, לא שעה; ויחר לקין מאד, ויפל פניו. ו ויאמר יהוה, אל-קין: למה חרה לך, ולמה נפלו פניך. ז הלוא אם-תיטיב, שאת, ואם לא תיטיב, לפתח חטאת רבץ; ואלך, תשוקתו, ואתה, תמשל-בו.

urge is toward you, yet you can be its master.”

<sup>8</sup> Cain said to his brother Abel ... and when they were in the field, Cain set upon his brother Abel and killed him. <sup>9</sup> The LORD said to Cain: “Where is your brother Abel?” And he said, “I do not know. Am I my brother’s keeper?”

<sup>10</sup> Then He said: “What have you done? Hark, your brother’s blood cries out to Me from the ground <sup>11</sup> Therefore, you shall be more cursed than the ground, which opened its mouth to receive your brother’s blood from your hand.

<sup>12</sup> If you till the soil, it shall no longer yield its strength to you. You shall become a ceaseless wanderer on earth.”

## 5. Genesis 6:5–8, 17–18; 7:1

<sup>5</sup> The LORD saw how great was man’s wickedness on earth, and how every plan devised by his mind was nothing but evil all the time. <sup>6</sup> And the LORD regretted that He had made man on earth, and His heart was saddened. <sup>7</sup> The LORD said: “I will blot out from the earth the men whom I created—men together with beasts, creeping things, and birds of the sky; for I regret that I made them.” <sup>8</sup> But Noah found favor with the LORD.

<sup>17</sup> “For My part, I am about to bring the Flood – waters upon the earth – to destroy all flesh under the sky in which there is breath of life; everything on earth shall perish. <sup>18</sup> But I will establish My covenant with you, and you shall enter the ark, with your sons, your wife, and your sons’ wives.

<sup>7</sup> <sup>1</sup> Then the LORD said to Noah: “Go into the ark, with all your household, for you alone have I found righteous before Me in this generation.

## 6. Genesis 12:1–7

<sup>1</sup> The LORD said to Abram: “Go forth from your native land and from your father’s house to the land that I will show you. <sup>2</sup> I will make of you a great nation, And I will bless you; I will make your name great, And you shall be a blessing.

<sup>ח</sup> וַיֹּאמֶר קַיִן, אֶל־הָבֶל אָחִיו; וַיְהִי בְהִיוֹתָם בַּשָּׂדֶה, וַיִּקְּם קַיִן אֶל־הָבֶל אָחִיו וַיַּהַרְגֵהוּ. <sup>ט</sup> וַיֹּאמֶר יְהוָה אֶל־קַיִן, אֵי הָבֶל אָחִיךָ; וַיֹּאמֶר לֹא יָדַעְתִּי, הַשֹּׁמֵר אָחִי אֲנִכִּי. <sup>י</sup> וַיֹּאמֶר, מָה עָשִׂיתָ; קוֹל דְּמֵי אָחִיךָ, צֹעֲקִים אֵלַי מִן־הָאֲדָמָה. <sup>יא</sup> וְעַתָּה, אָרוּר אַתָּה, מִן־הָאֲדָמָה אֲשֶׁר פָּצְתָה אֶת־פִּיהָ, לְקַחַת אֶת־דְּמֵי אָחִיךָ מִיָּדְךָ. <sup>יב</sup> כִּי תַעֲבֹד אֶת־הָאֲדָמָה, לֹא־תֹסֵף תֵּתֶנָּה כֹּחָהּ לָךְ; נָע וָנָד, תִּהְיֶה בְּאָרֶץ.

<sup>ה</sup> וַיֵּרָא יְהוָה, כִּי רַבָּה רָעַת הָאָדָם בְּאָרֶץ, וְכָל־יֵצֵר מַחְשֵׁבֶת לְבוֹ, רַק רָע כָּל־הַיּוֹם. <sup>ו</sup> וַיִּנְחַם יְהוָה, כִּי־עָשָׂה אֶת־הָאָדָם בְּאָרֶץ; וַיִּתְעַצֵּב, אֶל־לְבוֹ. <sup>ז</sup> וַיֹּאמֶר יְהוָה, אֲמַחֶה אֶת־הָאָדָם אֲשֶׁר־בְּרָאתִי מֵעַל פְּנֵי הָאֲדָמָה, מֵאָדָם עַד־בְּהֵמָה, עַד־רֶמֶשׂ וְעַד־עוֹף הַשָּׁמַיִם: כִּי נִחַמְתִּי, כִּי עָשִׂיתִם. <sup>ח</sup> וְנֹחַ, מְצָא חֵן בְּעֵינֵי יְהוָה.

<sup>יז</sup> וַאֲנִי, הֲנִנִּי מִבִּיא אֶת־הַמַּבּוּל מִיַּם עַל־הָאָרֶץ, לְשַׁחַת כָּל־בָּשָׂר אֲשֶׁר־בוֹ רוּחַ חַיִּים, מִתַּחַת הַשָּׁמַיִם: כָּל אֲשֶׁר־בְּאָרֶץ, יִגּוּעַ. <sup>יח</sup> וְהִקַּמְתִּי אֶת־בְּרִיתִי, אִתְּךָ; וּבָאתָ, אֶל־הַתֵּבָה - אִתָּה, וּבְנֵיךָ וְאִשְׁתְּךָ וְנִשְׂי־בְנֵיךָ אִתְּךָ.

<sup>זא</sup> וַיֹּאמֶר יְהוָה לְנֹחַ, בֹּא־אִתָּה וְכָל־בֵּיתְךָ אֶל־הַתֵּבָה: כִּי־אִתְּךָ רָאִיתִי צַדִּיק לְפָנַי, בְּדוֹר הַזֶּה.

<sup>א</sup> וַיֹּאמֶר יְהוָה אֶל־אַבְרָם, לֵךְ־לְךָ מֵאֶרֶץְךָ וּמִמּוֹלַדְתְּךָ וּמִבֵּית אָבִיךָ, אֶל־הָאָרֶץ, אֲשֶׁר אֲרָאָךְ. <sup>ב</sup> וְאַעֲשֶׂהָ, לְגוֹי גָּדוֹל, וְאַבְרָכְךָ, וְאֶגְדַּלְהָ שְׁמֶךָ; וְהָיָה, בְּרַכָּה.

<sup>3</sup> I will bless those who bless you And curse him that curses you; And all the families of the earth Shall bless themselves by you.” <sup>4</sup> Abram went forth as the LORD had commanded him, and Lot went with him. Abram was seventy-five years old when he left Haran. <sup>5</sup> Abram took his wife Sarai and his brother’s son Lot, and all the wealth that they had amassed, and the persons that they had acquired in Haran; and they set out for the land of Canaan. When they arrived in the land of Canaan, <sup>6</sup> Abram passed through the land as far as the site of Shechem, at the terebinth of Moreh. The Canaanites were then in the land. <sup>7</sup> The LORD appeared to Abram, and said: “I will assign this land to your offspring.” And he built an altar there to the LORD who had appeared to him.

## 7. Numbers 32:1–7

<sup>1</sup> The Reubenites and the Gadites owned cattle in very great numbers. Noting that the lands of Jazer and Gilead were a region suitable for cattle, <sup>2</sup> the Gadites and the Reubenites came to Moses, Eleazar the priest, and the chieftains of the community, and said, <sup>3</sup> “Ataroth, Dibon, Jazer, Nimrah, Heshbon, Elealeh, Sebam, Nebo, and Beon, <sup>4</sup> the land that the LORD has conquered for the community of Israel is cattle country, and your servants have cattle. <sup>5</sup> It would be a favor to us,” they continued, “if this land were given to your servants as a holding; do not move us across the Jordan.” <sup>6</sup> Moses replied to the Gadites and the Reubenites, “Are your brothers to go to war while you stay here? <sup>7</sup> Why will you turn the minds of the Israelites from crossing into the land that the LORD has given them?”

## 8. Leviticus 19:17–18, 33–34

<sup>17</sup> You shall not hate your kinsfolk in your heart. Reprove your kinsman but incur no guilt because of him. <sup>18</sup> You shall not take vengeance or bear a grudge against your countrymen. Love your fellow as yourself: I am the LORD.

ג וְאֶבְרָכָה, מְבַרְכֶיךָ, וּמְקַלְלֶיךָ, אָאֹר; וְנִבְרַכְוּ בְךָ, כָּל מִשְׁפַּחַת הָאָדָמָה. ד וַיֵּלֶךְ אַבְרָם, כְּאֲשֶׁר דִּבֶּר אֱלֹהֵי יְהוָה, וַיֵּלֶךְ אִתּוֹ, לוֹט; וְאַבְרָם, בֶּן-חֲמִשׁ שָׁנִים וְשִׁבְעִים שָׁנָה, בְּצֵאתוֹ, מִחָרָן. ה וַיִּקַּח אַבְרָם אֶת-שָׂרִי אִשְׁתּוֹ וְאֶת-לוֹט בֶּן-אָחִיו, וְאֶת-כָּל-רְכוּשָׁם אֲשֶׁר רָכְשׁוּ, וְאֶת-הַנַּפְשׁ, אֲשֶׁר-עָשׂוּ בְּחָרָן; וַיֵּצְאוּ, לְלֶכֶת אֶרֶץ כְּנָעַן, וַיָּבֹאוּ, אֶרֶץ כְּנָעַן. ו וַיַּעֲבֹר אַבְרָם, בְּאֶרֶץ, עַד מְקוֹם שְׁכָם, עַד אֵלֹן מוֹרֵה; וַהֲכִנְעֵנִי, אִזְּ בְּאֶרֶץ. ז וַיֵּרָא יְהוָה, אֶל-אַבְרָם, וַיֹּאמֶר, לְזַרְעֶךָ אֶתְּן אֶת-הָאָרֶץ הַזֹּאת; וַיִּבֶן שָׁם מִזְבֵּחַ, לַיהוָה הַנִּרְאָה אֵלָיו.

א וּמְקַנְהַ רַב, הָיָה לְבְנֵי רְאוּבֵן וּלְבְנֵי-גָד - עֲצוּם מְאֹד; וַיֵּרְאוּ אֶת-אֶרֶץ יַעֲזֹר, וְאֶת-אֶרֶץ גִּלְעָד, וַהֲנִיחַ הַמְּקוֹם, מְקוֹם מְקַנְהָ. ב וַיָּבֹאוּ בְנֵי-גָד, וּבְנֵי רְאוּבֵן; וַיֹּאמְרוּ אֶל-מֹשֶׁה וְאֶל-אֱלֵעָזָר הַכֹּהֵן, וְאֶל-נְשִׂאֵי הָעֵדָה לֵאמֹר. ג עֲטֹרוֹת וְדִיבֵן וַיַּעֲזֹר וְנַמְרָה, וְחִשְׁבוֹן וְאֶלְעָלָה, וְשִׁכָם וְנָבו, וּבְעֵן. ד הָאֶרֶץ, אֲשֶׁר הִכָּה יְהוָה לְפָנַי עַד־תִּשְׂרָאֵל - אֶרֶץ מְקַנְהָ, הוּא; וְלַעֲבָדֶיךָ, מְקַנְהָ. ה וַיֹּאמְרוּ, אִם-מִצְאָנוּ חֵן בְּעֵינֶיךָ - יִתֵּן אֶת-הָאָרֶץ הַזֹּאת לְעַבְדֶיךָ, לְאַחֲזָהּ: אֶל-תַּעֲבֹרְנוּ, אֶת-הַיַּרְדֵּן. ו וַיֹּאמֶר מֹשֶׁה, לְבְנֵי-גָד וּלְבְנֵי רְאוּבֵן: הַאֲחִיכֶם, יָבֹאוּ לְמַלְחָמָה, וְאַתֶּם, תִּשְׁבוּ פֹה. ז וְלָמָּה תִּנְוְאוּן (תִּנְיָאוּן), אֶת-לֵב בְּנֵי יִשְׂרָאֵל - מֵעֲבֹר, אֶל-הָאָרֶץ, אֲשֶׁר-נָתַן לָהֶם, יְהוָה.

יז לֹא-תִשְׁנָא אֶת-אָחִיךָ, בְּלִבְבְּךָ; הוֹכַח תּוֹכִיחַ אֶת-עַמִּיתֶךָ, וְלֹא-תִשָּׂא עָלָיו חֲטָא. יח לֹא-תִקֵּם וְלֹא-תִטֹּר אֶת-בְּנֵי עַמֶּךָ, וְאֶהְבֵּת לְרֵעֶךָ כְּמוֹדִי: אֲנִי, יְהוָה.

<sup>33</sup> When a stranger resides with you in your land, you shall not wrong him. <sup>34</sup> The stranger who resides with you shall be to you as one of your citizens; you shall love him as yourself, for you were strangers in the land of Egypt: I the LORD am your God.

לֹג וְכִי־יִגְוֹר אֶתְּךָ גֵר, בְּאֶרֶץְכֶם - לֹא תוֹנוּ, אֹתוֹ. לֹד כְּאֶזְרַח מִכֶּם יִהְיֶה לְכֶם הַגֵּר הַגֵּר אֶתְכֶם, וְאָהַבְתָּ לּוֹ כְּמוֹךָ - כִּי־גֵרִים הָיִיתֶם, בְּאֶרֶץ מִצְרַיִם: אֲנִי, יְהוָה אֱלֹהֵיכֶם.

## 9. Babylonian Talmud, Gittin 61a

The wife of a *haver* may lend the wife of an *am ha'aretz* a winnow and a sieve, and she may select, grind, and sift with her. But once the wife of the *am ha'aretz* pours water into the flour, the wife of the *haver* may not touch anything with her, because one may not assist those who commit transgressions. And all of the allowances mentioned in the mishna were stated only on account of the ways of peace. And one may assist gentiles during the Sabbatical Year, but not Jews. One may extend greetings [to gentiles] on account of the ways of peace.

משאלת אשה לחבירתה החשודה על השביעית נפה וכברה וריחים ותנור אבל לא תבור ולא תטחן עמה אשת חבר משאלת לאשת עם הארץ נפה וכברה ובוררת וטוחנת ומרקדת עמה אבל משתטיל את המים לא תגע עמה לפי שאין מחזיקין ידי עוברי עבירה וכולן לא אמרו אלא מפני דרכי שלום ומחזיקין ידי נכרים בשביעית אבל לא ידי ישראל ושואלין בשלומן מפני דרכי שלום.

## Background Reading

### 1. Peter Singer, *One World Now* (2016), 180–182, 188–189, 206

I examined various possible differences that people might find between the two situations and argued that they were not sufficiently significant, in moral terms, to shield us from the judgment that in failing to give to the Bengali refugees, we were doing something that was seriously wrong. In particular, I wrote:

It makes no moral difference whether the person I help is a neighbor's child ten yards from me or a Bengali whose name I shall never know, ten thousand miles away.

As far as I am aware, no one has disputed this claim in respect of distance per se – that is, the difference between ten yards and ten thousand miles. Of course, the degree of certainty that we can have that our assistance will get to the right person and will really help that person may be affected by distance, and that can make a difference to what we ought to do, but that is a different matter and will depend on the particular circumstances in which we find ourselves. What people *have* disputed, however, is that our obligation to help a stranger in another country is as great as the obligation to help one of our own neighbors or compatriots. Surely, they say, we have special obligations to our neighbors and fellow citizens and to our family and friends that we do not have to strangers in another country... I am not suggesting that one must allow one's wife or mother or, for that matter, children to die in order to save a stranger or even several strangers; but, like Godwin, I am urging that we take a universal perspective and recognize that when it comes to saving the life of a stranger at a quite modest cost to ourselves, the far greater interest of the stranger should prevail over our own much more minor interest. (180–182)

To return to the issue of partiality for family, lovers, and friends, we have seen that there are impartial reasons for accepting some degree of partiality here; but how much? In broad terms we should accept as much partiality as is necessary to promote the goods mentioned above, but no more. Thus the partiality of parents for their children must extend to providing them with the necessities of life and also to satisfying their more important wants, and it must allow them to feel loved and protected; but there is no requirement to satisfy every desire a child expresses, and there are many reasons we should not do so. If we live in affluent countries like the United States, most European countries, Canada, and Australia, we should bring up our children to know that others are in much greater need than we are and to be aware of the possibility of helping them by, for example, reducing our unnecessary spending. Our children should also learn to think critically about the forces that lead to high levels of consumption and to be aware of the environmental costs of this way of living. With lovers and friends, something similar applies: the relationships require partiality, but they are stronger where there are shared values or at least respect for the values that each holds. Where the values shared include concern for the welfare of others, irrespective of whether they are friends or strangers, then the partiality

demanded by friendship or love will not be so great as to interfere in a serious way with the capacity for helping those in great need. (188–189)

There are few strong grounds for giving preference to the interests of one's fellow citizens, at least when subjected to the test of impartial assessment, and none that can override the obligation that arises whenever we can, at little cost to ourselves, make an absolutely crucial difference to the well-being of another person in real need. Hence the issue of foreign aid is a matter with which citizens of any country of the developed world ought to be concerned. (206)

## 2. Michael Walzer, *Spheres of Justice* (1983), 12

Clearly, citizens often believe themselves morally bound to open the doors of their country – not to anyone who wants to come in, perhaps, but to a particular group of outsiders, recognized as national or ethnic “relatives.” In this sense, states are like families rather than clubs, for it is a feature of families that their members are morally connected to people they have not chosen, who live outside the household.

## 3. Martha C. Nussbaum, *Political Emotions* (2013), 208–209, 212, 256

In all its forms, however, patriotic love is particularistic. It is modeled on family or personal love of some type, and, in keeping with that origin or analogy, it focuses on specifics: this or that beautiful geographical feature, this or that historical event. The thicker it is in these respects, the more likely it is to inspire...

Why do we need an emotion like this? The very particularity and eroticism of patriotic love make it ripe for capture, it would seem, by darker forces in our personalities...

The first and most obvious danger is that of misplaced values. If we are going to whip up strong passions, we want to make sure we don't generate enthusiasm for the wrong thing. And it is easy to see that patriotic love has served a range of unwise causes: foolish and/or unjust wars, racial or ethnic hatred, religious exclusion, distorted norms of masculinity that contribute to the subordination of women, xenophobia and hatred of other nations. It is on such cases that people usually focus when they express horror at the very idea of patriotic love.

It is a little difficult to know what, precisely, this objection is supposed to be. Does the objector think that there is any inherent tendency in patriotism that leads to the support of bad rather than good ends? If so, this analysis needs to be presented...

Perhaps the objection, instead, is to the idea of the nation as object of love. Some believe that the very idea of the nation is a primitive one, to be superseded ultimately by the universal love of all humanity (and, presumably, the creation of a world state). But that argument itself needs to be stated and examined. I myself have argued that even in a world dedicated to the pursuit of global justice, the nation has a valuable role to play, as the largest unit we know so far that is sufficiently accountable to people and expressive of their voices. And even though we cannot deny that attachment to one

nation has often been linked with the denigration of other nations, there appears to be no necessity to this: we can, and often do, imagine nations as cooperating toward common goals. Similarly, love of one's own family has often been linked to the wish to denigrate or subordinate other people's families, but this need not be: we may think that all families deserve a decent level of support, and family love can be securely tethered to that norm.

[...]

Love of one's own nation is not a good thing in itself. Very often it is a very bad thing. National stories can be constructed badly, and even a basically good narrative can be badly taught. Such instruction can do great damage. Nonetheless, a nation that pursues goals that require sacrifice of selfinterest needs to be able to appeal to love of the nation, in ways that draw on symbol and rhetoric, emotional memory and history... If people interested in relief of poverty, justice for minorities, political and religious liberty, democracy, and global justice eschew symbol and rhetoric, fearing all appeals to emotion and imagination as inherently dangerous and irrational, people with less appetizing aims will monopolize these forces, to the detriment of democracy, and of people.

#### 4. Yoram Hazony, *The Virtue of Nationalism* (2018), Conclusion

I have nowhere sought to deny or justify the many injustices that have been done by nationalists of various countries. Nor do I believe that an order of national states will make angels of us in the future. But I do believe that to be devoted to the cause of empire, and to the ideal of bringing the world under a single authority and a single doctrine, is to advocate something far worse. I have pointed out more than once that it is just such imperialism that has produced the greatest destroyers the earth has known, with moderns such as Napoleon, Hitler, and Stalin not least among them. Of course, my liberal friends can explain at length how their own imperialism will be different from all others that have come before, how they have developed new conceptual tools and new methods of governance, and how these will finally bring us peace and prosperity. Past experience, however, urges against trusting in these theories, even if we appreciate those promoting them as well-intentioned persons. The truth is that they are nearly all utopians, bursting with love for the abstract theory they see before their eyes. In the end, they will be consumed by the hatred of the universal for the particular that will not submit, just as their predecessors were. In the end, they will conclude that there is no alternative but to coerce the dissenters – dissenting individuals and dissenting nations – making them conform to the universal theory by force, for their own good.

This means that the question of whether nationalism is desirable makes its presence felt on two very different levels. In the first place, there is the great theoretical question of what is the best political order. I have said that an order of national states is the best form of political order. But I have also emphasized that such an order is not to be regarded as a utopia, a blueprint for establishing a perfect political world, since it cannot be made perfect in the world, and the world cannot be perfected by it.

Rather, nationalism should be regarded as a virtue in the political order – by which is meant that the conditions under which mankind live are improved as we advance toward a world of independent national states.

In the second place, there is the more personal question of whether nationalism is a virtue or a vice in the individual. All my life, I have heard it said that nationalism corrupts the human personality and makes it vicious. This is an opinion that I have heard from Christians and Muslims, liberals and Marxists, all of whom have found it congenial to cultivate visions of the earth as a political unity, governed by the one political perspective that happens to be their own. For all of them, nationalism is a vice because they believe, as Herzl was told in proposing a Jewish national state in the 1890s, “that we should not create new distinctions between people, that we ought not to raise fresh barriers, but make the old ones disappear instead.”<sup>1</sup> Of course, each of them means that once the barriers have been torn down, it will be his own point of view that prevails on this new borderless earth and not someone else’s – hardly a generous or a gracious offer, when you think about it. And yet it is the nationalist, who prefers to leave the barriers in place, and who believes that good fences make good neighbors, that is, in their eyes, vicious.

My own understanding is different. I have always thought that to be a nationalist is a virtue. This is not only because the order of national states is the best political order, and it is an admirable thing to devote oneself to moving this old earth a step closer to such a political order. Besides this, I believe that orienting oneself toward an order of independent national states paves the way for certain positive traits of character that are more difficult, if not impossible, to attain so long as one remains committed to the dream of empire. I will say a few more words about this.

##### 5. Michael Sandel, *Justice: What’s the Right Thing to Do?* (2010), 236–237

Consider the case of Robert E. Lee, the commanding general of the Confederate army. Before the Civil War, Lee was an officer in the Union army. He opposed secession – in fact, he regarded it as treason. When war loomed, President Lincoln asked Lee to lead the Union forces. Lee refused. He concluded that his obligation to Virginia outweighed his obligation to the Union, and also his reported opposition to slavery. He explained his decision in a letter to his sons:

With all my devotion to the Union, I have not been able to make up my mind to raise my hand against my relatives, my children, my home . . . If the Union is dissolved, and the Government disrupted, I shall return to my native State and share the miseries of my people. Save in her defense, I will draw my sword no more.

[ . . . ] Unless we take loyalty seriously, as a claim with moral import, we can’t make sense of Lee’s dilemma as a moral dilemma at all. If loyalty is a sentiment with no genuine moral weight, then Lee’s predicament is simply a conflict between morality on the one hand and mere feeling or prejudice on the other. But by conceiving it that way, we misunderstand the moral stakes.

The merely psychological reading of Lee's predicament misses the fact that we not only sympathize with people like him but also admire them, not necessarily for the choices they make, but for the quality of character their deliberation reflects. What we admire is the disposition to see and bear one's life circumstance as a reflectively situated being – claimed by the history that implicates me in a particular life, but self-conscious of its particularity, and so alive to competing claims and wider horizons. To have character is to live in recognition of one's (sometime conflicting) encumbrances.

## 6. Jill Lepore, "A New Americanism: Why a Nation Needs a National Story," *Foreign Affairs*, March 2019

In 1986, the Pulitzer Prize-winning, bowtie-wearing Stanford historian Carl Degler delivered something other than the usual pipe-smoking, scotch-on-the-rocks, after-dinner disquisition that had plagued the evening program of the annual meeting of the American Historical Association for nearly all of its century-long history. Instead, Degler, a gentle and quietly heroic man, accused his colleagues of nothing short of dereliction of duty: appalled by nationalism, they had abandoned the study of the nation.

"We can write history that implicitly denies or ignores the nation-state, but it would be a history that flew in the face of what people who live in a nation-state require and demand," Degler said that night in Chicago. He issued a warning: "If we historians fail to provide a nationally defined history, others less critical and less informed will take over the job for us."

The nation-state was in decline, said the wise men of the time. The world had grown global. Why bother to study the nation? Nationalism, an infant in the nineteenth century, had become, in the first half of the twentieth, a monster. But in the second half, it was nearly dead – a stumbling, ghastly wraith, at least outside post-colonial states. And historians seemed to believe that if they stopped studying it, it would die sooner: starved, neglected, and abandoned.

Francis Fukuyama is a political scientist, not a historian. But his 1989 essay "The End of History?" illustrated Degler's point. Fascism and communism were dead, Fukuyama announced at the end of the Cold War. Nationalism, the greatest remaining threat to liberalism, had been "defanged" in the West, and in other parts of the world where it was still kicking, well, that wasn't quite nationalism. "The vast majority of the world's nationalist movements do not have a political program beyond the negative desire of independence from some other group or people, and do not offer anything like a comprehensive agenda for socio-economic organization," Fukuyama wrote. (Needless to say, he has since had to walk a lot of this back, writing in his most recent book about the "unexpected" populist nationalism of Russia's Vladimir Putin, Poland's Jaroslaw Kaczynski, Hungary's Viktor Orban, Turkey's Recep Tayyip Erdogan, the Philippines' Rodrigo Duterte, and the United States' Donald Trump.)

Fukuyama was hardly alone in pronouncing nationalism all but dead. A lot of other people had, too. That's what worried Degler.

Nation-states, when they form, imagine a past. That, at least in part, accounts for

why modern historical writing arose with the nation-state. For more than a century, the nation-state was the central object of historical inquiry. From George Bancroft in the 1830s through, say, Arthur Schlesinger, Jr., or Richard Hofstadter, studying American history meant studying the American nation. As the historian John Higham put it, “From the middle of the nineteenth century until the 1960s, the nation was the grand subject of American history.” Over that same stretch of time, the United States experienced a civil war, emancipation, reconstruction, segregation, two world wars, and unprecedented immigration – making the task even more essential. “A history in common is fundamental to sustaining the affiliation that constitutes national subjects,” the historian Thomas Bender once observed. “Nations are, among other things, a collective agreement, partly coerced, to affirm a common history as the basis for a shared future.”

But in the 1970s, studying the nation fell out of favor in the American historical profession. Most historians started looking at either smaller or bigger things, investigating the experiences and cultures of social groups or taking the broad vantage promised by global history. This turn produced excellent scholarship. But meanwhile, who was doing the work of providing a legible past and a plausible future – a nation – to the people who lived in the United States? Charlatans, stooges, and tyrants. The endurance of nationalism proves that there’s never any shortage of blackguards willing to prop up people’s sense of themselves and their destiny with a tissue of myths and prophecies, prejudices and hatreds, or to empty out old rubbish bags full of festering resentments and calls to violence. When historians abandon the study of the nation, when scholars stop trying to write a common history for a people, nationalism doesn’t die. Instead, it eats liberalism.

Maybe it’s too late to restore a common history, too late for historians to make a difference. But is there any option other than to try to craft a new American history – one that could foster a new Americanism?

## The Nation and the State

The United States is different from other nations – every nation is different from every other – and its nationalism is different, too. To review: a nation is a people with common origins, and a state is a political community governed by laws. A nation-state is a political community governed by laws that unites a people with a supposedly common ancestry. When nation-states arose out of city-states and kingdoms and empires, they explained themselves by telling stories about their origins – stories meant to suggest that everyone in, say, “the French nation” had common ancestors, when they of course did not. As I wrote in my book *These Truths*, “Very often, histories of nation-states are little more than myths that hide the seams that stitch the nation to the state.”

But in the American case, the origins of the nation can be found in those seams. When the United States declared its independence, in 1776, it became a state, but what made it a nation? The fiction that its people shared a common ancestry was absurd on its face; they came from all over, and, after having waged a war against Great Britain, just about the last thing they wanted to celebrate was their Britishness. Long

after independence, most Americans saw the United States not as a nation but, true to the name, as a confederation of states. That's what made arguing for ratification of the Constitution an uphill battle; it's also why the Constitution's advocates called themselves "Federalists," when they were in fact nationalists, in the sense that they were proposing to replace a federal system, under the Articles of Confederation, with a national system. When John Jay insisted, in *The Federalist Papers*, no. 2, "that Providence has been pleased to give this one connected country to one united people – a people descended from the same ancestors, speaking the same language, professing the same religion, attached to the same principles of government, very similar in their manners and customs," he was whistling in the dark.

#### ONE WAY TO TURN A STATE INTO A NATION IS TO WRITE ITS HISTORY.

It was the lack of these similarities that led Federalists such as Noah Webster to attempt to manufacture a national character by urging Americans to adopt distinctive spelling. "Language, as well as government should be national," Webster wrote in 1789. "America should have her own distinct from all the world." That got the United States "favor" instead of "favour." It did not, however, make the United States a nation. And by 1828, when Webster published his monumental *American Dictionary of the English Language*, he did not include the word "nationalism," which had no meaning or currency in the United States in the 1820s. Not until the 1840s, when European nations were swept up in what has been called "the age of nationalities," did Americans come to think of themselves as belonging to a nation, with a destiny.

This course of events is so unusual, in the matter of nation building, that the historian David Armitage has suggested that the United States is something other than a nation-state. "What we mean by nationalism is the desire of nations (however defined) to possess states to create the peculiar hybrid we call the nation-state," Armitage writes, but "there's also a beast we might call the state-nation, which arises when the state is formed before the development of any sense of national consciousness. The United States might be seen as a, perhaps the only, spectacular example of the latter" – not a nation-state but a state-nation.

One way to turn a state into a nation is to write its history. The first substantial history of the American nation, Bancroft's ten-volume *History of the United States, From the Discovery of the American Continent*, was published between 1834 and 1874. Bancroft wasn't only a historian; he was also a politician who served in the administrations of three U.S. presidents, including as secretary of war in the age of American continental expansion. An architect of manifest destiny, Bancroft wrote his history in an attempt to make the United States' founding appear inevitable, its growth inexorable, and its history ancient. De-emphasizing its British inheritance, he celebrated the United States as a pluralistic and cosmopolitan nation, with ancestors all over the world:

The origin of the language we speak carries us to India; our religion is from Palestine; of the hymns sung in our churches, some were first heard in Italy, some in the deserts of Arabia, some on the banks of the Euphrates; our arts come from Greece; our jurisprudence from Rome.

Nineteenth-century nationalism was liberal, a product of the Enlightenment. It rested on an analogy between the individual and the collective. As the American theorist of nationalism Hans Kohn once wrote, “The concept of national self-determination – transferring the ideal of liberty from the individual to the organic collectivity – was raised as the banner of liberalism.”

Liberal nationalism, as an idea, is fundamentally historical. Nineteenth-century Americans understood the nation-state within the context of an emerging set of ideas about human rights: namely, that the power of the state guaranteed everyone eligible for citizenship the same set of irrevocable political rights. The future Massachusetts senator Charles Sumner offered this interpretation in 1849:

Here is the Great Charter of every human being drawing vital breath upon this soil, whatever may be his condition, and whoever may be his parents. He may be poor, weak, humble, or black, – he may be of Caucasian, Jewish, Indian, or Ethiopian race, – he may be of French, German, English, or Irish extraction; but before the Constitution of Massachusetts all these distinctions disappear. . . . He is a MAN, the equal of all his fellow-men. He is one of the children of the State, which, like an impartial parent, regards all of its offspring with an equal care.

Or as the Prussian-born American political philosopher Francis Lieber, a great influence on Sumner, wrote, “Without a national character, states cannot obtain that longevity and continuity of political society which is necessary for our progress.” Lieber’s most influential essay, “Nationalism: A Fragment of Political Science,” appeared in 1860, on the very eve of the Civil War.

## The Union and the Confederacy

The American Civil War was a struggle over two competing ideas of the nation-state. This struggle has never ended; it has just moved around.

In the antebellum United States, Northerners, and especially northern abolitionists, drew a contrast between (northern) nationalism and (southern) sectionalism. “We must cultivate a national, instead of a sectional patriotism” urged one Michigan congressman in 1850. But Southerners were nationalists, too. It’s just that their nationalism was what would now be termed “illiberal” or “ethnic,” as opposed to the Northerners’ liberal or civic nationalism. This distinction has been subjected to much criticism, on the grounds that it’s nothing more than a way of calling one kind of nationalism good and another bad. But the nationalism of the North and that of the South were in fact different, and much of U.S. history has been a battle between them.

“Ours is the government of the white man,” the American statesman John C. Calhoun declared in 1848, arguing against admitting Mexicans as citizens of the United States. “This Government was made by our fathers on the white basis,” the American politician Stephen Douglas said in 1858. “It was made by white men for the benefit of white men and their posterity forever.”

Abraham Lincoln, building on arguments made by black abolitionists, exposed Douglas’ history as fiction. “I believe the entire records of the world, from the date

of the Declaration of Independence up to within three years ago, may be searched in vain for one single affirmation, from one single man, that the negro was not included in the Declaration of Independence,” Lincoln said during a debate with Douglas in Galesburg, Illinois, in 1858. He continued:

I think I may defy Judge Douglas to show that he ever said so, that Washington ever said so, that any President ever said so, that any member of Congress ever said so, or that any living man upon the whole earth ever said so, until the necessities of the present policy of the Democratic party, in regard to slavery, had to invent that affirmation.

No matter, the founders of the Confederacy answered: we will craft a new constitution, based on white supremacy. In 1861, the Confederacy’s newly elected vice president, Alexander Stephens, delivered a speech in Savannah in which he explained that the ideas that lay behind the U.S. Constitution “rested upon the assumption of the equality of races” – here ceding Lincoln’s argument – but that “our new government is founded upon exactly the opposite ideas; its foundations are laid, its cornerstone rests, upon the great truth that the negro is not equal to the white man; that slavery is his natural and moral condition.”

The North won the war. But the battle between liberal and illiberal nationalism raged on, especially during the debates over the 14th and 15th Amendments, which marked a second founding of the United States on terms set by liberal ideas about the rights of citizens and the powers of nation-states – namely, birthright citizenship, equal rights, universal (male) suffrage, and legal protections for noncitizens. These Reconstruction-era amendments also led to debates over immigration, racial and gender equality, and the limits of citizenship. Under the terms of the 14th Amendment, children of Chinese immigrants born in the United States would be U.S. citizens. Few major political figures talked about Chinese immigrants in favorable terms. Typical was the virulent prejudice expressed by William Higby, a one-time miner and Republican congressman from California. “The Chinese are nothing but a pagan race,” Higby said in 1866. “You cannot make good citizens of them.” And opponents of the 15th Amendment found both African American voting and Chinese citizenship scandalous. Fumed Garrett Davis, a Democratic senator from Kentucky: “I want no negro government; I want no Mongolian government; I want the government of the white man which our fathers incorporated.”

The most significant statement in this debate was made by a man born into slavery who had sought his own freedom and fought for decades for emancipation, citizenship, and equal rights. In 1869, in front of audiences across the country, Frederick Douglass delivered one of the most important and least read speeches in American political history, urging the ratification of the 14th and 15th Amendments in the spirit of establishing a “composite nation.” He spoke, he said, “to the question of whether we are the better or the worse for being composed of different races of men.” If nations, which are essential for progress, form from similarity, what of nations like the United States, which are formed out of difference, Native American, African, European, Asian, and every possible mixture, “the most conspicuous example of composite nationality in the world”?

To Republicans like Higby, who objected to Chinese immigration and to birthright citizenship, and to Democrats like Davis, who objected to citizenship and voting rights for anyone other than white men, Douglass offered an impassioned reply. As for the Chinese: “Do you ask, if I would favor such immigration? I answer, I would. Would you have them naturalized, and have them invested with all the rights of American citizenship? I would. Would you allow them to vote? I would.” As for future generations, and future immigrants to the United States, Douglass said, “I want a home here not only for the negro, the mulatto and the Latin races; but I want the Asiatic to find a home here in the United States, and feel at home here, both for his sake and for ours.” For Douglass, progress could only come in this new form of a nation, the composite nation. “We shall spread the network of our science and civilization over all who seek their shelter, whether from Asia, Africa, or the Isles of the sea,” he said, and “all shall here bow to the same law, speak the same language, support the same Government, enjoy the same liberty, vibrate with the same national enthusiasm, and seek the same national ends.” That was Douglass’ new Americanism. It did not prevail.

Emancipation and Reconstruction, the historian and civil rights activist W.E.B. Du Bois would write in 1935, was “the finest effort to achieve democracy . . . this world had ever seen.” But that effort had been betrayed by white Northerners and white Southerners who patched the United States back together by inventing a myth that the war was not a fight over slavery at all but merely a struggle between the nation and the states. “We fell under the leadership of those who would compromise with truth in the past in order to make peace in the present,” Du Bois wrote bitterly. Douglass’ new Americanism was thus forgotten. So was Du Bois’ reckoning with American history.

## National Histories

The American Historical Association was founded in 1884 – two years after the French philosopher Ernest Renan wrote his signal essay, “What Is a Nation?” Nationalism was taking a turn, away from liberalism and toward illiberalism, including in Germany, beginning with the “blood and iron” of Bismarck. A driver of this change was the emergence of mass politics, under whose terms nation-states “depended on the participation of the ordinary citizen to an extent not previously envisaged,” as the historian Eric Hobsbawm once wrote. That “placed the question of the ‘nation,’ and the citizen’s feelings towards whatever he regarded as his ‘nation,’ ‘nationality’ or other centre of loyalty, at the top of the political agenda.”

This transformation began in the United States in the 1880s, with the rise of Jim Crow laws, and with a regime of immigration restriction, starting with the Chinese Exclusion Act, the first federal law restricting immigration, which was passed in 1882. Both betrayed the promises and constitutional guarantees made by the 14th and 15th Amendments. Fighting to realize that promise would be the work of standard-bearers who included Ida B. Wells, who led a campaign against lynching, and Wong Chin Foo, who founded the Chinese Equal Rights League in 1892, insisting, “We claim a common manhood with all other nationalities.”

But the white men who delivered speeches at the annual meetings of the American Historical Association during those years had little interest in discussing racial

segregation, the disenfranchisement of black men, or immigration restriction. Frederick Jackson Turner drew historians' attention to the frontier. Others contemplated the challenges of populism and socialism. Progressive-era historians explained the American nation as a product of conflict "between democracy and privilege, the poor versus the rich, the farmers against the monopolists, the workers against the corporations, and, at times, the Free-Soilers against the slaveholders," as Degler observed. And a great many association presidents, notably Woodrow Wilson, mourned what had come to be called "the Lost Cause of the Confederacy." All offered national histories that left out the origins and endurance of racial inequality.

Meanwhile, nationalism changed, beginning in the 1910s and especially in the 1930s. And the uglier and more illiberal nationalism got, the more liberals became convinced of the impossibility of liberal nationalism. In the United States, nationalism largely took the form of economic protectionism and isolationism. In 1917, the publishing magnate William Randolph Hearst, opposing U.S. involvement in World War I, began calling for "America first," and he took the same position in 1938, insisting that "Americans should maintain the traditional policy of our great and independent nation – great largely because it is independent."

In the years before the United States entered World War II, a fringe even supported Hitler; Charles Coughlin – a priest, near presidential candidate, and wildly popular broadcaster – took to the radio to preach anti-Semitism and admiration for Hitler and the Nazi Party and called on his audience to form a new political party, the Christian Front. In 1939, about 20,000 Americans, some dressed in Nazi uniforms, gathered in Madison Square Garden, decorated with swastikas and American flags, with posters declaring a "Mass Demonstration for True Americanism," where they denounced the New Deal as the "Jew Deal." Hitler, for his part, expressed admiration for the Confederacy and regret that "the beginnings of a great new social order based on the principle of slavery and inequality were destroyed by the war." As one arm of a campaign to widen divisions in the United States and weaken American resolve, Nazi propaganda distributed in the Jim Crow South called for the repeal of the 14th and 15th Amendments.

The "America first" supporter Charles Lindbergh, who, not irrelevantly, had become famous by flying across the Atlantic alone, based his nationalism on geography. "One need only glance at a map to see where our true frontiers lie," he said in 1939. "What more could we ask than the Atlantic Ocean on the east and the Pacific on the west?" (This President Franklin Roosevelt answered in 1940, declaring the dream that the United States was "a lone island," to be, in fact, a nightmare, "the nightmare of a people lodged in prison, handcuffed, hungry, and fed through the bars from day to day by the contemptuous, unpitying masters of other continents.")

In the wake of World War II, American historians wrote the history of the United States as a story of consensus, an unvarying "liberal tradition in America," according to the political scientist Louis Hartz, that appeared to stretch forward in time into an unvarying liberal future. Schlesinger, writing in 1949, argued that liberals occupied "the vital center" of American politics. These historians had plenty of blind spots – they were especially blind to the forces of conservatism and fundamentalism – but

they nevertheless offered an expansive, liberal account of the history of the American nation and the American people.

The last, best single-volume popular history of the United States written in the twentieth century was Degler's 1959 book, *Out of Our Past: The Forces That Shaped Modern America*: a stunning, sweeping account that, greatly influenced by Du Bois, placed race, slavery, segregation, and civil rights at the center of the story, alongside liberty, rights, revolution, freedom, and equality. Astonishingly, it was Degler's first book. It was also the last of its kind.

## The Decline of National History

If love of the nation is what drove American historians to the study of the past in the nineteenth century, hatred for nationalism drove American historians away from it in the second half of the twentieth century.

It had long been clear that nationalism was a contrivance, an artifice, a fiction. After World War II, while U.S. President Harry Truman was helping establish what came to be called "the liberal international order," internationalists began predicting the end of the nation-state, with the Harvard political scientist Rupert Emerson declaring that "the nation and the nation-state are anachronisms in the atomic age." By the 1960s, nationalism looked rather worse than an anachronism. Meanwhile, with the coming of the Vietnam War, American historians stopped studying the nation-state in part out of a fear of complicity with atrocities of U.S. foreign policy and regimes of political oppression at home. "The professional practice of history writing and teaching flourished as the handmaiden of nation-making; the nation provided both support and an appreciative audience," Bender observed in *Rethinking American History in a Global Age* in 2002. "Only recently," he continued, "and because of the uncertain status of the nation-state has it been recognized that history as a professional discipline is part of its own substantive narrative and not at all sufficiently self-conscious about the implications of that circularity." Since then, historians have only become more self-conscious, to the point of paralysis. If nationalism was a pathology, the thinking went, the writing of national histories was one of its symptoms, just another form of mythmaking.

Something else was going on, too. Beginning in the 1960s, women and people of color entered the historical profession and wrote new, rich, revolutionary histories, asking different questions and drawing different conclusions. Historical scholarship exploded, and got immeasurably richer and more sophisticated. In a there-goes-the-neighborhood moment, many older historians questioned the value of this scholarship. Degler did not; instead, he contributed to it. Most historians who wrote about race were not white and most historians who wrote about women were not men, but Degler, a white man, was one of two male co-founders of the National Organization for Women and won a Pulitzer in 1972 for a book called *Neither Black nor White*. Still, he shared the concern expressed by Higham that most new American historical scholarship was "not about the United States but merely in the United States."

By 1986, when Degler rose from his chair to deliver his address before the American

Historical Association, a lot of historians in the United States had begun advocating a kind of historical cosmopolitanism, writing global rather than national history. Degler didn't have much patience for this. A few years later, after the onset of civil war in Bosnia, the political philosopher Michael Walzer grimly announced that "the tribes have returned." They had never left. They'd only become harder for historians to see, because they weren't really looking anymore.

## A New American History

Writing national history creates plenty of problems. But not writing national history creates more problems, and these problems are worse.

What would a new Americanism and a new American history look like? They might look rather a lot like the composite nationalism imagined by Douglass and the clear-eyed histories written by Du Bois. They might take as their starting point the description of the American experiment and its challenges offered by Douglass in 1869:

A Government founded upon justice, and recognizing the equal rights of all men; claiming no higher authority for existence, or sanction for its laws, than nature, reason, and the regularly ascertained will of the people; steadily refusing to put its sword and purse in the service of any religious creed or family, is a standing offense to most of the Governments of the world, and to some narrow and bigoted people among ourselves.

At the close of the Cold War, some commentators concluded that the American experiment had ended in triumph, that the United States had become all the world. But the American experiment had not in fact ended. A nation founded on revolution and universal rights will forever struggle against chaos and the forces of particularism. A nation born in contradiction will forever fight over the meaning of its history. But that doesn't mean history is meaningless, or that anyone can afford to sit out the fight.

"The history of the United States at the present time does not seek to answer any significant questions," Degler told his audience some three decades ago. If American historians don't start asking and answering those sorts of questions, other people will, he warned. They'll echo Calhoun and Douglas and Father Coughlin. They'll lament "American carnage." They'll call immigrants "animals" and other states "shithole countries." They'll adopt the slogan "America first." They'll say they can "make America great again." They'll call themselves "nationalists." Their history will be a fiction. They will say that they alone love this country. They will be wrong.

## Correction Appended (February 26, 2019)

*An earlier version of this article misidentified the U.S. president who began building the liberal international order after World War II. It was Harry Truman, not Franklin Roosevelt.*

## 7. Kwame Anthony Appiah, "The Importance of Elsewhere: In Defense of Cosmopolitanism," *Foreign Affairs*, March 2019

In October 2016, British Prime Minister Theresa May made her first speech to a Conservative conference as party leader. Evidently seeking to capture the populist spirit of the Brexit vote that brought down her predecessor, she spoke of "a sense – deep, profound, and, let's face it, often justified – that many people have today that the world works well for a privileged few, but not for them." What was needed to challenge this, May argued, was a "spirit of citizenship" lacking among the business elites that made up one strand of her party's base. Citizenship, she said, "means a commitment to the men and women who live around you, who work for you, who buy the goods and services you sell." She continued:

Today, too many people in positions of power behave as though they have more in common with international elites than with the people down the road, the people they employ, the people they pass on the street. But if you believe you are a citizen of the world, you are a citizen of nowhere. You don't understand what citizenship means.

Although May never used the term, her target was clear: the so-called cosmopolitan elite.

Days after this speech, I was giving a lecture on nationalism for the bbc. The prime minister had been talking in Birmingham, the only one of the five largest British cities that had voted – by the barest of margins, 50.4 percent to 49.6 percent – for Brexit. I was speaking in the largest Scottish city, Glasgow, where two-thirds of the population had voted to stay in the EU, just as every other Scottish district did. Naturally, somebody asked me what I thought about May's "citizen of nowhere" comment.

It wasn't the first time I'd heard such a charge, and it won't be the last. In the character of Mrs. Jellyby, the "telescopic philanthropist" of *Bleak House*, Charles Dickens memorably invoked someone who neglects her own children as she makes improving plans for the inhabitants of a far-off land and whose eyes "had a curious habit of seeming to look a long way off," as if "they could see nothing nearer than Africa!" The attitude that May evoked has a similar affliction: it's that of the frequent flyer who can scarcely glimpse his earthbound compatriots through the clouds.

But this is nearly the opposite of cosmopolitanism. The cosmopolitan task, in fact, is to be able to focus on both far and near. Cosmopolitanism is an expansive act of the moral imagination. It sees human beings as shaping their lives within nesting memberships: a family, a neighborhood, a plurality of overlapping identity groups, spiraling out to encompass all humanity. It asks us to be many things, because we are many things. And if its critics have seldom been more clamorous, the creed has never been so necessary.

### Nowhere Men

Cosmopolitanism was born in the fourth century bc as an act of defiance, when Diogenes the Cynic – who came from Sinope, a Greek-speaking city on the Black

Sea – first claimed he was a *kosmopolites*. The word, which seems to be a neologism of his own, translates more or less as “citizen of the world.” Diogenes was fond of challenging the common sense of his day, and this word was meant to have a paradox built into it: *apolites* was a free adult male citizen of a polis, one of the self-governing Greek towns in southeastern Europe and Asia Minor, and the *kosmos* was, well, the whole of the universe. It would have been obvious to any of Diogenes’ contemporaries that you couldn’t belong to the universe in the same way as you belonged to a town such as Athens, which had some 30,000 free male adult citizens in his day (and a total population of perhaps 100,000). It was a contradiction in terms as obvious as the one in “global village,” a phrase coined by the media theorist Marshall McLuhan a little more than half a century ago. Village equals small; globe equals enormous. Cosmopolitanism takes something small and familiar and projects it onto a whole world of strangers.

Nonetheless, this paradoxical formulation has come to enjoy extraordinary appeal around the planet. Conservative populism may be on the rise in Europe, but in a 2016 study conducted by the BBC, nearly three-quarters of the Chinese and Nigerians polled – along with more than half of the Brazilians, Canadians, and Ghanaians polled – said that they saw themselves “more as a global citizen” than a citizen of their own country. Even two in five Americans felt the same way.

Yet there is something misleading about this conception of identity. The BBC poll presupposes that one must weigh the relative importance of global and local allegiances against each other, as if they were bound to be in competition. That seems to be the wrong way to think about things. After all, I am, like millions of people, a voting member of at least three political entities: New York City, New York State, and the United States. If asked which I was more committed to, I’d have a hard time knowing how to answer. I’d feel the same puzzlement if my metaphorical citizenship of the world were added to the list. Because citizenship is a kind of identity, its pull, like that of all identities, varies with the context and the issue. During mayoral elections, it matters most that I’m a New Yorker; in senatorial elections, the city, the state, and the country all matter to me. In presidential elections, I also find myself thinking as both a citizen of the United States and a citizen of the world. So many of the gravest problems that face us – from climate change to pandemics – simply don’t respect political borders.

In her speech to her fellow Conservatives, May was asking not just for a sense of citizenship but also for patriotism, an attachment that is emotional, not merely procedural. Yet there’s no reason a patriot cannot feel strongly in some moments about the fate of the earth, just as a patriot can feel strongly about the prospects of a city. Managing multiple citizenships is something everyone has to do: if people can harbor allegiances to a city and a country, whose interests can diverge, why should it be baffling to speak of an allegiance to the wider world? My father, Joe Appiah, was an independence leader of Ghana and titled his autobiography *The Autobiography of an African Patriot*; he saw no inconsistency in telling his children, in the letter he left for us when he died, that we should remember always that we were citizens of the world.

## Patriotic Cosmopolitans

That thought is one my father probably got from Marcus Aurelius, the second-century Roman emperor whose *Meditations* lived alongside the Bible on his bedside table. Marcus wrote that for him, as a human being, his city and fatherland was the universe. It's easy to dismiss this as so much imperial grandeur, and yet the point of the metaphor for Stoics such as Marcus was that people were obliged to take care of the whole community, to act responsibly with regard to the well-being of all their fellow world citizens. That has been the central thought of the cosmopolitan tradition for more than two millennia.

But there is something else important in that tradition, which developed more clearly in European cosmopolitanism in the eighteenth century: a recognition and celebration of the fact that our fellow world citizens, in their different places, with their different languages, cultures, and traditions, merit not just our moral concern but also our interest and curiosity. Interactions with foreigners, precisely because they are different, can open us up to new possibilities, as we can open up new possibilities to them. In understanding the metaphor of global citizenship, both the concern for strangers and the curiosity about them matter.

The German intellectual historian Friedrich Meinecke explored the modern philosophical origins of this idea in his 1907 book, *Cosmopolitanism and the National State*. Through a careful reading of German intellectuals from the Enlightenment until the late nineteenth century, he showed how the rise of German nationalism was intimately intertwined with a form of cosmopolitanism. In the late eighteenth century, Johann Gottfried Herder and other cosmopolitan thinkers began imagining a German nation that brought together the German-speaking peoples of dozens of independent states into a union founded on a shared culture and language, a shared national spirit.

It took a century for modern Germany to achieve that vision (although without the German-speaking parts of the Austro-Hungarian Empire). In 1871, a Prussian monarch presided over the unification of more than two dozen federated kingdoms, duchies, principalities, and independent cities. But as Meinecke showed, the thinkers behind this accomplishment were deeply respectful of the national spirits and peoples of other nations, as well. In true cosmopolitan spirit, Herder revered the literature and arts of foreigners. His ideas about national culture inspired a generation of folklorists, including the Brothers Grimm, but he also wrote essays on Shakespeare and Homer. One could be both cosmopolitan and patriotic; indeed, for the great liberal nationalists of the nineteenth century, patriotism was ultimately a vehicle for cosmopolitanism. It's why Giuseppe Mazzini, a champion of Italian unification, urged his fellow citizens to "embrace the whole human family in your affections."

The stock modern slander against the cosmopolitans – which played a central role in anti-Semitic Soviet propaganda under Stalin in the period after World War II – is that they are "rootless." This accusation reflects not just moral blindness but also intellectual confusion. What's distinctive about modern cosmopolitanism is its celebration of the contribution of every nation to the chorus of humanity. It is about sharing. And you cannot share if you have nothing to bring to the table. Cosmopolitans worthy

of the label have rhizomes, spreading horizontally, as well as taproots, delving deep; they are anything but rootless.

Another corollary of cosmopolitanism is worth stressing: in respecting the rights of others to be different from themselves, cosmopolitans extend that right to the uncosmopolitan. The thought that every human being matters – the universalism at the heart of cosmopolitanism – is not optional. Cosmopolitanism is thus also committed to the idea that individuals and societies have the right to settle for themselves many questions about what is worthwhile and many features of their social arrangements. In particular, many people value a sense of place and wish to be surrounded by others who speak a familiar language and who follow customs they think of as their own. Those people – the British journalist David Goodhart has dubbed them “Somewheres,” in contrast to “Anywheres” – are entitled to shape a social world that allows them these things, that grants them the proverbial comforts of home. And if they want to sustain those comforts by keeping away people unlike themselves or cultural imports from elsewhere, then (assuming certain moral basics of nondiscrimination are observed) that is their right.

The problem, of course, is that these uncosmopolitan localists live in societies with others who think differently. They must cohabit with the cosmopolitans, just as the cosmopolitans must cohabit with them. Furthermore, societies have moral and legal duties to admit at least some foreigners – namely, those escaping persecution and death. Those obligations are shared by the community of nations, so the burden must be distributed fairly. But each society must contribute to meeting the need.

The fact that the localists share societies with cosmopolitans in countries that have duties to asylum seekers constrains the ways in which the localist camp can achieve the comforts of home. But the existence of the localists constrains what the cosmopolitans can do, as well. Democracy is about respecting the legitimate desires of fellow citizens and seeking to accommodate them when you reasonably can.

## Playing Favorites

If nationalism and cosmopolitanism are, far from being incompatible, actually intertwined, how has cosmopolitanism become such a handy bugbear for those who, like the political strategist Steve Bannon, seek to ally themselves with the spirit of nationalism? One reason is that some people have made excessive claims on behalf of cosmopolitanism. They have often been seduced by this tempting line of thought: if everybody matters, then they must matter equally, and if that is true, then each of us has the same moral obligations to everyone. Partiality – favoring those to whom one is connected by blood or culture or territory – can look morally arbitrary. The real enemy of those who worry about “citizens of nowhere” is not a reasonable cosmopolitanism but the different idea, occasionally espoused by people calling themselves “citizens of the world,” that it is wrong to be partial to your own place or people.

What the impartial version of cosmopolitanism fails to understand is that the fact of everybody’s mattering equally from the perspective of universal morality does not mean that each of us has the same obligations to everyone. I have a particular fondness for my nephews and nieces, one that does not extend to your nephews and

nieces. Indeed, I believe it would be morally wrong not to favor my relatives when it comes to distributing my limited attention and treasure. Does it follow that I must hate your nephews and nieces or try to shape the world to their disadvantage? Surely not. I can recognize the legitimate moral interests of your family, while still paying special attention to mine. It's not that my family matters more than yours; it's that it matters more to me. And requiring people to pay special attention to their own is, as the great cosmopolitan philosopher Martha Nussbaum once put it, "the only sensible way to do good."

We generally have a stronger attachment to those with whom we grew up and with whom we make our lives than we do to those outside the family. But we can still favor those with whom we share projects or identities, and it is a distinct feature of human psychology that we are capable of intense feelings around identities that are shared with millions or billions of strangers. Indeed, this characteristic is evident in the forms of nationalism that do not give rise to respect for other nations – as Herder's did – but explode instead in hostility and xenophobia. That side of nationalism needs taming, and cosmopolitanism is one means of mastering it. But it is absurd to miss the other side of nationalism: its capacity to bring people together in projects such as creating a social welfare state or building a society of equals.

## Global Identity Politics

Beyond the charge that cosmopolitanism is inconsistent with nationalism, another objection to it holds that humanity as a whole is too abstract to generate a powerful sense of identity. But scale simply cannot be the problem. There are nearly 1.4 billion Chinese, and yet their Chinese identification is a real force in their lives and politics. The modern nation-state has always been a community too large for everyone to meet face-to-face; it has always been held together not by literal companionship but by imaginative identification. Cosmopolitans extend their imaginations only a small step further, and in doing so, they do not have to imagine away their roots. Gertrude Stein, the Pittsburgh-born, Oakland-raised writer who lived in Paris for four decades, was right: "What good are roots," she asked, "if you can't take them with you?"

To speak for global citizenship is not to oppose local citizenship, then. My father, a self-described citizen of the world, was deeply involved in the political life of his hometown, Kumasi, the capital of the old empire of Ashanti, to which he was proud to belong. He was active, too, in the Organization of African Unity (which became the African Union). He served his country, Ghana, at the UN, in which he also believed passionately. He loved Ashanti traditions, proverbs, and folktales, as well as Shakespeare; as a lawyer, he admired Cicero, whom he would quote at the drop of a hat, but also Thurgood Marshall and Mahatma Gandhi. He listened to the music of Bessie Smith (the African American "Empress of the Blues"), Sophie Tucker (a Ukrainian-born vaudeville star), and Umm Kulthum (an Egyptian singer), and he sang along to the work of the English musical-theater duo Gilbert and Sullivan. None of that stopped him from joining the Ghanaian independence movement, serving in Ghana's national parliament, or laying the foundations of pro bono legal work in the country. He recognized that what May called the "bonds and obligations that make our society work"

are global as well as local. He saw that those obligations existed not only in his home country and his hometown but also in the international arena. He recognized what that very English poet Philip Larkin once called “the importance of elsewhere.”

Those who deny the importance of elsewhere have withdrawn from the world, where the greatest challenges and threats must be confronted by a community of nations, with a genuine sense of obligation that transcends borders. Today, atmospheric carbon dioxide levels are at their highest point in 800,000 years. Oceanic acidification worsens each year. And according to the UN, there were almost 260 million international migrants in 2017, many fleeing war and oppression in Africa, the Middle East, and Asia.

As populist demagogues around the world exploit the churn of economic discontent, the danger is that the politics of engagement could give way to the politics of withdrawal. A successful cosmopolitanism must keep its eyes on matters near and far, promoting political systems that also work for localists. The Anywheres must extend their concern to the Somewheres. But forgetting that we are all citizens of the world – a small, warming, intensely vulnerable world – would be a reckless relaxation of vigilance. Elsewhere has never been more important.

## **8. Andreas Wimmer, “Why Nationalism Works: And Why It Isn’t Going Away,” *Foreign Affairs*, March 2019**

Nationalism has a bad reputation today. It is, in the minds of many educated Westerners, a dangerous ideology. Some acknowledge the virtues of patriotism, understood as the benign affection for one’s homeland; at the same time, they see nationalism as narrow-minded and immoral, promoting blind loyalty to a country over deeper commitments to justice and humanity. In a January 2019 speech to his country’s diplomatic corps, German President Frank-Walter Steinmeier put this view in stark terms: “Nationalism,” he said, “is an ideological poison.”

In recent years, populists across the West have sought to invert this moral hierarchy. They have proudly claimed the mantle of nationalism, promising to defend the interests of the majority against immigrant minorities and out-of-touch elites. Their critics, meanwhile, cling to the established distinction between malign nationalism and worthy patriotism. In a thinly veiled shot at U.S. President Donald Trump, a self-described nationalist, French President Emmanuel Macron declared last November that “nationalism is a betrayal of patriotism.”

The popular distinction between patriotism and nationalism echoes the one made by scholars who contrast “civic” nationalism, according to which all citizens, regardless of their cultural background, count as members of the nation, with “ethnic” nationalism, in which ancestry and language determine national identity. Yet efforts to draw a hard line between good, civic patriotism and bad, ethnic nationalism overlook the common roots of both. Patriotism is a form of nationalism. They are ideological brothers, not distant cousins.

At their core, all forms of nationalism share the same two tenets: first, that members of the nation, understood as a group of equal citizens with a shared history and future political destiny, should rule the state, and second, that they should do so in

the interests of the nation. Nationalism is thus opposed to foreign rule by members of other nations, as in colonial empires and many dynastic kingdoms, as well as to rulers who disregard the perspectives and needs of the majority.

Over the past two centuries, nationalism has been combined with all manner of other political ideologies. Liberal nationalism flourished in nineteenth-century Europe and Latin America, fascist nationalism triumphed in Italy and Germany during the interwar period, and Marxist nationalism motivated the anticolonial movements that spread across the “global South” after the end of World War II. Today, nearly everyone, left and right, accepts the legitimacy of nationalism’s two basic tenets.

This becomes clearer when contrasting nationalism with other doctrines of state legitimacy. In theocracies, the state should be ruled in the name of God, as in the Vatican or the caliphate of the Islamic State (or ISIS). In dynastic kingdoms, the state is owned and ruled by a family, as in Saudi Arabia. In the Soviet Union, the state was ruled in the name of a class: the international proletariat.

Since the fall of the Soviet Union, the world has become a world of nation-states governed according to nationalist principles. Identifying nationalism exclusively with the political right means misunderstanding the nature of nationalism and ignoring how deeply it has shaped almost all modern political ideologies, including liberal and progressive ones. It has provided the ideological foundation for institutions such as democracy, the welfare state, and public education, all of which were justified in the name of a unified people with a shared sense of purpose and mutual obligation. Nationalism was one of the great motivating forces that helped beat back Nazi Germany and imperial Japan. And nationalists liberated the large majority of humanity from European colonial domination. Nationalism is not an irrational sentiment that can be banished from contemporary politics through enlightening education; it is one of the modern world’s foundational principles and is more widely accepted than its critics acknowledge. Who in the United States would agree to be ruled by French noblemen? Who in Nigeria would publicly call for the British to come back?

With few exceptions, we are all nationalists today.

## The Nation Is Born

Nationalism is a relatively recent invention. In 1750, vast multinational empires – Austrian, British, Chinese, French, Ottoman, Russian, and Spanish- governed most of the world. But then came the American Revolution, in 1775, and the French Revolution, in 1789. The doctrine of nationalism – rule in the name of a nationally defined people – spread gradually across the globe. Over the next two centuries, empire after empire dissolved into a series of nation-states. In 1900, roughly 35 percent of the globe’s surface was governed by nation-states; by 1950, it was already 70 percent. Today, only half a dozen dynastic kingdoms and theocracies remain.

Where did nationalism come from, and why did it prove so popular? Its roots reach back to early modern Europe. European politics in this period – roughly, the sixteenth through the eighteenth centuries – was characterized by intense warfare between increasingly centralized, bureaucratic states. By the end of the eighteenth

century, these states had largely displaced other institutions (such as churches) as the main providers of public goods within their territory, and they had eliminated or co-opted competing centers of power, such as the independent nobility. The centralization of power, moreover, promoted the spread of a common language within each state, at least among the literate, and provided a shared focus for the emerging civil society organizations that were then becoming preoccupied with matters of state.

Europe's competitive and war-prone multistate system drove rulers to extract ever more taxes from their populations and to expand the role of commoners in the military. This, in turn, gave commoners leverage to demand from their rulers increased political participation, equality before the law, and better provision of public goods. In the end, a new compact emerged: that rulers should govern in the population's interests, and that as long as they did so, the ruled owed them political loyalty, soldiers, and taxes. Nationalism at once reflected and justified this new compact. It held that the rulers and the ruled both belonged to the same nation and thus shared a common historical origin and future political destiny. Political elites would look after the interests of the common people rather than those of their dynasty.

Why was this new model of statehood so attractive? Early nation-states – France, the Netherlands, the United Kingdom, and the United States – quickly became more powerful than the old dynastic kingdoms and empires. Nationalism allowed rulers to raise more taxes from the ruled and to count on their political loyalty. Perhaps most important, nation-states proved able to defeat empires on the battlefield. Universal military conscription – invented by the revolutionary government of France – enabled nation-states to recruit massive armies whose soldiers were motivated to fight for their fatherland. From 1816 to 2001, nation-states won somewhere between 70 and 90 percent of their wars with empires or dynastic states.

As the nation-states of western Europe and the United States came to dominate the international system, ambitious elites around the world sought to match the West's economic and military power by emulating its nationalist political model. Perhaps the most famous example is Japan, where in 1868, a group of young Japanese noblemen overthrew the feudal aristocracy, centralized power under the emperor, and embarked on an ambitious program to transform Japan into a modern, industrialized nation-state – a development known as the Meiji Restoration. Only one generation later, Japan was able to challenge Western military power in East Asia.

Nationalism did not spread only because of its appeal to ambitious political elites, however. It was also attractive for the common people, because the nation-state offered a better exchange relationship with the government than any previous model of statehood had. Instead of graduated rights based on social status, nationalism promised the equality of all citizens before the law. Instead of restricting political leadership to the nobility, it opened up political careers to talented commoners. Instead of leaving the provision of public goods to guilds, villages, and religious institutions, nationalism brought the power of the modern state to bear in promoting the common good. And instead of perpetuating elite contempt for the uncultured plebs, nationalism elevated the status of the common people by making them the new source of sovereignty and by moving popular culture to the center of the symbolic universe.

## The Benefits of Nationalism

In countries where the nationalist compact between the rulers and the ruled was realized, the population came to identify with the idea of the nation as an extended family whose members owed one another loyalty and support. Where rulers held up their end of the bargain, that is, citizens embraced a nationalist vision of the world. This laid the foundation for a host of other positive developments. One of these was democracy, which flourished where national identity was able to supersede other identities, such as those centered on religious, ethnic, or tribal communities. Nationalism provided the answer to the classic boundary question of democracy: Who are the people in whose name the government should rule? By limiting the franchise to members of the nation and excluding foreigners from voting, democracy and nationalism entered an enduring marriage.

At the same time as nationalism established a new hierarchy of rights between members (citizens) and nonmembers (foreigners), it tended to promote equality within the nation itself. Because nationalist ideology holds that the people represent a united body without differences of status, it reinforced the Enlightenment ideal that all citizens should be equal in the eyes of the law. Nationalism, in other words, entered into a symbiotic relationship with the principle of equality. In Europe, in particular, the shift from dynastic rule to the nation-state often went hand in hand with a transition to a representative form of government and the rule of law. These early democracies initially restricted full legal and voting rights to male property owners, but over time, those rights were extended to all citizens of the nation – in the United States, first to poor white men, then to white women and people of color. Nationalism also helped establish modern welfare states. A sense of mutual obligation and shared political destiny popularized the idea that members of the nation – even perfect strangers – should support one another in times of hardship. The first modern welfare state was created in Germany during the late nineteenth century at the behest of the conservative chancellor Otto von Bismarck, who saw it as a way to ensure the working class' loyalty to the German nation rather than the international proletariat. The majority of Europe's welfare states, however, were established after periods of nationalist fervor, mostly after World War II in response to calls for national solidarity in the wake of shared suffering and sacrifice.

## Bloody Banners

Yet as any student of history knows, nationalism also has a dark side. Loyalty to the nation can lead to the demonization of others, whether foreigners or allegedly disloyal domestic minorities. Globally, the rise of nationalism has increased the frequency of war: over the last two centuries, the foundation of the first nationalist organization in a country has been associated with an increase in the yearly probability of that country experiencing a full-scale war, from an average of 1.1 percent to an average of 2.5 percent.

About one-third of all contemporary states were born in a nationalist war of independence against imperial armies. The birth of new nation-states has also

been accompanied by some of history's most violent episodes of ethnic cleansing, generally of minorities that were considered disloyal to the nation or suspected of collaborating with its enemies. During the two Balkan wars preceding World War I, newly independent Bulgaria, Greece, and Serbia divided up the European parts of the Ottoman Empire among themselves, expelling millions of Muslims across the new border into the rest of the empire. Then, during World War I, the Ottoman government engaged in massive killings of Armenian civilians. During World War II, Hitler's vilification of the Jews – whom he blamed for the rise of Bolshevism, which he saw as a threat to his plans for a German empire in eastern Europe – eventually led to the Holocaust. After the end of that war, millions of German civilians were expelled from the newly re-created Czechoslovakian and Polish states. And in 1947, massive numbers of Hindus and Muslims were killed in communal violence when India and Pakistan became independent states.

Ethnic cleansing is perhaps the most egregious form of nationalist violence, but it is relatively rare. More frequent are civil wars, fought either by nationalist minorities who wish to break away from an existing state or between ethnic groups competing to dominate a newly independent state. Since 1945, 31 countries have experienced secessionist violence and 28 have seen armed struggles over the ethnic composition of the national government.

## Inclusive and Exclusive

Although nationalism has a propensity for violence, that violence is unevenly distributed. Many countries have remained peaceful after their transition to a nation-state. Understanding why requires focusing on how governing coalitions emerge and how the boundaries of the nation are drawn. In some countries, majorities and minorities are represented in the highest levels of the national government from the outset. Switzerland, for instance, integrated French-, German-, and Italian-speaking groups into an enduring power-sharing arrangement that no one has ever questioned since the modern state was founded, in 1848. Correspondingly, Swiss nationalist discourse portrays all three linguistic groups as equally worthy members of the national family. There has never been a movement by the French- or the Italian-speaking Swiss minority to secede from the state.

In other countries, however, the state was captured by the elites of a particular ethnic group, who then proceeded to shut other groups out of political power. This raises the specter not just of ethnic cleansing pursued by paranoid state elites but also of secessionism or civil war launched by the excluded groups themselves, who feel that the state lacks legitimacy because it violates the nationalist principle of self-rule. Contemporary Syria offers an extreme example of this scenario: the presidency, the cabinet, the army, the secret service, and the higher levels of the bureaucracy are all dominated by Alawites, who make up just 12 percent of the country's population. It should come as no surprise that many members of Syria's Sunni Arab majority have been willing to fight a long and bloody civil war against what they regard as alien rule.

Whether the configuration of power in a specific country developed in a more inclusive or exclusive direction is a matter of history, stretching back before the

rise of the modern nation-state. Inclusive ruling coalitions – and a correspondingly encompassing nationalism have tended to arise in countries with a long history of centralized, bureaucratic statehood. Today, such states are better able to provide their citizens with public goods. This makes them more attractive as alliance partners for ordinary citizens, who shift their political loyalty away from ethnic, religious, and tribal leaders and toward the state, allowing for the emergence of more diverse political alliances. A long history of centralized statehood also fosters the adoption of a common language, which again makes it easier to build political alliances across ethnic divides. Finally, in countries where civil society developed relatively early (as it did in Switzerland), multiethnic alliances for promoting shared interests have been more likely to emerge, eventually leading to multiethnic ruling elites and more encompassing national identities.

## Building a Better Nationalism

Unfortunately, these deep historical roots mean that it is difficult, especially for outsiders, to promote inclusive ruling coalitions in countries that lack the conditions for their emergence, as is the case in many parts of the developing world. Western governments and international institutions, such as the World Bank, can help establish these conditions by pursuing long-term policies that increase governments' capacity to provide public goods, encourage the flourishing of civil society organizations, and promote linguistic integration. But such policies should strengthen states, not undermine them or seek to perform their functions. Direct foreign help can reduce, rather than foster, the legitimacy of national governments. Analysis of surveys conducted by the Asia Foundation in Afghanistan from 2006 to 2015 shows that Afghans had a more positive view of Taliban violence after foreigners sponsored public goods projects in their districts.

In the United States and many other old democracies, the problem of fostering inclusive ruling coalitions and national identities is different. Sections of the white working classes in these countries abandoned center-left parties after those parties began to embrace immigration and free trade. The white working classes also resent their cultural marginalization by liberal elites, who champion diversity while presenting whites, heterosexuals, and men as the enemies of progress. The white working classes find populist nationalism attractive because it promises to prioritize their interests, shield them from competition from immigrants or lower-paid workers abroad, and restore their central and dignified place in the national culture. Populists didn't have to invent the idea that the state should care primarily for core members of the nation; it has always been deeply embedded in the institutional fabric of the nation-state, ready to be activated once its potential audience grew large enough.

Overcoming these citizens' alienation and resentment will require both cultural and economic solutions. Western governments should develop public goods projects that benefit people of all colors, regions, and class backgrounds, thereby avoiding the toxic perception of ethnic or political favoritism. Reassuring working-class, economically marginalized populations that they, too, can count on the solidarity of their more affluent and competitive fellow citizens might go a long way toward reducing

the appeal of resentment-driven, anti-immigrant populism. This should go hand in hand with a new form of inclusive nationalism. In the United States, liberals such as the intellectual historian Mark Lilia and moderate conservatives such as the political scientist Francis Fukuyama have recently suggested how such a national narrative might be constructed: by embracing both majorities and minorities, emphasizing their shared interests rather than pitting white men against a coalition of minorities, as is done today by progressives and populist nationalists alike.

In both the developed and the developing world, nationalism is here to stay. There is currently no other principle on which to base the international state system. (Universalistic cosmopolitanism, for instance, has little purchase outside the philosophy departments of Western universities.) And it is unclear if transnational institutions such as the European Union will ever be able to assume the core functions of national governments, including welfare and defense, which would allow them to gain popular legitimacy.

The challenge for both old and new nation-states is to renew the national contract between the rulers and the ruled by building – or rebuilding – inclusive coalitions that tie the two together. Benign forms of popular nationalism follow from political inclusion. They cannot be imposed by ideological policing from above, nor by attempting to educate citizens about what they should regard as their true interests. In order to promote better forms of nationalism, leaders will have to become better nationalists, and learn to look out for the interests of all their people.

### **9. Jan-Werner Muller, "False Flags: The Myth of the Nationalist Resurgence," *Foreign Affairs*, March 2019**

There appears to be one indisputable global trend today: the rise of nationalism. Self-described nationalists now lead not only the world's largest autocracies but also some of its most populous democracies, including Brazil, India, and the United States. A deepening fault line seems to divide cosmopolitans and nationalists, advocates of "drawbridge down" and "drawbridge up." And it seems that more and more people are opting for the latter – for "closed" over "open."

They do so, many commentators claim, because they feel threatened by something called "globalism" and crave to have their particular national identities recognized and affirmed. According to this now conventional narrative, today's surge of nationalist passions represents a return to normal: the attempts to create a more integrated world after the Cold War were a mere historical blip, and humanity's tribal passions have now been reawakened.

This, however, is a deeply flawed interpretation of the current moment. In reality, the leaders described as "nationalists" are better understood as populist poseurs who have won support by drawing on the rhetoric and imagery of nationalism. Unfortunately, they have managed to convince not only their supporters but also their opponents that they are responding to deep nationalist yearnings among ordinary people. The more that defenders of liberalism and the liberal order buy the stories these leaders (and associated movements) are selling and adopt the framing and rhetoric of populism, the more they allow their opponents' ideas to shape political

debates. In doing so, parties and institutions of the center-left and the center-right are helping bring about the very thing they hope to avoid: more closed societies and less global cooperation to address common problems.

## The People and the Nation

What the past few years have witnessed is not the rise of nationalism per se but the rise of one variant of it: nationalist populism. “Nationalism” and “populism” are often conflated, but they refer to different phenomena. The most charitable definition of “nationalism” is the idea that cultural communities should ideally possess their own states and that loyalty to fellow nationals ought to trump other obligations. “Populism,” meanwhile, is sometimes taken to be a shorthand for “criticism of elites,” and it is true that populists, when in opposition, criticize sitting governments and other parties. More important, however, is their claim that they and they alone represent what they usually call “the real people” or “the silent majority.” Populists thus declare all other contenders for power to be illegitimate. In this way, populists’ complaints are always fundamentally personal and moral: the problem, invariably, is that their adversaries are corrupt. In this sense, populists are indeed antiestablishment. But populists also deem citizens who do not take their side to be inauthentic, not part of “the real people”: they are un-American, un-Polish, un-Turkish, and so on. Populism attacks not merely elites and establishments but also the very idea of political pluralism – with vulnerable minorities usually becoming the first victims.

This antipluralism explains why populist leaders tend to take their countries in an authoritarian direction if they have sufficient power and if countervailing forces, such as an independent judiciary or free media, are not strong enough to resist them. Such leaders reject all criticisms with the claim that they are merely executing the people’s will. They seek out and thrive on conflict; their political business model is permanent culture war. In a way, they reduce all political questions to questions of belonging: whoever disagrees with them is labeled an “enemy of the people.”

Populism is not a doctrine; it is more like a frame. And all populists have to fill the frame with content that will explain who “the real people” are and what they want. That content can take many different forms and can draw on ideas from the left or the right. From the late 1990s until his death in 2013, the Venezuelan populist leader Hugo Chavez created a disastrous “socialism for the twenty-first century” in his country, wrecking its economy and demonizing all of his opponents in the process. Today’s right-wing populists mostly draw on nationalist ideas, such as distrust of international institutions (even if a nation joined such organizations voluntarily), economic protectionism, and hostility to the idea of providing development aid to other countries. These beliefs often cross over into nativism or racism, as when nationalist populists promote the idea that only native-born citizens are entitled to jobs and benefits or insinuate that some immigrants can never be loyal citizens. To be sure, one can be a nationalist without being a populist; a leader can maintain that national loyalties come first without saying that he or she alone can represent the nation. But today, all right-wing populists are nationalists. They promise to take back control on behalf of “the real people,” which in their definition is never the population

as a whole. Nigel Farage, the leader of the far-right UK Independence Party at the time of the Brexit vote, celebrated the outcome as a “victory for real people,” implying that the 48 percent of British voters who preferred that their country stay in the EU were not properly part of the nation.

## Don't Believe the Hype

The potent combination of nationalism and populism has spread in recent years. A populist playbook – perhaps even a populist art of governance – has emerged as politicians in disparate countries have studied and learned from one another's experiences. In 2011, Jaroslaw Kaczynski, who leads Poland's populist ruling Law and Justice party, announced that he wanted to create “Budapest in Warsaw,” and he has systematically copied the strategies pioneered by Prime Minister Viktor Orban in Hungary. On the other side of the world, Jair Bolsonaro got elected president by following the playbook, railing against immigration (even though more people leave Brazil than enter) and declaring, “Brazil above all, God above everyone.”

To some observers, it appears that nationalist populists have profited from a bitter backlash against globalization and increasing cultural diversity. This has, in fact, become the conventional wisdom not only among populists themselves but also among academics and liberal opponents of populism. The irony, however, is that although critics often charge populists with peddling reductive messages, it is these same critics who now grasp at simple explanations for populism's rise. In doing so, many liberal observers play right into their opponents' hands by taking at face value and even amplifying the dubious stories that nationalist populists tell about their own success.

For example, Orban has claimed that the 2010 parliamentary elections in Hungary constituted a “revolution at the voting booths” and that Hungarians had endorsed what he has described as his “Christian and national” vision of an “illiberal democracy.” In reality, all that happened was that a majority of Hungarians were deeply disappointed by the country's left-wing government and did what standard democratic theory recommended they do: they voted for the main opposition party, Orban's Fidesz. By the next time Hungarians went to the polls, in 2014, Orban had gerrymandered the electoral map in Fidesz's favor; erected the Orwellian-sounding System of National Cooperation, which included drastic restrictions on media pluralism and civil society; and weakened the independence of the judiciary and other sources of checks and balances.

Similarly, in the 2016 U.S. presidential election, “the people” did not comprehensively endorse a nationalist “America first” agenda. Rather, in more mundane fashion, citizens who identified as Republicans came out to vote for their party's candidate, who was not a typical politician but also hardly the leader of a spontaneous grass-roots anti-globalization movement. Donald Trump ultimately won the backing of the party machinery; the enthusiastic support of establishment Republican figures such as Chris Christie, Newt Gingrich, and Rudy Giuliani; and near-constant cheerleading on Fox News. As the political scientists Christopher Achen and Larry Bartels have

argued, it turned out to be a fairly normal election, albeit with an abnormal Republican candidate who faced a deeply unpopular Democratic contender.

Likewise, Bolsonaro did not win last year's presidential election in Brazil because a majority of Brazilians wanted a nationalist military dictatorship. The bulk of Bolsonaro's support came from citizens fed up with the corruption of traditional political elites from across the political spectrum and unwilling to return the left-wing Workers' Party to power. It also helped that the country's powerful agricultural sector and, eventually, its financial and industrial elites threw their weight behind the far-right candidate – as did influential evangelical Christian leaders.

As the political scientist Cas Mudde has pointed out, nationalist populists often represent not a silent majority but a very loud minority. They do not come to power because their ideology is an unstoppable world-historical force. Rather, they depend on the center-right's willingness to collaborate with them – as was the case for Trump, Bolsonaro, and the pro-Brexit campaigners – or they win by at least partly hiding their intentions, as was the case with Orban.

Once in power, most nationalist populists don't actually work to take back control on the people's behalf, as they promised to do. Instead, they perform a sort of nationalist pantomime of largely symbolic gestures: for example, promising to build walls (which achieve nothing concrete other than inciting hatred against minorities) or occasionally having the state seize a multinational company. Behind the scenes, such leaders are generally quite accommodating of international institutions and multinational corporations. They are concerned less with genuinely reasserting their countries' autonomy than with appearing to do so.

Take Trump, for instance. He has threatened individual companies that planned to close facilities in the United States. But he has also stripped away labor regulations at a breakneck pace, making it hard to claim that he cares about protecting workers. Likewise, after deriding the North American Free Trade Agreement during his campaign, Trump wound up negotiating a new trade deal with Canada and Mexico whose terms are substantially similar to those of NAFTA. In Hungary, Orban has nationalized some industries and railed against foreign corporations that he claimed exploited the Hungarian people. Yet his government recently passed a law that allows employers to demand that workers put in 400 hours of overtime each year, up from the prior limit of 250 hours – and to withhold payment for that extra labor for up to three years. The main beneficiaries of this measure (dubbed “the slave law” by its critics) are the German car companies that employ thousands of Hungarian factory workers.

## Not Every Fight Is Cultural

Many politicians, especially those from mainstream center-right parties, have been at a loss when it comes to countering nationalist populism. Increasingly, though, they are betting on a seemingly paradoxical strategy of what one might call “destruction through imitation.” Austrian Chancellor Sebastian Kurz and Dutch Prime Minister Mark Rutte, for example, have tried to outflank their far-right competitors with tough talk on refugees, Islam, and immigration.

This strategy is unlikely to succeed in the long run, but it is bound to do serious damage to European democracy. No matter how fast one chases populists to the fringes, it's almost impossible to catch them. Extremist outfits such as the Danish People's Party or the Party for Freedom of the far-right Dutch provocateur Geert Wilders will never be satisfied with the immigration proposals of more established parties, no matter how restrictive they are. And their supporters are unlikely to switch their allegiances: they'll continue to prefer the originals over the imitators.

A deeper concern is the effect that established parties making opportunistic shifts in response to the populist threat will have. First, they denounce populists as demagogues peddling lies. Then, when support for populists grows, mainstream politicians begin to suggest that the populists have intuited, or even firmly know, something about people's concerns and anxieties that others haven't, or don't. This reflects an understanding of democratic representation as an almost mechanical system for reproducing existing interests, ideas, and even identities. In this view, savvy populist political entrepreneurs discover trends within the polity and then import them into the political system.

But that is not how democracy really works. Representation is a dynamic process, in which citizens' self-perceptions and identities are heavily influenced by what they see, hear, and read: images, words, and ideas produced and circulated by politicians, the media, civil society, and even friends and family members. Modern democracy is a two-way street, in which representative systems do not merely reflect interests and political identities; they shape them, as well.

Nationalist populists have benefited greatly from this process, as media organizations and scholars have adopted their framing and rhetoric, with the effect of ratifying and amplifying their messages. Casual, seemingly self-evident accounts of "ordinary people" who have been "left behind" or "disrespected" and who fear "the destruction of their culture" need to be treated with extreme caution: they are not necessarily accurate descriptions of people's lived experience. One can frame, say, the French government's recent decision to raise taxes on gasoline and to introduce tighter speed limits in the countryside – steps that spurred the "yellow vest" protest movement – as demonstrating disrespect for a "way of life" in rural and exurban areas. But a more mundane interpretation is that the French government simply failed to see how particular policies would have different effects on different parts of the population. The government failed at distributive justice, not at cultural recognition.

Across Europe and the United States, journalists and analysts have posited that many people – especially older white people – feel disrespected by elites. It's hard to ascertain how many people have directly encountered disrespect. But virtually day and night – on talk radio, on TV news programs, and on social media – millions of people are told that they feel disrespected. What is routinely presented as a cultural conflict between supposedly authentic rural heartlands and cosmopolitan cities usually involves a much less dramatic fight over how opportunities are distributed through regulatory and infrastructure decisions: from the price of airline ticket for flights to more remote areas, to the status of community banks, to policies that determine the cost of housing in big cities.

By casting all issues in cultural terms and by embracing the idea that populists have developed a unique purchase on people's concerns and anxieties, established parties and media organizations have created something akin to a self-fulfilling prophecy. Once the entire political spectrum adopts populist language about voters' interests and identities, more and more people will begin to understand themselves and their interests in those terms. For example, voters fed up with established center-right parties might initially cast protest votes for populist parties such as the far-right Alternative for Germany (AfD) or outsider political candidates such as Trump. But if those voters are then continuously portrayed as "AfD people" or as members of "Trump's base," they may well come to adopt those identities and develop a more permanent sense of allegiance to the party or politician who at first represented little more than a way to express dissatisfaction with the status quo. Eventually, as mainstream parties opportunistically adapt their messages and media commentators lazily repeat populist talking points, the entire political spectrum can shift rightward.

## Beat Them, Don't Join Them

This argument may sound like liberal wishful thinking: "People are not nearly as nationalist as populists claim! Conflicts are really all about material interests and not about culture!" But the point is not that fights over culture and identity are illusory or illegitimate just because populists always happen to promote them. Rather, the point is that establishment institutions are too quickly turning to culture and identity to explain politics. In this way, they are playing into populists' hands – doing their jobs for them, in effect.

Consider, for example, populist attacks on "globalists" who favor "open borders." Even center-left parties now ritually distancing themselves from that idea, even though, in reality, no politician of any consequence anywhere wants to open all borders. Even among political philosophers not constrained by political concerns, only a very small minority calls for the abolition of frontiers. It is true that advocates of global governance and economic globalization have made serious blunders: they often presented their vision of the world as an inevitable outcome, as when British Prime Minister Tony Blair asserted in 2005 that debating globalization was like "debating whether autumn should follow summer." Some supporters of free trade falsely claimed that everyone would benefit from a more integrated world. But nationalist populists don't truly want to address those errors. They seek, instead, to cynically exploit them in order to weaken democratic institutions and lump together advocates of globalization, transnational tax evaders, and high-flying private equity investors – along with human rights advocates and immigrants, refugees, and many other marginalized groups – into an undifferentiated "cosmopolitan, rootless elite": a "them" to pit against an "us."

There are deep and often legitimate conflicts about trade, immigration, and the shape of the international order. Liberals should not present their choices on these issues as self-evidently correct or as purely win-win; they must convincingly make the case for their ideas and justify their stance to the disadvantaged. But they should also not adopt the framing and rhetoric of populists, opportunistic center-right

politicians, and academics who make careers out of explaining away xenophobic views as merely symptoms of economic anxiety. Doing so will lead liberals to make preemptive concessions that betray their ideals.

## 10. Yael Tamir, "Building a Better Nationalism: The Nation's Place in a Globalized World," *Foreign Affairs*, March 2019

*Review: The Virtue of Nationalism* BY YORAM HAZONY. Basic Books, 2018, 304 pp.

At a rally in Texas last October, U.S. President Donald Trump was delivering his familiar "America first" message, complaining about "corrupt, power-hungry globalists," when he tried out a new line: "You know, they have a word – it sort of became old-fashioned – it's called, 'a nationalist.' And I say, 'Really, we're not supposed to use that word,'" he added, grinning. "You know what I am? I'm a nationalist, OK? I'm a nationalist." As the crowd cheered, "U.S.A.! U.S.A.!" Trump nodded. "'Nationalist': nothing wrong with it. Use that word!"

As Trump correctly noted, in recent decades, "that word," and all it suggests, has fallen out of favor. For most political thinkers and elites in the developed West, nationalism is a dangerous, divisive, illiberal impulse that should be treated with skepticism or even outright disdain. Yes, nationalism helped give rise to the modern state system, served as a liberating force in anticolonial independence struggles, and fueled anti-Soviet sentiment during the Cold War. But surely, the thinking went, nationalism was a phase that the rich democracies of the world had outgrown – and in those places where it still thrived, it posed more problems than solutions.

Today, however, many elite assumptions about politics have come under assault, including those about nationalism. A small but increasingly vocal group of American and European thinkers have begun to mount defenses of nationalism – some modest, others more full-throated. One of the most enthusiastic advocates is Yoram Hazony, an Israeli philosopher and political theorist. His latest book, *The Virtue of Nationalism*, has brought him to prominence in some American conservative political circles. In it, he presents a spirited defense of nationalism and the nation-state. Although he does not ignore nationalism's flaws, he rightly contends that Western intellectuals have been too quick to dismiss it and that the topic deserves a more balanced and nuanced analysis than what the academy has offered in recent years.

Hazony, however, goes beyond merely defending nationalism. He also launches a fierce attack on contemporary liberalism and its political manifestations, particularly the EU and the American-led "globalist" world order that emerged in the wake of the Cold War, both of which Hazony derides as "imperialist projects." Nationalism, he complains, has been unfairly blamed for encouraging hatred and bigotry, even though "liberal-imperialist political ideals have become among the most powerful agents fomenting intolerance and hate in the Western world today." Juxtaposing nationalism and liberal imperialism, Hazony accuses liberals of trying to impose a uniform set of values on nation-states, aiming to displace the authentic, "particular" views and beliefs held in those places.

In reality, few liberals endeavor to establish global governance or oppress illiberal

communities and cultures. Rather, they seek a world order of international institutions, multilateral cooperation, free markets, free trade, and the free movement of people. Hazony's insistence that this agenda represents an imperialist assault on nations ignores the fact that liberal and nationalist values often interact. More precisely, modern liberalism arose from national political frameworks. The modern nation-state Hazony is so eager to defend is, in fact, a product of the marriage of liberal democratic and nationalist values. The fact that liberalism and nationalism don't tend to advertise their theoretical interdependence should not prevent one from acknowledging their commonalities and understanding their inherent bonds.

## Liberal or Imperial?

Hazony begins by making a moral and political case in favor of the nation-state. A nation, he writes, is constituted of "a number of tribes with a common language or religion, and a past history of acting as a body." A nation offers the best, most legitimate basis for a state, he argues, because it allows for the realization of the human aspiration to achieve self-rule and collective freedom in the fullest and most satisfactory way. Nation-states represent durable political unions that confer meaning on their individual members, celebrating and giving voice to what Hazony calls "the particular" (in contrast to the universal). Giving such nations the ability to govern themselves promotes a healthy competition that inspires them to excel, opening up new opportunities for fellow nationals while allowing the international community of nation-states to prosper.

In setting up this analysis, Hazony is clear and persuasive. Yet he muddies the water in two ways. First, he focuses too often on Jewish thinking and history and relies too heavily on Israel and Zionism as the primary example of nationalism under assault by imperialist liberals. This makes what should be a broad argument feel rather narrow and specific. (It is telling, and regrettable, that a book extolling nationalism barely mentions the group that today clamors most loudly for a nation-state of its own: the Palestinians.)

Things get muddier still when Hazony argues that the world faces a stark choice between two moral and political options: the nation-state, which "inculcates an aversion to adventures of conquest in distant lands," and the empire, which seeks "to bring the world under a single authority and a single doctrine." Those reductive, incomplete definitions allow Hazony to rewrite the past and miscast the present.

Imperialism, he notes, produced the greatest destroyers the earth has known, "with moderns such as Napoleon, Hitler and Stalin not least among them." Hazony is right that many empires have been driven by universal ideologies (fascism, communism, and liberalism alike) that turned oppressive. Yet he ignores the vast and often brutal imperial and colonial enterprises launched by nation-states, such as Belgium, England, Portugal, and Spain. This leaves the reader with the odd idea that, by their very nature, nation-states are bound to live happily within their borders, never looking to expand or conquer. If that were true, the reputation of nationalism would be much easier to defend.

Hazony confuses (or purposely conflates) the liberal belief in moral universalism

and internationalism with a desire to erect political empires. To him, those who call themselves “liberal internationalists” – advocates of international law and institutions and humanitarian intervention – are in fact “liberal imperialists.” Just like the tyrants who sought to rule the world in the nineteenth and twentieth centuries, today’s imperialists, he contends, are universalists who harbor a hatred for the particular and seek “to coerce the dissenters – dissenting individuals and dissenting nations – making them conform to the universal theory by force, for their own good.”

This is a straw man. There are no contemporary liberal political movements or institutions seeking the kind of global domination Hazony describes. No liberal empires wish to coerce, govern, and oppress dissenters the world over. Neither the U.S. hegemony that has defined the post-Cold War period nor the liberal international order that Washington has backed can be honestly described as imperial – and both are currently flagging, anyhow. The EU has never tried to extend its rule beyond Europe and is presently fighting for its survival. If there are any imperialists around, they are more likely to be found in corporate headquarters in Silicon Valley or on Wall Street than in Washington or Brussels, and the global dominance they seek is commercial rather than political.

In reality, the nation-state has no serious institutional competitors. International organizations are weak and ineffective; international corporations are powerful and effective but have no desire to spend their energy on governing. The struggle that Hazony describes between noble nationalists and hate-filled imperialists is largely a fantasy. What does exist is a tension between nationalism and neoliberal globalism. Nationalism, in this context, is a theory not just about self-rule but also about the right (and perhaps the duty) of states to intervene in the market in order to defend their citizens and control the malignant effects of hyperglobalism: bringing jobs back home, supporting domestic production, limiting immigration, and raising tariffs. Such policies collide with liberal beliefs in the primacy of free trade and the free movement of people. The real debate between nationalists and globalists is less about identity than about economics.

Until recently, this debate seemed to have been settled in favor of globalism. But recently, national preferences have exploded into full view. The anger over the economic and social outcomes of neoliberal globalism (growing inequality, rapid cultural change) has stirred a populist backlash, some of which has taken on a nationalist bent. Consequently, politicians on both sides of the Atlantic are competing for popular support by claiming to represent “the people” and by blaming elites for adopting self-serving policies.

Critics accuse these newly minted nationalists of racism and nativism and of grounding their appeals in fears of the other. One can certainly find ample evidence of bigotry among those now aligning themselves with nationalist sentiment. Witness, for example, the open embrace of anti-Muslim rhetoric by the far-right UK Independence Party; the new wave of anti-Semitism among French nationalists; and the rebirth of “blood and soil” nationalism in the United States, where white nationalist groups have combined populist grievances with racist and anti-Semitic appeals.

Yet not all nationalists are bigots. Many simply feel ill served by globetrotting, cosmopolitan elites who have more in common with elites elsewhere than with their

fellow citizens. People hunger for leaders and policymakers committed to serving and protecting their own, giving preference and offering better opportunities to the neediest among them rather than the neediest elsewhere. This is what many American voters hear when Trump cries, “America first!” and it makes them feel safe.

The nationalist resurgence is not solely a right-wing phenomenon. Progressive and left-wing leaders and voters are becoming more openly comfortable with policies that have a distinctly nationalist flavor. This has led to some surprising alliances, such as the one between Trump’s lead trade negotiator, Robert Lighthizer, a career Republican policy hand who spent time as a lobbyist pushing for lower taxes and who advocates pursuing a hard line against China, and Sherrod Brown, the progressive Democratic senator from Ohio and a possible 2020 presidential contender, who is a darling of unions and labor rights activists.

But few liberals seem ready to embrace the term “nationalist.” Are there any alternatives? Last November, during a ceremony in Paris to mark the 100th anniversary of the end of World War I, French President Emmanuel Macron tried to offer one, drawing a sharp distinction between nationalism and patriotism. “Patriotism is the exact opposite of nationalism,” he argued. “By saying, ‘Our interests first. Who cares about the others?’ we erase what a nation holds dearest, what gives it life, what makes it great, and what is essential: its moral values.” But if patriotism does not involve putting the interests of one’s own country over the interests of others, what does it involve? Macron argued that French patriotism stems from a “vision of France as a generous nation, of France as a project, of France as the bearer of universal values.” But that could just as easily serve as a definition of traditional French nationalism. Far from demonstrating an unequivocal contrast between nationalism and patriotism, Macron managed only to demonstrate that there is no clear, useful distinction between the two concepts.

## A Kinder, Gentler Nationalism

The kind of semantic acrobatics Macron performed would be unnecessary if he and other liberals were willing to openly embrace some forms of nationalism. After all, it is only natural for political leaders to look at global issues from a national perspective and to put their own countries’ interests first. Macron and German Chancellor Angela Merkel endorse a pro-EU position as they identify their countries’ national interests with membership in the union and with a measured degree of regional and global collaboration. The government of British Prime Minister Theresa May holds the opposite view and therefore supports Brexit. Slogans aside, Trump makes similar calculations, operating from a belief that the United States benefits less than it should from those global agreements he wants to renegotiate. And on the other side of the globe, Chinese President Xi Jinping has developed the One Belt, One Road initiative, which seeks to tie together vast swaths of the Eastern Hemisphere in a Chinese-dominated network of infrastructure and supply chains: a nationalist project with a globalist twist.

Regardless of Hazon’s claims, the main struggle in today’s international politics is not between nationalists and imperialists but between different approaches to

balancing national interests with the demands of a globalized economy. When liberals indiscriminately attack all forms of nationalism, they fuel an unnecessary ideological struggle – one that they are currently losing. If liberalism is to regain power, it needs to develop its own form of nationalism, one that reassures citizens that their leaders work for them and put their well-being first.

For too long, the least well-off citizens of powerful states have paid the price of globalism. Their demand that leaders protect their interests is just and timely. One need not embrace Trump's crude, zero-sum worldview to believe that the wealth of nations should be produced and distributed as part of a relatively narrow social contract among particular individuals. Liberals should not promote national egoism but support policies that will help make their fellow citizens feel connected and committed to a worthy and meaningful community. Liberalism and nationalism are not mutually exclusive; they can and should go hand in hand.

### **11. Jack Snyder, "The Broken Bargain: How Nationalism Came Back," *Foreign Affairs*, March 2019**

Nationalism and nativism are roiling politics on every continent. With the election of President Donald Trump in the United States, the growing power of rightwing populist parties in Europe, and the ascent of strongmen in states such as China, the Philippines, and Turkey, liberals around the world are struggling to respond to populist nationalism. Today's nationalists decry the "globalist" liberalism of international institutions. They attack liberal elites as sellouts who care more about foreigners than their fellow citizens. And they promise to put national, rather than global, interests first.

The populist onslaught has, understandably, prompted many liberals to conclude that nationalism itself is a threat to the U.S.-led liberal order. Yet historically, liberalism and nationalism have often been complementary. After World War II, the United States crafted a liberal order that balanced the need for international cooperation with popular demands for national autonomy, curbing the aggressive nationalist impulses that had proved so disastrous in the interwar years. The postwar order was based on strong democratic welfare states supported by international institutions, such as the World Bank and the International Monetary Fund (IMF), that coordinated economic policy between states while granting them the flexibility to act in their own national interest. The political scientist John Ruggie has called this arrangement "embedded liberalism," because it embraced free markets while subjecting them to institutionalized political control at both the domestic and the international level – a bargain that held for several decades.

Yet over the past 30 years, liberalism has become disembedded. Elites in the United States and Europe have steadily dismantled the political controls that once allowed national governments to manage capitalism. They have constrained democratic politics to fit the logic of international markets and shifted policymaking to unaccountable bureaucracies or supranational institutions such as the EU. This has created the conditions for the present surge of populist nationalism. To contain it, policymakers will have to return to what worked in the past, finding new ways to

reconcile national accountability and international cooperation in a globalized world. The proper response to populism, in other words, is not to abandon liberal internationalism but to re-embed it.

## The Great Transformation

Nationalism is generally understood as the doctrine that the cultural unit of the nation, whether defined along civic or ethnic lines, should be congruent with the political unit of the state. For most of history, political loyalties did not coincide with national boundaries. This began to change in early modern Europe following the Protestant Reformation, as centralized states secured monopolies on violence and legal authority within their territory, gradually displacing the Catholic Church and transnational dynastic networks. At the same time, early commercial capitalism was shifting economic power away from rural landlords and toward the thriving urban middle classes. The state increasingly fused with its nation, a distinctive people that contributed blood and treasure to the state and that, in exchange, insisted on the right to participate in government. Over time, the nationalist claim to popular self-determination became the handmaiden of democracy.

During the nineteenth century, nation-states in western Europe (as well as European settler colonies such as the United States) developed strong civic institutions, such as universalistic legal codes and national educational systems, that could assimilate diverse groups into a shared cultural identity. (In eastern European countries and other late-developing states, however, different ethnic groups gained political consciousness while still living together in multinational empires – there, homogeneity was achieved not through assimilating civic institutions but through war, ethnic cleansing, and expulsion.) One of the most widely invoked theorists of nationalism, Ernest Gellner, argued that this process of internal cultural homogenization was driven by the requirements of industrial capitalism. In order to participate in national economies, workers needed to speak the national language and be fully integrated into the national culture. In countries with a strong civic state, these pressures transformed the nation-state into a culturally, politically, and economically integrated unit.

By the early decades of the twentieth century, however, tensions had begun to emerge between liberal capitalism and nationalist democracy. Nineteenth-century capitalism relied on automatic market controls, such as the gold standard, to regulate financial relations between states. Governments lacked both the will and the ability to intervene in the economy, whether by spending to counteract downturns in the business cycle or by acting as the lender of last resort to forestall bank runs. Instead, they let the invisible hand of the market correct imbalances, imposing painful costs on the vast majority of their citizens.

This *laissez-faire* policy became politically untenable during the late nineteenth and early twentieth centuries, as more and more people gained the right to vote. After the crash of 1929 and the Great Depression, enfranchised citizens could demand that their national leaders assert control over the economy in order to protect them from harsh economic adjustments. In some countries, such as Germany and Japan, this led to the ascent of militantly nationalist governments that created state-directed cartel

economies and pursued imperial expansion abroad. In others, such as the United States under President Franklin Roosevelt, governments instituted a form of social democratic capitalism, in which the state provided a social safety net and launched employment programs during hard times. In both cases, states were attempting to address what the economic historian Karl Polanyi, in *The Great Transformation*, identified as the central tension of liberal democratic capitalism: the contradiction between democratic rule, with its respect for popular self-determination, and market logic, which holds that the economy should be left to operate with limited government interference.

During the interwar years, the world's leading liberal powers – France, the United Kingdom, and the United States – had made tentative efforts to create an international order to manage this tension. U.S. President Woodrow Wilson's Fourteen Points called for a world of independent national democracies, and his proposal for a League of Nations promised a peaceful means for resolving international disputes. In practice, the United States refused to join the League of Nations, and the British and the French ensured that the Treaty of Versailles humiliated Germany. But despite these shortcomings, the interwar liberal order functioned, for a time. The 1922 Washington Naval Treaty initially helped prevent a naval arms race between Japan and the Western allies. The 1925 Pact of Locarno guaranteed Germany's western border. And the 1924 Dawes Plan and the 1929 Young Plan provided the Weimar government with enough liquidity to pay reparations while also funding urban infrastructure improvements and social welfare provisions. The system held until the collapse of the international economy after 1929. In both Germany and Japan, the resulting economic crisis discredited liberal and social democratic political parties, leading to the rise of authoritarian nationalists who promised to defend their people against the vicissitudes of the market and the treachery of foreign and domestic enemies.

It was only after World War II that liberal internationalists, led by those in the United States and the United Kingdom, learned how to manage the tension between free markets and national autonomy. The Marshall Plan, in which the United States, beginning in 1948, provided financial assistance to western Europe, did more than provide capital for postwar reconstruction. It also conditioned this aid on governments opening their economies to international trade, thereby strengthening liberal political coalitions between workers (who benefited from cheaper goods imported from abroad) and export-oriented capitalists (who gained access to global markets for their products). The institutions that came out of the 1944 Bretton Woods conference, including the World Bank and the IMF, offered loans and financial aid so that states could adjust to the fluctuations of the international market. As originally intended, this postwar system, which included the precursor to the EU, the European Economic Community, as well as the Bretton Woods institutions, was designed not to supersede national states but to allow them to cooperate while retaining policy autonomy. Crucially, leading democracies such as France, the United Kingdom, the United States, and West Germany decided to share some of their sovereignty in international organizations, which made their nation-states stronger rather than weaker. In more recent decades, however, these hard-won lessons have been set aside.

## Disembedding Liberalism

For the first few decades following World War II, embedded liberalism – characterized by strong domestic welfare states supported by international institutions – succeeded in granting autonomy and democratic legitimacy to nation-states while curbing aggressive nationalism. Yet as early as the 1970s, this arrangement came under pressure from structural changes to the global economy and ideological assaults from libertarians and advocates of supra- and transnationalism. The resulting erosion of embedded liberalism has paved the way for the nationalist revival of today.

The Bretton Woods system had relied on countries fixing their exchange rates with the U.S. dollar, which was in turn backed by gold. But already by the early 1970s, chronic U.S. trade deficits and the increasing competitiveness of European and Japanese exports were making this system untenable. At the same time, the United States was experiencing “stagflation” – a combination of high unemployment and high inflation that was resistant to the traditional Keynesian strategies, such as government spending, on which postwar economic management had relied. In response, U.S. President Richard Nixon suspended the dollar’s convertibility to gold in 1971, moving toward an unregulated market system of floating exchange rates. Other structural developments also put embedded liberalism under strain: the globalization of production and markets strengthened the relative power of capital, which was highly mobile, over labor, which was less so. This weakened the power of traditional labor unions, undermining the capital-labor bargain at the center of the postwar order.

These economic trends were accompanied by ideological developments that challenged both core principles of embedded liberalism: social democratic regulation of the economy and the political primacy of the nation-state. The first of these developments was the rise of free-market fundamentalism, pioneered by economists such as Friedrich Hayek and Milton Friedman and adopted by political leaders such as British Prime Minister Margaret Thatcher and U.S. President Ronald Reagan. Beginning with Thatcher’s election in 1979, these leaders and their ideological backers sought to drastically curtail the welfare state and return to the *laissez-faire* policies of the nineteenth century. This market fundamentalism was initially used by the right as a cudgel against the social democratic left, but over time it was adopted by leaders of center-left parties, such as French President Francois Mitterrand, U.S. President Bill Clinton, and British Prime Minister Tony Blair, who during the 1980s and 1990s pushed through financial deregulation and cuts to the welfare state. These policies hurt members of the white working class, alienating them from the political system and the center-left parties that had traditionally protected their interests.

The other element of the ideological assault on embedded liberalism came from enthusiasts of supra- and transnationalism. In an influential 1997 essay in this magazine, Jessica Mathews argued that technological change and the end of the Cold War had rendered the nationstate obsolete. Its functions, according to Mathews and other, like-minded thinkers, would be usurped by supranational organizations such as the EU, coordinating institutions such as the World Trade Organization, and various transnational networks of activists, experts, and innovators. In 1993, for instance, Europe had adopted a common market and created the bureaucratic edifice of the

EU to administer the resulting flows of goods, money, and people. This was followed by the adoption of the euro in 2002. Although intended to promote European integration, the euro effectively stripped its members of monetary sovereignty, greatly reducing their policy autonomy.

This transnational paradise, moreover, left little room for democracy. The gradual transfer of authority from national governments to Brussels has put considerable power in the hands of unelected technocrats. Europeans who are unhappy with EU policies have no way to vote out the bureaucrats in Brussels; their only effective way to impose democratic accountability is through national elections, creating a strong incentive for nationalist mobilization. Different European countries have different policy equilibriums based on the preferences of their voters, the needs of their national economies, and the rhetorical strategies of their national political elites. The search for nationally tailored solutions, however, is confounded by the EU's requirement that all member states agree on a policy in lockstep. After the 2015 migrant crisis, initiated by Germany's decision to briefly open its borders, Brussels began cajoling and coercing other EU member states to accept some of the migrants in the name of burden sharing. Small wonder, then, that Hungarians, Italians, and Poles who opposed immigration began flocking to nationalist politicians who promised to resist pressure from the EU. Similar policy divergences on economic austerity have also been expressed in terms of national resentments – between Germans and Greeks, for instance – and have fueled mobilization against Brussels.

Scholars debate whether populist nationalism in the United States and Europe arises mainly from economic or cultural grievances, but the most persuasive explanation is that nationalist political entrepreneurs have combined both grievances into a narrative about perfidious elites who coddle undeserving out-groups – immigrants and minorities – while treating the nation's true people with contempt. In this view, elites use bureaucratic and legal red tape to shield themselves from accountability and enforce politically correct speech norms to silence their critics. This story doesn't fit the facts – among other anomalies, residents of rural regions with few immigrants are among the most dedicated opponents of refugees – but it should not be surprising that a narrative of self-dealing elites and dangerous immigrants has resonated, given humans' well-known propensity for in-group bias. Nativistic prejudice is latent, ready to be activated in times of cultural flux or economic strain when traditional elites seem unresponsive.

A different face of the contemporary nationalist revival is the rise of authoritarian populism in developing states such as Brazil, India, the Philippines, and Turkey. Similar to older rising illiberal powers, such as nineteenth-century Germany, these countries have been able to use the so-called advantages of backwardness – cheap labor, technology transfers, and state-directed resource allocation – to grow rapidly; that is, until they reach approximately one-fourth of U.S. GDP per capita. Beyond that point, growth tends to slow markedly unless states follow in the footsteps of reformers such as Japan, South Korea, and Taiwan and adopt the full panoply of liberal institutions. Often, however, their governments eschew liberal reform. Instead, facing stagnating growth and inefficiencies from corruption, they double down on some combination of demagogic nationalism, repression, and crippling overinvestment in massive

infrastructure projects, which are designed to retain the support of business elites. In such cases, it is the responsibility of these states' liberal economic partners to press for reforms – at the risk, however, of triggering even more nationalist backlash.

## If It Ain't Broke, Don't Fix It

How, then, should leaders respond to the rise of nationalism? The first step is to recognize that the tension fueling contemporary nationalism is not new. It is precisely the tension identified by Polanyi, which the embedded liberal order of the postwar years was designed to manage: the contradiction between free markets and national autonomy. Illiberal nationalism has never been particularly successful at governing, but it is a temptation whenever liberalism drifts too far away from democratic accountability.

Historically, this contradiction has been resolved only through an order of democratic welfare states supported by international institutions, which grant them the policy flexibility to adjust to market fluctuations without inflicting undue pain on their citizens. Resolving today's nationalist dilemma will require abandoning *laissez-faire* economics and unaccountable supranationalism and returning to the principles of embedded liberalism, updated for the present day. This, in turn, calls for a revival of the basic practices of postwar liberalism: national-level democratic accountability, economic coordination through international institutions, and compromise on competing priorities.

Today, political polarization makes compromise seem unlikely. Both illiberal nationalists and cosmopolitan elites have, in their own way, doubled down on one-sided solutions, seeking to rout their opponents rather than reach a durable settlement. Trump calls for a border wall and a ban on Muslim immigration, and his opponents continue to speak as if immigration and refugee policy is a matter of abstract legal and moral commitments rather than a subject for democratic deliberation. In Europe, meanwhile, the Germans cling to austerity policies that punish countries such as Greece and Italy, and illiberal populists fume against EU restrictions on their autonomy.

Yet the very failure of these one-sided measures may open up space for a renewed embedded liberalism. In the United States, President Barack Obama's Affordable Care Act, which has mostly survived despite egregious assaults from the right, is a clear example of what a modern embedded liberal solution might look like. It strengthened the welfare state by vastly expanding access to state-subsidized health care and accommodating the needs of the private sector – an echo of the domestic capital-labor compromises that made the postwar order possible.

Similar arrangements might be sought on immigration. For instance, rich countries might agree to coordinate investment in poorer ones in order to stabilize migration flows by improving conditions in the source countries. These arrangements should be institutionalized before the next crisis hits, not improvised as they were in 2015–16, when Germany and the EU hurriedly struck a deal with Turkey, paying Ankara billions of euros in exchange for housing refugees. And although international institutions such as the EU should play a role in coordinating immigration policy,

democratic states must be allowed to tailor their own policies to the preferences of their voters. Pressuring countries to accept more migrants than they want simply plays into the hands of illiberal populists. And giving the populists some of what they want now may improve the prospects for embedded liberal compromises in the future. In December 2018, Hungarians began protesting in massive numbers against their nationalist government's policy of forced overtime, which had been enacted due to labor shortages. Faced with such problems, some of the country's antiimmigration zealots may soon begin to reassess their stance.

In the essay in which he coined the term "embedded liberalism," Ruggie noted that institutionalized power always serves a social purpose. The purpose of the postwar order, in his view, had been to reach a compromise between the competing imperatives of liberal markets and national autonomy. Today's crisis of liberalism stems in large part from a loss of this purpose. The institutions of the present international order have ceased responding to the wishes of national electorates.

The evidence of the past century suggests, however, that democratic accountability is necessary for both political stability and economic welfare. And even today, nation-states remain the most reliable political form for achieving and sustaining democracy. It is likely impossible to remake them in order to better conform to the needs of global markets and transnational institutions, and even if it were possible, it would be a bad idea. Instead, defenders of the liberal project must begin adapting institutions to once again fit the shape of democratic nation-states. This was the original dream of the embedded liberal order; now is the time to revive it.



## UNIT 6

# MORAL IMPLICATIONS OF JEWISH NATIONALISM

This unit continues the exploration of nationalism with a focus on the moral consequences of nationalism. In particular, we will explore whether nationalism is inherently morally flawed or just interpreted in morally problematic ways by some. What can constitute moral foundations for nationalism in general and Jewish nationalism in particular?

### UNIT 6 SOURCES

1. Genesis 2:8–9	134
2. Deuteronomy 2:7	134
3. Deuteronomy 8:7–10	134
4. Deuteronomy 28:1–12; 15–24	134
5. Babylonian Talmud, Sabbath 30b	136
6. Isaiah 2:2–4	136
7. Isaiah 11:1–9	137
8. Maimonides, <i>Mishneh Torah</i> , Laws of Kings and War 12:5	137
9. Deuteronomy 8:1–6	138
10. Maimonides, <i>Mishneh Torah</i> , Laws of Kings and War 10:12	138
11. Babylonian Talmud, Berakhot 5a	139
12. Maimonides, <i>Mishneh Torah</i> , Laws of Torah Study 3:6	139
13. Maimonides, <i>Mishneh Torah</i> , Laws of the Foundations of the Torah 5:5	139

### BACKGROUND READING

1. Israeli Army Code of Ethics	141
--------------------------------	-----

## 1. Genesis 2:8–9

<sup>8</sup> The LORD God planted a Garden in Eden in the East and placed there the man whom the LORD God had formed. <sup>9</sup> And from the land, God caused to grow every tree that was pleasing to the sight and good for food. With the Tree of Life in the middle of the Garden and the Tree of Knowledge of Good and Bad.

ח וַיִּטַע יְהוָה אֱלֹהִים, גֶּן־בְּעֵדֶן - מִקְדָּם; וַיִּשֶׂם שָׁם, אֶת־הָאָדָם אֲשֶׁר יָצַר. ט וַיִּצְמַח יְהוָה אֱלֹהִים, מִן־הָאֲדָמָה, כָּל־עֵץ נָחֵמַד לְמַרְאֵה, וְטוֹב לְמֵאֲכָל - וְעֵץ הַחַיִּים, בְּתוֹךְ הַגֶּן, וְעֵץ, הַדַּעַת טוֹב וְרָע.

## 2. Deuteronomy 2:7

<sup>7</sup> Indeed, the LORD your God has blessed you in all your undertakings. He has watched over your wanderings through this great wilderness; the LORD your God has been with you these past forty years: you have lacked nothing.

ז כִּי יְהוָה אֱלֹהֶיךָ בֵּרַכְךָ, בְּכָל מַעֲשֵׂה יָדְךָ - יָדַע לְכַתְּךָ, אֶת־הַמַּדְבָּר הַגָּדֹל הַזֶּה: זֶה אַרְבָּעִים שָׁנָה, יְהוָה אֱלֹהֶיךָ עִמָּךְ - לֹא חָסַרְתָּ, דָּבָר.

## 3. Deuteronomy 8:7–10

<sup>7</sup> For the LORD your God is bringing you into a good land, a land with streams and springs and fountains issuing from plain and hill; <sup>8</sup> a land of wheat and barley, of vines, figs, and pomegranates, a land of olive trees and honey; <sup>9</sup> a land where you may eat food without stint, where you will lack nothing; a land whose rocks are iron and from whose hills you can mine copper. <sup>10</sup> When you have eaten your fill, give thanks to the LORD your God for the good land which He has given you.

ז כִּי יְהוָה אֱלֹהֶיךָ, מְבִיאֶךָ אֶל־אֶרֶץ טוֹבָה: אֶרֶץ, נַחְלֵי מַיִם - עֵינַת וּתְהַמַּת, יִצְאִים בְּבִקְעָה וּבְהָר. ח אֶרֶץ חֹטֵה וּשְׁעָרָה, וְגִפְנִים וּתְאֵנָה וְרִמּוֹן; אֶרֶץ־זֵית שֶׁמֶן, וּדְבָשׁ. ט אֶרֶץ, אֲשֶׁר לֹא כְּמִסְכְּנַת תֹּאכַל־כֶּה לֶחֶם - לֹא־תַחְסֹר כָּל, כֶּה; אֶרֶץ אֲשֶׁר אֲבָנֶיהָ בְּרֹזֶל, וּמַהֲרִיָּה תַחְצֹב נְחֹשֶׁת. י וְאָכַלְתָּ, וּשְׂבַעְתָּ - וּבֵרַכְתָּ אֶת־יְהוָה אֱלֹהֶיךָ, עַל־הָאֶרֶץ הַטֹּבָה אֲשֶׁר נָתַן־לְךָ.

## 4. Deuteronomy 28:1–12; 15–24

<sup>1</sup> Now, if you obey the LORD your God, to observe faithfully all His commandments which I enjoin upon you this day, the LORD your God will set you high above all the nations of the earth. <sup>2</sup> All these blessings shall come upon you and take effect, if you will but heed the word of the LORD your God: <sup>3</sup> Blessed shall you be in the city and blessed shall you be in the country. <sup>4</sup> Blessed shall be the issue of your womb, the produce of your soil, and the offspring of your cattle, the calving of your herd and the lambing of your flock. <sup>5</sup> Blessed shall be your basket and

א וְהָיָה, אִם־שָׁמוּעַ תִּשְׁמַע בְּקוֹל יְהוָה אֱלֹהֶיךָ, לְשָׁמֹר לְעֲשׂוֹת אֶת־כָּל־מִצְוֹתַי, אֲשֶׁר אֲנִי מְצַוְךָ הַיּוֹם - וּנְתַנֶּה יְהוָה אֱלֹהֶיךָ, עֲלֶיךָ, עַל, כָּל־גּוֹיֵי הָאָרֶץ. ב וּבְאוֹר עֲלֶיךָ כָּל־הַבְּרָכוֹת הָאֵלֶּה, וְהַשִּׁיגָה: כִּי תִשְׁמַע, בְּקוֹל יְהוָה אֱלֹהֶיךָ. ג בְּרוּךְ אַתָּה, בְּעִיר; וּבְרוּךְ אַתָּה, בְּשׂוּדָה. ד בְּרוּךְ פְּרִי־בִטְנְךָ וּפְרִי אֲדָמְתְךָ, וּפְרִי כְהַמְתְךָ - שֹׁגֵר אֶלְפִיךָ, וְעֲשִׂיתָ רֹת צֹאנְךָ. ה בְּרוּךְ טְנָאֶךָ, וּמִשְׁאֲרֹתֶיךָ.

your kneading bowl. <sup>6</sup> Blessed shall you be in your comings and blessed shall you be in your goings. <sup>7</sup> The LORD will put to rout before you the enemies who attack you; they will march out against you by a single road, but flee from you by many roads. <sup>8</sup> The LORD will ordain blessings for you upon your barns and upon all your undertakings: He will bless you in the land that the LORD your God is giving you. <sup>9</sup> The LORD will establish you as His holy people, as He swore to you, if you keep the commandments of the LORD your God and walk in His ways. <sup>10</sup> And all the peoples of the earth shall see that the LORD's name is proclaimed over you, and they shall stand in fear of you. <sup>11</sup> The LORD will give you abounding prosperity in the issue of your womb, the offspring of your cattle, and the produce of your soil in the land that the LORD swore to your fathers to assign to you. <sup>12</sup> The LORD will open for you His bounteous store, the heavens, to provide rain for your land in season and to bless all your undertakings. You will be creditor to many nations, but debtor to none.

<sup>15</sup> But if you do not obey the LORD your God to observe faithfully all His commandments and laws which I enjoin upon you this day, all these curses shall come upon you and take effect: <sup>16</sup> Cursed shall you be in the city and cursed shall you be in the country. <sup>17</sup> Cursed shall be your basket and your kneading bowl. <sup>18</sup> Cursed shall be the issue of your womb and the produce of your soil, the calving of your herd and the lambing of your flock. <sup>19</sup> Cursed shall you be in your comings and cursed shall you be in your goings. <sup>20</sup> The LORD will let loose against you calamity, panic, and frustration in all the enterprises you undertake, so that you shall soon be utterly wiped out because of your evildoing in forsaking Me. <sup>21</sup> The LORD will make pestilence cling to you, until He has put an end to you in the land that you are entering to possess. <sup>22</sup> The LORD will strike you with consumption, fever, and inflammation, with scorching heat and drought, with blight and mildew; they shall

ו ברוך אתה, בבאך; וברוך אתה, בצאתך. ז יתן יהוה את-איביך הקמים עליך, נגפים לפניך: בדרך אחד יצאו אליך, ובשבועה דרכים ינוסו לפניך. ח יצו יהוה אתה, את-הברכה, באסמיה, ובכל משלח ידך; וברכה - בארץ, אשר-יהוה אלהיך נתן לך. ט יקימה יהוה לו לעם קדוש, כאשר נשבע-לך: כי תשמר, את-מצות יהוה אלהיך, והלכת, בדרךיו. י וראו כל-עמי הארץ, כי שם יהוה נקרא עליך; ויראו, ממך. יא והותרה יהוה לטובה, בפרי בטנה ובפרי בהמתה ובפרי אדמתה - על, האדמה, אשר נשבע יהוה לאבותיך, לתת לך. יב פתח יהוה לך את-אוצרו הטוב את-השמים, לתת מטרארצה בעתו, ולברך, את כל-מעשה ידך; והלית גוים רבים, ואתה לא תלוה.

טו והיה, אם-לא תשמע בקול יהוה אלהיך, לשמר לעשות את-כל-מצותיו וחקתיו, אשר אנכי מצוה היום - ובאו עליך כל-הקלות האלה, והשיגוך. טז ארור אתה, בעיר; וארור אתה, בשדה. יז ארור טנאך, ומשאתך. יח ארור פרי-בטנה, ופרי אדמתך - שגר אלפיך, ועשתרת צאנך. יט ארור אתה, בבאך; וארור אתה, בצאתך. כ ישלח יהוה בך את-המארה את-המהומה, ואת-המגערת, בכל-משלח ידך, אשר תעשה - עד השמדך ועד-אבדך מהר, מפני רע מעלליך אשר עזבתני. כא ידבק יהוה בך, את-הדבר - עד, פלתו אתך, מעל האדמה, אשר-אתה בא-שמה לרשתה. כב יפכה יהוה בשחפת ובקדחת ובדלקת, ובחרחר ובחרב, ובשדפון, ובירקון; ורדפוך, עד אבדך.

hound you until you perish.<sup>23</sup> The skies above your head shall be copper and the earth under you iron.<sup>24</sup> The LORD will make the rain of your land dust, and sand shall drop on you from the sky, until you are wiped out.

כג והיו שמיך אשר על-ראשך, נחשת; והארץ אשר תחתיה, ברזל. כד יתן יהוה את-מטר ארצה, אבק ועפר: מן-השמים ירד עליך, עד השמדך.

## 5. Babylonian Talmud, Sabbath 30b

R. Gamaliel sat and lectured, Women is destined to bear every day, for it is said, the woman conceived and beareth simultaneously. But a certain disciple scoffed at him, quoting, ‘there is no new thing under the sun.’ Come, and I will show you its equal in this world, he replied. He went forth and showed him a fowl. On another occasion R. Gamaliel sat and lectured, Trees are destined to yield fruit every day, for it is said, and it shall bring forth boughs and bear fruit: just as the boughs [exist] every day, so shall there be fruit every day. But a certain disciple scoffed at him, saying, but it is written, ‘there is no new thing under the sun!’ Come, and I will show you its equal in this world, replied he. He went forth and showed him the caper bush. On another occasion R. Gamaliel sat and expounded, Palestine is destined to bring forth cakes and wool robes, for it is said, There shall be an handful of corn in the land. But a certain disciple scoffed at him, quoting, ‘there is no new thing under the sun!’ ‘Come, and I will show you their equal in this world,’ replied he. He went forth and showed him morels and truffles; and for silk robes [he showed him] the bark of a young palm-shoot.

רבן גמליאל וקא דריש עתידה אשה שתלד בכל יום שנאמר (ירמיהו ו,א, ח) הרה ויולדת יחדיו ליגלג עליו אותו תלמיד אמר אין כל חדש תחת השמש א"ל בא ואראך דוגמתן בעוה"ז נפק אחוי ליה תרנגולת ותו יתיב רבן גמליאל וקא דריש עתידים אילנות שמוציאין פירות בכל יום שנאמר (יחזקאל יז, כג) ונשא ענף ועשה פרי מה ענף בכל יום אף פרי בכל יום ליגלג עליו אותו תלמיד אמר והכתיב אין כל חדש תחת השמש א"ל בא ואראך דוגמתם בעולם הזה נפק אחוי ליה צלף ותו יתיב רבן גמליאל וקא דריש עתידה ארץ ישראל שתוציא גלוסקאות וכלי מילת שנאמר (תהלים עב, טז) יהי פסת בר בארץ ליגלג עליו אותו תלמיד ואמר אין כל חדש תחת השמש אמר ליה בא ואראך דוגמתן בעולם הזה נפק אחוי ליה כמיהין ופטרויות ואכלי מילת נברא בר קורא.

## 6. Isaiah 2:2–4

<sup>2</sup> In the days to come, The Mount of the LORD’s House shall stand firm above the mountains and tower above the hills; And all the nations shall gaze on it with joy.<sup>3</sup> And the many peoples shall go and say: “Come, Let us go up to the Mount of the LORD, to the House of the God of Jacob; that He may instruct us in His ways, and that we may walk in His paths.” For instruction shall come forth’ from Zion, the word of

ב והיה באחרית הימים, נכון יהיה הר בית-יהוה בראש ההרים, ונשא, מגבעות; ונהרו אליו, כל-הגוים. ג והלכו עמים רבים, ואמרו לכו ונעלה אל-הר-יהוה אל-בית אלהי יעקב, וירנו מדרךיו, ונלכה בארחתיו: כי מציון תצא תורה, ודבר-יהוה מירושלם.

the LORD from Jerusalem. <sup>4</sup> Thus He will judge among the nations and arbitrate for the many peoples, and they shall beat their swords into plowshares and their spears into pruning hooks: Nation shall not take up sword against nation; they shall never again know war.

ד וְשָׁפַט בֵּין הַגּוֹיִם, וְהוֹכִיחַ לְעַמִּים רַבִּים; וְכָתְתוּ חַרְבוֹתָם לְאֵתִים, וְחַנִּיתוֹתֵיהֶם לְמִזְמֵרוֹת - לֹא-יִשָּׂא גּוֹי אֶל-גּוֹי חֶרֶב, וְלֹא-יִלְמְדוּ עוֹד מִלְחָמָה.

## 7. Isaiah 11:1–9

<sup>1</sup> But a shoot shall grow out of the stump of Jesse, A twig shall sprout from his stock. <sup>2</sup> The spirit of the LORD shall alight upon him: A spirit of wisdom and insight, A spirit of counsel and valor, A spirit of devotion and reverence for the LORD. <sup>3</sup> He shall sense the truth by his reverence for the LORD: He shall not judge by what his eyes behold, Nor decide by what his ears perceive. <sup>4</sup> Thus he shall judge the poor with equity And decide with justice for the lowly of the land. He shall strike down a land d with the rod of his mouth And slay the wicked with the breath of his lips. <sup>5</sup> Justice shall be the girdle of his loins, And faithfulness the girdle of his waist. <sup>6</sup> The wolf shall dwell with the lamb, The leopard lie down with the kid; The calf, the beast of prey, and the fatling together, With a little boy to herd them. <sup>7</sup> The cow and the bear shall graze, Their young shall lie down together; And the lion, like the ox, shall eat straw. <sup>8</sup> A babe shall play Over a viper's hole, And an infant pass his hand Over an adder's den. <sup>9</sup> In all of My sacred mount Nothing evil or vile shall be done; For the land shall be filled with devotion to the LORD as water covers the sea.

א וַיֵּצֵא חֹטֵר, מִגִּזְעוֹ יֵשׁוּעַ; וַנִּצֵּר, מִשְׁרָשׁוֹ יִפְרֶה. ב וְנָחָא עָלָיו, רוּחַ יְהוָה - רוּחַ חֲכָמָה וּבִינָה, רוּחַ עֲצָה וּגְבוּרָה, רוּחַ דַּעַת, וִירְאָת יְהוָה. ג וְהִרְיָחוּ, בִּירְאָת יְהוָה; וְלֹא-לְמַרְאֵה עֵינָיו יִשְׁפּוֹט, וְלֹא-לְמִשְׁמַע אָזְנוֹ יוֹכִיחַ. ד וְשָׁפַט בְּצִדֵּק דְּלִים, וְהוֹכִיחַ בְּמִישׁוֹר לְעֵנְוֵי-אֲרָץ; וְהִכָּה-אֲרָץ בְּשֹׁבֵט פִּי, וּבְרוּחַ שְׁפָתָיו יָמִית רָשָׁע. ה וְהָיָה צִדֵּק, אֶזְרוֹר מִתְנַיִו; וְהֶאֱמוּנָה, אֶזְרוֹר חֲלָצִיו. ו וְגַר זָאֵב עִם-כֶּבֶשׂ, וְנֹמֵר עִם-גְּדִי יִרְבֵּץ; וְעִגְלֹ וּכְפִיר וּמְרִיא יִחַדּוּ, וְנֹעֵר קִטָּן נֹהֵג בָּם. ז וּפְרָה וְדָב תִּרְעֶינָה, יַחַדּוּ יִרְבְּצוּ יְלְדֵיהֶן; וְאַרְיֵה, כְּבָקָר יֹאכַל-תְּבֹן. ח וְשָׁעֲשַׁע יוֹנֵק, עַל-חֹר פֶּתֶן; וְעַל מְאוֹרֵת צַפְעוֹנִי, גְּמוּל יָדוֹ הִדָּה. ט לֹא-יִרְעוּ וְלֹא-יִשְׁחִיתוּ, בְּכָל-הָרַקְדָּשִׁי: כִּי-מִלְאָה הָאֲרָץ, דַּעַת אֶת-יְהוָה, כַּמַּיִם, לַיָּם מִכֶּסֶּים.

## 8. Maimonides, *Mishneh Torah*, Laws of Kings and War 12:5

In that era, there will be neither famine or war, envy or competition for good will flow in abundance and all the delights will be freely available as dust. The occupation of the entire world will be solely to know God.

ובאותו הזמן, לא יהיה שם לא רעב ולא מלחמה ולא קנאה ותחרות - שהטובה תהיה מושפעת הרבה, וכל המעדנים מצויין כעפר. ולא יהיה עסק כל העולם, אלא לדעת את ה' בלבד.

Therefore, the Jews will be great sages and know the hidden matters, grasping the knowledge of their Creator according to the full extent of human potential, as Isaiah 11:9 states: “The world will be filled with the knowledge of God as the waters cover the ocean bed.”

ולפיכך יהיו חכמים גדולים, ויודעים דברים הסתומים העמוקים; וישיגו דעת בוראם כפי כוח האדם, שנאמר “כי מלאה הארץ, דעה את ה’, כמים, לים מכסים” (ישעיהו יא,ט).

## 9. Deuteronomy 8:1–6

<sup>1</sup> You shall faithfully observe all the Instruction that I enjoin upon you today, that you may thrive and increase and be able to possess the land that the LORD promised on oath to your fathers. <sup>2</sup> Remember the long way that the LORD your God has made you travel in the wilderness these past forty years, that He might test you by hardships to learn what was in your hearts: whether you would keep His commandments or not. <sup>3</sup> He subjected you to the hardship of hunger and then gave you manna to eat, which neither you nor your fathers had ever known, in order to teach you that man does not live on bread alone, but that man may live on anything that the LORD decrees. <sup>4</sup> The clothes upon you did not wear out, nor did your feet swell these forty years. <sup>5</sup> Bear in mind that the LORD your God disciplines you just as a man disciplines his son. <sup>6</sup> Therefore keep the commandments of the LORD your God: walk in His ways and revere Him.

א כל-המצוה, אשר אנכי מצוה היום - תשמרו לַעֲשׂוֹת: לְמַעַן תַּחֲיוּ וּרְבִיתֶם, וּבִאתֶם וּרְשַׁתֶּם אֶת-הָאָרֶץ, אֲשֶׁר-נִשְׁבַּע יְהוָה, לְאַבְתִּיכֶם. ב וּזְכַרְתָּ אֶת-כָּל-הַדְרֹךְ, אֲשֶׁר הוֹלִיכָה יְהוָה אֱלֹהֶיךָ זֶה אַרְבָּעִים שָׁנָה - בְּמִדְבָּר: לְמַעַן עֲנִתְךָ לְנִסְתָּךְ, לְדַעַת אֶת-אֲשֶׁר בְּלִבְךָ הִתְשַׁמֵּר מִצְוֹתוֹ - אִם-לֹא. ג וַיַּעֲנֶךָ, וַיִּרְעַבְךָ, וַיֹּאכִלְךָ אֶת-הַמָּן אֲשֶׁר לֹא-יָדַעְתָּ, וְלֹא יָדְעוּן אֲבֹתֶיךָ: לְמַעַן הוֹדִיעֶךָ, כִּי לֹא עַל-הַלֶּחֶם לְבָדוּ יַחֲיֶה הָאָדָם - כִּי עַל-כָּל-מוֹצֵא פִי-יְהוָה, יַחֲיֶה הָאָדָם. ד שְׂמַלְתְּךָ לֹא כָלְתָה, מֵעֲלִיָּה, וּרְגְלְךָ, לֹא כָצְקָה - זֶה, אַרְבָּעִים שָׁנָה. ה וַיִּדְעַתָּ, עִם-לִבְבְּךָ: כִּי, פֶּאֶשֶׁר יִיָּסֵר אִישׁ אֶת-בְּנוֹ, יְהוָה אֱלֹהֶיךָ, מִיִּסְרֶךָ. ו וּשְׁמַרְתָּ, אֶת-מִצְוֹת יְהוָה אֱלֹהֶיךָ, לְלַכֵּת בְּדַרְכָיו, וּלְיִרְאָה אֹתוֹ.

## 10. Maimonides, *Mishneh Torah*, Laws of Kings and War 10:12

Our Sages commanded us to visit the gentiles when ill, to bury their dead in addition to the Jewish dead, and support their poor in addition to the Jewish poor for the sake of peace. Behold, Psalms 145:9 states: “God is good to all and His mercies extend over all His works” and Proverbs 3:17 states: “The Torah’s ways are pleasant ways and all its paths are peace.”

אפילו הגויים - ציוו חכמים לבקר חוליהם, ולקבור מתיהם עם מתי ישראל, ולפרנס ענייהם בכלל עניי ישראל, מפני דרכי שלום: הרי נאמר “טוב ה’, לכול; ורחמיו, על כל מעשיו” (תהלים קמה,ט), ונאמר “דרכיה, דרכי נועם; וכל נתיבותיה, שלום” (משלי ג,יז).

## 11. Babylonian Talmud, Berakhot 5a

It has been taught: R. Simeon b. Yohai says: The Holy One, blessed be He, gave Israel three precious gifts, and all of them were given only through sufferings. These are: The Torah, the Land of Israel and the world to come. Whence do we know this of the Torah? – Because it is said: Happy is the man whom Thou chastenest, O LORD, and teachest him out of Thy law. Whence of the Land of Israel? – Because it is written: As a man chasteneth his son, so the LORD thy God chasteneth thee, and after that it is written: For the LORD thy God bringeth thee into a good land. Whence of the world to come? – Because it is written: For the commandment is a lamp, and the teaching is light, and reproofs of sufferings are the way of life.

תניא רבי שמעון בן יוחאי אומר שלש מתנות טובות נתן הקדוש ברוך הוא לישראל וכולן לא נתנן אלא ע"י יסורין אלו הן תורה וארץ ישראל והעולם הבא תורה מנין שנאמר אשרי הגבר אשר תיסרנו יה ומתורתך תלמדנו ארץ ישראל דכתיב (דברים ה, ה) כי כאשר ייסר איש את בנו ה' אלהיך מיסרך וכתיב בתריה כי ה' אלהיך מביאך אל ארץ טובה העולם הבא דכתיב (משלי ו, כג) כי נר מצוה ותורה אור ודרך חיים תוכחות מוסר.

## 12. Maimonides, *Mishneh Torah*, Laws of Torah Study 3:6

A person whose heart inspires him to fulfill this mitzvah in a fitting manner and to become crowned with the crown of Torah should not divert his attention to other matters. He should not set his intent on acquiring Torah together with wealth and honor simultaneously.

[Rather,] this is the path of Torah: Eat bread with salt, drink water in small measure, sleep on the ground, live a life of difficulty, and toil in Torah.

The task is not incumbent upon you to complete, nor are you free to desist from it. If you have acquired much Torah, you have acquired much reward, and that reward is commensurate with the difficulty [invested].

מי שנשאו ליבו לקיים מצוה זו כראוי לה, ולהיות מוכתר בכתרה של תורה - לא יסיח דעתו לדברים אחרים, ולא ישים על ליבו שיקנה תורה עם העושר והכבוד כאחד. כך הוא דרכה של תורה: פת במלח תאכל, ועל הארץ תישן, וחיי צער תחיה, ובתורה אתה עמל.

ולא עליך כל המלאכה לגמור, ולא אתה בן חורין ליבטל; אבל אם הרבית תורה, הרבית שכר, והשכר לפי הצער.

## 13. Maimonides, *Mishneh Torah*, Laws of the Foundations of the Torah 5:5

If gentiles tell [a group of] women: "Give us one of you to defile. If not, we will defile all of you," they should allow themselves all to be defiled rather than give over a single Jewish soul to [the gentiles].

נשים שאמרו להם גויים, תנו לנו אחת מכם ונטמא אותה, ואם לאו, נטמא את כולכם - יטמאו את כולן, ואל ימסרו להם נפש אחת מישראל.

Similarly, if gentiles told [a group of Jews]: “Give us one of you to kill. If not, we will kill all of you,” they should allow themselves all to be killed rather than give over a single soul to [the gentiles].

However, if [the gentiles] single out [a specific individual] and say: “Give us so and so or we will kill all of you,” [different rules apply]: If the person is obligated to die like Sheva ben Bichri, they may give him over to them. Initially, however, this instruction is not conveyed to them. If he is not obligated to die, they should allow themselves all to be killed rather than give over a single soul to [the gentiles].

וכן אם אמרו להם גויים, תנו לנו אחד מכם ונהרגנו, ואם לאו, נהרוג את כולכם - ייהרגו כולם, ואל ימסרו להם נפש אחת מישראל. ואם ייחדוהו להם ואמרו, תנו לנו פלוני או נהרוג את כולכם - אם היה מחוייב מיתה כשבע בן בכרי, ייתנו אותו להם, ואין מורין להם כן, לכתחילה; ואם אינו חייב - ייהרגו כולם, ואל ימסרו להם נפש אחת מישראל.

# Background Reading

## 1. Israeli Army Code of Ethics

### IDF Mission

To defend the existence, territorial integrity and sovereignty of the state of Israel. To protect the inhabitants of Israel and to combat all forms of terrorism which threaten the daily life.

### Ethics

#### THE IDF SPIRIT

The Israel Defense Forces are the state of Israel's military force. The IDF is subordinate to the directions of the democratic civilian authorities and the laws of the state. The goal of the IDF is to protect the existence of the State of Israel and her independence, and to thwart all enemy efforts to disrupt the normal way of life in Israel. IDF soldiers are obligated to fight, to dedicate all their strength and even sacrifice their lives in order to protect the State of Israel, her citizens and residents. IDF soldiers will operate according to the IDF values and orders, while adhering to the laws of the state and norms of human dignity, and honoring the values of the State of Israel as a Jewish and democratic state.

#### SPIRIT OF THE IDF – DEFINITION AND ORIGINS

The Spirit of the IDF is the identity card of the IDF values, which should stand as the foundation of all of the activities of every IDF soldier, on regular or reserve duty. The Spirit of the IDF and the guidelines of operation resulting from it are the ethical code of the IDF. The Spirit of the IDF will be applied by the IDF, its soldiers, its officers, its units and corps to shape their mode of action. They will behave, educate and evaluate themselves and others according to the Spirit of the IDF.

#### THE SPIRIT OF THE IDF DRAWS ON FOUR SOURCES:

The tradition of the IDF and its military heritage as the Israel Defense Forces.  
The tradition of the State of Israel, its democratic principles, laws and institutions.  
The tradition of the Jewish People throughout their history.  
Universal moral values based on the value and dignity of human life.

#### BASIC VALUES

**Defense of the State, its Citizens and its Residents** – The IDF's goal is to defend the existence of the State of Israel, its independence and the security of the citizens and residents of the state.

**Love of the Homeland and Loyalty to the Country** – At the core of service in the IDF stand the love of the homeland and the commitment and devotion to the State

of Israel—a democratic state that serves as a national home for the Jewish People—its citizens and residents.

**Human Dignity** – The IDF and its soldiers are obligated to protect human dignity. Every human being is of value regardless of his or her origin, religion, nationality, gender, status or position.

#### THE VALUES

**Tenacity of Purpose in Performing Missions and Drive to Victory** – The IDF servicemen and women will fight and conduct themselves with courage in the face of all dangers and obstacles; They will persevere in their missions resolutely and thoughtfully even to the point of endangering their lives.

**Responsibility** – The IDF serviceman or woman will see themselves as active participants in the defense of the state, its citizens and residents. They will carry out their duties at all times with initiative, involvement and diligence with common sense and within the framework of their authority, while prepared to bear responsibility for their conduct.

**Credibility** – The IDF servicemen and women shall present things objectively, completely and precisely, in planning, performing and reporting. They will act in such a manner that their peers and commanders can rely upon them in performing their tasks.

**Personal Example** – The IDF servicemen and women will comport themselves as required of them, and will demand of themselves as they demand of others, out of recognition of their ability and responsibility within the military and without to serve as a deserving role model.

**Human Life** – The IDF servicemen and women will act in a judicious and safe manner in all they do, out of recognition of the supreme value of human life. During combat they will endanger themselves and their comrades only to the extent required to carry out their mission.

**Purity of Arms** – The IDF servicemen and women will use their weapons and force only for the purpose of their mission, only to the necessary extent and will maintain their humanity even during combat. IDF soldiers will not use their weapons and force to harm human beings who are not combatants or prisoners of war, and will do all in their power to avoid causing harm to their lives, bodies, dignity and property.

**Professionalism** – The IDF servicemen and women will acquire the professional knowledge and skills required to perform their tasks, and will implement them while striving continuously to perfect their personal and collective achievements.

**Discipline** – The IDF servicemen and women will strive to the best of their ability to fully and successfully complete all that is required of them according to orders and their spirit. IDF soldiers will be meticulous in giving only lawful orders, and shall refrain from obeying blatantly illegal orders.

**Comradeship** – The IDF servicemen and women will act out of fraternity and devotion to their comrades, and will always go to their assistance when they need their help or depend on them, despite any danger or difficulty, even to the point of risking their lives.

**Sense of Mission** – The IDF soldiers view their service in the IDF as a mission; they will be ready to give their all in order to defend the state, its citizens and residents. This is due to the fact that they are representatives of the IDF who act on the basis and in the framework of the authority given to them in accordance with IDF orders.





## UNIT 7

# ISRAEL'S NATION-STATE LAW: RAMIFICATIONS FOR A JEWISH AND DEMOCRATIC STATE

Much of the recent debate around Israeli nationalism has focused on the Nation-State Law. Some denounce the moral failing of this law and its threat to Israel as a democracy. Others embrace its moral and legal legitimacy and significance for the future of Israel as a Jewish democratic state. This session explores both perspectives on this law through interviews with Mohammad Darawshe and Moshe Koppel, each representing differing positions regarding the 2018 Basic Law of Israel as the Nation-State of the Jewish People.

### UNIT 7 SOURCES

1. Basic Law: Israel as the Nation-State of the Jewish People 146
2. Basic Law Proposal: Israel as the Nation-State of the Jewish People 149

### BACKGROUND READING

1. Moshe Koppel and Eugene Kontorovich, "Why All the Outrage Over Israel's Nation-State Law?" *Mosaic Magazine*, Oct. 8, 2018 153
2. Mohammed Darawshe, "Only Jews Can Stop This Disgrace," *The Jerusalem Post*, Aug. 6, 2018 164
3. Raoul Wootliff, "In Rare Rebuke, Rivlin Urges MKs to Amend 'Discriminatory' Jewish State Bill," *The Times of Israel*, July 10, 2018 165
4. The Times of Israel Staff, "Israel's President: Nation-State Law is 'Bad for Israel and Bad for the Jews,'" *The Times of Israel*, Sep. 6, 2018 166

## 1. Basic Law: Israel as the Nation-State of the Jewish People

### 1 – Basic principles

- A. The land of Israel is the historical homeland of the Jewish people, in which the State of Israel was established.
- B. The State of Israel is the national home of the Jewish people, in which it fulfills its natural, cultural, religious and historical right to self-determination.
- C. The right to exercise national self-determination in the State of Israel is unique to the Jewish people.

### 2 – The symbols of the state

- A. The name of the state is “Israel.”
- B. The state flag is white with two blue stripes near the edges and a blue Star of David in the center.
- C. The state emblem is a seven-branched menorah with olive leaves on both sides and the word “Israel” beneath it.
- D. The state anthem is “Hatikvah.”
- E. Details regarding state symbols will be determined by the law.

### 3 – The capital of the state

Jerusalem, complete and united, is the capital of Israel.

### 4 – Language

- A. The state’s language is Hebrew.
- B. The Arabic language has a special status in the state; Regulating the use of Arabic in state institutions or by them will be set in law.
- C. This clause does not harm the status given to the Arabic language before this law came into effect.

### 5 – Ingathering of the exiles

The state will be open for Jewish immigration and the ingathering of exiles

### 6 – Connection to the Jewish people

- A. The state will strive to ensure the safety of the members of the Jewish people in trouble or in captivity due to the fact of their Jewishness or their citizenship.
- B. The state shall act within the Diaspora to strengthen the affinity between the state and members of the Jewish people.
- C. The state shall act to preserve the cultural, historical and religious heritage of the Jewish people among Jews in the Diaspora.

## 7 – Jewish settlement

The state views the development of Jewish settlement as a national value and will act to encourage and promote its establishment and consolidation.

## 8 – Official calendar

The Hebrew calendar is the official calendar of the state and alongside it the Gregorian calendar will be used as an official calendar. Use of the Hebrew calendar and the Gregorian calendar will be determined by law.

## 9 – Independence Day and memorial days

- A. Independence Day is the official national holiday of the state.
- B. Memorial Day for the Fallen in Israel's Wars and Holocaust and Heroism Remembrance Day are official memorial days of the State.

## 10 – Days of rest and sabbath

The Sabbath and the festivals of Israel are the established days of rest in the state; Non-Jews have a right to maintain days of rest on their Sabbaths and festivals; Details of this issue will be determined by law.

## 11 – Immutability

This Basic Law shall not be amended, unless by another Basic Law passed by a majority of Knesset members.

## Omitted clauses from original draft of proposed law

- 7. (A) Every Israeli resident, regardless of religion or nationality, is entitled to take action to preserve his culture, heritage, and the preservation of his language and identity.
- (B) The State may allow a community, including members of one religion or of one nationality, to maintain separate communal settlement.

## חוק-יסוד: ישראל – מדינת הלאום של העם היהודי

1. **עקרונות יסוד**
  - (א) ארץ ישראל היא מולדתו ההיסטורית של העם היהודי, שבה קמה מדינת ישראל.
  - (ב) מדינת ישראל היא מדינת הלאום של העם היהודי, שבה הוא מממש את זכותו הטבעית, התרבותית, הדתית וההיסטורית להגדרה עצמית.
  - (ג) מימוש הזכות להגדרה עצמית לאומית במדינת ישראל ייחודי לעם היהודי.
2. **סמלי המדינה**
  - (א) שם המדינה הוא "ישראל".
  - (ב) דגל המדינה הוא לבן, שני פסי תכלת סמוך לשוליו, ומגן דוד תכול במרכזו.
  - (ג) סמל המדינה הוא מנורת שבעת הקנים, עלי זית בשני צדדיה, והמילה "ישראל" למרגלותיה.
  - (ד) המנון המדינה הוא "התקווה".פרטים לעניין סמלי המדינה ייקבעו בחוק.
3. **בירת המדינה**

ירושלים השלמה והמאוחדת היא בירת ישראל.
4. **שפה**
  - (א) עברית היא שפת המדינה.
  - (ב) לשפה הערבית מעמד מיוחד במדינה; הסדרת השימוש בשפה הערבית במוסדות ממלכתיים או בפניהם תהיה בחוק.
  - (ג) אין באמור בסעיף זה כדי לפגוע במעמד שניתן בפועל לשפה הערבית לפני תחילתו של חוק-יסוד זה.
5. **קייבוץ גלויות**

המדינה תהיה פתוחה לעלייה יהודית ולקייבוץ גלויות.
6. **הקשר עם העם היהודי**
  - (א) המדינה תשקוד על הבטחת שלומם של בני העם היהודי ושל אזרחיה הנתונים בצרה ובשביה בשל יהדותם או בשל אזרחותם.
  - (ב) המדינה תפעל בתפוצות לשימור הזיקה בין המדינה ובין בני העם היהודי.
  - (ג) המדינה תפעל לשימור המורשת התרבותית, ההיסטורית והדתית של העם היהודי בקרב יהדות התפוצות.
7. **התיישבות יהודית**

המדינה רואה בפיתוח התיישבות יהודית ערך לאומי, ותפעל על מנת לעודד ולקדם הקמה וכיסוס שלה.
8. **לוח רשמי**
  - (א) הלוח העברי הוא לוח רשמי של המדינה ולצדו ישמש הלוח הלועזי כלוח רשמי;
  - (ב) השימוש בלוח העברי ובלוח הלועזי ייקבע בחוק.
9. **יום העצמאות וימי זיכרון**
  - (א) יום העצמאות הוא יום החג הלאומי הרשמי של המדינה.
  - (ב) יום הזיכרון לחללי מערכות ישראל ויום הזיכרון לשואה ולגבורה הם ימי זיכרון רשמיים של המדינה.

## 10. ימי מנוחה ושבתון

שבת ומועדי ישראל הם ימי המנוחה הקבועים במדינה; למי שאינם יהודים זכות לקיים את ימי המנוחה בשבתם ובחגיגיהם; פרטים לעניין זה ייקבעו בחוק.

## 11. נוקשות

אין לשנות חוק־יסוד זה אלא בחוק־יסוד שהתקבל ברוב של חברי הכנס.

## 12. פסקאות מתוך ההצעה הראשונית של החוק שהושמטו

7. (א) כל תושב ישראל, ללא הבדל דת או לאום, זכאי לפעול לשימור תרבותו, מורשתו, שימור מורשת שפתו וזהותו.

(ב) המדינה רשאית לאפשר לקהילה, לרבות בני דת אחת או בני לאום אחד, לקיים התיישבות קהילתית נפרדת.

## 3. Basic Law Proposal: Israel as the Nation-State of the Jewish People

- |  |  |
|--|--|
| A Jewish State   | 1. A. The state of Israel is the nation home of the Jewish People. It is where the Jewish people realizes its drive for self-determination, based on its cultural, historical heritage.<br>B. The right to self-determination in the state of Israel is unique to the Jewish people.<br>C. The land of Israel is the historical homeland of the Jewish people and the place of the establishment of the state of Israel. |
| Aim  | 2. This basic law's goal is to determine the identity of the state of Israel as the nation state of the Jewish people, in order to anchor in the basic laws these values, in accordance with the principles of the declaration of the state of Israel.   |
| A Democratic State   | 3. A. The state of Israel will have a democratic government.<br>B. Israel will be based on the fundamental ideas of liberty, justice, and peace from the visions of the biblical prophets of Israel. It will be committed to the individual rights of all of its citizens as detailed in this law.   |
| State Symbols  | 4. A. The state anthem is "Hatikvah."<br>B. The state flag is white, with two blue stripes near its edges, and a blue star of David in its center.<br>C. The symbol of the state is a seven-branched <i>menorah</i> , with olive branches on each side, and the word "Israel" beneath it.  |
| Return   | 5. Every Jew has a legal right to immigrate to Israel and acquire citizenship in the state of Israel.  |
| Ingathering of Exiles and Strengthening the Connection with Diaspora Jewry | 6. The state will act to gather in the exiles of Israel and to strengthen its relationship with Jewish communities in the diaspora.  |

Aid to Jews in Distress	7. The state will act to provide aid to Jews put in distress or captivity due to their Jewishness.
Jewish Heritage	8. The state will act to preserve and pass on the historical, cultural heritage and tradition of the Jewish people, as well as encouraging it in Israel and the diaspora.
The Right to Heritage	9. The state will act to enable every resident of Israel, no matter their religion or nation, to act to preserve their culture, heritage, language, and identity.
Official Calendar	10. The Hebrew calendar is the official calendar of the state.
Independence Day and Memorial Days	11. A. "Independence Day" is the national holiday of the state. B. "Memorial Day for Fallen Israeli Soldiers" and "Day of the Holocaust and the Bravery" are the official memorial days of the state.
Rest Days	12. The official rest days of the state of Israel are the <i>Shabbat</i> and holidays of the Jewish people. On those days, no employee will work, except insofar as established by law. Members of communities recognized by law are permitted to rest on their own holidays.
Jewish Law	13. A. Jewish law will serve as a source of inspiration for the legislators and judges of the state of Israel. B. If a court sees that a law requires determining, and that it can find no answer in established legislation or case law, or through comparison, it will determine the law in light of the principles of liberty, justice, moral rectitude, and peace of the Jewish heritage.
Preservation of Holy Sites	14. The holy sites will be protected from desecration or any other injury, or anything else that might injure the free access of religious individuals to their holy sites, or to this feels regarding those sites.
Infringing on Rights	15. The rights accorded by this law cannot be infringed upon, except through a law that fits the values of the state of Israel, and which is intended for a fitting purpose, and which does not exceed its aims, or based on a law.
Immutability	16. This basic law cannot be changed, other than by a basic law approved by a majority of Knesset Members.

### הצעת חוק-יסוד: ישראל – מדינת הלאום של העם היהודי

- מדינה יהודית
1. (א) מדינת ישראל היא הבית הלאומי של העם היהודי בו הוא מממש את שאיפתו להגדרה עצמית על-פי מורשתו התרבותית וההיסטורית.
- (ב) הזכות למימוש ההגדרה העצמית הלאומית במדינת ישראל ייחודית לעם היהודי.
- (ג) ארץ ישראל היא מולדתו ההיסטורית של העם היהודי ומקום כינונה של מדינת ישראל.

- מטרה
2. חוק־יסוד זה, מטרתו להגדיר את זהותה של מדינת ישראל כמדינת הלאום של העם היהודי, כדי לעגן בחוק־יסוד ערכים אלו ברוח העקרונות שבהכרזה על מדינת ישראל.
- מדינה דמוקרטית
3. (א) מדינת ישראל תהא בעלת משטר דמוקרטי.  
(ב) ישראל תהא מושתתת על יסודות החרות הצדק והשלום לאור חזונו של נביאי ישראל ומחויבת לזכויותיהם האישיות של כלל אזרחיה כמפורט בכל חוק יסוד.
- סמלי המדינה
4. (א) המנון המדינה הוא "התקווה".  
(ב) דגל המדינה הוא לבן, שני פסי תכלת סמוך לשוליו ומגן דוד תכול במרכזו.  
(ג) סמל המדינה הוא מנורת שבעת הקנים, עלי זית בשני צדדיה, והמילה "ישראל" למרגלותיה.
- שבות
5. כל יהודי זכאי לעלות ארצה ולקנות את אזרחות מדינת ישראל על פי חוק.
- קיבוץ גלויות וחיזוק הקשר עם העם היהודי בתפוצות
6. המדינה תפעל לקיבוץ גלויות ישראל ולחיזוק הזיקה בין ישראל ובין הקהילות היהודיות בתפוצות.
- עזרה לבני העם היהודי הנתונים בצרה
7. המדינה תפעל למתן עזרה לבני העם היהודי הנתונים בצרה ובשבי בשל יהדותם.
- מורשת יהודית
8. המדינה תפעל לשימור ולהנחלת המורשת והמסורת התרבותית, וההיסטורית של העם היהודי ולטיפוחה בארץ ובתפוצות.
- הזכות לשימור מורשת
9. המדינה תפעל לאפשר לכל תושב ישראל, ללא הבדל דת או לאום, לפעול לשימור תרבותו, מורשתו, שפתו וזהותו.
- לוח רשמי
10. הלוח העברי הוא לוח רשמי של המדינה.
- חג העצמאות וימי זיכרון
11. (א) יום העצמאות הוא יום החג הלאומי של המדינה.  
(ב) יום הזיכרון לחללי מערכות ישראל ויום השואה והגבורה הם ימי זיכרון רשמיים של המדינה.
- ימי שבתון
12. ימי השבתון הקבועים במדינת ישראל הם שבת ומועדי ישראל, בהם לא יועסק עובד אלא בתנאים שייקבעו בחוק; בני עדה המוכרת בחוק רשאים לשבות בחגיהם.
- המשפט העברי
13. (א) המשפט העברי ישמש מקור השראה למחוקקים ולשופטים בישראל.  
(ב) ראה בית המשפט שאלה משפטית הטעונה הכרעה, ולא מצא לה תשובה בדבר חקיקה, בהלכה פסוקה או בדרך של היקש מובהק, יכריע בה לאור עקרונות החירות, הצדק, היושר והשלום של מורשת ישראל.
- שמירת מקומות קדושים
14. המקומות הקדושים יהיו שמורים מפני חילול וכל פגיעה אחרת ומפני כל דבר העלול לפגוע בחופש הגישה של בני הדתות אל המקומות המקודשים להם או ברגשותיהם כלפי אותם המקומות.

15. אין פוגעים בזכויות שלפי חוק־יסוד זה אלא בחוק ההולם את ערכיה של מדינת ישראל, שנועד לתכלית ראויה ובמידה שאינה עולה על הנדרש, או לפי חוק כאמור מכוח הסמכה מפורשת בו.

פגיעה בזכויות

16. אין לשנות חוק־יסוד זה אלא בחוק־יסוד שנתקבל ברוב של חברי הכנסת.

נוקשות

## Background Reading

### 4. Moshe Koppel and Eugene Kontorovich, "Why All the Outrage Over Israel's Nation-State Law?" *Mosaic Magazine*, Oct. 8, 2018

After working its way through the Knesset for years, Israel's nation-state law, whose official title is Basic Law: Israel as the Nation-State of the Jewish People, finally passed on July 19 by a margin of 62 to 55 votes. Almost immediately, it was denounced in the strongest possible terms, and has continued to be denounced, by the political opposition at home, by the Palestinian Authority, and by a wide variety of observers abroad.

For Erel Margalit of Israel's Labor party, the new law represents nothing less than "an assassination of democracy that brings to mind dark periods in history"; for Zehava Galon of Meretz, it is "a declaration of war on Israel's Arab citizens and on Israel as a democratic and advanced society."

In addition to such wholesale denunciations of the new law, critics at home and abroad have singled out specific clauses or allegedly hidden motives for special opprobrium. They have protested that in one key article, the law maliciously demotes Arabic from its former status as an official language of the state; that in another it expresses a lack of proper solicitude for the Jewish diaspora; that in yet another, contrarily, it expresses greater solicitude for the Jewish diaspora than for Israel's own non-Jewish population, including, most insultingly, the Druze who loyally serve the state; and that in still another it offers a barely disguised brief for Jewish settlers in the disputed areas of the West Bank. More generally, some claim that, by egregiously omitting any reference to the principle of equality, the law subverts the very bedrock of civil liberty in a democratic society.

What's all the fuss about? At its core, Basic Law: Nation-State declares and defines Israel as the nation-state of the Jewish people and lists a number of specific manifestations of this definition, including Israel's flag, anthem, calendar, language, connection to the Jewish diaspora, and immigration and settlement policies. All of these have long been central precepts in Zionist thought and practice. If they strike some as problematic, that is no doubt largely because of the law's dual character: it is principally a law with concrete legal consequences but one that at the same time serves as a sort of mission statement for the state of Israel.

Let's begin by sketching the historical background of the new law and then proceed to review its content, explain its legal purposes, discuss its intended effects, and deal with its critics.

#### I. Israel's Missed Constitutional Moment

To this day, Israel does not have a constitution; instead, it has an incomplete set of "Basic Laws" with quasi-constitutional status. These cover both structural matters (as in Basic Law: The Knesset, Basic Law: Government, and Basic Law: Judiciary) and substantive matters (as in Basic Law: Human Dignity and Freedom, and Basic Law: Freedom of Occupation).

In 2003–2004, the Knesset’s Constitution and Law committee held a series of meetings chaired by MK Michael Eitan, the aim of which was to adapt and supplement these basic laws in order to construct and attempt to pass a complete constitution. During the discussions, two main points of contention emerged between left-leaning and right-leaning members of the committee; following the division within the basic laws themselves, one point of contention was structural, the other substantive.

The structural point, ostensibly a mere procedural matter, involved the question of appropriate checks and balances between the judicial branch and the executive and legislative branches. The substantive point, which many thought would be the main stumbling block, involved the relationship between Israel’s character as a democratic state and its character as a Jewish one.

As it turned out, however, reaching agreement on the procedural issue became virtually impossible, while reaching agreement on the substantive issue wasn’t all that difficult. In the case of the latter, a Knesset sub-committee was formed to prepare a draft constitutional chapter on Israel’s Jewish character, and one of us (Koppel) was given the task of negotiating an agreed text. The two most engaged members of the sub-committee were the representative of the ḥaredi Yahadut Hatorah party and the representative of the anti-ḥaredi Shinui party. This made the prospects for agreement appear bleak. But in fact, and in defiance of common misperceptions, the differences were hardly insurmountable: the Ḥaredim didn’t demand lip service to a clerical state, and the secularists didn’t demand lip service to a secular republic.

The remaining gaps were easily bridged. All sides agreed that Hebrew would be Israel’s main language and Arabic would enjoy a special status; that Israel’s flag, anthem, and emblem (the seven-branched menorah) would remain unchanged; that the Jewish calendar would be an official calendar and Shabbat the official day of rest, but that non-Jews could observe their own day of rest; and that Israel would maintain a special connection to Jews in the diaspora and would remain open to those who wished to return to their ancestral homeland.

One telling interaction perfectly captured the flavor of the discussion. After debating whether Israel’s education system should include among its goals the transmission of Jewish “culture” (*tarbut*), as the secularist representative preferred, or Jewish “tradition” (*masoret*), as the ḥaredi representative preferred, both sides decided they could live with “heritage” (*moreshet*).

In other words, so long as the discussion remained at a sufficiently high level of concreteness and a sufficiently low level of granularity, most problems could be resolved by creative wordsmithing. There was even broad consensus with regard to the proposed constitution’s chapter on human rights.

If these major matters of principle were largely agreed upon, why did the constitutional moment pass without producing a consensual document?

For one main reason: even while there was broad agreement that Israel should be defined as both a Jewish nation-state and a democracy with a full regimen of human and civil rights, the right and the left had conflicting fears about how this arrangement could go awry. Each could easily imagine situations in which the collective Jewish right to a nation-state would be in tension with the rights of individuals. (Thus, for example, giving substance to Shabbat as a day of rest could infringe the right to engage

freely in commerce.) The left feared that the resolutions of these hard cases would limit liberty or equality; the right feared they would dilute the Jewish character of the state.

The crucial issue was therefore the procedural one: who would be empowered to *resolve* these tensions between competing constitutional values? The right was willing to bet on the democratic process and wished to leave as much discretion as possible to the legislature. The left, contrasting the motley crew of parliamentarians – right and left, Ashkenazi and Sefardi, Jewish and Arab, secular, traditionalist, and *haredi* – to the homogeneous lineup of Supreme Court justices – preponderantly secular, left-leaning, and Ashkenazi – decided to bet on the judicial branch, which it saw as more sympathetic to its preferences.

## II. Who Decides?

The left's confidence that Israel's Supreme Court would decide these issues in ways mostly aligned with its preferences was not misplaced. Ever since the 1980s, the Court's justices have consistently downplayed the collective Jewish right to a nation-state that reflected Jewish preferences, sometimes even tilting toward preferential treatment of non-Jews. Consider some notable cases:

- In 1989, the Court upheld the Bedouin town of Segev Shalom in its refusal to lease land to a Jewish police officer. But in 2000 it ruled *unconstitutional* the Jewish Agency's refusal to lease land in the Jewish communal settlement of Katzir to an Arab. In the Court's view, while it was impermissible for Jews to discriminate in housing against Arabs, the reverse was acceptable.
- In 1988, the Court upheld the decision of the Knesset's Elections Committee to disqualify Meir Kahane's Kach party on the grounds that it espoused racist views; in 2003, the Court overruled the same committee's decision to disqualify the Balad party and its founding member Azmi Bishara on grounds of support for insurrection, although Bishara, in the presence of leading terrorists, had given a speech in Syria calling for "resistance" against Israel. (Bishara was reelected to the Knesset but fled the country amid charges of espionage during the Second Lebanon War.)
- When over 130,000 Palestinian men exploited a loophole in the Citizenship Law to obtain residency rights and citizenship in Israel by marrying Israeli Arab women, the government made a temporary revision to the law that limited automatic citizenship on the basis of marriage to residents of countries and territories not currently belligerent to Israel. The Court upheld the revision by a razor-thin 6–5 majority but made clear that its approval was based solely on grounds of security and that it would strike down the revision if it were made permanent. The prospect of such judicial action hangs like a Damocles sword over Israel's demographic calculus.
- Beginning in the 1980s, the Court interpreted local Sabbath ordinances and national labor laws in artificially narrow ways to exclude from their scope, for example, movie theaters and all businesses owned by cooperatives. Then, in two

cases in 2003 and 2004, the Court ruled that although in principle local Sabbath ordinances violated Basic Law: Freedom of Occupation, specific violations might be tolerated. In short, it served notice that the very concept of Sabbath laws was vulnerable to constitutional attack. (It bears noting that while Sunday blue laws have been significantly limited in many U.S. and European jurisdictions in recent years, this has almost always been as a result of legislative revision rather than judicial fiat.)

The point is not that these outcomes were substantively problematic – in many cases they were not – but rather that the Court substituted its judgment for that of the legislature or executive, and always did so in the same political direction. This it accomplished by arrogating to itself the authority – never given it by law – to strike down government action on the basis of values and principles that the justices themselves divined from the ether, and by exploiting an asymmetry in Israel’s legal system.

Which returns us to the structural problem, the problem of checks and balances that should have been easier to overcome but wasn’t.

The problem had its roots in the aggressive judicial activism of Aharon Barak, a Supreme Court justice from 1978 to 1995 and its chief justice from 1995 until 2006. Under Barak, the usual limits on whose petitions the Court could choose to hear (the matter of standing) and which cases it could choose to hear (the matter of justiciability) had been done away with. Barak unilaterally declared a “constitutional revolution,” according to which Israel’s existing Basic Laws, and particularly Basic Law: Human Dignity and Freedom, could serve as the basis for striking down ordinary statutes.

That basic law, however, had been broadly worded and was almost devoid of specific content. To turn it into a tool for invalidating government action, Barak developed a mode of judicial interpretation that read those laws favored by the Court as broadly as possible and essentially ignored the text of laws that offended the justices’ ideological preferences. Finally, taking advantage of the dominating presence of already sitting Supreme Court justices in the appointments process for new ones, Barak stacked the Court with his disciples.

The upshot: Israel had a Supreme Court that assumed its authority to use basic laws to strike down ordinary statutes and actions by government agencies. And as if that were not enough, the roster of basic laws suffered from a fundamental lacuna: there was no basic law anchoring the Jewish collective right to a nation-state. Thus, in all of the above examples, and in countless other similar cases, preserving Israel’s Jewish character was never even a matter that needed to be *considered* by the Court.

### III. Why the Nation-State Law is Necessary

This, then, was the situation prior to passage of the nation-state law, a situation exacerbated by, as we’ve seen, the failure of the constitutional initiative in the early 2000s to gain momentum. In the wake of that failure, no machinery existed to establish basic checks and balances on the Court’s authority, for instance by restoring standard

limitations on standing and by removing already sitting justices from the judicial-appointments committee for new ones.

Given the political difficulties in getting such remedies passed, attention shifted to matters of substance. In 2009, when the constitutional initiative finally ground to a halt, the Institute for Zionist Strategies, a small Jerusalem-based non-profit, began the process of advancing a Basic Law defining Israel as the Jewish nation-state. The initial draft was largely similar to what had been presented to the Knesset committee in 2004, with the exception of three additional provisions regarding interpretation (“all statutes shall be interpreted in light of this law”), purposes (“to advance Israel as a Jewish and democratic state”), and, in the event of lacunae in Israeli law, an appeal to “principles of justice in the Jewish heritage.”

The first version of the proposed Basic Law was introduced in the Knesset in 2011 by MK Avi Dichter, then of the centrist Kadima party, and was co-signed by 40 MKs, including 20 members of Kadima, several members of the Labor party, and Hamed Amar, then the only Druze member of the Knesset. The version that passed this July was very similar to the 2011 version, but with the three added provisions eliminated.

What have the framers of the new basic law hoped to achieve by passing it?

When justices consider how to interpret statutes concerned with Israel’s Jewish character, it is appropriate that they consider, among other legitimate desiderata, the need to preserve Israel’s character as the nation-state of the Jewish people. The new law confers on them both the obligation and the legal means to do so.

But this does not mean that Basic Law: Nation-State is intended in any way to regulate individuals’ lives. Quite the contrary; it primarily regulates *government* operations, not private action.

Yes, like any law, the new one may entail some incidental restrictive consequences for the benefit of a common collective good. But that is no reason to keep matters of national character off the list of those collective goods that a polity can constitutionally seek to pursue. In this respect, the framers of the law trust elected representatives of the citizenry to do a better job of striking the right balance between collective and individual interests than have self-perpetuating elites in the judiciary.

To be sure, judges who by dint of ideology and identity are unsympathetic to manifestations of nationalism will have little difficulty finding the interpretive tools to construe the new Basic Law in a way that allows them to reach precisely the same conclusions they would reach in its absence. But *some* judges will surely have the integrity to take the law seriously. Besides, the passage of a basic law with which some judges are unhappy could force a reconsideration of the exaggerated importance that the Court has attached to previous basic laws, using them to cast a pall over every statute and government decision.

What originally made the basic laws basic was that they dealt with certain “basic” aspects of government: the composition of the Knesset, elections, and so forth. It was only in Barak’s judicial revolution that they would become broad fonts of unenumerated principles for striking down other legislation enacted by the same Knesset. If the new basic law encourages a bit of judicial modesty and newfound restraint, this, too, would be progress.

Indeed, there are indications that such a reconsideration is under way. Left-wing legal scholars have recently engaged in frenzied efforts to find constitutional grounds for disqualifying Basic Law: Nation-State, itself now part of Israel's constitution. So far they've appealed to a nebulous concept called "basic principles of the legal system," to Israel's Declaration of Independence, and even to the theoretical writings of American law professors and a decision of the supreme court of Bangladesh.

Although, from our point of view, these scholars are looking in all the wrong places, in their own inchoate and perverse way they are trying to come to grips with the fact that judicial overreach has turned the basic laws into monsters, the dangers of which are now coming into clearer focus.

In short, the new basic law is leading some on the left to argue that basic laws are not so basic after all; although it's unlikely these jurists will apply that principle to the laws they like, the idea is now firmly out there.

So much for what the framers hope to achieve by way of legal substance. As we mentioned earlier, a secondary purpose served by the new basic law is as a mission statement that defines which Jewish national purposes Israel can and should effectively serve. If we wish to teach our children that Israel is a Jewish nation-state, we need to define concretely what that entails. If we wish to demand from others that they live peacefully alongside us however we choose to define ourselves, we ought to flesh out that definition. This definition could not have been achieved in a non-binding declaration; an operational definition had to be made explicit in a law with some teeth.

As a mission statement, the proposed law is as careful about what it doesn't include as about what it does include. Based on the discussions described above, it seeks consensus across a broad range of Zionist Israelis. There is thus no mention of the chief rabbinate and no mention of religious legislation. The drafters have a more modest goal: the state should serve as a framework in which the majority of citizens already committed to some form of Jewish identity are able to manifest that collective identity in the public sphere. With this in mind, the law focuses on a broad consensual definition of Jewishness – one that focuses on Judaism as a civilization with its own language, symbols, calendar, holidays, sense of peoplehood, and territory.

The fact that these consensual elements have drawn such fierce opposition only underlines the need for a clear and resolute statement of principles. Let's therefore turn to the language of the law itself, restricting our own comments mainly to the provisions that have drawn the most fire.

## IV. What the Law Actually Says

### BASIC PRINCIPLES

- A. *The Land of Israel is the historical homeland of the Jewish people, in which the state of Israel was established.*
- B. *The state of Israel is the nation-state of the Jewish people, in which it realizes its natural, cultural, religious, and historical right to self-determination.*
- C. *The exercise of the right to national self-determination in the state of Israel is unique to the Jewish people.*

## STATE SYMBOLS

- A. *The name of the state is Israel.*
- B. *The state flag is white, with two light-blue stripes close to the edges, and a light-blue star of David in its center.*
- C. *The state emblem is a seven-branched menorah with olive leaves on both sides and the word "Israel" at its base.*
- D. *The state anthem is "Hatikvah."*
- E. *Details regarding the state symbols shall be determined by law.*

## STATE CAPITAL

*Jerusalem, complete and united, is the capital of Israel.*

The first clause of the law establishes not only that Israel is the nation-state of the Jewish people but that it is not the nation-state of any other people. This language has clearly sounded harsh to some ears, but in fact it is designed merely to block potential arguments that Israel is also the nation-state of a Palestinian people, thereby denying Jews any national home of their own.

The second clause specifies that Israel's flag, anthem, and symbol reflect its Jewish character. There should be nothing controversial about any of this. The entire notion of a nation-state is of a national body that, in its official and symbolic capacities, provides an outlet for and recognition of a particular character. The point of symbolic expressions of national purpose is precisely their unitary nature: national character is a corporate, collective property, and is not divisible. A country can have, for example, only one flag and one anthem.

America is an exception, even among Western democracies.

For some Americans and/or Canadians, the notion of a state as expressing a people's self-determination may seem counterintuitive; their countries were not established on such principles. But America is an exception: many, if not most, Western democracies are nation-states that embody the majority people's collective particularistic aspirations.

Nor have such provisions ever been thought to conflict with equal rights for members of minority groups. The fact that Israel's passage of such measures provokes controversy only demonstrates the ongoing need for the Jewish people firmly to assert their national rights both to the world and to themselves.

## LANGUAGE

- A. *Hebrew is the state language.*
- B. *The Arabic language has a special status in the state; arrangements regarding the use of Arabic in state institutions or vis-à-vis them will be set by law.*
- C. *Nothing in this article shall affect the status given to the Arabic language before this law came into force.*

Note that the establishment of Hebrew as Israel's national language does not limit individual rights. Unlike the constitutions of Spain and Quebec, both of which require

the knowledge or teaching of the official language *for all*, Israel's provision applies only to government operations.

Next, the new law establishes Hebrew as the national language with a special status for Arabic; this is both a fair reflection of the status quo ante and more generous than the language policies of many Western democracies, most of which have only one national language – the primary one spoken in the country – even when there are substantial minorities with different native languages.

Critics claim that the law “demotes” Arabic. This claim is refuted by the very text of the law, which explicitly guarantees the “status quo” of the Arab language. As it happens, the prior status of Arabic is somewhat ambiguous: until now, Israel has relied on a holdover provision from the British Mandate giving official status to Hebrew, Arabic, and English (the last-named being eliminated in 1949), and judicial decisions have generally pointed to some special status for Arabic, though not quite equal to Hebrew. In any event, the status of Arabic prior to passage of the law is exactly the status of Arabic after passage of the law.

#### INGATHERING OF THE EXILES

*The state shall be open for Jewish immigration, and for the ingathering of the exiles.*

The reference in the second half of the sentence, from an ancient Hebrew formula, is to the legislation known colloquially as the Law of Return. This provision anchors in basic law the most fundamental principle of Zionism: that the state of Israel will always serve as a safe haven for all Jews, wherever they may be. The thorny issue of the definition of Jewishness for purposes of this provision is left to ordinary legislation.

#### CONNECTION WITH THE JEWISH PEOPLE

- A. *The state shall strive to ensure the safety of members of the Jewish people and of its citizens who are in trouble or captivity due to their Jewishness or their citizenship.*
- B. *The state shall act, in the diaspora, to preserve the ties between the state and members of the Jewish people.*
- C. *The state shall act to preserve the cultural, historical, and religious heritage of the Jewish people among Jews in the diaspora.*

The nation-state law declares Israel's ongoing solicitude for the Jewish diaspora; this is one of the foundations of Zionism, regarding which all Israelis are justifiably proud. As noted earlier, some Jewish spokesmen in the diaspora have objected that this provision is *insufficiently* solicitous, pointing to the late addition of the phrase “in the diaspora” in clause 6b. In fact, the phrase was added simply to prevent the undemocratic scenario in which all activity in Israel could be legally judged with an eye toward its perception abroad.

Others have objected that the law is *overly* solicitous of Jews in the diaspora, presumably at the expense of Israel's non-Jewish citizens. But such constitutional provisions are anodyne and appear in many Western liberal constitutions. For example, Article 2 of the Irish constitution states that “the Irish nation cherishes its special

affinity with people of Irish ancestry living abroad.” Similarly, Slovenia’s constitution states that it “shall maintain concern for the autochthonous Slovene national minorities in neighboring countries.” Israel’s Basic Law: Nation-State is squarely in line with such provisions.

## JEWISH SETTLEMENT

*The state views the development of Jewish settlement as a national value, and shall act to encourage and promote its establishment and strengthening.*

This provision has drawn the heaviest criticism. To grasp its purpose, we need to understand the current social and legal situation.

Under current law as interpreted by the Court, Jews, as we saw above, can be legally prevented from leasing land in Arab towns but not the reverse. Moreover, in Jerusalem, the Palestinian Authority prescribes the death penalty for those Palestinians who sell land to Jews. The nation-state law does little to remedy this situation. It certainly does not authorize the creation of towns just for Jews.

What, then, *does* the new law do? In Israel, most municipal infrastructure is provided, or at least subsidized, by the central government in Jerusalem. Because Jews and Arabs generally self-segregate by mutual preference, government subsidies to particular areas are effectively “marked.” The new law will thus allow the government to allocate subsidies that will “encourage . . . close settlement by Jews” (to borrow the language of the League of Nations Mandate for Palestine).

Such settlement policies are necessary to prevent irredentism. In the words of Tzipi Livni, who happens to be one of the law’s biggest critics, “encouraging the development of the Negev and Galilee is an aim that crosses party lines and is a key element of the new Zionist vision.” Livni is obviously referring here to Jewish settlement, as the bulk of Israel’s Arab population already lives in those regions. Presumably, though not certainly, the law will make allocations that advance such national-security needs constitutionally possible.

It should also be mentioned that this law is applicable to the same territory as any other law passed by the Knesset. Though some have erroneously suggested otherwise, the word “settlement” (*hityashvut*) refers to the establishment and building of communities anywhere; it has no special connotation of “Judea and Samaria.”

## OFFICIAL CALENDAR

*The Hebrew calendar is an official calendar of the state, and the secular calendar shall serve alongside it as an official calendar; the use of the Hebrew calendar and the secular calendar shall be determined by law.*

## INDEPENDENCE DAY AND MEMORIAL DAYS

- A. *Independence Day is the official national holiday of the state.*
- B. *Memorial Day for the Fallen in Israel’s Wars, and the Holocaust Martyrs’ and Heroes’ Remembrance Day, are official memorial days of the state.*

## DAYS OF REST AND STATUTORY HOLIDAYS

*The Sabbath and the Jewish holidays are the established days of rest in the state; non-Jews have the right to observe the days of rest on their days of Sabbath and holidays; details regarding this matter shall be determined by law.*

The use of the Jewish calendar for official purposes is not controversial. Haredi representatives asked only that Israel's Independence Day and Memorial Days, which their communities do not observe, be referred to as "official" holidays to distinguish them from traditional holidays. The Sabbath and Holidays clause is intended to anchor these in a basic law as days of rest so as to prevent constitutional challenges to the very concept of commercial restrictions on these days. The details are left for the legislature.

### v. Why Equality Isn't in the Law

One of the most common, but strangest, arguments against the basic law focuses on what's not in it – namely, a provision guaranteeing equal rights to non-Jewish citizens.

While most countries have unitary constitutions, the various elements of which are passed simultaneously, part of the basic-law process in Israel is that each issue is dealt with separately. The protection of individual rights is thus covered in Basic Law: Human Dignity and Freedom. The Court has already read equality into that law; if the legislature wishes to make equality explicit in *that* law – a risky proposition, as we shall soon see – it is perfectly free to do so. But equality would be relevant in Basic Law: Nation-State only if something in it compromised the equal rights of individuals; nothing does.

Equality, furthermore, is a broad term of no specific definition, so slippery that there's no knowing what you're likely to get from invoking it. Would you have guessed, for example, that according to the doctrine of equality as derived by Israel's judiciary from Basic Law: Human Dignity and Freedom, the Bedouin town of Rahat cannot maintain separate hours for men and women in its municipal swimming pool? Deputy Attorney General Dina Zilber has just informed the mayor of Rahat that this is the case. Moreover, judges have already declared that an explicit equality clause in a basic law would give them much greater leeway than even that.

What would be the consequences of such a clause? Again, nobody knows. It could mean that restrictions on citizens of hostile regimes applying for citizenship in Israel on the basis of family reunification are unconstitutional – or it could not. It could mean that gender-separated classes in a haredi college are unconstitutional – or not.

Enthusiastic supporters of such an added provision would therefore be well advised to be careful what they wish for. The Supreme Court has already invalidated, on equality grounds, draft legislation excusing Haredim from Israel's military draft; it could read an explicit equality provision in the new Basic Law as authorization to invalidate the even broader draft exception for Arabs, which to many might seem glaringly at odds with equality.

On the other side of the spectrum, many Israeli Druze have objected to Basic Law: Nation-State on the grounds that their loyalty to the state and their service in the army are given no special recognition. Perhaps this objection could have been anticipated and handled more effectively in the rollout of the law. But it is important to note that, despite what some have suggested, the inclusion of an equality clause would not have addressed the Druze objection. Quite the contrary: an equality clause might well render unconstitutional any such preferential recognition for Druze, and conceivably any special benefits for veterans altogether.

In sum, simply including the word “equality” does not resolve important questions. At best, it functions as a feel-good signal of virtue and righteousness that utterly ignores how feel-good language in a law is liable to have feel-bad consequences in practice. At worst, in Israel it would just delegate those important questions to the unfettered whims of an activist Supreme Court, which could use a vague equality provision to strike down any law or government action it didn’t like on grounds of unequal consequences. Nor would it be unreasonable to conclude that this is the real agenda behind the push to add an equality provision to the new basic law.

To put it straightforwardly: although we strongly support equality of individuals before the law, we are not prepared to hand an activist and politically-biased Court a blank check to complete its takeover of Israel’s political system.

## VI. A Seminal Moment

**BASIC LAW:** Nation-State gives constitutional force to the fundamental principles of Zionism. It does so without imposing duties on or denying rights to any individuals. It is consistent with similar provisions found in other Western nation-states. The need for anchoring these principles in a basic law has grown ever more urgent as Israel’s Supreme Court has slowly but surely endeavored to erode Israel’s Jewish character, an endeavor abetted in part by the absence of just such a basic law.

The need for this law is made further manifest by the continuing opposition to the very idea of a Jewish nation-state. We have in mind not those advocates of national self-determination for everyone on earth – first and foremost the Palestinians – with the single exception of the Jews; bigotry of this order deserves no response. Rather, we have in mind those, in Israel and in the diaspora, who call themselves Zionists, and for whom the content of this law would have been entirely consensual less than a generation ago, but who now find themselves bothered by it for reasons they appear to have trouble articulating – hence the frenetic and sometimes self-contradictory striking out at one thing after another.

Indeed, many of the very same members of the Knesset who co-sponsored a *more* robust version of this bill in 2011 suddenly claim to be horrified by its weaker version. One such co-sponsor, MK Hamed Amar, is now petitioning the Supreme Court to strike the new law down. One could get the impression that those not engaged in cynical political opportunism have been swept up in the tides of elite anti-nationalist sentiment and now simply find this law “too Jewish” for their taste.

Basic Law: Nation-State was written, promoted, and passed by those who remain firm in their commitment to a Jewish nation-state *and* to individual freedom. We

believe their resolve will not go unrewarded. A decade or two from now, when the political dust has settled, the passage of Basic Law: Nation-State will be regarded as a seminal moment in Israel's maturation both as the national home of the Jewish people and as a beacon of liberty.

### **3. Mohammed Darawshe, "Only Jews Can Stop This Disgrace," *The Jerusalem Post*, Aug. 6, 2018**

I have always refrained from comparing the Israeli regime to an apartheid regime. I've even said that the comparison is inaccurate, because Israel's democratic principles redound to its defense, and the problem is in actualizing them and not in their essence.

I thought for decades that the Jewish and democratic character of the state could exist together – if democracy were the highest value, the organizing principle for our daily life and for this country's civil policies.

I thought, as did Aharon Barak, a former president of Israel's Supreme Court, that the state's Judaism would mainly be expressed in symbolic elements, in the bestowal of preference to Jews in the immigration laws, and as an expression of the identity of the Jewish majority in the public space. I thought, as he did, that it could end there and not deteriorate into preferential treatment by the state in civic, ethnic, or national terms vis-à-vis its citizens.

But that deterioration is now reaching a point where the direction of the slope is more pronounced. The downturn is the new Nation-State Law, which the Israeli right-wing leadership has worked mightily to pass, while many sectors of the public identified with the political center have engaged in shameful foot-dragging.

If this legislation is allowed to stand, it will fundamentally alter the connection between me and the State of Israel. In fact, my citizenship will stop being authentic citizenship and become merely a technicality. It will be impossible from my standpoint to sustain an emotional attachment to the state, its institutions, its symbols and its values.

The state will be institutionalizing my status as a second-class citizen, institutionalizing discrimination and institutionalizing its selectivity in allocating resources, in closing off spaces and in everything else about the general appearance of the state's character. Israel will morph shamelessly into a racist state, de jure as well as de facto.

I am unable to fathom the depths of braggadocio and irresponsibility on the part of those pushing this Nation-State Law. In truth, I am not really willing to try to understand them. Those who are working to reinforce my inferior status – and that of my children and my people – in this country, have no part to play in a values-based discourse about democracy or a shared society in Israel.

I will not be surprised if this legislation turns out to have an additional phase, one that will include revocation of citizenship, outright revocation of the right to vote or a contingent right to vote, segregation on buses, cancellation of National Insurance payments, and even a prohibition on the use of the Arabic language, on land ownership, and so forth. The gradient of the downward slope is increasing, with no one to stop it. Israel 2019 will be a selective democracy, like South Africa under apartheid.

This is a historic moment, for me and for the country. I can sound a warning, feel pain, shout, advise caution. But I am the injured minority, which has no part in the decision-making process here. None of the country's leaders, not one of the prime movers behind this law, will heed my shouting. Only Jews can try to stop this disgrace, just as only whites were able to emancipate the slaves in the United States.

In a speech to the US Congress on March 15, 1965, President Lyndon Johnson said, "There is no Negro problem. There is no Southern problem. There is no Northern problem. There is only an American problem." Here in Israel, likewise, the problem is not mine, nor is there an Arab problem. There is only an Israeli problem, and Israelis are the ones who will have to stand strong against the annihilation of democracy here

#### **4. Raoul Wootliff, "In Rare Rebuke, Rivlin Urges MKs to Amend 'Discriminatory' Jewish State Bill," *The Times of Israel*, July 10, 2018**

In an unusual public critique of proposed legislation, President Reuven Rivlin sent a letter Tuesday morning to Knesset members urging them to amend a controversial bill aimed at enshrining Israel's Jewish character in law, saying that the measure "could harm the Jewish people, Jews throughout the world and the State of Israel."

The controversial bill, long in the works, would for the first time in Israeli history enshrine the country as "the national home of the Jewish people," establish the Jewish People's "unique" right to self-determination within the State of Israel, and determine a series of constitutional measures defining the Jewish nature of the country.

Rivlin's criticism focused on a clause in the bill that declares, "the State may allow a community, including followers of a single religion or members of a single nationality, to establish a separate communal settlement."

According to the president, that clause "could do harm to the Jewish people, Jews throughout the world and the State of Israel."

In his letter to lawmakers, which he also sent to Prime Minister Benjamin Netanyahu, a vigorous backer of the bill, Rivlin said that the inclusion of such a provision would disrupt Israel's "delicate constitutional principles" and upend past hard-fought legislation and precedent-setting court rulings aimed at preventing discrimination against minorities.

If passed, the law would become one of the so-called Basic Laws, which like a constitution underpin Israel's legal system and are more difficult to repeal than regular laws.

Judaism is already mentioned throughout the country's laws, and religious authorities control many aspects of life, including marriage. But the 11 existing Basic Laws deal mostly with state institutions like the Knesset, the courts and the presidency, while Basic Law: Human Dignity and Liberty defines Israel's democratic character.

Rivlin cited the "Admission Committees Law" passed in 2011, when he served as Knesset speaker, which allows communities to turn down new members who would harm the "social and cultural fabric of the community" but includes strict prohibitions for rejecting candidates based on "race, religion, gender, nationality, disability, personal status, age, parenthood, sexual orientation, country of origin, or political affiliation."

He said that the Jewish state bill would permit discrimination based on those factors.

“Are we, in the name of the Zionist vision, willing to lend a hand to the discrimination and exclusion of a man or a woman based their background?” the president asked. He said that the law would “allow virtually every community, without any limitation or balance, to establish a community without Mizrahim [Middle Eastern Jews], without ultra-Orthodox, without Druze, without LGBT members.”

Rivlin added, “I am concerned that the broad manner in which this article was formulated, without balances, is liable to harm the Jewish people, Jews throughout the world and the State of Israel, and can even be used as a weapon by our enemies.”

Concluding the letter, he asked MKs “to reexamine the implications and implications of the proposed wording.”

##### **5. The Times of Israel Staff, “Israel’s President: Nation-State Law Is ‘Bad for Israel and Bad for the Jews,’” *The Times of Israel*, Sep. 6, 2018**

President Reuven Rivlin on Wednesday decried the recently passed so-called Jewish nation-state law as “bad for the State of Israel and bad for the Jews” and described the controversial legislation as part of a global pivot toward the silencing of dissent.

“I think that the nation-state law in its current version is bad for the State of Israel and bad for the Jews,” said Rivlin at a book launch event.

He lambasted the law – which enshrines Israel’s status as a Jewish state in its semi-constitutional Basic Laws – as part of a trend of deepening polarization in both Israeli society and the world.

“This law is part of a broader trend, a global one perhaps, that seeks to silence the debate,” said Rivlin, a former member of Prime Minister Benjamin Netanyahu’s governing Likud party. “[It] strives for a reality in which there are two options: Either you are with me, or you are against me. Either you are with me, or you are a traitor, an enemy. [This holds] whether you are a leftist, or whether you are the president.”

Though the presidency is mostly a ceremonial role, Rivlin has not refrained from issuing withering criticism of the nation-state law passed by the Knesset in July, which critics have argued poses a threat to the rights of Israel’s minority communities.



## UNIT 8

# ANTISEMITISM AS A DIVISIVE FORCE

This unit explores the challenges to Jewish peoplehood posed by the current internal Jewish debate around antisemitism. For millennia, if there was any issue that united Jews, it was antisemitism. Today, however, it has become a central dividing line between Jews on the Left and on the Right, in Israel and in North America. We disagree on who should be classified as antisemitic and how we should respond to them. The goal of this session is to understand the causes and underpinnings of this new reality. We will explore new ways for thinking about the divide and detoxifying the debate that it has generated.

### UNIT 8 SOURCES

- |  |     |
|--|-----|
| 1. Babylonian Talmud, Eruvin 13b       | 168 |
| 2. Babylonian Talmud, Berakhot 10b–11a | 168 |
| 3. Babylonian Talmud, Hullin 5a        | 169 |
| 4. Maimonides, Responsa §449           | 169 |

### BACKGROUND READING

- |  |     |
|--|-----|
| 1. Donniel Hartman, “Pluralism, Tolerance and Deviance,”<br><i>The Boundaries of Judaism</i> (2007), 13–35 | 171 |
|--|-----|

## 1. Babylonian Talmud, Eruvin 13b

R. Abba stated in the name of Samuel: For three years there was a dispute between Beth Shammai and Beth Hillel, the former asserting, 'The halachah is in agreement with our views' and the latter contending, 'The halachah is in agreement with our views'. Then a bath kol issued announcing, '[The utterances of] both are the words of the living God, but the halachah is in agreement with the rulings of Beth Hillel'.

Since, however, both are the words of the living God' what was it that entitled Beth Hillel to have the halachah fixed in agreement with their rulings? Because they were kindly and modest, they studied their own rulings and those of Beth Shammai, and were even so [humble] as to mention the actions of Beth Shammai before theirs.

## 2. Babylonian Talmud, Berakhot 10b–11a

MISHNAH. Beth Shammai say: in the evening every man should recline and recite [the Shema], and in the morning he should stand, as it says, and when thou liest down and when thou risest up. Beth hillel, however, say that every man should recite in his own way, as it says, and when thou walkest by the way. Why then is it said, "and when thou liest down and when thou risest up"? [this means], at the time when people lie down and at the time when people rise up. R. Tarfon said: I was once walking by the way and I reclined to recite the Shema in the manner prescribed by Beth Shammai, and I incurred danger from robbers. They said to him: you deserved to come to harm, because you acted against the opinion of Beth Hillel...

R. Ezekiel learnt: If one follows the rule of Beth Shammai he does right, if one follows the rule of Beth Hillel he does right. R. Joseph said: If he follows the rule of Beth Shammai, his action is worthless...

אמר רבי אבא אמר שמואל שלש שנים נחלקו בית שמאי ובית הלל הללו אומרים הלכה כמותנו והללו אומרים הלכה כמותנו יצאה בת קול ואמרה אלו ואלו דברי אלהים חיים הן והלכה כבית הלל.

וכי מאחר שאלו ואלו דברי אלהים חיים מפני מה זכו בית הלל לקבוע הלכה כמותן מפני שנוחין ועלובין היו ושונין דבריהן ודברי בית שמאי ולא עוד אלא שמקדימין דברי בית שמאי לדבריהן.

משנה. בית שמאי אומרים: בערב - כל אדם יטה ויקרא, ובבקר יעמוד, שנאמר: ובשכבך ובקומך. ובית הלל אומרים: כל אדם קורא כדרכו, שנאמר: ובלכתך בדרך; אם כן, למה נאמר: כושכבך ובקומך? - בשעה שבני אדם שוכבים ובשעה שבני אדם עומדים. אמר רבי טרפון: אני הייתי בא בדרך והטתי לקרות כדברי בית שמאי, וסכנתתי בעצמי מפני הלסטים. אמרו לו: כדי היית לחוב בעצמך, שעברת על דברי בית הלל...

תני רב יחזקאל: עשה כדברי בית שמאי - עשה, כדברי בית הלל - עשה. רב יוסף אמר: עשה כדברי בית שמאי - לא עשה ולא כלום...

R. Nahman b. Isaac said: One who follows the rule of Beth Shammai makes his life forfeit, as we have learnt: R. Tarfon said: I was once walking by the way and I reclined to recite the Shema in the manner prescribed by Beth Shammai, and I incurred danger from robbers. They said to him: you deserved to come to harm, because you acted against the opinion of Beth Hillel.

### 3. Babylonian Talmud, Hullin 5a

One should accept sacrifices from the transgressors in Israel, so that they may be inclined to repent, but not from an Israelite *meshumad*, or from one who offers a wine libation (to idols), or from one who profanes the Shabbath publicly. Now this (Baraita) is self-contradictory. It says: "Of you, but not all of you, thus excluding a *meshumad*"; and then it says: "one may accept sacrifices from the transgressors of Israel!"

This is no difficulty. The former statement refers to one who is opposed to the whole Torah, while the latter statement refers to one who is opposed to one particular law.

### 4. Maimonides, Responsa §449

QUESTION: How should Rabbanites behave toward Karaites concerning the circumcision of their sons, inquiring after them, going to their homes, drinking their wine, and all other matters?

ANSWER: Indeed, dear honored fellow, judgement and wisdom are the main concern, and I understand from your question that you are a man of high virtue, piously mindful of complying with God's will, seeking to delve into the depths of the laws incumbent on God-fearing men, and I will answer your question as we have been shown from Heaven in the greatness of His glory. The Karaites living here in Alexandria and in the land of Egypt, and in Damascus, and in other places in Moslem lands and elsewhere, are worthy of respect.

רב נחמן בר יצחק אמר: עשה כדברי בית שמאי - חייב מיתה, דתנן אמר רבי טרפון: אני הייתי בא בדרך והטתי לקרות כדברי בית שמאי, וסכנתי בעצמי מפני הלסטים. אמרו לו: כדאי היית לחוב בעצמך, שעברת על דברי בית הלל.

מקבלין קרבנות ממושעי ישראל כדי שיחזרו בהן בתשובה, חוץ מן המומר ומנסך את היין ומחלל שבתות בפרהסיא; הא גופא קשיא, אמרת: מכם - ולא כולכם, להוציא את המומר, והדר תני: מקבלין קרבנות ממושעי ישראל!

הא לא קשיא: רישא מומר לכל התורה כולה, מציעתא מומר לדבר אחד.

שאלה: מענין הקראים איך יתנהגו הרבנים עמהם במילת בניהם ובשאיילת שלומם וללכת בבתייהם ומענין יינם ובשאר עניינים?

תשובה: אמנם אחי הנכבד והיקר, ושרש השכל והמדע עיקר, בינותי מתוקף שאלתו, כי נשאת ורמה מעלתו, ולדבר אלהינו ולמצותו הוא חרד, ולעומק הלכות יראה בקשה לירד ולפי מה שהורוני מן השמים אשיב לפי הדרת גדולתו ואומר כי אלה הקראים השוכנים פה בנוא אמון ובארץ מצרים וכדמשק ובשאר מקומות ארץ ישמעאל וזולתם ראויים הם לחלקם מחלקי הכבוד.

We should approach them honestly, and show decency when conducting our affairs with them, abiding by the ways of truth and peace as long as they too behave toward us in good faith, and “put away... a dissembling mouth and perverse lips” (Proverbs 4:24), refraining from slandering the Rabbinic sages of this generation. All the more so, they should forgo mockery and ridicule when considering the words of our holy sages, the tannaim of blessed memory, rabbis of the Mishnah and the Talmud whose words and rulings, as ordained by them, by Moses, and by God, we obey.

We are therefore commanded to respect Karaites and inquire after them even at their homes, to circumcise their sons even on the Sabbath, to bury their dead, and to comfort their mourners. Evidence for this can be learned from Gittin 61a: “We wish Gentiles a good harvest in the fallow year, and we inquire after them, for the sake of peace [*mipnei darkei shalom*]” ...

We learn: One does not go to the house of a Gentile on a day that misfortune afflicts him, and when meeting a Gentile at the market on his holiday, one greets him briefly and gravely. Hence, we infer from this that visiting a Gentile and inquiring after him on his holiday is allowed. Many stories in the Talmud point this out ... And if this is so concerning idolaters, it is even more so concerning those who repudiate all the laws of the Gentiles and acknowledge the one God, may His name be exalted, that we are to be allowed to inquire after them, even at their homes.

להתקרב אצלם במעשה יושר ולהתנהג עמהם במדת הענוה ובדרך האמת והשלום כל זמן שגם הם ינהגו עמנו בתמימות ויסירו מהם עקשות פה ולזות שפה מלדבר תועה על חכמי הרבנים שבדור וכל שכן כשישמרו לשונם מלהתלוצץ ומלהלעיג בדברי רבותי' ע"ה הקדושים התנאים חכמי המשנה והתלמוד שבדבריהם והמנהגים הקבועים לנו מפיהם ומפי משה מפי הגבורה אנו הולכים.

ובזאת יכון לנו לכבדם וללכת לשאול בשלומם אפי' בבתייהם ולמול את בניהם ואפי' בשבת ולקבור מתיהם ולנחם אבליהם וראיה לדבר הוא דתנן בגטין ... מחזיקין ידי גוים בשביעית ... ושואלין בשלומם מפני דרכי שלום ...

ותניא לא ילך אדם בביתו של גוי ביום אידו ליתן לו שלום ואם מצאו בשוק ביום אידו נותן לו שלום בשפה רפה ובכבוד ראש ש"מ דשלא ביום אידו מותר ללכת בביתו ולשאול בשלומו ומעשים רבים בתלמוד יוכיחו ... בהדי בי שישך וכו' כדאיתא במסכת ע"ז פרק ראשון ואם בעובדי ע"ז כן קל וחומר במי שכופר בכל חוקי הגוים ומודה באל יתעלה שמו שמוותר לנו לשאול בשלומם ואפי' בבתייהם.

## Background Reading

### 1. Donniel Hartman, "Pluralism, Tolerance and Deviance," *The Boundaries of Judaism* (2007), 13–35

A famous Jewish joke tells of a community which, after the death of its longstanding and revered rabbi, forgot its position on a certain central issue of Jewish law, leaving the community deeply divided between two factions. Not knowing what to do, the communal leaders went to the oldest member of the community, who was on his death bed. 'Reb Moshe', they pleaded, 'do you recall our tradition?' Immediately one faction began to press its point, arguing 'didn't we do it this way?' Not about to let their adversaries sway Reb Moshe, the second faction started to shout over the other, 'Reb Moshe, don't listen to those fools. In truth is this not our tradition?' The shouting continued unabated, with each side trying to drown out the other all throughout the day. When finally a moment of quiet descended on the room, Reb Moshe raised his frail hand and began to speak in a hushed voice. 'My memory is not what it used to be', he said, 'but this sounds very familiar. I remember that this same issue was raised in the community when I was a child. There were two factions each trying to shout over the other. The shouting, the debating – that is our tradition.'

The ability of individuals to live together in a common society and to construct their shared and agreed-upon boundaries is contingent on a delicate accommodation between two conflicting features of social life: commonality and difference. On the one hand, a community – as distinct from a crowd – is a collection of individuals who are bound together by virtue of their sharing some thing or things in common. Within the context of this community, the individual member or citizen is supposed to find like-minded individuals united by this commonality, which serves as both a foundation and a binding force for social life. What the group shares, on the basis of which it forges its union and boundaries, is dependent on the nature of the group as well as on how it understands and sees itself. Families, clubs, neighbourhoods, nations, religions, all define and perceive their commonality differently. It may be, for example, a function of race, religion, values, culture, or national origin, or any combination of the above.<sup>1</sup> Regardless of what it is that is shared, the reality of something shared is the foundation and binding force for collective life.

At the same time, this need for a centralized ethos that circumscribes a community's cultural space often threatens the very collective existence it purports to serve. A community formed around a shared ethos, with all its members inhabiting some common cultural space and with clearly delineated boundaries distinguishing the 'insider' from the 'outsider', is challenged by the reality of complex social groups. Other than in very specific and narrowly defined social arrangements (e.g. cults), communal life built upon absolute uniformity is simply not possible. In every community, together with that which its members share, there is rarely only one monolithic set of rules, either in their form or in their meaning, accepted by all members or interpreted in the same way.<sup>2</sup> Furthermore, even if at one time there was a high measure of commonality and agreement about the community's boundaries, it is only temporary,

as the boundaries themselves are rarely fixed; they shift constantly as the members of the group rethink the meaning and purpose of their collective identity in relation to those around them.<sup>3</sup>

Further adding to the complexity is the fact that rarely are communities constructed at some mythic founding moment, whereby those with a shared notion of a collective identity join together and form their social enterprise. These founding moments are generally 'imagined'. More often than not, we don't choose our fellow members – we inherit them, without a collective ethos shaping an admissions policy. We find ourselves bound to fellow members we did not choose and whom in reality we do not know. While collective life still requires that fellow members share something in common, the reality of difference and disparity among them pervades social life.

Those who participate in communal life must come to terms with the reality of difference and allow for disagreement between members on a wide range of issues, including those which are believed to be fundamental. This disagreement cannot be avoided. When a community cannot assimilate some degree of difference, its collective existence is threatened and its fate becomes one of constant factionalism, strife, and ultimately, bifurcation.

In trying to find the balance between the search for commonality and the reality of difference, social structures use three primary categories to assess, classify and ascertain which difference is allowed and which not. These three categories are pluralism, tolerance and deviance. When and why each is used is dependent on the nature of the differences, the communities, and the circumstances in question. The issue here is not to justify the use of one category over another in any given situation, but rather to point to the variety of responses that communities have at their disposal when attempting to strike the above-mentioned balance.

In this chapter, I will begin by exploring these three categories in terms of the role they play in maintaining social coherence and the way they comprise a spectrum and serve to police and protect communal boundaries. I will then consider the consequences of deviance and the range of responses available within Jewish law to differing forms of deviance. Finally, by way of illustration, I will conclude with the classical Talmudic debates between Bet Hillel and Bet Shammai, which involve an interplay between these categories.

## Pluralism

Pluralism is that category which assigns equal value to certain differing positions. At the foundation of pluralism lies, as Isaiah Berlin states, the recognition that 'human goals are many, not all of them commensurable, and in perpetual rivalry with each other'.<sup>4</sup> Those in a pluralist community are cognizant of the differences among members, but are able to perceive equal value in a multiplicity of positions. While pluralism does not necessitate the acceptance of all positions, and is not to be equated with relativism, it does recognize the possibility of equally valuable though differing goals and values which 'cannot be graded on a scale, so that it is a matter of inspection to determine the highest'.<sup>5</sup>

Difference which falls under the category of pluralism is the easiest and least

complicated for individuals and society to assimilate within one social structure. As they are viewed as having equal value, the diverse positions engender mutual respect amongst their respective advocates, and 'opposing' sides have little difficulty accommodating each other within the community's shared cultural space.

## Tolerance

No community can be entirely pluralistic and all difference cannot be contained under the category of pluralism. In fact, if moral and principled judgments are not to be reduced to relativism, the application of pluralism is necessarily limited in its scope. In most instances, individuals neither can nor should assess all difference of opinion as being of equal value. It is natural and often logical that they view some other stances as in some way either wrong or inferior, even if recognizing the subjective nature of their perception; and it is precisely because of this valuation that they make their particular choices.

It is within this range of assessment of difference that tolerance comes into play. As distinct from pluralism, tolerance is reserved for difference which one believes to be wrong.<sup>6</sup> As the twentieth-century English moral philosopher, Bernard Williams, argues, 'Toleration, we may say, is required only for that which is in principle intolerable.'<sup>7</sup>

This negative appraisal of that which is tolerated, however, need not engender either defensive or punitive measures, but can in certain circumstances activate a response of tolerance which in essence involves 'allowing, leaving undisturbed, something which you think is wrong'.<sup>8</sup> The individual in question remains a member, an 'insider' in the full sense of the word, a person with whom one shares one's collective space, despite the disapproval that his or her behaviour may engender.

Once it is recognized that difference is not a passing episode but rather an inherent facet of all social structures, it is precisely tolerance which serves as the foundation for these structures' survival and viability. What is important about tolerance, as distinct from pluralism, is that it allows fellow members to live together despite not merely differing from each other, but also disagreeing. Disagreement is not something that needs to be feared, nor will it lead to sectarianism and social bifurcation – so long as fellow members can learn to accept the fact that monolithic uniform social groups are neither a plausible reality, nor a necessity, nor possibly even an ideal.

## Deviance

Just as pluralism has its limits, so too does tolerance. Independent of the question of truth and the significance of debate and disagreement for human development, from a sociological perspective, boundaries must be erected, for 'each regime of toleration must be singular and unified to some degree, capable of engaging the loyalty of its members'.<sup>9</sup>

There is no viability for social life without some notion of boundaries and limits on the difference which it can accommodate. Without these boundaries it becomes impossible to locate that common core by virtue of which fellow members affiliate with one another and form a social entity.

That which serves to demarcate and govern these boundaries is the notion of deviance. As distinct from difference, which is assessed as tolerable and as such, left alone, deviance is that ‘conduct which is generally thought to require the attention of social control agencies – that is, conduct about which “something must be done”’.<sup>10</sup>

As the American sociologist Erich Goode defines it:

By deviance, I mean one thing and one thing only: behaviour that some people in a society find offensive and that excites – or would excite if it were discovered – in these people disapproval, punishment, condemnation of or hostility toward the actor.<sup>11</sup>

Through the category of deviance, a community distinguishes between the forms of variability and diversity it conceives as threatening to its identity, and those it is able to accommodate. Thus, in the societal balance, tolerance and deviance define one another: disagreement which is not deemed deviant is subject to tolerance, while that which is not tolerable is labelled as deviance.

## Tolerable and Intolerable Deviance

The dividing line between deviance and tolerance, and the relationship between them, is, however, far from stable or clear. Further complicating matters is the fact that there is a line of tolerance that often passes through deviance itself, distinguishing between two types of deviance: that which is tolerated, and that which is not. Now, the notion of a ‘tolerable deviance’ seems an oxymoron. Deviance is by definition that which is not tolerated. In what sense, then, can we speak of deviance which is?

While many forms of deviance generate upon detection an immediate response, there are in reality many others that communities decide to leave alone. As anyone who has ever crossed the street at a red light in plain view of a police officer can attest, neither all rules nor all violators are treated equally.<sup>12</sup> While functionally tolerated, these un-enforced laws and boundaries serve at least to define what is understood by the community to be correct behaviour and representative of its values and norms. One of the more interesting and prevalent examples of tolerable deviance is adultery. While universally condemned in almost every moral system, it nevertheless remains generally unsanctioned both legally and even socially. One of the telling indicators for deviance which has become tolerable is the culture of jokes which can be associated with it. Intolerable deviance is never a laughing matter. Whether it is adultery or speeding, to name but two examples, humour represents the fact that the severity of the deviance is diminished in the eyes of society.

Why certain forms of deviance are treated as tolerable and some laws are left unenforced varies. It may reflect a sense that the deviance is only marginally unacceptable; or it may be the result of an abundance of violators of the law, making sanctions unfeasible. Regardless of the reason, the fact that no formal sanctions are directed against the individual warrants the deviance in question to be classified as tolerable.

As distinct from deviance which is tolerated, the intolerable deviant is one whose transgression is considered to so severely contravene communal standards that it

constitutes a renouncement of core values and jeopardizes the integrity of shared cultural space. In this case, silence or the closing of the collective eye is neither possible nor desirable, and the community responds in a variety of ways. In its most extreme form, 'doing something' involves expulsion: stripping the deviant of his membership status and severing all personal and collective ties. It is this forsaking and forsaken figure that one can term the 'true outsider'.<sup>13</sup>

Though dramatically compelling, this lone, expelled stranger is in reality exceedingly rare. In the vast majority of instances, deviants, regardless of their crime, remain 'in' the community in the sense that they retain their basic status as members. Full expulsion is carried out sparingly, as a measure of last resort;<sup>14</sup> being branded an intolerable deviant in most instances entails relegation to the *margins* of membership and creates a status which may be termed an 'outsider within'. Through marginalization, basic membership status is retained, yet fundamentally altered. The anthropologist and sociologist Robert Scott describes this phenomenon in telling detail:

When a deviant label has been applied to a person, he is often demarcated off from the rest of the group and moved to its margins. As a rule, he is excluded from participating fully in group activities, and he may even be denied the kind of freedoms that are accorded to others as a matter of right. He is sometimes physically confined and denied the sorts of privileges that are routinely granted to people who are considered to be 'in good standing'. Thus, when a person has been labelled a deviant, he becomes a second rate citizen, who is in a symbolic sense 'in' but not 'of the social community in which he resides'.<sup>15</sup>

The process of relocating the individual to the status of being not 'of the community' involves a 'something' which serves to change the deviant's status and marginalize the individual in question. Of course, it is important to remember that not every response serves to marginalize, and consequently does not reflect intolerable deviance status. A telling example is the legal and social response to different degrees of speeding violations. In an area where the speed limit is 65 mph, it is generally accepted that a 10 mph discrepancy is acceptable. Police do not enforce infractions of a lesser degree and such violations are generally not viewed as deviant at all; they are contained under the categories of pluralism or tolerance or in some cases, possibly, tolerable deviance. Speeding in excess of this 10 mph will generate a legal response in the form of a ticket. This response, however, while constituting 'doing something', nevertheless does not generate intolerable status, but still falls under the classification of tolerable deviance. The fine is not associated with, and does not carry with it, any social stigmatization or marginalization. The individual is still 'in' in the full sense of the word. As proof of this status, the guilty individual will openly tell others (as long as they are not his parents!) about the experience and often generate sympathy at 'being caught'. Furthermore, even from the perspective of the authorities, the status of the individual in question has not changed; once issued with the ticket, he is allowed to continue to drive, and merge back into traffic as if nothing had occurred. This is not the case, for example, with an individual who exceeds the speed limit by 30 mph or is caught driving under the influence of alcohol or drugs. Such an individual is

taken off the road, an act which begins the process of status-change, and the penalty, whether suspension of licence or imprisonment, is intended to redefine the social status of and attitude towards the deviant in question.

This distinction between penalties which generate and reflect intolerable status and those which retain the status of tolerability is especially important when dealing with religious law in general and Jewish law in particular. Given that under Jewish law all violation (even inadvertent) of any negative precept engenders some sanction, the tolerable deviant who eludes penalty altogether will not be a common figure in Jewish legal sources. However, different sanctions – from the mildest fines to the strictest forms of corporal punishment – can be viewed in a strong (if not initially obvious) sense as reflecting tolerability. This formulation goes to the nature of sanctions. While initially seen as conveying intolerance, sanctions in fact simultaneously express a community's rejection of certain behaviours or ideas and its desire to retain all of its members – even those who may temporarily have strayed outside acceptable boundaries – and return them to good standing. Far from effecting a rejection of deviants, sanctions often serve as vehicles for their rehabilitation in society's eyes. A midrashic passage concisely illustrates the point:

*'Then your brother should be dishonoured before your eyes'* (Deut. 25:3): Once he has been beaten, he is [again] your brother. Hence the Sages have said: As soon as those who are liable to the penalty of excision are beaten, they are immediately released from this liability. R. Hananiah ben Gamliel says: All along Scripture calls him wicked, as it is said, *'Then it shall be, if the wicked man deserve to be beaten'* (Deut. 25.2), but once he had been beaten, it calls him 'your brother' as it says, *then your brother should be dishonoured.*<sup>16</sup>

It is precisely through the processes of sanction that deviant behaviour can be expiated and the (former) deviant reintegrated into society. Indeed, it would not be inaccurate to refer to communities' standard repertoire of sanctions as mechanisms of toleration. It is only when sanctions entail an ongoing change in relationship or status and serve to marginalize the deviant in questions, such as, for example, incarceration or differing forms of shunning, that the sanctions represent the assessment of intolerable deviance.

Thus, what I will refer to in the following chapters as tolerable deviance includes cases in which the deviant is sanctioned, but not relegated to society's margins. He retains (or recovers) his standing as *'ahikha'*, ('your brother') and despite deviant behaviour is still considered 'of the community and not merely 'in' it. Conversely, when sanctioning involves exclusionary measures that amount not only to a rejection of deviant behaviour but the marginalization of the deviant himself, this deviance will be classified as intolerable.

## The Relationship between the Categories

A community's ability to live with difference is enhanced in direct proportion to the rich variety of ways in which it is able to assess its diversity. Without some measure of pluralism, difference is always classified in terms of someone being right and

someone wrong. It requires an act of significant self-restraint, humility and largesse of spirit to declare that one thinks the other opinion to be wrong, yet nevertheless, to fight for its right to not merely exist, but to grow and influence others. The notion of pluralism enhances our ability to accommodate difference by educating people in the prospect that difference may exist without there necessarily being a hierarchy of value. Without tolerance, however, individuals are taught that the only difference they can live with is that difference to which they are willing to ascribe equal value. Given the value conflicts which often lie at the core of our disagreements, especially in the context of religious life, such an assessment of the other is difficult and rare. More often than not, we see the other as wrong, and it is because of this assessment that we make our choices. Tolerance enables us to remain committed to our own truth while at the same time allowing others to decide for themselves, even if we believe their decisions to be wrong.

Finally, without the notion of tolerable deviance, the range of disagreement with which we can live would be too narrow. Tolerance is simply not broad enough a category to contain the spectrum of differences that modern multicultural and multi-religious societies must incorporate. In particular, in the contemporary context, when the sense is that even before the boundary is erected, there are some who have already crossed it, there is a need for a broader and more subtle array of responses towards difference if communal life is to be possible. Through tolerable deviance, one can make the distinction between that which is outside one's notion of socially sanctioned norms and the need always to respond to every breach of these norms. Through the notion of tolerable deviance one learns the virtue of sometimes ignoring that which one believes to be wrong. Modern multicultural collective life (not to speak of families with adolescent children) is well served by members who, while severely disagreeing, are still capable of not paying too close attention to everything that their fellow citizens say, do and believe.

The need for mutual accommodation notwithstanding, without intolerable deviance we would not be able to sustain communities of meaning, communities which have some measure of social cohesion. Some difference needs to be rejected, not just in theory, but in practice, if fellow members are to be able to identify the shared cultural space that they inhabit. Furthermore, while it seems counter-intuitive, it is precisely in the context of social realities where disagreement is most rampant that the category of intolerable deviance plays a central role in creating social cohesion. When it is most difficult to identify the positive content of a community's shared cultural space, instead of agreeing upon that which they hold in common, members can begin the process of creating their shared social identity by structuring an agreement with regard to that which they reject and place outside their cultural boundaries. This agreement with regard to that which every member rejects is strong enough to maintain social cohesion while undergoing the ongoing (and possibly never-ending) process of social identity building on a positive level.

While all the categories play an essential role in the formation of social identity and cohesion, it is important to be aware that their role is not identical. Shared collective life is possible even when fellow members do not agree whether a particular difference is to be assessed under the category of pluralism, tolerance or tolerable

deviance. Regardless of the particular classification, in each instance the existence of the differing position does not necessitate a social or legal response. That is not the case when it comes to intolerable deviance. Here a high level of unanimity is necessary. Where there is debate as to what is beyond the boundaries, constant strife and sectarian tendencies will dominate, as one group attempts to marginalize some members with whom others live with in a condition of accommodation, if not tolerance or respect.

Second, in the social process of building and identifying a shared collective space, it is important to view pluralism, tolerance, tolerable and intolerable deviance as constituting a spectrum of social responses to difference, with pluralism and intolerable deviance serving as the extremes to be assessed more sparingly than tolerance and tolerable deviance. Where pluralism is used to encompass too broad a range of difference, a shared collective space becomes impossible to identify. Independent of the question of truth, social identity needs a specific identity, something that is unattainable if everything is of equal value and legitimacy. On the other hand, where intolerable deviance is assessed too expansively, this same identity becomes too narrow, leading to too many members finding themselves outside their society's boundaries. An unrestricted use of the category of intolerable deviance, while creating a clear and strong social identity, creates an identity which does not fit any real and complex social group. As a result, one of the more significant conditions for applying intolerable deviance is that it should not encompass too many members. Where that occurs, and the social structure is functioning well, that which is intolerable needs to be re-assessed as tolerable. If it is not, then the social group as it is presently known will disintegrate, and the social map will have to be redrawn.

## Intolerable Deviance and its Spheres of Marginalization

Marginalization is not a mono-dimensional response, with all forms of deviance classified as intolerable being treated in a similar manner. The legal and social responses will vary in both their form and degree, often in accordance with the severity of the deviance in question and/or the danger that such deviance is perceived to pose to the community and to its common values. In fact, the mastery of the art of marginalization is as critical to social life as the boundaries it serves to protect. For our purposes we may consider four spheres of marginalization: basic membership, ritual, loyalty and naming.

### I. BASIC MEMBERSHIP

By definition, marginalization affects the various manifestations of membership. Being classified as an insider is accompanied by various consequences, rights and benefits, all of which may be called into question when one's basic status is being redefined. In its most radical form, as stated above, the process of marginalization affects the intolerable deviant's standing in the sphere of basic membership. The sphere of basic membership is that sphere which grants the first and most fundamental good distributed by society: membership itself. It serves to delineate and encompass all

those who are members or insiders, distinguishing between citizen and non-citizen. Marginalization in this sphere leads to expulsion and to the intolerable deviant being designated as an outsider.

As stated above, marginalization within this sphere is rare, with societies preferring to keep the intolerable deviant within the community. One of the central reasons for this is not necessarily loyalty to the deviant in question, but rather, the social function that the deviant plays in helping to maintain social boundaries and norms. It is precisely by keeping the deviant within, in a status of 'in' but not 'of', that the deviant serves to remind others of what defines the shared cultural space of the community. Once they become outsiders, they cease to be able to serve this function, as they are outside the collective radar screen.

When it comes to the Jewish community and Jewish law, marginalization within this sphere was also rarely, and according to some, never used, for a different reason. True to its tribal roots, this community maintains an essentially familial structure inasmuch as the most basic way of acquiring membership is through birth. One of the central tenets of shared Jewish cultural space is common kinship and descent, an especially durable form of membership which in theory is immune to expulsion even in the face of the most extreme forms of deviance. No matter how badly a child behaves, and irrespective of the lengths to which a parent may go to distance themselves from their seed, the biological connection and the familial relationship it has engendered endure. Consequently, once defined biologically as a Jew – which is to say, once born<sup>17</sup> – according to most halakhic figures, one can never become a true outsider who has completely relinquished one's status as a Jew.

The classical formulation of the immutability principle of Jewish membership is found in the rabbinic pronouncement 'Even though they have sinned, they are still Israel.'<sup>18</sup> Based on this source, from the Middle Ages onward, it became axiomatic that, regardless of actions and beliefs, one's Jewishness could not be revoked. Even conversion to a different religion did not engender a complete loss of membership status.<sup>19</sup> Under Jewish law, one of the key expressions status of membership is the concept *kiddushav kiddushin*, i.e. that in the case of a Jewish male, his marriage act with a Jew is legally binding.

When [the convert] comes up after his ablution he is deemed to be an Israelite in all respects. What is the practical consequence of this? In that if he retracted [his conversion and returned to his previous religious affiliation] he is regarded as an Israelite *meshumad* and his betrothal is valid (*kiddushav kiddushin*).<sup>20</sup>

As distinct from the non-Jew who is legally not capable of generating a binding marriage, being part of the 'Community of Israel' is attested by the right to marry within the community, a right that cannot be revoked given the immutable nature of one's membership.<sup>21</sup>

A powerful example of this notion at work is found in the responsa of Rabbi Eliezer Valdenberg, head of the Jerusalem Rabbinic court in the 1960s and 1970s, regarding the status of a woman who converted to Christianity and who petitioned the court to allow her to return to the fold of Judaism. Valdenberg ruled as follows:

It is obvious and simple that according to Jewish law, a Jew is in no way capable of freeing him or herself from the bonds of the Torah and severing the ties and the roots of his connection to his people. A Jew's fundamental connection to the Jewish people is founded on the fact that he was born to Jewish parents, or more accurately to a Jewish mother . . .

It is, therefore, a central principle of our religion and our holy Torah that no one of the offspring of Jacob can escape from it, whether voluntarily or non-voluntarily. Against his will, a Jew remains a Jew, connected to the religion of Moshe, with no recourse to free himself from it.

It is, therefore, simple and clear that the conversion to a different religion of this woman, who wants to return to Judaism, is something that never happened. She never left the framework of Judaism, either religiously or nationally, and her return to Judaism is like the return of a daughter to her mother.<sup>22</sup>

## II. RITUAL

The sphere of basic membership, however, does not exhaust the community's ability to marginalize and affect one's standing as a member *within* the community.<sup>23</sup> At issue is not merely the *fact* of membership, but the *nature and quality* of membership. Here, within the context of religious social structures in general, and Jewish law in particular, intolerable deviance status affects three primary spheres of membership rights. They are, as stated above, the spheres of ritual, loyalty and naming.

By the sphere of ritual, similar to Sagi and Zohar's notion of community of religion,<sup>24</sup> I mean the ability to participate fully in the ritual life of the community. Various sanctions within this sphere touch primarily the arenas of temple, synagogue or cemetery rituals, whereby the intolerable deviant is not given either the rights or honours allotted to members. Thus, for example, in the Talmud we find some deviants barred from the right to bring sacrifices: 'Of you' (Lev. 1:2) and not all of you, to exclude the *meshumad*,<sup>25</sup> who, as will be seen below is one of the intolerable deviants. In the modern context of the debate between Orthodox and liberal Jewish denominations, sanctions within the sphere of ritual often express themselves in the banning of those classified as intolerable deviants from fulfilling any leadership role in prayer services and public recitations of blessings.<sup>26</sup>

## III. LOYALTY

As for the sphere of loyalty,<sup>27</sup> it encompasses expressions of mutual care and assistance. As a result of loyalties, the members of a community treat each other as objects of concern. It is through loyalty that the community is transformed from being merely 'of its members to being 'for' them.<sup>28</sup> Within this sphere, more than in others, one can find within Jewish legal sources a wide range of sanctions which serve to marginalize and separate the intolerable deviant. On one side of the spectrum one finds the Talmudic ruling that the intolerable deviant's spiritual well-being ceases to be of concern and, consequently, he is not allowed to offer the sin offering, so that he will not repent.<sup>29</sup> More extreme in nature, though not dissimilar, Moshe Feinstein encourages a teacher not to teach the children of intolerable deviants Torah.<sup>30</sup> And

in one of its most extreme forms, the Hatam Sofer rules that all care and concern are removed, and the hope is expressed that the intolerable deviant will simply leave and be permanently separated from the community.<sup>31</sup>

#### IV. NAMING

On the surface the sphere of naming is simple. The member bears the name of the group while the outsider, or non-member, does not. Outsider-within status, however, creates complexities. On the one hand, by virtue of formally retaining one's status in the sphere of membership, one retains the group name as well. At the same time, in some instances, the name of Israel is reserved for members in good standing who participate more fully in the community's shared values and beliefs. Certain deviants, while legally incapable of being expelled from the Community of Israel, can, as a form of marginalization and shunning, be stripped of the name 'Israel' while still retaining basic membership status.<sup>32</sup> They remain formally a member, but lose the right to call themselves by the collective name. Thus, for example, the Hatam Sofer states:

He is neither an Israelite nor a Christian nor a Muslim . . . As a general rule it is as if his name has been erased from Israel.<sup>33</sup>

The varieties of forms of marginalization are not intended to simply increase the array of possible sanctions to which an intolerable deviant may be subjected. They are not only different in form but in degree as well, and as such carry different consequences for both the individual being so marginalized and the community that is doing the marginalizing. The art of marginalization is to use each sphere selectively while remaining cognizant of the differing costs and benefits which the use of each incurs. The difference between sanctions in the basic sphere of membership – whereby the deviant is reclassified as an outsider – and that of the other spheres – where the individual nevertheless remains a member – is relatively clear. There are also, however, significant differences between the sphere of ritual and loyalty and within the sphere of loyalty itself. Thus, it is one thing to declare that one cannot pray with a fellow Jew, for example, and quite another to declare that one cannot offer them or anyone associated with them any financial assistance in times of need. The sphere of ritual, while central to Jewish collective life, does not exhaust it. The proponents of differing opinions who view one another as deviant can still maintain social bonds of loyalty. Each will go to their own synagogue and never step into the other's, yet each will still care for others as fellow members and stand by them in times of need. Furthermore, within the sphere of loyalty itself, there is a critical difference between holding back assistance and a formal ban on all verbal, social and economic contact. While both generate significant measures of separation, the latter breaks all contact between the individual in question and the community in which he is formally a member.

Thus, just as it is critical to distinguish between tolerable and intolerable deviance, it is equally significant to distinguish between which intolerable deviance is marginalized in which way. Not all intolerability is of equal severity, and a society must use the various spheres of marginalization to express its varying assessments of differing forms of deviance. To treat, for example, financial and corporal crimes in a similar

manner is to fail to give expression to the differing moral assessment that each has within one's social value system.

Furthermore, the truth is that a society can and is willing to live with certain forms of intolerable deviance as well. The fact that basic membership is not withdrawn implies a form of allowance for this deviance. The more complex a society's response to deviance, the more able it will be to weather the ongoing onslaught of difference to which it is subjected, and still maintain its collective framework. So long as the deviant is marginalized, the standards and shared cultural space of the society are maintained. The way in which one marginalizes is then dependent, for example, on the severity or the social prevalence of the deviance, to name but two possibilities. To severely marginalize in the sphere of loyalty all forms of deviance is to deny society its complexity of feelings towards differing forms and degrees of deviance, as well as its ability to continue despite the inevitability of some of its members adopting deviant positions.

It is precisely the result of a heightened sensitivity towards the different consequences of the various spheres, forms and degrees of marginalization that one becomes aware of one other status, beyond that of insider, outsider and outsider-within; that of 'functional-outsider'. It is true that the member in good standing and the outsider-within are indistinguishable vis-a-vis the sphere of basic membership. Nevertheless, their relationship to the community and their experience of communal life can differ so radically, especially when the outsider-within is sanctioned in the sphere of loyalty, that being 'within' becomes trivial. The rights and obligations conceded by *kiddushav kiddushin*, that is, that one's marriages are legally binding, hardly balances out forms of marginalization that can entail a cessation of all daily contact, cessation of all forms of social and economic assistance, a ban on marrying one's children, and in some cases being declared fair game for 'fellow' members to seek one's physical destruction. The persistence of, for example, ethnically maintained membership in these instances begins to seem at best a curiosity and at worst a kind of albatross, a shackle allowing the community to keep him close at hand for ongoing punishment and humiliation.

In actuality, the fact that formal membership is maintained within the sphere of basic membership often serves as a veil behind which the true reality of functional-outsider status is hidden. The fact that one accepts that an Israelite who has sinned is still an Israelite does not mean that one accepts the sinning Israelite into one's community, nor exhibits any degree of toleration. It is only by reviewing the whole spectrum of consequences that accompany intolerable status that one can assess the real implications of deviance within one's community.

## In Conclusion: The Case of Bet Hillel and Bet Shammai

An example of the use and interplay between pluralism, tolerance, and tolerable and intolerable deviance within Jewish law can be found in the Talmudic account of the attempt to deal with the two consistently disagreeing schools of Bet Hillel and Bet Shammai. These two schools regularly offered conflicting interpretations of the law and engaged in a lengthy struggle for control, a struggle which went beyond the

courts and study halls and involved at times, according to one account, bloodshed.<sup>34</sup> The Talmud in Tractate Eruvin tells that:

For three years there was a dispute between Bet Shammai and Bet Hillel, the former asserting: The halakhah is in agreement with our views, and the latter contending: The halakhah is in agreement with our views. A *bat kol* [a voice from heaven] then came forth and declared: 'These and these are the words of the living God, but the halakhah is in agreement with the rulings of Bet Hillel.' Since, however, both are the words of the living God what was it that entitled Bet Hillel to have the halakhah fixed in agreement with their rulings? Because they were kindly and modest, they studied their own rulings and those of Bet Shammai, and were even so [humble] as to mention the actions of Bet Shammai before theirs.<sup>35</sup>

The section begins with the fact that the conflict between the two schools was being waged for years, as each argued for the exclusive legitimacy of their reading and wanted the shared rules of the community to reflect that fact. One of the more interesting and often overlooked facets of the above description of the debate is that it went on for so long, and each side claiming for itself the mantle of authoritative Jewish law, nevertheless did not stop arguing with the other. No side disqualified the other as a debating partner. No one left the room. In doing so, neither side classified the other as intolerable. The assumption of the text, however, is that a resolution to the debate had to be found. Since humans seemed to be at an impasse, God chose to intervene and resolve the conflict, but in a paradoxical manner. First God stated that 'these and these are the words of the living God'. In the eyes of God, neither is wrong; both fall within the range of opinions that represent different dimensions of the will of God. The infinite nature of the One God precludes a monistic approach to God's will. Pluralism is not in conflict with the notion of one God, but is rather its most logical conclusion. The positions of both Bet Hillel and Bet Shammai are deemed by God to be legitimate interpretations and expressions of the common ethos of the Jewish law that God promulgates. In essence, God is declaring that the proper way to assess the differences between the two schools is through the category of pluralism.

However, after this statement, God proceeds to grant the status of normative law (halakhah) to the opinions of Bet Hillel and not to those of Bet Shammai. What is important to recognize is that the Gemara is careful to remind the reader that the decision in favour of Bet Hillel is not the result of their being correct and Bet Shammai wrong. While both are the words of the living God, nevertheless, the position is taken that the law is to follow Bet Hillel, 'because they were kindly and modest, they studied their own rulings and those of Bet Shammai, and were even so [humble] as to mention the actions of Bet Shammai before theirs.'

The implication of being deemed the non-halakhic position is not explicated in the above source, but is subject to debate in BT Tractate Berakhot:

Bet Shammai say: In the evening every man should recline and recite [the sh'ma], and in the morning he should stand, as it says, 'when you lie down and when you get up'. (Deut. 6:7). Bet Hillel, however, says that every man should recite it in his own way, as it says, 'and when you walk by the way'. (*Ibid.*) Why then

does it say, 'and when you lie down and when you get up?' [The meaning of the verse is], at the time when people lie down and at the time when people rise up. R. Tarfon said: I was once walking by the way and I reclined to recite the *shema* in the manner prescribed by Bet Shammai, and I incurred danger from robbers. They said to him: You deserved to come to harm, because you acted against the opinion of Bet Hillel.<sup>36</sup>

The debate between Bet Hillel and Bet Shammai in this instance evolves around the manner in which one is to recite the *shema* prayer. What is important for our discussion is the final section of the Mishnah, where the opinion is expressed that deviance from the prescribed instructions of Bet Hillel makes one deserving of death. In the Gemara this opinion is repeated by R. Nahman b. Yitzchak who states that 'anyone who acts in accordance with (the ruling of) Bet Shammai, is deserving of death.'<sup>37</sup> Following Bet Shammai's rulings is defined as intolerable deviance, and one who does so must be removed.

This, however, is not the sole position. In the Gemara we find two other opinions.

R. Ezekiel learnt: If one acts in accordance with the ruling of Bet Shammai one has done right, if one acts in accordance with the ruling of Bet Hillel one has done right. R. Joseph said: If one acts in accordance with the ruling of Bet Shammai it is as if one has done nothing.<sup>38</sup>

According to R. Eliezer, the rulings of Bet Shammai are classified as acceptable diversity and representative of the legitimate practices of the community. One who follows their instructions 'has done right'. 'These and these are the words of the living God' is not only a statement as to the legitimacy of the approaches in the eyes of God, but also in the eyes of the legal system. This opinion is stated with even greater clarity in Tosephta Yevamot:

As a general principle, the halakhah follows Bet Hillel. On one who wants to be more stringent upon oneself and adopt the more stringent rulings of both Bet Shammai and Bet Hillel, may be applied the verse, 'A fool walks in darkness'. (Eccl. 2:14). One who adopts the more lenient rulings of both Bet Shammai and Bet Hillel is evil. Rather, if [one adopts the rulings of] Bet Shammai, [one must follow them both] where they are more severe and more lenient, or if [one adopts the rulings of] of Bet Hillel, [one must follow them both] where they are more severe and more lenient.<sup>39</sup>

While the law follows Bet Hillel, the law as understood and defined by Bet Shammai was accepted as legitimate behaviour and removed from the domain of deviance to that of acceptable difference. Members could choose, so long as they chose consistently and did not manipulate the diversity present in the system to support either a lenient or more stringent way of life.<sup>40</sup>

A third approach to the status of those who follow Bet Shammai's rulings is offered by R. Joseph. In the section from Tractate Berakhot just quoted he said, 'if one acts in accordance with the ruling of Bet Shammai it is as if one has done nothing'. Doing nothing is different both from an act which is deemed to be acceptable difference and

thus of equal value, on the one hand, and intolerable deviance, on the other. There is a third category being played out here, whereby the rulings of Bet Shammai are rejected and placed outside the sphere of legitimate practice, while those who follow them are nevertheless not subjected to sanctions. They are acts which 'don't count'. This is a form of what I have referred to above as tolerable deviance.

As a follow up to this discussion in the Talmud, it has become generally accepted that both the opinions of Bet Hillel and Bet Shammai fall under the category of acceptable diversity, and the tradition's ability to preserve both of them serves as an exemplar for the possibility of pluralism in Judaism. When any other approach argues for its legitimacy as an authentic reading of the tradition, and wants to be classified as acceptable diversity, it models itself and bases its argument on the pluralism implied by the precedent of Bet Hillel and Bet Shammai. Those who disagree, on the other hand, and who want to limit the range of pluralism, or classify the specific approach as deviant, present arguments which serve to show why the case in question is different and cannot be included under the Bet Hillel and Bet Shammai precedent.<sup>41</sup>

In summary, commonality and the various forms of accommodation of difference, in their own way, characterize and shape the nature and identity of our collective lives. Without commonality, we *would* not see each other as fellow members, but rather as strangers. Without accommodation for difference, we *could* not be fellow members, but merely individuals with no ability to form meaningful social ties with others. We attempt to find a balance between the two through the notions of pluralism, tolerance and deviance. Deviance, particularly intolerable deviance, sets the boundaries and creates the possibility of fellow members finding their commonality. Pluralism, tolerance and tolerable deviance, on the other hand, create the possibility of collective life despite our differences and disagreements. The building of a healthy and viable community requires that each have their place. Where one is removed, or when one becomes too dominant, the bond between members is weakened and the social fabric begins to unravel. Where pluralism is applied too broadly, it makes it difficult to identify a shared cultural space. While all members may get along, they may find themselves devoid of the commonality which makes getting along a virtue.

At the same time, intolerable deviance, while a critical feature of every social group, has to be limited in nature. When it is too extensive, it begins to encompass too many members of the society, making sectarianism and social bifurcation inevitable.

What serves to limit both extreme forms of pluralism and radical expressions of intolerable deviance are the categories of tolerance and tolerable deviance. They are the dominant engines of social life. Without some measures of pluralism and intolerable deviance, however, they too are inadequate. If an individual cannot find any forms of difference to which one is willing to ascribe equal value and worth, the problem does not lie in the quality of the differing opinions, but in one's unbridled sense of self-aggrandizement and unwarranted self-certainty. Such a self-worshiper cannot live with others. At the same time, if one recognizes the existence of boundaries, but is never willing to do something about those who violate them, then one's real commitment to these boundaries and to the need of limits for one's community's common space is questionable. It is through a careful balancing between all four, together with a mastery of the art of marginalization, that social life becomes viable.

## Notes

1. See O. Klineberg, 'The Multi-National Society: Some Research Problems', *Social Sciences Information* 6 (1967), 81–99.
2. See J.D. Douglas, 'The Experience of the Absurd and the Problem of Social Order' in R.A. Scott and J.D. Douglas (eds), *Theoretical Perspective on Deviance* (New York, 1972), pp. 189–214; and H.S. Becker, *Outsiders – Studies in the Sociology of Deviance* (New York, 1963), p. 15.
3. K.T. Erikson, *The Wayward Puritans* (New York, 1966), p. 12.
4. I. Berlin, 'Two Concepts of Liberty', in *Four Essays on Liberty*, (Oxford, 1969), p. 171.
5. *Ibid.*
6. See D. Heyd, *Toleration, an Illusive Virtue* (Princeton, 1996), p. 4; and A. Sagi, 'ha-Dat ha-Yehudit: Sovlanut ve-Efsharut ha-Pluralism', *Iyyun* 44 (April 1995), 175–200. M. Walzer, *On Toleration* (New Haven, 1997), pp. 10–12, on the other hand, argues for a continuum of attitudes within the category of tolerance itself, ranging from resigned acceptance to enthusiastic endorsement. He raises the question, 'But perhaps this last attitude (of enthusiastic endorsement) falls outside my subject: how can I be said to tolerate what I in fact endorse? If I want the others to be here, in this society, among us, then I don't tolerate otherness – I support it.' Nevertheless, he includes this under the definition of tolerance as well, 'for they coexist with an otherness that, however much they approve of its presence in the world, is still something different from what they know, something alien and strange'. The notion of tolerance as what Walzer calls 'resigned acceptance' is the central way the category will be understood in this work.
7. B. Williams, 'Toleration: an Impossible Virtue', in D. Heyd (ed.), *Toleration, an Illusive Virtue*, p. 18. See also M. Cranston, 'John Locke and the Case for Toleration', in S. Mendus and D. Edwards (eds). *On Toleration* (Oxford, 1987), p. 10, who states, 'If there were not things we disapproved of, the concept of "toleration" need not be introduced at all. It would be enough to talk about "liberty" or "freedom". When we speak of people's liberty or freedom, no criticism is implied of the use to which they put their freedom ... we can say that only the undesirable – or at any rate, the undesired – is a candidate for toleration.'
8. D.D. Raphael, 'The Intolerable', in S. Mendus (ed.), *Justifying Toleration* (Cambridge, 1988), p. 139. See also J. Horton and P. Nicolson, *Toleration: Philosophy and Practice* (Aldershot, 1992), p. 2; and S. Mendus, *Justifying Toleration*, p. 6.
9. M. Walzer, *On Toleration* p. xii.
10. K.T. Erikson, 'Notes on the Sociology of Deviance', in H.S. Becker, *The Other Side – Perspectives on Deviance* (London, 1964), pp. 10–1.
11. E. Goode, *Deviant Behaviour*, (Englewood Cliffs, 1990), p. 24.
12. See J.R. Gusfield, 'Moral Passage – The Symbolic Process in Public Designation of Deviance', *Social Problems* 15 (1967), pp. 175–92, who distinguishes between the instrumental and the symbolic functions of law. The instrumental function lies in the enforcement of the law. Law also has a symbolic aspect, however, whose significance is independent of enforcement, shaping public consciousness and simply existing 'on the books' as an ideal expression of the community's shared ethos.
13. See H.S. Becker, *Outsiders*, p. 15.
14. R.A. Dentler and K.T. Erikson, 'The Function of Deviance in Groups', in R.A. Farrell and V.L. Swigert, *Social Deviance* (Philadelphia, 1975), p. 31.
15. R.A. Scott, 'Framework for Analyzing Deviance as a Property of Social Order', in R.A. Scott and J.D. Douglas (eds). *Theoretical Perspectives on Deviance* (New York, Basic Books, 1972), p. 15.
16. Sifre Deuteronomy, Piska 286. Translated by R. Hammer (New Haven, 1986).
17. Even the convert, it is proposed, undergoes a re-birthing process in becoming a Jew ('A convert who converted is as a baby who was born', BT Tractate Yevamot 62a), and thus all ties between him and his blood family are considered annulled. See for example BT Tractate Yevamot 22a, Kiddushin 17b. For a discussion of conversion as rebirth see A. Sagi and Z. Zohar, *Ciyur ve-Zehut Yehudit* (Jerusalem, 1994), Ch. 14.
18. BT Tractate Sanhedrin 44a.
19. In addition, see Jacob Katz's article, 'Af A1 Pi Shehata Yisrael Hu' in his *Halakhah and Kabbalah*, (Jerusalem, 1986). There he discusses the evolution of the concept through its transformation into a legal and binding principle by the mediaeval scholar Rashi. See Teshuvot Rashi 171, 173

- and 175. See also G. Bildstein, 'Who is not a Jew?', *Israel Law Review* n. 3 (1976), 369–90, who reviews the various Gaonic and mediaeval sources on the issue of the status of the *mumar*, including those who held the position that the *mumar* was an outsider. See also A. Sagi and Z. Zohar, 'Gi'ra ve-Zehut Yehudit', pp. 9–11.
20. BT Tractate Yevamot 47b. See also S. Leiberman, *Tosephta ki-Fshutah* (New York, 1962), D'mai, Chapter 2, p. 69, n. to line 11–12, who writes, 'However, a convert who is suspected, even if he is suspected with regard to the whole Torah, is not expelled from his Jewishness, and has the status of an Israelite *meshumad* and *kiddushav kiddushin*.'
21. An example of this notion is found in Gen. 34.13–16, where Shimeon and Levi say to Shechem in the Dina story, 'We cannot do this thing, to give our sister to a man who is uncircumcised, for that is a disgrace among us. Only on this condition will we agree with you; that you will become *like us* in that every male among you is circumcised. Then we will give our daughters to you and take your daughters to ourselves; and we will dwell among you and become as *one kindred*.' (Emphasis mine.)
- See also Ezra 9, where marriage is allowed only amongst those who share the 'holy seed'.
- It is important to remember, however, that the primary emphasis with regard to maintaining the status of Jew is the persistent, immutable claim of one's legal *obligations*. For example, the main significance of *kiddushav kiddushin*, whose positive phrasing seems to connote the conferral of a right, is understood by Jewish law to be in its halakhic corollary: that the marital bond can only be broken by an official writ of divorce, which the husband is obligated to provide in accordance with all rabbinic requirements and standards. For the intolerable deviant bound by blood to his community, this immutable membership, with all of its unwavering claims, can begin to seem more like an unrelenting burden than an inalienable right.
22. *Responsa Tzitz Eliezer* Part 13.93.
23. Rooted in an awareness of this nuance between rejection and marginalization, between the outsider and the outsider-within, Gerald Bildstein, 'Who is not a Jew?', p. 374, addresses the status of Judaism's classic intolerable deviant: the apostate. He argues for a reframing of the discussion away from the general question of membership to a more complex and pluralistic approach, which 'does not necessarily demand an answer of the either/or variety', but rather allows for the preservation of aspects of membership in certain areas and, simultaneously, exclusion from others. 'The Jewishness of the apostate is split', Bildstein argues, inasmuch as he may retain all the obligations of membership even as the rest of the community is relieved of significant obligations towards him. 'A Jew who sins remains a Jew nonetheless' – this refers [only] to marriage and divorce, where "brotherliness" (*ahva*) is no criterion' (i.e. there is nothing in the nature of these rituals that requires others to behave towards the deviant in a brotherly manner).
- "Brotherliness", the sharing of commitment and loyalty, is a criterion, however, in other areas such as interest-taking and the responsibility for [ensuring his basic physical] survival. Here the biological or purely national community is of no significance; the biological-national community confers status and assures continued obligation to the covenant – it does not sustain the bonds of fellowship and mutuality, nor does it compel the loyalty and responsibility of the community to its renegades' (p. 387).
- Along similar hues, A. Sagi and Z. Zvi, in their work *Ma-agalei Zehut Yehudit ba-Sifrut ha-Hilkhatit* (Tel Aviv, 2000), addressing the membership status of the *mehallel Shabbat*, distinguish between two different spheres of membership. The first is membership in the ethnic community of Israel, a function of biological descent. The second is membership in the religious community, participation in the ritual life of Israel. As with Bildstein, the membership question here is not either/or, but *which*: which aspects of membership does the deviant relinquish and retain? In which spheres of communal life is he claimed by his fellows, and in which disavowed? Membership in the ethnic community, while a prerequisite for membership in the religious, is, however, in itself no guarantee: not every member of biological Israel is accepted as a participant in its ritual life.
24. A. Sagi and Z. Zohar, *Ma-agalei Zehut Yehudit be-Sifrut ha-Hilkhatit* (Tel Aviv, 2000).
25. BT Tractate Hullin 5a.
26. See Moshe Feinstein's *Igrot Moshe*, Oreh Haim 2.50.

27. This sphere is parallel to Bildstein's notion of 'brotherliness', See G. Bildstein, 'Who is not a Jew?'
28. G. Fletcher, *Loyalty* (New York, 1993), p. 20.
29. BT Tractate Hullin 3a.
30. *Igrot Moshe*, Yoreh Deah 2.107.
31. *Teshuvot Hatam Sofer*, Likutei She-eilot ve-Teshuvot 89.
32. One of the consequences of utilizing the sphere of naming as an independent sphere is that it allows for greater sensitivity in analysing various halakhic sources which prescribe that certain deviants are not to be included under the category of Israel, and are not a part of 'you' when it refers to Israel. Without the sphere of naming, these types of sources would be interpreted as entailing a call for expulsion, something which, while possible, is not necessarily what these sources are calling for.
33. *Teshuvot Hatam Sofer*, Hoshen Mishpat 195.
34. See JT Tractate Shabbat 1.4
35. BT Tractate Eruvin 13b.
36. Mishnah Berakhot 1.3.
37. BT Tractate Berakhot 11a.
38. *Ibid.*
39. Tosefta Yevamot 1.13
40. See Rashi, BT Tractate Rosh Hashanah 14b, *Mikulei Bet Shammai*, who argues that one can even alternate between the two schools, so long as one is guided by reason and not the desire for leniency or stringency.
41. See for example the following argument of A. Sagi in 'ha-Dat ha-Yehudit: Sovlanut ve-Efsharut ha-Pluralism', pp. 175–6: "These and these are the words of the living God", as a characteristic expression of the halakhic culture, is sometimes used as evidence for a philosophy of tolerance or even pluralism within the halakhic world. However, it is incorrect to deduce from the halakhic system's recognition of multiple opinions or even multiple religious practices that the halakhah sides with tolerant or pluralistic positions. For the diversity which the Jewish religion recognizes is diversity within the system itself . . . However, all that which is not contained within the system is not considered a part of "the words of the living God". Rather, it is deviance towards which the halakhic system did not necessarily relate with tolerance, not to speak of with pluralism'.



## UNIT 9

# ANTISEMITISM AND ANTI-ZIONISM

This unit delves further into the meaning and definition of antisemitism and the relationship between antisemitism and anti-Zionism. We will explore whether all expressions of anti-Zionism are, in fact, antisemitism. We will analyze the differences between the manifestations of antisemitism from the far-Left and those from the far-Right. Finally, we will examine how a commitment to Jewish peoplehood impacts our discourse on this issue.

### BACKGROUND READING

1. U.N. Resolution 3379 (XXX) (1975) 190
2. U.N. Resolution 46/86 (1991) 190
3. Izabella Tabarovsky, “Understanding the Real Origin of that New York Times Cartoon” *Tablet Magazine*, June 26, 2019 191
4. Yossi Klein Halevi, *Memoirs of a Jewish Extremist: The Story of a Transformation* (2014), 1–33 201
5. Natan Sharansky, “3D Test of Anti-Semitism: Demonization, Double Standards, Delegitimization,” *Jewish Political Studies Review* 16 (Fall 2004), 3–4 217
6. Shaul Magid, “Keep Jews Interesting: It’s Time to Stop Being Defined by Anti-Semitism,” *Rewire.News*, Oct. 10, 2019 219

## 1. U.N. Resolution 3379 (XXX) (1975)

### 3379 (xxx). ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

*The General Assembly,*

*Recalling* its resolution 1904 (xviii) of 20 November 1963, proclaiming the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and in particular its affirmation that “any doctrine of racial differentiation or superiority is scientifically false, morally condemnable, socially unjust and dangerous” and its expression of alarm at “the manifestations of racial discrimination still in evidence in some areas in the world, some of which are imposed by certain Governments by means of legislative, administrative or other measures”,

*Recalling also* that, in its resolution 3151 G (xxviii) of 14 December 1973, the General Assembly condemned, *inter alia*, the unholy alliance between South African racism and zionism,

*Taking note* of the Declaration of Mexico on the Equality of Women and Their Contribution to Development and Peace 1975, proclaimed by the World Conference of the International Women’s Year, held at Mexico City from 19 June to 2 July 1975, which promulgated the principle that “international co-operation and peace require the achievement of national liberation and independence, the elimination of colonialism and neo-colonialism, foreign occupation, zionism, *apartheid* and racial discrimination in all its forms, as well as the recognition of the dignity of peoples and their right to self-determination”,

*Taking note also* of resolution 77 (xii) adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twelfth ordinary session, held at Kampala from 28 July to 1 August 1975, which considered “that the racist regime in occupied Palestine and the racist regime in Zimbabwe and South Africa have a common imperialist origin, forming a whole and having the same racist structure and being organically linked in their policy aimed at repression of the dignity and integrity of the human being”,

*Taking note also* of the Political Declaration and Strategy to Strengthen International Peace and Security and to Intensify Solidarity and Mutual Assistance among Non-Aligned Countries, adopted at the Conference of Ministers for Foreign Affairs of Non-Aligned Countries held at Lima from 25 to 30 August 1975, which most severely condemned zionism as a threat to world peace and security and called upon all countries to oppose this racist and imperialist ideology,

*Determines* that Zionism is a form of racism and racial discrimination.

## 2. U.N. Resolution 46/86 (1991)

The General Assembly Decides to revoke the determination contained in its resolution 3379 (xxx) of 10 November 1975.

### 3. Izabella Tabarovsky, "Understanding the Real Origin of that New York Times Cartoon" *Tablet Magazine*, June 26, 2019

A black-and-white photograph from the 1970s [Fig. 1] shows happy Soviet children at a May Day parade. They are hitching a ride on a parade installation: a giant hook-nosed spider wearing a military cap adorned with the Star of David, its teeth bared in a sinister grin. Massive rods under its legs suggest both the spider's web and the meridians of the globe it is trampling. The accompanying slogan offers the proper ideological lens: "Zionism is the weapon of imperialism!"



**Fig. 1:** Vladimir Sichov, "Zionism is the Weapon of Imperialism!" May Day parade, Moscow, USSR, 1972 (Photo courtesy Vladimir Sichov)

It was this image that popped into my mind the day of the infamous *New York Times*'s cartoon [Fig. 2] of a short-legged guide dog Jew with the face of Israeli Prime Minister Benjamin Netanyahu, a Star of David medallion dangling from its collar, dragging a blind kippah-wearing Donald Trump.

The outrage the *Times*' cartoon produced was appropriate, but interpretations of what had happened fell short. Was the cartoon truly a lineal descendant of the anti-Semitic propaganda published in *Der Stürmer*, as some reflexively opined? To stop there was to accept the possibility that the offices of the *New York Times*' international edition are packed with white supremacists. Even if a single production editor was responsible for the incident, as the paper asserted, the publisher's decision to put the entire staff through sensitivity training to address "unconscious biases" would suggest that senior management was worried others in the company might be similarly infected. Yet the idea that the *Times* is infested with neo-Nazis seems patently silly.



**Fig. 2:** (*New York Times*)

What makes more sense is the possibility that the cartoon made it into print because the paper's staff – whether singular or plural – saw it as “a political issue and not religious,” in the words of António Moreira Antunes, the artist who drew it. Like the slogan on the Soviet May Day parade installation, the face of the Israeli prime minister must have signaled to the *New York Times* staff that the cartoon was about Israel and therefore political – anti-Zionist perhaps, but not anti-Semitic.

Yet the conventional wisdom on the left that anti-Zionism is easily distinguishable from anti-Semitism has run into some obvious practical difficulties in recent months as the Women's March, the U.K. Labour Party, Congresswomen Rashida Tlaib and Ilhan Omar, Marc Lamont Hill, and AJ+ Arabic, Al Jazeera's popular online platform, have all shown an inability to distinguish between what they consider to be anti-Zionist political positions and overt anti-Semitism.

So if anti-Zionism and anti-Semitism are not the same, why is the left doing such a poor job of distinguishing between the two? How is it that the side of the political spectrum that makes anti-racism one of the central tenets of its platform repeatedly stumbles into espousing such vile hatred?

The left would be less confused if it were able to soften temporarily its ahistorical, ideologically driven focus on the right as the sole source of anti-Semitism and devote some time to studying its own rich history of the same. In particular, it should look at the Cold War-era Soviet Union, which for decades not only practiced politically weaponized anti-Zionism but also exported it abroad. Many of the core tropes that animate the anti-Zionist left today are carbon copies of ideas that the KGB and the Department of Propaganda's ideologues developed, weaponized, and popularized with particular intensity in the wake of the Six-Day War. It is there, not among the Nazi oeuvre, that the direct precursors to the *New York Times* cartoon and similar such efforts, in which the European press has been awash for the past two decades, are to be found.

\* \* \*

The history of Soviet anti-Zionist cartoons makes obvious that separating anti-Zionism from anti-Semitism can be a challenging if not impossible task. Produced by a system that claimed to have rejected anti-Semitism, and labeled as anti-Zionist, the cartoons nevertheless retained a powerful anti-Semitic charge. So did the rest of the propaganda that the Soviets produced as part of their demonization of Israel and Zionism that began with Stalin's postwar show trials and continued with varying levels of intensity through the end of the USSR.

Soviet anti-Zionist propaganda entered a particularly active stage following the Arab-Israeli Six-Day War in 1967. The propaganda and disinformation campaign that the Soviets developed then, which demonized Israel and Zionism, served their specific domestic and foreign interests and was aimed both at domestic and foreign audiences. It was most likely this latter stage of Soviet anti-Zionism that forged in popular consciousness on the far left false links between Zionism and Nazism, fascism, racism, genocide, settler-colonialism, imperialism, militarism, and apartheid. The ideas from this campaign were actively used in the Soviet promotion of the “Zionism Is a Form of Racism” resolution adopted by the United Nations in 1975. And it is this

campaign that refined and popularized the particular Holocaust distortion narrative that remains so popular in certain anti-Semitic and anti-Israel circles – the kind that was recently broadcast to millions by AJ+.

The Soviet anti-Zionist campaigns produced hundreds of books and thousands of articles smearing Israel, Zionism, and, with them, Judaism and the Jewish people. Newspapers with a circulation in the millions carried these writings to every corner of the USSR. A different set of publications, with similarly million-copy circulations, published in some 80 foreign languages, carried these messages to the West and Third World countries. So did radio broadcasts, which in the early 1970s transmitted some 1,000 hours of Soviet propaganda weekly to every continent on the planet.

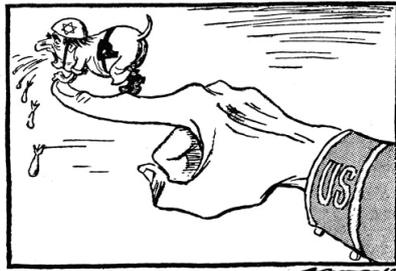
Soviet ideology didn't allow the Soviets to propagate outright racist anti-Semitism of the Nazi variety. They rejected accusations of anti-Semitism, claiming that their ideology was anti-Zionist, not anti-Semitic. In developing their ideas, Soviet ideologues relied for inspiration on the *Protocols of the Elders of Zion*, on the ideas of classic religious anti-Semitism, and even *Mein Kampf*, but adopted them to the Marxist framework by substituting the idea of a global anti-Soviet Zionist conspiracy for a specifically Jewish one. Jewish power became Zionist power. The rich and conniving Jewish bankers controlling money, politicians, and the media became the rich and conniving Zionists. The Jew as the anti-Christ became the Jew as the anti-Soviet. Instead of the Jew as the devil, they presented the Zionist as a Nazi.

In practice, the distinction between Soviet anti-Zionism and anti-Semitism often proved a distinction without a difference. The tropes were the same, albeit with a new set of labels. Jews living in the Soviet Union saw their culture and religion decimated, educational and professional opportunities depleted, and became licensed targets of casual grassroots anti-Semitism.

\* \* \*

Soviet anti-Zionist cartoons relied on a particular set of symbols to identify “the Zionist” as an object of contempt and hatred. Since one of the political goals of Soviet anti-Zionist ideology was to undermine Israel, Soviet caricaturists typically depicted a “Zionist” as wearing Israeli military uniform. When it came to identifying a Jew as such, they used the full arsenal of anti-Semitic portrayals developed over the centuries. One traditional approach was to show a Jew as subhuman in form (a dog, a spider, an octopus, a snake) yet in possession of supernatural powers. The “Zionists” were invariably drawn with stereotypical Jewish facial features – a classic tool of traditional anti-Semitism – to make sure that it was clear who the artist had in mind.

One of the forerunners to the guide dog in the *New York Times* cartoon is the Soviet Israeli-Zionist dog who loyally served its master, the imperialist Uncle Sam. The smallness of the dog signals its contemptibility. For example, the tiny attack dog in this 1969 image [Fig. 3 on the next page] is barking mad, dropping bombs instead of saliva at the behest of its American master. The dog wears an Israeli military uniform, but the viewer also knows that the dog is a Jew because of its Jewish facial features. The uniform makes the Jew – and by extension, any Jew – a fair game for demonization.



АЙ, МОСЫМ! ЗНАТЬ ОНА СИЛЬНА...  
...ПОТОМУ ЧТО НЕ ОДНА!  
Рис. М. АБРАМОВА.

**Fig. 3:** 'The puppy knows its own strength because it is not alone,' M. Abramov, *Krasnaya Zvezda*, July 31, 1969. The accompanying text reads: 'The Israeli extremists continue their bold provocations because they have the support of the American imperialists.' (From *The Israeli-Arab Conflict in Soviet Caricatures, 1967-1973* by Yeshayahu Nir, Tcherikover Publishers, 1976)

The concept of a Jew-Zionist as a stand-in for Israel who drags the United States toward a destination of its choice – the core idea of the *Times*' cartoon – appeared frequently in Soviet caricature. In this figure [Fig. 4], a Jew-Zionist's hand guides the United States to drive a nail into the Arab lands already branded with a Star of David. The hammer has a dollar sign on it – a frequent motif in Soviet caricature invoking the familiar anti-Semitic trope of Jews and greed. In this one [fig 5], an Israeli Jew with a gun is riding on a barrel of oil as he leads the United States into war.

**Fig. 4:** 'Plunderer's designs,' R. Gadimov, *Bakinsky Rabochi*, June 21, 1967. (From *The Israeli-Arab Conflict in Soviet Caricatures, 1967-1973* by Yeshayahu Nir, Tcherikover Publishers, 1976)



СТРЕЛЬБА С УПОРА.  
Рис. З. Горфинкель.

**Fig. 5:** 'Firing point-blank,' R. Gadimov, *Sovietskaya Latvia*, Jan. 29, 1970; *Pravda*, March 8, 1970. (From *The Israeli-Arab Conflict in Soviet Caricatures, 1967-1973* by Yeshayahu Nir, Tcherikover Publishers, 1976)



Fig. 6

The goal of these cartoons was to demonize Israel and Zionism. But the use of stereotypical pejorative signifiers of a Jew showed whom its intended audience would find at fault: any Jew it came in touch with.

The kind of Jew-spider we saw in the photograph from the 1970s was another frequent figure in Soviet caricature. The Jew as spider is a timeless trope in the anti-Semite's arsenal, once gracing the cover of a French edition of the *Protocols of the Elders of Zion* [Fig. 6]. (Note that here the Jew is not a Zionist but a Judeo-Bolshevik, which illustrates the eternal ideological flexibility of the anti-Semite.)

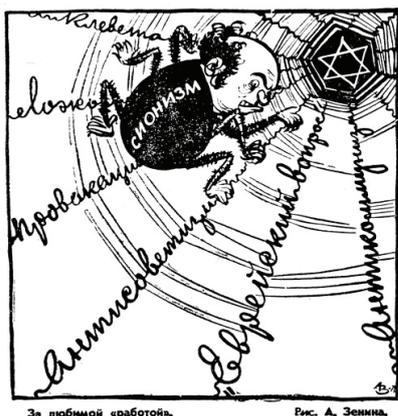
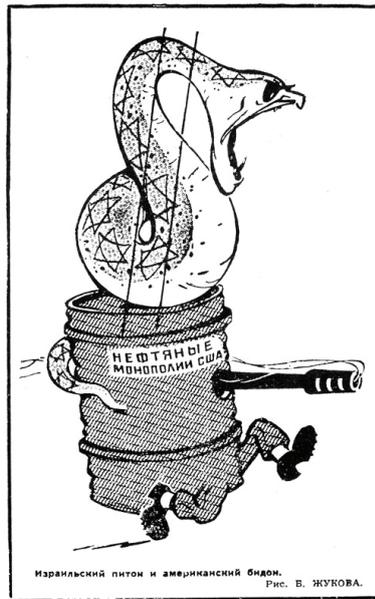


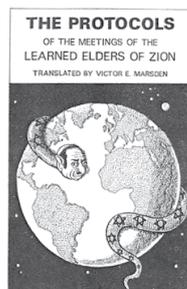
Fig. 7: 'At his favorite work,' A. Zenin, *Sovietskaya Moldavia*, Aug. 29, 1971. The cartoon is titled 'A Zionist Cobweb Spider.' (From *The Israeli-Arab Conflict in Soviet Caricatures, 1967–1973* by Yeshayahu Nir, Tcherikover Publishers, 1976)

The Soviets put this golden oldie to their own use. One of the best-known Soviet images of this kind is titled "A Zionist Cobweb Spider: at his favorite work" [Fig. 7]. The spider has stereotypical Jewish features, a contemptible posture, and an aggressive scowl. The word "Zionism" graces its back. Its web has the Star of David at its heart and is made up of *calumnies, lies, anti-Soviet attitudes, "the Jewish question," and anti-communism* – words written along the meridians of the web. The vile anti-Semitic quality of this image is obvious, and the "Zionist" labeling does nothing to reduce it.



**Fig. 8:** 'The Israeli python and the American barrel,' B. Zhukov, *Pravda Vostoka*, Feb. 11, 1968. (From *The Israeli-Arab Conflict in Soviet Caricatures, 1967–1973* by Yeshayahu Nir, Tcherikover Publishers, 1976)

Jew as a vile and deadly snake is present in Soviet propaganda as well. Fig. 8 shows an aggressive, hook-nosed snake riding on a barrel of oil labeled “U.S. oil monopolies.” Like the snake on a different cover [Fig. 9] of the *Protocols*, this Soviet anti-Zionist snake has stereotypical Jewish facial features and Stars of David drawn along its body. Both the Jewish-conspiracy snake and the Zionist-conspiracy ones threaten to suffocate the world – the *Protocols* one literally, and the Zionist one by depriving the world of vital energy resources. In Fig. 10, the snake has a gun in place of a tongue and the word “Zionism” written on its body. The caption, “ExpansIONISM in real life,” is spelled in such a way as to play on words: “Sionism” is the Russian for Zionism.



**Fig. 9**

But perhaps the most disturbing and consequential set of Soviet anti-Zionist cartoons were ones that sought to tie Zionism and Nazism together – a link that remains alive and well on today’s anti-Zionist left. While the comparison itself dates back to the 1930s, it wasn’t until the Soviets launched their post-1967 anti-Zionist campaign that it became truly developed and popularized at home and abroad. It was this parallel that, in the words of William Korey, helped transform Zionism into “the bête noire of the international community,” turning Zionism into a representation of evil incarnate.

**Fig. 10:** 'ExpanSIONISM in real life,' V. Ternavsky, Bakinsky Rabochi, March 21, 1971. (From *The Israeli-Arab Conflict in Soviet Caricatures, 1967-1973* by Yeshayahu Nir, Tcherikover Publishers, 1976)



The caricatures helped to make this connection visceral. They did so with the help of several sleights of hand. One was to juxtapose, associate, and even merge the swastika with the Star of David [Fig. 11]. Here the Star of David and the symbol of one of the greatest evils to befall humanity literally become one. This approach is still used widely on the anti-Israel left, as in the picture of the Israeli flag that appeared in the leftist *Daily Kos* blog [Fig. 12].



**Fig. 11:** 'The banner of the Zionist gang,' Pravda Vostoka, December 1971



**Fig. 12.**

Another was to present the Nazis (often Hitler himself) as a mirror image or shadow of the Jew-Zionist. One of the most striking caricatures of this style is shown in Fig. 13, which depicts a middle-aged man with stereotypical Jewish features holding an ax dripping with blood. Making the image even more sinister is its cast shadow, which takes the form of Adolf Hitler's silhouette. The Star of David on the Jew's ax becomes a swastika in the shadow. This cartoon is particularly interesting because the Jew in it has neither Israeli military uniform nor any of the other typical signifiers by which he might be labeled a "Zionist."



ПО ОБРАЗУ И ПОДОБИЮ.

Рис. А. Зенина.

**Fig. 13:** 'In His image and likeness,' A. Zenin, Sovetskaya Moldavia, Jan. 22, 1972. (From *The Israeli-Arab Conflict in Soviet Caricatures, 1967-1973* by Yeshayahu Nir, Tcherikover Publishers, 1976)

Here the very faint line between anti-Zionism and anti-Semitism is completely erased. The caricaturist is honest: It is about Jews, not “Zionists.” As the Dutch researcher Judith Vogt noted in her 1984 essay “When Nazism Became Zionism: An Analysis of Political Cartoons,” “Hitler’s shadow evokes the Jew’s reputed gift of mimicry – of always being able to change his identity.” This shape-shifting ability is commonly attributed to Satan, to whom Jews were frequently compared by religiously motivated anti-Semites. Here, as with other aspects of classic anti-Semitism, the Soviets adapted a well-worn concept for their own purposes.



**Fig. 14:** ‘We learned a lesson from World War II...,’ N. Budnikov (Stavropol), *Gudok*, March 5, 1972. (From *The Israeli-Arab Conflict in Soviet Caricatures, 1967–1973* by Yeshayahu Nir, Tcherikover Publishers, 1976)

In Fig. 14, Hitler’s face, drawn inside a Star of David, looks almost childish and innocent, whereas the very real, obviously Jewish Israeli soldier has blood dripping from his weapon and scenes of destruction in the background. In figure 15, an Israeli soldier and a Nazi German soldier each hold a gun and pose in the same way before a scene of devastation. But the Nazi German figure is a museum painting in a frame, rendering him harmless. The Israeli Jew, on the other hand, is real and therefore the more dangerous.



**Fig. 15:** ‘Talent and its admirers,’ V. Konstantinov, *Vecherniyaya Moskva*, March 11, 1970. (From *The Israeli-Arab Conflict in Soviet Caricatures, 1967–1973* by Yeshayahu Nir, Tcherikover Publishers, 1976)

A specific subset of Soviet propaganda, including caricatures, sought to explicitly connect with Zionism concepts that the Soviet people, as well as Western audiences, already associated with Nazi Germany. In Fig. 16, an Israeli Jewish soldier is holding a weapon that has the word *Blitzkrieg* written on it. He is standing next to a signpost painted as an Israeli flag and bearing the word *Lebensraum* – a clear attempt to equate Israel’s 1967 territorial conquests with the Nazi conquest of Soviet territories. In front of the soldier is a deathlike figure dressed in Nazi uniform showing the soldier a picture of an Auschwitz crematorium, with *New Order* written on it. Here, too, the Nazi is reduced to a mere shadow of his former self. His characteristics and ideology are now conferred on the Israeli Jew.



**Fig. 16:** 'The familiar wares,' V. Fomichev, *Sovetskaya Rossia*, Aug. 11, 1967. (From *The Israeli-Arab Conflict in Soviet Caricatures, 1967–1973* by Yeshayahu Nir, Tcherikover Publishers, 1976)

According to Israeli scholar Yeshayahu Nir, who analyzed Soviet caricature in his book *The Israeli-Arab Conflict in Soviet Caricatures 1967–1973*, most of the time these caricatures were published in mass-circulation newspapers without any overt tie to events. The same image could be reprinted days, weeks, or years later without any changes or connection to political developments. Their objective was propaganda, not information or commentary. The goal was not to criticize Israeli policies; it was to demonize the country and everything it represented.

\* \* \*

Foreign-directed Soviet anti-Zionist propaganda gradually built in for its audiences associations between Israel and such familiar Nazi German-specific terms as genocide, concentration camps, deportations, and *Lebensraum*. Israeli scholar Baruch Hazan documented this progression. By 1969, he wrote, the concept of “Zionist racism” was in active circulation in Soviet press materials directed abroad. By 1971, it was linking the Nazi phrase “master race” to the Jewish religious concept of a chosen people. (This idea would gain particular notice in the global community when it featured prominently in a major speech in the Security Council by the Soviet ambassador to the U.N., Yakov Malik.) Later still it added the idea that Zionism practices racism against anti-Zionist Jews everywhere.

“While stories of Israeli cruelty are broadcast indiscriminately by Moscow, ... concepts such as ‘Nazism,’ ‘concentration camps,’ ‘Gauleiters,’ ‘Herrenvolk,’ etc., are used mainly in articles and broadcasts aimed at European audiences,” wrote Hazan.

“‘Racism,’ ‘discrimination,’ and plain sadism are reserved for African audiences, which are generally not acquainted with Nazi terminology. Stories about racism practiced against all Jews who oppose the Zionist idea are directed at places where, in fact, there are practically no Jews – such as Southeast Asia.”



Fig. 17

These ideas and images continue to permeate the anti-Zionist discourse on the far left. They are also evident in the anti-Zionist caricature of today: from a Jew viewing his mirrored reflection as Hitler [Fig. 17], to a comparison of the West Bank and Gaza territories to Auschwitz [Fig. 18], to the use of the swastika to denote the State of Israel [Fig. 19].

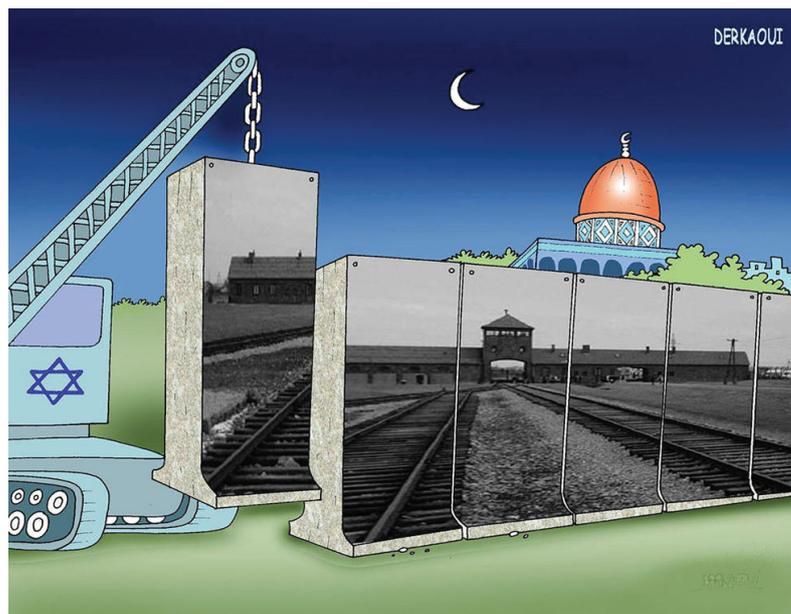


Fig. 18: This cartoon by Derkaoui Abdellah, which won first prize in the 2006 Iranian Holocaust Cartoon Competition in Tehran, was reposted on Daily Kos.

The contemporary left needs to understand that Soviet history is its history. Just as the right needs to take responsibility for the historical and emotional meanings of the buzzwords and images it deploys, the American far left has its own soul-searching to do: according to the historian Stephen Norwood, many of its predecessors rationalized or simply ignored Soviet-style anti-Semitism. Some even defended it.



Fig. 19: Drawing by Carlos Latuff.

Today, the often-voiced idea that today’s far-left anti-Semitism is merely “political” and therefore benign is rapidly losing its already-thin credibility. No one doubts that there are white supremacists who are armed and ready to kill. But what is the impact of an anti-Semitic image published in one of the world’s most widely circulated and respected newspapers?

Anti-Semites recognize anti-Semitism no matter what side of the aisle they live on. It is no accident that Holocaust denier David Irving expressed admiration for the self-described anti-racist Jeremy Corbyn and white supremacist David Duke did the same for Ilhan Omar. This approval should cause the far left to ask itself some difficult questions about the role its own tropes may play in the murders executed by the far right, in the ongoing wave of hate crimes against Jews being committed by non-white assailants in New York and other cities, and in the mainstreaming of openly anti-Semitic discourse behind the fig leaf of anti-Zionism.

#### 4. Yossi Klein Halevi, *Memoirs of a Jewish Extremist: The Story of a Transformation* (2014), 1–33

##### 1.

My father lived in a hole. The hole was four feet deep, six feet long, and eight feet wide – high enough only for crouching, but long enough to lie in.

Two men shared the hole with my father. While it was light, they played chess. The pieces were crudely carved bark, marked with distinguishing signs; the board was scratched onto the earth. At night the three men slipped through an opening on the side of the hole and went foraging: leaves for smoking, pine-cones for chewing, water from a nearby stream. Sometimes an old forest keeper named Muresan, a Christian, brought raw potatoes.

When the Nazis invaded Transylvania and the Jews of my father’s town, Nagy-Karoly, were sent to the cattlecars, he didn’t go. Instead, he fled to the forest, dug a hole, and lived in it until the end of the war. It was 1944, and he was twenty-five years old. After the war he returned to his town, found a Jewish waste-land, and made his way to America. He met my mother, who’d left Transylvania as a girl just before the war, in a basement grocery in Brooklyn, and married in 1952. A year later I was born.

“Tell me a story,” I said to my father at bedtime.

“You remember, Yosseleh, how we buried ourselves in the bunker. I called that bunker our grave.”

“You remember”: My memory was to be an extension of his. The stories filled me before I could understand them. They were my starting point, which was their purpose: Growing up with his knowledge, I could learn to breathe in it.

The stories offered only essential details. Seasons stopped; scenery vanished. He wasn't a storyteller, and he wasn't reminiscing. He was a teacher, choosing each detail for its lesson. In those moments before I fell asleep, as he stroked my cheek and spoke of the war, was his first lesson: Confronting reality won't harm but protect you.

The lesson of the hole was that only individualists survive. When the Nazis came, Nagy-Karoly's Jews assured each other that trying to escape would only make things worse. And so, my father said to me, don't listen to what “people” say. “People” are fools, victims. When they go left, go right; when they go to the cattlecars, go to the forest.

The most innocent details of our lives contained awesome lessons for survival. There was the Independence Lesson. My parents owned a wholesale candy business, a large, half-empty warehouse in a state of constant potential. Though often in debt and threatened by suppliers with a loss of credit, my father refused to shut down the business and work for someone else or even to take in a partner. There's nothing like being independent, he said to me solemnly – a warning “for the future.” For the same reason, he'd insisted on becoming a wholesaler rather than a retailer. Wholesale offered independence: Instead of sitting in a store waiting for customers to come, you could plan, maneuver, scout out the city. Retail meant dependence, passivity; and passivity led to the cattlecars.

There was the Accordion Lesson. After the war, while waiting for an American visa, my father lived in Cuba. Since refugees couldn't find work there, for days at a time he ate only mangoes picked from trees. Once his landlady, an old woman who suffered from nausea, invited him to dinner, just to watch him eat: His fierce hunger, tempered by elegant table manners, stimulated her appetite. But when her nausea passed, he returned to the mango trees. None of his friends ate any better – except the Accordionist. Hired to play horas at the affairs of rich Havana Jews, the Accordionist was paid with buffets.

And so at age six I was given weekly accordion lessons, “for the future.” I wasn't expected to become a virtuoso, only a competent entertainer. How good did one have to be for the Havana Hadassah? But I wasn't even competent. My arms barely embraced the massive box; its heaving folds seemed about to devour me.

My father persisted. He borrowed to pay for the lessons, increased them to twice a week. When he was my age, he told me, his parents had bought him a violin, but the boys called him “Gypsy” and he stopped playing. Had he continued, he too could have eaten in Cuba.

He tried to teach my little sister Chani and me to nurture hunger and gratitude, to take nothing for granted, least of all existence. But we laughed when he tore paper napkins in two, followed us around the house turning off lights, recycled tea bags until the water remained colorless after lengthy steeping. Our laughter dismayed him; he wondered how his American children would ever become survivors.

The lessons in asceticism became more urgent after his first, near-fatal heart attack. The doctors said his survival was a miracle, but it was no surprise to me. The Houdini of the Holocaust, the man who had emerged from his own grave, had done it again. His extraordinary willpower was now summoned for the war against his weak heart. He adopted a diet so strict that even his cardiologist urged him to be flexible.

Asceticism meant survival. Though he was almost flagrantly generous toward anyone who asked for his help, he rarely spent money on himself. Buying a cup of coffee during his long rounds visiting customers seemed to him indulgent. His greatest pleasure was to eat hot red peppers, hiccuping loudly as tears filled his eyes; he enjoyed performing minor operations on himself, removing ingrown toenails with a glowing knife. Even the tricks he performed for me were demonstrations of ascetic bravado, like waving his finger back and forth through the flame of a Sabbath candle. The secret, he said, was to move so quickly that there was no time to think about danger or pain. I practiced until I became as good as he was, entering the fire without getting burned.

And yet however vital those lessons appeared, they were in fact tangential to my father's main teaching: to know the world without illusion. He made certain I learned the wisdom of the Jewish Exile: *Halakhah*, it is law, *Esav sone l'Ya'akov*, Esau the Goy hates Jacob the Jew. The Goy. Not merely one or another group, not even an entire nation, but the whole non-Jewish world. Every country had shut its doors to Europe's Jews. The earth had been so inhospitable that the only refuge my father could find was to burrow beneath it.

The most friendly goy might one day reveal the Nazi within. Even, said my father, a woman who had fallen in love with and married a Jew: "Everything will be all kissing and who knows what. Until the first fight. Then, all of a sudden, it is 'dirty Jew, filthy Jew.' And you say to yourself, 'Where did *this* come from? What happened?'"

Yet he himself had been saved by a goy. He'd entrusted his hiding place to Muresan, the forest keeper, and wasn't betrayed. And though he never said so, he obviously understood the contradiction at the heart of his most important lesson. When he'd tell me about Muresan, his voice became gently rhythmic, almost melodic: "There was a peasant, a simple man who couldn't read, who couldn't write, but was very good-hearted man." He never told me the names of the two Jews he hid with in the hole, but he made certain that I knew "Muresan," as if offering me a name to counter Esau.

In 1940, four years before the Nazis came, the pro-Nazi Hungarian fascists occupied Transylvania. In 1941 my father was drafted into the Hungarian army. "That was not an army like normal army; that was a labor brigade for the Jewish boys." The recruits were given shovels instead of guns; yellow stars were pinned to their sleeves.

One of the fascist officers took a liking to my father, drawn perhaps by his dignified intactness: He was handsome, slender but sturdy, with enormous self-confidence; his deep laughter was charismatic. The officer appointed him manager of the camp's kitchen, rescuing him from slave labor and assuring him of access to food. "That good man took care for me like his own son." In our family album there was even a photograph of the officer, wearing a large Iron Cross, symbol of Hungarian fascism. My father had carried that photo across the ocean, through all his postwar wanderings;

I resented its intrusion into our home and couldn't understand his gratitude to a Hungarian Nazi goy.

As with Muresan, the presence of the officer in my father's stories was not merely disturbing but subversive. If there were two exceptions to his rule of gentile enmity, then perhaps there were others. And if that were so, how could a Jew be sufficiently wary and know to sort enemies from friends? It was far safer to live without exceptions. Muresan and the officer confused me; I tried to forget them.

For my father, Jew hatred was a given. His stories about Nagy-Karoly began with his childhood, when Christian boys taunted him to "Go to Palestine!"; they ended with his return home just after the war, when gentile neighbors greeted him without pleasure: You survived?

Still, you didn't question natural disasters, blame volcanoes for periodically erupting; you learned to protect yourself. In his stories non-Jews were almost irrelevant – a nameless, indifferent storm. Gentile hatred wasn't extraordinary, only Jewish naivete. And so he directed his rage not against the Gentiles but against the Jews.

He didn't accuse the Jews of going like "sheep to slaughter." The one time I asked him why Jews didn't fight back against the Nazis, he laughed in an incredulous snort. "Fight back? With how? Your bare hand?" Once the Nazis came, the greatest heroism possible was to hide in a hole.

But why, he demanded, hadn't the Jews prepared *before* the Nazis came? Why were the Jews taken by surprise? How was it possible that when the Nazis reached Hungary in 1944, its Jews were as unsuspecting as Polish Jews had been in 1939? Hungary's Jews had had five years of warning; all around them Jewish Europe was burning. Yet they'd prepared no hiding places or arms caches or illegal boats to the Land of Israel.

They didn't even try to verify the "rumors" of what was happening across the border. My father had met a Polish rabbi who smuggled himself into Hungary under a wagonload of hay and who told him about the camps in Poland. My father repeated the stories to other Jews. Some pitied his gullibility, while others cursed him for weakening Jewish morale; no one believed him. Instead, they told him that this was the twentieth century and Jews weren't gathered up in bonfires anymore, that they were Hungarian citizens and their government would surely protect them. Desperate optimists, they doomed themselves with hope. And that was another crucial lesson: A Jew must always expect the worst.

My father was an emotional, even sentimental, man who cried easily and often. He wept when we gave him his annual birthday handkerchiefs, wept thinking of my sister as a bride. But when he spoke of the Jews of Nagy-Karoly – most of whom, including his parents, had been taken away and gassed – he was dry-eyed. Before mourning must come judgment, lessons "for the future." Why had we been such perfect victims? No murderers had ever been more methodical than the Nazis, no victims more disorganized than the Jews. In my father's stories, Nagy-Karoly was not a place but a symbol for all of European Jewry's failures, for every fatal illusion.

Of Nagy-Karoly's eighteen thousand people, four thousand were Jews. My father's father, Josef Klein, was a self-made millionaire, one of the wealthiest men in Nagy-Karoly and president of its Jewish community. He owned vineyards, wine

cellars, warehouses of beer. He was my father's favorite example of Jewish naivete: His wealth had deceived him into believing in security.

My father never described the luxurious home in which he grew up – a deliberate, contemptuous omission. After the war he returned to his family home and lived there, alone, for a time. But he kept nothing from it except his mother's broken timepiece and individual portraits of his parents, which a photographer later enlarged and tinted blue and which hung, framed, in my parents' bedroom: Josef, jowly, mustached and severe, and Hannah, smiling dreamlike in a pale blue wig. I was named for

them both, Josef H., their names crammed into mine. I was my parents' firstborn; and should no children follow me, my grandparents would be assured a memorial.

Once a year in their honor, we lit *yahrzeit* candles. The wax-filled glasses were placed on the rim of the bathroom sink, an uneasy intrusion of holiness into a place of impurity. On those nights when the candles burned, I tried to avoid the bathroom, afraid of encountering white forms floating in the blue light. After the wax melted away, we used the cups as drinking glasses.

The memorial candles were lit on the evening of *Shavuot*, festival of Sinai and revelation of the Torah, because that is when the trains from Nagy-Karoly were said to have reached Auschwitz. We assumed my grandparents had been gassed immediately after arriving there, and their bodies burned later that night. My grandparents had disappeared, leaving no proof that they ever lived or even that they had died. All that remained of them was the lesson of their illusions. I resented being named for them, as though it were a curse. I tried not to think about them and never called them "my grandparents," only "my father's parents." To be intimate with them was to risk infection with their easy dying.

"And my parents should rest in peace could have been saved!" my father repeated, not with grief but rage. The Land of Israel, though ruled by the British, was accessible before the war, waiting for the Jews. But instead of fleeing while there was still time, Nagy-Karoly's Jews trusted the solidity of Exile.

One of the most outspoken anti-Zionists happened to be the Hasidic rabbi of Nagy-Karoly, Reb Yoilish, who later moved to the neighboring town of Satmar and became famous as the Satmar Rebbe. Reb Yoilish's great enemy were the Zionists, whom he denounced on Shabbos – the Sabbath – from the pulpit in Nagy-Karoly's main synagogue. The Zionists were worse than anti-Semites, he said, a greater danger because they would provoke God by their mad attempt to hasten redemption. The Jews had been exiled from the Land of Israel by divine decree; only the Messiah himself could reverse it. And until his arrival, they were to remain dispersed among the nations.

One day it was announced that the famous Tisbi Illes was coming to speak in town. Tisbi Illes was a journalist who wrote passionate appeals urging Hungarian Jews to flee to the Land of Israel before it was too late. Tisbi Illes's real identity was hidden; his name was a Hungarian pseudonym meaning Elijah the Tishbite, the prophet who will announce the coming of the Messiah. And so when Tisbi Illes came to Nagy-Karoly, the synagogue was filled with curious Jews, my father, still a child, among them.

Everyone was stunned: Tisbi Illes turned out to be a Nagy-Karoly boy, son of one

of Reb Yoilish's most prominent Hasidim. There is no future for us here, said Tisbi Illes. No matter what we do, the goyim will hate us. For our wealth, for our poverty; for our capitalists, for our revolutionaries; for being tribal separatists in Nagy-Karoly, for being pushy assimilationists in Budapest. There was only one solution: Extract the Jews from Exile and return them to the Land of Israel.

For my father, Tisbi Illes was indeed a messianic messenger, appearing in a forlorn corner of Transylvania to save those Jews forgotten by everyone but their enemies. Inspired by Tisbi Illes, he joined the town's tiny B'nai Akiva group. B'nai Akiva was a Zionist movement, both Orthodox and socialist – faithful to the past and the future, contemptuous only of the Jewish present. After synagogue on Shabbos, my father took off his white shirt and replaced it with the light blue workshirt of the Zionist pioneers. On his sleeve was a blue-and-yellow patch: the Ten Commandments, a sickle, and a sheaf of wheat. In his workshirt he felt as if he were already in the Land of Israel, surrounded by empty hills covered with white rocks that, in the distance, looked like grazing sheep.

On the street he was now physically attacked not only by non-Jews but also by Reb Yoilish's Hasidim. Josef Klein was ashamed and spoke with his son only when necessary. A few of the older B'nai Akiva boys emigrated to the Land of Israel; their fathers sat shivah in mourning for them, as if the boys had died. "Those handful boys who went then to Israel are all today alive. And those who sat for them shivah? They went to the gas chamber." And then, as though addressing a court, he concluded, "I blame our leaders, so-called leaders. Instead to warn, 'Escape with your lives!' – no, they kept us back, they didn't let us go to Israel. And do you know where is this Tisbi Illes today? One of the greatest scholars of the kabbalah at the Jerusalem university."

Finally, there was the story of the train. On Passover 1943 it was announced in the synagogue that a train carrying Slovakian Jews bound for "resettlement" to an unknown destination was passing through Nagy-Karoly. "And so everybody went home, myself including, and gathered some food and clothe. At the station we saw there a train. That was not a passenger train, that was a train with wagons. For animal. Cattle."

Outstretched arms reached through the small barred window of each car, a transport of limbs. "Where are they taking you?" my father shouted into one window. "They told us to factories," someone inside shouted back. But there were old people, babies, in the train; were they also going to work in factories?

"And then we went home, and nobody thought to speak again about the train, as if it never happen. Nobody thought to say *tehilim*, a few words prayer, to ask that God should help those 'poor people' – poor people, we called them. No one made a move to save even himself. The Romanian border was only few mile away; we could easily run there. And so life was going on another year. And the next Passover – came the train for us." Selfishness, naivete, infighting, anti-Zionism: These were the sins of Nagy-Karoly's Jews. But my father considered them guilty only so long as they could have saved themselves; once on the train to Auschwitz, they became *kedoshim*, holy martyrs, dying together in unity, a perfect Jewish death. My father even forgave his non-Zionist father. Every time he mentioned his father's name, even to condemn him, he appended it with a hurried "should rest in peace." Having vanished into the

Six Million, Josef Klein achieved greatness. It seemed fitting that we lit memorial candles for my father's parents on a holiday that belonged to the whole Jewish people: There was nothing personal about their dying.

But just as Nagy-Karoly's Jews were redeemed by death, the real criminals of my father's stories appeared: the American Jews, especially their leaders. They knew what was happening; why didn't they chain themselves to the White House, sit down in the streets of Washington, lose their minds with grief? "And what did they do, these leaders, so-called leaders, these nothings? Dance at bar mitzvahs? What did they *do!* Instead to be dined and wined in the White House while every day, every day, thousand more were burning."

The only time in his stories that his voice turned almost shrill was when he spoke of the American Jews. I felt the purity, the thrill of his rage. American Jews didn't try to save the relatives they'd left behind in Europe because they didn't want to draw attention to themselves with a noisy rescue campaign, jeopardize their assimilation into America. The six million American Jews had survived in place of the six million of Europe; we had burned so that they could move to Long Island. "We": of course, we. Though born in America, I was no American Jew. I would never assimilate, become a spectator to Jewish suffering.

The Holocaust, implied my father, had happened because of the failure of Jewish solidarity. And so, he said to me, you must cherish the Jewish people – this most unloved of peoples – compensate for all the hatred against it with a great, uncompromising love. Goyim hate someone just because he's a Jew? You love him just because he's a Jew. You don't like him as a person? Love him as a Jew.

My father's survivor friends had small ambitions, seeking comforts to dispel humiliating memories. But my father's ambition was to save the Jewish people. He wanted not just personal but group survival – as if, having died together in our millions, we had become physically transformed, no longer single beings but melded Jews. Not surprisingly, his most persistent grammatical error in English was confusing the singular with the plural.

The candy business often seemed like a pretext for him to spread his message of Jewish survival. On his weekly rounds to customers, he offered long commentaries on "politic" – politics, the latest Jewish news – and only toward the end of his visit would he inquire about an order. He didn't seem like a salesman at all, but rather a wandering preacher. His customers cherished him like a celebrity, this courtly man who wore a fedora tilted slightly over one eye and a folded handkerchief peeking from the breast pocket of his jacket, who alerted them to billing mistakes in their favor, and who spoke softly when not discussing the fate of the Jews.

His great fantasy was to be a Jewish leader, addressing vast audiences and demanding that Jews teach their children the lessons of the past. But that, of course, was impossible; he was just an immigrant with broken words.

And so he planned his revenge on the Holocaust through me. The real intent of his stories was to train me to become a leader, a savior, a new Tisbi Illes. I would teach the Jews how an entire people could be led to a singular death; teach them to be ever watchful, as obsessed with surviving as the goyim were with killing us; teach them to plan ahead, even in quiet times, intervals between holocausts; teach them,

above all, to support each other, to be as powerful in our unity as our enemies were in theirs, united against the world in an embrace of love.

## 2.

We lived on the border of Borough Park. Beyond our Brooklyn enclave, populated mostly by Orthodox Holocaust survivors like my family, were Italians, Puerto Ricans, Scandinavians. They evoked no curiosity in us, only fear. We saw them all as members of the same ethnic group: Jew-haters. Goyim, we called them, a Hebrew word that literally means “the nations” but that we understood to mean the enemy. The more polite word we sometimes used was “non-Jews,” defining them by who they were not.

The neighborhood ran west to east from Eighth to Eighteenth Avenue, north to south from Thirty-ninth to Sixtieth Street. Though invisible, those borders were inviolate: The Jewish streets abruptly ended, and a Jew crossed them at his own risk.

We lived on Fifty-first Street, between Seventeenth and Eighteenth Avenues. That placed us safely among the Jewish side streets; but Eighteenth Avenue, the eastern border, was just a few houses away. When I walked along Eighteenth Avenue,

I would cross the street to avoid the Italian pizza shop on one corner, then cross back to avoid the candy store. Goyim with greased hair and leather jackets gathered there; and you never knew when they might grab your yarmulke and toss it among themselves like a Frisbee. I mapped out the stores into which I could flee, just in case: the Hasidic barbershop where they shaved boys’ heads and left only sidelocks resembling sheep’s ears, the *glatt* kosher butcher shop whose meat was slaughtered in an extra-kosher way.

Borough Park was symmetrical, as though preplanned: quiet streets of two-family brick homes with red stoops and gray, dignified apartment buildings; every two or three avenues was a commercial strip. But this ordered geography broke down at the borders. Suddenly there were factories with cracked windows, random lots, train tracks – chaos. Outside our borders, the sanity of the streets couldn’t be trusted.

We lived in a sealed Jewish world. The restaurants and bakeries were kosher, the pizza shops sold knishes and falafel, bookstores offered only Judaica, furniture stores displayed bookcases built for large volumes of Talmuds, hardware stores sold “Shabbos clocks” that automatically turned lights on and off (to circumvent the religious law against using electricity on the Sabbath). We were self-contained; all we wanted was to be left alone. We were like survivors of a nuclear war, in need of quarantine, except that we were protecting ourselves from humanity. We had been poisoned by a knowledge no outsider could understand; only in isolation could we nurse each other back to equilibrium. Had it been possible, we would have surrounded Borough Park with a moat.

Borough Park’s Hasidim didn’t read secular newspapers or watch TV; they didn’t want to be reminded that “the world” existed. But we were a modern Orthodox family, meaning that non-Jewish culture – in limited doses – was permitted in our home. My mother was almost an American, one of the few Jews in Borough Park who wasn’t a survivor; she offered me an opening to a reality not defined by Nazis or

victims. She joined the Dr. Seuss book club and bought the *World Book Encyclopedia* on installment and took Chani and me to museums. Because she'd left Transylvania as a child, she spoke English without a European accent: Her *rs* didn't tremble, and her *tvs* didn't harden into *vs* – an unburdened speech.

We watched the world from a distance. Television was safe: Goyim could appear and disappear, in precisely timed segments. My father loved westerns. One of the few boyhood memories he cherished was watching cowboy movies in Nagy-Karoly's theater; when the movie ended, he and the other children would chant together in English, "Happy end!" That was a strange Nagy-Karoly anecdote: Hasidim weren't harassing Zionists; goyim weren't harassing Jews. Only in westerns, with their lonely heroes defeating lawlessness, could my father return to a childhood that wasn't a prelude to the Holocaust.

My mother and sister took refuge in sitcoms. Donna Reed reassured them that the Holocaust was an aberration, that the world conformed to their basic goodness. They lay together watching TV in my parents' bedroom, sometimes laughing so hard they kicked the covers off the bed.

I was drawn to any TV program about history: the American Revolution, Napoleon's conquests, the War of the Roses. Here was a world where people died in normal wars and tragedy happened in manageable doses, where suffering could be mourned rather than resisted and compensated for. And I *liked* the goyim on television. They seemed decent, familiar, human: people like Ricky Ricardo, the handsome husband on *I Love Lucy*, who reminded me of my father because he too spoke an eccentric English and came from Cuba.

But aside from watching them on TV, goyim were as alien to me as they were to the Hasidic children. Naturally, I had no non-Jewish friends. An Italian family lived on our block. If I saw one of the Italians at a distance, I'd cross the street to avoid the awkwardness of saying hello. My parents and the Italians were cordial, but of course they never visited each other's homes. I wished the Italians would stop sabotaging our Jewish intactness and would move away.

Borough Park's interests were limited to its own borders, and leapt over the Christian neighborhoods to embrace other Jewish enclaves – as if the only civilized parts of the world were Jewish, the rest being inhabited by rabid creatures capable at any moment of unprovoked violence. "The world" existed only insofar as it affected Jews. If I read about a country I hadn't heard of before, I needed to know how many Jews lived there and whether they were in immediate or merely longterm danger. When I scanned a newspaper, I could instantly spot the words "Jew," "Nazi," "anti-Semite," as if they glowed on the page.

Whatever fears Jews once had about goyim before the war, whatever fantasies of destruction they had conjured, were naive compared with what we, the survivors, knew. The Jews and "the world" could never coexist; at best we would endure each other from a distance. Some of our religious laws seemed meant not to

bring us closer to God but to separate us from the goyim, and I accepted that estrangement as self-evident.

I learned most of my father's survival lessons at best partially: I wasted food and toilet paper, kept lights burning in rooms after leaving them, was a failure on the

accordion. But I did master his most crucial lesson: to see myself as a stranger in a hostile world, a member of a people related only formally to humanity – in effect, a separate species.

We feared the goyim and wanted nothing to do with them; but we turned our hatred inward, toward the Jewish assimilationists, the traitors: the American Jews who were embarrassed to be “too” Jewish, who laughed when a Yiddish word was mentioned in a joke as if that were itself the punch line, who turned an identity we’d been martyred for into vaudeville.

My father told me how some Jews in pre-Holocaust Europe had tried to assimilate, imagining themselves Germans in Berlin and Hungarians in Budapest. They called themselves “emancipated,” as if Jews could ever be freed from the burdens of history. Other Jews had tried to become communists, members of no nation at all, of something nonexistent called “humanity.” They’d cared more for the goyim, said my father, than for their own people. His contempt was based on simple logic: During the war, Jewishness had become the central – the only – fact of a Jew’s existence. And so if one could be killed for being a Jew, then one simply had to live as a Jew. There was no joy in that decision, but neither was there regret. To reject one’s Jewishness made as much sense as to deny one’s gender. The only alternative to accepting the basic dictates of fate was suicide; and that, implied my father, was precisely the meaning of assimilation.

Even if assimilation were possible, self-respect required Jews to reject it. When my father spoke of Salk and Freud and Einstein, he wasn’t boasting of Jewish intelligence but presenting an indictment: After everything we had done for “the world” – that foreign entity – it repaid us with Auschwitz and Treblinka. *Now* the world was ready to accept us? *Now* it was too late.

On Sunday afternoons Christian missionaries walked the streets of Borough Park, trying to convert survivors. The missionaries distributed glossy pamphlets about Jews with names like Justin Benington Goldblatt who’d become Christian. “Now I am a fulfilled Jew!” exulted Goldblatt.

In the spring two old missionaries wearing string ties would appear on the steps of a Borough Park bank. One of them held a giant American flag on a pole while the other made speeches.

I joined the hooting, laughing crowd that invariably surrounded the two shriveled men; I spat at them and shouted, “Nazis!” I saw these pathetic do-gooders as a threat to Jewish survival: Borough Park was all that remained of Jewish Europe, and even this they wanted to take from us.

What I knew about Christianity was that it worshiped a dead Jew. The idea made me queasy: Christians seemed to be celebrating Jewish death. Hasidic children called Jesus “Yoshke,” a mocking name meant for a village idiot; some grown-ups called him the *Yimach Sh’moini*, the one whose name should be blotted out, the traitorous Jew who’d brought disaster on his people. My father told me how Jews would hide in their homes on Christmas and Easter, anticipating pogroms. “One Jew is killed two thousand years ago and they can’t forget it; but six million Jew they kill twenty years ago and for this nobody says even a word.”

In the yeshiva, or religious school, I attended we got a children's magazine called *Olameinu*, Our World – an appropriate name, because nothing non-Jewish, extrasystemic, penetrated its pages; even the cartoons and crossword puzzles were Jewish. In one issue there was a cartoon story about a Jewish boy who is kidnapped by his Christian nurse; raised in a monastery, his past is slowly erased until he becomes an amnesiac. Finally, he is ordained a priest. Then one evening he happens to pass a synagogue. It is the night of Yom Kippur, and the cantor is chanting *Kol Nidre*, the prayer asking God's forgiveness for violated promises. The priest stops: The melody is familiar. He enters the synagogue. Naturally, he finds his parents among the congregants and triumphantly returns to Judaism.

Some Borough Park children said it was a *mitzvah*, a religious commandment, to spit when you passed a church. An alternative opinion held that it was forbidden to even walk within spitting distance of a church. There was a big church on one of the border streets near Eighteenth Avenue, and I'd cross the street rather than pass it. If I got too close, grasping hands might suddenly emerge from its massive doors and drag me into the basement, where priests would imprison me and force me to become a Christian.

My father told me about the notorious priest Cuza. One day, before the war, Cuza announced he was coming to Nagy-Karoly to start a pogrom. Yossi Katz, a butcher's son and a "big boy," waited for Cuza at the train station. When Cuza appeared, Yossi Katz lifted the priest by his lapels and threw him back onto the train. Cuza never returned to Nagy-Karoly.

I wanted to be a protector and an avenger like Yossi Katz. ("Katz Yossi," my father called him, placing the family name first, Hungarian-style: Where you came from was more important than who you were.) But instead of defending my community; I lived in fear of the pogromists across Eighteenth Avenue: the Tough Doody Bomb Gang. At any time, its members could swoop onto our street, riding sleek bikes that seemed to glide just above the earth and shouting "Jee-ew!" as though the word itself were a jeer. To me, they weren't mere bullies but storm troopers. Any anti-Semitic taunt or joke was an unbearable reminder of Auschwitz. We were like people whose skin had been stripped, without resistance to the mildest pressures.

When the Tough Doody Bomb boys appeared, we would scatter into our homes, even if we outnumbered them, because Jewish children didn't know how to fight. In moments of rage I felt I could single-handedly beat the entire gang. Just below my white arms, thin as kindling wood, were muscles waiting to swell; sometimes I could feel them stirring. But my body betrayed me. Objects were either too solid, refusing to conform to my grip, or elusive, slipping from my fingers. I grabbed randomly, without thinking – avoiding the physical, as if every day were Shabbos.

Once the Tough Doody Bomb boys chased me down my block. I ran before their bikes as they shouted "Dirty Jew!" and I fled to the top of my stoop. But instead of escaping into the house, I turned to face them. "Dirty Christians!" I shouted. I stopped breathing and braced for the massacre. But they just stared at me. Then they rode away and never bothered me again.

The first picture of the Holocaust that I saw was a cartoon in a comic book. One frame in the *Classics Illustrated History of the Second World War* showed a Jew sealed into a block of ice. Over him stood a Nazi soldier with a stopwatch, measuring how long it took for a human being to freeze.

Clearly, matters were far worse than my father had indicated; even he hadn't told me about the experiments in the camps. But even more compelling than the fact that Jews had been used as laboratory animals was the image of the dispassionate Nazi. He wasn't directly torturing his victim, merely watching him. I could more easily accept the existence of evil than the brutality of the spectator. To be a good person meant acting in a manner opposite that of a Nazi, as dedicated to saving as the Nazis were to destroying. After the Holocaust minimal decency required total selflessness.

For a long time that comic book image was the only confirmation I had of my father's stories. I constantly watched World War II on television, documentaries about great battles and Hollywood movies about the French resistance; but none mentioned the Jews. There were almost no films about the Holocaust, as if acknowledging that event would destroy the world's intactness.

Even in yeshiva, the conspiracy of silence persisted. My teachers spoke only about tragedies from the remote past, offering us euphemisms for the Holocaust. A woman named Hannah had refused to bow to a Greek idol and was forced to watch the execution, one by one, of her seven sons. Rabbi Tarphon was wrapped in an oil-soaked Torah scroll and set on fire, his soul rising to heaven with the burning letters. Rabbi Akiva's flesh was peeled by Roman soldiers with a giant metal comb; he died in ecstasy, having finally learned to love God with his entire will.

Most of my classmates carried the names of murdered grandfathers. But even they knew little about the war, because their parents refused to discuss it. Only occasionally would parents let the war slip out, usually as a rebuke to their children for some offense: "For *this* I survived Hitler?" Some of my friends didn't even know if their parents had been in a camp or in hiding. To me, that was like not knowing your parents' names.

The total public and even private silence made the Holocaust seem mythical. I didn't consider my father's stories literal accounts, but allegories. Perhaps his town had never existed; after all, he wasn't even certain of its name. Sometimes he called it Nagy-Karoly; sometimes, Carei. When I asked him about the discrepancy – reluctantly, afraid to catch him in a lie – he said only that those were his town's Hungarian and Romanian names. But any town whose very name was contested had to lack solidity.

The Holocaust took the place in my mind that for other children God held, a presence at once awesome and intimate. The war formed my closest bond with my father: It was *our* war; we were the only members of our own secret society, initiates of historical mystery. And yet I couldn't discuss the war with him. Instead, he spoke and I listened, waiting for him to tell me what I needed to know. Partly I was afraid to hurt him. And I was also ashamed: Our knowledge was so unbearable that no one else could even mention it.

Unlike my father, most of his friends had blue numbers on their forearms. But the numbers were concealed by suit jackets, even in summer. Still, sometimes their sleeves slipped up, and a few numbers became visible. I pretended to look away, peeking sideways.

Together with my friend Sandy, I tried to figure out how the rows of little blue numbers had been tattooed on the arm. Did someone draw them directly onto the skin? Or was there a machine that did it? There was no way of knowing, because none of the parents who'd survived the camps would speak. I felt vaguely ashamed that my father hadn't spent time in a camp and wished he'd been deported to Auschwitz like Sandy's parents – and then escaped to the hole. That way he could still have been a hero, one step ahead of all the passive Jews, while also sharing their knowledge.

I was far more ashamed of my mother. My friends were “children of survivors,” whereas I was merely the child of *a* survivor.

I felt incomplete, inauthentic. Ironically, my friends envied me for having at least one parent who wasn't traumatized, who was totally sane; they liked coming to my house because my mother's presence made it seem “American.”

My mother's most prominent trait was sympathy. Her survivor friends, suffering from nameless ailments they diagnosed simply as “the war” and speaking in sentences that ended in sighs, confided to her secrets they could tell no one else. Though an outsider, she lived with a survivor and compensated with compassion for what she couldn't understand. Once she wrote an essay for a friend about the woman's experiences on a winter death march; the woman won an appearance on the *Queen for a Day* show, which awarded her with appliances for having the most pathetic story among the contestants.

My mother's face was fresh and lovely, her figure almost as slender as it had been as a teenager, when she'd come in second in the Miss Jewish American Beauty Pageant. Among her friends with heavy makeup and wigs and blue numbers on their arms, she was radiant. But my mother knew it was no coincidence that she, an almost American, an almost beauty queen, had found her home among the survivors. She had gotten out of Transylvania, she said, on the last boat – an exaggeration, by which she meant to say that she took nothing for granted.

But she lacked a survivor's resiliency. She found the merest pain unbearable. Her cheerfulness helped her appear energetic, but climbing a flight of stairs left her breathless. She was finicky as a child about food and could enjoy only her own or her friends' cooking. Eating the food of strangers was too intimate and made her queasy.

My father never mocked her weaknesses. Instead, they amused and even delighted him: Her fragile will and her kindness were inseparable symptoms of tenderness.

But not for me. I had to resist my mother, become her very opposite. My father was the survivor, my mother the American – the nonsurvivor. Her decency and optimism threatened to undermine my father's grim lessons about “the world.” If I wasn't careful, her influence could be fatal.

In 1961 the Holocaust suddenly appeared on TV. Adolf Eichmann, CEO of the Final Solution, had been kidnapped by Israeli agents in Argentina and flown back to Israel; his trial was broadcast live from Jerusalem. Chani and I watched the trial with our parents, sitting on their bed. Spectators in the courtroom bit their lips to suppress

hysteria; witnesses wept and fainted. “Why are people so cruel?” my mother asked. “Why?” I wanted to shout at her, “Because that’s how it is, all right?” Suffering was supposed to harden you, prepare you to become a savior, not make you squeamish. Once you began crying about these things, where would it end?

The defendant sat in his bulletproof glass cage, making notes. The wry turn of his mouth reminded me of an expression I sometimes saw on my father, as though an awful truth, long suspected, had suddenly been confirmed – a knowing look, without shock, that said: So this is how it is. In fact, Eichmann and my father seemed to share the same secrets, inhabiting a reality no one else could enter. Could it be – was my father one of them? What better disguise for a Nazi, after all, than becoming a survivor in Borough Park?

I didn’t really believe my father was a war criminal, but neither could I be sure that he wasn’t. I lived in a world of infinite grotesque possibilities. Reality had overtaken fantasy: The Dracula story seemed tame compared with what had actually happened to Jews in Transylvania.

My father’s possible Nazi identity was merely one of the many speculations with which I tried to explain the strangeness of my life. Perhaps the Jews had come to earth on UFOs and were despised everywhere as aliens because that’s what we literally were; one day we would return to our true home, the planet of the Jews, where everything would finally make sense.

At the time of the trial, I was eight and my sister, five; our parents would banish us from their bedroom whenever clips of the death camps appeared. But sometimes images filled the screen without warning and I saw the piled bodies, the upside-down faces with gaping mouths and empty eyes. The pictures were blurry and quickly passed, but they offered a kind of relief: The most important event of my life had really happened.

I told Sandy we had to kidnap Hitler. “He’s alive,” I said, “I know it.” We had to hurry, though, because Hitler was already old. Sandy asked me what I would do once we caught him. “Put him in a cage,” I said, “and drag him around Borough Park. And then scratch out his eyes.”

Of course Hitler was alive. “In every generation a new enemy rises to destroy us,” grimly warned the Passover Haggadah – not merely to defeat or enslave us but to wipe us out. Only the form changed, never the threat itself: a boundless hatred of Esau for Jacob, which not even Auschwitz could exhaust.

#### 4.

Every Friday, as if to subvert the approaching peace of Shabbos, the *Jewish Press* arrived in the mail. More than just the voice of Brooklyn’s Orthodox Jews, the *Jewish Press* was a cosmopolitan digest of disaster. It probed the world, looking for woe: In Russia Jews were sentenced to death for “economic crimes”; in Argentina a swastika was carved into a Jewish girl’s breast; in Germany they vandalized Jewish cemeteries, trying to erase the memory of Jewish death.

The editorials, cartoons, letters to the editor, and blue-and-red headlines all merged into a single “*Gevalt!*” a great cry of alarm. Stories were said to continue on

nonexistent pages or ended mid-sentence, as if some calamity had suddenly struck its author. The *Jewish Press* was a newspaper with a mission and had no time for the formalities of grammar; its typos were the stutter of an urgent messenger.

The *Jewish Press's* implicit motto was, No threat can ever be exaggerated. Its editors preferred to risk ridicule for transforming the most minor anti-Semitic incidents into banner headlines rather than to repeat the Nazi-era mistake of understatement. One never knew which threat would turn into genocide: The Holocaust, after all, hadn't begun with Auschwitz but with smashed windows in Jewish shops. The Jews had been almost pathologically unprepared for the Final Solution; and now we, the survivors, would always be alert, searching for hidden warnings of apocalypse.

Each of the paper's columnists was expert in a different area of crisis. A rabbi appealed for funds to secretly circumcise Jews in Russia. A rabbi's wife warned that we were losing more Jews in Cleveland and Los Angeles than died in Auschwitz, a holocaust of assimilation. And the paper's associate editor, a rabbi named Meir Kahane, warned of the *physical* holocaust that was coming in America.

Only the *Jewish Press* dared speak of it. Dozens of local hate groups were said to be thriving, with good American names like the National States' Rights Party. There was even an American Nazi Party, whose leader was named George Lincoln Rockwell, an all-American fuhrer. Rockwell had dozens of followers, probably as many as Hitler had started with in the Munich beer hall.

The hate groups obsessed me. I *needed* Rockwell. An American Nazi party made sense of my life, reconciled nightmare fantasies with a benign childhood. I lived in opposite worlds, Brooklyn and Nazi Europe; one of them would have to yield. My father's reality seemed so much more compelling than mine; the value of my life would be determined by how much of his experience it could hold.

Rockwell helped me transform America into a Holocaust landscape. The Nazis could come at any time; to turn even briefly from danger was to risk repeating the mistake of Nagy- Karoly's Jews, blinded to the approaching end by the distractions of daily life.

I spied swastikas everywhere, death messages surfacing from some deep underground. They were scrawled in chalk on the sidewalk, traced in the dust of car windows, faintly scratched onto silver lampposts. To find them you had to look beneath the world's seeming order, possess a microscope-like Jewish vision that could penetrate surface solidity and reveal the teeming chaos.

The news worsened. Rockwell spoke on a California campus, and hundreds of students came – curious, not hostile. Even Hitler had probably never been invited to a college. And if *he* had taken over a cultured country like Germany, why not Rockwell in America? What happened once could – must – happen again.

And "it" had nearly happened here. In a used-book store I found a copy of *Under Cover*, written by an Armenian who had infiltrated America's pro-Nazi movements in the 1930s. The book, printed during the war on brittle, rationed paper, spoke of organizations like the America First Committee and the Christian Crusade, with a combined membership of millions. Only the war and the end of the Depression had saved American Jewry.

Some day, I decided, I would infiltrate the American Nazi Party and write a

sequel to *Under Cover*. Though my nose was long (“Jewish”), my hair was very blond (“Aryan”). Indeed, our family doctor liked to call me “the little Nazi.” My mother demanded that he stop, but I was secretly pleased: I could pass. When I got sick, I practiced swallowing aspirin without water, in preparation for the cyanide capsule I would take if captured. In sixth grade I formed the Anti-Nazi Agency (ANA) and recruited my classmates, fellow children of survivors obsessed with Nazis. We printed leaflets on a handpress that produced barely visible pale blue letters, and taped them to lampposts all over Borough Park, outlaw Nazi hate groups now!! should democracy give rights to those bent on destroying it??? We decorated the leaflets with large swastikas, then drew careful Xs through each one. Just like on the holiday of Purim, when we wrote Haman’s name on the soles of our shoes and then rubbed it out. Jewish logic: You pray that Haman’s memory be blotted out, and thereby keep it alive.

Every Shabbos afternoon, the members of ANA would meet to plan strategy, a dozen boys in preknotted ties that clipped onto the starched collars of our white shirts. We would read aloud excerpts from the *Jewish Press*, then eat cookies. I felt the pain of our youth, our inadequacy before history, but took comfort knowing that in the Warsaw Ghetto children had instantly aged, becoming smugglers of weapons and food.

We went door-to-door in Borough Park with a petition to President Lyndon Johnson to ban hate groups. Some survivors refused to sign, suspicious of what we would do with their signatures. My father cautioned me: Petitioning a president is no small thing.

Incredibly, even he seemed blind to the imminent Nazi takeover. “America is different,” he said.

But why? In the *Jewish Press* I read how America had turned back from its shores a Jewish refugee ship and hadn’t bombed the train tracks leading to Auschwitz. I retaliated by refusing to join in my class’s recitation of the “Pledge of Allegiance.”

My father wasn’t pleased. He loved America. He would invariably end his bedtime stories to me as a child by saying, “And then I came to this great country, America, and met Mommy, should live and be well, the most wonderful woman you could want.” America was inseparable from my mother: Both had offered him refuge.

My father’s love for America, I thought, was a classic case of Jewish self-delusion, of refusing to perceive the world as it was: a place as hostile to Jews as Pluto was to humans. I wanted total consistency, without exceptions: no good goyim like Muresan, no good countries like America. My father had known a life before the Holocaust, knew that reality didn’t always conform to one’s abstract judgments. But I’d learned of the Holocaust almost from the moment I became conscious, and its absolute distinctions between good and evil left no room for subtleties.

We gathered a few hundred signatures for our anti-Nazi petition and mailed it to the White House. Months passed, without response. I wrote an irate letter to the White House; an aide replied, claiming he had no record of our petition. Why don’t you try writing the president again, he suggested. But we’d spent *weeks* collecting signatures, a last-minute cry of warning by hundreds of survivors to an unsuspecting America!

We had given democracy a chance. In ANA we discussed acquiring sewer maps of Borough Park, for the time when we would have to go literally underground.

5. Natan Sharansky, "3D Test of Anti-Semitism: Demonization, Double Standards, Delegitimization," *Jewish Political Studies Review* 16 (Fall 2004), 3–4

When I was a dissident in the former Soviet Union, one of my regular activities was monitoring anti-Semitism, and smuggling out evidence and records of such activity to the West. I believed then that the free world, particularly after the Holocaust, would always be a staunch ally in the struggle against anti-Semitism.

Unfortunately, I was wrong. Today, as a minister in the Israeli government in charge of monitoring anti-Semitism, I find myself regularly summoning the ambassadors of West European states to protest anti-Semitic attacks on Jews in their countries and the often meek response of their governments.

Over the past four years, we have witnessed a resurgence of anti-Semitic activity in the democratic world. In Europe, synagogues have been burned, rabbis have been abused in the streets, Jewish children have been physically attacked on the way to school and inside schools, and Jewish cemeteries have been desecrated.

### Recognizing the "New Anti-Semitism"

Moreover, the so-called "new anti-Semitism" poses a unique challenge. Whereas classical anti-Semitism is aimed at the Jewish people or the Jewish religion, "new anti-Semitism" is aimed at the Jewish state. Since this anti-Semitism can hide behind the veneer of legitimate criticism of Israel, it is more difficult to expose. Making the task even harder is that this hatred is advanced in the name of values most of us would consider unimpeachable, such as human rights.

Nevertheless, we must be clear and outspoken in exposing the new anti-Semitism. I believe that we can apply a simple test – I call it the "3D" test – to help us distinguish legitimate criticism of Israel from anti-Semitism.

The first "D" is the test of demonization. When the Jewish state is being demonized; when Israel's actions are blown out of all sensible proportion; when comparisons are made between Israelis and Nazis and between Palestinian refugee camps and Auschwitz – this is anti-Semitism, not legitimate criticism of Israel.

The second "D" is the test of double standards. When criticism of Israel is applied selectively; when Israel is singled out by the United Nations for human rights abuses while the behavior of known and major abusers, such as China, Iran, Cuba, and Syria, is ignored; when Israel's Magen David Adom, alone among the world's ambulance services, is denied admission to the International Red Cross – this is anti-Semitism.

The third "D" is the test of delegitimization: when Israel's fundamental right to exist is denied – alone among all peoples in the world – this too is anti-Semitism.

### The Rise of Arab and Islamic Anti-Semitism

I am particularly concerned about the constant and growing stream of anti-Semitic propaganda from the Arab and Muslim world – including propaganda that is genocidal in nature against both Jews and the State of Israel. This should be of grave

concern, not only to Israel and Jews but to men and women of good conscience everywhere. Such venom defiles the Middle East and the international climate of discourse, and makes it possible for unabashed Jew-hatred to be expressed with impunity.

Earlier this year, my office published a 150-page report on “Anti-Semitism in the Contemporary Middle East.” The study surveys anti-Semitic reporting, editorials, and editorial caricatures in the government-controlled press of Egypt, Iran, Jordan, Lebanon, the Palestinian Authority, Syria, Saudi Arabia, and the Gulf states. In the more than one hundred editorial cartoons included in this report, Jews and Israelis are invariably represented as poisonous snakes, murderous Nazis, and bloodthirsty Crusaders.

We found that vicious anti-Semitism which expressly calls for massive terrorism and genocide against Jews, Zionists, and the State of Israel is becoming more and more commonplace across the Arab Middle East. Moreover, the borders between anti-Semitism, anti-Americanism, and anti-Westernism have become almost completely blurred. The overwhelming majority of this propaganda is issued from the government-controlled media and from supposedly respectable publishing houses closely tied to the Arab regimes.

There is a direct link between the laxity with which countries have responded – or not responded – to growing Arab/Islamic anti-Semitism and the sharp increase in physical and verbal attacks on Jews and Israelis globally.

I recognize that there have been positive developments in the fight against anti-Semitism over the past year or so. The Organization of Security and Cooperation in Europe (OSCE) has held several meetings on fighting anti-Semitism, and for the first time ever the UN Commission on Human Rights condemned anti-Semitism in three separate resolutions, which were adopted by consensus.

But these important initiatives are not sufficient to combat state-sponsored anti-Semitism, especially of the Arab/Islamic variety described above. For real progress to be made, the free world must be willing to not only publicly and forcefully condemn this anti-Semitism, but also to pursue a policy of linkage against states that support anti-Semitism.

## The Need for a Linkage Policy

The effectiveness of a policy based on linkage was powerfully demonstrated a generation ago after a group of dissidents inside the Soviet Union, including myself, decided to form the Helsinki Group in the wake of the Helsinki accords – the very agreement that led to the establishment of the OSCE.

With the help of courageous leaders in the West who were willing to link their relations with the Soviets to their treatment of their own people, the Helsinki Group helped ensure that the Soviets could not take one step in the international arena without their human rights policies becoming an issue. As a result, real progress was made.

I believe that combating anti-Semitism ought to become a much more prominent issue in the bilateral relations between America and the Arab and Muslim worlds. Linkage can be used to marginalize the extremists and to encourage and support those who reject this virulent hatred.

Anti-Semitism is not a threat only to Jews. History has shown us that left unchecked, the forces behind anti-Semitism will imperil all the values and freedoms that civilization holds dear. Never again can the free world afford to sit on the sidelines when anti-Semitism dangerously emerges.

We must not let this happen. We must do everything in our power to fight anti-Semitism. Armed with moral clarity, determination, and a common purpose, this is a fight that we can and will win.

## 6. Shaul Magid, "Keep Jews Interesting: It's Time to Stop Being Defined by Anti-Semitism," *Rewire.News*, Oct. 10, 2019

The recent publication of Bari Weiss' new book on anti-Semitism and "bedbuggate" have emphasized the troubling place the Jewish community has found itself in, embodied by Jewish historian Arthur Hertzberg's proclamation that "The only thing more dangerous for Jews than anti-Semitism is no anti-Semitism."

Of all the days in the Jewish year, Yom Kippur is the time when Jews seem drawn, either by obligation or guilt, to gather with other Jews and mark a day in which all appear to be equal. In contrast, Rosh Hashanah is a day of accountability and teshuva, and thus all are not equal; some are better, some are worse, some repent, and some don't.

But Yom Kippur, as a day of atonement, is about purification not rectification, as the Talmud teaches, "the day itself atones." As such, it offers an opportunity to think more carefully about things that are often troubling, and it should enable us to explore how we put the world together and how we, as a Jewish community, understand where we are in this moment.

Over the past few months, there have been a few incidents, thankfully not violent ones, that have brought to the surface a question that has dogged Jews for millennia. I will refer to two such incidents, and then explain why I think they should give us pause on a day which is truly about self-reflection and purification. Both are unfortunately somewhat banal, but they point toward something more substantive.

### Bedbugs and a Bari Book

The first is a tweet by a Georgetown professor in response to a report that *The New York Times* offices were infested with bedbugs. The tweet consisted of five words, "Bret Stephens is the bedbug." This was ignored in the Twitter world until somehow Stephens, who was not tagged, found it and then wrote an email to its author and the dean of his university deriding the tweet and calling it offensive, even anti-Semitic.

The author of the tweet then tweeted Stephens' email, causing a firestorm on social media. Let's forget for the moment that the author of the tweet, a media studies professor, said he had no idea Stephens was Jewish (neither did many other people, it seems), and that he meant it as a critique of Stephens' views on the op-ed page, not of him as a person. Stephens responded in an op-ed the following week by drawing a connection between this five-word tweet and the burning of the Warsaw ghetto, when one Pole was overheard saying, "Oh look, the bedbugs are burning."

He suggested, in other words, that calling a Jew a bedbug, here in the United States in 2019, is somehow similar to watching people burn to death.

The argument collapsed when people viewed the testimony of the Pole in context, collected in Emanuel Ringelblum's Warsaw ghetto archives, and learned that the Pole in question was actually referring to real bedbugs, as there was a bedbug infestation in Warsaw that, authorities surmised, began in the ghetto. But the point was made, and the context became irrelevant.

The episode quickly died down in the dizzying news cycle, but the issue brought to the surface an open secret: We Jews have a love/hate relationship with anti-Semitism. What it is, why it exists, and who is guilty of it.

The second event, a bit more elaborate, was the publication of a new book by *New York Times* op-ed writer Bari Weiss, called *How to Fight Anti-Semitism*, followed by a widely read op-ed. I don't want to dwell on the book itself, which I read with a fair amount of frustration, not because I didn't like it – which I didn't – but because this is such an important issue that requires careful and cautious thinking, which I think was absent in the book.

More interesting is the phenomenon that gave rise to the book, and others like it, and what its implications may be for 21st-century American Jews who are the most privileged community in the history of the Jewish diaspora, yet are still dogged by the fear of anti-Semitism. And I think we are literally tied up in knots over what to think or do about it. So, when a book like *How to Fight Anti-Semitism* comes out, we run to read it, because we want to know the answer. But sadly, as Max Horkheimer and Samuel Flowerman noted in their book series *Studies in Prejudice*, "Prejudice is one of the problems of our times for which everyone has a theory but no one an answer."

For American Jews, the problem is that anti-Semitism has become so ingrained, so much a part of our identity, that we need an answer not simply to know what it is, but to keep it alive in our own consciousness. The Jewish historian Arthur Hertzberg once said, "The only thing more dangerous for Jews than anti-Semitism is no anti-Semitism." The absence of anti-Semitism would require Jews, most of whom have already abandoned religion as their primary form of Jewish identity, to figure out why they should remain Jews. When French philosopher Jean-Paul Sartre said "the anti-Semite defines the Jew," he was not as wrong as we'd like to think.

So, many American Jews who are going about their lives in a state of what one might call low anxiety – perhaps the best we can hope for – are suddenly awakened when some professor inadvertently and jokingly refers to a public figure, who happens to be a Jew, as a bedbug, followed shortly after by the publication of a book about how anti-Semitism on the left, masquerading as anti-Israelism, is more dangerous than anti-Semitism on the right captured on video including the chant "Jews will not replace us."

Suddenly we wake up and take notice? Why is that? It's much like the experience we all have when we see some horrific accident; we don't want to look, and yet we can't take our eyes off it. We want anti-Semitism not to exist, but then we try desperately to find it when it's not in front of us, when it's "disguised." When we see it, we say, "Why do they hate us?" and when we don't see it we say, "They must really hate us but aren't saying it."

## ‘A Grand Unified Theory of Everything’

In her book, Weiss, quoting the historian of anti-Semitism Deborah Lipstadt, writes the following: “a philo-Semite is merely an anti-Semite who likes Jews.” On one level, we know what she means. Defining group identities, even positively, can be an expression of something negative, like in a stereotype: “Black people sure can dance!” or “Asian people are smart!” And the same can be said, one would surmise, of any group, such that saying something ostensibly positive about Black people or Asian people can still be racist.

But Weiss doesn’t accept that. She continues, “[Anti-Semitism] is not just a form of hatred, one that happens to be directed against Jews rather than against lesbians or Koreans or left-handed people. It is a grand unified theory of everything.” A grand unified theory of everything. This is where stuff gets weird. If people who dislike Jews and people who like Jews come together in this “grand unified theory of everything,” and this is categorically different from any other form of group hatred, is this not simply another iteration of Jewish exceptionalism that we have promoted for millennia from the Hebrew Bible to today?

It is, in a way, the dark side of chosenness. If we say, “God, who is the Creator of the universe, chooses the Jews above all others,” and promote that view by pointing to holy scripture, is it surprising that some of those others will hold negative opinions of us? This is what Spinoza argued. If you think this sounds provocative, it’s actually sewn into our very tradition. The midrash, for example, states openly that the covenant at Sinai will evoke hatred in the gentiles. Or when the sages proclaim a general principle, “Esau hates Jacob,” meaning that Edom, or Christendom, hates the Jews. That is a proclamation, not an observation; it’s stated as doctrine, not circumstance.

This is not to say that we Jews are responsible for anti-Semitism; it’s merely to point out that the sages knew quite well that the structure of how the Jews see themselves in the world would evoke a response, often negative. And of course, the whole argument is circular; the more the gentile hates the Jews, the clearer it is to the Jew that we are doing something right, because the fallen world is not ready to hear the true word of God.

Of course, we don’t really live in that theological universe anymore. For the most part, we are Jews who are fully children of the Enlightenment; we fight for justice and equality for everyone, and we don’t live in a world where we assume everyone hates us. Or do we? The tweetstorm in the wake of bedbug-gate and the new book by a public Jew on the ubiquity and ever-presence of anti-Semitism, tells us that while we may have shed our cloak of piety and religiosity (and while we may even find those who maintain such views problematic for their xenophobia, misogyny, etc.), many of us still retain an attitude about the world that such religiosity gave birth to. Not necessarily because we believe it, but because we can’t seem to not believe it. Upon what foundations would our Judaism stand if the attitude that “anti-Semitism is the grand unified theory of everything” simply were not true?

Thus, Israel can then never quite be evaluated like any other country, because hovering over a deep critique of it is the shadow of anti-Semitism. So, when many Jews argue that Israel is treated unfairly or exceptionally (and in many cases that is true),

defense of the state also often contains its own exceptionalism: If you're anti-Israel, you're anti-Semitic.

Here, I think, lies a dilemma deeper and more pressing than whether the leaders of the Women's March are (or were) anti-Zionist or anti-Semitic; or whether the left's Third Worldism that holds Israel accountable is doing so because they want to deny Jews the right of self-determination, or because they want to promote Palestinians' right of self-determination.

The British historian Arthur Toynbee, himself quite an anti-Semite, once said that history is "just one bloody thing after another." It seems, from reading books like Weiss's, that Jewish history is "just one bloody anti-Semitic thing after another."

The truth is, this is not of her own making. A whole school of Jewish historians have made that argument including, interestingly, Ben Zion Netanyahu, the father of Benjamin Netanyahu, and Holocaust scholars such as Robert S. Wistrich, especially in his books *A Lethal Hatred: Anti-Semitism from Antiquity to the Global Jihad*, and *Anti-Semitism: The Longest Hatred*. Even the titles should be jarring. Joining together people who lived 3,000 years ago to people today as if it's all just one bloody thing? Erasing all substantive distinctions between ancient Egypt (before there were even Jews!) and modern-day Iraq? Historically, there's something obscene about it, and yet this is viewed as a normative position: Even before there were Jews, people hated the Jews.

Even Jon Lovitz's Hanukkah Harry character, which had its "Saturday Night Live" debut in 1989, reflects this. When he mistakenly climbs down the chimney of a non-Jew's house, the girl, played by Victoria Jackson says, "Well I guess in the end we're all kind of the same," to which Hanukkah Harry shakes his head and says, "Well, not so much." If Santa were to say that to a Jewish girl in response to the same sentiment, many would probably say, "sounds like anti-Semitism to me."

Salo Baron, one of the greatest Jewish historians in the 20th century, who occupied the first chair in Jewish history in America at Columbia University, is today almost unknown in the public domain. His career of more than half a century changed the scope of understanding of Jewish history, and yet if we read books like those of Weiss' or Wistrich's, one would never know it. In an essay called "Newer Emphases on Jewish History," published relatively late in his career in 1963, Baron wrote:

All my life I have been struggling against the hitherto dominant lachrymose conception of Jewish history, because I have felt that an overemphasis on Jewish sufferings distorted the whole picture of the Jewish historic evolution and, at the same time, badly served a generation which had become impatient with the nightmare of endless persecutions and massacres.

Baron coined the term "lachrymose history" to define a view of Jewish history that amounts to "one bloody anti-Semitic thing after another." His work showed that, while persecutions, massacres, etc., certainly occurred, there were also long stretches where Jews enjoyed fairly comfortable lives and were not plagued by overt anti-Semitism. The lachrymose picture was, he argued, simply an expression of either a deeply felt anxiety about instability or, in another register, a justification that Zionism was the only answer for Jewish survival (Baron himself was a Zionist).

If we want to understand the Jews, and thus understand who we are today, we have to step out of this historical orbit, where we move from one anti-Semitic incident to another. That is not easy to do in part, because so much of what it means to be a Jew today, even in our secular framework, is founded on that principle.

Thus, we have trouble distinguishing between the anti-Semitism of “Jews will not replace us!” and a Palestinian-American woman being anti-Israel (why shouldn’t she be?). We can’t, not only because Israel is so important to many of us, but because criticizing Jews is never really, or only, about criticizing Jews; it’s also, or primarily, about negating Jewish existence, whether that’s made explicit or not. This is captured in Weiss’ notion that anti-Semitism is “the grand unified theory of everything.”

This puts us in a no-win situation, which in some sense is exactly where normative Judaism would like us to be. We lose until the messiah comes to redeem us. Our hope is not the eradication of anti-Semitism; after all, how does one eradicate something that has existed since the time of the Pharaohs? The hope rather is to ensure that anti-Semitism remains at a low flame while we wait for the winning ticket. There’s an old Jewish-Hungarian adage that says, “Anti-Semitism is when the goyim hate the Jews too much.”

I articulate this position not because I agree with it, but because I think it underlies much of what we are struggling with, from the bedbug tweetstorm to Bari Weiss’ “greatest hits of anti-Semitism” book. The neo-Nazis are the anti-Semites we know; the progressive left are the ones we don’t know. Be afraid, be very afraid.

We can argue these points, and I’m sure some – or many of you – do not agree with me. But if we want to create a viable Judaism for the future, we should take Salo Baron’s advice and begin to think outside this lachrymose historical view. Yes, anti-Semitism or anti-Judaism, or whatever we want to call it, has existed for a long time; but not always, and not in everyone.

Everyone who has a beef with the Jews, or Judaism, or Israel, is not anti-Semitic. It’s funny that we Jews can mock and make fun of Christianity all we want – there’s an entire Jewish literature spanning centuries that mocks the virgin birth, the incarnation, saint veneration, and more – and yet if a Christian says, “You know, I don’t care much for Judaism, I don’t happen to think it’s a very good religion,” we scream, “anti-Semite!” Maybe that’s the right of a disempowered people, but we are not as disempowered as we appear to believe.

Weiss’ solution to anti-Semitism is what she calls “leaning into Judaism.” That is, one can fight anti-Semitism by being a better Jew, or more Jewish. Anti-Semitism as a tool of “kiruv” (Jewish internal proselytizing)! Again, I’m not sure that’s the answer. As my colleague Chaya Halberstam, from an Orthodox family, said on Facebook, “Well, my grandparents in Europe leaned pretty heavily into Judaism and it didn’t turn out so well for them.”

More seriously, let’s consider the implications of Weiss’ view that anti-Semitism should inspire us to be more Jewish. In this scheme, we aren’t encouraged to think more deeply about how we understand anti-Semitism or Jewish history; anti-Semitism becomes a negative source of inspiration. I find this troubling. As a scholar of Judaism and a rabbi, I too would like to see Jews find meaning in Judaism and be more deeply engaged in Jewish life and practice. I would love to see a Jewish renaissance

in America. But not as a response to anti-Semitism. The Judaism that would result from such a response would only be a Negative Judaism. A Judaism that says, “they hate me, so I will be more Jewish.” How can something positive come from that?

What comes from that is not a healthy expression of spiritual sustenance but a bitter perpetuation of Jewish anxiety – a lachrymose Judaism, a Judaism of self-hatred. Or, if you like, a Humpty Dumpty Judaism – fragile and forever in fear of falling off the ledge. How does that approach fight anti-Semitism, when it doesn’t even try to understand the parameters of what it’s responding to, but reflexively accepts the notion that anti-Semitism is “the grand unified theory of everything”?

Many are familiar with the old Jewish adage, “If you shake a goy an anti-Semite will fall out.” I dare to say that much of our Judaism is founded on that horrible joke. That doesn’t fight anti-Semitism at all – in fact, it makes it a requisite component of one’s Jewishness.

## Keep Jews Interesting

If we want to fight anti-Semitism, we have to begin by making distinctions and recognizing that the view of Judaism and Jewish history that we have received from our forebears was deeply flawed and began as a response to their experiences, and not as some essential idea that goes back to Pharaoh.

Like everyone else, we are a historically contingent people. As such, we should take from the past what resonates with us and understand that the rest is a by-product of a world which is no longer our world. There is nothing gained by sanctifying anti-Semitism, which then justifies viewing everyone around us as overt or covert anti-Semites. This, to my mind, doesn’t fight anti-Semitism; it perpetuates it and makes it some essential character of the goy. It disables us as a people in a world that has welcomed us and given us the gift of freedom.

We will soon forget bedbug-gate, and, in my view, Bari Weiss’ passionate study (though it may make her a lot of money, as she’s saying what too many of us desperately want to hear). But rather than move us forward, it entrenches us more deeply in a mentality that, with all the power we have, with all the successes we have achieved, we are still the victims. It prevents us from making distinctions, and distinctions are the very bedrock of thinking.

We stand at yet another crossroads. Not of physical or even existential survival, but one of accountability. Let’s not create a Negative Judaism depicted in the joke of the abbreviated Passover Seder: “All of Jewish history can be captured in one sentence. They tried to kill us, God saved us, let’s eat.”

If we could only revive Salo Baron and begin to think much more carefully, more accurately, and less self-servingly about the complexity of the Jews, of our history, of what anti-Semitism does and does not mean. Of course, this work isn’t easy, because it takes us out of our collective comfort zone, demands accountability, and makes some of the attitudes of our forebears that which prevents our progress. But if we can begin to do the work – if we can think about the positive and not negative reasons for being a Jew – we have the chance to create something different.

The final word goes to the American scholar of Judaica Jacob Neusner. In his

1981 book *Stranger at Home: The Holocaust, Zionism, and American Judaism*, Neusner argued that an obsession with the Holocaust or anti-Semitism, painting the Jew as a victim – the foundation of American Jews' civil religion – is essentially an act of Jewish self-hatred, because it perpetuates derogatory Jewish stereotypes.

The solution to this self-hatred, then, is to create a Judaism that undermines these stereotypes. Jews have been labeled self-absorbed, self-interested, and parochial. A Judaism that reaches out to the world, that takes the world seriously, that shows it cares about and is invested in contributing to matters of global concern as well as self-preservation, would counter the stereotype that Jews have come to believe about themselves. As Neusner suggests, acting from self-hatred by focusing on anti-Semitism may enable Jews to survive, but they will cease to be an interesting people. Let's try to keep Jews an interesting people.





## UNIT 10

# THE ACCUSATION AND DILEMMA OF DUAL LOYALTIES

This unit explores the notion of dual loyalty and its impact on Jewish peoplehood. Does a commitment to Jewish peoplehood demand dual loyalty, and does dual loyalty connote *conflicting* loyalties? The accusation of dual loyalty has accompanied the Jewish people from our inception. In its current manifestation, however, it emerges precisely because we are a people with two homes. Can Jewish peoplehood survive this reality or does overcoming the stigma of dual loyalty demand a realignment of our loyalties and our identities? In essence, the issue is how Israel and world Jewry can maintain a sense of togetherness while fully aware of the loyalty demands of a people, each in their own distinct home.

### UNIT 10 SOURCES

1. Exodus 1:8–10 228
2. Esther 3:8–11 228
3. 10.72 Apion (first century CE), *History of Egypt*, cited by Josephus, *Against Apion* 2.65–73, 75–7 228
4. Jerusalem Talmud, Sukkah 55b 229
5. Napoleon’s Instruction to the Assembly of Jewish Notables (1806) 229
6. Answers to Napoleon: The Assembly of Jewish Notables (1806) 230
7. Louis Brandeis, “The Jewish Problem: How to Solve It” 231
8. David Ben Gurion, Excerpt from Address to the Knesset on the Law of Return, July 3, 1950 232
9. Exchange Between AJC President Jacob Blaustein and PM David Ben Gurion, Aug. 23, 1950 233
10. CCAR: Reform Judaism: A Centenary Perspective (1976) 235

### BACKGROUND READING

1. Exchange Between AJC President Jacob Blaustein and PM David Ben Gurion, Aug. 23, 1950 236
2. David Ben Gurion, Address to the Knesset on the Law of Return, July 3, 1950 241
3. Yehudah Mirsky, “The Multiple Loyalties of American Jews: Being a Patriotic American and a Supporter of Israel,” *My Jewish Learning* 243

## 1. Exodus 1:8–10

<sup>8</sup> A new king arose over Egypt who did not know Joseph. <sup>9</sup> And he said to his people, “Look, the Israelite people are much too numerous for us. <sup>10</sup> Let us deal shrewdly with them, so that they may not increase; otherwise in the event of war they may join our enemies in fighting against us and rise from the ground.”

ח וַיָּקָם מֶלֶךְ-חָדָשׁ, עַל-מִצְרַיִם, אֲשֶׁר לֹא-יָדַע, אֶת-יוֹסֵף. ט וַיֹּאמֶר, אֶל-עַמּוֹ: הִנֵּה, עַם בְּנֵי יִשְׂרָאֵל – רַב וְעָצוּם, מְמַנּוּ. י הֲבֵא נִתְחַכְמָה, לֹא: פְּוֹיֵרְבָהּ, וְהָיָה כִּי-תִקְרָאנָה מִלְחָמָה וְנוֹסַף גַּם-הוּא עַל-שֹׁנְאֵינוּ, וְנִלְחַם-בָּנוּ, וְעָלָה מִן-הָאָרֶץ.

## 2. Esther 3:8–11

<sup>8</sup> Haman then said to King Ahasuerus, “There is a certain people, scattered and dispersed among the other peoples in all the provinces of your realm, whose laws are different from those of any other people and who do not obey the king’s laws; and it is not in Your Majesty’s interest to tolerate them. <sup>9</sup> If it please Your Majesty, let an edict be drawn for their destruction, and I will pay ten thousand talents of silver to the stewards for deposit in the royal treasury.” <sup>10</sup> Thereupon the king removed his signet ring from his hand and gave it to Haman son of Hammedatha the Agagite, the foe of the Jews. <sup>11</sup> And the king said, “The money and the people are yours to do with as you see fit.”

ח וַיֹּאמֶר הַמֶּזֶן, לְמֶלֶךְ אַחַשְׁוֵרוּשׁ – יִשְׁנוּ עִם-אֶחָד מִפְּוֹד וּמִפְּוֹד בֵּין הָעַמִּים, בְּכָל מְדִינֹת מְלָכוּתְךָ; וְדַתִּיהֶם שְׁנוֹת מִכָּל-עַם, וְאֶת-דַּתִּי הַמֶּלֶךְ אֵינָם עֹשִׂים, וְלִמְלֶךְךָ אֵין-שׁוּהָ, לְהַנִּיחֵם. ט אִם-עַל-הַמֶּלֶךְ טוֹב, יִכְתֹּב לְאַבְדָּם; וְעֲשֵׂרֶת אֲלָפִים כֶּכֶסֶף, אֲשַׁקּוּל עַל-יָדֶי עֹשֵׂי הַמְּלָאכָה, לְהַבִּיא, אֶל-גִּנּוּי הַמֶּלֶךְ. י וַיִּסֶר הַמֶּלֶךְ אֶת-טַבַּעְתּוֹ, מֵעַל יָדוֹ; וַיִּתְּנָהּ, לְהַמֶּן בֶּן-הַמְּדַתָּא הָאֲגָגִי – צָרַר הַיְהוּדִים. יא וַיֹּאמֶר הַמֶּלֶךְ לְהַמֶּן, הַכֶּסֶף נָתוּן לְךָ; וְהָעַם, לַעֲשׂוֹת בּוֹ כְּטוֹב בְּעֵינֶיךָ.

## 3. 10.72 Apion (first century CE), *History of Egypt*, cited by Josephus, *Against Apion* 2.65–73, 75–7

From: Louis H. Feldman, *Jewish Life and Thought among Greeks and Romans: Primary Readings*, 357–358

Apion (there being no separation of religion and state) argues that the Jews cannot be citizens inasmuch as they do not set up statues of the emperors and do not worship the same gods as the Alexandrians do. He also accuses the Jews of promoting sedition.

Apion says, ‘Why then, if they are citizens, do they not worship the same gods as the Alexandrians do?’ [...] Since, however, among you Egyptians there are such wide differences of opinion, why should you be surprised at us, a people who came to Alexandria from another country, if we abide by the laws established from the beginning concerning this matter?

He accuses us also of causing sedition. But, if he is correct in bringing this accusation against the Jews of Alexandria, why does he blame all of us living everywhere because we are known to be a harmonious people? [...]

And so Apion has attempted to denounce us on the ground that we do not set up statues of

the emperors – as if they were ignorant of this, or needed Apion to defend them! ... Our legislator ... forbade the making of images of any living creature, and much more so of God. ... He did not, however, prohibit the payment of other types of honors, secondary to that paid to God, in honoring worthy men, honors which we do confer upon the emperors and the people of Rome. For them we offer sacrifices continually, and we perform these ceremonies daily, at the common expense of all the Jews. (M.R.)

#### 4. Jerusalem Talmud, Sukkah 55b

In the time of the wicked Trajan, a son was born to him on the 9th of Av and they were fasting. His daughter died on Hanukkah and they lit candles. His wife sent to him and said, “Before you conquer the barbarians, come conquer the Jews who rebelled against you.” He intended to come in 10 days and made it in 5. He came and found them engaged in Torah study, on the verse “He will cast upon you a nation from afar, from the edge of the earth, etc.” (Deuteronomy 28) He said to them, “What are you studying?” They said, “this.” He said to them, “It is this man, who intended to come in 10 days and came in 5.” He surrounded them with legionnaires and massacred them. He said to their wives, “Obey my legionnaires and I won’t kill you.” They said to him, “What you did to the fallen, do also to the standing.” He commingled their blood and the blood flowed in the sea until Cyprus. At that moment a horn of Israel was cut and is destined never to return to its place until the son of David comes.

בימי טרוגיינוס הרשע נולד לו בן בתשעה באב והיו מתעניין. מתה בתו בחנוכה והדליקו נרות ושלחה אשתו ואמרה לו עד שאת מכבש את הברבריים בוא וכבוש את היהודים שמרדו בך. חשב מיתי לעשרה יומין ואתא לחמשה. אתא ואשכחון עסיקין באורייתא בפסוקא (דברים כח) ישא ה' עליך גו מרחק מקצה הארץ וגו'. אמר לון מה הויתון עסיקין אמרין ליה הכין וכן. אמר לון דוא גברא הוא דחשב מיתי לעשרה יומין ואתא לחמשה והקיפן ליגיונות והרגן. אמר לנשיהן נשמעות אתם לליגיונתי ואין אני הורג אתכם אמרין ליה מה דעבדת בארעייא עביד בעילייתא ועירב דמן בדמן והלך הדם בים עד קיפריס. באותה השעה נגדעה קרן ישראל ועוד אינה עתידה לחזור למקומה עד שיבוא בן דוד.

#### 5. Napoleon’s Instruction to the Assembly of Jewish Notables (1806), excerpt

From: Paul Mendes-Flohr and Jehuda Reinharz, eds., *The Jew in the Modern World: A Documentary History*, 2nd ed., 125–126

His Majesty, the Emperor and King, having named us Commissioners to transact whatever relates to you, has this day sent us to this assembly to acquaint you with his intentions. [...]

The wish of His Majesty is, that you should be Frenchmen; it remains with you to accept the proffered title, without forgetting that, to prove unworthy of it, would be renouncing it altogether. [...]

As to us, our most ardent wish is to be able to report to the Emperor, that among individuals of the Jewish persuasion, he can reckon as many faithful subjects, determined to conform in everything to the laws and to the morality, which ought to regulate the conduct of all Frenchmen.

[One of the secretaries (proceeded to read the following) questions proposed to the Assembly of the Jews by the Commissioners named by His Majesty the Emperor and King.] ...

Is it lawful for Jews to marry more than one wife?

Is divorce allowed by the Jewish religion?

Is divorce valid, when not pronounced by courts of justice, and by virtue of laws in contradiction with the French code?

Can a Jewess marry a Christian, or a Jew a Christian woman?

Or has the law ordered that the Jews should only intermarry among themselves?

In the eyes of the Jews, are Frenchmen considered as brethren or as strangers?

In either case, what conduct does their law prescribe toward Frenchmen not of their religion?

Do the Jews born in France, and treated by the law as French citizens, consider France as their country? Are they bound to defend it? Are they bound to obey the laws, and to follow the directions of the civil code?

What kind of police jurisdiction have the Rabbis among the Jews? What judicial power do they exercise among them?

Are the forms of the elections of the Rabbis and their police jurisdiction regulated by the law, or are they only sanctioned by custom?

Are there professions from which the Jews are excluded by their law?

Does the law forbid the Jews from taking usury from their brethren?

Does it forbid or does it allow usury toward strangers?

## 6. Answers to Napoleon: The Assembly of Jewish Notables (1806), excerpt

From: Paul Mendes-Flohr and Jehuda Reinharz, eds., *The Jew in the Modern World: A Documentary History*, 2nd ed., 128–130

Resolved, by the French deputies professing the religion of Moses, that the following Declaration shall precede the answers returned to the questions proposed by the Commissioners of His Imperial and Royal Majesty.

The assembly, impressed with a deep sense of gratitude, love, respect, and admiration for the sacred person of His Imperial and Royal Majesty, declares, in the name of all *Frenchmen professing the religion of Moses*, that they are fully determined to prove worthy of the favors His Majesty intends for them, by scrupulously conforming to his paternal relations; that their religion makes it their duty to consider the law of the prince as the supreme law in civil and political matters; that consequently, should their religious code, or its various interpretations, contain civil or political commands, at variance with those of the French code, those commands would, of course, cease to influence and govern them, since they must, above all acknowledge and obey the laws of the prince.

That, in consequence of this principle, the Jews have, at all times, considered it their duty to obey the laws of the State, and that, since the revolution, they, like all Frenchmen, have acknowledged no others.

[...]

Fourth Question: *In the eyes of Jews, are Frenchmen considered as their brethren? Or are they considered as strangers?*

Answer: In the eyes of Jews, Frenchmen are their brethren and are not strangers.

[...]

A religion whose fundamental maxims are such – a religion which makes a duty of loving the stranger – which enforces the practice of social virtues, must surely require that its followers should consider their fellow citizens as brethren.

And how could they consider them otherwise when they inhabit the same land, when they are ruled and protected by the same government, and by the same laws? When they enjoy the same rights, and have the same duties to fulfill? There exists, even between the Jew and Christian, a tie which abundantly compensates for religion – it is the tie of gratitude. This sentiment was at first excited in us by the mere grant of toleration. It has been increased, these eighteen years, by new favors from government, to such a degree of energy, that now our fate is irrevocably linked with the common fate of all Frenchmen. *Yes, France is our country; all Frenchmen are our brethren, and this glorious title, by raising us in our own esteem, becomes a sure pledge that we shall never cease to be worthy of it.*

[...]

Sixth Question: *Do Jews born in, and treated by the laws as French citizens, consider France their country? Are they bound to defend it? Are they bound to obey the laws and to conform to the dispositions of the civil code?*

Answer: Men who have adopted a country, who have resided in it these many generations – who, even under the restraint of particular laws which abridged their civil rights, were so attached to it that they preferred being debarred from the advantages common to all other citizens, rather than leave it – cannot but consider themselves Frenchmen in France, and they consider as equally sacred and honourable the bounden duty of defending their country.

Jeremiah (chapter 29) exhorts the Jews to consider Babylon as their country, although they were to remain in it only for seventy years. He exhorts them to till the ground, to build houses, to sow, and to plant. His recommendation was so much attended to, that Ezra (chapter 2) says, that when Cyrus allowed them to return to Jerusalem to rebuild the Temple, 42,360 only, left Babylon; and that this number was mostly composed of the poor people, the wealthy having remained in that city.

The love of the country is in the heart of Jews a sentiment so natural, so powerful, and so consonant to their religious opinions, that a French Jew considers himself in England as among strangers, although he may be among Jews; and the case is the same with English Jews in France.

To such a pitch is this sentiment carried among them, that during the last war, French Jews, have been seen fighting desperately against other Jews, the subjects of countries then at war with France.

Many of them are covered with honourable wounds, and others have obtained, in the field of honour, the noble rewards of bravery.

## 7. Louis Brandeis, "The Jewish Problem: How to Solve It," excerpt

From: Paul Mendes-Flohr and Jehuda Reinharz, eds., *The Jew in the Modern World: A Documentary History*, 2nd ed., 496

Let no American imagine that Zionism is inconsistent with Patriotism. Multiple loyalties are objectionable only if they are inconsistent. A man is a better citizen of the United States for being also a loyal citizen of his state, and of his city; for being loyal to his family, and to his profession or trade;

for being loyal to his college or his lodge. Every Irish American who contributed towards advancing home rule was a better man and a better American for the sacrifice he made. Every American Jew who aids in advancing the Jewish settlement in Palestine, though he feels that neither he nor his descendants will ever live there, will likewise be a better man and a better American for doing so.

Note what Seton-Watson says:

“America is full of nationalities which, while accepting with enthusiasm their new American citizenship, nevertheless look to some centre in the old world as the source and inspiration of their national culture and traditions. The most typical instance is the feeling of the American Jew for Palestine which may well become a focus for his declass  kinsmen in other parts of the world.” (The War and Democracy, p. 290)

There is no inconsistency between loyalty to America and loyalty to Jewry. The Jewish spirit, the product of our religion and experiences, is essentially modern and essentially American. Not since the destruction of the Temple have the Jews in spirit and in ideals been so fully in harmony with the noblest aspirations of the country in which they lived.

America’s fundamental law seeks to make real the brotherhood of man. That brotherhood became the Jewish fundamental law more than twenty-five hundred years ago. America’s insistent demand in the twentieth century is for social justice. That also has been the Jews’ striving for ages. Their affliction as well as their religion has prepared the Jews for effective democracy. Persecution broadened their sympathies. It trained them in patient endurance, in self-control, and in sacrifice. It made them think as well as suffer. It deepened the passion for righteousness.

Indeed, loyalty to America demands rather that each American Jew become a Zionist. For only through the ennobling effect of its strivings can we develop the best that is in us and give to this country the full benefit of our great inheritance. The Jewish spirit, so long preserved, the character developed by so many centuries of sacrifice, should be preserved and developed further, so that in America as elsewhere the sons of the race may in future live lives and do deeds worthy of their ancestors.

## 8. David Ben Gurion, Address to the Knesset on the Law of Return, July 3, 1950, excerpt

From: Paul Mendes-Flohr and Jehuda Reinharz, eds., *The Jew in the Modern World: A Documentary History*, 2nd ed., 631–632

The Law of Return is one of the Basic Laws of the State of Israel. It comprises the central mission of our state, namely, ingathering of exiles. This law determines that it is not the state that grants the Jew from abroad the right to settle in the state. Rather, this right is inherent in him by the very fact that he is a Jew, if only he desires to join in the settlement of the land. In the State of Israel the Jews have no right of priority over the non-Jewish citizens. The State of Israel is grounded on the full equality of rights and obligations for all its citizens. This principle was also laid down in the Proclamation of Independence. . . . The right to return preceded the State of Israel and it is this right that built the state. This right originates in the unbroken historical connection between the people and the homeland, a connection which has also been acknowledged in actual practice by the tribunal of the peoples.

## 9. Exchange Between AJC President Jacob Blaustein and PM David Ben Gurion, Aug. 23, 1950, excerpt

From: Paul Mendes-Flohr and Jehuda Reinharz, eds., *The Jew in the Modern World: A Documentary History*, 2nd ed., 524–528

STATEMENTS BY PRIME MINISTER DAVID BEN-GURION AND MR. JACOB BLAUSTEIN ON THE RELATIONSHIP BETWEEN ISRAEL AND AMERICAN JEWS AUGUST 23, 1950

MR. BEN-GURION: We are very happy to welcome you here in our midst as a representative of the great Jewry of the United States to whom Israel owes so much. No other community abroad has so great a stake in what has been achieved in this country during the present generation as have the Jews of America. Their material and political support, their warm-hearted and practical idealism, has been one of the principal sources of our strength and our success. In supporting our effort, American Jewry has developed, on a new plane, the noble conception, maintained for more than half a century, of extending its help for the protection of Jewish rights throughout the world and of rendering economic aid wherever it was needed. [...] It is most unfortunate that since our State came into being some confusion and misunderstanding should have arisen as regards the relationship between Israel and the Jewish communities abroad, in particular that of the United States. These misunderstandings are likely to alienate sympathies and create disharmony where friendship and close understanding are of vital necessity. To my mind, the position is perfectly clear. The Jews of the United States, as a community and as individuals, have only one political attachment and that is to the United States of America. They owe no political allegiance to Israel. In the first statement which the representative of Israel made before the United Nations after her admission to that international organization, he clearly stated, without any reservation, that the State of Israel represents and speaks only on behalf of its own citizens and in no way presumes to represent or speak in the name of the Jews who are citizens of any other country. We, the people of Israel, have no desire and no intention to interfere in any way with the internal affairs of Jewish communities abroad. The Government and the people of Israel fully respect the right and integrity of the Jewish communities in other countries to develop their own mode of life and their indigenous social, economic and cultural institutions in accordance with their own needs and aspirations. [...] In this connection let me say a word about immigration. We should like to see American Jews come and take part in our effort. We need their technical knowledge, their unrivalled experience, their spirit of enterprise, their bold vision, their “know-how.” We need engineers, chemists, builders, work managers and technicians. The tasks which face us in this country are eminently such as would appeal to the American genius for technical development and social progress. But the decision as to whether they wish to come – permanently or temporarily – rests with the free discretion of each American Jew himself. It is entirely a matter of his own volition. We need halutzim, pioneers, too. Halutzim have come to us – and we believe more will come, not only from those countries where the Jews are oppressed and in “exile” but also from countries where the Jews live a life of freedom and are equal in status to all other citizens in their country. But the essence of halutzit is free choice. They will come from among those who believe that their 65 aspirations as human beings and as Jews can best be fulfilled by life and work in Israel. I believe I know something of the spirit of American Jewry among whom I lived for some years. I am convinced that it will continue to make a major contribution towards our great effort of reconstruction, and I hope that the talks we have had with you during these last few days will make for even closer cooperation between our two communities.

MR. BLAUSTEIN: [ . . . ] But more than that, what you are doing and creating in this corner of the Middle East is of vital importance not only to you and to Jews, but to humanity in general. For I believe that the free and peace-loving peoples in the world can look upon Israel as a stronghold of democracy in an area where liberal democracy is practically unknown and where the prevailing social and political conditions may be potential dangers to the security and stability of the world. What President Truman is intending to do under his Four Point Program, in assisting underdeveloped peoples to improve their conditions and raise their standards of living, you here to a large extent have been doing right along under most difficult conditions and at great sacrifice [ . . . ]

I thought I knew it even before I came to this country on this trip, but my visit has made it still more clear to me – and as an American citizen and a Jew I am gratified – that the Israeli people want democracy and, in my opinion, will not accept any dictatorship or totalitarianism from within or from without.

Democracy, like all other human institutions, has its faults; and abuses are possible. But the strength of a democratic regime is that these faults and these abuses can be corrected without the destruction of human rights and freedoms which alone make life worth living.

There is no question in my mind that a Jew who wants to remain loyal to the fundamental basis of Judaism and his cultural heritage, will be in the forefront of the struggle for democracy against totalitarianism.

The American Jewish community sees its fortunes tied to the fate of liberal democracy in the United States, sustained by its heritage, as Americans and as Jews. We seek to strengthen both of these vital links to the past and to all humanity by enhancing the American democratic and political system, American cultural diversity and American well-being.

As to Israel, the vast majority of American Jewry recognizes the necessity and desirability of helping to make it a strong, viable, self-supporting state. This, for the sake of Israel itself, and the good of the world.

The American Jewish Committee has been active, as have other Jewish organizations in the United States, in rendering, within the framework of their American citizenship, every possible support to Israel; and I am sure that this support will continue and that we shall do all we can to increase further our share in the great historic task of helping Israel to solve its problems and develop as a free, independent and flourishing democracy. [ . . . ]

In this connection, you are realists and want facts and I would be less than frank if I did not point out to you that American Jews vigorously repudiate any suggestion or implication that they are in exile. American Jews – young and old alike, Zionists and non-Zionists alike – are profoundly attached to America. America welcomed their immigrant parents in their need. Under America's free institutions, they and their children have achieved that freedom and sense of security unknown for long centuries of travail. American Jews have truly become Americans; just as have all other oppressed groups that have ever come to America's shores.

To American Jews, America is home. There, exist their thriving roots; there, is the country which they have helped to build; and there, they share its fruits and its destiny. They believe in the future of a democratic society in the United States under which all citizens, irrespective of creed or race, can live on terms of equality. They further believe that, if democracy should fail in America, there would be no future for democracy anywhere in the world, and that the very existence of an independent State of Israel would be problematic. Further, they feel that a world in which it would be possible for Jews to be driven by persecution from America would not be a world safe for Israel either; indeed it is hard to conceive how it would be a world safe for any human being.

## 10. CCAR: Reform Judaism: A Centenary Perspective (1976), excerpt

### Adopted in San Francisco

The Central Conference of American Rabbis has on special occasions described the spiritual state of Reform Judaism. The centenaries of the founding of the Union of American Hebrew Congregations and the Hebrew Union College-Jewish Institute of Religion seem an appropriate time for another such effort. We therefore record our sense of the unity of our movement today.

[...]

Our Obligations: The State of Israel and the Diaspora – We are privileged to live in an extraordinary time, one in which a third Jewish commonwealth has been established in our people's ancient homeland. We are bound to that land and to the newly reborn State of Israel by innumerable religious and ethnic ties. We have been enriched by its culture and ennobled by its indomitable spirit. We see it providing unique opportunities for Jewish self-expression. We have both a stake and a responsibility in building the State of Israel, assuring its security, and defining its Jewish character. We encourage aliyah for those who wish to find maximum personal fulfillment in the cause of Zion. We demand that Reform Judaism be unconditionally legitimized in the State of Israel.

At the same time that we consider the State of Israel vital to the welfare of Judaism everywhere, we reaffirm the mandate of our tradition to create strong Jewish communities wherever we live. A genuine Jewish life is possible in any land, each community developing its own particular character and determining its Jewish responsibilities. The foundation of Jewish community life is the synagogue. It leads us beyond itself to cooperate with other Jews, to share their concerns, and to assume leadership in communal affairs. We are therefore committed to the full democratization of the Jewish community and to its hallowing in terms of Jewish values.

The State of Israel and the Diaspora, in fruitful dialogue, can show how a people transcends nationalism even as it affirms it, thereby setting an example for humanity which remains largely concerned with dangerously parochial goals.

## Background Reading

### 1. Exchange Between AJC President Jacob Blaustein and PM David Ben Gurion, Aug. 23, 1950

From: Paul Mendes-Flohr and Jehuda Reinharz, eds., *The Jew in the Modern World: A Documentary History*, 2nd ed., 524–528

STATEMENTS BY PRIME MINISTER DAVID BEN-GURION AND MR. JACOB BLAUSTEIN ON THE RELATIONSHIP BETWEEN ISRAEL AND AMERICAN JEWS  
AUGUST 23, 1950

PRIME MINISTER DAVID BEN-GURION: We are very happy to welcome you here in our midst as a representative of the great Jewry of the United States to whom Israel owes so much. No other community abroad has so great a stake in what has been achieved in this country during the present generation as have the Jews of America. Their material and political support, their warm-hearted and practical idealism, has been one of the principal sources of our strength and our success. In supporting our effort, American Jewry has developed, on a new plane, the noble conception, maintained for more than half a century, of extending its help for the protection of Jewish rights throughout the world and of rendering economic aid wherever it was needed. We are deeply conscious of the help which America has given to us here in our great effort of reconstruction and during our struggle for independence. This great tradition has been continued since the establishment of the State of Israel. You, Mr. Blaustein, are one of the finest examples of that tradition, and as an American and as a Jew you have made many and significant contributions to the Jewish cause and to the cause of democracy. We are therefore happy on this occasion of your visit here as our guest, to discuss with you matters of mutual interest and to clarify some of the problems which have arisen in regard to the relationship between the people of Israel and the Jewish communities abroad, in particular the Jewish community of the United States.

It is our great pride that our newly gained independence has enabled us in this small country to undertake the major share of the great and urgent task of providing permanent homes under conditions of full equality to hundreds of thousands of our brethren who cannot remain where they are and whose heart is set on rebuilding their lives in Israel. In this great task you and we are engaged in a close partnership. Without the readiness for sacrifice of the people of Israel and without the help of America this urgent task can hardly be achieved.

It is most unfortunate that since our State came into being some confusion and misunderstanding should have arisen as regards the relationship between Israel and the Jewish communities abroad, in particular that of the United States. These misunderstandings are likely to alienate sympathies and create disharmony where friendship and close understanding are of vital necessity. To my mind, the position is perfectly clear. The Jews of the United States, as a community and as individuals, have only one political attachment and that is to the United States of America. They owe no political

allegiance to Israel. In the first statement which the representative of Israel made before the United Nations after her admission to that international organization, he clearly stated, without any reservation, that the State of Israel represents and speaks only on behalf of its own citizens and in no way presumes to represent or speak in the name of the Jews who are citizens of any other country. We, the people of Israel, have no desire and no intention to interfere in any way with the internal affairs of Jewish communities abroad. The Government and the people of Israel fully respect the right and integrity of the Jewish communities in other countries to develop their own mode of life and their indigenous social, economic and cultural institutions in accordance with their own needs and aspirations. Any weakening of American Jewry, any disruption of its communal life, any lowering of its sense of security, any diminution of its status, is a definite loss to Jews everywhere and to Israel in particular.

We are happy to know of the deep and growing interest which American Jews of all shades and convictions take in what it has fallen to us to achieve in this country. Were we, God forbid, to fail in what we have undertaken on our own behalf and on behalf of our suffering brethren, that failure would cause grievous pain to Jews everywhere and nowhere more than in your community. Our success or failure depends in a large measure on our cooperation with, and on the strength of, the great Jewish community of the United States, and we, therefore, are anxious that nothing should be said or done which could in the slightest degree undermine the sense of security and stability of American Jewry.

In this connection let me say a word about immigration. We should like to see American Jews come and take part in our effort. We need their technical knowledge, their unrivalled experience, their spirit of enterprise, their bold vision, their "know-how." We need engineers, chemists, builders, work managers and technicians. The tasks which face us in this country are eminently such as would appeal to the American genius for technical development and social progress. But the decision as to whether they wish to come – permanently or temporarily – rests with the free discretion of each American Jew himself. It is entirely a matter of his own volition. We need halutzim, pioneers, too. Halutzim have come to us – and we believe more will come, not only from those countries where the Jews are oppressed and in "exile" but also from countries where the Jews live a life of freedom and are equal in status to all other citizens in their country. But the essence of halutzit is free choice. They will come from among those who believe that their aspirations as human beings and as Jews can best be fulfilled by life and work in Israel.

I believe I know something of the spirit of American Jewry among whom I lived for some years. I am convinced that it will continue to make a major contribution towards our great effort of reconstruction, and I hope that the talks we have had with you during these last few days will make for even closer cooperation between our two communities.

MR. JACOB BLAUSTEIN: I am very happy, Mr. Prime Minister, to have come here at your invitation and to have discussed with you and other leaders of Israel the various important problems of mutual interest.

This is the second time I have been here since the State of Israel was created. A

year and a half ago my colleagues and I, of the American Jewish Committee, saw evidence of the valor that had been displayed, and felt the hopes and aspirations that had inspired the people to win a war against terrific odds. This time, I have witnessed the great achievements that have taken place in the interval and have discussed the plans which point the road upon which the present-day Israel intends to travel.

I find that tremendous progress has been made under your great leadership; but also, as you well know, tremendous problems loom ahead. The nation is confronted with gigantic tasks of reconstruction and rehabilitation, and with large economic and other problems, as is to be expected in so young a state.

I am sure that with your rare combination of idealism and realism, you will continue to tackle these matters vigorously; and that with your usual energy, resourcefulness and common sense, you will be able to overcome them.

Traveling over the country and visiting both old and newly established settlements, it has been a thrill to observe how you are conquering the desert of the Negev and the rocks of Galilee and are thus displaying the same pioneering spirit that opened up the great West of my own country. It has been satisfying to see right on the scene, how well and to what good advantage you are utilizing the support from the American Jewish community. I am sure, too, that the American tractors and other machinery and equipment acquired through the loan granted by the Export-Import Bank will further contribute to the technological development of your country.

But more than that, what you are doing and creating in this corner of the Middle East is of vital importance not only to you and to Jews, but to humanity in general. For I believe that the free and peace-loving peoples in the world can look upon Israel as a stronghold of democracy in an area where liberal democracy is practically unknown and where the prevailing social and political conditions may be potential dangers to the security and stability of the world. What President Truman is intending to do under his Four Point Program, in assisting underdeveloped peoples to improve their conditions and raise their standards of living, you here to a large extent have been doing right along under most difficult conditions and at great sacrifice.

Important to your future, as you recognize, is the United States of America and American Jewry. Israel, of course, is also important to them.

In this connection, I am pleased that Mr. Elath has been here during our stay. As your Ambassador to the United States, he has rendered invaluable service in bringing our two countries and communities closer together.

I thought I knew it even before I came to this country on this trip, but my visit has made it still more clear to me – and as an American citizen and a Jew I am gratified – that the Israeli people want democracy and, in my opinion, will not accept any dictatorship or totalitarianism from within or from without.

Democracy, like all other human institutions, has its faults; and abuses are possible. But the strength of a democratic regime is that these faults and these abuses can be corrected without the destruction of human rights and freedoms which alone make life worth living.

There is no question in my mind that a Jew who wants to remain loyal to the fundamental basis of Judaism and his cultural heritage, will be in the forefront of the struggle for democracy against totalitarianism.

The American Jewish community sees its fortunes tied to the fate of liberal democracy in the United States, sustained by its heritage, as Americans and as Jews. We seek to strengthen both of these vital links to the past and to all humanity by enhancing the American democratic and political system, American cultural diversity and American well-being.

As to Israel, the vast majority of American Jewry recognizes the necessity and desirability of helping to make it a strong, viable, self-supporting state. This, for the sake of Israel itself, and the good of the world.

The American Jewish Committee has been active, as have other Jewish organizations in the United States, in rendering, within the framework of their American citizenship, every possible support to Israel; and I am sure that this support will continue and that we shall do all we can to increase further our share in the great historic task of helping Israel to solve its problems and develop as a free, independent and flourishing democracy.

While Israel has naturally placed some burdens on Jews elsewhere, particularly in America, it has, in turn, meant much to Jews throughout the world. For hundreds of thousands in Europe, Africa and the Middle East it has provided a home in which they can attain their full stature of human dignity for the first time. In all Jews, it has inspired pride and admiration, even though in some instances, it has created passing headaches.

Israel's rebirth and progress, coming after the tragedy of European Jewry in the 1930's and in World War II, has done much to raise Jewish morale. Jews in America and everywhere can be more proud than ever of their Jewishness.

But we must, in a true spirit of friendliness, sound a note of caution to Israel and its leaders. Now that the birth pains are over, and even though Israel is undergoing growing pains, it must recognize that the matter of good-will between its citizens and those of other countries is a two-way street: that Israel also has a responsibility in this situation – a responsibility in terms of not affecting adversely the sensibilities of Jews who are citizens of other states by what it says or does.

In this connection, you are realists and want facts and I would be less than frank if I did not point out to you that American Jews vigorously repudiate any suggestion or implication that they are in exile. American Jews – young and old alike, Zionists and non-Zionists alike – are profoundly attached to America. America welcomed their immigrant parents in their need. Under America's free institutions, they and their children have achieved that freedom and sense of security unknown for long centuries of travail. American Jews have truly become Americans; just as have all other oppressed groups that have ever come to America's shores.

To American Jews, America is home. There, exist their thriving roots; there, is the country which they have helped to build; and there, they share its fruits and its destiny. They believe in the future of a democratic society in the United States under which all citizens, irrespective of creed or race, can live on terms of equality. They further believe that, if democracy should fail in America, there would be no future for democracy anywhere in the world, and that the very existence of an independent State of Israel would be problematic. Further, they feel that a world in which it would be possible for Jews to be driven by persecution from America would not be a world

safe for Israel either; indeed it is hard to conceive how it would be a world safe for any human being.

The American Jewish community, as you, Mr. Prime Minister, have so eloquently pointed out, has assumed a major part of the responsibility of securing equality of rights and providing generous material help to Jews in other countries. American Jews feel themselves bound to Jews the world over by ties of religion, common historical traditions and in certain respects, by a sense of common destiny. We fully realize that persecution and discrimination against Jews in any country will sooner or later have its impact on the situation of the Jews in other countries, but these problems must be dealt with by each Jewish community itself in accordance with its own wishes, traditions, needs and aspirations.

Jewish communities, particularly American Jewry in view of its influence and its strength, can offer advice, cooperation and help, but should not attempt to speak in the name of other communities or in any way interfere in their internal affairs.

I am happy to note from your statement, Mr. Prime Minister, that the State of Israel takes a similar position. Any other position on the part of the State of Israel would only weaken the American and other Jewish communities of the free, democratic countries and be contrary to the basic interests of Israel itself. The future development of Israel, spiritual, social as well as economic, will largely depend upon a strong and healthy Jewish community in the United States and other free democracies.

We have been greatly distressed that at the very hour when so much has been achieved, harmful and futile discussions and misunderstandings have arisen as to the relations between the people and the State of Israel and the Jews in other countries, particularly in the United States. Harm has been done to the morale and to some extent to the sense of security of the American Jewish community through unwise and unwarranted statements and appeals which ignore the feelings and aspirations of American Jewry.

Even greater harm has been done to the State of Israel itself by weakening the readiness of American Jews to do their full share in the rebuilding of Israel which faces such enormous political, social and economic problems.

Your statement today, Mr. Prime Minister, will, I trust, be followed by unmistakable evidence that the responsible leaders of Israel, and the organizations connected with it, fully understand that future relations between the American Jewish community and the State of Israel must be based on mutual respect for one another's feelings and needs, and on the preservation of the integrity of the two communities and their institutions.

I believe that in your statement today, you have taken a fundamental and historic position which will redound to the best interest not only of Israel, but of the Jews of America and of the world. I am confident that this statement and the spirit in which it has been made, by eliminating the misunderstandings and futile discussions between our two communities, will strengthen them both and will lay the foundation for even closer cooperation.

In closing, permit me to express my deep gratitude for the magnificent reception you and your colleagues have afforded my colleague and me during our stay in this country.

## 2. David Ben Gurion, Address to the Knesset on the Law of Return, July 3, 1950

From: Paul Mendes-Flohr and Jehuda Reinharz, eds., *The Jew in the Modern World: A Documentary History*, 2nd ed., 631–632

The Law of Return and the Law of Citizenship that you have in front of you are connected by a mutual bond and share of common conceptual origin, deriving from the historical uniqueness of the State of Israel, a uniqueness vis-a-vis the past and the future, directed internally and externally. These two laws determine the special character and destiny of the State of Israel as the state bearing the vision of the redemption of Israel.

The State of Israel is a state like all the other states. All the general indications [of statehood] common to the other states are also to be found in the State of Israel. It rests on a specific territory and a population existing within this territory, it possesses sovereignty in internal and external affairs, and its authority does not extend beyond its borders. The State of Israel rules only over its own inhabitants. The Jews in the Diaspora, who are citizens of their countries and who want to remain there, have no legal or civil connection to the State of Israel and the State of Israel does not represent them from any legal standpoint. Nevertheless, the State of Israel differs from the other states both with regard to the factors involved in its establishment and to the aims of its existence. It was established merely two years ago, but its roots are grounded in the far past and it is nourished by ancient springs. Its authority is limited to the area in which its residents dwell, but its gates are open to every Jew wherever he may be. The State of Israel is not a Jewish state merely because the majority of its inhabitants are Jews. It is a state for all the Jews wherever they may be and for every Jew who so desires.

On the fourteenth of May, 1948 a new state was not founded ex nihilo. Rather, the crown was restored to its pristine splendor 1,813 years after the independence of Israel was destroyed, during the days of Bar Kokhba and Rabbi Akiba...

The establishment of the Jewish state was not an event limited to the place and time of its emergence. Rather, it is a world event, in the sense of time as well as place, an event summarizing a prolonged historical development. This event has introduced radical reforms and itself serves as a source for alterations and changes exceeding its temporal and spatial framework...

It is not accidental that the Proclamation of Independence began with cogent and succinct passages concerning the perpetual link between the Jewish people and its ancient homeland. Neither is it accidental that as a primary and essential principle governing the direction of the state it was declared before anything else that "the state of Israel shall be open to Jewish immigration and the ingathering of exiles."... Just as it was clear that the renewal of the State of Israel is not a beginning, but a continuation from days of yore, so, too was it understood that this renewal is not an end and conclusion but another stage in the long path leading to the full redemption of Israel.

The Diaspora has not ceased with the foundation of the state. In fact, this Diaspora is not a recent phenomenon, having preceded by a long period of time the destruction

of our independence. Already in the seventh century B. C. E., simultaneous to the destruction of the First Commonwealth, we find Jews in foreign lands . . .

In the last meeting of the Zionist Executive in Jerusalem a debate arose concerning the question: ingathering of exiles<sup>2</sup> or ingathering of all the exiles? This debate will not be decided by ideology or by political resolutions; only Jewish history can offer a solution. Nevertheless, it is a fact worth noting that foreign volunteers from fifty-five various countries representing all five continents of the world served in the Israel Defense Force [ during the War of Independence]. Further, with respect to its scope, dimensions, pace and diversity the return of the exiles taking place in our days has no precedent, even in the annals of the Jewish nation. This is the great, decisive event of our generation that will determine the fate of the State of Israel and fashion the image of the Hebrew nation for many generations; no event in our life from our emergence as a people until the present has been so decisive.

The motives at work in the Jewish immigration [to the land of Israel] in all the generations, including our own, have been many and varied. Longings for redemption, ancient memories, religious feelings, love of homeland and above all, distress—economic, political and spiritual distress. With the foundation of the state a new factor has been added whose strength will continually increase: the power of appeal and attraction [embedded] in the State of Israel. The pace and scope of the return of the exiles will in no small part be dependent upon our capacity to augment this appeal and to turn the State of Israel into the center for the realization of the longings of the nation and for the satisfaction of its material and spiritual needs. In addition, this capacity may very well be the primary factor in attracting immigration from the countries of the new world.

The Law of Return is one of the Basic Laws of the State of Israel. It comprises the central mission of our state, namely, ingathering of exiles. This law determines that it is not the state that grants the Jew from abroad the right to settle in the state. Rather, this right is inherent in him by the very fact that he is a Jew, if only he desires to join in the settlement of the land. In the State of Israel the Jews have no right of priority over the non-Jewish citizens. The State of Israel is grounded on the full equality of rights and obligations for all its citizens. This principle was also laid down in the Proclamation of Independence . . . The right to return preceded the State of Israel and it is this right that built the state. This right originates in the unbroken historical connection between the people and the homeland, a connection which has also been acknowledged in actual practice by the tribunal of the peoples.

### 3. Yehudah Mirsky, "The Multiple Loyalties of American Jews: Being a Patriotic American and a Supporter of Israel," *My Jewish Learning*

"Dual loyalty" is back. Whether Jews are actually disloyal to the United States – in favor of loyalty to Israel – is a matter of debate, but there is no doubting that the pejorative, of "dual loyalty" is in currency and increasingly credible in ways not seen in the last 50 years. This, of course, is a deeply chilling development. But it is also a spur to thinking about the broader issues of Jewish identity in America.

The March 2006 essay written by political scientists Stephen Walt and John Mearsheimer was both catalyst and bellwether for this trend. In "The Israel Lobby," Walt and Mearsheimer argued that American supporters of Israel were advocating policies counter to America's national interest. The fact that genuinely eminent scholars (and Realists no less!) were drawn to these formulations at all is an expression of the dark post-9/11 times in which we live, when the world seems unpredictably unsafe and the United States is less certain of its course in that world.

#### What Does Loyalty Mean?

The question of "dual loyalty" is, among other things, an interesting point of entry into several dimensions of American-Jewish identity. But first, let's put some things on the table.

What does it mean for Jews, some at least, to vote for an American president, first and foremost, based on his policies toward Israel and only secondarily on his views on a range of other issues? What would it mean for an American Jew to advocate a specific policy injurious to the United States but helpful to Israel?

These are not unreasonable questions, and can and ought to be asked of any discrete group, certainly one with strong ties to a foreign country. Indeed, the American idea of citizenship is based on a shared civic identity binding together disparate groups with other sorts of identities. American political thinkers from the Federalists onward have tried to understand how this essentially liberal and cosmopolitan citizenship can weave together a polity.

I think it fair to say that any American citizen who advocates a policy that can in no way reasonably be construed as serving America's interests is no longer making a good faith policy argument and can only justify themselves, if at all, on humanitarian grounds.

At the same time, what is in America's national interest is not always self-evident. When I served in the State Department, for instance, we had passionate arguments about whether America should link its economic ties to China based on the country's human rights practices. I strongly—at times bitterly—fought with those on the other side of the argument, but I never doubted their patriotism.

The story of Jonathan Pollard, who will, it seems, be spending the rest of his life in jail for spying on behalf of Israel in the mid-1980s, hangs over all such discussions. Like all officials with access to classified materials, he was sworn to secrecy. He and his defenders say that he did what he had to do in order to protect Israel from dreadful harm.

I do not know if the damage he did to the United States was as great as his detractors say. I do know that as a committed Jew who served in the United States government, I find it very hard to justify his actions, even if his punishment seems excessive, particularly in light of the sentences meted out to other and worse offenders.

## To What are we Being Loyal?

When I told my Israeli-born and ordinarily soft-spoken wife that I was writing an article about the dual loyalty of American Jews, her immediate response was: “Who says these people are loyal to me? Do they even go to ceremonies for Yom Hazikaron [Israel’s Memorial Day]? If you don’t do that, you’re sure not loyal to me.”

At first I was taken aback, but then thought it was worth considering what lies beneath her provocative question and how it gives a bracing jolt to tired and familiar discussions of Israel-Diaspora relations.

So if indeed American Jews have a dual loyalty, to what are they are being dually loyal? And is a dual loyalty by definition a contradictory or false loyalty or one that merely has the potential for falsehood depending on the uses to which it is put?

American Jews are, in general, loyal to the survival and security of Israel in more or less its current form. They are driven to this by a deep, even if regularly inchoate, commitment to Israel as the ultimate guarantor of the Jewish people’s survival, and to an *idea* of Israel as well.

In this respect American Jewry’s support for Israel still runs along the tracks laid down in the early decades of the 20th century by the foundational thinkers of American Zionism, the great Justice Louis D. Brandeis (1856–1941) and the great, if less-known, social philosopher Horace Kallen (1882–1974), who coined the term “cultural pluralism.” These thinkers conceived of Zionism as a facet of the liberal Progressivism that they championed in the United States. They saw American Zionism, indeed robust American Jewishness, not as a dual or contradictory loyalty, but as a complementary feature of a broader loyalty to the liberal ideal as a whole.

Kallen and Brandeis were making, in a sense, two arguments: American identity, when thought through to its deepest roots and intentions, yielded a much broader harvest of loyalties, aspirations, affiliations, and values than the distinctively Anglo-Saxon heritage of its founders; and Zionism could and ought to be moving along the same basic continuum as Americanism, towards a liberal polity that would enable a range of people and minorities to flourish by the lights of their own historical experiences.

For them Zionism was, in a deep and real sense, Americanism by another name and with a different, though not contradictory, historical inflection. Their commitments to Zionism and to Americanism did not conflict because they sincerely saw each as a reflection of the other.

Subsequently, of course, the Holocaust deepened the American Jewish commitment to Israel, lending it power, and even terror. However, the ways in which American Jews think about Israel and how their support for it registers with their Americanness still very much resonates along the lines of Kallen and Brandeis.

## Interests and Values

At its best, in defending Israel, American Jews are acting out of a sense of interests and values. This sense derives from the belief that Israel guarantees the survival – both physical and cultural – of both American and Israeli Jews. They also give credence to the notion that the Israel they are supporting is a reflection of their own liberal democratic values, or at least not so far-removed, as to make supporting it morally unacceptable (the continuing grief of the Occupied Territories notwithstanding).

All politics is an amalgam of interests and values, and while the two never can be entirely divorced, it helps to sift them out for the sake of clarity.

Interests are the imperatives dictated by physical survival. Values are the principles whereby we order our sense of what survival means, and what survival is for. They are the concepts with which we define the terms of meaningful survival and guide our purposive choices towards the kind of world we wish to see.

The question of the respective roles of interests versus values in foreign policy, though it ought to be a universal dilemma, is in acute fashion a peculiarly American dilemma. The commingling of these two sets of concerns is a hallmark, and to some, a fatal flaw, of American diplomacy and indeed of America's own sense of itself as a republic. Thus while it is hard to imagine European governments fundamentally supporting Israel in the absence of the staggering and nearly supernatural moral burden of the Holocaust, it is less difficult to understand why America would do such a thing, even when it seems to run counter to some of its bolder geopolitical interests.

American support for Israel reflects a confluence of both interests and values. What marks the present historical moment is that both those sources of support are beginning to give way to other currents. America's interests were so badly damaged by the catastrophic mishandling of the Iraq war that for arch-Realists like Walt and Mearsheimer, the only possible explanation can be the malign influence of an ultimately foreign body which does not have those interests at heart.

On the value-side, we see the increasing illiberalism of the liberal classes, of whom Professor Tony Judt is perhaps the most articulate exponent. For those like him, the Jewish exercise in political sovereignty cannot be anything other than a retrograde chauvinism, for the sake of whose extirpation one may happily throw a flawed, if boisterous, democracy to the dogs. Taken together, the traditional basis for American support for Israel seems to be eroding, and those who persist in such support are more easily depicted as both unconcerned with American lives and suspiciously immoral.

## Soul Searching

What, then, is to be done? This writer is a Jew who loves America deeply, loves Israel deeply, and suffers for the sorrows of both. My complex identity is a constant goad, challenging me to understand, judge, and live out the meaning of my commitments to America and Israel and their respective values. The ostensible dilemma of “dual loyalty” is in some ways one of the more wrenching forms of the contemporary identity dilemmas coursing through the world today.

The questions raised, however clumsily, by Walt and Mearsheimer – and Judt, for

that matter – should on the one hand force American Jews to think hard about the very real geopolitical dilemmas facing the United States and Israel. On the other hand, the questions raised, however disturbingly, by my wife, should make American Jews think hard about themselves and their lives, about whether their support for Israel goes deeper than the satisfactions of feel-good advocacy as well as the inevitable limitations in their empathy.

This leaves us once again trying to make sense of our dual inheritance as Jews and as Americans—of these two extraordinary and complicated traditions—and trying to figure out how to bring them together in our lives. That in the end is one of America’s many gifts. It is always pushing the limits of our frontiers.



## UNIT 11

# "WHAT'S GOOD FOR THE JEWS?" IDENTITY POLITICS IN NORTH AMERICA

This unit explores the ways in which the current discourse around identity politics poses new challenges to Jewish peoplehood and a relationship with Israel. To better understand the meaning and implications of Jewish peoplehood, as well as disagreements about Israel, we need to understand the divergent strategies within the Jewish community to advocate for Jewish interests within the larger context of North American society.

### BACKGROUND READING

1. Emma Lazarus, "The New Colossus" (1883) 248
2. Joachim Prinz, "The Issue is Silence," Aug. 28, 1963 248
3. Malcom X, "Message to the Grassroots," Nov. 10, 1963 248
4. Marc Dollinger, *Black Power, Jewish Politics: Reinventing the Alliance in the 1960s* (2018), 112 249
5. James Baldwin, "Negroes Are Anti-Semitic Because They're Anti-White," *The New York Times*, Apr. 9, 1967 250
6. Martin Luther King Jr., "I Have A Dream," Aug. 28, 1963 252
7. David Biale, *Power and Powerlessness in Jewish History* (1986), 177–178 256
8. Ephraim Buchwald, "The Holocaust Is Killing American Jews," *The Los Angeles Times*, Apr. 28, 1992 256
9. Mijal Bitton, "I'm a Sephardic Latina with an Intersectional Identity. That's Why I Oppose the Women's March," *The Forward*, Jan. 15, 2019 258

## Background Reading

### 1. Emma Lazarus, "The New Colossus" (1883)

Not like the brazen giant of Greek fame,  
With conquering limbs astride from land to land;  
Here at our sea-washed, sunset gates shall stand  
A mighty woman with a torch, whose flame  
Is the imprisoned lightning, and her name  
Mother of exiles. From her beacon-hand  
Glows world-wide welcome; her mild eyes command  
The air-bridged harbor that twin cities frame.  
"Keep, ancient lands, your storied pomp!" cries she  
With silent lips. "Give me your tired, your poor,  
Your huddled masses yearning to breathe free,  
The wretched refuse of your teeming shore.  
Send these, the homeless, tempest-tost to me,  
I lift my lamp beside the golden door!"

### 2. Joachim Prinz, "The Issue is Silence," Aug. 28, 1963, excerpt,

... When I was the rabbi of the Jewish community in Berlin under the Hitler regime, I learned many things. The most important thing that I learned under those circumstances was that bigotry and hatred are not the most urgent problems. The most urgent, the most disgraceful, the most shameful and the most tragic problem is silence.

A great people which had created a great civilization had become a nation of silent onlookers. They remained silent in the face of hate, in the face of brutality and in the face of mass murder.

America must not become a nation of onlookers. America must not remain silent. Not merely black America, but all of America. It must speak up and act, from the President down to the humblest of us, and not for the sake of the negro, not for the sake of the black community but for the sake of the image, the idea and the aspiration of America itself...

### 3. Malcom X, "Message to the Grassroots," Nov. 10, 1963, excerpt

... We all agree tonight, all of the speakers have agreed, that America has a very serious problem. Not only does America have a very serious problem, but our people have a very serious problem. America's problem is us. We're her problem. The only reason she has a problem is she doesn't want us here. And every time you look at yourself, be you black, brown, red, or yellow – a so-called Negro – you represent a person who poses such a serious problem for America because you're not wanted. Once you face this as a fact, then you can start plotting a course that will make you appear intelligent, instead of unintelligent.

What you and I need to do is learn to forget our differences. When we come together, we don't come together as Baptists or Methodists. You don't catch hell 'cause you're a Baptist, and you don't catch hell 'cause you're a Methodist. You don't catch hell 'cause you're a Methodist or Baptist. You don't catch hell because you're a Democrat or a Republican. You don't catch hell because you're a Mason or an Elk. And you sure don't catch hell 'cause you're an American; 'cause if you was an American, you wouldn't catch no hell. You catch hell 'cause you're a black man. You catch hell, all of us catch hell, for the same reason.

So we are all black people, so-called Negroes, second-class citizens, ex-slaves. You are nothing but a ex-slave. You don't like to be told that. But what else are you? You are ex-slaves. You didn't come here on the "Mayflower." You came here on a slave ship – in chains, like a horse, or a cow, or a chicken. And you were brought here by the people who came here on the "Mayflower." You were brought here by the so-called Pilgrims, or Founding Fathers. They were the ones who brought you here.

We have a common enemy. We have this in common: We have a common oppressor, a common exploiter, and a common discriminator. But once we all realize that we have this common enemy, then we unite on the basis of what we have in common. And what we have foremost in common is that enemy – the white man. He's an enemy to all of us. I know some of you all think that some of them aren't enemies. Time will tell...

It's just like when you've got some coffee that's too black, which means it's too strong. What you do? You integrate it with cream; you make it weak. If you pour too much cream in, you won't even know you ever had coffee. It used to be hot, it becomes cool. It used to be strong, it becomes weak. It used to wake you up, now it'll put you to sleep. This is what they did with the march on Washington. They joined it. They didn't integrate it; they infiltrated it. They joined it, became a part of it, took it over. And as they took it over, it lost its militancy. They ceased to be angry. They ceased to be hot. They ceased to be uncompromising. Why, it even ceased to be a march. It became a picnic, a circus. Nothing but a circus, with clowns and all...

#### **4. Marc Dollinger, *Black Power, Jewish Politics: Reinventing the Alliance in the 1960s* (2018), 112**

As Donald Feldstein, an education consultant hired by the National Jewish Welfare Board to study college-age Jews, reported in 1970, "It is no longer embarrassing or 'out' to belong to a group on the college campus with the word 'Jew' in the title." He noted "literally scores" of Jewish groups forming on college campuses across the country with "aggressively Jewish" missions that imitated "the spirit, the style, and the tactics of the New Left and black militants."

## 5. James Baldwin, "Negroes Are Anti-Semitic Because They're Anti-White," *The New York Times*, Apr. 9, 1967, excerpt

... It is galling to be told by a Jew whom you know to be exploiting you that he cannot possibly be doing what you know he is doing because he is a Jew. It is bitter to watch the Jewish storekeeper locking up his store for the night, and going home. Going, with *your* money in his pocket, to a clean neighborhood, miles from you, which you will not be allowed to enter. Nor can it help the relationship between most Negroes and most Jews when part of this money is donated to civil rights. In the light of what is now known as the white backlash, this money can be looked on as conscience money merely, as money given to keep the Negro happy in his place, and out of white neighborhoods.

One does not wish, in short, to be told by an American Jew that his suffering is as great as the American Negro's suffering. It isn't, and one knows that it isn't from the very tone in which he assures you that it is.

For one thing, the American Jew's endeavor, whatever it is, has managed to purchase a relative safety for his children, and a relative future for them. This is more than your father's endeavor was able to do for you, and more than your endeavor has been able to do for your children. There are days when it can be exceedingly trying to deal with certain white musical or theatrical celebrities who may or may not be Jewish – what, in show business, is a name? – but whose preposterous incomes cause one to think bitterly of the fates of such people as Beside Smith or King Oliver or Ethel Waters. Furthermore, the Jew can be proud of his suffering, or at least not ashamed of it. His history and his suffering do not begin in America, where black men have been taught to be ashamed of everything, especially their suffering.

The Jew's suffering is recognized as part of the moral history of the world and the Jew is recognized as a contributor so the world's history: this is not true for the blacks. Jewish history, whether or not one can say it is honored, is certainly known: the black history has been blasted, maligned and despised. The Jew is a white man, and when white men rise up against oppression, they are heroes: when black men rise, they have reverted to their native savagery. The uprising in the Warsaw ghetto was not described as a riot, nor were the participants maligned as hoodlums: the boys and girls in Watts and Harlem are thoroughly aware of this, and it certainly contributes to their attitude toward the Jews.

But, of course, my comparison of Watts and Harlem with the Warsaw ghetto will be immediately dismissed as outrageous. There are many reasons for this, and one of them is that while America loves white heroes, armed to the teeth, it cannot abide bad niggers. But the bottom reason is that it contradicts the American dream to suggest that any gratuitous, unregenerate horror can happen here. We make our mistakes, we like to think, but we are getting better all the time.

Well, to state it mildly, this is a point of view which any sane or honest Negro will have some difficulty holding. Very few Americans, and this includes very few Jews, wish to believe that the American Negro situation is as desperate and dangerous as it is. Very few Americans, and very few Jews, have the courage to recognize that the America of which they dream and boast is not the America in which the Negro

lives. It is a country which the Negro has never seen. And this is not merely a matter of bad faith on the part of Americans. Bad faith, God knows, abounds, but there is something in the American dream sadder and more wistful than that.

No one, I suppose, would dream of accusing the late Moss Hart of bad faith. Near the end of his autobiography, "Act One," just after he has become a successful playwright, and is riding home to Brooklyn for the first time in a cab, he reflects:

"I started through the taxi window at a pinch-faced 10-year-old hurrying down the steps on some morning errand before school, and I thought of myself hurrying down the streets on so many gray mornings out of a doorway and a house much the same as this one. My mind jumped backward in time and then whirled forward, like a many-faceted prism – flashing our old neighborhood in front of me, the house, the steps, the candy store – and then shifted to the skyline I had just passed by, the opening last night, and the notices I still hugged tightly under my arm. It was possible in this wonderful city for that nameless little boy – for any of its millions – to have a decent chance to scale the walls and achieve what they wished. Wealth, rank, or an imposing name counted for nothing. The only credential the city asked was the boldness to dream."

But this is not true for the Negro, and not even the most successful or fatuous Negro can really feel this way. His journey will have cost him too much, and the price will be revealed in his estrangement – unless he is very rare and lucky – from other colored people, and in his continuing isolation from whites. Furthermore, for every Negro boy who achieves such a taxi ride, hundreds, at least, will have perished around him, and not because they lacked the boldness to dream, but because the Republic despises their dreams.

Perhaps one must be in such a situation in order really to understand what it is. But if one is a Negro in Watts or Harlem, and knows why one is there, and knows that one has been sentenced to remain there for life, one can't but look on the American state and the American people as one's oppressors. For that, after all, is exactly what they are. They have corralled you where you are for their ease and their profit, and are doing all in their power to prevent you from finding out enough about yourself to be able to rejoice in the only life you have.

One does not wish to believe that the American Negro can feel this way, but that is because the Christian world has been misled by its own rhetoric and narcotized by its own power.

For many generations the natives of the Belgian Congo, for example, endured the most unspeakable atrocities at the hands of the Belgians, at the hands of Europe. Their suffering occurred in silence. This suffering was not indignantly reported in the Western press, as the suffering of white men would have been. The suffering of this native was considered necessary, alas, for European, Christian dominance. And, since the world at large knew virtually nothing concerning the suffering of this native, when he rose he was not hailed as a hero fighting for his land, but condemned as a savage, hungry for white flesh. The Christian world considered Belgium to be a civilized country; but there was not only no reason for the Congolese to feel that way about Belgium; there was no possibility that they could.

What will the Christian world, which is so uneasily silent now, say on that day

which is coming when the black native of South Africa begins to massacre the masters who have massacred him so long? It is true that two wrongs don't make a right, as we love to point out to the people we have wronged. But *one* wrong doesn't make a right, either. People who have been wronged will attempt to right the wrong; they would not be people if they didn't. They can rarely afford to be scrupulous about the means they will use. They will use such means as come to hand. Neither, in the main, will they distinguish one oppressor from another, nor see through to the root principle of their oppression.

In the American context, the most ironical thing about Negro anti-Semitism is that the Negro is really condemning the Jew for having become an American white man – for having become, in effect, a Christian. The Jew profits from his status in America, and he must expect Negroes to distrust him for it. The Jew does not realize that the credential he offers, the fact that he has been despised and slaughtered, does not increase the Negro's understanding. It increases the Negro's rage.

For it is not here, and not now, that the Jew is being slaughtered, and he is never despised, here, as the Negro is, *because* he is an American. The Jewish travail occurred across the sea and America rescued him from the house of bondage. But America is the house of bondage for the Negro, and no country can rescue him. What happens to the Negro here happens to him *because* he is an American . . .

If one blames the Jew for not having been ennobled by oppression, one is not indicting the single figure of the Jew but the entire human race, and one is also making a quite breathtaking claim for oneself. I know that my own oppression did not ennoble me, not even when I thought of myself as a practicing Christian. I also know that if today I refuse to hate Jews, or anybody else, it is because I know how it feels to be hated. I learned this from Christians, and I ceased to practice what the Christians practiced.

The crisis taking place in the world, and in the minds and hearts of black men everywhere, is not produced by the star of David, but by the old, rugged Roman cross on which Christendom's most celebrated Jew was murdered. And not by Jews.

## 6. Martin Luther King Jr., "I Have A Dream," Aug. 28, 1963

I am happy to join with you today in what will go down in history as the greatest demonstration for freedom in the history of our nation.

Five score years ago, a great American, in whose symbolic shadow we stand today, signed the Emancipation Proclamation. This momentous decree came as a great beacon light of hope to millions of Negro slaves who had been seared in the flames of withering injustice. It came as a joyous daybreak to end the long night of their captivity.

But one hundred years later, the Negro still is not free. One hundred years later, the life of the Negro is still sadly crippled by the manacles of segregation and the chains of discrimination. One hundred years later, the Negro lives on a lonely island of poverty in the midst of a vast ocean of material prosperity. One hundred years later, the Negro is still languished in the corners of American society and finds himself an exile in his own land. And so we've come here today to dramatize a shameful condition.

In a sense we've come to our nation's capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men, yes, black men as well as white men, would be guaranteed the "unalienable Rights" of "Life, Liberty and the pursuit of Happiness." It is obvious today that America has defaulted on this promissory note, insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check, a check which has come back marked "insufficient funds."

But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. And so, we've come to cash this check, a check that will give us upon demand the riches of freedom and the security of justice.

We have also come to this hallowed spot to remind America of the fierce urgency of Now. This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism. Now is the time to make real the promises of democracy. Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice. Now is the time to lift our nation from the quicksands of racial injustice to the solid rock of brotherhood. Now is the time to make justice a reality for all of God's children.

It would be fatal for the nation to overlook the urgency of the moment. This sweltering summer of the Negro's legitimate discontent will not pass until there is an invigorating autumn of freedom and equality. Nineteen sixty-three is not an end, but a beginning. And those who hope that the Negro needed to blow off steam and will now be content will have a rude awakening if the nation returns to business as usual. And there will be neither rest nor tranquility in America until the Negro is granted his citizenship rights. The whirlwinds of revolt will continue to shake the foundations of our nation until the bright day of justice emerges.

But there is something that I must say to my people, who stand on the warm threshold which leads into the palace of justice: In the process of gaining our rightful place, we must not be guilty of wrongful deeds. Let us not seek to satisfy our thirst for freedom by drinking from the cup of bitterness and hatred. We must forever conduct our struggle on the high plane of dignity and discipline. We must not allow our creative protest to degenerate into physical violence. Again and again, we must rise to the majestic heights of meeting physical force with soul force.

The marvelous new militancy which has engulfed the Negro community must not lead us to a distrust of all white people, for many of our white brothers, as evidenced by their presence here today, have come to realize that their destiny is tied up with our destiny. And they have come to realize that their freedom is inextricably bound to our freedom.

We cannot walk alone.

And as we walk, we must make the pledge that we shall always march ahead.

We cannot turn back.

There are those who are asking the devotees of civil rights, "When will you be satisfied?" We can never be satisfied as long as the Negro is the victim of the unspeakable

horrors of police brutality. We can never be satisfied as long as our bodies, heavy with the fatigue of travel, cannot gain lodging in the motels of the highways and the hotels of the cities. \*\*We cannot be satisfied as long as the negro's basic mobility is from a smaller ghetto to a larger one. We can never be satisfied as long as our children are stripped of their self-hood and robbed of their dignity by signs stating: "For Whites Only."\*\* We cannot be satisfied as long as a Negro in Mississippi cannot vote and a Negro in New York believes he has nothing for which to vote. No, no, we are not satisfied, and we will not be satisfied until "justice rolls down like waters, and righteousness like a mighty stream."

I am not unmindful that some of you have come here out of great trials and tribulations. Some of you have come fresh from narrow jail cells. And some of you have come from areas where your quest – quest for freedom left you battered by the storms of persecution and staggered by the winds of police brutality. You have been the veterans of creative suffering. Continue to work with the faith that unearned suffering is redemptive. Go back to Mississippi, go back to Alabama, go back to South Carolina, go back to Georgia, go back to Louisiana, go back to the slums and ghettos of our northern cities, knowing that somehow this situation can and will be changed.

Let us not wallow in the valley of despair, I say to you today, my friends.

And so even though we face the difficulties of today and tomorrow, I still have a dream. It is a dream deeply rooted in the American dream.

I have a dream that one day this nation will rise up and live out the true meaning of its creed: "We hold these truths to be self-evident, that all men are created equal."

I have a dream that one day on the red hills of Georgia, the sons of former slaves and the sons of former slave owners will be able to sit down together at the table of brotherhood.

I have a dream that one day even the state of Mississippi, a state sweltering with the heat of injustice, sweltering with the heat of oppression, will be transformed into an oasis of freedom and justice.

I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.

I have a dream today!

I have a dream that one day, down in Alabama, with its vicious racists, with its governor having his lips dripping with the words of "interposition" and "nullification" – one day right there in Alabama little black boys and black girls will be able to join hands with little white boys and white girls as sisters and brothers.

I have a dream today!

I have a dream that one day every valley shall be exalted, and every hill and mountain shall be made low, the rough places will be made plain, and the crooked places will be made straight; "and the glory of the LORD shall be revealed and all flesh shall see it together."

This is our hope, and this is the faith that I go back to the South with.

With this faith, we will be able to hew out of the mountain of despair a stone of hope. With this faith, we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood. With this faith, we will be able to work

together, to pray together, to struggle together, to go to jail together, to stand up for freedom together, knowing that we will be free one day.

And this will be the day – this will be the day when all of God’s children will be able to sing with new meaning:

My country ’tis of thee, sweet land of liberty, of thee I sing. Land where my fathers died, land of the Pilgrim’s pride, From every mountainside, let freedom ring!

And if America is to be a great nation, this must become true.

And so let freedom ring from the prodigious hilltops of New Hampshire.

Let freedom ring from the mighty mountains of New York.

Let freedom ring from the heightening Alleghenies of Pennsylvania.

Let freedom ring from the snow-capped Rockies of Colorado.

Let freedom ring from the curvaceous slopes of California.

But not only that:

Let freedom ring from Stone Mountain of Georgia.

Let freedom ring from Lookout Mountain of Tennessee.

Let freedom ring from every hill and molehill of Mississippi.

From every mountainside, let freedom ring.

And when this happens, and when we allow freedom ring, when we let it ring from every village and every hamlet, from every state and every city, we will be able to speed up that day when all of God’s children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of the old Negro spiritual:

Free at last! Free at last!

Thank God Almighty, we are free at last! Emil Fackenheim, “Jewish Values In the Post-Holocaust Future: A Symposium,” *Judaism* 16 (Summer 1967), 294–295

Can we confront the Holocaust, and yet not despair? Not accidentally has it taken twenty years for us to face this question, and it is not certain that we can face it yet. The contradiction is too staggering, and every authentic escape is barred. We are bidden to turn present and future life into death, as the price of remembering death at Auschwitz. And we are forbidden to affirm present and future life, as the price of forgetting Auschwitz. We have lived in this contradiction for twenty years without being able to face it. Unless I am mistaken, we are now beginning to face it, however fragmentarily and inconclusively. And from this beginning confrontation there emerges what I will boldly term a 614th commandment: *the authentic Jew of today is forbidden to hand Hitler yet another, posthumous victory.*

## 7. David Biale, *Power and Powerlessness in Jewish History* (1986), 177–178

It has been argued that the American Jewish community is at once the freest and the most powerful Diaspora community in Jewish history. Today, this community has access to the highest corridors of power and possesses considerable ability to influence, if not always decisively, the government of the United States in favor of Jewish interests, especially in support of the state of Israel. It is a community with extensive financial resources which it contributes generously to Israel and other foreign Jewish communities, as well as to numerous political and cultural causes in America. Although anti-semitism still exists in American society, there has never been a Diaspora community in modern times that has faced less discrimination. Jews no longer encounter significant economic or occupational barriers, and there are far fewer social barriers than in any Diaspora community in history. Never has a Jewish community of such a size been so well integrated into the life of a non-Jewish society . . .

If power means, as I have previously defined it, “the ability of a people to control its relations to other peoples as well as its own internal political, cultural, religious, economic and social life” (p. 7), the American-Jewish community is a very powerful community indeed, but not without qualification. I suggested further that power is a measure of the “exercise [of] strength and authority within a collective framework, informed by conscious political goals” (p. 7). The integration of Jews into American society has enhanced their power as individuals, but frequently at the expense of communal cohesiveness. The very success of American Jews in entering the power structure in America has therefore both strengthened and weakened their ability – and desire – to act as a collective in the historical sense of the word. These new and, for the most part, unprecedented circumstances suggest that it may be necessary to revise old definitions of power in favor of new ones still in the making.

## 8. Ephraim Buchwald, “The Holocaust Is Killing American Jews,” *The Los Angeles Times*, Apr. 28, 1992

There is almost nothing more sacred or more sensitive for Jews living in the generation after the Holocaust, than the memory of the 6 million martyrs of the Nazi genocide. The poignant question “Where was God?,” rather than being a theological provocation, is more likely a reflection of the abiding pain which lingers from the staggering losses. After all, what could possibly be more important than sanctifying the memory of those who died – except insuring a future for those who wish to live as Jews?

There is great justification for the continuing Jewish obsession with the Holocaust. It was numerically the greatest loss of Jews ever in Jewish history, and the wound is still raw. Survivors, who actually witnessed the horrors, can be spoken to personally. And now that “revisionists,” who seek to deny the Holocaust, have become even more brazen, sensitive Jews are reacting with even greater passion.

But obsessing over the Holocaust is exacting a great price. It is killing America’s Jews.

According to the 1990 Council of Jewish Federations National Jewish Population Survey, record numbers of Jews are now walking away from Judaism. Two million

American Jews no longer acknowledge being Jewish. One million American Jewish children are being raised as non-Jews, or with no religion at all. And 625,000 Jews or their children have converted out of Judaism. A recent Gallup organization survey of religions in America reported that while there seems to be a resurgence among Protestants and Catholics, Jews as a group are drifting away from their religion.

There are many reasons for this wholesale abandonment of Jewish identity. Our grandparents hoped that America would be a melting pot for future generations; instead it has become a meltdown! Jewish education is woefully inadequate. For many decades intensive Jewish education was derided as being separatist. So now young Jews walk away from Judaism, not because of dissatisfaction with the faith, but out of ignorance.

And the ignorance is overwhelming. The average American Jew knows who was the mother of Jesus, but doesn't have a clue as to who was the mother of Moses; probably knows the meaning of the word "trinity", but is unlikely to know what the word "mitzvah" means. Similarly, the typical American Jewish child could probably sing the first verse of "Deck the Halls with Boughs of Holly," but is unfamiliar with the first line of "Ma'oz Tsur" – the joyous Hanukkah hymn.

We have no one to fault but ourselves. We failed to properly educate our children, and when we did, the experiences were so negative that it's been said, only half in jest, that if the Jews for Jesus were smart they would pay to send every Jewish child to an afternoon Hebrew school because, in most instances, it's proven to be the greatest turn-off to Jewish life.

The American Jewish community stands now at a most formidable crossroads, a crossroads which will likely determine whether Jewish life in America continues, or ceases to exist altogether. America's Jews, like the Israelites of old, are being asked to choose between "life and death", between "the blessing and the curse."

Unless we "choose life," unless there will be within the very near future, a dramatic turnaround in the patterns of Jewish assimilation and intermarriage, we are probably witnessing the last generation of Jewish life in America as we now know it. Our community will not be recognizable within 25 to 30 years.

If we are to stop the hemorrhaging of Jewish life in America, intensive, positive, joyous Jewish education and experiences must become a priority. But right now what seems to be the priority is building Holocaust memorials. Over half a billion dollars have already been pledged or spent to build 19 Holocaust memorials and 36 research centers or libraries in America. Some cities, like Los Angeles, have 2 or 3 competing Holocaust memorials. The largest and most expensive American Holocaust memorial, the US Holocaust Museum was dedicated on April 22, 1993 in Washington D.C., built at a cost of \$168 million.

More than a quarter of the books published on Jewish themes today concern the Holocaust. Jews who have never opened a Bible, have broad expertise in Holocaust studies. Jews who have never read a single page of Jewish philosophy, are fully conversant with Hitler's *Mein Kampf*. Jews who are totally ignorant of the ABC's of Judaism, have enrolled in intensive courses analyzing the most obscure details of the European Jewish Holocaust. It is quite likely that a young Jew today knows who Hitler and Eichmann were, but has no idea of Rabbi Akiva and Maimonides.

We've reached the absurd point where the only feature of Judaism with which our young Jews identify is that of the Jew as victim – murdered, cremated or turned into a lampshade. Is there no joy in Jewish life? Is there no balm in Gilead? No wonder our young Jews are turned off and walking away from their heritage.

It is hardly likely that we will be able to stop the proliferation of Holocaust centers in America. However, there is still time to make certain that these centers communicate a joyous and positive message for Jewish life. We must make certain that young Jews who enter these centers encounter a message which will inspire them to live as Jews, and not be turned off by the spectre of endless victimization and suffering. If we fail to accomplish this, then these vaunted Holocaust centers will soon become the tombstones of the present generation of American Jews.

There is a Holocaust taking place in America right now. We can't hear it, because there are no barking dogs; we can't see it because there are no goose-stepping Nazi soldiers and no concentration camps; we can't smell it because there are no gas chambers. But the net result is exactly the same.

If we fail to act now, if we fail to share with our young Jews the beauty and meaningfulness of Jewish life and Jewish heritage, there will be few Jews left in the next generation who will even know that there ever was a Holocaust of European Jews. The "silent Holocaust" will have done its job. Hitler will have emerged victorious.

*Ephraim Buchwald is the Director of the National Jewish Outreach Program. He is the Founding President of the Association for Jewish Outreach Professionals, and rabbi of the Beginners Service at Lincoln Square Synagogue in New York City.*

## **9. Mijal Bitton, "I'm a Sephardic Latina with an Intersectional Identity. That's Why I Oppose the Women's March," *The Forward*, Jan. 15, 2019**

This coming Saturday, thousands of women across America will be marching in the 2019 Women's March. But unlike the first march, many Jewish women have pledged not to attend this year, thanks to the March leaders' ties to the anti-Semitic head of Nation of Islam, Louis Farrakhan, and other reports of anti-Jewish sentiment.

Still, social media posts have been circulating across Facebook and Twitter with the hashtag #jwocmarching, for Jewish women of color who are marching. The hashtag is part of a recent campaign led by Yavilah McCoy, a Jewish leader and founder of Ayecha who has been recently added to the Women's March steering committee. McCoy and others have been urging Jewish representation in next week's march, and specifically highlighting the voices and experiences of Jewish women of color in this contingency. The campaign released a nuanced, thoughtful statement which clearly outlines why many Jewish women of color are committed to the Women's March as part of an intersectional struggle of solidarity against oppression.

"As Jewish women of color who live at the intersection of racism, sexism and anti-Semitism, and who are committed to standing against white supremacy, patriarchy and religious oppression in all its forms, we will play an integral role in the healing and unification of our communities and in the work of securing greater justice and freedom for us all," the petition states.

I read this statement with respect for the experiences that lead its authors to write it. And in some ways, you might expect my identity as an intersectional feminist Latina immigrant from Argentina and a Sephardi Jew whose family hails from Arab lands should lead me to participate in the Women's March, a movement predicated on solidarity for intersectional oppression and vulnerability.

But it is precisely my intersectional identity that leads me to abstain.

My childhood memories were happy, but still to this day carry a distinctly diasporic taste: Argentina never felt like home.

Maybe it was the many times that my kindergarten was evacuated, due to anti-Semitic vandalism and threats. Maybe it was that my best friend's dad was one of the 85 murdered in the still unresolved 1994 terrorist bombing of a Jewish institution, the Asociación Mutual Israelita Argentina.

I cannot separate my Latina identity from a feeling of Jewish vulnerability and dispossession, a feeling that I will never belong. The countless sports caps in my home, for my brothers to hide their kippot under, were a daily reminder of otherness.

It's a reminder that North American Jews have been largely privileged to not have.

To my identity as a Latina immigrant, I add my identity as a Sephardic Jew, as a descendant of Moroccan, Syrian and Spanish Jews who left their lands, mostly as economic migrants.

When I married my husband Sion, I was welcomed into a family and community which bears other burdens of Sephardic memory. His parents were born and raised in Egypt and became stateless refugees under Nasser's anti-Semitic regime in the 1960s.

Their stories are now my own and inform a consciousness that carries the dreams and nightmares of hundreds of thousands of Jews from Arab lands, known in Israel as Mizrahi Jews, whose lives were uprooted and shaped by nationalistic Arab anti-Semitism.

These memories became more deeply imprinted in my psyche through my doctoral research of Syrian Jews in America. Prior to my research, I had little familiarity with the thousands of Syrian Jews held as virtual prisoners by the Syrian regime for decades, subject to persecution and oppression, finally allowed to freely leave their country between 1992 and 1994. My interviews and conversations with Syrian Jewish refugees have transformed my understanding of anti-Semitism.

I share these stories because I believe personal reflections can help us scale back the "empathy walls," as sociologist Arlie Hochschild writes, that prevent us from understanding each other.

I write to help explain why I am not marching, why my identity, which otherwise fits in within the intersectional fight for common liberation and for women's rights, informs my refusal to participate in a movement led by individuals who have contributed to the normalization of anti-Semitic discourse, and who have yet, despite recent apologies, to regain the trust of many in the Jewish community in this issue, myself included.

I write to add my voice to the mix, to the Jewish women in America who are not white, who represent marginalized minorities, who have accents, who are immigrants, who embody multiple narratives of otherness.

I write to express that there are feminist Jewish women, Jews of color, Hispanic Jews, Jewish immigrants, Mizrahi Jews, Sephardic Jews, Jews from Arab lands and others Jews with intersectional and marginalized identities who are making a conscientious choice to not join in the Women's March, a decision partly informed by their own experiences of vulnerability and motivated by a determination to fight oppression through other means.

My commitment to upholding anti-Semitism as a moral red line which determines who I will partner with was not awakened, as it was for some American Jews, by the terrible attack in Pittsburgh. While the shooting at Tree of Life synagogue stands out as the most deadly anti-Semitic attack on American soil, observers attuned to the experiences of other, smaller, Jewish communities around the world know that the post-Holocaust resurgence of anti-Semitism (if it ever went away) has older, more pervasive and more complex global manifestations.

My political understanding of liberatory intersectionality includes not only Americans who suffer gender, racial, economic and other forms of inequalities, but also Jews around the world still facing one of the oldest forms of hatred that human history has witnessed.

I write this, then, to challenge the dichotomy that has already begun to emerge, a dichotomy that posits an "either/or" worldview in which individuals who refuse to march in this particular Women's Movement are portrayed as not caring for social or racial justice.

I care. It is because I care that I am praying with my feet and marching away from the Women's March.

**PART III**

**NEW RELATIONSHIP  
MODELS FOR JEWISH  
PEOPLEHOOD**





## UNIT 12

# FROM FAMILY TO CONSUMER

This unit introduces five categories which shape the narrative of Jewish peoplehood: 1) family; 2) shared believers; 3) partners; 4) investors; 5) consumers. The unit then focuses on the categories of family and consumer and how synergy between the two can strengthen the relationship between Israel and North American Jewry.

### UNIT 12 SOURCES

- |   |     |
|---|-----|
| 1. Israel and World Jewry: Definitions of Relationships | 264 |
| 2. Genesis 13:14–17                                     | 264 |
| 3. Leviticus Rabbah 4:6                                 | 265 |

### BACKGROUND READING

- |                              |     |
|------------------------------|-----|
| 1. Numbers 32:1–27           | 266 |
| 2. Joshua 22:1–34            | 268 |
| 3. Law of Citizenship (1952) | 272 |
| 4. Law of Return (1970)      | 282 |

## 1. Israel and World Jewry: Definitions of Relationships

### Family

A group of people related by blood and having a shared sense of belonging and mutual obligation.

### Shared Believers

A group of people who have a strong commitment to a shared religious belief or a belief that something is right or good.

### Partners

A group of people who join in a common undertaking, with shared risks and profits.

### Investor

Participant in a collective enterprise that expends money, capital, or resources with the expectation of achieving a profit or gaining an advantage.

### Consumer

A person who purchases or benefits from the use of goods and services.

## 2. Genesis 13:14–17

<sup>14</sup> And the LORD said to Abram, after Lot had parted from him, “Raise your eyes and look out from where you are, to the north and south, to the east and west, <sup>15</sup> for I give all the land that you see to you and your offspring forever. <sup>16</sup> I will make your offspring as the dust of the earth, so that if one can count the dust of the earth, then your offspring too can be counted. <sup>17</sup> Up, walk about the land, through its length and its breadth, for I give it to you.”

יְיָ וַיְהִי וַאֲמַר אֶל-אַבְרָם, אַחֲרֵי הַפְּרֹד-לוֹט מֵעֲמוֹ, שָׂא נָא עֵינֶיךָ וּרְאֵה, מִן-הַמָּקוֹם אֲשֶׁר-אַתָּה שָׂם - צַפְנָה וְנִגְבָּה, וְקִדְמָה וַיְמָה. טו כִּי אֶת-כָּל-הָאָרֶץ אֲשֶׁר-אַתָּה רֹאֶה, לְךָ אֶתְנַנֶּה, וּלְזֶרְעֶךָ, עַד-עוֹלָם. טז וְשָׂמַתִּי אֶת-זֶרְעֶךָ, כְּעֹפֶר הָאָרֶץ: אֲשֶׁר אִם-יִוְכַל אִישׁ, לִמְנוֹת אֶת-עֹפֶר הָאָרֶץ - גַּם-זֶרְעֶךָ, יִמְנֶה. יז קוּם הִתְהַלֵּךְ בְּאֶרֶץ, לְאַרְכָּהּ וּלְרֵחְבָּהּ: כִּי לְךָ, אֶתְנַנֶּה.

### 3. Leviticus Rabbah 4:6

Hezekiah taught: It is said, *Israel is a scattered sheep* (Jer. 50:17). Why are Israel likened to a sheep? Just as with a lamb, when it is hurt on the head or on any other limb, all its limbs feel it, even so is it with Israel: if [only one] of them sins, all of them feel it. It is said, *Shall one man sin, and wilt Thou be wroth with all the congregation?* (Num. 16:22). R. Simeon b. Yohai taught: This may be compared to the case of men on a ship, one of whom took a borer and began boring beneath his own place. His fellow travellers said to him: 'What are you doing?' Said he to them: 'What does that matter to you, am I not boring under my own place?' Said they: 'Because the water will come up and flood the ship for us all.' Even so did Job say, *And be it indeed that I have erred, mine error remaineth with myself* (Job 19:4), and his friends said, *He adds transgression unto his sin, he extends it among us.* (Job 34:37)[They said to him:] 'You extend your sins among us.'

תְּנִי חֲזָקָה (ירמיה נ, יז): שֶׁהַ פְּזוּרָה יִשְׂרָאֵל, נִמְשָׁלוּ יִשְׂרָאֵל לְשֶׁה, מֵהַ שֶׁהַ הַזֶּה לֹקֵה עַל רֹאשׁוֹ אוֹ בְּאֶחָד מֵאַבְרָיו וְכָל אַבְרָיו מְרַגְּשִׁין, כִּדְ הֵן יִשְׂרָאֵל, אֶחָד מֵהֵן חוֹטֵא וְכָלֵן מְרַגְּשִׁין, (במדבר טז, כב): הָאִישׁ אֶחָד יִחַטָּא, תְּנִי רַבִּי שְׂמֵעוֹן בֶּר יוֹחָאי, מִשָּׁל לְבַנֵּי אָדָם שֶׁהֵיוּ יוֹשְׁבֵין בְּסִפִּינָה נִטַּל אֶחָד מֵהֵן מְקַדַּח וְהִתְחִיל קוֹדַח תְּחִתּוֹ, אָמְרוּ לוֹ חֲבֵרָיו מַה אַתָּה יוֹשֵׁב וְעוֹשֶׂה, אָמַר לָהֶם מַה אֲכַפֵּת לָכֶם לֹא תְחִתִּי אֲנִי קוֹדַח, אָמְרוּ לוֹ שְׂהַמִּים עוֹלֵין וּמְצַיִפִּין עָלֵינוּ אֶת הַסְּפִינָה. כִּדְ אָמַר אִיּוֹב (איוב יט, ד): וְאַף אֲמַנָּם שְׂגִיתִי אֶתִּי תְלִין מְשׁוֹגְתִי, אָמְרוּ לוֹ חֲבֵרָיו (איוב לד, יז): כִּי יִסִּיף עַל חַטָּאתוֹ פֶּשַׁע בִּינִינוּ יִשְׁפּוֹק, אַתָּה מִסְפִּיק בִּינִינוּ אֶת עוֹנוֹתֶיךָ.

## Background Reading

### 1. Numbers 32:1–27

<sup>1</sup> The Reubenites and the Gadites owned cattle in very great numbers. Noting that the lands of Jazer and Gilead were a region suitable for cattle, <sup>2</sup> the Gadites and the Reubenites came to Moses, Eleazar the priest, and the chieftains of the community, and said, <sup>3</sup> “Ataroth, Dibon, Jazer, Nimrah, Heshbon, Elealeh, Sebam, Nebo, and Beon – <sup>4</sup> the land that the LORD has conquered for the community of Israel is cattle country, and your servants have cattle. <sup>5</sup> It would be a favor to us,” they continued, “if this land were given to your servants as a holding; do not move us across the Jordan.”

<sup>6</sup> Moses replied to the Gadites and the Reubenites, “Are your brothers to go to war while you stay here? <sup>7</sup> Why will you turn the minds of the Israelites from crossing into the land that the LORD has given them? <sup>8</sup> That is what your fathers did when I sent them from Kadesh-barnea to survey the land. <sup>9</sup> After going up to the wadi Eshcol and surveying the land, they turned the minds of the Israelites from invading the land that the LORD had given them. <sup>10</sup> Thereupon the LORD was incensed and He swore, <sup>11</sup> ‘None of the men from twenty years up who came out of Egypt shall see the land that I promised on oath to Abraham, Isaac, and Jacob, for they did not remain loyal to Me – <sup>12</sup> none except Caleb son of Jephunneh the Kenizzite and Joshua son of Nun, for they remained loyal to the LORD.’ <sup>13</sup> The LORD was incensed at Israel, and for forty years He made them wander in the wilderness, until the whole generation that had provoked the LORD’s displeasure was gone. <sup>14</sup> And now you, a breed of sinful men, have replaced your

א ומקנה רב היתה לבני ראובן ולבני גד עצום מאד ויראו את ארץ יעזר ואת ארץ גלעד והנה המקום מקום מקנה: ב ויבאו בני גד ובני ראובן ויאמרו אל משה ואל אלעזר הכהן ואל נשיאי העדה לאמר: ג עטרות ודיבן ויעזר ונמרה וחשבון ואלעלה ושכם ונבו ובען: ד הארץ אשר הבה יהנה לפני עדת ישראל ארץ מקנה הוא ולעבדיה מקנה: ה ויאמרו אם מצאנו חן בעיניך יתן את הארץ הזאת לעבדיה לאחזה אל מעברנו את הירדן:

ו ויאמר משה לבני גד ולבני ראובן האחיכם יבאו למלחמה ואתם תשבו פה: ז ולמה תנואון [תניאון] את לב בני ישראל מעבר אל הארץ אשר נתן להם יהוה: ח כה עשו אבותיכם בשלחי אתם מקדש ברנע לראות את הארץ: ט ויעלו עד נחל אשכול ויראו את הארץ ויניאו את לב בני ישראל לבלתי בא אל הארץ אשר נתן להם יהוה: י ויחראף יהוה ביום ההוא וישבע לאמר: יא אם יראו האנשים העלים ממצרים מבן עשרים שנה ומעלה את האדמה אשר נשבעתי לאברהם ליצחק וליעקב כי לאמלאו אחריו: יב בלתי כלב בן יפנה הקנזי ויהושע בן נון כי מלאו אחרי יהוה: יג ויחראף יהוה בישראל וינעם במדבר ארבעים שנה עדתם כל הדור העשה הרע בעיני יהוה: יד והנה קמתם תחת אבותיכם תרבות אנשים חטאים לספות עוד על חרון אף יהוה אל ישראל: טו כי תשובו מאחרי וינסף עוד להניחו במדבר ושחתם לכל העם הזה:

fathers, to add still further to the LORD's wrath against Israel. <sup>15</sup> If you turn away from Him and He abandons them once more in the wilderness, you will bring calamity upon all this people."

<sup>16</sup> Then they stepped up to him and said, "We will build here sheepfolds for our flocks and towns for our children. <sup>17</sup> And we will hasten as a vanguard in the van of the Israelites until we have established them in their home, while our children stay in the fortified towns because of the inhabitants of the land. <sup>18</sup> We will not return to our homes until every one of the Israelites is in possession of his portion. <sup>19</sup> But we will not have a share with them in the territory beyond the Jordan, for we have received our share on the east side of the Jordan."

<sup>20</sup> Moses said to them, "If you do this, if you go to battle as a vanguard, at the instance of the LORD, <sup>21</sup> and every shock-fighter among you crosses the Jordan, at the instance of the LORD, until He has dispossessed His enemies before Him, <sup>22</sup> and the land has been subdued, at the instance of the LORD, and then you return – you shall be clear before the LORD and before Israel; and this land shall be your holding under the LORD. <sup>23</sup> But if you do not do so, you will have sinned against the LORD; and know that your sin will overtake you. <sup>24</sup> Build towns for your children and sheepfolds for your flocks, but do what you have promised."

<sup>25</sup> The Gadites and the Reubenites answered Moses, "Your servants will do as my LORD commands. <sup>26</sup> Our children, our wives, our flocks, and all our other livestock will stay behind in the towns of Gilead; <sup>27</sup> while your servants, all those recruited for war, cross over, at the instance of the LORD, to engage in battle – as my LORD orders."

טו וַיִּגְּשׁוּ אֵלָיו וַיֹּאמְרוּ גְדֵרֶת צֹאן נִבְנֶה לְמִקְנֵנוּ פֹה וְעָרִים לְטַפְּנוּ: יז וְאֲנַחְנוּ נַחְלִץ חֲשִׁים לְפָנֵי בְנֵי יִשְׂרָאֵל עַד אֲשֶׁר אִם־הִבִּיאֲנֶם אֶל־מְקוֹמָם וַיֵּשֶׁב טַפְּנוּ בְּעָרֵי הַמִּבְצָר מִפְּנֵי יֹשְׁבֵי הָאָרֶץ: יח לֹא נָשׁוּב אֶל־בְּתִינּוּ עַד הַתְּנַחֵל בְּנֵי יִשְׂרָאֵל אִישׁ נַחְלָתוֹ: יט כִּי לֹא נִנְחַל אִתְּם מֵעַבְרַת לַיַּרְדֵּן וְהָלָאָה כִּי בָּאָה נַחְלָתְנוּ אֵלֵינוּ מֵעַבְרַת הַיַּרְדֵּן מִזְרָחָה:

כ וַיֹּאמֶר אֲלֵיהֶם מֹשֶׁה אִם־תַּעֲשׂוּן אֶת־הַדְּבָר הַזֶּה אִם־תִּחְלְצוּ לְפָנֵי יְהוָה לְמַלְחָמָה: כא וְעַבְרַת לָכֶם כָּל־חַלּוּץ אֶת־הַיַּרְדֵּן לְפָנֵי יְהוָה עַד הוֹרִישׁוּ אֶת־אִיבֵיו מִפְּנֵיו: כב וְנִכְבְּשָׁה הָאָרֶץ לְפָנֵי יְהוָה וְאַחַר תָּשׁוּבוּ וְהִייתֶם נְקִיִּים מִיְּהוָה וּמִיִּשְׂרָאֵל וְהִיְתָה הָאָרֶץ הַזֹּאת לָכֶם לְאֶחְזָה לְפָנֵי יְהוָה: כג וְאִם־לֹא תַעֲשׂוּן כֵּן הִנֵּה חֲטֹאתֶם לַיהוָה וְדַעוּ חֲטֹאתְכֶם אֲשֶׁר תִּמְצָא אֶתְכֶם: כד בְּנוּ־לָכֶם עָרִים לְטַפְּכֶם וּגְדֵרֶת לְצִנְאֲכֶם וְהִיצֵא מִפִּיכֶם תַּעֲשׂוּ:

כה וַיֹּאמֶר בְּנֵי־גַד וּבְנֵי רְאוּבֵן אֶל־מֹשֶׁה לֵאמֹר עֲבַדְיָה יַעֲשׂוּ כְּאֲשֶׁר אָדְנִי מְצִוָּה: כו טַפְּנוּ נָשִׁינוּ מִקְנֵנוּ וְכָל־בְּהֵמָתֵנוּ יְהִיו־שָׁם בְּעָרֵי הַגְּלָעָד: כז וְעַבְדְּיָה יַעֲבְרוּ כָל־חַלּוּץ צָבָא לְפָנֵי יְהוָה לְמַלְחָמָה כְּאֲשֶׁר אָדְנִי דִּבֶּר:

## 2. Joshua 22:1–34

<sup>1</sup> Then Joshua summoned the Reubenites, the Gadites, and the half-tribe of Manasseh, <sup>2</sup> and said to them, “You have observed all that Moses the servant of the LORD commanded you, and have obeyed me in everything that I commanded you. <sup>3</sup> You have not forsaken your kinsmen through the long years down to this day, but have faithfully observed the Instruction of the LORD your God. <sup>4</sup> Now the LORD your God has given your kinsmen rest, as He promised them. Therefore turn and go to your homes, to the land of your holdings beyond the Jordan that Moses the servant of the LORD assigned to you. <sup>5</sup> But be very careful to fulfill the Instruction and the Teaching that Moses the servant of the LORD enjoined upon you, to love the LORD your God and to walk in all His ways, and to keep His commandments and hold fast to Him, and to serve Him with all your heart and soul.” <sup>6</sup> Then Joshua blessed them and dismissed them, and they went to their homes.

<sup>7</sup> To the one half-tribe of Manasseh Moses had assigned territory in Bashan, and to the other Joshua assigned [territory] on the west side of the Jordan, with their kinsmen. Furthermore, when Joshua sent them off to their homes, he blessed them <sup>8</sup> and said to them, “Return to your homes with great wealth – with very much livestock, with silver and gold, with copper and iron, and with a great quantity of clothing. Share the spoil of your enemies with your kinsmen.”

<sup>9</sup> So the Reubenites, the Gadites, and the half-tribe of Manasseh left the Israelites at Shiloh, in the land of Canaan, and made their way back to the land of Gilead, the land of their own holding, which they had acquired by the command of the LORD

א אָז יִקְרָא יְהוֹשֻׁעַ, לְרֵאשִׁיבֵי וְלַגָּדִי, וְלַחֲצִי מִטֵּיָהּ מְנַשֶּׁה. ב וַיֹּאמֶר אֲלֵיהֶם – אַתֶּם שָׁמַרְתֶּם, אֵת כָּל-אֲשֶׁר צִוָּה אֶתְכֶם מֹשֶׁה עֶבֶד יְהוָה; וְתִשְׁמְעוּ בְקוֹלִי, לְכָל אֲשֶׁר-צִוִּיתִי אֶתְכֶם. ג לֹא-עֲזַבְתֶּם אֶת-אֲחֵיכֶם, זֶה יָמִים רַבִּים, עַד, הַיּוֹם הַזֶּה; וּשְׁמַרְתֶּם – אֶת-מִשְׁמַרְתִּי, מִצִּוֹת יְהוָה אֱלֹהֵיכֶם. ד וְעַתָּה, הַנִּיחַ יְהוָה אֱלֹהֵיכֶם לְאֲחֵיכֶם, כַּאֲשֶׁר, דִּבֶּר לָהֶם; וְעַתָּה פָּנוּ וּלְכוּ לְכֶם לְאֶהְלֵיכֶם, אֶל-אֶרֶץ אַחֲזַתְכֶם, אֲשֶׁר נָתַן לְכֶם מֹשֶׁה עֶבֶד יְהוָה, בְּעֶבֶר הַיַּרְדֵּן. ה רַק שָׁמְרוּ מְאֹד, לַעֲשׂוֹת אֶת-הַמִּצְוָה וְאֶת-הַתּוֹרָה אֲשֶׁר צִוָּה אֶתְכֶם מֹשֶׁה עֶבֶד-יְהוָה, לְאַהֲבָה אֶת-יְהוָה אֱלֹהֵיכֶם וּלְלַכֵּת בְּכָל-דַּרְכֵיכֶם וּלְשַׁמֵּר מִצְוֹתַי, וּלְדַבְּקָה-בּוֹ; וּלְעַבְדוֹ, בְּכָל-לִבְבְּכֶם וּבְכָל-נַפְשְׁכֶם. ו וַיְבָרַכְכֶם, יְהוֹשֻׁעַ; וַיִּשְׁלַחְכֶם, וַיֵּלְכוּ אֶל-אֶהְלֵיהֶם.

ז וְלַחֲצִי שִׁבְטֵי הַמְּנַשֶּׁה, נָתַן מֹשֶׁה בְּבֶשֶׁן, וּלְחֲצִי נָתַן יְהוֹשֻׁעַ עִם-אֲחֵיהֶם, מֵעֶבֶר (בְּעֶבֶר) הַיַּרְדֵּן יָמָה; וְגַם כִּי שָׁלַחְכֶם יְהוֹשֻׁעַ, אֶל-אֶהְלֵיהֶם – וַיְבָרַכְכֶם. ח וַיֹּאמֶר אֲלֵיהֶם לֵאמֹר, בְּנַכְסֵיכֶם רַבִּים שׁוּבוּ אֶל-אֶהְלֵיכֶם וּבְמִקְנֵה רַב-מְאֹד, בְּכֶסֶף וּבְזָהָב וּבְנַחֲשֵׁת וּבְכִרְזוֹל וּבְשִׁלְמוֹת, הַרְבֵּה מְאֹד; חֲלִקוּ שְׁלָל-אִיבֵיכֶם, עִם-אֲחֵיכֶם.

ט וַיָּשׁוּבוּ וַיֵּלְכוּ בְּנֵי-רְאוּבֵן וּבְנֵי-גָד וְחֲצִי שִׁבְטֵי הַמְּנַשֶּׁה, מֵאֶת בְּנֵי יִשְׂרָאֵל, מִשְׁלָה, אֲשֶׁר בְּאֶרֶץ-כְּנַעַן – לְלַכֵּת אֶל-אֶרֶץ הַגִּלְעָד, אֶל-אֶרֶץ אַחֲזַתְכֶם אֲשֶׁר נִאֲחֲזוּ-בָהּ, עַל-פִּי יְהוָה, בְּיַד-מֹשֶׁה.

through Moses.<sup>10</sup> When they came to the region of the Jordan in the land of Canaan, the Reubenites and the Gadites and the half-tribe of Manasseh built an altar there by the Jordan, a great conspicuous altar.<sup>11</sup> A report reached the Israelites: “The Reubenites, the Gadites, and the half-tribe of Manasseh have built an altar opposite the land of Canaan, in the region of the Jordan, across from the Israelites.”<sup>12</sup> When the Israelites heard this, the whole community of the Israelites assembled at Shiloh to make war on them.

<sup>13</sup> But [first] the Israelites sent the priest Phinehas son of Eleazar to the Reubenites, the Gadites, and the half-tribe of Manasseh in the land of Gilead,<sup>14</sup> accompanied by ten chieftains, one chieftain from each ancestral house of each of the tribes of Israel; they were every one of them heads of ancestral houses of the contingents of Israel.<sup>15</sup> When they came to the Reubenites, the Gadites, and the half-tribe of Manasseh in the land of Gilead, they spoke to them as follows:

<sup>16</sup> “Thus said the whole community of the LORD: What is this treachery that you have committed this day against the God of Israel, turning away from the LORD, building yourselves an altar and rebelling this day against the LORD!<sup>17</sup> Is the sin of Peor, which brought a plague upon the community of the LORD, such a small thing to us? We have not cleansed ourselves from it to this very day;<sup>18</sup> and now you would turn away from the LORD! If you rebel against the LORD today, tomorrow He will be angry with the whole community of Israel.<sup>19</sup> If it is because the land of your holding is unclean, cross over into the land of the LORD’s own holding, where the Tabernacle of the LORD abides, and acquire holdings among us.

י ויבאו אל־גלילות הירדן, אשר בארץ כנען; ויבנו בני־ראובן ובני־גד וחצי שבט המנשה שם מזבח, על־הירדן - מזבח גדול, למראה. יא וישמעו בני־ישראל, לאמר: הנה בנו בני־ראובן ובני־גד וחצי שבט המנשה את־המזבח, אל־מול ארץ כנען - אל־גלילות הירדן, אל־עבר בני ישראל. יב וישמעו, בני ישראל; ויקהלו כל־עדת בני־ישראל, שלה, לעלות עליהם, לצבא.

יג וישלחו בני־ישראל אל־בני־ראובן ואל־בני־גד, ואל־חצי שבט־מנשה - אל־ארץ הגלעד: את־פינחס, בן־אלעזר הכהן. יד ועשרה נשאים, עמו - נשיא אחד נשיא אחד לבית אב, לכל מטות ישראל; ואיש ראש בית־אבותם המה, לאלפי ישראל. טו ויבאו אל־בני־ראובן ואל־בני־גד, ואל־חצי שבט־מנשה - אל־ארץ הגלעד; וידברו אתם, לאמר.

טז כה אמרו כל עדת יהוה, מה־המעל הזה אשר מעלתם באלהי ישראל, לשוב היום, מאחרי יהוה - בבנותכם לכם מזבח, למרדכם היום ביהוה. יז המעט־לנו, את־עון פעור, אשר לא־הטהרנו ממנו, עד היום הזה; ויהי הנגף, בעדת יהוה. יח ואתם תשובו היום, מאחרי יהוה; והיה, אתם תמרדו היום ביהוה, ומחר, אל־כל־עדת ישראל יקצף. יט ואך אם־טמאה ארץ אחזתכם, עברו לכם אל־ארץ אחזת יהוה אשר שכן־שם משכן יהוה, והאחזו, בתוכנו; וביהוה אל־תמרדו, ואתנו אל־תמרדו, בבנתכם לכם מזבח, מבלעדי מזבח יהוה אלהינו. כ הלוא עכן בן־זרח, מעל מעל בחרם, ועל־כל־עדת ישראל, היה קצף; והוא איש אחד, לא גוע בעונו

But do not rebel against the LORD, and do not rebel against us by building for yourselves an altar other than the altar of the LORD our God. <sup>20</sup> When Achan son of Zerah violated the proscription, anger struck the whole community of Israel; he was not the only one who perished for that sin.”

<sup>21</sup> The Reubenites, the Gadites, and the half-tribe of Manasseh replied to the heads of the contingents of Israel: They said, <sup>22</sup> “God, the LORD God! God, the LORD God! He knows, and Israel too shall know! If we acted in rebellion or in treachery against the LORD, do not vindicate us this day! <sup>23</sup> If we built an altar to turn away from the LORD, if it was to offer burnt offerings or meal offerings upon it, or to present sacrifices of well-being upon it, may the LORD Himself demand [a reckoning]. <sup>24</sup> We did this thing only out of our concern that, in time to come, your children might say to our children, ‘What have you to do with the LORD, the God of Israel?’ <sup>25</sup> The LORD has made the Jordan a boundary between you and us, O Reubenites and Gadites; you have no share in the LORD!’ Thus your children might prevent our children from worshipping the LORD. <sup>26</sup> So we decided to provide [a witness] for ourselves by building an altar – not for burnt offerings or [other] sacrifices, <sup>27</sup> but as a witness between you and us, and between the generations to come – that we may perform the service of the LORD before Him with our burnt offerings, our sacrifices, and our offerings of well-being; and that your children should not say to our children in time to come, ‘You have no share in the LORD.’ <sup>28</sup> We reasoned: should they speak thus to us and to our children in time to come, we would reply, ‘See the replica of the LORD’s altar, which our fathers made – not for burnt offerings

כא וַיַּעֲנוּ בְנֵי־רְאוּבֵן וּבְנֵי־גַד, וַחֲצֵי שִׁבְטֵי הַמְּנַשֶּׁה; וַיְדַבְּרוּ, אֶת־רֵאשֵׁי אֲלֹפֵי יִשְׂרָאֵל. כִּי אֵל אֱלֹהִים יְהוָה אֵל אֱלֹהִים יְהוָה, הוּא יָדַע, וַיִּשְׂרָאֵל, הוּא ע: אִם־בְּמַרְדּוֹ וְאִם־בְּמַעַל בִּיהוָה, אֶל־תּוֹשִׁיעֵנו הַיּוֹם הַזֶּה. כִּי לְבָנוֹת לָנוּ מִזִּבְחַת, לְשׁוּב מֵאַחֲרֵי יְהוָה; וְאִם־לְהַעֲלוֹת עָלָיו עֹלָה וּמִנְחָה, וְאִם־לַעֲשׂוֹת עָלָיו זִבְחֵי שְׁלָמִים – יְהוָה, הוּא יִבְקֹשׁ. כִּי וְאִם־לֹא מִדְּאָגָה מְדַבֵּר, עֲשִׂינוּ אֶת־זֹאת לְאִמֹּר: מָחָר, יֹאמְרוּ בְּנֵיכֶם לְבָנֵינוּ לֵאמֹר, מַה־לָּכֶם, וְלִיהוָה אֱלֹהֵי יִשְׂרָאֵל. כִּי וּגְבוּל נִתְּן־יְהוָה בֵּינֵנוּ וּבֵינֵיכֶם בְּנֵי־רְאוּבֵן וּבְנֵי־גַד, אֶת־הַיַּרְדֵּן – אֵיזֶר־לָכֶם חֶלֶק, בִּיהוָה; וְהַשְּׁבִיתוּ בְּנֵיכֶם אֶת־בְּנֵינוּ, לְבַלְתִּי יֵרָא אֶת־יְהוָה. כִּי וּנְאֻמָּר – נַעֲשֶׂה־נָּא לָנוּ, לְבָנוֹת אֶת־הַמִּזְבֵּחַ: לֹא לְעֹלָה, וְלֹא לְזֶבַח. כִּי כִי עַד הוּא בֵּינֵנוּ וּבֵינֵיכֶם, וּבֵין דְּרוֹתֵינוּ אַחֲרֵינוּ, לְעַבֵּד אֶת־עַבְדֹת יְהוָה לְפָנָיו, בְּעִלּוֹתֵינוּ וּבְזִבְחֵינוּ וּבְשְׁלָמֵינוּ: וְלֹא־יֹאמְרוּ בְּנֵיכֶם מָחָר לְבָנֵינוּ, אֵיזֶר־לָכֶם חֶלֶק בִּיהוָה. כִּי וּנְאֻמָּר – וְהָיָה כִּי־יֹאמְרוּ אֲלֵינוּ וְאֶל־דְּרוֹתֵינוּ, מָחָר; וְאָמְרָנוּ רָאוּ אֶת־תִּבְנִית מִזְבֵּחַ יְהוָה אֲשֶׁר־עָשׂוּ אֲבוֹתֵינוּ, לֹא לְעֹלָה וְלֹא לְזֶבַח – כִּי־עַד הוּא, בֵּינֵנוּ וּבֵינֵיכֶם. כִּי חָלִילָה לָנוּ מִמֶּנּוּ לְמַרְדּוֹ בִּיהוָה, וְלָשׁוּב הַיּוֹם מֵאַחֲרֵי יְהוָה, לְבָנוֹת מִזִּבְחַת, לְעֹלָה לְמִנְחָה וּלְזֶבַח – מִלְּבַד, מִזִּבְחַת יְהוָה אֱלֹהֵינוּ, אֲשֶׁר, לְפָנָי מִשְׁכָּנִי.

or sacrifices, but as a witness between you and us.’<sup>29</sup> Far be it from us to rebel against the LORD, or to turn away this day from the LORD and build an altar for burnt offerings, meal offerings, and sacrifices other than the altar of the LORD our God which stands before His Tabernacle.”

<sup>30</sup> When the priest Phinehas and the chieftains of the community – the heads of the contingents of Israel – who were with him heard the explanation given by the Reubenites, the Gadites, and the Manassites, they approved.<sup>31</sup> The priest Phinehas son of Eleazar said to the Reubenites, the Gadites, and the Manassites, “Now we know that the LORD is in our midst, since you have not committed such treachery against the LORD. You have indeed saved the Israelites from punishment by the LORD.”

<sup>32</sup> Then the priest Phinehas son of Eleazar and the chieftains returned from the Reubenites and the Gadites in the land of Gilead to the Israelites in the land of Canaan, and gave them their report.<sup>33</sup> The Israelites were pleased, and the Israelites praised God; and they spoke no more of going to war against them, to ravage the land in which the Reubenites and Gadites dwelt.

<sup>34</sup> The Reubenites and the Gadites named the altar [“Witness”], meaning, “It is a witness between us and them that the LORD is [our] God.”

ל וישמע פינחס הכהן, ונשיאי העדה וראשי אלפי ישראל אשר אתו, את-הדברים, אשר דברו בני-ראובן ובני-גד ובני מנשה; וייטב, בעיניהם. לא ויאמר פינחס בן-אלעזר הכהן אל-בני-ראובן ואל-בני-גד ואל-בני מנשה, היום ידענו כי-כתוכנו יהוה, אשר לא-מעלתם ביהוה, המעל הזה; אז, הצלתם את-בני ישראל - מיד יהוה.

לכ וישב פינחס בן-אלעזר הכהן והנשיאים מאת בני-ראובן ומאת בני-גד מארץ הגלעד, אל-ארץ כנען - אל-בני ישראל; וישבו אותם, דבר. לי וייטב הדבר, בעיני בני ישראל, ויברכו אלהים, בני ישראל; ולא אמרו, לעלות עליהם לצבא, לשחת את-הארץ, אשר בני-ראובן ובני-גד ישבים בה.

לר ויקראו בני-ראובן ובני-גד, למזבח: כי עד הוא בינתינו, כי יהוה האלהים.

### 3. Law of Citizenship (1952)

#### PART ONE: ACQUISITION OF NATIONALITY

##### PRELIMINARY.

Israel nationality is acquired –  
by return (section 2),  
by residence in Israel (section 3),  
by birth (section 4) or  
by naturalisation (section 5 to 9).

There shall be no Israel nationality save under this Law.

##### NATIONALITY BY RETURN.

- (a) Every 'oleh\*\* under the Law of Return, 5710–1950(1), shall become an Israel national.
- (b) Israel nationality by return is acquiredo (1) by a person who came as an 'oleh into, or was born in, the country before the establishment of the State – with effect from the day of the establishment of the State;  
(2) by a person having come to Israel as an 'oleh after the establishment of the State – with effect from the day of his 'aliyah\*\*;  
(3) by a person born in Israel after the establishment of the State – with effect from the day of his birth;  
(4) by a person who has received an 'oleh's certificate under section 3 of the Law of Return, 5710–1950 – with effect from the day of the issue of the certificate.
- (c) This section does not applyo (1) to a person having ceased to be an inhabitant of Israel before the coming into force of this Law;  
(2) to a person of full age who, immediately before the day of his 'aliyah or the day of his 'oleh's certificate is a foreign national and who, on or before such day, declares that he does not desire to become an Israel national;  
(3) to a minor whose parents have made a declaration under paragraph (2) and included him therein.

##### NATIONALITY BY RESIDENCE IN ISRAEL.

- (a) A person who, immediately before the establishment of the State, was a Palestinian citizen and who does not become a Israel national under section 2, shall become an Israel national with effect from the day of the establishment of the State if –  
(1) he was registered on the 4th Adar, 5712 (1st March 1952) as an inhabitant under the Registration of Inhabitants Ordinance, 5709 – 1949(2); and  
(2) he is an inhabitant of Israel on the day of the coming into force of this Law; and  
(3) he was in Israel, or in an area which became Israel territory after the establishment of the State, from the day of the establishment of the State to the day of the coming into force of this Law, or entered Israel legally during that period.
- (b) A person born after the establishment of the State who is an inhabitant of Israel on the day of the coming into force of this Law, and whose father or mother becomes an Israel national under subsection (a), shall become an Israel national with effect from the day of his birth.

### Nationality by Birth.

A person born while his father or mother is an Israel national shall be an Israel national from birth; where a person is born after his father's death, it shall be sufficient that his father was an Israel national at the time of his death.

### NATURALISATION.

(a) A person of full age, not being an Israel national, may obtain Israel nationality by naturalisation if -

- (1) he is in Israel; and
- (2) he has been in Israel for three years out of five years proceeding the day of the submission of his application; and
- (3) he is entitled to reside in Israel permanently; and
- (4) he has settled, or intends to settle, in Israel, and
- (5) he has some knowledge of the Hebrew language, and
- (6) he has renounced his prior nationality or has proved that he will cease to be a foreign national upon becoming an Israel national.

(b) Where a person has applied for naturalisation, and he meets the requirements of subsection (a), the Minister of the Interior, if he thinks fit to do so, shall grant him Israel nationality by the issue of a certificate of naturalisation.

(c) Prior to the grant of nationality, the applicant shall make the following declaration: "I declare that I will be a loyal national of the State of Israel."

(d) Nationality is acquired on the day of the declaration.

### EXEMPTION FROM CONDITIONS OF NATURALISATION.

(a)

(1) A person who has served in the regular service of the Defence Army of Israel or who, after the 16th Kisleav, 5708 (29th November 1947) has served in some other service which the Minister of Defence, by declaration published in Reshumot, has declared to be military service for the purpose of this section, and who has been duly discharged from such service; and

(2) a person who has lost a son or daughter in such service, are exempt from the requirements of section 5 (a), except the requirement of section 5 (a) (4).

(b) A person applying for naturalisation after having made a declaration under section 2 (c) (2) is exempt from the requirement of section 5 (a) (2).

(c) A person who immediately before the establishment of the State was a Palestinian citizen is exempt from the requirement of section 5 (a) (5).

(d) The Minister of the Interior may exempt an applicant from all or any of the requirements of section 5 (a) (1), (2), (5) and (6) if there exists in his opinion a special reason justifying such exemption.

### NATURALISATION OF HUSBAND AND WIFE.

The spouse of a person who is an Israel national or who has applied for Israel nationality and meets or is exempt from the requirements of section 5 (a) may obtain Israel nationality by naturalisation even if she or he is a minor or does not meet the requirements of section 5 (a).

Naturalisation of Minors.

Naturalisation confers Israel nationality also upon the minor children of the naturalised person.

#### GRANT OF NATIONALITY TO MINORS.

(a) Where a minor, not being an Israel national, is an inhabitant of Israel, and his parents are not in Israel or have died or are unknown, the Minister of the Interior, on such conditions and with effect from such day as he may think fit, may grant him Israel nationality by the issue of a certificate of naturalisation.

(b) Nationality may be granted as aforesaid upon the application of the father or mother of the minor or, if they have died or are unable to apply, upon the application of the guardian or person in charge of the minor.

### PART TWO: LOSS OF NATIONALITY

#### RENUNCIATION OF NATIONALITY.

(a) An Israel national of full age, not being an inhabitant of Israel, may declare that he desires to renounce his Israel nationality; such renunciation is subject to the consent of the Minister of the Interior; the declarant's Israel nationality terminates on the day fixed by the Minister.

(b) The Israel nationality of a minor, not being an inhabitant of Israel, terminates upon his parents' renouncing their Israel nationality; it does not terminate so long as one of his parents remains an Israel national.

#### REVOCATION OF NATURALISATION.

(a) Where a person, having acquired Israeli nationality by naturalisation -

(1) has done so on the basis of false particulars; or

(2) has been abroad for seven consecutive years and has no effective connection with Israel, and has failed to prove that his effective connection with Israel was severed otherwise than by his own volition; or

(3) has committed an act of disloyalty towards the State of Israel, a District Court may, upon the application of the Minister of the Interior, revoke such person's naturalisation.

(b) The Court may, upon such application, rule that the revocation shall apply also to such children of the naturalised person as acquired Israel nationality by virtue of his naturalisation and are inhabitants of a foreign country.

(c) Israel nationality terminates on the day on which the judgment revoking naturalisation ceases to be appealable or on such later day as the Court may fix.

#### SAVING OF LIABILITY.

Loss of Israel nationality does not relieve from a liability arising out of such nationality and created before its loss.

## PART THREE: FURTHER PROVISIONS

### INTERPRETATION.

In this Law – “of full age” means of the age of eighteen years or over; “minor” means a person under eighteen years of age; “child” includes an adopted child, and “parents” includes adoptive parents; “foreign nationality” includes foreign citizenship, and “foreign national” includes a foreign citizen, but does not include a Palestinian citizen.

### DUAL NATIONALITY AND DUAL RESIDENCE.

- (a) Save for the purposes of naturalisation, acquisition of Israel nationality is not conditional upon renunciation of a prior nationality.
  - (b) An Israel national who is also a foreign national shall, for the purposes of Israel law, be considered an Israel national.
  - (c) An inhabitant of Israel residing abroad shall, for the purposes of this Law, be considered an inhabitant of Israel so long as he has not settled abroad.
- Evidence of 15. An Israel national may obtain from the Minister of the Interior a certificate Nationality. attesting his Israel nationality.

### OFFENCE.

A person who knowingly gives false particulars as to a matter affecting his own or another person’s acquisition or loss of Israel nationality is liable to imprisonment for a term not exceeding six months or to fine not exceeding five hundred pounds, or to both such penalties.

### IMPLEMENTATION AND REGULATIONS.

- (a) The Minister of the Interior is charged with the implementation of this Law and may make regulations as to any matter relating to its implementation, including the payment of fees and exemption from the payment thereof.
- (b) The Minister of Justice may make regulations as to proceedings in District Courts under this Law, including appeals from decisions of such Courts.

### REPEAL, ADAPTATION OF LAWS AND VALIDATION.

- (a) The Palestinian Citizenship Orders, 1925–1942(3), are repealed with effect from the day of the establishment of the State.
- (b) Any reference in any provision of law to Palestinian citizenship or Palestinian citizens shall henceforth be read as a reference to Israel nationality or Israel nationals.
- (c) Any act done in the period between the establishment of the State and the day of the coming into force of this Law shall be deemed to be valid if it were valid had this Law been in force at the time it was done.

### COMMENCEMENT.

- (a) This Law shall come into force on the 21st Tammuz, 5712 (14th July, 1952).
- (b) Even before that day, the Minister of the Interior may make regulations as to declarations under section 2(c)(2).

## 4. Law of Return (1970)

### THE RIGHT OF IMMIGRATION

Every Jew has the right to come to this country as an oleh.

#### OLEH'S VISA

- (a) Aliyah shall be by oleh's visa.
- (b) An oleh's visa shall be granted to every Jew who has expressed his desire to settle in Israel, unless the Minister of the Interior is satisfied that the applicant
  - (1) is engaged in an activity directed against the Jewish people; or
  - (2) is likely to endanger public health or the security of the State; or
  - (3) is a person with a criminal past, likely to endanger public welfare.

#### OLEH'S CERTIFICATE

- (a) A Jew who has come to Israel and subsequent to his arrival has expressed his desire to settle in Israel may, while still in Israel, receive an oleh's certificate.
- (b) The restrictions specified in section 2(b) shall apply also to the grant of an oleh's certificate, but a person shall not be regarded as endangering public health on account of an illness contracted after his arrival in Israel.

#### RESIDENTS AND PERSONS BORN IN THIS COUNTRY

Every Jew who has immigrated into this country before the coming into force of this Law, and every Jew who was born in this country, whether before or after the coming into force of this Law, shall be deemed to be a person who has come to this country as an oleh under this Law.

#### 4A. *Rights of members of family*

- (a) The rights of a Jew under this Law and the rights of an oleh under the Nationality Law, 5712 – 1952, as well as the rights of an oleh under any other enactment, are also vested in a child and a grandchild of a Jew, the spouse of a Jew, the spouse of a child of a Jew and the spouse of a grandchild of a Jew, except for a person who has been a Jew and has voluntarily changed his religion.
- (b) It shall be immaterial whether or not a Jew by whose right a right under subsection (a) is claimed is still alive and whether or not he has immigrated to Israel.
- (c) The restrictions and conditions prescribed in respect of a Jew or an oleh by or under this Law or by the enactments referred to in subsection (a) shall also apply to a person who claims a right under subsection (a).

#### 4B. *Definition*

For the purposes of this Law, "Jew" means a person who was born of a Jewish mother or has become converted to Judaism and who is not a member of another religion.

#### IMPLEMENTATION AND REGULATION

The Minister of the Interior is charged with the implementation of this Law and may make regulations as to any matter relating to such implementation and also as to the

grant of oleh's visas and oleh's certificates to minors up to the age of 18 years. Regulations for the purposes of sections 4A and 4B require the approval of the Constitution, Legislation and Juridical Committee of the Knesset.





## UNIT 13

# SHARED BELIEVERS, PARTNERS, AND INVESTORS

This unit focuses on the other three models within our matrix which shape and define the nature of Jewish peoplehood and the relationship between Israel and world Jewry: shared believers, partners, and investors. We will explore each of these conceptual categories to see if they can be helpful foundations for Jewish collective life today. What does each require? What does each assume? Are they still relevant today, and what do we need to do to revitalize them as constructive forces?

### UNIT 13 SOURCES

- |  |     |
|--|-----|
| 1. Exodus 19:1–6   | 280 |
| 2. Isaiah 49:1–6   | 280 |
| 3. Maimonides, <i>Mishneh Torah</i> , Laws Pertaining to Idolatry 1:3          | 281 |
| 4. CCAR: Reform Judaism: A Centenary Perspective (1976)                        | 282 |
| 5. David Ben Gurion, Address to the Knesset on the Law of Return, July 3, 1950 | 282 |

## 1. Exodus 19:1–6

<sup>1</sup> On the third new moon after the Israelites had gone forth from the land of Egypt, on that very day, they entered the wilderness of Sinai. <sup>2</sup> Having journeyed from Rephidim, they entered the wilderness of Sinai and encamped in the wilderness. Israel encamped there in front of the mountain, <sup>3</sup> and Moses went up to God. The LORD called to him from the mountain, saying, “Thus shall you say to the house of Jacob and declare to the children of Israel: <sup>4</sup> ‘You have seen what I did to the Egyptians, how I bore you on eagles’ wings and brought you to Me. <sup>5</sup> Now then, if you will obey Me faithfully and keep My covenant, you shall be My treasured possession among all the peoples. Indeed, all the earth is Mine, <sup>6</sup> but you shall be to Me a kingdom of priests and a holy nation.’ These are the words that you shall speak to the children of Israel.”

א חדש, השלישי, לצאת בני־ישראל, מארץ מצרים־  
ביום הזה, באו מדבר סיני. ב ויסעו מרפידים, ויבאו  
מדבר סיני, ויחנו, במדבר; ויחן־שם ישראל, נגד ההר.  
ג ומשה עלה, אל־האלהים; ויקרא אליו יהוה, מן־ההר  
לאמר, פה תאמר לבית יעקב, ותגיד לבני ישראל.  
ד אתם ראיתם, אשר עשיתי למצרים; ואשא אתכם  
על־כנפי נשרים, ואבא אתכם אלי. ה ועתה, אם־  
שמוע תשמעו בקלי, ושמרתם, את־בריתי־והייתם לי  
סגלה מכל־העמים, כִּי־לי כל־הארץ. ו ואתם תהיו־לי  
ממלכת כהנים, וגוי קדוש: אלה, הדברים, אשר תדבר,  
אל־בני ישראל:

## 2. Isaiah 49:1–6

<sup>1</sup> Listen, O coastlands, to me, And give heed, O nations afar: The LORD appointed me before I was born, He named me while I was in my mother’s womb. <sup>2</sup> He made my mouth like a sharpened blade, He hid me in the shadow of His hand, And He made me like a polished arrow; He concealed me in His quiver. <sup>3</sup> And He said to me, “You are My servant, Israel in whom I glory.” <sup>4</sup> I thought, “I have labored in vain, I have spent my strength for empty breath.” But my case rested with the LORD, My recompense was in the hands of my God. <sup>5</sup> And now the LORD has resolved – He who formed me in the womb to be His servant – To bring back Jacob to Himself, That Israel may be restored to Him. And I have been honored in the sight of the LORD, My God has been my strength. <sup>6</sup> For He has said: “It is too little that you should be My servant In that I raise up the tribes of Jacob And restore the survivors of Israel: I will also make you a light of nations, That My salvation may reach the ends of the earth.”

א שמעו איים אלי, והקשיבו לאמים מרחוק; יהוה  
מבטן קראני, ממעי אמי הזכיר שמי. ב וישם פי כחרב  
חדה, בצל ידו החביאני; וישימני לחץ ברור, באשפתו  
הסתירני. ג ויאמר לי, עבדי־אתה – ישראל, אשר־  
בך אתפאר. ד ואני אמרתי לריק יגעתי, לתהו והבל  
כחי כליתי; אכן משפטי את־יהוה, ופעלתי את־אלהי.  
ה ועתה אמר יהוה, יוצרי מבטן לעבד לו, לשוכב  
יעקב אליו, וישראל לא (לו) יאסף; ואכבד בעיני יהוה,  
ואלהי הִיא עֵזִי. ו ויאמר, נקל מהיותך לי עבד, להקים  
את־שבטי יעקב, ונצירי (ונצורי) ישראל להשיב;  
ונתתיה לאור גוים, להיות ישועתי עד־קצה הארץ.

### 3. Maimonides, *Mishneh Torah*, Laws Pertaining to Idolatry 1:3

Abraham was forty years old when he became aware of his Creator. When he recognized and knew Him, he began to formulate replies to the inhabitants of Ur Kasdim and debate with them, telling them that they were not following a proper path.

He broke their idols and began to teach the people that it is fitting to serve only the God of the world...

When he overcame them through the strength of his arguments, the king desired to kill him. He was [saved through] a miracle and left for Charan. [There,] he began to call in a loud voice to all people and inform them that there is one God in the entire world and it is proper to serve Him. He would go out and call to the people, gathering them in city after city and country after country, until he came to the land of Canaan – proclaiming [God's existence the entire time] – as [Genesis 21:33] states: "And He called there in the name of the LORD, the eternal God."

When the people would gather around him and ask him about his statements, he would explain [them] to each one of them according to their understanding, until they turned to the path of truth. Ultimately, thousands and myriads gathered around him. These are the men of the house of Abraham.

He planted in their hearts this great fundamental principle, composed texts about it, and taught it to Isaac, his son. Isaac also taught others and turned [their hearts to God]. He also taught Jacob and appointed him as a teacher.

[Jacob] taught others and turned [the hearts] of all those who gathered around him [to God]. He also taught all of his children. He selected Levi and appointed him as the leader. He established him [as the head of] the academy to teach them the way of God and observe the mitzvot of Abraham.

ובן ארבעים שנה הכיר אברהם את בוראו כיון שהכיר וידע התחיל להשיב תשובות על בני אור כשדים ולערוך דין עמהם ולומר שאין זו דרך האמת שאתם הולכים בה

ושיבר הצלמים והתחיל להודיע לעם שאין ראוי לעבוד אלא לאלוה העולם...

כיון שגבר עליהם בראיותיו בקש המלך להורגו ונעשה לו נס ויצא לחרן והתחיל לעמוד ולקרוא בקול גדול לכל העולם ולהודיעם שיש שם אלוה אחד לכל העולם ולו ראוי לעבוד והיה מהלך וקורא ומקבץ העם מעיר לעיר ומממלכה לממלכה עד שהגיע לארץ כנען והוא קורא שנאמר ויקרא שם בשם ה' אל עולם

וכיון שהיו העם מתקבצין אליו ושואלין לו על דבריו היה מודיע לכל אחד ואחד כפי דעתו עד שיחזירהו לדרך האמת עד שנתקבצו אליו אלפים ורבות והם אנשי בית אברהם

ושתל בלבם העיקר הגדול הזה וחבר בו ספרים והודיעו ליצחק בנו וישב יצחק מלמד ומזהיר ויצחק הודיע ליעקב ומינהו ללמד

וישב מלמד ומחזיק כל הנלוים אליו ויעקב אבינו למד בניו כולם והבדיל לוי ומינהו ראש והושיבו בישיבה ללמד דרך השם ולשמור מצות אברהם

[Jacob] commanded his sons that the leadership should not depart from the descendants of Levi, so that the teachings would not be forgotten. This concept proceeded and gathered strength among the descendants of Jacob and those who collected around them, until there became a nation within the world which knew God.

וצוה את בניו שלא יפסיקו מבני לוי ממונה אחר ממונה כדי שלא תשכח הלמוד והיה הדבר הולך ומתגבר בבני יעקב ובנלוים עליהם ונעשית בעולם אומה שהיא יודעת את ה'.

#### 4. CCAR: Reform Judaism: A Centenary Perspective (1976), excerpt

##### Adopted in San Francisco

The Central Conference of American Rabbis has on special occasions described the spiritual state of Reform Judaism. The centenaries of the founding of the Union of American Hebrew Congregations and the Hebrew Union College-Jewish Institute of Religion seem an appropriate time for another such effort. We therefore record our sense of the unity of our movement today.

[...]

Our Obligations: The State of Israel and the Diaspora – We are privileged to live in an extraordinary time, one in which a third Jewish commonwealth has been established in our people's ancient homeland. We are bound to that land and to the newly reborn State of Israel by innumerable religious and ethnic ties. We have been enriched by its culture and ennobled by its indomitable spirit. We see it providing unique opportunities for Jewish self-expression. We have both a stake and a responsibility in building the State of Israel, assuring its security, and defining its Jewish character. We encourage aliyah for those who wish to find maximum personal fulfillment in the cause of Zion. We demand that Reform Judaism be unconditionally legitimized in the State of Israel.

At the same time that we consider the State of Israel vital to the welfare of Judaism everywhere, we reaffirm the mandate of our tradition to create strong Jewish communities wherever we live. A genuine Jewish life is possible in any land, each community developing its own particular character and determining its Jewish responsibilities. The foundation of Jewish community life is the synagogue. It leads us beyond itself to cooperate with other Jews, to share their concerns, and to assume leadership in communal affairs. We are therefore committed to the full democratization of the Jewish community and to its hallowing in terms of Jewish values.

The State of Israel and the Diaspora, in fruitful dialogue, can show how a people transcends nationalism even as it affirms it, thereby setting an example for humanity which remains largely concerned with dangerously parochial goals.

#### 5. David Ben Gurion, Address to the Knesset on the Law of Return, July 3, 1970, excerpt

From: Paul Mendes-Flohr and Jehuda Reinharz, eds., *The Jew in the Modern World: A Documentary History*, 2nd ed., 631–632

The Law of Return and the Law of Citizenship that you have in front of you are connected by a mutual bond and share of common conceptual origin, deriving from the historical uniqueness of the State of Israel, a uniqueness vis-à-vis the past and the future, directed internally and externally.

These two laws determine the special character and destiny of the State of Israel as the state bearing the vision of the redemption of Israel.

The State of Israel is a state like all the other states. All the general indications [of statehood] common to the other states are also to be found in the State of Israel. It rests on a specific territory and a population existing within this territory, it possesses sovereignty in internal and external affairs, and its authority does not extend beyond its borders. The State of Israel rules only over its own inhabitants. The Jews in the Diaspora, who are citizens of their countries and who want to remain there, have no legal or civil connection to the State of Israel and the State of Israel does not represent them from any legal standpoint. Nevertheless, the State of Israel differs from the other states both with regard to the factors involved in its establishment and to the aims of its existence. It was established merely two years ago, but its roots are grounded in the far past and it is nourished by ancient springs. Its authority is limited to the area in which its residents dwell, but its gates are open to every Jew wherever he may be. The State of Israel is not a Jewish state merely because the majority of its inhabitants are Jews. It is a State for all the Jews wherever they may be and for every Jew who so desires.

[...]

The Law of Return is one of the Basic Laws of the State of Israel. It comprises the central mission of our state, namely, ingathering of exiles. This law determines that it is not the state that grants the Jew from abroad the right to settle in the state. Rather, this right is inherent in him by the very fact that he is a Jew, if only he desires to join in the settlement of the land. In the State of Israel the Jews have no right of priority over the non-Jewish citizens. The State of Israel is grounded on the full equality of rights and obligations for all its citizens. This principle was also laid down in the Proclamation of Independence. . . . The right to return preceded the State of Israel and it is this right that built the state. This right originates in the unbroken historical connection between the people and the homeland, a connection which has also been acknowledged in actual practice by the tribunal of the peoples.





## UNIT 14

# AT-HOMENESS

In this concluding unit, Yehuda Kurtzer and Donniel Hartman reflect on their respective experiences of “at-homeness” in North America and in Israel. Yehuda focuses on the challenge of being at home in North America, while maintaining a sense of homeland in Israel, and on the ways in which the dual sense of being at home can and should play itself out. Donniel explores a nuanced analysis of Israel as home and the need for Israel to redefine its relationship with and responsibilities toward world Jewry. Finally, Tal Becker, Yehuda Kurtzer, and Donniel Hartman reflect on the *Together and Apart* series as a whole and how the Jewish people can envision a future together.



iEngage – Together and Apart: The Future of Jewish Peoplehood  
Video Lectures and materials are also available on Hartman Online:  
<https://online.hartman.org.il>  
For instructions to access Hartman Online, please  
speak with your rabbi or series leader

## Terms of Use

### SHALOM HARTMAN INSTITUTE VIDEO LECTURE SERIES TERMS OF USE AND WARRANTY

We ask that you respect our intellectual property rights and that you not distribute copies of these lectures to people who have not purchased copies from us and that you do not use them contrary to the Terms of Use outlined below.

We also provide this copy of our Use Agreement and Warranty so that you may review it when you purchase our lecture series. Your honesty will help us keep the cost of our lectures affordable and will help us produce a high-quality product in the years to come.

By using this set of lectures, you indicate that you agree to the following terms, restrictions, rights, and limitations. The Shalom Hartman Institute agrees to uphold the Warranty as listed below.

#### *Terms of Use:*

If purchased for personal/private use, this lecture series and its educational support materials may be used by all the members of a single household.

If purchased for communal use, this lecture series may be used by the rabbi of the community and the individuals that s/he designates. Study materials can be purchased from from lulu.com, via the link provided by the Hartman Institute.

#### *Restrictions:*

Please do not permit others to make copies of this lecture series or the educational materials for resale or redistribution in any form.

#### *Copyright & Trademark Information:*

This Video Lecture Series is copyrighted. Shalom Hartman Institute is a registered trademark of SHI. All rights reserved. Unauthorized distribution of the educational materials is prohibited.

#### *Contact Information:*

For questions about the iEngage project, please contact:

Gene Matanky, Administrative Director and Research Assistant of the David Hartman Center for Intellectual Leadership and Kogod Research Center for Contemporary Jewish Thought  
gene.matanky@shi.org.il

For questions or concerns about implementing this curriculum in your community, please contact:

Rabbi Lauren Berkun, Director of Rabbinic and Synagogue Programs  
lauren@shalomhartman.org