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Box 73, Folder 3, "State of Religion in Israel", 1979.

THE AMERICAN JEWISH COMMITTEE

date May 24, 1979
to Marc Tanenbaum
from Abe Karlikow
subject

I should appreciate any comments you may have on this draft "The State of Religion in Israel."

This draft is part of a series meant to provoke discussion in Israel on subjects of importance, and is sponsored by the Blaustein Institute. The opinions and responsibility in these papers is that of the authors alone. Nonetheless, I am sure they would be open to constructive comment and suggestions.

One thing we are asking that they do is to formulate some conclusions so that there is some challenge for discussion inside the paper itself. Personally, I find the paper too directed to an American rather than an Israeli audience, but that might be a virtue we could put to use here.

Most important, I think that it should include some section on the current parliamentary program of the religious groups designed to strengthen their position vis a vis secular elements, so that one could react to the current challenge.

Is there anybody else you think we ought to send this draft to for comment. I am also sending it to Zach.

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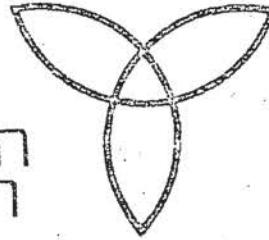
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מבצע

AMERICAN JEWISH
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THE STATE OF RELIGION IN ISRAEL

Prepared by the
Center for Jewish Community Studies
for the
American Jewish Committee

May 1979

נשיא המרכז: פרופסור דניאל אלעזר. סגן נשיא: פרופסור ישעיהו ליכמן. מזכיר וגזבר: ד"ר ארנסט סטוק
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I. Religion in Israel: the Problem for Americans

Jews in America have long been among the principal spokesmen for the separation of church and state and for the maintenance of neutrality toward religions in the public realm. This stance is the product of the specific experience of the United States, where free church Protestants were influential in determining that there would be no established church and that all religions would be organized as voluntary denominations. Both Judaism and Catholicism had to accommodate to the Protestant pattern of religious organization and the Protestant definition of church-state relations. In the case of the Jews, the latter seemed welcome. Their experience in Europe had demonstrated too well the dangers to Jews of established Christianity in any form. Precisely because of the constitutional separation, on the one hand, and the guarantee of religious freedom, on the other, the US seemed to offer the Jews an unprecedented possibility for equality, integration, and the preservation of Jewish unity as a religious group.

Therefore, through their communal organizations and as individuals, Jews have fought against what they regarded as encroachments upon the neutrality or secularity of the public domain. In battles over the reading of the Bible and the celebration of Christmas in the public schools, or government aid to parochial schools, Jews have consistently sought to keep the public realm free of ties to specific religious groups. At the same time, Jews have defended their own right and that of others to organize as separate and distinct religious or ethnic groups on a voluntary basis.

The United States is a pluralistic society in which the individual, exercising free choice, is of central concern. The individual affiliates voluntarily with any number of groups, one of which may be a religious denomination. The religious denominations compete for members, as it were, with each other and with whatever causes or ideologies are popular in the general society. In this effort to attract members and hold them, religious organizations may place heavy emphasis upon the benefits which the individual will derive from his or her participation.

Such participation is described as bringing a measure of personal happiness, moral improvement, and good for the family. Joining a religious institution, church or synagogue, is considered by most to be part of the American way of life. It is a positive value for the individual, the community, and the country. Religion is perceived in America as a beneficial force, and at the same time, a force which does not demand too much in terms of obligations, moral or ideological.

Judaism in the United States has undergone a process of Americanization. Except for a pocket of extremely traditional Jews who withdraw from the cultural and social mainstream of American life, Jews have accommodated to American patterns of religiosity. The synagogue is the center of religious activity, providing a large variety of programs to satisfy a variety of individual and family needs. It is the place where Jews meet to socialize on occasions sanctified by the Jewish calendar or on non sacred occasions. The synagogue is indeed Jewish space in an environment which is otherwise Christian or neutral. The demands upon members of synagogues are usually undefined. It is hoped that one who affiliates considers himself religious and observes some traditional ceremonies. It is hoped that he will attend synagogue services some time, will educate his children in a religious school of some kind, and will support Jewish causes, especially the State of Israel. However, failure to fulfill any of these minimal expectations will not result in sanctions. Nor are there any ideological requirements made upon synagogue members: one's definition of Judaism and oneself as a Jew is an individual and private matter.

Given the religious situation in America, it is not surprising that the American Jew finds it difficult to understand Judaism in Israel. If one attempts to transfer the model of church-state relations to Israel, or if one attempts to understand Israeli Judaism through the eyes of the Reform or Conservative American Jewish models, one is likely to become confused. First, in Israel, Judaism is a state-supported religion (as are other major religious groups). Second, Jews in Israel who are deemed "religious" are orthodox and live according to the very demanding way of life of traditional Judaism. The synagogue plays a very minor role in Israeli Judaism, since it does not serve as the

center for non-ritual functions. In Israel the entire country is Jewish space, and the synagogue is a place where one prays.

In Israel, Judaism is a very live force which drives and divides people, and which legitimates the State. In both respects, it is closer to the traditional conception of Judaism than the American model. The American Jew, in trying to understand the complexities of Judaism in Israel, must abandon his American conception of the proper relationship of religion to state, and hence the nature of Judaism, and must attempt to understand the religious situation of Israel from within. This means that the religious situation in Israel be understood within the context of the religious-national tradition of Judaism, on the one hand, and the specific historical and social conditions of Israel, on the other.



I. A Bit of History

The State was established after a break of twenty centuries during which Jewish law, although used in the governance of diaspora communities, was not applied in a practical realistic sense to the operation of a state. Furthermore, the situation of a modern Jewish state is different from that of any earlier Jewish polity. ~~Technological change and secularization~~ Technological change and secularization have brought changes in all spheres of national life. More important for our discussion, internal changes have occurred which have broken the religious unity of the Jewish people. Whereas in earlier periods when Jews ruled themselves there was a fundamental agreement upon national self-definition and structures of life, today no such consensus exists. This implies that there are various visions of national purpose, various interpretations of how one should live in Israel, and various views as to the cultural shape which homeland should have.

These differences of opinion, which have existed in competition with each other prior to the birth of the modern Zionist movement and throughout the history of Zionism, underlie any discussion of Judaism in Israel. A majority of the leaders of the modern Zionist movement were not traditional Jews. While they might have wanted to maintain certain continuities with Jewish tradition, they did not accept the authority of the religious law and did not accept the values and goal of life as they were defined by the Orthodoxy they knew in Western or Eastern Europe. Rather, they wanted to construct a new Jewish society and a new Hebrew man whose formation would be based upon general Western values and humanist ideals, which would include experiences and opportunities outside the purview and bounds of the Orthodox way of life. The Zionist pioneer did not reject Judaism altogether. The situation and the relationship were much more complicated than a brutal amputation of the past and of the Jewish heritage he had received from his fathers.

The Zionist movement, after all, arose out of the failures of Jewish assimilation in Europe. When it had become clear that emancipation and assimilation would not bring redemption to the Jews in Europe. When it had become clear that emancipation and assimilation would not bring redemption to the Jews in Europe, the Zionist movement emerged to bring that redemption through a return to the homeland and the construction of an autonomous Jewish entity there. Many of the early leaders of Zionism were

assimilated Jews who had little relationship to Jewish culture. Others, who were concerned about the continuity of the national culture, were opposed to its religious character. Therefore, the Zionist movement presented^a revolutionary alternative to European Jewish life whose ideals threatened the religious way of life and the religious establishment in Europe.

Among the socialist pioneers in particular were a group of militant secularists. People of enormous idealism and burning conviction, they came to Palestine to establish a Jewish homeland where they could realize their ideals and values while constructing a home for a reconstructed Jewish people. Part of the reconstruction, for them, involved a ~~thoroughly~~ thoroughly secular Jewish state.

Religious Jews were inherently Zionists in the sense of being committed to end the exile and return to Zion as part of the process of redemption. However, could one participate in the effort to end exile when the leaders of the effort were non-Orthodox Jews? And could one participate in the effort to end exile when it might be against the will of the nations of the world and against the will of God himself? The tradition had warned Jews against rebelling against the foreign powers and against "pushing the end."

Even those religious Jews sympathetic toward the Zionist effort recognized that the Zionist movement was led by non-traditional Jews, and that the ideals of the movement were not those which Orthodox Judaism envisioned for a national homeland. According to the religious view, a Jewish homeland implied a Torah-society -- a society which governed itself according to the Malachah and whose culture was dominated by values and ideas emanating from the traditional Torah culture. However, while the Zionists did not intend to construct such a society, the very ideal of return to the homeland, that ideal carried by Zionism, was a religious ideal. Moreover, the situation in Europe, the physical situation of Jews and the cultural situation of Judaism, was perilous. Jews were living in physical danger which promised only to worsen, and Judaism was losing its power over large numbers of Jews who preferred to acculturate and even assimilate to European cultures and societies.

Zionism was a way to end this dire situation in Europe. It was a way out of the misery of exile, an opportunity to save Jews and thereby Judaism.

These were the problems facing religious Jews as they debated their relationship to the Zionist movement. Individual religious Jews were among the initiators of the Zionist revival and supported Zionism from its inception as a movement at the end of the 19th century. Rabbis, during the nineteenth and early twentieth centuries, had spoken out in behalf of an active movement of return to Palestine and the Sephardic chief rabbis of Jerusalem actively recruited settlers from among the Jews of the Ottoman Empire and the Muslim world. These men were motivated by a sense of alarm at the destruction caused to Jewish life in Europe by assimilation, on the one hand, and by anti-semitism everywhere, as well as by a positive sense of mission. The rise of the Zionist movement signalled an organized attempt to break out of the negative condition inherent in Diaspora existence and restore the necessary wholeness of a national-religious life. Later, these positive attitudes towards Zionism were reinforced for some by the redemptive theology of the great religious thinker Harav Abraham Yitzhak HaCohen Kook. In the view of Harav Kook, the return to the homeland was the beginning of the messianic period. All Jews, religious or non-religious, who participated in the nationalist enterprise, were, even non-intentionally, agents in God's scheme to initiate the redemption process in Israel. According to the Rav Kook, settling the land through an ingathering of the exiles were commandments of such import, especially at this historic moment of the beginning of the redemption, that their fulfillment overrode hesitations regarding cooperation with secular Jews in the effort.

The theological grounding which existed, in addition to the particular historical situation of the Jews at the turn of the century, led a significant number of moderate Orthodox rabbis to support the Zionist movement and to form their own party within that movement. Accepting the Zionist principle of acting to achieve a political goal, the return to the land of Israel, they wanted to exercise pressure within the Zionist movement as religious Jews.

Therefore, in 1902, under the leadership of Rabbi Isaac Joseph Reines, these rabbis formed the Mizrahi party (Mizrahi is a play on words meaning "of the east" and also an abbreviation of Merkaz Ruhani, which means spiritual center). From the beginning, the goal of the religious Zionists was two-fold: to influence the Zionist organization in a religious direction, as they defined that direction, namely in terms of the Halachah, and to influence Orthodox Jews to support Zionism. This they could do only by legitimating the movement in the eyes of the Orthodox public which still included a majority of world Jewry. The manifest goal of Mizrahi, one which could draw such masses to its ranks, was "the land of Israel for the people of Israel according to the Torah of Israel." The linkage of the Zionist movement to Orthodox Judaism and the construction of a Jewish settlement according to the Torah of Israel could only be accomplished if Orthodox Jews joined in the Zionist enterprise and attempted to influence it.

Turning to both the Zionist Congress and his Orthodox brothers, Rabbi Samuel Mohllever, a great supporter of Zionism, stated the Mizrahi position:

It is essential that the Congress unite all "Sons of Zion who are true to our cause to work in complete harmony and fraternity, even if there be among them differences of opinion regarding religion. Our attitude towards those among us who do not observe the religious precepts must be, as it were, as if fire had taken hold of our homes, imperilling our persons and our property. Under such circumstances would we not receive anyone gladly and with love who, though irreligious in our eyes, came to rescue us? Is this not our present plight, my brethren? A great fire, a great conflagration, is raging in our midst and we are all threatened...If brethren put out their hands to us in aid, doing all in their power to deliver us from our dire straits, are there such among us who would spurn them? If all factions really understand this _____, this covenant of brothers will surely stand. All Sons of Zion must be completely convinced and must believe

with a perfect faith that the resettlement of our country -- i.e. the purchase of land and building of houses, the planting of orchards and the cultivation of the soil -- is one of the fundamental commandments of our Torah... Whoever assists us and does not hold this faith is comparable to one who contributes to a cause in which he does not really believe. The basis of Hibbat Zion is the Torah, as it has been handed down to us from generation to generation, with neither supplement nor subtraction. I do not intend this as an admonition to any individual... I am nevertheless stating in a general way that the Torah, which is the Source of our life, must be the foundation of our regeneration in the land of our fathers." (_____

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____ 402-403.

Those religious Jews who joined the Mizrahi party and became religious Zionists took a certain risk of compromising their religious principles by working with the non-religious Zionists. Although the Zionists did not propose an alternative religious ideology to traditional Judaism, they were themselves, in the main, non-observant Jews. By cooperating with them, the Mizrahi offered a religious sanction to Zionism, mustered the support of religious Jews to its aims. Moreover, as long as the aim of the Zionist movement was almost exclusively political, the disagreements between religious and non-religious Zionists over religious and cultural matters could be ignored. But when the Zionists focused upon the cultural program of the national renaissance, the issue could not be avoided and ideological battles were fought out between segments within the movement. Despite the conflicts, the religious Zionists remained within the Zionist movement, resolved not to separate themselves from the task of resettlement, which was one of redeeming the land and the entire Jewish people. Here, the unifying tendency embodied in the ideal of Love of Israel predominated over the centrifugal tendencies emerging from sharp ideological conflicts. As Rabbi I.J. Reones stated,

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There is no greater sacrilege than to allege that Zionism is part and parcel of secularism for the truth is that it is precisely the holiness of the land that induces the secularists to participate in the movement, ...it is in this that we may see the greatness of Zionism, for it has succeeded in uniting people of diverse views, and directing them toward a noble aim -- the saving of the people -- and this is its glory." (Abramov, 71)

Many Orthodox Jews could not accept what they regarded as the illegitimate compromising postures of the Mizrahi organization. Following the Tenth Zionist Congress, in which a cultural program of the Zionist movement was approved, the anti-Zionists organized a party, often ^{the} known as Agudat Yisrael (1912). The explicit goal of this party was to oppose all Zionist activities in Europe and Palestine and to deny the basic claim that the Zionist movement represented and embodied the will of the Jewish people. AY claimed that it represented the Jewish people, and that those who abnegated the tradition had left their people.

The theological grounding of Agudah's position was old and firm. "Forcing the end" had long been a suspected effort and one to be feared by Jews who had a sense of history. Flowing from this stance was the notion that Torah-true Jews ought to dedicate themselves to the traditional act of fulfilling the Torah, in exile, and waiting for redemption, which would come only at God's beckoning and in his own good time. There were Agudah rabbis who favored and sanctioned aliyah to the land of Israel, but only within the framework of a Torah-true community. There could be no possibility of cooperating with non-observant Jews and certainly not of living with them in the same community.

The Agudah rabbis feared the inroads which the Zionists were making in Palestine, and this fear increased following the Balfour Declaration (1917). The declaration implied the support of a major power in building a Jewish homeland, and made it clear that the Zionists were not opposing foreign power involvement in their effort. It also made the entire project very real and imminent. The Ash-

kenazic Orthodox community in Palestine, often known as the Old Yishuv, which was centered mainly in Jerusalem, had in the interim developed its links to Agudat Israel as the Palestinian branch. Its members, determined to block Zionist efforts wherever possible and to separate themselves from all religious Jews who supported the Zionists.

However, the separation could not be clear-cut, since the institutions of the Old Yishuv needed money to survive, and the control of such funds was delegated by the British to the Zionist-sponsored Vaad Leumi (National Council) composed of non-religious and religious Zionists. Throughout the 1920's, great efforts were made by Chaim Weizmann and others to bring the Orthodox anti-Zionists into the Vaad Leumi in order to gain unity of the Jews in Palestine and in order to increase the religious legitimation of the Zionist organization. However, these efforts came to naught. In the end, the Zionists agreed to fund yeshivot without getting the active cooperation of the anti-Zionists, but in this way securing a truce between the two groups.

It must be recognized that the battle between the religious and non-religious camps in Palestine was a principled one over the nature of the society to be constructed in the Jewish national home. Those Orthodox who took a radical anti-Zionist stance were those who had been fending off changes in their way of life and beliefs since the beginning of the enlightenment and emancipation. Ever since the modern period began, these people felt they were witnessing the breakdown of traditional Jewish life. They were determined to resist the continuation of this process. In their view, Zionism was a secular movement and therefore a profanization. It was led by non-observant men, usurpers of God's power, who were leading Jews astray. The use of Hebrew as a spoken language was an example of profanization; secular studies in the Zionist schools were another; granting of women the right to vote in Zionist institutions another. The greater the influx of Zionists into Palestine, the greater the defensiveness of the Ashkenazic Old Yishuv. This defensiveness and opposition was expressed geographically in the determination to live

in separate neighborhoods which were to be as self-sufficient as possible.

Needless to say, the anti-Zionist Orthodox totally rejected the Mizrahi, seeing them as traitors to the Torah who were doubly dangerous because they purported to be otherwise. The divisions as to the meaning and valuation of the Zionist enterprise continue to be manifest today in the battle around two party groupings: The National Religious Party (Mafdal), built around the Mizrahi, and the Agudath Israel.

In the early 1930's the relationship of the religious population towards the non-religious underwent a significant change. Throughout the Mandate period the religious Zionists had participated in Zionist activities and were integrated into the new yishuv. The Mizrahi organization had brought to Israel many Orthodox settlers and had developed the concept of the integration of Torah and Labour, which permitted the religious immigrants to engage in agricultural work and thereby become part of the major developing thrust of the new Jewish society. Whereas previously Orthodox Jews had lived almost exclusively in cities engaging in petty crafts, artisanry, business, the movement of Torah and Work projected a new ideal in tune with the general Zionist focus upon the value of work, agricultural settlement. Out of the Mizrahi there developed a new party, HaPoel Hamizrahi (Labor Mizrahi) for those who chose the agricultural labour way of life and who had specific interests which could be furthered by this organization. Hapoel Hamizrahi joined the general Histadrut in labor activities. And the religious Zionists succeeded in establishing a number of important kibbutzim and moshavim, based upon the concept that an integrated religious life included both labour and study.

Throughout the 1920's Agudat Yisrael in Palestine had maintained its posture of aloofness and separation. However, in the 30's, this stance underwent great changes, although not without an internal struggle. The immediate cause of the change was the influx of Orthodox immigrants from Central Europe, who were more moderate in their approach to modernization and Zionism than were the old settlers. Second, the burning threat of Nazism forced Agudah

leaders to consider ways of cooperating with the Zionists in order to bring Jews out of Europe. Some of the Palestinian old-time Agudah leaders remained firm in their position of negation of Zionism and continued to block all changes. Others, however, began to alter their position as the situation seemed to demand.

An example of the inner division and conflict within Agudah may be seen in the battle over the establishment of the Horev School in Jerusalem. Agudah members from Germany had immigrated in sufficient numbers in the early thirties to wish to establish a school for their children which would follow their own educational principles. Influenced by Samson Raphael Hirsch, the German Orthodox wanted to build a school which would include high level general studies as well as Torah studies, would offer the same education to girls, and would conduct the education in Hebrew. The school was established in 1934, and immediately became a target of attack from the Old Jerusalem Orthodox who objected to the innovations in mixed education, in Hebrew, and in secular subjects. However, the German Jews did not yield. In fact, their position gained strength as more Agudah members arrived in the country and the conflicting approaches within Agudah became more evident. The official formal indication of the change in approach was the agreement of Agudat Yisrael to cooperate with the WZO, which came into effect in 1934. Agudat Yisrael was reorganized in Palestine under the leadership of Rabbi I.M. Levin. The reorganization recognized the various trends within Agudah, and more important, effectively renounced the separatist policy of the Old Yishuv.

Agudat Yisrael began urging its members to abandon Europe and settle in Palestine during the late 1930's. Following the war, when the need for a sovereign Jewish state was so painfully evident, Agudat Yisrael entered into an agreement with David Ben-Gurion, backing the establishment of the state. This agreement succeeded in establishing unity among all elements of the Jewish population on the eve of the proclamation of the State. The nature of the agreement is very important, since it set out the basic lines which have been followed ever since and have enabled the religious parties

to remain within the government. In a letter to Rabbi I.M. Levin, Ben Gurion, as head of the Jewish Agency, offered certain conditions which would guarantee certain demands of the Orthodox in the future Jewish state. The conditions enumerated were actually continuations of practices embodied in legislation or which had become customary during the Mandatory period. Thus it was agreed that the Sabbath would be the official day of rest in the Jewish state, that kashrut laws (dietary laws) would be maintained in all public institutions in the state, that religious school systems would be maintained and funded by the state, public transportation would not operate for the country as a whole on Sabbaths and holy days, and that matters of personal status, marriage and divorce primarily, would be controlled by religious law exclusively. On the other hand, the religious camp conceded that the state radio would continue to operate on sabbaths and holidays and local practices with regard to public transportation would be maintained.

These conditions constitute the famous "status quo" which the Israeli government and the religious parties have continued to support. It is certain that Ben Gurion, in agreeing to these conditions, sought to avoid conflicts within the Jewish population. He also sought to gain for himself the support of a sizeable and constant element of that population, namely, the religious. Ben Gurion felt that he had provided a national minimum in the area of religion, which would guarantee that observant traditional Jews and secular Jews could live as they desired without coercing each other or violating each other's principles in any intolerable way. And at the same time, this minimum guaranteed the Jewish character of the Jewish state. Both religious parties accepted the arrangement and represented their constituencies in the provisional government formed by Ben Gurion in 1948.

However, there is a great difference both in the mode of participation and in the ideology underlying the participation of AY and the Mizrahi party in the state. In the manifesto of AY, written in 1912, it was stated that "The Jewish people stands outside the framework of the political peoples of the world, and differs essen-

tially from them: the Sovereign of the Jewish people is the Almighty, The Torah is the Law that governs them, and the Holy Land has been at all times destined for the Jewish people. It is the Torah which governs all actions of Agudat Yisrael." By entering into the State, Agudat Yisrael effectively modified its own manifesto. At the same time, because participation had always been partial, Agudat Yisrael remained loyal to aspects of its original position. While members of Agudat Yisrael accepted the existence of the Jewish State, they did so with an attitude of reservation, and related to it with a sense of distance reminiscent of the traditional Jewish attitude towards non-Jewish society. In the view of the ultra-Orthodox, a total Halachic way of life can best be maintained by withdrawal from those areas contaminated by modern secular ideas, values, and sensibilities. This included most areas of life within a modern state. Therefore, the participation of Agudat Yisrael is partial, limited to those areas which have specific reference to religious activities or religious spheres.

Given this reservation about the nature of a Jewish State which is not an halachic entity, it is not surprising that Agudat Yisrael has sought and has received exemption from military service for its young people; that is to say, male yeshivah students and all women who chose exemption. It is not clear, according to the Halachah, that males ought to be exempt, and various opinions exist. Agudat Yisrael persuaded Ben Gurion, by the claim that yeshivah students were needed desperately in the effort to rebuild the yeshivot which had been destroyed in Europe. Ben Gurion, sympathetic to the overall goal and knowing that the total number of boys involved was no more than 1,000 at the time, granted the military exemption. Today, that exemption extends to more than 10,000 yeshivah students, and is still respected by the Israeli government. What is important to recognize is that the very seeking of the military exemption reflects more than a fear of a halachic violation which could be incurred during military service. Rather, rejection of the armed forces reflects suspicion of and withdrawal from the state and its political efforts, as well as withdrawal from secular elements of the society as represented by the army.

In contrast to the refusal of Agudat Yisrael to permit military service, the Mizrahi (NRP) has regarded self-defence in the armed forces as an act of devotion to the state and to the Land. While the state is religiously neutral or even negative in the view of Agudat Yisrael, in the view of the religious Zionists the state is a positive religious value. The establishment of a Jewish sovereignty is a step in the messianic process, which cannot be reversed. It follows, obviously, that military service is of positive religious value as is the army itself.

In understanding the status quo agreement and the entire position of Judaism in Israel, one must consider why the Zionist movement and later the state, whose majority is not religious in the accepted Israeli sense, have legitimated and established religious institutions in Israel and have sanctioned the presence and influence of the religious in Israeli society. One must ask why the non-religious population has agreed or acquiesced, as the case may be, to the pressures of the religious. One must ask why there has not been a real kulturkampf against the powers of "religious coercion," against the "clerics." To understand the answer to this question one must examine some aspects of the Zionist revolution: the aspects of genuine continuity.

Jews who defined themselves as socialist Zionists brought with them from Europe a combination of rationalist and socialist ideals, the former determining a rejection of the traditional understanding of revelation, history, and messianism; the latter providing a humanist surrogate for them. However, within the workers' movement there were several approaches to religion and tradition, which must be distinguished from each other. First, there was the negative approach of that group which rejected religion and tradition totally. For these radical Zionists, Judaism represented a survival from more primitive times, and was now a brake upon the progress of the Jewish people. Religious institutions were identified as forces of conservatism, ignorance, or even duplicity. It was considered necessary, in the view of these radical Zionists, to break loose from the entire religious framework before the work of national and in-

dividual reconstruction could begin. This approach flourished for a generation or so in certain prominent circles and then began to decline. While spokesmen for it can still be found, it is no longer a significant force in the country.

Another approach was an ambivalent one, far more complicated than the abrogation of religious practices or the denial of religious concepts would seem to indicate. It is this approach which shall concern us because it remains characteristic of the leadership of Israel and prevalent among the secular population. The roots of the ambivalence of the socialist Zionists towards religion and tradition lie first in their deep attachment towards their immediate past, a sense of warmth and nostalgia to what had been received at home. These sentiments operated to moderate a staunchly negative ideological stance against Judaism. And far more significant than this rather passive reflective appreciation was an active sense that they, in some way, as pioneers in Eretz Yisrael, were actualizing selected but core elements of the Jewish tradition. They saw themselves as builders of a Jewish society and culture which would be freer, more healthy, and within a more universal framework than had been possible within the fettered conditions of exile. Finally, they considered themselves, as a group, to be a vital link in the historical continuity of the Jewish people, identified themselves romantically with the ongoing historical spirit of Israel, and invoked history and destiny when speaking of the meaning of the Zionist activity.

← The sense of participation in a redemptive process, the longing to establish a utopian society, and the sense of being actors in a drama which had world-historic significance linked even the secular halutzim with traditional religious ideals, ideas, and attitudes.

The religious equivalences must not disguise the secular grounding of the workers' movement and the secular approach of some of its leaders to the Jewish tradition. While there was a deeply felt need to maintain historical continuity and even to receive legitimation from Jewish history, there was also a conscious attempt to dismiss the religious base of the Jewish tradition as meaningless or irrelevant.

The context of the national settlement facilitated and made real the transition from a religious to a national self-definition. Here the sense that the sacred was a social force, whose manifestations are confined to society itself, could be experienced easily and naturally. Zionism as an experience and as a project could be considered a mode of Jewish being which needed no external legitimation because it was indeed the natural fulfillment of the Jewish struggle for survival. Some socialist Zionists might have appreciated the tradition while feeling free to abandon the religious framework or use it selectively, finding in their own national self-definition a sufficient substitute for the national-religious self-definition of their fathers. It is the apparent self-evidency of this transition from religious to national categories within the Zionist framework which may account for the almost total lack of interest in religious questions on the part of the halutzim.

The Jewish people thus became the carrier of sanctity, the representative of the sacred, and particular cultural values, previously religious values also, were now sanctified because of their association with the nation. During the period of the second aliyah a process of selection took place in which certain values from the religious tradition were sorted out to be retained in the new Hebrew culture. Those selected were chosen because they could be interpreted as meaningful to the national or socialist vision of the pioneers. Thus, the Bible retained its sacred quality but was interpreted in terms of its national value. The Bible was understood as a Jewish cultural monument, a link to Jewish history, the legitimator of Jewish claims to the land of Israel, and as a source of universalist humanist ideals.

It may have been true that for some members of the workers' movement the sacrality of the Bible actually derived from ties to the tradition. However, in their interpretation of their own ties to the Bible, the sense of the sacred as related to or derived from religious roots was dropped. The Bible was emptied of its explicit

meaning as the record of Israel's breakthrough to transcendence, to God, and became the treasure of Israel's national past. Similarly, Hebrew, the holy tongue, became the national language of the renewed Hebrew people. ~~Again~~ Again, the devotion of the men of the second aliyah to Hebrew and their heroism in reviving it may have been rooted in the association of the language with the religious traditions which had been imbibed in their traditional homes. However, the rationalization offered for the use of Hebrew removed from the language the sense that it bore a relation to the transcendent dimension of the tradition.

One cannot oversimplify the relationship of Zionism to Judaism and claim that the former negated the latter. As we have seen, alongside ~~the~~ or beneath the abrogation of Jewish law and the rejection of religious belief, was an inescapable ambivalence towards Judaism. This ambivalence is characteristic of Israeli society today. Within Israel large groups of the population feel very positively towards the Jewish tradition and select elements from it which they observe within their own families. While not accepting the entire world view and structure of Judaism, they want to maintain ties to the tradition which was once identified with Jewish national religious culture. They want to preserve elements and aspects of that tradition as part of Israeli culture and as values in Israeli society.

There is no clear consistency nor any absolute rational standard in the process of selection among the traditionalists of either the period of the second aliyah or contemporary Israel. Various customs, ideals, attitudes, ^{and} ~~the~~ values are maintained often for reasons which are not conscious and in ways which are not explicit. This is indeed the hold of a living and dynamic tradition upon its descendants and the path through which it evolves in new situations. The result in Israel today is continuity despite rebellion. Both the pioneers of the early aliyot and the citizens of today feel the pull of obscure and ancient loyalties towards the Jewish tradition. The pioneer of the second aliyah claimed that the Jewish socialist revolution was a constructive one which did not necessitate the total abandonment of the culture of the past. On the contrary, the new society was to be based upon selected elements of the Jewish tradition and was to be seen as a legitimate link in Jewish historical continuity.

The citizen of contemporary Israel who may be defined as a traditionalist may not be concerned with definitions or justifications of the Zionist revolution in terms of Jewish tradition. He is

concerned, however, with the character of the Jewish State and its legitimation. More and more in recent years he has come to recognize that both depend upon some link to the Jewish tradition. Judaism is somehow constitutive of Jewish identity and the State of Israel is identified as a Jewish State. This recognition has grasped the non-believer---even the rabid anti-believer---and has been the source of much inner anguish. It is this essential core character of Judaism which inclines the non-religious within the Israeli population, pre-State and post-State, towards sympathy with the Orthodox, no matter how annoying the former find what they perceive as the rigid demands of the latter upon the general society. And it is also this recognition of the significance of Judaism in national life which supports the positive ties towards the tradition of those who are not non-religious but who are also not orthodox, namely the traditionalist parts of the population.



III. Religion and Politics

The hope of the religious population in Israel is that the entire population will eventually become orthodox and that the state will conform in its laws and actual behavior with the demands of the religious tradition. However, the orthodox groups have had to compromise in actuality and to operate with the reality of a non-halachic state governed by a leadership which has not been orthodox. Both religious parties, the NRP and Agudat Yisral, have attempted to influence government policy in two areas. First, they have worked to establish by law their own institutions and separate services. Second, they have defined certain areas in the public realm which would be governed by religious law, and have established this fact through government legislation.

On the institutional plane this means that the orthodox have constructed their own school systems and have gained Israeli government support for its separate existence. The religious school system is part of the state system and receives its funding from state taxes. Even more extremist orthodox schools, which do not want to be part of the state system, are recognized and funded. The rabbinate and law courts are under the control of the orthodox and are free of government interference except insofar as the latter are subject to the review of the Israeli Supreme Court. In terms of religious legislation over the public domain, certain traditions have been carried forward from the Mandate period and legislated into the national law. Religious law dictates that all public institutions be kosher, that certain ~~shabbat~~ restrictions of the Sabbath be imposed upon the entire population, that marriage and divorce be regulated by the halachah. The imposition of religious traditions in these areas has been accepted by Israelis, religious and non-religious. The acquiescence of large parts of the non-religious population together with the efforts of the religious parties has resulted in the obvious continuity between the modern state and Jewish tradition. While Israel has no established church and all religions are equal before the law, the state is not neutral nor secular, and is not divorced from the symbols nor the institutions of Judaism.

This is not to say that the state is a religious entity nor that it fulfills the ideals of Judaism. In fact, there are Israelis who argue from a religious point of view, that the Jewish symbols and the public celebrations of Jewish rituals are a mere window dressing for a basically secular state and society. Thus, to call Israel a Jewish state, in any religious sense, is a distortion. From the secular perspective, it may be argued that the religious presence is hypocritical and offensive. In either case, it is clear that the relation between Judaism and society in Israel is complex and not easily analysed.

The religious parties exist because of the intense politization of public life in Israel and the heavy involvement of government in almost all spheres of public activity. Thus a major segment of the religious leadership is convinced that it must remain in politics simply in order to guard the Jewish character of the state and the religious institutions which exist rather than withdraw and permit these areas to be secularized. The power of the religious lies in the coalition government system of Israel. The majority party in that coalition, from the rise of the state in 1948 until the election of 1977, was the Labour Party. This party never emerged from an election with enough votes to form a government alone, and was forced to reach a party agreement with other smaller parties in order to form a coalition government. Every coalition has sought to include the religious parties, which together have secured between 10-15% of the vote in every election. In fact, every coalition has included the Mafdal, meaning that the latter received support for its special interests, namely religious affairs, while the dominant coalition partner received the support of the religious in economic and foreign policy matters.

The major religious party is the Mafdal (NRP) (Mifleget Datit Leumit) which is the union of Mizrahi and Kulei Mizrahi after 1956. The second religious party is Agudat Yisrael, and there is a small third party, Poalei Agudat Yisrael, the labor branch of the second. The strength of the Mafdal has been around 8-10% while the strength of Agudat Yisrael and Poalei Agudat Yisrael together has been between

3 and 5%. Both electorates have remained fairly stable. The two parties are often at odds, reflecting the fact that the Mafdal has chosen to be a coalition partner and consequently accepts the concomitant responsibility to maintain coalition loyalty while Agudah maintains its independence so as to be able to remain consistent with its religious principles at all costs. The Mafdal has held the Ministry of Religious Affairs and the Ministry of the Interior almost constantly. In the recent election of 1977 it was also given the Education portfolio which its leaders had long desired.

Both religious parties have dedicated themselves to preserving the status quo arrangement. However, the NRP has adopted a "go-slow" policy in certain areas where Agudat Yisrael has pushed for immediate and total action, often seeking to embarrass the NRP in its conciliatory approach. Sensitive to charges of seeking to coerce the non-religious population in religious matters, the Mafdal has been willing to compromise. Thus, instead of a comprehensive national Sabbath observance law which would include the banning of all business activities, the compromise evolved permits buses to run and businesses to open in specific localities and under specific conditions. In the area of kashrut, the Mafdal attempted to pass a law banning pig breeding in the state for many years. It was only when a coalitional balance permitted, in 1962, that such a law was passed.

The Agudah, however, has greater opportunity to make demands upon the government, not having any cabinet seats to lose. Anxious to demonstrate that the Mafdal is compromising, Agudah sometimes proposes bills just to embarrass the Mafdal. It is clear to Agudah that its bills have no chance of being accepted, but the symbolic protest is made through the presentation of the bill, and the embarrassment of the Mafdal accomplished. Thus, Agudah proposed that all flights of El-Al, the national airline, be stopped on the Sabbath and that no airplanes from foreign fleets be allowed to land or take off. The Minister of Transportation explained that both proposals were impossible given the conditions of international commercial aviation. The Mafdal was forced to abstain from voting, not being able to vote against the government of which it was a part. The excuse offered by the Mafdal is one that has been repeated often:

It was with pain that we abstained from voting on Rabbi Porush's motion dealing with Sabbath violation by El Al. It was not because we underrate the gravity of these violations, or ignore their importance. The contrary is true. We regard this as a grave desecration of the Sabbath, which is one of the sublime and holy symbols of our entire nation. If we had known that by voting for the motion, we would assure its passage, we would not have hesitated to raise our hands and would have been prepared to jeopardize our participation in the government. Unfortunately, voting for the motion would have been an empty demonstration and, to the best of our judgement, the loss would have exceeded the gain. Our record in the struggle for religious interests is well known; our achievements in this sphere are considerable. We shall continue our struggle for a complete and comprehensive Sabbath throughout Israel, and we do not despair of success.

The image conveyed to many through such a statement is that the Mafdal is prepared to compromise on principle in order to remain within the coalition, and this is precisely the point which Agudah wants to make. However, it ought to be pointed out that the ability to compromise and yet stand firm at certain points is what has enabled the Mafdal to accomplish the gains it has accomplished. When the dominant party is more dependent on the religious partner in the coalition, more can be demanded. When the opposite is true, little can be demanded.

In the past, the Mafdal concentrated its efforts within the rather confined areas of its specific religious interests. Its thrust was mainly defensive: to protect gains rather than to seek new ones. However, the ideal of the religious Zionists was always greater than any particular issues. That ideal has always been to bring all aspects of life in the Jewish state within the framework of Jewish tradition. Nevertheless, recognizing the reality of the non-religious character of the majority of the population, their goal was seen as the distant end of a long process of change. In the interim, the immediate goal of guaranteeing the maximal influence

of religious precepts upon the public life and the maximal support for separate religious institutions was pursued. This has required a posture of adaptation, compromise, and adjustment rather than aloofness, intransigence and inflexibility. Thus,

those religious Jews in Israel, and they are the vast majority, who participate in the political life of the state as presently constituted, cannot avoid the uneasy feeling that in its present form, the State of Israel is hardly an authentic embodiment of Jewish national life. It is acceptable as a transitional phenomenon. In all probability this transition is a long one involving many generations. One can reconcile oneself with it only if the State refrains from measures which commit it officially to the secular view of Jewish nationalism. (Goldmann, 12)

Simultaneous with the establishment of the religious presence in the externals of public life, through political power, has been the determined attempt of the religious to defend what they perceive to be the true and traditional Jewish life against the powerful force of the secular ethos of the majority. In order to accomplish this task, without withdrawing from the general society, the religious Zionists have constructed a separate branch of the state school system -- the state religious schools -- whose aim is to transmit an outlook and pattern of behavior which is different in fundamental respects from that taught in the other state schools. The ultra-Orthodox maintain an independent school system with state support so as to be even freer to transmit their way of life to their children. These religious schools, youth groups, and other separatist institutions reflect a basic defensive attitude towards the general society and culture on the part of the religious. Their purpose is the containment of learning and social life within the confines of a religious system and society, the limitation of contact with the secular culture, and a concentration of intellectual and spiritual powers within the inner religious world.

At the same time, the purpose of the over-all activity of the religious parties is to avoid the diminution of religion in public

life and the simultaneous diminution of the Jewish character of the State that the NRP consents to the compromises involved in its policy of participating in the coalition politics. It is felt, and here the example of the U.S. may be appropriate, that a withdrawal from the political sphere would not create a neutral state. Rather, it would produce a secular society, whose state-funded institutions would have an inherent advantage over religious institutions, and whose secular way of life and world-view would compete in the marketplace with religion and inevitably dominate. The American experience, where religion and state are separated completely, in principle, witnesses to the necessary diminution of the significance and role of religion. And this is the case with Christianity, where religion actually makes few practical demands on a daily basis. In the case of Judaism, where the scope is total, the withdrawal of the state from the public sphere would mean a serious threat to the Jewish character of the society.

In recent years, the NRP has flexed itself outside the more traditional concerns of the religious party and has attempted to influence foreign policy in connection with the peace settlement and territories. The Young Guard, which has emerged within the Mafdal, has taken the territories issue as central to their concerns, and has fought hard against government concessions. Whether the Young Guard will have the strength to oppose a peace settlement which conceded territories, and therefore, would pull the Mafdal out of the government coalition, has yet to be seen. However, it is certain that the religious party has made itself very visible and has made its voice heard in this issue. Altogether, the Young Guard, with its natural ally, Gush Emunim, has attempted to change the image of the Mafdal to that of an energetic, independent, and principled party. It is true that the change of direction within the party has been towards foreign policy only, but that is a significant change whose effects upon the national future could be weighty.

In order to provide services to the Jewish and non-Jewish populations, the State of Israel has established a Ministry of Religions on the state level, whose head is a cabinet minister. All

recognized non-Jewish communities conduct their own law courts for religious matters, maintain their own religious schools, and conduct their own marriages, divorces, and burials. The Israeli government guarantees their freedom in all these areas, and attempts to facilitate relations between all religious communities.



An extensive national and local organization provides services for the Jewish sector of the population, ~~whixkxssxThzxx~~ Officials in the organization are appointed by the Ministry of Religion or elected by bodies outside the Ministry but funded by the Ministry. The highest governing religious body is the Rabbinic Council, which was established during the Mandate period and continued by the State. The Council consists of eight rabbis, half sephardim and half ashkenazim, two of whom are the chief rabbis of the country. These men meet to deal with religious questions which reach the national level and hand down decisions. Not all such decisions are accepted by the knesset, when there is a question which involves state legislation. There have even been occasions when the decisions of the chief rabbis or the rabbinical council have not been accepted by the religious parties. Agudat Yisrael, the more radical orthodox party, does not recognize the Rabbinical Council and the Chief Rabbinate altogether. This group of orthodox Jews has established its own independent council of sages which rules on problems which arise within the ultra orthodox community. The national Rabbinical Council is authoritative for the sephardic religious community and the ashkenazim who identify themselves with the NRP or who do not identify themselves with the ultra orthodox. Likewise, with the chief rabbinate where the withdrawal of the ultra orthodox has seriously weakened the power of ~~thexkxkxkx~~ these rabbis from the inception of the office during the mandate. The sephardi chief rabbi, the Rishon Lezion, is accepted as the highest authority among the sephardim in Israel. His office is the oldest rabbinic office in the country, presiding th ashkenazic position, which was created by the British and given to the Rav Kook as first as kenazic chief rabbi. Kook's actual authority was ~~xxxxxx~~ rejected by the ultra orthodox, who turn to their own leaders on religious questions. This pattern has continued until today, leaving the chief rabbi with a limited community and limited respect.

On the local level there are chief rabbis in every major ~~xxxxxx~~ city, as well as local rabbinic courts. There is also a local rabbinic council which is responsible for the administering of all religious services on the local level. Thus, the country is divided into special districts whose religious services are provided by organizations specific to each district. Within these organizations are rabbis to administer law, conduct weddings, and serve as neighborhood rabbis. On the local as on the national level, the ultra orthodox do not accept the authority of the organizations appointed by the Ministry of Religion and turn to their own councils and courts. The Conservative and Reform Jews ~~attemp~~ because they do not have their own judicial system, turn to the state mechanism when necessary.

IV. Conflicts in Religious and Non-Religious Viewpoints

The existing arrangements in the religion-state area belie certain real tensions between the religious and non-religious sectors of the population over the place of religion in the state. These tensions emerge in several ways. There are often intellectual arguments over the place of Judaism generally, usually regarding a specific issue of public conflict but generalized to the entire relationship of Judaism to the state of Israel. These intellectual battles remain in journals and newspapers, indicating a problem or reacting to one, but not in themselves leading to practical action. There have been occasions, however, when the conflict between religious and non-religious, which is usually quiescent but always potential, emerges in a case of public debate or even street violence. The latter, that is the instances where heated differences of opinion break into actual violence, seem to be cases where a change in the strategic balance of power and status quo appears to be getting upset. Thus, if there is an agreement as to which streets in Jerusalem should be closed on the Sabbath to preserve the rights of the orthodox, and the orthodox community attempts to expand the number of streets or enter a new area of the city and close it on the sabbath, the non-orthodox may become incensed and resort to verbal arguments and then non-verbal expressions, all of which are returned in turn by the orthodox. The point is that people accept the status quo, grudgingly or willingly, on both sides. When it appears that that status quo is being altered, the principle of non-coercion arises, the fears of being pushed around by one group or another emerge, and violence may result.

Aside from the intellectual debates about the nature of the relation between Judaism and state, and the occasional public outbreaks of anger or even physical conflict over a particular strategic issue, there have been a number of legal cases tried in the Israeli court system which test the long-range issues involved in the current religion-state arrangement. One such issue raised in the knesset was the question of a Constitution for the state, which was taken up in the knesset in 1949. Proponents of a Constitution argued that a new state needed such a document to guarantee individual rights and governmental arrangements, and that certain values of the Zionist revolution and halutzic realization should be recorded in this document to perpetuate the original vision. It was exactly this which the orthodox opponents to the Constitution did not desire. They did not want the values of secular zionism immortalized in a Constitution of the Jewish State. As long as no explicit public document existed

announcing the secular nature of the state, the religious could participate in the functioning of the government. However, if a constitution were to explicate norms and values of a secular nature, the religious would be forced to denounce the document and the government which approved it. Moreover, it was not just the secular character of the document which aroused opposition, but also the assumption underlying the writing of such a document. It was impossible for the orthodox to recognize the autonomous power of man to frame a Constitution when the Torah of Israel was the eternal basis of the Jewish people, which would be recognized as such by all eventually and then applied to all areas of national life.

In the debate upon the constitution it was not simply the religious parties which countered the pro-constitution forces. Various ideological groups also opposed the constitution for their own reasons. Hashomer Hazair, for instance, opposed any document which would not declare the foundation of the Jewish state to be a radical socialist one. Finally, Ben Gurion himself opposed the proposed Constitution, because he felt a fight in its favor was premature. He was not prepared to wage a war in the name of the ultimate authority of the secular law in the state, in principle, nor has anyone else after him. This leaves the issue of religious or secular authority unresolved in a sense, but permits various factions to live together on a day to day basis in which the secular authority does make the decisions.

Another conflict which gave expression to the debate within Israel over national self-definition and the boundaries of the religious or secular definitions is the "who is a Jew" controversy. As in many European countries, every Israeli is registered at birth with the Ministry of the Interior. Every Israeli possesses an identity card in which religion and nationality are recorded. Normally, they are recorded as Jewish in both categories. The question is what defines a Jew as Jew and whether the category "Jew" can refer to religion and nationality or the reverse. These issues have been tested in several cases in the Israeli courts and have aroused intense interest and concern, not only in Israel but throughout the world. The matter is a weighty one because it epitomizes the most basic question of who defines Judaism and being a Jew in the modern Jewish state. The religious leadership has demanded consistently that the only criteria admissible in these matters are halachic criteria, and that these halachic criteria be applied totally and without exceptions.

The most famous test case in this area resulted in a non-halachic decision, but one which the orthodox accepted. This case, that of Brother Daniel, rests upon the meaning of the Law of Return, which recognizes anyone who is Jewish as an oleh, i.e. someone who has "returned" (literally ascended) to Israel. This is a privileged status. For those possessing it citizenship is automatic. The oleh is entitled to certain material benefits from the government or the Jewish Agency. A Jew who declares himself Jewish can become a citizen under the Law of Return, which implicitly recognizes Israel as the state of the Jewish people, whereas the non-Jew must pass through normal procedures for citizenship. Thus, the Law of Return guarantees all Jews (except those being sought as criminals by foreign countries) the right to enter and be citizens of Israel, and to receive national services from the moment of entry as an oleh into the country.

In 1962, a Polish monk, Brother Daniel, applied for entry into Israel as an oleh, according to the Law of Return, on the grounds that he was Jewish. Daniel had been born Oswald Rufeisen in Poland to Jewish parents and had been hidden by them in a monastery during the Holocaust, where he converted to Catholicism. In explaining his case and request to the Polish government, when he applied for a passport, Daniel wrote,

I, the undersigned, the Rev. Oswald Rufeisen, known in the monastic order as Brother Daniel, hereby respectfully apply for permission to travel to Israel for permanent residence, and also for a passport. I base this application on the ground of my belonging to the Jewish people, to which I continue to belong, although I embraced the Catholic faith in 1942, and joined a monastic order in 1945..."

Daniel was claiming that because his mother had been a Jew, and he considered himself a Jew nationally, although he had become a Christian, he was entitled to be registered as a Jew in his identity card and was eligible for the privileges of an oleh. The attorney for the State, opposing Brother Daniel, claimed that one who converted to another religion may not be considered a Jew and was not entitled

to claim the Law of Return or the privileges of an oleh. The court, on the one hand, recognized the halachic position claimed by Daniel. Under the Halachah, one born of a Jewish mother remains Jewish, for certain purposes, no matter what. On the other hand, the court departed from this strict interpretation of the Halachah. The majority opinion distinguished here between the Halachah and the law of the state, in this case, the Law of Return. The Court states that the law "has a secular meaning, that is as it is usually understood by the man in the street -- I emphasize, as it is understood by the plain and simple Jew...A Jew who has become a Christian is not a Jew." That majority opinion of the court rested upon the notion that a Jew is what is what is understood by the simple Jew on the street. This was a rejection of the formalistic halachic view, according to which Daniel could have been registered as a Jew because he was born of a Jewish mother. In the eyes of the court, the national history of the Jewish people demonstrated that one cannot be a Jew in nationality and a Christian in religion. Religious conversion to Christianity implied, according to the judges, that Daniel had indeed rejected his Jewish national past. The decision was that he could become a citizen of the Jewish state only by going through the normal procedures of naturalization and citizenship (which he subsequently did).

On other occasions, the secular versus the religious self-definition or the secular versus the religious authority in Israel have been tested, always causing complicated and emotional debate within the country. The famous cabinet crisis of 1958 is another example of such a test case, this time raised over the issue of how one registers children of mixed marriage in the national registry. It was asked whether the simple declaration of both parents that they consider the child Jewish and want him registered as such would be sufficient to have the government of Israel indeed recognize this child as Jewish. The Interior Minister declared that he would accept the subjective self-definition, and not insist on halachic standards. This meant that a person could intend or will his child Jewish if one parent were Jewish, and that the halachic criteria of either the mother's being Jewish or converted to Judaism were overridden. The

Mafdal resigned from the Cabinet because of this decision, causing Ben Gurion to revoke the decision temporarily, and deal with the question of how to register the children of mixed marriages, which is really the question of who is a Jew. After gathering the scholars' opinions, the government, in accordance with their views, ruled in favor of halachic criteria and against the Minister or the Interior, who subsequently revoked his directive.

This immediate crisis was settled. However, the basic problem was not solved but postponed.



The religious definition of who is a Jew has been accepted by the government. However, because some secularist Jews in the country feel "coerced" new cases have arisen and undoubtedly will arise in the future, testing the halachic definition. The Eitani case again tested the definition in a way similar to Brother Daniel. Ruth Eitani had been born of a Jewish father and non-Jewish mother. During the Holocaust, the mother ~~XXXXXX~~ identified herself with the Jewish father and suffered the entire Holocaust period with the family. Ruth went through the war and immigrated to Israel, fought in the Haganah, raised a family, and became active in politics. It became known that her mother was not Jewish, had never converted herself or the children, and that therefore, halachically, Ruth Eitani and her own children had to be converted. This despite her self-identification as a Jew, the action she had taken on behalf of the Jewish people, and her having received Israeli citizenship as a Jew, on the basis of her honest self-representation as such. The issues on both sides, the halachic and non-halachic, were fought out again in the Eitani case. Finally, Ruth Eitani and her children did undergo formal conversion.

The Shalit case was another which arose to challenge the registration of Jews in Israel. Benjamin Shalit, a naval officer, had married a non-Jewish woman, ~~and being claiming to be an atheist, asked to be registered as Israeli in nationality and as nothing in religion.~~ Shalit sought that his children be registered as Jews in nationality and nothing in religion, thus asserting a new conception: a Jew by nationality who rejects any religious profession. The government repeated the decisions of 1960 in the "who is a Jew" case. Despite any subjective profession on the part of an individual, objective criteria determined one's status as a Jew. One born a Jew was a Jew in both religious and national terms in the eyes of the state. And one born a non-Jew could become a Jew, even nationally, only through a religious conversion.

None of the legal cases or Knesset debates has altered the government commitment to the status quo, which supports the halachic interpretation in personal matters: status, divorce, marriage. It appears that the majority of the population has either agreed with this policy or acquiesced to it. The reason behind the agreement or acquiescence has been suggested above: a sense that the religious definition protects the Jewish character of the State and a desire to maintain the unity of the Jewish people, religious or non-religious, Diaspora Jew or Israeli.

V. Religious Pluralism

All of the cases described above raise the basic question of the boundaries of the power of the religious parties and the rights of the non-religious Jew in Israel vis-a-vis religious law and religious power. While the majority in the state accepts the status quo as it exists and seldom has occasion to conflict with the established laws and arrangements, there are occasional clashes or annoyances. These result in questioning of the status quo, in outright objection to specific arrangements, sometimes to public controversy, and even to violence. The potential for conflict exists, and could surface on any number of issues.

There is one point of potential conflict which involves Jews from the Diaspora as well as Israelis. This is the issue of religious pluralism within the Jewish people. When Israelis define themselves as "religious" they mean one group or another within Orthodoxy. And when non-religious Israelis refer to "religion" or "religious" people, they too refer to Orthodox Judaism and orthodox Jews. It is not only popular usage which is important here but also legislative facts. The only religious parties in the country are orthodox, and control of publicly supplied religious services, institutions, are in the hands of the orthodox exclusively.

It is hardly surprising that this monopoly of the orthodox exists in Israel. Most of the religious Jews who came to Palestine were Orthodox, and those among them who knew anything about non-orthodox religious options, opposed them firmly. The few Reform or Conservative Jews who came to Palestine, even when they established a congregation, were too few in numbers to have any impact upon the country. It is only in recent years, when centers of both movements have been built in Jerusalem, and when enough congregations have been founded throughout the country that their presence is beginning to be felt, have the Reform and Conservative rabbis in Israel been able to make claims against the orthodox monopoly.

The Conservative and Reform rabbis in Israel have requested the right to perform marriages in Israel. They have been denied this right. In the Diaspora, most Orthodox Jews recognize the marriages, divorces, and conversions of the Reform and Conservative rabbinate, out of necessity. No split within the Jewish people has

occurred because the Orthodox consider a marriage or divorce performed by a certain rabbi to be invalid halachically. Precisely in order to avoid such a rift, the Orthodox have ignored the issue. In Israel, however, the Orthodox rabbinate refuses to recognize the right of the Conservative or Reform rabbi to perform a marriage in Israel, and also denies the validity of the conversion performed by a non-Orthodox rabbi. However, the Israeli law does not deny this conversion. The threat of the religious parties is that they will present a bill asking the Knesset to deny recognition of Reform and Conservative conversions. In the U.S., as a result of the vast increase in intermarriage, the number of conversions has risen dramatically. Most of these are performed by non-Orthodox rabbis. If the Israeli government refuses to recognize such conversions, it refuses to recognize as Jews thousands of converts and their children in the U.S., who are recognized as Jews in the U.S. This spells a rift in the Jewish people. Thus far the government has held by a ruling that anyone who comes with a conversion certificate from a Jewish community, as long as he does not claim to be a member of another religion, will be recognized as a Jew. The Knesset refused to get involved in questions of religious pluralism and legitimation in the Diaspora, so that any conversion is a conversion.

The matter goes further because by accepting de facto the conversions of the non-Orthodox diaspora rabbi, the Knesset also accepts de facto the rabbis themselves as legitimate. The religious parties in Israel are determined to avoid recognizing the religious reform movements, claiming that they do not follow the halachah and therefore cannot be called "religious." The existence of several Reform and Conservative congregations and institutions in Israel has not changed the basic stance of the Orthodox. They regard themselves as the only legitimate representative of religious tradition,

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disregarding the claims of any other group.

VI. The Religious Situation in Israel

The religious situation in Israel is one that defies definitions and is characterized by flux. To the outside observer, the impression might be of two tight camps -- the religious and the non-religious -- whose lines are set. Actually, the situation is much looser, and more complex. Among the Israelis who call themselves religious there are great diversions in attitudes towards the State and in attitudes towards the modern world. Among the Israelis who call themselves non-religious, there are large groups which are close to the tradition and there are groups which have espoused a humanist secular outlook and have no contact with the tradition. The word "dati," meaning "religious," is used narrowly referring to one who observes the religious law but it by no means describes the extent of religious observance or commitment in the state. It is assumed that one who is observant also accepts the traditional Jewish world-view and understands himself as bound by the revelation of God, as recorded in the Bible and developed by rabbinic authorities, whose word is still authoritative. Thus the meaning of the word "religious", as used in Israel, is not identical with the same word in the broader American sense, which suggests someone who is spiritual and might or might not believe in God. The difference in the use of the word is very important, since its opposite, "non-religious," also does not imply the same thing in Hebrew as it does in English. To be "non-religious" in Israel does not necessarily mean that one does not believe in God or even that one does not observe any of the religious tradition, but rather that one is not totally observant. Everyone who is not strictly halachic, is included in the category "non-religious," although many do accept parts of the concepts of the tradition, and do preserve elements of the Jewish tradition in their own lives and in the life of their family.

Another usage has developed in Israel to distinguish between groups within the general "non-religious" category. That usage is the word "traditional" which refers to people who are selectively observant and who do not declare themselves to be atheists or agnostics. Only the latter are considered to be non-religious, whereas tra-

ditional people are considered to be semi-religious. No polls exist in Israel which have tested how many people believe in God or other such credal matters. The criterion accepted by the public for determining one's "religious" commitment is the traditional Jewish criterion of performing mitzvot, commandments. The presuppositions underlying such performance, that is belief, are not defined and have not been studied sociologically. However, it is quite clear that Jewish behavior, in the sense of traditional acts as well as traditional responses to symbols of Judaism, is common among vast numbers of the population which do not define themselves as "religious", because the accepted meaning of that term in Israel is full observance of mitzvot. Among this large "traditional" group there is a measure of traditionalist commitment. One can speak with certainty of the fact that this large portion of the population exists, and that within this group Judaism is a positive value. However, it is not a value accepted as authoritative and obligatory in the traditional sense, but is rather a value which demands selective and sporadic acts of commitment.

The fact that these various types of religious commitment exist side by side in Israel, rather than in the Diaspora, must be remembered when considering their viability and strength. In Israel those who do not accept the label "religious," but who are "traditional," find support in the general social-cultural context. This context is an enabling force in the survival of Jewish traditionalism. In the Diaspora no such supportive context exists. Therefore, in the Diaspora a vague commitment can be watered down and emptied of substance, whereas in Israel it may be strengthened. Thus, because the atmosphere of the sabbath descends upon the entire country, observance seems appropriate, even when limited to certain aspects of the shabbat and not all. Because the entire country prepares for holidays and observes them in some ways continuous with the tradition, it is fitting and easy for some observance to take place in the home. Another factor strengthening the "traditionalist" is the reality of a living Orthodox community, which is a reminder and a goad to those inclining towards tradition anyway.

Underlying all religious commitment in Israel is the inherent interweaving of the religious and national moments in Judaism. The two are inseparable, which means that the national and religious dimensions in Israel are necessarily intertwined. Thus, national holidays are either linked directly with traditional Jewish holidays or incorporate traditional elements in themselves so that they become semi-religious holidays. Every people or nation sanctifies events and individuals and places which have critical associations in their history. In Israel this process of sanctification is heightened by the power of the Jewish symbols which are used in the process of sanctification. Every society, traditional or modern, has certain rituals which increase group loyalty and integration. Religion is obviously a source of group cohesion and solidarity. In Israel, Judaism or precipitates from Jewish history fulfill this function in what has developed into a religion of the nation. This religion of Israel, as a nation, is one which is linked



to a force beyond the nation itself. This means that the events, people, and places sanctified by the State of Israel somehow become part of the ancient national-religious tradition. For some Israelis, the religious and traditional groups, Israel is a nation under God. For others, the reference to God has dropped, however, the idea that the state must be directed towards a goal beyond itself remains. In both cases, the religious elements are interwoven with national elements.

Therefore, it is difficult in Israel to distinguish between a pure national Israeli identity and a Jewish identity. Almost all national symbols have a religious base or reference. National historical consciousness does not exist without reference to the religious historical past. Continuity with Jewish national culture implies continuity with the religious tradition in some form. The sources to be confronted are ~~inherently religious sources, so that one cannot separate~~
~~the national from the religious, and the religious from the national.~~

The consciousness and sensibility are religious. No matter where one stands himself as far as commitment to Judaism is concerned, in Israel ~~he~~ he must understand the religious past and its continuities today.

The attitude of the non-religious public towards Judaism and religious Jews ~~has~~ ^{has} been changing in the past 12-15 years. ~~This is not to say that there~~ This is not to say that there has been a general return to Judaism, but rather, a reawakening of interest in Judaism and Jewish sources among groups who in earlier periods displayed no such interest. No one has written an account of this process of change ~~which~~ or these new tendencies so that one can only conjecture as to their causes.

First, one can point to the almost natural diminution of the force of a nationalist ideology, Zionism in this case, ~~and its inability~~ ^{AND ITS INABILITY} to replace religion either for the individual or the community. Nationalism does not provide the answers for the ultimate questions of meaning, ~~and people are thrown back upon~~ which arise at critical moments, such as ~~when~~ when a nation faces war or an individual faces death, birth, ^{or} and other crises. Such moments occurred in Israel in 1967 and 1973. Both wars caused a heightened ^{ed} awareness of the particular ~~and~~ religious and cultural elements in the life of the nation. People were propelled into reflection about the nature and significance of the Jewish state, and obviously, ^{about} their ^{own} lives in it.

Although there are no empirical studies about changes in national consciousness in Israel after the Six Day War, it is certain that the past 12 years have wakened self-questioning and reconsideration of principles among many sectors of the population. This was quite evident in the kibbutz movement because of the high degree of articulation of some young members of the movement. In the magazine Shdemot one can see the unearthing of the most profound religious and ethical questions, and the effort of non-religious or non-orthodox people to resolve them with reference to traditional sources. It is quite likely that the movement and wrestling found in the kibbutzim is present among many other less articulate groups. Until more empirical studies have been done, we can content ourselves only with the indication that a change in Israel has been occurring since the Six Day War, one of whose results is a more positive attitude towards Judaism than existed in earlier periods in the life of the State. For a very few this has meant a return to traditional forms and orthodoxy. For many more it has meant a searching for ways to express growing interest, openness, and positive sentiments.

Another aspect of these processes since the 1967 war is a growing acknowledgement among all sectors of the population that the State cannot survive if it is not a Jewish state. The Jewish character of the State is preserved most fully by those recognized as the authentic guardians and continuators of Judaism, the Orthodox. Therefore, there is a clear desire certainly not to alienate the religious elements of the population, and if possible, to ally oneself with them. Here, the need to have God and the Covenant part of the political order is not a product of sheer instrumental calculation, as was Napoleon's concordat with the Church. Rather, one finds in Israel among the non-religious a non-manipulative desire to maintain contact with the traditional world as part of the complicated constellation of historically determined attitudes towards the substance of Jewish belonging and national meaning. Thus, one may say that the mutual needs of the religious and non-religious, those of political power and those of spiritual ideals, lie beneath and undergird the existing inter-relationships of religion and politics in Israel today.

It is very difficult to define or delimit Judaism in Israel. It would seem neigh impossible to predict its future. In terms of a definition, concepts available are inadequate. The words "dati" or "hiloni" are useful only as labels, which often hide as much as they reveal. While those who call themselves "dati" may be assumed to believe and practice Judaism, it is not certain that those who are called or call themselves "hiloni" do not believe and do not practice. Similarly, while the state of Israel is officially secular, since it is a Jewish state the meaning of secular here is not clear. As indicated, the national and religious are tied together inextricably in Judaism. From the early period of the Zionist movement until today, the "non-religious" Zionists have never been able to govern without religious groups. Therefore, God and the Covenant have always been, somehow, a part of the government as they are somehow a part of the State. p
The religious condition of Israel is extremely complicated and one which challenges comprehension.

Two elements must be understood if one is to grasp the fundamentals of the complex religious situation in Israel. Alongside or beneath the enlightenment ideals of pioneer zionism, which have left so visible a mark upon the society of present day Israel, was a deep sense of and concern for Jewish identity. This sense may have been obscure but was substantial, and was experienced by all zionists. The second element was another sense, felt by some zionists, that Judaism could not be dispensed with in a Jewish state. Judaism is constitutive of Jewish identity even for the unbeliever---even for the rabid anti-believer--and here lies one of the sources of much inner Jewish anguish and conflict for the last two centuries. It is this recognition, conscious or unconscious, of the essential constitutive character of Judaism which inclined the secular zionists towards cooperation with the orthodox, ~~even~~ no matter how annoying they found their increasing demands. Moreover, it was this essential character of Judaism for Jewishness in the long run which has been recognized as particularly important for the first element, Jewish identity, and therefore, for Jewish survival.

It is certain that the religious situation in Israel will change and that cultural struggles will occur as Israelis seek to understand themselves in relation to their tradition, and to find some articulation for their tradition in the modern situation.

VII. Tensions for the "Religious" in the Current Situation

It is obvious that the involvement of the religious in politics would annoy non-religious Jews and would bring criticism upon the religious from certain circles. Thus, the League against Religious Coercion was organized to combat intrusions of the religious powers into the lives of the non-religious citizens. However, there is also criticism of the existing situation from within religious circles. One of the best known and most articulate critics is Professor Yeshayahu Leibowitz, who has stated that the years of experience with Judaism as an established religion in Israel have proven only the failure of creating a Torah state. Leibowitz has called for the total depoliticization of religious institutions and their withdrawal from the apparatus of the State. He denounces the hypocrisy of the religious establishment, claiming that they compromise religious values by linking them to a national government which manipulates them for its own purposes without being committed to their meaning. The radical critique of Professor Leibowitz has aroused much thinking and reconsideration among religious and non-religious Jews in Israel. However, it has not led the religious Zionists to withdraw from participation in politics and from their established path of defending religious spheres of influence in the public realm. Aware of the dangers, the religious insist that in Judaism there is a positive value in the fulfillment of religious commandments even when that commandment is not done for genuine religious reasons or intentions.

Thus, insisting that there be no TV on Shabbat, or other such restrictions, is a duty of the religious Jew vis a vis the non-religious. Further, it is not clear whether the non-religious Jew is coerced or rather glad that the religious Jew forces this situation. The fact that there is a national consensus about the way Yom Kippur is to be observed, with no statutes about it, is one expression of an underlying respect for the tradition on the part of the entire population. It is this respect which is one factor in encouraging the religious to press with their demands. The leaders of the religious parties claim that it is their responsibility to preserve

whatever ground they have in the state for the sake of the non-religious as well, since it is this ground which functions to maintain the Jewish character of the State.

The ways in which religion is related to society is always a strategic problem for both entities. How do men put together these dimensions of existence: the ultimate and the less-than-ultimate, the sacred and the profane, the charismatic and the everyday. There is no doubt that religious institutions embody inherent tensions just because of the mundane and profane character of the institutionalization process. If we consider the concrete case of the relationship of Judaism to politics, the danger to the religious institutions is quite clear. First, whenever a stable structure within a religious movement is linked to power, a matrix of motives emerges which may be contradictory to the values of the religion itself. Such motives are the desire for power, for wealth, for status. Although this is the very matrix which as an outlet for interested and disinterested motives attracts men to work, it is also the achilles' heel of the religious institution, since it can produce corruption and the violation of central religious values, when the interested motives surpass the essential religious motivation itself. At such a time one may witness the corruption and sacrifice of religious values to various forms of vested self-interest, or the type of careerism which is concerned with the goals and values of the religious institutions in a formal sense, but which lacks any idealistic existential involvement.

Another danger to the religious institution is that it becomes identified with the aspirations and aims of a particular government, and over-adjusts its own values in the process. In the evolution of a society in which religious institutions are involved, there must develop some kind of accommodation, so that religious imperatives are not only a source of conflict. But if the accommodation is total, and there is no built-in separation between the demands of transcendent Judaism and the particular historically conditioned aims of a particular government, then Judaism becomes nothing more than a rubber stamp, a culture-religion. At that point the leaders of the religious establishment cease to be able to react to social,

political, and economic issues in the name of higher values, which cannot be identified with any one existing historical situation. In this case the tension between the transcendent and the mundane is lost, and Judaism is reduced to an experience of society.

At no time in the short history of the state of Israel has the symbolic influence of Judaism been more prominent in government than it is today, reflecting a closeness of certain men in the dominant party to the tradition, as well as the timely sense of these same men of the acute power of this symbolism. Reference to the Jewish particularity of Israel and the acting out of national religious rituals appeals strongly to the large traditional sector of the population, whose personal commitment to religious ideas and patterns of behavior may be inconsistent and ambivalent, but whose loyalty to specific symbols and traditions of Judaism is firm. At a time when national consensus and morale seem to be of particular importance to the government, such symbols and rituals may be a powerful unifying force. National sentiments merged with elements of an historic religion can indeed perform this function, especially under the orchestration of skillful leaders.

Thus, despite the advantages and gains gotten through the political establishment of Judaism in Israel and its symbolic incorporation in the State, there are tensions and dangers. These have to be guarded against by both sides. A simple solution, such as disengaging from politics altogether, or considering Judaism into a subjective individual religion or relationship, thereby opting out of the collective level, is impossible without coopting Judaism essentially.

The strain, potentially explosive, between the religious and non-religious elements in Israel is not based upon superficial or external matters. It is grounded in a difference in vision: what ought to be the shape of the society in the future and how ought its citizens be educated in the present. In Israel there are coexisting visions and ways of life based upon them. While these two may co-exist in peace, they may war. The differences are much deeper than questions of how one celebrates shabbat or how men and women mix to-

gether. These are mere examples or reflections of a larger difference in outlook and ethos.

According to the religious, Israel could become a "hothouse of assimilation." And those values which the religious see as non-Jewish and not to be imitated, are those which, in the view of the non-religious, are desirable as the foundation of a way of life. The genuine battle over the Jewish identity of Israel takes place in the ideological realm: what is the ethos appropriate for a modern Jewish state. It is this issue which underlies the particular conflicts and the heat aroused over them. In other words, the political issues are cultural and the conflict is between a world-view which is Jewish in a traditional sense and one which is Western. Seen in this light, the gap and the threat become more evident as well as more difficult.

The overarching cultural value which differentiates religious from non-religious Jew is the respective understanding of what is the true basis of an individual's freedom and selfhood. Involved in this same issue is the role of the community and the individual's responsibility to collective purposes. To the religious man, the individual is not autonomous and cannot determine his own realization. Nor can the community, in the religious perspective. The Western humanist has a different concept of human freedom and self-realization, and consequently a different concept of education and collective purpose. The conflict between these two conceptions is one which will be fought out in Israeli society, perhaps not between politicians but between men of the spirit. The most interesting aspect of the religion/state issue in Israel is this ideological and cultural war between Judaism and Western humanism, whose resolution is not yet known. At least in Israel both traditions have a vitality and dynamism so that each can influence the other and a living product which is appropriate for a Jewish state in the end of the twentieth century may be evolved.

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