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Middle East Forum, speech, 1988.

The Temple

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Rabbis
DANIEL JEREMY SILVER
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Administrative Officer
MERRILL D. GROSS

A FORUM ON ISRAEL

Date: Monday, December 12

Time: 7:00 P.M.

Place: The Temple Branch

Dear Congregant:

How do we as American Reform Jews respond to the current situation in Israel?

Let's talk about:

1. The Palestinian Uprising along the West Bank and in Gaza.
2. The recent election in Israel.
3. The PLO and the Algiers implied recognition of Israel and its proclamation of Palestinian statehood.
4. The Orthodox Religious Party and "Who is a Jew."

Do we speak up or remain silent?

This is an open forum monitored by Rabbi Daniel Jeremy Silver, organized in response to many requests from the congregation.

Sincerely,

Marilyn M. Bedol

Marilyn M. Bedol
President

MMB:cf

12/12/88
D. J.
Middle East
Forum

A deceptively simple question, who is a Jew, has troubled Jewish life these past months and years. A rational response would be: a Jew is one who feels himself or herself to be Jewish; but since this question is asked in a political context it requires a more definite answer, and that is where the problem begins.

In the medieval world a Jew was a person who had a Jewish mother, or who had converted to Judaism according to judicially accepted procedures. That definition sufficed for many centuries but fell afoul of the facts of life in the modern world where an increasing number of intermarriages between a Jewish man and a non-Jewish woman occur and the husband wishes his children to be Jewish.

Are the offspring of such a marriage Jewish? The traditional answer would be no. Yet, today such a family may have a strong Jewish identification and the children are raised in a Jewish religious school.

It's hard to insist that these families are not Jewish and that these children are mamzerim. Mamzer does not mean bastard. According to old Jewish law if the child of a non-Jewish mother and a Jewish father marry, their children are mamzerim. ~~If he or she does,~~ ^{Then} the marriage is not recognized as a valid marriage and a mamzer may not marry a Jewish mate.

This earlier definition of who is a Jew developed while the world was corporately organized. It was a time when there was little intermarriage and one's birth identity was ineradicable.

Today that situation has changed markedly. Nearly 35% of all marriages in the United States involving a Jew are intermarriages. Were we to keep the old law in all of its rigor, we would lose many families who desire to remain in the Jewish fold.

in a Jewish atmosphere and if he or she attended a Jewish religious school he was considered a Jew.

Common sense dictated that a new way to define who is a Jew be found. Since we live in a world where one's religious affiliation has become a matter of free choice, we have allowed common sense to determine identity.

The mother is not necessarily the sole factor in determining a child's religion. The father ^{is also} often plays a major role. Patrilineal descent has been practiced for many years by our congregations. If a child was raised in a Jewish atmosphere and if he or she attended a Jewish religious school he was considered a Jew.

The doctrine of patrilineal descent has not only offered encouragement to many intermarried families, but has saved for Judaism many who otherwise would have felt ostracized and unwanted. The community which followed the strict letter of orthodox law was small and had no way to force its demands on the majority.

All this changed with the establishment of the State of Israel. Though for its first decades Israel was ruled by a Socialist secular party, Ben Gurion found it advisable to continue mandatory law which gave control of the rules of personal status to the various religious groups.

In 1948, with the establishment of Israel, supervision of the rights of personal status, marriage, divorce, inheritance, legitimacy, was given to the Sephardic and Ashkenazic chief rabbis and their staffs. At first this solution presented few problems, but soon it became evident that the politics of Israel gave the orthodox group disproportionate say. They were the necessary coalition partners. Since 1968 no party has been able to govern without the support of members of the religious bloc who represented ^{No} ~~never~~ more than 8 to 10 percent of the population. To gain their ~~en~~ support the majority groups--Labor and Likkud had to give control of various ministries ~~and policies~~ to these religious groups.

The rabbinate in Israel has proceeded to try to discredit all the religious acts of Conservative and Reform rabbis. Everything had to be done ka_halacha, to satisfy orthodox teachings. At present the laws of the State of Israel governing abortion, autopsies, and the remarriage of a woman whose husband has disappeared, and Sabbath transport reflect these political pressures. So we had from the beginning the sight of ~~intermarriage~~ couples ^{of different background} having to fly to Cyprus in order to be married.

how to drive a strong bargain.

Over the last few years there has been increasing pressure from the orthodox to amend the Law of Return which states that any Jew can claim citizenship in Israel simply by the fact that he is Jewish. The pressure came to a head after the November 1 election. In that election Labor got 39 mandates, Likkud 37 - and the religious groups, Agudath Yisroel, Shas, Degal Ha-Torah, and the National Religious Party received 18 mandates out of a possible 120. No group can rule Israel today without their assistance and they know how to drive a strong bargain.

Over the past years the religious parties, which number only about 12 percent of the population, have made strenuous efforts to redefine the law of return so that it applies only to those Jews who are Jews halachically. These demands have created real personal hardship. In the days of the sizable Russian emigration the orthodox determination to redefine the Law of Return ran counter to the fact that many of the Soviet emigres had married non-Jews, ~~and~~ they came, after all, from a Soviet society where Jewish law had little clout.

Then there was the scandal of the Falashas, the Ethiopian Jews, who had been living Jewish^{ly} for perhaps 2 thousand years and whose Jewishness had never been challenged. Persecuted in Ethiopia, when they came to Israel some of the orthodox community wanted to declare them non-Jews unless they converted ka-halacha which most of them refused to do.

The heavy-handed bargaining to gain support for their agenda has been a national disgrace; yet, both of the major political parties have been willing to enter the bidding contest. Selling one's soul for office and power seems to be a favorite pastime in Israel.

Over the years the religious bloc has learned to make even greater demands on the country: release of their young people from military service, significant financial sponsorship of their veshivot and religious institutions, greater control over Israel's school systems, forced observance of the Sabbath by the whole country, and now the move which would in effect complete the disenfranchisement of the non-orthodox rabbinate.

*AMENDMENT
to the Law of Return*

The heavy-handed bargaining to gain support for their agenda has been a national disgrace; yet, both of the major political parties have been willing to enter the bidding contest. Selling one's soul for office and power seems to be a favorite pastime in Israel.

In the month since the last election the scramble for power in Israel has been disgraceful. Both Labor and Likkud have signed documents guaranteeing all kinds of privileges to the orthodox groups, including revision of the Law of Return.

Both Likkud and Labor have found themselves willing to give in to most of the religious bloc's demands, but these groups have not been able to maintain unanimity among themselves. Shas, a group of Sephardic orthodox Jews, has remained constantly with Likkud, but Agudath Yisroel, a European based group, has stated it would be willing to deal with Labor.

The scramble for advantage and power has been an uninspiring sight for diaspora Jews. Diaspora Jewry feels

a particular concern with this issue since it strikes at the validity of what we do as Conservative or Reform Jews here. It says, in effect, Israel does not recognize marriages performed by Conservative and Reform rabbis and that if an intermarried couple--even though they had been converted by me--claimed citizenship, automatic citizenship would be denied.

Since the election of November 1 the diaspora has mobilized to protect its interests. What Israel does in this area affects not only those who may want to go on aliyah but the governance of our domestic community.

The political power of Israel's orthodoxy has begun to sap ~~the~~ traditional ~~body~~ of American Jewish pluralism. Delegates ^{of} have met with various Israeli politicians newspaper people and like-minded citizens to protest the arrogance of power. The integrity of the United Jewish Appeal ^{has been} has been threatened. ^{FS has been shown} ~~Men and women are~~ saying that ~~the~~ monies raised for Israel go disproportionately to orthodox institutions.

A few years ago a small group of Jews began to withhold their contributions to the United Jewish Appeal and organized a new Israel Appeal which would sponsor liberal Jewish activities. A Reform group called ARZA organized itself and has played a leading role in recognizing

the Jewish Agency which controls the dispersing of most of the 350 million dollars which the UJA raises for Israel each year. In the last Agency elections, ARZA and a number of other non-orthodox Zionist groups won a great victory, and over these last 2 years greater sums of money have been spent for non-orthodox institutions.

All this is being played out against the background of the Intifada. On December 5, 1987 an Israeli truck collided with 2 Arab vans in Gaza. 4 Arabs were killed in the crash and word went out in the Arab quarters that this was an act of revenge because of the murder the day before of a Jew in Gaza's city square.

Arab youth began hurling stones at Israelis. The military, attempting to maintain law and order, responded with tear gas and sometimes with bullets. Civil unrest has continued for over a year. 300 young Arabs have been killed. We read daily in the newspapers of incidents. It is not pleasant reading ~~since Israel seems to be fighting a popular uprising not unlike 1947 and '48 when Israel was established.~~ We have had a daily barrage in our newspapers of pictures and feature articles in which the tables have been reversed, Israel ^{as pictured} as an armored Goliath and Palestine a youthful David, carrying only a slingshot.

Over this past year Jews have had to become accustomed not only to their struggles with the black hats but with the image of Israel in the world. To many Israel is no longer Zion but a military state filled with men and women willing to use force to suppress those who are demanding their rights as a sovereign people. The problem was compounded when in July Jordan disclaimed any further interest in the West Bank and in November the Palestine National Council proclaimed a Palestinian state in exile.

It is easy and correct to say that most Jews do not seek to annex the West Bank. They accepted the partition decisions in 1947 and '48. It was the Arabs who refused. Israel occupied the West Bank because Hussein insisted, against Israel's advice, to enter the 1967 conflict.

Israel is not initiating the incidents and has a responsibility to maintain law and order. The public relations of this past year have been disastrous for Israel. Everyone who has ever had doubts about the wisdom of a Jewish state now feels vindicated and Arafat has resurfaced as a national hero.

interviews with the press he refused to repeat any of the words from that document.

What can we do about all this?
I am afraid precious little. We do not control the actions of the Arab world, actions which are unpredictable at best. If the Arab world is determined to persevere in its Intifada there is very little that Israel can do except to make the cost of this kind of civil disobedience prohibitive.

~~WRHS~~ ~~AMERICAN JEWISH ARCHIVES~~
We can and we ought to explore the apparent change of heart by the PLO. ~~Will the real PLO stand up?~~ In a meeting with a delegation of American Jews last week, Arafat passed out a resolution which seemed to recognize the existence of Israel and PLO acceptance on U.N. Resolution 228 and 342, but in interviews with the press he refused to repeat any of the words from that document.

Israel must be wary and remain prepared and that's a hard road to hoe. The one issue that Israel can control is the domestic squabbling over who is a Jew, but even that seems to be beyond Israel's capacity. The orthodox groups are intransigent. All have agreed that ~~the~~ amendment of the Law of Return is a sine que non for their participation. / *לחוקר תורה
& יגורר צדקה*

What is the prognosis for this troubled part of the world? That is the issue that we have come to discuss. My guess is that there will be some kind of face-saving international conference despite Mr. Shamir's objections. What it will achieve remains to be seen.

stimulate discussion.

I believe Israel should undertake participation in such a conference despite its many valid objections, if only to prove to the world that it is willing to do so.

As far as who is a Jew is concerned, I doubt that there will be much progress along those lines. The orthodox are intransigent and entrenched. Israel will have to have a basic remolding of its political structure before much progress will take place. The delegates to the Keneset will have to be elected more on local lines than, as they are now, all elected at large. I am not here to press one view or another but to stimulate discussion.

HARALD MILLER
24552 LETCHWORTH ROAD
BEACHWOOD, OHIO 44122

NOVEMBER 14, 1988

MS. MARILYN M. BEDOL, PRESIDENT
THE TEMPLE
CLEVELAND, OHIO

RE: PROPOSED CHANGE IN
"WHO IS A JEW" LAW IN
ISRAEL

DEAR MARILYN:

HERE ARE SOME OF MY THOUGHTS REGARDING THIS SITUATION:

- (1) THE PROPOSED CHANGE POSES AN INTENSE THREAT TO THE HEALTH AND SAFETY OF THE STATE OF ISRAEL.
- (2) IF WE LOVE ISRAEL AND CARE ABOUT ITS WELFARE, WE MUST DO EVERYTHING IN OUR POWER TO PREVENT THIS CHANGE FROM OCCURRING. IT IS NOT ENOUGH TO SPEAK OUT AGAINST IT. WE MUST MARSHALL ENOUGH POLITICAL FORCE TO OVERTURN WHAT NOW APPEARS TO BE AN ALMOST CERTAIN EVENT. TO DO THIS WE MUST FIGHT A "NO HOLDS BARRED" BATTLE. ANYTHING LESS IS LIKELY TO FAIL, AND FAILURE THREATENS THE SURVIVAL OF THE STATE OF ISRAEL.
- (3) NO TEMPLE HAS A GREATER RESPONSIBILITY NOR A MORE APPROPRIATE REASON TO SPEARHEAD THIS DRIVE THAN OUR TEMPLE, THE TEMPLE OF ABBA HILLEL SILVER, WHO SO DEDICATED HIS MIND AND SOUL (AND SUCCESSFULLY) TO THE FORMATION OF THE STATE OF ISRAEL.

PERHAPS POINT (1) NEEDS SOME ELABORATION:

ISRAEL IS IN A WAR FOR SURVIVAL. THE PALESTINIAN UPRISING IS NOTHING SHORT OF THE WARS OF ANNIHILATION WHICH HAVE BEEN WAGED AGAINST ISRAEL SINCE ITS BIRTH.

ISRAEL'S STAUNCHEST AND MOST POWERFUL FRIEND IS THE UNITED STATES. BUT THE PALESTINIAN CAUSE IS MAKING HEADWAY HERE. ISRAEL NEEDS AMERICAN JEWS TO BE UNITED.

DENIGRATION OF THE REFORM AND CONSERVATIVE MOVEMENTS IS CERTAIN TO DIVIDE AMERICAN JEWRY. AND THAT IS WHAT ISRAEL IS ABOUT TO DO.

THE PROPOSED CHANGE IS BLATANTLY POLITICAL AND HYPOCRITICAL. IT IS PANDERING TO THE RELIGIOUS RIGHT, ONLY FOR THE PURPOSE OF OBTAINING A MAJORITY. MOST OF THE LIKUD SUPPORTERS ARE

SECULAR JEWS, OFTEN LESS RELIGIOUS THAN MANY OF THE REFORM AND CONSERVATIVE JEWS IN THE UNITED STATES.

ISRAELI JEWS BELIEVE THEY DO NOT HAVE TO BE RELIGIOUS TO BE JEWISH. THEY PROVE THEIR JEWISHNESS BY LIVING IN ISRAEL, DAY-IN AND DAY-OUT.

BUT THIS IS TRUE OF MANY AMERICAN JEWS AS WELL. MANY ARE SURVIVORS OF THE HOLOCAUST OR THEIR DESCENDANTS. MANY HAVE GIVEN TIRELESSLY IN EFFORT AND MONEY TO THE ZIONIST CAUSE. THE REFORM AND CONSERVATIVE RABBIS HAVE LED IN THESE EFFORTS. THEY DESERVE BETTER THAN TO BE INSULTED.

IT IS DIFFICULT TO ENVISION HOW JEWISH SUPPORT FOR ISRAEL IS TO REMAIN STRONG AND UNIFIED IF THE PROPOSED CHANGE IS ALLOWED TO COME TO PASS.

IT SHOULD NOT HAVE COME TO THIS. THE STORM CLOUDS HAVE BEEN ON THE HORIZON FOR SOME TIME. AMERICAN JEWS, REFORM AND CONSERVATIVE, HAVE NOT BEEN VIGOROUS ENOUGH IN THEIR PROTESTS AGAINST WHAT IS ABOUT TO TAKE PLACE.

NOW WE CAN NO LONGER BE QUIET AND CAREFUL AND PATIENT. THE LIKUD PLAYS HARDBALL. IT IS THE ONLY GAME THEY UNDERSTAND. IF WE WANT TO BE SUCCESSFUL, WE MUST PLAY THEIR GAME.

WE SHOULD:

- (1) MOBILIZE ALL REFORM AND CONSERVATIVE CONGREGATIONS.
- (2) INVOLVE THE UAHF AND ARZA IN THIS RENEWED ALL-OUT CAMPAIGN.
- (3) INVOLVE THE SUPPORT OF THE AMERICAN ORTHODOX COMMUNITY TO WHATEVER EXTENT POSSIBLE.
- (4) PUT PRESSURE ON THE JEWISH COMMUNITY FEDERATION--"MONEY TALKS."
- (5) GET THE MESSAGE OF A UNITED AMERICAN JEWISH COMMUNITY, DEADLY SERIOUS, AND UNALTERABLY OPPOSED TO THE PROPOSED CHANGE, TO ALL SEGMENTS OF ISRAEL'S POLITICAL SPECTRUM--AND GET IT THERE IN A HURRY.

SINCERELY,

HARALD MILLER



CRC Backgrounder

The Jewish Community Federation of Cleveland

Dear Friend:

The recent actions of the Palestinian National Council in Algiers has led to a degree of confusion in both the general and Jewish community. We hope that this background paper will help clarify the issues. As always, feel free to call us at the Federation if you have any questions.

Sincerely yours,

Albert H. Demb, Chairman
Community Relations Committee

Joseph M. Shafran, Chairman
Israel Task Force

PALESTINIAN NATIONAL COUNCIL MEETING IN ALGIERS

Were the decisions reached at the Palestinian National Council's meeting in Algiers an indication of positive changes within the PLO or continued rejectionist policies obscured by positive-sounding language?

While those actions did not recognize the existence of Israel -- Arafat refused to do so when asked point blank several times -- the announced acceptance of UN Resolutions 242 and 338 as a basis for further discussion, has been seen by some as a step towards recognizing Israel. If true, that would be a significant step toward peaceful resolution of the Israeli/Palestinian conflict. The U.S. and Israel would welcome dialogue and negotiations with any Palestinian entity which would credibly seek peace, recognize Israel's right to exist, and renounce terrorism.

However, the United States and both major parties in Israel have reacted with justified caution and skepticism, because of these elements:

1. The PLO has still not explicitly recognized Israel's right to exist.
2. Once again the PLO has qualified acceptance of 242 and 338 by requiring that all other relevant UN resolutions remain in force. That includes numerous anti-Israel resolutions.
3. A unilateral declaration of a PLO state could serve to substitute for and circumvent all-important negotiations.
4. The PLO has not changed its policy of setting up an independent state as a base from which to seek the dismantling of the State of Israel.
5. There has been no change in those provisions of the PLO Covenant which call for the destruction of Israel.
6. The rhetorical renunciation of terrorism is not credible when coupled with Arafat's comment that terrorism within Israel can still be pursued, and with the cynical presence at the meeting of Abu Abbas, the convicted and non-repentant murderer of an American citizen.

Until the critical elements above are credibly repaired, the PNC actions in Algeria cannot be viewed as the actions required for peace nor even as significant first steps toward negotiation.

Rather, without the repair of those elements, the PNC's actions should be seen as a tactical move to pressure the United States government to change its longstanding policy and to deal directly with the PLO. It is also designed to encourage the U.S. to press Israel for dramatic concessions in place of serious negotiations. Peace does not lie that way.

U.S. POLICY TOWARD THE PLO

Our primary concern as American citizens should be the United States government's response to the PNC's actions. If the PLO were able to drive a wedge between the U.S. and Israel over the Israeli/Palestinian conflict, it would be harmful not only to American-Israel relations and Israel's security needs, but to the prospects for peace as well.

In 1975, the United States and Israel signed a Memorandum of Agreement which stated in part, "The United States will continue to adhere to its present policy with respect to the Palestine Liberation Organization, whereby it will not recognize or negotiate with the Palestine Liberation Organization so long as the Palestine Liberation Organization does not recognize Israel's right to exist and does not accept Security Council Resolutions 242 and 338."

Thus far, the United States government has responded to the latest moves with appropriate caution, but pressure to deal directly with the PLO may grow. The PLO tried to give the appearance that it has moved closer to meeting the United States' latter condition. However, by stating that 242 and 338 should be the basis of negotiations in conjunction with all other relevant UN resolutions and in the context of an international peace conference, the PLO has not met the requirement of outright acceptance of the resolutions. Indeed, George Habash, leader of the Popular Front for the Liberation of Palestine stated, "In my opinion, there's a great difference between recognizing Israel finally and officially, and accepting 242 and 338."

Furthermore, the PLO still has not explicitly recognized Israel's right to exist. Until the PLO nullifies those parts of its charter which call for Israel's destruction and renounces its intention to ultimately dismantle Israel, it cannot be viewed as having met the first condition.

The United States has also stated that an additional condition for direct U.S.-PLO contacts is renunciation of terrorism by the PLO. The PNC's renunciation of terrorism may be little more than playing a tune the PLO knows the West wants to hear. At the same time it renounced terrorism, the PLO endorsed armed struggle within Israel in the pursuit of liberation. Furthermore, the presence at the PNC meeting of Mohammed Abu Abbas, the mastermind of the Achille Lauro hijacking which resulted in the murder of Leon Klinghoffer, should cause great suspicion among all parties that the PLO now rejects terrorism. Abbas was quoted as comparing the killing of Klinghoffer to a motoring accident. It is "like driving a car," he said. "You have an accident on the way." He continued, with a half smile, "Accidents happen. Maybe he was trying to swim for it."

DECLARATION OF STATEHOOD

A declaration of Palestinian statehood with Jerusalem as its capital, based on United Nations General Assembly resolution 181, raises further questions about the sincerity of the PLO's latest steps. Resolution 181, the 1947 U.N. partition plan, was accepted by Israel at the time and has been rejected by the Arab world for 41 years. According to that plan Beersheba would have been in the Palestinian Arab state had not the Arab armies attacked the new State of Israel and rejected the plan. It is not serious to suggest that the clock can now be turned back to 1947.

Indeed the unilateral declaration of statehood may be a sign from the PLO that, in the wake of the intifada, it is not prepared to put forward a serious political proposal.

This declaration may instead represent implementation of the PLO's "strategy of stages" policy. That strategy calls for the destruction of Israel in stages. In the initial stage the PLO would establish a state in any part of the West Bank and Gaza that it could. In a subsequent stage the PLO would, by using the initial state as a base, seek the destruction of the State of Israel and the establishment of a Palestinian state in its place. Until the PLO formally and unambiguously repudiates its "strategy of stages" policy, Israel and its allies have every reason to regard the potential establishment of a Palestinian state as a threat to Israel's existence.

SUMMARY

It is important that members of the Jewish and non-Jewish community, along with our government officials, continue to distinguish between new PLO propaganda tactics and a change in basic policy. The former will only make prospects for peace dimmer, the latter could help revive the peace process. We should make these points at every opportunity.

We are all anxious to see an end to the Israeli/Palestinian conflict. At the same time, if governments and people are swayed by unilateral declarations and ambiguous PLO rhetoric which sound positive but are not indicative of any fundamental changes, peace prospects will suffer.