

FORUM II

Jewish Public Policy: Its Unexamined Premises

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Albert Chernin and I entered the community relations field when the issues we dealt with were much clearer and simpler. In the period from roughly the end of World War II until the mid-1960s, it was comparatively easy to distinguish the "good guys" from the "bad guys." We dealt with such issues as the lynching of blacks; the battles of Martin Luther King Jr. to overcome institutional segregation and voting rights violations; prejudice and discrimination directed overtly against Jews; and an officious, Anglo-Protestant culture that forced very distinctive Christian patterns of prayer and Bible reading on our children in public schools.

It was an era, however, of high hopes and ideals. World War II had ended, and the opening of the death camps in Nazi-occupied Europe illustrated to many the inexplicable horrors brought about by racial injustice. We set out with Christian friends and allies to grapple with racial and religious injustice on a wide variety of fronts. We believed in those innocent days that all things were possible. A United Nations had been put in place, and we had high hopes that, through it, it would be possible to wipe out war and other forms of social and economic injustice. Indeed, we were successful in pioneering through legislation and litigation a new climate of civil liberties and civil rights. Jews were in the forefront of progressive change. I have called this period in a book I wrote some years ago, "the Golden Age of American Jewry."

It was also an "Age of Innocence." The liberal and left formulas of our immigrant and Socialist youth reigned. Assimilation in a period of sharp upward mobility was our guiding star, and indeed the battle for social justice and the elimination of barriers against Jews and other minorities came to be seen as a definition of Judaism itself. So we engaged in vast educational programs; filed our briefs before the Supreme Court on civil rights and church-state issues; lobbied for civil rights legislation on local, state, and national levels; and later supported poverty programs. Jews joined enthusiastically in the anti-Vietnam war movement and in efforts to assure peace and disarmament. Some even called for unilateral disarmament.

Several forces came into play in the mid-1960s that were to change the "Golden Age" of American Jewry into an "Age of Anxiety." The first was the transformation of the civil rights revolution into a race revolution. This transformation gave rise to black nationalism and a parade of anti-Semitic incidents that have continued regularly to the present time. We recognized that the liberal, social, and economic gains for which Jews had fought so hard did not necessarily solve all the problems that Jews and others faced. The Six-Day War brought home to many of us that the place of Jews in the world was always very precarious. This was underscored by an aggressive Soviet Union that with messianic zeal sought to make the world safe for Communism through the use of brutal, military force.

At the same time, the 1960s brought with it an enormous expansion of freedom and opportunity for individuals in the Western world. This expansion, however, was accompanied by a breakdown of tradi-

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tional norms and values that had provided the glue that had held our society together. Whether we recognized it or not, it was on these norms and values that we as Jews had built our extraordinary postwar economic successes and greater integration into American society. During the 1960s, we witnessed the growth of new patterns of sexual morality, and a sharp rise in crime and violence, family dislocation, drug abuse, and other social pathologies. In some respects this "new paganism" poses some of the most serious threats to Jews and the broader society.

We can trace to this period also the beginning of a shift in positive attitudes toward Israel. Many of our former church, liberal, and black allies no longer saw the Jewish state as the bright hope it once was and indeed as the national liberation movement of the Jewish people. Some came to view Israel as an outpost of Western imperialism in the Middle East. A number supported Arab countries—including, oddly enough, oil-rich sheikdoms—because they were seen as representing "oppressed peoples."

How has the Jewish community responded to these newer challenges in recent years? My own sense is that many of us have remained philosophically and programmatically rooted in the formulas of our immigrant past. It is for this reason that this article is titled "Jewish Public Policy: Its Unexamined Premises."

I have been concerned for some years by the difficulties that our Jewish communal agencies have had in dealing with these changes—the transformation of the civil rights movement, the breakdown of traditional norms, and the erosion of support for Israel. We have failed to recognize and grapple realistically with the necessity for strong national defense policies; the rise of left-wing, Third World currents in many parts of the globe and the threat they have posed to Israel; the growth of black anti-Semitism and increased hostility, especially among younger and better educated blacks to Israel; the pallidness of our own oppo-

sition to racial preferences in affirmative action programs; and the rigidity of our adherence to formulas of church-state separation at a time of major breakdown in societal norms and values.

One of the factors that has shaped my thinking has been the reluctance of Jewish communal agencies (and by this I mean our religious bodies and civic organizations) to support strong national defense policies at a time when the Soviet Union was a clear menace both to ourselves, our friends and allies, and to Israel, which was and is so desperately dependent on a militarily strong America. Fortunately, organizational Jewish views did not prevail. A wiser and less utopian American public turned to those political forces that recognized that a strong defense and support for our allies were vital to Jewish and national interests. I believe that it was these policies, including the placement of American missiles in Western Europe, that brought Soviet President Mikhail S. Gorbachev to the peace table even as his economy was deteriorating at home. Yet, by and large, Jewish communal leadership was not in the forefront of leadership on this issue.

I have some reservations about Jewish public policies in other areas as well. I have been concerned for some time by the weakness of our responses to certain excesses of the civil rights revolution even as I endorse efforts to restore the frayed ties between blacks and Jews and to rethink the ways in which we can make progress for those who are locked into poverty and continued discrimination.

Many of us became aware in the 1970s and 1980s of the rise of black anti-Semitism. A focal point of that infection has been the activities of Louis Farrakhan. This past summer Farrakhan visited Philadelphia and spoke at the Civic Auditorium to a crowd of 17,500 people. It is not easy to deal with Farrakhan's mixed message of self-improvement and fighting drugs and crime that is liberally laced with anti-Semitism. However, we have not done enough to urge more moderate blacks and black poli-

ticians to place a wall of separation between themselves and this demagogue. Nor do I see us expanding our programming sufficiently on the campus where Farrakhan has made serious inroads in recent years.

Curiously, at a time when the issue of black anti-Semitism and anti-Israel feeling has begun to emerge so forcefully, our research efforts have ground to a halt. There has been virtually no comprehensive polling undertaken by our agencies since the late 1970s and early 1980s on the subject of black attitudes to Jews and to Israel. In our concern to improve relations between our two groups we have been "pulling our punches" on this thorny issue.

For many years, one of the cardinal principles of Jewish community relations was our strong opposition to quotas. This opposition derived from our own experience with this pernicious device of discrimination in the 1920s and 1930s. So strong was this opposition that as our friends in the civil rights movement turned increasingly to the use of racial preferences, such organizations as the Anti-Defamation League, the American Jewish Congress, and American Jewish Committee did indeed go into the courts to challenge them, most notably in the Bakke case.

Yet, when black and liberal opposition arose to our challenge of racial preferences, we seemed to back off. Indeed, some of us have spent a great deal of time explaining that, although we remain opposed to racial quotas, we support goals and time-tables as if they were not a way of institutionalizing racial preferences. We have left it to the courts, unencumbered for the most part by the Jewish briefs that were so much a part of earlier civil rights struggles, to dismantle racial preferences. Indeed, in the past year the Supreme Court has handed down a group of decisions that have struck a major blow against set-aside and other quota-like affirmative action programs. Although I think the Supreme Court went too far on certain points and some remedial legislature is necessary, I view with dismay the aggressive support

that Jewish civic agencies and religious bodies have given to the Kennedy-Hawkins bill. I believe our efforts, for example, to overturn legislatively the Wards Cove decision does damage to the need to continue our vigorous battle against racial preferences. In this decision, the Supreme Court ruled that having disproportionately few members of a minority group as employees of an institution did not create a presumption of discrimination that the employer must rebut. The danger of previous rulings was that an employer faced with such a statistical disparity would often turn to the solution of imposing a quota, rather than be faced with litigation and charges of racism. We should continue our support of affirmative action programs that do not give rise to quota-like responses.

In our eagerness to improve black-Jewish relations and contribute to the solution of urban problems, we have weakened our ability to respond to racial extremism. We have been among the strongest critics of racial apartheid in South Africa, particularly the denial of the right of blacks and "coloreds" to vote *as we should be*. Yet, only 4 of the 45 countries in Africa presently grant their citizens the right to vote. Moreover, human rights violations in most of these countries, as reflected in the large-scale violence directed against citizens and dissenters, cry out for a response from world public opinion. We have remained strangely silent here and have focused only on South Africa, which has begun to make some moves toward racial change. I am curious about the selectiveness of our outrage even as I am troubled by the selectiveness of certain countries' attacks on Israel for alleged human rights transgressions.

Even as we take great satisfaction in the possibilities for racial change in South Africa we have muted our concern about the anti-Jewish utterances of Archbishop Tutu and Nelson Mandela. (Mandela had remarked, "There are many similarities between our [the African National Congress] struggle and that of the PLO and that if the truth alienates the powerful Jewish

community of South Africa, that's too bad.") The *National Jewish Post and Opinion* not long ago carried a brief item indicating that a major American Jewish religious body was planning to present Mr. Mandela with an award when he came to the United States. Later the group declined to give the award. Before Mandela's visit to the United States, Jewish leaders met with him and reportedly came away "pleased" with his responses even though his apology for earlier statements applied only to the pain these statements gave Jews. Once in the United States he reiterated his support for the PLO and Kaddafi.

It is clearly important for Jews and Jewish organizations to play a role in helping remedy racial injustices in our communities and abroad and easing black-Jewish tensions. Yet, it is no contribution to intergroup relations if our involvement means we back away from guarding direct Jewish interests and concerns.

Even our sincere desire to make a contribution to the solution of today's urban problems remains essentially rooted in the dogmas of our immigrant past. This can be seen in our continued reliance on government as the major vehicle for these solutions. As we cling tenaciously to the older formulas, we ignore a body of progressive ideas that have been advanced in recent years by such newer voices as Clint Bolick, Robert Woodson, Shelby Steele, and others. They have advocated educational vouchers for the poor, urban enterprise zones, tenant ownership of public housing, and removal of government barriers to upward movement of the poor by overturning such barriers as the Davis-Bacon Act. This Act, signed into law in 1935, requires that government contracts be let only at prevailing scales, which means union rates. This legislation made sense in 1935 when unions required government support. Yet, such a requirement today often bars the poor, especially minorities, from breaking into areas of work that unions now monopolize. It will shortly be challenged in the courts. I regret that we

are not even discussing such important "civil rights" initiatives. In addition, the leading teachers unions, which have strong Jewish memberships, are among the major forces resisting any experimentation with "choice" in education. I have often wondered why Jews, who like to pride themselves with being at the forefront of new ideas, are so conservative.

Let me discuss another area where we should review our unexamined premises: the meaning of the separation of church and state *today*. After the end of World War II, it was necessary for the Jewish community to fight for the prohibition of the reading of the Christian Bible, prayer, and other Christian practices in the public schools. With our long history of religious persecution, it was not surprising that community relations organizations took the lead in a series of litigative moves that effectively changed the landscape of church-state relations in this country.

We have reached a point, however, where the courts not only have barred Christian practices in public schools but have also eliminated any form of religious expression in the public area. Although historians may disagree about what the Founding Fathers had in mind when they created the First Amendment to the Constitution, as a historian, I agree with the view of Jonathan Sarna of Brandeis University. In a recent study for the American Jewish Committee he reported that, for much of American Jewish history, the Jewish community was *not* in favor of the removal of religion from the public arena. Until the late nineteenth century the Jewish community fought primarily against any special disabilities directed at Jews or other dissenters, such as the requirement of a number of states that persons elected to public office take the oath of office on the New Testament. Seeking equality of treatment for all religious groups is very different from removing the influence of religion from virtually any aspect of governmental behavior.

We now find in a period of social frag-

mentation that major Jewish groups exult when the Supreme Court rules that the Ten Commandments must be removed from public school walls. What a triumph! The arguments for the removal of religion are familiar ones. We fear the camel's nose in the tent or that we will slide down a "slippery slope" toward being governed by a hostile religion. Under the Elementary and Secondary Education Act, government funds were made available to private and parochial as well as public schools for children who suffer from poverty and emotional and psychological handicaps. Yet, remedial aid is barred from being delivered directly on the premises in parochial schools because it is seen as a violation of the separation principle. I wonder how we can endorse such a narrow-minded and illiberal reading of church-state relations.

Here I must raise the issue presented by Richard Neuhaus in his book, *The Naked Public Square*. Neuhaus argues that since our society requires transcendence in some form—that is, the need to find some values higher than the grubby details of day-to-day living—a dangerous vacuum is raised when religion is banned from areas of government involvement. In such situations, the vacuum is invariably filled by political forms of religion, whether they be fascism or Communism. The United States is not yet in the position of Weimar Germany before the rise of Adolf Hitler, but certainly we can see some startling similarities. Can religion and religious values be brought into the battle for a more orderly and just society today? We need only recall that we fully supported Martin Luther King Jr. and other black ministers who, operating within a religious framework, led the fight for governmental action against racial injustice in the 1960s. Today, we are no longer probing the need for religious values in the struggle to solve societal problems.

Not only are we not probing that need but our rigid and essentially unexamined public policies have also contributed to the vacuum into which right-wing zealots

have leapt with great success during the last quarter of a century. This is deeply troubling to those of us who would like to see Jewish leadership assume a role in dealing with contemporary problems in the way we helped to shape earlier social welfare and civil rights movement policies.

In discussing one final issue—abortion—I must be a bit personal. Sometime ago, my daughter-in-law was told she was carrying twins. Under these circumstances, physicians watch the fetuses more closely through ultrasound films. So we began to see pictures of the twins very early on. Quite early in the pregnancy we were able to see that one child was a boy and the other a girl. In fact, so distinct was their physiognomy that my wife and I began to jokingly ask whom they each resembled. Pregnancy does involve real human life. Although I do not share the Roman Catholic Church's position on abortion, the reverence for life from which it stems is worthy of respect and perhaps should be a starting point for more moderate discussion, rather than slogans such as pro-choice or pro-life, which often replace thought. Can Jews be helpful in developing such a discussion? I think that by and large we have tended to add only to the din.

Am I calling for a withdrawal from traditional forms of Jewish and American liberalism and the movement to a defensive posture on the part of Jews, a sort of circling the wagons against many of the unhappy currents that flow around us? No. I am advocating a redefinition of an older liberalism about which we can be very proud and the conversion of it to a more realistic understanding of Jewish and American interests and public policies as we move into the 1990s.

Adhering to the body of Jewish attitudes and public policies that Albert Chernin and I found in place when we began our careers as young Jewish community relations professionals does not go far enough. We need to move beyond them. I am very proud of what we accomplished in Jewish community relations over the years. I be-

lieve we took an incomplete democratic idea and made it fuller and more meaningful—for ourselves and, increasingly, for larger bodies of our fellow citizens. The time has come, however, when Jewish groups should move beyond our earlier accomplishments—to be once again a lamp

unto the nations—and to find newer and better ways of serving both the Jewish community and our fellow citizens. We cannot do so, however, until we open our minds to the unexamined premises of Jewish public policies today.