

# **RENEWING THE JEWISH SOCIAL CONTRACT**

**Bridging the Religious-Secular Divide**



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# Preface

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Recently, many Jews committed to Jewish communal involvement and education have suggested that the collapse of the Oslo Process, the unexpected wave of anti-Semitism in Europe, continued suicide bombings in Israel, and the 9/11 atrocities in the United States collectively are cause to suspend discussion on the internal Jewish disunity and fragmentation. In this view, internal disputes on the nature of Jewish identity, defining the Jewishness of the Jewish state, and providing real meaning to the concept of Jewish peoplehood need to be deferred in the name of overarching communal unity in a time of crisis and distress.

Although these observations may well prove accurate in the short term, they do not obviate the very real clashes within Israel and the Jewish people: contrasting and even mutually exclusive definitions of Zionism, peoplehood, the relationship of Judaism to democracy, the Jewishness of Israel, and even the very definition of who is a Jew.

The Koppelman Institute on American Jewish-Israeli Relations has long been active in seeking to build bridges between the world's two largest Jewish populations. Underlying that bridge building is the philosophical concept of Jewish peoplehood and ascertaining what it actually can mean in a world in which divisions between Jews are so manifest.

Last year, in what may have been a rare moment in recent Jewish history, several dozen Israeli intellectuals and communal leaders attempted a restatement of the social contract among the Jewish people through the widely-cited Kinneret Agreement. The Agreement itself is printed within this report. (*See page 56.*) Essentially, it defines Israel as the national homeland of the Jewish people, insists upon a democratic and Jewish Israel, and calls upon all parties to maintain a social contract as legal citizens of a Jewish state, while recognizing that different groups and individuals have widely varying definitions as to what terms like democracy, Jewish state, and peoplehood actually connote.

Public reaction to the Kinneret Agreement was both swift, and to some extent, polarized. Some deemed it historic. Others questioned how a social contract could even be envisioned absent participation of Israeli Arabs in the deliberations. Others felt that ultra-Orthodox participation in such a "pluralist" body was forbidden *ab initio*.

These types of criticism at times threaten to abort an important process before it receives the careful consideration it in fact merits. To catalyze further discussion on the Kinneret Agreement, and, more importantly, to probe both its strengths and weaknesses, we invited approxi-

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mately a dozen serious Jewish communal thinkers and scholars to participate in a written symposium on how to rebuild the social contract among Jews.

More specifically we put before them the following questions:

1. How does the contemporary reality of Israel change the meaning of Jewish peoplehood and the nature of Israel-Diaspora relations?

2. The Kinneret Agreement presupposes no conflict between a Jewish state and a democratic one. Both characteristics are considered to be nonnegotiable. Can this duality, in fact, coexist harmoniously with respect to the laws of personal status, Shabbat and dietary requirements, and the ever-increasing Arab population within Israel?

3. What changes, if any, do you see as necessary to reach a social compact among Jews? In what ways do the religious community and its leaders need to modify behavior and in what ways does secular Israeli society need to change in order to realize a sense of commonality of peoplehood among Jews and shape a Jewish state that preserves both its Jewish character and its liberal values?

Enclosed are the responses of eleven of our respondents. They represent some of the most profound voices in Jewish life, including the current president of Hebrew Union College and leading public intellectuals, writers, and commentators. Significantly, most of the Israelis included in this publication are of American origin. Native-born Israelis were invited to participate, but most declined. Our hope is that future published materials will address these issues from perspectives that include additional sectors of Israeli society such as Sephardim, Russian immigrants, and Ethiopian Jews, as well as the more traditional sources of intellectual leadership, e.g., the kibbutzim.

The mood underlining these essays is moderately optimistic. Although almost every author takes issue with one or another of the proposals of the Kinneret Agreement, most, but not all, suggest that the document marks an important step toward renewing a Jewish social contract. In that sense, perhaps the most encouraging aspect of the Kinneret Agreement is the willingness of all sides to recognize an Israel

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broader than any single group but with claims upon all. Only the recognition of an Israel greater than the sum of its parts, commanding the allegiance of Jews everywhere, can cement ties within the Jewish people and prevent further fissures. Whether the Kinneret Agreement in fact heralds a new ethos within Israeli society or is limited to a transient footnote in contemporary Israeli history, only time will tell. In the meantime, the agreement and discussion it spawns provide reason for optimism.

Similarly, political developments in Israel provide some cause for hope. The most recent election resulted in a government in which both the National Religious Party and the Shinui Party are coalition members. Although it is much too early to assess the prospects of the new coalition, the very fact of its existence promises, at a minimum, to be a check upon further polarization. Conversely, a coalition in which working partners develop a positive relationship may, indeed, nurture the type of social contract envisioned in the Kinneret Agreement.

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# Judaism, Democracy, and the Israel-Diaspora Connection

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*By Arnold Eisen*

As a professor of modern Jewish thought, I am struck that the fateful events which have overtaken the world as a whole during the past two years, and which seem to threaten the Jewish people in particular, have called into question the very ability of Jewish thought, and perhaps *any* thought, to comprehend the immense challenges we now face.

On the one hand, our two main tasks as a people, above and beyond mere survival, remain what they have been for some time, both in Israel and in the Diaspora. We need to imagine new sorts of Jewish communities, here and there, that can prove adequate to the changing conditions in which we find ourselves. We also have to provide interpretations of Jewish tradition authentic and compelling enough to secure and retain the allegiance of Jews who are exposed to many other traditions and are free to choose many other paths.

The problem, however, is that now and for the foreseeable future we will have to pursue these goals in circumstances that render both of the options for survival and thriving available to modern Jews insecure. Assimilation and a newly vibrant (or newly visible) anti-Semitism pose obvious and serious challenges in the Diaspora. The risks to Jewish statehood are, of course, no less obvious, and no less real. It is clear, at a moment when much is not clear, that large sections of the Arab and Muslim worlds, including many Palestinians and their leaders, are not yet prepared to come to terms with the existence of a Jewish political entity inside territory they claim as their own. More disturbing still—I write this cautiously—it is not clear that the nations of the West, Christian and post-Christian, are prepared to do what is required to guarantee the existence of a Jewish state among the family of nations. They have accepted Jews as victims. But many have not yet come to terms with a Jewish state that projects power in the world, at times frustrating their perceived national interests. We will have to proceed without their blessing, and often in the face of their vocal opposition.

## The Need for Honest Conversation

It is, in short, a sober time. One wants to focus on the agenda, to direct energy to the two tasks above and beyond survival, but anxiety about survival and even real fear for the future are never far from consciousness. Honest conversation about the issues and anxieties which perplex us,



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conversation both *among* American Jews, and *between* Israelis and American Jews, is urgently needed. And we have not been doing a terribly good job of holding such conversations of late. The Jewish world lacks appropriate forums in which they can take place, and we have the added problem, especially now, that fear stifles honest debate. We are afraid that the wrong answers to the questions we share may lead to our destruction, so all too often we shout down those other answers, refuse to listen to them, particularly when we also fear that honest airing of critiques in public will be misinterpreted by the media or by politicians and decision-makers, and so come to serve our enemies. A lot of what most needs saying goes unsaid because it is so hard to find Jewish spaces not transparent to public view. We pay a price for this as a people in the lost power and creativity of Jewish imaginings—this when the mutual needs, responsibilities, and shared fate of roughly 40 percent of the Jewish people who live in America require each other's most serious Jewish thinking, now more than ever before.

The Kinneret Agreement bears witness to the possibility and productivity of honest Jewish conversation; it offers evidence, too, of what serious Jewish thought can accomplish when applied to the intractable problems we face as a people—in this case, the achievement of a truly democratic, and vitally Jewish, State of Israel. The agreement would have been significant if all it had done was proceed from the ringing affirmation (point I) of “the State of Israel as the national home of the Jewish people,” a “supreme and existential necessity” possessed of “complete moral justification,” to the no less unequivocal affirmation (point II) that the state is established as a democracy, “guaranteeing full equality of rights to all its citizens.” The State of Israel (point IV) “is a Jewish-democratic state.”

But the Declaration goes much farther. Its forceful statement concerning respect for “the rights of the Arab minority” (point V) notes that “vigorous and immediate action is called for in order to bring about the fulfillment of the principle of civic equality in practice,” and it promises that Israel will “ensure the rights of the Arab minority”—as a group, and not only as individuals—“to maintain its linguistic, cultural and national identity.” This is strong stuff. “The Jewish character of the State of Israel,” which the agreement reaffirms in no uncertain terms, “will not serve as a excuse for discrimination between one citizen and another.” Rather Israel, even as it defends itself against its enemies, sees

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itself (point VII) as “home to many communities, a society of many aspects, of Jews and non-Jews.”

The diverse signers of the agreement, from the political or religious right and left, have affirmed—correctly, to my mind—that there is no contradiction among these various commitments, and particularly no contradiction between the two most fundamental elements of Israel’s character as both a Jewish and a democratic state. I assume they would admit that tension between the two elements is and will remain inevitable, played out in disputes such as which public accommodations can be open on the Sabbath and who gets to define Jewishness, according to what criteria. We underrate the immense possibilities of Israel, I think, if we deny that tension, or too easily proclaim it an utter and unbridgeable contradiction. The nation-states of the world have configured democracy in a variety of ways, and the world’s democracies variously employ state resources to further cultural, ethnic, and religious goals. It is not helpful to Israel, or to our relation to it as American Jews, to assume that the United States offers the only model of democracy, of the relation between state and culture, of the protection of group interests, or of church-state relations. Nor do we do Israel a service in demanding that it be “a Jewish state” only, rather than a “Jewish democratic state,” all the less so when we imagine the state’s Jewishness exclusively in ways congenial (or immediately recognizable) to ourselves.

The Kinneret Agreement, in my view, not only calls upon Israeli Jews to work through their differences in a spirit of national reconciliation born of a recognition of national emergency. It also implicitly challenges Diaspora Jews to think beyond our own conceptions of Judaism and democracy toward new possibilities that will only emerge from the very tensions which are at present so discomfiting. I take it that part of what motivated the Kinneret participants was the sense that the Zionist revolution has transformed the very notion of Jewish national responsibility. We, the Jewish people, are now responsible for a state, meaning that we are in varying degrees responsible for the welfare of all the citizens of that state, Jewish or not. Diaspora thought in the past two millennia never had to deal with such a reality, and arguably did not, or has not—though, of course, there are relevant halakhic precedents and fragments of Jewish political theory. Many American Jews remain uncomfortable with any robust sense of Jewish peoplehood, and even deny obligations to fellow Jews that go beyond obligations to fellow citizens or fellow

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human beings as such. That does not bode well for Israel-Diaspora relations. To relate to Israel as it actually exists at this moment, and not only to the “mythic Israel” of our dreams, means to aid the Kinneret effort of national responsibility in any way we can: politically, of course, and economically, but also with all we can bring to the conversation it has furthered. That includes not least our honesty, our experience with multicultural democracy, and the manifold ways we have developed of living and teaching Torah among Jews and Gentiles.

It is a sober time. Serious Jewish thought in our day begins with that recognition. But it is far from a hopeless time, and the fact of this agreement has, at least for me, made the present moment significantly more hopeful than it would otherwise have been.

# Herzl and Ahad Ha'am Revisited

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By David Ellenson

In considering the questions posed by this symposium, it is instructive to recall the positions put forth by Theodor Herzl and Ahad Ha'am, as the thoughts of these two classical architects of Zionism provide a context that allows for judicious responses to the very difficult and complex dilemmas that have been presented.

## The Classical Zionisms of Herzl and Ahad Ha'am

Herzl, the foremost proponent of political Zionism, advanced the notion of *shelilat ha-Golah*, "the negation of the Diaspora." He sought the creation of a Jewish state as a practical solution to the unfortunate reality of anti-Semitism. Herzl advocated the end of the Diaspora because he simply did not believe that Jews could live lives of dignity and safety outside the borders of a Jewish state. According to his reckoning, there would ultimately be no need for Israel-Diaspora relations, for he envisioned the day when all Jews would come to dwell in the yet-to-be-born Jewish state. He believed that Jews and Gentiles alike would come to a common recognition that a Jewish nation alone would solve "the Jewish problem," thus bringing an end to Jew-hatred. His vision was "messianic," one that would allow Jews to achieve "normalcy" through the establishment of a state erected in accord with universal liberal values.

Ahad Ha'am, as the father of the cultural stream of Zionism, held a view of Jewish existence distinct from that of Herzl. He adopted a more measured stance concerning the role that Israel would be called on to play in the ongoing life of the Jewish people. Ahad Ha'am held that a modern Jewish settlement in *Eretz Yisrael* (the land of Israel) would host an organic Jewish culture where Hebrew would be spoken and where the citizenry would be informed by both the rhythms of a Jewish calendar and the millennial-old culture of the Jewish people. This settlement would constitute a *merkaz ruchani*, "a spiritual center," that would breathe life into the Diaspora, thereby resuscitating the Jewish people worldwide.

While the differences between the Zionist dreams of Herzl and of Ahad Ha'am were considerable, there was also a great deal of overlap in their thinking. Both wedded notions of organic nationalism with liberal universalistic values, and each emphasized the centrality of Zion in Jewish life. Although Herzl negated the Diaspora entirely, Ahad Ha'am



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would not grant the Diaspora equal status with that he accorded Israel. *Eretz Yisrael* was the focal point of Jewish existence. The Diaspora occupied satellite status.

### Babylon and Jerusalem

While there is much of enduring import in the thoughts of both these men, neither offered visions of Jewish existence that are fully adequate to meet the needs of the Jewish people in Israel and the Diaspora today. As we turn to the present-day meaning of Jewish peoplehood and Israel-Diaspora relations, the more holistic model of Jewish life advanced by the late Shimon Rawidowicz is more compelling. In his classic essay, “Babylon and Jerusalem,” Rawidowicz argued that the Jewish community in *Eretz Yisrael*, symbolized by “Jerusalem,” and the Jewish community in the Diaspora, symbolized by “Babylon,” were indispensable parts of a single whole. We Jews today no longer deem acceptable Herzl’s notion of “the negation of the Diaspora” nor should we employ the image of “center” and “periphery” as did Ahad Ha’am to capture the nature of the relationship that ought to obtain between Israel and the Diaspora. Instead, we should adopt Rawidowicz’s figure of an “ellipsis” to represent and inform the contemporary connection marking the bonds between the Jewish community of Israel and the scattered Jewish settlements of the Diaspora.

An ellipsis has neither beginning nor end, neither center nor periphery. It is a seamless and indivisible whole that aptly captures the fullness of Jewish peoplehood. Through its emblematic insistence upon “Jerusalem,” Rawidowicz’s ellipsis emphasizes the absolute indispensability that the State of Israel possesses for any present-day notion of Jewish peoplehood. At the same time, the figure of the ellipsis reminds us that Jewish life in the Diaspora, as represented by “Babylon,” is a permanent part of Jewish peoplehood as well. The Jewish community dwelling outside the borders of Israel is integral to *Keneset Yisrael* (the community of the people Israel), and the Diaspora can and does make cultural and religious contributions of inestimable importance to the richness and diversity that comprise Jewish life.

Jews worldwide should recognize this truth, and acknowledge that Jews living in the State of Israel and the Diaspora—as both the past and present demonstrate—possess a shared destiny and fate. Our contemporary discussions of Jewish peoplehood and Israel-Diaspora relations should be guided by this conception of Jewish life and history.

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## Nationalism and Liberal Universalism Today

The classical Zionisms of Herzl and Ahad Ha'am were constructed upon the belief that there was an easy linkage between organic nationalism and liberal universalism. While such connection must be preserved, it is not an easy task in an era when the state continues to rule over one million plus resentful Palestinian Arabs who dwell beyond the pre-1967 borders of Israel and when an ever-increasing Israeli Arab minority population justifiably demands that the state accord its Arab citizens equal rights and privileges. This situation is rendered even more knotty when Israeli civilians are subjected daily to the possibility of random suicide bombings that are purposefully designed to both terrorize and demoralize the civilian population of the Jewish state. This, in turn, compels the Israeli government to curtail civil freedoms, which are the routine hallmarks of a democracy, for many Palestinian and Israeli Arabs so as to preserve the public safety of its citizens. The challenge of maintaining a political order in Israel that simultaneously affirms both the Jewish and the democratic character of the state in light of these concerns appears almost insurmountable. Yet to maintain that these dilemmas are incapable of solution is to condemn the State of Israel to eternal conflict.

Israel must begin to resolve these issues by somehow judiciously extricating itself from areas that fell under its control after 1967 which are not essential for defense purposes. Unwanted Israeli rule over an ever-expanding Arab population in Judea, Samaria, and Gaza will cause the democratic character of the state to decay, inexorably leading it to become an apartheid regime. On the other hand, if this burgeoning Palestinian population is one day incorporated into the state, then Israel will lose its Jewish character. The maintenance of a Jewish majority is a *sine qua non* if Israel wishes to maintain its Jewish identity. Neither of these outcomes is acceptable if Israel is to retain its Jewish and democratic character.

In Israel proper, as the late chief Sephardic rabbi of Tel Aviv, Hayyim David Halevi (1924-98), phrased it, Israel must realize that "within a democratic nation there is no place for discrimination on the basis of religion and culture." Israel must promote "equal rights for every person," so that all its citizens enjoy full civic equality—including the Arab minority population that lives within the pre-1967 boundaries of the state. This cannot be attained if Israel maintains the classical vision of Enlightenment liberalism that informed the founders of the state. While



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the universalism inherent in such a vision extends rights to individuals qua persons, classical Enlightenment thought is incapable of recognizing and embracing the multiple forms of particularity in which persons are embedded. Instead, a modified Israeli liberal conception of citizenship must arise, one that would combine an insistence upon equal rights for all citizens as individuals, while affirming a brand of multicultural autonomy for groups.

### **Democratic Multiculturalism**

A number of political thinkers in Israel, as well as in other regions of the globe, have spoken over the last two decades of “democratic multiculturalism.” These women and men have contended that the state must protect the rights of minority groups to seek the preservation of their own cultures while simultaneously affirming the universal civil, political, and social rights of individuals. Combining the two principles of universal individual rights on the one hand and group-based minority rights on the other is not necessarily an inherently contradictory project, for a democratic political order need not require the state to be equally distant from all corporate groupings of its citizens, nor need a democratic order confine the state to the promotion of individual rights alone.

The American model of a completely neutral democratic state is neither appropriate nor desirable in an Israeli setting, where most citizens—Jewish and Arab alike—look favorably upon Jewish as well as Arab religious-cultural autonomy and expression in the public sphere. A notion of democratic multiculturalism would call upon the Israeli government to support Palestinian Arab autonomy in cultural, religious, and educational spheres, while allowing for the establishment of Jewish culture and religion in the public square for the Jewish majority.

Such democratic multicultural arrangements should be construed in an expansive manner: The religious pluralism that marks the Diaspora Jewish community as well as an increasing segment of Jews within Israel should receive governmental blessing. Such recognition will allow more secular Israeli citizens to view religion in noncoercive terms, and the tolerance that would accompany such a view would contribute to the democratic character of Israel. The promotion of non-Orthodox Israeli streams of Judaism would aid in alleviating many of the burdens imposed on so many people by the Orthodox monopoly that currently obtains in the areas of marriage and divorce. In light of the ethnic diver-



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sity and religious-secular divisions that characterize the contemporary Israeli Jewish community, the extension of democratic multiculturalism to the religious arena is a necessary development if Israel is one day to fulfill its mandate as a Jewish and democratic state for all its citizens.

# When Magical Thinking Will Not Suffice: Israeli Democracy, Israeli Arabs, and the Kinneret Agreement

By Daniel Gordis

Given the relentless terror in Israel and the resurgent anti-Semitism both in Europe and on American university campuses, it is not surprising that Jews around the globe are again asking themselves why the State of Israel is necessary, and what, indeed, it should stand for. For that reason, projects such as the Kinneret Agreement are potentially invaluable, and the American Jewish Committee deserves much credit for addressing this document with seriousness.

Unfortunately, however, despite its commendable goals, the final declaration fails to deliver the brutally honest strategic thinking that Israel needs. Indeed, the agreement reminds one of *Eretz Yisrael ha-yafah*, yesteryear's mythological (and unattainable) picture of an idealized Israeli society. Who could possibly disagree with any of the document's platitudes? But how do such consensus-making generalities advance our thinking in these critical hours?

I would suggest that Israel will ultimately be unable to sustain a commitment to three of the major values that the document endorses, namely: the Jewishness of the state, the equality of its growing Arab minority, and the state's democratic underpinnings. To argue otherwise, without offering some specific plan for curbing one of the three values, is to engage in magical thinking. And at this point in Israel's history, nothing could be more dangerous.



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## Three Competing Tenets

An analogy by way of illustration: In classical (if simplistic) theology, three basic claims are commonly made: (a) God exists and is all-powerful; (b) God is good; and (c) evil exists. But faced with the presence of evil in the world, one must deny one of the three claims. You can deny that God has power, or claim that God is evil. Others deny that suffering is "evil," since people only "get what they deserve." But logically, one cannot insist on all three tenets. The same is true of Israel. We would all like a state that is Jewish, democratic, and deeply respectful of its Arab minority; the question is, however, after an honest look, does that dream still seem realizable.

The agreement states that Israel is, by definition, a Jewish state (point III). The Jewish character of the state is to be reflected in a profound commitment to Jewish history and culture, in its connection with

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the Jewish communities of the Diaspora, in the Law of Return, encouragement of aliyah, Hebrew language as the primary language of the state, the centrality of the Jewish calendar to the rhythms of state life, and the primacy of Jewish symbols in its culture, among others.

At the same time, we are told that Israel must respect the rights of its Arab minority (point V, and elsewhere). But does the thick Jewish culture described in point III really leave room for a culturally thriving Arab minority? Why should Israeli Arabs feel any commitment to a society that not only gives primacy to a culture not their own, but is actually created *for the sake* of that other culture? When Pat Buchanan claims that the United States is a Christian country, despite the plethora of evidence to the contrary, American Jews feel threatened and disenfranchised. But in Israel, the situation is reversed; Israel is a Jewish state. It is, to paraphrase Lincoln's Gettysburg Address, of the Jews, by the Jews, and for the Jews.

In what meaningful ways, then, can Israeli Arabs truly be equal? They can (and should) be given equal access to housing, and equal budgets can (and should) be spent on their schooling and health care. But will they ever be full partners in this society? Could we ever expect them to be part of what Jean Jacques Rousseau called the "general will" (dependent upon a commonality of interests) or John Rawls described as "overlapping consensus," which, each maintained, lies at the core of liberal, democratic society? The very nature of the Zionist enterprise suggests not, but few Israelis have been willing to acknowledge that, and the Kinneret Agreement, unfortunately, does not move the conversation forward.

Though the Kinneret Agreement notes that the Israeli-Arab population is growing, it underplays the challenge this demographic reality presents. In fact, the Israeli-Arab population is growing at a much faster rate than is Jewish-Israeli society. Israel faces a virtually certain eventuality in which this marginalized and increasingly radicalized minority will become so large that it could influence the fundamental nature of the state and perhaps even undermine its basic Jewish character.

Were Israel not a democracy, the growth of the Arab population would be of less concern. But Israel is a democracy, and its democratic character is another one of the nonnegotiable qualities to which the agreement points (points II and IV). How, precisely, did the signatories of the agreement imagine that, as this intrinsically disenfranchised Arab

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population grows, Israel will be able to preserve its Jewish and democratic natures? The document sheds no light on this critical question.

### Tough Choices

Today, in the eleventh hour, we dare not delude ourselves. Painful though it may be for those of us who still cherish the liberal values on which we were raised, very tough choices will have to be made. The agreement (point IV) states that a substantial Jewish majority in Israel will have to be preserved, but “only by moral means.” What does that mean? What are our options?

Classical Zionism, of course, would suggest fostering increased Jewish immigration to Israel. But the reality is that there has never been a substantial immigration to Israel from countries where Jews feel secure, and most other Jewish populations have already come. Barring an unforeseen catastrophe in North America, one has to conclude that Jewish immigration to Israel is on the wane. Immigration, then, is no panacea.

Others opt for fascism. If dramatically increasing the number of Jews in Israel is not a viable option, and if lowering the Israeli-Arab birthrate is possible only in the long term, simple logic dictates that the only other possibility is the reduction in the number of Arabs in Israel. That conclusion is what has led to the distressing discussion of “transfer” in right-wing Israeli society. But because there is no place to which one might transfer Israeli-Arabs,<sup>1</sup> transfer is not practical. And because they would never leave willingly, “transfer” is a euphemism for “ethnic cleansing,” which is itself a euphemism. This, neither the Western world nor most Israelis will abide. Transfer is unacceptable.

Enter post-Zionism. Some Israelis propose a dramatic step in the opposite direction, namely, that Israel become *medinat kol eзраkheha*, a “state of all her citizens.” But this is shorthand for admitting defeat, for giving up on the Jewish character of the state, something that the agreement itself says is unacceptable and which twentieth-century European history makes unthinkable. Of the three equally nonnegotiable principles in question, the Jewishness of the state is, with apologies to Orwell, more equal. It is the point of the entire enterprise. Wholesale liberal democracy, therefore, is also not the solution.

What, then, to do? At least two other options remain, neither of them attractive. One is to recognize that the likely redrawing of Israel’s

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borders in the next few years presents an opportunity for public discourse not only on what land to keep, but on what land to yield. Painful though the thought is, perhaps Israel needs to consider giving to an emerging Palestinian homeland the “Galilean Triangle,” thus substantially reducing the number of Israeli-Arabs for the time being.<sup>2</sup>

This choice would be exceedingly painful for Israelis as well as for the Arab inhabitants of the area. But while lines would be redrawn, no Arab families would be uprooted. This is not transfer in another guise. Indeed, if anyone would have to be moved, it would be Jews. Undoubtedly, the Israeli-Arabs who would be “given away” to a Palestinian homeland—and presumably lose their Israeli citizenship—would cry foul; indeed, the “permissibility” of any such decision needs to be carefully evaluated according to the canons of international law and liberal democratic theory.<sup>3</sup> But given the brutal choices that Israel faces, this one *might* be the lesser of several evils.

Yet even this step would only buy time. Ultimately, assuming that aliyah is over and that the Arab birthrate will continue to be significantly higher than that of the Jews, Israel will have to ask hard questions about just what it means by “democratic.” Just as “moral” is a highly ambiguous term,<sup>4</sup> so, too, is “democratic.” Does Israel have to be a “liberal democracy” in the American sense? Are there limitations to Israel’s liberalism that need to be put into place to preserve Israel’s Jewish nature? These are the agonizing but potentially life-saving questions that Israel must now begin to debate rationally and honestly.

Will Kymlicka, whose liberal credentials need no defense, has argued that “the viability of [minority] communities depends on coercively restricting the mobility, residence, and political rights of both [the majority and minority].”<sup>5</sup> And Ruth Gavison of the Hebrew University, a leading Israeli civil rights activist, has noted that who the minority is in Israel’s case is not clear: “Jews may be the majority in Israel, but they are a small minority in a hostile region.”<sup>6</sup> What possibilities could creative political philosophy imagine to protect the Jewishness of the state without violating basic liberal political commitments?

Precisely because the Kinneret Agreement leaves us yearning for serious engagement with these questions, we are indebted to its authors. If this document, despite all that it does not say, propels this conversation forward, it will have contributed much to beginning a process that may yet save the Jewish state.

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1. Supporters of the notion commonly point to Egypt and Jordan as possible destinations, but neither Egypt nor Jordan is interested. And even if, under some currently inconceivable international solution, Egypt would be pressured into absorbing the Gaza Strip, and Jordan into taking the population of the West Bank, this would not have any impact on the status of Israeli Arabs, who are part of neither of those populations.

2. According to some estimates, the population of this area (inside Israel's pre-1967 borders) consists of approximately 350,000 Arabs and 50,000 Jews. Such a step, therefore, would reduce the Arab population by approximately one third, and the projected growth by at least that percentage.

3. Some Israelis have suggested an arrangement whereby settlers in the West Bank would continue to live in "Palestine" but possess Israeli citizenship, while Israeli Arabs could continue to live in Israel, but they would be given Palestinian citizenship in lieu of their Israeli citizenship. Proponents of this (admittedly problematic) solution argue that it is a fair embodiment of the original hope for "two nations for two peoples."

4. MK Effie Eitam, one of the signatories of the Agreement, and the leader of the National Religious Party, is on record as stating that he considers forced transfer "moral." Thus, it is clear that even the agreement's claim that a Jewish majority can be preserved "only by moral means" was understood so differently by the various people who signed it that it means virtually nothing at all.

5. Will Kymlicka, *Liberalism, Community and Culture* (Oxford: Clarendon Press, 1989), p. 146.

6. Ruth Gavison, "Zionism as It Was Meant to Be," *Jerusalem Post*, July 15, 2002 (Internet edition).

# The Israeli Paradox

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*By Yossi Klein Halevi*

The task of the Kinneret Agreement is to define the parameters of Israeli consensus, not to offer detailed advice on how to achieve it. And what the agreement wisely reminds us is that we are fated to seek that consensus within the parameters of paradox.

## A Contest Between Legitimate Insights

Each of Israel's ideological struggles—between leftists and rightists, Orthodox and secular, Arab Israelis and Jewish Israelis—is a contest between legitimate insights and expectations. The temptation to resolve those struggles decisively in favor of one expectation at the expense of another has repeatedly led us into ideologically driven initiatives divorced from reality. In the conflict between left and right, for example, neither side heeded each other's prophetic warnings—the danger of occupation on the one hand, the danger of a false peace on the other. Instead, beginning with the settlement movement in the 1970s and 1980s, followed by the Oslo process in the 1990s, half the country attempted to impose its ideological agenda on a reluctant other half.

Culturally, too, Israel has veered between rigid alternatives. Because Orthodoxy and secularism are the only officially sanctioned expressions of Jewish identity, Israeli society has failed to nurture new expressions of an indigenous Judaism that would reflect the transition from exile and powerlessness to rootedness and sovereignty.

Israel's most basic identity conflict is the very existence of a Jewish state. Arab citizens, and their post-Zionist Jewish supporters, want a state essentially devoid of ties to world Jewry and the Jewish story. As a Jewish state, they argue, Israel creates an untenable anomaly by which a Jew in New York can more readily identify with Israel's national narrative than an Arab citizen born in the Galilee. I once asked an Arab Knesset member to describe his most "Israeli" moment; without hesitation, he replied that he'd never once in his life felt Israeli. Israel cannot indefinitely survive as an intact society when 20 percent of its population—to say nothing of members of its parliament—feel severed from its national identity.

The counterargument, though, is no less compelling: A Western-style "state of its citizens" that denies Israel's Jewishness would deny the nation's essence. A "normal" state of its citizens would never have dis-



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patched its air force to Addis Ababa, in the midst of an Ethiopian civil war, to rescue thousands of barefoot and illiterate African tribesmen, as Israel did in 1991. Yet an Israel that would turn its back on Diaspora communities in distress would lose its reason for being. The most urgent identity dilemma facing Israel, then, is this: Can its national identity reflect its multiethnic reality without compromising its Jewish essence?

### Defining a Jewish State

Along with managing tensions between Israel's democratic and Jewish identities, the next pressing question on the domestic agenda is defining the nature of the country's Jewishness. Should Israel be a "Jewish state," officially reflecting Jewish values and culture, or merely a "state of the Jews," whose sole Jewish obligation is to protect the well-being of the Jewish people? The secular-Orthodox conflict reflects the ancient struggle between the contradictory Jewish longings for transcendence and for normalization. That debate is chronicled in the *Book of Samuel*, when the elders of Israel approached the prophet Samuel and demanded that he anoint a king so that Israel could become like all the nations. Zionism's genius was to respect the two opposing longings of the Jews and attempt to contain them both. Israel is the fulfillment of secular Zionism's promise to transform the Jews into a "normal" nation that would allow the Jews to collectively enter the international community. But it is also the fulfillment of Judaism's promise of a "return to Zion." The result is a secular democracy heavily influenced by religious legislation, constantly struggling to define the borders between its mundane and mythic identities. Just as Israel must find a way of addressing the contradictory legitimate expectations of Arab and Jewish Israelis, so too must it balance the legitimate longings among Israel's Jewish communities for normalization and for transcendence.

Each segment of Israeli society represents an essential part of this country's being. The triumph of any one subculture would permanently alienate other key segments of society. Without remaining faithful in some way to the Jewish story, Israel risks losing its soul; without accommodating its substantial Arab minority into the national identity, it risks losing its legitimacy. As a non-Arab state in the heart of the Arab world, Israel must find a middle ground between isolationism and naiveté. As a secular state in a holy land, it must reconcile modernity with tradition. As a geographical and cultural meeting point between East and West, it



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must create a fusion culture that is neither entirely East nor West. As a former socialist economy that has embraced globalization, it must deal with its transformation from the West's most egalitarian society into its second least.

Israel, then, is a laboratory for resolving some of the most pressing contradictions of humanity: the clash between tradition and modernity, East and West, globalization and social justice.

Yet, even as the debate over the territories is easing, with the mainstream right conceding the untenability of occupation and the mainstream left conceding the necessity of wariness toward Arab intentions, the schisms over Israeli identity are deepening. Israel is further away than ever before from the dream of a common national identity in which Arab citizens can to some extent share. Many Arab Israelis now call themselves Palestinian Israelis, or even Palestinian citizens of Israel, expressing contemptuous detachment from Israeli identity. Many, too, openly identify with the Arab world, sometimes with Israel's most bitter enemies, like Hizballah. At the same time, Jewish Israelis are increasingly reluctant to create a national identity that could embrace Arab citizens. Each side perceives the existence of the other in its midst as a threat to its well-being, perhaps even to its long-term survival.

Among Jews, both the dogmatic secular and theocratic camps have been augmented by new recruits. The secular camp has been boosted by Russian immigration, while the pro-theocracy camp has been boosted by a Shas-inspired mass return to religion among Sephardim. The result of the rise of Russian secularism (in many cases without even the most minimal sense of Jewish identity) and of Sephardi antimodernization is the overlapping of the Ashkenazi-Sephardi divide with the religious-secular divide, threatening to create two separate Israels.

The coming years will be marked by intense efforts to achieve compromises in the spirit of the Kinneret Agreement. One compromise has already been proposed on the issue of Sabbath observance in public space. Various dialogue groups concerned with healing the secular-Orthodox rift have agreed on the general principles of a new "status quo"—allowing public entertainment (which in any case has proliferated in defiance of the authorities) and some form of public transportation, in exchange for maintaining the ban on commerce. That compromise would transcend the artificial distinction between "secular" and "religious" and recognize that most Israeli Jews are in alignment with

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Shabbat as a day of rest. The arrangement would confirm the essence of a modern Jewish state—not bound by *halakha* (Jewish law) but committed to the spirit of Jewish values. It is hardly coincidence that the coalition opposing that compromise is joined by the ultra-Orthodox and the ultrasecular. Each insists that the state assume an absolutist, all-or-nothing identity, rather than adopting the messy compromises that would allow Israeli society to heal.

The implicit message of the Kinneret Agreement is that Israel's dilemmas cannot be solved, only managed. And while the agreement breaks no new ground, it reminds us, at a critical turning point for Israel, that the nation's viability depends on accommodating the opposing visions built into the foundation of the Israeli experiment.

# Reflections on the Kinneret Agreement

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By Paula E. Hyman

The Kinneret Agreement is a vital restatement of the Zionist vision at its best. It makes a strong case for the historic necessity of the State of Israel and its commitment to democracy, social justice and harmony, and to peace with its neighbors. It highlights the Jewish character of the state and the mutual responsibilities of Israeli and Diaspora Jews. Such a statement is particularly necessary at a time when political discourse about Israel in both Europe and America centers, not on the nature of Israeli strategies of self-defense or policies toward the Palestinians, but on the very legitimacy of Israel, its right to exist as a sovereign state.

As a Zionist and a lover of Israel, however, I found the document disturbingly vague and optimistic. Reading the Kinneret Agreement while on a visit to Israel, I found it was hard to reconcile the tone of the document with the reality of Israel's current situation. At no point do its authors grapple with the already visible conflict between a Jewish state and a democratic one.

The words “occupation” and “settlements” do not appear in the agreement, despite the fact that these have enormous implications for Israel as a state that is both Jewish and democratic, not to mention for the quality of life of both Israelis and Palestinians. The occupation and the continued murderous violence of the current intifada have coarsened political discourse. Statements about the “transfer” of Palestinians, for example, are no longer limited to the fringe of the radical right. The intervention of the Supreme Court was necessary for Arab citizens of Israel to have the right to select their own candidates for Knesset elections. Should Israel seek to retain the West Bank and Gaza indefinitely, it will be forced to cede its claim to being a democratic state. The demographic reality of a “Greater Israel” will demand denying rights to an Arab majority, or, were civic rights to be granted to the Palestinian population—hardly a realistic alternative—to replacing the Jewish State of Israel with a binational state.

There are no politically easy solutions to this dilemma, especially given the lack of a Palestinian leadership committed to the recognition of the legitimacy of the Jewish state. But the statement of a commitment both to democracy and to the Jewishness of the State of Israel has to confront the obstacles to the continued maintenance of democracy that for many Israeli and Diaspora Jews remains crucial for a Jewish state.



Photo: Michael Marsland, Yale University

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## Conflicts of Democracy and Jewishness

As I've suggested, the characteristics of Jewishness and democracy do not now exist harmoniously in the State of Israel. Despite their right to vote, Israeli Arabs do not have access to a proportionate share of state funds to improve social services and their communal infrastructure. They are second-class citizens.

With regard to Israeli Jews, a democratic process has been sacrificed to the recognition of an official Orthodox rabbinate as the arbiters of Jewishness. A minority of halakhic Jews legally impose their will on the majority of nonobservant Jews. In most situations of public observance, a compromise has been reached. Buses don't run on Shabbat in most places, but private cars do. In some locales, there are no stores or restaurants open; in others, commerce continues. Many non-Orthodox Jews may even value the relative quiet of the Shabbat and holidays in Israel. In neighborhoods where Orthodox Jews predominate, however, such as parts of Jerusalem, they have made efforts, some successful, to close even main streets to all traffic, and have harassed women who don't adhere to their definition of modesty in dress.

The imposition on all Israeli Jews of the rules of *halakha* (Jewish law), as interpreted by the Orthodox rabbinate, in such aspects of personal status as marriage and divorce is the most flagrant violation of the norms of democracy. Women, in particular, suffer from the halakhic stipulation that husbands alone can grant a divorce; there are thousands of *agunot*, chained wives, who cannot remarry under Israeli law and many more cases of extortion demanded to release women from a marriage that has broken down. Moreover, the absence of civil marriage becomes an onerous burden when one partner is not halakhically Jewish. In a Jewish state that was fully democratic, Jews would have the right to marry non-Jews, not to mention Jews whose status was questioned by the Orthodox rabbinate, without having to go abroad. The problem of the rabbinate's monopoly over the adjudication of Jewishness, as well as its reluctance to allow conversion of those who have no intention of being fully observant, or to sanction conversion by non-Orthodox rabbis, has been exacerbated by the influx, under the Law of Return, of thousands of Russians of Jewish origin who are not halakhically Jewish. These immigrants cannot marry a Jewish Israeli in Israel nor, when killed in military service to the state, can they usually be buried in a Jewish cemetery.

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To be sure, the dynamic quality of Israeli society and the freedom of press and expression that are the most important characteristics of Israeli democracy have enabled a variety of organizations to emerge that challenge the discrimination against various individuals and groups within the Israeli population. Even under the stress of a quasi-wartime situation, the Israeli press addresses questions of democracy and justice along with the security situation and political policies. The sensitivity of the authors of the Kinneret Agreement to the necessity for Israel to be both a Jewish and democratic state suggests the need for ongoing dialogue within Israel, between Jews and Arab citizens of the state and between different groups of Jews as well. It would be salutary, but not essential, for a range of Diaspora voices also to be heard.

### **Why the Social Compact Privileges the Religious**

A social compact between what the Israelis call “religious” and “secular” Jews cannot demand mutual sacrifices for two reasons. First, the two groups do not have equal power within the Israeli legal system. The system itself, and the nature of coalition politics, privilege the religious. Second, while many, perhaps most, secular Jews are committed to pluralism and recognize diversity as a social good, *Haredim* (ultra-Orthodox) and virtually all Orthodox leaders define religious diversity as deviation from God’s will and do not accept non-Orthodox Jews, whether secular, Reform, or Conservative, as full partners in the Jewish enterprise. Dialogue is difficult, if not impossible, under those conditions.

Nonetheless, there are steps that could be taken. I feel that a great responsibility falls on moderates within the Orthodox camp, who alone have the legitimacy to make a case for Jewish pluralism in Israel. They must ensure that at the very least the state religious schools promote toleration. Organized Conservative and Reform Jews in Israel, with financial and political assistance from their Diaspora counterparts, should continue their vigorous campaign for equal rights for all Jews within Israel. Ultimately, the Israeli electorate will decide whether their society can continue to support a system that exempts large numbers of men from army service based only on their religious observance, that provides stipends to families whose adult men refrain from work in the name of sacred study, and that creates networks of private religious schools that disseminate antidemocratic values.

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Secular leaders, for their part, need to educate the general populace to understand the nature of the Jewish component of the state. Disentangling the identification of Judaism with the Orthodox rabbinate and presenting Judaism in all its diversity might enable more young secular Israelis to acknowledge with pleasure the Jewish component of their own identities. The organizations that bring secular and Orthodox Israelis together should step up their efforts so that secular Israelis can learn to distinguish among different types of Orthodox Jews and refrain from pernicious stereotyping. Perhaps because I am an educator, I value such educational efforts, particularly those that bring together Jews of different backgrounds for the purpose of study of a variety of Jewish sources, and not just rabbinic texts.

Diaspora and Israeli leaders need to respond to the current situation by strengthening the ties between Israeli and Diaspora Jews and reaffirming their interdependence, especially because the evidence shows that such is not now the case. For many, like myself, Israel remains at the core of our consciousness as Jews and needs our support, including our constructive criticism, now even more than in the past. If it is more complicated to visit Israel these days, so be it. Israel was not established as a vacation spot for the Jews of the Diaspora. It was established, as the Kinneret Agreement affirms, for the purpose of offering a haven for Jews in distress and to foster the survival and renewal of Jewish culture. It is our responsibility as Diaspora Jews to assist it in those tasks and to ensure that the democratic and Jewish characteristics of the state are not eroded in this period of stress.

# A New Bird with Two Wings

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By Eran Lerman

It is perhaps encouraging that many in Israel seem to have lost interest in the Kinneret Agreement. The Israeli mainstream is coming together as never before, at least in this generation, around a different agenda. The second Sharon government is an expression of that new consensus, bringing together a strange coalition of Zionists: center-right, far-right, religious Zionist and ultra-secular. As a result, some of the issues that drove us in the late 1990s are no longer in need of such a ceremonial formulation. They have become not a “document” but a discourse, not a “text” but the texture of real intellectual and political life.

Still, in its original context, which predates the war launched against Israel in September 2000, the document assembled by the Kinneret group must be seen as a laudable exercise, and, in its time, a breakthrough. In certain respects it was an act of deliberate rejection of the emerging intellectual orthodoxy of the left, bravely reasserting past truths that had become badly eroded by the post-modernist/post-Zionist “narrative” among elements of the Israeli cultural elite during the 1990s. It served to remind those who had forgotten that Israel, while committed to the equality and welfare of all her citizens (and it has much to do to live up to that commitment), is nevertheless not just another “normal” country. It is a project undertaken by the Jewish people through the agency of the Zionist movement, under very specific and terrible circumstances, designed to address the legitimate right of the Jewish people to sovereignty and self-determination.

The Kinneret signatories addressed the needs of the Jewish people, wherever they may be. This assumes that there is a “Jewish people” to speak for. In this age of deconstruction, that is hardly a self-evident claim, as it may have been for our forefathers, and yet it is an assertion that has now re-emerged, wounded but proud, as a natural response to the war on terrorism and defamation that has been forced on us. The current level of unity among various segments of Israeli society, including the *Haredim* (ultra-Orthodox), was amply demonstrated recently by the choice of a *Haredi* participant in the traditional torch-lighting ceremony on Independence Day; even the anti-Zionist stance of the *Haredi* radicals in Jerusalem is no longer what it once was. Instinctively, we sense that in one respect—our historical presence in world affairs—we are one people, despite our schisms, and that our Jewishness need not contradict our commitment to democracy.



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As a people, we do not fit comfortably into any traditional category. Indeed, one of the strengths of the Kinneret document is that it does not go into ideological loops trying to define exactly who we are in this world. Too much time and effort have been wasted on attempts to classify the Jews neatly as a nation, a religion, a tribe, to the exclusion of other definitions. All those efforts simply prove that the business of definitions and the business of life move along parallel tracks, destined never to meet.

Even within the Kinneret Agreement's uneasy category—an identity marked by tensions within a religiously defined ethnicity (which nevertheless accommodates a good number of people who rebel against their religion, while still borrowing its terms), as well as pulls between the traditional concept and the more formal demands of modern nationalism, with a homeland and a complex Diaspora—we are not entirely unique. Here is what Greek Foreign Minister George Papandreou said in an article in *Odyssey*, an English-language magazine, about the “World of Greece”:

In business, the arts, politics, or academia, Greek immigrants have created success stories all over the world, acting as global ambassadors of Hellenism. Second- and third-generation Greeks have defined their place in societies that accept and incorporate cultural diversity, while still preserving their essential Greekness. We Greeks have proved to be experts at spanning several cultures and identities, retaining our national pride while being truly cosmopolitan. We are Greek Americans, Greek Australians, Greek South Africans; we are both Greek and Balkan, Greek and Mediterranean.

Sound familiar? And yet we have been slow to perceive that, in much the same sense, our future has been redefined by our ability to handle the burden of these multiple identity tensions, “retaining our national pride while being truly cosmopolitan.” Even in the Kinneret document, not enough attention is paid to what the Zionist movement has wrought while it was planning something else, such as the rescue of all Jews everywhere from catastrophe (in the original Herzlian vision) or a “cultural center” (in Ahad Ha'am's version). What has, in fact, happened is that the Jewish people has emerged from its destruction in Europe as a phoenix with two wings. Israel is, and will continue to be, one wing of our post-Holocaust revival. American Jewry is, and will continue to be, the other wing.



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## Unique Israel-Diaspora Relationship

The Kinneret signatories would have done well to note the unique nature of the Israel-Diaspora relationship, for three reasons:

- Unlike any similar dynamic, today this is a relationship of equals. We are roughly equal in number; we complement each other in significance. We depend on each other, and it will be our interaction, above all else, that will define the Jewish future. The story is not, as Yossi Beilin once put it, that Israel's American Jewish "uncle" has died. We are no longer nephews, but brothers.
- This filial link is not just about identity and affinity. It is about power. (That's what both Herzl and Ahad Ha'am misunderstood about America and its Jews.) We need not be ashamed or uneasy about this aspect of our life—because our lives depend on it. The modern Jewish journey from utter powerlessness to power (and the responsibilities that accompany it) came through the closely interrelated efforts of the Zionist movement, culminating in the establishment and empowerment of Israel, and the parallel, heavily Israel-oriented, exercise of political influence by the organized Jewish community in the United States, particularly since 1967. In scope, intensity, and outcome, those efforts at undoing powerlessness are unique in human history. It has reversed Jewish fate, and made our post-Auschwitz lives possible without the shame and humiliation of throwing ourselves once again upon the mercys of others.
- Finally, it is a relationship that could serve to refresh and illuminate the internal Israeli debate about the future of Jewish identity. It will be good for us to be forced to confront the meaning of full Jewish life lived under Jeffersonian conditions: separation of religion and the authority and resources of the state; pluralism and choice; and a religious life made all the more intense by these two factors. This is all quite new within the millennial Jewish experience of identity defined by hostility and separation, not by the possibility of competing in the open field of ideas. Working within this framework might even lead us to new and positive definitions of who we are, and what we should be, for Jews everywhere.

# The Jewish People and Israel

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*By Charles S. Liebman*

I will confine my discussion to the second and third questions.

The second question refers to the possible conflict between Israel as a Jewish state and Israel as a democratic state. The question assumes that Israel will remain a Jewish state. For that to happen, a necessary though hardly sufficient condition is that its population be overwhelmingly Jewish. I stress the term “overwhelmingly Jewish” because, with the breakdown of the ideologically powerful Zionist center and in the absence of a strong sense of societal obligation, minority groups have become increasingly assertive in their demands, be they of an economic or an expressive-symbolic nature. Thus, a necessary condition for a Jewish state is a decrease rather than an increase, as is presently happening, in the percentage of non-Jews residing in Israel.

If this is to happen, Israel must change its immigration policies regarding foreign workers, amend the Law of Return, imbue several hundred thousand non-Jewish Russians who now live in Israel with a desire to be Jewish and find a way to facilitate their conversion, and reach a peace agreement with the Palestinians that would include voluntary population exchanges. Ideally, Israel would surrender some of the territory densely settled by Israeli Arabs and encourage Arabs now living there who are dissatisfied with the idea of Jewish state to become Palestinian citizens. One may well wonder whether all this is doable. It may not be. In that case, Israel is likely to retain symbolic vestiges of its Jewish past, but will gradually cease to be a Jewish state in any meaningful sense. Should it seek to impose its Jewish identity on an increasingly unwilling minority, it will cease to be a democratic state.

## Definitions of a Jewish State and a Democratic State

Should Israel overcome the demographic challenge, tension between the values of Israel as a Jewish state and of Israel as a democratic state will remain. How serious the tension or conflict is depends on how one defines a democratic state and a Jewish state. If democracy means a state that limits itself to attending to the interests of its citizens as it defines them and to providing services which its citizens demand without making an effort to further some ultimate vision of the good society and the good citizen, then democracy is incompatible with a Jewish state or a Zionist state or any other kind of ideological state. If by a Jewish state we



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mean a theocratic state, one ruled by a religious elite, or even one in which the laws are subject to the approval of a religious elite, or a state in which the Torah is the ultimate constitutional authority, then democracy and a Jewish state are also incompatible.

But if by democracy we mean majority rule, individual liberties, and minority rights guaranteed by law within a set of parameters that are derived from a reasonable understanding of Judaism and the Jewish tradition, democracy and a Jewish state are not incompatible, although accommodating these two values may require painful adjustments from those who cherish both values.

Separation of religion and state is no solution, because a Jewish state is, by definition, one in which religion plays a public role and is accorded public status. The resolution lies in an accommodation that, by definition, is less than perfect. The route to that accommodation rests in part on the good faith of the vast majority of citizens to find such an accommodation and, no less important, on the definition accorded to democracy and especially to Judaism. That definition cannot be left to the Orthodox.

### **Definitions of “Community” and “Social Compact”**

This brings me to the third question—the question upon which I want to elaborate.

The third question asks how one reaches “a social compact between Jews” or what changes are required of “the religious community and its leaders” on the one hand and of “secular Israeli society” on the other hand, to “shape a Jewish state that preserves both its Jewish character and its liberal values.” This question suggests terms of reference which, in my opinion, are misleading. The notion of a “religious community and its leaders” has an anchor in reality, although not all Orthodox Jews are part of this community. But the notion of a secular community is misleading. It suggests that the nonreligious, i.e., the non-Orthodox Jews, constitute a community of some kind by virtue of their nonobservance. This is only true in a theoretical sense. There are certainly more accurate ways of describing the distribution of Israeli Jews according to their Jewish sentiments and their religious practices.

All studies of Jewish identity—and more specifically, the Louis Guttman Institute surveys conducted in 1991 and in 1999—reflect a strong measure of consensus among the vast majority of Israeli Jews

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regarding Judaism and Jewish ritual practice. Attitudes toward the practice of Jewish ritual are positive. The vast majority of Israelis not only observe at least some Jewish ritual, but want their children to practice even more ritual than they do. They also want to live in a state that expresses its Jewish nature (i.e., they want something more than a state in which most citizens are Jews); they report that they believe in a God who has special ties with the Jewish people; they feel strong ties to the Jewish people; and they strongly oppose religious coercion. The most dramatic expression of this last point is the fact that whereas a majority of Israeli Jews favor the institution of civil marriage, only a small majority would want to be married in a civil ceremony.

So, as one Soviet communist asked another, "If things are so good, Comrade, why are things so bad?" Things are so bad, in my opinion, because political leaders, academicians, the cultural elite, and, most perniciously of all, the media persist in purveying the false dichotomy of an Israeli society divided between religious Jews (i.e., Orthodox) and secular Jews, whereas, in fact, we have three broad orientations and attitudes toward the issue of Jewishness and Judaism in Israeli society. There is an Orthodox camp, obedient to its rabbinic leaders, which favors a society governed by Jewish law. This group constitutes no more and probably much less than twenty percent of the Israeli Jewish population. The second group, at the other end of the spectrum, is composed of Israeli Jews who do not want a Jewish state of any kind. They happily concede the right of individuals to practice their religion as they wish, but most in this group testify that they do not observe any Jewish rituals at all. They constitute no more than ten percent of the Jewish population. Among this group those who actually oppose a Jewish state are much fewer than ten percent of the total Jewish population, but a significant minority among Israeli academicians and among the cultural elite.

### **The Majority of Israelis**

This leaves more than seventy percent of the Jewish population of Israel whose attitudes and values I have described above. What should be admitted, however, is that this vast majority of Israeli Jews are far less militant or assertive in their views than those who advocate the extreme positions. Furthermore, they are quite prepared to surrender, at least temporarily, their own positions in the interests of national security or economic welfare, but their voices tend to be muted. Two other related

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factors that account for their weakness are no less important: First, this mass of Israelis who reject both the religious and the secular solution have no political leadership. Most political parties will, at best, pay lip service to this position but are unwilling to antagonize the religious parties and even their own religious constituents by embracing the kinds of policies that would reflect the Jewish consensus. Secondly, this Jewish consensus has little expression in the general media or in the educational system. This is partially a consequence of the insistence of the religious parties and their rabbinic authorities that only they have a right to define Judaism. It is also explained by the disproportionate presence of the extreme secularists in Israeli intellectual life and in the Israeli media.

The Israeli media, television and radio in particular, offer a variety of programs that cater to the needs of the Orthodox population. Indeed, there are radio stations that address themselves exclusively to this segment of the population. A television channel for religious viewers is scheduled to be aired by the time this essay is published. But the Israeli media that caters to the general public—to that vast majority of Israeli Jews of whom we have spoken—ignores Jewish matters. The image of the non-Orthodox Israeli Jew to whom Judaism and membership in the Jewish people are precious, to whom the Sabbath and the Jewish holidays are special, for whom the observance of Jewish dietary laws is part of the rhythm of their life, is absent. Insofar as the media is concerned, one is either religiously observant (Orthodox) or totally nonobservant. This is a condition, needless to say, that satisfies the interests of both the rabbis and the secular extremists and projects the notion that the Jewish practices and behavior of the vast majority of Israelis is in some way aberrant.

Conscious of the abysmal condition of Jewish studies in the nonreligious school system, then Minister of Education Zevulun Hammer (an observant Jew with a broad vision of Judaism and Jewishness) appointed a commission in 1991 to study the condition of Jewish studies in the nonreligious school system. That commission, known as the Shenhar Commission after its chair, Dr. Aliza Shenhar, submitted a comprehensive set of recommendations in 1994. They have never been implemented.

What I am suggesting is that we don't really need social compacts (although I see no harm in them), nor is it reasonable to expect the extremists, the religious camp on the one side and the extreme secularists on the other, to "modify their behavior" or "to change." Such demands

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are unreasonable, unnecessary, and arouse false hopes. What is needed is a more vigorous expression, in the media, in the school system, and in political life of the values of the vast majority of Israeli Jews. There is no reason why Diaspora Jews who share these values should not join this enterprise. Some have already done so.

# The Kinneret Agreement: A Response

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By Anne Roiphe

Ah, what a lovely document it is! The Kinneret Agreement speaks clearly of an Israel that sparkles with democratic ideals, is rich in Jewish life, and connects to the Diaspora as the Diaspora connects with it, with the vivid passion that bride and groom, parent and child, sister and brother expect of each other. The entire document is infused with the hope of the Enlightenment, where one finds rational thought and intelligent self-interest, informed by genuine respect for those who see the world through a differently colored lens. How I wish that this document could shape the decisions of the Jewish people in the years to come! But these sweet and hopeful articles of peoplehood are sure to be shredded by those among *Klal Israel* (the community of Israel) who have a very different set of values and experiences.

Let's begin with our religious attitudes, some of which may very well bury our Jewish enterprise. A certain kind of religious commitment to a particular version of the *halakha* (Jewish law), to the word of this particular rabbi or that; to the acceptance of the idea that the truth was issued at Mount Sinai, whole and forever; to the belief that the Jewish religious experience is an exception to the experience of others; that the entire land as described in the Torah was given by God to the Jews as the legitimate boundaries of Israel—all these tenets of faith make the religion of some Orthodox Jews not amenable to democracy as we understand it. Many Jewish people live their personal lives within a theocracy, not a democracy. The State of Israel itself may not yet be a theocracy, but the mind-set of many of its citizens is indeed autocratic, authoritarian, and rejecting of the premise that truth can be found in many places. The equal rights of all people, or the participation of all citizens in the government, or the possibility of freely elected leadership, is not high on the priority list of those who know exactly what God wants and whom God has chosen. What some among us value above all else is obedience to God's word on marriage, divorce, who is a Jew, what you may or may not do on the Sabbath, what you may or may not put on your dinner table, what you may or may not do with regard to serving in the Army, what your grandparents may or may not have done to bring about the Holocaust by not following the laws of *kashrut*.



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## A Divide Not Easily Bridged

The divide is not one that is easily crossed. There is little room for compromise and mutual respect between such different visions of human responsibility. Each looks back to a different tradition. The secular or almost secular Jew finds his or her roots in John Locke and Thomas Paine, the Rights of Man, Rousseau's Social Contract, the rise of parliamentary power in England, the Bill of Rights, the Constitution itself, the Declaration of Independence. We are our texts and sometimes these texts simply will not walk companionably with each other. Today Hillel and Shammai are shouting at each other across a wide deep canyon, and sometimes there is no bridging the distance between the two. We are with Spinoza or with Rashi, and some situations allow us only one partner for our dance.

The democratic Jew will not wish to impose values or lifestyle arrangements on the religious Jew, but the religious Jew is, by definition, bound to declare the secular or less fundamentally religious Jew in defiance of the law. In the State of Israel, religious Jews will continue to push for control of civic arrangements because they believe they are speaking for God. More secular Jews of the Enlightenment will compromise when they must, because they are absolutely certain about so little, but eventually they will balk at being told what to do, and the tension will not go away between the two groups, and there is no possible way to legislate it, or wish it away. Of course, the secular Jew can graciously respect the religious convictions of his countrymen, and walk on the Sabbath and not go to movies and cafes on proscribed evenings, but behind these demands, lie other, more serious ones, that involve one part of the population's disapproval of the other's entire worldview. Money for the ultra-Orthodox educational system, welfare money for the non-working ultra-Orthodox, Army service—these are serious issues that will not go away just because the secular are pushed into staying home on a particular night of the week. The countless meetings between the Orthodox and other branches of Judaism on the “who-is-a-Jew question” are just an example of the difficulties that must be faced on so many issues if these groups are ever to communicate and ultimately accept each other.

In America we experience tension between fundamentalist Christians and the rest of the community but, because America is so large and has created itself as a quilt of many colors and patterns, the reli-



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gious issue, aided by a built-in separation of church and state, will not bring us down. In Israel, where everyone lives close to those with opposing ideas and convictions, beliefs are very personal and serve as irritants between people.

The more flexible group will give ground again and again, but not forever. The less flexible group will gain power by virtue of its numbers and its coherence. This matter has direct implications for the possibility of peace.

The settlement movement, while it apparently contains some secular nationalist Zionists among its ranks, is largely a religious movement. Its convictions are unambiguous and deeply felt: The land, all of the land, must belong to the Jews. From this position they are willing to expel or encroach on Arab lands as they work for the removal of the Arab presence from the territories. They will not accept a two-state solution, because it so deeply disappoints their religious convictions. The secular Israelis, more involved in history itself than in biblical verse, are willing to live side by side with a nonthreatening Palestinian state. What compromise can there be? If the settlements are ever pulled back, if peace becomes a possibility, there will be new bloodshed. Yitzhak Rabin will only have been the first of the assassinated, and there will be a permanent subversive stream in Israel that will not go away. Those who choose to make Baruch Goldstein into a hero will never abide a negotiated peace. You cannot erase a religious passion with a reasoned compromise. It is probable that you cannot have a reasoned compromise while you have such outsized and unmitigated religious fervor among a part of your population. The secular side will reason with itself, while the religious side will not move from its dogma.

The Diaspora, in America at least, has largely taken its attitudes from the right wing in Israel, and in its anxiety not to harm the state has urged the American government to support the most unyielding of Israeli political views. This means that some democratic American Jews remain unhappy with an image of Israel that includes an endless occupation, a resistance to talks with any Palestinians, and a sincere if not loudly spoken hope that no Palestinian state will ever exist. This segment of American Jews may gradually loose their connection to Israel, which will no longer be a state that contains their hopes for the future, but rather a state that makes them uneasy with its bloody thunder. The children of American Jews, who have been taught to respect the national

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ambitions of others, will not be able to fully commit their hearts or money to a state that has a permanent boot on the neck of another. This disaffection could occur despite all that, in fact, binds the Jewish world together, not withstanding the tragic history that Jews have shared in the past.

### **American Democracy: Is It Possible in Israel?**

It may be that our American version of democracy may not be possible for Israel. If Arab citizens should come to outnumber Jewish ones, the Jewish state would gradually be erased. Democracy is a good idea only if you can live within its dictates. Jews need a state more than they need a one-man, one-vote country—as even the most secular and liberal among us can see. On the other hand, if you make some compromises with the democratic governmental ideal, perhaps others, even more shocking, will follow. What is clear is that a strong Israel is necessary for the safety of the Jewish people, but a bullying Israel, a religious Israel, may end up crashing the entire project. *Klal Israel* has never been a unified voice, or presented a single vision of what is the right way to live as a Jew or as a human being. We can tolerate many views, allowing each to contribute to the whole, if the tolerant view is itself tolerated—and that is a question at this moment unanswered.

Right now it seems as if American Jews will not remain for many generations at Israel's side and that, barring persecutions of a major order, Jews outside of Israel will go on stumbling to create a Jewish life that may or may not be intimately linked to Jerusalem. It seems to me that those seek peace talks, those genuinely ready to return most of the West Bank to its Palestinian occupants, are at this time, because of opposition within and betrayal without, lacking in hope and experiencing daily the loss of an ideal, of a dream, of a hope for *Klal Israel*, exactly as expressed in the Kinneret document.

The Bush road map and Ariel Sharon's apparent interest in ending the occupation are hopeful signs, but hope is an attribute of innocence and none of us are innocent anymore. Nevertheless, despite everything, expectations stir.

These may be nothing more than the grim musings of a woman who reads too many newspapers. Everything might yet be just as the Kinneret document would have it, if the wheels of history take a route we can't yet see, deliver us from a disunity that from the distance of

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another century or two could seem minor, a mere footnote in the Jewish journey that has so often in the past showed surprising resilience and endless creativity in the face of its enemies and its own foolishness. I wouldn't bet on it—but I will keep the Kinneret document in those secret places in the heart where evidence doesn't matter and wish rules.

# The Kinneret Agreement: Can There Be One Jewish People?

By Jacob B. Ukeles

The Kinneret Agreement represents a noble effort to bridge the schisms that threaten Israeli society and, by extension, the entire Jewish people. Ultimately, the Kinneret Agreement reflects a commitment to *Klal Yisrael* (the community of Israel), which I regard as the basis for Jewish peoplehood.

If I have a quarrel with the Kinneret Agreement, it is not with the goal, which is extraordinarily important; nor with the document itself—which is a remarkably good document, considering the diversity of signers. My concern is that the Kinneret Agreement doesn't go far enough.

When the Kinneret Agreement came out, there were four major critiques:

1. Jewish unity is impossible to achieve because of the divergence of interests, ideologies, and points of view within Israeli society.
2. The authors of the Kinneret Agreement were trying to rewrite the Israeli Declaration of Independence (which is better written).
3. The agreement should have mentioned the Almighty, as does the Declaration of Independence.
4. The simple statement that Israel is both a Jewish state and a democratic one lacks prescriptive substance.



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## 1. Is Jewish unity impossible to achieve?

The most significant of these critiques is the first—that Jewish unity is impossible to achieve. I believe that this argument is wrong, based as it is on some confusion about the meaning of Jewish unity. Jewish **unity** is not the same as Jewish **unanimity**. A classical model for Jewish unity is found in the *Ethics of the Fathers*: “Any dispute that is for the sake of Heaven [*leshem shamayim*], will be sustained, but one that is not for the sake of Heaven will not be sustained.” Rabbi Samson Raphael Hirsch explains what is meant by a dispute “for the sake of Heaven”: “When in a controversy both parties are guided solely by pure motives and seek noble ends, and when both parties seek solely to find the truth ... both views will have permanent value.”

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We can call this model of Jewish unity “sustainable controversy,” which implies that controversy is to be expected. So wherein lies the unity? The unity is in “*leshem shamayim*”—that is, the parties to the dispute are honorable people who are true to their own definition of the highest ideals of Judaism.

In his essay “On Peace,” Rav Yehuda Gershuni, of blessed memory, my revered teacher and one of Rav Kook’s greatest students,<sup>1</sup> cites his beloved teacher’s perspective: True peace is only attainable along with a multiplicity of views. When all sides of an argument, all points of view, and all ideologies can be heard, it will become clear that each has its place. I believe that the same is true of Jewish unity.

A commitment to *Klal Yisrael* means accepting the ultimately mystical idea that in some fundamental, mysterious way, the Jewish people is one organism. In the final analysis, *Klal Yisrael* is an ideal. To say that the Jews are clearly not unified, and therefore *Klal Yisrael* is no longer relevant, is like saying that freedom or love or wisdom should be discarded as human ideals because they are not easily attainable.

## 2. The relationship to the Declaration of Independence

The Kinneret Agreement builds on, and extends, Israel’s Declaration of Independence. It is more likely to refocus attention on the fundamental values of the Declaration of Independence than to compete with it. But the failure of the Kinneret Agreement to mention the Almighty constitutes a retreat from the Declaration of Independence. It is clear that the carefully crafted term used in the Declaration of Independence, “Rock of Israel,” is not a reference to the Rock of Gibraltar but to the Almighty. The same language should have been carried into the Kinneret Agreement.

## 3. Can Israel be both a Jewish and a democratic state?

While restating the fundamental commitment to the Jewish and democratic principles of Israel is valuable in itself, the Kinneret Agreement does not hint at how this reconciliation can be accomplished. One could argue that meaningful dialogue about Israel as a democracy requires the involvement of representatives of Israel’s Arab sector. But it is hard to imagine Arabs able to accept fully the concept of Israel as a Jewish state or to envision many Jews willing to give up the Jewishness of Israel. I would have preferred that the Kinneret Agreement acknowledge that the freedom of individuals and the right of the Jewish people to renew our

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national existence in our homeland is at best only partially compatible.

The challenge of moving the Kinneret Agreement forward is the challenge of building *Klal Yisrael*. Unfortunately, as Jonathan Sarna has written, “*Klal Yisrael* has topped the list of endangered Jewish values.” In my view, *Klal Yisrael* used to occur naturally and today needs to be created. In effect, I believe we have a 614<sup>th</sup> *mitzvah*—to create *Klal Yisrael*. Or if one prefers negative commandments—of which we probably have more than enough already—it is forbidden to diminish the sense of *Klal Yisrael*.

How can we make the Kinneret Agreement into a more powerful instrument for building *Klal Yisrael*?

First, the scope of the Kinneret Agreement itself needs to be broadened to include Diaspora Jewry and its concerns. It is hard to argue that Diaspora Jewry, representing about 60 percent of the Jews in the world, should not be in the picture. In his essay “The Torah of Israel and the State,” Rav Gershuni cites the Maharal, who argues that “*areivut*,” mutual responsibility, developed among the Jewish people only with their entrance into *Eretz Yisrael*, but today it extends to all Jews, including those in the Diaspora, because, in its largest sense, *Eretz Yisrael* is our place, regardless of where we live.

Especially today, with Israel under enormous diplomatic, political, psychological, physical, and economic attack, bridges between Israel and the Diaspora are critical. It is urgent to mobilize the entire Jewish people living outside of Israel in a sustained, integrated, and effective effort on Israel’s behalf. Participating in a process to formulate the principles of contemporary Jewish unity could provide a powerful stimulus to the effort to strengthen Diaspora-Israel relations.

Diaspora Jewish leadership should have input into the Kinneret Agreement, via a face-to-face meeting between the Israeli signers and their counterparts from the Diaspora. The principles covering the relationship between Israel and the Diaspora should be expanded, and principles affecting Jewish life in the Diaspora itself should be added.

The second way to make the Kinneret Agreement a more powerful instrument for building *Klal Yisrael* is to convert the agreement into a process.

I have argued, and continue to believe, that the real schism in Israeli society—far more important than the schisms between secular and religious, Sephardi and Ashkenazi, rich and poor—is between those who believe in the vision of *Klal Yisrael* and those who do not. One of the most pernicious and ill-considered proposals in recent years was the

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suggestion to divide Israel into two states: Judea for the “religious” and Israel for the “secular.” This proposal reflected a commitment to destroy *Klal Yisrael*, and incidentally to destroy the State of Israel. Modern Israel’s best feature is the boundless variety of Jewish expression, with so many people not falling neatly into one category or another: secular Jews studying Talmud; Orthodox Jews on the cutting edge of science and the arts; Reform, Conservative, and Modern Orthodox Jews for whom the religious and secular strands of Jewish life are inextricably woven.

The Kinneret Agreement will remain on the shelf, an interesting piece of paper, unless it becomes the basis for an ongoing, sustained effort to spread the understanding of *Klal Yisrael*, to enhance the commitment to *Klal Yisrael*, and to model behavior based on *Klal Yisrael*. The Kinneret Agreement should become the Kinneret Process. A process, as opposed to an agreement, is ongoing, not a one-time event. Secondly, a process is action-oriented. The goal of a process is to generate change. Very few documents by themselves generate change.

The goal of a Kinneret Process should be the development and implementation of an action plan, focused heavily on education at all levels. The participants in the next round of work on the agreement, from Israel and the Diaspora, need to work in task forces to analyze different parts of the document and identify the things that could be done to move the *Klal Yisrael* agenda forward.

Here are just some of the ideas that might emerge from such a process:

- Curricula on Jewish unity to be used all over the world in Jewish schools and for adult education;
- Study groups to study and disseminate texts about Jewish unity—including *Klal Yisrael* and *areivut*;
- A children’s TV program, of the *Sesame Street* variety, with a focus on the themes of *Klal Yisrael*.

As a Modern Orthodox Jew, deeply committed to *Klal Yisrael* in all its marvelous diversity, complexity, and even contentiousness, I salute the authors of the Kinneret Agreement. Now, we owe it to ourselves, our children, and our children’s children, to continue their work

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<sup>1</sup> Rav Gershuni was the author of the *Shittah Mekubetst on Pesakhim*, *Hukot HaPesach*, and “The Torah of Israel and the State,” among many other published writings.



# On Declarations of Independence

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By Ruth R. Wisse

Have you ever read the American Declaration of Independence, the one that holds these truths to be self-evident: “that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness?” Have you noticed that immediately following these ringing phrases about political freedom is an exhaustive indictment of the king of Great Britain for preventing the American people from attaining those rights? In fact, most of the document spells out the expectations that govern the colonists’ struggle for independence—expectations of the power from whom they seek their independence, not expectations of themselves. The American colonists took full responsibility for their future. They were not traumatized by “international distress.” Yet they understood that political freedom never exists in a vacuum; that it must be won from those who block the freedom.

Israel’s Declaration of Independence contains not a word about the country’s expectations of other nations—nor does the Kinneret Agreement. Not a word in the Declaration of Independence about Jewish expectations of the British government, of the United Nations, which had voted for the partition of Palestine, or of the Arab neighbors, who were threatening to push the Jews into the sea. And now, half a century later, still not a hint in the Kinneret Agreement about why the Jewish state has had to fight for its life since the moment of its founding. What do you say to a people that, under siege, talks about everything under the sun except those who besiege them? Alas, political autism is no proof of moral strength.

The Kinneret Agreement is a poignant social contract. It affirms national unity and protects national integrity in the face of great strains within the social fabric. One can imagine how much subtle negotiation was required to hammer out a commitment to the Jewish religion (point IX) without any mention of the God who inspired it. The description of Israel as a Jewish state (point III) must have required the wisdom of Solomon and the patience of Job. Paradoxically, because democratic culture takes for granted a fractious polity of vigorous debate, its elites must work hard to maintain a consensus about common values. I join the Koppelman Institute in noting with pleasure that leaders of an overheated democracy have taken the time to thrash out a collective declaration of principle and purpose.



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## Democratic Demands

Yet it is the more disappointing that, despite such exertion, the common voice of Israel's leadership should sound like this. Parts of this document read like Jewish apologetics, *mayofes* [pretty] singing before an imagined liberal court, rather than a mature declaration of political purpose. The State of Israel respects the rights of the Arab minority (point V). Well and good, and so should a democratic state treat its citizens impartially. But citizens of a democracy are equally obliged to accept the legitimacy and authority of their state. It is surely necessary in mentioning Israel's obligation to its Arab minority to point out that the surrounding Arab countries are bent on its destruction precisely because it is democratic and Jewish. Thus, Arab citizens have a special responsibility to renounce any competing Arab political goals in accepting citizenship in a Jewish democratic state, even more emphatically than citizens of other democracies are required to renounce all allegiance to other governments and rulers. Had the Kinneret Agreement respected the civic equality of Israel's Arabs, it would have articulated this requirement with the confident expectation that it would be met. Instead, its benevolent condescension sidesteps the truth, betraying the principles the document pretends to uphold.

The commitment to the pursuit of peace raises the same doubts. Point VI speaks euphemistically about conflict and bloodshed, struggle, grief, and loss, and rights of self-defense. Instead of condemning those who created the "tragic" conditions for Arabs and Jews, the signatories declare their good intentions of bringing about peace, as though *they* had rejected the partition of Palestine and had stood to gain from the misery of an Arab population. Their obligatory professions of pacific intentions toward the Palestinians, without mention of those who fuel the Palestinian plight, bespeak a lack of moral confidence and political honesty. The American colonists had the model of Moses in mind when they told the king of England to let the colonies go, but the signatories of the Kinneret Agreement, the heirs of Moses, are afraid to make demands of the pharaohs. Their inability or unwillingness to indict Arab rulers and the United Nations that abet Arab aggression dashes the hopes of democracy itself. Israel is the outpost of democracy in a region vigorously opposed to it. Unless Israel is prepared to censure, denounce, and castigate the sworn enemies of democracy—and to insist on its own inalienable rights as an equal nation—how can Israel ever prevail, how can democracy ever prevail, how can peace ever prevail in the region or the world?

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### A False Dichotomy

In its opening paragraphs, the letter of invitation to this symposium suggested a dichotomy between “the internal discussion within the Jewish people” and the threat to Jews and democracy worldwide. This is a false dichotomy that ignores the centrality of the Jews in world affairs. Like it or not, the political nature of the Jewish people has given rise to a unique situation in which opposition to democracy in all its aspects targets the Jews as its main symbol. Vast sectors of Arab and Muslim society have driven themselves into a frenzy of anti-Jewish hostility that threatens the stability of their own societies, let alone any hope of their improvement or advancement. Various political forces have converged to place Israel in a position resembling that of European Jews between the first two World Wars. Given this reality, the more effectively we Jews can confront our enemies, the better we serve democracy and extend the potential for world peace.

What Israel and Diaspora Jews owe to one another is identical with what we owe the world, namely, the courage to demand our rights from other nations. They must live up to their international obligations so that a Jewish democratic state may live up to its potential. These obligations include respecting the dignity of Israel and accepting the reality of its pluralism and difference. These obligations preclude economic boycott, war by proxy, political scapegoating, incitement to terrorism, and the spread of ideological hatred. If other nations often err in targeting others instead of internally solving their own problems, Jews too often err in solipsistic self-scrutiny instead of claiming their rights from others. It is high time that we matured enough to admit to ourselves that we serve others best by demanding the best of them.

# In Response to the Kinneret Agreement

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*By Eric H. Yoffie*

Israel is confronting a wave of Palestinian terror, anti-Semitism has reappeared in Europe and throughout the Arab world, and political prospects for movement toward peace are uncertain at best. Therefore, some Jewish leaders argue, the Jewish people should put aside internal discussions on matters of Jewish identity and the Jewishness of the Jewish state in order to protect Jewish unity at this difficult time.

## The Relationship of Security and Ideology

It is obvious that Jews everywhere must mobilize themselves in order to assure the security of the Jewish state. Every citizen of Israel is entitled to physical security and freedom from terror, and providing that security must be at this moment our highest priority. Nonetheless, it is absurd to suggest that all other concerns be put aside. It seems clear that there will be no quick solution to the political crisis that Israel faces; a prolonged period of instability, uncertainty, and terror is likely. But while terror is surely a danger, there is danger also in an ideological vacuum. If their only concern is security, and if the prospects for security are uncertain, then eventually Israelis will ask: "Why do I risk my life here? Why not go to Minneapolis or Melbourne or some other place where I will be more secure?" In short, security is not a philosophy of Jewish life; for Israelis, it is not an answer to the question: "Why should I be here?"

And if one thinks this is merely a theoretical matter, a study conducted in December 2002 by Mina Zemach suggests otherwise. The results showed that among young Israelis between the ages of 22 and 30, one-third thought that they would not be living in Israel in ten years. Among secular Israelis, 40 percent thought they would not be in Israel in ten years.

Yes, Israel's victory in the war against terror depends on achieving security and on the deterrent power of its army. But it depends no less on the belief, by Israelis and Jews everywhere, in the justice of its cause. It depends on love for the Jewish people, on identification with the historical memory and the national will of the Jews, and on yearning for the Jewish homeland. It depends, in short, on the revival of Zionism, because Zionism is the religious philosophy that asserts the justice of Israel's cause and the right of the Jewish people to reside in the land of Israel.



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### Zionism: A Religious Philosophy

Zionism, I emphasize, is a *religious* philosophy. It is rooted in Judaism, and in the absence of Judaism, Israel's cause makes no sense whatever. The concept of the Jews being one people with a deep connection to the land of Israel is a religious idea—and not an ethnic or political one. It is an idea rooted in covenant, Torah, and religious commitment and faith. If we are to talk about the totality and interdependence of the Jewish people, and the justice of its cause in the land of Israel, then we must revive the religious ideas on which these notions are based.

Of course, many Israelis might assert that religion in the Jewish state is not an answer to a problem; it is the problem. They would point out that in Israel's recent history, Jewish religion has often meant fanaticism, extremism, and the rejection of democracy; they would say that the religious parties have contributed mightily to the alienation that many young Israelis feel from their homeland. But while there is much truth to these claims, it is also true that Judaism—like every religious tradition—has always been subject to extremist temptations, and yet Judaism, in its essence, is neither extreme nor fanatic.

The challenge for Israelis is to accept that Jewish religion is the key to Jewish survival and continuity everywhere, including in the State of Israel; to appreciate that in the absence of Jewish values and religious commitment, it will be difficult, if not impossible, to mobilize the Jewish people on behalf of Zionism's struggle; to understand that the Jewish state, while guaranteeing equal rights to all of its citizens, was created to promote the religion, civilization, and culture of the Jewish people and its dominant Jewish majority; and to strive to develop and encourage a form of Judaism appropriate to its well-educated citizenry—a Judaism that is modern, moderate, and pluralistic.

How will this be accomplished? It will not be done by producing documents like the Kinneret Agreement, which is an expression of platitudes by well-meaning people who are anxious to avoid the tough choices that Israel needs to make if religious life is to be rebuilt in the Jewish state. The level of generality is such that the principles expressed can mean everything and anything. It is interesting, for example, that the document talks about a commitment to democracy, and yet some of its signers are pursuing policies in the political arena that would put an end to Israel's democratic character.

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## **Tensions between Religious and Secular Israelis**

Not only is Israel confronting a political emergency; it is confronting a religious emergency. Never have tensions between the religious and secular sectors of the population been so high. These tensions result from a system of political arrangements that is guaranteed to generate ill will between religious and secular Israelis.

For example: At a time of economic collapse, one out of seven Israelis is not engaged in productive work. A substantial percentage of these people are ultra-Orthodox Jews who study full-time, do not serve in the army, do not support their families, do not pay taxes, and expect the government—and secular Jews—to pay their way. This is a dramatic departure from accepted practice in Eastern Europe, where full-time religious study was reserved for only the most brilliant Talmud students, who constituted a tiny percentage of the Jewish population.

In response, an Israeli political party, Shinui, has become a major political force by preaching opposition to the ultra-Orthodox, focusing on their refusal to work and serve in the army. We also see a secular population that often supports the radical de-Judaization of the Jewish people and is characterized by growing indifference, resentment, and even hostility to Jewish religious tradition in all forms. The result is a disastrous situation that is destroying Israel's social fabric. Torah and Jewish tradition, which should be a unifying force in Jewish life, have become instead a primary source of division.

## **A Three-Step Program to Overcome the Crisis**

A crisis of this magnitude will not be solved by platitudinous declarations. It will be solved only when an overly timid political class demonstrates a measure of courage and undertakes to reform a political system that has made it possible for this crisis to come into being. Among the steps that need to be taken are:

1. The number of yeshiva students eligible for government subsidies should be drastically reduced and brought down to the very modest levels accepted in Israel in the 1950s and 60s. If others wish to engage in full-time study, the expense must be borne by the ultra-Orthodox community in Israel or the Diaspora, but not by the government of Israel. Eventually, all those ultra-Orthodox young men not engaged in full-time study

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should be required to do national service or army service, but the first priority is to remove them from the government welfare rolls and restore them to productive work. Torah study will then return to be what it has been throughout most of Jewish history: a responsibility that falls on every Jew and that is to be combined with the everyday burdens of supporting oneself and one's family.

2. A reform of Israel's balkanized education system should be undertaken immediately. In virtually every democratic country, there are public schools that teach students the national language, values, and culture, and the principles of democracy. Private schools exist as well, paid for by parents, with or without government support, but these schools too are required to transmit the fundamentals of democracy and national values. In Israel, however, there are three separate school systems for Jews. Subject matter is taught in different languages and reflects different cultures—sometimes anti-democratic, sometimes anti-Zionist, and sometimes anti-Jewish. Nonetheless, the State of Israel continues to support all of these schools, with minimal supervision.

3. The time has come for the State of Israel to create a core curriculum for all its schools. Its purpose would be to tie all Jews in the Jewish state to each other and to the Jewish people throughout the world, and to strengthen the central symbols and institutions of the State of Israel. It would be pluralistic and tolerant, but openly and assertively Jewish, and rooted in Jewish religious tradition. It would address issues of religious values and practice in a way that would aspire to transcend ideology and historical circumstance. As a core curriculum, it would occupy only a segment of instruction time, leaving each school system free to teach the remaining subjects in its own way; but the core elements would be required in all Jewish schools in Israel, and would be available, in adapted form, for use in Diaspora schools.

Would we not all agree that Jewish children in Israel should value democracy and be positively inclined toward Jewish religion, Jewish cul-

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ture, and Jewish peoplehood? If so, then these values must be taught in Israeli schools.

While church-state separation on the American model is neither possible nor desirable in Israel, it is possible to put an end to politicized, monopolistic religion as it now exists. The first step should be to change Israeli law so that government support to synagogues and other religious institutions will be made available without discrimination and according to uniform criteria to synagogues and religious programs of all religious streams. In the near future, municipalities should be given the right to elect their religious leaders, with ordained rabbis of all streams eligible to stand for election.

Is this a radical program? Not at all. Is it anti-Orthodox? Exactly the opposite is true. Orthodoxy, in both its centrist and ultra-Orthodox versions, will no longer be held hostage by a monopolistic government establishment and will quickly emerge as a burgeoning and creative religious community. Israelis who formerly associated Orthodoxy with corrupt politics, *kashrut* endorsements, and the avoidance of civic duty will be open to seeing it instead as a force for spiritual vitality. And the Reform and Conservative movements, while certain to be much smaller, will share in the general religious renewal, and all Israelis will benefit from vigorous debate among the movements on matters of spiritual and ethical import.

If the State of Israel will take these steps, it will overcome the current religious crisis and produce a revived Orthodoxy, an active and growing progressive Judaism, broad pockets of deep religious commitment, serious Jewish education, and a major challenge to the spiritual emptiness that is such a threat to Israeli society. The result will be a Jewish state that will revive Jewish religion and practice and will transform Torah from a political slogan into an *etz hayyim* (a Tree of Life).

# The Kinneret Agreement

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*January 11, 2002*

Out of a commitment to the State of Israel as a Jewish-democratic state, and out of a sense of responsibility and profound concern for the future of Israel and for the character of Israeli society, we, Jewish citizens of Israel, have assembled and have, in the spirit of Israel's Declaration of Independence, adopted the following agreement:

## **I. The State of Israel is the national home of the Jewish people.**

For more than one thousand and eight hundred years, the Jewish people was without a home. In countless lands and historical circumstances, we experienced persecution. In the twentieth century, under conditions of exile, the Jewish people sustained an historic catastrophe such as no other people has known, the Holocaust.

We believe that it is out of supreme and existential necessity, and with complete moral justification, that the Jewish people should have a national home of its own, the State of Israel.

Throughout its history, the Jewish people maintained a profound and unbroken connection to its land. The longing for the land of Israel and for Jerusalem stood at the center of its spiritual, cultural, and national life. The Jewish people's adherence to its heritage, its Torah, its language, and its land is a human and historical occurrence with few parallels in the history of nations. It was this loyalty that gave rise to the Zionist movement, brought about the ingathering of our people once more into its land, and led to the founding of the State of Israel and the establishment of Jerusalem as its capital.

We affirm that the right of the Jewish people to lead a life of sovereignty in the land of Israel is an enduring and unquestionable right. The State of Israel fulfills in the land of Israel the Jewish people's right to life, sovereignty, and freedom.

The State of Israel is the national home of the Jewish people, the sanctuary of its spirit, and the foundation stone of its freedom.

## **II. The State of Israel is a democracy.**

In accordance with its Declaration of Independence, the State of Israel is founded on the principles of freedom, justice, and peace. The State of Israel is committed to full equality of rights for all its citizens, without



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distinction of religion, origin, or gender. The State of Israel is committed to freedom of religion and conscience, language, education, and culture.

In accordance with its Basic Laws and fundamental values, the State of Israel believes in the dignity of man and his freedom, and is committed to the defense of human rights and civil rights. All men are created in God's image.

Every citizen of Israel, man or woman, is equal to all others. All citizens of Israel are free individuals.

The State of Israel is a democracy, accepting the decisions of the majority, and honoring the rights of the minority. All citizens of Israel are full and equal partners in determining its character and its direction.

### **III. The State of Israel is a Jewish state.**

Inasmuch as it is a Jewish state, Israel is the fulfillment of the right of the Jewish people to self-determination. By force of its values, the State of Israel is committed to the continuity of the Jewish people and its right to an independent life in its own sovereign state.

The Jewish character of Israel is expressed in a profound commitment to Jewish history and Jewish culture; in the state's connection to the Jews of the Diaspora, the Law of Return, and its efforts to encourage aliya and absorption; in the Hebrew language, the principal language of the state, and the unique language of a unique Israeli creativity; in the festivals and official days of rest of the state, its symbols, and its anthem; in Hebrew culture with its Jewish roots, and in the state institutions devoted to its advancement; and in the Jewish educational system, whose purpose is to inculcate, along with general and scientific knowledge and the values of humanity, and along with loyalty to the state and love of the land of Israel and its vistas, the students' attachment to the Jewish people, the Jewish heritage, and the book of books.

The State of Israel has an existential interest in strengthening the Jewish Diaspora and deepening its relations with it. The State of Israel will assist Jewish education in all places in the world, and will come to the aid of Jews suffering distress for their Jewishness. The Jews of Israel and the Jews of the Diaspora are responsible for one another's welfare.

### **IV. The State of Israel is a Jewish-democratic state.**

By force of the historic right of the Jewish people, and in accordance with the resolutions of the United Nations, the State of Israel is a Jewish

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state. In accordance with the basic principles on which it was established, the State of Israel is a democracy. There is no contradiction between Israel's character as a Jewish state and its character as a democracy. The existence of a Jewish state does not contravene democratic values, nor does it in any way infringe on the principle of freedom or the principle of civil equality.

In order to guarantee the continuity of a Jewish-democratic Israel, it is imperative that a substantial Jewish majority continue to be maintained within the state. This majority will be maintained only by moral means.

It is incumbent upon the State of Israel to give expression to the sense of closeness felt by Jews towards the members of every other national or religious group that sees itself as a full partner in the upbuilding of the state and in its defense.

#### **V. The State of Israel respects the rights of the Arab minority.**

The State of Israel is obligated to treat all of its citizens equally and impartially.

In areas in which Israeli citizens who are not Jews suffer from injustice and neglect, vigorous and immediate action is called for in order to bring about the fulfillment of the principle of civil equality in practice.

Israel will ensure the right of the Arab minority to maintain its linguistic, cultural, and national identity.

Jewish history and Jewish tradition have taught us the terrible consequences of discrimination against minorities. Israel cannot ignore these lessons. The Jewish character of the State of Israel will not serve as an excuse for discrimination between one citizen and another.

#### **VI. The State of Israel is committed to the pursuit of peace.**

From the day of its birth, Israel has been subject to conflict and bloodshed. In all the years of its existence, it has had to live with struggle, grief, and loss. Nevertheless, in all these years of conflict, Israel did not lose its belief in peace, nor its hope of attaining peace.

With that, Israel reserves the right to defend itself. It is imperative that this right be safeguarded, and that Israel maintain the ability to defend itself on a permanent basis.

The State of Israel is aware of the tragic character of the conflict in which it is involved. Israel wishes to bring an end to the conflict and to

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assuage the suffering of all its victims. Israel extends a hand to its neighbors, and seeks to establish a lasting peace in the Middle East.

Israel is prepared, therefore, to recognize the legitimate rights of the neighboring Palestinian people, on condition that it recognize the legitimate rights of the Jewish people. Israel has no wish to rule over another people, but it insists that no people and no state try to bring about its destruction as a Jewish state. Israel sees the principle of self-determination and its expression within the framework of national states, as well as readiness for compromise on the part of both sides, as the basis for the resolution of the conflict.

### **VII. The State of Israel is home to many communities.**

In the State of Israel, the tribes of Israel have gathered from many lands, and, together with the inhabitants of the land, Jews and non-Jews, have created in it a society of many aspects.

Israel's human and cultural mosaic is rich and unique. Out of an appreciation for the contribution of the variety of different communities to the founding and establishment of the state, and out of respect for each distinct culture and for each individual, it is incumbent upon Israel to cultivate and preserve the palette of traditions that exists within it.

It is imperative that Israel preserve a common cultural core, on the one hand, and cultural and communal freedom, on the other. Israel must create a tolerant human environment that will allow each identity group to bring out the best within itself, and permit all of these groups to live together in harmony and mutual respect.

### **VIII. The State of Israel is a state of fraternal solidarity.**

In keeping with the dreams of its founders, Israel aspires to build and maintain a society committed to the pursuit of justice. Nevertheless, the years since Israel's founding have seen the entrenchment of severe social distresses in the country. We believe that there is a vital need to renew the spirit of Israeli brotherhood on a basis of equality of opportunity and social justice. Israel must heal the internal schisms that divide it and create a true partnership among its citizens. Israel must be a state of mutual responsibility.

It is imperative that the State of Israel be a moral society, sensitive to the hopes of the individuals and the communities within it. Ours must be a society that offers all its citizens a sense of partnership. Every

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individual in Israel deserves to have the opportunity to develop the abilities and potentialities within him. The allocation of public resources should afford every citizen the maximal possibilities to develop his talents and improve his life, without respect to his place of residence, origin, or gender. To achieve this, it is imperative that Israel invest more intensively in education and infrastructure in the communities of its periphery. Israel must be a country in which one can pursue the good life.

### **IX. The State of Israel and the Jewish religion.**

Israel is home to secular, traditional, and religious Jews. The growing alienation of these groups from one another is dangerous and destructive. We, secular, traditional, and religious Jews, each recognize the contribution of the others to the physical and spiritual existence of the Jewish people. We believe that the Jewish tradition has an important place in the public sphere and in the public aspects of the life of the state, but that the state must not impose religious norms on the private life of the individual. Disagreements over matters of religion and state should be resolved through discussion, without insult and incitement, by legal and democratic means, and out of a respect for one's neighbor.

We are one people. We share one past and one destiny. Despite disagreements and differences of worldview among us, all of us are committed to the continuity of Jewish life, to the continuity of the Jewish people, and to vouchsafing the future of the State of Israel.

### **X. National responsibility.**

In establishing the State of Israel, the founders of the state performed an extraordinary historic deed. This deed has not ended; it is at its height. The return to Zion and the effort to found a Jewish-democratic sovereignty in the land of Israel stand, in the twenty-first century, before great challenges.

We, who have joined together in this agreement, see ourselves as responsible for carrying on this deed. We see the State of Israel as our shared home. In accepting upon ourselves this agreement, we pledge to undertake all that can and must be done to guarantee the existence, strength, and moral character of this home.

—The Committee for National Responsibility

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*The Committee for National Responsibility*

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