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THE CONTEST FOR THE JEWISH FUTURE

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The Issue of Religious Legitimacy

In many ways, the issues associated with the "Who is a Jew?" crisis represent a far more significant moment in Jewish history than we might have considered at first glance. No issue has so profoundly captured the attention of individual Jews and the American Jewish community as has this question. On the surface, this can be seen as a power issue pitting American diaspora interests against the entrenched Israeli religious establishment. The fallout over the battle for religious legitimacy has touched the soul of American Jews, and over time may well reshape the magnitude of Israeli-diaspora relationships, including the patterns of Jewish philanthropy. The communal federated system in particular may face the most significant challenges to its standing and role as the institution of choice for donors. Patterns of charitable giving evolve over time and, once disrupted, become difficult to recapture.

Yet even more dramatic for America's Jews would be the ideological and political shifts that may result. For most American Jews, Israel's

place on the spectrum of Jewish affairs could always be defined as remote and devoid of matters pertaining to the direct interests and personal standing of Jews residing elsewhere. As a result, this made the Israeli agenda one where consensus could be achieved by our communities. Believing, however, that Israel's proposed political actions on matters of personal status could in this circumstance result in denying our own standing or legitimacy as Jews, there has emerged a level of anger and frustration that could very well lead to a reconfiguration of organized Jewish life as we have known it.

An issue that appears less immediate and obvious, but deserves our attention, includes the historical framework of this conflict whose seed was set in Western Europe two centuries ago. In many respects, this constitutes a territorial battle being waged between the diaspora, as represented by the liberal movements within Judaism, and the notion of the "motherland," as symbolized by Israel's Orthodox establishment. The evolution of Reform Judaism represented a *halakhic* break

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with and political challenge to the then religious establishment. That mutual disengagement was never resolved, nor were the principles of how world Jewry would manage this religious conflict defined. As Jews were ultimately and in many cases tragically dislodged from their European base, Israel would emerge as the world center for traditional Judaism, while North America would serve as the homeland for the emerging Jewish liberal movements. As long as the questions surrounding Jewish security remained paramount, little attention was invested in carrying forth this agenda focusing on religious authority and legitimacy.

In more recent years, the attention over Israel's security status diminished and newly re-established Jewish communities emerged out of authoritarian regimes in Europe, Asia, and Africa. This led to new streams of Israeli aliya and to the creation of new enclaves of Jewish settlement in North America. With it came questions of religious practice and principle that needed to be addressed.

Correspondingly, as Reform Judaism introduced new religious ideas (patrilineal descent) and altered traditional ones (the ordination of women), a whole new set of challenges was being put forth that would serve to accelerate this war among the Jews.

Origins in Zionist History

To better understand the origins of these conflicts, it is necessary to look back at Zionist history. Neither the early Reformers nor certain elements within European Orthodoxy initially embraced Zionism. Throughout the early and middle years of this century, Zionist leadership would frequently note their profound displeasure over the failure of Reform Judaism to reject the strong anti-Zionist elements within the movement and to shed its non-Zionist stance. In my assessment, this historical baggage would not be easily dismissed by the Israeli political community. Ideological political movements that achieve power tend to acknowledge those who provided early support and, correspondingly, be cautious of those who had failed to embrace such an enterprise from the outset. The question for the founding leadership of Israel would be how best they might now use these two elements. The early labor elites saw the special opportunities associated with embracing the diverse Orthodox constituencies — justifying their inclusion of this sector for its immediate political advantage, voter appeal, and value in building coalition governments. From the outset, the utilitarian value of American Reform Judaism would be more limited, namely, to tap that community for its financial

and ultimately its political clout. This framework, once in place, has not marginally been altered. Clearly, one of the cornerstones of this current conflict must be seen in the context of territorial control and access — Orthodox hegemony versus the entrenched Zionist perceptions about Reform Judaism as holding a place within this ideological and national struggle.

Just as one must understand this issue from its political and territorial framework, it is necessary to also measure the different mind-sets and lifestyle systems that divide Israel from America's Jews. Concepts such as religion and state, pluralistic traditions, separation of powers, and other core principles separate these two national environments. Jews in American society experience a uniquely American model of volunteerism, the privatization and competition of religion, the presence of an established code of civility, and a national tradition of religious liberty and tolerance. These ideas in their American form are totally foreign to the Jewish state's system of laws and practice. In many ways, this conflict over religion is an East-West cultural encounter involving two systems abutting one another, leaving each side both angered and mystified.

These cultural misconceptions and the resulting tensions can also be seen in more defining terms by younger American Jews. Unlike the generations who have grown up with Israel, being touched and tested at every turn as that young and fragile society struggled to build a nation, contain its enemies, and embrace its new immigrants, we are now witness to a new generation, primarily of Jews under 40, who know not the Israel of war or of economic hardship. The unique intertwining of this 50-year saga is not and will not be their legacy. Thus, for many of them, Israel's treatment of Palestinians as they see it in the media and its disregard for religious pluralism become the measures of its credibility and even of its acceptability. This emerging reality does not take into account the infusion in our society of the many "new Jews" or "Jews by choice," who neither inherited the historical baggage nor experienced the emotional connection that must be seen as part of this drama spanning the latter half of this century.

This in some measure represents the ultimate in the "place" versus "space" confrontation. If one treats "traditional" religious ideas built around a unique set of events (biblical) and a defined "locus" (ancient Israel), then it is possible to understand the sanctity of place for Orthodox Jewry. In contrast, with Reform Judaism's emphasis on ideas that transcend location,

a different religious framework emerges focusing on universal principles (i.e., space). As a result, these differences introduce another element of contention. One faith system presents itself as a defender of the status quo, where land and belief are tied together. The other, viewing itself as not bound by such narrow definitions, places primacy on both the application and relevancy of religious teachings. For the former, the sacred is fixed and bound to a particular history; for the latter, the holy is evolving and transcendent. As a result of these differing worldviews, the two communities have great difficulty finding the common ground necessary even for a productive dialogue over focus or faith.

Focus on the Contemporary Crisis

Returning to the issues themselves, let us remind ourselves that the current round of this conflict is singularly focused on an Orthodox-inspired initiative over the question of conversions. This current focus on political action does not seek to address or consider the prior unresolved questions, including the amending of the Law of Return, the status of Reform Jewish participation on religious councils, or a host of other considerations. In the end, the fundamental question remains: will the existing religious authority recognize competing entities, granting to these groups political access and theological standing? In the history of religious wars, the incumbent state religious power does not relinquish its authority, subject only to its being expelled from office.

It is possible for us to envision a conflict that may be waged over decades, if not centuries, similar to the great theological and church-driven encounters that marked much of the histories of Europe and Asia. Can we envision ultimately a territorial as well as ideological split, a type of Middle Eastern Judaism as distinct from an American Jewish model? Is it possible to imagine as well that this war among us will result in a series of new institutional alliances and arrangements, where certain Israel-oriented charities remain connected to a traditionalist camp of donors and causes, primarily those within the diaspora and in Israel who are aligned ideologically to Likud and theologically to the Orthodox power elites? A countervailing model would place, for example, the New Israel Fund as the charity of choice for those associated in Israel with labor and the left, in concert with world Jewry's liberal forces, both religious and secular. Yet we must recall, with a degree of sober political reality, that even Israel's secular elements hold no particular cause for American-

style liberal Judaism, nor does this sector fully or specifically appreciate the principle of church-state separation.

In the event of these transformations, will our fate as a people be tied to an authentic-unauthentic religious status debate, where the Orthodox rabbinate at some point during the course of these bitter engagements will declare to all of world Jewry that there can be but one, true community of faith? While the capacity of the Israeli Chief Rabbinate to hold sway over disparate elements of the Jewish religious right may be problematic, a collective initiative of different world Jewish Orthodox leadership could signal, however, such a theological split.

Compounding this potential religious division is a set of changing political realities within Israel. The coalitional forces that today comprise the right-wing of Israel's political infrastructure incorporate a grouping of ultra-nationalists along with religious extremists. These forces have effectively attracted disenfranchised pockets of new immigrants, significant elements who have historically felt underrepresented and disillusioned by the failed peace process, or left behind as Israel transforms itself technologically and economically.

Particularly frightening are the new statistics about Israel's teens and young adults, fully one-fourth of whom condone the Rabin assassination, while embracing ideas that incorporate the subjugation and eviction of Arabs, and the rejection of the Oslo Accords in order for the Jewish state to achieve access to all lands under dispute. The implication of these findings, related to our concern for religious pluralism, only sharpens our understanding of what is happening to the fundamental character of Israeli society. The core culture, so crucial to a democracy, especially to an evolving national culture, appears to be weakening, with the issue of religion and religious practice representing only one of the measurable variables. Yet a rejectionist coalition built around a shared opposition to peace, pluralism, and progress can create a social divide of profound magnitude.

Religious Wars: Assessing Tactics and Realities

Reminding ourselves that entrenched religious authorities are unlikely to relinquish real authority or definitive power, especially as it pertains to issues impacting its own territoriality, we are unlikely to see more than symbolic agreements. What concerns me further is that the tenor of this battle will not be confined to government commissions, to legal directives offered by a court, or elections of politicians possibly

more sympathetic to these issues. Rather, the real test will be played out in the neighborhoods and streets of Israel and, of course, at the Western Wall in Jerusalem, the symbol of Jewish religious faith and practice. The tendency in these kinds of faith conflicts has been to identify and record the acceleration of physical assaults on persons and properties, and in reality these attacks may not in the future be limited to the borders of the State of Israel. A religious camp that may feel threatened by the potential loss of power and status from a challenging faith system and/or by the implementation of a peace process that would undermine its ideological and more directly its institutional interests will find ready justification in the use of massive civil disobedience and even violence.

The Reform Movement's Initiatives

Both in Israel and in North America, the options for the Reform movement appear limited and these choices in many ways must be viewed as unsatisfactory. I have identified several strategies, each offering certain advantages while also containing significant limitations.

A) *The politics of guerilla warfare.* This choice permits the continuation of the existing cause of engagement. While not insuring parity, it brings forward through a series of independent actions — legal, legislative, and lobbying — the core grievances. The goal here is to weaken the religious establishment's resolve and to create new strategic access to the unchurched in Israel. Adopting this process raises the role of a more violent fundamentalist response.

B) *The covenant of religious practice.* This strategy permits the dissenting communities an opportunity to assess both a national debate and the introduction of a proposed framework on the place of religion in a modern, democratic Israeli society.

C) *The use of grass-roots organizing techniques.* Abandon the public process in favor of a community-based campaign of education, information, and ultimately congregational organizing. This approach shifts the emphasis to a long-term strategy of building a serious base of support in the country.

D) *Using the ballot box.* Beyond Israel's future elections, at which time these movements may wish to introduce their own political party with candidates for the Knesset, the initial test will come through the effective control of delegates from Arza and perhaps Mercaz to the World Zionist Congress.

A final note of caution ought to be introduced here. There are no guarantees in this type of religio-political

struggle that a comprehensive package could be negotiated, separating the Conservative movement from its current ally. The Orthodox establishment may believe that they hold enough in common *halakhically* with the Masorti movement to pick it off by a series of settlements and future agreements. A divide and conquer strategy, written about in the Israeli press, may create a whole different scenario, one that further limits and isolates the Reform movement.

The Orthodox Response

Let us be quite clear that whatever approach is adopted, the established religious community will be developing its own models of action. Orthodox publications in the U.S. and those in Israel reveal to us useful insights into the tenor of the rabbinic-led counter-response. Currently, the focus is directed in four areas:

- 1) Noting and attacking the severe *halakhic* violations committed by liberal Judaism;
- 2) Examining the failures of Reform and Conservative Judaism in a number of areas, including the prevention of intermarriage and conversions, thereby signalling the weakness of these movements to sustain authoritative Jewish life;
- 3) Linking religious concessions with political compromises — i.e., the Oslo Accords. The implication here is that those who are soft on Torah-true Judaism are also misguided on preserving God's promises to the Jewish people regarding their land; and
- 4) Mocking these movements for their liberal-based, social justice agendas as contrary to protecting and sustaining Jewish self-interest.

Time and again, American Orthodox leaders seek to take the religious pluralism issue off the table in every organizational context, including the federation's agenda and community relations public policy debates. Their tactics include the threat of withholding financial support and withdrawing institutionally from coalitional groups. They argue the principle that this is an internal debate that must be addressed in Israel, and therefore does not appropriately belong on the diaspora's agenda of policy concerns. For instance, they have sought unsuccessfully on numerous occasions to block public statements on pluralism. Yet despite these negative factors, a quiet effort has been underway for some time designed to bring rabbinic leadership from across denominations together in dialogue. It is unclear as to what the specific outcomes might be as a result of these gatherings.

Implications for the Jewish Future

As we have noted from the outset, the federated system and its allied Israel-based charities may be the most likely targets through which all sides express their concerns and frustrations. These campaigns, as they have been in prior crises, became the outlets by which individuals express their political and religious agendas. This financial enterprise is not passive to this current threat, seeking rather to offer new incentives of support to Israeli Reform and Conservative causes as a means of providing donor options and as a statement of its intent to reflect communal sentiments. The investment in promotional initiatives and public relations advertising around this issue by the UJA and Israel Bonds is in part designed to offset those rabbinic elements from all sides who have called upon their adherents to withhold financial support for these communal campaigns. No one should be surprised to observe the escalation of advertising by competitive groups such as the New Israel Fund at this juncture, when the playing field becomes that much more open.

In the end this must be seen as a religious war of profound contemporary and historical implications for Jewish life and thought. Efforts by Yossi Beilin and others to construct a "New Covenant on Religion and State" for Israel may offer one of the few creative

alternatives focusing in part on the issues of civil marriage and burial and the broadening of Jewish education to reflect all the religious movements. The seeds of distrust, however, are deeply imbedded and, as a result, negotiation and compromise are at best far more difficult.

Upon reflection, this conflict may appear for some more as an inconvenience than a theological contest over authority and practice. For others it is a contest among rabbis over ritual and ego. It is at its core a power issue. Beyond its political trappings, it is, as we have noted, a territorial battle between the last vestiges of a European-dominated tradition of faith and a North American model engaged in the reshaping of Judaism for a different era.

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The Covenant Tradition in Politics, Volume III

Daniel J. Elazar

To the two great idea complexes of the covenantal political tradition, covenant and commonwealth, the modern epoch added a third, constitutionalism in its modern meaning. Constitutionalism became both operational and decisive in the course of the modern epoch. The ancient biblical idea of covenant had, in due course, given birth to the late medieval Protestant pursuit of commonwealth in a polity constructed on the proper covenantal principles. These principles subsequently were transformed into the foundations of modern civil society that was given its best political form through constitutionalism.

Clearly, the reconstruction of the ideas of medieval constitutionalism along new lines and through new forms of constitutional government was a critical step made possible by the political ideas derived from the covenantal tradition. The emergence of constitutionalism is the jewel in the crown of the new science of politics of the modern epoch. From it came the emergence of *civil society* as moderns understood it, comprised of governmental, public voluntary (non-governmental), and private parts, each with its own legitimacy; *modern republicanism* and democracy, with its "republican remedies for republican diseases" in place of the premodern mix of monarchic, aristocratic, and popular institutions to provide balance; and *federalism*, with its combination of self-rule and shared rule involving the separation of arenas and powers. All were rooted in earlier ideas of covenant and the covenanted commonwealth. The way in which those ideas were transformed by modernity is the subject of *Covenant and Constitutionalism*, the third of four volumes in the series of volumes exploring the covenantal tradition in Western politics.

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