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SOME KEY QUESTIONS FACING THE JEWISH POLITY IN THE NEW DECADE

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The Jewish people is a great people that too often confounds us with its pettiness. It is global in scope and too often parochial in content. It transcends time and space, yet its members and leaders operate as if they were all sitting around a kitchen table among family. Its true character is embodied in these paradoxes.

As the Jewish polity enters the 5750s on the Jewish calendar and the 1990s on the general calendar, it faces certain key questions that require continued explanation and further analysis. Those questions constitute the Jewish policy agenda for the new decade. This agenda goes beyond this year's critical issues, such as Soviet Jewish emigration, to take a longer view.

Citizenship in the Edah

Key questions of citizenship and affiliation with the Jewish polity, including the great question of who is a Jew in the new context of assimilation

and intermarriage, need to be addressed from the perspective of the Jewish polity. On one hand, probably a majority of Jews would still like a definition of Jewishness that would be halakhically valid, while on the other, reality suggests that many of those who identify as Jews would not be considered Jewish from a halakhic point of view. In such a situation, this becomes a critical issue for the Jewish polity as an edah (the traditional name of the Jewish republic). The edah has to determine and employ certain criteria of citizenship for purposes of affiliation and leadership recruitment in the diaspora and to determine status in Israel. Simply understanding being Jewish as a matter of citizenship could be helpful.

Patterns of Participation and Affiliation

The citizenship issue leads to some critical questions with regard to patterns of participation. The edah today,

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especially but not exclusively in the diaspora, can be seen as a series of concentric circles. At its core is a small circle consisting of those Jews who live complete Jewish lives in every day, in every way, according to a Jewish rhythm. Surrounding them is a circle of highly committed Jews, very much involved in Jewish affairs but whose rhythm of life is not necessarily fully Jewish in the same way. Around that circle is yet another, of those who are moderately active in Jewish life and affairs.

Around that circle is a larger one of those who are Jewishly-affiliated in some way and "pay their dues" as it were, but are not especially active as Jews in Jewish affairs. Around them is another circle of those who identify as Jews, periodically affiliate or are involved in Jewish life in some way, but mostly go about their own business. Beyond that circle is another one of those who do not deny their Jewishness but do not identify with the Jewish people in any particular way. Finally there is an outer circle of those whose very Jewishness is unclear, the products of intermarriage.

These circles are of unequal size. The boundaries between them are somewhat indefinite and always permeable, and the body of circles has no clear ending at its edges, as we read almost day-by-day in connection with the Jews of the Soviet Union and Eastern Europe. Moreover, since 1967 there appears to be a growing gap between the inner and outer circles, with the inner circle pulling together more tightly and the outer circles drifting further away. Times of crisis may shift people from one circle to another but rarely do they move more than two circles in either direction.

There are three critical questions here:

One: How do we contain or at least deal with the bleeding at the outer edges of these concentric circles? The question ties in with the issue of citizenship but is particularly complex because the edah is not a spatially-bounded polity in which it is easy to determine who is in and who is

out. Unfortunately, rather than seeking to devise better ways to deal with the "who is a Jew" issue in the context of the contemporary world, in which the Jews are as totally involved as any other people, those responsible for the issue are moving toward ever more difficult tests of Jewishness since this relates to the division between cosmopolitans and locals.

Two: How do we prevent the inner and outer circles from growing further apart? Or, as a corollary to that, how do we prevent the gap between the inner and outer circles from emerging even closer to the center, that is to say, between the two innermost circles and all the others?

In previous Jerusalem Letters I have suggested that the greater share of contemporary Jewish spiritual energy lies with Orthodoxy and, it often seems, with fundamentalist Orthodoxy at that. One of the consequences of this is the political resurgence of ultra-Orthodoxy in Israel. Another is that while Orthodox Jews in the United States do not comprise more than 10 percent of the total American Jewish population, they may well comprise approximately a third of all active Jews because almost all of their 10 percent are actively living Jewishly, while only a small share of the other 90 percent are (see VP:53 "Who is a Jew and How? -- The Demographics of Jewish Religious Identification," [24 September 1986]). Thus the first reality is the distinction between participation and affiliation. While many Jews are affiliated, most are in the middle circles. The inner circles are both smaller and weighted toward the Orthodox, with all the implications of that fact for Jewish unity and self-expression.

A third question in the pattern of Jewish participation is the division between cosmopolitans and locals. Cosmopolitans are those who see the larger picture and who are concerned with their communities as a whole, and as a result, with the Jewish people as a whole. Locals see only the narrow aspects of their own lives as Jews and are involved accordingly.

The cosmopolitan-local distinction is an

essentially human one, with all human beings either cosmopolitans or locals. Organized Jewish life is built to accommodate both. Locals tend to concentrate in the localistic institutions of the religious-congregational sphere and cosmopolitans in the communal-welfare, external relations, and Israel-edah spheres. Only the educational-cultural sphere tends to reach out to both in about equal proportions. One very important consequence of this is to be found in the who is a Jew issue. Since the definition of who is a Jew is first determined in the religious sphere, this means that unless something is done by the cosmopolitans in that sphere to deal with the current problems, the definition will be left in the hands of the ultra-Orthodox locals who will make it as limited and closed as possible.

Issues of Authority and Power

There are significant issues of authority and power to be explored, including changing sources of legitimacy and issues of federal versus hierarchical arrangements. Since the very beginning of the Jewish polity in biblical times, authority and power within it have been divided among three domains, referred to since the Second Commonwealth as the keter torah (literally, the crown or domain of Torah), keter kehunah (the crown of priesthood), and keter malkhut (the crown of civil rule). Keter torah, initially the domain through which God's word could be communicated to the Jewish people, became over time the domain which controlled the interpretation and explication of the constitutional foundations of the Jewish polity (Adat Bnai Yisrael). Originally the domain of the Prophets, it later became the domain of the sages and rabbinical authorities. The keter kehunah, originally the domain of a hereditary priesthood and since the destruction of the Temple the domain of religious officiants of all kinds, developed into the channel through which the people reached out from their immediate personal and collective concerns to the transcendent Power. The keter malkhut,

originally in the hands of elders and magistrates (zekenim and nesiim), then judges and kings (shoftim and melakhim), and after that patriarchs (nesiim) and parnasim, was the domain responsible for handling the civil affairs of Adat Bnei Yisrael.

These domains have undergone many adaptations in the long course of Jewish history but they have continued to constitute the basic framework for the institutions of the Jewish polity and power-sharing within those institutions. No Jewish community can exist as a fully articulated community without them. Even where individual congregations constitute the community, they are led by rabbis (keter torah), congregational boards (keter malkhut), and hazanim (keter kehunah). In today's large communities, these ketarim are represented by complex institutions and institutional networks. In France, for example, where matters are relatively simple, the FSJU and the CRIF constitute the keter malkhut; the Consistoire and other synagogue federations, the keter kehunah; and the Chief Rabbi, the keter torah. The same pattern exists in Great Britain with the Board of Deputies and the Jewish Welfare Board, the United Synagogue, and the other synagogue federations, and the Chief Rabbi and batei din occupying the three ketarim, respectively. In the United States, matters are more complicated but the division is equally clear.

Israel, too, maintains the three-fold division with the civil governmental institutions of the state as the keter malkhut, the local religious councils as the keter kehunah, and the chief rabbis and batei din as the keter torah. In sum, while, from one perspective, the State of Israel has a fully articulated set of institutions, similar to those of other states, from a Jewish perspective its civil institutions are principally those of the keter malkhut, while, because of the special character of the state as a Jewish state, there are important state-sponsored and quasi-state institutions giving expression to the other two ketarim as well. As in the past, expressions of the keter kehunah were over-

whelmingly local in both Israel and the diaspora.

For over half a millennium prior to the nineteenth century, the full articulation of these domains was principally local, occasionally countrywide. After the eleventh century, the world Jewish polity existed only as a network of poskim within the keter torah.

Only in the nineteenth century were the Jews successful in beginning the reconstitution of a more articulated institutional structure for the edah, through the keter malkhut whose role was strengthened by the breakup of the unity of the keter torah as a result of religious reform, on one hand, and the emergence of countervailing ultra-Orthodoxy, on the other. In the course of the twentieth century, the fragmentation of the keter torah continued while the power of the keter malkhut was strengthened immeasurably by the establishment of the State of Israel and the emergence of corresponding bodies as dominant in the diaspora communities. The end of the first postwar generation brought with it a major step forward in the institutional concretization of the world Jewish polity through the reconstitution of the Jewish Agency for Israel, clearly an instrumentality of the keter malkhut. Not only did these changes involve a series of local reconstitutions but they marked a millennial shift in the distribution of authority and power within the Jewish polity. That shift is connected with the general reconstitution of the polity as a whole. To the extent that Jewish unity could only be maintained through the keter malkhut, that keter was strengthened within the overall framework of the Jewish polity. Thus the reconstitution of the Jewish polity in our times has been accompanied by a millennial shift of the balance of power from the keter torah to the keter malkhut in all three arenas of Jewish political organization -- local, countrywide, and edah-wide.

From another perspective, four types of institutions have emerged in the diaspora. Most comprehensive are the government-

like institutions, such as the local and countrywide community federations dealing with fundraising and social planning, the representative boards and community relations organizations dealing with external relations, local and countrywide boards of Jewish education, and similar organizations for assisting Israel. Parallel to them are localistic institutions, such as congregations and community and sports centers catering to the more immediately personal needs of Jews. In addition there are general-purpose, mass-based organizations which often seek to gain control of the government-like institutions, to give them a particular direction or ideological content, as in the case of the Zionist parties, or which have fraternal, educational, or social welfare purposes such as B'nai B'rith. Finally there are special-interest institutions and organizations devoted to very specific tasks such as individual schools, yeshivot and rabbinical seminaries, hospitals, and health and welfare institutions. Most of these are local but some serve larger regional and countrywide constituencies. Most of the institutions within this four-fold division fall within the keter malkhut, though in some cases, such as religious congregations, schools and yeshivot, they include institutions of the other two ketarim as well. In this sense the four-fold division reflects both the persistence of the ketarim as active domains and the new balance among them in contemporary Jewish life.

The shift in power among the ketarim is, on one hand, an accomplished fact, strengthened by the fact that it is only in the domain of the keter malkhut that all Jews will still sit together, even those who will not recognize each other's legitimacy within the framework of the keter torah or those who have no interest in the activities of the keter kehunah.

On the other hand, the keter malkhut is now beginning to consider whether it needs to acquire the ability to grant Jewish legitimacy on its own. Up to now it has accepted the constitutional role of the keter torah as the source of that

legitimacy, indirectly if not directly. The secular elements in the Zionist movement were the first to challenge the authority of the keter torah in this way, but the who is a Jew issue is universalizing the challenge beyond the State of Israel.

The edah was always federal in character, both in the original sense of being founded on a covenant (the word federal is derived from the Latin foedus which means covenant and is a direct translation of the Hebrew brit) and in its political-communal organization, which involves a matrix of centers bound together within the common frame of Torah-as-constitution and sometimes common institutional frameworks in addition to the Torah. However, in the last centuries before the modernization of the Jewish people, rule within the edah had become increasingly oligarchical and, with the intervention of the non-Jewish authorities, it was easy for oligarchies to become hierarchical as well. In the contemporary diaspora, this hierarchical structure has fallen by the wayside because voluntary communities require the active consent of their members, which among Jews can only be done through the recognition of the basic equality of all Jews and the broad distribution of power among many centers.

In Israel, the founders of the new state borrowed a hierarchical model of government from Eastern and Central Europe which has turned out to be very dysfunctional in terms of Jewish political culture and behavior, and after the first generation with regard to such matters as economic development as well. It is significant that the Israel Defense Forces, which as an army could be expected to be the most hierarchical institution, has actually done the most to accommodate the egalitarian and federal elements in Jewish life within its framework, and as a result has been perhaps the state's most successful institution.

Now Israel's civil government must also confront the issue of changing its structure from a hierarchical one to one that is more in keeping with Jewish political culture and the realities of Israeli behavior so

as to save the energy wasted on a basically egalitarian society battling hierarchical structures. This is especially critical in matters having to do with freeing the economy from too much government intervention and reducing the country's bureaucratic structures. Constitutional reform in the direction of a greater separation of powers between the executive and legislative branches of government and electoral reform to break the party oligarchies and tie Israel's elected representatives closer to their constituency, while not panaceas, are vitally necessary steps in that direction.

This also affects the role of the Jewish Agency within Israel and in shaping Israel-diaspora relations. Israel cannot be and should not be simply another Jewish community. It is, after all, the Jewish state and its government and people carry far heavier responsibilities for the future of the Jewish people and far heavier burdens in the securing of that future than any diaspora community. Nevertheless, Israel's goal should not be a monistic one as many of its leaders often seem to seek, whereby the diaspora is merely a cow to be milked or a body of troops awaiting orders from its commander. This approach no longer works in the diaspora and few Israelis see it as realistic either. Nevertheless, it still resurfaces when critical issues have to be faced. A new and better relationship has to be devised that gives both Israel and the diaspora their due.

This, in turn, leads to the question of accommodating Jewish political culture and behavior in frameworks of organized Jewish life, particularly in questions of leadership and representation. What is representation in a voluntary context? How do a state and diaspora live together? How do they represent their respective constituencies? How do their leaders, chosen in such different ways, share power and interact? This task is further complicated among Jews by the fact that in a small people, Jewish leaders, like most other Jews, play multiple roles. They do so in order to accomplish the many tasks before us with the limited manpower available.

The Edah's Emerging Constitution

Another set of questions revolve around the emerging constitution of the contemporary edah. Until modernization, the Torah, as interpreted, was unequivocally the constitution of the Jewish people. During the modern epoch, this unequivocal position of the Torah disappeared. The Torah was no longer understood or interpreted within a common framework and there were those who rejected the Torah as constitution altogether, as they rejected the religious dimension of being Jewish.

At the end of the modern epoch, the very notion of a common constitution seemed extremely problematic. More recently, however, there seems to be a reassertion of the principle of constitutionalism for the edah, with the Torah, however interpreted, in some way at its core and Eretz Israel as its rallying point. The full impact of this question has yet to touch us. At present we are still struggling with the reconstitution of the edah, just as the previous generation struggled with the consolidation of the state and the reconstitution of the individual countrywide communities and the generation before struggled to achieve the establishment of the state and the emergence of new Jewish centers in the diaspora. Even if it is not the principal question for us to address at this point, at sometime within the next 30 years we will probably have to begin addressing it.

Religious and Secular

This raises the whole question of the relationship between the so-called religious and the so-called secular dimensions of Jewish life, a separation almost impossible to achieve within the classical Jewish framework but which has become real enough as Jews have become part of the modern world. This question involves both matters of commitment and ideology and matters of authority and power. The struggle between those who claim authority on religious grounds and those who claim it on civil or secular is visible enough. It is intensified by the problems of religious

commitment, on one hand, and the ideological divisions among those who see themselves as religiously committed as well as those who reject religious commitment.

Public and Private

Another question has to do with the division into public and private in Jewish life. In classical Jewish life, there was hardly any such division, just as there was not in the ancient polis. It is the hallmark of modernity that such a division should exist, that there should be spheres of private behavior in which individuals are not subject to the dictates of the public sector -- civil or religious -- except by their own choice.

The modern epoch invented the idea of civil society, that is to say, a political order that has both public and private space. Public space is necessary for the political order to exist as a res publica, the only legitimate political order. In modern political thought and belief, a proper res publica, a republic, must be a democratic republic which rests upon individual rights or the existence of a private sphere. Contemporary Jewish institutions willy-nilly recognize this: Israel by design; diaspora communities because as voluntary associations they cannot be comprehensive.

In Israel there is a continuing struggle regarding the boundaries between public and private, especially in the sphere of the Jewishness of the state. In the diaspora, there are problems of the extent to which the private behavior of Jews interferes with Jewish public purposes. There is another dimension here and that is which diaspora institutions should be considered public and which private.

Another issue revolves around the relations between citizens and politicians in Israel, volunteers and professionals in the diaspora. In Israel, for historic reasons, professional politicians have come to dominate the country's public leadership, leaving little room for citizens who do not choose politics as a career to participate in the public sphere. In the diaspora, especially in the United States, the