

their own sovereign State.” This suggests that the Jewish people, like any nation, have a natural right to self-determination and, for this reason, the Jews deserve a state. These two reasons, national, even ethnic in scope, inform the Law of Return’s declaration that “every Jew has the right to come to this country as an *oleh*” – that Israel is a country for all Jews by virtue of birthright alone – a place for Jews to both immigrate and emigrate to.

In fact, Israel’s definition of who qualifies as a “Jew” is not halakhic, but is instead entirely ethnic. In halakhah, a Jew is either a convert or the child of a Jewish mother. However, the 1970 amendment to the Law of Return expands the definition of “Jew” to include: “a non-Jew who is either the child or grandchild of a Jew, the spouse of Jews or the spouse of a child or grandchild of a Jew.”¹³

The trouble with this ethnic definition of “Jewish” is the people it excludes – the significant non-Jewish populations who live within Israel’s borders including, Arabs, Druze, even foreign workers. Despite the fact that in the Declaration of the State of Israel, the country pledges to “ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture,” this has not been the case. De facto, the minorities in Israel are treated as second-class citizens; they suffer severe discrimination on all levels, tend to be among the country’s most poor and least educated. This reality clearly conflicts with the democratic values of protecting minority rights and upholding civil liberties.

Beyond mutual ancestry, there are other components that contribute to making a group of people a nation. These include a common language, history and culture. In this context, Israel’s “Jewishness” refers to the Hebrew language, thousands of years of history and a rich culture. However, defining “Jewish” along these lines need not ignore the fact that Hebrew, until the last century, was a dead language. Instead, Jews predominantly spoke, in addition to the languages of the areas they lived, Yiddish and Ladino. After two thousand years of exile, with Jews spread throughout the globe, it is difficult to claim a common history, let alone a mutual memory. And, further, there is no single “Jewish culture” – the culture of a Polish Jew is very different, even unharmonious with that of a Tunisian Jew. In fact, it’s only the religious texts and traditions that truly unite all Jews.

Nevertheless, even if a common culture might be forged and a similar historical narrative that unites all Jews written, these would not speak to the non-Jews living in Israel. Instead, these attitudes, even the Hebrew language, tend to sideline non-Jewish Israelis in a way that not only causes discomfort, but even leads to discrimination, a blatant challenge to the state’s democratic character.

Evidently, defining “Jewish” is no simple feat and determining its compatibility with democracy even more difficult. What emerges from this analysis is that according to the aforementioned definitions, “Jewish” and “democratic” can never be entirely compatible, ei-

ther conceptually or practically. Despite this inescapable reality, Israel will never cease to be either a Jewish or democratic state. Israel was founded on the pillar of Jewish nationhood in the Jewish homeland and its entire political system is democratic in the procedural sense and its institutions committed to democracy in all of its liberal connotations. Consequently, a more productive question is: how might Israel act to pacify the raging conflict between its “Jewish” and “democratic” souls? Undoubtedly, the most constructive course of action would be the separation between religion and state – the immediate privatization of the Rabbinate and abolition of all laws halakhic in scope. Beyond this, concerted efforts to protect Israel’s minorities, is crucial in upholding Israel’s democratic character. These advances are but a start, and will likely gradually reshape Israeli society’s approaches to, at the very least, Judaism, different factions within Judaism and even non-Jews. However, the total de-Jewification of the state’s government and institutions, while appealing from a democratic perspective, is an impossibility, itself the very antithesis of all the country stands for – the country’s very name brings with it generations’ worth of religious, historical, political, even spiritual baggage.

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¹ Further arguments against the union of religion and state often focus on what Supreme Court Justice Hugo Black meant that the “union of government and religion tends to destroy government and degrade religion” [*Ergel v. Vitale*, (1962)]. The latter part of this quotation is especially relevant to Israel – that religion has turned into a political tool and has consequently been degraded. Another element relevant is what James Madison wrote in 1819 in speaking about America that: “the devotion of the people, have been manifestly increased by the total separation of church from the State.” This might account for the increasing secularization of Israeli society.

² Leibowitz, Yeshayahu, ed. Eliezer Goldman. *Judaism, Human Values and the Jewish State*. Cambridge: Harvard University Press, 1992.

³ It would be remiss not to note that through the Chief Rabbinate, Israel officially only accepts strictly Orthodox conversions. Practically, this means that non-Orthodox converts and their descendants are unable to make Aliyah unless they submit to an Orthodox conversion.

THE JEWISH NATIONAL ORGANISM

By: Simcha Gross

One of the most salient themes in Judaism is nationalism. Our holidays commemorate national episodes. Our prayers are worded in the plural, as we pray on behalf of our national brethren. The bible is filled with God’s words to the nation of Israel. We are commanded to be “a kingdom of priests and a holy nation.”

What does it mean to be part of a nation? Are we simply reliving the experiences of our forefathers? Are we mere inheritors of a vast tradition which we are bound to rehash endlessly? Do we have input in the process? Or, to take Rabbi Soloveitchik’s dichotomy of Fate and Destiny, do we actively shape our national future, take destiny into our own hands, or drift languidly without say in the seas of fate awaiting our arrival at some predetermined end? The answer to these questions depends on how we understand the concept of nationalism in Judaism.

Johann Gottfried von Herder, an 18th century German philosopher, suggested a seemingly counterintuitive theory, that viewed nationalism as an individual organism. Herder believed that a nation is composed of a conglomeration of many individuals; but, once united, they produce a single body called a nation, with its own personality and identity; its own past and future. This body, said Herder, follows the life-cycle of a human; it begins with childhood, advances to adulthood and concludes with elderliness.

Asher Zvi Hirsch Ginsberg, more famously known as Ahad ha-Am, one of the most celebrated early Zionist thinkers, as well as a famous essayist, applied Herder’s national concept to Judaism. In his essay “Past and Future,” he begins by stating “as in the individual, so in the nation,” borrowing the image directly from Herder, he goes on to list the three stages of the life cycle enumerated by Herder, childhood, adulthood and elderliness.

Ginsberg continues and inserts his own understanding of the different stages. Life is a balance between two dichotomous components; hope and memory. A child has no memories, no past to reflect upon, but is consumed by the hopes and promises of the future, of the many years looming enticingly in the near and distant future. In contrast, an adult strikes a balance between these two elements; he still has hopes for the future, but is firmly grounded in the memories and experiences of his past. Finally, an older person has no more hopes for the future, as his life is coming to an end. Instead, he is left to reflect upon the vast wealth of memory he has accumulated over the course of his life.

Ginsberg pleads that we adopt the model of adulthood. An old nation focused solely on

the past is worn out, tired, and dry of life. Restudying the past habitually without ever advancing to the future is simply a few steps away from national death. At the same time, Ginsberg condemns those who “seek salvation in a Future not connected with our Past.”⁴ It is the past memories that form the foundation of the nation; without them, the nation loses its identity. Instead, we must seek guidance from our Past, as we progress and advance to the Future.

All too often we handicap ourselves by our fear of stepping outside the protective confines of the past. We fear the unknown, just as we fear trampling upon the memories that form the wellspring of our national identity. But it is just such a fear that Ginsberg dissolves. Progressiveness and creativity are not deviations from the past; it is the past that grounds our progress and movement to the future.

The image underlying Herder’s national model is not limited to the product created from the grouping of the individuals; it also helps us understand the role of each individual within the conglomerate. Ralph Waldo Emerson, in his famous lecture “The American Scholar,” describes this dynamic in the form of a fable:

“The old fable covers a doctrine ever new and sublime; that there is One Man – present to all particular men only partially, or through one faculty; and that you must take the whole society to find the whole man. Man is not a farmer, or a professor, or an engineer, but he is all.”⁵

Each individual has his own abilities and gifts with which to contribute to and enrich society. Though no one is gifted in every way, together the individual talents and singularities work as puzzle pieces and fit together to create the “One Man.” This idea is stated succinctly in the famous Rabbinic dictum “it is not your job to finish the work, yet you are not free to disregard it either.”⁶ Rather, one must contribute his part to the whole, fill his niche, and allow others to fill theirs’. Alone, a person may be productive; in Emerson’s words, he may be “a good finger, a neck, a stomach, an elbow,” but he will never be “a man.”⁷ The various efforts combine to create an enhanced and complete society.

Whereas Ginsberg deals with the result of the conglomeration of individuals, Emerson focuses on the role each individual plays in creating the whole. In Emerson’s vision, the role of the individual is amplified; each person gives his unique contribution to the whole. Or in Rabbi Hirsch’s words “You, in your limited circle, as an individual, can fulfill the very task that, on a larger scale, constitutes the mission of your entire nation.”⁸ The individual’s mission is to contribute his specialties to the nation, and the nation’s mission is to further its