Zionism and Judaism

Why should anyone be a Zionist, a supporter of a Jewish state in the land of Israel? Why should there be a Jewish state in the land of Israel? This book seeks to provide a philosophical answer to these questions. Although a Zionist need not be Jewish, nonetheless this book argues that Zionism is a coherent political stance only when it is intelligently rooted in Judaism, especially in the classical Jewish doctrine of God's election of the people of Israel and the commandment to them to settle the land of Israel. The religious Zionism advocated here is contrasted with secular versions of Zionism that take Zionism to be a replacement of Judaism. It is also contrasted with versions of religious Zionism that ascribe messianic significance to the State of Israel, or that see the main task of religious Zionism to be the establishment of an Israeli theocracy.

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In Memoriam
Mircea Z. Cohn

"Acquire a friend for yourself." Mishnah: Avot

Zionism and Judaism

A New Theory

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Preface

Almost twenty years ago, a rather unfriendly reviewer of my work accused me of being oblivious to the two most important events in the modern history of the Jewish people (and maybe the entire history of the Jewish people): the Holocaust and the establishment of the State of Israel. I guess he presumed that to be the case, as my work had been primarily in such "universal" areas as Jewish-Christian relations and natural law theory. He even seemed to imply that I might, therefore, be an anti-Zionist and someone who refused to see the Holocaust as a particularly Jewish tragedy. Despite the fact that I didn't respond to these charges (which were made only en passant in a general article), they have stuck in my mind nonetheless. Though I am a Zionist and I do appreciate what the Holocaust means in particular to us Jews, perhaps "my own vineyard I did not watch" (Song of Songs 1:6). In other words, in the dialectic between the universal and the particular, with which any serious thinker has to be concerned, whenever you are absorbed in one of these two poles, you should start looking in the direction of the other pole. So, because of that, from time to time, I did write several articles that deal with the State of Israel. When it comes to the Holocaust, though, I have only mentioned it in writing from time to time, maybe because I did not experience it myself, but have only heard about what it was like to be there from the survivors I have been

privileged to have as friends. Only in Chapter 7 of this book have I been able to deal with the Holocaust, in what I hope is an ingenuous way. But, because I have been privileged to personally experience the vibrant life of the State of Israel, there is more I can write about it. Several of these writings are mentioned in the notes of this book. And, because one can only see with one's own eyes, that is, from one's own personal perspective, what I have to say about Israel will have to be a reflection on the theory that justifies its founding and continued existence: Zionism. That is because, being a Jewish theologian or philosopher of Judaism, I cannot reflect on anything otherwise than that way.

During the last ten years or so, I have had the opportunity to lecture and give conference presentations in various places on some of the points developed in this book. I am grateful to the academic audiences who gave me a patient and respectful, yet critical, response to my original presentation of these points to them. Thanks are due to my hosts and listeners at the following locations: Academic Institute of Theology (Lugano), Bar-Ilan University, Cambridge University, Collège des Études Juives de l'Alliance Israélite Universelle (Paris), University of Dallas, Ethikon Institute (San Francisco conference), Foundation for Jewish Culture (Ashkelon conference), Jewish Theological Seminary, Princeton University, Shalom Hartman Institute (Jerusalem), University of Toronto, Van Leer Institute (Jerusalem), University of Wisconsin (Madison), and Yale University.

Over the years, though, I have had the opportunity to discuss and consult with various friends and colleagues about many of the points discussed in this book. The following names come to mind: Salomon Benzimra, James A. Diamond, Anver Emon, Eugene Feiger, Dov Friedberg, Lenn Goodman, Yoram Hazony, Menachem Kellner, Alan Mittleman, (the late) Richard John Neuhaus, Derek Penslar, Kurt Richardson, Abraham Rotstein, Shimon Shitreet, Rabbi Asher Turin (with whom I have discussed almost every rabbinic text dealt with here), and Michael Walzer. I also thank my University of Toronto doctoral student Yaniv Feller for helping me obtain some important Israeli papers needed in research for this book.

The writing of this book was made more of a dialogue by the invitation of my friend Baruch Frydman-Kohl, Senior Rabbi of the Beth Tzedec Synagogue here in Toronto, to deliver a series of eight lectures in his synagogue in fall of 2012 on the topic "Zionism: Eight Tough Questions." This lecture series was called "The Michael John Herman Memorial Lectures," owing to the generosity of Michael Herman's widow, Mary Ellen, and her children, to whom I am grateful. I was especially honored to deliver these lectures in Michael's memory, because he was a true intellectual who had studied with me briefly, and who was deeply interested in Judaism, Zionism, and philosophy. The lectures gave me the opportunity to present some of my thoughts on Zionism to an intelligent (mostly Jewish) audience in Toronto, whose Jewish community is outstanding in its Zionist commitment. The experience of presenting these thoughts, plus the experience of getting and responding to lively, critical questions, have enabled me (I hope) to make the book personally engaging and a bit less "academic" (in the pejorative sense). Here I have to thank Rabbi Frydman-Kohl for his comments, and for leading the discussion that followed each lecture. Special thanks to my research assistant, Cole Sadler, a doctoral student at the University of Toronto. Cole and I listened to a recording of each lecture shortly after each lecture had been delivered. His intelligent enthusiasm was of great help to me in transposing what had been said into what was now to be written. He also prepared the index. And I thank the University of Toronto, my happy academic home for the past eighteen years, for the use of the research funds of my J. Richard and Dorothy Shiff Chair in Jewish Studies.

I thank my editor at Cambridge University Press, Lewis Bateman, and his colleague Shaun Vigil, for their confidence in my work and their strong support for its publication.

Finally, the dedication. The lectures the book is based upon were first promoted at Beth Tzedec by my friend Mircea Cohn, an active member of the congregation and its Adult Education Committee. Mircea was a Romanian Jew who fled Communist Romania (where he had survived the Holocaust by being

fortunate enough to live in Bucharest during World War II) and came to Canada in the 1960s. For many years, he was a distinguished professor of mechanical engineering at the University of Waterloo, before retiring to Toronto to live near the University of Toronto. Mircea was a staunch Zionist, a true European intellectual, and a great connoisseur of music, which my wife Melva and I spent many wonderful times listening to with him and learning its deeper significance from him afterward. Mircea was a regular participant in my seminars (and those of other colleagues in Jewish Studies and Philosophy), where he not only inspired the much younger students by simply being there for the purest reasons, but also elevated the level of discussion with his penetrating questions and insights. The Talmud says: "One should not take leave of his friend except during a discussion of a word of Torah, and thereby remember him" (B. Berakhot 31a). I mention this now, because my last conversation with Mircea was on the night of the last of the Herman Lectures, when he told me he wanted to get together with me to discuss the book on the basis of the notes he had taken during and after them on the ideas presented in them. Alas, Mircea was taken from this world before we could have that conversation. So, I dedicate this book to his memory, with the hope that perhaps we might yet have that conversation somewhere else at some other time.

Abbreviations

B	*Talmud Bavli* (*Babylonian Talmud*)
M	*Mishnah*
MR	*Midrash Rabbah*
MT	*Mishneh Torah* (Maimonides)
T	*Tosefta*
Tos	*Tosafot* (medieval glosses on *Talmud Bavli*)
Y	*Talmud Yerushalmi* (*Palestinian Talmud*)

NOTE: All translations, unless otherwise noted, are by the author.

Introduction

Zionism and Judaism: A New Theory is just that: the presentation of a new theory of Zionism with detailed argumentation, citation, and references. To give readers a quick overall view of the development of the book's thesis, summaries of the highlights of each chapter are given here. It is hoped that this will initially attract the attention of potential readers and, perhaps, interest you enough to read the whole book or major parts of it. The summaries will show potential readers both *what* is in the book and *how* the book's trajectory moves through the book's various detailed discussions sequentially. I also refer readers back to the specific listings in the Contents. *Why* the book has been written and presented to the public, though, can be understood only from a fuller reading of the text.

Chapter 1: Why Zionism?

The occasion for writing the book is the fact that the legitimacy of the State of Israel, the object of the Zionist project, is under philosophical-theoretical attack, especially by those who argue that Zionism is antithetical to Judaism. Therefore, Zionists need to be emotionally motivated to respond to these attacks, but even more to respond with reasoned arguments. Zionists must show that Zionism is deeply rooted in the Jewish tradition, and

that the celebration of the founding and continuation of the State of Israel (whether secular or religious) is a justified moral obligation. This kind of justification is fully consistent with the Jewish tradition of enquiry into the "reasons of the commandments." Various kinds of Jews and non-Jews are designated as those to whom these arguments will be intelligible and, perhaps, persuasive.

Chapter 2: Was Spinoza the First Zionist?

This chapter begins with what a number of thinkers have taken to be the true historical origin of modern Zionist thought. In this spirit, the first prime minister of the State of Israel, David Ben-Gurion, requested that the ban of excommunication (*herem*), issued against the philosopher Baruch Spinoza in 1656 by the rabbinical court of Amsterdam, be rescinded. The primary reason for this posthumous request was, primarily, because Spinoza, in a few enigmatic sentences in his *Tractatus Theologico-Politicus*, had envisioned the reestablishment of a Jewish state (the Zionist project). Here Spinoza's radical reinterpretations of classical Jewish theology are discussed, with the suggestion they are not as radical a departure from Judaism as many modern secularists presume. Finally, it is argued that Spinoza's thinking, especially about a reestablished Jewish state, still present a challenge to contemporary Zionist thought.

Chapter 3: Secular Zionism: Political or Cultural?

Here the secular Zionism that emerged at the end of the nineteenth century in Europe is discussed in its two chief types: political Zionism, epitomized by Theodor Herzl, and cultural Zionism, epitomized by Ahad Ha`Am. This new secular Zionism is contrasted with the more traditionally religious proto-Zionism of rabbis such as Judah Alkalai and Zvi Hirsch Kalischer. The philosophical inadequacy of the Zionist thought of both Herzl and Ahad Ha`Am (and, by implication, their epigones) is shown by examination of the inconsistencies of their thought, plus their

radical departure from classical Jewish religious thought (which need not be rejected as untenable in modern times). It is then argued that the movement to incorporate the "non-religious" aspects of traditional Jewish law (*halakhah*) into the explicitly secular system of Israel law is problematic, as traditional Jewish law in terms of its warrant in divine revelation and its purpose in applying divine kingship to the life of the Jewish people, whether in civil or ritual matters, is inherently religious. Attempts to incorporate its political legislation into a secular system of law is disingenuous, being too religious for secularists and too secular for religious Jews.

Chapter 4: Should Israel Be a Theocracy?

"Theocracy" usually means a polity under the control of dictatorial clerics, a political idea and reality that rightly offends modern adherents of democracy. But the original meaning of "theocracy" (and true to its etymology) is a polity that looks to divine law (for Jews, the Torah) for governance. Here it is argued that a cogent Zionist theory requires an affirmation of this kind of theocracy for the Jewish State of Israel, even if that only means that, at present, the Jewish state looks to the Torah for its general warrant. Only that kind of affirmation could make the State of Israel a truly *Jewish* state. This means that theology, understood as both a philosophical method and the content of the God-saturated Jewish tradition, would best be employed in the development of an adequate Zionist political theory. And this means that Zionist theorists must go deepest into the ontological foundations of Judaism, especially the doctrine of the freely choosing God, whose choices (as understood by Jewish theology) begin with God's choice to create the universe and God's choice to create human persons in His own image. It is advised at the outset of the latter part of this chapter that readers who are not interested in this kind of ontological speculation can skip this discussion if they like, and they can pick up the political discussion in Chapter 5 without losing the train of thought of the overall argument of the book.

Chapter 5: Why the Jews and Why the Land of Israel?

The primacy of divine election discussed in Chapter 4 is picked up in this chapter. Here the discussion begins with the well-known (and often misunderstood by both its adherents and its enemies) doctrine of God's election of the Jewish people for a unique covenantal relationship between God and his people: what it means for the Jews themselves, and what it means for the wider human world in which Jews interact with others, both as individuals and as an historical community. It is then argued why the covenantal election of the Jewish people requires the divine election of a particular land for their communal life to be centered.

Chapter 6: Can the State of Israel Be Both Jewish and Democratic?

Here the statement that "Israel is both a Jewish and a democratic state" is critically examined. There is an attempt to rationally refute the arguments of secularists who assert that Israel should be a democratic state with some vague connection to the Jewish tradition (in its most universal aspects). It is then proposed that as a secular polity Israel looks to American and Canadian models (rather than the more radical French model) that accept the idea of a divine law as the primary warrant for the state's moral legitimacy, yet doesn't look only to any particular historical revelation for its warrant. However, a Jewish state needs a specific Jewish warrant, and that warrant could be the biblical commandment for the Jewish people to "inherit and settle" the land of Israel. The different views of Maimonides and Nahmanides as to the source and meaning of this obligation are examined. It is suggested, in a way different from these two medieval views, that this obligation is a communal one, and that individual Jews have the right to decide whether or not they want to be the individuals who actually perform the mandated Jewish inheritance and settlement of the land of Israel. Finally, it is shown that whereas the mandates prescribe a number of specific obligations, both for individuals and for the community, the Jewish people themselves have the right to choose the kind of government they want to

be governed by, as long as it is consistent with the Torah. That choice very much depends on what Jews think is the best way to fulfill their political needs at any particular time in their history.

Chapter 7: What Could Be the Status of Non-Jews in a Jewish State?

The status of non-Jews in a Jewish polity must be rethought, as this is such a new reality for the Jewish people, something as new as having come to be in 1948 with the founding of the State of Israel. The way to do this is to rethink and revive the Talmudic institution of the *ger toshav*: "resident-alien." A *ger toshav* is conceived to be a gentile who wants to live as a citizen (albeit a second-class citizen) in a Jewish polity, but without fully converting to Judaism. And, although according to the traditional sources (where this institution is discussed hypothetically, because it was recognized to be an anachronism) a *ger toshav* has a few civil disabilities, these could be intelligently removed to give him or her full civil equality, whether by more conservative reinterpretation or by more radical fiat. The revival of this institution would also give authentic Jewish status to gentiles who live in the State of Israel and who want to participate fully in its civil society, but who are not ready (or never will be ready) to fully convert to Judaism as an explicitly religious act. Finally, this chapter suggests that the *ger toshav* is not only an individual status, but also a communal one. That is, a non-Jewish polity in the land of Israel could be recognized by the religiously constituted Israeli Jewish community, that is, if they accepted the universal moral (or Noahide) law the Jewish tradition recognizes to be binding of all humankind, and they affirm the God-given right of the Jewish people to inherit and settle the land of Israel with political sovereignty.

Chapter 8: What Is the Connection Between the Holocaust and the State of Israel?

The political connection of the Holocaust and the State of Israel is obvious. Recognition of the right of the Jewish people to a state

of their own in their ancestral homeland was very much argued for, by both Jews and non-Jews, to have been made a necessity by the experience of the Holocaust by the stateless Jewish people. But the connection goes much deeper than that so, in fact, this connection soon caught the interest of Jewish theologians. The theologies of Joel Teitelbaum (Satmar rebbe) and Richard Rubenstein are critically examined and rejected: Teitelbaum, who argues that Zionism (and its project, the State of Israel) is the sin of the Jews for which the Holocaust was the appropriate divine punishment; Rubenstein, who argues that because of the Holocaust, Jews must relinquish their traditional belief in a beneficent God and only rely on themselves, especially on themselves as a people who now have a state of their own, one that is capable of defending them from annihilation. Next the messianic theology of a religio-nationalist like Tzvi Yehudah Kook is critically examined, and questioned concerning its messianism that sees the State of Israel as being an actual cause of the final redemption of the Jewish people, and that sees the Holocaust as a necessary step in that divine project. Finally, the suggestion is put forth that all of these Holocaust theologies are, in effect, an insult to the survivors of the Holocaust, and there is the primary responsibility to comfort, not torment (however unintentionally) the survivors, whose mourning for those they lost and what they lost is lifelong. Another less presumptuous messianic theology is suggested in conclusion.

Considering how much of the theory presented in this book still needs to be thought out, I think that anything more than this tentative ending of the book would be presumptuous and premature.