

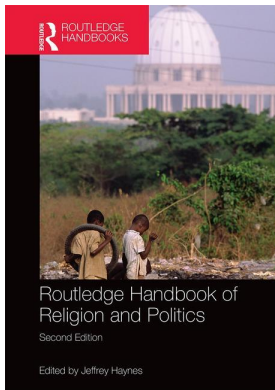
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Access details: *subscription number*

Publisher: *Routledge*

Informa Ltd Registered in England and Wales Registered Number: 1072954 Registered office: 5 Howick Place, London SW1P 1WG, UK



## Routledge Handbook of Religion and Politics

Jeffrey Haynes

### Judaism

Publication details

<https://test.routledgehandbooks.com/doi/10.4324/9781315643922-9>

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**Published online on: 25 Jan 2016**

**How to cite :-** Shmuel Sandler. 25 Jan 2016, *Judaism from:* Routledge Handbook of Religion and Politics Routledge

Accessed on: 29 Mar 2023

<https://test.routledgehandbooks.com/doi/10.4324/9781315643922-9>

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# 8

## JUDAISM

### State and foreign policy

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The relationship between religion and politics has always been complex. For some time, due to the emergence of the modern (secular) state, religion's role was downplayed. However, in the contemporary era, contrary to academic expectations, especially among social scientists, religion re-emerged to play a role in world politics.

It is also particularly challenging to study Judaism and politics. Judaism is a multifaceted phenomenon. It expresses itself as a religion, a nation, and a political entity at the same time. It is even more challenging as after almost two millennia of Diaspora existence Jews are now acting in world politics as both a state and as an identified worldwide ethno-religious community.

The central question that we pose is whether it is possible to identify a Jewish approach to statehood and foreign policy. This question encompasses the interaction between Jews, the state, and external groups both in the Diaspora and when a Jewish state has existed. In addition to considering normative foreign policy that can be identified in various sources including Biblical and Halakhic literature, this study will focus more on concrete Jewish behaviour, which is more reflective of the Jewish narrative.<sup>2</sup> Our inquiry goes beyond a narrow definition of Judaism as a religion and it will not be limited to a particular time or place. In order to justify such a broad approach I adopted the concept of a Jewish political tradition and applied it to both politics and foreign policy.

A historic perspective on the intersection between Judaism and politics that goes beyond the contemporary era is problematic. Indeed, to some, only the establishment of the State of Israel signified the return of the Jewish people to the world's political history, from which it had been absent since the destruction of the Second Temple and the collapse of the Kingdom of Judea.<sup>3</sup> To others, the mix between statehood and Judaism is not conceivable.<sup>4</sup> The working assumption of this chapter is that in both domestic and international affairs a Jewish political tradition has existed, beginning with the inception of the Jewish people and, in contrast to the above views, many of these norms and institutions continue to influence Israeli politics and foreign policy.

Daniel J. Elazar created the concept known as 'the Jewish Political Tradition'. According to Elazar 'a tradition is, in fact, a continuing dialogue based upon a shared set of fundamental questions. For Jews, this dialogue began with the emergence of the Jewish people as an entity, a body politic, early on its history.'<sup>5</sup> In addition, Elazar developed the concept of the 'Jewish polity', both in his work as the founder of the academic study of the Jewish political

tradition, as well as in his studies of the behaviour of the world Jewish community. By so doing, Elazar developed a constellation of political concepts that includes both the Jewish state and the Diaspora.<sup>6</sup> His concepts were meant to expand the Jewish political structure beyond limitations of place and time.<sup>7</sup>

According to Elazar the Covenant between God and the Jews is the basis of their political regime,<sup>8</sup> a concept which will be further developed at the outset of this chapter. According to the Jewish narrative the interaction between Jews and external forces starts with the migration to the Land of Canaan of Abraham, the forefather of Judaism. The second section will concentrate on the special bond between Judaism and the Land of Israel. But not only in their homeland but also in the Diaspora the Jews had to interact with external forces. These realities added another dimension – which I define as a Jewish foreign policy.<sup>9</sup> The link between the foreign relations of the Jewish people over the generations with foreign policy and international politics principles is intended to uncover an additional dimension of the Jewish political tradition, which extends over thousands of years. Unveiling the international Jewish dimension will contribute to a better understanding of Israel's foreign policy as a Jewish state. However, even restored Jewish statehood did not abolish the compound interaction of Jews as a nation and a Diaspora. The latter section of this chapter will be devoted primarily to this concern.

### **The Jews and the state**

In retrospect, the relationship between the Israelites and the state has not been simple. The Jewish political tradition discloses a multifaceted attitude towards the state: a mixture of respect and contempt for state power. It initially began with apprehension, as the first noted interaction took place between Abraham and the absolute ruler of the organized Egyptian Empire who had abducted Abraham's wife Sarah, to release her only following divine intervention.<sup>10</sup> However, this is only the first of several informative interactions between the Israelites and Egypt. The foremost impression one gets from the relation between the Israelites and Egypt is the built-in tension between Pharaoh, the earthly ruler of the empire who represents bondage, and God, the spiritual ruler who frees. The exodus from Egypt appears repeatedly throughout the Bible as the formative event of both Judaism as a religion and the Israeli/Jewish nation. Moreover, God links his presence and special relationship with the Israelites in the first of the Ten Commandments directly to the exodus from Egypt: 'I am the Lord thy God, who has brought thee out of the land of Egypt, out of the house of bondage'.<sup>11</sup> The Empire of Egypt is being portrayed as the inverse of God, who stands for the ideal regime.

The alternative to the Egyptian rule on earth is the Covenant between the Israelites and God. Abraham and God contract the Covenant after the former's return from Egypt. It is during this holy scene and formative event that Abraham is informed about the forthcoming enslavement of his descendants in Egypt and their eventual exodus. After the exodus from Egypt, God again contracts the binding agreement between Himself and the Israelites at Sinai. The Covenant can be seen as a basis of 'consent theory', the opposite of the slavery regime they left behind in Egypt.<sup>12</sup> There are blatantly uneven power relations between the Almighty and human beings. However, according to interpretations in the rabbinic literature, despite the unequal relationship, the people must consent for the Covenant to be binding.<sup>13</sup> Elazar goes one step further and sees the idea of the Covenant as a form of constitution-building.<sup>14</sup> While over time, of course, the notion of the limitation of power has become a key basis of all democratic regimes, the concept is apparent in this ancient Covenant – where the omnipotent God takes it upon Himself not to exercise all His powers and the Israelites take it upon themselves to live according to His norms.<sup>15</sup>

The long-lasting effect of the Israelites' experience in Egypt continued with the nation's settlement in Canaan. Indeed, upon entering Canaan, the disdain of the Israelites for the imperial Egyptian regime resulted in a decentralized confederacy of tribes. This structure, described in the book of Judges, was arguably ideal, as it conformed to the revolutionary idea rejecting the centralized model of the 'Egyptian house of bondage'.<sup>16</sup> Even following the later establishment of the monarchy, the non-centralized tribal structure was still preserved in the Israelite kingdom. Likewise, during the Second Temple, the Hasmonean ascendance to power was primarily a religious rebellion and expressed itself in the exploitation of patriotic sentiments,<sup>17</sup> but never in the building of a powerful state.

External needs might create a powerful state in both domestic and external senses, even if this goes against a society's initial philosophy and political tradition. For example, the institution of the American presidency grew in power over the course of time in light of the global needs of the USA; the imperial presidency served an imperial America.<sup>18</sup> Jewish history is not replete with instances of imperial institutions and empire-building. With the exception of the era of Kings David and Solomon, during the First Commonwealth a strong state, in the étatist sense, that is likely to develop imperial aspirations never emerged. Rather, following the death of Solomon in 928 BCE a split occurred, thus terminating the attempt to build a powerful monarchy.<sup>19</sup> Despite the constant external threats faced, the Judean kingdom did not become a strong state, either in the sense of strong institutions and bureaucracy or in that of external power. As noted above, the Israelite kingdom in effect returned to a non-centralized tribal structure. The instability of the monarchy and the frequent transformation of power did not reflect a potent central state. With the emergence of the Assyrian empire, the Kingdom of Israel was defeated and sent into exile. Subsequently, the Kingdom of Judah – also not noted for strong ruling institutions and, despite the fact that its rulers enjoyed the legitimacy of belonging to the Davidic dynasty, could not stand up to the empires situated along the Nile or the Euphrates. Thus, in 586 BCE, 140 years after its northern sister, the Babylonian Empire defeated the Judean kingdom and exiled its inhabitants.

Likewise, during the period of the Second Commonwealth, Judea did not emerge as a strong state with external power. After the Return of Zion (516 BCE) Judea was a province of the Persian Empire and, subsequently, part of Alexander the Great's Empire. The Hasmoneans' religious rebellion, though also a patriotic uprising, did not proceed into the building of an empire. Even those Hasmonean kings who had statecraft ambitions, particularly Alexander Yannai,<sup>20</sup> gave up on these plans because of domestic opposition. The Rabbinic Sages struggled with Alexander Yannai for religious reasons. The Sages feared he would lead to the Hellenization of the Jewish people because Judea would emulate the Hegemonic Greek culture. Most important, they were not impressed by his state-building efforts and territorial aggrandizement.

This struggle between the Sages and the King was related to the tradition of decentralization of power and the tradition of separation of powers that had presumably developed since the establishment of Priesthood in the desert. Moses was the leader but not a Priest, and alongside him were the Zekenim (the Sages). Following the entrance to the Land of Israel, the political leadership parted from the prophets. As such, the power of the Priesthood and religious leaders was kept apart from the political leadership. Moreover, throughout the biblical era, both the Israelite and the Judean kings encountered prophets – such as Nathan, Isaiah, Jeremiah, and Elijah – who denounced the King and the nation for what they saw as their iniquitous behaviour. King Uzziah, upon entering the Temple to perform functions preserved for the High Priest, was thereafter penalized with leprosy for violating the separation of power.<sup>21</sup>

The concept of the separation of powers was sustained in the era of the Second Temple. During the Second Temple period we find three institutions competing against each other:

Priests, Kings and Sages. A major factor in the Hasmonite rulers' difficulty in being perceived as legitimate rulers was that while they were Priests (*Kohanim*), they sought to combine the monarchy and Priesthood – an act flagrantly opposed in Jewish political tradition. Another source of<sup>22</sup> tension was over the authority of the Sages. This strain was expressed in the hostility between King Yanai and the Sanhedrin (Council of Sages). The latter claimed its authority through an assumed chain of a *halakhic* (Jewish law) tradition going back to Moses. Yet, with the destruction of the Second Temple in 70 CE, the Priesthood lost its power and the institution of the Sages that had existed since the time of Moses took over.<sup>23</sup>

With political authority moving to the Diaspora around the third century, Jews found it necessary to replace the territorial component of their leadership with other constituents. The overall structure came to be known as the *Kehila* (the Community). Significantly, the Jewish polity in the Diaspora kept its diffused structure. To ensure security, they developed a strategy of establishing interdependence with local rulers or the host state. For example, according to Salo Baron, the Jews later integrated themselves within the corporative structure of medieval Europe and thus created a special status in the eyes of the local rulers who needed their services.<sup>24</sup> The special status entailed Jewish autonomy as a polity with full powers of running their public affairs.

The central element to safeguarding Jewish subsistence was the Torah – both written (the Five Books of Moses) and oral (the Talmud). It thus, in effect, became a constitution for the people. In response to the dispersion of the exile, Judaism developed a combination of a centralized authority over judicial decision-making alongside a means for local interpretation. For example, in the sixteenth century the Jewish polity was essentially divided between two communities: the Sephardim, concentrated around the Mediterranean, and the Ashkenazim, living in Central and Eastern Europe. Both accepted the Joseph Karo Code (Shulchan Aruch) that came out from Zefat in Palestine as the basic religious code. However, while the Sephardi communities fully accepted the code as it was, Ashkenazim adopted modifications to the Karo Code as formulated by the East European *Halakhic* authority Rabbi Moses Isserles. In this way, the overall structure of the constitution was maintained while also simultaneously being moulded to the local customs that had developed over centuries. In addition, the enormous literature – comprising commentaries, codification, and *responsa*<sup>25</sup> – kept the Jewish polity despite the lacking a territorial base.

However, the steady development of local authority under the guidance of a central Judaic code, or constitution, was only temporary. This structure of autonomous communities and a central code began to dissolve with the advance of modernity, especially following the French Revolution. On the one hand, modernity brought with it a secularization that weakened the role of religious code. On the other, the modern nation-state was unable to tolerate a separate autonomous Jewish identity within the state. Emancipation for the Jews came with a demand that, in exchange for equality, Jews must abandon their separate national identity.<sup>26</sup> At the same time, religious anti-Jewishness was reincarnated in the form of modern anti-Semitism, based on nationhood and not solely religion. Consequently, it was considered that survival during the nation-state era required territoriality. Having been influenced by the rise of modern nationalism, the Jews developed their own national movement, opting for a return to the land of Zion. It was against this background that a new type of community (*Kehila*), a territorial one, started developing in Palestine.

The Jewish authority in Palestine under the British Mandate during the first half of the twentieth century, known as the Yishuv, developed a consociational political system – characterized by cooperative association as well as power sharing between groups – in contrast to the Westminster model. Both institutional branches of the Yishuv – the World Zionist

Organization and the Jewish Agency – and the territorial Knesset Israel developed consociational mechanisms, such as a proportional electoral system resulting in a multi-party government. The governing institutions were ruled by grand coalitions that encompassed almost all the ideologically distinct parties in the Yishuv and the Jewish Diaspora.<sup>27</sup> Such a system ensured representation for the multiple communities and ideologies that had developed among the dispersed Jewish people. The federated political structure of the World Zionist Organization and the consociational political regime that emerged in Palestine illustrates how the democratic culture of the Jewish polity – adopted from 1948 onwards by the Jewish state of Israel – did not emerge from a vacuum: the historic Jewish political tradition influenced the evolving Israeli political culture.<sup>28</sup>

Following independence, the Jewish state retained proportional representation with broad coalition governments similarly belonging under the category of consociational democracies rather than a Westminster one practised by Britain.<sup>29</sup> Seemingly, the Jewish political tradition had a greater impact on the newly founded state's political formation than the previously overseeing Mandatory power. An additional aspect of preserved Jewish tradition was a tacit power-sharing arrangement between the religious and secular sectors of the Israeli society. Only rarely during the political history of Israel has there been a government formed that did not include a religious party – even when an alternative secular majority was available.<sup>30</sup> Compromises were continuously worked out in order to avoid a rift between the secular and the religious political parties of the emerging Jewish state. In sum, power sharing in the contemporary State of Israel has a long political tradition supporting diffusion of power over two millennia, both in the Diaspora and in ancient Israel.

To fully comprehend the total disposition of decentralization of power in the Jewish state we must look at the rise in power of the Supreme Court under the leadership of Chief Justice Aharon Barak, who as President of the Supreme Court between 1996 and 2006 promoted the status of the Court vis-à-vis the other branches of government. Chief Justice Barak regarded every issue as judicable, implying that the Supreme Court had a voice on every social or political dispute. To justify his approach, Barak used Jewish phrases with religious tones. Mimicking the Biblical expression 'the whole land is full of His glory', Barak coined the expression 'the whole land is Law'. Notably, it was primarily the religious sector that objected to this legal revolution since the Supreme Court is more exclusive and is perceived to not represent Israeli pluralism like the Knesset.<sup>31</sup> Once the Supreme Court under Barak adopted a policy allowing it the right to abolish Knesset legislation that was deemed unconstitutional, the struggle moved to the legislative process of the evolving Israeli constitution. Thus, for instance, in the early 1990s two basic laws were amended. In the 'Basic Law: Human Dignity and Liberty', and the 'Basic Law: Freedom of Occupation', a paragraph was added stating that its purpose was 'to anchor in the Basic Law the values of the State of Israel as a Jewish and democratic state'.<sup>32</sup> The fact that the Supreme Court did not challenge this legislation indicated that it accepted that the two definitions were not incongruous.

As shown, Judaism developed a political tradition that has functioned in both conditions of statehood as well as Diaspora. The strength of this tradition has been proven by the fact that the Israeli political system that emerged in the mid-twentieth century sustained at least the spirit of that millennia-old tradition. Despite many of the immigrants flowing into Palestine being heavily influenced by their European origins, and many of the settlers in the land guided by the British pre-state Mandatory regime, they were all apparently also predominantly predisposed to the Jewish political tradition that can be traced back to over two millennia and had been maintained all the way through the Diaspora. It was this combination that ultimately found its expression in the emergence of the definition of Israel as both a 'Jewish and democratic state'.

Due to its historical tradition of balancing the religious and secular expressions of the Jewish nation, the Jewish state was able to ultimately overcome recurrent political crises that sprang out from the inherent tension between the two.

### **Judaism and territoriality**

The relationship between Judaism and the state cannot be fully understood without the territorial component, namely the role of the Land of Israel in Jewish political norms and behaviour. Jewish religious bonds to a particular land have been associated with a sense of common origin (Abraham as the nation's ancestor), as well as a common history. Both a nation and state need a territory to qualify as such. A nation, in order to qualify as such, must be identified with a particular territory, while it is the territory that associates the nation to the state and through it to international relations. A.D. Smith asserted that 'modern concepts of national mission and national destiny are linear descendants of the ancient beliefs in ethnic election, with their emphasis on the privileges and duties of the elect before God'.<sup>33</sup> With the birth of modern nationalism replacing, to some extent, religion as a source of identity, some ethno-religious communities became ethno-national communities.<sup>34</sup> However, despite the linkage between ethno-nationalism and the state via the territory, there is not always congruence between the two. More than two ethno-national groups residing in the same state may have claims to the same territory and, hence, the interest of the state and the nation are not always identical.<sup>35</sup>

It is significant that the Jewish narrative starts with the migration of Abraham from Mesopotamia to the Land of Canaan upon God's order. Subsequently, God contracts a Covenant in which He promises the land to Abraham's ancestors. It is to this land that, according to the Jewish narrative, the Children of Israel head to after the exodus from Egypt. After being exiled to Babylonia, the Jews returned to this land upon an imperial decree of the Persian monarch King Cyrus.<sup>36</sup> During the Second Temple, despite the existence of a Diaspora in Babylonia and, later on, around the Mediterranean, they nevertheless clung to their historical land. The Diaspora became religiously significant (for example, the establishment of religious academies and the editing of the Babylonian Talmud) only after the dwindling of the Jewish settlement in Palestine (the new name given by the Romans to the Land of Israel following the two Rebellions). But even after the transition of the centre from Palestine, the Land of Israel remained the focus of Jewish religious ritual. Hence, for example, prayers for rain in the Diaspora were accorded with the seasons in the Land of Israel, as were the harvest festival and other agricultural celebrations. In their prayers, Jews requested God's return to Zion. The land is said to enjoy divine attributes that may only be realized when reunited with its people. Only in the Land of Israel could prophecy take place. Following the expulsion of the Jews from their land, mystical Judaism's view was that God's presence on earth (the *Shechina*) was also in exile.<sup>37</sup>

During the Middle Ages and into the Modern Era religion motivated some Jewish migrations to Palestine. Rabbinical authorities such as Maimonides, Nachmanides, and Joseph Karo arrived and were buried in Palestine. Notably, in 1700, Rabbi Judah the Pious led 1,000 Jews to immigrate to the Land of Israel, although this migration differed from previous ones, as these pilgrims sought to hasten redemption, despite the Sabbatai Zevi Messianic debacle.<sup>38</sup> Over the next two centuries rabbinical sages and Cabbalists immigrated and established what came to be known as the Old Yishuv (settlement).<sup>39</sup> It was only during the last decades of the nineteenth century that secular Zionists started immigrating to Palestine and established what came to be known as the New Yishuv (also called the Jewish polity in Mandatory Palestine).<sup>40</sup>

The significance of the Land of Israel in Zionism came to the fore during what came to be known as the Uganda debate. Despite the formal victory of Theodor Herzl, head of the Zionist Congress, in the debate at the Zionist Congress, to investigate the possibility of a temporary Jewish settlement in Eastern Africa, it is agreed that in effect it was a defeat. This was because the Zionist movement could not foresee – despite the gravity of the Jewish condition in the Diaspora – even a *temporary* detour from the Land of Israel.<sup>41</sup> In 1937, when the Royal Peel Commission suggested the partitioning of Palestine into two segments, with a Jewish state on one part and an Arab on the other, the debate among the Zionist leadership almost tore apart the Zionist movement as it was seen as forsaking the Land of Israel for immediate security. This time, however, the leadership of the Yishuv won and accepted partition because of both the gravity of the Jewish condition and the fact that this would enable a Jewish state to be established on at least part of the Land of Israel. The Religious Zionists objected to the proposal because of the divine promise of the whole Land of Israel for the Jewish people.<sup>42</sup> In 1947, following the United Nations partition decision of November 29, the religious parties again demanded the whole of the Land of Israel on religious grounds.<sup>43</sup>

The issue of obtaining the entire Land of Israel remained dormant in Israeli politics between 1948 and 1967 – that is, from Israeli Independence up to the Six Day War. During this time, the National Religious Party (NRP), the political organ of Religious Zionism, was a loyal and close partner of the ruling Labour Party in foreign and national security affairs. Following the June 1967 War, when Israelis came into renewed contact with territories (Judea and Samaria) that had constituted the heartland of Biblical Israel, a new wave of ethno-religious feelings poured out. Foremost in this awakening was the Old City of Jerusalem, where the Western Wall – the last remnant of the Temple – was still standing. Indeed, three weeks after the conquest of the Old City the government formally annexed it. The West Bank encompassed other holy towns, such as Hebron and Bethlehem, where the Patriarchs and the Matriarchs had been buried, and their tombs traditionally were prayer places to Jews. Places like Shiloh and the Tomb of Joseph were identified as were dozens of other religious sites. Yet, the religious parties did not become overly active on the issue of the Land of Israel until the mid-1970s. It was after the 1973 War that Religious Zionists founded the settlement movement named Gush Emunim (Block of the Faithful) that defied the government understanding of the territories as collateral to be exchanged for peace. In 1977, following the electoral defeat of Labour, the NRP had no difficulty in swiftly switching loyalties to the nationalist Likud, the party most identified with the ideology of settlement within the whole of the Land of Israel.<sup>44</sup>

Nevertheless, despite the ascendance to power of the right-wing Likud, the settlement drive revived the conflict between settling the Land of Israel and the State of Israel. The peace process with Egypt and the autonomy plan for the Palestinians led to the establishment of what was known as ‘the Jewish Underground’ in the early 1980s. For the first time, the Jewish state was confounded with the prospect of organized Jews actively pursuing to undermine the government and national policies. The most extreme group within the underground was headed by Yehuda Etzion, who planned to remove the Dome of the Rock Mosque, an event that would induce unpredictable tumultuous reactions throughout the Arab world. In 1984 the Likud government, led by nationalist Prime Minister Yitzhak Shamir, arrested a large number of the Jewish Underground leaders. Subsequently, as part of attempts to stop the Oslo Peace process that would lead to partition of the Land of Israel, in 1994 a supporter of extremist Rabbi Meir Kahane massacred twenty-nine Palestinians in the Patriarch’s Tomb in Hebron. Most notably, on November 4, 1995 an extremist religious student assassinated Prime Minister Yitzhak Rabin while claiming religious and Halachik justifications. Ten years later, religious settlers



clashed with the Israeli Defence Forces when Likud Prime Minister Ariel Sharon implemented the disengagement plan of all Israeli settlements and towns from the Gaza Strip.

However, despite the large number of incidents, many would claim that violent contention between Religious Zionists and the state is more a rarity than the norm. For Religious Zionists the struggle against the State of Israel poses a theological dilemma. Many of the leaders of Gush Emunim were influenced by the teachings of Rabbi Avraham Yitzhak Kook as interpreted by his son Zvi Yehuda Kook. His teachings argued that there should be limited tension between settlement of Israel and the state, as the State of Israel was just as holy as the Land of Israel. In contrast to Ultra-Orthodox Jewry's theological difficulties in cooperating with secular Zionism, Rabbi Kook based his theology on a Cabalistic tradition that expounded equal respect and tolerance of all Jews no matter the religious observance. Rabbi Kook taught that an inner divine spark propels all Jews, reasoning that the largely secular Zionist movement was a mark of the beginning of redemption.<sup>45</sup> Jewish efforts in redeeming the Land of Israel through agriculture and physical labour further revealed the divine spark, while the blooming of the arid land and resurrection of the State of Israel were seen as vivid indications that the redemption had started. Historic events, like the Balfour Declaration in 1917, the United Nations vote in 1947 to establish a Jewish state, and the Six Day War in 1967, were perceived signals to Religious Zionists that the Messianic Era had dawned, with Israel serving as an integral part of the process.<sup>46</sup>

The theological schism that confronted Religious Zionism is an interesting example of a conflict between religion and state. Two sanctified ideals collided; the Land of Israel versus the State of Israel. A violent response to the orders by the Israeli government to evacuate settlements in the Land of Israel for the sake of national security has put the theology of Religious Zionism in a dilemma. This is a challenge that Religious Zionism has not faced since its inception. It represented a more complicated problem than the traditional dilemma of who prevails: the law of God or the law of the state? For Religious Zionism, both the State of Israel and the Land of Israel encompass religious connotations. Moreover, the territorial issue has forced Religious Zionism to formulate positions in an arena they had had abstained from between 1948 and 1967 – the area of foreign policy. As we shall see, the linkage between the state and foreign policy has been inherent in the historic Jewish political tradition.

### **Jewish foreign policy and the state**

The request for state-building through government institutions in the Jewish political tradition traces back to Biblical Israel and is directly related to external threats.<sup>47</sup> The decentralized tribal political system that prevailed following the conquest of the Land of Canaan exposed them to repetitive external conquests. Following a failed hereditary succession, the Israelites demanded the prophet Samuel to anoint a king 'so that we also may be like all the nations and that our king . . . go out before us and fight our battles'.<sup>48</sup> Significantly, the twelfth-century *Halakhic* authority and philosopher Maimonides entitled the section of his code relating to monarchy 'Laws of Kings and Their Wars'.<sup>49</sup> In other words, the building of a state with central institutions was initially deemed necessary in order to amass strength against external threats. Moreover, the unique status of David, the founder of the monarchy and the one to whom eternal kingship was promised, speaks to the fact that he not only built a Jewish centralized state but also defeated the enemies who had threatened the Jewish people since they entered the land.

International politics also regularly entails alliance politics. In general, the normative Jewish approach towards alliances is negative. It is an attitude reflective of the apprehension of alien

cultural influences, as well as the implied lack of trust in God. Moreover, there is a certain antagonism between God's Covenant with Israel and international alliances.<sup>50</sup> The prophets Hosea and Jeremiah warned primarily against the dangers involved in regional alliances with Egypt and Assyria, together with reliance upon them.<sup>51</sup> In fact, there were alliances, starting with King Solomon and Hiram, King of Tyre and ending with the alliance between Judah the Hasmonean and the Romans during the Second Temple. But the main dilemma in alliance politics during the biblical era was related to the geo-political situation of the Israelite polities (approximately 1200–586 BCE).

Early Jewish history was deeply influenced by the geo-political location of the Israelite tribes and the Kingdoms of Israel and Judah, beginning with its position between the Egyptian Empire and the major empires that lay to the north. The Land of Israel also became a battlefield during the power struggles between the Persians and the Greeks, between the latter and the Romans, and finally between the Romans and the Parthians. Beyond the Land of Israel, in the Diaspora during the Middle Ages the Jews were caught in requests for identifying their political identity during periods of conflicts between empires. At times the Jews found themselves in the middle of power struggles between empires, the most striking of which was the religio-civilizational conflict between Islam and Christianity. Despite an inherent historic repulsion towards alliance-building, Judaism had to cope with continuous external political realities.

Another dilemma occurring during the Middle Ages was the Jewish position as subordinates of the aristocracy and monarchs who provided them with protection. The strategy of relying upon the state or local rulers, as identified by Ginsberg, may be seen as an offshoot of the concept of the vassal treaty,<sup>52</sup> which is a form of an alliance. However, the peasantry and other serfs tended to perceive the Jews as agents of the oppressors, tax collectors, interest sharks and thus as enemies of the general populace.<sup>53</sup> Many of the Jewish massacres occurred against this background.

How do we detect Jewish attitudes towards the state and foreign relations in the post-independence State of Israel? In fact, the appearance of Zionism, in its various varieties, was intended first and foremost to ensure national survival. To be sure, the forebears of Zionism, as they are called by Jacob Katz,<sup>54</sup> were greatly influenced by the rise of nationalism in nineteenth-century Europe and the 'spring of nations' surrounding them. Yet, political Zionism was primarily motivated by the physical threat to the Jews and hence demanded a Jewish state as a means of immediate security. Perhaps the most significant proponent calling for a state as a shelter was Rabbi Jacob Reines, the founder of Religious Zionism, who was prepared to go to East Africa in order to establish a Jewish colony as a 'night refuge'.<sup>55</sup> For Rabbi Reines, who was devoted to the Land of Israel,<sup>56</sup> establishment of a colony in Africa was necessary for Jewish survival.

The State of Israel's foreign policy also carried on with some of the characteristics of traditional Jewish alliance politics. From its inception, the secular Zionist movement, as well as the secular State of Israel, continued in many regards the Jewish foreign policy of courting powerful actors. This can be seen through Herzl's search of an international charter in his *The Jewish State* and his diplomatic activity at the dawn of the twentieth century.<sup>57</sup> During World War I and its aftermath, Haim Weitzman, president of the World Zionist Congress, adopted a pro-British orientation.<sup>58</sup> Later, however, Israel's founding father and first Prime Minister, David Ben-Gurion, followed the shift in the global balance of power by reorienting to the United States while trying to maintain the support of at least one great power,<sup>59</sup> such as was done with Great Britain and France in 1956. Despite the cost of being perceived as an emissary of the colonial powers, the Jewish state preferred the support of the major powers rather than

trying to improve its image among its Middle Eastern neighbours and or within the developing world more generally.<sup>60</sup> Similarly, by identifying with the colonial powers and the United States, the Jewish state was often criticized by some of the developing countries, notably from within Africa, at the United Nations.

Judaism comprises correspondingly normative dimensions. Michael Walzer, in a lecture entitled 'Universalism and Jewish Values', which was dedicated to the memory of Hans Morgenthau, identified four examples of Jewish universalism.<sup>61</sup> The first two originate in the Bible and were articulated by the prophets, while the latter two are derived from rabbinic literature. The first example is a rebuke by the prophet Amos to the neighbouring nations for their failure to keep international agreements and their responsibility for what would today be termed 'war crimes'. Walzer argues that, in practice, the prophet is calling for the adoption of what we might define today as international law.

The second example is found in the parallel prophecies of Isaiah and Micah concerning the end of days, which may be best described as reflecting a vision of world peace based upon a pluralistic international system. The third example is the Talmudic statement that 'the law of the Kingdom is law'.<sup>62</sup> This statement refers to the relations of Jews to their host state, binding them to uphold the laws of their host country when in foreign lands, and therefore belongs to the area of Jewish foreign policy. According to Walzer, since we have here the recognition of the law of the state by the *Halakhic* legal system, we find here an example of international law being adapted to the needs of a Diaspora.

The fourth example is provided by the Seven Noahide Code. The acceptance by the non-Jewish nations of the normative system that was given to the world (in the sense of the cosmos) even prior to the giving of the Torah to the Jews facilitates co-existence between Jews and non-Jews. It provides a *modus vivendi* for non-Jews living in a Jewish state, as well as for Jews living in a non-Jewish state. The common denominator of all four examples is that they reflect the support of a normative Jewish approach to international order. Support for a determined international order is usually the lot of imperial powers who wish to establish rule within their own spheres of influence or small nations seeking protection from said powers. The Jews, as we have seen, did not belong to the first category, and so the second category is more appropriate for them.

David Ben-Gurion, repeatedly spoke about Israel becoming 'A Light to the Nations'. The realities in the Middle East did not allow it to pursue this normative path. Like ancient Israel and the Jews in the Middle Ages the State of Israel found itself in the predicament of struggles between imperial powers. Salo W. Baron has drawn an analogy between this problem and the dilemmas that confronted the nascent State of Israel, which from the beginning was in the middle of the global struggles between East and West.<sup>63</sup> Some would argue that the Jewish state finds itself today in the midst of a 'clash of civilizations' by being located in the heart of the Middle East while leaning Western in its orientation and political culture.

### **The Jewish state and world Jewry**

The establishment of a Jewish state did not prevent conflicts of interests from arising between Israel and those of the greater Jewish people or local Diaspora communities. For example, in the 1960s, when Israel sought international recognition by the new states of black Africa, they demanded Israel's vote against South Africa in the United Nations as well as an economic boycott against South Africa. The local South African Jewish community had another interest. The Pretoria government exerted pressure on its local Jewish community to exert their influence on Jerusalem to refrain from anti-South African steps. The diplomatic repercussions and the

contradiction that faced Israel in supporting Apartheid contrary to its self-proclaimed image of 'Light to the Nations', convinced Israel to vote against Apartheid in 1961. Another notable example was the kidnapping of World War II Nazi criminal Adolph Eichmann, motivated *inter alia* by Israel's self-image as being the historical heir of the historic Jewish people. By hunting the leading Nazi war criminal, Israel wished to assert itself internationally as the protector of the Jewish people and persecutor of its enemies. This act, however, undermined the local Jewish community in Argentina. With the Argentinian government viewing the mission as a violation of its sovereignty by the Jewish state, the local Jewish community was caught in the dilemma of choosing between allegiance to its homeland or rejoicing in Israel's historic mission.<sup>64</sup>

There were several other occasions where the Jewish and the Israeli interests did not coincide. Salient among them were the emigration of Algerian Jewry and Soviet Jewry. In the case of Soviet Jewry, during the 1950s, due to its own political interest, the government of Israel did not protest the persecution of the 'Jews of silence'.<sup>65</sup> In the 1970s the government of Israel wished to limit the struggle for immigration from the Soviet Union to those Jews who intended to come to Israel, while American Jewry demanded an overall struggle unrelated to the destination of Russian emigration.

Overall, it would be accurate to say that in cases where there was no existential threat to the State of Israel, the Jewish state took world Jewish interests fully into account. By contrast, in national survival incidents the Israeli interest always prevailed over foreign considerations.<sup>66</sup> Israel did not dare challenge the Soviets regarding their treatment of Soviet Jewry without American backing. Israel only began to raise the subject of Soviet abuses on the world agenda in the 1970s once Washington stood behind it. Similar to Israel's relation to Soviet Jewry, the interests of Israeli-Franco relations did not always correspond to those of Algerian Jewry.<sup>67</sup> On the issues of Algerian Jewry, Israel's interest in receiving a supply of Mirage fighter planes from France, and the completion of the construction of the atomic reactor in Dimona, was stronger than the needs of the local Jewish community. Ultimately, most of Algerian Jewry immigrated to France.<sup>68</sup>

The priority given to considerations of survival for the Jewish state above general Jewish interests do not contradict the values found in the Jewish tradition. Jewish survival, at a state and national level, has been a basic impulse in the Jewish value system. To be sure, every state within the international system entails prioritizing survival and in the case of Israel, there were both valid objective and subjective reasons for the search after broad margins of security. Moreover, Ben-Gurion, the founding father of the state, laid the foundation of Israel's national policy under the conviction that the fate of world Jewry was dependent on the survival of the State of Israel.<sup>69</sup> This was a far-reaching claim that closed a cycle that had started over 3,000 years earlier when the first Jews developed a state. After a Diaspora experience of almost 2,000 years in which they had embraced their foreign host lands they now clinched to a Jewish state.

## Conclusion

The state has played a central role in Judaism from its inception. Ideally, the regime that the Jewish political tradition inspired to establish was the inverse of the centralized Ancient Egyptian Empire. At the basis of this ideal polity was the Covenant tradition with God that could be seen as the origin of the idea of a contractual relationship and constitutionalism. When the loosely confederated tribal structure evolved into a monarchy, the Israelites did not construct a lasting centralized polity. It was this mixture of central authority and competing

institutions that evolved during Jewish history, including the Jewish community (*Kehilah*) in the Diaspora. Significantly, despite its secular character, the contemporary Jewish state has successfully preserved key elements from the Jewish political tradition. The definition of Israel in the evolving constitution is as ‘a Jewish and democratic state’.

A second feature in the Jewish relationship with the state is the bondage with its ancient sacred territory. To be sure, the Jewish political tradition helped keep Judaism alive during the Diaspora, while the Jews crucially lacked a territorial element. The birth of the nation-state in nineteenth-century Europe and the intensification of modern anti-Semitism that culminated in the Holocaust in the mid-twentieth century induced Jews to re-constitute a national state in the land of their ancestors. This restoration of a Jewish state in the Land of Israel, though, resulted in a protracted conflict without a solution in sight. For the religious national sector in the country, there are inherent contradictions that have emerged between two sacred maxims: the State of Israel and the Land of Israel.

The tension between statecraft demands and religious principles was also felt in ancient times in foreign affairs. Most of the history of the Israelite and Judean kingdoms was one of a defensive doctrine against their neighbouring imperial powers. The prophets strived to advance an international order based on norms, an approach that fits the needs of a small isolated nation. This approach was also suitable for a national or religious minority in exile that constantly felt threatened and insecure. Another facet of this reality in the Diaspora was the policy of allying with the ruling political elite, despite it garnering the hostility of the subordinate classes. This policy of alignment with the leading power was also maintained in modern-day Israel, as shown through its foreign policy of searching for the support of the great powers despite negative reactions from the Third World.

Finally, despite the almost full support of the Jewish Diaspora to the Jewish state, the two’s interests have not always coincided. On certain occasions, of which only a few have been outlined in this essay, the overall Jewish national interest has split between the Jewish state and local Jewish communities. In most cases, it was the Israeli state’s interest that prevailed, but that definitely has not occurred in all instances. Despite the occasional tension and the on-going issues between religion and state, the State of Israel defines itself as a Jewish and democratic state – one whose internal disputes and foreign policies trace back millennia.

## Notes

- 1 Shmuel Sandler would like to thank Steven Moser, a 2014 graduate of The George Washington University Elliott School of International Affairs, for helping edit this essay.
- 2 I take the Bible literally and assume that the Jewish narrative as it appeared in the Bible has influenced the Jewish approach to the state over the ages.
- 3 Harkabi, ‘Jewish ethos and political positions in Israel’, 44.
- 4 Leibowitz, *Judaism, the Jewish People and the State of Israel*; Belfer, ‘The Jewish people and the kingdom of heaven’, 302–26.
- 5 Elazar, *Kinship and Consent*, xix.
- 6 *Ibid.*, 3–6.
- 7 Elazar, ‘The themes of the Jewish Political Studies Review’.
- 8 Elazar, *Covenant and Polity in Biblical Israel*.
- 9 Sandler, ‘Is there a Jewish foreign policy?’, 115–121.
- 10 Genesis 12:11–20.
- 11 Exodus 20:2.
- 12 Wildavsky, *The Nursing Father, Moses as a Political Leader*, 93; Walzer, 1986, Chap. 3.
- 13 Walzer, Lorberbaum and Zohar, *The Jewish Political Tradition*, 7–8.

- 14 Elazar, 'The themes of the Jewish Political Studies Review', 2.
- 15 Ibid., 98–9.
- 16 Walzer, 1986, 17–45.
- 17 The ruling dynasty of Judea and surrounding regions during classical antiquity between 142 and 63 BC.
- 18 Schlesinger, *The Imperial Presidency*.
- 19 Mazar, 'Israel's wars with Aram', 207–9.
- 20 A Hasmonean ruler (103–76 BCE) of Judea, he was depicted as a wicked tyrant, despite his heroic role in the development of Judea.
- 21 Chronicles II, 27:16–22.
- 22 Avot I:1
- 23 For more on the idea of separation of powers between King, Priests and Torah see: Cohen 1997, 59–60. This diffused structure, according to Elazar and Cohen (*Jewish Polity*, 1997), accompanied the Jewish polity right through to contemporary Israel.
- 24 Baron, 'Ghetto and emancipation: Shall we revise the traditional view?', 515–26.
- 25 *Responsa* is the Latin plural of *responsum*, meaning, literally, 'answers'. The *responsa* literature, known in Hebrew as *Sheelot U-teshuvot* ('questions and answers'), is the body of written decisions and rulings given by rabbis in response to questions addressed to them by Jews living in a Diasporic reality.
- 26 Sacher, *A History of Israel*, 3.
- 27 Horowitz and Lissak, *The Origins of the Israeli Polity*, 317–18.
- 28 Dowty, 'Jewish political traditions', 60–1.
- 29 Horowitz and Lissak, *Trouble in Utopia*, 26–7.
- 30 Don-Yehiya, 'Religion and coalition'.
- 31 Neuer, 'Aharon Barak's revolution'.
- 32 *Ha'aretz*, 29 November 1993: A4
- 33 Smith, 'Ethnic election and national destiny: Some religious origins of nationalist ideals', 350.
- 34 Smith, 'States and homelands: The social and geopolitical implications of national territory', 187.
- 35 Connor, 'Nation building or nation destroying?' 319–55.
- 36 Chronicles II, 36:22–3
- 37 Vital, *The Origins of Zionism*, 5.
- 38 Sabbatai Zevi was a seventeenth-century Sephardic rabbi and Kabbalist who claimed to be the long-awaited Jewish Messiah. His conversion to Islam in 1666 devastated his followers and was followed by a deep crisis in some Jewish communities.
- 39 Dinur, *Israel and the Diaspora*, 90–5.
- 40 Horowitz and Lissak, *The Origins of the Israeli Polity*.
- 41 Vital, *The Origins of Zionism*, Chap. 9–10.
- 42 Gorny, *The Arab Question and the Jewish Problem*, 350–2.
- 43 Ibid., 395–6.
- 44 Sandler, *The State of Israel, the Land of Israel: The Statist and Ethnonational Dimensions of Foreign Policy*, 150–7.
- 45 Yaron, *The Philosophy of Rabbi Kook*, 87–9.
- 46 Ravitzky, *Messianism, Zionism and Jewish Religious Radicalism*, Chap. 3.
- 47 Judges, 8:10.
- 48 Samuel I, 8:20.
- 49 Blidstein, *Political Concepts in Maimodean Halakha*, 214.
- 50 Greenberg, *On the Bible and Judaism*, 187, note 11.
- 51 Isaiah, 30:1–7; *ibid.*, 31:1–3; Hosea, 7:11; *ibid.*, 8:9–13; Jeremiah, 16–19.
- 52 Ginsberg, *The Fatal Embrace*.
- 53 Baron, *The World Dimensions of Jewish History*, 87–9.
- 54 Katz, *Jewish Nationalism*, 263–85.
- 55 Vital, *The Origins of Zionism*, Chap. 7 and 10; Vital, *Zionism: The Formative Years*, 223.
- 56 Schwartz, *The Land of Israel in Religious Zionist Thought*.

- 57 Herzl, *The Jewish State*, 95–6; Sandler, *The State of Israel, the Land of Israel: The Statist and Ethnonational Dimensions of Foreign Policy*, 28–9.
- 58 Rose, *Chaim Weizman*, Chap. 13.
- 59 Brecher, *The Foreign Policy System of Israel*, 262–9.
- 60 Brecher, *Decisions in Israel's Foreign Policy*, 118–52.
- 61 Walzer, *Universalism and Jewish Values*, 9–32.
- 62 BT, *Gittin* 10b.
- 63 Baron, *The World Dimensions of Jewish History*, 39–42.
- 64 Brecher, *The Foreign Policy System of Israel*, 229–44.
- 65 Blum, 'A Jewish State Among the States', 131–9.
- 66 Inbar, 'Jews' "Jewishness" and Israel's foreign policy', 165–83.
- 67 Mualem, 'Between Israeli foreign policy and Jewish foreign policy: The exodus of the Jews of Algeria in 1958–1962', 229–41.
- 68 *Ibid.*, 229–44.
- 69 Brecher, *The Foreign Policy System of Israel*, 256.

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