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Cover art: *"Reconciliation." 30"* round, oil on canvas, 1976. Gilah Yelin Hirsch resides in Venice, California and is professor of art at California State University at Dominguez Hills. The painting is in the artist's collection.

TIKKUN UPLIFTS JEWISH, INTERFAITH, AND SECULAR PROPHETIC VOICES OF HOPE THAT CONTRIBUTE TO UNIVERSAL LIBERATION

A catalyst for long-term social change, we empower people and communities to heal the world by embracing revolutionary love, compassion, and empathy. We support ethical, spiritual, economic, and political ideas that seek to replace the ethos of selfishness, materialism, nationalism, and capitalism with an ethos of generosity, caring for everyone on the planet (including animals), and every attempt to build local and global solidarity while enhancing love.

Tikkun magazine grew out of the empirical research of the Institute for Labor and Mental Health chaired by Rabbi Michael Lerner, which focused on the stress that people often experience in the world of work and which is often brought home into personal life. We discovered that the capitalist ethos is held together by a series of beliefs that must be dismantled in order to build a society that strengthens the love and caring relationships in both families and friendship circles. **Among those toxic beliefs:**

I. The fantasy that we live in a meritocracy, create our own world, and hence have only ourselves to blame if things are not turning out in the way that we might have wished. While we encourage people to do what they can to make their lives more fulfilling, we also want people to understand what we are all up against: the vast inequalities of wealth and power by the top 10 percent of wealth holders (in the US and globally), and thru that their ability to exercise the control over the media and much of the educational systems and large corporations.

2. **This self-blaming is reinforced by a political system** that makes it very difficult for ordinary citizens to believe that they can have any substantial impact on changing the system. Whether in politics or in personal life, people tell each other that seeking major changes is unrealistic and that they themselves are unrealistic if they think they can achieve major changes.

3. Many people have religious or spiritual beliefs that incline them to want to live in a society where people care for each other and for the planet. Yet most of the movements for societal change ignore or even ridicule those beliefs, driving many to embrace the Right Wing movements that welcome them. **Tikkun brings to public expression those very hopes and yearnings that have been denied so long and suppressed so deeply that we no longer know they are there.** Thus we advocate for far-reaching approaches that include pushing Israel to help Palestinians establish their own independent state living in peace with Israel, a Global Marshall Plan, and the ESRA Environmental and Social Responsibility Amendment to the US Constitution.

We created Tikkun magazine to bring these ideas to a large constituency. We strived to provide a wide, open, and welcoming tent - a space for rich intellectual, spiritual, and political exploration. For that reason, we published many articles from a wide variety of belief systems and religions, not all of which we agreed. We believe that people learn and grow by reading perspectives different from their own.

We are **no longer in print**. We struggled to raise enough money because of the controversial positions we take. On one hand, some progressives dismiss spiritual discourse as inherently flakey or reactionary, see our position on Israel as too soft, and are unhappy with our refusal to engage in demeaning discourse, such as labeling all whites as racists or all men as sexist, even as we called for reparations for victims of every form of historical oppressions. Many liberals, on the other hand, found our criticisms of Israel too upsetting and our advocacy for the human rights and dignity of Palestinians too challenging.

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Design:
Thomas Ingalls and Associates, San Francisco

Typesetting:
turnaround, Berkeley

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Letters

Tikkun reserves the right to select, edit, and shorten all submissions to the Letters section.

The West Bank

To the Editor:

I was intrigued by the brief comment of my good friend Lyman Legters in your Nov./Dec. 1987 issue, in which he applies the "colonial model" to the Israeli occupation of the "territories." The conclusions from such an application are obvious: an absolute condemnation of the colonialists inherent in the very definition. As a historian, I have some problems with this. I know of no colonialist country that was threatened in its very existence by its colony. I don't think the American colonies threatened the existence of the British Crown, nor do I think the Philippines ever threatened America's existence. The closest parallel might perhaps be the English colonial regime in Ireland. Does Legters suggest that Ireland ever threatened England's existence? On the other hand, I have yet to hear of an explicit disclaimer by PLO leaders of their desire to eliminate (i.e., murder) Israel—a disclaimer, that is, in Arabic, directed to their own followers. I think the trouble Legters has with this lies in his application of a mechanistic, neo-Marxist definition to a complex situation to which it fits like a square peg in a round hole.

As a member of Peace Now and as a socialist, when I demonstrate against my government's policies in the "territories," I do so in the full recognition of the fact that there is no Peace Now movement among the Palestinian Arabs, but a desire, recently confirmed by a Tel Aviv University poll, to destroy Israel, not just to establish a Palestinian state alongside it. I demonstrate, because no matter what the Palestinian side does, and despite the fact that the PLO is a fascist, ultra-nationalist, terrorist movement, the occupation is destroying the moral fiber of my country. We have no business in the "territories." We should be willing to negotiate with the PLO despite its fascist character, because we have no right to choose the leadership of the Palestinians. If nobody answers our call to negotiate, we should follow the advice of the late Moshe Dayan: unilateral withdrawal from the populated occupied areas, first as a threat, and then as a realistic policy. We are not colonialists. We are both better and worse: we have permitted ourselves to be maneuvered into a right-wing position of ultra-nationalism against the ultra-nationalism of the Palestinians. Ultimately, it is a quarrel between two claimants with equal rights over a small but important piece of real estate of considerable historical value.

Yehuda Bauer
Kibbutz Shoval, Israel

Jesse Jackson

To the Editor:

In his *Tikkun* interview (Nov./Dec. 1987) Jesse Jackson describes South Africa as the Fourth Reich. Just a little while ago Mayor Ed Koch of New York City made this very comparison and no Jewish roof fell on his head, nor was he termed anti-Semitic. If a state like South Africa, which is founded

Tikkun (ISSN 0887-9982) is published bimonthly by The Institute for Labor and Mental Health. **Editorial offices**: 5100 Leona St., Oakland, CA 94619; (415) 482-0805.

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on the idea of master and inferior races, is not some kind of Reich, then what is?

Stew Albert
Portland, Oregon

To the Editor:

In his interview with *Tikkun* (Nov./Dec. 1987) the Reverend Jesse Jackson makes the implicit claim that because American Jews have not repudiated Meir Kahane, he is under no obligation to repudiate Louis Farrakhan. The logic of such an argument escapes me. In any event, his facts are wrong. Furthermore, Jackson states that the Farrakhan controversy derives from Kahane's threat to "march on the home of a presidential candidate who is black." These comments reveal a skewed vision of the Jewish community, a gross misperception of Kahane's stature, and a lack of understanding of how the Jewish community deals with racists in its midst.

Jackson's perception that Kahane is more than a marginal figure within the American Jewish community is particularly surprising, considering the media attention given the mainstream American Jewish public condemnations of his racist anti-Arab views over the past two and a half years. Kahane has visited the United States frequently since his election to the Knesset in July 1984, in search of financial and moral support for his movement. Yet, support for Kahane today as the leader of the racist anti-Arab Kach party is, as it was when he resided in the U.S. leading the extremist Jewish Defense League, limited to a small minority on the fringe of the American Jewish community.

Kahane has been totally unsuccessful in obtaining from mainstream Jewry the legitimacy he so anxiously seeks. Professional and lay leadership, especially those involved with federations or community relations councils, have refused to meet with Kahane. To find a Jewish podium from which to deliver his racist diatribe is increasingly difficult for Kahane, who often must convene his meeting in a hotel or private home.

The united posture of the mainstream American Jewish community against Kahane is clearly reflected in the statements repudiating his views that have been issued by member agencies of the National Jewish Community Relations Advisory Council. The 113 community and eleven national (including the Orthodox, Conservative, and Reform movement) agencies that comprise the NJCRAC collectively represent the overwhelming majority of organizationally affiliated Jews in the United States. Our collective view is that a racist in our own community will not be tolerated.

Kenneth Bandler
Director of Public Information
National Jewish Community
Relations Advisory Council
New York, New York

To the Editor:

In his apologia for Jesse Jackson, David Saperstein tries to shave the edges off the square peg of the candidate's views to make it fit the round hole of vital Jewish interests. My colleague failed in his carpentry.

Saperstein reminds us that Jackson's views are a "vast improvement over those espoused in the 1984 campaign." Based on the Lerner interview, I see little evidence of Jackson's "rigorous confrontation with his Jewish problem." Jackson's continuing insensitivity to the meaning of the Holocaust to the Jewish people and his "unnuanced" understanding of Israel and the Middle East, as expressed in the interview, seem to have evolved little since 1984. The lack of empathy for primary Jewish concerns suggests that Jackson has yet to listen and to study intensely enough to persuade many of us that he has made a real *teshuvah* from his unguarded remarks of 1984. Even if we grant that Jackson has moved somewhat toward understanding Jewish hopes and fears, it is appropriate to ask whether he has moved far enough.

Saperstein urges us to bear in mind the "reality . . . that for the vast majority of the black community, Jackson's views on the Middle East and Farrakhan are irrelevant to their support." Even if most blacks disagree with Jackson's position in these areas, Jews need to convey that these very issues are paramount and exceedingly relevant to us. It is too much to ask that Jews join in a coalition, no matter how valid and desirable is most of its platform, if it contains planks that endanger the Jewish people or Israel. Jews are well aware of the depth of black pride in Jackson's candidacy. Yet Jewish goodwill and the desire for a positive relationship with black Americans cannot prevent Jews from expressing the most serious reservations about a Jackson presidency in light of his sentiments conveyed in the interview with Lerner.

Saperstein says, "We can work with Jackson, publicly stating our differences. . . . We can do so without sacrificing the integrity of our positions . . . and without asking Jackson to sacrifice his." If Saperstein were speaking only about a leader in the black community, one might comfortably endorse his assessment. But Jackson is seeking the U.S. presidency, the pinnacle of power and policy-making. If Jackson were to become president, the issues that concern Jews would cease to be merely points of moral or philosophical debate. His views would become policy and "presidential findings."

Jackson stands for so many of the values of the Jewish prophetic tradition that it is painful to repudiate his candidacy. Yet, the alternative would be to repudiate our Jewish claims to security and justice. Surely such a repudiation of Jewish concerns cannot result in *tikkun*.

Paul J. Citrin
Rabbi, Congregation Albert
Albuquerque, New Mexico

To the Editor:

Michael Lerner in his confrontational interview with Jesse Jackson and David Twersky and Fred Siegel in their adversarial comments essentially demand that Jackson approach Jewish concerns from inside a Jewish skin, refusing to respect or even acknowledge Jackson's right to approach them from a perspective of his own.

The result, as David Saperstein comments, is a "mismeeting"; one, I would emphasize, that plays into the hands of those in the Jewish community and elsewhere who delight in seeing Jackson's rainbow tarnished because they oppose his progressive stance. Significantly, newspaper reports of the interview, which gave *Tikkun* good publicity, trumpeted the views of Jackson's critics and ignored the more favorable comments of Saperstein, Ann Lewis, and Norman Birnbaum.

It was Ann Lewis who addressed the crux of the problem that many Jews have with Jackson. Jackson, like other black leaders, has consistently kept the door of reconciliation open to even the most racist of white Americans.

The particular circumstance of black Americans, a powerless minority in a racist country; the influence of Martin Luther King and other advocates of nonviolent action; and Jackson's theological background have inspired a redemptive kind of politics that many Jews are quick to dismiss.

Jackson was correct in refusing to be baited into making yet another mea culpa for the sins of Louis Farrakhan; but since the issue was raised, Jackson's refusal to acquiesce to Lerner (and the demand of some Jews) that Farrakhan be read out of the human race (in the same way that many Jews insist that Arafat be dismissed), is consistent with this approach.

Jackson has always been committed to dialogue and negotiation: in SCLC, PUSH, and in the Rainbow Coalition. To be sure, there are flaws in the record, and I share Abbie Hoffman's concern about his cult of personality and his lack of accountability. (But in these he does not differ from the other presidential contenders.)

By contrast, too many Jews, here and in Israel, reject the idea of dialogue and negotiation; they use the fact of the Holocaust as a moral bludgeon to advance their own political agenda and to create a politics of moral absolutism beyond criticism or discussion. Or to put it another way: moral posturing is used to disguise (and purify) ideological positions. (It's Jackson's criticism of Israeli policy towards the Palestinians that is at the crux of his "Jewish problem," not his supposed anti-Semitism, which even if true pales in comparison to the pervasive nativistic anti-Semitism that is at the heart of the Republican right and which many Jews ignore in order to curry support for Israel.)

A direct result of this refusal to negotiate with one's enemy (or to acknowledge the legitimacy of their aspirations) is the explosive situation on the West Bank and the war between Israel and the Palestinians which Israel may never lose but can never win.

Tragically, the refusal to dialogue, and to accept the possibility of change or redemption has hardened into a quasi-official Jewish and Israeli position. Thus: the insistence that Jackson not only disassociate himself from Farrakhan's beliefs, but denounce him as a person; the refusal to recognize or in any way deal with the PLO as a political entity with (like it or not) a legitimate geo-political grievance; and the tumult about the pope meeting with Waldheim (isn't it part of the pope's job description to meet with sinners?).

But Jackson's insistence on the political possibility of redemption is not a retreat into realpolitik or opportunism. It is basic to his idea of social and political change.

Jewish distrust of Jackson is therefore, I believe, a reflection of a serious malaise: a political double standard in which we (Jews) are morally excused from dealing with or even recognizing people we don't like; e.g. Arafat, Waldheim, Farrakhan. Thus, Jackson and the pope are castigated for their softness towards those who some Jews consider anti-Semitic. Yet, it remains appropriate for Israel to recognize and cooperate with the South African government, the contras and the murderous Guatemalan military. The moral compromises of realpolitik are allowed for Israel, but for no one else.

Jackson's willingness to recognize the humanity of even the enemy is not nonviolent sentimentality but a practical necessity for self-survival; i.e., the encouragement of a political process that could diffuse dangerous conflicts. Given the stalemate in the Middle East, our own country's proclivity for third world intervention, and the closeness with which we all live to nuclear disaster, it is incendiary to maintain the non-compromising position that many Jews (and the Reaganites) have. It is for Jackson's commitment to a redemptive kind of politics as much as it is for the specifics of his positions that I favor Jesse Jackson for president.

Marty Jezer
Brattleboro, Vermont

To the Editor:

Tikkun's interview with Jesse Jackson changed me from a mild supporter (I was already critical of the ways that Jackson seems to be too similar to the other candidates, too unwilling to raise fundamental criticisms) to a firm critic of his candidacy.

I was willing to allow him his relationship with Farrakhan—though I must say now in retrospect that I was using a double standard: I would certainly not have allowed any white candidate to maintain a similar relationship with a racist and still parade himself as representing my moral values! But I explained it this way: Jackson is sensitive to anti-Semitism, but for special historical reasons he has a special tie to Farrakhan and who are we to insist that he break that tie. Fine, let him have this one exception. But its quite another thing when Jackson, responding to a question about anti-Semitism on black campuses simply denies its existence! There goes my idea that he is sensitive—suddenly he appears as someone who is simply blind to the problem altogether. In that case, the Farrakhan problem takes on much greater significance—Jackson doesn't recognize the problem at all. Worse still, Jackson then proceeds to justify whatever bad feeling exists in terms of Jews deserving the anti-Semitism. After all, they opposed affirmative action (but which Jews does he have in mind here—he seems not to know about all of us who have been working for equality for decades) and Israel gives aid to South Africa. With this last move, Jackson goes over the boundary of respectability. I have always argued that anti-Zionism is not anti-Semitism, because one can criticize the state without hating the Jewish people. But here Jackson is accusing American Jews of deserving black anti-Semitism because of Israel's policies. In that case, he can't separate his anti-Israel feelings from his anti-Jewish feelings—and so in this case the anti-Zionism becomes an anti-Semitism.

I doubt if Jackson, were he elected president, would consciously try to adopt policies hurtful to Jews. But he seems to have such a deep and lingering anger at Jews that this would almost certainly unconsciously influence his policies. None of my liberal or progressive friends and colleagues in the anti-nuclear movement would accept this kind of attitude if it were held towards blacks or women—I thing they'd be wrong to accept it towards Jews as well. Angry as I am at what Israel is doing in Gaza and the West Bank, I don't want American politicians to feel free to legitimate anti-Semitism against American Jews, and I'm afraid that Jackson has every potential for doing just that. Don't be surprised if after he loses this election we hear a lot of talk about "stabs in the back" directed at Jews—even in the *Tikkun* interview he already starts to introduce that theme about 1984.

Thank you for doing this interview.

(Continued on p. 84)

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Publisher's Page

After the last issue of *Tikkun* went to press in mid-December 1987, editor Michael Lerner and I left for two weeks in Israel. Our arrival in Israel coincided with the eruption of the riots in Gaza and their extension to the West Bank.

Knowing in advance that a trip to Israel is never a relaxing vacation for us, we nonetheless were unprepared for how difficult and upsetting this visit would turn out to be. Like many other people, we were severely shaken by the events that were taking place while we were there.

Our reactions in those early days of the uprising were so complicated and so intense that it was hard to find words to express what we were feeling. Much of the time all we could say to each other and to other people was, "Isn't it terrible, what's happening." By commiserating on this most general of levels, we were able to feel a certain degree of solidarity with those around us.

Yet this sense of solidarity was easily broken. I remember a conversation with an acquaintance in which our talk went one stage beyond general commiseration. In response to my question about what upset him, he said, "What really gets to me the most is that the Jews don't kick all the Palestinians out of the West Bank." With that remark the fantasy of solidarity evaporated.

Dialogue that went beyond general commiseration was difficult even between those of us who shared the same political viewpoint. Because we were so on edge and because of the contradictory feelings within each of us—for example, loving Israel but at the same time being extremely upset about the Israeli government's actions—it was hard to have a conversation of any depth without it becoming tense and divisive. If one person voiced anger about the treatment of the Palestinians, the other felt called upon to find some reason why Israel's actions were not as bad as they seemed to be. And if one said that Israel was acting immorally, the other replied by saying that it was unfair to say such a thing without putting it in the context of two thousand years of Jewish oppression.

Since returning to the U.S., we've heard many Jews express frustration about the lack of constructive talk about Israel and the Palestinians. Especially in their organizations and in their synagogues, they say that in-depth conversations are noticeably not happening. People are scared to talk about the issues.

It is not surprising that people have such a hard time talking about this crisis. The subject is emotionally charged for most of us in a way that is more complicated, more painful and harder to sort through than just about any other issue in our Jewish lives. How do I talk objectively about crushed hands and beaten bystanders? How do I talk rationally about my people being the oppressor? How do I talk calmly about my fear of a backlash against Jews? The mind boggles and the usual categories fall short.

Despite our resistance, we *must* talk about what is happening. By not talking—within our families, our workplaces, our groups, our synagogues—we allow ourselves to ignore the seriousness of this crisis. We distance ourselves from our involvement in this mess.

A strange paralysis exists among American Jews at this time. As recent newspaper reports note, the Jewish community has been unusually silent about the crisis in Israel. This paralysis comes, in large part, from the taboo against airing our frustration and disagreement in public. By breaking the taboo against talking about the situation, we can help ourselves to become less paralyzed.

The crisis in Israel, although it might temporarily abate, is not going away. American Jews can be important in shaping the resolution of this crisis by voicing their political concerns about the issues and putting pressure on the Israeli government to work toward a settlement of the situation. Talk is the necessary first step in deciding what role we want to play and developing creative and effective strategies.

In this issue of *Tikkun* we present several articles containing analyses about the crisis in Israel and suggestions for things you can do. We urge you to use them as springboards for discussion and action.

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We note with sadness the passing of Rabbi Hershel Matt, a friend of *Tikkun* and a respected teacher. □

Editorial

The Occupation: Immoral and Stupid

The widespread moral outrage at Israel's policies in Gaza and the West Bank—the sense that Israel is violating the basic ethical values of Judaism—is coupled with a growing realization that these policies are also bad for Israel and bad for the Jewish people. Granted, some of Israel's current critics have been unfair, both in their failure to acknowledge the role of Palestinian leaders and Arab states in creating the conflict, and in their tendency to judge Israel by standards that they rarely apply to the rest of the world. Nevertheless, from the standpoint of Jewish ethics and Jewish survival the occupation is unacceptable. There are plausible solutions to the Palestinian problem that must be tried. But they won't be tried unless American Jews unequivocally tell Israel that the occupation cannot continue. This message must be conveyed forcefully to Prime Minister Shamir and to the Israeli public.

* * *

The pain and sorrow many American Jews feel about Israel's policies on the West Bank and Gaza are rooted deep in our collective memory as a people. Israel's attempt to regain control of the refugee camps by denying food to hundreds of thousands of men, women, and children, by raiding homes and dragging out their occupants in the middle of the night to stand for hours in the cold, by savagely beating a civilian population and breaking its bones—these activities are deplorable to any civilized human being. That they are done by a Jewish state is both tragic and inexcusable. We did not survive the gas chambers and crematoria so that we could become the oppressors of Gaza. The Israeli politicians who have led us into this morass are desecrating the legacy of Jewish history. If Jewish tradition has stood for anything, it has stood for the principle that justice must triumph over violence. For that reason, we typically have sided with the oppressed and have questioned the indiscriminate use of force. We, who love Israel, who remain proud Zionists, are outraged at the betrayal of this sacred legacy by small-minded Israeli politicians who feel more comfortable with the politics of repression than with the search for peace.

Any policy that requires the immoral tactics currently being used against an unarmed and militarily subjugated population must be rejected. If the activities of the Israeli army since December really are necessary, that in itself would be sufficient to discredit the occupation. We do not diminish our loyalty to our own people by acknowledging our profound sadness at the suffering of Palestinians. Those who have grown up in camps or in exile have experienced homelessness in much the same way that Jews have experienced it throughout history. Even if this suffering were the absolutely necessary consequence of our self-preservation, we would still be deeply upset by the pain that thereby was caused to another group of human beings. We have been too sensitized by our own history of oppression not to feel diminished when others are in pain. That is why we dip drops from our wine cups at the Passover seder in memory of the pain of our Egyptian slaveholders. But when that pain is largely unnecessary, we feel not only sadness but also anger and a deep determination to do what we can to stop the suffering.

Our outrage is shared by many Israelis. Over fifty thousand of them gathered in Tel Aviv on January 23 in one of the biggest antiwar demonstrations in Jewish history to protest Israel's policies. Joined by hundreds of thousands of others who could not attend the demonstration but who share their outrage, they are asking American Jews to speak out. To be silent, or keep our criticisms safely "in the family," would be to betray our Israeli brothers and sisters.

That is why we say in unequivocal terms to the Israeli government: Stop the beatings, stop the breaking of bones, stop the late night raids on people's homes, stop the use of food as a weapon of war, stop pretending that you can respond to an entire people's agony with guns and blows and power. Publicly acknowledge that the Palestinians have the same right to national self-determination that we Jews have, and negotiate a solution with representatives of the Palestinians!

But our anger at Israel's current policies comes not only from moral outrage but also from deep concern about Israel's survival and the survival of the Jewish people. From a strictly self-interested position, the occupation is stupid. Here's why:

1) The longer the occupation exists, the more angry

and radical young Palestinians will become. The possibility of negotiating a two-state solution will decrease since these young Palestinians will come to regard a West Bank state as a "sell-out" of their dreams for a fully liberated Palestine, and PLO leaders willing to settle for a such a state will be seen not as "moderates" but as betrayers of the struggle. This attitude is becoming more prevalent, but it has not yet achieved dominance. Yitzhak Rabin's policy of "the iron fist" only quickens this radicalization. In years to come we may wish that we had dealt with the PLO before the Palestinians embraced some radical form of Islamic fundamentalism that makes it a religious sin to live in peace with Israel.

2) Even those Palestinians who now live within the pre-1967 borders of Israel are being drawn into the struggle. Faced with the repression of their own people in the occupied territories, they participated in the general strike in December. Some have rioted in protest of Israeli military action. The longer the occupation lasts, the more they will be drawn into the struggle—with disastrous consequences for Israel. Unless the occupation is speedily ended, Israel may soon resemble Beirut or Northern Ireland.

3) As the occupation continues, the logic of domination and repression of Palestinians will require that Israelis adopt an increasingly insensitive view towards those whom they must control. Israelis will inevitably be pushed to the political right. In the past few years we have seen the right-wing Tehiyah party and even some sectors of Likud advocate Kahane-like ideas. Today, right-wing members of the Labor party such as Yitzhak Rabin act in ways that would have made them scream at Ariel Sharon only a few years ago. This move to the right is likely to accelerate the already large emigration ("yeridah") rate plaguing Israel—only this time those who leave will be going, not to find their "fortune" in America, but to escape a political situation that they cannot morally justify. Increasingly, it will be the scientific, technical, and professional personnel who leave—people whose contributions have been essential to the defense technology, economic strength, and intellectual creativity of the country.

4) Because most of the pro-Zionist Jewish leadership in the United States has remained quiet, the only voices articulating clear moral criticism have been those of Israel's enemies. For the anti-Semites and the anti-Zionists these are wonderful times. Reports already exist of campus demonstrations with posters denouncing "Jewish murderers"—and many Jewish college students, ashamed of the images of the Jewish state being portrayed in the media every day, are willing, for the first time, to listen to the anti-Zionist propaganda being disseminated. Previously lacking any rational foundation for their attacks on Jews, the voices of hate have gained credibility by their association with legitimate criticisms of the Jewish state. Israel's current policies give credibility to the worst lies about Judaism. And, in the years ahead, the Jewish people may face hard times based not simply on lies and distortions of anti-Semites, but on the justified indignation of many people who see the Jewish state embodying a viciousness and moral callousness that they would find repugnant anywhere.

5) The occupation threatens to erode the popular base of support for Israel in the United States. As America's economic problems intensify in the coming years, people will inevitably question any large-scale military and economic aid given to any foreign country. Moreover, major American corporations have never been happy with the government's tilt toward Israel. Most corporations understand that their long-term economic interests are better served by friendlier relations with the various Arab autocracies. Opportunities for investment and trade have been limited by America's alliance with Israel. The United States's policy of military support to Israel is one instance in which popular forces, using the democratic mechanisms of the electoral process, have countered corporate interests. Even the power of AIPAC is based less on its fund-raising capacities (does anyone seriously doubt that Arab oil companies could, if they so chose, raise more cash for political candidates than AIPAC?) than on its ability to mobilize a political constituency of Israel's supporters. Yet many of Israel's supporters would be much less committed if Israel were perceived as having repudiated its commitment to democratic values and human rights. If Americans continue to be barraged by images of Israelis beating, tear-gassing, shooting, and starving a civilian population, they will be much less likely to stand up to the Arab and corporate interests that argue for "evenhandedness" in American policy.

Make no mistake about it—what is at stake for Israel is not only its Jewish soul but its survival. Once the perception fades that Israel stands for moral values, those of us who want to provide for Israel's defense may be unable to convince the United States to supply the latest and most sophisticated military hardware, and Israel may be unable to keep up with Arab armies supplied not only by the Soviet Union but also by Japan and Europe. As a result, Israel may be vulnerable to serious military attack. There is no more pressing Israeli security need than its need to maintain its image as a society committed to just values.

6) The occupation is also a threat to the survival of Judaism and the Jewish people in the Diaspora. The breakdown of authoritarian communal structures increasingly makes every Jew a Jew by choice. In the past two decades there has been a dramatic revival of interest in Judaism from Americans who have found the individualistic and competitive values of American society unfulfilling and morally vacuous. They have turned to

Judaism because they rightly sense Judaism's moral sensitivity and its transcendent vision, which stands in sharp opposition to the logic of domination and mean-spiritedness that permeates life in most competitive market societies. The occupation may reverse this trend since increasing numbers of Jews will begin to dismiss much of Judaism's moral vision as pious moralizing that lacks substance. A Judaism that has lost its moral teeth and becomes an apologist for every Israeli policy, no matter what its moral content, is a Judaism that not only betrays the prophetic tradition, but also risks losing the adherence of the Jewish people.

* * *

Israel is putting its supporters in the agonizing position of either rejecting its current policies or rejecting some of the central teachings of Judaism. While Israel's policies in the West Bank and Gaza are anathema to Jew and non-Jew alike, to secular as well as religious people, they are especially upsetting to those who take Judaism seriously as a guide to life. No rule in the Torah is repeated as frequently as those that, in one form or another, warn us not to respond to being oppressed by oppressing others. Using the term *ger* ('stranger') to refer to anyone who is part of a relatively powerless minority, just as *we* were in Egypt, the Bible commands us over and over again: "When you come into your land, do not oppress the *ger* who dwells in your midst." "One law shall be for you and the *ger*." And always the haunting reminder: "Remember that you were a *ger* in the land of Egypt!"

The wisdom of the Jewish tradition is deep. It recognizes the temptation to do unto others what was done unto us, to engage in a kind of collective repetition compulsion in which we attempt to achieve mastery over the traumas of the past by identifying with our oppressors and becoming like them. We can see this dynamic in many people who were traumatized as children, and who then as adults seem to replicate, in their behavior towards others, much of what was done to them when they were young and powerless. The Torah seems to recognize that this same dynamic can affect an entire people, and it insists that freedom means breaking out of this pattern by consciously resisting it. For the Children of Israel, political freedom from slavery was only the first step. In order to be entitled to the Land of Israel, they had to accept the yoke of moral responsibility not to pass on to the next generations the evils of the past. For that reason, the Children of Israel were required to wander in the desert for forty years until the generation that was crippled by the mentality of slavery died off. The psychological traumas of oppression cannot be made the basis for building a Jewish society. We must transcend this dynamic: We must not do to others what was done to us. God's voice here is unequivocal: There is no right to the Land of Israel if Jews oppress the *ger*, the widow, the orphan, or any other group that is powerless.

We did not survive the gas chambers and crematoria so that we could become the oppressors of Gaza.

The Torah insists that both physical and psychological/spiritual slavery must and can be broken. This is the liberatory message of Passover. To the extent that Judaism has kept alive this message of hope, it has been a revolutionary vanguard, insisting that the logic of the past, the logic of oppression, is not the only possible reality, that there exists a transcendent and liberating Force that we must foster. For this very reason, Jews must reject every effort to turn Judaism into a cheering squad for Israeli policies. We also must resist the arguments of those who say, "We Jews were hurt so badly in the past and have such a residue of anger for our past oppression that you must understand why we act as we now do." On the contrary, the essence of Judaism is to resist that argument.

Nevertheless, we must have compassion for the people who feel this way. We cannot ignore the specific features of Jewish history that may have conditioned Israeli soldiers to act like a classical colonial force trying to subjugate a rebellious citizen population. The rage that these soldiers exhibit when they beat civilians they suspect have been involved in rock-throwing may be understood, in part, as a response to the two thousand years during which the world systematically denied their right to exist as a people, a denial that culminated with extermination in gas chambers and crematoria. This oppression occurred not only in Europe; many Jews also had to flee Arab lands after hundreds of years of oppression and delegitimation. This same process of delegitimation has been further perpetuated by the Arab states in their refusal to relocate Palestinian refugees in 1948, in their insistence that these refugees stay in camps in Gaza and the West Bank, and in their failure to follow the lead of other countries that resettled much larger refugee populations, such as Pakistan's resettlement of nearly ten million Moslems after the struggle for Indian independence. This conduct by the Arab states was a loud proclamation: "You Jews don't really exist for us. Your presence here is temporary. We don't have to resettle the Palestinians or deal with this problem because you will soon be gone."

For two thousand years the Jews had to scream in

silence, fearful that protesting their delegitimation would lead to an escalation of oppression. Now, with the existence of the State of Israel, these Jews have begun to unleash their pent-up anger on the Palestinians—not a people of innocent bystanders, but a people that refused to accept the State of Israel in 1947, a people whose leadership still views a state as a transitional entity to a "second stage" in which Israel will be destroyed. One can understand the rage of some Israeli soldiers by recognizing this history of delegitimation.

A people this deeply wounded deserves compassion. Yet love for Israelis requires us to do our best to stop them from hurting themselves and others. Just as we understand the frustration that leads Palestinian youths to throw rocks even as we criticize their conduct, so too do we express deep care for our brothers and sisters in Israel even as we reject their actions.

We do not have to be reminded that the Palestinians themselves played a major role in creating the present conflict. When they were the majority in Palestine and *we* were refugees, they would not allow refugees to share the land. When Jews were desperately fleeing Christian Europe as well as Islamic Asia and North Africa, the Palestinian refusal to grant Jews a haven convinced many Zionists that Palestinian self-determination is incompatible with Jewish survival. When the media focus on Israel's treatment of the Palestinians, they paint an incomplete picture to the extent that they fail to inform their audience that the Palestinians are heirs to a tradition that to this day continues to reject the legitimacy of Jewish claims to a state. Those who throw rocks today may be justifiably frustrated, but if they do not have the courage to match their rock-throwing with the political will to accommodate Israel, if they wallow in their fantasies of eliminating the Jewish state, they simply will prolong their homelessness.

So we say to the Palestinians: Stop the rock-throwing, stop the talk of violently overthrowing Israel, reject the rejectionists, and publicly proclaim your willingness to live in peace with Israel. Begin to talk publicly about peaceful coexistence. You will not be granted genuine self-determination until you allay the legitimate fears of many centrist Israelis that you still are committed to destroying Israel.

Along with many people's failure to recognize that the Palestinians bear part of the responsibility for the present crisis has come criticism of Israel that simply is out of proportion, criticism that makes both Israelis and American Jews defensive and prevents them from recognizing the genuine injustice of Israel's policies. The worst example of such criticism is the comparison between Israel and South Africa. Israel is not South Africa, and what it is doing is not apartheid. It is true that Israel, like South Africa, is inflicting needless suffering on a population that seeks self-determination. But when it does this, it acts as a colonial oppressor in ways more similar to the Soviet Union's oppression (on a much larger scale) in Afghanistan, or China's in Tibet, or the United States' (acting through local proxies) in much of Central America.

Apartheid is a racist system under which blacks are discriminated against simply because they are black. In Israel the picture is different. Arabs who have remained within the pre-1967 Israeli borders have the same political rights as any other Israeli and are represented in the Knesset. Though Israeli Arabs rightly complain about unfair allocations of the budget and discrimination in housing and employment, these are practices that more closely resemble the unfair realities of black life in the United States than the formal legal discrimination of apartheid. The fact remains that an Israeli Arab with large amounts of money does not face the kind of discrimination that remained legally instituted against blacks in the United States until thirty years ago. Israeli Arabs play on the same beaches, eat at the same restaurants, attend the same movie theatres, and are free to stay at the same hotels as other Israelis.

The situation in the occupied territories is terrible, but resembles colonial oppression much more than racist apartheid. First, even if the territories were annexed into Israel, we would not be faced with the South African situation of a minority ruling a majority. Israeli Jews would remain a majority oppressing a minority the way Sikhs are oppressed in India, or the Kurds in Iran and Turkey, or the Miskito Indians in Nicaragua, or the Irish Catholics in Northern Ireland, or the Basques in Spain. Second, unlike typical colonial oppressors, many Israelis still favor a solution under which they would rid themselves of the West Bank, provided that they could guarantee Israel's security. Israel's good faith already has been shown in its withdrawal from the Sinai in return for peace with Egypt. This is not the behavior of a colonial power, much less of a South African-type regime. In short, the South Africa analogy distorts reality and allows right-wingers to focus on its flaws instead of dealing with the justified criticism of Israel.

* * *

There are solutions to these problems. A demilitarized and politically neutral Palestinian state can be established on the West Bank and Gaza in precisely the same fashion that the Russians and Americans agreed to give Austria independence after WWII. Demilitarization would be guaranteed by the United States and the Soviet Union, and the treaty that establishes this Palestinian state would also recognize Israel's right to intervene militarily in order to prevent

the introduction of tanks, heavy artillery, or airplanes. The United States, Soviet Union, and Israel would create a unified force to protect the Palestinian state from attack by Syria, Iraq, Iran, or other hostile powers, and the United States would enter into a collective security agreement with Israel guaranteeing the full power of American military might to defend Israel against attack. The Palestinian state would renounce all claims to the rest of Palestine and would police those remaining Palestinians still desiring a further struggle with Israel. Israel would agree to enter into economic confederation with this Palestinian state after a specified period of peaceful coexistence.

Who could negotiate for the Palestinians? Any group that is willing to recognize Israel's right to exist. If Israel claims that the PLO doesn't represent the Palestinians in the occupied territories, let it immediately hold a plebiscite to determine whom West Bank Palestinians want to negotiate for them. And Israel must set no restrictions on who can be a candidate.

The ordinary Israeli has no idea how deep American disaffection has become or how such disaffection may threaten Israel's military security in the future.

What if no Palestinian leadership is willing to accept a demilitarized Palestinian state? Then Israel loses nothing by having offered, and actually gains a great deal. Instead of Israeli rejectionism, we would be back to a clear picture of the Palestinians as the obstacle. It is reasonable for Israel to insist on its own security. If, in the 1930s, Jews had been offered a state under a similar plan guaranteed by all the great powers, they certainly would have accepted it, even on a considerably smaller piece of land. Ultimately, a totally demilitarized Middle East is optimum, but for now a demilitarized Palestinian state is the only kind of state likely to be accepted. We hope the Palestinians prove the skeptics wrong by accepting a demilitarized state.

Israel should publicly offer the Palestinians such a state now. This proclamation will help ensure Israel's political and military survival. It probably also will provoke a crisis in the Palestinian world and bring to the fore the unresolved conflict between those Palestinians who really are willing to accept Israel's right to exist and those who desire a state on the West Bank simply as a launching pad for the total destruction of Israel. If the rejectionists win the struggle, Israel has proved itself reasonable without weakening itself militarily. We hope, however, that the forces of reason among the Palestinians will win and that the kind of peace that most Israelis want can be achieved.

Anything less than such a public proclamation will be seen as stalling—and rightly so. Prime Minister Shamir's attempts to revive Camp David "autonomy" talks clearly are delay tactics. The autonomy being proposed is a sham—the opposite of genuine self-determination. But even an international conference will have limited impact if Israel is unwilling to commit itself to a demilitarized Palestinian state. A "solution" that proposes anything less than this—for example, a Jordanian confederation on the West Bank under which the Palestinians still do not have self-determination, their own flag, or their own passports—will give extremist Palestinians the incentive to expand the struggle. The psychology of the situation is clear: Until the Palestinians feel that they own something, which limited autonomy cannot provide, they have no real incentive to stop the struggle. Once they achieve this sense of ownership, those who advocate continuing the struggle will be seen by fellow Palestinians as putting their own state in jeopardy. If, however, Israel commits itself publicly to a demilitarized Palestinian state, it need not yield an inch of land until the demilitarization is firmly in place.

* * *

Americans, particularly American Jews, have an extraordinary historical responsibility at this moment. The path of least resistance—privately criticizing Israel but publicly supporting it or remaining silent—is actually a dramatic betrayal of the interests of our people. Americans must use every possible means to convey to Israelis—in private communications, in letters to Israeli newspapers and to members of Knesset, in petitions to the government of Israel, in public rallies and teach-ins, and in statements issued by synagogues and communal organizations—that Israel is in deep jeopardy and that the occupation must end.

What we do now actually may make a significant difference. Israeli centrists are under the illusion that American economic and political support can be taken for granted. Conservative leaders from the American Jewish world have fostered this fantasy. Many of these centrists can be moved to support peace proposals if they are made aware of the precariousness of their position. The ordinary Israeli has no idea how deep American disaffection has become or how such disaffection may threaten Israel's military security in the future. The only way s/he will "get it" is through a combination of public protests and private communications. Since we can't count on Jewish leaders to convey this sense of urgency, we need to do it ourselves.

Many American Jewish leaders have displayed shortsightedness and cowardice in dealing with the current

difficulties. Little in their past style of operation or in their intellectual approach gives them the tools necessary to provide leadership now that it is needed most. The neo-cons, the "Israel is always right" crowd, the people with moral blinders—none of these people can provide an analysis or a strategy that will speak to the American Jewish public. A very large number of American Jews are in a state of deep personal crisis. Their identification with Judaism, Israel, and the Jewish people is being fundamentally challenged. This is the moment when they need to hear a different kind of voice from the Jewish world. Let them hear your voice.

The crisis in Israel is a moment of truth for all of us. It should be responded to with the deepest seriousness and with the full understanding that the choices we make now may have consequences that reverberate for centuries to come. □

—Michael Lerner

Take Action

Because mainstream media have tended to restrict much of their coverage of "the Jewish response" to the more conservative Jewish organizations, the widespread distress in the Jewish world has largely been hidden from public view. Many American Jews do not realize that they are in the Jewish majority when they express disapproval of Israel's policies.

We have been besieged by people hoping that *Tikkun* will "do something." We believe that our readers can effectively use the magazine by circulating the above editorial to friends and family, to local and national media, to Jewish communal organizations, and to activists in the Jewish world. Urge rabbis who may be reluctant to take public stands themselves to use this editorial as a basis of public discussion in their communities, and urge them to circulate it to the entire membership of their congregations. Urge Jewish communal organizations to circulate it to their members—and insist that they take a public stand on the fundamental issues. Use the Passover Seder this year as an opportunity to raise these issues.

We also want our readers to know of two petitions that are currently being circulated. You can copy whichever one appeals to you, or write your own with wording that appeals to you, and circulate it in your community. Send them back to *Tikkun* and we will forward them to the Government of Israel.

1) We the undersigned are proud supporters of the State of Israel. We believe that its present policies in the West Bank and Gaza are destructive both to the moral vision upon which the Zionist dream was founded and to the self-interest of the people of Israel. We call upon the government of Israel to publicly proclaim its commitment to ending the occupation of the West Bank and to the principle of self-determination by the Palestinian people in those forms consistent with the military security of Israel. We also call upon the government of Israel to endorse the proposal of Foreign Minister Peres for an international conference aimed at ending the occupation, and to actively and visibly explore every other possible way to bring the occupation to a speedy end. We call upon Palestinian leaders to publicly recognize the State of Israel and to talk publicly about their vision of how they could live in peace with Israel.

2) We are supporters of Israel who are pained and outraged by its current tactics in Gaza and the West Bank. Tactics like breaking the bones of demonstrators or denying food to hundreds of thousands of civilians bring dishonor on Israel and violate the best elements in the Jewish tradition. We are mindful of the history of oppression of the Jewish people—and believe that it is precisely in the name of that history that Jews must reject the position of oppressing another people. We urge Israel to return to the Prophetic values of Judaism—by publicly acknowledging the Palestinians are entitled to the same right of self-determination and self-government that Israelis rightly claim for themselves, and by negotiating with the Palestinians on the basis of the principle of exchanging occupied land for real peace.

Voices from Israel

A Voice from the Peace Movement

Hannan Hever

The recent eruptions of violence on the West Bank and Gaza Strip are important, not simply because of the number of Palestinians killed, or because relations between the Israelis and the Palestinians have become more tense than ever before, but because the latest incidents may start to convince Israelis that their government's policies must be radically changed—that the Israeli occupation of the West Bank and Gaza must end immediately. It is hard to tell whether a broad-based political movement for such radical change will arise in the near future, at least in part because Israelis are still in a state of shock from the escalated violence. Israelis are embarrassed, and therefore, many of them have remained silent. In addition, great confusion exists because people are still trying to assimilate the information being reported by the media. Nevertheless, there are growing indications that radical opposition to Israeli policies is mounting to levels far greater than ever before.

This tendency can be seen in several ways. Many Israelis are abandoning the traditional, less bold methods of protest, such as petitions and demonstrations, and are advocating civil disobedience and other more active forms of struggle. Previously, Israelis who opposed the occupation *asked* the Israeli government or the Minister of Defense not to send them to the occupied territories. Now they are making a *declaration*. They—some of them are even army officers—are refusing to serve there, and they even are willing to go to jail. Some, in fact, are already sitting in jail. Moreover, there exists a growing number of teenagers who openly state that they are not willing to be drafted into the Israeli army to serve in the occupied territories.

Eventually, the public at large may come to support the rights of struggling Palestinians and refuse to unite behind Peres and Shamir, who continually demand "law and order" when what they really want is to maintain the occupation as it now stands. Ultimately, there never have been fundamental differences between Peres and Shamir. Both of them have always worked under the *a priori* assumption that some sort of occupation must continue. The consensus in favor of occupation has lasted for twenty-one years, and even those who officially have opposed the occupation have not challenged this consensus, have "played the same game" as the occupiers. Fortunately, this recent turn of events may help us finally to break the consensus and force Peres and Shamir to stop insisting upon continued occupation.

There seem to be two principal avenues for protest in Israel. One is the more traditional avenue—the avenue of parliamentary debate. Within parliament we see people like Peres pressing for some sort of agreement with the Palestinians and for an international peace conference. People further to the left—in the PLP, for example—are willing to speak about recognizing the PLO, negotiating directly with its members, and establishing a Palestinian state on the West Bank and the Gaza Strip.

But the second avenue of protest is, I think, far more important. This avenue is being taken by a growing number of people, people who have become convinced that parliamentary debate has become largely irrelevant. In this way, there are certain similarities between this crisis and the war in Lebanon. There, too, people began to realize that the Knesset was not dealing with the fundamental issues, and that the important events were happening in the streets, outside of our parliament. Even Peace Now is becoming more forceful in its protests. It recently engaged, for example, in a vociferous protest to change the political situation—to end the rule by "iron fist," to stop the cruel treatment of Palestinians, to halt the brutal break-up of demonstrations.

Unfortunately, however, Peace Now is still out of touch with the fundamental problems plaguing Israel. It has nothing new to offer Israeli society, and this fact is becoming particularly obvious today. After all, today we are dealing, not with a war in Lebanon, but with a situation that has been going on for twenty-one years, something that all of us have become a part of. Everyone who is pained by the situation is asking what to do, and Peace Now is not even beginning to give an adequate response. It is doing something very limited and very cautious. Peace Now is saying to Israelis: "Come to the Tel Aviv Museum, come to a square in Tel Aviv, stay

Hannan Hever teaches Hebrew literature at the Hebrew University in Jerusalem.

here for a half-hour to listen to speeches, and go home." Why should anyone come? Why should anyone go to a demonstration held by a group that has failed to deal with the *roots* of the problem? No one in Peace Now has demanded that Israelis break the consensus for occupation. No one in Peace Now has bothered to ask whether what's happening in Gaza really is terrorist activity. It's not terror. One can call it a thousand names—war, for example, or a struggle for national liberation—but it surely isn't terror.

There exist today two alternatives to Peace Now, alternatives that are beginning to gain support. One is an organization called *Dai La'kibush* (Stop the Conquest), and the other is called *Yesh Gvul* (There is a Limit/Boundary), both of which are much more aggressively opposed to the occupation and have a clear political program: withdrawal from the territories, establishment of a Palestinian state, and recognition of the PLO, among other things. Moreover, their members are committed to strong non-parliamentary struggles, such as civil disobedience on the part of both soldiers and civilians. The recent wave of teenagers who spontaneously decided not to go into the army, as well as the increasing number of people in the reserves who also have refused to serve, can be attributed directly to the organizational efforts of *Yesh Gvul*. Eventually the efforts of these important organizations may force Peace Now to join in the struggle.

Someone I know has suggested that perhaps our largely non-parliamentary struggle is a moral struggle, not a political one—that we are engaged in a useless campaign simply to soothe our own consciences. Such claims are not only wrong, but offensive. A growing number of Israelis have proven themselves willing to take great risks for the cause of justice, and it is ludicrous to assume that because we emphasize the nonparliamentary components of the struggle that we therefore are engaged in a battle that is not political. On the contrary, we are making a very radical *political* statement. We alone have been willing both to question and to attempt to destroy the political consensus in favor of occupation—the consensus that has guided Israelis on both the left and the right for twenty-one years.

If I were writing a letter to my friends in America I would tell them that if they want to understand the seriousness of the problems in Israel, and if they want to help us combat these problems and genuinely help this country that we all love, then they must regard all silence about the occupation and all support of the current Israeli regime as an attack on those of us who are fighting for a moral Israel. I am asking American Jews not to tolerate this injustice in any way. I am asking them not to give money, political support, or any other type of assistance to the Israeli government until it effects *fundamental* changes in its policies toward the Palestinians. Instead, they should help Israel by providing support for *Yesh Gvul, Dai La'kibush*, Peace Now, or any other organization that asks for money in order to fight the occupation.

I have seen a few American Jews interviewed on television who have begun to take this stand. They are making the important distinction between supporting *us* —the people of Israel—and supporting the government's policies. These people are doing crucial and heroic work. They are making an important moral statement, and they also have succeeded in reassuring us that we have direction, that there is hope for the future of our struggle.

One last thing: I urge American Jews to refuse to participate in the celebration of Israel's 40th anniversary in April/May of 1988, but instead to turn this occasion into an opportunity to debate Israel's policies in Gaza and the West Bank. This year is not a time for celebration —but rather a time for all Jews who love Israel to let Israeli leaders know that the Jewish people will no longer support an Israeli occupation. □

The Uprising

A Voice from the Labor Party

Shimon Peres

The choice today for Israel is to be willing to have less control and more peace. The central task for Jewish life in the 1940s was for Israel to reach independence. The task for Jewish life in the 1990s is to reach peace and to offer it to the whole region. We need to show this region that we can demonstrate talents for constructiveness and friendliness, for cooperation and modesty, for caring for other people—just as we have shown strength in our ability to defend our lives when we were attacked.

What is happening in Judea, Samaria, and Gaza shows that this time is the time for decision. This is the most important topic on the agenda of the Jewish people. When we look at the Palestinians and Arabs

Shimon Peres is the foreign minister of the State of Israel.

who now live in lands currently being governed or administered by Israel, there are several groups. First, there are 700,000 Palestinians who are currently citizens of Israel. They should be equal to everyone else. There should be no distinctions from the standpoint of a state between citizens who are Jewish and citizens who are non-Jewish. They should enjoy equal rights and equal obligations. Then there is another group of Palestinians living in the West Bank, some 800–850,000 people. All of them, without exception, are Jordanian citizens. They carry Jordanian passports and they are represented in the Jordanian parliament. There are close to thirty members of that parliament from the West Bank.

A third group is some 600,000 Arabs in Gaza living without any citizenship or passport. They are called the people who are always late, because wherever they go they are put last in line. With them we have to decide: What do we want? To make them citizens of Israel? They are entitled to have passports, like any other human being. There will be over a million of them in fifteen years' time. Gaza is as crowded as Hong Kong. And density is not necessarily a good way to reduce crime or bitterness. Now they don't have passports, they hardly have a piece of land. They don't have water. They don't have industries. They are cut off from all sides. What are they going to do?

When people say "Let's annex Gaza," what do they mean? To annex the land or to annex the people? Can we really separate the two? The only person who ever did that was Marc Chagall—in his paintings people float in the air. I tell you from the bottom of my heart: We should not escape the moral truth of our political situation. Let us be fair-minded. The people in Gaza are refugees, they live in refugee camps. They are on our conscience and our responsibility. You cannot run away—I cannot run away. Finally, we have a fourth group, people residing in East Jerusalem, 130,000 of them. Almost without exception they are Jordanian citizens, and if these people are now part of Israel, then they must enjoy complete equality—in real terms, not just in declarations. We have to do that not in order to do them a favor, but in order to be true to ourselves.

For the rest, they should be given self-government or eventually be part of a Jordanian-Palestinian framework and run their own lives. I see no advantage in us running their lives. We know how difficult it is to administer a Jewish life—why should we try to administer on top of that a non-Jewish life? Let's make our own society successful. □

The Uprising

Israelis Address American Jews

Tens of thousands of Israelis protested Israel's policies at a major peace rally on January 23rd. Yet many Israelis believe that the peace forces need help from American Jews as well. We asked a number of Israelis who have been identified with the search for peace to tell us what they wanted from American Jews who want to support the peace forces in Israel.

Alouph Hareven

Van Leer Jerusalem Institute

The U.S. is celebrating the 200th anniversary of its constitution, considered throughout the world a model for civil rights and civil equality. Yet, we forget that on the long road to implementing this model constitution, the U.S. fought a bitter and bloody four year civil war. This is the central lesson which American Jews can impart to Israel: That one country cannot be simultaneously a democracy for some of its citizens and deny democracy to others. And we can add that Zionism fought to liberate Jews from many countries in the Diaspora from the status of a minority oppressed by the majority. But in Israel, where the Jews as a majority victimize Arabs and deprive them of some basic human rights, there exists a continuation of the Diaspora condition, with the roles reversed. Zionism will achieve its aim of liberation only when Jews in Israel practice the ancient Mosaic principle of *Mishpat echad y'hiyeh l'chem v'l'ger h'gar b'tochichem* ('A single law for all, for the Jew and non-Jew'). This is the crucial choice Israel faces: Either grant full civil rights to all Arabs under its rule or abandon ruling over them. If American Jews remain indifferent or neutral on this crucial issue, we Israelis shall conclude that they are basically uncaring, both as Americans and as Jews. □

Yarom Ezrahi

Professor of political science, Hebrew University

In the present situation, the unity and solidarity of American Jews behind the official Israeli government is an empty, convenient gesture which suggests to me a considerable measure of irresponsibility when Israel is

divided on matters of life and death. I think it is morally reprehensible to unite behind a paralyzed Israeli government and failed leadership. What evidence are American Jewish leaders waiting for to convince them that automatic solidarity with any Israeli government is corrosive to the moral authority of their voice in relation to principal issues of Jewish life as well as to matters of Jewish interest? One would have expected that American Jews would understand better than Jews who don't live in democratic states that consensus forced from the top without debate, without a real consensus of opinion, is a farce which lacks the legitimacy of a democratic consensus that develops only after serious deliberation. If there are American Jewish leaders who believe that we should engage in mass deportations, in limiting the press, and in blocking the political process, and if they believe that we should do these things as necessary measures to further the interest of Israel, let them say so publicly, so they can be exposed to the kind of legitimate criticism that may exhibit the weakness of this position. If there are American Jewish leaders who think, on the contrary, that such measures are self-destructive and that the peace process should be pursued with the utmost urgency without the procrastinations of Mr. Shamir, then why the hell aren't they saying that publicly? There should be a public debate in America about these issues—just as there is in Israel. This debate within America is necessary in order to create the opportunities for new American Jewish leaders to arise and challenge the present leadership, which is timid, lacks imagination, and thinks bureaucratically. Certainly American Jewry deserves better leadership than those who prefer to rub shoulders with Israeli ministers rather than taking courageous stands on matters concerning Israel's destiny. □

Abba Eban

Member of Knesset

1) American Jews should reaffirm their right to be heard and should boldly reject the attempt by the Israeli or American Jewish establishments to convert them into "Jews of silence." As Americans they bear the right and duty to participate publicly in fashioning American policy. To deny themselves that right in the very arena in which their emotions are most strongly engaged would be to degrade their dignity as Americans. Israelis have no right to intrude on that dignity.

2) American Jews should remind themselves and others that they were partners in Israel's rebirth and consolidation. They worked for an Israel in which the Jewish legacy and a Jewish power of determination would predominate. They were committed to the idea of democracy without which their support of Israel would have lost its roots in the American and Jewish systems of values.

3) Jews reached their present status in Europe and America through the arduous victory of the idea that all men and women living under any jurisdiction should have the same rights as anyone else living under that jurisdiction. This idea entered history as a Hebrew idea: *Chok echad y'hiyeh l'hem* ('One law shall be unto all').

4) American Jewish influence must therefore be used against any process that endangers Jewish majority status or that condones inequality of rights between Jews and Arabs in areas under Israel's jurisdiction.

5) Wherever there is a Jewish community in any country in which Jews do not have the same rights as other residents to vote, to be subject to the same laws as other citizens, and to be immune from any penalties which are applicable to them alone—the Jewish community of the United States is in ferment and uproar. Mass meetings are held, intense Jewish lobbying takes place, and organizations dedicated to the vigilant protection of Jewish rights go into action day and night. Governments responsible for maintaining conditions of such inequality are kept under moral pressure to bring their policies into harmony with American ideals.

6) Jews cannot rationally behave as if rights which pertain to themselves are considered optional when others are involved.

7) In short, American Jews should strongly articulate the values which Americans and Israelis have always fought to uphold; and they must be conferred upon the Palestinians in credible form if our shared values are to be saved from violation. □

Stanley Cohen

Faculty of Law, Hebrew University

Up to now, American Jews have defined their official position on "internal" Israeli politics as being moderate and nonaligned. This has meant a blanket support of the policies of whatever Israeli government is in power. Because of Zionism, solidarity, guilt, "what the goyim will think," or plain blackmail, all criticism had been muted.

If the events of December 1987 do nothing else, they should surely change this cognitive map of politics. American Jews should understand that their "moderation" and "nonalignment" consists (as it has for a long time) of supporting the insupportable: the illegal occupation and its terrible moral and social costs, including the killing of demonstrators, torture, and banishment. Moderation must now lie in coming closer to the program shared by the Israeli Peace movement and just about all democratic societies in the world. For some of us this means an end to the occupation; recognition of the PLO as the legitimate representative of the

Palestinian people; and the creation of a Palestinian state. American Jews, however, need only travel part of this way—and still remain "moderate." Here are two such directions. The first is to refuse to sign (actually and metaphorically) any more blank checks until the Israeli government shows a serious commitment to a political as opposed to a military solution. The second (even more moderate) is to take every opportunity to press the U.S. administration into supporting an international conference with the full participation of all parties involved in the conflict. □

Shlomo Avineri

Professor of political science, Hebrew University

Not all American Jews, as you know, support the peace process. So, the question is what should the "doves" among American Jews do. In this context it is to the everlasting shame of American Jewry that the most significant American Jew to immigrate to Israel has been Meir Kahane. What people on the American Jewish left should do, if they seriously think they should help the peace process in Israel, is to immigrate to Israel. It is here that the real struggle is going on. If we see that most American Jews who immigrate to Israel are of the Orthodox-nationalist kind, not much can be achieved in the United States by speeches or back-seat driving. A major influx—and by this I mean only a few thousand—of liberal Jewish intellectuals from the United States could do wonders to the political balance in Israel in terms of the peace process as well as in terms of religious pluralism.

American Jews on the left should be as serious about their convictions as Meir Kahane is about his. That I have to quote Kahane as an example suggests just how disturbed I am by the general picture. No verbal support can be a substitute for being here with us in the next few years when the crucial issues of what kind of Israel we are going to have will be decided. And it will be decided only by those present. There is no absentee Zionism. □

Galia Golan

Professor of political science and Russian studies, Hebrew University

Israel today is at a critical impasse. The Zionist dream is becoming a tortured, distorted reality. Those who share our anguish, who speak from identification with and concern for the fate of the Jewish state can and must make their voices heard. The government of Israel and leaders of its political parties cannot remain totally indifferent to the views of Israel's supporters, including Jewish leaders and activists overseas. Shimon Peres has clearly been cognizant of and influenced by critical voices from abroad. Yitzhak Shamir may yet be forced to listen. But this can only come about if American Jews, dedicated to Israel, in partnership with Israel, speak out and make their concerns for the preservation of Jewish values in Israel known in Israel. Silence for the sake of unity and solidarity will only contribute to the corruption of our future in this land. Support in any and all forms will contribute to the effort to save a democratic Jewish state.

Eddy Kaufman

Chair, Foreign Policy Committee, Civil Rights party (Ratz)

Mutual help amongst Jews has been the basis of our survival through periods of extreme adverse circumstances. Today, Diaspora Jews are needed to support those of us in Israel struggling against fundamentalism, chauvinism, and militarism.

The "peace camp," with all its weakness, represents a significant part of the Israeli population. We are now entering a crucial electoral year. Many young people will be participating for the first time in the electoral process—and it is essential that our outreach helps them to identify with the cause of justice, universal rights, and peace. Our brothers and sisters in the Diaspora could make a difference: volunteers to help in the elections, funds, and political support are critical this year. □

Jeremy Milgrom

Conservative rabbi

American Jews must play a role in convincing Israelis that the ideas that American Jews believe in—that all people are created equal, and that all have an equal right to life, liberty, and the pursuit of happiness—are not just ideals adopted opportunistically to protect Jews when they are a minority, but rather are ideals that are essentially Jewish, the legitimate fruit of the ongoing development and revelation of Torah.

The best way to get Israel to realize that saying this is not lip service is for Americans to attach strings to support for Israel. Let there be no political, financial or moral support for any politician or policy deviating from those principles. For example, a minimal expression of this would be that all expenditures of the Jewish Agency/WZO must contribute equally to the prosperity of Jewish and Arab Israelis alike—thus showing that Arabs who have been loyal citizens of the state are equally entitled to the same human services that these monies are supposed to fund. A higher goal would be

to use "affirmative action" standards to raise Israeli Arab social, educational, and economic institutions to the levels of their Jewish counterparts. Treating Arabs with this level of equality and concern would help the Arab world accept Israel as legitimate and beneficial to the Middle East. Such a change in attitude toward Arabs would require, of course, a reeducation of American Jews about Palestinians—it would certainly be helpful if American Jews learned about the history and culture and perceptions of the Palestinians who share with Jews a part in the current State of Israel.

This may seem distant from the immediacy of the struggle now being fought in Gaza and the West Bank. But I believe that in the very short run there may be little that American Jews who remain in America can do. Nevertheless, they could play an important role in what I am convinced will be a long-term struggle. What is needed in Israel is *t'shuvah* and *tikkun* to reconcile the Jewish world with the reality of Arabs living in Israel. American Jews could directly, through political and financial pressure, help start that process. □

Janet Aviad

Member of Peace Now

The events in Gaza and the West Bank during the last month and a half, have exploded the myth of the status quo, according to which the process of creeping de facto annexation could continue to Israel's economic and political benefit. The Palestinian uprising has made the moral, political, and security cost of the occupation absolutely clear. While the iron fist may restore quiet, it is a temporary respite.

For the past ten years, Peace Now has called for a comprehensive political solution based upon territorial compromise. The movement has battled obstacles to the peace process such as settlement, and has demanded initiation of talks with any representative of the Palestinians willing to end the conflict through negotiation.

The task is to persist during the upcoming election year, both in Israel and abroad, in indicating the inexorable necessity of solving the problem at its core, and thereby turning the tragedy into an opportunity. Mounting public pressure must be channeled into an outcry for an immediate political initiative which can break through the present paralysis. From a position of threat, Israel must take the initiative even while the rocks of the Palestinian "children's crusade" continue to fly.

It is extremely important for people who have been deeply disturbed by the current crisis in Gaza and the West Bank to not wallow in free-floating upset, but to channel their energies into concrete political action. Peace Now will mobilize public pressure through methods available to an extra-parliamentary popular movement remaining within the democratic framework. Ongoing national and local demonstrations, public meetings, dialogues with Palestinians and Israeli Arabs, lobbying in the Knesset, educational activities within the high schools and the army, and giving expression to the voice of Diaspora Jewry, are methods which will continue to be used successfully.

In the immediate period ahead, until Prime Minister Shamir goes to Washington in the middle of March, we will intensify the pressure through local and national demonstrations. We will be demanding that he articulate a plan that is not simply an attempt to prevent real negotiations. We hope that similar demonstrations will greet Shamir when he arrives in the U.S. At the same time, we shall be emphasizing to the Labor party that unless it articulates a clear, peace-oriented perspective, many of its most faithful cadre and voters may break with it and support the left parties (Ratz and Mapam) in the coming election.

The present fluidity in Israel could be channeled in two directions: One is an irrational backlash against the Arabs and retrenchment in stubborn, shortsighted resistance to dialogue and compromise. The other is that of breaking the mold by openness to political change through dialogue and compromise. At this crossroads, the future of a democratic Israel is being tested. Peace Now's role is critical. □

Shulamit Aloni

Member of Knesset

Every individual concerned with human rights has the right to respond to every injustice done to people anywhere in the world, regardless of origin and religion. Jews who feel a common destiny with other Jews of the world have the right to express their opinion about the state of their people wherever they are. Such expressions do not constitute illegal interference into the internal matters of this nation. Jews who have an attachment to Israel and a concern for her future have the right to express that concern and their opinion about her policies, as Israel sees those Jews as partners and potential citizens. American Jews, concerned with the events in Israel and her policies towards her minorities, must examine their responses in light of the principles of the American Constitution. They must also consider actions they would take if they were members of a minority group treated as Israel treats the minorities under her rule. □

David Hartman

Director, Hartman Institute in Jerusalem.

Any criticism of Israel must be sober and balanced and must not divide all those concerned into saints and devils. Overly moralistic criticism promotes self-righteous responses and fruitless discussions as to who is the real victim in this struggle. The concern must not be to ease one's moral conscience, but for Israelis and Palestinians to believe in the possibilities for fruitful negotiation and discussion.

Americans will be listened to and will be instructive if they reflect on and appreciate the deep pain and rage that grows from Israel's having been delegitimized in Arab propaganda for sixty years, Muslim theology for 1,400 years, and Christian theology for 2,000 years. The radios of even moderate countries like Saudi Arabia and Kuwait habitually refer to Tel Aviv and Haifa in the British parlance of "Occupied Palestine" and to Shimon Peres as "the foreign minister of the enemy." Egypt recently rejected a gift of school atlases that showed Israel on the map. Jordan television switches off the live Eurovision song festival when an Israeli pop group appears.

All this reflects an ongoing refusal to accept our existence as a nation. Living in Israel and feeling isolated and rejected by all our neighbors, one cannot escape the impression that these Arab countries still harbor a deep, elemental wish that we disappear. The joy of our songs must not be heard and our athletic life must not be seen on the channels of Arab television. We live in a geographic area which refuses to note anything of the creative spirit of our culture. Distinctions which PLO spokesmen make between Jews who came to Israel from all corners of the globe and those born in Israel cut deeply into our souls. They deny our history, and our traditions, which created an internal bond of the soul of each Jew to the land of Israel. Israel is not a post-Holocaust phenomenon, nor was it created because of Western guilt for the destruction of European Jewry. From the perception of Jews who live in Israel, they have come home. They are continuing a long historical commitment and connectedness to this land and its history. As far as our neighbors are concerned, however, we are perceived as an alien growth in the Middle East. We are not indigenous to its soil, history, and culture. Our return is only the temporary mistake and aberration, which will in due time disappear. It is ironic and sad that although we have come home and built a strong country we often feel, because of our neighbors, the exilic pain of alienation and delegitimization.

The tragedy of Palestinian refugees is that they have been used by hostile neighbors to continue in a condition of suffering and homelessness in order to represent the nonlegitimacy of our national existence. Sermons heard in the mosques and the school books that educate youth in Arab countries do not express any desire to find a dignified solution to the Israeli-Palestinian struggle.

Deeply ingrained in our national consciousness is the knowledge that our return did not evoke any joyful responses from our neighbors. We did not hear, "Welcome back home, my brother Isaac. We share a common father in Abraham and a common spiritual monotheistic tradition." Rather, it was only our military power and our determination to be loyal to our national historical memory that made Israel a viable political reality in the Middle East. The hope of the last forty years has been that our presence would gradually seep into the consciousness of our Arab neighbors and evoke a significant degree of acceptance. Tragically, this has not been the case.

The revolt of the Palestinians during the last weeks and the need for the Israeli army to use brutal force to quell the riots has brought home, in a way not present before in Israeli consciousness, the fact that Palestinians do not seek membership within Israeli society. The Palestinians are not prepared to disappear. The Palestinian people possess a national consciousness and a will for political freedom. We cannot continue our relationship with them in total denial of their desire for self-determination.

There are two options. Either we in Israel accept their fundamental human needs and seek to accommodate them, while building safeguards so as not to weaken our national security. Or we shall create an Israeli society that will rule with force and intimidation over a million and a half vehemently resentful people. Even if arguments could be presented that this form of rule is militarily and political feasible, it would inevitably eat away at and undermine the moral and religious significance of our national renaissance. We never dreamed of a Jewish nation that would dehumanize and exploit an entire people. This is not what we prayed for or waited for during the past 2,000 years.

To reduce Palestinians to a subject population that lives in dread of Israeli power is to destroy any significant connection between the moral and spiritual teachings of our tradition and contemporary Israel. To control the Palestinians permanently will justifiably undermine the centrality of Israel for world Jewry. Palestinians will permanently make us feel as strangers and aliens in our own home as long as we are unresponsive to their urgent need for political freedom.

An independent Palestinian political reality, in which Palestinians will find it necessary to become responsible for the social, economic, and political well being of their citizens, may begin the process of healing the negative and destructive identity of many Palestinians. If we control the Palestinians, then their only identity is the rejection of Israel. They need to develop a positive identity born from living and being responsible for

their own society.

There is a vicious dialectic that must be broken: Palestinian as victim, as symbol of our delegitimization, reinforces our anger and rage and in turn leads to the loss of our deeper moral and spiritual values that make us strangers to our own selves and to our own people. We can deal constructively with our anger if we acknowledge the reality of the Palestinians and are supportive of their need for self-determination.

At the same time, we must proclaim with clarity to them and to the world that Palestinian national existence shall not in any way jeopardize our security. We must insist on total demilitarization of any Palestinian national entity.

In doing this, we clearly articulate that we do not seek to subjugate a people but we equally show a healthy appreciation that the Messiah has not come. The spirit of love and brotherhood does not yet exist in the Middle East. We must insist on very clear safeguards for our national security. Our healthy national need to live and to flourish requires that no Arab army exist on this side of the Jordan River. By doing this, we make it clear that we seek to live with our neighbors but that we are fully cognizant that only through a secure and viably strong Israel is there any possibility for a future emergence of good will and understanding between the different nations in the Middle East.

The Palestinian-Jewish struggle is clearly the central issue facing the Jewish state today. Palestinians will not develop a dignified and creative national identity unless they free themselves from the tragic error of calling for the eventual destruction of Israel. We, in turn, will never feel fully at home until we build a national existence that does not require the suppression of Palestinian desires to be a dignified and free nation. The future identity of both national communities hangs on their finding the wisdom and good will to resolve this tragic condition. □

The Uprising

An Interview with Mubarak Awad

Mubarak Awad is a Palestinian resident of East Jerusalem and director of the Center for Nonviolence. The first part of this interview was conducted in 1987 before the current Palestinian uprising began. The second part was conducted in late January, 1988, in the midst of the uprising, with the assistance of David Bedein in Jerusalem.

Tikkun: Maybe we could start by your talking about what you're trying to accomplish.

Mubarak Awad: There is an image about Palestinians that we are bloodthirsty. That's an image that I am interested in changing. I am doing this work, however, from my own pacifist perspective—the idea that I, as a human being, cannot and will not kill an individual. No matter what, I would not kill. But also, as an individual, I have to fight for my rights. And how to bring those ideas together is what led me to fight for those rights through nonviolent means. Many times, even when I was in college talking to other Palestinians, I'd say I wished that Palestinians used nonviolence. And then, instead of pointing the finger at others, I thought if I believe that, I should do something about it. That's why I created the Center for Nonviolence. In the beginning, the idea of the Center was to bring to attention information about what nonviolence is. If I am living peacefully with others, I can live peacefully with myself; so we try to promote the study of nonviolence.

Tikkun: Could you describe some of your activities?

Awad: We have a village in Katana near Jerusalem—and somehow a decision was made to extend the borders inside the green line and to uproot all their olive trees. So in that village an arm of the Israeli government came and uprooted big olive trees. When they uprooted them, they didn't just cut them; they uprooted them and took those olive trees to plant them in different places. So the people from that village came and said, "Can you help us?" We asked some Israeli peace groups to help. We approached Rabbi Jeremy Milgrom, and he brought some peace activists with him. They came, and we spent one day planting trees. We could not bring back the olive trees that had been uprooted, so we decided we'd plant small seedlings. We had around two hundred people joining the villagers to plant trees with us. And we said to the villagers, "We are going to bring in a group and you have to make a choice if you accept some Jews to come and work with us to plant trees." They were a little bit hesitant—some said yes and some no—but they made a decision and said okay. But then we told them that the village would have to prepare food for everybody who comes. And that took a while to decide, because people are afraid to break bread with Jews. They said, okay, they will help us plant trees, but we don't want to eat with them.

Tikkun: Because people are resentful of the Israelis?

Awad: Ah, more than that. It's deeper than that. If I eat with you, it means there is that trust, that we break bread together. After a very lengthy discussion they decided okay, we will prepare food. They were willing to prepare food, but to eat together, that was difficult. And they got out of those difficulties. On the other side, some Israelis decided, "No, we want to bring our own food, because we don't know what the Palestinians will put in the food." So there was a lot of mistrust even amongst those coming to help the villagers. So we planted trees for the whole day there. Then the military came, and the police and the border police as well. They told us that anybody who planted trees will be arrested. We continued planting trees. Unfortunately, a day after that they came and pulled all the small trees out, our newly planted olive trees. And then we found out that they had planted the old olive trees near Martin Luther King Plaza! They were to make a memorial there, in Jerusalem, near the King David Hotel. They have them for decoration.

Tikkun: A poll of Palestinians on the West Bank, taken in 1987 by Meron Benvenisti and a number of other people, indicated not only that about 80 percent of the population supports Arafat, but that more than a majority supports the actions of Palestinian terrorist actions against schoolchildren in Maalot, and that a majority of Palestinians would not accept a Palestinian state in the West Bank and Gaza because they think that the armed struggle should continue until there is a liberation of all of Palestine. Here are Israeli doves trying to convince the Israeli world and the Jewish world and the United States that it's possible to make peace with the Palestinians, and they get this thing thrown in their face. All the right wing has to do is to point to this and say, "Here are the Palestinian people themselves, and they really are for a violent struggle and will never accept any Israeli state."

Awad: That's a very unfortunate part of occupation. Occupation becomes so terrible that to breathe, you have to destroy the whole world. And I don't think that a lot of the Israelis themselves or a lot of Jews outside know how terrible that occupation is. It's degrading to the Palestinians, to a point where they are not seeing the humanity in any human being who is a Jew. But, also, it's making the Jews and Israelis inhumane. So the occupation is not helping either Palestinians or Israelis.

* * *

Tikkun: What are you saying to people right now, on January 19th, who are throwing molotov cocktails and rocks, who are responding to Israeli troops with violence, not with nonviolence?

Awad: When there is no plan and just demonstrations, an individual cannot say anything to them. The only thing one can do is to go in between the troops and the rock-throwers. And at this stage, for my sake and the sake of those who believe in nonviolence, we cannot go in between. What we have been doing is spreading the idea of civil disobedience, and many people are accepting this idea—people on the streets and in the shops are now recognizing that they can do something against the occupation. We started a nonviolent campaign, and during the first week we advocated that people not smoke any Israeli cigarettes. During the second week we urged people not to drink any Israeli products. Next we will go to milk, yogurt, and cheeses; and we will continue our protest until Palestinians stop paying taxes and stop going to work in Israel—complete civil disobedience. And this idea is catching on.

As far as the children in the streets, they know that their stones don't compare with Israeli guns. But they are willing to send a message to the Israelis who have guns: "We are not afraid of you anymore, with your guns and your power. We need to liberate ourselves; we need you out." The stone may be considered violent, but it is not equivalent to the violence of the Israelis.

Tikkun: Gandhi and Martin Luther King took the position that no alliance should be made with people who were using violence. Do you, in order to achieve your aims, ally yourself with people who are currently using violent methods?

Awad: I have no choice but to talk with people who use any method. I tell them openly that the nonviolent method will be stronger than the gun. But they have to make up their own minds.

Tikkun: Of course, we who support the Israeli peace movement are willing to sit with right-wing Israelis to discuss the issues. But we also tell them that what they are doing is wrong, both morally and tactically, and that they will not be able to achieve security for Israel with the current strategy. Are you actively engaged in the same kind of struggle in the Palestinian world, telling them that they are wrong to use violence, that it won't work strategically, and that another strategy is more effective?

Awad: Yes, exactly. I am saying it loud and clear. To the kids, in the camps, in the villages, in the cities. Everyplace. We don't want any Israeli to be killed—and I say that even to the children who are throwing stones. Today I came from the camp in Balata, and also in Nablus, and that is what I talked about—that it would be more effective to use nonviolence.

Tikkun: And what response did you get?

Awad: Some say, "You are crazy," others say, "I don't think it will work," and still others say, "OK, we are willing to try it." Different people have different responses.

Tikkun: You talk of a Palestinian state. One of the things that Israelis fear is that a Palestinian state will simply be a launching pad for what many PLO activists still claim is a two-stage struggle, the second stage of which is to eliminate the Jewish state completely. Do you have more than a tactical difference with the PLO about the question of eliminating the Jewish state? In other words, do you agree with those people who say they will never accept, as a permanent solution, the existence of a Jewish state in some part of Palestine?

Awad: I am for a two-state solution. But the two-state solution does not solve the problem. Even once there is peace, even once there is a state of Palestine, negotiations still will have to take place. The farmer from Haifa, a fellow who had land and a house—he has to get money or some other form of compensation for his land. Eventually there must come a time when Israel and a Palestinian state can live in such harmony that the two states will form a real confederation. In the beginning it is most important to have a Palestinian state. But we need, even in the beginning, to create a state that lives in peace with Israel and Jordan, a state whose borders are open to economic and cultural cooperation.

Tikkun: Israelis would agree only if Palestinians really wanted to end the struggle at that point and not use the open borders to launch a second stage of the struggle inside Israel.

Awad: We are talking about a peace agreement. When the Palestinians sign a peace agreement, it will be the Palestinians themselves who control those who want to continue the struggle. When they have a state of their own the Palestinians will do a better job of controlling those who want to continue the struggle than the Israelis are doing now.

Tikkun: If there were a Palestinian state, would it grant the same civil liberties and rights of protection to Jews who have settled on the West Bank that Israelis today give to Palestinians living within the pre-1967 borders of Israel?

Awad: As far as I'm concerned, I don't want any settlements at all. The Jews who are living there should go back to Israel.

Tikkun: Why is that appropriate? We in the West would not accept as part of the self-determination of any majority its "right" to say, "We don't want any blacks, or Jews, or Arabs to live here." We would insist that this principle is unacceptable.

Awad: They came and stole the land. They are invaders. They came as prostitutes. In no way will I accept the settlers at all.

Tikkun: How do you argue against those Palestinians who say that the same thing is true of Tel Aviv or Haifa? These Palestinians insist that no Jews should be allowed to live in those areas either, since all Jews living in Palestine are essentially settlers, no different from the settlers living on the West Bank.

Awad: We are willing to accept a peace treaty based on the lines as they existed up till 1967. These are my own feelings. These issues need to be discussed with the PLO, and I'm not a PLO to discuss it. But for me, personally, I would not accept any settlements. We are still struggling to achieve our independence within the West Bank, and putting settlers there is unacceptable.

Tikkun: But they are already living there.

Awad: They are living there, but they could move.

Tikkun: Do you accept the right of Jews to have a Jewish state in Palestine?

Awad: I accept it with the 1967 borders, alongside a Palestinian state, with Jerusalem as the capital of both states. I cannot accept a Jewish state now while I am under occupation—I must free myself first. We, the Palestinians, are the only people who can give peace to this region and to the Israelis themselves. The Israelis have tried for forty years, and they have failed. America tried with money. The Arab world tried—Egypt with Israel, Israel with Jordan. Only the Palestinians can do it. I believe we will have no problems if we can get one specific day on which the Palestinians say we will accept Israel and Israel says it will accept the Palestinians.

Tikkun: Most people think you represent a tiny minority in the Arab world. Is there any reason to believe that your views will become more widely accepted? Or has the current struggle served only to convince Palestinian youths that violence makes more sense because they see that it succeeds in getting the attention of the world?

Awad: We are a million and a half people. Even if there are a half million people who have been throwing stones —which I don't happen to think is true—what about the other million? They have to do something. The young

—the people who are eleven, twelve, fourteen—are responding to their emotions, saying to the Israelis, through their stones, "We want you out." The shopkeepers are closing their shops as a way of saying, "We want you out." The doctors, the teachers, the unions—everyone is doing something to convey the message; and they are mostly doing it in nonviolent ways. Hanna Siniora announced the boycott of Israeli cigarettes, and just this week he announced the boycott of Israeli drinks. So the idea of nonviolence and civil disobedience is reaching everybody. Maybe I was once in a tiny minority, but now the idea is really catching on. People are feeling proud today, and when people feel proud, they can resist in nonviolent ways and not be afraid. It's amazing how it's catching on.

Tikkun: What do you hope from Israelis and Jews around the world who support both peoples' right to self-determination, both peoples' living in peace together?

Awad: Unfortunately, these voices haven't been heard by the Palestinians, only the Kahane-type voices. These people must get their voices heard by the Palestinian people.

Tikkun: These voices have been articulated for years. Why doesn't the Palestinian press cover them?

Awad: The Palestinian press isn't allowed to print any coverage of meetings between Palestinians and Israelis—they are censored by the government of Israel. Perhaps there should be a conference between peace-oriented Jews and Palestinians, either here in Jerusalem, in Gaza, or in the West Bank; and I'd be willing to help get Palestinians to come and hear Israelis who want peace. But I don't think the Israeli government would allow any Israeli to speak at such a conference. The Israeli government is harassing Palestinians, torturing Palestinians, punishing them—and then on the radio they say, "We want peace." But the uprising is continuing.

Israel is following the Rabin policy, and I think it is a stupid policy—the idea that if you hit the Palestinians really hard, they will put their heads down. But no Palestinian is willing to put his head down. The Israelis are going to the camps, getting everyone between fourteen and thirty-five years old, and making them stand outside in the winter cold. They think that if they tire the Palestinians out at night, then they won't demonstrate the next day. The Israelis establish curfews, and they shoot gas into people's homes. They abuse both men and women. Palestinian kids are being beaten by Israeli soldiers.

Tikkun: Have you seen any of this yourself?

Awad: Yes. Today we saw fifteen cars that had been smashed by the Israelis. The owners of the cars had brought them to Nablus and parked them by the municipality. Israeli soldiers killed a shepherd in a village that I've been working in. They waited for him to die before calling anyone to help him. After he was dead they asked his relatives to help, even though his relatives had all along been crying, "Let us take him to the hospital." But their cries fell upon deaf ears. The hatred has grown so much that it has reached a dangerous situation. I'm afraid that the Palestinians won't stop with throwing stones, that they will start jumping on Israelis and taking their guns and shooting them—because they have nothing to lose. It makes me so upset, so I have to go on and say: "No, things will get better. We are getting a lot of publicity, but if you kill one Israeli soldier we will lose it. Our cause is an important cause. We don't need to do the same things that Israelis do. Morally, we have to be better than the Israelis." Some people are listening, but for others the frustration is getting greater and greater. The next stage of an uprising could be very dangerous—we might have a civil war here.

Tikkun: And that would strengthen the extremists on both sides. It would give the right wing in Israel the ability to justify further repression.

Awad: Exactly. Now is the best possible time to press for peace. It's a perfect time for the Palestinians because they feel proud of what they did, so they are not afraid—they are willing to negotiate for peace. Unfortunately, too many Israelis feel that there are no good Palestinians, that the only good Palestinian is one who is under the shoe of an Israeli. And the Palestinians won't tolerate that attitude any longer. □

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Liberalism's Public/Private Split

Betty Mensch and Alan Freeman

Nothing is more central to our experience in American culture than the split between public and private. It is the premise that lies at the foundation of American legal thought, and it also shapes the way in which we relate to one another in our daily lives. We take for granted that there is a public realm and a private realm. In the private realm we assume that we operate within a protected sphere of autonomy, free to make choices and to be secure against the encroachment of others. Private law (e.g., contract law) serves as a helpmate in this realm, facilitating and ensuring the autonomous world of private decision-making. In contrast, the public realm is a world of governmental institutions obligated to serve the "public interest" rather than "private" aims. For the most part, the public realm is accountable to the private, and it is obligated to limit its intrusion into the world of private choice; but occasionally it is supposed to override the private sphere, either to serve a greater public good or to solve problems that are poorly or deficiently handled by private decision-making.

While it is important to recognize the role of the private/public split in legal thought, its real significance lies in the powerful way it informs our daily experience. Part of our reality is to "know" that the public realm is different from the private, that these realms are both "there" and separate from each other, with differnt things happening in each one. That knowledge, in turn, molds even our closest relationships. We were reminded of this fact recently during a phone conversation with a good friend. We had just produced a new baby, a fourth son in our busy household, and our friend said she hoped we would now stop reproducing. Then she quickly retreated into apology, afraid she had offended us. At first her fear seemed puzzling, but then it made sense: In our culture one is not supposed to tell people what one thinks of their reproductive behavior. Family planning choices take place in the world of "family privacy," which is a world of private, autonomous decision making. Even friends are expected not to intrude into that protected sphere; to do so is to violate the norms of privacy. Our friend's apologetic manner is what we mean by taking the public/private split for granted as part of our daily experience.

A few moments of reflection, however, show the extent to which that supposed realm of privacy is a product of cultural contingency, not objective reality. Since reproduction, for example, is the process by which a society reconstitutes itself, many cultures consider family planning an obvious matter of social concern and choose accordingly either to encourage or discourage the creation of large families. Even in cultures where sexuality and reproduction are ostensibly "private," our experience of them is socially constituted. Unless one is prepared not only to head for the wilderness, but also to discard all previously acquired cultural baggage, the notion of raising children in "pure privacy" is an impossibility. We look, often frantically, to the social realm for guidance and understanding of parental roles. That we turn to Dr. Spock and other experts when we have difficulty as parents underscores the social dimension of our experience.

Once the public/private split is recognized to be merely an artificial construct, new possibilities for human contact arise. Where one erects walls of privacy around oneself, one is denied access to others. Privacy means alienation, and if some of these walls of privacy were dissolved and traditionally private questions were transformed into community concerns, then we might feel more connected to others. Our sense of ourselves and of others would change, and our world would, in turn, be altered.

Instead of attempting to transform the public realm into a genuine community, many of us seek authentic experiences by retreating into the private realm—by using the private realm as an antidote to the alienating world of competitive, possessive, individualism. Thus, in the words of Christopher Lasch, the family is experienced as the "haven in a heartless world." Similarly, many of us try to find true meaning through religious experience and the social life that accompanies it. Finally, many of us think we achieve genuine interpersonal connection in the most private realm of all, when we fall in love. Yet the relegation of these experiences to the realm of privacy always serves to limit their significance. Because they are private they are trivialized and rendered irrelevant to the "real world."

Nevertheless, because our world is dominated by the forms of liberal legalism through which we bear "private rights," the rhetoric of militant privatism has provided

Betty Mensch and Alan Freeman are both professors of law at the State University of New York at Buffalo. *The authors are grateful to Sara Nichols for her thoughtful and helpful efforts. A longer version of this essay, with references, will appear in an upcoming issue of the* Buffalo Law Review.

an important weapon in certain battles. As the Bork hearings illustrated, a threat to our "right" to privacy induces widespread fear and discomfort. It is true that in the abortion area gaining the right to private, autonomous reproductive choice has seemed an important feminist victory. Yet the language of privatism is a double-edged sword. As women who struggle alone to raise children know, reproductive choice conceived only as a private right serves to isolate and deny the woman's claim for communal help and shared responsibility. To have "private" choice is also to be left alone with it. Moreover, in the economic realm the rhetoric of privacy has traditionally been used to transform the social dimensions of poverty into a fantasy about autonomous choice in which poverty results from individual failure. It is therefore not surprising that the formal freedom to obtain an abortion does not mean the right to have one paid for by the community; the poverty of the woman who cannot afford an abortion is her own "private" problem. That was the lesson learned when the supposedly liberating *Roe v. Wade* was followed by *Harris v. McRae*, which entitled the government to deny health benefits to low-income women to cover the expenses of even "medically necessary" abortions.

Thus, within liberal legalism privacy may be a weapon to gain freedom from others in the short run, but it may provide the justification for abandonment of the individual by others in the long run. This "short-run, long-run" problem can best be understood against a more general theoretical backdrop. For the purpose of understanding the ideology of private rights, nothing has really improved upon Marx's classic account in his early essay, "On the Jewish Question." Despite the essay's somewhat heavy, dated, Hegelian terminology (state and civil society rather than simply public and private, for example), and its at times blatant anti-Semitism, it still remains the fullest account of liberal ideology.

Marx starts by describing the emancipation of the political state from the yoke of traditional status and power. Under the old feudal, hierarchial model, political life was inseparable from social privilege based on religious, economic, and class background. Because political status was bound up with social status, religious and property qualifications were attached to the right to vote. In contrast, citizenship in the liberal state is freed of these qualifications: As citizen, the Jew is as free as the Christian, and the poor person is on an equal footing with the landed aristocrat. Thus, the state becomes the arena for the exercise of free political participation and the realization of true community. In this sphere, at least, alienating religious and class divisions are dissolved. This liberation of the state has been "a great step forward," a step away from separateness and toward community (or, using Marx's term, "species being").

Nevertheless, the emancipation of the state has not brought complete human emancipation because the old distinctions have been retained "outside" the state, in the form of private rights. Thus, religion, rather than being abolished, becomes a "private whim," an expression of purely subjective, individualized value. Similarly, while property is no longer a prerequisite for political participation, it is nevertheless retained as a protected right with which the state cannot interfere. Property as a private right, stripped of the old notions of moral/political obligation (e.g., the feudal lords to their serfs), both presupposes and legitimates a realm of egoism, self-interest, and atomization—i.e., the market. In that sphere there is only *bellum omnium contra omnes*, which, as Marx says, is "the essence not of community but ... of division."

Instead of attempting to transform the public realm into a genuine community, many of us seek authentic experiences by retreating into the private realm.

Marx insists that he is describing actual historical changes that took place when liberalism emerged, but he is also describing a change in consciousness, in the way that people experience the world. The split between public and private lies at the heart of that liberal consciousness, for it means that we simultaneously view others both as fellow citizens in a true community and as separate, antagonistic private others. Thus, as Marx says, "man leads a double life ... [I]n the *political community* he regards himself as a *communal being*; but in *civil society* he is active as a *private individual*, treats other men as means, and becomes the plaything of alien powers." [Marx's emphasis]

Moreover, because the most important daily activities —work, family life, and moral choice—are all experienced as private and apolitical, the experience of community becomes increasingly abstract, realized at the level of fantasy and ritual rather than as concrete reality. Most "citizens" have little direct experience of participation in collective decision-making, so each of them becomes an "imaginary member of an imagined sovereignty." The "state," too, becomes an abstract, alien other, rather than an arena for the experience of community.

Significantly, the public/private split also reproduces itself *within* the realm of the private, doing so most

starkly in the market/family dichotomy. In theory, the market offers an arena for atomized, competitive self-interest, while the family provides a place for warmth, selflessness, and interconnectedness. Thus conceived, that dichotomy in turn represents the conventional, stereotypic split between male and female roles. For in the market, the most public and powerful of the private realms, men can play out their "maleness" by being aggressive and domineering, while women, contained within the family sphere, play out their female roles by providing a safe, nurturing home. Thus, the traditional rigidity of gender identification is inextricably linked to the supposed boundary between market and family, which in turn is an integral subset of the basic liberal split between public and private.

A crucial ingredient in liberal ideology, as described by Marx, is the fact that the public/private split actually entails a tripartite structure of self, state, and other. Because of that structure, there is always an alienating third that mediates the relationship between self and other. Other "private" individuals are experienced, not in direct relationship, but rather by reference to a state that sets the ground rules of the relationship, determining the extent of each person's rights and duties. In every relationship the state is a potential ally and a potential foe. At the same time, each individual experiences others simultaneously as citizens—part of the collectivity—and as private rights-holders. The state can never be simply the community because the community is composed of individuals who also define themselves as rights-holders with private interests potentially at odds both with the interests of others and with the collective experience. Just as each of us leads a "double life" as citizen and private rights-holder, so too do we constantly experience others, not as unified wholes, but as members of the "democratic" collectivity, on the one hand, and as atomized individuals on the other.

There are four important notions that, in tandem, help to maintain this triadic structure within our consciousness—to make it, in other words, powerful as ideology. These four notions can be called limit, illusion, legitimation, and contradiction. They operate simultaneously at the level of legal thought and at the level of day-to-day consciousness.

The first, the notion of limit, means that there is a line separating public from private, a boundary where one ends and the other begins. That line can be moved dramatically over time, and it can sometimes be hard to find or quite fuzzy around the edges. But the key point is that the line is always present *somewhere*. On the public side of the line we assume that there is an obligation to act responsibly, with a sense of accountability to others. The existence of a boundary, however, means that at some point accountability ends.

The "state action" cases are all cases about this dual message of responsibility and limit. In these cases, the Supreme Court has been called upon to interpret the provision of the Fourteenth Amendment mandating that "No State shall ... deny to any person within its jurisdiction the equal protection of the laws." That provision makes racial discrimination a matter of public concern if the entity responsible for the discrimination can be regarded in some sense as the "state," i.e., public not private. In many instances the line between state action and private action has shifted dramatically, often in ways we consider progressive.

One can applaud, for example, the change in this doctrine between the 1880s and the 1960s. In 1875, Congress enacted a law barring racial discrimination in places of public accommodation (hotels, theaters, etc.). In the *Civil Rights Cases*, however, the Supreme Court, invoking classic public/private assumptions, declared that the statute was an unconstitutional intrusion into the sphere of private social life. The limit to public accountability had been exceeded, since the Fourteenth Amendment prohibits discriminatory action only by the state. Not until the modern civil rights movement almost a hundred years later would similar legislation again be enacted; then, as we know, it was upheld.

Yet the change did nothing to undermine the basic proposition that there is a line beyond which it is inappropriate to hold the public accountable for racially discriminatory results. Thus, despite all of the legal advances in the area of antidiscrimination law, it is still legitimate to treat concrete social facts, such as continuing high rates of unemployment among minorities, high poverty rates, and basic exclusion from mainstream American life, as somehow outside the sphere of direct public responsibility.

The notion of a limit on accountability works powerfully, not just in setting legal limits, but also in shaping our responses to the world. It allows us, for example, to interpret the social reality of minorities trapped in ghettos as a fact of private rather than public life, and therefore outside the range of our direct responsibility. As a result, empathetic responses ("I'd have a really hard time raising my children in those conditions too—I'd hate to see them feeling trapped and hopeless about the future") are always distorted by the assumption that the reality being witnessed is in the private realm—that it is shaped by free choice and is not the result of public coercion.

This is not to say, of course, that the notion of privatism is the only distancing mechanism shaping our perceptions. The feudal model of divinely ordained hierarchy, now supposedly defunct, remains alive in the form of stereotypical assumptions about lower classes,

women, and minorities. "They" are not really like "us"; they are not bothered by conditions that would bother us; it is more natural for them to live like that.

Another vestige of the hierarchical view can be found in our modern notion of merit. A sophisticated version of divinely ordained hierarchy, one more consistent with the public/private split, this notion assumes that there is a natural ordering of abilities—one independent of class, sex, or race—that determines outcomes in a free society. Given equal opportunity, the skillful, the daring, and the hardworking will be the ones who come out ahead. The belief in objective merit, however at odds with reality, has of course played a key role in the ideology of the free market—success in the marketplace reflects "natural ability" rather than socially constituted hierarchy.

Even if we reject all such assumptions about the legitimacy of social hierarchies, we still may be unable to transcend the distancing effect of the public/private split. In fact, we are almost inevitably trapped by it. Should we attempt to recognize that the problems of others are our concerns, we would hardly know how to begin to cope with them. In the absence of genuine shared communal responsibility, gestures of concern are quickly turned into idle, private, and frequently condescending acts of charity. If we donate money to "toys for tots" or to the church soup kitchen, we are, to be sure, providing a toy for a child, or a meal for a hungry person, but we are also affirming the regime of nonresponsibility that makes the act of charity one chosen by subjective whim. Given the public/private split, we are *forced* to be selfish as much as we choose to be selfish, for in the absence of real community, our communal gestures can only be privately expressed. In the private realm, where free choice is presumably protected, none of us is free to choose the rejection of privacy itself because others will quickly respond to such efforts as intrusive, threatening, or simply crazy.

This lack of freedom to choose a community of real sharing is closely connected to the second notion that makes the public/private split so effective—illusion. The existence of a public realm allows us to believe that, the force of the private sphere notwithstanding, in the public sphere we are *together as citizens*, participating equally and fully. The public realm constantly holds out the possibility of community even while the reality of daily life denies it. Because that daily denial is so pervasive, the ideal of public community must constantly be affirmed through the social production of imagery in order to prevent us from directly confronting our loneliness and isolation. We must have the illusion of communal experience, even if reality does not bear it out. The media have become especially effective conveyors of this illusion, for the shared television

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viewing of national events provides the feeling that we are all participating in national life. Although in fact we are only passive viewers of an image, we feel that we are joined with others, taking part in the life of the country. The recent Miss Liberty and Constititution Bicentennial celebrations provided ceremonial versions of that illusory experience, but so-called national tragedies also have a similar effect. President Reagan has been especially adept at using funerals for this purpose, simultaneously masking underlying problems of corruption and ineptitude, as in the space shuttle explosion.

As Reagan also demonstrated in his first years in office, the illusion of the public community can be strengthened through the identification of enemies. We have seen him create such enemies in Khomeini, in "International Terrorism" and, most effectively, in Khadafy. Figures like Khadafy serve a useful ideological purpose: However separate and private we are otherwise, we, "as a nation,"—as members of an illusory community—can share our hatred for him.

Strengthening the image of public togetherness in turn facilitates the third notion associated with the public/private split—legitimation. With the illusion of togetherness intact, we deem it acceptable to be acquisitive and competitive in the private sphere, to scorn others and to take advantage of their weaknesses. Disparities of wealth and power that result from this social and economic *Bellum omnium contra omnes* are by definition legitimate because they are a function of private, autonomous choice, not the public exercise of political power. To redress these disparities would be to invade the protected sphere of private rights.

Legitimation requires an elaborate structure of law to maintain the theoretical distinction between public and private activity. It is the conception of legally enforceable rights that gives credibility to the assumption that private activity is in fact purely private, so that the exercise of private power does not appear to be publicly sanctioned oppression. Thus, public law is to be distinguished from private law—property, torts, and contracts—which simply facilitates the private ordering of social and economic life. Private law doctrine is thus a long and detailed meditation on the idea of protected free choice within a fixed and judicially determined limit. Legally determinable rights ensure that each person is secure against both public coercion and oppressive private power.

Private rights, however, are, necessarily, not only about freedom, but about exclusion as well. The positive side of free choice always carries with it a negative flip side: This is mine, therefore it's *not* yours. I've got it so you *don't*. Similarly, while there is a positive side to recognizing the other as a rights-holder ("I respect your autonomy, your right to make your own choices"), there is a negative side as well, because rights are premised on the denial of the freedom to share. ("Because you have it, it's not mine; because it's yours, I cannot have it without your consent.") Of course, a major premise of traditional marketplace theory is that "consent" is something that must be purchased, experienced as a barrier, thereby alienating the other from oneself.

In truth, the line between public and private is logically incoherent, and this incoherence has been apparent since the Legal Realist movement of the 1920s and 30s. The realist scholars, part of the general twentieth-century revolt against formalism and conceptualism, convincingly undermined all faith in the objective existence of "rights" by challenging the ideological premises upon which the public/private distinction is based.

Property, for example, is thought to be the paradigmatic private right. In his famous essay, "Property and Sovereignty," Morris Cohen pointed out that property is necessarily public, not private, since "property" means the legally granted power to withhold from others; and as such, it is created and protected by the state. In short, property law is simply a form of public law. Similarly, with respect to freedom of contract, the power to exclude or withhold is central to the supposedly freely-entered bargain. Free consent to the other's terms is in fact forced consent, for it derives from the other's legally sanctioned threat to withhold what is owned except upon the demanded payment. It is the state that delegates the power to exclude and therefore to set the terms: without public coercion, there would be no private freedom of contract. Thus, the line between private right and public power dissolves—the former collapses into the latter.

Despite its apparent incoherence, however, the language of public and private persists, both in legal discourse and as part of our experience. Its continuing viability and power to legitimate may be due, in large part, to its manipulability. Precisely *because* it has no logical content at all, it can easily be turned inside out. The legal literature is filled, for example, with theoretical invocations of public welfare to justify the consolidation of hierarchical property relations. Thus, in the typical exclusionary zoning case, the supposedly free private market would allow developers to subdivide building lots and erect cheap housing in otherwise fancy (usually all-white) neighborhoods. In such situations, the "community" is allowed to establish rules to prevent the erection of such cheap housing, despite the fact that the community with its "police power" is being invoked simply to reinforce private acquisitive, racist behavior.

Similarly, the public purpose doctrine has been invoked repeatedly to justify subsidies to enterprises that

otherwise claim the right to be treated as private. Historically, railroads were notorious beneficiaries: the state's eminent domain rights were granted to railway companies on the theory that the public would benefit from an expanding transportation system, even while the companies of course retained their right to a "private" profit.

Modern examples abound. Conventional free market ideology extols the virtues of private capital accumulation, entrepreneurial skill, and the harsh reality of risk. Yet tax breaks are routinely granted to entice industries to invest or remain in localities, cities compete for the opportunity to provide sports teams with ever more luxurious stadiums, and huge companies get government help when they face financial ruin. Private companies rarely turn down the opportunity to eat greedily from the public trough.

Two recent cases serve to illustrate the point. In the first, *Poletown Neighborhood Council v. City of Detroit*, the Michigan Supreme Court invoked the public character of large private enterprise in allowing a whole neighborhood in Detroit to be destroyed, at huge personal cost to displaced neighborhood residents, so that General Motors could build a plant on that location. The theory was that public good would result from the plant's opening because the plant would provide jobs. Ironically, however, in *Local 1330, United Steelworkers v. U.S. Steel*, an appellate court affirmed the privateness of large corporations and refused to stop the closing of two plants in Youngstown, Ohio, despite the court's stated awareness that the move would cause "an economic tragedy of major proportion" in the area. Rejecting the argument that the local community had gained a recognizable property interest or community "right" in the plants over the years, the court held that because the company was privately owned, its economic decisions were beyond public reach.

The point here is not that the courts were wrong in attempting to make their public/private decisions, but rather that *anything* can be described as either public or private. Decisions during the 1985–86 Supreme Court term illustrated that point vividly. The Court refused to hold airlines sufficiently "public" to be required to comply with antidiscrimination laws with respect to the treatment of the handicapped, despite the quite apparent subsidization of commercial airlines through the air traffic controller system (a "public" service, as Reagan was at pains to point out when the controllers went on strike and he fired them, which he could not have done if they were in the "private" sector). Then, only a couple of weeks later, in the famous *Bowers v. Hardwick* case, the Court announced that even voluntary consensual sexual acts were not sufficiently private to preclude state regulation. While the act that was upheld was apparently directed at homosexuals, on whom the Court has never conferred "rights" as such, the Court did not seem to preclude regulation of sexual acts even between husband and wife. In effect, that which seems the most private was declared public, while that which seems (as we stand in line at a busy airport waiting for a security check) most public, is declared private. Paradoxically, the legal system defines the world for us as public and private; and then, through its particular definitions, it is free to stand in dramatic contrast to our daily experience.

The indeterminacy of the public/private split is closely related to the fourth associated notion—contradiction. As the airline/sexuality pairing demonstrates, neither the public nor the private category has any objective content. As a result, contradictory arguments about private rights can always be generated. As a matter of pure logic, nothing is excluded from the state's legitimate concern for the public welfare. Similarly, as between two conflicting private rights, logical arguments can always be made for either side. My private right to be secure from the invasion of a nuisance, like the smelly chemicals you spray on your lawn, conflicts with your right to use your property freely. My right to be secure from oppressive competition conflicts with your right to engage in unbridled freedom of contract. In each instance, the state must choose between two mutually exclusive rights.

In the economic realm the rhetoric of privacy has traditionally been used to transform the social dimensions of poverty into a fantasy about autonomous choice in which poverty results from individual failure.

Others have written about the problem of contradiction, which belies the legal system's claim to be a neutral protector of rights. Contradiction also is manifested in our personal experience—in our sense of how we should relate to others. The contradiction between market freedom and security of expectations that pervades private law discourse reflects deeply held beliefs about how we should act in the world, beliefs that are ultimately contradictory. On the one hand, we believe that we should be free to take advantage of another's weakness in the market, but on the other hand, we feel obliged to respect the interests of others. First-year law students are genuinely troubled when they discover that contract law, for example, does not have a convincing answer to the question of where

self-interest ends and concern for another's security begins. What their unhappiness reveals is that they believe in *both* the free exercise of self-interest and in the good-faith protection of others. They then find themselves feeling immobilized: in the face of evident contradiction, how can one make a strong moral choice? The same feeling that law students begin to recognize self-consciously is experienced by most people as an unarticulated sense of moral immobilization.

The fact that contradiction undermines the legal system's claim to be a neutral protector of rights also intensifies the degree to which the triadic structure of state/self/other pervades our relationships. At any given time, one's position with respect to another has to be seen as a function of a series of logically incoherent choices the state has made, choices that sometimes are favorable and sometimes antagonistic. If you complain about your neighbor's barking dog, the police may give your neighbor a hard time, or they may tell you that "life is like that." They may show up next time, having been called by your neighbor, to make you mow your overgrown weed-filled lawn, or you may convince them that you are an ecologist legitimately excercising your right to experiment with "natural" lawn. The fact that these choices cannot be preordained or logically compelled makes us feel the state's power all the more acutely.

As women who struggle alone to raise children know, reproductive choice conceived only as a private right serves to isolate and to deny the woman's claim for communal help and shared responsibility. To have "private" choice is also to be left alone with it.

It is common, however, especially among liberals, to consider problematic certain parts of the public/private distinction, while at the same time assuming that there is some core meaning to the notion of privacy, one that is natural rather than simply a creation of legal/political ideology. Thus, one might quite willingly concede that Con Edison is not obviously and perfectly private, but what about my home, my body, my thoughts?

Even in such cases, however, the supposed core right to privacy can be collapsed into contradiction. Thus, my freedom to keep a goat in my home and yard conflicts with my neighbors' collective right to be secure in the respectability of the neighborhood in which they have invested; and one person's right to the free enjoyment of sexual fantasy conflicts with another's right to be secure against the degrading and exploitative use of bodies. Moreover, as in the market, so too, even within the family, we can have no faith in the supposed purity of private, subjective consent, for consent is always in part a function of social roles and expectations. A wife's consent to sexual relations with her husband, for example, is in part publicly constructed, for in every instance we all, inescapably, act out the social representations of the roles assigned to us—the wife's consent is inevitably consent by a person who thinks of herself as "wife," and this publicly created consciousness informs even her most private, subjective decisions.

If the structure of private rights and state power renders incoherent the vocabulary of rights, how then can we affirm the values that seem most important to us? Feminists, for example, feel deeply divided on the question of pornography. In light of the debasing use of female bodies, we are tempted to seek protection. The state should guarantee our security against such exploitation irrespective of the pornographer's invocation of a private right to freedom of speech. Yet the same state that might side with us now could also end up as the ally of the Phyllis Schlaflys of the world who wish to oppress us with their conventionality. And the same First Amendment invoked by our exploitative enemy may in the future protect us against state power.

Is there, even imaginably, a radical alternative view that does not require us to go on living the public/private split? Two related agendas suggest themselves. One is to recognize that the decision to employ the rhetoric of privacy is just that, a strategic move, and that the real solution is to end the relations of power that permeate our society. From that perspective, the issue is not privacy as such, but how to fashion a world without our current hierarchies of power, one of which is the physical abuse of women by men. That suggests the other agenda —the fashioning of communities where one need not hide behind the "private" either for protection or self-aggrandizement, where relationships might be just "us" —"you, and me, and the rest of us"—deciding for ourselves what we want, without the alienating third of "the state." In that setting, however remote it may seem, we might even make group decisions about reproduction, replacing our pervasive alienation and fear of one another with something more like mutual trust, or love. □

A Response to Mensch and Freeman

Paul Starr

Critics and defenders of the public-private distinction agree at least about one thing. The distinction is central to liberal thought and liberal societies. Take it away, as the opponents urge, and our political world would be fundamentally changed. However, we disagree entirely about the meaning and value of the distinction. The critics view it as incoherent, alienating, and mystifying. I see it as a foundation stone in the architecture of a free and democratic society.

The categories of legal and political thought provide a framework for making and resolving claims, though they do not, of course, dictate how conflicting claims ought to be resolved in any particular case. To ask that would be to ask too much of any set of political terms. The terms *public* and *private*, among their many uses, provide us with a deeply resonant vocabulary for the making of claims against the state. These are of two kinds.

First, by insisting that the government of a liberal democracy be public, we invoke a whole structure of rules and expectations that circumscribe the exercise of state power. Those who wield power are to be held publicly accountable—that is, answerable to the citizens—for their performance. Officials must not confuse the public revenues and property with their private wealth. Government decisions and deliberations must be public in the sense of being publicly reported and open to general participation. In short, the citizens of a liberal state have a right to expect their government to be public not only in its ends but also in its processes. In the classic liberal phrase, ours is "government by discussion."

Second, when we think of our homes, businesses, churches and synagogues, and myriad other forms of association as lying in a private sphere, we are claiming limits to the power of that democratic state. And we set limits to the state knowing, as antiliberal writers do not, the inevitable imperfections of any system of collective decision making. We mark out boundaries between public and private domains knowing the need to remove from the state and even from politics many aspects of life and thought, like beliefs in God, that give rise to deep and irreconcilable disagreements, which through the centuries have plunged societies into civil wars. And we set those limits to collective power recognizing, as antiliberals cannot bear to acknowledge, that the regime of liberty has provided unparalleled avenues for private initiative and invention and unprecedented bounties of wealth, while the more collectivist nations have been left behind as economic backwaters.

Contemporary antiliberals take the public-private distinction to task on the charge that it stifles "real community," distances people from each other, and deprives them of "possibilities of human contact." Alan Freeman and Betty Mensch write, "Privacy means alienation." It is a bizarre argument even with respect to individuals. The person who relishes privacy, after all, is not necessarily an alienated person. But in demarcating a private domain, liberal thought does not condemn people to a lonely isolation. A central tenet of liberal thought is free association, and in liberal societies like our own people join together in the most diverse and sundry forms of organization—religious, ethnic, humanitarian, hedonistic, political, educational. What distinguishes a liberal society is precisely that the possibilities of human contact are not prescribed by the state. Far from disappearing, communities of the like-minded are scattered in vast numbers across our society like stars in the Milky Way.

Consider the case of religion. Is it true that the "relegation" of religious experiences to "the realm of privacy always serves to limit their significance"? Even to say that religion is relegated to the "realm of privacy" is not precisely true. On the contrary, religious freedom in a liberal society allows people to worship openly, to proselytize freely, to join together in churches that enjoy certain privileges (for example, tax exemptions), and to speak out on public issues. The distinction that we maintain is a separation between church and state that does not "trivialize" religion but rather secures it from political control, protects the minority against a state-sponsored church, and prevents the public life of a democracy from being rent by religious differences. Jews, especially, ought to know the benefits of the civil peace that religious toleration helps to bring about. And we ought to be worried about the "radical alternative" of antiliberals who want to discard any notion of a limit on public decisions. For if there is no limit, the beliefs and practices of Jews and any other minority are a fair target of political change.

When antiliberals object to the very idea of a boundary or limit on the public sphere, they say that as a matter of logic there is no such boundary, and that in practice the idea of a limit helps to legitimate poverty by locating it in the private sphere. The charge of logical incoherence is amusing. In the same spirit, we might attack the warm-cold distinction on the ground that there is no objective line between warm and cold. Besides, the warm-cold distinction has no "objective content": the

Paul Starr is professor of sociology at Princeton University.

same weather regarded as warm by an Eskimo is considered cold by a Brazilian. And just as the antiliberals attempt to show that the public-private distinction can be collapsed back into the category public because all things are ultimately social, so we could say that there is no real warm-cold distinction because all temperatures are different degrees of heat.

I don't want to suggest that the antiliberals' argument is silly; it's serious—and very dangerous. Their case against the public-private distinction is chiefly a denial that any sphere of action can be considered private. And to deny legitimacy to the category "private" is to deny the claims summed up by that term, including, especially, the claims that erect barriers to collective control. Without those barriers, we would be exposed to the full glare of the "community"—not always so benign a body as antiliberals sentimentally imagine. And worse yet, we would be exposed to the full force of unconstrained rulers.

The antiliberal critique purports to prove that nothing is private by showing that every aspect of our economic and social organization, including the private sphere, is really socially constituted. To be sure, even the inner recesses of the mind, on close analysis, show the deep presence of society and the residues of the past. But to say that something is social in its formation is not to say that it ought to be public—that is, political—in its regulation. The terms "social" and "public" are not interchangeable. The concept of society is far more general. Social action is merely action oriented to another person or to shared beliefs, and obviously such beliefs structure the most intimate details of our everyday lives. Yet it would be a disaster if all the details of life were deemed public and made subject to the claims of public disclosure and accountability that are justifiably reserved for those institutions and activities important to the general welfare.

The critics are correct to say that many things can be described as either public or private, but they are wrong to conclude that the public-private distinction is therefore meaningless. Many institutions are properly treated as public in certain respects but private in others. For what is at issue in public-private categorization is not a description of some "essence" but rather the kinds of claims that the state will honor and enforce. Only if you believe in an unlimited state should you believe the state should never honor any claims whatsoever to privacy, private property, or rights of private assembly and association.

To charge the public-private distinction with legitimating poverty and other forms of social distress is quite absurd. The evolution of liberal thought over the last century has been toward a wider conception of the rights of citizenship and the state's obligations to maintain standards of social welfare. But we cannot go so far as to accept the antiliberal denial of any sphere of private responsibility. To deny all individual responsibility is to take individuals to be the mere passive objects and instruments of social forces. When you begin by underestimating the human capacity for autonomous choice, you soon undermine it. Even today, in the age of the welfare state, liberal thought is committed to the idea that we must not suppress the energies of private initiative and association by loading all responsibility on the public sphere.

The antiliberal attack on the public-private distinction can lead in two directions. We might imagine an entirely private world with no conception of a public government or any public sphere—a medieval world of loosely integrated, hierarchical communities. Or we might imagine the alternative envisioned by democratic antiliberals: a purely public world "where one need not [and could not] hide behind the 'private' ... where relationships might be just 'us'" and "we might even make group decisions about reproduction." This has been called the theory of totalitarian democracy, but the democracy, one must understand, is purely theoretical. In practice, people in such societies do not have the resources to organize independent and competing views, and consequently those who control the means of communication and management of violence determine what "you and me, and the rest of us" think and need.

Of course, Freeman and Mensch envision an alternative where all power melts away and there is no state but merely a community of the nonviolent. It's a vision we've heard before. We ought to have no patience with it. Those who told us the states they would create would wither away now have the most oppressive states to be found anywhere. Typically, the promise to abolish all power provides a rationale for those in power to abolish everyone else's.

But even the totalitarian regimes that exist today do not go as far as Freeman and Mensch in suggesting that "we might even make group decisions about reproduction." I wonder exactly what they have in mind. Would they have groups (what groups?) decide that a particular couple have a baby? Or only decide that they should not have any more babies? Either way, it is an image of collective tyranny rarely seen this side of Jonestown.

But that is where the antiliberal attack on the public-private distinction leads. Antiliberal thought, whether from the right or the left, characteristically promises a conquest of alienation and a new harmony, coherence, and community. It typically fails to spell out what this new moral order will mean in practice, particularly for people who refuse to accept it. The dream of perfect community conceals a nightmare of repressive control that would be necessary to keep people in line. We have seen this future, and it's dead. □

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Healing through Meeting

Maurice Friedman

The "Between"

In human life together, it is the fact that we set each other at a distance and make each other independent that enables us to enter into relation, as individual selves, with those like ourselves. Through this "interhuman" relation we confirm each other, becoming selves with the other. The inmost growth of the self is not induced by one's relation to oneself but by the confirmation in which one person knows oneself to be "made present" in one's uniqueness by the other. Self-realization and self-actualization are not the *goal* but the *by-product*.

The unfolding of the sphere of the "between" is what Martin Buber calls the dialogical. The psychological, that which happens within the soul of each, is only the secret accompaniment to the dialogue. This distinction between the dialogical and the psychological constitutes a radical attack on the psychologism of our age, which tends to remove the events that happen between persons into feelings or occurrences within the psyche. It also makes manifest the fundamental ambiguity of those modern psychologists, such as Carl Rogers and Erich Fromm, who affirm the dialogue between person and person but are unclear as to whether this dialogue is of value in itself or is merely a function of the individual's self-realization.

Only as a partner can a person be perceived as an existing wholeness. To become aware of a person means to perceive his/her wholeness as a person defined by spirit: to perceive the dynamic center which stamps the recognizable sign of uniqueness on all one's utterances, actions, and attitudes. Such an awareness is impossible if, and so long as, the other is for me the detached object of my observation, for the other will not thus yield his/her wholeness and its center. It is possible only when the other becomes present for me.

Mutual confirmation is essential to becoming a self—a person who realizes his/her uniqueness precisely through his/her relation to other selves whose distance from him/her is completed by his/her distance from them. True confirmation means that I confirm my partner as this existing being even while I oppose him/her. I legitimize him/her "over against" me (*gegenüber* in Buber's original) as the one with whom I have to deal in real dialogue. This mutual confirmation is most fully realized in what Buber calls "making present," an event which happens partially wherever persons come together but in its essential structure happens only rarely. Making the other present means to "imagine the real," to imagine quite concretely what another person is wishing, feeling, perceiving, and thinking. This is not empathy but a bold swinging into the other that demands the most intense action of one's being in order to make the other present in his/her wholeness, unity, and uniqueness. One can do this only as a partner, standing in a common situation with the other, and even then one's address to the other may remain unanswered and the dialogue may die in seed.

Healing through Meeting

All therapy relies to a greater or lesser extent on the meeting between therapist and client and, in group and family therapy, the meeting among the clients. But only a few theories have singled out the meeting—the sphere of the "between"—as the central, as opposed to the ancillary, source of healing. One of the most important issues that the approach of healing through meeting addresses is the extent to which healing proceeds from a specific healer and the extent to which it takes place in the "between"—in the relationship between therapist and client, among the members of a group or family, or even within a community. When it is the latter, is there a special role, nonetheless, for the therapist as facilitator, midwife, enabler, or partner in a "dialogue of touchstones"? We must also ask whether such healing takes place through an existential grace which cannot be planned and counted on, however much it can be helped along. To what extent does healing through meeting imply that meeting must also be the goal as well as the means to that goal? And to what extent are we talking about a two-sided event that is not susceptible to techniques in the sense of willing and manipulating in order to bring about a certain result?

What is crucial is not the skill of the therapist, but rather what takes place *between* the therapist and the client *and* between the client and other people. No amount of therapy can be of decisive help if a person is too enmeshed in a family, community, or culture in

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Maurice Friedman is professor of religious studies, philosophy, and comparative literature at San Diego State University. He received the National Jewish Book Award in 1985 for Martin Buber's Life and Work: The Later Years *and is the author of* Abraham Joshua Heschel and Elie Wiesel, You Are My Witnesses *(Farrar, Straus & Giroux, 1987) and* The Healing Dialogue in Psychotherapy *(Jason Aronson, 1985), on which this essay is based.*

which the seedlings of healing are constantly choked off and the attempts to restore personal wholeness are thwarted by the destructive elements of the system. This fact underlines the importance of creating that climate of trust, that confirmation of otherness, in which healing through meeting can flourish on every level. To embark seriously on healing through meeting is to leave the safe shores of the intrapsychic as the touchstone of reality and to venture onto the high seas on which healing is seen as taking place in the interhuman, the family, the group, the community.

The patient demands to be dealt with in his/her uniqueness, not just as part of a problem, and to this the therapist must engage and risk him/herself as a person. Only if the therapist discovers the otherness of the client will the therapist discover his/her own real limits and what is needed to help the client. The therapist must see the position of the other in that person's concrete actuality, yet not lose sight of his/her own actuality. Only this will remove the danger that the will to heal will degenerate into arbitrariness. In friendship and love, imagining the real, or inclusion, is mutual. In the helping relationships, however, it is necessarily one-sided. The patient cannot equally well experience the relationship from the side of the therapist, or the pupil from the side of the teacher, without destroying or fundamentally altering the relationship. This does not mean that the therapist is reduced to treating the patient as an object, an "it." The one-sided inclusion of therapy is still an I-Thou relationship founded on mutuality, trust, and partnership in a common situation, and it is only in this relationship that real healing can take place.

A common situation, however, does not mean one which each enters from the same or even a similar position. In psychotherapy, the difference in position is not only that of personal stance, but also of role and function, a difference determined by the very difference of purpose that led each to enter the relationship. If the goal is a common one—the healing of the patient—the relationship to that goal differs radically from therapist to patient, and the healing that takes place depends as much upon the recognition of that difference as upon the mutuality of meeting and trust.

The Unconscious

Martin Buber has suggested that the unconscious may really be the ground of personal wholeness before its elaboration into the physical and the psychic. Out of it the physical and the psychical evolve again and again and at every moment. Therefore, the exploration of psychology is not of the unconscious itself but rather of the phenomena that have been dissociated from it.

Freud, holding that the unconscious must be simply psychical, places the unconscious *within* the person, as do all the schools that have come after Freud. As a result, *the basis of human reality itself comes to be seen as psychical rather than interhuman, and the relations between person and person are psychologized.* The radical mistake that Freud made was to think that he could posit a region of the mind as unconscious and at the same time deal with it as if its "contents" were simply repressed conscious material which could be brought back, without any essential change, into the conscious. Freud held that the therapist can induce the patient to bring out into the open the materials that s/he had repressed into the unconscious.

Buber, in contrast, holds that we do not have a deep freeze which keeps fragments that can be raised as they were, the "woolly mammoths" as described by Paul Wachtel in *Tikkun*, Vol.2, No.3. The dissociation into physical and psychic phenomena means a radical change of the substance. The therapist helps in this process and has an influence on it. This means that the responsibility of the therapist is greater than has usually been supposed. Buber calls for a more "musical," floating relationship of therapist to patient; for *the deciding reality is the therapist, not the methods.* Although no therapist can do without a typology, at a certain moment the therapist throws away as much as possible of his/her typology and accepts the unforeseeable in which the unique person of the patient stands before the unique person of the therapist. The usual therapist imposes him/herself on the patient without being aware of it. What is necessary is the conscious liberation of the patient from this unconscious imposition and from the general ideas of the therapist's school of psychology. "It is much easier to impose oneself on the patient," says Buber, "than it is to use the whole force of one's soul to leave the patient to himself and not to touch him. *The real master responds to uniqueness.*"

Buber sees the dominating importance of repression as arising from the disintegration from within of the organic community, so that mistrust becomes life's basic note: "agreement between one's own and the other's desire ceases, and the dulled wishes creep hopelessly into the recesses of the soul."* The Swiss psychotherapist Hans Trüb similarly sees the unconscious as precisely the personal element which is lost in the course of development. Repression, instead of being a basic aspect of human nature or an inescapable manifestation of civilization and its discontents, becomes the early denial of meeting, and its overcoming means the reestablishment of meeting, the breakthrough to dialogue. It arises out of *"the rejected meeting behind*

*Martin Buber, *Between Man and Man*, trans. by R. G. Smith with an Introduction by Maurice Friedman (New York: Macmillan, 1965), p. 196 f.

whose mighty barrier a person's psychic necessity for true meeting with the world secretly dams itself up, falls back upon itself and thus, as it were, coagulates into the 'unconscious.'" †

In the relatively whole person, the unconscious would have a direct impact, not only on the conscious life, but also on others, precisely because it represents the wholeness of the person. In the relatively divided person, on the contrary, the unconscious itself has suffered a cleavage so that not only are there repressed materials that cannot come up into consciousness, but what does come up does not represent the wholeness of the person but only one of the fragments. As the unconscious of the relatively whole person is the very ground of meeting and an integral part of the interhuman, the unconscious of the relatively divided person is the product of the absence or denial of meeting. From this we can infer that the overcoming of the split between the repressed unconscious and the conscious of the divided person depends on healing through meeting. This includes such confirmation as the therapist can summon from the relationship with the client to counterbalance the "absolute no" of the meeting rejected or withheld in childhood.

This understanding of the unconscious has important implications for the dream-work that the client carries out in dialogue with the therapist. Martin Buber questions whether we know or *have* dreams at all. What we possess, rather, is the work of the shaping memory that tells us of the dreamer's relation to the "dream," but nothing of the dream itself. The dreamer, so long as s/he is dreaming, has no share in the common world and nothing, therefore, to which we can have access. Dreams are the residues of our waking dialogues. Not only is there no real meaning with otherness in our dreams, but even the traces of otherness are greatly diminished. Having set the dream "over against" us, thus isolated, shaped, elaborated, and given form as an independent opposite, we enter into dialogue with it. From now on, it becomes one of the realities that addresses us in the world, just as surely and as concretely as any so-called external happening. From this it follows that the therapist cannot know what method of dream interpretation to use beforehand but must place her/himself in the hands of the patient and, practicing what Buber calls "obedient listening," let her/himself be guided by what the patient brings.

Neurotic and Existential Guilt

Healing through meeting necessarily implies existence of a real, existential guilt, usually confusedly intermingled with neurotic and/or merely social guilt. Existential guilt is an ontic, interhuman reality in which the person dwells in the truest sense of the term, an illness of one's relations with the world. True guilt does not reside *in* the human person, but rather in one's failure to respond to the legitimate claim and address of the world, and the sickness that results from the denial of such guilt is not merely a psychological phenomenon but an event between persons. Existential guilt is "guilt that a person has taken on himself as a person and in a personal situation." It is real guilt that has to do with one's actual stance in the world and the way in which one goes out from it to relate to other persons. Real guilt is neither subjective nor objective. It is dialogical—the inseparable corollary of one's personal responsibility, one's answerability for authenticating one's own existence and, by the same token, for responding to the partners of one's existence, the other persons with whom one lives. Where there is personal responsibility, there must also be the possibility of real guilt—for failing to respond, for responding inadequately or too late, or for responding without the whole self.

Such guilt is neither inner nor outer. One is not answerable for it either to oneself alone or to society apart from oneself, but to that very bond between oneself and others through which one again and again discovers the direction through which one can authenticate one's existence. If a relation with another cannot be reduced to what goes on within each of the two persons, then the guilt one person has toward a partner in a relationship cannot be reduced to the subjective guilt s/he feels. "Existential guilt," writes Buber, "occurs when someone injures an order of the human world whose foundations he knows and recognizes [at some level of his being] as those of his own existence and of all common human existence."* Hence, existential guilt transcends the realm of inner feelings and of the self's relation to itself. The order of the human world that one injures is the sphere of the interhuman itself, precisely those "we's" that we have built in common in family, group, and community and to which our own existence belongs in the most literal sense of the term. Everyone knows quite well how, through attacking or withholding oneself, one may injure one's family, friends, community, colleagues, or fellow employees.

Guilt is an essential factor in the person's relations to others: it performs the necessary function of leading one to desire to set these relations to right. It is actually here, in the real guilt of the person who has not responded to the legitimate claim and address of the

(Continued on p. 85)

†Hans Trüb, "Healing Through Meeting," in *The Worlds of Existentialism: A Critical Reader*, ed. Maurice Friedman (The University of Chicago Press, 1973), p. 504.

*Martin Buber, *The Knowledge of Man: A Philosophy of the Interhuman*, (New York: Harper Torchbooks, 1966), Chap. 6.

Writing and its Discontents

Sanford Levinson

"Get it in writing." Speaking to the possibility of forgetting if we rely on mere memory, this common phrase also suggests that changes of mind or outright bad faith are possible in the absence of a written text. "Getting it in writing" arises most often in regard to private contracts, but its power is expressed as well in the public concern over the details of arms control agreements between the United States and the Soviet Union or in the process of constitution-creation in new states. In essence, writing has been perceived as a way of promoting stablility.

Things are not that simple, however. Contemporary discussions of writing seem to engender at least as much discontent for our generation as did discussions of civilization for an earlier one. In what follows, I will be making the following general argument: First, most "normative" writing—i.e., the use of language self-consciously designed to guide future action and recognized as potentially obligatory by some relevant reading community—occurs within the context of pre-existing social or political discontent. Second, the hope of scribes is that "getting it in writing," especially in texts that are deemed authoritative, will defuse or at least limit the ravages of this discontent. Third, these hopes will almost invariably be dashed; indeed, writing itself will generate other specific kinds of discontent.

I will apply these arguments to "legal" as well as to "religious" normative texts. Being much more familiar with the history and interpretation of the United States Constitution than with Jewish sources, I will concentrate on the secular rather than the sacred. I strongly believe, however, that analysts of each discipline have much to learn from the other.

I

It is easy to find a mood of discontent lurking in the background of the American Constitution. In Madison's words, all "men of reflection" were dismayed by "the existing embarrassments and mortal diseases of the Confederacy." Even if one expresses some latter-day doubts that things were quite so bad as Madison suggests, it is clear that Madison and his compatriots at Philadelphia did perceive their country to be in desperate straits. Indeed, even the anti-Federalist writer Mercy Warren agreed that "a general uneasiness" was pervasive throughout the new nation," though she states that "[t]hese discontents [were] artificially wrought up, by men who wished for a more strong and splendid government.... " And in defending the handiwork of Philadelphia in the *Federalist*, Madison emphasized that "all of the existing constitutions were formed in the midst of a danger which repressed the passions most unfriendly to order and concord." Without the recognition of danger, one feels, these disorderly passions would have prevented the constitution-writing achievement that we celebrate today.

Moreover, eighteenth century founders were far from facile believers in enlightenment and progress. They knew that the social turmoil that generated discontent could easily arise in the future. Even if they rejected some of the more dour notions of human nature and history associated with Calvinist Christianity, their consciousness was formed by a republican ideology that emphasized the pervasive possibilities of corruption. One must not forget that perhaps the most important book published in 1776 was Gibbon's *Decline and Fall of the Roman Empire*. Melancton Smith, the most able of the New York opponents of the new Constitution, was particularly wary of the capacity for corruption and berated those who might believe that Americans were less subject to its corrosive possibilities than other peoples. "Sir, I will not declaim, and say all men are dishonest; but I think that, in forming a constitution, if we presume this, we shall be on the safest side." Similarly suspicious of future rulers was Robert Lansing in his speech to the New York convention:

> Scruples should be impertinent, arguments would be in vain, checks would be useless, if we were certain our rulers would be good men; but for the virtuous, government is not instituted: its object is to restrain and punish views—to deter the governed from crime, and the governors from tyranny.

Whatever else might have separated the so-called Federalists and their opponents, the two groups shared a pervasive mistrust of those with power. Supporters of the new Constitution, when charged with not adequately hemming in the greed for power of those who would lead the republic, rarely disagreed with the underlying assumptions about the character of rulers. A remarkable rhetorical consensus developed around the notion not only of "limited" government, especially at the federal level, but also of the importance of writing to establish

Sanford Levinson is professor of law at the University of Texas at Austin and author of the forthcoming Constitutional Faith *(Princeton University Press, April 1988).*

the limitations. The Philadelphia Convention, in Sections Nine and Ten of Article I, specifically limited both state and national governments from passing certain kinds of laws, including, for state governments, impairments of contract. And, of course, the national consensus that emerged in favor of a Bill of Rights is also ample testament to the perceived importance of written limitations.

Thus, one of the cures for the potentially "mortal diseases" initially noted by Madison was a written document that, even though expanding the power of the national government, nevertheless contained it within carefully specified boundaries. Contrary to a few Federalists who saw the Constitution as consisting largely, if not exclusively, of a set of decision-making procedures, the anti-Federalists correctly pointed to the presence of substantive limitations as well. Indeed, as George Clinton cogently argued, if the import of the new Constitution were only its new procedures, then "the whole system might have been comprised in the few following words, Congress shall have power to provide for the common defence and general welfare and to make all laws which in their judgment may be necessary and proper for these purposes." "The powers of the legislature are defined and limited," wrote John Marshall, "and [so] that those limits may not be mistaken, or forgotten, the constitution is written." Marshall's words echo the sentiments of Maimonides, who said that the mishnah was written "to serve as a handbook for all, the contents of which could be rapidly studied and not be forgotten." In short, political salvation occurs through a complex remembrance of times past, first of the discontents that triggered the writing, then of the writing itself that will provide a shield against the dis-ease.

Therefore, not only did the presence of past discontent bring about the writing of the Constitution; so did anxieties about the future. No one was sufficiently confident about future generations to allow them to change the text without difficulty. In this light, in 1813, Bavaria's ruler Maximilian Joseph prohibited any commentaries by either public officials or private scholars on the Bavarian Penal Code. All analyses of its provisions, including those presented by "the professors of our Universities in their lectures, shall rely exclusively on the text of the code with reference to the notes...." The purpose of this decree was to lead to the application and teaching of the penal code "in the same spirit in all parts of our kingdom, and according to that which we have been pleased to ordain and explain." Not even this secular prince genuinely believed that the code was self-interpreting, but he nevertheless felt that "commentary" could operate only as a road to ultimate ruin rather than enlightened understanding.

I am arguing that writing, particularly of constitutive documents like Talmuds or constitutions, is caused by discontent, and that the documents are attempts to overcome the discontent by writing down fundamental rules or understandings. The written document, moreover, is presented as in some sense an original (or originary) source that is comprehensive in scope. It can serve as the fount from which all further understanding develops and to which all future developments must refer. But what is supposed to *resolve* discontent almost invariably *generates* further discontent because of inevitable problems linked to written texts themselves. It is to these tensions that I now turn.

II

One of the central problems caused by writing comes, ironically, from its very accessibility to anyone who is literate. So long as relatively few people within the community can read, writtenness bolsters the power only of those with access to the sacred text. When literacy becomes a general phenomenon, however, what was esoteric becomes public. At this point, problems of interpretation move to center stage. It should be noted that there need not be any denial of the sacredness, or the originary function, of the text in order to rekindle the crisis that brought forth the utterances in the first place. All that is necessary is the denial that the rabbis or judges are interpreting the text accurately, a denial made possible by the increased access to the relevant documents.

At this point, a double crisis usually presents itself. First, there is a theoretical debate about the nature of the interpretation, as theoretical hermeneutics enters the community's consciousness. Second, there is an inevitably linked dispute about the presence of authoritative institutions that can legitimately resolve these interpretive differences.

I presume that there is no one left who believes in the possibility of direct, unmediated, uninterpreted access to a text that "speaks for itself." Whether one is Kantian or Kuhnian, the necessity of looking at the world (constructing the world) through the constraining lens of interpretive conventions, paradigms, or fundamental assumptions seems to be a paradigm of almost all modern philosophy. Acceptance of the necessity to "interpret" (as opposed to "look at") texts shifts the debate into the realm of hermeneutics.

Francis Lieber, who wrote the first English language book on legal hermeneutics in the 1830s, defined hermeneutics as "[t]hat branch of science which established the principles and rules of interpretation and construction...." He was well aware that interpretation of texts would be necessary. Indeed, he pronounced it "certain that interpretation of some sort or other cannot be

dispensed with, wherever human language is used." This ubiquity of interpretation carried with it, as a "necessary consequence," the need "to ascertain the principles of true and safe interpretation." To interpret a text is "to arrive at conclusions beyond the absolute sense of the text, and ... it is dangerous on this account." Therefore, "we must strive the more anxiously to find out safe rules, to guide us on this dangerous path."

Assuaging Lieber's anxiety requires the development of a particular form of "legal science." One does not search for an overarching formal definition of legal order, as did jurisprudential theorists like Austin, Kelsen, or Hart; instead, one begins with an assumption that a legal system exists, with authoritative texts, but one then embarks on a search for Lieber's "safe rules" designed to assure the user of what E.D. Hirsch has called "validity in interpretation." Recourse to such methods assures the continued "rule of law" against the partisan rule of men that, of course, provoked the initial crisis.

It is no secret, however, that the search for "the principles of true and safe interpretation," whether the thirteen hermeneutical principles of Rabbi Ishmael or more modern theories of "canons of statutory interpretation," has proved unavailing. No science of interpretation has developed capable of stilling the discontent of those who disagree with the interpretations. Indeed, for better or for worse, much of the contemporary intellectual scene is dominated by an approach toward interpretation that systematically denies the possibility of such a science. Much of this tradition is drawn from Nietzsche and his acerbic dismissal of science: "Ultimately, man finds in things nothing but what he himself has imported into them: the finding is called science.... Is meaning not necessarily relative meaning and perspective? All meaning is will to power.... " Or, as a leading contemporary philosopher, Richard Rorty, has put it, an interpreter, far from decoding "correct" messages from a text, "simply beats the text into a shape which will serve his own purpose." For an interpreter to describe his or her handiwork in any other fashion is, according to Rorty, simply self-delusion.

Much contemporary, so-called "post-structuralist," theory is premised on the illusionary nature of attempting to crack codes through a "code-free" process. To quote the eminent theorist Morris Zapp, "Language is a code. But every decoding is another encoding." Even in a face-to-face conversation between two people, there can be "no guarantee that I have duplicated your meaning in my head, because I bring a different experience of language, literature, and non-verbal reality to those words...." Reading a text provides only more of the same difficulties.

Such views scarcely provide comfort with regard to a purported impersonal science of hermeneutics. Indeed, much of the contemporary interest in hermeneutics is more correctly described as *anti*-hermeneutic insofar as the earlier tradition, derived from the German theorists Schliermacher and Dilthey, hoped to provide a way of "cracking the code" by ascertaining *the* meaning of the text.

It is worth pointing out that, contrary to the complaints of some of its critics, this poststructuralist view does not imply that all speech is chaos or that communication is impossible. The debate is not between those who insist that communication is possible and those who say that it is not. The struggle, rather, is between those who view successful communication as somewhat unremarkably flowing from the properties of the words chosen and those who appreciate the strength of Hans-Georg Gademer's reference to "this miracle of understanding," the clarification of which is the "task of hermeneutics." Thus, the central conflict is over what counts as a persuasive *theoretical* account (or, indeed, *if* a theoretical, in the sense of "scientific" account can be given at all) of communication acknowledged to be "successful." For many contemporary analysts, "text" has so merged into "context" as to limit the force of traditional forms of "textual" argument. Even those who believe that specific words are important are quick to resist being labeled as "naive textualists," as they acknowledge that the meanings of the words are provided much less by dictionaries than by immersion in a thickly-described cultural surrounding.

III

As I have already suggested, inevitably linked to an originary text is the problem of who gets to interpret it. If interpretation is a scientific process that can be learned, then it clearly makes sense to place authority in the group of people who undergo the requisite training. But if we doubt the existence of such a disciplined process, we will also be dubious about the claims of authoritative institutions. To be sure, we might still accept their authority, but the basis of our acceptance is likely to be Hobbesian, i.e., the need for a stability-creating sovereign. Not coincidentally, the favored description of the alternative to an authoritative declarer of meanings is "anarchy," which is always used pejoratively. We ought not forget, though, the ultimate arbitrariness of meaning that lies beyond Hobbes' highly discontented portrayal of politics. Consequently, it is impossible for an "authoritative" interpreter to buttress her claim with the greater authority of "science" or even "specialized competence."

We therefore see the great paradox that the presence of allegedly authoritative, originary texts does not elim-

inate discontent, but rather channels it into different forms. A highly literate public can point to the text in order to denounce the "perverse" interpretations offered by those who claim institutional authority, such as judges. The very same written constitution that Marshall used to justify judicial review becomes the most powerful rhetorical source for attacks on judicial tyranny; and, of course, it has proved impossible to discover a precise boundary between "justified judicial review," on the one hand, and "judicial tyranny," on the other.

There is no one left who believes in the possibility of direct, unmediated, uninterpreted access to a text that "speaks for itself."

The tension I am describing between institutional interpreters and the laity (or, indeed, well-trained but non-institutionally affiliated professionals) is pervasive. In religion we are most familiar with the Christian form of this dispute between Luther—with his priesthood of all believers—and the Catholic church. The problem of institutional authority arises even if people agree that Scripture alone is the proper guide. From very early in the history of organized Christianity, a recurrent problem was the ability of "heretics" to quote Scripture. Tertullian, in about the year 200, wrote *De praescritione haereticorum* to denounce the legitimacy of such interpreters. Acknowledging that "[t]hey put forward the scriptures and by their audacity make an immediate impression on some people," he made an appeal to the legal authority of the church, through apostolic succession, to fix the meaning of scriptures and therefore resolve the disputes. In the institutional church, and there alone, will there "be the true scriptures, the true interpretations, and all the true Christian traditions." Thus, he attempted to assign the duty of interpretation to a particular institution whose decisions about disputed passages were to be accepted as final by all members of the denomination.

Similarly, Nachmanides considered Deuteronomy 17:11—"Thou shalt not depart from the word which they shall tell thee, to the right nor to the left"—to be an exceedingly important commandment, requiring obedience to a judge of the Great Sanhedrin, "[e]ven if," in the words of Rashi, "he tells you of the right that it is the left or about the left that it is the right." According to Nachmanides, "the need for this commandment is very great, *for* the Torah was given to us in written form and it is known that not all opinions concur on newly arising matters" [emphasis added]. The absence of an institutional structure to resolve disputes ultimately would mean that "the one Torah would become many Torahs. Scripture, therefore, [said] ... that we are to obey the Great Court ... with respect to the interpretation of the Torah.... " The "for" is fascinating, since the fact of writtenness is used to explain the differences of opinion and the resulting need for institutional authority.

Emphasis on institutional authority also helps to explain the bitter rejection of Karaism as a legitimate option within Judaism. "Search well in the Torah and do not rely upon my opinion," as advocated by Anan ben David, the founder of the ninth-century Karaite movement, is from one perspective a thrilling affirmation of the possibility of a direct encounter between the literate interpreter and the sacred text, unmediated by any institutional authority such as the rabbinate and its Talmud. Judaism, however, did not see Karaism in quite that light, as has been true of all systems that construct "authoritative" institutions to go along with the "authoritative" texts. *Every* such system generates a potential conflict between the text and its institutional interpreter.

Within the legal world of the American Constitution, we are currently seeing this conflict played out in the acrimonious debate between Attorney General Meese and his critics concerning the role of the United States Supreme Court as the "ultimate interpreter" of the Constitution. In a 1986 speech at Tulane University, Meese caustically attacked the pretensions of the Court and reminded his listeners that there was a difference between "the Constitution" and the (mere) opinions of the Court. It is the Constitution that is "the law of the land" and not the ephemeral opinions of the Court. Although Meese was building on a tradition that includes Jefferson, Jackson, Lincoln, and Roosevelt among its progenitors, he was vigorously criticized and described as an "anarchist" fundamentally hostile to "the rule of law." Meese, the extreme Protestant or Karaite, should not expect to receive the plaudits of popes or rabbis, but we at least can try to place this debate in context and acknowledge that none of the great religious and legal systems has fully resolved the problem of institutional authority of interpretation.

IV

Finally, I want to point out one other discontent that seems inevitably to be attached to writing, and that concerns what might be called the *sufficiency* of the text. Perhaps the most important genuine celebration of the 1987 Bicentennial was the hearings concerning the nomination of Robert Bork to the United States Supreme Court. Never before has

constitutional theory been debated at such a high level on national television, and one of the central issues in the debate concerned the legitimacy of judges relying on unwritten norms in making their decisions. America prides itself on having a *written* Constitution, but Bork fell, in part, because he was unwilling to recognize that it has an unwritten one as well. The classical Jewish tradition seems prescient in its recognition that there cannot be *only* a written Torah, that canonical texts must always be supplemented by unwritten traditions. Both the written and the unwritten constitute the culture.

Perhaps the most important consequence of the Bork rejection is the Senate's renewed legitimation of the unwritten component of the Constitution. Clearly, the Senate is willing to tolerate judges who extract fundamental rights from our inchoate traditions even if those rights are not explicitly enumerated in the text. It is certainly worth noting, though, that the Ninth Amendment to the Constitution explicitly reminds us that the enumeration of rights in the Constitution shall not be construed to deny or disparage the existence of other rights retained by the people and presumably entitled to judicial protection, though the text provides not the slightest clue what these unenumerated rights might be.

Eliezer Berkovits published an extremely interesting book called *Not in Heaven* (Ktav, 1983). Berkovits, an Orthodox rabbi, in effect chastises the Orthodox community for having become too much "the people of the Book"—in this case the Talmud and written halacha. Berkovits calls upon his community to remember that the existence of the oral Torah legitimized in the past the great creative work of the ancient sages, including some quite remarkable "circumventions" of the Torah, such as Hillel's reinterpretations of the *prosbul*, or the rejection of implementing the commandment to discipline "the rebellious son." Berkovits' title is taken from the classic passage of Baba Metziah 59b where the sages reject the voice of Heaven itself, since the Torah is no longer in heaven and therefore is subject to the decision making of the sages below.

Berkovits's argument assumes the *insufficiency* of the existing textual materials—including the Talmud and the written *responsa*—in regard to handling adequately a number of important modern problems. What is heartening about Berkovits's argument, at least to someone who is not Orthodox, is that it frankly recognizes the presence within halachic Judaism of what can only be described as manifest injustice, as with the treatment of the *agunah* (abandoned widow). His suggestion that within the classical Jewish tradition itself important and necessary changes can be made is an encouraging

(Continued on p. 88)

Her Pet

Thom Gunn

I walk the floor, read, watch a cop-show, drink,
Hear busses heave uphill through drizzling fog,
Then turn back to the pictured book to think
Of Valentine Balbiani and her dog:
She is reclining, reading, on her tomb;
But pounced, it tries to intercept her look,
Its front paws on her lap, as in this room
The cat attempts to nose beneath my book.

Her curls tight, breasts held by her bodice high,
Ruff crisp, mouth calm, hands long and delicate,
All in the pause of marble signify
A strength so lavish she can limit it.
She will not let her pet dog catch her eye
For dignity, and for a touch of wit.

Below, from the same tomb, is reproduced
A side-relief, in which she reappears
Without her dog, and everything is loosed—
Her hair down from the secret of her ears,
Her big ears, and her creased face genderless
Craning from sinewy throat. Death is so plain!
Her breasts are low knobs through the unbound dress.
In the worked features I can read the pain
She went through to get here, to shake it all
(Much as I read the shrunk face of the friend
I visited today in hospital),
Thinking at first that her full nimble strength
Hid like a little dog within recall,
Till to think so, she knew, was to pretend
And, hope dismissed, she sought out pain at length
And labored with it to bring on its end.

Thom Gunn's books include Fighting Terms, My Sad Captain, *and* The Passages of Joy.

The tomb is by Germain Pilon. It is illustrated in Michael Levey's High Renaissance *(Penguin Books), p.129.*

What's the Matter with Sex Today?

Jean Bethke Elshtain

Robin Williams is on stage at a comedy club in San Francisco, improvising on whatever the audience cries out. "Safe sex," one man shouts. Williams responds: "Safe sex? Are we interested in having sex in a safe? *No*. Can you masturbate and be safe? How do you know where your hand's been?" The laughter seems to be both hearty and nervous. New standard slogans like "safe sex" and new verbs like "to condomize" are meant to reassure, but mostly they remind us that sex isn't what it used to be. I will make the case that sex was *never* what it "used to be" according to the claims of sexual revolutionaries in their most utopian, politically innocent, and morally insouciant expressions. The position I will take is not "antisex," but is, instead, a meditation on whether it is possible to construct an understanding of sexuality that is generous in its approach to diverse forms of sexual expression but that insists, simultaneously, on an ethic of limits.

My textual support does not come from the extremes of Andrea Dworkin's world in which the average bedroom is tagged a Dachau, with men cast as Nazi defilers and women as their hapless victims; or from Morality-in-Media fulminations in which nearly all of us become sexual suspects, given the collapse of male dominance; or from the sorry, self-exculpatory rhetoric of those who proclaim that children should be "free" to have sex at any age ("eight's too late"); or from the many writings of either rabidly homophobic or intemperately homophilic publicists. Instead I tap the thoughts of a few of those who have offered up interesting, controversial markers on the matter of sexuality today, and I recall conversations I have had over the past fifteen years with my students, with my feminist friends, and with my own children as they became sexually aware, moving through adolescence into early adulthood.

If we came of age in the 1960s, we were told that sexual revolution presaged the total transformation of society; and that all the evils in the world—from imperialism to racism, militarism to environmental decay—could be traced to repressed, patriarchal standards of sexuality. A pop version of Wilhelm Reich's theories of sexuality held that orgasmic sex (Reich limited it to heterosexuality, but later epigones did not) was the solution to the problems of civilization. Previously suppressed libidinal energy, once it flowed freely, would automatically result in an antiauthoritarian ethic of liberty and justice for all. Did not Reich promise that those who are "psychic-all. Did not Reich promise that those who are "psychically ill"—read *everybody* in our repressed world—"need tion"? Sex became an individual and social anodyne, and the cause of pleasure was at one with the cause of justice—every horny kid's wish and justification. Followers of Marcuse, streamlining his arguments down to a series of injunctions and promises, also located sex as the key factor in the creation of a nonrepressive society. By making love, one was striking a blow against making war.

But does not anonymous lovemaking, free from constraints, mimic rather than challenge the anonymous killing of war? There was a dark underside to all of this from the start. Since that time, many young women, including my daughters, now in their twenties, have told me something like this: "The sexual revolution probably opened up some things. A positive aspect might have been fighting the double standard—so women could fool around the way men had and get away with it too. But it wasn't ever 'free.' We were pressured more than ever to be sexually liberated *by* men and then were accused of being uptight and puritanical if we didn't want sex or wanted more than sex." Recently, a twenty-six-year old woman, an artist and a dedicated feminist, told me: "My whole peer group, men and women both, are confused about what relationships are supposed to be. All the women are working on, well, I guess I would call it the spiritual aspects of sexuality. They don't want sex for its own sake anymore and they think, and I agree, that a lot of the sexual revolution stuff set up a standard where women got to act like predatory men. I'm sick of it. Now, with AIDS, we're not having sex at all . . . and still finding it hard to achieve a decent relationship."

That the generation of those now in their twenties finds having and sustaining a relationship a burden of nearly overwhelming scope speaks both to the turmoil and promise of our humanity. It also signifies a *particular* sign of these times: the inevitable, collective letdown from the false promises of sexual revolutionaries.

Jean Bethke Elshtain's most recent book is Women and War, *Basic Books, 1987.*

How did sex become so important to us in the late twentieth century that we created a culture of narcissism embracing sexuality as its definition of human essence? Our "sex" both defines us and separates us from one another as each sexualized self belongs to one of a rapidly expanding set of categories—not just heterosexual or homosexual, we are now sado-masochistic, or one of many brands of fetishists, or vanilla or butch lesbians or.... The privilege of our sexual identities extends to our utterances. Each of us speaks "the truth" about him or herself, the sexual truth—and since nobody can speak for anybody else, we cannot cross the great divide to understand anybody else. As for sexual morality, it too has been fashioned by the self alone, tailored to the individual's desire for pleasure. The loneliness of the long-distance sexualist. Whatever happened to dreams of community?

Slowly more and more folks have realized that it isn't so simple after all. What about violent pornography? What about people's responsibilities to one another? What about the dubious fruits of unbridled sexual predation? Is a language available to discuss these questions or are we doomed to fall back into the usual "Thou shalt nots?" Pro-sex or anti-sex: two sides of the same coin. But most of us are neither "pro" nor "anti" as these terms are usually construed. Instead, we are troubled—troubled by the moral vacuousness of an earlier vision of sexual liberation, troubled by the moral censoriousness of current demands to return to ancient *diktats*.

The AIDS crisis has crystallized ruminations that had already begun to take shape. It provides a most fearful and intemperate opportunity to celebrate God's righteous wrath in the suffering of other human beings; but it also gives all religious groups the chance to respond with compassion, as exemplified in the recent statement from the National Conference of Catholic Bishops which calls AIDS a human illness, not God's judgment, and proclaims that "discrimination or violence directed against persons with AIDS is unjust and immoral." It makes even more urgent the work of those in the homosexual community who promulgate an ethic of responsibility and care instead of promiscuity; and it prompts heterosexuals to rethink whether the sexual liberation standard was from its inception the generalization of a norm of adolescent male sexuality writ large onto the wider social fabric.

We are moving toward a vision of sexuality that is both mysterious and powerful. For instance, feminists who are mothers are articulating what they previously *felt* in the interstices of their bodies and souls—that maternal sexuality coexists complicatedly with male/female sexuality. Sue Miller's *The Good Mother* unearths this conundrum with great sensitivity and power, highlighting, for example, the strangeness of the mother's breast simultaneously as an object of male desire and fantasy and a source of loving nourishment to an infant. Perhaps sexuality is the giving to another who can respond in an equal, intimate way. We cannot return to the good old days when men were men and women were women and homosexuals had the good taste to stay in closets. Nor do I and others, long skeptical of how sexual liberation got billed on the social marquee, want such a return. We have struggled too long to carve out more equitable relations between men and women. We have seen too much pain inflicted upon our homosexual brothers and sisters because they *are* who they are. A politics of limits, of which sexuality is one feature, respects a zone of privacy where what goes on between people is nobody's business but their own and those who love them.

But this is the beginning, not the end, of reflection. The fact is that *every way of life* is built upon notions of morality; that *every way of life* creates barriers to action in certain areas, most especially, in the words of the philosopher Stuart Hampshire, "the taking of human life, sexual functions, family duties and obligations, and the administration of justice." What ought those constraints be in a world that can no longer rely upon, and reproduce automatically, traditional limits? Without a set of moral rules and prohibitions, basic notions and symbolic forms, no *human* society could exist. Viable representations of human sexuality for our time are those that recognize that all conflict between our sexual and social selves cannot be eliminated—an impossible task—but might grow more nuanced and less destructive; that our sexual identities are not the rock-bottom "truth" about ourselves but, instead, one feature of our complex selves; and that homosexuals and heterosexuals can come to accept one another as finite beings who, for a brief time, are compelled to live out their mortal existences in one another's company. Unlike abstract plans of a society to come, all those wholly rhetorical pictures of the future that promise that one day we will become *real* persons and lead a good life, confronting sexuality *today* is a series of concrete imperatives, threaded through and through with ideas and deeds that link us to other human beings in the present and also weave together past and present.

In Woody Allen's *Manhattan*, Woody confronts his closest male friend and urges him to think seriously about his use and abuse of his wife, his lover, and Woody, his friend. Woody's soliloquy deploys wit in the service of serious intent. An upright human skeleton, the prop for biology classes, bears silent witness to his pleas. We human beings should pay more attention, he beseeches frantically, to just how we are going to be regarded by others and talked about once we've "thinned

out like this fellow"—Woody's skeletal *doppelgänger.* Linking explicitly intimations of *mortality* to human *morality,* Allen highlights a mode of thought American society is in peril of losing, namely, those ethical realizations that take place in and through our bodies and the ways we use or abuse them in relation to the bodies of others. The body may no longer be the temple of God, but it *is* a site of meaning and purpose. Sexuality today is the slow, uneven realization of this intractable and solemn fact. □

RETHINKING SEXUALITY

Thinking About Sex

Judith Levine

In the past decade we've witnessed sex the question transformed into sex the problem. The problem of teenage pregnancy has become the problem of teenage sex, so we try to teach abstinence instead of contraception and convince ourselves that teenagers have sex only because of peer pressure. AIDS is perceived not as a horrible disease of the body, but as the wasting away of the morals of the body politic. The cure is to contain, not the virus, but nonconventional, nonmonogamous sex.

But you don't have to travel far rightward to discover such attitudes. The middle is rife with them, too. No presidential candidate is unqualifiedly prochoice. No Congress member objects when Jesse Helms fulminates on the Senate floor about "safe sodomy." Bill Moyers speculates that promiscuity—too many undisciplined young cocks strutting around the inner city's roosts—is the cause of the black family's dissolution. Jesse Jackson, instead of refuting him, drops his economic analysis and preaches a return to the church and its sexual morality. Recently, on NBC's "Scared Sexless," host Connie Chung reacts quizzically to Education Secretary William Bennett's remark that "AIDS may give us an opportunity to discourage [sex], and that might be a good thing." But she concludes that, plagues or no, less sex is better, especially for teenagers. She doesn't say why.

In response to all this, the left says nothing. In fact, it consistently puts sex at the bottom of the agenda (my mother has been fighting with my father, both of them old leftists, for forty years about the political centrality of abortion) or demonstrates downright antisex and antipleasure biases. In the 1980s, ever more squeamish about appearing unserious, it distances itself from popular culture (which is all about fun) and from prosex feminists, gays, and other erotic minorities for whom sexual freedom is a fundamental struggle. This is more than an abstract problem: according to the Centers for Disease Control, in the 1990s AIDS may kill more Americans annually than were lost during the entire Vietnam War, yet no left group makes the epidemic a forefront issue.

Meanwhile, progressives dismiss the Sexual Revolution as a childish flight of caprice, and though they don't see AIDS as the scourge of God, they use the disease as a justification for endorsing certain kinds of sex and relationships and censuring others. Not as coldhearted as Bennett, but equally insulting to the people dying, these "progressives" find in AIDS the silver lining of newly "meaningful," committed sex. Even from the gay community a pious monogamism emanates—*vis* the mass marriage ceremony at the gay and lesbian march on Washington.

As for feminists, a small rowdy band of prosex guerrillas like No More Nice Girls carries the flame of women's sexual freedom, but all around them the flame dims to a flicker. Influential moderates like Betty Friedan eschew public discourses on lesbianism and sex as "exhibitionist," and steer activism elsewhere. In the early 1980s, abortion is suddenly a "family" issue, and a secondary one at that. If there were good daycare and socialized medicine, the argument runs, we'd all want children, and the demand for abortion would disappear. Lately, abortion finds itself nestling under the antiseptic rubric of "reproductive freedom," with forced caesareans, *in vitro* fertilization, surrogacy, and other politics of modern motherhood. It's as if sex—which, if I'm not mistaken, is the cause of pregnancy—had nothing to do with it. In fact, the feminists most consistently passionate about cocks and cunts are Women

Judith Levine, a journalist and critic who writes for The Village Voice, *also writes for other magazines about sex, feminism, families, and relationships.*

Although some of us at Tikkun *found some of the language in the following piece offensive, we are including it in accord with our policy of presenting approaches that differ from our own.*

Against Pornography—and they would wash my mouth out with soap for saying it!

All this distresses me mightily, because, like Emma Goldman, who didn't want a revolution she couldn't dance to, I don't want one I can't fuck to. I consider pleasure a revolutionary goal. And I still endorse the commitment of the Sexual Revolution and the early women's movement to forging new personal alliances, new forms of love and friendship—including sexual ones. Though never a smash-monogamy zealot, I believe in destabilizing traditional sexual setups and struggling, as we did in the 1960s and 1970s, with the emotions that go with such a cultural upheaval.

At the risk of sounding "nostalgic," or, in the age of AIDS, either frivolous or mad, I contend that we can't change society if we don't challenge the sexual hegemony of the nuclear family and resist its enforcement of adult heterosexual monogamy and its policing of all other forms of sexuality within it and outside it. Supporting "alternative" families or giving lip service to gay rights isn't enough; we must militantly stand up for everybody whose sexuality falls outside "acceptable" bourgeois arrangements—even far outside of them.

But you can't do this without asking fundamental questions about sex. Questions like, is monogamy better? (My answer: not necessarily.) What's wrong with kids having sex? (Often, nothing.) Why is it worse to pay for sex than to pay for someone to listen to your intimate problems or care for your infant? (You tell me.) You can't ask those questions if you whisk sexuality to the bottom of the list of "serious issues" after peace, or childcare, or even AIDS.

Indeed, AIDS should have us thinking harder than ever about how to preserve pleasure in our lives. If the disease limits our options, at the very least we don't have to be sanctimonious about it! I may currently like having sex with only one person, but I don't like feeling I'd better sleep with him exclusively from now on, or death will us part. Fear of death is about as felicitous a motivation for monogamy as fear of impoverishment is for staying married.

We shouldn't be looking for meaning in sex at all, in fact, but rather trying to strip implicit meaning from sex. I don't mean pushing for casual sex, but allowing a separation of sex from commitment and then, by conscious decision only, rejoining the two. This would not only emancipate women to make the choices men have always made about what sex means in a given relationship, it would enhance the possibility for stronger alliances, both passionate and emotional.

In thinking about how that could be done, I recall a 1983 piece by Edmund White, "Paradise Found," about his circle of gay friends and lovers. Outside the rules and expectations of family, relationships were highly fluid. Unlike heterosexual couples, who date, become monogamous, marry, integrate into one another's families, have children, and adjust their sex lives accordingly, a gay lover could be anything from a trick to a husband, or over time, both. Though radical gayness singled out sexuality as an essence of identity, it also freed relationships from being defined by sex. In the novel *Dancing in the Dark*, Janet Hobhouse described "these loving friends, admitted into their Giotto heaven one by one as each 'came out' and professed the faith, free to touch and kiss like angels.... " If the meanings of sex were myriad, the use of sex was plain: pleasure.

Our task today is not to pine away in nostalgia, but neither is it to disavow the sexual liberation we fought for in the past decades. We need to keep pleasure as a vital part of the progressive vision at the same time as we confront AIDS, which vanquishes pleasure more powerfully than any repression the right or the left could ever dream up. We must help our children feel that sex is good in an era when sex can bring death, and learn how to relate sexually to each other when new relationships are short-circuited, and old ones sustained, by fear.

The first priority (and it's sickening that this doesn't go without saying) must be a unified fight against AIDS. We must demand government funds for research, medical treatment, and education, and oppose repressive policies on testing, employment, housing, and schooling. And since AIDS is becoming a disease of the poor and drug-addicted, we must redouble our efforts to eradicate poverty.

We have no choice but to teach children safe sex, but we must avoid hysteria, too. If a boy is gay, he is at high risk, but politicized awareness of his identity is his best defense. Vigorous education in the gay community has stabilized the spread of AIDS there. A lesbian child is virtually risk-free. Only one case of "apparent" female-to-female transmission has been reported. Now the media are sounding the alarm about heterosexual transmission—and indeed it is rising. Still, by far the most likely heterosexual carriers are poor, black, or Hispanic IV drug users and their partners; the most sensible AIDS-prevention technique, then, is to give kids real reasons and resources to stay away from serious drugs and away from sexual relations with people who use them. Excluding drug users, only four percent of people with AIDS are heterosexual. We are all fearful enough about sex; there's no point exaggerating the danger.

Nobody should make assumptions about what kids know about sex. Research shows that while they're highly aware of sex generally, they're often pretty ignorant about the details. Good sex education is safe sex educa-

tion too. Helping kids to be aware of their bodies—of health and contraception, masturbation, sensual touching, and fantasy as well as intercourse—and of their feelings about sexuality can only make them better able to practice safe and egalitarian sex in what could be history's most honest chapter of sexual relations.

Sexual behavior, moreover, should never be governed by a separate category of morality. If we want our kids to balance their own desires with responsibility and consideration for others, to express their needs and objections freely but cooperate within a community, then we should practice and teach our kids these values in sex, too. Teaching abstinence as "right" is not only puritanical and ineffective in limiting sexual activity, but it fuels prejudice against people whose sexual expression may be more flagrant, and it implies that disease is a punishment for sin.

AIDS presents one of the biggest challenges in history to our survival as a loving community. Both safety and compassion require us to stop seeing those we've been taught to revile as the Other. When we are ruled by fear and alienation, it is easy for extreme attitudes and repressive policies to start sounding reasonable. On the day of the 1987 gay march in Washington, D.C., for instance, the *New York Post*'s lead story, headlined AIDS MONSTER, stereotyped the classic diseased and depraved homosexual, hunted by police for molesting what seemed like countless boys. It is easy to see through the *Post*'s bigotry, but the story plays on the same assumption that supports mandatory testing and disclosure: that people with AIDS lie, remain selfishly ignorant, and deliberately infect—murder—others, so desperate and devoid of social responsibility are they. When "they" are so unlike "us," Draconian measures like tattooing or quarantine seem necessary "for the greater good." In reality, the greater good demands reaching deep to find our human similarities and also respecting our sexual differences.

The antisex hysteria of the 1980s also presents a great challenge to us as lovers. Fear and malaise are counteraphrodisiac (the number one complaint sex therapists hear is lack of desire). We need not exacerbate them with self-righteousness. Married people, who these days seem to have no sensual outlet besides stroking Baby's cheek and watching the VCR, go around gloating about their maturity and security. Single people are home watching their VCR, too—and watching their backs. With movies like *Fatal Attraction*, it's no wonder. Once envied, singles are now blamed; once considered free, they're now portrayed as trapped.

Where can we look for prosex messages in the AIDS era? I found one in the most threatened quarter, the gay community, in the educational comic books distributed by the Gay Men's Health Crisis. These depict sexual types from leathermen to clones, gorgeously built and hung every one, having phone sex, masturbating, or role-playing, all with minimum risk and maximum heat. Explicitly, humorously sexual, indeed happily pornographic, these pamphlets are pragmatic: they meet their constituency where it lives and do not try to preach living differently. But they imply more—that it's unnecessary to foment aversion to sex through moralizing or hyperbolizing. Death is aversion enough. It's driven many back into the closet and made celibates of countless more.

Instead, the lascivious comic-book hunks are saying: affirm sex. While death is all around us, let us nurture pleasure—for pleasure is life. Even now, especially now, just say yes. □

Marriage

Paul Breslin

The cat at the screen door knows
What all new lovers doubt:
Those who are out want in,
And those who are in want out.

After the Holidays

Moshe Dor *Translated by Barbara Goldberg.*

After the holidays, she said, after
the hills, the plains, the sea, after
clouds bearing the scent of rain
like tidings, after wet grass, not wet
anymore, after the holidays, he said,
after the eyes, starred flesh, the ice
climbing despite the climate into
the bones, after the maps, marvelously
detailed with memories of death, after
the holidays, she said. The holidays came
and went, indifferent tenants who don't
look back, while in a vase on her vanity
compulsory promises fade. After the holidays
he said, after the holidays, she said.

Down-to-Earth Judaism: Sexuality

Arthur Waskow

This is the second of a two part article, the first of which was published in the Jan./Feb. 1988 issue of Tikkun. *Together they explore how liberal and progressive Jews might go about creating a new "down-to-earth" Jewish social ethics, as well as sketching what some of the contents of such an approach might be. They suggest that working toward a new path of everyday Jewish life might help to integrate our politics and our culture, our spirituality, and our everyday practice, and (for some) our contradictory tugs toward being Jewish and fleeing from it—into wholeness.*

The first article dealt with food and money. It proposed developing the tradition of kashrut in two directions: introducing ethical considerations (treatment of workers, the land, animals, etc.) into decisions of what food is kosher to eat; and working out standards for purchasing, investing, paying taxes, and choosing a workplace in kosher ways. The article suggested standards that would affirm a sense of Both/And *rather than* Either/Or*—be advisory rather than rigid, link Jewish practice to that of other communities without dissolving Judaism into a "universal" path, and affirm instead of reject complementary and even partly contradictory values.*

The second part of the article, which appears below, turns to questions of sexuality—along with food, one of the great arenas for celebrating the Source of Life—and examines what a new Jewish sexual ethic for our generation might look like. Finally, the article suggests how the whole process of developing a new "down-to-earth Judaism" might be encouraged.

What about the issues of sexual ethics that for many Jews today pose extraordinarily puzzling and painful dilemmas in their daily lives? Few progressive Jews—indeed, rather few Jews of almost any political and religious hue—turn to the traditional Jewish code of sexual behavior as an authoritative or practical guide to their own actual behavior. Most of us feel strongly that the tradition as it was conveyed to us does not resonate with our own values and that indeed, for us, hardly any collective or communal ethical code could apply, because sexual ethics depend so much on unique individual situations. So an approach paralleling what we have suggested about food—a sort of "Commission on Practical Jewish Sexual Ethics"—seems laughable and neither possible nor desirable.

But many of us do not feel we are doing so well when we try to act totally on our own, either. Indeed, the problems many liberal and progressive Jews now face in shaping their sexual ethics is one of the strongest pieces of evidence that a wholly individualistic ethic, not in some sense shaped by interaction between communal and individual needs, is destructive to individuals as well as to communities. So even here it may be useful to see whether aspects of Jewish practice might help many of us sort out deep doubts and confusion in our sexual lives.*

What is it in the tradition that we reject or profoundly question?

There are several areas in which a great deal of doubt is expressed, whether in quiet practice or in public questioning. Among these areas of doubt are:

- sexual activity by unmarried people;
- sexual activity between people of the same gender;
- sexual monogamy in marriage;
- the breadth of acceptable sexual practice in whatever kind of relationship.

We will look at each of these areas in some detail; but first let us explore why the traditional sexual ethics in these areas seem out of tune, or questionable.

For most of Jewish tradition, the link between sex and procreation was very strong—though not absolute. This connection strongly influenced rabbinic attitudes about masturbation, homosexuality, contraception, abortion, and marriage. The rabbis paid great attention to the first of all the commandments: "Be fruitful and multiply, and fill up the earth."

In our generation, however, it is possible to argue that the commandment has been so thoroughly fulfilled

Arthur Waskow is a member of the faculty of the Reconstructionist Rabbinical College, director of The Shalom Center, and author of These Holy Sparks, Seasons of Our Joy, *and* Godwrestling.

*In developing the ideas below, I have drawn on conversations with Rabbi Zalman Schachter-Shalomi, founder and chair of the P'nai Or Religious Fellowship, and Phyllis Berman, president of the P'nai Or board. In addition, some of the ideas come from a pioneering article on Jewish sexual ethics in the *Second Jewish Catalog*, by Rabbi Arthur Green, now president of the Reconstructionist Rabbinical College.

by the human race as a whole that it no longer needs to be obeyed by all human beings. The earth is filled up; we have done Your bidding; what comes next?

Since "Be fruitful and multiply" is the command that comes at the outset of the Garden of Eden story, perhaps what comes next is Eden for grown-ups: the garden of the Song of Songs. The sexual ethic of the Song of Songs focuses not on children, marriage, or commitment, but on sensual pleasure and loving companionship. What if we were to take this as a teaching for our epoch? What if we were to look at the human race as a whole as if it had entered that period of maturity that a happily married couple enters when they no longer can (or want to) have children? They continue to connect sexually for the sake of pleasure and love—and so could the human race and the Jewish people. Without denigrating the forms of sexuality that focus on children and family, we might find the forms of sexuality that focus on pleasure more legitimate at this moment of human and Jewish history than ever before.

With this broader understanding in mind, let us turn to the specific areas in which ethical doubts and questions have arisen.

First, in regard to sexual activity by unmarried people: most Jews reject in their own practice and in theory the traditional adherence to early marriage and the traditional opposition to sexual activity by unmarried people. The two sentiments are connected. Few American Jews believe that early marriages are wise in our complex society, where personalities, careers, and life paths almost never jell in the teens and often not until the mid-thirties, sometimes come unjelled during the forties and fifties, and usually change again with long-lived retirements beginning in the sixties or seventies. It is hard enough to make stable lifelong marriages when one partner is changing in this way; when both are changing, it becomes extremely difficult.

There are several different conceivable responses to this situation:

1) Reverse the basic situation and restore the kind of society in which life patterns are set close to the onset of puberty and do not change much. Few American Jews believe this can be, or should be, done. The Hassidic communities, however, may be showing that for a subcommunity such a society can be created.

2) Accept the notions that first marriages will occur many years after sexual awakening and that most marriages will end while the partners are sexually active and alert—and practice celibacy for long periods of unmarried time. This is the solution that almost all American Jews have rejected. It is also, however, the solution that they identify as the "official" position of Jewish tradition and religious authority. There are few public assertions by religious authorities or communities that this is *not* the "correct" Jewish view, and almost no public Jewish way of honoring or celebrating sexual relationships other than marriage exists.

This chasm between the practice and the understanding of the Jewish tradition may be one of the most powerful elements driving most Jews in their premarried, sexually active years—from sixteen to thirty-one—and in their "postmarried" sexually active years away from Jewish life. Who wants to be part of an institution that looks with hostility or contempt on the source of much of one's most intense pleasure, joy, and fulfillment?

3) Accept the fact that life patterns will change several times in any person's lifetime and that marriages will change accordingly, and greatly change our expectation of "marriage" so that it carries fewer burdens of financial, emotional, and other involvement. In other words, make it easy for sexually active people from puberty on to enter and leave marriages—make marriage a much "lighter" contract unless children result from it. But to make marriages "light" enough so that sixteen-year-olds or eighteen-year-olds easily could enter them, expecting to exit from them at twenty—and to enter and exit again at twenty-one, twenty-five, twenty-eight, thirty-two—would make that kind of "marriage" so different from one that provides an adequate context for child-rearing that it is hard to imagine the two sharing the same name. (Note that many American marriages are dissolving even during the child-rearing years. Should leaving marriages be "light" then too? Or is the distinction one that most Jews would want to keep?)

We might find the forms of sexuality that focus on pleasure more legitimate at this moment of human and Jewish history than ever before.

For those Jews who try to abide by halakha, it might be easier to use the traditional labels and forms of marriage and redefine the content than to follow the paths listed above or those listed below. The Talmud, for example (*Yebamot* 37b), mentions that a few of the rabbis, when they went on what we would call lecture tours, would marry a woman one night and divorce her the next morning. In that period, of course, men were permitted to practice polygamy—so such a practice of "light" marriage did not undermine simultaneous "heavy" marriage—at least not in law.

4) Accept and publicly honor the fact that many unmarried people are sexually active and that there are

likely to be periods of "fluidity" in sexuality during any life path—without creating standards of ethical behavior for unmarried sexual relationships or creating ceremonial or legal definitions of them. This is basically the pattern followed by the burgeoning *havurot* (participatory and relatively informal congregations of prayer and study). In many of them, married couples and unmarried people who are fluidly coupled and uncoupled share the same communal space. Acceptance of unmarried sexual activity has been high and public, with little effort to set standards or to deal with painful experiences except among close friends or with the help of psychotherapists who themselves use only such "Jewish" sources as Freud, Reich, Fromm, and Perls.

This solution is not as opposed to Jewish tradition as many of us suppose, for there are many references in the traditional literature that legitimate sex between unmarried people. (See, for example, in the thirteenth-century Nachmanides—#2 in Responsa—and in the eighteenth-century Rabbi Jacob Emden, cited in Gershon Winkler, "Sex and Religion: Friend or Foe?" in *New Menorah*, second series, Number 7, pp. 1-3.) But the main definitive statements of traditional law in the last four centuries—particularly in the popular Jewish consciousness in Eastern Europe whence most of our grandparents came—ignored these permissive authorities.

5) Redefine marriage and create new Jewishly-affirmed forms of sexual relationships that are to be publicly defined with certain standards and are to be ceremonially honored. Certain vestiges of ancient tradition might even be drawn upon for such new forms—the *pilegesh* relationship, for example, which is usually translated "concubine" but has great openness to legal, practical, and ceremonial definition.

We could imagine three different basic forms of sexual relationship:

Times of great fluidity, when the community might affirm only such basic norms as honesty and the avoidance of coercion, without expecting monogamy or emotional intimacy;

Times of commitment without great permanence, when notice of a *pilegesh* relationship is given to a face-to-face Jewish community—not to the state—and is defined by the people entering it (explicitly monogamous or not, explicitly living together or not, explicitly sharing some financial arrangements or not, etc.). In this pattern, the community joins in honoring, acting in accord with, and celebrating such arrangements, and there is an easy public form by which either of the parties may dissolve the relationship.

Times of marriage, which may also be partly defined by the couple through the *ketuba*, but which are expected to be more long-lasting, to be essential for child-rearing (though used also by couples who do not expect to have children), and to be dissolved only by joint agreement of the couple and by serious participation of the Jewish community as well as the civil order in arranging the terms of separation.

This last approach, it seems to me, takes the complexity of our present situation and the resources of Jewish tradition most fully into account. But it would take more than a piece of paper announcing *pilegesh* for this approach to begin functioning. Let us come back to the necessary institutional processes after we have looked at the other areas of doubt that exist in our practice of sexual ethics.

The new sexual ethics are seen to emerge not from a "commander" outside and above us, but from the need to make worthy, honest, decent, and stable loving connections among ourselves.

There is much less agreement about sexual relationships between men, or between women, in the Jewish world than about heterosexual relationships between unmarried people. Many American Jews—probably a majority—support guarantees for the civil and employment rights of gays and lesbians. What seems to be a growing minority is ready to assert that a gay or lesbian life path can be a fully and authentically Jewish life path. Somewhat fewer are ready to act in such ways that would allow publicly gay and lesbian Jews to become rabbis, communal Jewish leaders, members of broad-spectrum congregations, and celebrants of life-cycle transformations such as weddings.

The written texts of Jewish tradition and most of the actual practices of the majority of Jewish communities are more heavily weighted against the public acceptance of gay and lesbian life paths than they are against the acceptance of sexual relationships between unmarried heterosexuals. When we look at the most ancient texts, however, some of them may turn out to be slightly more ambiguous than we are used to assuming. For example, what are we to make of the fact that the Bible gives us no obvious prohibition against lesbian relationships? What are we to make of the Bible's celebration of David's love for Jonathan—whose "love was more pleasing than the love of women"?

There can be no doubt that during the rabbinic era of Jewish history most communities and rabbis were strongly hostile to homosexuality on the part of men or

women. Yet even in the rabbinic era, Jewish practice may not have been so single-valued as we usually assume. During the Golden Age of Jewish culture in Spain, more than one of the greatest liturgical poets of the period, whose poems grace our traditional Siddur, also wrote poetry of homosexual love. Did these poems rise out of life experience, or only out of literary convention? Even if the latter, what does that say about our assumptions regarding Torah-true Jews and Judaism?

For us to think intelligently about these questions today, we must go beyond biblical texts and rabbinic rulings—even beyond our own midrashic understanding of the texts—to try to hear what may have been the hopes and fears that were at stake; to take them seriously; and then to see where we ourselves come out, trying to hold together all the values that are bespoken by Torah and Jewish life.

Two of the strongest strands of Torah are the hostility to idolatry and the importance of having children. Indeed, one of the deepest traumas of the Jewish psyche seems to have been the fear of not being able to have children—as expressed in the stories of Abraham and Sarah, Isaac and Rebekah, Jacob and Leah and Rachel. The story of slavery in Egypt focuses on the danger that children would be murdered. So do the attacks on Canaanite religion—claiming that in it, children were "passed through the fire to Moloch." Whether or not these descriptions are accurate, they bespeak a deep Israelite concern for producing the next generation.

In such a culture, homosexuality might have seemed a dangerous diversion from fecundity. If, as seems likely, the practice of sacred homosexuality was also part of the worship of the surrounding "idolatrous" cultures of Canaan, then the hostility of the Israelites to homosexuality would have been doubled. As the rabbis encountered Hellenism, with its nontheistic or polytheistic philosophies, its emphasis on the body as an end in itself, and its approval of homosexuality, the Jewish hostility to homosexuality might have been intensified even further.

If these are the concerns that underlie the traditional view, then we may see the issue differently today—perhaps in a manner closer to that of the Golden Age in Spain. We too, in the era of the H-bomb, are concerned about whether there will be a next generation. But we also live in an era of a population explosion. It is clear that the human race as a whole has much more to fear from violence and environmental destruction as threats to its children than from the failure to reproduce. It is true that the Jewish people are not experiencing a population explosion, but in an era when conversion to Judaism is at an extraordinarily high level, the actual need to procreate is not so extreme, even for Jews. What is more, gay and lesbian Jews have been exploring the possibility of having children and rearing them as Jews. So the reproduction issue is not nearly so problematic for openness to homosexual practice as it once was.

As I have already suggested, we may live in an era when the sexual ethic celebrated by the Song of Songs—an ethic of sexual pleasure and love—comes into its own alongside the sexual ethic of family. It may seem ironic that the Song of Songs, one of the greatest celebrations of heterosexual sexuality in all of literature, might be taken to affirm the homosexual community's bent toward sex as pleasurable and loving rather than as procreative. But sometimes ironies bear truth. If any community of Jews in our epoch embodies the values of the Song of Songs (taken at its literal meaning, not allegorically), it is the community of gay and lesbian Jews. Perhaps in our epoch, then, the despised and rejected gay subcommunity may turn out to be the unexpected bearer of a newly important teaching. As the tradition teaches, sometimes the stone that the builders rejected becomes the cornerstone of the Temple.

In this light, it is especially poignant that the sexual ethics of commitment and family have taken on new seriousness within the gay community as a result of the impact of AIDS. It is as if the two ethics, ghettoized from each other and embodied in separate communities, have now formed a more holistic sexual ethic that can incorporate the values of family, commitment, procreation, sensual pleasure, and loving companionship.

If another of the ancient Jewish objections to homosexuality was the belief that it was connected with idolatry or Hellenistic philosophy—today it seems clear that homosexual practice accords with the same range of dedication to and rejection of honesty, modesty, fidelity, intimacy, spiritual searching, holiness, and God as does heterosexual practice. If multiple sexual partnerships, as reportedly practiced in certain specific gay male subcultures, seem incompatible with most Jewish values, then care must be taken both to avoid categorizing all homosexuality in that subculture and to note that there exist similar heterosexual subcultures in our society as well. In other words, if the basic value at stake is some level of stability and focus in sexual relationships, then that value ought to be affirmed without regard to the sexual orientation of the partners; and it is also important to be clear about whether we will respect a "time of fluidity" in sexual practice of the kind that we already have sketched.

Two other factors recently have come into play that have their own connections to values of Torah. One is the discovery that for some large proportion of gay men and some (perhaps smaller) proportion of lesbians,

(Continued on p. 88)

Judaism and Sexuality

Daniel Landes

Arthur Waskow's "sexual teaching for our epoch" —the "fluidity" of "sensual pleasure and loving companionship"—represents the triumph of the 1980s I/It Zeitgeist. The other in a relationship is reduced to an object of desire only to be discarded as one's own "life pattern" mysteriously changes. This is an ego-centered ethic in which the measure of all people is how they can aid or delight the self. Not surprisingly, this places "marriage, family, and commitment," exemplified by the Adam and Eve "procreation" story, at the opposite end of the spectrum of values. Waskow embraces, instead, *The Song of Songs* as the paradigmatic promise of perpetual orgasmic bliss. In doing so he paradoxically belittles sexuality's importance as he romanticizes its nature. He fails to realize that far from being only a means toward personal fulfillment, sexuality, as an eternal and problematic dialectic between alienation and integration, is rooted in the human's essential nature.

Sexuality is at the core of human identity. In Genesis, human creation is described as both singular and dual: "And God created Adam in His image, in the image of God He created *him*; male and female He created *them*." (1:27) Reading this literally and with a view to the later emergence of Eve, one midrash arrives at this psychological insight: Adam was "bisexual and double faced with each identity back to back." The human is composed of a twofold nature—apparently whole, but actually, and tragically, unfulfilled. True sexuality is not internally focused, but rather relational, directed outward toward one who is strangely familiar but totally different: *ezer ke'negdo*, 'a helper who stands in opposition' (Genesis 2:20). Adam is split into two separate identities so that he might eventually (re)discover his other (self) with this cry: *Zot hapa'am 'etzem mei'atzamai u'basar me'bisari.* "At this moment, essence of my essence, flesh of my flesh!"

Sexuality at its root is consciousness. The biblical term for sexual congress is *yadah*—'to know'. Adam's declaration discloses the paradoxical consciousness of sexuality—that at the moment of integration and wholeness, it is simultaneously a fleeting *zot hapa'am*—'at this moment'. The human must find her/himself in the other, but because it is the other, achieved unity disappears.

Halakha is acutely aware of this dichotomy of sexual being. Its method is not the overcoming of separation for a constant unification. The perceived task is for the couple to live together in both realms. *Taharat ha'Mishpacha*—the rhythm of family purity rather than the bridging of the two realms radicalizes their very nature. Functionally understood, *tumah* is 'physical alienation' while *tahurah* is 'potential [re]integration'. For reasons of *kedushah* ('Holiness'—literally, 'separation'), not personal abhorrence, partners uncouple and retreat and must relate to each other from within that ground of physical alienation. They cannot push aside an argument with a kiss nor can they rely upon passion to mask differences. By being friends first, and only then lovers, they reenact primordial separation and (re)discovery.

To live such a life with a helper who stands in opposition is not simple. The story of what it takes is contained within a literal reading of *The Song of Songs*. A sensitive reader notes not only a reverie of pleasure, but also the constant separating of the Shulamite and her Beloved accompanied by painful yearnings as well as a seeming inability to overcome differences. Nonetheless, at the end of *The Song*, we witness a clear anticipation of a life together. What was the problem and whence the transformation?

The Shulamite describes herself as one who has always had to tend to the concerns of others—her mother's sons—but "my own vineyard I have not guarded" (1:6). Accordingly, she meets her beloved only in assignations, "under the bower" (1:16) or in the "drinking room" (2:4). The Beloved, however, makes his offer from behind the latticework of her carefully protected life: "Arise, my darling; my fair one, come away!... The blossoms have appeared in the land.... Arise my darling; my fair one, come away!" (2:10-13). Her lack of response reveals the Shulamite as one who is terrified at the prospect of replacing her present life with another. She remains hidden and silent as "a dove in the cranny of the rocks" (2:14); distant as a "garden locked" or a "sealed-up spring" (4:12). It is not that she refuses the Beloved—it is that she wants him only on

Rabbi Daniel Landes, a member of Tikkun's *national editorial board, holds the Roeters van Lennep Chair in Jewish Ethics and Values at Yeshiva University in Los Angeles and is director of the National Education Project at the Simon Wiesenthal Center.*

her own terms. After seeking him vainly in her dreams, she runs through the empty city at night shouting questions as to his whereabouts to the watchmen. "Scarcely had I passed them when I found the one I love. I held him fast; I would not let him go 'till I brought him to my mother's house to the chamber of her who conceived me." (3:4). Her pursuit is solely for the purpose of holding him within in her own safe reality. Over and over again we hear her yearning lament as to the way love should flow: "My Beloved is to me...."

The Shulamite's transformation comes at the end of *The Song* as she declares "I am to my Beloved," reversing the direction of love. Now she can add "upon me is his desire"—that is, I accept his challenge. Indeed, now she urges him to "Come my Beloved. Let us go into the open.... Let us lodge in the villages...." (7:12-13). She is anxious that they join in a quest for a new reality that they shall create together. This vision is so compelling that the observer can presently see them: "Who is she that comes up from the desert, leaning upon her beloved?" (8:5). Such a life requires a total and absolute commitment to each other only—a "love [which] is as fierce as death" (8:6).

Society's responsibility has been to cherish, nurture, and protect these fierce relationships without intruding upon them. The *dramatis personae* of the Shulamite's brothers emerge precisely at this point to consider how that can be done: "We have a little sister, whose breasts are not formed. What shall we do for our sister when she is spoken for? If she be a wall, we will build upon it a silver battlement; if she be a door, we will panel it in cedar." Evidently, they are successful in their loving concern, for she can respond confidently: "I am a wall, my breasts are like towers. So I have become in his eyes a source of peace." (8:8-10)

Nonetheless, the pressure for sexual fluidity makes me feel that the brothers have reason to worry. Members of society are constantly threatened by those who wish to employ the cloak of morality and an emotional/physical causality to appease their own desires. Listen to Maimonides in the *Fundamentals of the Torah* (5:9):

> One who has cast his eyes upon a woman becoming sick unto death [with passion]; and the doctors said: he will not be cured unless she has relations with him—he should rather die and she should not have relations with him, even if she is single. And even to speak with her from behind a partition—this is not allowed. Rather he should die ... for the daughters of Israel are not to be [considered] *hefker* and become through these matters licentious.

The claim to sexual fluidity in this case certainly has a moral element. The lovesick man faces death; does not the Torah affirm the sanctity of rescuing life by anyone, including the unfortunate woman? Nonetheless, Jewish leadership is mandated to prevent the mixing up of moral claims and social atomization, so that its vulnerable people are not subject to abuse. *Hefker* means 'ownerless' or 'abandoned', the seldom spoken of dark flip side of autonomous being. The Jewish myth enacted in halakha is that no one—and today this must be extended to the sons as well as the daughters of Israel—is to be considered *hefker*. All belong to the Jewish family and are to be protected and cherished.

What is the source of a behavior and ideology that in search of sexual fluidity views the other as *hefker*? The Talmud (Sanhedrin 75a) attends to this question by answering why the man doesn't simply marry the woman: "This would not settle his mind for as Rebbe Yitzhak said: 'From the day that the Temple was destroyed, the taste of intercourse was taken away and given to transgressors as it says 'stolen waters are sweet and bread eaten furtively is tasty'." (Proverbs 9:17)

For the obsessed man who can consider only the object of his obsession, there is no brokenness to the world. He pantingly anticipates only the moment of pleasure. Such a man has no notion of the sacrifice demanded by marriage and family, nor does he know the sanctity of commitment. For him there is only the pleasure of the stolen water and the greedily secret eating of bread. For such people, redemption, the ultimate integration, can never emerge. □

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Judaism and Homosexuality

Bradley Shavit Artson

Unexpectedly large numbers of homosexuals are currently seeking to identify with the Jewish community. Some have joined the more than twenty-five homosexual synagogues in the United States, while others have become members of mainstream congregations. In addition, many congregants and federation leaders are parents or grandparents of homosexuals. However, sensing a monolithic condemnation of homosexuality by the Jewish community, many homosexuals continue to suffer in isolation and shame. The time has come to construct a new framework for conceiving of homosexuality. Such a framework must confront and analyze traditional Jewish legal sources, thereby encouraging a compassionate Jewish stance on homosexuality.

Interestingly, the phenomenon of homosexuality, as it is currently understood, is a modern one. In antiquity, and throughout the Middle Ages, sexuality was defined by the act itself, both for homosexuals and for heterosexuals. But, as Rabbi Hershel Matt points out: "[I]n our own generation ... homosexual behavior has been found to involve not merely a single overt act, or series of such acts, but often to reflect a profound inner condition and basic psychic orientation, involving the deepest levels of personality." This contemporary understanding of sexuality as a psychic orientation is important to bear in mind as we address the question of Judaism's attitudes towards homosexuality.

We must also remember that Judaism traditionally has viewed male and female homosexual acts as distinct. Male homosexual acts were capital offenses, while lesbian acts were punishable by whipping. The bulk of Jewish law deals with male homosexual acts, although a great deal of that law and its rationales apply to all homosexuality, gay and lesbian. I will specify when the discussion pertains only to one gender or to the other. I use the term "gay" to describe male homosexuals and the term "lesbian" to describe female homosexuals. Finally, in articulating a Jewish response to homosexuality, I will refer to the "constitutional homosexual"—a person with a compelling erotic and affectional attraction to members of the same gender.

Bradley Shavit Artson is a senior rabbinical student at the Jewish Theological Seminary and author of Love Peace and Pursue Peace: A Jewish Response to War and Nuclear Annihilation.

Broadly speaking, I will address Jewish texts and evaluate Jewish concerns about homosexuality. Based on my reading of Jewish texts and contemporary data from psychology, sociology, and Jewish communal and religious concerns, I will try to develop an approach to homosexuality that is both compassionate and authentically Jewish.

Biblical and rabbinic texts raise a number of specific objections to same-gender sexual acts. Consequently, we must first consider the rationalizations developed to support the prohibition of such acts and to assess their contemporary validity.

The objection that homosexual acts are unnatural is divided into two principal claims: first, sex in its natural form is heterosexual; and second, the shape of male and female genitalia proves that "authentic" sexuality is heterosexual.

The rabbinic claim that homosexual acts are unnatural is based on the belief that homosexuals "are going astray from the foundation of the creation." This claim, however, is not supported by evidence from the natural world. Biologists have conclusively demonstrated that homosexual liaisons are not unusual among mammals.

A slightly different claim about the unnaturalness of homosexual acts is that, in the state of nature, human beings are properly heterosexual. Again, scientific study demonstrates this claim to be false. In a now classic study, Clellan Ford and Frank Beach investigated seventy-six different human cultures. Of the societies they studied, forty-nine accepted "homosexual activities of one sort or another ... for certain members of the community." Claims about human nature are, presumably, universal. If a majority of cultures accepts homosexual practice, then we ought to be suspicious of arguments that such practices are unnatural.

A second part of the "unnatural" argument focuses on the shape of human genitalia. Rabbi Norman Lamm has noted: "*Mishkav zakhur* [gay sexual practice] defies the very structure of the anatomy of the sexes, which quite obviously was designed for heterosexual relationships." But Lamm's claim is by no means obvious. Homosexual acts have taken place throughout the ages, in a wide variety of cultures, with no lack of success in fitting bodily parts together.

In short, the "nature" argument cannot be logically defended. It is simply an attempt to lend authority to

the belief that homosexual acts are intrinsically immoral. Even if animals did not engage in homosexual acts, and even if most cultures did not tolerate (or celebrate) homosexual acts, we would still have no reason to assume that such acts are immoral.

Another argument made by opponents of homosexuality is that the gradual acceptance of homosexuality will lead to a greater number of people identifying themselves as homosexuals. While statistics from ages past are not completely reliable, they nevertheless point to a relatively constant percentage of homosexuals, regardless of social approval or disapproval. As A. Elfin Moses points out: "Regardless of opposition or tolerance, some group of people in every age turns out to be gay, and the greatest difference between periods is not in the proportion of the population that is gay, but in the way sexual preference is expressed." The vast majority of humanity will continue to be the product of heterosexual unions. It is noteworthy in this regard that children raised in gay or lesbian households grow up to be heterosexual at precisely the same rates as children raised in heterosexual homes.

A related claim is that homosexuals are seen as dangerous role models for young children. Some people believe that homosexuals either will try to impose their sexual orientation on children, or, worse still, will seek out young children as sexual objects.

These charges have no basis in reality. The preponderance of sexual assaults on children is committed by heterosexual men. Yet no one condemns heterosexuality as a sexual orientation. Those individuals—gay or straight—who abuse children are pathological, and their actions are criminal. But their crimes have no bearing on their particular sexual orientations.

Another modern argument is that homosexuals, by definition, suffer from some form of mental illness. This view also finds little scientific support. Freud wrote that "homosexuality ... is nothing to be ashamed of ... [and that] it cannot be classified as an illness." This viewpoint was adopted by a unanimous vote of the board of the American Psychiatric Association in 1973. It stated that "homosexuality per se is one form of sexual behavior and like other forms of sexual behavior ... [homosexual acts] are not by themselves psychiatric disorders."

One way of assessing the claim that homosexuality is an illness would be to look for other evidence of mental illness among homosexuals. Studies of homosexuals have not found such evidence. As Eli Coleman observes: "Many other studies have been conducted that have not found any psychopathology of male homosexuality as measured by psychological profiles.... The only major difference found between groups of homosexuals and heterosexuals was choice of sexual object."

According to Sol Gordon, most psychoanalysts contend that "a child's sexual orientation is determined by the time it is five years old. It is not simply a matter of choice." Other studies argue that homosexual orientation is genetically or hormonally based. Most likely, homosexuality has many different causes. As Judd Marmor has argued: "The cause of homosexuality is not only multiply determined by psychodynamic, socio-cultural, biological, and situational factors, but also reflects the significance of subtle temporal as well as qualitative and quantitative variables." In any case, there is no reason to assume that homosexuality must have a "cause," while heterosexuality need not have one. Both are human sexual responses, and, according to Marmor, "[t]here is no reason to assume categorically that homosexual object choice ... cannot ... develop as a consequence of positive conditioning toward same-sex objects rather than always on the basis of aversive conditioning toward heterosexual objects."

Moreover, according to Marmor, both supporters and opponents of the social acceptance of homosexuality generally agree that "satisfactory heterosexual adjustment in individuals who previously had a sustained pattern of exclusively homosexual arousal is rare." Nathaniel Lehrman writes that "the fact [is] that homosexuals rarely become heterosexual even with the best treatment methods supposedly available." And Marmor adds that "[a]t best ... all therapeutic approaches are of limited value in relation to the problem of homosexuality in its broadest aspect. The large majority of homosexuals do not seek to change their sexual patterns." Even those researchers claiming the highest level of success have been able to effect change in less than 20 percent of the homosexuals in their studies. Others have reported almost no success at all.

This almost complete failure to "cure" homosexuals sharply reduces the significance of tracing the sources of homosexuality. If people who are homosexual will remain so, then the question for the Jews is how to respond to an unalterable sexual orientation.

The final attack leveled against homosexual acts is that such acts are simply unaesthetic or disgusting. One encounters this argument in the *Sefer Ha-Hinukh*, where we read that homosexual relations are "detestable and vile in the extreme to any intelligent person." Rabbi David Z. Hoffman asserts that the term *to'evah* indicates the repulsiveness of a forbidden sexual act. Rabbi Norman Lamm asserts that "an act characterized as an 'abomination' is prima facie disgusting."

Although we will analyze the term "*to'evah*" below,

we should recognize that questions of aesthetics are, by nature, subjective. It is entirely possible that Hoffman and Lamm find many acts performed within the context of marriage also repulsive. What is noteworthy is that neither the Torah nor the Talmuds refer to sexual acts in terms of aesthetics. Only in the Middle Ages was such an argument proposed. In any case, personal aesthetics are not sufficient grounds to support the condemnation of homosexuality.

The charge that homosexuality attacks family life and family values is, on the face of the matter, more compelling. The Torah states that "a man shall leave his father and his mother, and he shall cleave to his wife and they shall be one flesh." Rabbi Akiva restricts this clause, saying "and he shall cleave, but not to a male."

The Talmud takes up the issue of the effect of homosexual acts on family stability. "Bar Kappara asked, 'What is *to'evah*?'.... [Bar Kappara responded] 'God said, "*to'evah—to'eh attah bah*.'" (You err in respect to it.) Medieval commentators make clear that this implies that a male would leave his wife and children in order to pursue homosexual liaisons, thus destroying family unity and stability.

Judaism has always insisted that sexual expression is an essential part of a healthy love relationship.

In all likelihood, this threat to family stability was real in talmudic and medieval times. Boys were often married off at an early age—well before their sexual orientations could have been known to them. Even today, some men marry and father children, only to discover later that they are constitutionally homosexual. This problem is exacerbated by the fact that contemporary Western culture, not to mention rabbinic culture as well, actively supports heterosexuality and condemns homosexuality, thereby encouraging those who discover their homosexuality to repress it. A young man who marries as a teenager and who later discovers he is a homosexual is indeed likely to become a home wrecker.

In our own time, when later marriage is common, homosexuals are much more likely to discover their sexual identities before finding themselves in unfortunate marriages. In truth, in cultures that do not act to prevent stable homosexual relationships, homosexuals do form enduring relationships of love, support, and responsibility. Forcing homosexuals into heterosexual roles is a sure way to subvert the loving and supportive nature of family life.

Related to the argument that homosexuality threatens stable family life is the charge that homosexual couples cannot procreate. According to the rabbis, "God wanted the world to be populated, and so He commanded us not to waste our seed in the manner of gentile sexual practices. For homosexuality is in truth destructive of seed, not leading to offspring."

In evaluating the argument about procreation, we must separate two related but distinct strands of thought. One strand is that procreation is essential for an authentic sexual relationship. The second strand is that homosexuality is inherently incompatible with procreation.

Because of recent advances in reproductive technology, the second strand of that argument is no longer true. Lesbians have been artificially inseminated and are raising children in increasing numbers. Gays, too, have begun to adopt children or to father them through artificial insemination. Just as with other couples who are infertile, homosexual couples now are able to sanctify their homes with the joys and responsibilities of raising children.

In any event, if the rabbis are concerned with childlessness, they should not attack homosexuality alone. After all, a barren woman, an infertile man, an impotent man, a postmenopausal woman, or even a married couple that engages exclusively in nongenital intercourse—all of these individuals do not procreate. Yet very few rabbis would refuse to perform a wedding for them on the ground that their sexuality is incomplete.

A related issue is that of spilling seed (*hash-hatat zera*). Although there is no explicit biblical support for the legislation, the Talmud does prohibit wasteful *hash-hatat zera*. The fact that gays generally spill semen as part of their sexual practice, and that such emission can never have a procreative purpose, does indeed raise a legal issue of some significance.

The pertinent question for the consideration of homosexuality, however, is the extent of that significance. Does the prohibition of *hash-hatat zera* account for the capital punishment for homosexual acts? Does such a prohibition apply in all instances, or is it also just a cover for other reasons for opposing homosexuality?

It is clear that *hash-hatat zera* does not account for capital punishment. Maimonides notes that *hash-hatat zera* is not punishable by the religious courts because it is not an explicit biblical prohibition. Moreover, within heterosexual marriage no such prohibition exists. The Talmud notes that a husband and wife may engage in nonvaginal intercourse. Later legal codes also support this position, authorizing nonvaginal intercourse within the context of marriage, although this view is not accepted by all contemporary halakhic authorities. As Rabbi Isaiah de-Trani states: "He whose intent is for pleasure, does not sin. For 'a man may do with his

(Continued on p. 92)

Reclaiming the Hammer: Toward a Feminist Midrash

Sharon Cohen

"Is not my word like fire, saith the Lord, and like a hammer which breaks the rock into pieces?" (Jeremiah 23:29) Just as a hammer strikes the anvil and kindles clouds of sparks, so does Scripture yield many meanings, as it is said, "Once did God speak, but two things have I heard." (Psalms 62:11).

Tractate Sanhedrin 34a
Babylonian Talmud

These words eloquently convey an image that lies at the heart of biblical interpretation. More than a poetic flourish, this passage from the Talmud is an explanation and validation of midrash, a process by which the rabbis sought to understand and interpret biblical texts; it is a "midrash in defense of midrash." The description of midrash evoked by this passage suggests a dual message about the nature of rabbinic authority and biblical exegesis that has important implications for the modern interpreter.

First, the assertion that "Scripture yields many meanings" is a challenge to anyone who might claim exclusive authority in the realm of biblical interpretation. This impulse underlies both the form and content of exegetical midrash. Typically, the midrash is a presentation of alternative and often conflicting views of a particular word, passage, or character from the Bible. No attempt is made to harmonize contradictory opinions or to establish a party line. While we have no way of knowing what kinds of divergent perspectives were excluded in the process of redaction, we do know that a healthy range of interpretation was preserved.

Second, the assertion that "Scripture yields many meanings" has a flip side: a profound rabbinic conviction that any meaning that the rabbis attribute to Scripture is inherent in the text and is thus invested with divine authority. This type of approach to midrash reflects not so much an openness to diversity and debate, as the rabbis' need to establish and consolidate their collective authority as interpreters of God's word.

Keeping in mind this dual aspect of the rabbinic approach to biblical exegesis, I would like first to examine two specific passages from Genesis Rabbah,* an early collection of midrashic materials about the creation of the first woman in Bereshit. (Later, I will discuss feminist biblical scholars who struggle with the legacy of exclusive rabbinic authority and seek to create a truly pluralistic process of interpretation.) Both midrashic passages fall into the general category of exegetical midrash, but the author's underlying agenda is clearly different in each case. The selections reflect two distinct functions of rabbinic midrash, and provide insight into very different rabbinic attitudes toward women.

Let us first look at Genesis 1:26-27—the biblical text that the first midrashic passage I will discuss is based on. The text reads: "God said, 'let us make *adam*** in our image, after our likeness'." The next verse continues, "And God created *adam* in His image, in the image of God He created him; male and female He created them." Clearly, these verses were extremely troubling for the rabbis. All sorts of questions are immediately apparent. When God says, "Let *us* make *adam* in our image," who is He addressing? If no one else is in the picture, why the use of the plural language? And how are we to understand the gender confusion that seems to be associated with the Hebrew word *adam*? Does this account describe the creation of the first man only, or are both man and woman formed here? The following selection from Genesis Rabbah addresses the last of these questions:

> "When the Holy One Blessed be He created the first *adam*, he created him androgynous, as it is written: 'Male and female He created them ... and He called their name *adam*'." [Genesis 5:2] Rabbi Shmuel bar Nachman said, "When the Holy One Blessed be He created the first *adam*, He created him with two faces, then split him and made him two backs—a back for each side." They answered him, "But it is

Sharon Cohen is a third-year student at the Reconstructionist Rabbinical College in Philadelphia. This essay was chosen as a winner for the Tikkun Academic Award for New Directions in Jewish Thought.

*Genesis Rabbah is one of the earliest and most important collections of rabbinic midrash. Compiled and edited in Palestine at the beginning of the fifth century, it draws on a variety of even earlier oral traditions, many of which have parallels in the Jerusalem Talmud. The work contains extensive commentary, organized by chapter and verse, of the entire biblical book of Genesis. It belongs to a group of midrashic works that eventually became known as Midrash Rabbah.

**I have intentionally lower-cased *adam* in this section because at this point in the text *adam* does not seem to be a proper name but refers to the first human being and could be translated as "earth creature."

written: 'And He took one of his 'ribs' (*tzela*)'." He said to them, "[this means] from his two 'sides'. How can you say this? [It's based on Exodus 21:20]: 'And on the *tzela* of the Tabernacle...' And we translate it: 'On the 'side' of the tabernacle'...."

This midrash focuses on the problems raised by the language of the biblical text. Two interpretations are given to explain the ambiguous syntax of the original Hebrew, with its awkward juxtaposition of singular and plural forms. The first, offered by Rabbi Yirmiyah, is that the verse describes the creation of one human being, *adam*, embodying both male and female attributes. The prooftext cited for this argument is Genesis 5:2, where similar language is used again in reference to the creation of *adam*. An additional interpretation is given by Rabbi Shmuel, who claims that God initially formed *adam* with two faces, and then later divided the creature into two separate beings. It is not entirely clear whether Rabbi Shmuel's version contradicts Rabbi Yirmiyah or whether it elaborates upon it. In either case, this explanation is challenged with the introduction of a conflicting biblical text: "And He took one of [*adam*'s] ribs" (Genesis 2:21). How could it be that woman was created from one side of this original *adam*, if it is written explicitly in Genesis 2:21 that she was formed from one of Adam's ribs? Rabbi Shmuel bar Nachman dismisses the objection with a familiar midrashic tactic. He cites another passage from Exodus, where the word *tzela* (normally translated as 'rib') actually refers to the 'side' of the Tabernacle. On the basis of this prooftext, he argues that the 'ribs' in Genesis 2:21 should properly be understood as the 'sides' of *adam*. The image of one creature separated into two equal halves (or 'sides') from which Adam and Eve emerge is strikingly different than the image of Eve made merely from the rib of an essentially whole Adam. In fact, he is rendered incomplete with the loss of his rib.

The language and structure of this section from Genesis Rabbah are characteristic of exegetical midrash. One of the salient features of rabbinic midrash is the use of other biblical sources to support—or challenge—a particular interpretation of the verse at hand. It is important to note that the use of a prooftext as a midrashic device clearly reflects the basic rabbinic conviction that *Tanakh* (the Bible) can and must be understood as a unified whole.

We can see this most directly by taking a closer look at the second part of the first midrash, in which two different prooftexts are cited—first to challenge Rabbi Shmuel, and then to defend his position. Rabbi Shmuel is not challenged because of an inherent problem with his interpretation. Rather, he is challenged because his explanation suggests a potential contradiction. Such a contradiction cannot be left unresolved, precisely because it negates the internal consistency and unity of *Tanakh*. Thus, Rabbi Shmuel must draw upon still another biblical source in order to harmonize the two apparently conflicting accounts of creation and uphold his own interpretation.

The most obvious function of this midrash is simply to explain language and syntax, but a modern reader must ask: What does this midrash tell us about the rabbinic attitude toward women? Since, the midrash itself does not speak directly to this point, we must again consider this selection in relation to other midrashim concerning the creation of the first woman. The vast majority of midrashim about the creation of the first woman focus on the second biblical account (Genesis 2:21), in which man is created first, and only later, is woman formed from his rib. Thus, while Rabbi Yirmiyah and Rabbi Shmuel differ slightly in their interpretations, together they represent a significant, divergent perspective within the larger context of rabbinic midrash. Why does the second account in Genesis 2:21 seem to be generally favored among the rabbis? What are the implications of each version? John Phillips, in *Eve, the History of an Idea* (Harper & Row, 1984), articulates a compelling answer to these questions. He argues that the rabbis favored the second account because of its religious and social implications regarding the status of women. "If the woman is created simultaneous with the man, she is 'perfect' also, and shares equally in the work of lordship. If she is created after him, she is somewhat less than perfect and belongs to the realm over which he exercises lordship."

In looking at our next passage from Genesis Rabbah, the author(s) of the following midrash does not seem to be inspired by the language or syntax of the biblical verse. In fact, the midrash is developed with no reference to the passage ostensibly under discussion; the exegetical interest is nonexistent. Rather than commenting on a difficulty or an ambiguity within the biblical text, the author(s) is commenting on the role of women in his own world. The use of the prooftext can give the midrashist considerable freedom of interpretation, but as we see here, any position can be legitimately defended as long as it is supported by another biblical reference.

"On what account does a woman have to use perfume, while a man does not have to use perfume?" He [R. Yehoshua] said to them, "Adam was created from the earth, and the earth never smells bad; but Eve was created from bone—by comparison, if you leave meat for three days without salt, it immediately begins to stink."

"And on what account does the voice of a woman travel, while the voice of a man does not?" He said

to them, "By comparison, if you fill a pot with meat, the sound of the pot will not travel; but if you put a bone into the pot, its sound will travel right away."

"And on what account is it easy to appease a man but not a woman?" He said to them, "Adam was created from the earth. As soon as you pour a drop of water on it, it absorbs the water. But Eve was created from a bone. Even if you soak a bone in water for several days, the bone will not dissolve."

"And on what account does a man go out with his head uncovered, while the woman goes out with her head covered?" He said to them, "It's comparable to one who has committed a sin, and he is ashamed in front of people. For this reason, a woman goes out with her head covered."

"On what account is the obligation regarding the menstrual period handed over to them [according to Jewish law, women are responsible for the cessation of sexual activity during the menstrual period]? Because woman spilled the blood of the first man, therefore she is responsible for the obligation regarding the menstrual period."

"And on what account was the obligation of separating a dough offering [from the challah] handed over to woman?" He said to them, "Because she ruined the first man, who was the dough offering of the entire world, therefore the obligation of separating a dough offering was handed over to her."

"And on what account was she given the obligation of lighting the Sabbath candles?" He said to them, "Because she put out the soul of the first man, therefore she was given the obligation of lighting the Sabbath candles."

The most obvious indication that this second midrash was not intended to fulfill an exegetical function is the very structure of the composition. The author presents a series of questions and answers. If the purpose of the midrash were primarily exegetical, the underlying questions would be those that emerge from the text itself; he has fabricated a problem because he already has a "response" in mind. The task of the midrashist would then be to offer an interpretation that addresses or resolves those questions. In this case, however, the midrashist explicitly asks questions that emerge from the world in which he lives, and then draws upon the biblical text to validate his own perceptions of reality.

What, then, are the perceptions of reality reflected in this midrash? What does it reveal about the role of women in the world of the rabbis, and what does it suggest about the way in which women were perceived?

The statements about women in the first part of this second midrash, while certainly infused with a misogynist bias, seem to focus on relatively superficial issues. It is important to recognize, however, that they set a tone that is intensified in the latter part of the text. Most significantly, the midrashist immediately establishes the premise that these differences between men and women are *natural*, and consequently, a reflection of God's will. The references to specific pieces of the biblical creation story clearly lend legitimacy to the midrash by reinforcing the author's opinions with the weight of divine authority.

Woman is consistently held responsible for the existence of evil in the world.

In the latter part of the text, there are two recurring themes that characterize mainstream rabbinic attitudes toward women. First, we find that woman is consistently held responsible for the existence of evil in the world. Thus, the reason that a woman wears a head-covering when she leaves the house is out of shame for her progenitor's sin. And the reason that women walk at the front of a funeral procession is that Eve brought death into the world, and so on. The significance of these statements for the rabbis is what they say about women *in relation to men*. To declare woman's guilt is to affirm man's innocence. On a fundamental level, this midrash from Genesis Rabbah (and many others like it) accepts the excuse that Adam offers when standing accused before God: "The woman You put at my side—she gave me of the tree and I ate." (Genesis 3:12.) Ironically, this excuse is not accepted by God in the biblical account as an adequate justification for Adam's behavior. Only in later midrashim is Adam allowed to avoid personal responsibility by blaming Eve for tempting him into sin.

I believe that implicit in the impulse to blame woman for man's sin and corruption is a profound fear of woman's power over man. This fear finds expression particularly in the last few lines of the midrash: "Because she spilled the first man's blood ... "; "Because she ruined the first man ... "; "Because she put out the soul of the first man.... " Clearly, this type of language portrays man as woman's victim. "She" is dangerous, powerful, threatening, and ultimately must be subordinated and controlled. It is not a coincidence that this midrash, which so explicitly expresses a fear of a woman's evil power, is structurally designed to explain and justify very specific aspects of the woman's place in the rabbinic world.

While rabbinic midrash does not reflect a monolithic attitude toward women and their role in the world, this

(Continued on p. 93)

Black Box

Amos Oz

Excerpted from a forthcoming novel, Black Box. *Translated by Nicholas de Lange in collaboration with the author.*

Dear Ilana:

At my high window (on the 27th floor of an office building by the lakeside in Chicago, built of glass and steel and somewhat resembling a ballistic missile): Try to picture this man, if you can, thinner than you remember and with much less hair, in dark blue corduroy trousers and a red cashmere sweater. Standing at the window with his brow pressed against the glass. The eyes in which you detect an "arctic malice" search the outside world where the light is fading. And his hands are in his pockets. Clenched. Every few minutes he shrugs his shoulders for some reason and hums in a British sort of way. A coldness passes through his bones. He shudders, removes his hands from his pockets, and clasps his shoulders with his arms crossed. This is the embrace of those who have nobody. And yet, for all that, a tight-coiled animal element still endows his silent standing by the window with an inner tension: as though flexed to leap back like lightning and anticipate his assailants.

But there is no reason for tension. The world is red and strange. A strong wind blows off the lake and dashes clumps of fog against the silhouettes of the tall buildings. The dusk light pours over the clouds, the water, the nearby towers, an alchemical quality. A transparent orange hue. Opaque and yet transparent. Not a single sign of life can he spy from his window. Apart from millions of salvos of foam capering on the surface of the lake, as though the water had rebelled and tried to convert itself into another substance altogether: slate, for example. Or granite. Every now and again the wind erupts and the window panes chatter like teeth. Death appears to him now not like a hovering threat but like an event that has been going on for some time already. And here is a strange bird being swept toward his window with spasmodic wing flappings, describing circles and loops as though trying to sketch an inscription in space: perhaps the wording of the answer to you that he is looking for. Until all of a sudden it comes rushing toward the glass and almost bursts in his face as he realizes at last that it was not a bird at all but just a sheet of newspaper trapped in the claws of the wind.

Amos Oz is an Israeli novelist and the author of A Perfect Peace *and* In the Land of Israel.

Why did we part, Ilana? What took hold of me and made me suddenly extinguish the furnaces of our hell? Why did I betray us? An empty evening is falling violently on Chicago. Lightning flashes of white-hot iron are blustering from horizon to horizon like flares, and now convoys of thunder roll in the distance, as though my tank battles are pursuing me here all the way from Sinai. Has it ever occurred to you to ask yourself how a monster mourns? The shoulders heave in a rapid, convulsive rhythm, and the head extends forcefully forward and downward. Like a dog coughing. The belly is seized by frequent cramps, and the breathing becomes a hoarse gurgle. The monster chokes with rage at the fact of being a monster and writhes in monstrous spasms. I have no answer, Ilana. My hatred is dying and my wisdom is expiring with it.

As soon as I came back to my desk to continue writing to you, there was a power cut. Just imagine: America—and power cuts! After a moment of blackness the emergency lighting came on: pale, skeletal neon, looking like moonlight on chalk hills in the desert. The most electric moments in my life were spent in the desert, charging and trampling under my tracks all that lay in my path, smashing with my gunfire whatever displayed signs of life, raising columns of fire and smoke and dust, shaking the whole world with the roar of thirty engines, inhaling like an intoxicating drug the smell of scorched rubber, the stench of charred flesh and burning metal, leaving behind me a trail of destruction and empty shell cases, and at night hunched over a map devising clever stratagems by the light of the dead moon shedding its silver over the dead chalk hills. To be sure I could have answered you with a burst of machine-gun fire: I could have said, for example, that I threw you out because you had started to rot. Because your carryings on, even with apes and he-goats, had begun to get boring. Because I had had enough. Lost interest.

But we have agreed to dispense with lies. After all, all these years I could sleep only with you. All my life, in fact, because I was a virgin when I met you. When I take into my bed some little admirer, pupil, secretary, interviewer, you appear and intrude yourself between us. If ever you forget to turn up, my sleeping partner has to help herself out. Or make do with an evening of

philosophy. If I am a demon, Ilana, then I am a genie, and you are my bottle. I've never managed to escape.

Nor have you, for that matter. If you are a demon—I am *your* bottle.

I read in Bernanos that unhappiness is a source of blessing. To this Catholic honeydew I replied in my book that all happiness is basically a trite Christian invention. Happiness, I wrote, is kitsch. It has nothing in common with the *eudaimonia* of the Greeks. In Judaism the whole idea of happiness does not exist; there isn't even a word corresponding to it in the Bible. Apart, perhaps, from the satisfaction of approval, a positive feedback from God or your neighbor: "Blessed are the undefiled in the way," for instance. Judaism recognizes only joy. As in the verse "Rejoice, O young man, in thy youth." Ephemeral joy, like the fire of the cryptic Heraclitus, whose victory is its destruction, joy whose converse is wrapped up in it and in fact actually makes it possible.

What is there left of all our joy, yours and mine, Ilana? Only perhaps the joy at the other's misfortunes. Embers of a dead fire. And here we are puffing on those embers from halfway around the globe in the hope of fanning a momentary flicker of malice. What a foolish waste, Ilana.

My hatred is dying and in its place I am falling under the spell of my father's impetuous generosity. He intended to leave his fortune, at the end of his days, to build homes for consumptive poets on top of Mount Tabor and Mount Gilboa.

And now I shall tell you a story. A sketch for a romantic novel. An opening for a *tragedia dell'arte*. The year is 1959. A young major in the regular army brings his intended to meet his almighty father. The girl has a Slavic face, sexy in a dreamy way, but not particularly beautiful in the accepted sense. There is something beguiling in her expression of childlike surprise. Her parents brought her here from Lodz when she was four. They have both died on her. Apart from a sister in a kibbutz, she has no family left in the world. Since leaving the army she has earned her living as a copy editor for a popular weekly. She is hoping to publish some poetry.

And this morning she is visibly worried: what she has heard about the father does not bode well. Her personality and background are certain not to be to his liking, and she has heard alarming stories about his fits of rage. She sees the meeting with the father therefore as a sort of fateful interview. After some hesitation, she decides to wear a shiny white blouse and a flowery spring skirt, perhaps to emphasize the surprised-little-girl effect. Even her hussar, magnificent in his starched uniform, appears a little tense.

And at the gateway to the estate between Binyamina and Zikhron Yaakov, pacing up and down on his gravel path and fingering a fat cigar as though it were a gun, Volodya Gudonski, the great dealer in land and importer of iron, awaits them. Tsar Vladimir the Terrible. Among the many stories circulating about him they tell how, when he was still a pioneer in charge of stone quarries, in 1929, he killed three Arab brigands by himself, with a sledgehammer. And they tell how he was the lover of two Egyptian princesses. And they also tell how, after he had embarked on his import business and made a small fortune out of his dealings with the British Army, it once happened that the High Commissioner at a reception affectionately called him a "clever Jew," and the Tsar, on the spot, roared at the High Commissioner and challenged him to a fistfight in the middle of the party, and when the man declined, called him a "British chicken."

The hussar and his intended were greeted on their arrival with iced pomegranate juice and then taken on a long tour of inspection of the length and breadth of the estate, whose fields were worked by Circassian laborers from Galilee. And there was an ornamental pool with a fountain and goldfish, and a rose garden with a collection of rare varieties imported from Japan and Burma. Zeev-Benjamin Gudonski talked without stopping, lecturing with picturesque enthusiasm, wooing, as though overflowing with whimsical exaggeration, his son's fiancée. Cutting and handing her whatever flower her eyes lighted upon. Clasping her shoulders in an expansive gesture. Jokingly kneading her fine shoulder blades. Bestowing upon her the honorary rank of thoroughbred filly. His deep Russian voice became enthusiastic over the elegance of her ankles. And suddenly he demanded with a roar to be shown her knees at once.

Meanwhile the crown prince was firmly and absolutely deprived of the right of speech for the whole duration of the visit. He was not permitted to utter a single cheep. What alternative did he have, therefore, but to grin like an idiot and occasionally relight the cigar that had gone out in his father's mouth. Even now, in Chicago, as he writes down for you his memories of that day, seventeen years later, he suddenly has the feeling that that idiotic grin is spreading over his face again. And a ghostly breeze blows on the embers of his hatred for you, because you were so thrilled to join in the tyrant's game. You even, with peals of schoolgirlish laughter, repeatedly exposed your knees to his gaze. An enchanting blush colored your cheeks as you did so. While I must have been as pale as a corpse.

Next the young couple was invited to a meal in the dining room, where french windows afforded a view of the Mediterranean from the top of the escarpment of Zikhron. Christian Arab servants in tail coats served pickled fish with vodka, consommé, meat, fish, fruit, cheese, and ice cream. And a regular caravan of glasses

of steaming tea straight from the samovar. Every refusal or apology provoked bellows of titanic rage.

As evening came on the Tsar, in the library, still determinedly strangled at birth any sentence that the cowed prince tried to speak: the father was busy up to his ears with the *krassavitsa*, and must not be disturbed. She was asked to play the piano. Requested to recite a poem. Examined in literature, politics, and art history. A record was placed on the gramophone and she was obliged to dance a waltz with the tipsy giant, who trod on her toes. To all these challenges she responded readily, good-humoredly, like someone trying to please a child. Then the old man began to tell rude jokes of the spiciest variety. Her face reddened, but she did not deny him her rippling laughter. At one o'clock in the morning the dictator finally fell silent, grasped the tip of his bushy mustache between brown finger and thumb, closed his eyes, and fell fast asleep in his armchair.

The couple exchanged glances and gestured to each other to leave him a note and depart: they had not planned to spend the night there. But as they were leaving on tiptoe, the Tsar leapt from his place and kissed the beauty on both cheeks, and then, lengthily, on her mouth. And delivered a stunning clap on the back to his son and heir. At half past two he called Jerusalem, woke his dazed lawyer from a sweet conspiratorial dream, and bombarded him with instructions to purchase an apartment in Jerusalem for the young couple first thing in the morning and to invite "the world and his wife" to the wedding, to take place "ninety days from yesterday."

And we had only gone to see him that he could meet you. We had not yet discussed the question of marriage. Or if we had, you had spoken and I had hesitated.

To our wedding, which did indeed take place three months later, he actually forgot to come: he had found himself a new mistress in the meantime and had taken her to the Norwegian fjords for a honeymoon. As he regularly did with his new mistresses, at least twice a year.

One bright morning, a short time after our wedding, when I was away on brigade maneuvers in the Negev, he turned up in Jerusalem and started to explain to you delicately, almost sheepishly, that his son—to his great sorrow—was merely a "bureaucratic spirit," whereas the two of you were "like a pair of trapped eagles." And therefore on his bended knee he implored you to consent to spend with him "just one magical night." And he immediately swore to you by all that was precious and holy to him that he would not touch you with so much as his little finger—he was no villain—but would merely listen to your playing and your reading of poems and go for a walk with you in the mountains round the city, concluding with the view of the "metaphysical sunrise" from the top of the YMCA tower. When you refused him, he called you a "little Polish shopkeeper who has lured my son into her clutches with her tricks," and took his presence elsewhere. (During those nights you and I had already started to excite ourselves by playing at threesomes. Even if at that time we had not yet advanced beyond the realm of the imagination. Was the Tsar the first "other man" in your fantasies? The first lie you told me?)

When Boaz was born, for some reason Volodya Gudonski was staying in northern Portugal. But he managed to send from there a check to some dubious Italian firm, which dispatched to us an official certificate testifying that somewhere in the Himalayas there was a Godforsaken peak that would henceforth and forevermore be named on all maps "Boaz Gideon Peak." Does that piece of paper still exist? Perhaps your messiah will found a settlement there. And in 1963, when Boaz was two or three years old, Volodya Gudonski decided to become a recluse. He sent his army of mistresses scattering to the four corners of the globe, his lawyer Zakheim he tortured like a Scythian, and us he adamantly refused to see even for a brief audience—he considered us to be degenerates. (Had he noticed something from his exalted throne? Did he nurse some suspicion?) He shut himself away within the four walls of his estate, hired a couple of armed guards, and devoted his days and nights to learning Persian. And then astrology and the Doctor Feldenkreis Method. Doctors sent by Zakheim he sent packing like dogs. One day he upped and dismissed all his workmen with a wave of the hand. Since then the orchard has been gradually turning into a jungle. One day he upped and sacked the domestic servants and guards as well, leaving himself only one old Armenian to play billiards with him in the cellar of the dilapidated house. Father and the Armenian slept on camp beds in the kitchen and lived on canned food and beer. The door from the kitchen to the rest of the house was secured with a crossbeam and nails. Branches of the trees in the garden began to grow through the broken upstairs windows into the bedrooms. Plants and bushes grew in the ground-floor rooms. Rats and snakes and night birds nested in the hallways. Creepers climbed up the two staircases, reached the first floor, ramified from room to room, penetrated the ceiling, pushed up a few roof tiles, and so found their way out to the sunshine again. Eager roots sprouted between the decorated floor tiles. Tens or hundreds of pigeons requisitioned the house for their own use. But Volodya Gudonski chatted in fluent Persian to his Armenian. He also discovered the weak point in the Feldenkreis Method and burned the book.

One day we risked our lives, defied his biblical curse, and went to see him, the three of us. To our great surprise he received us gladly and even tenderly. Large tears rolled down his newly shaped beard, a Tolstoyan beard that by then covered his Brezhnevian features.

He addressed me in Russian, using an expression that can best be translated as "foundling." He used the same expression in speaking to Boaz. Every ten minutes he would come back and drag Boaz down to the cellar, and after each of these excursions the boy would return clutching a present of a coin from the time of Turkish rule. You he called "Nusya," after my mother who died when I was five. Bewailing her pneumonia and blaming the doctors and himself. Finally he roared at you with his last strength that you ruined yourself deliberately, just to torment him, and therefore he would leave his "fortune" to build a home for starving poets.

And indeed he began to scatter his wealth in all directions: rogues and charlatans swarmed around him, demanding donations to make Galilee Jewish or the Red Sea blue. Not unlike what has been happening to me recently. Zakheim worked away patiently, discreetly, at transferring the property to my name. But the old man summoned up the strength to fight back. Twice he sacked Zakheim (and I hired him). He set up a panel of lawyers. He paid for three dubious professors to come from Italy and sign an attestation of sanity for him. For nearly two years the property went on leaking. Until Zakheim managed to get him taken in for observation and eventually committed. And then he changed his tune again and wrote and signed a detailed will in our favor, together with a short, melancholy letter in which he forgave us and asked our forgiveness and warned us against each other and implored us to have pity on the child, and signed it with the words "I bow down in awe before the depth of your afflictions."

Since 1966 he has been living in a private room in a sanatorium on Mount Carmel. Silently staring at the sea. Twice I went to see him, but he did not recognize me. Is it true, as Zakheim tells me, that you still visit him occasionally? What for?

Ten to midnight. The storm has died down a little but there is still no power. Perhaps I'll call Annabel, my secretary, and wake her up. I'll tell her to pour some Scotch and make me a light supper. I'll tell her I'm on my way. She is a divorcee, aged about thirty, embittered, diminutive, bespectacled, ruthlessly efficient, always dressed in jeans and chunky sweaters. Chain-smokes. I'll call a taxi and in half an hour I'll be ringing her bell. The moment she opens the door, I'll shock her with a hug and proceed to crush her lips with mine. Before she can collect herself, I'll ask her to marry me and demand an instant reply. My famous name, plus my aura of grim manliness, plus the smell of battlefields that clings to me, plus my property, minus love, plus the growth that has been removed from my kidney, in return for her stunned consent to bear my surname and look after me if my illness gets worse. I'll buy her a sweet house in one of the delightful suburbs....

It's no good, Ilana. My hatred is peeling away from me like old plaster. By the neon light in the room, with lightning falling into the lake in the darkness, I do not have it in my power to thaw the cold in my bones. In fact, it's extremely simple: when the electricity was cut, the heating also went. I got up and put on a jacket, but it didn't help. My hatred is being dashed from my clasp like the sword from the hands of Goliath after the pebble sank into him. This is the sword you will lift and kill me with. But you have nothing to boast about: you slew a dying dragon. Perhaps you will get the credit for putting me out of my misery?

Just now there was a hoot outside in the darkness. Because the darkness outside is complete, apart from a thin line of radioactive purple on the horizon. A hoot from the outer darkness where according to Jesus there is "howling and gnashing of teeth." Was it a boat? Or a train arriving from the prairies? It is hard to know, because the wind is frenziedly whistling a single, sharp high note. And the power is still off. My eyes ache from writing in this mortuary light. I have here in my office a bed, a closet, and a small bathroom. But the narrow bed, between two metal file cabinets, suddenly frightens me. As though there is a corpse laid out on it. Surely it is only the clothes I unpacked in a hurry when I got back from London this morning.

There is that hooting again. This time nearby. So it wasn't a boat or a train, but the plaintive siren of an emergency vehicle. An ambulance? A police car? There's been a crime in one of the neighboring streets. Or is it a building on fire, threatening to take its neighbors and all the neighborhood with it? Has a man decided he's had enough and jumped from the top of a skyscraper? Someone who lived by the sword dying by the sword?

The emergency lighting sheds its pallor on me. It is a ghostly mercury light, the kind used in operating theaters. I loved you once and there was a picture in my brain: You and me on a summer's evening sitting on the veranda of our home facing the Jerusalem hills, and our child playing with bricks. Sundae glasses on the table. A newspaper that we are not reading. You are embroidering a tablecloth and I am making a stork from a pine cone and slivers of wood. That was the picture. We weren't able. And now it's late.

Alex □

Excerpted from Black Box *by Amos Oz.*
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To be published by Harcourt Brace Jovanovich, Inc.

Poetry by Peter Sacks

Caesarea

Beyond the parking-lot another emperor
lifts his spoiled face
to yet another layer of salt.

Stone tunnels of the *vomitoria*—
even sea-wind over water-basins
couldn't cool the magistrates:

this by lion, these by amputations
as the army tested a new sword.
And each day's popular finale,

hundreds daubed with resin
wrist to wrist, a human fuse
that burned toward a single flame.

One might still smell it in the air
but for the reek of fishing-bait
blown into the arena;

still hear echoes of the cries
but for the shredded song
of a young pilgrim singing to his group,

a weak voice lifting to the wind
some milky song of Jesus—and with growing
confidence if nothing else "Amazing Grace."

But when Akiba was led forth
it was the hour to recite the *Shema*,
so that after the Romans

raked his flesh with iron combs,
each tooth sharpened well enough
to rip the stomach and throat,

his last breath lengthened out
the final word of testament
until both Jews and Romans

heard a voice descending,
"Hail to Akiba who has given
his spirit to the final *One*."

And Eleazar, last to die,
saw as he was nailed to the ground
the souls of the righteous cleansing

in the waters of Shiloah, preparing
for Akiba's teaching in the seventh palace,
to which even the angels brought their golden chairs.

As who would not believe?
Or wish to—even the "decaying scribe,"
so-called already in Akiba's time,

who sitting in the warm sea-wind
that will not purify however hard
it blows against these stones,
rewrites or cancels yet another
passage of the Law—
something of sacrifice or daily butchery:

"And when the meat is white,
Even the veins of it,
Scrape off the salt.
Scrape off the bloody salt."

Capernaum

A synagogue above the sea,
the white stones of its luxury
scattered like objects of a curse.

This chunk of lintel with its ark,
a temple-wagon, crooked wheels
already failing their load—

eroded to a purity beyond
even the carver's need to resurrect
the faith of fugitives, the desert light,

the creak of wheels under a wandering Law.
Still led by smoke and fire,
as if a chisel could bring back

the very wilderness they circled,
blown dust clinging to the holy stones.
The souvenir impossible to tell from prophecy.

Peter Sacks's first book of poems, In These Mountains, *was published in 1986 by Macmillan. He teaches English at Johns Hopkins University.*

Book Review

The Cloistering of Radical Minds

Sean Wilentz

The Last Intellectuals: American Culture in the Age of Academe by Russell Jacoby. Basic Books, 1987, 290 pp.

Almost nothing written by Americans under the age of fifty—especially by academics—counts for much in the public world of ideas. That is the major premise of Russell Jacoby's book, and it gives me pause. I am a history professor, well within the cohort Jacoby describes as a missing generation of intellectuals. Thus, if I disagree with Jacoby, I may sound defensive and predictable—but if I agree, I run the risk of turning this entire exercise into an absurdity, both for me, writing this unimportant review, and for you reading it. To complicate matters, my name actually pops up in passing in *The Last Intellectuals*—one of the few younger writers Jacoby does not lambaste as a literary bungler. Under these circumstances, agreement looks like back scratching, while disagreement sounds like ingratitude.

Bearing all that in mind, I still think Jacoby's basic point is intelligent and important. Here is what he says: In the 1970s, an unusually large number of young radicals decided to become academic scholars. This option had been closed to many earlier American radicals, who lacked the gentility, the *sitzfleisch*, or the bloodlines demanded by the WASP professoriat. By the 1970s, however, most of the old social barriers had fallen. New Leftists, though highly critical of the university's social function, saw a campus career as a way to extend and deepen their political and cultural engagements. This was, Jacoby maintains, a big mistake.

Once the young radicals shuffled off to graduate school, Jacoby argues, they began to internalize academic norms. They cut themselves off from any wider world of ideas. They assumed the protective coloration of "professionalism." They became preoccupied with the truck-and-barter of university patronage and prestige. They learned to write in academese, an ungrammatical soup of passive verbs and pretentious abstractions, warmed over with the usual professorial hot air. An entire generation of radical academics gave up on being the kinds of public intellectuals who write about big ideas in plain prose for a wide audience of knowledgeable readers. The loss to American intellectual life has been profound.

Jacoby's critique is not the first of its kind. Some younger writers have been complaining for years about the parlous state of radical academic prose. (One of the sharpest of these pieces, Paul Berman's "The World of the Radical Historian: Or, Hilton Kramer's Acid Test," appeared in the *Village Voice* back in 1981.) To his credit, though, Jacoby argues this case more relentlessly and insightfully than anyone else has, taking on not just one bad writer, or one coterie of bad writers, but a small army of failed intellectuals. He searches far and wide for sociological developments which might help explain the academy's ascendancy, and hits upon (among other things) urban renewal, the death of bohemia, and the triumph of mass media. Mostly, though, Jacoby savages the modern university—the unwritten social codes that govern academic upward mobility, the smug philistinism and solipsism of campus discourse, the mixture of self-flattery and quiet desperation that pervades any sizeable conclave of Ph.D.s.

There are flashes of Mencken and Edmund Wilson, those scourges of academic doubletalk, in some of Jacoby's more clever polemics, along with a brand of crankiness that is all Jacoby's own. (Jacoby, it should be noted, is one of the most brilliant Ph.D.s in America writing outside of a permanent university post.) The book's analysis, however, is more in the brooding spirit of German critical theory, and of such American Cassandras as Philip Rieff and Christopher Lasch. Jacoby unmasks the psychological disorders and deeply conservative prejudices embedded in what are supposed to be our highest institutions of reason and enlightenment. As he sees it, a university culture of narcissism has overtaken a once-feisty generation. People who, while in their twenties, committed Adorno and Marcuse to memory find themselves enmeshed in a monstrous knowledge industry, which permits them to churn out impenetrable treatises on Adorno and Marcuse, read by no one but themselves. Tenured and funded, they think they are important. All the while, public intellectual life withers away, and with it any real chance of intellectual renewal and political change.

It was all so different thirty years ago and more. Not that Jacoby completely romanticizes the pre-Vietnam War era; some older intellectuals take their knocks, especially the Jewish writers on the 1950s New York scene. Still, Jacoby conjures up a lost world of intense literary and political conversation—of young and old, bohemian and button-down, trading epiphanies in little bookshops and quips in grungy saloons, writing up their discoveries in the fiercely independent, nonacademic little magazines: "The contributors viewed themselves as men and women of letters, who sought and prized a spare prose. They wrote for intellectuals and sympathizers anywhere; small in size, the journals opened out to the world. For this reason their writers could be read by the educated public, and later they were." By contrast, today's radical academics inhabit a world of overstuffed faculty clubs and international conferences, where the real conversation is about who got tenure, and where the footnote has replaced the epigram as the literary weapon of choice.

Sean Wilentz teaches history at Princeton University. He is author of Chants Democratic: New York City and the Rise of the American Working Class, 1788–1850.

There is an essential truth in this bleak assessment. Jacoby successfully evokes, and skewers, any number of easily recognized university types: the glad-handing jet-setters, the dogged radical pedants and theory-mongers, the fat cats, the phonies, and the forlorn gypsy scholars. He is certainly correct about the insularity and fatuousness of much radical academic writing: In strictly literary terms, it is difficult to see the shift from the little magazine style of, say, *Partisan Review* to the nonstyle of today's radical academic journals as anything short of a disaster. There is, to be sure, a lot of important thinking going on in the universities (a fact Jacoby is unwilling to concede). But the academic militants' militant academicism imprisons too many of these ideas in seminar rooms and indigestible monographs and the loss has profoundly diminished public discussion. Outside the universities, meanwhile, there is every reason to howl as Moloch chomps away at the cheap flats and literary hangouts that sustain independent writers.

How much, though, does this tell us about the general state of intellectual life today? Because Jacoby is fixated on people like himself, male New Leftists who undertook the long march through the academic institutions, he works himself into a lather, bemoaning a missing generation of intellectuals. At no point, it seems, did he pause to consider in any depth those younger academics—not all of them male, not all of them leftists—who do, in fact, write frequently and cogently for a public audience. (On my own campus, I can think of several, including David Bromwich, Stephen Cohen, Louis Menand and Elaine Showalter; there are many more around the country.) Nor does Jacoby recognize how younger scholars have challenged and in some cases overturned the conventional wisdom in any number of fields, in ways that have seeped out into the public sphere. Think, for example, of the nervy young art historians (one of whom, T.J. Clark, pays special tribute to the writings of that quintessential New York intellectual, Meyer Schapiro). Not only do these people write for a literate public, in catalogues and arts periodicals as well as in their books; their entire approach to the social history of art has begun to affect how museums and galleries present art works to the public.

Even more striking is Jacoby's neglect of those younger writers who have resisted the academy's blandishments. Responding to a challenge Jacoby throws down early in the book, I have drawn up my own list of younger, nonacademic writers who might reasonably be considered as public intellectuals. Nonfiction writers only. The list is not shoddy; nor is it short. A sample, arranged alphabetically, begins with names like James Atlas and Paul Berman; and continues on through Barbara Ehrenreich, Frances FitzGerald, Geoffrey O'Brien, Darryl Pinckney, Terence Rafferrty, Edward Rothstein, and Gregory Tate; and concludes with the likes of Leon Wieseltier and Ellen Willis. You may not always agree with (or think highly of) all of these writers. Several names may be unfamiliar to you. But I suspect you've read at least some of them. They are not missing.

Not one of these people even turns up in Jacoby's index. Presumably they don't count. But then it's not always easy to tell what counts for Jacoby and what doesn't. His book contains no discussion of those feminist intellectuals who have deeply influenced American life and letters over the past fifteen years. Nor does it consider any younger writer who stands politically to the right of Richard Sennett. Jacoby does point out, with some irony, that the moderate and conservative journals have done a far better job than the radicals in challenging the academy. At one point, he even mentions that the conservatives "assiduously and wisely, cultivate younger writers." But he fails to acknowledge that it is, in fact, younger writers who really make these journals worth looking at. If you pick up *The New Criterion*, you can safely leaf through Hilton Kramer's vituperations and focus on the truly interesting work of people like Dan Hofstadter and Jed Perl—critics from the supposedly missing generation.

Jacoby's one-sided gloominess carries over to his account of academicization, at times leading him into a certain analytical inexactness, not to say obfuscation. Several of the more influential older intellectuals—Richard Hofstadter, Sidney Hook, Lionel Trilling, among others—*did* in fact come up through the academic ranks. (So, for that matter, did Jacoby's great intellectual hero, C. Wright Mills, though Jacoby correctly points out Mills's intense alienation from the style and substance of academic sociology.) Why, then, has academicization ruined their would-be progeny? Has the university changed for the worse since the 1930s and 1940s? Were these older academics simply made of sterner stuff? Or does the problem lie outside the academy? Jacoby touches on these matters, but doesn't really assemble his impressions into a convincing argument.

My own guess is that the difference between the current generation of radical writers and their elders has something to do with the academy and something to do with the differences between the Old Left and the New Left. One of the few positive aspects of Old Left sectarianism was that no groupuscule could claim respectability without its own journal or newsletter. From their own little corners of the left, young firebrands would hold forth on every subject under the sun, all the while learning to write for a deadline. Much of what they scribbled was dogmatic and dull and has faded into a decent obscurity. But not all of it—hence the emergence of *Partisan Review*, *Dissent*, *Commentary*, and the flowering of an intellectual style that, in its own way, extended the heritage of the *Seven Arts*, *The Masses*, *The Dial*, and an even earlier generation of lively independent periodicals. Once securely based, these journals became a kind of substitute sect—a paper refuge—for all kinds of talented writers, including some who took up academic careers.

A negative side of the New Left's antisectarianism—its hostility to internal fractiousness and debate—was that it discouraged this sort of thing. Even those New Left intellectual journals like *Studies on the Left* and its offshoots *Socialist Review* and *Radical America*, which concentrated on a narrow band of movement-related subjects, were few and far between. The immense utopian energies of the 1960s movements were mostly swept up in the crises of the moment, producing lots of tingling oratory, some muckraking underground journalism, but relatively little reflective writing. The closest thing to a new, irreverent, democratic public genre came in the form of rock criticism. Only in the flat, dispiriting 1970s did the shattered New Left start generating its own version of groupuscule intellec-

tual life—but by that time, all too many frustrated radicals had begun thinking and writing in academic newspeak. Few academics could write on any subject under the sun; meeting a deadline had become a forgotten art.

The academy's role in closing off public expression, meanwhile, has not been as clearcut as Jacoby suggests. (I lay aside here the ways in which, despite everything, scholarship can still be approached and valued as a form of contemplative spiritual life, outside the crush of commerce and current events.) Almost all academics do, after all, teach undergraduates—a more restricted, unglamorous, indirect way of reaching the public then Jacoby has in mind, but not unimportant. Some professors are far better teachers than writers. It is just possible that, in the long run, the academics' greatest collective impact may come from their teaching more than from their writing. But Jacoby seals off discussion of this, partly because he esteems certain kinds of expression, like the little magazine essay, above all others, and partly because he simply ignores the fact that most professors teach.

It also seems incomplete to blame academicization for the plague of jargon in academic writing. Look for instance at today's new "radical" criticism, as represented by deconstruction and semiotics. Jacoby is quite correct that these approaches have lent themselves to a hyper-professionalism and a fetishism of theory—the ultimate in modern academic chic. Yet "radical" criticism (much like the New Criticism of the 1940s and 1950s) gained popularity not simply as an academic ploy but as an appeal to a subversive, at times, anti-academic impulse—a yearning to overturn stolid anglo-American empiricism and to rip aside the veil of worldly appearances. Can it be that there was something inherent in that demystifying impulse, something which had little directly to do with the academy that, left unchecked, encouraged the kinds of empty, antihumanist theorizing that Jacoby deplores? If so, then the rise of the unintelligible academic radicals is an even more interesting and ironic story then the one Jacoby tells.

Had Jacoby taken the time, he might have explored these issues, so central to his argument, in greater depth. He also might have thought a bit harder about various secondary matters. Sprinkled throughout the book are germs of good ideas left undeveloped—or developed as caricatures. One example is, Jacoby's discussion of why so many older Jewish intellectuals wound up turning to the right, unlike their non-Jewish peers. It is an interesting question, with long-term significance for the more recent history of the intelligentsia. And Jacoby poses it in an original and provocative way, wondering if a radicalism based on *angst* is somehow more unstable than a radicalism based on outrage.

There are, however, two very straightforward political reasons which help explain why many older Jewish intellectuals soured on the left. The first is disillusionment with communism, coupled with the chilling effects of McCarthyism. The second is the prevailing left-wing attitude toward Israel. Jacoby mentions the first in passing and consigns the second to a footnote. Indeed, Jacoby's whole view of the matter is shaped by what can only be called a worshipful stance toward the older non-Jews. Reading Jacoby, one gets only the briefest allusion to those non-Jewish radical intellectuals who like Mills and Gore Vidal turned political apostate. Gentiles rate certain kinds of adjectives: They are "stiff-necked," "stony," and "bony"; the Jews, by implication, appear to lack the proper bones. Nothing written by the older non-Jews comes in for tough criticism, including their various problematical writings about communism and about Jewish subjects.

The Last Intellectuals is, of course, meant to be tendentious. One might argue in its defense that its flaws are inherent to polemical writing. Maybe so. The main problem with *The Last Intellectuals*, however, isn't that Russell Jacoby has written a polemic, but that he has written a book about intellectuals that says little of importance about ideas. From time to time, Jacoby pauses from his list-making and his jeremiads to take a closer look at the writers he is talking about. However, these passages are mainly potted biographies designed to press home the author's theme about generational decline, mixed with brief commentaries about style, tradition, stoniness, boniness—almost everything except what the thinkers thought. All the while, Jacoby offers snap appraisals with the brio of a Hollywood columnist: "first rate," "rarely dazzles," and "psychobabble for aging leftists."

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This is not the best way to write intellectual history or deliver critical judgments, even in polemical form. For one thing, it tends to reduce the history of ideas to a function of social and intellectual forces, obscuring the ways in which opposing ideas shape one another over time, with a certain life of their own. For another thing, it does not sufficiently challenge those writers Jacoby wishes to criticize (most of whom will no doubt shrug off his attacks as superficial). Beyond that, Jacoby's method begs important questions about his whole analysis. For example, by slighting ideas, Jacoby leaves a big opening for those who would charge that the New Left suffered neither decline nor absorption, but was intellectually bankrupt from the start. Such charges are, on reflection, absurd. But they are not *self-evidently* absurd. Unfortunately, Jacoby vacates this field. He seems to assume that all his readers share his politics and that the ideas he mentions don't really need much elaboration. It's a dangerous assumption for any intellectual to make.

Considered apart from their ideas, intellectuals are fairly ordinary people. Taxonomies of changing intellectual styles, like *The Last Intellectuals*, make them seem somewhat less ordinary. But to stop there is to render all criticism suspect. What is it that makes one writer (or generation of writers) more compelling than another? Their respective forms, their "public-ness," their accessibility—surely these are part of it. But being a public intellectual is no guarantee that one has good ideas, just as being a difficult writer or an academic is not necessarily to be trivial or without influence. It so happens I agree with many of Jacoby's judgments (like his praise for writers as different as Edmund Wilson and Murray Bookchin). Others—like his trashing of Marshall Berman—I heartily disagree with. Still others—his veneration of C. Wright Mills and Noam Chomsky—call, in my opinion, for much more ambivalence. And still others—like his high regard for John Duey, a public academic but also a difficult writer—need further explication. Yet, in the absence of any real discussion of ideas, it is almost impossible to engage Jacoby about any of this.

This book should enjoy a *succès de scandale*. It ought to shake up some academic writers and help stimulate public intellectual life (which is not nearly so barren as Jacoby thinks). Its publication may even rank as something of an event. But it is no more than that, which is a pity, considering the urgent questions Jacoby raises. □

Book Review

From Moscow to Port Huron: The PreHistory of the New Left

Paul Berman

If I Had a Hammer . . . : The Death of the Old Left and the Birth of the New Left by Maurice Isserman. Basic Books, 1987, 259 pp.

Maurice Isserman's first book, *Which Side Were You On?*, told the story of the Communist party of the United States during the 1940s, a period in which the Communists sometimes opposed fascism, sometimes didn't, as required by Soviet foreign policy, making Isserman's title all too appropriate. His new book, *If I Had a Hammer . . . : The Death of the Old Left and the Birth of the New Left*, brings the story into the next decade, when Nikita Krushchev's 1956 speech about Soviet history caught the American Communists by surprise. These American comrades had been so deaf to the sound of tyranny, so authoritarian in their instincts, perhaps so blinded by their own ideals, that they honestly hadn't known, in the novelist William Herrick's words, "what every semiliterate reader of the Hearst press had known for years."

Suddenly awakened, they tried to remake the Communist party along more democratic lines. But the sow's ear remained sow-like, and three-quarters of the membership, rueful, discouraged, drifted away, torn between a wish to be democratic and a habit of being Communist. The ex-party people threw themselves into every sort of radical campaign over the following years. They were ubiquitous on the left: under every bed, an ex-Communist. Their skills were great, their energy exemplary. They played magnificent roles in the civil rights movement and other radical campaigns. But they could never form an organization of their own. Nor could the Communist party, which in any case was reeling from government repression, recover without them.

Thus the gloom with which some people on the left recall the 1950s, but also the optimism remembered by everyone else. For the Communists had always cast a shadow over the radical cause in America. They had ruined the old-time Socialist party, bullied smaller groups, blacklisted their rivals in the trade unions, spread violence and bad faith. They had spent decades convincing Americans that leftism was democracy's perversion, not its extension, which was a historical calamity. Communism, Emma Goldman said, set back the course of socialism 100 years. And when the Communist movement suddenly lapsed into demoralization and the shadow began to lift—then, for the first time since the days of Herbert Hoover, an opportunity

Paul Berman is a columnist for The Village Voice.

arose to make of American radicalism something new and different, something better suited to a democratic culture.

A dozen little radical projects went into action. Pacifists set to sea in tiny vessels of antinuclear protest. Irving Howe and his comrades published *Dissent* magazine. Michael Harrington built a student-labor alliance. And while none of these enterprises expanded into mass phenomena during the period that Isserman recounts, the internal structure of the American left underwent a shift.

Three strands of political tradition run through twentieth-century radicalism: the commitment to solidarity with authoritarian revolutions abroad, which is communism's first principle; the commitment to radical democratic reform, which is social democracy; and the commitment to moral integrity and personal transformation through direct action, which in the 1950s was a position upheld by the radical pacifists. These three strands now wove a different pattern. The social democrats and pacifists became dominant. In Isserman's phrase, a small left-wing renaissance resulted. And from this renaissance, from the revived social democratic and pacifist movements, emerged the energies that would swell into the mass New Left later in the 1960s.

Isserman's account of these activities is useful, detailed, factually accurate, above all original, since no one else has attempted to sketch the progress of the left in those years. The book is authentic, too, an insider's version, as much as can be written by someone of a slightly later generation. Perhaps, though, it also exhibits a characteristic weakness of the American left, which is to filter political questions through a super-pragmatic lens.

Americans lean toward practical activity and measurable results. They nourish the belief that profound political questions are basically pragmatic in nature, that differences in philosophy don't really matter, that philosophical debates are "sterile" or "hairsplitting." Isserman is far from an extreme adherent of this view, but I think he does end up, despite himself, a mild adherent. He respects intellectual activity and awards *Dissent* magazine a more prominent place in his history than others might have done (and he's correct to do this); yet organizational questions finally overwhelm the philosophical issues that he introduces. When he reflects on the major failure of the left in the 1950s and early 1960s, what strikes him is the inability of pacifists and social democrats, together with the democratized ex-Communists, to construct a large unified vehicle of the left, in spite of several efforts to do so.

Readers may wonder, though, if the pragmatic approach doesn't obscure left successes that had nothing to do with organization or practical activity. The pacifists, for instance, weren't concerned, most of them, with organization. Their causes were moral, perhaps even religious, and their successes in these fields were great. The War Resisters' League, the Catholic Workers, the Committee for Non-Violent Action—these and other groups managed to cultivate a kind of Thoreauvian spirit of independent conscience, then succeeded in injecting this spirit into the American mentality, notably in the counterculture that arose some years later. That was an enormous achievement, and a fine example of how radical values can irradiate from a tiny circle to American society as a whole.

In areas of political theory, the 1950s may likewise have accomplished more than pragmatic observation tends to reveal. Isserman devotes a chapter to the career and influence of Max Shachtman, who led a few hundred young Marxists, mostly New Yorkers of what might be called a Talmudic disposition. The Shachtmanites had their peculiarities. They hated the Communists passionately, yet shared with communism a root in the Bolshevik tradition, which made them too crafty by half. Shachtmanite pluck and courage were always generating splits, manipulations, dissensions, and conspiracies. Even Michael Harrington, the most talented of the organizers to come out of the Shachtman current, was quite the conspirator in his earlier years. The practical Isserman can't get over how ridiculous these Shachtmanites were.

Shachtman's contribution to theory, though, was a democratic Marxism by way of Leon Trotsky, which by the 1950s had come to mean a reinfusion of Marxist theory into a somewhat desiccated tradition of social democracy. Shachtman never surrendered the old-fashioned idea that socialism was a workers' cause instead of a movement of intellectuals or functionaries. He never forgot that socialist society ought to mean more democracy than under capitalism, not less, and he defined socialism's success as the ever-greater conquest of democracy for the workers.

On these grounds he came to feel that communism was not a socialist tendency at all, not even a very bad or decayed one. Communism was, in his estimation, a new kind of class society governed by a new exploitative elite, the state bureaucracy, which he described with the infelicitous phrase, *bureaucratic collectivism*. Communism, he knew, was more tyrannical to the working class than was advanced capitalism. And against the Communists, and against the bourgeois system as well, he posed his alternative of a Third Camp, the camp of genuine socialism, neither right-wing nor Communist.

Someone reading Isserman might see in this idea a merely rhetorical advance over earlier radical arguments. As Isserman puts it, "the Soviet Union had been an embarrassing ideological problem for anti-Stalinist socialists.... Shachtman's 'third camp' analysis dispensed with that: bad, good, or indifferent, there was no need to apologize for any aspect of the Stalinist system, because what went on in the Soviet Union was no more representative of genuine socialism than Hitler's 'national socialism'."

By the 1950s, though, communism was already ruling a good third of the world, and if Shachtman was right about the essentials of this system, then the role of genuine socialism went rather beyond saving American leftists from embarrassment by disclaiming Communist affiliation. The role of genuine socialists was to work for communism's overthrow. Plainly this was a different interpretation of socialism and its duties than was offered by certain other Marxist positions, for instance the interpretation that came to be known as third world revolutionary doctrine. A consistent Shachtmanite would never, for instance, have cheered the triumph of the Communist revolution in Cuba or Vietnam. A consistent Shachtmanite would have gnawed his fingernails over the fate of the working class in those countries.

Shachtman himself gradually abandoned Third Camp radicalism for the labor conservatism embodied in the leadership of the AFL-CIO, which was a development that shocked his old cadre.

Dissent, the group around Michael Harrington, the Berkeley group around Hal Draper, the Detroit militants around C.L.R. James and Raya Dunayevskaya—each of these once-Shachtmanite circles broke away, each in a different manner. *Dissent* elaborated Third Camp radicalism into a left-liberal politics that corresponded to traditions of American reform; others were more faithful to Shachtman's original labor radicalism; still others, the revolutionary tendency, tried to square socialist democracy with sympathy for the anticolonial revolts. And in the course of working out these various positions, which occupied the entire period from World War II to Vietnam, the different schools of Shachtman-influenced socialists generated vast arguments about the nature of capitalism and democracy, and especially about the nature of communism.

Discussion spilled out from the Marxist left to the larger intellectual and literary worlds, especially in the later 1940s and 1950s, as you can see in the collected journalism of Dwight Macdonald, that Shachtmano-pacifist, or in a novel like *The Barbary Shore* by Norman Mailer, where the slogans and counter-slogans fill several pages, or in a book from today like Alan Wald's history of high-brow argument, *The New York Intellectuals*.

It's a pity that Isserman doesn't go into this debate at any length. The omission undercuts his own topic. An analysis of the communism debate might also have obliged him to frame his other views a little differently, his pragmatic view of left-wing organization included. For if communism is what the Shachtman-influenced left believes it to be, then the politics represented by, say, the *Monthly Review* of those days (which Isserman correctly describes as fellow-traveling), or by the *National Guardian*, or by the people who in any consistent way admired Castro or the Vietnamese Communists—the politics of these forces on the left were bureaucratic collectivist, even totalitarian, and not at all democratic, not in international affairs, at any rate. (Domestic affairs, where leftists and liberals generally agreed, were a different matter.) How in the world could democratic radicals form a unified left-wing organization with people like that? What some comrades thought of as heaven, others knew to be hell, which was not a basis for mutual esteem.

The issue kept arising (in organizations like SANE, in A.J. Muste's American Forum for Socialist Education, ultimately in SDS) whether anticommunist radicals should collaborate with procommunist radicals, and on various occasions that Isserman describes, the antis tried to bar membership to the pros. Isserman leads you to regard these exclusionary efforts as unprincipled concessions to the cold war spirit of the day. But what if exclusion represented a principled insistence on the integrity of democratic socialism, an effort to save American leftism from lapsing once again into authoritarian sympathies?

Isserman's last section describes the evolution of the social democratic youth organization, the Student League for Industrial Democracy, into Students for a Democratic Society, which became the largest New Left organization in the 1960s. The rise of SDS is an old story by now, and if Isserman's version has any advantage over the ones recently offered by Todd Gitlin in *The Sixties: Years of Hope, Days of Rage* and James Miller in *Democracy is in the Streets*, it is his brevity.

Coming after his excoriations of Shachtmanism, though, Isserman's analysis of early SDS strikes me as muddled. He is of the generation that lived through the rise and fall of SDS, and knows therefore that SDS's fall was also a degeneration. SDS retreated from an inspiring social democratic radicalism to a retrograde "anti-anti-communism," then to what he calls "an identification with Third World Communist movements and governments, a path that took SDS steadily further away from the very radical democratic values it initially sought to champion." (p. 209) Communist ideas and defense of dictatorship made a comeback in the form of third world solidarity. That was the tragedy of the New Left, its moral as well as political collapse.

The tragedy was also very strange since, as Isserman shows, some of the brilliant leaders of early SDS recognized, almost from the start, the danger of lowering their guard against totalitarian lapses—Tom Hayden, for instance, who worried about the inhibiting effects of "anti-anti-communist" dogma. Yet these leaders ultimately fell victim to that very danger, apparently out of pique at the social democrats who warned most strongly against it.

The odd thing is, Isserman himself

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shares the pique. He records the efforts by Harrington and his social democratic organization, the Young People's Socialist League (YPSL), to keep early SDS from falling into a middle-class contempt for trade unionism on one hand, and into a confusion about communism on the other. The Harringtonite efforts had a positive effect, for instance on the Port Huron Statement, SDS's grand manifesto. Yet so irritated is Isserman at YPSL maneuverings, which were indeed wooden, Byzantine, and filled with every flaw inherent to the Shachtmanite tradition, that he ends up comparing YPSL's efforts to the infiltration campaign a few years later by the Maoist Progressive Labor Party (PL).

Harrington and his allies were trying to keep SDS on a strictly democratic path. They failed. PL tried to convert SDS into the American wing of Mao's Cultural Revolution, at that moment conducting a totalitarian rampage against Chinese society. PL succeeded. A slight difference! If I myself had a hammer, I'd dent Isserman but good for making such a comparison.

His judgments come, I think, from a sentimentality that is popular among some people whose ideological heritage descends from what might be called the folksinging wing of the left. As certain passages show, he knows in his head that the left-wing democrats are right, and the bearers of the Communist tradition are a disaster. But his heart still seems to quicken for the disasters.

Sentimentality averts his gaze from the hard political issues. On the last page he lists points that the New Left should have learned from its Old Left elders, and except for a quick bow to civil liberties, every one of these points is pragmatic, having to do with patience, modesty, a sense of irony and suchlike. But what about the questions that have consumed the century—totalitarianism, democracy, imperialism, self-determination? The political issues don't occur to him, only the practical ones. He seems to believe that leftism is a self-explanatory cause requiring no further definition. Yet his own book shows otherwise. The different components of the American left do not share a universe of mutually agreed-on values.

I admire Isserman's ability to assemble large quantities of freshly researched material into a readable narrative. If in turning his pages, my hand now and then flew up to clutch my forehead, his talents are such that I still kept reading. I hope he goes on with his history of the modern left and would like to recommend to him a further book: a history of the left and the civil rights movement. The civil rights movement is going to loom more and more as the single great social upheaval of post-World War II America. It was an event in which the left that Isserman describes, from Shachtmanites to ex-Communists to pacifists, played a large and honorable, if slightly underground, role. The topic keeps coming up in *If I Had a Hammer* . . . but never congeals into a full chapter. A scholarly account of socialism and civil rights written with Isserman's skill and range of contacts among older leftists would be a pleasant book indeed, since its theme would be a triumph in which the inconvenient political issues that I've been flogging here played a relatively small part. □

Book Review

AIDS: The Mythology of a Plague

Frank Browning

And The Band Played On: Politics, People and the AIDS Epidemic by Randy Shilts. St. Martin's Press, 1987, 630 pp.

At a dinner not long ago with two heterosexual journalists, the conversation turned to AIDS. "It's about time guys woke up," said one woman. "They've been acting like they're born immune to it."

"Most of the time straight men who don't shoot up are pretty safe," I said. "They don't have much to worry about."

"So why should it be any riskier for women than men?" she asked.

The conversation bounced along for another half hour, the lady suspended somewhere between disbelief and astonishment that, among heterosexuals, AIDS poses vastly different risks to men and women, that the epidemiological reports from the federal Centers for Disease Control have shown the differential risk for several years now, and that the middle-class heterosexual AIDS hysteria is largely an invention of (mostly male) newspaper editors who still don't understand how the AIDS virus is transmitted.

There are innumerable mysteries about AIDS—where it came from, how the virus works in the body, why it lies dormant in some and brings death to others, how and if it can be stopped. These are medical questions, and therefore they are neat and explicable according to the laws of science. Yet my colleague's ignorance about the differential risk between men and women is a messier mystery. She has many gay friends, has taken a special interest in the AIDS epidemic, and over the years has even done a good deal of science writing.

"But nobody really knows how you get it for sure, do they?" she said at one point. At some technical level, of course, she was right. No one can say with 100 percent precision why one person contracts the infection and another does not—any more than we knew with 100 percent precision thirty years ago why some people got polio and others did not, or why some contracted tuberculosis and others did

Frank Browning has been a reporter for National Public Radio in Washington and Los Angeles and is co-author of The American Way of Crime.

not, or why some people never get common colds and most others do.

But with AIDS there is a different problem. Medical researchers—and most gays—do understand that virtually the only way AIDS is transmitted is by infection of the blood, either with other blood or with semen. Intravenous drug users get it because the tips of their needles enter the bloodstream. Gay men get it because during anal intercourse infected semen can mix with blood once the penis has caused abrasions on the rectal wall. And women are at greater risk because their reproductive systems are generally more subject to infection than are men's. Men, who generally do not have bleeding sex organs, are not usually exposed during intercourse because the virus, which may be present in vaginal fluids, does not seem to survive the urinary tract as do other venereal diseases. (Nor, for those who wonder, is there much evidence that the virus survives the gastro-intestinal system.)

These rather simple explanations could easily have dispelled the mystery and anxiety that my normally well-informed colleague lived with. But the problem was that her newspaper, *The Washington Post*, as well as the rest of the major media, does not print such clear, graphic explanations. Indeed, nearly all the conventional media have declined until very recently to describe the mechanics of homosexual sex. At National Public Radio, the phrase "anal intercourse" was forbidden language until midway through 1984—even though decimation of the gay population by AIDS had by then become a major story. It had become a common complaint among science reporters that they were left in the absurd position of not being able to describe the very things which left prospective victims at risk. And so there was born what Randy Shilts in his book calls "AIDSpeak."

AIDSpeak takes many forms, most of them geared toward maintaining "good taste" for heterosexual news consumers. One of the first pieces of AIDSpeak was the euphemistic phrase "bodily fluids" or "exchange of bodily fluids." Gays, originally the overwhelming risk group for AIDS, were advised not to engage in behavior where such things took place. The intent of the language was to warn men against performing oral or anal intercourse culminating in orgasm. The effect, all too often, was to breed general hysteria about gay men, or eventually—children who sneezed in public, or who spit on the sidewalk, or whose eyes watered with tears, or whose foreheads dripped with sweat.

It was one thing to report the Toxic Shock Syndrome story, even with explicit gynecological detail. It was quite another to illustrate the erotic terpsichore which lay behind one of the deepest taboos in Western culture. Otherwise liberal-minded people who had long supported gay political campaigns paled and excused themselves when the conversation turned specific, paraphrasing, as it were, Voltaire's apocryphal dictum: "I'll fight to the death your right to do it—but only so long as you don't tell me what it is you're actually doing." However many political and legal advances gay activists had won, the fundamental phobia about queers, about being queer, about envisioning queer sex persisted—even to the point of dodging, denying, and deflecting open discourse about what may turn out to be the most deadly epidemic of the century.

The story which Shilts tells is a multilayered mystery. It is, as most critics have reported, a masterfully researched investigation of where and when the disease first appeared, how a few men and their friends in Los Angeles and New York began to sicken and die, and how their doctors stood by in perplexed helplessness. He recounts the notorious tale of Patient Zero, the boyishly beautiful Canadian airline steward to whom some two hundred cases were linked. He describes the lethargy and then the self-important bickering among top research doctors in Washington and Paris and Atlanta that held back virus antibody testing. He shows how the Reagan Administration dissembled, cut back research funding, and then forced public health officials to cover up their own requests for more money. And, too, Shilts reports the often nasty politics within gay communities as they came to understand the enormous impact AIDS would have on gay people. It is not a dispassionate account. Shilts is a gay journalist from San Francisco, a town where gays' political alignments are sharply differentiated and he shows clear sympathy for those gay leaders who made early, controversial calls for swift public health measures to curb the epidemic.

Occasionally Shilts makes sloppy mistakes—misspelling names and places and medical terms—and his writing suffers from often hackneyed melodramatic constructions. But the abiding genius of his book is its dissection of two middle-class American subcultures probing each other's secrets. He shows the reader what *The New York Times* and *The Washington Post* still have not published. To rely on *The Post* or *The Times*, to plow through the scientific journals, or to listen to government officials tell their versions of the AIDS story is to read about a people as strange as Bantu twig gatherers.

Shilts, instead, brings the reader along with the doctors and the epidemiologists, who, as they learn the medical pathology of AIDS, also come to understand one of the central paradigms of contemporary gay life. Young men who had suffered fear and torment since early adolescence, largely because of their sexuality, discovered in the 1970s that sexual intimacy could become the cornerstone of a new social life; they discovered that where once repressed sexual desire had built wells of loneliness, now recreational orgasm became the foreplay to friendship. Plainly, gay men were having hundreds, sometimes thousands, of sexual encounters, cutting across barriers of class, race, and geography. From those "contacts" grew friendships: from the friendships, social, political, and sometimes professional organizations were born. To discover the roots of the disease, nominally heterosexual investigators had to understand not only how men physically had sex with one another, but they also had to understand the way the gay subculture had organized itself. To that degree, the investigators have learned what most news executives and government health officials still prefer not to know or discuss. As the investigators and their subjects—the nominal homosexuals and the nominal heterosexuals—came to understand one another's lives, the homosexuals lost more and more of their tasteful invisibility, just as the medical priesthood exposed more and more of its warts and venom.

What Shilts has given us is a peek behind the blinds into the career lusts of honorable, heterosexual medical men, often as repelled by the people they

are studying as they are dependent upon them for opening the frontiers of science. At the same time Shilts has revealed mysterious queers as ordinary men capable of actions both venal and noble, as owners of sex shops and newspapers acting to protect their profits, as political activists creating community obligation out of personal compulsion. By the end of his account, the disease which threatens gay men with annihilation has also become a perverse vehicle promising deliverance from an older and deeper disease, the majoritarian phobia which had sought to eliminate gays by rendering the details of their lives invisible. □

Book Review

Jewish Psychology

Jeremy Zwelling

Re-biographing and Deviance: Psychotherapeutic Narratism and the Midrash by Mordechai Rotenberg. Praeger Publishers, 1987, 221 pp.

In his most recent book, Mordechai Rotenberg, an Israeli social theorist, advocates a new social science based upon a reinterpretation of sources in the Jewish tradition. *Re-biographing and Deviance* completes a trilogy that offers "Jewish" theories of social interaction and individual psychology as alternatives to those found in Western (read Christian) culture. In this volume, Rotenberg challenges psychoanalytic claims of neutrality and universality by exposing "the theological bias underlying [its] treatment methods."

Rotenberg indicts modern psychology for fostering a secular version of the doctrine of original sin. According to Rotenberg, such a doctrine limits the possibility of rehabilitation since it imposes guilt upon sons, encouraging them to resolve intergenerational conflict by eliminating and replacing their fathers. Rotenberg considers psychoanalysis to be just another face of Christian triumphalism. Its Oedipal theory is a variation on the theme of death and rebirth that haunts the West from Paul through Augustine, down to Hegel, Marx, and finally Freud. He sees psychoanalysis as a vehicle for a fundamentalist theology that preaches a dialectical negation of the past and an inflexible determinism binding the future to that sinful, failed past. The Oedipal tale, retold by a Jew who should have known better, preserves a "psychology of parricidal growth ... grounded in a dialectic theosophy that posits that Christianity could develop only by destroying its Judaic father religion." As a form of therapy, psychoanalysis is a disguised ritual of conversion, "a 'missionary' system in which a 'convert-analysand' is being manipulated to accept one fundamentalistic interpretation of his biography." If it succeeds at all, it does so by repeating symbolically the killing of the father, isolating one from the past, and closing one to a future freed from guilt. At its worst, psychoanalysis perpetuates a "cultural-social attitude to peoples' failing pasts" and increases deviancy, "criminal recidivism and psychotic relapsing rather than reformed conduct."

In his critique of Western culture, Rotenberg moves backwards from contemporary social scientific theory to the older theological doctrines. In constructing his Jewish psychology, however, he moves forward, self-consciously transforming traditional Jewish material into a secular social theory. Rotenberg produces a reading of rabbinic and especially Hasidic Judaism that emphasizes pluralism, favors multiple, nondogmatic interpretations of scripture, and is optimistic about an open future. The key to such a Judaism, Rotenberg argues, is a midrashic method of dynamic reinterpretation of the past, a cultural style that assures the people's periodic renovation and cyclic renewal.

In a midrashic style of his own, Rotenberg tells old stories and offers new interpretations. These tales serve as alternatives to the story of Oedipus. One crucial story, also characterized by intergenerational struggle and murderous possibilities, is the biblical account of the Binding of Isaac. Rotenberg offers rabbinic interpretations that retell the story, not as a test of the father's trust in God, but as an example of the faith of sons who affirm their confidence in a future "even when a sharp sword is laid upon their neck" (*Tal. Bab., Berachot* 10a). In this story, unlike that of Oedipus, both parties to the conflict survive, and though tension might remain, so does the conversation between the past, the present, and the future, thereby allowing a "dialogic solution of continuity and progress." Even richer are Rotenberg's examples of biblical stories of sinners as well as the rabbinic midrashim that discuss them. The midrashim concerning Reuben's bedding Jacob's concubine, David's adultery, and Solomon's marriages to non-Israelites consistently seek to diminish the sins and allow for *teshuvah* (repentance, literally return). This midrashic rereading of past sins is a form of "re-biographing," a new model for narrative psychotherapy in which we are encouraged to reframe a failed past so that we may move freely into an open future. The rabbinic mood and Rotenberg's psychology are captured in a talmudic statement made by Resh Lakish, himself a rehabilitated criminal: "Repentance is so great that premeditated sins are accounted for as though they were merits" (*Tal. Bab., Yoma* 8b).

Using a midrashic method throughout, Rotenberg is playful, outrageously neological, delighting in paradox, and inclined toward multiple readings, bold rereadings, and intentionally audacious misreadings. Typically midrashic is his revisionary use of one of his favorite terms, *tsimtsum* (contraction). The word

Jeremy Zwelling is an associate professor of religion at Wesleyan University.

has a long history of subversive, contradictory misreadings within Jewish tradition. It first appears in a rabbinic midrash as a way of explaining how God's infinite presence can be contracted so that it can abide in the Holy of Holies. The Lurianic Kabbalah appropriates a somewhat earlier mystical rendition of the term, providing an opposite meaning: *Tsimtsum* is a divine act of contraction, God withdrawing into himself in order to leave a non-divine place for his acts of creation. In the eighteenth century the Hasidic master, the Maggid of Meseritch, radically psychologized the term. He applied it to the human mental activity of self-effacement and mystical passivity in which the ego is contracted to allow for a revelation of divine activity within the soul.

Rotenberg applies *tsimtsum* to a variety of human activities. Contraction is a paradigm for healthy human interaction—indeed it constitutes the very basis for Rotenberg's social theory. Through the contraction of the ego, an "I" evacuates space to allow for a "Thou," thereby allowing for an I-Thou dialogue. As opposed to Western philosophies of individualism, which encourage autonomy and differentiation, this Jewish social psychology insists that self-realization is possible only through a bilateral encounter with an other. Elsewhere Rotenberg uses the term to describe the limits God places on His own divine authority in order to allow for a variety of nondogmatic human responses to and interpretations of the divine word. Contraction is also at the heart of re-biographing psychotherapy, a "method in which those failing parts of a person's history are *contracted* [original emphasis] while the re-interpreted reconstrued parts are expanded to create a more congruent life story dialogue between the future-oriented, present new 'I' and the past 'thou.'"

As a midrash, this book is not merely about Judaism's cyclic modes of collective and individual renewal, but is itself an example of such renovation. The "midrash" in the subtitle indicates the willingness of this American-trained, Israeli social scientist to enter into conversation with many voices in the Jewish tradition. It also suggests the way in which this study amounts to a series of revisionary glosses *within* that tradition. Standing both within the tradition and yet somehow athwart it by secularizing its religious teachings, Rotenberg does indeed produce a Jewish psychology.

Certainly there is much to criticize in this book with its sweeping generalizations, its quirky style, and its impressionistic clinical evidence. Yet such criticism is, I think, too facile, and perhaps overlooks what is most significant about the book. Rotenberg's attempt to "social scientize Judeo-Hasidic ethics" (as he puts it in his *Dialogue with Deviance*, the second book of this trilogy) clearly emerges out of one of those moments of cyclic renewal that the author so values. Let me conclude, therefore, not with an easy critique, but with a brief attempt to locate this volume within the larger context of the Israeli national religious renewal.

Within Israeli society one can discern two starkly different strands of religious renewal. On one end of the spectrum exist some extremely conservative developments: the return of some disillusioned secularists to the fold in the so-called *baal teshuvah* movement; *haredism*, an Israel-specific form of pietistic fundamentalism; and the *national* messianic apocalypticism espoused by Gush Emunim, the Bloc of the Faithful. At the other end of the spectrum lies a quieter revolution—the development of a secular civil religion among the majority of Jewish Israelis. The extreme conservative wing of this renewal makes most liberal secular American Jews uncomfortable. The more secular development, though at first glance familiar, is actually quite alien to the underlying ethos of Diaspora forms of Judaism.

Rotenberg articulates the faith of the new Israeli civil religion—indeed, his book can be considered a treatise for it. In this book one can therefore see the contours of an emerging national religion in Israel. Both the traditionalists and the secularists in Israel share certain values that constitute this national civil religion. One of its prominent features is a devotion to the Hebrew language and a romantic sense of its regenerative powers. A second feature is an attachment to land not just as territory, but as sacred ecology. In the Gush this has become the most elevated principle, though in Rotenberg it is more muted. Yet he too is aware that the Jewish connection to the land of Israel transcends mere territorial interests. A third feature is the conviction that the collective national identity is somehow connected with an historical purpose and meaning.

A fourth feature of this national Judaism is a suspicion about Diaspora Judaism and a skepticism about its values. The traditionalists in Israel are increasingly vocal about their anti-modernist sentiments. Rotenberg's tone is more moderate. Yet the real target of his book is not Protestant culture, but Jews such as Freud and Marx (and their many Jewish disciples in America), who have allowed themselves to be absorbed into an alien culture. Here in particular do some Israeli secularists and the vast majority of American secular Jews part ways. Liberal American Jewish intellectuals get upset when Freud and Marx are maligned, and they become defensive when they are told that perhaps individualism, universalism, and dialectical progress are not absolute values.

A fifth feature of national Judaism is shared by Diaspora Jews, namely the affirmation of the continued vitality of the people of Israel, and its proven ability to reconstitute itself despite three thousand years of continual insults to its body politic. In light of this fact, Rotenberg rejects the dialectical framework that maintains that the Old Israel is obsolete, swallowed up by the Christian kingdom—yet another version of the Christian-oriented Oedipal struggle.

Rotenberg's attempts to construct an alternative social science out of the dynamic traditions of a living Judaism deserve to be taken seriously. Furthermore, Rotenberg's ethos of dialogue (sometimes compromised by his delight in polemics) should be especially welcome within the communities of secular Jews in America and Israel. For both communities are authentic forms of Judaism, one flourishing in a denationalized condition, the other emerging as the cultural and spiritual production of Jews living in a Jewish state. Such a dialogue, invested in the midrashic value of multiple possible readings, surely is more productive than certain current, rather defensive conversations in which the two communities seem bent on delegitimizing each other. Indeed, it offers both communities an opportunity to appreciate each other because of their differences.

The reader should be warned: The style of this book might irritate some,

and the content will probably make others even more uncomfortable. Yet this book represents a significant effort to dislodge some unexamined beliefs, and Rotenberg has produced a suggestive alternative to Freudian forms of narrative psychology. □

FILM REVIEW

The Banality of Good

Laurence Jarvik

Weapons of the Spirit, Directed by Pierre Sauvage, 16 mm, 91 minutes, 1987. Friends of Le Chambon. Pierre Sauvage Productions, United States in coproduction FR3, France.

Whoever saves one life is as though he has saved the whole world.
—from the Mishnah, inscribed on the medal given by Yad Vashem to the Hasidei Ummot Ha-Olam.

What is one to make of *Weapons of the Spirit*? What are secular intellectuals to do with a film about French peasants who risked life and limb, standing up to the Vichy police, the German army, and the gestapo? How can we explain the five thousand Christian inhabitants of Le Chambon-sur-Lignon who saved some five thousand Jews from all over Europe? Why does this simple story of one town's resistance to evil, movingly depicted in the new documentary by Le Chambon-born Pierre Sauvage, force us to reassess the moral challenges of the Holocaust?

Sauvage's courage and integrity as a filmmaker surface as he personally narrates the heroic saga of his birthplace as a Christian "city of refuge" for European Jews during the Second World War. Although other films from *The Diary of Anne Frank* to *As If It Were Yesterday* have depicted Christian individuals and families rescuing Jews during the Second World War, Sauvage's film reveals the collective moral resistance of one small Protestant town that stopped the Nazi death machine. According to Sauvage, "To say the Holocaust was inevitable is to say people are not responsible. Just as every individual righteous Christian is by his mere existence an active accusation against other Christians who didn't help, Le Chambon is an indictment of every other community that could have done what Le Chambon did. . . ."

Here is Le Chambon in 1944. Here is a small village in the Massif Central, not too far from the Swiss border. Here is the Huguenot Protestant Temple. Here are the simple God-fearing country folk who worship with Pastor Andre Trocme. And here the gestapo comes, demanding cooperation in deporting Jews. The pastor refuses. He is willing to be arrested. The townspeople will not cooperate. They tell the gestapo, "There are no Jews in Le Chambon." "A shepherd," says Pastor Trocme, "does not denounce his flock." Would that this had happened everywhere in occupied Europe.

Sauvage was a beneficiary of Le Chambon's resolve. His parents made their way from Paris in 1943 and were helped by the Heretier family. Pierre Sauvage, a Jewish refugee in the womb, was born a Chambonnais in March 1944. *Weapons of the Spirit* is therefore both a personal testimony and an historical narrative. It unites the fate of the filmmaker with the fate of European Jews. Sauvage survived, and the film exists only because one French town pursued a policy of total noncollaboration. By presenting us with the landscapes and faces of Le Chambon, by introducing us personally and intimately to the individuals and families Brottes, Barraud, Hillebrand, Darcissac, Trocme, Theis, Caritey, Bloch, Weill, and others, Sauvage makes it seem as if we are also survivors of extermination because of the virtuous actions of the inhabitants of this tiny hamlet. As a personal account of the "conspiracy of goodness" in Le Chambon, the film refutes the widely held belief among Jews that all gentiles are anti-Semites who were happy to see Hitler slaughter Jews.

Philip Hallie has described how Pastor Trocme organized this ancient Huguenot village to defy the Nazis in his excellent history *Lest Innocent Blood Be Shed* (Harper & Row, 1979) Sauvage's film concentrates on the personal efforts of the villagers and surrounding farmers. Despite threats from police and gestapo, not a single Chambonnais turned in a single Jewish refugee. Although partially organized and supported by numerous charitable organizations, both Jewish and non-Jewish, the rescue work was controlled by the Christians of Le Chambon, whose lives were at constant risk.

Sauvage is not afraid to credit Protestants of Le Chambon with the virtues of faith, hope, and charity. "These people were not typical Christians, they were model Christians," he says. In one touching scene, he interviews a beekeeper who put forged identity documents in his hives to keep them safe for Jewish rescue. In another, Monsieur Heretier begins to explain that he saved Jews on his farm because "when people came, if we could be of help . . . " and then he shrugs. Assistant Pastor Edouard Theis notes that the townsfolk followed the biblical injunction, "You must love the Lord with all your heart and love your neighbor as yourself."

Weapons of the Spirit is a Holocaust film in which Christians are heroes because they refuse to cooperate with

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Laurence Jarvik is a special reader in the department of theater, film, and television at UCLA. He produced and directed Who Shall Live and Who Shall Die?, *a documentary about the role of the American government and American Jewish leadership during the Holocaust.*

the Nazis in any way whatsoever. "The responsibility of Christians is to resist the violence that will be brought to bear on their consciences through the weapons of the spirit," said the Protestant preacher in the Temple of Le Chambon on the occasion of France's surrender to Nazi Germany. Sauvage's portrayal of Christian virtue by the Chambonnais refutes the various apologia for collaboration that have been appearing since the end of the Second World War. As one exception disproves a universal claim, Sauvage's film gives the lie to the ideology of hopelessness and despair promoted by conventional appraisals of the Holocaust.

Stanley Hoffman's *Decline or Renewal: France Since the 1930s*, distinguishes between collaboration with Germany for reasons of state—*collaboration d'Etat* ("to a large extent the necessary if unintended by-product of the existence of a French state in Vichy") and *collaborationism with the Nazis* ("in the sense of an openly desired cooperation with, and imitation of, the German regime"). He argues, "In very few cases did the collaborationists know much about what the Nazis were really like; even to the ideological collaborationists, fascism, or national socialism, was more a myth than a political and social reality clearly seen and analyzed." Hoffman's distinction would absolve Vichy police for rounding up Jewish children and sending them to Auschwitz. But to the people of Le Chambon, national socialism was no myth, and they resisted its every demand.

In *The Holocaust and the Historians* Lucy Dawidowicz examines and refutes the evidence of Jewish collaboration. Attacking Hannah Arendt's *Eichmann in Jerusalem* "in which she made the monstrous and altogether unfounded charge that wherever Jews lived, there were recognized Jewish leaders, and this leadership, almost without exception, cooperated in one way or another, for one reason or another, with the Nazis," Dawidowicz claims that "Miss Arendt made unsupported accusations of Jewish collaboration with the Nazis that far outdistanced any charges ever leveled by survivors." According to Dawidowicz, Arendt should have discussed "the limits of freedom and the operation of necessity under conditions of extreme persecution. Such a discussion might have yielded more understanding of the moral predicament in which the officials of the Judenrat found themselves." *Weapons of the Spirit* answers Dawidowicz's challenge. In Le Chambon, under conditions of extreme persecution, there was no Jewish Council, no "moral predicament," and no Jews were turned over to the Nazis for extermination.

Sauvage's film is also an answer to Claude Lanzmann's *Shoah*, which excludes Christians who sheltered Jews. As Israel Shahak has pointed out in *The New York Review of Books*, "There was a small group of Poles who risked their lives to save Jews, and many of this group actually lost their lives for this reason, a fact which to Lanzmann does not seem worthy of record." Sauvage, in contrast, is painfully aware of the Chambonnais martyrs, and he pays them tribute.

Sauvage's film is part of a contemporary reappraisal of responses to the Holocaust emphasizing moral choice and action. Like Waletsky and Kempner's *Partisans of Vilna*, *Weapons of the Spirit* recounts practical actions that were taken to stop the massacres of the Jews.

Implicitly, these films challenge the

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kind of mystification of the Holocaust that has become all too popular in the United States. Consider for example the writing of Michael Berenbaum in his essay "The Americanization of the Holocaust" (*Tikkun*, Vol. I, No. 2). He describes the Holocaust as the *mysterium tremendum*, "the awesome mystery —which cannot be penetrated." Berenbaum argues that "the Holocaust defies meaning and negates hope. The scope of victimization reduces even survival to a nullity. The reality of Auschwitz should silence the optimists." But why?

There is no *mysterium tremendum* about the Holocaust. During the Second World War, moral choices were faced every day by ordinary people leading ordinary lives. As Sauvage has said, Eichmann's "banality of evil" was matched by Le Chambon's "banality of good." Those who collaborated with the Nazis, through acts of commission or acts of omission, did evil. Those who opposed the Nazis did good. This is not a mystery that defies human understanding. That American Jewry wants to see it as such and wants to avoid seeing the rather straightforward political and moral choices that were available, may be a reflection of its own guilty conscience for having done so little.

Against the professional Holocaust pessimists offering convoluted excuses for mass murder cloaked in pseudoreligious academic jargon, Pierre Sauvage and the good works of the people of Le Chambon provide a clear and simple inspiration to us all, a talisman against hopelessness, accommodation, and despair. *Weapons of the Spirit* should be shown in every Sunday school in the United States so that future generations might learn that it is possible to fight evil and to triumph even in the darkest moments of history—by actively doing good instead of rationalizing doing nothing. □

Weapons of the Spirit *is the winner of the 1988 Los Angeles Film Critics' award for best documentary.*

REVIEW

All They Are Saying: A Survey of Center/Right Literature

Milton Mankoff

Cultural Conservatism: Toward a New National Agenda (Free Congress Research and Education Foundation, 1987), by William Lind and William Marshner, was recently introduced by Paul Weyrich at a National Press Club news conference as representing "a new school of conservative thought and a new component of the conservative movement." Weyrich, president of the influential right-wing Free Congress Research and Education Foundation which sponsored the manifesto, also proclaimed the work a welcome departure from the conservatism which worships an unfettered economic marketplace and rejects virtually all government activism. In addition, he extended an olive branch to liberals and moderates who want to revitalize traditional values.

Lind and Marshner contend that without cultural and social restraints people always seek instant gratification. When they do, social disintegration occurs. Since the 1960s, this process, according to the authors, has been exacerbated by "cultural radicalism," seemingly defined as adherence to any of the following beliefs: 1) traditional values are irrelevant or oppressive, 2) Western history is an unbroken record of misery and exploitation, 3) personal growth is synonymous with unrestrained self-expression, and 4) revolutionary purity must never be compromised regardless of human cost.

To restore America's well-being, Lind and Marshner would oppose cultural radicalism by instilling traditional Western culture, especially values arising from the Judeo-Christian legacy. Government, educational institutions, and family would be mobilized in this effort. This cultural offensive would be supplemented by government and community organizations creating incentives for socially desirable behaviors and deterring antisocial ones.

The authors view Western culture selectively: Burke is honored but not Marx; Solzhenitsyn but not Shaw. Moreover, the Judeo-Christian tradition is not unambiguously conservative as Lind and Marshner imply. The rabbis of the Talmud legitimized dissenting minorities with the blessings of Heaven; Jesus hardly seemed a cultural conservative when he attacked religious authorities and money lenders and declared it easier for a camel to go through the eye of a needle than for a rich man to enter heaven.

Cultural Conservatism's notion of cultural radicalism caricatures ideas and social movements. The excesses of cultural radicalism are seen as inevitable, yet those historically associated with cultural conservatism (e.g., fascism, anti-Semitism) are not. Lind and Marshner blame cultural radicalism for most of our social pathologies, but overlook the impact of capitalist values and social consequences of capitalist institutional imperatives. The authors ignore the fact that capitalism emphasizes individualism, exalts novelty, and promises immediate gratification and personal fulfillment through consumption. Environmental destruction, runaway shops, and urban blight are also products of bottom-line "business as usual." Rather than recognizing these impacts of concentrated capital and transnational market forces on the fate of individuals, *Cultural Conservatism* sees us as a

Milton Mankoff is associate professor of sociology at Queens College, City University of New York.

society of small shopkeepers in which each controls his or her own destiny. But, self-restraint isn't relevant when market decisions in Tokyo or Berlin can evaporate one's life savings.

Lind and Marshner's philosophy is severely flawed. It is a strange hybrid of traditional European conservatism and nostalgia for American capitalism circa 1820. Nevertheless, some of its specific goals are admirable and one need not be a cultural conservative to endorse them—for instance, attention to divorced women's economic plight, worker input in a true corporate "community," and social welfare for economic victims. Many of the proposed solutions, however, exhibit a familiar authoritarian paternalism—making divorce and abortion difficult, allowing corporal punishment in the classroom, and opposing value-free sex education and premarital sex. There are also gaping omissions, for example, in regard to personal and institutional racism. It is particularly difficult for cultural conservatives to accept the necessity for unpopular government campaigns to remedy racial inequities rooted in long-standing community sentiments and institutional norms. Yet, two of their ideas—vouchers to improve schools and expanded adoption opportunities to handle the consequences of restricting abortion on demand—take no heed of the likely subtle racial exclusion of nonwhite students and newborns.

Despite its grave weaknesses, *Cultural Conservatism* could have a humanizing effect within the right-wing community by putting opponents of social spending on the defensive. It should also encourage liberals and leftists to regenerate an American cultural tradition which proposes nonauthoritarian, pluralistic responses to spiritual, psychological, and social concerns. Cultural conservatives exaggerate their current mass appeal, but with hard times ahead it would be foolish to permit them to monopolize cultural debate with their peculiar mélange of humane and repressive goals and proposals. Without better alternatives to such offerings, anxious Americans may find more comfort in programs which speak to their misdirected anger than to their reason and compassion. □

Current Debate/Has Jewish Philanthropy Gone Astray?

Response to Eliezer Jaffe: Jerold C. Hoffberger

Challenging Jaffe's Assumptions and Distortions

On the one hand, Eliezer Jaffe's polemic against the United Jewish Appeal (UJA), the Jewish Agency (the Agency), the World Zionist Organization (WZO), and related institutions, is so exaggerated that it hardly deserves a response. On the other hand, there are some basic assumptions and distortions that need to be clarified and corrected, both for the readers of *Tikkun*, and for the wider American Jewish community.

To begin with, it is important to state at the outset that there is no "major crisis" in American Jewish philanthropy. Fund-raising for Israel, via the UJA in North America, and the Keren HaYesod in the rest of the Diaspora, has continued to grow in recent years. Indeed, this is one of the major ways that Diaspora Jews positively act upon their strong identification with Israel. Although there are many problems in the Jewish Agency and many changes in the Agency's operation are needed (many changes have been implemented in recent years), the only crisis is a crisis manufactured by people who feel a need to create a "crisis mentality" over this issue.

Secondly, it is simply incorrect to state that "Diaspora Jews have lost control over their funds in Israel." Anyone who knows about the workings of the board of governors (BOG) of the Jewish Agency of which I was privileged to serve as chairman for the past four years—knows that the budget and finance committee of the board of governors has taken major steps forward to not only know what is happening with the $400 million dollars made available to the Jewish Agency by Diaspora Jewry yearly for its important work, but to monitor the spending of these monies with ever-growing accountability. The comptroller's department has been strengthened. Reports are issued in a timely fashion and responses from the various departments have been submitted in a manner indicating a responsibility which did not exist in the past. The oversight responsibility of the UIA has been enhanced and a special committee chaired by Raymond Epstein, past chairman of the Jewish Agency budget and finance committee and past president of the Council of Jewish Federations, has been appointed to carry out this responsibility.

Thirdly, to refer to the representatives of organized world Jewry as having created a "well-rooted philanthropic monstrosity that is inefficient, politicized, and archaic" is to reveal one's basic blindness to changes that have been unfolding before our very eyes in the past few years. Major strides to upgrade senior personnel via top level search committees for directors-general have mitigated some of the politicization. The choice of heads of all Jewish Agency departments is subject to the advise and consent process. Computer systems have been introduced in the treasury, and throughout the agency, to increase efficiency. And many dis-

Jerold C. Hoffberger is the immediate past chairman of the board of governors of the Jewish Agency for Israel

cussions have taken place—through the Committee of Twelve of the board of governors* and at the board of governors itself, to set new policies on governance, and to begin to implement them.

Setting the Record Straight

Rather than continuing to straighten out distortions point by point, it is preferable to set the record straight. Not only is there no crisis, but the Jewish Agency continues to be *the* major link between Israel and the Diaspora. Moreover, in the Lou Harris pilot survey of American Jewish leaders, one of the major findings was the fact that the overwhelming majority of these leaders want to continue to strengthen the Jewish Agency as the central link that it already is.

To be fair to the historical record, it is important to point out that the Jewish Agency has been undergoing major changes in the last few years, and has thus been demonstrating its responsiveness to the needs of Israel, and the desires of our contributors. Just to cite one example, last year the board of governors voted to grant 3.2 million dollars to programs sponsored by the major American religious streams (Reform, Conservative, Orthodox) *in Israel*, for the benefit of the citizens of Israel. And, last June, at the Jewish Agency Assembly, a resolution was passed, calling upon the board of governors to begin to develop sustained mechanisms for continuing to fund innovative programs, and a plan is currently being developed to implement this resolution.

Other major achievements of the past four years include: reduction of the debt from $650 million to $470 million, saving millions of dollars which are now used for the alleviation of human needs; putting the Companies Authority under a special committee of the board of governors—the Companies Committee, appointed last February—to begin to sell nonessential assets, in order to further reduce the debt; the revitalization of many of Israel's neighborhoods through Project Renewal; exciting and innovative research and recommendations from the board of governors' Jewish education committee, on such crucial topics as the "Israel Experience," and recruitment and training of senior personnel.

These, and many other new activities and plans are already in the works. Moreover, an intensive review of the Jewish Agency's programs and agency departments—immigration and absorption, youth aliyah, and rural settlement—are currently in progress. And a new strategic long-range planning committee, to be chaired by Shoshana Cardin (immediate past president of the CJF) will soon begin its work.

Conceptual Differences

More than misstatements and distortion of facts are at issue here. The major problem is basically conceptual. The idea of eliminating UJA fundraising for Israel, and *instead* spending as much as possible for Diaspora Jewry, reveals a basic misunderstanding of Diaspora Jews. To state that we can only do one or the other is to fall prey to this false dichotomy. We can, and we will, do both! This is the essence of the federated campaign! As Diaspora Jews who live in a free and affluent Diaspora, it is our duty and our responsibility to contribute our share to the building up of the land and State of Israel, at the same time that we strengthen our own local and national Jewish institutions.

We need the centralization which the federated fund-raising system (via the UJA and the federations) provides, and which the Jewish Agency continues in Israel. We are not merely a group of private philanthropists!! We are, rather, Jews who act as members of our communities in helping to build up the land and State of Israel through our central instrumentality, the Jewish Agency *for Israel*.

Much thinking is now going on as to the future of Israel as it enters its fifth decade and about the future of the Jewish Agency for Israel. Rather than "abandonment," as suggested by Jaffe, may I suggest greater knowledge and commitment, more involvement through local Jewish Agency committees and national frameworks (the UJA, CJF, JDC), more involvement in the workings of the annual Jewish Agency Assembly (which has become a major educational event in recent years), and a positive, constructive, optimistic outlook, which will enable us to correct mistakes, engage in needed structural reforms, and move forward from strength to strength as a Jewish people firmly committed to the creative survival of Israel. □

*The Committee of Twelve—comprised of six leaders from the WZO and six from the UIA-KH—deliberated intensively for the past year and made recommendations for changes in governance, which were approved last June by the BOG.

Response to Eliezer Jaffe: Gottlieb Hammer

Eliezer Jaffe misrepresents and distorts the existing situation relative to the Jewish Agency....

Since 1971, an evolutionary drive has begun to have an impact on every facet of Jewish Agency activity. Each summer hundreds of delegates from all over the Jewish world gather in Jerusalem at the Jewish Agency Assembly to receive reports, to debate issues, to make decisions, to learn and to refresh themselves for the fund-raising job back home.

Four times a year, a smaller group—the board of governors—meets to review the work of the various departments, to investigate in detail matters of concern, and to approve the ongoing acts of the Agency.

In addition, numerous committees appointed by the chairmen of the executive and board of governors study the ongoing need of the country and what the Agency is doing about it. These committees consist of members of the board plus outside experts coopted for the purpose of providing independent thinking and review....

What do the Eliezer Jaffes want? Frankly, it is beyond my comprehension. In his article, Jaffe says, "The bulk of their charity [WZO and Keren Hayesod] going to the Jewish Agency is not being handled right." "Diaspora Jews have lost

(Continued on p. 79)

Gottlieb Hammer served for thirty-five years as vice chairman of the Jewish Agency and United Israel Appeal in New York. During those years he was also the president of Zim Lines and chairman of the executive committee of Bank Leumi in New York.

What is hateful to yourself do not do unto others. This is the entire Torah, and the rest is commentary. Go and learn for yourself. — *Rabbi Hillel*

THIS COMING MAY WE WILL BE CELEBRATING the fortieth anniversary of the creation of the State of Israel — the realization of a two thousand year old Jewish vision of being a free people in our own land.

The tragic events of December 1987 did not threaten the existence of the State. But the continuing occupation and the politics of fear, hate, and repression are already poisoning the creative spirit of human liberation which is no less fundamental to the realization of the Zionist idea than the Jewish State itself.

Peace today is both a moral and practical imperative. It will be impossible to achieve peace, however, without an honest and accurate appraisal of conditions.

Those who believe Israel can achieve peace while enforcing an unwanted political authority over nearly a million and a half Palestinians are deluding themselves.

The claim that recent disturbances are only the work of a few agitators is simply a rhetorical "band aid" which cannot possibly cover the real festering sore of poverty, unemployment, and the inherent brutality of twenty years of military rule in the Occupied Territories. The "iron fist" policies of violent suppression cannot resolve any of these problems, but instead exacerbates them. Already, the disturbances have placed the Israeli Defense Forces in an impossible situation. The IDF, which was established to guard the borders of the State of Israel and to protect the existence of the State and the lives of its citizens, is neither prepared nor equipped to deal with riots. The use of this force to repress civil protest threatens to corrode the morale and self image of the IDF much in the same way that the invasion of Lebanon did.

Let there not be any illusions either that these violent demonstrations or random terror attacks against Jewish civilians can advance a peaceful resolution of the problems of the Palestinian people.

It is time for Palestinians to prepare a political proposition and process for peace negotiations. Only a peace process, premised upon the mutual recognition by Jews and Palestinians of each others' legitimate aspirations to national self-determination, will present a meaningful path away from the debilitating conflict which has burdened both peoples throughout this century. It is time for the government of Israel to adopt the formula proposed by Mapam M.K. Victor Shem-Tov and General Aharon Yariv and announce publicly its readiness to negotiate with any Palestinian representative body which recognizes the State of Israel and accepts U.N. Resolutions 242 and 338. It is time for the Palestinians to cease equivocations, to publicly recognize the right of the State of Israel to exist and enter into a peace process with the Israeli government.

It is time to affirm the values of life, peace, tolerance and compromise over the politics of fear and hatred.

We call on the government of Israel to immediately stop the use of lethal force against demonstrators. We call upon Palestinians to abandon the tactics of violence and terror.

To improve conditions in the territories and to advance prospects for peace, we call upon the government of Israel to:

- permit organized political activity in the Occupied Territories;
- refrain from imposing collective punishments and punishments without proper trial;
- encourage economic development for Palestinians in the territories and reduce trade restrictions;
- abstain from expropriations of land and water and refrain from establishing new settlements in the Gaza Strip and the West Bank.

The process of building peace must extend beyond governments and ultimately rests in the development of a sentiment for it among the general public. To this end, we actively support the efforts of the movement in Israel with which we are affiliated to engage not only in pioneering Zionist settlement but also to promote dialogue and cooperation between Jews and Arabs. Programs at the Givat Haviva Institute of the Kibbutz Artzi Federation bring together tens of thousands of Jews and Arabs, especially young people, to promote contact, dialogue, and understanding. We admire the courageous work of Mapam (United Workers Party of Israel) as it forges political bridges between Jews and Arabs and pioneers a program for reconciliation and peace. For twenty years, Mapam has been a vigorous and principled opponent of Israel's occupation in the West Bank and Gaza Strip. We honor all the individuals and organizations, Jewish and Arab, who strive for Jewish-Arab understanding and Israeli-Palestinian dialogue. Their work takes on ever more significance as an affirmative response to the fear-mongering and hatred of Meir Kahane and his ilk.

We call upon American Jews who support the positions we have stated here to express their views to the Israeli government and within their local communities. We call upon you to support the work of Arabs and Jews who seek to promote dialogue and reconciliation.

We look to the upcoming Israeli national elections, scheduled for late 1988, with both hope and fear. The elections provide an important political opportunity for a change in policies leading to dialogue and negotiation. But the elections might also reproduce the current political deadlock leading to stagnation in the search for peace and promising a downward spiral into violent acts and violent responses.

The Zionist movement emerged as a movement for the liberation of the Jewish people. Repression and occupation of another people are incompatible with those goals. If you share our progressive Zionist vision, join us now.

Americans for Progressive Israel is a constituent of the American Zionist Federation, the World Jewish Congress-American Section and is affiliated with the World Union of Mapam. API supports the work of the Givat Haviva Institute in Israel.

EXPRESS YOUR VIEWS!

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Foreign Minister Peres
The Knesset
Jerusalem, Israel

Elazar Granot, M.K.
Secretary General – Mapam
The Knesset
Jerusalem, Israel

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Americans for Progressive Israel

(Continued from p. 77)

control of their funds in Israel." "UJA funds less than 1 percent of annual Agency budget." I have read the above quotes over and over again. What nonsense! I cannot believe that a man who reputedly holds a distinguished academic position could disseminate such rubbish. I wonder what the thousands of UJA contributors who annually go to Israel to attend seminars, and inspect projects think of such comments. I submit that there is no other Jewish philanthropic enterprise in the world that receives as much surveillance, inspection, and rigid reviews as does the Jewish Agency.

Jaffe intimates that the Agency pays exorbitant salaries to its employees. Let him say so to the people involved and see what their responses would be. Aside from a relatively few here in the U.S. who know the facts, Jaffe's distorted presentation can unreasonably harm the fund-raising effort here.

Jaffe suggests that new situations require new options for Jewish philanthropy. Perhaps, says he, a new foundation should be set up; any contributor could then submit a project proposal. Each federation could make its own allocation, etc. Is this sheer naiveté or just pure unadulterated nonsense? There are over two hundred and fifty federations in the U.S. Does Jaffe really believe that money would be saved by closing down the central administrative and fund-raising bodies (the Jewish Agency, the UJA) and allowing free rein to the individual federations and contributors to do the job?

Jaffe further makes a loud exposition of "politicization of UJA funds." Let us examine the facts: The total funds allotted to the constructive funds is $2.7 million out of a total budget of approximately $450 million. By this action we buy relative freedom from multiple campaigns in the U.S. Need we say more?

Politicization is at the very heart of Israeli society. Prior to 1933, Jews settled in Eretz Israel by conviction, a process implemented by the various Zionist political parties. Does Jaffe suggest that American contributors change the Israeli way of life, or is he saying that with tongue-in-cheek? When we delve further into the charge of politicization, one wonders what he really means. In my experience, I intimately knew some of the so-called politicians who ran

Amber

Jon Silkin

In Poland, pines
blob their spare sap
into the salt:
fossil, fossilized gum,
a resin, the state sifts
like fish.
Intimate elegist of
life's raw, Catullus grafted
into his mind,
like a wort,
a staunch, for the soul's bleeding,
the love that pained him,
it seems: the stippled
fluttering wings that found
a sparrow's warmth
in her breasts.
I've threaded this amber
onto a chain.
This little wear-thing,
this neck-clinging
garment of loop
and comma, will indent
the left of your right breast
and the right of the other.
Dandle its easily
warmed substance, its flow
stopped, the halted flow
hardened in water,
Between your breasts.
Not that,
like hands round a sputtering match,
I don't want
mine to hold you, but that
when I take them away
this drop of pine,
pine-liquid, will
touch you, not
with a sparrow, but my hands.

This amber, this rubbed
electric will
limber alien
compatible energies.

But if nothing threads
us, like a pair of beads
pierced on cotton,
keep this alive
substance as
token of warmth
as if
we were to have
had love, for as much as
life swirls in amber,
and then
for however long nature, as Christ
said it would, denies
the human animal
its natural
tranquillity
its home with itself.

Such as five
rained-on, pelted, shivering
almost un-clothed
Welsh saints found
one night
in Pumpsaint, it is since called.

An inn. Refuge
smoulders a chimney
in this watered valley,
this Welsh paradise before
England cantered
horses over it.
The river Cothi
turns straight
for the farm. I touch your lips.

Jon Silkin has published nine books of verse, the most recent is Selected Poems *(Methuen, 1988).*

agency departments. For anyone to suggest that their conduct was influenced in any way by their individual political beliefs is an inexcusable distortion of the facts. Furthermore it is an unwarranted reflection on men who served above and beyond the call of duty.

There is one aspect of politicization which is rightly subject to criticism and is constantly being dealt with by the responsible leadership of the Jewish Agency. I refer to the problem of *shlichim* (Israelis who are sent to the U.S. by the Jewish Agency to encourage aliyah to Israel). It is true that *shlichut* has been abused by some department heads of WZO and the Jewish Agency in Israel. But the board of governors has made many changes in the selection process and much progress has already been achieved. Such problems are not resolved by irresponsible attacks and articles in the American press. I suggest that rhetoric be directed toward the Israeli press. What the leadership of the reconstituted agency has to do is being done, quietly and effectively.

There is one overriding feature at work in Israel which cannot be overlooked. The multi-ethnic culture prevailing in the Jewish state is quite different from American culture. I am not prepared to say that our way of life is better than theirs. But I do submit that if we have strong views on any subject, we should make aliyah and fight for our beliefs on the scene and not from six thousand miles away. Jaffe did make aliyah twenty-seven years ago. More power to him—let him try to persuade his fellow Israelis to make changes. To attempt to effect the changes he would like to make by influencing contributors in the Diaspora is hitting below the belt.

One final issue regarding the World Zionist Organization—this much maligned institution deserves more objective treatment than has been accorded it by the others. We must remember that the WZO was fighting a lonely battle to persuade Jews and non-Jews alike that the establishment of a Jewish state was the only permanent solution to the "Jewish question." I remember in my early years of service the majority of American Jews were "non-Zionist," if not anti-Zionist. It was only in the mid-1940s, after the news of the Holocaust struck home, that the weight of the Zionist argument began to tip the scales of public opinion. One cannot dispute the fact that there is much need and room for reform. The needed changes cannot be achieved by violent and distorted attacks on the WZO in the Diaspora press. Needed change must originate in Israel after quiet but determined analysis and discussion. There can be no question about the need for a Zionist movement; the only issues are what kind of a movement and how it should operate.

Jaffe has made the statement that there is a "crisis in philanthropy," when there is no crisis. There is only undisciplined and outlandish attacks by individuals who should know better. I can only hope that this manifestation will pass without too much negative reaction and that disturbed Jews will learn to live in tranquility. □

Eliezer Jaffe Responds

The sloganeering responses to my article are classic examples of conservative leadership talking about "manufactured crisis" and "crisis mentality," instead of fulfilling their responsibility to the Jewish community by dealing vigorously with the crisis in Jewish philanthropy. It seems that serious reforms in the distribution and conceptualization of Jewish philanthropy for Israel will not come from the UJA fund-raising professionals or from veteran lay leaders who have faithfully accepted the Jewish Agency as the only act in town, Gottlieb Hammer is an enthusiastic romantic, living in the 1950s and 1960s. True, the Agency as a pre-State, ad-hoc government did some really great things. But today, four decades later, Hammer's blind trust in the WZO politicians and his insistence on an eternal UJA-UIA Agency monopoly as *the* primal conduit for charity to Israel is out of touch with the new needs and realities both in the Diaspora and in Israel.

Like a tourist, Hammer believes that the Jewish Agency Assembly and the Zionist Congress are serious forums "for debate and decisions," rather than precooked, superficial gatherings of well-honed Israeli and "Zionist" Diaspora politicians seeking control of naive, anonymous donors' money. He thinks that UJA seminars and missions are really something more than indoctrination of captive audiences solely for Agency programs and fund-raising—instead, an objective education about modern Israel's varied problems and needs. The UJA and its primary recipient, the Jewish Agency, are first and foremost self-perpetuating bureaucracies, which cannot accept honest criticism or competition for Israel-bound funds. Jerold Hoffberger and Hammer are committed to playing down the Agency's sickness because if the Agency looks bad, they and the present leadership look bad.

Most significant of all, irresponsible leadership is bent on rejecting any hint of crisis in Jewish philanthropy, pleading for "tranquility," "quiet" but determined "analysis," and "an optimistic outlook." They fear too many people will stop giving if they are informed about the Agency's troubles. They are primarily worried about the campaigns and would appreciate a less involved, less demanding, less educated, tranquilized donor hinterland. However, we Jews have always strived for excellence in our private and communal lives. This is why it is so difficult for me to understand why the federations and the silent donor mass have for so long meekly settled for mediocrity in their philanthropic-charity relations with Israel.

Hammer lives in the past, but Hoffberger soothes us with hopes for "ever-growing" fiscal accountability, "major strides," "long-range planning," and more "discussions by the (WZO-UIA) Committee of Twelve." Hoffberger, indeed, began his term as chairman of the Agency's board as somewhat of a rebel, using savvy skills to outmaneuver some of the WZO politicians on the Agency board. Unfortunately, he ran

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Eliezer Jaffe is a professor of social work at the Hebrew University of Jerusalem. His article "The Crisis in Jewish Philanthropy" appeared in the Sept./Oct. 1987 issue of Tikkun.

out of steam much too early, with no clear program for reforming the Agency or concept for the future other than cosmetic changes in governance. I totally disagree with his capitulation to live with WZO politicization of the Agency, pleading the "advise and consent process" as a safeguard. Who is he fooling?

Hoffberger's move to clean up and sell off some of the Agency's wasteful economic enterprises (the Companies Authority) was so elementary and overdue, that one is dumfounded to hear this labeled as "innovative." As for the new Jewish Education Committee, my fear is that this will provide an excellent vehicle for the WZO to soak up more Agency (federation) money, just when the Agency should be cutting its ties to the WZO. Project Renewal is a success only because the donors took tight, almost absolute control over their funds, and because of the direct federation-neighborhood "twinning" concept (which I originally recommended and promoted).

Hoffberger missed the chance of his lifetime to show really great leadership. He had four years to convince his fellow lay leaders to transfer all of the Agency's departments to the Israeli government and use the Diaspora funds for exciting, large and small-scale innovative programs in tune with Israel's changing needs. Ironically, today the independent Katz Report and many Israeli politicians are proposing similar ideas. He should have brought the WZO-donor power struggle to an untranquil head and then unilaterally split the Agency away from the WZO. Instead, he backed off, because he accepted the tradition of politicization and decided to live with and even praise it. In my opinion, he sold out the trust of thousands of well-meaning, unsuspecting donors to Israel.

Hoffberger says that the federated campaign will spend what is needed for *both* Israel and the Diaspora. The real facts are otherwise. Jewish education is not of high quality or universally free in the Diaspora. With proper local resources, the American and other Jewish communities should stop being dependent on Israeli educators and *shlichim* (representatives of the Jewish Agency in the Diaspora) and should develop their own vibrant cadre of teachers, programs, and Jewish educational life. Giving money to Israel in order to have it doled back to the Diaspora for education seems counterproductive and inexcusable. The educational institutions in America could blossom with proper funding and, most of all, with a mix of national and local responsibility. Does one really believe that Yeshiva University, the Jewish Theological Seminary, the Hebrew Union College and other excellent educational institutions (including university programs) cannot take proper and full responsibility for Jewish education in America? These homegrown centers, given the resources, can save American Jewry from ignorance and assimilation—without the Jewish Agency, the WZO, or the Israeli Universities. Massive UJA resources used for Jewish education in America could stem the tide. This is not just another "manufactured crisis."

In perspective, Hoffberger and donors to Israel are engaged in the important deeds of philanthropy and tzedakah. We who live in Israel are engaged today in nation building. Basically, donors are operating a large Ford Foundation here, and very sloppily at that. One should not lose this perspective no matter what the Madison Avenue UJA people say.*

Last summer I suggested to Howard Weisband, secretary general of the Agency, that he recommend the establishment of a professional, nonpolitical $10 million "foundation" inside the Agency to provide grants for struggling grass-roots Israeli self-help groups. If the "foundation" does a good job and the WZO people don't get their hands on it, this could be a new (eventually dominant) model for federation-UJA money. There is no doubt that Diaspora money could be much more helpful here if spent wisely, but the present Agency, with its WZO political party representatives holding 50% of the power, is a hopeless wreck.

Those who believe that the election of Mendel Kaplan as chairman of the board of governors of the Jewish Agency (in place of Hoffberger) and Simcha Dinitz as executive director (in place of Arieh Dulzin) will usher in a new era, should hedge their bets. Kaplan will probably spend most of his time fighting with the WZO people, rather than building a new structure. If Kaplan agrees to accommodate the political party people instead of moving to separate from them at all levels of the Agency's work and governance, then he will surely go the way of Hoffberger. He cannot have significant change without separation of philanthropy from the narrow political party interests of the WZO. Dinitz has inherited an unbelievable organization purporting to represent modern Zionism. But it instead has betrayed aliyah in both deeds and personal example. The Zionist Congress is simply the arena for splitting up the Agency (UJA-federation spoils). The joining by the Conservative and Reform movements with the World "Zionist" Organizations simply brought them up to date with Mizrachi and Hadassah women who joined earlier in order to guarantee their own little piece of the Jewish Agency pie. Having joined WZO, they

*The addresses for the alternative philanthropic organizations mentioned in the original article are: New Israel Fund, 111 W. 40th St., Suite 2600, NY, NY 10018; PEF Israel Endowments Fund, 342 Madison Ave., NY, NY 10173; and Ziv Tzedaka Fund, Danny Siegel, 263 Congressional Lane, #708, Rockville, MD 20852

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now have a vested interest in keeping WZO control over Jewish Agency funds and departments. This is a real pity, for the Conservative and Reform could have raised "their" money privately, while fighting for reform of Jewish philanthropy. Although voting for religious pluralism and foreign policy at the Congress has been a great pleasure for them, it will hardly have any effect on Israeli Knesset decisions and coalition bargaining.

Since the present leadership is too scared and faint-hearted about moving away from the Agency, more and more people are wisely moving towards direct giving. At last, the New York Federation, which provides nearly 20% of the Jewish Agency funds, is planning to earmark nearly $7 million in legacy money (albeit using the Agency as their "bank") to their own, New York-approved projects. This is a good sign. What is really needed now is a grassroots donor revolt to bypass the present Jewish Agency and to press the federations for review of allocation conceptualization. New leadership in this direction would be very welcome. □

Report from the Movement

The World Zionist Congress

Reena Bernards and Gordon Fellman

Bernards and Fellman attended the thirty-first Congress of the World Zionist Organization as observers for New Jewish Agenda. Their report is a part of our ongoing coverage from various movements.

As two American observers at the thirty-first Congress of the World Zionist Organization, we were struck less by its bureaucratic clumsiness, its tedious rhetoric, and its frustrating infighting, than by its potential as a democratic world parliament of the Jewish people.

Until the founding of the State of Israel, the World Zionist Organization (WZO) was the one body of world Jews that took an active role in planning and funding pre-state institutions. Its Congress, which meets every four years, consisted, and continues to consist, of representatives of most of the Jewish communities of the world.

Once the Knesset was formed, it was not clear if the WZO was still needed. Nevertheless, its persistence is not much of a mystery. Over half a billion dollars of Diaspora Jewish funds are distributed through the WZO's many departments, which act as duplicate agencies to the government's offices on aliyah, absorption, settlement, education, and other matters. The main work of the WZO Congress consists of behind-the-scenes jockeying for these privileges. Deals are cut, candidates are horse-traded, and shouts and screams punctuate every step of the way.

Most of the representatives to the WZO Congress are democratically elected, and over a quarter million American Jews voted in the elections in 1987. To vote, one has only to belong to a Zionist organization, which can cost as little as five dollars, and to sign the "Jerusalem Program," which affirms the centrality of Israel for the Jewish people, the ingathering of the exiles and the importance of aliyah, and the Jewish prophetic values of peace and justice. This year many progressives signed on in order to influence the politics without agreeing to all points of the program.

As a card-carrying Zionist, one receives a ballot with slates and platforms for Congress delegate elections. Slates represent a broad spectrum of Jewish organizations, including Herut, Mizrachi, Hadassah, Artza (the Zionist organization of the Reform movement), Mercaz (the Conservative movement's Zionist component), Friends of Labor Israel, and, of most interest to us, the Progressive Zionist List—which was endorsed by both left Zionist parties in Israel (Mapam and Ratz).

By voting for delegates to the Congress, Diaspora Jews have an opportunity to experience a pseudo-Israeli election, since each political party has its counterpart in the Congress's system. People vote for organizational platforms and not for persons, although voters are shown the names of the candidates on each list so that they can have some idea of who supports each platform.

In 1987, the Congress was given new energy by the desire of many American Jews to thwart attempts by Orthodox Israelis to define "Who is a Jew?" The Orthodox wish to define a "Jew" as anyone who is born to a Jewish mother or who has been converted by an Orthodox Rabbi. In so doing, the Orthodox hope to invalidate the authority of Judaism's non-Orthodox movements.

This plan has outraged much of organized American Jewry, and it led the non-Orthodox movements to mobilize their constituents for a showdown at the WZO. The Reform movement at least quadrupled its voting support for delegates to the Congress, and the Conservative movement, running for the first time, won twenty-two delegates, almost five percent of those voting. In the end, there were enough votes to pass, for the first time ever, a resolution saying that "[t]he World Zionist Congress, representing the Jewish people as a total, shall call for granting complete equality of rights to all streams of the Jewish tradition and giving their rabbis the legal right to perform all life cycle events and other rabbinic functions. . . ."

It was clear from the start of the Congress that the right wing, consisting of the largely secular Likud as well as a coalition of Tchiya and Mizrachi, had about a third of the delegates present. The left wing—consisting of Labor, Mapam, and Ratz—comprised another third; and the center, composed of Reform and Conservative delegates along with the Confederation (mainly Hadassah), accounted for the final third.

Reena Bernards currently works as an organizational consultant. Gordon Fellman is New Jewish Agenda's Israel liaison. He teaches sociology at Brandeis University.

When the "Who is a Jew" issue came up for a vote, the hands raised in favor of the resolution appeared to us to be twice as numerous as those raised against. Ordinarily, the chairperson, Hadassah President Ruth Popkin, simply would have announced that the resolution had passed. In this instance, however, she acceded to Likud's demand for an actual count, which took nearly an hour. The "aye" count had to be done several times due to disagreements among the counters, and the "nay" count was even more of a circus. Angry, rambunctious, and determined to disrupt, the right-wingers at first refused to sit down for the count. When the count began, the reason they wanted an actual count became apparent. It seems that, once a row was counted, some of the right-wingers passed their voting cards back to non-delegates. As a result, the vote was 291 in favor to 271 against—much closer than the apparent two-to-one margin.

Right-wing anger did not abate. When Nissim Zvili presented a resolution opposing Jewish settlements in the occupied territories, the right wing yelled so loud that Zvili could not be heard. When Popkin was unable to restore order, she announced that the vote would be postponed until June—a decision that was met with cries of "NO! NO! NO! DEMOCRACY! DEMOCRACY! DEMOCRACY!" from the left and center. During the tumult that followed, one of us shouted to the chair, "Ms. Popkin, why accede to right-wing terrorism?.... This is supposed to be a democratic forum! One thing Americans can contribute to Israel is an understanding of how the democratic process works. So please don't give in to the thugs!" Unfortunately, after some consideration, Popkin stuck to her original decision to postpone—and in fact all other resolutions were similarly postponed till June, a victory for the right wing's tactics of disruption. The Labor party played an insidious role in this affair. It seemed to us more interested in keeping peace with Likud than in allowing the Congress to grapple with Israel's serious problems. Thus, any attempts to raise the issues connected to Palestinian rights or to the peace process were quickly buried through postponement.

At first we were outraged, and we wondered whether the Congress was anything more than nominally democratic. But then we realized that despite the chaos we had witnessed, the proceedings had been no less democratic than the orderly and "civilized" Jewish assemblies we had seen in the U.S. For example, the meeting of the General Assembly (GA)—the annual meeting of the Council of Jewish Federations in the U.S.—is the largest annual meeting of North American Jews, with three to five thousand people. Yet this body is not democratically elected. It represents Federation boards that are composed primarily of wealthy Jewish donors. And although the meeting is not plagued by shouting and disruption, votes are engineered and discussion is prevented in a more insidious manner. Chicanery is just as common in the American political system, both Jewish and non-Jewish; it is simply quieter and more "civilized." In fact, despite our initial shock at the Israeli ruckus, we found that a greater number of issues were discussed in the WZO than at the GA.

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and a determination to actively confront Israel's growing right wing, progressives could help ensure that crucial policy statements get discussed and passed.

We have the opportunity to identify, as Jews, with something higher than social mobility for its own sake, suburban display, and yuppie patterns of consumption. Jewish commitments range from social justice and equality, on the one hand, to ethnic triumphalism and reactionary longings for a rebuilt Temple, on the other. The only organization that comes even close to providing an international arena to discuss Israel's future is the World Zionist Congress. The world's progressive Jewish forces can use this forum to further their important causes. Do they have the will to organize themselves and to overcome their fear of one another? We hope so, but we wonder. □

Letters

(Continued from p. 4)

I think it was a real service not just to Jews, but to all of us who are wanting a better world.

Donna Kaplan
New York, New York

Intermarriage

To the Editor:

I was pleased to see the review of Paul and Rachel Cowen's book, *Mixed Blessings*, in *Tikkun*, but I am concerned lest readers of this review come away with a misconception.

For over nine years there *has* been a program in the Jewish community which works to change negative attitudes and which welcomes Jews-by-Choice, counsels them, educates them and integrates them. This same program trains facilitators and runs groups throughout the country for intermarried couples and Jewish parents of intermarried couples. And this program works within the Jewish religious schools to ensure that the Jewish integrity of the religious school is maintained while nurturing Jewish self-esteem and being sensitive to the family background of all children in the religious school.

This vital program, which has already touched thousands of lives, is Reform Jewish Outreach which has become an important part of the work of the Reform Movement in North America and now has a director, an assistant director and twelve regional coordinators who bring our programs for Jews-by-Choice, intermarried couples, their parents and children to more than 800 Reform congregations in North America. We have published eleven books and manuals and have produced one film about conversion and another about intermarriage.

We are proud that our Commission on Reform Jewish Outreach has blazed the trail for the rest of the Jewish community and that Outreach has had an impact well beyond the Reform Movement. Although there is still much to do, we have already created a climate in which all Jews who are concerned with Jewish survival can begin to deal constructively with the challenges presented by intermarriage.

I look forward to a fuller treatment of this critical issue in the pages of *Tikkun*.

Lydia Kukoff
Los Angeles, California

Welfare Reform

To the Editor:

I commend Alvin Schorr and *Tikkun* for focusing on welfare reform, an issue that has not received the attention it should from the American public generally and the Jewish community specifically. Before reviewing his conclusions, I want to underscore why a discussion of welfare reform belongs, not only in a Jewish magazine, but also at the top of our agendas.

Clearly, our concern for the poor reflects moral, theological, and practical values that are evident throughout Jewish history. More concretely, our concern with welfare reform, and the larger issue of poverty, derives from the importance we give to family and community.

Jewish support for welfare reform also demonstrates an ideological and pragmatic recognition that our community's health and vitality depend upon America's political, economic, and social well-being. Our support reflects still another pragmatic recognition: The Jewish community has long realized the need to build coalitions with other groups to assure that our interests are taken into account in national, state, and local decisions. And let us not forget a still more practical reason for our focus on poverty and our activity in support of welfare reform: Significant numbers of the Jewish elderly are poor and near-poor, and a large number of Jews are single parents and belong to the "working poor," notwithstanding the relative affluence of the American Jewish population as a whole.

Professor Schorr's evaluation of current reform proposals helpfully reminds us that many use the term "welfare reform" quite loosely, and that we might not consider their proposals to be reform. However, I disagree with his characterization of all the current proposals as a "collection of old ideas, trivial ideas, and inflated rhetoric." Neither do I agree that they address only "derivative causes," not "the first cause," the "broad unavailability of jobs for people with poor education and skills." Nor do I believe that they will lead to damaging tradeoffs.

The American Jewish Committee supports welfare reform in general and one reform proposal in particular, HR 1720, which recently passed the House of Representatives. We view this bill as a good beginning, one from which a better welfare system can emerge. Furthermore, as important and central as job and wage initiatives might be, actions in these two areas must not preclude efforts to improve welfare. Such a position, one which Schorr advocates in his article, needs to be changed both in the short and long terms. Certainly, support for welfare reform does not preclude advancing proposals that create jobs or increase wages.

As Schorr undoubtedly knows, our system works through incremental change. While there always is the danger that by settling for less than the best, we will never achieve the best, we do have evidence, such as increased Social Security benefits and minimum wage rates, that incremental change does occur. And as much as one would prefer a stronger and more comprehensive reform proposal, HR 1720 merits our strong support.

Schorr underestimates some of the positive attributes of the bill. HR 1720 is about strong families and good jobs and recognizes the importance of ancillary support services such as childcare and medical care. The bill encourages self-sufficiency, targets work and train-

ing initiatives, supports parental obligation through enhanced child support enforcement and recognizes that diverse strategies must replace broad generic solutions. The bill also mandates a case management approach which, unlike the social services approach of the past, emphasizes jobs. Such an approach has been endorsed by the very state leaders and state and local administrators (The National Governors' Association, The American Public Welfare Association and The National Association of Counties) whom Schorr asserts are now overburdened and are unable to handle this magnitude of change. They think HR 1720 is worth a try.

Does HR 1720 do everything we want it to do? Of course not! Is it a beginning? Yes, most certainly it is. While we welcome Schorr's warnings, we hope that his arguments will not be used to defeat this important step forward. We should support HR 1720 even though we do not know what legislation ultimately will emerge when it is conferenced with a yet-to-be-passed Senate bill.

Judith Golub
Assistant Washington
Representative
American Jewish Committee
Washington, D.C.

Alvin Schorr responds:

I should not want to be taken to oppose incremental change in general. The trick is to know when an increment is a step forward and when not.

The *Tikkun* article on which Judith Golub comments was an attempt to discuss HR 1720 and other proposals in detail, and to display the mischief they would do while they were presumably doing good. In particular, it is important to appreciate that the language of a law is not the final real thing. The final real thing is what becomes of a law in administrative agencies and real life; and that may be quite different. This version of welfare reform's intricate provisions, entirely underfunded from the beginning, will interact with existing administrative chaos in welfare agencies. Mothers will train for nonexistent jobs while their very young children receive the poorest care, and people who are really eligible will be dropped from assistance for no good reason. Local administrators have said to the General Accounting Office that they will not be able to administer HR 1720. GAO has dutifully reported their views to Congress, with no apparent effect.

In any event, the House has passed its bill and the ball is now in the Senate's court. From the point of view of poor people, the Senate bill that will be considered is worse than HR 1720. If the Senate bill passes, a committee of Congress will seek a compromise between the two. It will seek that compromise under threat of a veto from the president, which is to say that even the smallest liberalizations will be at risk. Thus, only a bill that is worse than HR 1720 can be expected to emerge from Congress. In my view, a U.S. senator who cares about people more than about rhetoric will vote against passage.

Healing through Meeting

(Continued from p. 35)

world, that the possibility of transformation and healing lies. The person who suffers from existential guilt must illuminate that guilt, persevere in identifying him/herself as the person who took on that guilt, and restore and repair the injured order of being through the relation of an active devotion to the world.

The former Jungian therapist Hans Trüb experienced a crisis as a therapist from his denial of ethos and with it real guilt in favor of a higher "spiritual" plane to which he wished to bring his patients. After his crisis, Trüb concluded that the acceptance of real guilt is the beginning of responsibility, and responsibility is what enables the person whose relationship with the community has been ruptured to reenter into dialogue with the community. But Trüb also recognized that this rejunction with the community has to take place in two stages: First, the therapist has to realize that the person before her/him is someone who has been rejected and disconfirmed by the community, someone who stands in need of the understanding and confirmation that a confidant can give. Only later, after the therapist has succeeded in giving the patient the confirmation s/he has been denied, does the therapist enter the second stage and place upon the patient the demand of the community in order to help the patient renew the dialogue with the community that has been injured or destroyed.

Confirmation

If we can confirm ourselves, it is only because we have been confirmed by others, and if others can confirm us, it is only because we can accept being confirmed by them. We need to be confirmed in our uniqueness, yet we need to be confirmed by others who are different from us. This is not a paradox so long as genuine interhumanness stands at the center of human existence; for our very existence as selves originates in and perseveres through the interhuman. But other persons, including our parents, are not always willing to confirm us in our uniqueness. We cannot become ourselves without other people who call us to realize our created uniqueness in response to our life tasks. Many of us, unfortunately, have experienced "confirmation" of a very different nature—confirmation with strings attached. Many of us are, in effect, offered a contract that reads: "We will confirm you only if you will conform to our model of the good child, the good churchgoer, the good student, the good citizen, the good soldier."

Once we have bought that bargain, and most of us buy it more or less, we are placed in an impossible double bind. We know somewhere in our hearts that it is not *we* who are being confirmed, but rather the role that we are acting in order to please significant others. Yet if we try to rebel against and break out of this

pseudoconfirmation, the other half of the contract goes into effect, for we have internalized the proposition that if we do not "behave," we cannot be confirmed because we are not lovable.*

Now we are able to see why "inclusion," or "imagining the real," lies at the heart of confirmation. No one can confirm us through empathy in the strict sense of the term because one does not give of oneself thereby—or through identification because one misses us in our uniqueness and filters through only what is like oneself. One can confirm another only by bringing oneself in one's uniqueness into dialogue with another in his/hers, confirming while holding in tension the "over-againstness," and, if necessary, even the opposition and conflict that come out of this unique relationship between two unique persons. Only inclusion, or imagining the real, really grasps the other in his/her otherness and brings that other into relationship to oneself.

If confirmation is central to human and interhuman existence, then it follows that disconfirmation, especially in the earliest stages of life, must be a major factor in psychopathology. Instead of finding the genesis of neurosis and psychosis in frustrated gratification of drives, à la Freud, we shall find it more basically and more frequently in disconfirming situations in the family that impair the child's basic trust.

If disconfirmation or the absence of confirmation lies at the root of much psychopathology, then confirmation lies at the core of healing through meeting. Repair work, as Buber points out, helps a soul which is diffused and poor in structure to collect and order itself. Healing through meeting is that therapy which goes beyond this repair work to the essential task—the regeneration of an atrophied personal center. This means the healing not just of a certain part of the patient, but also of the very roots of the patient's being. Without the existential trust of one whole person in another, there will be no realization on the part of the patient of the need to give up into the hands of the therapist what is repressed. Without such trust, even masters of method cannot effect existential healing.

Confirming a person as s/he is is only the first step. I must take the other person in his/her dynamic existence, in his/her specific potentiality. This sense of his/her unique direction as a person can make itself felt to me within our relationship, and it is that which I most want to confirm. In therapy, this personal direction becomes perceptible to the therapist through the person's illness, which manifests the highest potentiality of this person in negative form. The therapist can directly influence the development of those potentialities through helping to shape the new and to counterbalance the negative with the positive. To confirm the other is only possible within the relationship itself insofar as the other can communicate his/her self to you and you can experience both his/her and your own side of the relationship.

The Relationship of Touchstone

An important link between confirmation and healing through meeting is what I call the "dialogue of touchstones." To touch is to go through and beyond subjective experiencing: if I touch, if we touch, then there is a communication that is neither merely objective nor merely subjective, nor both together. The very act of touching is already a transcending of the self in open-

*Maurice Friedman, *The Confirmation of Otherness: In Family, Community, and Society* (New York: The Pilgrim Press, 1983), Chaps. 5–8. Readers who are familiar with Peter Gabel's article "The Bank Teller" (*Tikkun*, Vol. 2, No. 1) will be struck by the close resemblance between the view of confirmation put forward here and Gabel's concept of mutual confirmation: "Each person wants to connect with the others in a life-giving way, to make contact in a way that would produce a feeling of genuine recognition and mutual confirmation. This desire is fundamental to being a social person, and it animates all of us at every moment of our existence." While Gabel is also extremely perceptive concerning the alienation that occurs when such mutual confirmation does not take place, he tends to make an either/or out of the personal and the social, somewhat at variance with my stress on the necessity of holding the tension between personal uniqueness and social role.

Support the voice from Israel that calls for

Israeli-Palestinian Dialogue Now!

Our television screens and newspapers are filled with images of the tragic violence emanating from the West Bank and Gaza Strip. The problem is not the image reflected in the media. It is the reality in the field. The problem is not the lack of good public relations. It is the lack of good policy.

More troops can be poured into the Occupied Territories and cleaner, non-lethal methods of riot control can be employed. But as long as the occupation of the West Bank and Gaza Strip continues, as long as a peaceful solution to the Israeli-Palestinian conflict is not found, based on the mutual right to national self determination for both Israelis and Palestinians, there will be no end to the turmoil.

In 1988, we need an Israeli government with the courage to take the initiative to achieve peace. We need Palestinian and Arab leaders who will present realistic formulas to move the peace process forward. We need an American-Jewish community prepared to have a mature and open dialogue with Israeli, American and Palestinian leaders. We need an American administration ready to take a positive role in promoting the peace process in the Middle East. We need mutual recognition between Israelis and Palestinians and a mutual moratorium on violence.

There are people in the Middle East who are struggling to achieve these goals and your help is crucial -- now, before it is too late. With your help, New Outlook middle east monthly, the English language voice of the the Israeli peace movement, can make its call for Israeli-Palestinian dialogue heard clearly in Israel, in the Occupied Territories, in the United States and throughout the Arab world.

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ness to the impact of something other than the self. When two people really touch each other as persons—whether physically or not—the touching is not merely a one-sided impact: it is a mutual revelation of life stances.

Real communication means that each of us has some real contact with the otherness of the other. But this is only possible if each of us has related to the other's touchstones in his/her unique way. The real dialogue of touchstones means that we respond from where we are, that we bring ourselves into the dialogue. The other person needs to know that s/he is really coming up against us as persons with touchstones and witnesses of our own.

Although each of us has his or her own viewpoint, we are not completely alone. We are able to share what is uniquely our own and, each of us in is or her own way, bring it into a common reality. The so-called psychotic, the schizophrenic, and the paranoid, however, live facing the impossible choice of retreating within and pretending to go along with socially approved ways of speaking and acting or of "expressing" themselves and alienating everyone else in so doing. Touchstones of reality and the dialogue of touchstones begin in and are renewed by immediacy. Sickness is what prevents the return to immediacy. From this standpoint, "health" is not adjustment, a process of becoming rational or emotional, but rather a matter of coming to a firmer grasp of one's own touchstones of reality in dialogue with the touchstones of others.

All clients fear that in entering into therapy they will have to sacrifice their own touchstones of reality, that they will have to subordinate themselves to an external authority and join in invalidating their own touchstones as "sick." What makes this fear all too real is not only psychiatrists who set up their own "reality" as the sole standard of health, but also "responsible" and "helpful" people who tend to handle both sides of the dialogue and thus disenable others to bring their own touchstones into the dialogue.

The therapist must bring his/her own touchstones into the dialogue. The normative limitation to mutuality in the therapeutic dialogue of touchstones lies not only in the structure—who comes to see whom for help—but also in the fact that the therapist has more experience in inclusion, in imagining the real, in experiencing the other side of the relationship, in seeing through the other's eyes as well as through his/her own.

If we begin by honoring each person's unique relation to reality, then to say of a person that s/he is "sick" does not imply that this person is outside reality, but only that s/he needs help in being brought into the dialogue of touchstones—that common order of existence in which s/he may raise what was experienced as "I" into the communal reality of "we." The terrible dilemma of the "sick" person, we have seen, is having to choose between giving up his/her touchstones in order to communicate or giving up communication. But a touchstone that is not brought into the dialogue ceases to be a touchstone. Instead the person is divided into an outer "social" mask and an inner hidden reality, and both are less than real.

It does not matter whether the outer mask is social conformity or the defenses and postures of the schizophrenic who regards others and/or him or herself as unreal; it is still far less than a human reality. It also does not matter whether the inner "reality" is one that is repressed from consciousness or is eagerly cherished as the most precious "inward" possession, the "real self," as Horney, Rogers, and many others like to say. It too is vestigial, atrophied, less than a fully human or even personal reality.

The help of the therapist is not, in the first instance, a matter of finding the right words, still less techniques of communication. It is a matter of the dialogue of touchstones coming into being between one who cannot reach out and one who can. "When one person is singing and cannot lift his voice," said a Hassidic rabbi, "and another comes and sings with him, another who can lift his voice, then the first will be able to lift his voice." "That," said the rabbi, "is the secret of the bond between spirit and spirit."

If patients fear exposing themselves for fear that the therapist or their family or friends will invalidate what they have to contribute as worthless, then they will not be able to enter into the venture of the dialogue of touchstones. The goal of healing through meeting, of confirmation, and of the dialogue of touchstones is, therefore, the same—to establish a dialogue on the basis of trust.

The confirmation of otherness that the dialogue of touchstones assumes and brings into existence means that no voice is without value, no witness without reality. Every voice needs to be heard precisely because it represents a unique relationship to reality. Even though that voice may be distorted, "sick," and miserable, it still contains the nucleus of a unique touchstone that its very negativity both bears and conceals. Confirming the other, in the end, cannot mean just healing in the limited sense of making a single person whole. It must also mean a movement in the direction of a climate of trust, a caring community, a community that confirms otherness. Such a community gives each person a ground of his/her own, a ground from which one can touch the other's touching, a ground in which mutual confirming and healing through meeting can take place in spiraling circles that bring more and more of each person's touchstones—whether born of trauma or of ecstasy—into the reality of life together. That is the secret of the bond between person and person. □

Writing and its Discontents

(Continued from p. 40)

sign of imagination, both moral and interpretive. Still, I suspect that Berkovits would wish to continue defending the privileged status of rabbinic interpreters, even as he calls on them to broaden their horizons, rather than accept the more radically anti-institutional possibilities outlined earlier.

V

Writing *per se* can scarcely be expected to resolve deep and basic social and political cleavages. It has not done so in the United States. In a time of sometimes over-celebratory bicentennial festivities it is important to remind ourselves that America's first Constitution—the Articles of Confederation—lasted a total of seven years, and that the Constitution of 1787 lasted only seventy-four, when the United States was riven by the bloodiest civil war that had yet occurred in the Western world. The Constitution that reemerged after the War was substantially changed by the addition of the so-called Civil War Amendments, and we have not yet achieved a consensus about the implementation of the vision of racial justice that lay behind those amendments.

There are many things that one might criticize about the contemporary State of Israel, but I am not sure that its failure to adopt a written constitution should be near the top of the list. Although I endorse efforts to achieve written protections of basic civil rights and liberties, there is little reason to believe that Israel's adoption of a written constitution would in fact resolve the issues that account for its inability to adopt such a constitution in the first place.

I do not want to sound overly pessimistic about the impact of writing. Giving—and writing down—one's "word," whether in an international treaty or in the more private *ketubah* between marriage partners, may sometimes provide independent reason to maintain commitments that one might otherwise prefer to ignore. Similarly, written constitutions—as supplemented by their unwritten Siamese twins—may be of some import. Yet one should never view constitutions—or any other writing—as a genuine resolution of political struggle. They constitute one moment in what is inevitably a continuing battle. This is true whether the text in question is the Torah, the Constitution, or the ABM Treaty of 1972. Those who view writing as a means of escaping the discontents of life are doomed to yet further discontent. □

Down-to-earth Judaism: Sexuality

(Continued from p. 49)

homosexuality is not a matter of choice—but of identity set either genetically or very early in life. For those who continue to accept the traditional understandings of halakha, this discovery has brought into discussion the halakhic principle that absolves of "sin" those who act under compulsion. At a more Aggadic level, this relatively new discovery raises the question of whether a community that has celebrated the Song of Songs as "the Holy of Holies," imagined its own relationship with God as that of spouse and lover, and refused to make a virtue of heterosexual celibacy ought to be insisting that someone whose deepest sexual identity is homosexual and who cannot experience sexual pleasure with a partner of the other gender should choose a life of celibacy or of privatized, closeted, stifled sexuality rather than one of publicly affirmed homosexuality.

The other new factor is an increasing sense that gay men and lesbians are an oppressed community, "strangers in the land" as we were strangers in the land of Egypt, fellow victims (though not in the same way) of the Nazi Holocaust, and therefore to be treated as the Torah commands that "strangers," the excluded and oppressed, be treated: with love, respect, and equality.

Once we have noted the Torah's demand that the stranger be treated with justice and love, we should also note that it may be precisely the "strangeness" of homosexuality that is at the root of the fear and hatred that has been expressed toward it. Perhaps it is not the desire for children nor the hatred of idolatry that has been the root of the rejection of homosexuals—but rather the fear of what is different, strange, queer. ("What do they *do* in bed, anyway?") Especially the fear that "I myself" am somewhat different, strange, queer—different from the person I have advertised myself to be. The deep fear that when I take a close look at the strange face of the stranger, it will turn out to look a great deal like the strange face in my mirror. The Torah repeats the command to love and respect the stranger thirty-six times—a hint that this command is not easy to obey. We could honestly face its difficulty, and then persevere in our perennially difficult task of embodying Torah. So in our generation it may be necessary for the Jewish community as a whole, in the light of *all* of these values, to reexamine its attitudes toward gay, lesbian, and heterosexual Jews. Is there a way to reaffirm the importance of raising the next generation of Jewish children without denigrating homosexual practice—indeed by affirming the right, the ability, and the duty of *all* Jews to join in that work? Is there a way to develop an ethic of sexual relationships that takes into account the experience of gay and lesbian as well as heterosexual relationships, while the ethic itself ad-

dresses the quality of the relationship—not the gender of the partners? Is there a way of celebrating God as Lover and Spouse with images that work for Jews of all sexual orientations?

In my judgment it is possible and desirable to move in these directions—to reexamine ways in which all the values of Torah can be upheld, rather than upholding some (such as fecundity) while shattering others (such as free and equal participation in the community) for part of the Jewish people. On such a path, the values that seem to have been the reasons for celebrating heterosexuality do not need to be discarded. On such a path the choices do not need to be Either/Or—but Both/And-What-Is-More.

If this is the path that a new Jewish sexual ethic is to take, we will need to work out ways for congregations and communities to open up prayer, life-cycle celebration, *tzedakah*, *shalom bayit*, and other aspects of Jewish life to full and public participation by gay, lesbian, bisexual, and heterosexual Jews. No matter what sexual ethic we develop about the nature, techniques, and celebration of different forms of sexual relationships, it could be applied equally to sexual partnerships regardless of the gender of the partners. Homosexual marriages, homosexual *pilegesh* relationships, and homosexual "fluid" time could all be treated in the same way as their heterosexual equivalents.

The question of what sexual ethic should operate within a marriage is another area of doubt. The asserted norm, for most Jews, continues to be sexual monogamy and fidelity for married people. But a sizeable number violate this norm in practice, and the community is certainly unclear what sanctions to apply. Should known adulterers be expelled from congregations? Denied leadership offices? Denied honors such as being called up to read Torah? Admonished privately? Treated as if their sexual behavior were irrelevant?

The question becomes more complicated when some argue that the norm is disobeyed in practice not because people are perverse, but because the norm is untenable—at least for many couples. Should couples then make their own decisions whether their particular *ketubah* requires monogamy? Are sexual relationships outside marriage "adultery" only if the partners entered a commitment to monogamy, and one then betrays that commitment? Or does the community as a whole have a stake in affirming that a "marriage" should be monogamous?

A very few voices have suggested approaching the question by drawing on one of the oldest strands of Jewish sexual ethics—the openness to certain forms of polygamy. Until one thousand years ago among Western Jews, and until a few years ago among Eastern Jews, it was legitimate, though unusual, for men to have more than one wife. Was there any wisdom in allowing this possibility? Because one of the main reasons it was abandoned was the protection of women, who were deeply unequal in status, does the reason for the prohibition of polygamy still stand, or do changes in the status of women suggest that instead the prohibition be ended and men and women both be allowed to take several mates? (For those who would like to avoid a radical break from traditional halakha, the latter decision would be a great deal harder to accomplish.) Or, since the other main reason that polygamy was forbidden to Western Jews was that it exposed them to contempt in Christian eyes, does the incredulity or ridicule that the notion provokes in many people suggest that polygamy is still viewed with contempt in the West and should still be avoided—that *de facto* adultery is less dangerous than *de jure* polygamy?

To point out how hard some of the questions about "adultery" are, consider the following hypothetical case: A well-known leader of the Jewish community approaches his rabbi and the lay leaders of his synagogue. He has been lovingly married for many years. His wife has for several years been institutionalized with a debilitating and disabling but not fatal illness. He has cared for her with love and devoted attentiveness. Her illness has now been diagnosed as incurable. He does not wish to divorce her, for that would damage her both financially and emotionally. Yet he cannot bear to live forever lonely. He has come to love another woman, and wants her to live with him and be his sexual and emotional partner. What is the view of the congregation?

Should the Jewish community force this leader to retire rather than let him carry on such a relationship, considering his high visibility in Jewish and public life? Or should he be retired simply on the ground that adultery is forbidden? Should the community tolerate his life path, provided he leads it in secret? Should it insist that he divorce his wife? Should it affirm his choices as being in accordance with Judaism under the circumstances? Or should it perhaps refuse to decide at all, and leave the whole matter to individual conscience?

Even in less agonizing situations, some who assert that they do in fact live by the monogamous norm and some who assert that they have agreed to "open," nonmonogamous marriages both report enormous social pressure against their decisions. Among the monogamous, some report that in a society suffused with sexual attractions, even close-knit Jewish communities do not act fully supportive of their commitment to monogamy, but that some members of the community act both sexually seductive and politically contemptuous, as if such a commitment were old-fashioned and repressive. Some also report that when they seek emotional intimacy outside marriage, not intending to include a sexual relationship as part of the intimacy, both they and their friends find it hard to draw the lines.

As for those who assert that their marriages are "open" and nonmonogamous, some also report that their communities treat them with derision or fear, and some report that they experience intense jealousy and fear of loss. In both groups, some say ruefully that hypocrisy turns out to be more comfortable to live with than either a clear commitment to monogamy or nonmonogamy in theory as well as practice.

Finally, there is the area of doubt about specific sexual practices in any relationship, without regard to who the partner is. Here again, the tradition is more permissive in some areas than some modern Jews assume—though in other areas a great deal more restrictive than most modern Jews would accept in their life practice. For example, some of the rabbis for centuries have approved of both oral and anal sex where the partners find these the source of greatest pleasure. (See, for example, Maimonides, *Mishnah Torah Hilkhos Issurei Biah*, 21:9, cited in Winkler, *New Menorah*, Second Series, Number 7.) On the other hand, the rules of *niddah*, prohibiting sexual relations during the menstrual period (and a good many days afterward) have been a clear biblical-rabbinic tradition. Most liberal and progressive Jews see *niddah* as a regressive rejection of femaleness in that it rejects menstruation as an "unclean" time and process; but in our generation it has been explained by Rachel Adler as a way of honoring the uncanny edge of life-and-death that is involved in menstruation's casting off of a viable egg cell, and by others as a way of creating a rhythm of separation and renewal between two sexual partners. Similarly, the opposition of much of Jewish tradition to the use of some forms of contraception has been rejected by most liberal and progressive Jews.

Discussions of *niddah*, however, have turned up suggestions of ways to affirm some of the values that may be at stake without denigrating women. When one couple who were in disagreement about the question asked for help from a feminist leader of the movement for Jewish renewal, she suggested that they explore separating sexually for the days of Rosh Chodesh—the new moon—rather than at the time of menstruation. In this way they could experience the rhythm of separation and return without focusing on menstruation. Others have suggested refraining from sex for just a day or two of the menstrual cycle, thus honoring its occurence without defining it as unclean.

The more basic possibility underlying these responses is that they come not from law or judgmental sentiments, but from nurturing wisdom, seeking to reconcile deeply held values that did not need to be seen as contradictory and drawing on Jewish tradition in new ways without rigidly obeying strictures that have risen in the past. In a sense, the feminist whom the couple consulted acted as a rabbi not judging as part of a *beit din* (house of legal judgment) but as part of a *beit rachamim* or *beit chesed* (house of nurturing love) or perhaps a *beit seichel* (house of prudence). Pursuing this approach on matters of sexual ethics could be one of the most important steps that Jewish communities and congregations could take. Imagine how different attitudes toward the rich fabric of Jewish thought and practice might become, and how unnecessary the desperate loneliness of people now faced with decisions they see as utterly individual, if every synagogue and *havurah* were to create a panel of women and men noted for their practical *chesed* and *seichel* from whom a person or a couple in an agony of doubt and pain over sexual issues could choose one or a few people with whom to counsel.

We might even consider making it a matter of communal ethical agreement and obligation that before undertaking a major change in sexual relationships, congregants were required—not simply encouraged—to consult with such a *beit chesed*. Whether they followed its recommendations would be up to them. The legal obligation would go not to the content but to the process of consultation. Such an understanding suggests one way to resolve the tug between individual and communal desires.

The decision to create such *b'tei chesed* might begin in any congregation—and if it worked, would spread. Some of the other decisions I have suggested—for instance, a clear and public affirmation that there are three different "times" or kinds of legitimate and holy sexual relationships, the clarification of *pilegesh* relationships, the clear legitimation of homosexual relationships—would require statements by authoritative individuals or groups in Jewish life. Even the clarification of the process of ending a Jewish marriage would require not only a new decision by the Reform movement to insist that a *get* or Jewish divorce is necessary along with a civil divorce to end a Jewish marriage—but a decision by *all* branches of Jewish life to issue a *get* not simply as a formula, but after serious consultation with the couple on the conditions of the end of the marriage.

How do we get these processes of change going, at both the grass roots and institutional levels? These, like the similar questions about a commission on Ethical *Kashrut* and about a network of *tzedekah* activists, we are now ready to address.

In the three down-to-earth areas we have examined in this two-part article, we have suggested both a philosophical outlook on how to apply Jewish tradition in creative rather than rigid ways and some practical suggestions on how to get the process going. There remains, however, a key question: Who shall organize the organizers? When *Moment* magazine put forward the brilliantly simple proposal that Jews should add 3 percent of the cost of their celebratory meals to

a fund for feeding the world's hungry, the resulting wave of popular approval from the Jewish community was almost enough to make the pieces of institution-building come together into the organization Mazon.* But the proposals we are making will take more time and sweat than that, because the religio-political nature of the proposals is more complex and more arguable—just as it took years to get the New Israel Fund off the ground. (And even the New Israel Fund was careful to avoid challenging the secular "halakha" of the UJA, let alone the traditional halakha on issues as hot as sexuality.)

Who will organize the organizers? Who will bring into being a Commission on Ethical Kashrut, a network of wise and loving *b'tei chesed* and *b'tei seichel*, a network of *tzedakah* collectives? I think we need to have what might be called a "Center for Down-to-Earth Judaism"—a center for infusing the daily nitty-gritty of the lives of Jews with Jewish content drawn from a creative response to Torah.

Such a center would pull together the information, the mailing lists, the newsletters, the practical "*sh'elahs* and *tshuvahs*" (questions and answers in a new version of the rabbinic mode) that could help weave a fabric of Jewish living in the workaday time that is not Shabbat or festival, not wedding day or funeral. If this weaving is done in the way and with the openness and experimental outlook we have suggested, there should be few among us who end up feeling trapped in the narrowness and rigidity that we may remember of the tradition. Indeed, we may discover once again that Judaism need not be an inwardly focused system of answers that are already known, answers given to questions that concern only Jews. Judaism can become instead a path for exploring new questions, questions that arise for all human beings as we remake our world—and a path on which the answers themselves can be fluid and creative.

The particularities of the Jewish path will then be seen as "shareable insights." As we draw on our own special history, life experience, and tradition to answer these universal questions, we can both learn from the experiences of others and share our own with them.

As we have looked at specific issues and specific new approaches, we have kept noting that an atmosphere of Both/And-What-Is-More might emerge, quite different from the atmosphere of Either/Or that for many of us seems linked to the traditional Jewish life path. If indeed there is some way to "institutionalize" this atmosphere, then the demons and nightmares of a generation of Jews who fled from narrowness and "command" might be exorcised. For in this atmosphere there is neither rigid command nor utter fluidity; neither utter antinomianism nor utter individuality. There is structure, there are boundaries, there are communal institutions to give communal guidance—*not* command.

In this new atmosphere, the new *kashrut* is understood to come not from a "commander" outside and above us, but from a sense of loving connection between humans and the earth, among those who do the work of growing, moving, shaping, and cooking food, among those who sit to eat it and between them and all these others. In this new atmosphere, the new sexual ethics are seen to emerge not from a "commander" outside and above us, but from the need to make worthy, honest, decent, and stable loving connections among ourselves. So too with a new financial ethic.

These new approaches may lead us toward a re-direction of our spiritual searchings, a relocation or re-imaging of what is God and Godly—indeed a reconnection of our sense of spiritual wholeness with our sense of social justice. For here the sense of justice, of ethical behavior, springs precisely *not* from rules but from the yearning for wholeness, for harmonious connection between the different parts of a whole that is yearning to be whole, to be *Shalem*.

This *is* a new approach, but there are ancient seeds of it. As we walk this path, we can remind ourselves that Judaism does see the mundane, the down-to-earth, suffused with a sense of community, a sense of intellect, and a sense of the spirit. Perhaps a down-to-earth Judaism should root itself in what is probably the earthiest passage in all of Torah:

> You shall have a place outside the camp, and there you shall go forth—outside. And you shall have a spade among your tools and weapons so that when you squat outside there, you shall dig with it and turn the earth to cover what comes forth from you—your excrement. For the Breath of Life is your God, moving within your camp to sustain you and deliver you from enemies; let your camp be holy, so that I see nothing unseemly in you and turn away from you. (Deut. 23:13-15)

Let us take delight in a Torah so earthy as to see in the health of the person, the health of the community, and the health of the land, the presence of the God Who is the Breath of Life. And let us see this Torah as a holy spade to dig with—to remove outside our living space those ways of being that are unseemly: the waste products of exploitation, division, and oppression that come forth from a society that is dealing badly with food, sex, and money. If we can eliminate these hostile ways of being, turn them under and cover them over with the spade of Torah, the very act of doing so can enrich the soil that gives birth to the next generation—can make fertile our sense of community with each other and with the earth. □

*Information about Mazon can be acquired by writing: Mazon, 2940 Westwood Blvd., Suite 7, Los Angeles, CA 90064.

Judaism and Homosexuality

(Continued from p. 54)

wife what he will' and it is not called destruction of seed. If it were, then he would not have been permitted to have relations with a minor, the pregnant, or the sterile woman."

If this be the case, then the real issue seems not to be the spilling of seed, but whether a gay relationship is to be sanctioned. Similarly, since heterosexual couples who cannot procreate are able to find acceptance within Judaism, procreation clearly is not the issue. Once again, other arguments are used as a guise for opposition to homosexuality. It is to the core of this opposition that we now turn.

The Torah records three commandments that have been understood to apply to homosexuality: a) "Do not lie with a male as one lies with a woman; it is an abhorrence." (Leviticus 18:22); b) "If a man lies with a male as one lies with a woman, the two of them have done an abhorrent thing. They shall be put to death. (Leviticus 20:13); c) "No Israelite woman shall be a cult prostitute, nor shall any Israelite man be a cult prostitute." (Deuteronomy 23:18). In all three cases, the Torah clearly prohibits homosexual acts, although the context of the first two quotations is different from that of the third.

The verse in Deuteronomy deals with cultic prostitution. Both male and female prostitutes existed throughout the ancient Near East, with both genders servicing male worshippers. The role of the *kadesh* (male prostitute) is found elsewhere in the Tanakh. In I Kings, for example, it is written: "... there were also male prostitutes in the land. [Judah] imitated all the abhorrent practices of the nations that the Lord had dispossessed before the Israelites." Twice we are told of Jewish kings who expelled the male prostitutes. In both instances, the prostitutes were linked explicitly with idol worship.

Unfortunately, we live in an age when a variety of cults have reinstituted sex as a form of pagan worship. There is no reason to lift the prohibition against cult prostitution. The Torah's prohibition stands against sexual oppression and coercion in the name of any "religious" authority.

On the other hand, it must be admitted that the passage in Deuteronomy tells us nothing about the legitimacy of secular homosexuality. As Rabbi Louis Epstein writes: "[T]he deuteronomic legislator ... stressed the crime of sodomy not as a sexual crime but as a form of idolatry, saying nothing concerning secular sodomy."

The proscription of homosexual acts in Leviticus forms the basis for all later halakhic prohibitions of homosexual acts. So, for example, the Mishnah states that "one who has intercourse with a male" is to be stoned. Elsewhere, the Mishnah records an argument on a similar subject: "Said R. Judah, 'Two bachelors should not sleep under one cover.' But the sages permit it." Apparently R. Judah feared that the bachelors would engage in a homosexual act out of convenience since they were two heterosexuals with no other sexual outlet. In the Talmud we also find discussion of an act of homosexual rape.

These passages all speak about homosexual acts outside of the context of a homosexual relationship. The nature of the sex is casual, almost circumstantial. There is not a single case in the Tanakh, or in any rabbinic legal literature until the middle of the twentieth century, that deals with homosexual acts in the context of homosexual love. Every biblical case deals with heterosexuals who engage in homosexuals acts. This generalization holds for all legal rabbinic literature as well. "What is Judaism's view of the Jewish homosexual?" asks B. Freundel. "There is no such individual. So much is he missing from the cast of characters of Jewish society that one is hard put to find a halakhic term used specifically for him."

In short, our sages did not speak of the constitutional homosexual because they were unaware that such a person could exist. The idea of two men or two women loving each other, living together, nurturing each other—and in that context making love—has gained recognition only in modern times.* The Torah did not prohibit what it did not know.

Therefore, the designation of a homosexual act as a *to'evah* must be understood as referring to a homosexual act outside of the context of a loving homosexual relationship. Anonymous or coercive acts in American prisons, or on navy ships, for example—be they homosexual or heterosexual—are, indeed, abominations. *To'evah* still applies to sexual relations with minors, bathhouse sex, rape, and sadomasochistic sex. In short, all sexual acts that are coercive, degrading, or violent were rightly prohibited by the Torah and the rabbis.

The question remains, however, whether we can sanctify certain homosexual relationships just as we sanctify certain heterosexual relationships. Because that question could not have been conceived, let alone formulated, in the days of the Torah, we ought to formulate it now. In other words, we must ask whether a stable homosexual couple is more analogous to the oppressive or idolatrous sexuality of the biblical *to'evah*, or to the stable hetero-

*The lone exception is Torat Kohanim, Aharei Mot, 9: 6-8: "'And in their statutes you shall not walk.' I am only [forbidding] those statutes that they and their ancestors established. What were they? A man would marry a man, and a woman would marry a woman, and a woman would marry two men, and a man would marry a woman and her daughter." What is striking is that *nowhere* is this passage picked up in any of the subsequent halakhic literature. Rather than forming a legal precedent, it represented an absurd fantasy—further evidence that permanent homosexual relationships were not even thought of until modern times.

sexual relationship of *kiddushin* (marriage).

The Torah and its traditions insist that sex should be directed toward a greater sense of sacredness in the service of human love and caring. We must continue to reaffirm that sex should take place only in a committed adult relationship. There is no moral reason why two women or two men cannot establish such a respectful, monogamous, and supportive relationship. Gays and lesbians who are joining homosexual synagogues or becoming members of more mainstream congregations want to live according to the values and priorities of Torah; and that is a lifestyle that we ought to promote.

Moreover, we should not encourage homosexuals to practice celibacy in the way that the Catholic church has encouraged it. Judaism has always insisted that sexual expression is an essential part of a healthy love relationship. The Talmud equates the celibate with one who has "committed murder" or "detracted from the image of God." Similarly, Rashi comments that sexual intercourse is necessary for *shalom bayit* (peaceful family relations), as does the midrash.

In the Middle Ages, this positive response to sexuality deepened. Rav Saadia Gaon commented that sexual expression makes the bond between spouses more profound, and Maimonides claimed that sexual release was both physically and morally beneficial. The biblical commentator Abraham ibn Ezra noted that sexuality has three functions: procreation, physical health, and pleasure. And even within the mystical tradition abstinence was not endorsed as a legitimate form of asceticism. Gershon Scholem notes that "at no time was sexual asceticism accorded the dignity of a religious value."

Western culture has oppressed homosexuals for two millenia. Homosexuals have been stoned and burned at the stake. Today they are denied housing, jobs, and community. They have been excluded from religious and civic organizations, and rejected by their families. It is hard to know how many potentially productive citizens have had their talents and insights destroyed by having to direct most of their energy towards merely surviving social hostility. It is also hard to know in what way the homosexual community would be transformed if heterosexuals welcomed gays and lesbians as comrades. What *is* clear is that by failing to grant legitimacy to stable homosexual relationships, we discourage homosexuals from establishing such relationships and thereby undermine our commitment to family stability.

Jews should be especially sensitive to the effects of social exclusion and oppression. Not long ago, the identical argument—about whether a group of people could be transformed into decent citizens, about whether they were innately diabolical or merely made that way by social conditioning—raged not about homosexuals, but about Jews. From early Christian hatred to shared deaths in Nazi concentration camps, we have learned that hatred is not divisible—oppression of one outcast group threatens us all.

Just as Jews have flourished because of greater social acceptance, so too have homosexuals begun to benefit from the hints of social acceptance today. As Coleman writes: "[H]omosexuals who have been able to 'come out' seem to be the healthiest psychologically as indicated by a more stable positive self-image, fewer anxiety symptoms, and less depression." I would argue that the growing number of homosexuals who are striving to increase their Jewish knowledge and observance is itself a result of greater social tolerance, tolerance that we must embrace more fully.

It is high time for Judaism to welcome these searching Jews. The benefits of such a welcome are manifold: Not only will we give homosexuals and their parents access to Jewish counseling, rabbinic insight, and spiritual community, but we will simultaneously reflect our firm commitment to *Torah Shel Hesed*, the Torah of love, which underlies all of Judaism. This same Torah teaches us that God is best served when Jews act lovingly towards one another. □

Reclaiming the Hammer

(Continued from p. 57)

passage represents what is undeniably the mainstream perspective. There are, to be sure, more benign midrashim. Some, for example, portray woman's power in more neutral terms, suggesting that it can influence man both for good and for bad. Others focus on the innocent beauty of the relationship between Adam and Eve before they became partners in sin. Nevertheless, to the extent that women are discussed in these midrashim, the androcentric, antifeminist bias is unrelenting.

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If we are to have access to the realm of biblical interpretation as active participants rather than as passive observers, we must reevaluate the epigraph we began with—the metaphor of the hammer which breaks the rock into still more rocks. This process has particular significance for contemporary Jewish and Christian women who are trying to define a feminist approach to biblical interpretation. As inheritors of religious traditions that are deeply rooted in the Bible as manifestations of divine revelation, we must somehow articulate our own relationship to the biblical legacy. Yet, in doing so, we are inevitably confronted with the unrelenting patriarchal bias that pervades the original texts themselves and dominates traditional biblical commentary. The questions that emerge from this "confrontation" have profound personal as well as theological

implications. How can the Bible speak to us as feminists, if at all? Does the Bible have authority for us as "sacred writing"? What does it mean to create a feminist approach to biblical interpretation?

These questions have been the source of extensive debate among Jewish and Christian feminists. Scholars and theologians have advocated a wide variety of approaches to the challenges and problems of defining a feminist hermeneutic. One way of responding to these questions is to argue that the Bible is no more and no less than a document produced and perpetuated by a patriarchal society, with no potential value for contemporary feminists. This position represents a radical break from the traditional understanding of Scripture as divine revelation and exegesis as the process of unfolding God's revealed word. It implies a complete rejection of the Bible as a manifestation of either divine authority or divine inspiration.

According to this view, it would be counterproductive and misguided to see the Bible as a potential feminist resource in any way. The only legitimate use of the Bible is as a tool for documenting and better understanding the nature of patriarchal oppression. Mary Daly, one of the most outspoken advocates of the "rejectionist" position, examines the biblical image of Eve in her well-known book, *Beyond God the Father: Toward a Philosophy of Women's Liberation* (Beacon Press, 1973). Confronted with the choice of being either an active participant or a passive observer in biblical interpretation, Daly creates a third category—"the active observer." It is clear that Daly and others who reject the Bible as a potential resource for contemporary feminists nevertheless recognize the need to define their relationship to the biblical legacy. Ultimately, however, their goal is not to redefine themselves within the biblical tradition, but to place themselves outside of that framework entirely.

Although no contemporary feminist student of the Bible can deny the evidence that indicts the Bible as a document of male supremacy, there are those who argue that such a total rejection of the biblical tradition is neither necessary nor desirable. Phyllis Trible, in her article entitled "Depatriarchalizing Biblical Interpretation" (*The Jewish Woman: New Perspectives*, ed. Elizabeth Koltun [Schocken Books, 1976]), articulates the dilemma in painful and powerful terms:

> It is superfluous to document patriarchy in Scripture.... [However], if these views are all which can be said, or primarily what must be said, then I am, of all women, miserable. I face a terrible dilemma: Choose ye this day whom you will serve—the God of the fathers or the God of sisterhood. If the God of the fathers, then the Bible supplies models for your slavery. If the God of sisterhood, then you must reject patriarchal religion and go forth without models to claim your freedom.

Trible frames the dilemma in very personal terms here, expressing the concerns that motivate her to see a place for feminists and feminism within biblical tradition. While recognizing the inherent bias of the text, Trible's position is also that traditional Jewish and Christian commentators have imposed their own chauvinistic interpretations upon the biblical material. Trible asserts that there are, in fact, antipatriarchal tendencies within Scripture itself that emerge when the texts are reread from a feminist perspective. This conviction inspires her to engage in a serious reexamination of familiar biblical texts. Using the tools of literary criticism, Trible takes on what she sees as the fundamental hermeneutical challenge for contemporary feminists, "to translate biblical faith without sexism."

In contrast to Daly, Trible chooses to be an *active participant* in the process of biblical interpretation. For Trible, the story of Adam and Eve has much more to offer than an understanding of the dynamics of sexual oppression. Her study of Genesis 2–3 yields a radically different message. After closely examining the language of the text, the way in which Adam and Eve relate to each other, the nature of the "crime" they commit, and the punishments they receive, Trible comes to the conclusion that, in fact, the biblical account of creation fundamentally negates patriarchy and affirms the equality of man and woman under God.

Although Trible strongly disagrees with the traditional rabbinic interpretation of this material, she affirms an important part of the midrashic approach. Trible insists that the meaning she draws from the story is inherent in the original text: "Depatriarchalizing is not an operation which the exegete performs on the text. It is a hermeneutic operating within Scripture itself. We expose it, we do not impose it."

It is important, at this point, to recognize the ambiguity of Trible's position on the revelatory nature of Scripture. Clearly, she is far from naive about the social, economic, and religious context from which the Bible emerged. She explicitly acknowledges the androcentric bias of much of the material, yet argues that it is somehow separable from the intrinsic message of biblical faith. At some level, this intrinsic message is a manifestation of the divine for Trible—a glimpse of God's intended reality, unpolluted by the corrupting influence of patriarchal culture. The ambiguity, of course, lies in the process of drawing lines. If we do not accept the whole Bible as God's word (which Trible certainly would not), then how do we separate those texts that we affirm as revelatory from those that we reject as products of a male-dominated society, without making arbitrary distinctions.

This problem has been addressed insightfully, though not completely resolved, by a third hermeneutical approach, generally referred to as "liberationist feminism." Like Trible, proponents of this position assert that "the central message of the Bible is human liberation." The liberationist, however, takes a significantly different approach to the process of biblical interpretation. In essence, this position is based upon an open recognition of the fact that *exegesis* —both contemporary and traditional—is inseparable from *eisegesis* (the process whereby the interpreter reads her/his own ideas into the text). Since any interpretation must inevitably reflect the bias of the interpreter, there is no such thing as "objective" or "value-free" exegesis. Starting with this premise, liberationist feminist theologians openly admit that they approach the biblical texts with certain interests and assumptions. Rather than asking "what does this text mean?" the liberationist might ask "how can this text speak to us, if we read it in the context of a broader biblical message of liberation?" Thus, proponents of this view can maintain a position of radical suspicion with regard to traditional commentaries as well as the original texts, while at the same time affirming the role of the Bible as an ongoing source of inspiration in their lives.

This approach to feminist interpretation of the Bible overcomes significant weaknesses in the first two alternatives, while at the same time incorporating insights that have been articulated by scholars such as Daly and Trible. Its primary strength, I think, lies in the synthesis of a hermeneutics of radical suspicion with an affirmation of the liberating dynamics of the biblical texts. This synthesis allows the liberationist perspective to be uncompromising in its critique of biblical patriarchy without having to "write off all women who find meaning in Scripture as unliberated and unfeminist." (Elizabeth Schussler Fiorenza, "The Will to Choose or to Reject: Continuing our Critical Work" in *Feminist Interpretation of the Bible*, ed. Letty M. Russell [Westminster Press, 1985].)

The liberationist approach, however, has its own inconsistencies and ambiguities. Like Trible, proponents of this position have not yet resolved the fundamental problems of biblical authority and revelation. While they have resolved the issues with regard to the exegesis of specific texts, they are left with similar difficulties when they discuss the underlying message of liberation as a manifestation of divine revelation. In *Sexism and God-Talk: Toward a Feminist Theology* (Beacon Press, 1983), Rosemary Reuther offers the following theological framework: "Whatever diminishes or denies the full humanity of women must be presumed not to reflect the divine or an authentic relation to the divine." Conversely, this implies that whatever does promote the full humanity of women reflects true relation to the divine. This circular formulation, however appealing, sidesteps the basic issue. The question remains: Does the Bible have authority for us as "sacred writing"? If we selectively and arbitrarily define what we consider revelatory, then what does it mean to affirm the authority of the Bible as sacred text?

In an article entitled "Authority and the Challenge of Feminist Interpretation" (*Feminist Interpretation of the Bible*), Letty Russell directly confronts this difficult question. For Russell, the Bible does indeed continue to have authority as "sacred writing." Nevertheless, Russell affirms the ongoing authority of the Bible only in the context of a new feminist paradigm for understanding the nature of that authority. She argues that the traditional paradigm of authority as domination no longer makes sense for contemporary feminists. Instead, she suggests that "the emerging feminist paradigm trying to make sense of biblical and theological truth claims is that of authority as partnership.... Authority as partnership frames discussion in terms of communal search and sharing, in which all can rejoice when anyone gains a new insight. Experience, tradition, biblical witness, and intellectual research enrich each other in a rainbow of ordered (but not subordinated) diversity, in a synergetic perspective of authority in community."

Ironically, one aspect of Russell's new formulation echoes the rabbinic description of the midrashic process found in our original passage from Sanhedrin. It seems that an understanding of "authority as partnership" actually existed at some level within the rabbinic establishment. The sense that diversity of interpretation could only enhance and enrich the whole is certainly reflected in the style and content of midrashic literature. Yet that spirit of diversity operated within the context of an exclusive rabbinic community. In a larger social context, the authority of the rabbis was indeed an authority of domination.

Perhaps, the paradigm of "authority as partnership" can guide us as we reevaluate the midrashic message that "Scripture yields many meanings." Our task is to affirm the fundamental pluralistic impulse in midrash by removing it from the exclusive context of a male-dominated, hierarchical rabbinic establishment. A feminist understanding of "authority as partnership" demands that the partnership is inclusive rather than exclusive, that those who traditionally have been marginalized are actively brought back into the process. The basis of this paradigm is an acceptance and appreciation of different voices. In this context, the process of interpreting God's word becomes not a competition for divine sanction, but a communal search for divine inspiration and guidance. This must be our model as we attempt to create a feminist approach to midrash. Together we will kindle a new cloud of sparks. □

A Letter from Israel

Tom Segev

Israel is a complex and fascinating reality that cannot be reduced to its political relationships with Palestinians and surrounding Arab states. In this issue we begin a regular feature in which Israelis will write about other aspects of their reality.

Yuval Arbal Writes to the Minister of Defense

Yuval Arbel of Ra'anana was born when settling the West Bank just got underway after the Six Day War in 1967, and became an adolescent during Peace Now's last days after the Lebanon War. Now he is a pensive fellow with a pug nose and blond, shoulder-length hair. He's somewhere between youth and manhood; he will soon be inducted into the IDF.

Some two months ago, Arbel was one of sixteen high school graduates who wrote to Minister of Defense Yitzhak Rabin, and asked him not to assign them to duties in the administered territories because they would refuse to take part in repression. Since then, the number of signatories to the letter has grown to several dozen.

A little while ago, Arbel introduced me to some of his friends. They belong to a Socialist youth movement, *Hashomer Hatzair* (Young Guard), who are spending their last months before induction at Kibbutz Ramot Menashe. We sat in a room too chaotic for my liking, under two posters: one denouncing the occupation of the West Bank, the other lauding Pink Floyd. Both of Arbel's friends have long hair, too. One wears an earring.

You look like flower-children from the 1960s, I told them with a measure of disappointment; I'd rather see something more up-to-date. They advised me to ignore their appearance. There was nothing ideological about it, and it would be short-lived anyway. As the draft approached, they'd cut their hair. They had some good things to say about the flower children. They'd forced the U.S. out of Vietnam, hadn't they? Anyway, they assured me, the other signatories look quite ordinary.

My impression was that these were smart kids, less political than I had expected, more individualistic, less dogmatic, not yet imprisoned by slogans. Before signing the letter to Defense Minister Rabin, they told me, they had consulted a lawyer. She told them what was okay and what not. You cannot incite. You can mention your post office box. You cannot paste up outdoor posters. You can hang them up with Scotch Tape.

The content of their letter to Rabin was something of a compromise—not all of them would refuse to serve in the occupied territories. Arbel said he would not refuse to carry out military missions over the Green Line (the pre-1967 border between Israel and Jordan) but he would not accede to contact with the civilian population. We tested this rule: If a hunt for terrorists requires a house-to-house search in a village, Arbel will participate. He rejects terror and is willing to fight terrorists, soldier to soldier. If he has to round up villagers for a punishment lineup, he will refuse. He won't have an easy time of it in the army. Arbel says he hopes he doesn't crack.

He doesn't come from a particularly political home, he told me. It's sort of a Labor-party home. His father works for Tadiran, the electronics company, and his mother works at the Diaspora Museum. The others also come from affluent homes in the Tel Aviv area. None of them gets a morning paper at home. Arbel delivered papers for three years and used to read them. He says he doesn't know what influenced his position—perhaps his civics lessons in high school. He decided to sign the letter to Rabin after a friend in the IDF told him what it was like being sent to disperse a Palestinian demonstration on the West Bank.

Arbel said he felt he was right when he signed the letter, but only afterwards, at a meeting with Professor Yeshayahu Leibowitz, did he understand *why* he was right. The elderly savant had explained that whoever regards the state as the supreme authority is a fascist, and whoever views the fundamental values governing interpersonal relations as his supreme authority is a humanist. The values of human life, rights, and dignity are above the law. They quoted him as saying that in a democratic country there is no contradiction between these values and the law, and in an undemocratic country, there is no obligation to obey the law.

They told me that none of them are conscientious objectors, none of them are pacifists. Most want to serve in combat units. They have no firm idea about the future of the territories. Some of them are Communists; others support the Labor party, and everything in between. Some are apolitical; all that worries them is what they may be asked to do while serving in the West Bank and Gaza.

I told them that they are egoists. Even as they perhaps save their own souls, the territories will fall into the hands of those less enlightened. Arbel replied that he has a duty to his conscience, and, since the occupation oppresses and corrupts, perhaps it's just as well that it won't look too good—until it finally blows up. Arbel and his friends have modest ambitions. One wants to be a landscape gardener, another a silversmith. Arbel dreams of an urban commune.

He knows something about the Nuremberg Trials and has thought a lot about the Israeli border police who shot and killed several dozen residents of the Arab village of Kafr Kassem in 1956, following an order to shoot anyone found breaking the curfew imposed on the area that day. It occurred to me that had someone like Yuval Arbel been there, things might have turned out differently. □

Tom Segev is a columnist for Haaretz *and the author of* 1949—The First Israelis *(The Free Press, 1986).*

What Can American Jews Do?

- **Speak out inside the Jewish world.** Let people in UJA, the Federations, synagogues, and Jewish communal organizations know how you feel. Insist that they debate the issues publicly and take public stands. They are the institutions that claim to speak for the Jewish world—insist that they speak out now.

- **Organize a teach-in in your community.** Use material from *Tikkun* Vol. 2, No. 2 (Spring, 1987), the current issue, and our forthcoming May issue. *Tikkun* is organizing a national speaker's bureau—prominent speakers are available to discuss the current crisis.

- **Write letters of protest to members of Knesset and to Israeli newspapers.** They are not used to hearing from Americans and will be impressed by your willingness to take the time to write.

- **Use your Passover Seder to enlarge our conception of freedom.** Insist on setting aside part of any seder you attend for a discussion of the situation in Israel.

- **Celebrate Israel's 40th anniversary** by setting up a house meeting to invite friends and people from the community to participate in a discussion of issues. Use our editorial to get the discussion going.

- **Buy subscriptions to *Tikkun* for friends, relatives, and opinion makers.** Call 1-800-341-1522. The media and the Israeli government want to know how many people are listening to our voice. The more people read *Tikkun*, the more impact we will have—and the more the message will be heard even by Israeli policymakers who might prefer the more conservative voices of the American Jewish establishment. Buy three gift subscriptions for $18 each—and get our message heard.

- **Circulate the *Tikkun* editorials.** Send them to local newspapers, television news, friends and coworkers, Jewish communal leaders, and American political leaders.

- **Circulate a petition.** Write your own and have it signed by people in your community. Or duplicate one of those listed in *Tikkun* (see the end of the editorial). Send it to us, and we will forward it to people in Israel.

- **Donate money to the Israeli Peace Movement**—through organizations like Peace Now, Yesh Gvul, Dai La'kibush and The New Israel Fund. Or donate money to the peace parties in the upcoming Israeli election (Labor, Ratz, and Mapam).

- **An American Jewish Peace Corps.** Some American Jews are considering giving a month or two of their time to help the peace forces in the Israeli elections this fall. Some would go to Israel to work with the political parties. Others would work collecting funds in the U.S. Others have a vision of building peace collectives that would move to Israel and work together on changing Israeli society. Write us about your interest and we will help connect you with others who share your vision.

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