(te•kún) To mend, repair and transform the world.

TIKKUN

Rethinking Feminism: *Elizabeth Fox-Genovese and Nancy Hewitt*
Hate Speech: *Richard Goldstein*
Reviews: *Richard Kaye, Judith Dunford and Peter Dreier*

A BIMONTHLY JEWISH CRITIQUE OF POLITICS, CULTURE & SOCIETY MAY/JUNE 1992 $6.00

Intermarriage

Rachel Cowan & Esther Perel

Menstrual Revolution
Christopher Knight

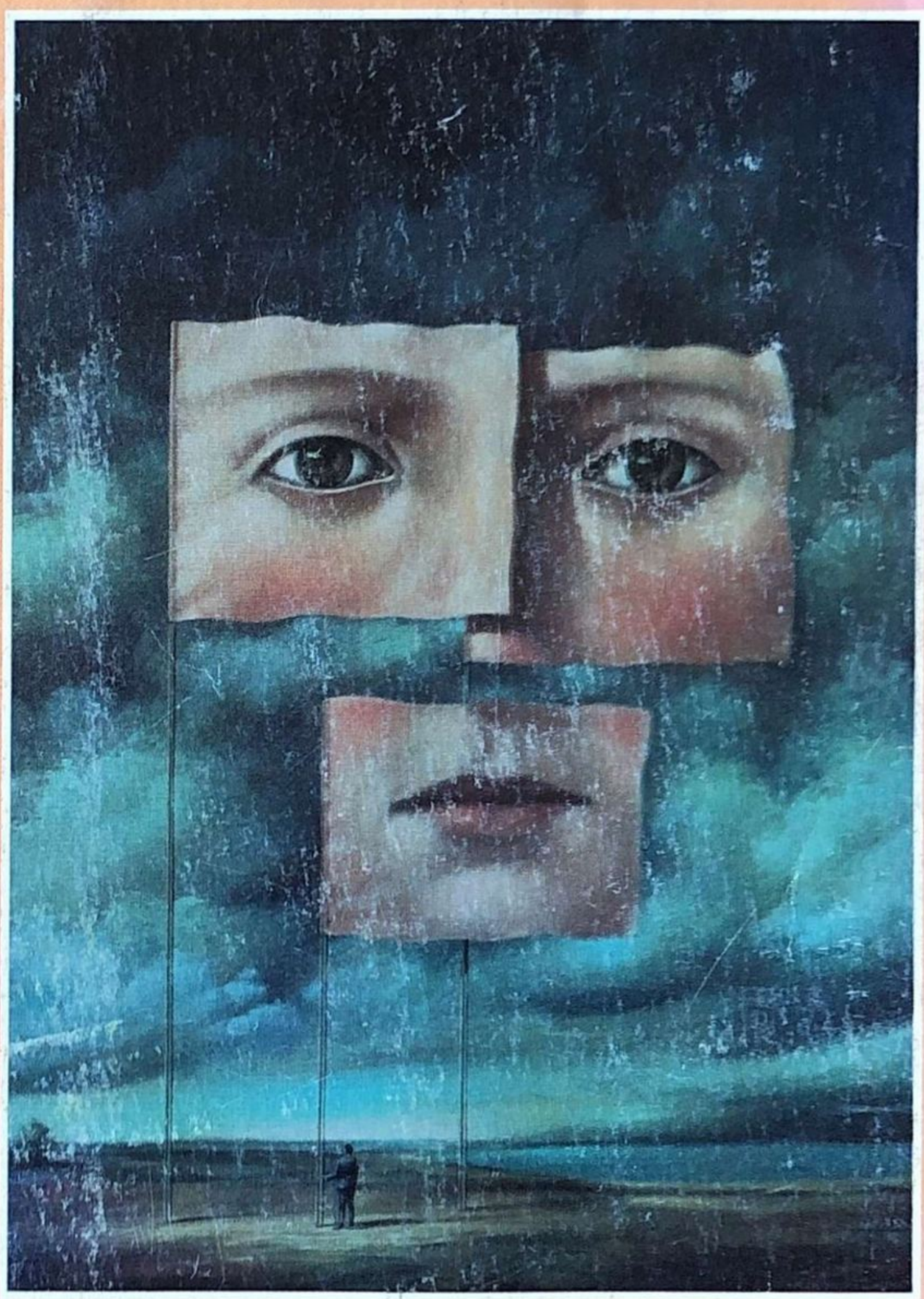
Israeli Elections
Akiva Eldar

Protecting Children
Nanette Schorr

God's Unity ... and Ours
Lawrence Kushner

Dershowitz's Folly
Harvey Blume

Fiction
Joyce Carol Oates



Plus

David Kairys and Randall Kennedy on race and the Supreme Court; Abraham Brumberg reflects on Holocaust research; Ernest Callenbach presents ten new commandments; Anne Brener on death in the Jewish tradition

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Shul

Naked he sucks,
with his shirt on and warm
he's too comfortable. Sleep and starve,
what more can we tell him—
a hard *shul,* life?

Then I think of your father
alone in that warehouse on Chestnut, orphaned,
with the clank of the steampipes dying down
and his head shaved smooth as a soup bowl.
What could your grandma do, husband gone,
but give him up to the state's pity
and the triage of the streets?

I think of him too in that bomber
over Europe, riding the Schweinfurt flak,
"so thick you could walk on it,"
airbursts blooming in the closed air.
Then again that Saturday we watched
Gable in *Command Decision,* the radar
of his eyes recovering what he was,
a warrior among other warriors, sick
with adrenalin, saving his people.
"Nobody turned the whiskey ration down,
not after that," he told me.

On Sundays, he'd drive you out
to Jenkintown and Bryn Mawr, crying
wait, wait up, to the suburbs.
But the suburbs ran, in flight from the hurt
streets of his boyhood. There was no catching up
to the Joneses. The Joneses and the Steins
and the Birnbaums were long gone
when his plane touched down,
back from Israel and the '48 War,
leaving behind
only the madwoman next door
with the 8x10 Astroturf front yard,
who screamed at night and called the cops
every time his tomatoes touched her roses—sad;
also the black Lhasa who ate the mail
and barked at everything,
and the sofa swaddled in plastic,
and the windows shuttered even in summer,
and the "niggers" taking over everywhere,
or so he said.

We hear it at dinner
or in the parking lot at K-Mart
or coming home from the ballpark when the Phillies lose
in the last of the ninth on a 5–3 double play,
his *Midrash* of sadness and exile—
beware the stick, the blow,
the rod in everything, beware good luck.
His adult tantrums over politics are like my son's
for milk, red face and fists in a frenzy.

Your sentence and your gift,
to love all that! I cannot guess
how you do it. A long time you have caressed
him with your wounds, and now you have
another mouth to feed. He cannot see
how sometimes everything *is* right—
our son, in your arms, at your breast.

On the back porch
the mandeville, a baby-shower gift,
waits with its broad leaves and big bloom
for the sun at a slow walk
to cross the sky.

Richard Nester

TIKKUN

A BIMONTHLY JEWISH CRITIQUE OF POLITICS, CULTURE & SOCIETY VOLUME 7 NUMBER 3

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Letters

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

Editor's note: Sixty percent of the articles we choose for publication are articles with which we have important disagreements. This keeps the magazine lively. Our opinions are expressed in the editorials and not necessarily in the articles printed in *Tikkun*.

COMPASSION FOR OUR ENEMIES

To the Editor:

I found the Haggadah supplement offered in the March/April issue of *Tikkun* to be counter to the story of Exodus celebrated at Passover, at least in reference to the Palestinian-Israeli conflict of present times. I shudder to think what a *Tikkun* editor would have advocated if one had been present during this critical moment of Jewish history. Would we have been subjected to articles railing against the unfairness and randomness of the plagues and their impact upon disenfranchised Egyptians far removed from the ruling elite? Or, God spare us, in-depth analysis of the suffering of the numerous displaced persons following the military conquest and occupation of ancient Palestine? I am not a militarist or fascist. But I am a Jew who cannot close his eyes to the story of Passover. Freedom and the establishment of a national homeland, then and now, had human costs that did not discriminate between the guilty and the innocent. Israel would not exist today if its leaders wallowed in episodes of hand-wringing and guilt. Let us not "transform" the actual history of the Exodus into someone's expectations about how the world should operate.

David Jonas
Assonet, Massachusetts

The Editor responds:

Even the rabbis of the Talmud suggested that God angrily silenced the angels for singing songs of praise while the Egyptians drowned in the Red Sea. The theme of compassion has deep Jewish roots. It's a testimony to how far contemporary Jews have

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Announcements

The Jewish Writer's Conference has been postoned until Martin Luther King's Day weekend (January 16-18).

The Socialism of Fools: Anti-Semitism on the Left will be mailed starting May 25. If you've ordered the book and haven't received it, it will be coming a few weeks after that date. If you haven't ordered yet, get your copy while it's hot off the presses: Send $10 plus postage ($1.75) to TIKKUN, 5100 Leona Street, Oakland, CA 94619. If you want to order the *Tikkun Anthology*, send requests to the same address.

Tikkun will sponsor a conference on Jews and psychology in 1993 and is accepting papers and panel proposals.

strayed from those roots that *Tikkun* seems radical when it reminds us of that compassionate heritage.

RELIGION IN PUBLIC SCHOOLS

To the Editor:

I have some doubts as to whether the relentless secularizing pressure celebrated by Joseph Preville ("Religion in the Schools," March/April 1992) is the necessary concomitant of separation. The First Amendment contains the "no establishment" clause, but also the "free exercise" clause. I would phrase what Betty Mensch and Alan Freeman are advocating as an effort to bring free exercise more effectively into the public schools.

The key here would be pluralism. The founders never intended to drive religion out of public life, but to assure that no one religion or church would attain a privileged position. To interpret that as the establishment of secularism as the official state ideology seems to me a mistaken and even pernicious distortion, not only of "original intention," but of a healthy relation between religion and society in a democracy. Mensch and Freeman are right in arguing that our democracy has religious roots, roots that go back to Moses and the prophets. Our morality is similarly rooted in biblical religion. The Enlightenment has never come up with a moral theory that has gained either consensus or conviction. At critical moments in our history—one thinks of Abraham Lincoln or Martin Luther King, Jr.—we have turned to biblical language to make sense of our moral and political

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perplexities. How can we leave all of this out of our public education?

Mensch and Freeman suggest that I have "advocated" recognition of "civil religion." I have certainly never suggested that civil religion be taught in the public schools as a substitute for particular religions. All that I have "advocated" is that where religious references appear in the central documents of our history, they be taken seriously and their meaning interpreted rather than ignored. I have never favored a bland "common denominator" religion. Rather, I favor a vigorous pluralism that would make our several religious heritages part of our common educational experience. This, it seems to me, offers no threat to "the separation of church and state" except in the minds of those ideologically opposed to all religion. Their view should also be taught and understood in the school, but not established as the only truth about religion.

Robert N. Bellah
Berkeley, California

Bly and the Men's Movement

To the Editor:

If R. W. Connell ("Drumming Up the Wrong Tree," January/February 1992) had bothered to go to a few men's weekends and workshops before condemning the men's movement, he might have had something completely different to say.

Tikkun readers may be interested to know that the present leaders of the men's movement were among the most outspoken and unequivocal voices against the Persian Gulf War. Or that Robert Bly announced last fall before an audience at Cooper Union in New York that Anita Hill "was obviously telling the truth." Or that Bly spent a weekend in New York this fall with three hundred men on the subject of "Making A Hole in Denial"—and spent it talking mostly about *collective* denial and apathy within the entire culture. Or that a men's weekend has probably the highest concentration of progressive men of any gathering anywhere. Some men, or even some groups, may be macho, but it's nonsense to think the thrust of the men's movement is retrogade—anti-progressive or anti–women's rights.

If the movement is not yet as grounded in political action as many people—including myself—might like, I only say, "What do you expect?" First, it's still very young. Second, look around! Our whole culture, and baby boomers in particular, are suffering from the feeling that politics is useless and there's no point to collective action. How can anyone expect men to embark on the incredibly difficult path to truly transform society without first creating a strong, supportive community to back them up?

Connell's ignorance comes through most in his description of the movement as "beating drums, mourning lost fathers, and reviving primitive rituals of initiation." That's the *Time-Newsweek*-CBS version, soundbites without context. This movement is not about men trying to regain dominance or indulging in some weird replay of Boy Scout camp. Mostly, it's about men talking to each other about the pain and confusion in their lives and reaching out of their isolation—and yes, learning to celebrate their humaneness in community with other men, which includes their maleness and their hearts.

What really sticks in Connell's craw is that men should talk about pain at all. After all, think of the "massive economic advantages to being a man"! The way they "control the major institutions" and "large concentrations of wealth (look at any list of billionaires)." Men should put on their hair shirts and stop complaining.

I don't control large concentrations of wealth or any major institutions, and neither does any man I know. For heaven's sake, the myth that white middle-class men are all Masters of the Universe, privileged beyond measure, is just the largest subset of the American myth that everybody is all-powerful to create exactly the life they really want, and if they fail to, it's their own fault. It's this myth that holds up the entire framework of inequity and constant soul-destroying competition that characterizes late-twentieth-century America. And it's

Correction

In an editorial calling for the creation of "Jews Feed the Hungry" projects of local CJSJ chapters, we incorrectly characterized Mazon as receiving donations primarily from those doing lavish weddings and bar and bat mitzvahs. According to Mazon's Executive Director Irving Cramer, 75 percent of the contributions given to Mazon each year to feed the hungry are under $67. Indeed, some people even send Mazon $3 when they spend $100 on an evening party at their home. We fully support Mazon's fine work, and although we still encourage people to do direct hands-on work by creating Jews Feed the Hungry projects to deliver food person-to-person to the hungry, we hope that those of our readers who cannot do that will give money to Mazon, 2940 Westwood Blvd., Suite 7, Los Angeles, CA 90046-7769.

this myth that the men's movement is now beginning to address.

Of course there are real inequities between women and men. But those who hold in contempt people talking to each other about the pain in their lives just because they happen to be white, male, and middle-class are as guilty of stereotyping as the leftist who spouts anti-Semitic remarks.

It's disheartening to see feminists depict the men's movement as the enemy. This response seems based mostly on the fear that men gathering only with other men *must* be doing something that will ultimately be bad for women. Should men make that assumption about all-women's groups? When any movement becomes doctrinaire, it loses its flexibility and its ability to see truth in other points of view. It can't see potential allies. It ends up adding more pain to the world than it relieves. When it comes to public policy and the social goals of the men's movement, except for the fringe groups on both sides, more unites than divides feminists and men within our ranks.

I am saddened and disappointed that *Tikkun* printed this article without counterpoint, effectively attacking people's attempt to create meaning and community.

Larry Letich
Verona, New Jersey

To the Editor:

Sociology and poetry are distinct ways of knowing and communicating. Poets and sociologists tend to be different creatures. One uses metaphor, the other fact. R. W. Connell's article is a sociological critique of poet Robert Bly and the growing mythopoetic men's movement. The essence of the mythopoetic men's movement is "to heal, repair, and transform" masculinity and gender.

Since Connell has so little direct contact with the mythopoetic men's movement outside books, I want to offer my fifteen years of experience in first the feminist men's movement and then the mythopoetic movement. I was the first to apply the term "mythopoetic" to the part of the men's work that focuses on soul making, using tools such as poetry, storytelling, drumming, and other ceremonial arts.

Bly affirms no "cult of the virile warrior." He does talk of the warrior, but also of the wildman, the magician, the lover, the man of grief, and many other archetypes. Bly does not believe in "one pattern of true masculine rituals, one set of male psychological needs." The variety of archetypes that he teaches refutes any singular view.

Men do need to sometimes go off by ourselves to heal, which can free women from always having to do the nurturing. Gender reconciliation and supporting the growing gender transformation movement are goals of our work.

We do not believe that "true masculinity ... is developed only by links between men." It is developed *among* men, but also in community with women and children. For example, in the men's movement with which I work, we have classes to teach women how to drum. We do go off at times by ourselves, but it is not for "ritual insulation from women." In fact, we do many solstice and equinox seasonal celebrations with women. We collaborate with women on hosting Rosh Hashanah and other religious events.

Getting men out of our heads and into our bodies, hearts, and souls is a part of our men's work. It helps reduce that masculine aggressivity that Connell manifests in his writing and others manifest in the violence he appropriately criticizes. If he would be willing, we could be allies in a common struggle to substitute men's cooperation on the drums for men's violence.

Connell should watch his language. He asserts that "Bly clearly thinks that feminism has unmanned men, and he wants to de-wimp them." I have known Bly for twenty-five years and have never heard him use such language or express such ideas. Connell writes more as an imaginative novelist here than as a sociologist. Does Bly "distort," as Connell claims, and engage in "excess"? Yes, he does. He is an artist; and artists do distort and engage in excess. Bly and other artists offer a certain kind of leadership, rather than the attention to details good sociologists have or the organizational acuity politicians need. Bly would not make a good sociologist or politician. But he is a great poet. The "intellectual confusion" that Connell accuses Bly of is in Connell's own head. Applying sociological critiques to poetic storytelling is like applying literary criticism to sociology; most sociology would fail.

Bly is certainly not perfect. I wish that this mature man in his sixties

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would listen more to feminism and deal more with homophobia. But most of all, I am glad that he cares for men of all ages in his work. Bly has retired from men's work for a while. The men's movement is far more than its most visible poet. Our growth need not be perceived as a threat, except to those invested in traditional sex roles. When Connell gets to his own ideas beyond Bly-bashing, I agree with much of what he says, as would many in our movement. But why set them up first by blasting his brothers?

Shepherd Bliss, Director
Kokopelli Traveling Men's Lodge
Berkeley, California

To the Editor:

R. W. Connell's article about Robert Bly and the men's movement begins with an interesting distortion. Connell asks why American men are "taking to the woods." We're not. I lead men's groups in the San Francisco Bay Area and consider myself a part of the men's movement, but like many of my cohorts, I haven't seen the woods for years. I'm too busy raising children, changing diapers, struggling over equitable ways of sharing housework with my wife—and grasping at shreds of free time. Connell must have read too many sensationalist articles about what's really happening to most men doing this heartfelt and difficult work. We gather weekly in our groups not to "assuage the guilt set up by the feminist indictment," but to respond to the challenge of being human. We work on issues of anger, violence, addiction, isolation, intimacy, fatherhood, parenting, aging, abuse, etc. We struggle in order to find ways to reach out to a world so in need of healing. Our community of men (sometimes with the women in our lives, sometimes not) appears publicly at gatherings and demonstrations. We appear at these events with our drums and costumes, which the media and others seem so eager to criticize, invalidate, and insult.

Our men's movement is not at all separatist, as Connell suggests. Our relationships with our wives and lovers and female friends are enriched precisely because we are learning to be vulnerable and nurturing in our male friendships and in our groups.

As for Robert Bly, is he a sociologist or a historian? No, he is a poet, and his book and life's work should be seen in that light. His research may indeed be faulty and some of his metaphors dangerous (his translation of the word "wild" from the Iron John story might be better replaced with "natural," thus avoiding the violent imagery it evokes in some women and others who feel hurt by men), but his strength lies in his artistry, his poetry, his lifelong opposition to war and violence and his concern for men, women, children, recovery, and the earth itself. If, indeed, Bly is the leader of the mythopoetic men's movement, it is in large measure by default. Not many in our movement would be willing to volunteer for this position given the bankrupt models of male political leadership we have experienced over the last decade. Robert Bly's expansive presence is a statement about our cultural need for a poet (artist) in a visible male position of power, rather than some "cult" figure needing to recruit "white, middle-class, heterosexual North Americans," as the article suggests.

Mr. Connell, you are the sociologist, so get your information right. Come to the groups, workshops, seminars, and gatherings where men (and women) are doing this work, and you will likely change your tune. We don't drum in trees—we keep our feet firmly on the ground. Perhaps your ivory tower is at tree level and you are missing the forest.

Bruce Silverman
Pleasant Hill, California

R. W. Connell responds:

One might get the impression that my article was an attack on the "men's movement" or a piece of "male-bashing" in general. It is nothing of the kind; in my article I attempt to locate the current therapy-focused best-sellers in the history of men's sexual politics, show why we should not be satisfied with this turn of ideas, and suggest a better direction for men's sexual politics. I criticize Bly's *Iron John* sharply, and it deserves to be so criticized. It is shoddy work, and to excuse it by saying it was written by a poet is not an argument that does much honor to poets. I am happy to acknowledge the importance of the emotional life of men; indeed, I would emphasize its richness and complexity. But to make the exploration of emotions among the privileged in society the overriding issue in sexual politics is to move a long way toward narcissism, with damaging consequences for social justice.

Beyond Beef

To the Editor:

I would like to commend *Tikkun* for the excerpt from Jeremy Rifkin's wonderful, important new book, *Beyond Beef* (March/April 1992). It is appropriate that this appears in a Jewish publication, since meat-centered diets and livestock agriculture are contrary to basic Jewish ethical values. Consider the following points:

1) Judaism emphasizes *tsa'ar ba'alei chayim,* compassion for animals. Animals raised for food today live under cruel conditions, in crowded, confined cells, where they are denied fresh air, exercise, and any emotional stimulation.

2) Judaism mandates that we be careful about preserving our health and our lives. Flesh-centered diets have been linked to heart disease, stroke, several forms of cancer, and other illnesses.

3) Judaism stresses that we are to share our bread with hungry people. Over 80 percent of the grain grown in the U.S. is fed to animals destined for slaughter, while twenty million people die annually because of hunger and its effects.

4) Judaism teaches that "the earth is the Lord's" and that we are to be partners with God in preserving the world. Flesh-centered diets result in soil erosion and depletion, extensive air and water pollution related to chemical fertilizers and pesticides, and the destruction of tropical rain forests and other habitats.

5) Judaism mandates *bal tashchit,* that we are not to waste or unnecessarily destroy anything of value. Livestock agriculture requires the wasteful use of food, land, water, energy, and other resources.

6) Judaism stresses that we must pursue peace and that violence results from unjust conditions. Flesh-centered diets, by wasting valuable resources, help to perpetuate the widespread hunger and poverty that eventually lead to instability and war.

In view of these strong Jewish mandates, shouldn't concerned Jews seriously consider becoming vegetarians?

Richard H. Schwartz
Staten Island, New York
(The writer is the author of *Judaism and Vegetarianism.*)

Editorials

Michael Lerner

My Meeting with Bill Clinton

I went to a meeting with Bill Clinton in early April, fully expecting to meet the sleazy used-car salesman I had seen depicted in the media. I was stunned. Here was a very decent, obviously intelligent, obviously sincere human being.

I want to leave aside the question of his politics, which in some important respects are different from mine. What I am addressing is simply this: that when you meet Clinton it is hard not to be impressed with his decency and humanity. I was also impressed with the seriousness and complexity of thought that he brought to addressing the questions I raised.

When I reflect on how frequently I have been misquoted and misrepresented by the media, both in the 1960s, when I was a national leader of the antiwar movement, and today, when I express opposition to Likud policies on the West Bank, I don't quite understand why I was so stunned at the misrepresentation of Clinton. Perhaps it's this: I expect that people who challenge the values of the corporations that own and advertise in the media will see their positions misrepresented and caricatured. But Bill Clinton *shares* most of these values. Why the distortions, then?

The short answer is this: The media is extremely sensitive to popular sentiment, and popular sentiment today is one of deep disillusionment with the way the political system is working. By focusing on scandal and the personality flaws of the individual candidates, the media at once reflects the general skepticism about government and channels it away from the system and onto individuals. The deeper anger about the way the entire system is functioning then is displaced as outrage at congressional misuse of its own bank loans, or at Clinton's love affairs, when it might otherwise focus on, for example, the predominance of the ethos of self-interest over the ethos of mutual caring.

The more complex answer is this: Many journalists are deeply conflicted about politics and take out their conflicts on the candidates. Journalists are hungry for the same community of meaning and purpose that draws so many others to politics; but they are also deeply frustrated at the ways that the political system manipulates these desires while never actually fulfilling them. They quickly develop a stance of cynicism toward their own inner yearnings, and project that cynicism onto the candidates. The more idealistic the candidate, the more intense the inner conflict generated in the journalist. Hence journalists become that much more dedicated to exposing that candidate's flaws in order to reassure themselves that their own lives and their own compromises were inevitable and hence justifiable: No striving for community could possibly make sense in this hopelessly corrupt political world. No wonder, then, that these journalists trust the most cynical politicians, feel comfortable with them, and have a desperate need to convince the rest of us that anyone who believes in anything is simply a dupe, a mindless true believer, or someone who wants to manipulate the rest of us. Clinton's humanity, like Brown's assault on the centers of power, scares them most deeply precisely because it speaks to their best impulses, impulses they thought they had to renounce to be "realistic" and make it in the world of journalism.

Footnote: As I left the meeting, Clinton told me that he was a reader of *Tikkun*. Given my media-induced skepticism, I thought to myself, "Oh no—here's a move meant to manipulate me if ever I've seen one. It costs him nothing to pretend he's read the magazine." But then Clinton went on to cite a particular article that he'd read. And since Clinton didn't know I was going to be at this particular meeting, he could not have said to an aide beforehand: "Quick, tell me the title and author of a *Tikkun* article." I had to admit that Clinton did in fact read *Tikkun*—and then to wonder—and worry—once again at the depth of the skepticism that I had internalized.

The Israeli Elections

As Akiva Eldar points out in this issue of *Tikkun,* although a Likud triumph at the polls was thought to be almost inevitable a mere six months ago, President Bush's refusal to grant loan guarantees without a settlement freeze has changed all that. Labor and Meretz, the two parties committed to territorial compromise, have greatly benefited from the growing perception among the electorate that building settlements is proving to be a costly liability.

In a direct way, Bush has given a major boost to the peace parties, just as he would have lent considerable credibility to Shamir had he given the loan guarantees without securing a settlement freeze. Bush was opposed by a large array of forces including AIPAC, the Conference of Presidents of Major American Jewish Organizations, the Community Relations Councils of the Jewish Federations (funded by your donations to local federations or the United Jewish Appeal), the Religious Action Center of the Reform Movement, and many others. Had these forces prevailed, Shamir would have had a considerably easier route to victory in the June elections. Some of these groups are still trying to save Shamir with an eleventh-hour effort to get American Jews to contribute directly to a fund that would provide insurance in the event of a loan default, hence making private banks more willing to offer the loans.

Ironically, the one thing that might undermine this scenario and help Shamir would be the perception that Bush is on his way out and one of the Democratic candidates will be the next president. The Democrats have been competing with each other to sound the most unwavering in support of the Israeli government, and all of them have attacked Bush for the linkage. If Shamir can convince the Israeli electorate that one of these Democrats will be the next president, he could then have a plausible case for reelection: "Stand up to Bush now," he could say, "and later we will have a stronger pro-Israel Democratic president who will not force us to suspend settlements. Don't let the U.S. push us around —and it won't cost us anything to stand up to them, because the Democrats are going to give us all we want."

For those of us who are sick and tired of the moral, psychological, and economic devastation wrought by twelve years of Reagan-Bush rule, it's sobering to think that a turn to the left in this country might strengthen the Right in Israel. Someone needs to tell Clinton, Brown, Tsongas, and whoever else is standing in the wings that many American Jews support the Israeli peace movement and don't want the Democrats to be the unwitting accomplices to Shamir's intransigence.

Meanwhile, we need to encourage the creation of a private, nongovernmental Israeli housing organization that could receive public and private funding from around the world to build housing inside Israel for Soviet Jews. We would enthusiastically endorse donations and U.S. government expenditures on any such program that built housing within the pre-1967 borders of the State. We should not turn our backs on the horrendous problems facing Soviet immigrants, nor should we allow them to suffer as a way to express our displeasure with the Likud government.

THE CONSERVATIVE MOVEMENT OF JUDAISM REBUFFS GAYS AND LESBIANS AND THE AMERICAN JEWISH CONGRESS GAGS CRITICISM OF ISRAEL

Conformism in the Jewish Establishment

For those of us who have been trying to open up space for a liberal perspective in the organized Jewish community, the past few months have been full of disappointments. Though polls continue to show that most American Jews and many leaders of the Jewish establishment share key goals of the liberal agenda, the Jewish world remains so deeply entrenched in mainstream conformism that even the most principled reformers tend to capitulate—often without much of a fight—to the mind-deadening and democracy-obliterating ways that have characterized the Jewish establishment for many decades. Whether it is in the national gatherings of the various community relations councils of the Federations, the religious organizations, or the "young leadership" of the United Jewish Appeal, liberals often feel they've been "courageous" simply to raise a dissenting voice, but rarely feel that they can afford to challenge the way those organizations are structured. One Federation leader recently told me how discouraged she was after a national meeting in which the voices of liberalism were given little chance to present their case; but so tightly internalized are the mechanisms of control that she refused to tell the story publicly for fear that she would undermine her remaining authority in the circles of influence.

Perhaps one should expect this of the mainstream. But what about organizations that once promised openness and flexibility? Two recent decisions—the Conservative Movement rebuffing gays and lesbians and the American Jewish Congress restricting public discussion about Israel—are particularly disheartening.

Conformism I: Conservative Movement Rebuffs Gays and Lesbians

This March, a commission of the Rabbinical Assembly (the organization of rabbis of the Conservative Movement of Judaism) rejected Rabbi Brad Artson's proposal to sanction ordination of gays and lesbians as rabbis. Artson's argument for the ordination of homosexuals was drawn from his

interpretation of Jewish law (Halacha) that originally appeared in *Tikkun* (see "Judaism and Homosexuality," March/April 1988). Further, the panel forbade Conservative rabbis from performing "commitment ceremonies" for gay and lesbian couples.

One could argue that the very fact that the Conservative Movement was dealing with the possibility of ordaining gays and lesbians shows how far things have advanced in this society. Twenty years ago, lesbians and gays would not have sought admission to the rabbinate and the Conservative Movement would never have dreamed of allowing it.

Not that homosexuals have been absent from the Movement. I have received many letters and articles from Jews in their thirties and forties describing the great pain they experienced trying to conceal their homosexuality from others growing up in the Jewish world. Heterosexual men tell me stories of being called "fags" because they were not good at sports, or even because they *liked* Hebrew school or religious services —putting them in that most dreaded of all categories, the homosexuals. Homophobia was terrible for gays and lesbians, but also a powerful weapon against anyone who didn't behave according to the sexist standards of a patriarchal society. Ironically, the Jewish people as a whole has been seen as equivalent to the homosexual, that is, as fundamentally different and aberrant. When we found ourselves in the concentration camps of Europe we found those camps filled also with another persecuted minority—gays.

The Conservative Movement should have been in the vanguard of those rejecting the oppression of homosexuality. The Conservative movement emerged as "historical Judaism," the Movement that recognized the bonds of Halacha and simultaneously acknowledged that throughout its history, Halacha has changed to accommodate new social realities. Artson himself made this argument, claiming that the rabbis had originally been correct to ban homosexuality in a historical period when it was an open practice of ruling elites and therefore associated with bondage and oppression, and ran counter to the woman-centered ethos of the Jewish family and its reasonable demands for loyalty and ongoing support. But today, Artson argued, homosexual practice is not linked to an antifamily ethos; homosexuals are building long-term loving committed relationships and families. The desire to sanctify those relationships through commitment ceremonies bespeaks a different factual situation than the one that led Torah, and later the rabbis, to oppose homosexuality. Just as Halacha had changed in response to other factual situations, so it could and should change in relationship to homosexuals. After all, the Conservative Movement had been able to allow people in certain instances to drive to synagogue on Shabbat, so it had already acknowledged that it could, in principle, make different judgments in new situations. Why not here?

"But it's harder in this situation," argue defenders of the Conservative Movement, "because riding on Shabbat is forbidden by a decision of the rabbis, and that is easier to override than an explicit injunction in Torah against homosexuality." This seems a reasonable response until one notices that the rabbis themselves managed to reinterpret or override many explicit injunctions in Torah, including those that abolished all debts in the Sabbatical year, those involving tests for infidelity, and those requiring animal sacrifices. The rabbis whose decisions are enshrined in the Mishna, for example, had little hesitation in making major changes in precedent and justifying them "*mipnei darkei hashalom*" (for the sake of creating peace within the community). It's only to the extent that the contemporary rabbis have lost their sense of self-confidence in understanding the underlying principles of Torah that they find themselves unable to engage in similarly creative readings of the tradition. The Conservative Movement had originally attempted to weave a middle path between what it saw as the extreme individualism of the Reform Movement, which, from the perspective of Conservative Judaism, acknowledged no community obligation to Halacha and said each individual could shape his or her own Judaism according to what felt good, and the Orthodoxy, which insisted that Halacha was unchanging, merely an elaboration of eternal principles revealed on Sinai.

But Conservative Judaism began to lose its way, and lose its own youth, when its leadership became more focused on justifying themselves to their critics on the Right (in the Orthodox world) than on building a Judaism that could apply Torah principles to contemporary reality. I know that there were principled people like Elliot Dorff, Gordon Tucker, and other leaders of the Conservative Movement who genuinely struggled with the issues but felt they could not find a halachic peg on which to hang their humane concerns. But this is because they lacked the self-confidence to do what halachic leaders throughout Jewish history have always done—to reinterpret halachic demands in light of new social conditions.

This decision reflects a deep malaise in Conservative Judaism. The Conservative Movement lacks vision, passion, and a mission that could inspire its young, and hence it has been losing them at dramatic rates. Its synagogues, though led by dedicated and often quite brilliant rabbis, are too often dominated by materialism and a conformist ethos whose central goal is to make

Earth's Ten Commandments

Thou shalt love and honor the Earth
for it blesses thy life and governs thy survival.

Thou shalt keep each day sacred to the Earth
and celebrate the turning of its seasons.

Thou shalt not hold thyself above other living things
nor drive them to extinction.

Thou shalt give thanks for thy food
to the creatures and plants that nourish thee.

Thou shalt limit thy offspring
for multitudes of people are a burden unto the Earth.

Thou shalt not kill
nor waste Earth's riches upon weapons of war.

Thou shalt not pursue profit at the Earth's expense
but strive to restore its damaged majesty.

Thou shalt not hide from thyself or others
the consequences of thy actions upon the Earth.

Thou shalt not steal from future generations
by impoverishing or poisoning the Earth.

Thou shalt consume material goods in moderation
so all may share Earth's bounty.

Ernest Callenbach

Ernest Callenbach is the author of Ecotopia *(Bantam, 1983) and* Ecotopia Emerging *(Banyan Tree, 1981).*

comfortable suburbanites feel more comfortable. Hardly the stuff of which passion is born. And the weird combination of leadership in the Jewish Theological Seminary (JTS)—a loose alliance of, on the one hand, historians and Talmud scholars who want to be left alone to pursue a life of scholarship and, on the other, organization men and fund-raisers who are more adept at pleasing suburban donors than at confronting transcendent questions—has failed to generate a vision that could energize the next generation. Similarly, attempts by the Israeli peace movement to find support in the Conservative Movement have been rebuffed —there is an Orthodox peace movement in Israel, but the Conservative Movement carefully eschews anything that might taint it as "political." The Seminary was similarly closed to its own most inspiring spiritual teacher, Abraham Joshua Heschel. When I studied with him at JTS he told me of the painful sense of exclusion he experienced as he watched the Conservative Movement drift toward the political Right. So no matter how successful the various youth-oriented enterprises like Camps Ramah, Solomon Schechter Day Schools, or the Melton Research Center have been, ultimately young people confront a movement that in its daily practice lacks passion and vision, and they slowly drop out altogether or look elsewhere for leadership.

But all this is only part of the story. The other part is homophobia pure and simple. The fact that the Conservative Movement has drifted toward conformism has meant that many of its members feel quite comfortable with the antigay sentiments that still predominate in American society. If they did not feel this way, they would have found a way to legitimize commitment ceremonies. After all, these ceremonies have no halachic basis, and hence could not reasonably be said to violate halachic requirements. Banning them says explicitly, "We will not recognize the legitimacy of your relationships in our movement." Such a slap in the face was unnecessary from *any* halachic standpoint. It is the restatement of contemporary prejudice, and it will not stand. Whether in ten or in fifty years, these restrictions will be lifted. Other rabbis will miraculously find good halachic reasons to change these rulings, and people will look back on this period as one of prejudice and narrow-mindedness.

But in the meantime, gays and lesbians will continue to suffer. This is an affront to any of us who care about our fellow Jews and the future of Judaism. It is time for the Jewish people to apologize to the gays and lesbians among us for how we have treated them. I want to assure Jewish homosexuals that there are many people in all branches of Judaism who remain strong allies, strongly committed *both* to Judaism and to the rejection of all forms of sexism and homophobia. Even though this season has not been a good one for the humane forces within the Jewish world, I know for a fact that there are many principled and dedicated liberal and progressive Jews within the Conservative Movement who oppose this decision. Their voices will ultimately triumph or Conservative Judaism will not survive another forty years.

Conformism II: American Jewish Congress Silences Critics of Israel

The American Jewish Congress was once the voice of American Jewish liberalism. But in the past two decades it has gradually moved to the Right, mimicking the general rightward drift of all sections of the Jewish

(Continued on p. 95)

No Content: The Press, Politics, and Public Philosophy

Jay Rosen

Washington—*Convinced that something is wrong with politics and stirred by the sense that they bear part of the blame, some of the nation's biggest news organizations are vowing to change the way they cover the 1992 presidential campaign. If they succeed, it could put the press on a collision course with the candidates and mark the first major change in political journalism in decades.*

This surprising announcement appeared in the *Los Angeles Times* last November. Since then, the curious prospect of the press resolving to change its behavior has given way to the confusing spectacle of the press falling into the same patterns, announcing its lack of resolve, and reporting on the results. "Journalists Renege on Election Promises" read the headline in the January 31 *New York Times*. Reporters and their bosses in the newsroom "vowed to reform this year," said the *Times,* "but it didn't take them long to be distracted by questions of sex, polls and campaign strategy."

Election coverage reached an early low on the night of the Super Bowl, when CBS told football fans to stay tuned for a postgame showdown on "Sixty Minutes." It featured Bill Clinton and his wife Hillary tangling with the sanctimonious Steve Kroft, who repeated allegations of adultery originally published in the *Star,* a supermarket tabloid. *Nightline* had already done a story on the damage the charges were causing Clinton, which led the *New Republic* to claim that there was "essentially no difference in these matters anymore between Ted Koppel and Geraldo Rivera." David Broder of the *Washington Post,* the nation's most respected political reporter, pleaded, "Is this any way to choose a president?" The *New York Times* remarked that "this sort of thing was not supposed to happen in 1992."

But it will probably continue to happen. Try as they might to change, journalists will continue to distort and degrade our politics until they alter some of their core beliefs—indeed, until they start believing in something beyond "getting the story" and "covering the campaign." In a way, this failure to believe is what prevents journalists from developing a new kind of campaign coverage. Their crisis, in a word, is spiritual. It concerns the ability to see journalism as a calling, and the belief in democracy as a "way of life," to use the description that appealed so much to John Dewey.

In the way of life that American democracy has cultivated over the past thirty years, public business is conducted largely through the media. This is especially true of the business of electing a president. Given the parallel decline of the political parties, journalists are more than ever political actors—players in a game they also witness and analyze. Most of them realize this. What they don't realize is that as political actors they need a political philosophy, a set of beliefs about what politics —and journalism—is all about. Proud of their ability to see through the machinations of the media age, they have mistaken this seeing through for a view of politics.

But what view of politics is right for journalists? As political actors, rather than mere chroniclers, what sort of actions should they take? And what should they believe in? These are questions we all need to debate, for it is not only the press that lacks a political philosophy. It is our political culture, including the culture of the Left, that lacks a philosophy for the press. With all our complaints about media excess and media bias, we have failed to regard journalism—which is not the same thing as "the media"—as a properly political activity.

Dan Rather has taken to signing off from the "CBS Evening News" with the unsettling words, "And that's part of our world tonight." Rather's statement is significant, even profound, for it openly denies what American journalism has long asserted: that the news is a complete account of the day's events, a picture of the world from which nothing, or at least nothing of importance, has been omitted.

To equate the news with the totality of events is one effect of the most famous motto in journalism, "All the News That's Fit to Print," which has graced the front page of the *New York Times* since 1897. At CBS, Rather's predecessor, Walter Cronkite, left no doubt about the

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completeness and reliability of his broadcasts. "And that's the way it is" was his signature sign-off. A recent TV spot for *Time* magazine featured a chorus singing: "Throughout your world/Throughout your land/*Time* puts it all/Right in your hand." ABC News is currently telling viewers that it is "uniquely qualified to bring you the world." Perhaps the ultimate statement of this positivist swagger is the catchy slogan at WINS, an all-news radio station in New York: "You give us twenty-two minutes, we give you the world."

The press has helped convince voters that politics has no real content, that it is a tactical struggle for votes, the interpretation of which belongs to pundits and experts.

Implied in Rather's admission that he brings us only "part of our world" is an invitation to scrutiny: If the news is merely a version of events, how is this version to be constructed? Simply to pose such a question undercuts the strategic value of slogans like "And that's the way it is" or "We give you the world." These statements are virtual showcases for the ideological functions of myth. As the literary critic Roland Barthes liked to observe, myth converts culture—a constructed arrangement—into nature (the "way things are"). Hence the prominence of the globe in the iconography of network news, especially during the musical intro that opens the program. Images of a spinning earth help bind the news cycle to the natural flow of time: Because the world turns there is news today, these images assert. The news cycle also mimics, or re-presents, the revolving of the globe, so that one pass through the news equals one turn around "the world." The aim of these mythic equations between the news, the globe, and the world is to delay the moment when the cultural character of news—its constructedness—must be publicly declared.

Whether the declaration will ever come is, in part, up to us as informed citizens and progressive critics. For our most common complaints about "the media" have actually contributed to the ideology Rather has unwittingly undone. By trying to show journalists that they are, indeed, "partial," or biased (against the Left, against Jews critical of Israel, against feminism, against whatever), we have reinforced the view that their job is to be unbiased, "objective." We have thus assisted the press in an ideological project of some difficulty: avoiding public discussion of the manner in which journalism inevitably does (and therefore should) construct "the world," especially the world of politics.

Consider the reporting of the current presidential campaign. The press constructs the campaign in a variety of ways, the most basic being its assumption about the purpose of the entire ritual. The purpose, according to the press, is to produce a winner, first for each of the major parties, then for the nation as a whole. A political season is reported like a football season: First we find out who plays in the Super Bowl, then we see who wins. Winning, then, is the master-narrative for campaign coverage, the story that produces all the other stories.

But winning is what the *election* should be about. The campaign ought to have a different purpose—to offer a public context for our votes. Who wins may be the relevant question for football fans; as citizens we need to know what wins—what the polity is deciding about itself when it selects a president. Is a vote for candidate X a vote for national health care? Is a victory by candidate Y a statement that the former Soviet Union can find its own way to democracy? By reelecting the incumbent what would the nation be saying to itself? Four more years of what? The campaign should permit us to answer such questions. Let the election produce a winner; the campaign is about the production of *meaning*. Unless, of course, it is drained of meaning by those who help construct it.

In mid-January, after Mario Cuomo declined to run, Bill Clinton assumed the rickety status of frontrunner among the Democrats. This was a title bestowed on him by journalists claiming to read the minds of party activists and primary voters. The mind-reading was necessary because the master-narrative must have a central character—a favorite—at all times. The "events" that appear to move the narrative along are in fact produced by it. The important incidents become those that reveal who the winner is going to be. We see this in such quadrennial rituals as the over-reporting of early polls, the absurd inflation of the New Hampshire primary, and the arcane "expectations game," which a candidate may "win" in the judgment of journalists by doing "better than (journalists) expected." These practices help convince voters that politics has no real content, that it is a tactical struggle for votes, the interpretation of which belongs to pundits and experts.

At the same time, however, the press assumes that voters are intensely interested in "character," which gets defined as the conduct of a candidate's private life. Thus, when sensational charges emerge in one part of the

media, reporters feel it's their duty to pressure the candidate to respond. They then report that the campaign is being "dogged by questions" that these same reporters decided to start asking. The dogging arises in part from the belief that the "character issue" could prevent the candidate from winning, which in Clinton's case promised a classic turn in the narrative: "Front-runner Stumbles." Anticipating such a turn, journalists on TV talk shows ask themselves how much damage their stories are causing—and as the question gets repeated, its ritual intonation threatens to become the answer.

During the dogging of Clinton in early February, Amy E. Schwartz of the *Washington Post* acknowledged that "the press's reporting of such controversies is the crucial factor in how big they get." She wrote:

> Are we survivable? We and Clinton are about to find out. If we stop, "it" will stop. If we don't, it won't. It is frightening and disorienting to watch hundreds of colleagues hurl themselves off a cliff in slow motion, wondering out loud whether they can be stopped.

As Schwartz observes, the press enjoys both the power to create events—like the troubles that "dogged" Clinton—and the luxury to deny that these events were self-created. Journalists will talk of an "it" or "this" ("Cokie, how much has this hurt Clinton?") when the relevant word is "us" ("If we stop, 'it' will stop"). They talk this way because they suspect that the power they have accumulated in American politics is real, but illegitimate. Schwartz writes:

> What really controls the intensity of a story is how often it is present [in the media]. But journalists aren't supposed to have any control over the presence or absence of a story; that's fundamental to the whole idea of press coverage.

This gets to the core of the problem: An assumption that is "fundamental" to press coverage is fundamentally false. According to their official ideology, the doctrine of "objectivity," journalists aren't supposed to control the existence of a subject in public consciousness. But of course they do, and everyone knows that they do. Increasingly they admit to it, as Schwartz has. The challenge, then, is to find a new ideology to replace "objectivity" and statements like "we give you the world." Journalists need to arrive at those moral and political principles that will help them construct the political world in a useful and proper way. But what should these principles be?

A good place to begin is with the commonsense assumption that the press provides us with the information



we need in order to make wise decisions. This is neither a good description of what journalists do nor a useful prescription for reform. First, it fails to account for the ways in which the press creates events and constructs the narrative of the campaign. Second, when "information" is seen as the outcome of press coverage, "objectivity" will continue to be upheld uncritically, for no one wants slanted or biased information. An information view of the journalist's task also overlooks the need to ground campaign reporting in a higher purpose than divining the eventual winner. That is, it fails to address the deficit of meaning that afflicts most political coverage.

Suppose we say, then, that the task of the press is to construct the world in such a way that we can "become what we are"—a democracy. This assumes, of course, that democracy is an unmet ideal, a way of life we have claimed as our own, but still need to invent. The understanding of democracy that prevails in the press resembles the famous formulation offered by political economist Joseph Schumpeter: "that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote." In this view, the hard work of democracy has been done. A stable political system already exists in which power is secured through elections. The only question is who secures it. "The public" is clearly of negligible importance—the elites who will ultimately decide things require our votes, but not our ideas.

To cleanse politics of any need for the public has been one of the great achievements of the positivist strain in American political science, which has adopted Schumpeter's definition as both an adequate ideal and an accurate description of how modern democracies work. The press, in turn, has embraced positivist political science, especially its reliance on polling as the definition



The media-saturated spectacle of the campaign abates long enough to find Bill Clinton and Jerry Brown surrounded by actual voters at a "Save the Children" benefit in a New York church.

of public opinion. Here, then, is the intellectual battleground on which progressive critics might meet the press: Journalists currently assume that the purpose of a presidential campaign is to produce a winner. This assumption is grounded in a "realist" view of democracy, which virtually equates the democratic process with voting. If the "competitive struggle for the people's vote" *is* democracy, then a reporting routine that reveals the ins and outs of that struggle can be justified as serving a democratic purpose. Campaign reporting will not improve, then, until the "realist" view of democracy is replaced by a more inspired ideal, a vision of a politics in which democracy is what we're struggling for, assisted, we hope and expect, by the press.

"What democracy requires is public debate, not information," writes Christopher Lasch:

> Of course, it needs information, too, but the kind of information it needs can be generated only by vigorous popular debate. We do not know what we need to know until we ask the right questions, and we can ask the right questions only by subjecting our own ideas about the world to the test of public controversy. Information, usually seen as the precondition of debate, is better understood as its by-product. When we get into arguments we become avid seekers of relevant information. Otherwise we take in information passively, if we take it in at all.... It follows that the job of the press is to encourage debate, not to supply the public with information.

These remarks begin to suggest an appropriate ethic for the journalist as a political actor, rather than a mere dispenser of facts. What the journalist should do, according to Lasch, is construct the political universe in such a way that *the activity that is most visible is discussion and debate.* Politics becomes an arena for public talk, and this talk should be productive in the sense that it permits us to see the political sphere as meaningful—connected to our lives, conducted in a language we share, incomplete without our participation.

The usual prescription for improving political talk is to call for more emphasis on "the issues." But this tired demand overlooks an important consideration: To claim their rightful place in the public sphere, the issues must be framed in a manner that invites our participation. "The economy," for example, is not really an issue, although pollsters and the press have repeatedly declared it the Number One Issue in 1992. What they mean is that economic troubles are foremost in people's minds. Undoubtedly this is true, but it overlooks the purpose of a healthy public sphere: to convert troubles, which can only be felt, into issues, which have some hope of being treated by public discussion and political action.

After all, there are many things a political community can do to shape its economic future, and a presidential campaign ought to produce a lively debate about all of them. Discussing "the economy" in the abstract is not likely to help much; discussing, say, the economic consequences of the failure of public schools might help more. Of course, any such discussion also needs to consider the moral dimensions of that failure, the "savage inequalities" in public education recently highlighted by Jonathan Kozol in his book of that title. This is precisely the path the political community should follow during a presidential campaign: toward a better understanding of what it needs to debate, toward a more inclusive definition of what's worth discussing—not only "the economy" and how to fix it, but the issues of fairness and justice that are implicit in economic questions.

For the journalist, then, the proper question is not "Who's winning?" or even "What's on voters' minds?" but "What should people turn their minds to if they want the political system to respond to their troubles?" From this perspective "the economy" is a hopeless abstraction, too big for most of us to wrap our minds around. The abstraction can be discussed, but the

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Likud's Loans Lost: Israel at the Polls

Akiva Eldar

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On the day it finally became clear that America's $10 billion in loan guarantees would be put into a deep freeze, Jacob Frankel, the governor of the Bank of Israel, said that Israelis have no choice but to reexamine the entire national budget and ask ourselves if we can afford to carry out the social programs that we had previously sought to implement. With this observation, the ball has moved out of the political court (the question of settlements, the peace process, and relations with the U.S.). Now the loan-guarantee dilemma has become a social and economic dispute, which presents Israel with the choice between strengthening settlements in the Occupied Territories and strengthening its new immigrant population and domestic economy—the choice, in other words, of whether Israel can still realize the central Zionist goal of extending shelter to every Jew in distress.



Can Israel's former defense minister Yitzhak Rabin withstand the cross fire of Likud invective and impertinent microphones?

Internal surveys conducted for the Likud prior to the upcoming Knesset elections show that most Israelis (over 70 percent) are more interested in these social and economic issues than the more narrowly political dimensions of the dispute. It seems, therefore, that the Likud gambled poorly when it broke with the parties on the extreme Right over the peace talks with the Palestinians. Prime Minister Yitzhak Shamir had assumed that the American administration would reward him with generous guarantees that would allow him to coast through the Likud's primaries in an atmosphere of economic prosperity and accord with the U.S.

As late as February, Shamir was still confident that the guarantees could be obtained without freezing the settlements and that the peace process could be advanced without conceding an inch. Since then, a completely different picture has emerged: President Bush has understood that Shamir wants to prove to Israeli voters that if they put their faith in the Likud, they can have their cake and eat it too. Bush's belated recognition of this tactic sets the Likud party much more strongly at odds with the politics of the other major players in Israeli politics: the Labor party, which offers Israeli taxpayers guarantees without the settlements; the far Left, which offers them peace without the Occupied Territories; and the extreme Right, whose plan includes settlements even without the guarantees. Had Bush granted Shamir's request and agreed to the guarantees on principle, contingent upon continued negotiation of the terms, the U.S. would have validated one of the central tenets of Likud election propaganda.

The U.S. administration's refusal to grant the guarantees—together with allegations about unsavory arms deals between Israel and China and the reports that senior Bush administration officials have made derogatory remarks about Jews—raised U.S.-Israel relations to the top of the national agenda in Israel. The timing—several months before the Knesset elections—transformed this subject into a wrestling match between Likud and Labor. Especially now that the U.S. has reemerged as the sole

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global superpower, the special relationship between Israel and the U.S. is seen as a strategic, political, and economic asset that must be safeguarded. It is commonly assumed that most Israelis do not support a leadership that threatens to lose a friend who stood by its side during times of war, rebutted attempts by the UN to hurt it, and has contributed $70 billion in aid over the years. And a large portion of the Israeli public is grateful to the U.S. for its attempts to end the bloodshed of the Jewish-Arab conflict.

George Bush seems poised to inherit the role of Yasir Arafat and Hafez el-Assad in the election rhetoric of the Right.

On the eve of the elections, the Likud was backed into a corner, forced to choose between compromising its own ideology and jeopardizing the relationship with the U.S. that has long benefited Israel. Once it began to grasp the full proportions of this dilemma, the Shamir government chose to cling to its views and expected the citizens of Israel to pay the bill—together with the Jews waiting in Russia for news about job openings for them. But like any other political enterprise, the Likud is not willing to pay the price at the polls. The only way to avoid these electoral costs is to convince the Israeli voter that the present government is not guilty of eroding relations with the U.S. Likud politicians must demonstrate that President Bush's refusal to grant Israel the guarantees was due to factors external to Israeli politics: the economic situation in the U.S., the decline of the strategic value of Israel following the end of the cold war, and an American administration that is hostile to Israel and to the Jews. Following this reasoning, Minister of Health Ehud Olmert claims that if the Shamir government had agreed to freeze the settlements, Bush and Baker would have found some excuse for delaying the guarantees until after the elections in Israel. Such an intransigent administration, as the Likud line has it, requires Israelis to support a government that will not open the dam to dangerous concessions.

George Bush thus seems poised to inherit the role of Yasir Arafat and Hafez el-Assad in the election rhetoric of the Right. Without an active enemy, the radical parties have no fresh merchandise to sell. Because the Likud counts to its credit the direct talks with the PLO, Syrians, Lebanese, and Jordanians, all still under way at the height of the election campaign, it will be hard-pressed to demonize these once-reliable enemies.

The Likud faces an additional problem: It has lost its domestic arch villain, Shimon Peres, who since 1977 served as a central target for incitement and lived up to the role with great success. The new leader of the Labor party, Yitzhak Rabin, the former chief of staff who "liberated Judea and Samaria" from the Palestinians and the minister of defense who broke their b nes when they tried to liberate themselves from Israel, i much harder to cast in the role of a defeatist who intends to sell Israel piece-by-piece to the Arabs. But this is precisely why the Likud will argue that the Labor party with Rabin at the helm will not stand up to massive American pressure. Many Labor party strategists believe that Rabin will succeed in communicating to the public on two levels, and in forming a bridge between two messages that, on the face of it, are contradictory. On the one hand, he brings with him a record as a top commander and a defense minister who knew how to use an iron fist with the Palestinians. On the other hand, he is known for having been a talented ambassador to the United States, as well as one of the initiators of the (since discarded) election plan for the Territories that the Likud adopted.

The Labor party's elevation of Rabin over Peres is bound to change the image of the party leadership in the eyes of right-wing voters, and most importantly, will elevate the topic of security to a higher place on the Labor party's agenda. The Likud has no choice but to make good use of the results of the Labor primaries, in which Rabin was encircled by a large flock of doves at the top of the list of party nominees to the Knesset. Likud candidates claim Rabin will be captive to a group that will give up the Territories and create a Palestinian state even without pressure from the U.S. Rabin is responding to this propaganda by endorsing the continuation of settlements in Jerusalem, the Jordan Valley, and the Etzion Bloc, and by repeating the slogan that a Golan Heights without peace is better than peace without the Golan Heights. Rabin has already said that he will agree to freezing only "political settlements" and will defend the right of Jews to settle in East Jerusalem, the Jordan Valley, and Gush Etzion. If this is not just election rhetoric intended to calm hawks who float between the Likud and Labor, authoritative spokesmen in Washington have declared that Rabin's election would not bode well for the future of the loan guarantees.

Since Rabin was elected Labor candidate for prime minister, Labor has overtaken the Likud for the first time in opinion polls. Even the popular "conversation-with-my-cabbie" surveys that Israeli journalists use to gauge the state of right-wing opinion seem to bode well for Rabin. One of my friends reported one such conversation of his own, which was perhaps as reliable an index as

any to the current mood in the street. "I'm sick of the Likud," his cab driver announced. "I'm sick of Labor. This time I'm voting for Rabin."

When Foreign Minister David Levy announced in March that he was planning to resign from the government, the specter of Sephardi-Ashkenazi division threatened to damage the Likud party's electoral prospects. At the last moment, Levy reneged on his decision, but ethnic strife still could prove a significant obstacle for Likud. After the Likud primaries produced a slate of Ashkenazi candidates for the Knesset, many Sephardi Likud supporters professed a sudden allegiance to Rabin. Shimon Peres had aroused much the same ethnic antipathy in Likud voters, and his image, eroded by four election campaigns, alienated even those who were disappointed with the Right. Labor party strategists are hoping that Rabin's candidacy will woo these disaffected voters into the Labor camp. At the same time, Labor supporters expect that Rabin will push many doves toward the Zionist Left, which has formed a voting bloc under the name Meretz, but Labor is unlikely to lose this bloc: Meretz will still serve as a natural ally to the "obstructing bloc" against the Likud, and could likely be counted on to support a government with Labor at the helm.



MK Shulamith Aloni of the Meretz coalition talks with Ibrahim Souss of the PLO at a European symposium.

The list of Knesset candidates that emerged from the Labor party primaries, surprising for its dovishness and freshness, posed an unexpected difficulty for Meretz, which is fielding a well-worn slate of candidates. The MKs of the Meretz party, headed by Shulamith Aloni, Yossi Sarid, Yair Tzaban, and Haim Oron, will have a hard time convincing their potential supporters in the moderate wing of the Labor party that they know how to keep Rabin from slipping into right-wing policies more effectively than their dovish friends in the Labor party.

The formidable makeup of Labor's list of dovish candidates—including such prominent figures as MK's Avram Burg, Uzi Baram, Yossi Beilin, and retired Brigadier General Efraim Sneh—is causing much anxiety for members of Meretz. To stand much of a chance at the polls, Meretz has to hope for a sharp increase in support for Labor in pre-election public-opinion surveys, so that left-wing voters will be convinced that they can afford the luxury of choosing the party they want to vote for, and not the party they have to vote for in order to bring down the Likud government.

At the same time, Likud's failure in the economic arena, the uncertain fate of the loan guarantees, and relations with the U.S. will make it very difficult to persuade traditional Labor voters to cross the line in the opposite direction. Thus, Likud efforts will focus, in the vein of American presidential politics, on assailing the character of Rabin. As Ezer Weizman reports in his book *To You the Heavens, to You the Earth,* when Rabin served as chief of staff, his nerves did not hold up on the eve of the Six Day War: Likud strategists figure that Rabin will prove vulnerable in the unbridled negative campaign they will direct against him. Rabin received the premiership from Golda Meir, and he has never led his party in an election campaign. Peres is the party's grizzled veteran when it comes to below-the-belt campaign tactics; Rabin has yet to be tested in combat with a desperate political enemy like the energetic young wing of the Likud. Ever since he won the nomination of his party, Rabin has been nervous, and the tension shows in his face. His brow will have acquired many more furrows once Minister of Police Ronny Milo and Minister of Health Ehud Olmert—the most aggressive spokesmen for the brash, younger wing of the Likud—unleash their take-no-prisoners brand of campaigning.

Both of the parties must add to the precarious mandates they had in the outgoing Knesset in order to avoid the prospect of another coalition government. In 1988, the Labor party and the Zionist Left won forty-nine Knesset seats; together with the Arabs they formed a bloc of fifty-five seats. It's doubtful that Rabin would consent to invite the Arabs into his government, but even if he retains their support in the Knesset, he must win or recruit another six seats to prevent the Likud from setting up a government with the ultra-Orthodox. Ever since 1977, the religious parties have preferred to join the Right rather than the Left, whom they view as antireligious extremists. And yet if they must choose between aligning with a Rabin-led Labor government and becoming the opposition—which means conceding gigantic budgets and perhaps

even having their boys drafted into the army—the popular consensus is that they will likely choose the first option.

The Likud has at least as much electoral ground to reclaim as Labor does. The far Right parties forsook the Likud coalition over the commencement of talks with the Palestinians, and this point of contention will not magically disappear on July 23. Yet any government of Israel that wants to avoid political, economic, and even military suicide must remain committed to the peace process. Surveys indicate that many Likud supporters are bolting to the Right. It seems therefore that even after the elections, Shamir will still need the hard-line Tehiya, Moledet, and Tsomet parties to form a government, but he will not be able to forge a political platform acceptable both to them and to the outside world. Shamir will thus have to make do with an alliance with the extreme Right (together with the religious parties) in an obstructionist bloc against the Labor Party. Such an alliance requires the acquisition of at least two additional seats.

This constantly shifting political landscape lends itself to many possible scenarios. In one plausible outcome, Rabin successfully contains the Likud with the assistance of the Arabs, but because he will have trouble reaching a reliable accord with a party that is neither Zionist nor Jewish, he will be forced into a coalition with the Likud. Another scenario would have the Likud winning a small majority with the help of the extreme Right, but the opposition of these allies to the peace process will force Shamir to form a government with Labor. This realignment would produce a national unity government only if Labor wins three to four more seats than the Likud, and Rabin becomes prime minister; Labor party leaders would not consent to join a government headed by Shamir. Israeli law does not limit the term of a transition government, but it is possible that Labor would call for reelections within a short period. According to a recent measure approved by the Knesset, elections to the fourteenth Knesset will be carried out in accordance with the new law for direct election of the prime minister. The new law institutes separate elections for the Knesset and the prime minister, and frees the prime minister from being overly dependent on the formation of coalitions, on small parties, and political extortion from individual Knesset members. Under these provisions, Rabin would likely defeat Shamir by a sizable majority.

Despite the failures of the Likud government in the Lebanon War and in managing the economy, most of its voters have remained loyal since the upset victory over Labor in 1977. If they shift their allegiances at all, it is to the extreme Right or to the religious parties. To win the additional seats they need, the major parties will therefore focus their efforts on the new voters: the new immigrants, young first-time voters, and Israeli Arabs who used to vote for the Communist party. The latter group is lost to the Likud, and the only question is whether they will support Rabin—who once bragged that he expelled more Palestinians than Ariel Sharon and exploded more houses in the West Bank and Gaza than Moshe Arens. If Rabin proves unpalatable to them, they will scatter their votes among the Arab parties and those further to the Left. In any event, unless its turnout in the elections increases substantially, the Arab vote will not alter the balance of forces between Labor and Likud.

Surveys show that young voters, many of whom have served in the Territories and have been hardened by the experience of chasing down stone-throwing Palestinian children, prefer the radical parties of the Left and the Right to the major parties, which strike them as too established and bland. Events such as the bombing of the Israeli embassy in Buenos Aires and the spate of Arab terrorist attacks on Jews in Jaffa have primed some younger voters for a politics of hatred and revenge; and the Moledet party, which advocates the wholesale transfer of the Arab population out of Israel, has more young activists than any other party. Public-opinion research indicates, however, that support for parties that advocate compromise and moderation increases proportionately to education: The more educated voters are, the greater importance they ascribe to global developments, to Israel's isolation, and especially to relations with the U.S. In recent years, gaps between Israel's ethnic groups have been gradually closing as greater numbers of youth in the periphery—primarily in the development towns heavily populated by Sephardim—finish high school and go on to pursue a university education.

The most fascinating riddle is the voting behavior of the immigrants from the former Soviet Union. An intuitive analysis leads to the conclusion that those who escaped from the Communist regime will keep their distance from any party that is even reminiscent of socialism. The Labor party did not give up the red flag of their rule of the Histadrut, and it has been easy for Likud to convince Soviet immigrants that Labor politicians are chauvinist adherents of the vanquished Communist system. But last year's experience—the spread of protest groups among the Soviet *olim* and the steady rise of the Labor party in public-opinion polls measuring the new Soviet vote—shows that you can't fool all of the Russians all of the time. Hundreds of new immigrants have already voted with their feet. After they lost their faith

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Foster Care and the Politics of Compassion

Nanette Schorr

In 1910, a single mother wrote a poignant appeal to the *Bintel Brief* (letters) section of the *Jewish Daily Forward.* The social supports in her community had failed her, and she had nowhere else to turn.

> My husband deserted me and our three small children, leaving us in desperate need.... I am young and healthy, I am able and willing to work in order to support my children, but unfortunately I am tied down because my baby is only six months old. I looked for an institution which would take care of my baby but my friends advise against it. The local Jewish Welfare Agencies are allowing me and my children to die of hunger.... It breaks my heart but I have come to the conclusion that in order to save my innocent children from hunger and cold I have to give them away....

The dilemma this woman faced is hardly different from that of many working mothers today. But the editor of the *Forward,* in response to the letter, looked beyond the responsibility of the Jewish social welfare agencies to that of the larger social order that forced parents to consider such desperate measures. The *Forward* editor replied: "What kind of society are we living in that there is no other way out than to sell her three children for a piece of bread? Isn't this enough to kindle a hellish fire of hatred in every human heart for such a system?" The *Forward*'s passionate and righteous anger is unequivocal; the enemy is the capitalist system.

At a time when class-based analyses had greater currency, it was easy to arouse the public's indignation at a skewed division of resources. The moral fault lines were clear—hungry children, innocent parents, guilty social order. But in the course of the twentieth century, denunciation of the social order has been diluted by the need of a large middle class to define social relations in ways that assuage its conscience and shore up its economic position. As a result, contemporary social policy rationalizes unfair distribution of resources without implicating society's fundamental decency. Instead of finding fault in the failure of the current economic system to meet *all* its members' needs, modern social theorists assure us that those who have not achieved a measure of material security are inherently flawed. And as social-service providers, journalists, educators, academics, and others lose faith in a more equitable and meaningful social vision, this view becomes more seductive and powerful.

It is therefore not surprising that "blaming the victim" has become a cornerstone of the way the state provides child-protective services. Partly as a result of the growing sensitivity about oppression within families (an awareness fostered by feminist critiques and the growth of the "children's-rights" movement), but partly as a result of society's unwillingness to acknowledge the social forces that put stress on families, the state's child-protective bureaucracy fosters the notion that we are dealing simply with "good children" and "bad parents." By defining the parent as a personal failure and abstracting that failure from the social reality within which parenting occurs, the state manages to perform a necessary function—protecting the child from extreme forms of abuse—and at the same time denies the existence of the social conditions that often account for bad parenting. Once having identified the primary problem as bad parenting, the state is free to intervene without restraint in its clients' daily lives by removing children from their parents with minimal investigation and little respect for legal procedures—before exploring avenues for keeping the family together.

These interventions rarely touch the sexual abuse, physical violence, or simple neglect that occurs in middle- and upper-middle-class families. This abuse typically comes to light much later in life—in therapy, or in consciousness-raising groups—but not because the state has become involved. Often communities that have already been defined as pathological because they haven't made it in the competitive

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market economy—Third World people, those on welfare, or the working poor—become the targets of an overzealous bureaucracy.

The net result is social engineering, not child protection, as children are taken from poor families and placed in middle-class ones.

The case of L. H. is striking in its ordinariness. A mother living in the Bronx in 1987, L. H. was in a position not unlike the mother who wrote to the *Bintel Brief*. She had recently separated from a husband who had abused her and was now alone with three young children, without money or job skills, in a house with broken windows. She sought help from child-welfare authorities—money to fix her windows and someone to watch over her children while she looked for work—but they responded by charging her with neglect for leaving her younger children in the care of her older ones and for causing them emotional distress by arguing with her husband in front of them. As a result, the child-protective system removed L. H.'s children from her care and insisted her problems could be solved with psychology. The institutional foster care providers ignored L. H.'s concerns for the safety of her boys, whom they deemed "fragile," and placed them in separate group homes as a way of treating "parentification" syndrome (older siblings protecting younger ones). L. H. found no justice in the family courts, either. Her court-appointed counsel was inaccessible and unresponsive, and the court itself did not have time to hear her case. L. H. was finally reunited with her children, but only after taking extraordinary legal action. The wounds of the utterly unnecessary separation have yet to fully heal.

I work as a lawyer representing parents who are trying to regain or maintain custody of their children and I see cases like L. H.'s all the time. Most of the time parents don't fight back because they have already come to believe that the system is so rigged against them, and are so steeped in the belief that they are unworthy simply because they are poor, that any serious struggle seems futile. Moreover, the degradation they have suffered—which the child-protective system only compounds by its treatment of poor families—makes some parents doubt their own ability to care for their children.

Of course horrendous things do happen to children in some families. But defining the problem this way provides everyone with an excuse to avoid confronting the way the child-protective system works. It's analogous to questions that similar professionals raised about women who acted irrationally in the days before the women's movement. On the one hand, it was certainly true that some women acted in ways that could be described as irrational—and so one could understand why, given the level of social understanding at the time, mental health workers would typically prescribe doses of therapy, or even institutionalization. On the other hand, as early feminists pointed out, much of the behavior deemed irrational or hysterical was simply a natural expression of women's frustration and rage at an oppressive system of male domination. Similarly, the child-protective system makes things worse by intervening in ways that focus on rescuing good children from bad parents, without acknowledging the adverse conditions in which families function and the debilitating frustrations that lead parents to abuse or neglect their children.

The good child–bad parent definition works very well for those social workers, therapists, and others whose job is to keep the system working smoothly and who long ago have given up any hope of changing the larger society. But the system's very effectiveness is often a disaster for the children and parents caught in its vise. Families are torn apart and children suffer in the process. Children may be separated from their brothers and sisters, moved precipitously from foster home to foster home, or—worst of all for children in such a vulnerable position—abused or neglected in foster care. Their parents are not much better off. As overwhelmed and undertrained caseworkers make arbitrary or impossible demands on them, parents lose hope of being reunited with their children. They complete a drug treatment program only to be told they must find a job. They receive a certificate from a parental skills class, only to be told that they can get their children back only when a therapist determines they are ready. They are told they must find an apartment, but there are no apartments to be rented for what they can afford to pay. Frightened and bewildered, they go to family court hoping to find justice, but instead they are shuffled from one court appearance to the next. Months, sometimes years, pass as cases are repeatedly adjourned and professionals who sit behind closed doors determine the fate of their families.

Children in protective care, meanwhile, are forming bonds with their foster parents and foster parents are becoming attached to their foster children. The longer children live in foster care, the more the state recognizes the bond that is built between foster parent and child—a bond that will be sustained by the state against the

aspirations of parents who seek to reunite the natural family. The courts are full of custody battles between foster parents and natural parents, battles in which the state throws its substantial power behind foster parents. Ask yourself to whom a child's affections will naturally turn: the foster parent who daily provides that child's needs (as well as many things above and beyond those needs), or the parent who earns a paltry income or lives on public assistance and is permitted to visit for only an hour once every other week. Social engineering, not child protection, is the net result in this system, as children are taken from poor families and placed in middle-class families that can give them a "better" life. Such interference overextends the role of the state. It is not for the state to decide what constitutes an enlightened upbringing, but rather to establish threshold criteria for the care of children above which its intervention is not required. There are many types of harm from which the state is unable to protect children, such as the emotional harm they experience when their parents argue or divorce, the internalized pain and loss of self-esteem they suffer when discipline is imposed in an arbitrary manner, or the damage they live with when they are punished corporally in ways the state does not deem "excessive." Were every kind of harm subject to state intervention, all children would at some time have been removed from their parents' homes.



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Over its century of existence, the child-protective movement has tended to reflect the country's broader political and social context—in the 1940s and 1950s, for example, it adopted the then-burgeoning middle class's rigid definitions of healthy families and began to put growing emphasis on psychiatric labeling. Yet in some sense, the field of child protection has evolved independently of the national discourse; continuities in practice have overshadowed the changes in theory. In the 1900s as in the 1990s, the focus of casework has remained the treatment of individual weaknesses. As a result, caseworkers make little practical distinction between "neglect" and "abuse"—despite the dramatic differences between the two. A neglected child is legally defined as a child whose physical, mental, or emotional condition is impaired or is in imminent danger of impairment because his or her parent fails to supply him or her with adequate food, clothing, shelter, education, supervision, or guardianship. The law defines an abused child as a child whose parent inflicts or allows to be inflicted physical injury, by other than accidental means, that causes or creates a substantial risk of death or serious or protracted disfigurement. Yet whether the case be one of "neglect" or "abuse," the child-protective system treats parents in much the same way.

Until the nineteenth century, when the term "child abuse" entered the national discourse, most Americans saw the suffering of children pragmatically, as part of the human condition. The contemporary child-protective movement reflects internationally recognized human-rights protocols that define children as separate beings of inherent value. But while the discourse of human rights has helped to transcend cultural distinctions and placed the field of "children's rights" squarely within its purview, state intervention has gone far beyond safeguarding the right of children to be protected from harm and provided with basic nurturance. Since child protection became a social institution, compulsory separation of children from their parents has remained the primary form of state intervention in family life. In the nineteenth century, "orphan trains" carried the children of immigrants westward to be loaned out as indentured servants. Now, foster parents and foster-care administrators have an economic incentive to perpetuate the institutionalized practice of child removal and placement. None of this is to say that abuse and neglect do not exist, that parents are not responsible for what happens to their children, or that child protection is merely a capitalist conspiracy to make money by stealing the children of the poor. But one cannot ignore the images evoked by the vocabulary that predicates

intervention: Reductive characterizations of parents as "crack mothers," for example, justify dehumanizing social policies and underwrite the state's recourse to criminal sanctions instead of remedial therapies.

Most parents who qualify for therapeutic rehabilitation find that it is administered in a compartmentalized, ineffectual, and ultimately alienating way. Beating your children? Let's talk about learning acceptable outlets for anger—not about what you're really angry about. Leaving your children alone? Go to a parental skills class. No need to consider that what you really need is some day-care assistance, or someone to watch the little ones while you take the older children out to the store or the doctor or simply for a walk. You've sexually abused your child? Go to a sex-offenders clinic, where you will get behavioral modification therapy. No need to explore the physical or emotional violence you experienced as a child or your own lack of self-esteem and sense of alienation. Abusing drugs or alcohol? Have your urine tested regularly and exercise greater self-discipline. No need to say that you feel narcotics may be the best thing going, given the conditions under which you're living. This does not mean that these behaviors should not be controlled; indeed, they must be. But in the absence of a real commitment to addressing the isolation and degradation from which abuse and neglect follow, they will only continue.

In the early days of the child-protective movement, the most common approach to "treating" the neglect of children was to preach to parents about morality. Sometimes that morality had a feminist message, as in the Prohibition era, when the battle against domestic violence focused on alcoholism. However, moralizing did little to address the root causes of bad parenting. Gradually moralizing gave way to psychological labeling, and parents who were seen as shiftless and morally lax were redefined as manifesting psychopathology. Now the focus of scrutiny has turned to single parents, many of them women. When these parents criticize a social order that gives their parenting efforts little material or emotional support, social welfare experts term this an "externalization of blame." Instead of treating the crisis in meaning—the despair and emptiness born of lifelong experiences of physical or emotional violence, unemployment or meaningless work, broken families, inadequate education, loneliness, lack of stable long-term relationships, dangerous, dirty, and violence-ridden neighborhoods, decrepit housing, and lack of community—the symptoms of crisis are treated in isolation from their causes. When one is afraid to leave home for longer than necessary or to let the children go out and play because of the drug dealers in the neighborhood, a sense of social isolation closely follows and, if unrelieved, may very well lead to neglect or abuse.

If you were designing a program to assist troubled families, what are some of the elements you would intuitively include? Instead of instructing parents on how to build ideal family units, you might teach them how to reach out to neighbors and community leaders who are familiar with local resources and address the problems that led to the neglect of their children. You might assist parents in building the kind of mutual-support societies that sustained many immigrant communities, giving them financial assistance, emotional sustenance, and connection to their heritage. You might help them locate their own experiences in a historical understanding of the social and economic organization of American life and teach them how to use that knowledge to empower other parents as well. The focus must not be on individual change—ideally that follows of its own accord—but on helping people build new social institutions that can address their needs for support, community, and meaning.

This approach does not easily fall into any ideological camp. There are those on both the left and right sides of the political spectrum who address these issues in analogous terms; however, this is more a linkage of interest than a confluence of values. For the Right, constraining the child-protective system is appealing because they wish to inhibit extensions of the long arm of the state into the sphere of private life—sometimes because such interferences challenge patriarchal organizations of family life that they wish to protect. Others fear that state intervention will destroy the unique fabric of people's intimate lives. But neither the protection nor the destruction of patriarchal structures provides sufficient justification for state intervention where a child's life, health, or safety are not at risk.

The question then becomes: When should children be taken from their parents? Quite simply, when their parents are abusing or neglecting them, when there is imminent risk of harm to their lives or health, or when "reasonable efforts" have been made to ameliorate the problem. While abuse cases may require long-term removal, in the majority of neglect cases a family's needs may be met by limited remedial intervention such as that provided by the Homebuilders' program or the "family preservation" models that are being developed around the country. The cost and pain of family separation should be—but aren't — considered before a child is placed in foster care. One client voluntarily placed her children in foster care

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Nuances of Evil

Abraham Brumberg

I have always been dubious about so-called "Holocaust Studies"—the proliferation of courses, conferences, papers, exhibits, and the like. Another fad, or perhaps a sop to Jewishness, with the prospect of an academic degree thrown in for good measure? The evidence that has come my way suggests that little of the impact of all this activity goes beyond the much-ballyhooed idea of "consciousness raising"—that is, an admirable awareness often coupled with a deplorable lack of understanding.

I have also been wary of politically expedient uses of the words "Holocaust" and "genocide": During and after the 1960s, the Soviet Union was frequently accused of practicing "cultural genocide" against the Jews, thus obscenely equating discriminatory policies and the lack of cultural facilities with mass murder. And I recall Jeane Kirkpatrick using the term "Holocaust" to describe the fate of the Miskito Indians (total number of victims about seventy) in Sandinista Nicaragua. This is on the same moral level as the word "Gestapo" flung at the New York or Chicago police by the New Left.

This and similar thoughts were on my mind last January, when I attended a London colloquium marking the fiftieth anniversary of the so-called "Wannsee Conference on the Final Solution to the Jewish Question."* Yet as I listened to the more than twenty papers and the often brisk discussions they provoked, it became clear to me that in this case, at least, my reservations were out of place.

Already the first paper, given by Yehuda Bauer, challenged conventional wisdom. The Wannsee Conference, said Bauer, was not where the Final Solution was reached; moreover, it wasn't a conference at all.

And he was right. Precisely when Hitler made up his mind to go ahead with the slaughter is still a matter of conjecture (despite the claims of so-called revisionist historians, no action on this matter could have been initiated without Hitler's imprimatur). By the summer of 1941, however—more than six months before the Wannsee meeting—the Final Solution was already in effect. The SS Einsatzgruppen (loosely, special task forces) launched their mass executions the day after the invasion of Russia on June 22. Several months later, the first extermination camp came into being on Polish soil, outfitted with mobile vans that used their own exhaust gases (later "upgraded" to Zyklon B).

The fifteen Nazi bureaucrats who gathered at the sumptuous villa on the Wann Lake in Berlin were not there to debate the merits of Hitler's project. Their ninety-minute meeting—amicable, good-humored, laced with generous doses of cognac, and followed by a hearty luncheon—was more in the nature of what in current academic parlance would be called a "workshop." Certain details still had to be ironed out. In Slovakia and Croatia, *Gott sei Dank,* things were going smoothly, while in, say, France, no difficulties were foreseen—wrongly, as it turned out, since the occupation met with considerable resistance there. A few countries in northern Europe presented something of a problem when it came to "evacuating" their Jews. The language, as set down by Adolf Eichmann in the protocol, was tantalizingly vague, even decorous: "Cleaning [*saubern*] the German *Lebensraum* of Jews in a legal way," for instance, meant murdering eleven million Jews in a systematic fashion.

Then there were knotty problems concerning *Mischlinge* (persons of "mixed blood"): of "the first" or "the second degree," one-quarter Jews, one-eighth Jews, persons of "a particularly objectionable racial appearance" or lacking in such appearance—the permutations seemed endless, all of them complicating the central task at hand, which was how to kill as many Jews as expeditiously as possible. How should these groups be treated? The more zealous ideologues were uncomfortable about any compromises—not a drop of Jewish blood must be allowed to pollute the Aryan race. Others cautioned a more selective approach. The discussion, however, went nowhere, because on a matter of

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*The conference was sponsored jointly by the Bauer Institute of Brandeis University, the Weiner Library in London, and the Department of Jewish Studies of the University College, London.

this grave importance the decision was up to the Führer ("provided the Führer agrees," as the protocol put it), and the latter had yet to turn his mind to it. (As a matter of fact, he never did, which is why several thousand people escaped the gas chambers: Nothing is done in Germany without clear-cut bureaucratic instructions. *Ordnung ist Ordnung.*)

We are still left with the agonizing question of how a demagogue almost succeeded in mesmerizing one nation into committing suicide by having it murder another.

The London colloquium, then, served as an admirable reminder that the value of scholarship must not be confused with its uses. To be sure, preoccupation with factual details may sometimes seem, well, academic. The question of precisely when Hitler made up his mind to launch the Final Solution is a case in point. Was it before the war or soon after its outbreak? Or was it during the early stage of the German assault on Russia, when Hitler, flushed with victory, felt that the moment for his most noble endeavor had come? Or did he make this decision when euphoria gave way to a sense that the war would drag on indefinitely?

The idea of the Final Solution was inherent in the view of the Jews Hitler had held long before coming to power. Already in *Mein Kampf,* written in 1925, he referred to Jews as "vermin" fit to be "wiped out." "Only the elimination of the causes of [Germany's] collapse," he wrote, "as well as the destruction of its beneficiaries [i.e., the Jews] can create the premise for our outward fight for freedom." He adumbrated the means of achieving this end: "Had twelve or fifteen thousand of these Hebrew corrupters of the people been held under poison gas," he wrote, Germany would not have lost the war.

At the time these words appeared in print, they were dismissed by nearly everyone, except Hitler's disciples, as the ravings of a lunatic. Years later, the idea that a whole people ("vermin") could be marked for total extermination was still beyond human comprehension, even in ghettos already depleted by mass deportations. But half a century later, when we know what we do about what was on Hitler's mind from the very beginning, how important is it to determine precisely when he proceeded from thought to action?

Yet it *is* important, if only because placing the decision chronologically helps to illuminate other major questions, such as how the decision came about, whether it was indeed ineluctable, and whether genocide was crucial to the Nazi worldview in general. That Hitler had a demented vision of a new German empire, a "Garden of Eden" altogether "cleansed" of Jews, is not to say that he had a blueprint for bringing this vision about, or that he did not entertain, at one point or another, less "radical" ways of rendering Germany *Judenrein.* In the late 1930s he toyed with the idea of a *literal* evacuation of Jews from Germany's domain. In 1939–1940, most historians agree, other "solutions" were still being bandied about, and even after extermination was chosen, its implementation was relegated to some unspecified time in the future.

The position that the die was cast late in the summer of 1941, after Germany invaded Russia—argued in London by Christopher Browning of Pacific Lutheran University—seems most compelling. Yet an answer to this question immediately raises others. Why did the SS continue its grisly work even as Germany lay in ruins, and as its bedraggled armies were fleeing from enemies east and west? The smoking chimneys of the crematoria and the piled-up cadavers were evidence to the liberating Allied troops that ovens and execution squads had been working around the clock. Thousands of Jews whom the SS had not managed to kill were forced to accompany the retreating troops for eventual execution. Why? Why did the Nazis persist with the carnage when the dictate of the moment was obviously *sauve qui peut* (whoever can should save him- or herself)?

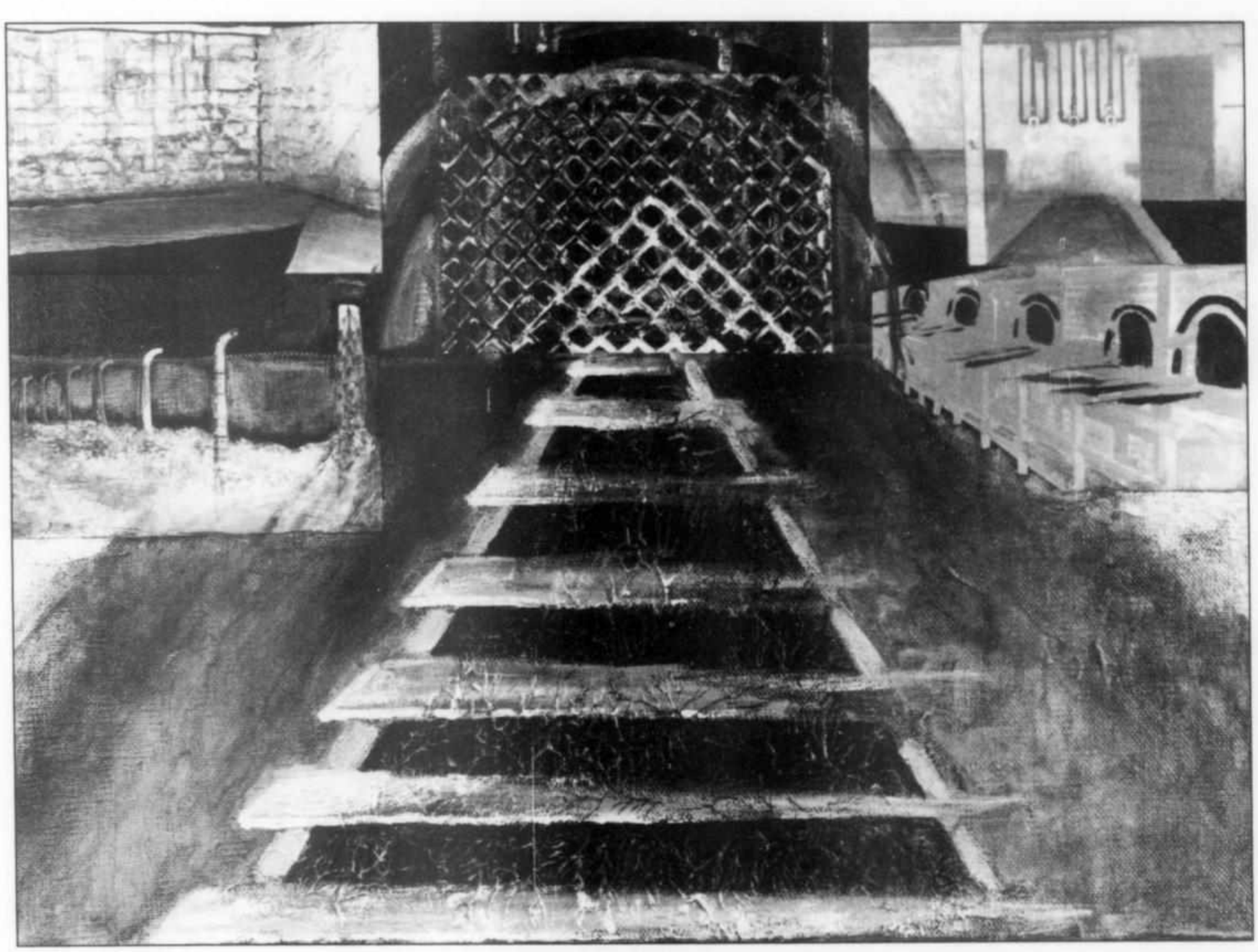
Two answers have been advanced to explain this behavior: The first, which is practical, argues that it was in the Germans' interest to eliminate all incriminating evidence along with its witnesses. The other is psychological: Why would the Nazis act any more rationally when defeat was staring them in the face than they had in the past? Was the decision to keep the crematoria working until the enemy was at the gates any less rational than the decision to kill eleven million people?

The two answers are not mutually exclusive, and they illustrate the essential nature of the Holocaust—namely, the combination of methodical calculus with untrammeled savagery. Some of the papers presented in London, notably those by David Bankier of the Hebrew University and Avraham Barkai of Tel Aviv University, shed more light on how vast numbers of Germans were inculcated with this savagery. Both dealt with the nature and magnitude of the Nazi effort to imbue the population with loathing for the Jews. In the early

1930s Nazi propaganda said nothing about complete extermination; but the macabre charges against the "Jewish Bolshevik conspiracy," the ubiquitous slogan "*Jude verrecke*" ("let the Jew die like a dog"), the resuscitation of medieval calumnies (though without the explicit Christian references), the stress on the ostensibly revolting physical features of Jews, as exemplified in graffiti and cartoons in *Der Stürmer* and other Nazi organs (a mythical image but a potent one nevertheless in the towns without Jews or where they were indistinguishable, by garb or appearance, from the rest of the population)—all this conditioned the Germans to accept the necessity of an all-out war against the enemy of the German *Volk*.

By 1935, most of the Germans approved of the Nuremberg Laws, and in 1938, the infamous Kristallnacht evoked but a ripple of protest, though some burghers were unhappy to see their streets littered with so much broken glass. The "depersonalization of the Jew," observed Avraham Barkai, was completed by the end of the 1930s; and from "depersonalization, there was only a step to dehumanization." By the time Jews were herded into the ghettos of Warsaw, Lódź, and other Polish and Russian cities, by the time they had been turned into ragged half-animals covered with lice and often forced to "perform" for German motion picture cameras, the young soldier in German-occupied Poland or on the Eastern front could see that the mythical Jew was "real"—and then could share this discovery with his Muti in Regensburg or his Liebling in Bremen, who in turn spread the word among all their *Volksgenossen,* friends, and neighbors.

David Bankier noted that the Nazi propaganda machine was "stepped up to an unprecedented degree" precisely when it looked as if Germany was beginning to lose the war. (On Goebbels's orders, between 70 and 80 percent of the radio broadcasts at that time were devoted to the Jewish question.) Though this seems like a species of madness, there was—as usual—reason behind it, however diabolical. By now the bulk of the German people was aware of the basic nature of the German atrocities. They could either condemn them (as a few did), suppress their knowledge of them (as did many), or approve them (as did most) by accepting and assimilating the Nazi image of the Jew. Whether through



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suppression or active consent, they thus became in effect accessories to the Nazi crime.

The Nazis knew it, and so not only inflated their rhetoric but insisted that the Jewish menace was growing stronger as the war continued. If the Allies won the war, they argued, the Jews would wreak a bloody vengeance on the German people and (as the real masters of Russia) would "bolshevize" all of Europe. To hatred and loathing, therefore, was added fear of retribution. Total mobilization against the enemy became as important as the destruction of the Jews. In the words of one of the leading Nazi propagandists, Robert Ley, "the struggle will not be abandoned until the last Jew in Europe has been exterminated and is actually dead." To be sure, this rhetoric convinced some Germans that Nazi policies were responsible for the country's misfortunes. Most, however, accepted the Nazi arguments. And so the killings went on.

The vast majority of Germans not only knew about the mass murder, but regarded it as necessary—indeed, as an essential part of the German struggle. At most, they found some of the methods "excessive." A paper by Omer Bartov of Harvard University helped to dispel the myth that the average Wehrmacht soldier was not involved in the slaughter. True, some officers tried to maintain their distance from the SS, but the vast majority of officers and men, when ordered to do so—as indeed they often were—worked side by side with the SS in exterminating the "Jewish vermin." In fact, said Bartov, the Final Solution would not have been possible without the active participation of the regular army.

One of the questions that continues to haunt us to this day is the putative "uniqueness" of German behavior. Would—or could—other nations be drawn into similar enterprises, at once coldly systematic and reeking of unrestrained bestiality? Though the question can probably (and fortunately) never be answered to our full satisfaction, something can be learned from comparing the behavior of specific national groups during the Holocaust. Here, too, the London colloquium was enlightening. A paper by Dina Porat of Tel Aviv University provided appalling and detailed evidence on the participation of Lithuanians in the extermination of virtually the entire Jewish community in that country, some two hundred twenty thousand strong. The murders took place not in distant camps, but right on Lithuanian soil, in and around the ghettos of Vilnius, Kaunas, and scores of other towns and villages. Ukrainians, Byelorussians, Estonians, and Latvians were also drafted into special SS Einsatzgruppen, but none of them performed their tasks with the wanton brutality of the Lithuanians—indeed the Lithuanians' conduct in the field was considered extreme by their German mentors. In no country did the local population join in the slaughter with so much eagerness and in such large numbers.

Porat skirted the issue of how a population whose relations with Jews had always been fairly amicable was provoked into such barbarism—a question that (like so many others) still challenges comprehension. Some of the factors she refers to, such as religious bigotry (the Lithuanians are overwhelmingly Catholic) or the relatively high proportion of Jews in the local Communist party and Soviet apparatus in 1940–41, do not come close to explaining the intensity of the Lithuanians' murderous passion. The second reason Porat mentioned is in fact a species of apologia used by Lithuanians to exculpate the killers. (See Efraim Zuroff's "Whitewashing the Holocaust," *Tikkun,* January/February 1992.) But the facts she mustered are staggering.

Croatia during the war, as discussed by Jonathan Steinberg of Trinity College, Cambridge, presents a more complex picture. Like the Lithuanians, the Croats are overwhelmingly Catholic, and like the Lithuanians, many of them participated enthusiastically in the murder and deportation of most of the thirty thousand Jews

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FICTION

Poor Thing

Joyce Carol Oates

Toward morning we were wakened by the sound of Pepi's hoarse, strangulated breathing, and when we discovered him, not in his pile of rags in the warmest corner of the storage room but in a far, dark corner, it almost seemed we were too late, and poor Pepi was dying.

Poor thing!—he'd been ailing for weeks. Since birth Pepi has been susceptible to respiratory infections, a genetic flaw for which someone is to blame, yet what good are accusations, at such a time?

Pepi himself is partly to blame, I'm afraid. One of us would notice that Pepi was behaving oddly, coughing, wheezing, pushing his food away in a gesture of revulsion, and say, Maybe we should take Pepi to be examined?—and the other would agree, Yes, we should. But cunning Pepi overheard, and understood, and, as if deliberately, he would seem to improve, for a few days. And since it was upsetting to the entire household to force Pepi into the car and drive him anywhere—I still have a scar, on the back of my left hand, from one such episode, last spring!—we kept postponing the task.

And it did seem, for weeks I swear—Pepi *was* holding his own.

Of course, with Pepi, it's easy to be deceived. That has been an aspect of his life with us, from the start.

How many years ago had it been, when Pepi had first come to live in our household?—the happiest, most energetic, most delightful creature you could envision! Everyone marveled at his frisky antics, his unflagging high spirits. Ah, the miraculous flame of life itself danced in him, unquenchable. In those early days his eyes were clear and shining; lovely, iridescent, shifting shades of amber. His pert little button nose was pink, damp, and cool—how I shivered, when he nuzzled it against me! His ears stood up erect, his pelt crackled with static electricity when we brushed it, his small, sharp teeth were glistening and white—you would not want to tease him, in the vicinity of those teeth. Pepi! Pepi! we would cry, clapping our hands as Pepi raced about the lawn, pink tongue lolling. Inside the house, though it was forbidden, Pepi loved to scramble up the staircase, nails scraping and clicking against the polished wood. Pepi, naughty thing!—oh, isn't he *darling!*

We forgave him, we had not the heart to seriously discipline him, as he pushed his heated face against us, eager to know we loved him, and only him.

As, of course, those years, we did.

But then, it seemed so suddenly, Pepi was no longer young, and no longer in good health.

If he snapped at one of us—if his teeth caught in our flesh, or his nails snagged—our forgiveness didn't come quite so readily.

For weeks, as I've said, we procrastinated, postponing what was inevitable. Poor thing! Pepi had little of his old appetite, and when he did eat, he guzzled his food in a way loathsome to see; and vomited it, in dribbles, through the house. So—what choice had we?—we kept him more and more in the storage room, which, though unheated, is adjacent to the furnace room, and draws some of that heat.

Not that it was easy to forget him—with his whining, whimpering, and clawing at the storage room door, and the disgusting messes he made, which one of us (more often, I) would have to clean up each morning.

Yet, it was impossible to be angry, or exclusively angry, with Pepi. When he gazed up at us with eyes rimmed in mucus, that look of mute animal sorrow, animal hurt, apology, bewilderment—terror!

More than once, I broke into sobs, simply seeing him. For it soon became clear, Pepi's time had come.

We can't let him suffer, one of us said, finally; and the other said, We can't, we *can't.*

We owe the poor thing that much, at least.

So: Very early this morning, before the sun had fully risen, we surprised Pepi where he lay in a corner of the storage room, and quickly wrapped him in an old blanket. Fortunately, he'd grown too feeble to put up much resistance. I carried him out to the car, and, following the plan we'd devised, we drove at once to the twenty-four-hour Family Pet Veterinary Hospital & Emergency Clinic out on the highway. This was an establishment we had often passed, in the many years we have resided here, but had never visited. Indeed, we had some difficulty finding it, for it turned out to be several miles farther away than we recalled.

Joyce Carol Oates is the author of twenty novels and many volumes of essays, stories, poems, and plays. She has received a National Book Award, three O. Henry Awards, a Guggenheim fellowship, and the Rea Award for the Short Story. Her novel Black Water *will be published by Dutton in May.*

My husband drove. I held Pepi in my arms, in the blanket, as gently as I could, for he struggled if I gripped him too tightly. He was whining, and whimpering, and growling, and drooling; and breathing in quick, shallow pants. Pepi, good Pepi, sweet Pepi, I crooned, everything will be all right! Trust us!

The parking lot at the rear of Family Pet Veterinary Hospital & Emergency Clinic was surprisingly large; yet, so very oddly for this hour of the day, nearly full. Inside, the barn-like waiting room was so crowded, not a single seat was free! Fortunately, while we were giving our names to the receptionist, a couple was called into the examining room, and two seats opened up for us.

How unexpectedly busy it was in this place!—and how warm, airless, and oppressive the atmosphere. Pepi began to whimper and fret, but, thank God, was too weak to cause any trouble.

Nor had he apparently eaten for some time, a blessing since in panic, or out of sheer bad temper, he would have vomited on me—or worse!

Thus, we sat; and waited. I had had the foresight to wrap Pepi carefully in the blanket, so that only the very tips of his ears showed. I was determined to protect the poor, dying thing against the curious stares of strangers—infuriating enough that they should stare at my husband and me!

A very long time passed. My husband whispered, Shall I hold Pepi for a while? and I whispered, Oh no, he isn't very heavy any longer, he's no burden. My husband wiped at his eyes, and said, He's being very brave, isn't he? and I said, carefully, for I was on the verge of bursting into tears, We are all being very brave.

So many people in this waiting room, with their ailing creatures!—what a din! Yips, barks, whining, cries, groans, pitiful to hear. The waiting room was vast—larger inside than one would have predicted from the outside. In the unwinking fluorescent glare, rows of seats stretched virtually out of sight. There was a feverish pulse to the air, and such a medley of smells!

Just as our names were called, Pepi put up a last, faint struggle, but I gripped him tight. Everything will be all right, Pepi, soon!—I promised. Have faith in us!

As my husband and I rose to enter the adjoining room, dozens of pairs of eyes leapt to us; but I made sure that Pepi was wrapped up tight, and, in his misery, shielded from strangers' eyes. Poor darling! And so brave!

A young assistant in a soiled white uniform led us into the examining room, which was windowless, with grim, gray, bare concrete walls and floor, a high ceiling, harsh fluorescent lighting, and a pungent odor of disinfectant. This person—who might have been male or female—behaved with studied indifference, instructing us to put the patient—the exact words were "your patient"—on a metal table, which we did; and to remove his blanket, which we did. Just then the doctor appeared, entering the room briskly, whistling thinly between his teeth, wiping his hands on a paper towel which he tossed, carelessly, in the direction of a trash basket. He was young, and the look he gave us, before turning to Pepi, was one of frank impertinence.

By this time, my husband and I were exhausted. We explained that we'd been waiting for hours with poor Pepi; we'd come with the hope that Pepi might be granted a merciful end to his suffering, but, thus far, he had only suffered more.

(Pepi was lying, quiveringly, on the cold metal table, his hairless belly exposed; ribs and pelvic bones protruding shockingly. I had not realized the poor thing had lost so much flesh! Yet, though his eyes were encrusted with dried mucus, they shifted alertly in their sockets, and it was clear that the poor thing heard, and no doubt understood, everything that was being said.)

Doctor, my husband and I pleaded,—just look at him! Will you help us?

The young doctor had been staring at Pepi, in silence.

Doctor—?

Still, the doctor stood, staring at Pepi. What was wrong? Why did he stare so—incredulously?

At last, looking at us, he said, calmly, Is this some sort of joke?

My husband said, faltering, Joke?—what do you mean, Doctor?

Drawing himself up to his full height, the doctor continued to regard us with an expression of disbelief and revulsion. What do *you* mean, he said,—coming in here with *this?* For what purpose?

Now very agitated, my husband and I said, Why, Doctor, we would like a—a—merciful end to poor Pepi's suffering. As you can see, he is very, very sick—he is suffering needlessly—

The doctor said, in a voice trembling with fury, My God! I can't believe this!

Doctor?—what do you mean? Can't you put him to—to sleep?

All this while, poor Pepi was lying on the table, panting, shivering, a thin line of drool descending from his bloodless lips. Ah, how cruel, that he should be a witness to such a scene!

The doctor had resolutely turned away from Pepi, as if the sight of the poor thing was obscene; he conferred with the slovenly assistant, who seemed, now, less indifferent than previously, and we heard them speak in low,

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CURRENT DEBATE

Rethinking Feminism

The tension between liberal and communitarian views has increasingly dominated debate in the progressive social-change movements. Elizabeth Fox-Genovese's recent book Feminism Without Illusions *is a powerful argument against basing feminism on a liberal paradigm for which the highest good is to secure for each woman the freedom to act according to her individual choice. She argues instead for a more corporatist conception of the feminist movement. The Left and feminist press has fiercely criticized her position and some have even called into question Fox-Genovese's right to call herself a feminist. Here Fox-Genovese discusses her position in light of those critiques, and feminist historian Nancy Hewitt responds.*

Feminist Rights, Individualist Wrongs

Elizabeth Fox-Genovese

My recent book, *Feminism Without Illusions,* has provoked sharp attacks from both left and right. I wrote the book out of the twin convictions that feminism—with all due respect to the claims of the civil-rights movement—has emerged as the most far-reaching challenge to inherited political and intellectual assumptions and practices in our time, and that, as a movement, feminism will be no better or worse than we make it. I primarily hoped to bring some minimal order to my own thinking about feminism: to address the theoretical debates within academic feminism and the responsibilities of, or relations between, academic feminists and what, for lack of a more graceful phrase, we might call women in the real world. In pursuing this line of thinking, I touch upon a variety of matters from feminism's own myths to issues of policy to pornography to the intellectual debates over the canon. In the end, I came to believe that these diverse topics were especially linked by their common grounding in the theory of individualism, of which feminism—despite many of its claims to the contrary—constitutes the radical edge.

Feminism today wrestles with two deep-seated, apparently contradictory illusions. For some, feminism necessarily means the promotion of equality between women and men; for others, it just as necessarily means the celebration of the differences between women and men. This tension has pervaded feminism since its origins and persists in a wide range of contemporary debates. In practice, the debate between the two strands in feminism amounts to a disagreement over whether women simply need access to the same rights as men or whether women need protection on the basis of their irreducible differences from men. Feminist theorists increasingly refer to this debate as the "difference/equality dilemma."

The core of my book lies in the argument that both poles of this dilemma derive from the theory of bourgeois individualism—notably the claims that the individual is the source of authority and of sovereignty, and that the rights of the individual predate the rights of society. This model of individualism relied on an implicit identification of the freedom of the individual with the freedom of the market and worked best when not all members of society could lay claim to the status of individuals. So long as women remained confined primarily to domestic rather than public roles, it was plausible to assume that families embodied the noncompetitive, noncontractual values that protected the weak—values that are otherwise forced out of the capitalist market. But as women progressively entered the public sphere as voters and workers, capitalist and individualist values began to penetrate families. The result, in our time, has been a growing social atomization that places individuals in direct confrontation with each other. Feminists, who sought to free women from the control of individual men, have hastened this process. And when the

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results did not produce the equality they had hoped for, they have turned to the state to redress the persisting inequalities between women and men.

Sex is a difference that enlightened social policies cannot be expected to wipe away entirely.

The pervasive influence of individualism upon our political language and practice has led most feminists to refer to a variety of protections of women's differences as a matter of women's "rights." The language of rights—notably, equal rights—emerged directly from the core individualist premises about the rights of man and the citizen, and was fashioned to cover the relations of adult men to the polity, quintessentially captured in the right to vote. The concept of equal rights conveys an essential notion of interchangeability among individuals. Property, race, and sex have all, in different times and places, been used to exclude specific people from the status of individuals, but the theory remained that those who attained that status should leave their particularistic attributes at the door. The central argument of *Feminism Without Illusions* is that sex, even more than class and race, exposes the limits of those assumptions. For sex is a difference that enlightened social policies cannot be expected to wipe away entirely.

We live in a world in which the extension of individual rights to all members of society is leading toward increasing atomization and, as often as not, resulting in the defense of what the philosopher Elizabeth Wolgast has called "wrong rights." Children, Wolgast insists, do not need and may be harmed by the attribution of individual rights such as those enjoyed by adults, for children cannot exercise those rights as equals to the adults on whom they depend.

The consequence of these developments appear, I have argued, in the various campaigns for affirmative action, comparable worth, and abortion. With respect to affirmative action and comparable worth, feminists are caught in a contradiction. Both campaigns have been widely defended as ways of securing women's individual rights, yet both, in various ways, represent a distinct move away from the principle of individual rights and in the direction of social engineering. In the case of abortion, I argued that until we had some consensus on the beginnings of socially meaningful life, to argue for women's absolute, individual right to abortion was (potentially) to argue for the right of one individual to kill another, with ominous implications for the elderly, the handicapped, and the terminally ill. And to argue for a woman's right to abortion as a matter of privacy amounted to something of an inconsistency on the part of feminists, who, in matters such as sexual harassment, have not hesitated to invade what was until only recently regarded as the privacy of men. The point in this instance, as in others, was not my personal views, which are cautiously pro-choice, but the implications of the argument.

The very emergence of these issues testifies to vast—and irreversible—changes in the social and economic position of women. Women can no longer turn to marriage as a career. Although many women may find their greatest personal satisfaction in marriage, there is no law, brother, or father that can force a man to support them. Under these conditions, women must be able to earn their own livings and to provide for the children with whom irresponsible husbands and partners so frequently leave them.

Throughout the book, I suggested above all that the tradition of individualism was in danger of decomposing into a myriad of atomistic and antagonistic subjectivities—a postmodern Tower of Babel that was disconcertingly reminiscent of Thomas Hobbes's "warre of all against all." The book itself was intended as an exercise in intellectual clarification, not as a prescription for specific policies. I did, nonetheless, try to suggest that we have reached a point at which we need to think of individual rights as the product of society rather than as prior to it. Only on such an understanding can we begin to imagine an equity for women that takes account of the persisting differences between the sexes. For there is difference: Women bear children, men do not. The salient issue is not the difference, but its consequences for men's and women's social roles. In our high-tech age, no biological reasons can justify the exclusion of women from the most profitable and prestigious occupations. But our society, like all others, has an interest in women's continuing to bear children and, accordingly, a responsibility to permit them to do so without suffering economic deprivation.

The main response to *Feminism Without Illusions* has primarily focused on what different reviewers take to be the policy implications of my discussions of individualism and community and the relation of feminism to both. The "difference/equality dilemma" does lie at the center of contemporary feminist debates, although these days a growing number of feminists are attempting to repudiate it as an unfairly coercive choice between equally unacceptable alternatives. But simply denying the terms of the dilemma will not, in itself, clarify matters of politics and policy. We have massive evidence that

the majority of American women remain very much impressed with the liabilities that their "differences" as women impose upon them. Childbearing and child-rearing are still considerable economic burdens for women who lack male support—and even women who enjoy that support still face stresses and disruptions in employment that directly result from their primary responsibility for children. Throughout the past year, public events have constantly reminded women of their special vulnerability to rape, including acquaintance rape, and sexual harassment. And these are only the most obvious differences that affect women's ability to compete equally on a "level playing field."

To the traditional conservatives, I can only respond that there is no going back. The high tradition of bourgeois individualism, which had much to recommend it, depended precisely upon the exclusion of women from the status of individual. As women have gradually acceded to that status, they have lost most of the protections that made their exclusion bearable and, in some instances, even personally rewarding.

We see this contradictory position surface most dramatically in the troubled question of women's status as mothers. If American society in general values mothering as much as sentimentalists claim, then it must ensure that women can meet the responsibilities of motherhood, which need not be a full-time job or exclude them from paid labor, without committing economic suicide. The care and education of children may well be the major domestic policy issue of our time. Traditionally this has been primarily women's work, and childbearing remains exclusively theirs. Evidence suggests that many women, as well as men, still believe there is a special tie between women and the children that they bear. Economic research, in addition, has established that the primary responsibility for children is the major cause of the disparity in women's and men's earnings; and that there is an uncomfortably close correlation between female-headed households with children and the feminization of poverty. In short, women's maternal responsibilities make and keep women economically unequal to men, and keep too many of them poor.

To relegate women primarily to motherhood without demanding support from specific men or society in general falls into the same category as denying women the right to abortion while refusing to support the children that they are asked to bear. If society values life, it must support life; if society believes that mothers still make an indispensable contribution to the development of the next generation, society must support mothers. Historically, to the extent that mothers were supported (and not all were), they were privately supported by individual men. That system may or may not have broken down beyond repair. I have only tried to identify this as the issue we should be discussing and to argue that it is not an issue that fits easily into the framework of equal or individual rights. Equal- or individual-rights reforms got us no-fault divorce and are woefully failing to support women and children. The liberalization of divorce laws especially disadvantaged women who had not worked full-time and who frequently found themselves "free" of marriage without the benefit of alimony and with children to support. Thus a man's income typically rises after divorce, while a woman's falls.

My argument with the Left is more complex, if only because the Left, including feminists, lacks a consistent position with which to disagree. Many feminists have found my emphasis on women's (limited) biological differences from men offensive, if not an open betrayal of "the" feminist cause. Many socialist-feminists in the academy believe that equality, beginning with shared parenting, will solve the major difficulties—and the rest can be solved by state intervention on behalf of women. At the risk of provoking outrage, I did try to introduce some consistency into the discussion.

For example, I tried to suggest that if women defended their right to abortion on the grounds of privacy, they should also take into account men's right to privacy. In the case of sexuality and reproduction, it has been unclear whether the right to privacy applied to the couple or the individual. In fighting to free women from the domination—and abuse—of men within marriage or the home, feminists have turned to the state to censor or curtail what would once have been accepted as men's exercise of their private rights over their wives. Thus men's coercive efforts to obtain sex from their wives have been defined as "marital rape." There can be no doubt of the need to protect women against domestic coercion and violence, but the attempt to do so has entailed drawing public authorities into what was until very recently viewed as the private sphere.

Writing on *Feminism Without Illusions* for the *Women's Review of Books,* Ruth Rosen, with a candor that is uncharacteristic but quite welcome in feminist debate, insisted that, for her, theoretical consistency was irrelevant. Wronged as they have been throughout the centuries, women are entitled to defend their right to abortion on the grounds of the right to privacy and simultaneously to encourage the state to trample men's traditional rights of privacy in order to protect women from them: The ends justify the means. My disagreement with her and those who share this seductive position is

that I very much fear that, as usual, the means will become the ends. To give the state the power to intervene on behalf of women, independent of theoretical consistency (what is frequently called due process), may improve women's position relative to men, but it may simply reinforce the state's power to intervene in every recess of our lives. The issues are instructive, for the perceptions of what constitutes state intervention vary significantly across the political spectrum. Most of those who charged me with favoring state intervention were concerned about my suggestion that we might view individual right as a product of society rather than prior to it. My own reservations about state intervention concern the attempts to equalize relations between women and men, or social groups, by direct administrative action, without admitting that such action departs from the free play of competing individuals.

For all practical purposes, women and men in the United States today have achieved a minimal, juridical standing of equal rights. But socially and economically, they remain unequal in power, prestige, and the command of resources. This is the inequality that women —like members of other disadvantaged groups—seek to redress. The goal is not equality of opportunity but equality of results. So my quarrel with the so-called socialist-feminists is that, egalitarian rhetoric notwithstanding, they are not socialist at all. At best they favor some version of welfare-state capitalism that has been shaped by the courts—not the polity—to favor women's interests as feminists define them.

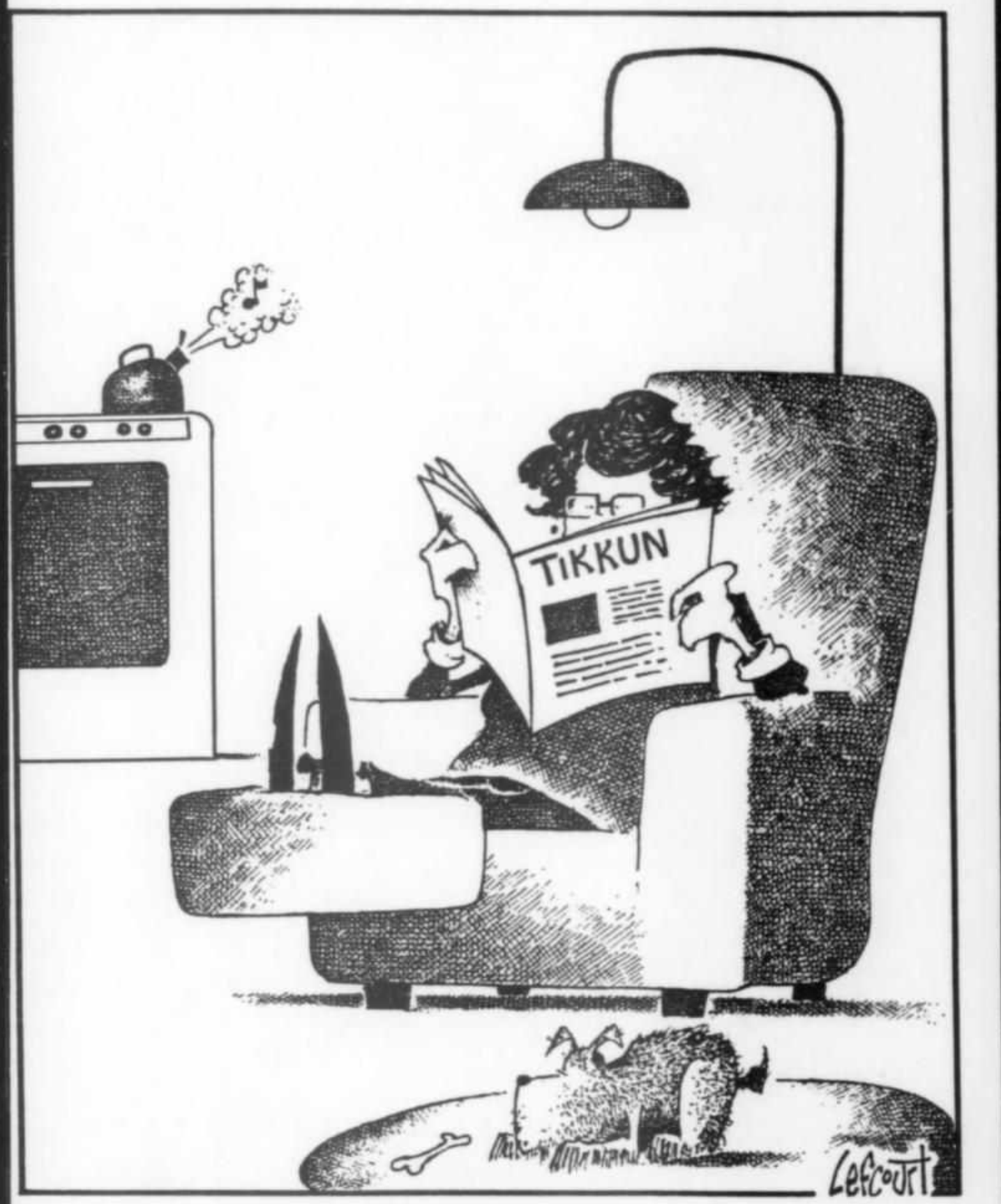
Radicals have always found the language of equality compelling. The substance is another matter. Assuming that we will never be able to legislate equality of talent, any more than we can legislate equality of color-blindness, what can equality mean? Should we combine all American incomes and then divide the total by the size of the population? The living standards of professors, journalists, and bureaucrats would suffer along with those of CEOs. If that is really what the socialist-feminist intelligentsia wants, I bow to its compassion. But compassion does not a political economy make. And beneath the rhetoric of equality assuredly lurks the problem of political economy. In the absence of a radical repudiation of the free market and the kind of massive state intervention recently relinquished in Eastern Europe and the Soviet Union, the prospects for a political economy founded on principles of equality seem exceptionally troubled. Even in collectivist societies, equality of condition has repeatedly been exposed in practice as a fiction and an unattainable good.

The growing gap between the incomes of the rich and the poor has been one of the great shames of recent years. But make no mistake, those of us who write so sensitively about social problems are, by all reasonable standards of measurement, the rich. Unless we are prepared to trade our computers for cash registers at McDonald's and our medical insurance for the emergency rooms of urban hospitals, it behooves us to say less about equality and more about social responsibility. And to speak intelligently about social responsibility, we need a minimal notion of justice.

There has, in recent years, been a tendency among many feminists as well as others on the Left to question the value of an ideal of justice developed primarily by and for the privileged, namely white men. The critiques vary some according to whether the critic is concerned chiefly with issues of gender, race, or class. But they are increasingly tending to merge into a general sense that our standards of objectivity are corrupted to the point of being reduced to a barely disguised, self-serving pretense. But frequently the very people who attack the notion that justice can be an objective standard are those who favor the intervention of the state on the part of one or another group of individuals. In such cases, it is difficult to determine the criteria that justify the intervention beyond a simple (arbitrary?) determination to increase the economic, social, and psychological resources of some at the expense of others.

This attack on the objective standard of justice, which is itself a product of individualism, has not been accompanied by a systematic critique of individualism, much less the development of an alternate theory of society. To be sure, we have plenty of invocations of community and group identity, but they have produced little serious discussion of the boundaries and composition of such communities and identities. I have not offered a comprehensive theory of community, or even clearly endorsed one. I have merely argued that, historically, strong communities have enjoyed legal identity and protection. Today our conception of community rests upon the assumption of voluntary membership on the part of people whose legal rights adhere to their status as individuals. Yet historically the legal rights of individuals grew out of their membership in communities, which frequently enjoyed considerable power over their opportunities as well as some responsibility to support and protect individuals who belonged to them.

The most recent vestige of a legally defined corporate community in our society has been the family, which was, at least until recently, something more than just another contract between individuals. In an attempt to reduce the power of men over women, feminists have significantly contributed to destroying the corporate power of the family. Tellingly, many feminists oppose parental or even spousal consent in the case of a woman


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who seeks an abortion. That the same feminists may, on another occasion, speak movingly of the bonds of community only underscores my point. The prevailing feminist notion of community consists in a voluntary, and possibly temporary, union of free individuals. It rests, in other words, squarely upon an acceptance of radical individualism.

In drawing attention to such contradictions I was not attacking the basic conception of individual rights and responsibilities; neither did I pretend to solve the massive theoretical and political problem of constructing strong communities today. I did suggest that it might be useful to think of individual right as the product of society rather than prior to it. I further suggested the possibility that American society can solve many of its most pressing problems within the framework of our existing democratic institutions. But I refrained from saying how. Even in my discussion of pornography, which has alarmed and angered many, I said nothing about how the issue should be handled. I said that personally I loathed pornography and pointed out the inconsistencies in the various positions on it.

The pornography issue remains instructive. In part it concerns ways in which men perceive women; in part it concerns behavior in which people (normally women and children) must engage for the representations of those visions to be produced. Is the relevant issue censoring imaginations or censuring behavior? Or is it regulating the production and sale of commodities that represent real people's enactment of other people's fantasies? The grounds for censorship or regulation are different in each case and, in each case, relate to other issues. Most of us are not enthusiastic about censoring imaginations—a matter of privacy. Some of us are not enthusiastic about regulating behavior—another matter of privacy. A fair number of us accept the regulation of the production and sale of commodities—a matter of the public good. In practice, I suspect that many on the Right could live with the censoring of behavior as a return to traditional values—while many on the Left could live with the regulation of commodities as a redistribution of resources. But since we are speaking of sex, no predictions are safe.

Sex presents its own complications. Many of the most generally accepted and publicly trumpeted feminist programs concern sexuality and its consequences: abortion, sexual harassment, rape, acquaintance rape. Biology normally disadvantages women in any number of encounters with men. And I have suggested that no amount of enlightened social policies will ever completely eliminate that difference, although I no less clearly insisted that the social significance of biological difference has changed considerably over time. Today, women's biology does not prevent them from performing most social roles, including the most remunerative and prestigious. But their very success in these realms has apparently exposed them to increased sexual aggression. Many feminists would insist that men's aggression toward women has been constant throughout history and doubtless, in some measure, it has. My point here is that in our time the conventions and norms that hedged it in have steadily eroded, leaving many men and women in positions of direct antagonism and competition as individuals. These changes have occurred as the conventional restrictions on women's sexual behavior have dramatically declined, frequently with the active support of feminists. Sexual freedom may be a good thing, but it has indisputably been accompanied by risks.

Feminists seek to protect women against those risks, frequently by affirming their rights as individuals. But the "rights" women need frequently come at the expense of men. When men's sexual aggression against women includes so much violence as to be defined as an assault or a crime, there is no problem in delineating the question of rights. When such aggression does not include proven violence, we are obliged to create new laws that have nothing to do with equality, since they are explicitly intended to protect difference. In extreme cases we are, in effect, being forced to say that the powerful do not enjoy the same rights as the weak. And that leap takes us from the premises of individualism to those of corporatism. But we are not yet talking about what an enlightened, democratic, or socially responsible corporatism might look like. Any society deviates from the principles it proclaims and makes exceptions to them. But when the cases governed by deviations or exceptions begin to outweigh those governed by proclaimed principles, we are moving into a different world. If, that is, the cases in which the state intervenes to level the playing field begin to outnumber the cases in which free competition prevails, we are decisively changing the character of our democracy. It is, in this regard, telling that so many Americans seem to favor having sensitive issues such as abortion settled by the courts rather than entrusting them to our legislatures.

Feminism arguably speaks for the single most important, far-reaching development of our time, namely the emergence of women from corporate restrictions and protections into full standing as individuals. But to realize the wholesome and constructive sides of an expansion of individuality in an age marked by the collapse of the socialist utopia, we shall have to face the economic and political, as well as social, implications of some form of corporatist agenda.

In *Feminism Without Illusions,* I attempted to sift through the implications of recent developments and debates with a view to inviting further discussion. With the collapse of the world socialist movement, the declining productivity of the American economy, and the broad recognition of compelling social problems, such as the growing gap between rich and poor, the proliferation of violence, the feminization of poverty, and the increasing pressures on families, discussion seems more necessary than ever. What above all has saddened me has been the tendency among many (not all) of those on the Left and many (not all) feminists to dismiss the invitation to discussion as heresy or treason. Just at the moment when inherited certainties have collapsed, some apparently have decided to cling more tenaciously than ever to the tattered shreds. The times, as many members of the Left orthodoxy used to like to remind us, are a-changing .... Presumably our conversations should too. □

One Feminism Is Not Enough

Nancy Hewitt

Even before the Clarence Thomas hearings and the rape trials of William Kennedy Smith and Mike Tyson brought renewed passion and immediacy to debates over women's place in American society, feminist activists and scholars had embarked on a penetrating and sometimes painful effort to take stock of the modern women's movement. Elizabeth Fox-Genovese adds her provocative voice to this chorus of concern. Her primary goal is "to address the theoretical debates within academic feminism and the responsibilities of, or relations between, academic feminists and ... women in the real world." It is a goal shared by many of us who came to academic careers through feminism, building those careers in the very years that have seen our political agendas contested and sometimes eclipsed by the resurgence of the Right.

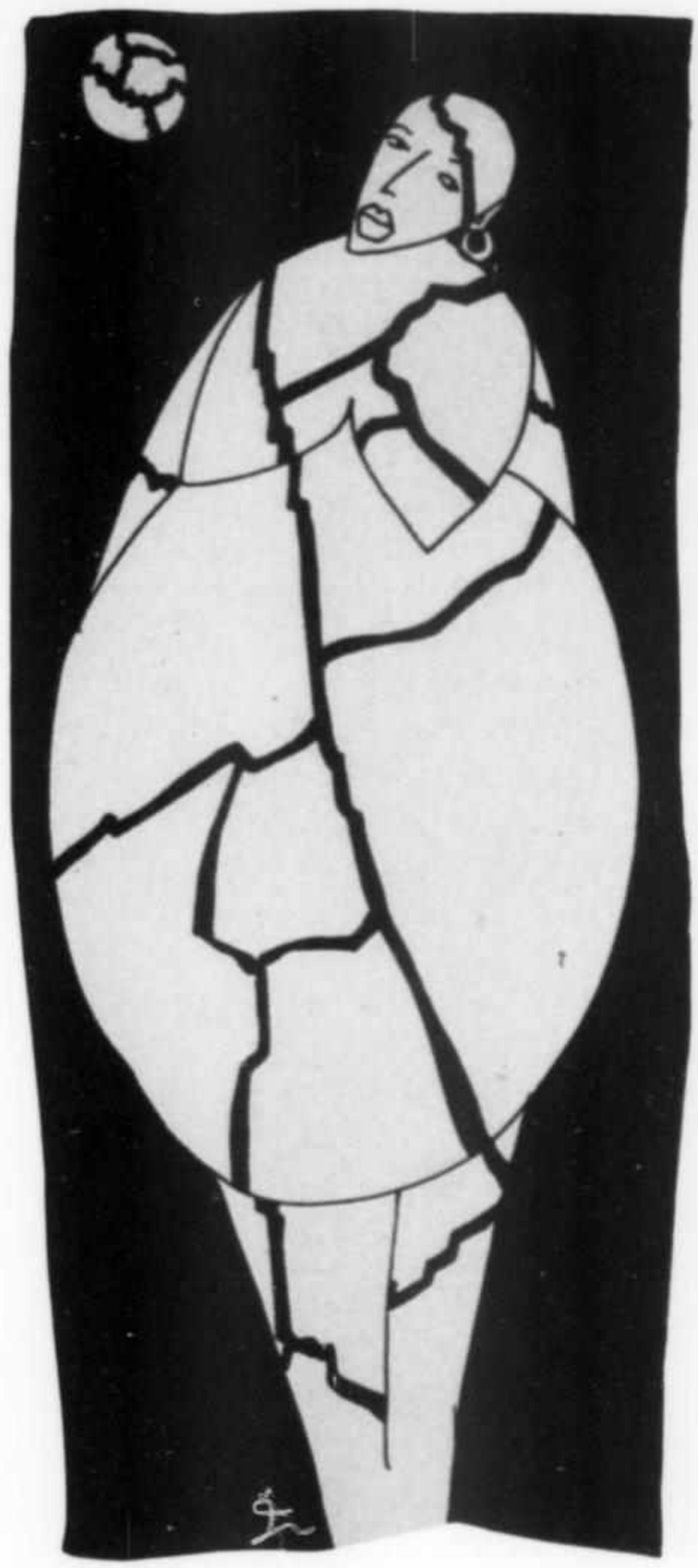
It is with a sense of urgency, then, that I join in the conversation begun by Fox-Genovese, but also with a sense of humility. For feminism seems to have served me far better than it has served the vast majority of women in the United States, much less the world. Is this the result of my own relative privilege—white, native-born, and, at least for the latter half of my life, middle-class? Or is this outcome related to misguided analyses and agendas formulated by the various feminist groups in which I was active? Or is it the inevitable consequence of movements for change that are continually distorted, when even our limited victories must be implemented in a society and polity that remain patriarchal and capitalist to the core? Of course, the legacies of any movement for social change are constructed through a diverse array of personal histories, ideological analyses, and political contexts; but in the case of modern feminism, the last has been, in the final analysis, the greatest barrier to change.

Thus I share Fox-Genovese's concern that giving the state the power to intervene on behalf of women may improve women's position vis-à-vis men, but only by reinforcing the power of the state vis-à-vis individuals and communities. I also agree in large measure with Fox-Genovese's attack on bourgeois individualism as a basis for feminist analysis and action, particularly when it encourages women to seek entry into male areas of privilege rather than subvert them. Given the ambiguous legacies of bourgeois individualism and the ideological allegiances of those who now wield state power in the U.S., I find alliances with, much less reliance on, either the individualist tradition or the state a troubling prospect. Moreover, I also join Fox-Genovese in agonizing over the relationship between women's assertion of newfound rights and men's reassertion of traditional forms of anti-female violence.

Yet despite this common ground, there is much contested terrain left to cover, many conversations yet to be had. Though Fox-Genovese and I are both historians, we draw different historical perspectives in analyzing modern feminism. She traces the intellectual origins of one (very influential but troublesome) strand of feminist politics; and, despite her own recognition that this emphasis is necessarily partial, she often leaves the reader with the sense that the individualist strand forms the theoretical heart of the movement. In focusing on the intellectual origins of contemporary feminist thought, Fox-Genovese assumes that only intellectuals can be feminists and thus overemphasizes the impact of bourgeois women on the movement.

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We can obtain a more representative picture of the relevant political tradition by attending to the diverse and competing positions of American feminists throughout our history. I see the history of the women's movement in the U.S. as a source of rich and variegated visions for setting our current dilemmas in context, rather than the circumscribed and insular resource Fox-Genovese takes it to be. I would include here the concerns of white middle-class women and those of working women and women of color, now often labeled "womanist," who were concerned with the simultaneous oppressions of race, class, and sex—and the individualist and communitarian strains within each of these traditions. By focusing not only on the writings of bourgeois feminist theorists but also on the practical actions of grassroots activists, we can find important challenges to bourgeois individualism—and to the other reigning ideologies of the nineteenth and twentieth centuries, such as nativism and racism. Individualist, communitarian, and corporatist strains have long vied with one another in women's struggles for individual rights and collective liberation. In the mid-nineteenth century, for instance, leaders such as Elizabeth Cady Stanton and Susan B. Anthony viewed the vote as the centerpiece of the women's rights agenda. Yet radical Quaker activists such as Lucretia Mott and Amy Post questioned the value of gaining the franchise under a Constitution that protected property in slaves. Post and her western New York co-workers participated in racially integrated political organizations, attacked established religion and medicine, founded utopian communities, and demanded women's rights as part of a "thorough Re-organization of Society."



Thus from the founding moment of a formal women's movement in America, its adherents disagreed over the advocacy of specific rights versus the reorganization of society as a whole. By the early twentieth century, the term feminism itself entered American political discourse as a way for those who sought changes in the relations between the sexes in all areas of life to distinguish themselves from those who advocated narrower reforms of legal and juridical rights. It was then that one of the contradictions that continues to haunt feminism was born—the movement assumed the corporate identity of women even as it sought to liberate them from the oppressive consequences of being defined by collective rather than individual characteristics and desires.

The near impossibility of alleviating women's oppression by eradicating sexual difference has led some feminists to celebrate women's unique nature, fueling the difference/equality dilemma that Fox-Genovese sketches here. Yet both poles of this dilemma do not necessarily derive from or build upon the theory of bourgeois individualism. Indeed, I would argue that feminists, including those of both the difference *and* equality persuasions, have produced some of the most innovative political thinking related to corporate and communitarian social relations. Historian Nancy Woloch illustrates this point by analyzing the writings of Charlotte Perkins Gilman, who authored theoretical tracts advocating cooperative housekeeping and other collectivist plans, alongside the efforts of Marie Stevens Howland, who moved from the Lowell mills to an experimental community in Mexico, and who collaborated on detailed architectural and engineering plans that incorporated collective childcare and housekeeping into communitarian settlements for workers. Such political inventiveness

also served women in a range of different circumstances at the turn of the twentieth century—notably in the work of Puerto Rican labor activist and suffragist Luisa Capetillo, African-American community organizer Maggie Lena Walker, and Jewish garment worker Clara Lemlich.

Individualist, corporatist, and communitarian impulses vied for feminist imaginations in the 1960s and 1970s as they had in the 1840s, the 1880s, and the 1920s. And once again these impulses were not just translated into abstract rights, but also into such grassroots self-help organizations as rape crisis centers, spouse abuse shelters, and abortion clinics that have empowered individual women through voluntary and communal support.

If violence against women is on the increase, if violent pornography is more prevalent, if women and children are living in poverty in greater numbers, it is not because some feminists chose the wrong theoretical stance. One almost wishes it were that simple.

It was often the very socialist-feminists that Fox-Genovese excoriates who implemented these community-based alternatives to existing state institutions. That socialist-feminists also advocated protective labor legislation for women in the 1910s and welfare rights in the 1970s is not, I think, a rejection of socialism in favor of some version of welfare-state capitalism or testimony to some incorrigible weakness for individualism. Instead, as Ruth Rosen demonstrates in her review of *Feminism Without Illusions,* such strategies acknowledged that long-term revolutionary change fails to address the immediate needs of millions of poor and working-class women in the present.

In seeking both long-term change and immediate relief, feminists have periodically allied with other progressive movements. Such alliances are natural, if often thorny, outgrowths of the ways in which struggles to improve women's lives have been deeply intertwined with campaigns for racial and economic justice. Most mid-nineteenth-century women's-rights advocates came of political age in the antislavery movement, just as many of their mid-twentieth-century counterparts did in the civil-rights movement. To claim that "feminism—with all due respect to the civil-rights movement—has emerged as the most far-reaching challenge to inherited political and intellectual assumptions and practices" or "that sex, even more than class and race, exposes the limits" of bourgeois individualism is to ignore the unbreakable bonds between these movements. Recognizing such connections forces us to examine more closely not only the alliances, but also the conflicts, among women—not only the similarities rooted in sex, but also the differences rooted in race and class.

Some critics, including Fox-Genovese, see difference as a form of individualism, but it can be, instead, a challenge to the individualist tradition. Those who view all women as potentially equal individuals obscure differences rooted in historically based communities. By highlighting difference we can recover the complex relations of race, class, and sex constructed in voluntary and involuntary communities where individualism is confounded by corporate identities. Analyzing which forms of difference are most salient at any one moment and over the long term is the most productive way both to explode the enduring myths of bourgeois individualism and to develop the political theories and strategies most conducive to women's emancipation in all its various forms. For example, for affluent white women, the advocacy of birth control might well be rooted in an individualist theory of liberation. But, as Jessie Rodrique has argued, for black women of whatever class, the demand for birth control was part of a larger strategy to improve the conditions of the family, the community, and the race as well as women as individuals. This approach eliminates the possibility of creating *a* feminist theory or practice, for it endorses the postmodernist rejection of universal models or modes of explanation.

Recognizing that feminism has never been a single movement, but rather always had multiple forms and faces, some of them Black and Asian and Latina, may help us let go of the notion that what is now needed is ideological purity and unified action. Instead, as we confront a resurgent right wing, a powerful state, and a gasping (but probably not dying) capitalism, ideological innovation and coordinated action on a range of fronts offer the best chance of forward movement.

Such coalitions are also important as a way of countering the coercive power of particular communities. For though bourgeois individualism run rampant may undermine many feminist objectives, so too can some community-based notions of justice and morality. If, as Fox-Genovese argues, the community exists prior to the individual and concepts of justice must be derived from

(Continued on p. 84)

Prejudicial Restraint: Race and the Supreme Court

David Kairys

Conventional wisdom has it that racism has largely been eradicated, and whatever might remain of it has been prohibited by law since at least the 1960s. And we have long been encouraged to believe that governmental racism—that ugly array of measures that enforced and legitimized slavery, segregation, and discrimination—is the kind of racism that has been most clearly and completely wiped out. Guided by this view, more and more Americans see the racial problem as a matter of the African-American community's alleged assaults on an otherwise innocent and orderly white America: drugs, crime, AIDS, welfare, homelessness, budget deficits, and whatever else upsets them. The corollary set of villains in the Reagan-Bush version of the racial problem are the African Americans and whites who still carry on about racism—liberals—and have supposedly stacked the deck so that African Americans now have it better than whites.

Liberals counter that this indictment amounts to blaming the victims, an American tradition that has made racism socially palatable and become a staple of conservative political strategies in the national electoral arena. The liberal response has been, at times, too quick to dismiss the deeply felt and legitimate concerns about crime and other problems, and has thereby tended to isolate liberals and progressives from mainstream political debate. But few across the political spectrum even question the basic assumption that governmental discrimination has been prohibited.

My purpose here is not to explore how the current conception of race in America gained such prominence, or the complex relationship between conventional thinking and pronouncements from the Supreme Court. Rather, I want to reveal—because I believe it has been hidden—the extent to which the conventional wisdom has already been incorporated into Supreme Court decisions. Recent rulings from the Court tolerate and even facilitate active governmental racism against African Americans and other minorities while simultaneously striking down attempts to remedy past discrimination. In incorporating the conventional wisdom, these decisions have also managed to negate its central premise—as well as to overturn the fundamental mandate for equality in the Fourteenth Amendment. In other words, the basic assumption that governmental racism has been prohibited by the courts is now simply mistaken.

In the early 1980s, the residents of the Hein Park neighborhood asked the Memphis, Tennessee city council to close off West Drive to all traffic. The Hein Park residential neighborhood is all white, and West Drive is a thoroughfare running from a nearby African-American neighborhood through Hein Park to the zoo, a park, and other attractions. The council conducted hearings on the proposal during which race was not specifically mentioned by proponents of closure. There was later testimony about keeping out "undesirable traffic" and some procedural irregularity regarding participation of the nearby African-American residents in the hearings. The council voted to close West Drive with a traffic barrier at a cross street that marks the boundary between the white and African-American neighborhoods. The Supreme Court accepted the city's general explanation that the street was closed for "safety" related to traffic and to preserve the residential character of the neighborhood. The possibility of less extreme traffic measures was of no import, although speed limits could have been lowered or traffic-control bumps installed. On the claimed violation of equal protection under the law, the African-American neighborhood did not prove "purposeful discrimination" and therefore, the Court reasoned, Memphis did not have to explain the street closing in any detail, and its action would not be seriously questioned or scrutinized (*Memphis v. Greene,* 451 U.S. 100 [1981]).*

In the *Memphis* case, the Court applied the purposeful discrimination rule, a hallmark of the Reagan-Bush

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*Supreme Court opinions can be found in law libraries, in a compendium called the U.S. Reports. The volume in which the decision appears precedes the standard "U.S." citation; the page number follows the citation.

judicial approach. Starting from the premise that the most serious social and institutional forms of racism have been overcome, the proper role of the courts is seen as one of deference to local legislative authority and the exercise of judicial restraint. Legal relief will be considered if—and only if—it can be proved that an action harmful to a racial minority was undertaken for the specific purpose of discriminating rather than for some other, legitimate purpose.

The law has reversed the social roles that have shaped the history of American racism: Whites have become the presumed victims, and African Americans the presumed racists.

Most significantly, this proof of purposeful discrimination must be presented *before* any serious questioning or scrutiny of the government's action. Thus, if purposeful discrimination is not proved, the courts will not seriously examine the government action at all: Any legitimate-sounding, generally stated purpose—such as traffic safety—will simply be accepted. Even measures that have a clearly harmful effect on minorities are now assumed to be not at all influenced by racial considerations, no matter how extensive or unnecessary the harm may be, or how closely the circumstances and context may seem to fit historical patterns of racism. In the *Memphis* case, the city never had to explain the street closing in any detail because the African-American neighborhood could not prove at the outset that the action's conscious purpose or motivation was racist.

You don't need to be a lawyer to understand the significance of this rule. Some general, legitimate-sounding purpose usually accompanies such actions as a matter of course. And without a written confession of racist motivation, racist institutions are now allowed to adopt measures that harm minorities without running into any legal obstacles. This rule not only undercuts the constitutional prohibition of discrimination, which was faithfully enforced for, at most, only two or three decades. It has in fact made purposeful discrimination quite easy, as the *Memphis* case demonstrates.

Consider first what is *missing* from the text of the decision. Many of my students, assigned an edited casebook version of the opinion, focused on the expressed government concern for "safety," which they usually took as a reference to problems of crime, violence, and drug addiction presumably stemming from the nearby African-American community. They saw traffic problems as at most secondary concerns. Students then focused on whether or not the street closing was an overreaction to crime problems. But the text of the opinion does not contain any mention of crime or any explicit or coded racial references, except the testimony's passing mention of "undesirable traffic" in Hein Park. And the Court dismissed this reference on the grounds that its meaning is uncertain and it does not necessarily reflect the intentions of the city council. The white community and the city council claimed—and the Court accepted without any serious scrutiny—that the *sole* concern was traffic.

The absence of the clear or coded rhetoric of race that is so abundant in contemporary culture—especially in an entirely white neighborhood within a city that is about half African-American and a city government with a long history of resisting integration—suggests a darker side to the purposeful discrimination rule. The *Memphis* case may be a triumph of well-honed legal advice effectively carried out. The advice might have been (here I am speculating): "Talk traffic, only traffic, and don't mention anything the liberals can call a code word for race. Not crime, drugs, poverty, AIDS, homelessness—just traffic!" In granting such strategies an unobstructed day in court, the purposeful discrimination rule allows—and facilitates—conscious, planned racial discrimination.

The lack of racial rhetoric should not, of course, condemn an action. Nor should measures that harm minorities be automatically deemed unconstitutional. However, the minimum that this nation should require from its courts and government at all levels is that they carefully question and scrutinize any governmental measures that harm minorities, that they reject implausible or phony justifications, and that they refrain from covering up racism. It is this minimal requirement of basic equality—perhaps the greatest achievement of the Warren Court in the 1960s—that the current Court, without much popular or legal attention, has managed to bury.

Finally, it is a mistake to view law as always, or even usually, defined or understood only by the rules and principles of legal doctrine. If one looks beyond the general terms of the purposeful discrimination rule to its application in particular cases, a much fuller picture emerges. The *Memphis* case's "appendix"—the official court record of the case printed and presented to each justice—casts a different light on the Court's conclusion that "there is *no evidence* that the closing was motivated by any racially exclusionary desire" (emphasis added).

Judges have enormous discretion in interpreting rules and evaluating and crediting evidence and the arguments presented by attorneys, and in this case they ignored much of the evidence in the appendix:

•Memphis, like many cities throughout the country, has a history of actively resisting integration. In 1963 a unanimous Supreme Court invalidated Memphis's exclusion of African Americans from its parks and recreation facilities, finding "an unmistakable and pervasive pattern of local segregation, which, in fact, the city makes no attempt to deny." Indeed, their closure of West Drive impeded African-American access to one of the parks ordered integrated in this earlier case.

•Hein Park was developed before World War II as an exclusively white residential neighborhood. N. T. Greene, the resident of the African-American neighborhood who initially challenged the street closing, testified that African Americans were often beaten by police if they walked into Hein Park. The Hein Park Civic Association had initially sought closure of all four streets to and from the African-American neighborhood. And some of the Hein Park residents had expressed their views far less elegantly than the citizen who testified about the incursions of "undesirable traffic." A white resident who opposed the closure of West Drive testified before the council that his neighbors were upset by his stand—and by his association with "niggers." "That," he testified, "is the issue here."

•The original petition did not meet the city's usual requirement that all property owners whose residences abut a thoroughfare slated for closure must sign the petition, since one white owner opposed the closing and refused to sign. No notice of the planning commission hearing was provided to residents of the African-American neighborhood. Opponents were given a total of fifteen minutes, and a subsequent petition with more than seven hundred signatures opposing the closure was initially not accepted. White Hein Park residents, also given fifteen minutes at the hearing, had been working closely with the commission and other city officials for more than five years to secure the closure.

•The street closing was a striking departure for the city of Memphis. Never before had the commission and council closed any other thoroughfare for traffic reasons. And the record suggests that the council may have been eager to keep Hein Park clear from more than just "undesirable traffic." It sold a twenty-five-foot-wide strip across West Drive at the point of closure to the two white landowners on either side, and passed a resolution declaring this strip "closed to the public." Even the Court admitted that there was some question of "[w]hether the closing will have the effect of barring pedestrians."

Such matters, even though they were uncontested entries in the case's appendix, went without any serious acknowledgment from the Court, or any explanation of why they were deemed insignificant. Justices Marshall, Brennan, and Blackmun, two of whom are no longer on the Court, dissented, concluding that the city was seeking to "carve out racial enclaves." The Sixth Circuit Court of Appeals had earlier ruled (by a vote of two to one) that the closing was "one more of the many humiliations which society has historically visited" on African Americans.

In disregarding this body of evidence, the Court adopted the same strategy of social evasion that has increasingly shaped political debate on questions of race. Issues such as safety and crime have been separated out from the conditions in which they take root—deprivation, degradation, and severed social connection—and reconceived as hopelessly insolvable racial problems. For many in our society, material deprivation, isolation, vulnerability, fear, and a chronic sense of inferiority are facts of life—facts that we should not and cannot afford to ignore. But instead of seeking solutions, mainstream culture has developed a dangerous racial edge: White people being reduced to such a state is seen as unfortunate though increasingly tolerable, but for African Americans this fate is seen as largely deserved and unchangeable.

The *Memphis* case lacks common, contextual, and historical sense. At a time when we have essentially abandoned the hope that we can improve things and move forward together, this decision also has another, more ominous quality. Our budget decisions and our social discourse have made it clear that we feel all too free to abandon those at or near the bottom of the social order. But now the Court has taken this process one step further. It has allowed, without serious examination and with an apparently conscious blindness, the erection of a physical barrier between white and African-American communities. We should be troubled to see an all-white, historically segregated community demand and obtain from its local government an arrangement so symbolic of social apartheid.

Warren McCleskey was sentenced to death in 1979 by a Georgia jury for his participation in a robbery during which a police officer was killed. He challenged his death penalty based on a study of more than 2,000 murder cases in Georgia that utilized sophisticated multiple regression statistical methods to determine the effects of more than 230 different variables on the decision to impose death. The study, conducted by social scientist David Baldus, is widely viewed as authoritative and was not seriously

challenged in the case. Baldus concluded that the most significant factor is the race of the victim. The death penalty was 4.3 times more likely when the victim was white rather than African-American. The death penalty was more likely still when the murderer was African-American. The bottom line was, with all other circumstances the same (premeditation, viciousness of the crime, etc.), an African American like McCleskey, convicted of killing a white person, was well over four times more likely to receive the death penalty than a white person convicted of killing an African American. Stated another way, if McCleskey had killed an African American rather than a white, he would most likely not have received the death penalty. The Supreme Court rejected McCleskey's appeal: He had not proved purposeful discrimination (*McCleskey v. Kemp,* 481 U.S. 279 [1987]).

The results of the Baldus study, which surprised many, seemed to reflect judgments, first, about the value of the life lost and, second, about the perpetrator. The jurors were saying, with their votes, that they view a white life as much more important than an African-American life. If you ask people who should live and who should die, they will, of necessity, resort to deep-seated moral and religious judgments about whether death is deserved. The study that served as the foundation of the *McCleskey* case showed that these judgments were deeply influenced by racial considerations, and perhaps could not be otherwise, no matter what instructions juries might receive from judges.

Without challenging the study, the Supreme Court focused on the difficulty of determining the purpose of the actual jury that imposed the death penalty on McCleskey. The jurors, the Court said, should not be questioned about their decision; neither should prosecutors be second-guessed about the pattern of their decisions to seek the death penalty in particular cases—another pattern covered by the study. The Court had previously questioned and overturned discriminatory prosecutorial patterns regarding the less crucial issue of jury selection, and earlier cases covering a range of discrimination issues emphasized the importance or necessity of proving a discriminatory pattern rather than discrimination in a particular instance. But the compelling evidence of the study was considered essentially irrelevant. And judicial restraint was raised to a new level: The Court ruled that jury discretion was not to be disturbed, and McCleskey's arguments "are best presented to the legislative bodies." This was, of course, difficult for McCleskey to do from death row, and he had an inordinately short time to do it. His appeals exhausted, McCleskey was executed last September.

The obvious alternative to the approach that cases like *McCleskey* and *Memphis* represent is to scrutinize carefully any government action that effectively harms or prefers people of a particular race, ethnicity, religion, or cultural heritage, particularly if an action fits the pattern of historic racism. Such actions should be found unconstitutional unless they substantially further a legitimate and compelling government purpose that cannot be achieved by less discriminatory means. This was essentially the law for a time during the 1960s and 1970s, with an emphasis on the protection of minorities who have little opportunity to gain a fair hearing in the political process. For that brief period in our history, it could accurately be said that governmental discrimination was prohibited by law.

In 1983, after years of debate, the Richmond, Virginia city council adopted an affirmative-action plan for city construction projects modeled on a federal plan approved by the Supreme Court. In Richmond and other cities, construction had proved a particularly difficult segment of the economy to integrate. Richmond was more than 50 percent African-American, but less than 1 percent of the city's construction contracts had gone to African-American contractors. The plan that the council adopted required that, in choosing among contractors and subcontractors who are otherwise qualified (meeting skill, experience, bond, and other normal requirements), at least 30 percent of contracts should go to businesses that are over half minority-owned unless qualified minority businesses were not available. The Supreme Court invalidated this plan, strictly scrutinizing it to "smoke out" possible racism. Remedying past and current racial discrimination against minorities was not a sufficient purpose (*City of Richmond v. Croson,* 488 U.S. 469 [1989]).

The *Richmond* decision showed no judicial restraint —it overrode the work of a multiracial city council that arrived at a difficult compromise on a tough racial issue. The Court also subjected the plan to a strict scrutiny that does not extend to measures that disadvantage African Americans, other minorities, or women. The Court's reasoning was simple: This is purposeful discrimination since the plan itself explicitly sets up a racial distinction. Explicitly mentioning race—which any good-faith affirmative-action plan would have to do and any bad-faith racist practice could easily avoid —has been established as the only circumstance in which courts will seriously scrutinize possibly discriminatory measures.

Applying this kind of scrutiny to affirmative-action plans all but guarantees their invalidation. Under this decision, local legislatures may remedy only discrimination

that occurred inside their own borders, even though their other powers are not so limited—for example, they may act to resolve environmental or economic problems stemming from outside their borders. And they must provide detailed evidence and factual findings that establish a pattern of unlawful discrimination. These rules limit affirmative action to situations in which there is sufficient evidence for establishing a specific discrimination case. Local legislatures are thus denied any authority to go beyond existing legal remedies.

The crux of the *Richmond* decision was its emphasis on the possibility that a remedial purpose could mask racism. This is all but a complete inversion of the logic behind the *Memphis* ruling, which accepted implausible nonracial rationales for measures enacted by predominantly white legislatures that harmed minorities and fit the historic pattern of discrimination against them. In the process, the law has reversed the social roles that have shaped the history of American racism: Whites have become the presumed victims, and African Americans the presumed racists.

The Richmond City Council did in fact wish to help African Americans, much as other city governments have sought—and were allowed—to provide economic and social opportunities for other disadvantaged minorities. Many of our large cities went through periods when their police or fire departments were almost all Irish- or Italian-American. But when African Americans, even with substantial white support (as in Richmond), try to aid their own, the Court's tendency is to see racism.

Though the city council's purpose was to undo some of the damage of centuries of racism, the Court's decision in the *Richmond* case goes beyond that. The Richmond plan was founded on the principle of simply eliminating, where possible, a long-standing unfair advantage for whites. African Americans were not given an unfair advantage or preference; rather, white contractors were denied some of the preferential treatment they had long enjoyed at the expense of their African-American

The Dreams of the Fathers

for my brother, with love

The boy sleeps in the dreams of the fathers.
There are stories he must make his own:
how, of his grandfather's grandfathers,
Elijah ben Solomon, the Vilna Gaon,
excommunicated Vilna's Chasidim, single-handedly
chasing Eastern Europe's Jews onto the hard edge
of the Enlightenment; how his own grandfather
lost the family name at Ellis Island
and everafter bore and passed down a surname
that resounded of Greek Orthodoxy; how that same grandfather
hawked newspapers in the dark chill of Boston winters
and learned to laugh when beaten
with his mother's broomstick, knowing
she went hungry to assure her only son a meal;
how he married the eldest daughter of a cigar-maker
and went to law school and rose in the world
as his own star—yellow, six-pointed—was also rising
and falling; how the boy's father,
raised in the full belly of Depression affluence,
went to Harvard and became the doctor
ben Solomon had dreamed of being; how, later,
he married outside the faith, raised his children ignorant
of Torah, Talmud and Hebrew,
and swore his son will do the same.
Effaced by ignorance and history
the boy, even now bearing the bull of the family ring
on his own right hand, the boy dreams all night
of dark-bearded, caftaned Pious Ones,
who play fiddles and lift the rafters
of the shtetl with their dancing feet. He, too,
plays the violin and from time to time,
tuned to something plangent in his blood,
urgent, sad-voiced Chasidic melodies
haunt him into a dance: first, feet shuffling,
heavy, uncertain. Then, knees lifted,
arms flung over the broad shoulders of friends
as he flies out over the moon and shoots the sky
with light dashing off in his wake. He knows,
he knows something he cannot name, of poetry,
of music, of the strange emotional idiom
of the dance. He wonders how they were born and where
they go in the still night silences
he has not yet learned to bear.
The boy sleeps
in the dreams of the fathers and all night
wrestles his angel down the dark ladder
of the Fifth Commandment, honoring history
that is out of his hands.

Pamela Spiro Wagner

competitors. Undoing current unfair racial advantages for whites, or the legacy of racism, is hardly an illegitimate purpose.

Such plans surely involve some unfairness, particularly toward whites who have not themselves discriminated and are sometimes no better off economically than minorities. But this negative impact on whites does not, as it is usually supposed, distinguish affirmative action from the other goals of the civil-rights movement. All racial progress has meant imposing limits on the freedom and interests of the majority. When African Americans won the freedom to use public accommodations, white people lost the right to eat in segregated restaurants; when African Americans won the right to attend integrated public schools, whites lost the right to go to segregated all-white public schools. These may seem like easy choices now, but at the time, even with much better economic conditions, the white interests were felt as dearly and defended as vigilantly as they are now over affirmative action. We are more interconnected than we realize; there is not unlimited freedom any more than there are unlimited jobs.

The stakes involved in affirmative action may seem very different than in other civil-rights measures—jobs as opposed to freedom of association, for example. But the public accommodation laws also altered economic opportunities and property rights whites had long been accustomed to. Further, the stakes, be they big or small, are felt both ways: The status quo in Richmond meant that African Americans got almost none of the city's construction contracts because of an active and/or traditional racial preference for whites. The best solution to this dilemma would be enough jobs for everyone, but if that is not accomplished, traditional white racial preferences—whether specifically intended or merely customary—should be eliminated. In this sense, much of what we now call "affirmative action" is misnamed or misunderstood. It is, quite simply, elimination of racial preference.

Nor can the problem be resolved by affirmative action aimed at poor people generally as long as the resources committed to such initiatives remain severely limited. Income-based affirmative action will still raise the question of who among the disadvantaged will receive an opportunity when it cannot be made available to all. We cannot deny that a substantial proportion of our population deserves affirmative action, regardless of race. But we also cannot deny that the conditions under which many of our African-American and other minority communities exist are particularly deplorable and bear the distinctive mark of American racism. If we use such criteria as the "most deserving" or "best educated," most minorities will again fall through the net. While we're devising latter-day Marshall plans for eastern Europe and the former Soviet Union, we might consider one for African Americans at home, or better yet, provide enough resources for all our people in need.

Conservative judges and presidents have often gained power by criticizing the tradition of liberal judicial activism. Yet in the *Richmond* case, the Court overturned a legislative enactment by resorting to a novel interpretation of the Constitution. The case presented an ideal occasion to apply a much-vaunted conservative principle: Local legislatures that have adopted affirmative-action plans through a painstaking effort to resolve a set of difficult issues should not be interfered with; the courts should exercise judicial restraint. Instead, the double standard of racial justice that emerged from the *Richmond* case shows judicial restraint—like the call to limit government intrusion, and other conservative ideas that have done service as electoral slogans —to be a disposable commodity for opportunistic conservative judges and officials who are now very much in power.

In 1944 Justice Hugo Black, later to become part of the Warren Court's liberal majority, wrote the wartime *Korematsu v. United States* opinion approving of the internment of Japanese Americans on the West Coast. Black found no discriminatory intent, even though people of Japanese ancestry were imprisoned without any proof of individual wrongdoing. The purpose of internment, Black insisted, was national security rather than racial antagonism. "To cast this case into outlines of racial prejudice," he wrote, "merely confuses the issue." We now know that there was no real security danger and race had everything to do with it, but the Court accepted the security justification based on no more than the highly speculative word of an Army general.

We have now returned to this same blind denial of racism—and the same blind impulse to condemn the messenger. African Americans and other minorities may easily be disadvantaged by white-dominated legislatures, but predominantly African-American or multiracial legislatures will be severely scrutinized. Affirmative action openly aimed at correcting racial imbalance is now essentially unconstitutional. It should not be surprising that most of the successful constitutional discrimination cases in the last decade or so have been won by white male plaintiffs. Nor has the conservative Court's focus on purposes rather than effects or consequences been limited to discrimination cases. The trend has been to allow violations of the whole range of individual rights—from free speech to free exercise of religion to the rights

of criminal defendants—based on generally stated legitimate-sounding purposes.

Looking realistically at history, this is a return to a well-charted course. The recent race decisions are the progeny of *Dred Scott v. Sanford* (the 1857 decision declaring African Americans less than human), *Plessy v. Ferguson* (the 1896 decision that established the "separate but equal" defense of segregation), and *Korematsu*. The playing field has surely shifted, but *Brown v. Board of Education* in 1954 and the decisions of the 1960s and early 1970s look like aberrations. Nevertheless, disenfranchised minorities have won important victories in past periods of judicial reaction, and we saw new civil-rights legislation in 1991. Perhaps the next legislative proposal should be aimed at governmental racism.

The civil-rights successes throughout our history, including those of the 1960s and 1970s, have had more to do with successful movements for equality and freedom than with any legal principles or legal reasoning. We have the same choice now we have always had—at the ratification of the Constitution (which embraced slavery rather than the Declaration of Independence), after the Civil War, in 1954, and in the 1960s. We can continue on the path of separation and division, with its legacy of violence, degradation, and declining conditions for all; or we can again strive for equality, with the hope of unification and common purpose and an emphasis on meeting the needs of all our people. □

Response

Randall Kennedy: Indiscriminate Indictments

I agree with David Kairys that the U.S. Supreme Court deserves harsh criticism for the way it has addressed racial issues. He rightly condemns it for failing to require federal, state, and local governments to offer adequate justifications for policies or practices that unintentionally harm historically disadvantaged groups. He also rightly castigates the Court for its growing hostility to affirmative action. There are, however, significant problems with Kairys's article that stem from a characteristic flaw that attends many discussions of racial politics: an impatience with precision and complexity that displays itself by deploying but leaving undefined certain emotion-laden buzzwords—e.g., "racism"—and by avoiding certain issues that, when faced squarely, give rise to ambivalence rather than certainty.

Kairys focuses his analysis on the Supreme Court's doctrine of purposeful discrimination, a doctrine he describes as "a hallmark of the Reagan-Bush judicial approach." The purposeful discrimination doctrine governs the Court's interpretation of the Equal Protection Clause of the Fourteenth Amendment to the Constitution. According to the Supreme Court, what identifies the presence of discriminatory purpose is evidence indicating that a governmental actor or entity "selected or re-affirmed a particular course of action at least in part 'because of' and not merely in spite of its adverse effects" on an historically disadvantaged group (*Personnel Administrator of Massachusetts v. Feeney,* 442 U.S. 256 [1979]).

Kairys suggests that the purposeful discrimination doctrine misleads the citizenry by perpetuating the fiction that "governmental racism" has been prohibited when, in fact, it is tolerated by judges who are either unable or unwilling to see discriminating practices that are plainly apparent to anyone who has "common, contextual, and historical sense." While there are grains of truth in Kairys's portrayal, overall it obscures features of our present situation of which we should be proud and other developments about which we should be disturbed.

The doctrine of purposeful discrimination perfectly reflects the prevailing public morality regarding race relations. On the one hand, it represents a significant step forward in the legal, moral, and political life of the nation. Not so long ago, states openly and directly excluded citizens from the ballot and consigned them to separate, inferior, and degraded facilities because of their race—all without much fear of intervention from the judiciary or any other governmental authority. Now, by contrast, when it can be shown that a racial purpose motivated any governmental action, that action is presumptively invalid. It can withstand legal challenge only if reviewing courts rule that the action in dispute is narrowly tailored to advance a compelling societal interest—the most exacting level of justification in constitutional law. This salutary change in legal doctrine

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both mirrored and encouraged marked changes in social attitudes. Of course, racial animus and notions of racial superiority and inferiority continue to exist. But even David Duke and Patrick Buchanan know that white public opinion will penalize them for expressly stating any desire to subordinate people of color—hence their recourse to elaborate code words. In other words, blatant, formalized racial subordination has been powerfully stigmatized.

Kairys takes great pains to insist that, at the level of federal constitutional law, reforms won in the 1960s and 1970s are now being undone, that "the basic assumption that governmental racism has been prohibited by the courts is now simply mistaken." He is wrong. In federal constitutional law on race relations, we have seen little backward movement from the baseline established by the Warren Court, and indeed in some areas, the Burger and Rehnquist Courts have taken a few small steps forward.

Consider, for instance, the peremptory challenge, a device that can exclude a certain number of potential jurors from juries based on attorneys' intuitions that a given juror will be adverse to their side. In 1965, at the height of the Warren Court's liberal career, a slim majority ruled in *Swain v. Alabama* that it was constitutionally permissible for prosecutors to use race as a basis for making peremptory challenges. This ruling armed prosecutors with a convenient tool with which to exclude racial minorities from any given trial. In its 1986 decision, *Batson v. Kentucky,* the Court reversed *Swain* and made peremptory challenges subject to the standard constitutional rule that prohibits racially motivated governmental action in the absence of an absolutely compelling countervailing interest.

The central achievements of the Warren Court were striking down de jure segregation and legitimizing the hallmark federal statutes enacted during the civil-rights revolution: the Civil Rights Act of 1964 and the Voting Rights Act of 1965. There has been no going back on the fundamentals with respect to these rulings. The problem is that the present Court has not gone substantially beyond the rather limited boundaries established by the Warren Court. By claiming that there has been a substantial rollback, Kairys's analysis obfuscates this stalemate. Kairys's most telling assertion—one that cries out for elaboration—is that, among other things, "the minimum this nation should require from its courts and government at all levels is that they carefully question and scrutinize any governmental measures that harm minorities." The Warren Court did not require Kairys's minimum. Sadly, the Rehnquist Court will not require it either.

This regrettable deficiency, however, should not lead us to embrace Kairys's bold but mistaken thesis that purposeful governmental discrimination has not been prohibited. This position flies in the face of an undeniable historical truth: The racial caste system that existed prior to the civil-rights revolution of 1954–1970 no longer exists today. There are, of course, many dire problems that confront people of color. But as painful and unjust as these conditions are, *gone*—and gone forever—is the blatant, unapologetic, and rigid race line that existed prior to the struggles, sacrifices, and achievements of Rosa Parks, Fannie Lou Hamer, Ella Baker, and hundreds of thousands of others who have helped to transform America. To paraphrase something that Martin Luther King, Jr. was fond of repeating: "We ain't where we want to be. We ain't where we gonna be. But thank God we ain't where we were."

To make the case that purposeful invidious discrimination is tolerated by the Court, Kairys spends considerable space discussing *Memphis v. Greene,* a case that many liberal commentators have condemned. The case, however, is considerably more ambiguous than Kairys maintains. It is true that the residential subdivision that petitioned to close the street at issue in the *Memphis* decision was all white, that the place of the closure marked the historical dividing line between a white and a black neighborhood, and that, at least with respect to some of the whites, racial prejudice played a role in their decision to seek or support the closure of the street. Those facts paint an ugly picture of the racial division that continues to blight our society. But do those facts mean that the city of Memphis displayed purposeful discrimination by closing the street when, among other items of evidence in the record, there were pleas by citizens apparently concerned that the heavy traffic on this street posed a real threat to the safety of their children? Consider, for instance, the testimony by one parent in the all-white subdivision who stated the following as a justification for closing the street:

> Our greatest worry here is children.... [E]ach school morning and afternoon about one hundred fifty youngsters cross [the street] at my corner going to and from [school]. The stop sign on this corner is frequently ignored by swift traffic. Daily, I find myself rushing to the window when I hear screeching brakes. I'm terrified that some driver has hit a child.

If this was a lie and the authorities in Memphis knew it to be a lie, a horrible act of official purposeful invidious discrimination was perpetrated by the city and validated by the Supreme Court. But what if this statement

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The Bloodiest Revolution

Chris Knight

Many feminists have understood menstrual taboos as a mechanism for oppressing women. Chris Knight argues that such taboos were central to the first revolution in all history—the "human revolution," in the course of which women by their collective action created both symbolic language and culture. Women declared themselves inviolable during their menstrual periods because they needed to avoid being taken for granted by men. By declaring their right to go periodically on menstrual "sex-strike," they enhanced their own sexual value, establishing both their separatism and their power. And although the original meaning of menstrual taboos has long since become partially inverted under more recent patriarchal forms of power, the world-changing revolution that women won some forty thousand to seventy thousand years ago has continuing relevance today.

Tikkun: Your theory of the origins of culture ascribes a central role to women. What is that theory?

Knight: Claude Lévi-Strauss, perhaps the preeminent authority in cultural anthropology, believed that the incest rule and other central parts of our cultural legacy were invented by men. It's much more probable that women's interests and solidarity were central. Most sociobiologists are now saying this—saying that it's female reproductive strategies that tend to "drive" social-evolutionary change among primates.

My theory is based largely on the scientific work of Paul Turke, a sociobiologist at the University of Michigan and an authority on the evolutionary origins of human female reproductive physiology. He's worked out why women have the kind of sexual physiologies they have, with no estrus swelling, so that you can't tell when a woman is ovulating.

For Turke, such biological features are information-rich. It's rather like counting tree rings, or analyzing a string of DNA. You can in effect "read off" from the pattern of reproductive physiology displayed by any primate female, decoding it so as to work out what the mating system must have been as that pattern evolved.

Tikkun: So what can we read about early human mating systems from our sexual physiology?

Knight: You can tell that human females were maximizing the number of males involved in the breeding system. They were *not* in a harem. We know this because females who evolve in a large harem—many baboons are like this—must collude with the dominant harem-owner. They can make it easiest for him by: (a) signaling their moments of fertility clearly so that he knows just when to impregnate and when not to try; (b) avoiding sex at other times; and (c) keeping their brief sexual demands out of phase, so that the male is never faced with more demands than he can cope with all at once.

Now, human females are the precise opposite in all three respects. First, they give no signals whatsoever as to whether it's their fertile moment or not, ovulation having become *completely concealed.* Second, they can be sexually demanding throughout the whole cycle, lacking any period of anestrus (the interval of sexual quiescence between breeding cycles). Third, when they live closely together, women tend to synchronize their menstrual cycles—and hence also their fertile periods—with one another. No baboon-like male harem-owner could have coped with females made like that.

Tikkun: Why did these human features evolve?

Knight: Evolving human females have unusually heavy child-care burdens. The large brains of their babies mean that women have to give birth in a sense "prematurely" when their babies still really ought to be in the womb. Provided you give birth early, the head size isn't such a problem. Otherwise—if a human baby stayed in the womb until it had reached the growth stage of other primates at birth—the head would be so big it would kill the mother in childbirth. Human babies required large heads to contain the disproportionately large

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brains that were required once we left the forests and had to adapt to a more demanding environment where complex social life and remembering things became all-important.

The costs of this brain size are that the "premature" human baby is unusually helpless following birth; it also takes a long time to grow up and learn all that's necessary. These factors place immense additional burdens on mothers—burdens that chimpanzee mothers, for example, don't have to face to the same extent.

The rule against rape was the first cultural rule and the foundation on which all other rules were built. Without that, nothing else is real—we're just animals. Worse, in fact, since most animals never rape.

Chimp and gorilla females get no help in getting food from males—the females must find all their own food for themselves and their small offspring. But despite this male "laziness," the mothers can manage. The babies grow up relatively quickly, and anyway, in the warm tropical forests, the necessary fruits are mostly available in the close vicinity year-round so mothers don't have to travel far or work hard to find food.

With humans it couldn't have worked that way—partly because our evolving ancestors were no longer living in the vegetationally rich forests. Brains could have evolved to a bigger and bigger size only if mothers found some way of harnessing *male* food-getting energies for the first time in primate evolutionary history. Turke says they did.

And that's why human females are made so differently from chimpanzees. Human females had to stop their males from taking them for granted and from being so useless economically.

Normally, primate males focus not on getting food for their *existing* mates and offspring, but on competing against each other to impregnate more and more females. They then leave the mothers to fend largely for themselves. Where the inter-male competition is severe, most males don't have much of a chance. The females tend to be monopolized during their fertile periods by a minority of the most dominant males.

Now, for females, all this works fine—as long as all they expect from males is sperm to get pregnant with. A little sperm goes a long way, and a whole group of females can do very well with the offerings of just one dominant male.

But if you need *food* from males, it's totally different. A little doesn't go a long way—you need as much as you can get. Consequently, a group of females doesn't want to end up with just one dominant male shared between them all. No matter how dominant he may be, one male wouldn't be able to get nearly as much food as a dozen or so. So if you want assistance in getting food, you need to bring as many males as possible into your breeding community, so that they can *all* help. You can't afford the wastage of all those excluded "bachelor" males who could be put to good economic use. Turke's theory on this is brilliant. To bring in all the males, evolving hominid females (they're not yet "women") evolved in a special way.

Note how different a human female is from a baboon or chimpanzee. The chimp female has a big swelling around her rump when she's fertile, the size of a grapefruit. At such times, she displays herself, perhaps partly to gain male favors of various kinds, but at a deeper level because she's interested in getting "the best" sperm—sperm from the very most dominant male. In human females, that has completely gone, or more probably it never evolved to such extreme proportions in the first place.

What function did the concealment of estrus perform? Turke says that as the "Yes" signals in the human case disappeared, males were prevented any longer from picking and choosing their moments. Females had scrambled the information on which the old male competitive game had relied. No longer knowing when "the right" moment was, and with all females looking much the same, every male had to choose one female and then stick around if he was to have a good chance of getting her pregnant. Concealing "Yes" signals meant in turn that females had to become gradually receptive throughout the cycle, sexually "rewarding" those males who stayed with them around the clock.

Finally, females coordinated their moments of ovulation so that even if certain males still managed to detect when the "right" moments were, it wouldn't help them to philander and monopolize impregnations. If the females all ovulated within the same narrow time-window, no philandering male would be able to impregnate several females in turn. By the time he'd gotten one pregnant, he'd have lost his chance with any of the others, whose fertile moments would have passed.

There's an interesting fact that confirms that all this actually happened. Turke himself doesn't mention it, but women would have needed to have a cycle length that would make coordination easier. Well, it so happens that the human female cycle-length is on average 29.5 days

long. This is precisely the length of time from one full moon to the next. By contrast, chimps have a cycle-length of 36 days. This is what you'd expect if Turke were right in saying that humans synchronized but chimps didn't, because if you're going to synchronize you need some kind of clock to which you are going to synchronize, and the most appropriate available clock for this purpose would always have been the moon.

Tikkun: You talk as though these physical characteristics are a matter of choice.

Knight No; I'm a Darwinian. Those females who had chimpanzee-style swellings just didn't get food from males. By contrast, those females who through chance mutations very gradually developed the kind of physiology that we now see fully developed in modern women were the ones who found they could gain more provisioning support. This meant they had less need to push their offspring into fending for themselves at an early age. These females, then, were the ones who could afford the time to care for their offspring over a much-extended period of childhood, allowing large brains to grow and to take in all the learning required.

Tikkun: You've told us all about Turke's theory. What have you added to this in *Blood Relations*?

Knight: Mine is the revolutionary bit. Being a biologist, Turke wants only to explain the biological aspects of gradualistic evolution in a Darwinian sense.

I go on to use his idea of synchrony to explain what happened at a later stage, when culture and language as we know it appeared. The "Turke strategy" of keeping your males in the vicinity all the time worked—but only for a few million years. It then turned into its opposite. An immense revolution stemmed from the reaction to the problems that eventually arose when having males around you all the time became the very *last* thing females needed. This ultimate event was a social and *political* revolution whose preconditions were the biological features Turke has explained. My theory, in other words, involves two stages: first, the slow biological evolution of the brain; second, the eventual revolutionary use of that brain to establish symbolic culture. The theory just doesn't work if you imagine it all happening at once.

The biological strategy of keeping lots of males around you makes sense only if the food you require is in the vicinity—if it's gatherable and scroungeable around you. As long as evolving pre-humans such as *Homo erectus* were living on such things as marrow-bones left lying around, waterfowl and their eggs, lizards, shellfish, etc., in addition to vegetable foods, then the "ovarian synchrony" or "continuous 'Yes'" strategy outlined by Turke would have made sense.

The evidence is that hominids were living on such kinds of food during the period when brains were getting bigger and bigger—say, from about 2.5 million years ago to 150,000 years ago. Big-game hunting had not yet gotten under way.

But with the start of the penultimate Ice Age, around one hundred forty thousand years ago, and even more harshly with the start of the last Ice Age seventy thousand years ago, severe problems began to set in. With the icy cold came increasing aridity, and the result was a sharp decrease in the gatherable food supply. If hunting didn't become more efficient, populations would just starve.

Now, if you have to start hunting in a serious way—if the food you need is galloping away on four legs, like a zebra or a herd of reindeer—it doesn't make sense for the females to be keeping their males in the vicinity. It makes more sense to send the males away for perhaps days on end, tracking, hunting, and traveling overnight where necessary.

Tikkun: Why did the females need meat?

Knight: Because if you were in Eurasia or the tip of southern Africa at the start of the last Ice Age, then without meat—especially fats—you'd have died in the

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winter. There simply wasn't enough gatherable food to live on year-round. Vegetarianism is fine—I myself don't eat meat—but it's a privilege. It's possible for us today to avoid meat because we have bread, dairy, produce, etc., thanks to the neolithic revolution. Until you had plant cultivation (and with very few exceptions after that as well), humans needed meat to survive. People were hunters and gatherers. Weight for weight, the vegetable component of the diet may often have been larger, but the meat component was essential for survival. True, female chimpanzees don't absolutely need meat, although male chimps hunt a little and the females often beg for meat. But then, being so reliant on fruit, chimps can survive only in a very narrow region: in the forests of West and Central Africa, where vegetation is plentiful and you don't get severe winters. Orangutans likewise can live only in a restricted range in Southeast Asia. Human beings can live anywhere and go anywhere—because they learned how to obtain hunted meat as a backup to the gathered component of the diet.

If you need meat, signaling "Yes" to male sexual advances all the time is unproductive. Females must signal "No!" sometimes, stop tempting the males and instead encourage them to go away. But the trouble is that the evolved human females we are talking about would have *lost* their ability to signal "No!" simply by being in anestrus—by not showing their swellings at such nonfertile times. This is a real safeguard for female primates. If they don't need sex, they don't get it. Harassment doesn't arise, because males aren't attracted—the "No!" signal acts automatically, physiologically. That's why rape is so unusual in nature.

For the reasons Turke outlines, the human female early in the last Ice Age would have been different. She had become "continuously receptive" physiologically. The human female has lost her periodic anestrus, and in a sense "seems" to be signaling "Yes" all the time, as far as males are able to read the signals on a biological level.

Precisely because she lacked a biological "No!" signal, the human female had to *construct* her own very powerful "No!" in a revolutionary new way. No woman can possibly allow herself to be deprived of a way of saying "No!" For her, it's a matter of life and death. And I'm saying that when evolved human females were faced with the need to signal "No!," they found a way. Human culture was established through that revolutionary, defiant act.

The females had no meat. The males were still hanging around, expecting sex. But sometimes a male or group of males caught an animal they encountered to eat its flesh. What did the females do?

To see the possibilities, let's look again at chimpanzees. Female chimps sometimes accompany male chimps as these go hunting for colobus monkeys or small antelopes. The females who do this are usually those showing their estrus swellings. The anestrus ones tend to stay behind. When a male has caught an animal, a female will sometimes rush up to him and sexually present her hindquarters. If the male is interested, the female may obtain a share of his meat, which she will begin eating on the spot, perhaps while copulation is still proceeding. Naturally, if a second female arrives at the kill site, she will be in competition with the first for the male's favors. It's not the way to generate much solidarity, and in fact chimp females have rather little group solidarity but keep to themselves much of the time.

The evidence is that human females did the exact opposite of all this. As the Ice Age advanced some seventy thousand years ago, they did not chase after meat-possessing males. Instead, they stood firm, with their offspring, and refused to move. We know this from the archaeological evidence of their home-bases, fires, etc. For much of the time, women relied partly on their own gathered food. But when they did need meat, for example during the winter, they adopted a totally new strategy. Instead of running to the meat, they made the meat come to them. They signaled "No!" to any male who approached *without* meat. Any male who tried to defy this resistance met with a wall of collective hostility, generated by the logic of the situation.

Remember there would be no point in signaling "No!" to a lazy male if you knew that your sister, another

(Continued on p. 88)

Facing the Unity of God

Lawrence Kushner

I'll tell you what happened to Moses on Sinai. There was nothing except his own breathing. Nothing visible that a video camera would pick up. And nothing different, except a new and strangely powerful sense of who he was. Now, for the first time, Moses knew that he was a discrete and autonomous human being. He knew furthermore that this sense—which later generations would call a self—was somehow emanating from, and therefore eternally connected to, some greater Self.

Many years earlier, when he was a young shepherd, he felt the same sense, but did not know what to call it. All he knew then, as he watched a bush burn—for what seemed like an eternity—was that somehow he himself also could be on fire and not be consumed. And now on top of the same mountain, here it was again, the same sensation, only this time clear and unmistakable.

Now the first-person singular pronoun, *Anochi*—"I"—meant something new and unimaginable. His sister had told him, when he was a little boy, that it was simply called the *aleph* of Creation, the first letter that was the mother of all articulate speech. But here, as he hid trembling behind the rocks, he understood that this *aleph* was the first letter not only for the Holy One of all Being, but also the name by which every person addresses his or her own self: "I." *Aleph,* the first letter of the Hebrew alphabet, and the letter that began God's invisible speech at Sinai, is also the first letter of the Hebrew word *Anochi.*

For this reason, Sinai occurs whenever we reexperience that first, barely audible letter that begins the name of *Anochi,* "I," the Self. Whenever, in other words, like Moses, we are quiet long enough to become aware of the barely audible noise of our own breathing.

With one exception, human words and Divine words cannot be the same. Infinite language cannot be mortal speech, except for the first-person singular pronoun *Anochi* that Moses heard on Sinai. This is the name each self has for its self. And since the gesture of self-reference is the same for every self, whenever we say "I" we evoke not only the "I" of every other soul, we echo the primary "I," *Anochi,* of Sinai. Whatever makes each individual unique, that innermost core self, is precisely what we each share with one another, and with our Creator. We are made of the same holy stuff. It has the mysterious ability to appear differently in each pair of eyes, to sound differently in each voice, but it is all the same.

Hebrew has no verb "to be" in the present tense. This means that there is no way to say "am," "is," or "are," and that any attempt to speak of "being," at least in the present, can only be inferred from context, never spoken. The language has found a way around this problem and Hebrew speakers carry on ordinary lives in the present tense like everyone else. But in the case of the first of the ten utterances at Sinai, the lack of a present-tense "to be" creates a tantalizing ambiguity.

The seven Hebrew words of the first commandment translated literally into English are: "I Lord your-God who brought-you from-the-Land-of Egypt." So while they can mean "I am the Lord, your God...," they can just as easily and properly be rendered, "I [*Anochi*] *is* the Lord your God."

Furthermore, according to the Midrash on Exod. 20:1, "And God spoke all these words, saying" means that "God spoke all the ten commandments with one utterance." Just think of it: everything rolled within the seed of the first utterance, I (*Anochi*), the Name of God and the source of our own selfhood.

Gershom Scholem recounts a similarly daring legend attributed to Rabbi Mendel Torum of Rymanov:

> In Rabbi Mendel's view ... all that Israel heard was the *aleph* ... of the word *Anochi,* "I" ... [and] the consonant *aleph* represents nothing more than the position taken by the larynx when a word begins with a vowel. Thus the *aleph* may be said to denote the source of all articulate sound....

And the *Zohar* takes this idea to its ultimate conclusion:

Lawrence Kushner is rabbi at Congregation Beth El in Sudbury, Massachusetts. *This article is adapted from* God Was in This Place and I, i Did Not Know: Finding Self, Spirituality, and Ultimate Meaning *(Jewish Lights Publishing, 1991).*

Rabbi Eleazar taught that in the Ten Words (Decalogue) all the other commandments were engraved, with all decrees and punishments, all laws concerning purity and impurity, all the branches and roots, all the trees and plants, heaven and earth, seas and oceans, in fact, all things. For the Torah is the Name of the Holy One of Being. As the Name of the Holy One is engraved in the Ten Words (creative utterances) of Creation, so is the whole Torah engraved in the Ten Words (Decalogue), and these Ten Words are the Name of the Holy One, and the whole Torah is thus one Name, the Holy Name of God.

The first utterance at Sinai contains the germ of all that is yet to follow, just as the final utterance is the fruition of all that has come before. The first commences with the "I am" of God and the last ("You shall not covet") concludes with the "Thou" of "your neighbor." Taken together, the ten utterances are prototype and symbol for the entire revelation at Sinai, understood to be one long name of God.

The first utterance is only God's self-announcement. God, as it were, says, "My card." There in the center is the Name of God. Then beneath it, in italics, "Frees Slaves." And in fine print, in the lower right-hand corner, "Call any time."

To explain just how the first contains the last or how the last presumes the first is not so easy. "I am the Lord your God" somehow should contain "You shall not covet anything that belongs to your neighbor." And "You shall not covet anything that belongs to your neighbor" should somehow presume that "I am the Lord your God." In addition, the first and the last are, upon closer observation, probably the strangest of all the commandments. The first (according to Jewish tradition, "I am the Lord your God who brought you out of the land of Egypt, out of the house of bondage") is not even a commandment at all; it is only a statement, and statements cannot be followed or enforced. The final prohibition of covetousness is equally problematic, since its observance or violation cannot be publicly verified. Or if, as many argue, the first is a command to believe, then both the first and the last are requests for an interior mental state. But interior mental states, like thought-crimes, are probably involuntary—they do not connote any sense of culpability. You cannot help what you believe or what you want. Nevertheless, by joining the first and most important utterance with the last and most frequently violated commandment, the organic unity of the entire revelation can be disclosed.

As the first utterance begins with "I," so the last commandment concludes with "your neighbor," thereby completing the spectrum from me to you, one to another, I to Thou. By the time the echo of that first, almost soundless *aleph* has reached the last commandment, "Do not covet," it seems to have lost most of its power. Not only is the injunction not to want what other people have unenforceable, its violation is virtually universal. How trivial this prohibition seems when it is set next to The Name of the Self of the Universe. Nevertheless, according to Rabbi Yakum, "One who violates the tenth commandment violates them all," even the first.

The first utterance and the last commandment may be joined to one another because they are simply different sides of the same truth, each the cause of the other. Something like this is suggested by Rabbi Michal of Zolotchov, who intuits that "not to covet" is not a commandment but a reward:

> If a person is worthy (and fulfills) all the preceding nine utterances, God promises us that we will not covet anything that is our neighbor's—which is to say that your heart will be complete and you will rejoice in your allotted portion and with whatever you possess.

This is easier to understand if we take the first and the last utterances in their converse formulation. The first changes from "I am the Lord your God" to "There are no others." And the tenth changes from "Do not want what belongs to your neighbor" to simply "Be content with what you have," and therefore with who you are.

If you are content with your portion, you will want nothing and you will lack nothing. You will be like the One who spoke "I am." You will simply be present in this *makom,* place, and in doing so, you will resemble the One who is also called *makom,* place. It is almost a tautology: Right now we can be only who we are. And once we recognize this, we can no longer covet anything. Through fulfilling the prohibition against coveting, we have heard the first utterance in a new way. To utter the "I am" is to want nothing else and, strange as it sounds, to want nothing else is the necessary prerequisite for all genuine growth. The last commandment, then, is another way of saying the first utterance, and together they

are the touchstone for all spiritual growth. Growth must begin with self-acceptance; change begins with not trying to change.

A feature common to most neuroses—psychodynamic constellations opposed to change—is that they consume you with attempts to deny or escape their power, to try to act like they are not there. And yet it is precisely what you imagine you must do to escape their power that constitutes their chief symptoms. What you do consciously to conceal, deny, and struggle against what you (unconsciously) fear you are is what forms the core of your neurosis.

Liberation from the bondage of neurosis comes from accepting how we behave and who we are. "I am the Lord your God, who brought you out of the Land of Egypt, out of the house of bondage," can also be read as one long name of God. This is a God who is, above all, a God of freedom. The slaves who were freed from Egypt were not freed until they could acknowledge and understand their own participation in their slavery. It takes more than a master to make a slave. A slave is someone who allows someone or something else to define him- or herself. Not until we recognize our bondage can we begin to move toward freedom.

It is a paradox. Change begins by not trying to change. What you imagine you must do in order to change yourself is often the very force that keeps you precisely the way you are. How else can you explain the years and decades of your own foiled plans for growth and broken resolutions? Consumed by an apparent passion to be "other" than who you are, you try to be who you are not.

You can be who you are, or you can pretend to be who you are not. If you choose the latter (as most of us have done since adolescence), an infinite variety of self-deceptions lies before you. You can pretend to be wise when you are ignorant, weak when you are strong, courageous when you are timid, confident when you are unsure: There is no end to the list. But none of these pretensions, no matter how noble, appropriate, or convincing, will produce genuine change. They will use up more and more energy and enmesh you in increasingly complicated nets of deception.

God's "I am" has the psycho-theological force not of dissolving individual selves, but of reminding us that we never were independent in the first place. Of course we are discrete individuals who move in different directions, but taken together it is as if we are each mirrors on some gently rotating mobile, or crystal prisms on some grand chandelier. We imagine that they can each say "I," until they hear the Self of the Universe say that almost soundless first aleph that means "I am." And

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then, for only a moment, they realize that their "selfhood," their "I," endures by virtue of its participation in some greater Self, some Greater "I." In this way and from that time on, as long as the echo survives, they say "I" with a great reverence: Their selves are part of a greater Self.

The layers of pretense and self-delusion fall away, leaving the innermost essence that knows its origin and destiny. This at last is a self that knows its place among other selves, perhaps not "I am" but "i am." This "i" is the dynamic force behind personal change. Who are we? Really? Not the public personae, nor the images, nor the professions, nor the apologies. Not the past, for that can only produce pride or guilt. Not the future, for that can only produce hope or fear. The first utterance is in the present. All that is said is the personal pronoun in the first person singular form: *Anochi,* "I."

The prohibition against coveting produces this same state of inner concentration. If we are forbidden even to want anything belonging to someone else, we are left only with what is already ours. Do not covet her spouse, her house, or her servants. Do not wish for his talent, his status, or his style. Do not envy his past or her future. Instead accept your own, not with stoic resignation but with quiet dignity. Only once you are able to know this will you again understand (hear) the "I am" that begins (and perhaps concludes) every revelation.

The first utterance is only God's self-announcement. God, as it were, says, "My card." There in the center is the Name of God. Then beneath it, in italics, "Frees Slaves." And in fine print, in the lower right-hand corner, "Call any time."

A fascinating irregularity appears in Num. 7:89. After all the princes of Israel have brought their gifts of

And All the People Were Seeing the Sounds

translated by Linda Zisquit

And all the people were seeing the sounds
as the sounds came toward them
and didn't know whether the sounds could see them.
Moses, they said, Moses,
you speak with us
and don't let God speak with us
or we'll die.
Then Moses spread his hands
toward them,
veined as if not yet raised to protect them during war,
then Moses spread his hands toward them
and the voices came to his hands
and rested on them as on a large canopy
and Moses' hands were heavy.
And all the people saw the voices
entangled in the hairs of his beard
stuck in his jaws
and went toward them.

Rivka Miriam

consecration, Moses is left alone in the newly completed wilderness tabernacle. The text reads: "[Moses] heard the Divine Voice speaking to him...." Given the context, that does not seem especially noteworthy. A very close reading, however, turns up one extraneous dot, or vowel. Normally the Hebrew for "speaking," *midabbaer,* appears in the *piel* conjugation that places a dot, or *dagesh,* in the middle letter of the verbal root. But curiously here, in addition to the one in the *beit,* the *dalet* is also vocalized with a *dagesh* of its own. And if the conjugation is *piel,* that dot is not supposed to be there.

Rashi too has noticed the irregularity and offers the explanation that our verb, *midabbaer,* is actually an odd form of what used to be *mitdabaer,* a *hitpael* conjugation with the letter *hey* that has been assimilated into the *dalet.* But now all that remains of the *hey* is the *dagesh* or dot. And all this renders the verse not "[Moses] heard the Divine Voice speaking to him," but, since the *hitpael* conjugation is reflexive, "[Moses] heard the Voice uttering itself." (I imagine in much the same way that, looking into a mirror when no one is around, or perhaps on the shore of the ocean, we occasionally wonder, "Who am I? What does it mean to have a self?")

But, of course, this only raises the deeper question: If the Divine Self is uttering itself and the Divine Self is also the source of your self, who then is listening? Or, when I wonder who "I" truly am, am I really alone or is another One present also?

God is our sense of self, our innermost essence, encountered throughout all creation. Our individual selves are made of God's self. But this does not mean that the world is our creation, or that we are God. It does mean that this awareness, this sense of uniqueness we feel, cannot possibly have come only from ourselves. It is bigger than us and must be in everyone else, in all living things, in stones and water and fire. Indeed, this sense of self, this *Anochi,* is so holy that we intuit, correctly, that it has created us. We live and breathe through its radiance and compassion. It is the source of our vital energy. And it betokens a unity on a still larger scale: We secretly suspect that through making this one Self a conscious reality, history will at last be resolved into one C-major chord, the entire Torah pronounceable as one long uninterrupted Name of God.

The self is the orchestration of our awareness, the integration of consciousness, what holds it all together, makes it whole and able to be called by a single name—our name. It integrates and unifies our physical body, our thoughts, our actions. And it performs the same functions for God and creation. The universe, too, has a name by which it means to integrate its myriad contradictions into one organism. The universe, like you and me, has a self. God is to being as the Self is to us. God is the *Anochi shel Olam,* the "I" of the world, the Self of the Universe.

In the words of the twelfth-century philosopher and physician Moses Maimonides, not only is God "the one who knows [and] that which is known [God is also] ... the knowing itself." Or, as Nahman of Bratslav observed:

> The essence of a person is consciousness and therefore wherever one is conscious, there is the whole person. And likewise one who knows and attains an understanding of God is actually in God. The greater a person's knowing, the more that person is included in the Root, in God.

One of my high-school students once asked me if I could prove there was a God. Instead I asked her if she had a self. She thought for a moment and said,

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Hate Speech, Free Speech, and the Unspoken

Richard Goldstein

Edward J. Cleary, a Minneapolis attorney and civil libertarian, had never argued a case before the Supreme Court. Now, he rose before the justices intoning, "This is the hour of danger for the First Amendment." He was not referring to the High Court's decision allowing the government to curb speech by doctors who counsel patients on abortion in federally funded clinics. He was not referring to the Court's recent rulings that permit the owners of factories and malls to ban leafletting, soliciting, and union organizing—even in the parking lot. He was not referring to the congressional ban on funding for offensive art. It might be argued that any or all of these represent a stark retreat from the imperatives of the First Amendment. But for Edward J. Cleary the greatest danger to free expression comes from an attempt to punish hate speech.

Cleary was arguing against a St. Paul ordinance that defines as disorderly conduct the placing of "a symbol, object, appellation, characterization, or graffiti [that] arouses anger, alarm, or resentment in others on the basis of race, color, creed, religion, or gender." The St. Paul ordinance makes it a misdemeanor to display a burning cross or a swastika. And so, when a pack of skinheads who had been drinking together burned a cross on a black family's lawn, they were charged with fourth-degree assault and an additional bias-related misdemeanor. One of the young defendants has challenged that statute, which Cleary calls "so broad it opens the door to eviscerating the whole First Amendment."

The Minnesota Supreme Court agreed—up to a point. It ruled that, although the St. Paul ordinance is too broad, localities could prohibit "conduct that is not protected by the First Amendment." Relying on a fifty-year-old precedent in which the U.S. Supreme Court allowed states to regulate what it called "fighting words," the Minnesota justices upheld St. Paul's right to outlaw epithets that incite immediate violence. The original fighting words, ironically, had nothing to do with race. In 1942, a Mr. Chaplinsky had been convicted for calling a New Hampshire marshal "a damned fascist" and "a God-damned racketeer." Fifty years later, these insults would barely bring a blush to the cheeks of a talk-show guest, and to many civil libertarians, the shifting impact of offensive language illustrates the inherently discriminatory nature of this concept. But supporters of the St. Paul ordinance concur with the 1942 ruling that there are words "which by their very utterance inflict injury." In the intervening years, however, the Supreme Court has never upheld a conviction for "fighting words." This is the murky legal landscape the justices are now revisiting.

The Court will rule on the St. Paul statute at a time of heightened awareness about acts of bias, when many states have enacted ordinances that increase the penalties for hate crimes, allowing the assailant's use of epithets to be introduced as evidence of intent. And many campuses have adopted codes of conduct that curb expression deemed offensive to racial, ethnic, or sexual minorities, as well as women. Civil libertarians are taking aim at these codes and laws, hoping the Supreme Court will rescind the concept of fighting words on which they are founded. Most readers of this magazine would probably agree with Nadine Strossen of the American Civil Liberties Union (ACLU) that "once the government is allowed to punish any speech based upon its content, free expression exists only for those with power." But most of us would also agree that hate speech bears a tangible relationship to violent behavior—we hear Hitler's anti-Semitic rantings and we think Holocaust. We also know that the current explosion of hate speech in America is not an isolated phenomenon. There has been a demonstrable rise in bias-related incidents, including anti-Semitic and antigay violence: More than twice the number of bias crimes occurred in New York City during the first three months of 1992 than in the same period of the previous year and anti-Semitic incidents, according to the ADL, are at a fourteen-year high; and federal statistics show that gay bashing, too, is on the rise. Even allowing for more vigilant reporting of such incidents life is clearly more dangerous for whole groups of Americans—people of color, Jews, women, and gays.

This perception of crisis is why hate speech has become a divisive issue among progressives. The distressing

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From the tip of the tongue to the barrel of a gun: Should the Left take those who verbally threaten to commit violent hate crimes at their word?

force of the current backlash against hard-won minority rights creates a fundamental conflict between our commitment to free expression and our desire to protect and preserve the victims of abuse. The result is an aching uncertainty about where to draw the line. Though we might be loath to see the state curb the political process or intervene in cultural production, few of us would put a pack of white kids hurling epithets at a black woman on a dark street in the same category. Yet most of us are aware that suppressing speech often rebounds against the victim in unforeseen ways. For example, campus codes banning speech that offends people on the basis of their race can be and have been used to prevent black activists from insulting whites. And epithets can be ambiguous in their intent: By appropriating terms of insult, Queer Nation, a radical gay cadre, and Niggers With Attitude, a militant rap group, transform them into expressions of solidarity. How can the law possibly regulate something as fundamentally subjective as symbolic expression? And yet, given the power of symbols to incite fear and loathing, not to mention violence, how can it not?

The most compelling case for regulating hate speech is when it targets an individual and occurs in a setting where violence is a real possibility. Most civil libertarians would agree that the perpetrators ought to be punished regardless of whether their threat is limited to speech. The ACLU's *Policy Statement on Free Speech and Bias on College Campuses* affirms that codes "aimed at restricting acts of harassment, intimidation, and invasion of privacy are consistent with the ACLU's reading of the First Amendment." The difficulty begins when words or other forms of symbolic expression are banned without regard to their context. Civil libertarians assert that the best way to insure the safety of individuals while preserving freedom of speech is to ban acts of "terrorism" without regard to their content. Such "content-neutral" statutes would not punish racist, sexist, or homophobic speech; rather, they would deal with the context in which such statements occur. But is there no difference between being called "brown-eyed" and "nigger" in a dark alley? Is the content of expression never terroristic? What about statements that carry such a legacy of violence that they can only be interpreted as a threat?

The burning cross has a tangible meaning, grounded in its historical connection with lynching—as the skinheads who snuck into Russ Jones's yard well knew. "I don't see the free speech problem here," Jones told one journalist, "because burning a cross on someone's lawn is a direct threat, and how can a threat of violence be protected?" The perpetrators could be punished under local statutes that define such trespasses on private property as a form of assault. What Jones is looking for is a redress directly related to the meaning and context of the skinheads' act. The anonymous nature of this cross burning, and the fact that it singled Jones out, make the incident different in impact and intent from a cross burning at a public event. A similar distinction can be made between statements in a classroom that are deemed anti-Semitic and a swastika scrawled on a Jewish student's dormitory door.

The St. Paul statute makes no mention at all of context; it could be read as banning the display of offensive symbols at a performance or a political rally. On the other hand, the ACLU's guidelines make no exception for the tangible impact of epithets. Strossen argues that "the intentional infliction of emotional distress" should never be a criterion for curbing speech. The fact that such distress is inflicted solely on the basis of someone's gender or membership in a minority group makes no difference: The ACLU falls back

on its traditional counsel that bad speech should be answered by "more speech." But most victims of hate speech would argue that there is no effective way to answer an epithet short of violence or flight.

To understand why, consider the etymology of these words and their relationship to the body. Epithets work precisely because they target the aspect of identity that is the greatest source of vulnerability—usually an aspect of the body as well. Racial epithets focus on the ineffaceable fact of skin color; anti-Semitic epithets suggest that, even when no such identifiable mark exists, a Jew can be singled out from others—as if this affiliation were so consuming that it renders someone physically distinct. A similar dynamic underlies antigay slurs: One is identified as "queer," as if sexual practice were the sum total of one's being. (Even the word "faggot," connoting sexual servitude, becomes a summation of identity.) Then there are the epithets of gender, so many of which relate to female genitalia. Here, as in racial epithets, something physically innate becomes the source of abuse. And that certain something is precisely what renders one vulnerable to specific forms of violence: rape, lynching, genocide, gay bashing. Epithets are part of a system of dominance and control: They are threats that have a history of being carried out.

This history of categorization and oppression through the body makes it all but impossible to respond to an epithet in an effective manner. If a woman who had been called a "cunt" were to reply with the anatomical equivalent—"prick"—the impact would not be the same, since men are rarely punished because they have penises. By the same token, epithets that refer to white people are rarely effective, because they do not connote a history of oppression based on skin color. Jewish epithets for Christians—"goy," "shiksa"—are bandied about in mixed company because they do not place the recipient in any sense of danger; and a gay epithet for heterosexuals, like the word "breeder," may cause offense but it hardly conjures up images of violence or even subservience. Indeed, fecundity, masculinity, Christianity, and a white skin are all marks of superior status in American society. So what is the speech that can answer an epithet? A "robust response," to use the ACLU's language, might be to call the perpetrator a bigot, but that designation—unlike skin color or gender—can be denied. For the victim of hate speech, there are usually only two alternatives: Ignore it or prepare to fight.

The case now before the Supreme Court is a right-winger's dream, since it pits the ACLU against the NAACP, the ADL, and People for the American Way. This is certainly not the first time these groups have been on different sides of an issue, but defending the right of Nazis to march in Skokie is an enterprise with limited consequences. The scope of this case is far broader, as is the effect it could have on antibias codes and statutes across the country. If the Court undermines most of these ordinances, it could open a major rift between civil-rights activists and civil libertarians, two progressive constituencies that have long shared a common agenda. This conflict would have much in common with the battles over crime and punishment that drove a wedge through the Left in the seventies. Then, as now, progressives found it impossible to reconcile safety and civil liberties to the satisfaction of the victimized; then, as now, racial resentment lay just below the surface of the debate. What makes the collision over hate speech so distressing, from a progressive perspective, is that it has brought civil libertarians into an alliance with social conservatives, while minority activists who stood with the ACLU are now on the other side.

To many civil libertarians, that is just the point. The ACLU is not an organization of the Left or the Right, they argue, but a nonpartisan coalition to defend the Bill of Rights. Over the past twenty-five years, however, the ACLU's commitment has gone well beyond these parameters to embrace civil rights, gay rights, and reproductive rights. A generation of activists in all these areas has grown up with the ACLU on its side. But not all civil libertarians still honor that bond. It has become apparent in recent years that the conscience of a civil libertarian can coexist with socially conservative views on abortion, homosexuality, and civil rights.

To examine these contradictions is to realize that this conflict stems from powerfully different perspectives. Those who would curb hate speech are, for the most part, of a different class and caste than those who would allow it in the name of freedom. But these distinctions pale before the psychic conflict between those who feel endangered by epithets and those who do not. To the former, civil libertarians can seem insensitive; to the latter, activists can seem censorious.

Furthermore, both sides in this debate can argue from equally bitter experience, either that curbing hate speech opens the door to regulation of ideas by shifts in the political world, or that permitting hate speech empowers bigots and compounds the helplessness of minorities. Victims of hate speech, be they black, Jewish, female, or gay, can easily see betrayal in the principled defense of hate speech, just as civil libertarians can feel a special rage when the beneficiaries of their lifelong struggle turn on the very ideas that made these movements possible. These currents swirl beneath the surface of debates on hate speech, as both sides ask the unspoken question, Which side are you on?

That question has been vastly complicated by the recent addition of gender as a category of oppression, at a time when some feminists equate pornography with hate speech and demand that it be similarly repressed. No wonder there are two Nadine Strossens. One writes a persuasively argued monograph in the *Duke Law Journal*, assuring minority activists that the ACLU's position is not absolute and urging them to come together with civil libertarians to find ways to stop harassment that are consistent with the First Amendment. Strossen's conciliatory tone was aimed at a black professor who had written a monograph in the same issue questioning the ACLU's stance. She is nowhere near as kind to feminists who demand legal redress for sexual insults. Appearing on a PBS panel discussion of hate speech, Strossen snaps at a woman who wants curbs on catcalling by men, "I have no problem with being told I'm good-looking." This exchange suggests that the anxieties ignited by this debate go well beyond the immediate issue. "Now we have minorities and feminists and the left allied with fundamentalists, ..." Strossen recently told the *New York Times*. "To them group rights are more important than individual rights." To which a victim of hate speech might reply: "Why is my security less important to you than my oppressor's rights?"

Stripped of this mutual sense of betrayal, the hate speech impasse is not impossible to resolve. The ACLU supports sexual harassment statutes barring words directed at individuals that undermine their ability to function as students or employees. Campus codes that protect minorities against abuse in their homes or dormitory rooms are also acceptable, as is the regulation of speech that is "an essential element of violent or unlawful activity." In her piece for the *Duke Law Journal* Strossen writes that racially harassing speech "should be neither absolutely protected nor absolutely prohibited," a position many activists share. And yet the case currently before the Supreme Court has taken on the tone of recent crusades against "political correctness," complete with the specter of an America ruled by minority and feminist thought police. Edward Cleary's brief against the St. Paul ordinance envisions legislatures courting political support by endlessly "enlarging the list of protected groups while precluding unpopular minority expressions." The result would be a nightmare of truly Orwellian proportions, as public (and even private) discourse becomes subject to a politically charged process of review.

Granted that this is a possibility, and that no one would really be safe from racism or sexism if it came to pass. But the domination of America by censorious minorities is far less likely to occur than its obverse: the resurgence of right-wing authoritarianism and its traditional system of repressing minorities, assertive women, and homosexuals. Recent rulings by the Supreme Court suggest that the current majority—fashioned over twelve years of conservative government—is hastening to restore that system. Consider what is likely to happen if the Court forcefully overturns the "fighting words" precedent: The ripple effects will make prosecutors (and officials at state universities) reluctant to punish acts of racial and sexual harassment; cross burnings and the brandishings of swastikas will proliferate, along with sexist and homophobic taunting; the anxiety of minorities will be heightened, and with it, their rage. Of course, the free exchange of hatred could also generate an upsurge of activism. But the same Supreme Court that unleashes hate speech could very well hamper the right of its victims to organize. Consider the implications of permitting federal funders to regulate the speech of doctors in abortion clinics; that same Court could easily permit employers to fire workers who reveal their homosexuality, on the grounds that sodomy is still a criminal act in many states. The same Court that recently allowed the owners of businesses to curb the speech of labor organizers could easily rule that Congress may regulate the content of federally funded art—including its politics.

We are entering an era of conservative judicial activism unknown in this nation since the days of Jim Crow. The values we learned to apply vigorously, confident that they would produce a better deal for the downtrodden, the deviant, and the dissenting, are now being used for very different purposes. This is the political environment in which Edward Cleary rose to argue his case. He is right to argue that the First Amendment is our best defense against authoritarianism, but it is also true that nothing about freedom of expression is absolute; each generation sets its own standard—that, too, is part of the constitutional process. And the strategy of today's majority may well be to free up hate speech while suppressing expressions of dissent. Many legal scholars think the Supreme Court will dismantle the concept of "fighting words." If that occurs, it will be incumbent on civil libertarians to find another way to deal with social reality. For there is nothing intangible about epithets, and their newfound respectability is the sign of an authoritarian time. To ban hate speech from public discourse would indeed be unconscionable and dangerous; to restrict it in private or coercive situations is a matter of common decency and political urgency. And to ignore the context of speech entirely is to discard the time-honored advice that the unintended consequences of any social policy are always more important than the intended ones. □

The Mourner's Path

Anne Brener

When the Temple stood in the ancient city of Jerusalem, mourners walked through the gates and into the courtyard along a specially designated mourner's path. As they walked, they came face-to-face with all the other members of the community, who greeted them with the blessing, "May God comfort you among the mourners of Zion and Jerusalem."

The mourner's path acknowledged both that mourners are out of step with others, and that their altered status was a normal part of life. The community response affirmed the common steps of bereavement, yet allowed for unique experiences of grief.

Such acknowledgement and support bear little resemblance to the practices we know today. We hope that the funeral and the gatherings that follow will give us a feeling of closure, but they rarely do. Instead of placing ourselves in the protective embrace of the community, we are too often left with a greater sense of isolation. We hear the life of someone we have lost described in words that do not reflect the truth of our relationship. It often seems that every effort is made to distract us from the loss and to deny our private experience. Instead, the emphasis is on food and conviviality.

Thus the abandonment that always accompanies a loss is magnified. We feel forsaken not only by the deceased but also by the community and its tradition. It is as if all three collude to make healing seem impossible. We are left alone to face the universal pain of loss and to try to heal the wounds specific to the relationship. We feel that we will never resolve unfinished issues with the person who has died.

What happened to that ancient path of healing? It has been lost in translation, as we have adopted Western attitudes toward mourning and strayed far from the prescribed mourner's path. The difference between the ancient and modern approaches can be understood by looking at two words, which are now used interchangeably: *hesped* and eulogy.

The Hebrew word for the funeral eulogy is *hesped,* which derives from a biblical word for mourning. But "eulogy" is Greek for "good words" or "praise," while *hesped* means "wail" or "lament." Eulogy, with its injunction to speak only good of the dead, encourages us to gloss over the inevitable difficulties in relationships and the uncomfortable feelings associated with loss. It can result in a freezing of time and memory through which we struggle to hold on to an idealized sense of the person we have lost. This denial of death promotes a rigidity that makes healing difficult. *Hesped,* however, impels us to tell the truth about the person who has died and about the loss and its emotional consequences. It calls for us to express the full range of our feelings and enables us to use our lives as teachers. Eulogy calcifies memory, while *hesped* recognizes the fluidity of experience and teaches us that mourning, too, is more an ongoing process than a fixed ceremony.

Attitudes toward mourning can shape a society. Individual mourners, locked in the denial of death, lose their zest for life. A culture that does not mourn its losses is capable of committing huge atrocities. By not acknowledging the reality of death, a society can ignore its life-negating actions. This psychic numbing is not permitted by Jewish tradition. We do not embalm our dead. We place their bodies in pine boxes, which are not immune to decay. We hear the sound of earth falling from the mourner's shovel onto the casket. These traditions pierce the numbness of bereavement: They force the mourner to acknowledge the fact of death and direct him or her to the mourner's path.

On this path, mourners are encouraged to open their hearts and cry out. Following the passionate examples of Job, Hannah, and others, mourners tear their clothes and rail against the universe, the deceased, or God. Others in the community support them as they keen in sorrow and regret. The energy of crying out can transport the mourner to another stage of growth, helping to release entanglements with the deceased. The Kaddish is the traditional way that Jewish mourners cry out.

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Deuteronomy tells us: "It is the duty of the living to redeem the dead." Redemption cleans the slate, allowing the positive value of a life to be the full measure of the person. This seems to indicate that the significance of a person's life can be enhanced, even after death, by the actions of those who remember that person. Performing *tsedaka* (righteous actions) in the name of the deceased is a way of honoring his or her memory.

This mystical approach to redemption gives us a paradigm for the continuing work of the relationship. The metaphors of mysticism can work for us, whether or not we share their spiritual assumptions. Jewish mysticism tells us that following death, the soul resides in *gehinnom* (purgatory) for a maximum period of a year. During this time the soul is said to be purged of the impurities or wrongdoings it accumulated during its lifetime. Survivors, reciting the Kaddish or performing *tsedaka,* take part in this redemptive purgation. On some mysterious level, this continues the dialogue between the living and the dead. Thus, we still have the opportunity to work out unfinished business and work through many of the feelings that churn within us.

Traditionally, the Kaddish is a prayer that punctuates turning points. It marks transitions in the prayer service and is said after studying a Torah passage. It is recited at the profound turning points of burial, *yahrzeit* (the anniversary of a death), and at some *yizkor* (memorial) services. We can use it to mark our progress down the path of mourning as well. A traditional mourner says the Kaddish daily for eleven months following the death of parents and for thirty days for others. It is customarily recited in the presence of a minyan in the consoling embrace of others, at a time when one is most likely to feel alone.

Kaddish and *tsedaka* can also be seen as tools for the individual work of mourning, tools that can help us heal the relationship. In the process, we heal ourselves and then shift our focus from our loss to the ultimate concern of these deeds: healing the world. For mystics say that reciting the Kaddish will bring the time of "The Great Peace." The words of the Kaddish invoke the approach of the day when the earth is a reflection of holiness. At that point, human history will unfold within a context suffused with the peace of "God's high place," ending the alienation between the world that we know and the world in which *tikkun* is fully realized.

One way of applying this mystical understanding of the *Kaddish* to our own lives is to write a series of letters to and from the deceased. While these letters could be written at any time when unresolved issues of the relationship are felt, it may be useful to write them on days such as the *yahrzeit,* when the Kaddish is traditionally recited. What are the concerns that remain as unfinished business of the relationship? What do you wish you had said? What do you wish the deceased had been able to say? The letters can continue the conversation that remains incomplete until you find peace.

This is the place for *hesped.* While tributes may have a place in these letters, your writing should address the full range of emotions you feel toward the person you mourn, including those that are the most difficult to resolve.

Finding the appropriate memorial form of *tsedaka* is another way of working to heal the relationship or to make up for wrongdoings of the deceased. Begin by writing an ethical will for the person who has died—a statement of values written as a legacy for descendants. With biblical antecedents, this sort of document was common in the middle ages, when Jewish survival was uncertain and individuals wanted to ensure that their influence would reach future generations. Try to imagine the best intentions of the person who has died. What would he or she claim as the most important values, accomplishments, or dreams? What would the deceased have hoped to have taught you? How would he or she want to be remembered?

The next step is to see how your values can be consonant with those of the person who died, in order to find an act that represents both continuity and transformation. Identify an action appropriate to your own life that affirms that person's influence upon you. Survivors commonly contribute money to causes that the deceased championed, but this is also an opportunity to do more than remember the person who died; it is a chance to honor what was shared. It is also possible to acknowledge differences and seek to heal them. One woman who resented her mother's self-denying domesticity and distrust of activism volunteered in the children's program at a battered women's shelter.

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A More Perfect Union: Intermarriage and the Jewish World

A dialogue with Rachel Cowan and Esther Perel

Tikkun has always been suspicious of those in the Jewish world who regard intermarriage as the greatest problem facing Jews. The almost hysterical tone one encounters when the challenge of intermarriage arises misses a more important point: People will remain committed to Judaism when they have a Judaism that addresses their deepest spiritual and communal needs. So we approached a therapist and a rabbi, whose work with intermarried couples gives us some insight into the issues intermarriage raises.

Tikkun: How do you think people in the organized Jewish community should think about intermarriage?

Rachel Cowan: Too much of the current thinking focuses on "antidotes" to intermarriage that include summer camps, trips to Israel, and similar programs. Of course, I support those kinds of programs for their own sake. But if one thinks of intermarriage as a kind of disease that requires an antidote, then we've already lost. The basic truth about intermarriage is that the Jewish community has been unable to make itself a place where many of its own young people want to spend much of their time.

If the Jewish community wants to develop a response to intermarriage, then let's make our communal life more spiritually sensitive and intellectually deep. If our young people found synagogues that were alive and dynamic and could feel within them a real search for God and spiritual truth, then they would be much more likely to *want* to make involvement with those synagogues a central part of their lives. They would be much more likely to ask themselves in their initial contacts with potential partners whether these people would be good partners in sharing this important part of their lives.

Esther Perel: The Jewish world searches for "the cause" of intermarriage—by looking at weaknesses in Jewish identity such as failings in Jewish education or negative stereotypes Jewish men and women hold about each other. But this misses the point. Jewish leaders need to focus on the meaning of Jewish life and experience, regardless of whether people intermarry. Children growing up in the Jewish community know that they should not intermarry—they've been taught that very well—but too often don't know why they should remain Jews.

Intermarriage is both a communal phenomenon and an individual choice. For the community, it threatens Jewish survival and Judaism's identity in the modern world. For the individual, it revolves around love and personal fulfillment. These two approaches give rise to two very different discourses. One views intermarriage as a disease that must be prevented; the second glorifies the power of love. Too often these discourses are placed in conflict, from which only one can emerge victorious. But in fact, they can coexist. The Jewish community must recognize that.

Yes, it is true that some people who intermarry will further assimilate and blot out more of their Jewish identity. But for others, intermarriage can prompt a reawakening of Jewish awareness. By meeting "the other," we often discover ourselves. Many young Jews do *not* see themselves as rejecting their Jewishness—for them the choice is simply one of finding a partner who seems appropriate.

Cowan: But we should not assume that those speaking the discourse of love don't care about the discourse of community. That is often not the case. What remains an incredibly important feeling for many Jews who intermarry is the sense that they are part of an intergenerational chain linking the Jewish people throughout history. Many of these people do not want to betray that chain—but they are often unclear exactly what to do to make sure they don't betray it.

Tikkun: In what sense is it a problem from your perspective that people are intermarrying? And are they intermarrying because of the problems in Judaism or rather because they just happen to know primarily non-Jews?

Cowan: The problem is that many people who intermarry are not passing on their Judaism to the next

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generation. But that is not a problem just because they intermarry. There are many who do not pass on Judaism even if they marry a Jew and have children who are technically Jewish. For me this is a tremendous problem: I chose Judaism, converted, and have become a rabbi precisely because I am enthusiastic about Judaism's rich spiritual resources. I don't want that to be lost. By focusing on the problem as being intermarriage, however, the organized Jewish community misses the fact that the deeper problem is not being able to transmit to the next generation what is exciting about Judaism. Intermarriage may be a very important expression of alienation from the kind of Judaism that has been presented to people in the past—and that is very different from saying that it is a *cause* of that alienation.

There is, in addition, a trend toward losing community in the Jewish world, and that is a tremendous loss. One of the things that attracted me to Judaism originally was its sense of the importance of community. Many rabbis need to develop better community-organizing skills. Some synagogues are successful in providing community, although this is often for the two-partner, straight, relatively predictable, conventional family, and only rarely for those who do not fit in to the established cultural norms. But as the number of young single Jews increases, these synagogues are often very ineffective and unprepared to deal with contemporary realities. No wonder, then, that younger Jews don't feel they would be giving up anything of importance if they didn't have a partner with whom to share their experiences in the organized Jewish community.

Perel: Intermarriage is a symptom a symptom of success and integration. To some extent it's an inevitable consequence of living in American society. We have to find ways to pass on to our children a Jewishness that is deep and compelling in and of itself, not because of some injunction against assimilation. The organized Jewish community thinks that one Jew plus one Jew will create new Jews—but I'm not sure that out of marriage alone will come a sustainable Judaism.

Instead of fighting intermarriage, it might make more sense to help these couples create a deeper and more meaningful Judaism. In fact, for some, the marriage itself sparks a kind of crisis that leads them to seek out some deeper knowledge of their own tradition that they would not even consider bothering with if they had married a Jewish partner.

But ultimately the Jewish community has to understand that when human beings are free to make choices, some of them will choose not to marry Jews. And yet it is precisely the right to make choices for ourselves that Jews have fought for, just as we fought to get out of the narrow confines of the ghettos.

Tikkun: But perhaps there's a counterargument that should be made here. After all, the ethos in our society that puts so much emphasis on individual fulfillment and individual choice may have generated a social order in which responsibility to others and to a larger community has been undermined, leaving us with the contemporary alienated individual. Judaism teaches us that we ought to have a commitment to others that transcends that ethos of self-fulfillment.

Perel: I agree entirely. But it's very difficult to teach your children that they should pursue self-fulfillment and individual advancement when it comes to financial success, but not when it comes to marriage. That kind of compartmentalization is not possible. The same values that Jews of all denominations have adopted to fit in to the larger American economic marketplace cannot suddenly be shunted aside when they show up in personal life. Jews live with two sets of conflicting values: the American emphasis on independence and personal choice, which is rooted in Protestantism, and the Jewish tradition, which has always emphasized collective responsibility and interdependence. These two are not easy to reconcile.

Tikkun: Why has intermarriage become more prevalent recently?

Perel: Partly because the society has become more tolerant toward minority groups, so that their interaction with the rest of society is more sanctioned by the dominant culture. Across ethnic, racial, and religious lines, there has been a sharp upswing in intermarriage since the sixties. This went hand-in-hand with a change in cultural values. Softness and sensitivity became desirable traits in men, not just strength and physical prowess. Conversely, independence, intelligence, and personal ambition became sought-after in women. Many Jews fit these newly defined versions of what was desirable.

Tikkun: Not surprisingly, many Jews—in the antiwar movement, in the counterculture, and then in the women's movement—helped pioneer this change in values.

Perel: Yes. So once we had this coincidence of the traits of many Jews with what is valued in the dominant culture, Jews became popular as potential mates.

Cowan: The other side of this is that in this period we get the expression of a kind of sibling rivalry between

Jewish men and Jewish women. Instead of that rivalry being resolved, each starts to seek out less familiar kinds of partners outside his or her own cultural family.

Tikkun: That point, however, starts to suggest another dimension of the problem of intermarriage that needs to be taken into account. We've been speaking as if it were a simple fact that Jews make certain kinds of romantic choices—as though these flow entirely from the logic of what Esther Perel calls the discourse of love, a manifestation of individual choice. But although it may appear to many young Jews that they are unproblematically following their own desires and exercising their free choices, the fact that they find themselves attracted to certain kinds of personality traits found more frequently in non-Jewish mates than in Jews is a product of a deep social conditioning. Many of us may have internalized negative stereotypes of Jewish men and women, and positive stereotypes of non-Jewish ways of being and acting. These unconscious but powerful feelings shape what we find attractive or unattractive when we meet another person.

In some of the *Tikkun* salons where this issue has been discussed, we've found that many of our readers know contemporaries who systematically devalue traits typically associated with Jewish men or Jewish women. So when Jewish men meet Jewish women, they don't meet each other on a level playing field, because many have already internalized negative feelings about Jewishness and Jewish traits (and this may even happen among Jews who are very involved in the Jewish community, practice Judaism, and have a good Jewish education). It's possible to have had a good Jewish education and yet nevertheless have absorbed negative attitudes toward oneself *as a Jew* or toward other Jews *as Jews,* and these painful, self-hating feelings sometimes lead people to seek affirmation by getting involved with a non-Jew. This non-Jewish partner may have nothing to do with these dynamics, and indeed hope to make the Jew feel better about her- or himself. But we must be aware that choices of partner are not simply unmediated, spontaneous expressions of untainted feelings. Our tastes are in part a product of our conditioning and are deeply affected by social forces over which we have little power. The validation some may seek through relationships with non-Jews may in some cases have something to do with decisions that appear to the individual involved to be nothing more than a subjective expression of choice. Hence we get people who tell us, quite honestly and without awareness of how this has happened, that "I just happen to keep falling for non-Jewish men (or women). They are the only ones I find attractive; the Jewish ones don't turn me on."

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Perel: To be sure, you've put your finger on an important dynamic when you speak of the negative feelings that some people have toward their own Jewishness. But in the groups that Rachel Cowan and I run at the 92nd Street Y, we've also encountered many people who *both* love their partner and love their tradition.

Tikkun: Well, you can both love your partner and love the Jewish tradition, but not love Jews as people because they embody traits that you've been taught or indoctrinated to dislike.

Perel: Certainly there is a problem that one can see most clearly among younger Jews who've been subjected to the anti-Jewish "JAP" jokes. I've noticed that among younger Jews there is sometimes a split between their libido and their intellectual commitment to Jewishness.

In the workshops, we sometimes hear Jewish men make negative statements about Jewish women. And yet these same women are in this intermarriage group in part because they've found that the very traits that make them unattractive to Jewish men, such as power, make them objects of desire to non-Jewish men. In addition, Jewish men and women tend to project negative stereotypes about Jews onto each other and make them gender-bound. In this way they dissociate themselves from the stereotype. I'm talking about materialism, bitchiness, or a tendency to be controlling in women, and nerdiness, arrogance, or a sense of entitlement in men. It's as if they are thinking, "If I'm not with you, I'm not like you." This is a tendency that can be found in all minority groups. Sometimes the negative feelings toward Jewishness have less to do with external conditioning than with family dynamics. When the emotional processes in the family

are very intense, people find it difficult to separate their feelings about their Jewishness from their feelings about family. And this is all the more true when parents use Jewishness itself as a mechanism to generate control, cohesion, or "appropriate behavior" ("We Jews don't do this or that"). The parents are often the children's sole or primary representatives of what Judaism is, so if they want to leave the parents they often feel that they have to leave Judaism as well. In that sense, intermarriage becomes the first opportunity to differentiate themselves and redefine their own Jewishness.

Intermarriage tends to be more frequent as people get older—almost twice as frequent for second marriages as for first. Often the second marriage takes place when the raising-of-children obligations have already been met, so that one feels freer to look for a partner to fill other kinds of needs.

Cowan: There are certainly many different kinds of motivations that get people into interfaith dating, and for some there really is a desire to escape their own Jewishness. But you always have to know the details of the particular case. I've worked with some who use the differences in religious background as a convenient way to stay uncommitted—they get involved with someone whom they know they won't marry because the partner has no intention of converting and they are sure they'll never marry a non-Jew. Others went to college together and just fell in love, and they suddenly find themselves confronted with an issue that they never expected to face. When you work with couples, you have to be attuned to the complexities and differences—and not assume that one formula fits them all.

I've been doing these groups at the 92nd Street Y for about ten years. Despite the differences between couples, they all seem to agree that the workshop's greatest value is that it has made them see that others are dealing with the same problems they are, that there are ways of talking about them and dealing with them. In fact, dealing with these issues can strengthen a relationship, because people often come away feeling that if they can deal with this issue, they can deal with anything.

In some groups for interfaith couples who are contemplating marriage, we ask the participants to describe what the nature of the religious life will be in their homes. Many of the Jews in these groups have never thought about that question. They come in thinking, "I'm a cultural Jew," and have ceded issues of spirituality to their partner. But the problem we get them to confront is, "How do you transmit your cultural Judaism to your children when you no longer live in a densely Jewish environment in which Jewish cultural values suffuse all the institutions of your life?"

Perel: Over the years, I've found that the people coming to these groups are younger and younger. Now people sometimes come after only a few months of dating. They want to talk about their potential children or about their parents, but my task is to get them to talk about themselves and to clarify the meaning and importance of their own religious and ethnic identity.

Cowan: A typical thing that group members want to know is whether they have to choose how to raise their children. "Can't we raise them in both religions, expose them to lots of options, and then let them choose for themselves?" Then we have to ask them to tell us what this exposure would be and what this would mean in practice.

Perel: To do that, we need to develop a language that allows them to articulate their religious feelings and what that would mean for their children. Most of the Jews in these groups ended their religious education at the age of thirteen, precisely the moment when abstract moral thinking is first developing. Their Jewish selves are frozen at thirteen. As a result they have very little concept of what they could pass on to the next generation.

They tell us, "I'm not very religious and neither is my mate; I don't go to synagogue and my mate doesn't go to church." We tell them that this is a very strange way to measure their level of religiosity. If that were all that was at stake in religion, they wouldn't be sitting here in the first place. We have to deconstruct the abstract concept of religion and find the real places where religious orientation and values enter people's lives and are likely to emerge in a relationship or family. Only then do we start to ask them about what role they would want a religious or spiritual sensibility to play in their lives and how they would want to share that with their partner. And then we push people to talk about what it would look like in concrete terms to "expose" their children to more than one approach.

One of the things we encourage couples to explore is the difference between what their children will be exposed to and what their children will *be*. So we have to ask, "Do you want your children to have a good knowledge of many different positions and theories on how to live life, or do you also want your children to have a sense of identity, a sense of who they are?"

Cowan: Seventy percent of the couples have never really thought about religious questions. They don't really struggle over alternative approaches to religious beliefs or spirituality. Instead what they are worried about is a conflict of observances, primarily around

Christmas. In most of the couples we meet, the Christian partner comes to realize that their Jewish partner is not going to give up their Jewishness, and the question becomes for them, "Can I give up Christmas? Will I have to?"

Perel: Although the Jew in the couple may not be very deeply involved in his or her own Judaism, nevertheless he or she sometimes thinks that the partner must stop practicing Christian holidays. These Jews define themselves by what they're not: "I am a Jew because I don't have a Christmas tree." And although Jews have fought for the right to be different, it becomes very difficult to allow that same right to a partner.

Tikkun: What do you think is the biggest obstacle that prevents the partner from converting to Judaism?

Perel: Since most of the Jews are not particularly involved in a religious identity, it becomes difficult for the Christian partner to know what it is that they are being asked to convert to. The secular Jew does not identify strongly with the spiritual content in Judaism; he or she identifies primarily with Jewish culture—the group identity. For the non-Jew, converting to a people is much more difficult than converting to a set of religious beliefs or practices. Moreover, it's often hard for the Christian to understand why Jewishness is so important to their partner if the partner never goes to synagogue or participates in religious rituals.

Cowan: The fact is that within Jewish peoplehood there is a spiritual reality, but this is particularly hard to communicate to Christians for whom religion is primarily an individual experience.

Perel: What I sometimes find in my groups is that many people have discovered these tensions after years of living together during which they never felt that religious issues would matter. Each has suspected that there might be problems, but because they care about each other they haven't wanted to face those conflicts. When problems come up, they try to deal with them on a case-by-case basis without having any overview of what kind of life they want to be building. It works best if they first decide what kind of family they want—Jewish, Christian, or some blend of the two—and then let specific decisions about baptism or religious education flow from that.

Cowan: And when these decisions have not been made, it often devolves onto the child to bridge the gaps. Parents who refuse to make these decisions often put their



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Noli Me Tangere

1
The man at the corner looks like my
dead father. That tightness
around the eyes. He steps off the curb and
I almost stop him
—a stranger, waiting to cross a street
in his own life.

I make him speak
without his knowing it.

2
And you: what I take is not
what you give me, either.
I stall at the window, drawing
a face in steam. *Why did you tell me?*
Don't go. You, quick on the thread of
wherever you're going. Silent,
you close your eyes

the way my father used to. God
of the supper table, hoarding
his words. And I, at the iron
edge of my chair. Any child knows
how to make a feast
of crumbs and silence.

3
The past we started hasn't
finished with us. It chooses a body,
a bait, a jacket
wet in the rain. O my tower
of newspaper, pillar of
smoke—
How the light flashed
from his rimless glasses! I am still trying
to make him look up.

Chana Bloch

children in the position of trying to link the parents, trying to please them by showing them they can be both a Christian and a Jew.

Perel: This is often unfair to the children. First, children don't decide about religion; adults do. Second, people need to have something to choose from. Third, it is difficult for a child to choose a religion when the model he or she grew up with is one of equity, where neither religion dominated. The child is often in a bind and will not take responsibility for breaking the parents' agreement.

Cowan: There are other issues of cultural difference that are often raised in the context of intermarried families, and it's worth being aware of these even though there's no such thing as a strictly "intermarriage issue" apart from the religious issues.

I have seen a number of couples in which the problem of grandparents is important—to what extent do we want to incorporate the extended family into our family? On the one hand, the Christian family may have a level of coldness or distance that makes the Jewish partner feel pushed away or unwelcome. On the other hand, the Jewish family may have a complexity and energy level that makes the Christian partner feel engulfed. These are stereotypes, of course, but they do sometimes emerge in groups that I've led.

Perel: Intermarrieds have to understand that part of what they are doing is living in another culture. The issues are sometimes similar to those that people face when they immigrate to a different country.

Intermarriage works best when you have two mature and emancipated individuals. But for many people, intermarriage is often their first act of independence from their families. The family is distressed and often agrees to the marriage only on the condition that the Christian partner convert. Then instead of acknowledging the act of independence, the family focuses on how the conversion is going. This is their way of assimilating the partner into the family system. The convert serves to maintain the family togetherness of his or her Jewish partner—a role that he or she did not ask for.

There are many cases where the Jew puts the non-Jew in the position of being the one responsible for the Jewish continuity of the family. Conversion can be a meaningful philosophical transformation. Yet some people convert because it is a condition for continuing the relationship.

What makes this harder is that Jewish partners often believe that their entire sacrifice lies in their willingness to be with a non-Jew. They don't imagine that the non-Jew is giving something up as well.

Tikkun: Many of these issues would also come up when there is a conversion to Judaism, given the difference in cultural background.

Cowan: When there's conversion there is a profound difference: The partner has already decided to confront

(Continued on p. 94)

BOOK REVIEW

The Defense Never Rests

Harvey Blume

Chutzpah by Alan Dershowitz. Little, Brown and Company, 1991, 378 pp.

It is all too easy, when dealing with *Chutzpah,* to be so distracted by the glare of celebrity surrounding the author as to miss what he is actually saying. The discussion turns instead to the Dershowitz gremlins proliferating in the media like mice in the walls. *Chutzpah* deserves better than that; if you steer clear of some of its byways and can endure a certain legalistic narrowness, you are rewarded with a consistent point of view about being Jewish. I would like to reverse the usual approach, taking *Chutzpah*'s point of view seriously and leaving its author's off-page antics to the side.

Dershowitz frequently uses the metaphor of cartography in *Chutzpah;* he is drawing a map of the Jewish situation now and as it appears to him in the foreseeable future. Issues of ritual, Orthodoxy, and assimilation figure on the map, but its defining features—its compass points—are Israel and the United States. Looking ahead to the next century, Dershowitz sees the Jewish communities of Israel and the United States continuing to affect each other profoundly, although in the end Israel occupies the vanguard position. Ultimately the existence of Israel and what Dershowitz sees as the skewed reaction to Zionism are determining factors for Jewish life everywhere.

Israel and America are havens for Jews, though Jews in both places are beset by insecurity. Jewish anxiety in the United States, as Dershowitz describes it, is largely a holdover from the European past. It has taken American Jews time to become acclimated to a situation without precedent in history.

"America," declares Dershowitz, "is different ... not the original property of any particular ethnic or religious group." It is different, then, from Spain, where Jews contributed to a flowering of culture only to be expelled; from Germany, where Jews pursued the ever-receding specter of assimilation only to be annihilated; and from Poland, where Jews were a separate and distinct nation housed within the larger nation. America represents a new situation because it is a land of immigrants, where the rule of law prevails and the separation of church and state is fundamental and ingrained. In America, writes Dershowitz, "the Statue of Liberty and Ellis Island are symbols as important ... as Independence Hall or the battlefield at Gettysburg."

The problem, as he sees it, is that American Jews have been slow to claim and inhabit the full space of their citizenship. Faced with a new territory, they tried to fit it onto an old map. On that map, Jews were eternally guests among the nations, dependent upon the inconstant hospitality of their hosts. Guided by the guest's strategy of timidity and self-effacement, American Jews in high places during World War II—Felix Frankfurter and Bernard Baruch among them—let European Jewry go to its destruction without raising their voices in protest.

Dershowitz is unsparing toward those who kept their Jewish concerns closeted while the Holocaust raged. He wants to clearly distinguish himself and his generation from the conspirators of silence. "I know that I will never accept the status of guest in America," he writes. And elsewhere: "I know that I and my generation of Jews would not have—and will never—go about business as usual while Jewish lives are at risk." So far as America is concerned the main point of *Chutzpah* is to help Jews shake off the nightmares of the past and own up to a present in which, startlingly, "This is every bit as much our country as it is 'theirs.'"

Dershowitz does not mean anti-Semitism was left behind in the old country and never found its way to American shores. His point is that American Jews need not acquiesce to it. Separation of church and state keeps it from becoming institutionalized. The Patrick Buchanans, David Dukes, and Louis Farrakhans exist, but on the margins, not in the mainstream, and never sponsored by the state. Assaults made on crucial legal barriers to anti-Semitism can and should be repulsed—no matter what the source of the assault. Dershowitz, it should be noted, is consistent in opposing fundamentalism of both the Jewish and Christian kind.

He quotes an ad taken out by rabbis opposed to a pro-choice, pro-ERA congressman that maintains that it is "clearly stated that, according to the Torah, it is forbidden to vote for a radical/liberal...." The "'Gedolai Torah'—the giants of the Torah," the ad continues, had in effect been consulted, and were opposed. Against a common sentimentalization of such rabbis—different from other ayatollahs only in that they are our own and do not, as yet, have any state apparatus entirely under their command—Dershowitz is worth quoting once again: "It is remarkable how some secular Jews who regard U.S. Senator Jesse Helms as a Neanderthal, regard the Lubavitcher rabbi—who shares Helms' right-wing views on virtually every social issue—as the epitome of wisdom."

Anti-Semitism exists in the United States, but Jews have the standing and should have the confidence to oppose it. The belief that this can be done lies at the heart of *Chutzpah.* Dershowitz foresees no scenario in which the relatively benign form of anti-Semitism at large in America would revert to the more deadly European strain.

The irony is that as American Jews begin to feel at home, Israel becomes what Dershowitz calls the Jew among the nations, the scapegoat for

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international ills. It wasn't supposed to happen that way. Israel was supposed to be the place where Jews became a nation like other nations, certified, normalized, and fully armored by a state. It was supposed to be the case that Zion came to the rescue of the Diaspora, not the other way around. Yet the toughest thing for American Jews to get used to is the fact that they are safe. The lethal variant of anti-Semitism underwent a strange mutation, emerging as anti-Zionism. Now it is Israel that is endangered and exposed. Israel gets a bad press and suddenly some American Jews don't want to go near it; they are afraid of getting contaminated.

This, in brief, is Dershowitz's view. I don't mean to reduce it to caricature. His point about anti-Semitism shading into anti-Zionism is undeniable. It's not necessary to go as far as the UN General Assembly for examples. There are leftists closer at hand who, in a curious way, are relieved by the existence of Zionism. It means they never have to come to terms with anti-Semitism (their own included) or a Jewish identity whose persistence defies the categories of their politics. Mention the Holocaust and they will be glad to tell you instead about the oppression of Palestinians. It's an exquisite dodge.

Dershowitz is far from wrong in asserting the disturbing continuity between anti-Zionism and anti-Semitism. The problem with his approach is not that it's untrue but that it's far from the whole truth; it's stubbornly simple-minded, like holding a multifaceted stone in your hands and insisting it only has two sides. Yes, anti-Zionism is a convenient mask for anti-Semitism, but is that all it is? Is all criticism of Israeli policy the same as anti-Zionism? Is all anti-Zionism the same as anti-Semitism? Dershowitz allows some separation between these terms, but not enough; and the effect of *Chutzpah* is to confuse them.

For example, Dershowitz demands to know why Israel's troubles loom so large in the American media, why far greater violations of human rights go unexamined. His answer comes down, once again, to anti-Zionism as the late twentieth-century form of anti-Semitism: A negative view of Israel is foisted on the public—and Jews, conditioned to expect more from themselves than from others, fall for it.

This strikes me as Dershowitz at his most obtuse. It is not difficult to find a host of reasons why Israel's response to the intifada comes in for much closer scrutiny than, say, far more murderous communal violence in India. The United States funds Israel to the tune of roughly $1,000 per Israeli per year—reason enough for tighter media linkage. Americans—and not only American Jews—can identify with secular Israelis in a way they cannot, for example, with orthodox Muslims. Israel, for a variety of reasons, including the continuous presence of Jews in European history, is seen as part of the West and as an outpost of the Western form of government. Then, of course, there is oil; the utility of the automobile depends on events in the Middle East. And there is the threat that conflict in the Middle East is never sure to be contained in the region; it is capable of detonating global war in a way bloodshed in Northern Ireland, for example, cannot. So many issues of history, economics, morality, and realpolitik come together precisely at the point where Israelis and Palestinians confront each other over burning rubber tires that it would be astonishing if the events were not portrayed at high resolution in Western media.

The real question, in any case, is not the amount of coverage but the image conveyed. Thirty years ago the image of Israel loomed just as large. Leon Uris's *Exodus* was a bestseller, the sabra was celebrated, the Negev was flowering, and the kibbutz was perceived as the ideal intersection of socialism and democracy. Israel was in the full glory of its heroic phase; it was exemplary, everything the West would be if it could start over.

The glory days are over. Questions have arisen that go to the heart of Israeli society, just as police dogs set loose on nonviolent black demonstrators twenty-odd years ago in Mississippi and Alabama raised fundamental questions about American society, as did bullets at Kent State. Would Dershowitz argue that the numbers killed then were likewise insufficient for the outrage that was provoked?

Dershowitz's index of injustice, heavily weighted by deaths, is peculiar. It is a product of legalistic dualities, guilt versus innocence, with plea bargaining thrown in and history subtracted. Not as many deaths occur in the Israeli Occupation of the West Bank as in other trouble spots around the globe; therefore, on Dershowitz's scale, Israel weighs in as relatively benign. The displacement of Palestinians is, he writes, "in the whole spectrum of human rights issues ... a fifth-rate issue analogous in many respects to some massive urban renewal or other projects that require large-scale movement of people." Measured by the Dershowitz index of injustice, an event such as the Dreyfus Affair would hardly register—no one was killed, and only one man unjustly imprisoned.

The civil-rights movement dismantled nearly a century of Jim Crow rule in the South and antiwar protests helped bring about American withdrawal from Vietnam. Dershowitz proposes no comparable measures for Israel; the criticisms of Israel, in any case, grow and are nourished, in his view, on a plane entirely independent of its actions. Consequently, all that is left is to patrol the perimeter and attempt to silence the critics. Dershowitz turns his outrage against American Jews who defend Israel's policies less energetically than they used to—or who refrain from the defense altogether.

He claims that something like the same forces that restrained American Jews during the Holocaust is keeping them from siding with Israel now. It appears, in terms of the overall structure of *Chutzpah,* that he would eliminate the fear of anti-Semitism precisely in order to free American Jews for the defense of Israel. "Our Jewishness," he argues, "will, over the near term, continue to be defined more by the negative mission we share—to combat anti-Zionism and to defend Israeli security—than by any positive consensus about the core of Judaism."

To accomplish his negative mission, Dershowitz attacks not just the ideas but the motives of those who criticize Israel's actions too loudly or publicly. It does not seem plausible to him that the critics might be every bit as concerned for Jewish survival as he, but guided by a map quite different from his own.

In my view the latter is the case. Dershowitz's map, although drawn with great clarity and fought for persuasively, is in many ways already outmoded.

According to Dershowitz, American Jews shy away from Israel because they are afraid of being tarred by the same media brush. Or, as during the Holocaust, they are too insecure about their own status to care about Jewish

interests abroad. Or they are suffering denial to such a degree that, as David Mamet remarked in a different context, "we put ourselves ... behind not only every other racial group, we put ourselves behind the seals and the whales."

Let me suggest, instead, that one reason for greater criticism of Israel by American Jews is none of the above. Jews are increasingly guided by signposts not found on Dershowitz's map. They, myself included, see Israel's Occupation of the West Bank not only as unjust ("fifth-rate" as that injustice may be on Dershowitz's index) but as untenable and in the long run self-destructive. Not only the interests of others but our own interests are threatened by the Occupation.

For Dershowitz, on the contrary, there is a sort of yawning complacency about the consequences. The Occupation, he concedes, may not turn out to be the Jewish state's brightest decision, but then again Israel is entitled to its blunders, its nation-building injustices and mistakes.

For Dershowitz it is unthinkable for the American-Israeli alliance to falter. *Chutzpah* cannot entertain the possibility; it offers no alternate vision of Israel's security. But what will keep the alliance going if the interests of the two nations diverge, as they give every sign of doing?

In what seems to me to be a stroke of supreme naiveté, Dershowitz's answer is, in effect, to construct good arguments as to the morality of the alliance. Good arguments are worth their weight in oil, State Department Arabists, and realpolitik. Israel deserves the American alliance. It is a democracy, America is a democracy (although the longer Israel rules over Palestinians, the less a democracy—and therefore, by this argument, the less appealing—it is); Jews suffered the Holocaust. These points should be sufficient. Dershowitz, whatever else he is, is a masterful arguer, and so he convinces himself that the supernaturally powerful arguments supplied in *Chutzpah* are strong enough to cancel out all other considerations. (Why American interests should be so easy to overpower by sheer morality remains a mystery. Nowhere in *Chutzpah* does the author press such a claim upon Israel.)

On the alternate map of the Jewish situation, the one intuited by more and more American Jews—but not Dershowitz—the American-Israeli alliance is already seriously frayed and will be subjected to still greater stress in the future. It is no secret that with the cold war over, the United States's paramount concern in the Middle East is stability and, as always, an uninterrupted flow of oil. Israel's occupation of the West Bank and resistance to negotiations run contrary to those interests. Israel was once expected to counter the Soviet presence in the area. This it did superbly. The United States now wants it to be a peacemaker. Israel has been slow to reverse itself on demand.

Criticisms of Israel grow and are nourished, in Dershowitz's view, on a plane entirely independent of its actions. Consequently, all that is left is to patrol the perimeter and attempt to silence the critics.

Israel's loan guarantees are being made contingent upon an end to settlements. And today's newspaper headline informs me that congressional approval for the massive aid package to Israel is no longer expected to be automatic. Severance of the American-Israeli connection may or may not be slowed by the November elections; the trend, however, if Israeli policy continues on its present course, is unmistakable.

The alternative to dependence on the United States can be stated simply—it is peace in the region, peace between enemies. (Of course, as Amos Oz said on a recent speaking tour, it will be peace between enemies. Who else do you sit down to make peace with?) That such a peace can be achieved is far from a given, but Israel has certain gestures at its command that would vastly increase the prospects for it, such as stopping the settlements and ceasing to force on the Palestinians the unwanted identity of junior Jordanians.

The process is risky, but otherwise Israel has only the United States, and that is risky too. Even American largesse creates problems, distorting Israel's political process. The apparently endless flow of American arms and dollars encouraged fantastic notions among Israeli leaders, such as the viability of the very expansionism the United States now wants to check. Peace gestures by Israel—especially if they were voluntary, and not wrung out inch by painful inch by the United States—would disprove Dershowitz's thesis that criticism of Israel arises not because of what Israel does, but because it is Israel.

Dershowitz asks American Jews to follow him in stifling their doubts. "I am ... wary of criticizing Israel for failing to take risks," he writes, "since my life and the lives of my children are not immediately placed on the line by Israeli geopolitical decisions that relate directly to its survival as a Jewish state." I feel the force of this argument. I also question it. I have heard the same logic used far more cynically by Shamir: Give us your money, give us your support, shut your mouths. And I have heard other Israelis ask American Jews, please, do not be bullied, continue to speak. Which ones do we listen to?

If Dershowitz's answer is that we should listen only to whoever is prime minister, then I would ask: What if the prime minister believed in making territorial concessions in the hope of peace? Would it then be as unsettling to Israeli security to speak of Judea, Samaria, and Greater Israel as Dershowitz says it is now to speak of territorial concessions? Or would Dershowitz always defend a diaspora Jew's right to be an expansionist?

Again, on this issue of free speech, Dershowitz says that because *they* have so many criticisms of Israel, *we* have to stifle ours. But that would seem to give *them* enormous authority over *us*. Because of them, we are censored. Because of them there are a host of things *we* cannot say about what we think would be in *our* best interest.

One last point, and perhaps this pertains less to an alternative map than to a personal nightmare. Dershowitz sees the situation for American Jews as essentially tranquil, the situation for Israel as volatile. I see no such absolute separation.

In one bad dream of what can happen I see an Israeli policy much like the present one projected out into the future. I see an American economy that

continues to falter. Suddenly the three billion a year that has been Israel's on demand becomes very questionable indeed. A president appeals to the American people for support in breaking the nefarious grip of the Jewish lobby, as Bush did last Yom Kippur, but this time he asks not just once, but often. In addition, the American political system continues to deteriorate; lacking the fine motor coordination to deal with reality, it resorts more and more to the broad strokes of media manipulation, mythology, and the use of scapegoats. The Japanese serve as scapegoats for a while, but there is one incomparably powerful political mythology, custom-made for Western needs, bred as it was within the very bones of Western history, and that, of course, is anti-Semitism.

The immigrants brought it with them. It has caught fire from time to time within a black community whose grievances and pain remain untouched by conventional political processes. And it germinates, as always, in elite Republican venues and hideaways.

I do not believe the United States can turn on Israel without activating reserves of anti-Semitism. And then, if the economy is as bad as I've posited, and the politics as deranged, the Patrick Buchanans, the David Dukes, and the Louis Farrakhans pour out of the sidelines into the mainstream. Strange couplings, awful unions, unimaginable alliances occur. Anti-Semitism unites those it would seem that racism would permanently divide. America ceases to be the safe place for Jews, the one great exception.

And Israel is alone and under attack in an environment in which it has earned no useful allies.

Does *Chutzpah,* with its wide readership, its persuasiveness, and its sweep, help prevent this nightmare or one similar to it? In some ways it helps bring the nightmare on. Proud Zionist that Dershowitz is, he nevertheless manages to convert Israel into something strangely passive. Given that anti-Semitism (now anti-Zionism) will propagate no matter what, nothing Israel does can alter its fate. So don't bother to change Israel—the outcome will be the same in any case. Put the emphasis elsewhere. Go after the media, monitor the news reports, kill the messenger.

This view is thoroughly incapacitating. Perhaps it testifies to the damage done to political imagination by a decade and a half of Likud. (Twelve years of Reaganism have wrought similar consequences here.) Dershowitz is correct in asserting that Israel is at the vanguard of Jewish existence; wrong in overlooking how deeply its actions determine its own fate and the fate of Jews everywhere.

Chutzpah has no lack of fighting spirit and forthrightness, no fear of engaging with the crucial issues of being Jewish today, and no reluctance to take on anti-Semitism everywhere it exists (and, perhaps, for good measure, one or two places it doesn't—it is difficult, for example, to tell from the text whether the author was justified in opposing the appearance of Richard von Weizsäcker at Harvard). Compared to more richly nuanced books that shy away from key questions, *Chutzpah* is refreshing. On the other hand, Dershowitz's model of American Jewry's relation to Israel is, in the end, not very different from that prescribed by Yitzhak Shamir. On that fundamental question Dershowitz is Shamir cleaned up—laundered—for American tastes.

Chutzpah foments public discussion. Its call for collective, late twentieth-century Jewish reorientation is to be welcomed. I would be glad for the book if for no other reason than its having guided me to evidence of a Jewish revenge movement after World War II—not Jews who refused the machine guns offered to them by camp liberators, but Jews who organized to seek their tormentors out; not Nazi hunters but Nazi killers (see Michael Elkins's *Forged in Fury*). The only question is why so little has been said or written about this organization of survivors, and why it plays no part in Jewish memory, where it deserves an honored place.

But the map for Jewish survival *Chutzpah* defends is an old map. And in certain sections the author gets edgy. He thinks he has the only legitimate view and turns the verbal Uzi on those who see a different way. □

BOOK REVIEW

Cities Under Siege

Peter Dreier

The Death of an American Jewish Community: A Tragedy of Good Intentions by Hillel Levine and Lawrence Harmon. The Free Press, 1992, 370 pp.

This year marks the twenty-fifth anniversary of the "long hot summer," when Detroit, Newark, and other cities erupted in riots. Today, America's cities are once again ticking time bombs waiting to explode. Economically, socially, and politically, our country cannot afford more civil disorder. But it is unclear whether America can summon the political will to address the root causes of social unrest. In this year's presidential elections, for the first time ever the majority of voters will be suburbanites. Some pundits claim that, as a result, the nation's political leaders have little incentive to address the level of sheer destitution and decay—poverty, homelessness, hunger, slums, and crumbling infrastructure—overtaking the cities. But suburbanites, too, have a stake in repairing our cities. Many inner-ring suburbs share the same social, fiscal, and economic troubles that plague the inner cities. Even bedroom suburbs cannot quarantine themselves from the effects of a troubled economy, widening income disparities, and rising poverty. Drugs, crime, gangs, and violence—what some have called the

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"quiet riots" of our time—are simply symptoms of economic decline and social alienation, which affect cities and suburbs alike.

Cities are the engines of our nation's economy. Revitalizing the cities means more than putting a lid on potential social upheaval. It is a precondition for restoring the nation's economic health and competitiveness in the global marketplace. It is a matter of economic recovery as well as social justice. No other major industrial nation—neither Canada, the European countries, nor Australia—has allowed its cities to fall into such chaos and neglect. How did we get into this mess?

For three decades after World War II, the United States witnessed one of the most dramatic population shifts in its history as millions of Americans migrated from cities to suburbs. Many observers have concluded that America's postwar suburban migration was a "natural" process of evolution, the result of millions of separate decisions by individual consumers seeking single-family homes, improved public schools, and better lives for their families. But that is only part of the story. In fact, the power brokers in America's corporate boardrooms and developers' suites—and their allies in the White House and Congress—played a critical role in the migration. As historian Kenneth Jackson describes in *Crabgrass Frontier,* these consumer choices were not only shaped but subsidized by federal government policies that pushed people out of cities and pulled them into suburbs. New highways (such as Route 128 outside Boston) opened up the hinterlands to speculation and development. Housing policies offered government-insured mortgages to whites in suburbia but passed over the inner cities. Postwar boom industries (subsidized by the Pentagon) concentrated production and research facilities in outlying areas. Tax policies coaxed businesses into the cities, and bulldozer urban renewal policies destroyed working-class neighborhoods (such as Boston's West End, described in Herbert Gans's classic *Urban Villagers*) to make way for businesses downtown, scattering their residents to blue-collar suburbs.

As a result of these policies, America's cities have faced a shrinking tax base and recurrent fiscal traumas. In 1960, the per capita income of cities was 5 percent greater than in surrounding suburbs; by 1987, per capita income in cities had fallen to 59 percent of suburban income. A recent book by two MIT economists, Bernard Frieden and Lynn Sagalyn, *Downtown, Inc.,* demonstrates that even cities that have worked successfully to revitalize their downtown commercial business districts—to expand the tax base and jobs—still lack the revenue to meet the needs of their residents. Cities are trapped by rising costs, shrinking resources, and borders they cannot expand. To avert fiscal collapse, many cities have been closing schools, hospitals, police and fire stations, laying off essential employees, reducing basic services such as maintenance of parks and streets, and postponing or canceling capital improvements.

As local governments downsize their operations, the poor and working-class residents of America's cities are pitted against each other for these shrinking resources, turf, and symbols. The conflicts between Jews and blacks in New York City, between Hispanics and blacks in Washington and Miami, and between the Irish and blacks during Boston's busing crisis are all symptoms of the shifting urban landscape.

Fights over municipal services, public sector jobs, housing subsidies, hospitals and health clinics, and school funding often take the form of ethnic and racial conflicts. But they are also rooted in America's widening class inequalities. A recent Congressional Budget Office report reveals that the richest 1 percent of the American population gobbled up two-thirds of the economic growth during the 1980s. Their after-tax incomes more than doubled, while the bottom 60 percent of the population experienced a decline in income. This concentration of wealth—the widest disparity of all the major industrial nations—reflects a decade of misguided national policies. The White House and Congress looked the other way while junk-bond junkies, merger maniacs, and Savings and Loans speculators rode roughshod over the American economy. Greedy corporate CEOs paid themselves giant-sized salaries and bonuses while laying off workers and busting unions. At the same time, real wages for most Americans declined, forcing families to work harder just to stay afloat. Even so, a growing number of Americans—the working poor—earn their poverty on the job. The struggles between wealthy suburbs and fiscally

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strapped cities are merely symptoms of these widening inequities.

More than any other white ethnic group, America's Jews participated in the exodus to the suburbs. Not only the Jewish population, but also their institutions—synagogues, community centers, delis, social clubs—left for greener pastures. Although the headquarters of most national and regional Jewish groups are still located in big cities, American Jewry's social and cultural center of gravity is now firmly in suburbia. Of course, many Jews still live in major cities—particularly the elderly, young singles, baby boomers without kids, and college students. But most of them are not part of formal Jewish institutions or informal community networks. With only a few exceptions (such as some Chasidic areas), there are few Jewish neighborhoods in big cities where Jewish residents and institutions dominate the physical and cultural environment.

Tension between Jews and blacks has been a common feature of American urban life for decades. It provokes special angst and appears particularly tragic because these two groups were once allies in the struggle against discrimination and injustice. Until the late 1960s, the two groups lived in close physical proximity in urban neighborhoods. Regular contact created opportunities for both conflict and cooperation. Today, however, American cities are more racially separated than ever. The recent violent conflicts between blacks and Chasidic Jews in New York reflect the hard edge of ethnic competition, but it takes more subtle forms, too. Over the years, several themes have persisted in Jewish-black relations. Blacks have resented both the Jews who left (joining the allegedly racist "white flight" to the suburbs) and the Jews who stayed (as neighbors, shopkeepers, landlords, teachers, and social workers). Jews have resented the blacks who moved in, changing the fragile social and cultural scaffolding of their neighborhoods.

Jews and blacks alike wanted it both ways: peaceful integration and community control of their institutions. This conflict between integration and separation is an ongoing paradox in American life. In the case of blacks and Jews, it has torn apart the political and social alliance that helped remove many long-standing barriers to equality and opportunity in American life.

A new book about black-Jewish relations in Boston offers a fresh perspective on this historic tension. In *The Death of an American Jewish Community: A Tragedy of Good Intentions,* Hillel Levine (a Boston University sociologist and an ordained rabbi) and Lawrence Harmon (a Dorchester native who edited the *Jewish Advocate* before moving to the *Brookline Citizen*) describe how, from the 1950s to the 1970s, Roxbury, Dorchester, and Mattapan changed from stable Jewish neighborhoods to troubled black ghettos.

One real-estate broker later recounted his experience in an article called "Confessions of a Blockbuster." He was told: "Just scare the hell out of them."

Most newcomers to Boston do not realize that only a few decades ago, a vibrant Jewish community existed in these neighborhoods. Once home to about ninety thousand Jews, by the late 1960s about forty thousand Jews still lived in this compact area, served by many synagogues, settlement houses, social clubs, shops, credit unions, and Jewish elected officials. Blue Hill Avenue (often called "Jew Hill Avenue" by anti-Semites) was a thriving commercial center catering to Jewish customers. Today, a former Kosher meat market is a Carribean restaurant (the "American Kosher Products" sign is still there). Former synagogue buildings now serve the African-American community. The former Hebrew College (relocated to suburban Brookline) now houses Freedom House, a black community center, while the former Hecht House (a Jewish settlement house) now houses the black-run Lena Park Community Development Corporation.

Levine and Harmon focus on a program called the Boston Banks Urban Renewal Group (BBURG), through which bankers, brokers, and appraisers used unscrupulous and racist blockbusting tactics to push working-class and elderly whites—mostly Jews—out of these neighborhoods during the late 1960s and early 1970s. In doing so, BBURG exacerbated the city's racial segregation and compounded its racial fears, which exploded a few years later during the busing controversy.

BBURG was a consortium of twenty-two lending institutions (run primarily by WASPs) that in 1968, in response to Mayor Kevin White's request to help relieve the city's growing racial unrest, agreed to target $29 million in low-cost, low-down-payment mortgages to black home buyers. The White administration (but not the general public) knew that the bankers would allow the black home buyers to purchase homes only in a restricted area—the predominantly Jewish sections of Dorchester and Mattapan—thus extending the Roxbury black ghetto. With the consent of city officials, the BBURG area specifically excluded Boston's other white neighborhoods and its suburbs.

Why target the Jewish areas? According to Levine and Harmon, the bankers and city officials figured that the Jews—because they were more liberal, or because they were less rooted—would be less resistant to incoming black neighbors and an integrated neighborhood than other white groups. The Italian and Irish neighborhoods, they predicted, would use their political muscle to resist. But because many long-term Jewish residents had paid off their low-interest mortgages, there wasn't much turnover, and thus little profit to be made. By encouraging blacks to purchase homes in this heavily Jewish area, the banks could replace the outstanding 3 percent and 5 percent loans with more profitable 8.5 percent loans, risk-free because of insurance provided by the federal Department of Housing and Urban Development (HUD).

The BBURG program unleashed a frenzy of racist blockbusting. Soon after BBURG was announced, new real estate offices suddenly opened up on Blue Hill Avenue and nearby streets to market the federal government–backed loans. Unscrupulous agents (who in BBURG got double the typical 6 percent commission) and appraisers colluded to create panic among working-class and elderly residents. They knocked on doors, made phone calls, distributed flyers, hired thugs to intimidate residents, and spread vicious rumors to frighten residents about violent crime, declining property values, and vandalism to

synagogues and other Jewish institutions. The message was the same: "Cash for homes. Sell now before it's too late."

BBURG real-estate agents pressured white home owners to sell their one-, two-, and three-family houses at panic-driven low prices, and then resold them to eager black families at much higher prices. This played on the desperation many black homeowners felt when urban renewal projects displaced them from Roxbury and left them with limited opportunities to buy homes in other white neighborhoods. The BBURG bankers and brokers made out like bandits.

Because HUD appraisers, in cahoots with the banks, overvalued the BBURG properties (or, in many cases, didn't do an inspection at all), many unsuspecting new owners faced major repairs they could not afford. This led to a massive wave of foreclosures on BBURG-linked houses—70 percent of BBURG home owners eventually lost their homes. But because the loans were HUD-insured, the banks were not at risk, so they had an incentive to foreclose quickly; in fact, they made a tidy profit on both the original mortgages and the foreclosures.

The impact was dramatic. From 1950 to 1960, before BBURG's blockbusting campaign, Mattapan's black population had increased only slightly, from .3 percent of neighborhood residents (129 of 44,520) to only 1 percent (406 of 44,290). By 1970, after the blockbusting began, the figure jumped to 41 percent (18,616 of 45,449); by 1980, it was over 80 percent (28,940 of 35,827). The sharpest turnover occurred from 1968 to 1972—the BBURG years.

Many residents believe, in retrospect, that much of the violent crime that hit Mattapan and Dorchester at the time—including an incident in which thugs knocked on the door of a young rabbi and threw acid in his face—was paid for by speculators, eager to push whites out. These suspicions are consonant with the instructions received by one broker, hired during the early BBURG days, who later recounted his experience in an article called "Confessions of a Blockbuster." He was told: "Just scare the hell out of them."

BBURG left a legacy of broken dreams among both black and white residents. The subsequent decline of many sections of Roxbury, Dorchester, and Mattapan—the widening swath of boarded-up buildings and vacant lots, the epidemic of arson during the late 1970s, and the increase in crime—lent credence to the myth that a neighborhood goes downhill when blacks move in. As a result, residents of other white neighborhoods were often wary of even modest integration. Others put the blame on the white residents and shopkeepers who moved out, accusing them of racism.

But Levine and Harmon show that both blacks and whites were unwitting victims of the BBURG bankers and blockbusters, who laid the groundwork for segregation and disinvestment. The authors turn most of their moral outrage on the bankers, brokers, HUD bureaucrats, and city officials who either engineered the BBURG program or did nothing to stop it. But they also point their fingers at the affluent leaders of Boston's Jewish organizations who, they claim, virtually abandoned the working-class and elderly Jews struggling to survive in the inner city. They describe this as the Jewish community's "dirty little secret": class conflict.

According to Levine and Harmon, most mainstream Jewish organizations turned a deaf ear when Dorchester and Mattapan Jews sought help in stabilizing their communities and promoting peaceful integration. Boston's Jewish weekly paper failed to cover the blockbusting campaign or the class conflict; only when these problems turned up in the big daily papers—and by then, most of the damage had been done—did the Jewish establishment offer help in the form of social services and housing relocation. The failure of the mainstream Jewish groups left a vacuum filled by the Jewish Defense League, a small group of angry street toughs who focused solely on the symptoms of the problem—rising levels of crime—and exacerbated the racial conflict by ignoring underlying causes.

Why was the Jewish establishment so passive? Levine and Harmon suggest that Jewish leaders, themselves having moved to the suburbs, envisioned the Jewish future there, too. Beginning in the 1950s, and accelerating through the early 1970s, the wealthy board members of the synagogues and social agencies had pulled up their stakes, leaving their poorer fellow Jews behind. In addition, a number of prominent Jews—real estate lawyers, developers, businessmen—were key players in the city's corporate power structure. They had helped shape the urban renewal programs that changed Boston's downtown skyline and its residential neighborhoods: For example, attorney Lewis Weinstein, a major leader in the Jewish establishment during the 1950s and 1960s and a key architect of the city's urban renewal program, viewed the predominantly black composition of Boston's inner-city neighborhoods as a fait accompli and encouraged Jewish institutions to abandon these areas.

Many Boston Jews were in the forefront of the civil-rights movement, but most Jewish and black community leaders were too fatalistic or indifferent to pursue a black-white alliance to promote strong integrated neighborhoods. The book describes the frustrated efforts of the Mattapan Organization, an interracial group that tried to work within conventional channels on housing, schools, and other issues—but received little encouragement from Jewish organizations, black community leaders, or the Catholic parishes. At the time, there were no biracial grass-roots protest groups, such as the Alinskyite Massachusetts Fair Share, which didn't appear until the mid-1970s, to mobilize residents against the banks, brokers, and City Hall.

Levine and Harmon have not written a dry academic monograph. They interviewed dozens of white and black participants and provide colorful vignettes documenting the efforts of political figures, community activists, and local institutions. While focusing on BBURG, they tell the story of postwar Boston, the evolution of the city's civil-rights movement and black-Jewish relations, the struggles over urban renewal, and the shifting sands of neighborhood politics.

The authors recognize that, even before the racial rebellions of the 1960s, life wasn't easy for the Jewish and black working class and poor. But when they describe how BBURG turned these potential allies into rivals, their sympathies are clearly with those people—black and white—who tried, however futilely, to resist becoming victims.

At times, the authors fall into the trap of nostalgia for the "good old days" on Blue Hill Avenue. They appear to

believe that if the Jewish establishment's leaders had only supported the working-class Jews and helped fight the blockbusting rather than ignoring it, the Jewish community would have continued to have a strong presence in Boston's inner-city neighborhoods. That bit of conjecture is unwarranted. More likely, even without BBURG, the social, economic, and political forces that pushed whites out of cities and pulled them into suburbia were too strong to resist. As they did in other cities, most Jews would have moved out eventually, as the next generation pursued the American Dream of upward mobility and suburbia. But BBURG compressed this transformation, so that instead of taking decades it occurred within a few years. This made the transformation more volatile and explosive than it would have been, creating a great deal of finger-pointing and bitterness among blacks and Jews.

In making their case, Levine and Harmon downplay the efforts of some Jewish groups that worked to stabilize neighborhoods and promote peaceful integration. The book's chronology is somewhat disjointed, the narrative is repetitive, and they get some basic facts wrong. And the subtitle is misleading: The bankers, brokers, and bureaucrats were motivated by profit and power, not social reform; greed, not good intentions.

Also, the book fails to point out how Boston's later struggle over school busing was a direct descendant of the BBURG experience. The racial poisons unleashed by BBURG spilled over into the conflict over school integration in the mid-1970s, best described in J. Anthony Lukas's *Common Ground*. Just as BBURG (and federal housing policy in general) did not require the suburbs to integrate their housing, the court-ordered busing plan left the lily-white suburbs alone. Instead, a federal judge—an Irish-American who lived in suburban Wellesley—ordered Boston to integrate its schools by busing working-class whites (primarily Irish) and poor blacks across the city. Many whites resisted the "invasion" of blacks into their neighborhoods. It is easy to accuse them of racism; but they had watched Roxbury, Dorchester, and Mattapan deteriorate as blacks moved in. They didn't know about BBURG, but they saw its consequences.

Likewise, the authors fail to link BBURG to Boston's more recent battles over bank redlining. During the 1970s and 1980s, the same banking industry that had already steered unsuspecting black home buyers into segregated neighborhoods then went on to use the neighborhoods' decline as an excuse to withhold conventional mortgages. A recent study found that during those years, Boston banks made almost three times more loans in white neighborhoods than in economically comparable black areas. By denying home-owner loans to creditworthy consumers, the banks contributed to the further decay of Boston's black neighborhoods.

Fortunately, some lessons were learned. In the late 1970s—in the aftermath of BBURG and a congressional investigation into the program—community activists across the country successfully pressured Congress (and some states) to pass the Community Reinvestment Acts and other anti-redlining laws. These laws provide for greater public scrutiny and accountability in bank lending practices. Using those new tools, neighborhood groups and public officials in Boston and other cities have forced banks to reduce their discriminatory banking practices in inner cities. And during the past decade, in Boston and other cities, community organizations have emerged to engage in grass-roots protest, construct affordable housing, and catalyze job-creating economic development efforts to help rebuild inner-city neighborhoods.

BBURG illustrates the disastrous consequences of private greed and misguided public policy joining forces. But this story was not unique to Boston. Several other books by social scientists and journalists (such as Brian Boyer's *Cities Destroyed for Cash* and Jonathan Reider's *Canarsie*) chronicle similar conflicts in other cities between blacks and working-class whites who competed for turf and resources on a playing field designed in Washington and implemented locally by respectable businesses, shady entrepreneurs, and self-serving political powerbrokers.

Today, too many public officials—from President Bush to Pat Buchanan—still use subtle and overt appeals to racism to deflect attention away from fundamental issues of economic growth and justice. And big business—bankers, developers, and footloose global corporations—continue to play too strong a role in shaping federal policy towards cities. Boston Mayor Ray Flynn, president of the U.S. Conference of Mayors, recently told a Senate committee, "Perhaps if cities chartered ourselves as Savings and Loans institutions, we would get the federal help we need." Financially strapped cities are asked to shoulder a larger and larger obligation to provide services to businesses and residents, as well as to the commuters and tourists that swell many populations from nine to five. Cities also bear a disproportionate share of responsibility for helping America's poor and needy, housing the homeless, educating its children, providing health care to the most disadvantaged, securing public safety, and maintaining an aging infrastructure.

Starting with Reagan and continuing with Bush, federal funds for public works, economic development, job training, health and nutrition, schools, and housing have been slashed, while Washington doles out huge tax breaks for the very rich, the Pentagon, the Savings and Loans, and corporate America. If the tax system had not changed since 1977, the treasury today would be collecting $76 billion more a year in taxes, while three-fourths of all families would pay lower federal taxes than they do now. Rather than sending cities money for vital urban needs, Washington has been sending mandates to local governments requiring them to dig deeper into their almost-empty pockets and to take on even more responsibilities. The current recession has been especially painful for cities, exacerbating the dilemmas faced by municipal officials and residents. Many cities are facing bankruptcy and operating under severe austerity budgets.

We see the consequences of fiscal cutbacks in our cities every day: in the homeless shelters and soup kitchens, which—according to annual U.S. Conference of Mayors surveys—have seen a burgeoning demand for their services each year; and in the unemployment lines, which have swelled dramatically. The real jobless rate—including people who are working part-time or who have given up looking for work—is at least double the current official figure of 7.3 percent. We see also the consequences in the rising rates of infant mortality, which tragically have reached Third

World levels in many urban neighborhoods; and in the faces of the 33 million Americans living in poverty—including more than one in four children—who have little hope that things will improve. And we see it in the growing number of people for whom the basics of the American Dream—owning a home, getting a college education for their children, having access to decent health care, even holding a steady job—are now increasingly out of reach.

The end of the cold war offers us an unprecedented opportunity to reorder America's priorities and put the country's talent and resources to work rebuilding our civilian economy and revitalizing our cities. We need a major investment in jobs and in people to repair our infrastructure, build housing, create a first-rate mass transit system to reduce traffic congestion and improve public health, educate the next generation (from Head Start through college), retool our militarized economy and retrain the workforce, and provide universal access to health care and child care. To promote this agenda, we must restore our democratic institutions and build a broad political coalition to substitute people-power for corporate influence in American political life. That means reforming our campaign finance laws and reshaping our pathwork of voter registration laws.

Economic growth and economic justice *must* go hand-in-hand. We need to expand the nation's economic pie as well as divide it more fairly. The key to improving our cities is finding common ground across racial lines and urban-suburban boundaries. Whether they recognize it or not, suburbanites have a stake in rebuilding our cities. Whether suburbanites commute to work in the cities or other suburbs, whether or not they utilize the cultural, medical, and educational resources of the cities, the well-being of America's suburbs is still tied to the vitality of the cities.

Suburbanites who ignore the plight of the cities are like a fisherman who claims he doesn't care that his rowboat is leaking at the other end. As Levine and Harmon's book reminds us, we may have come here on different ships, but we're all in the same boat now. □

BOOK REVIEW

Family Ties

Richard Kaye

The Pursuit of Happiness by Anne Roiphe. Summit Books, 1991, 473 pp.

The family generational novel, once one of the hallmarks of nineteenth-century and early modern fiction, has been almost completely abandoned by serious writers today. However pointless it may be to beat the dead horse of minimalist American fiction, it has to be said that there is still a reigning literary aesthetic that requires most contemporary novelists to forsake large-scale formal and thematic concerns in favor of the pared-down. From the experimental journals, with their postmodern fragmentariness, to the *New Yorker*'s puny parables of middle-class angst, a law of contraction dominates. In what might be called a vast conspiracy of littleness, who has the time or energy for the generational saga? Now and then a multifamily epic such as Gabriel Garcia Marquez's *One Hundred Years of Solitude* is taken seriously, but (like the four-hour movie) it's the exception that proves the rule. With its family tree included at the book's front for easy reference, its rococo interconnecting plots, and its vast time-span that covers decades in a few pages, the family novel has by now been consigned to the supermarket checkout line.

It's not exactly that intelligent readers don't seem to believe in families as compelling subjects for fiction, but that a key premise of the nineteenth-century novel—family is destiny—has fallen into disrepute. Americans, most especially, have a bigger stake in wishing to view a given character's progress in highly individualistic terms. And so our better novelists have given up on books written in the grand tradition of John Galsworthy's *Forsyte Saga,* Emile Zola's several-volume *Rougon-Macquart* series, and Thomas Mann's *Buddenbrooks,* even as many readers still hungrily go after the kind of fiction that gets heatedly blurbed on book-jackets as "sweeping" and "triumphant."

The novelist Anne Roiphe, drawn to the theme of Jewish success in America yet reluctant to surrender the family novel to the schlock ambitions of a Belva Plain, has written in her newest work, *The Pursuit of Happiness,* precisely the kind of teeming, sprawling epic that high-minded writers are supposed to avoid. In its scope and cumulative emotional power, Roiphe's novel constitutes an impressive act of literary iconoclasm, reminding us of just how much dropped out of fiction when novelists some time ago decided that readers could handle only a single anguished family unit per work of fiction.

The author of the 1970 *Up the Sandbox,* perhaps the first of that decade's many crazy housewife novels and still the funniest, as well as the creator of what is arguably the first female road

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novel, the surreally amusing *Long Division* (1972), Roiphe has come out with books that are rather more serious—and more pointedly Jewish—in their focus. Her novel *Lovingkindness* (1987) was a somber piece of chamber music, the tale of a liberal, enlightened New Yorker who learns that her daughter has joined an ultra-conservative religious sect in Israel; *A Season for Healing* (1989) was a nonfictional meditation on Jewish memory and the Nazi experience. *The Pursuit of Happiness* is by no means lacking in comic effect, yet the novel has a gritty, unsentimental tone, especially in its sexual candor, which renders it utterly different from familiar works of Jewish-American naturalism that dealt with the immigrant experience, such as Henry Roth's *Call It Sleep* or Abraham Cahan's *The Rise of David Levinsky*.

The Pursuit of Happiness is divided into short sequences, some as brief as vignettes, and told by an effortlessly omniscient narrator fond of mild reprimands to the reader. The novel describes the New World fortunes of the Gruenbaum family, who leave Poland at the turn of the century to find an almost accidental success in the New York garment district when the family business becomes the U.S. Army's supplier during wartime. As the Gruenbaums adjust to prosperity, we watch the machinery of assimilation move into motion with what are often cruelly ironic results.

Each wing of the Gruenbaum family comes to stand for a very particular version of American-Jewish "progress." And yet as satisfyingly emblematic as these various case studies become, Roiphe provides us with just the appropriate details to assure the reader that, in her history-indebted narrative, fiction has the upper hand. Standing in as symbols of the boomeranging course of the Jewish success ethic are the touchingly arriviste Arthur and Louisa, who manage to get their son into Choate only to watch him drop out and become a gunrunner for the Irgun. It is of course altogether convincing that a prep-school bad-boy, bored with daddy's business and prone to toss objects at pedestrians from his parents' Park Avenue apartment, finds a welcome home among violent ideologues. Gentile America, with its prim boarding schools and "self-improvement" classes, cannot always accommodate the reckless and even crazed energies that fuel the sons and daughters of the Gruenbaums' first generation. *The Pursuit of Happiness* resonates with the sounds of the resulting culture clash. In one exquisitely rendered scene, a worried Arthur Gruenbaum and a Choate headmaster discuss what ails the young Teddy Gruenbaum, an errant titan-to-be. Told that his son simply has not "found himself," the elder Gruenbaum looks bewildered. "What do you mean, 'found himself?' He's coming into the business with me." Whereupon the poor father is told that he should really look into the writings of Erich Fromm and learn about the value of "catching" one's own "identity." Roiphe's novel is actually short on gentiles, but when non-Jewish characters have walk-on scenes it is generally to impart wisdom in the language of middlebrow psychobabble, so bland that it barely registers on the minds of the tightly wound Gruenbaums. However dissimilar they may be as individuals, the Gruenbaums have one thing in common: The blood in their veins actually seems to run faster than everyone else's.

Unable to shake off their Jewish souls, the Gruenbaums are all insomniacs unable to have the American Dream.

Taking their places as avatars of the American Dream degenerating into Jewish tragedy are the idealistic Judge Howard Katz and his wife Bessie, who stand by in mute horror as their son, a brilliant attorney named Howie Katz, joins the staff of the House Un-American Activities Committee. Clearly a portrait of a Roy Cohn–like huckster, Katz is an archetypal turncoat, so bent on assimilation that he actually goes after a member of his own family, his poor cousin Meyer Herzberg. A professor of Romantic poetry at City University, beloved by his students for his nonstop wisecracking, Meyer is himself touching testimony to the perilous costs of an existence devoted so innocently and purely to the life of the mind that it becomes vulnerable to radical evil in the form of the opportunistic Katz.

And yet it has to be said that, to its credit, Roiphe's novel has no monochromatic villains or victims. In the worst days of scoundrel time, Meyer pens articles on the subject of "due process and the literary mind" and drafts a letter to the *New York Times* on "the irony of Jews being crucified as communists at the same time that Communists were crucifying Jews." (Roiphe's irony, more subtly played out, is that the McCarthy era allowed Jews to destroy the lives of other Jews in one great act of familial suicide.) Even the perfidious Howie is allowed his bacchanalian romp in Europe with a young soldier, four stories above Adolf Hitler's former office, where Katz "finally understood why everyone said travel was broadening." This bizarrely comic episode seems designed to demonstrate that the sex drive is the hidden force just below the surface of all Gruenbaum theatrics—a mischievous point that Roiphe makes throughout her novel.

In this cold-war section of *The Pursuit of Happiness,* as elsewhere in the book, Roiphe has a fondness for slipping into her story characters and elements that appear to have real-world analogues. There is even—in an extravagant touch that somehow works despite its *Godfather*-like allegiances—a young couple that ends up tangling disastrously with the New York mob. Violence hovers at the edges of the Gruenbaums' New York story, but when it finally explodes with full force it arrives, with a naturalistic ferocity worthy of Dreiser, from within the family itself.

Roiphe brings to the familiar story of the Jewish heart exposed to the brutal elements of American power what she has always been gifted at rendering: the pressures on individuals, especially women, that make them at once crave the bonds of family feeling and strive to escape them. This gift accounts for two of the novel's triumphs: the narrative dealing with the dangerously naive Flora Gruenbaum and her marriage-for-beauty to Frank Sheinfold —who marries for lucre—and the tale of Sharie Lee, daughter of the unassuming Joseph and Ruth, who leaves her family in order to sing in jazz and blues clubs across the country. Flora's decision to break family ranks and to pursue movie-star handsome Frank, who has a Hellenic infatuation with his own athleticism, is the dark side of

Sharie Lee's single-minded devotion to art. Pursuing her career in a prefeminist era, Sharie Lee is the Gruenbaum black sheep, perpetually on the skids; yet she finds in the resources of her music the means to keep going. Just when she seems to give in, she accompanies her black lover on a journey to the Soviet Union, where she astonishes a roomful of Soviet officials with a powerful delivery of a Yiddish dirge.

This is a characteristic stroke in Roiphe's work (like the detail about Hitler's former office), an over-the-top gesture toward history that should tip *The Pursuit of Happiness* into that supermarket checkout line. While the strains of a Jewish spiritual echoing through the inner sanctum of Soviet officialdom might seem excessive, it is of a piece with the remarkable way in which religious sentiment reemerges again and again in the lives of the Gruenbaums, however superficially secularized they might seem. It is as if spiritual feeling, not sex, were the Gruenbaums' great, repressed unconscious. They give in to it, as they surrender to their erotic lives, at the oddest possible moments. And so even characters like the "emancipated" Sharie Lee find themselves haunted by the divine in the midst of crisis:

> Then she missed her period and
> because she was traveling,
> eating on the run, sleeping in
> different places every few days,
> she lost track and missed
> another, and then it was clear
> that biology follows like a shadow,
> biology like the mark of Cain on
> the human brow is everywhere,
> and even if you change your
> address frequently, it finds you
> and brings you low. Sharie
> thought, just for a moment
> she thought, that she had gotten
> pregnant because God was angry
> with her for using her voice, not
> to praise him, but to astonish the
> audience, to make the owner of
> the club give her an extra tip, to
> make her into the thing that was
> worshiped.

Restless, extravagantly overreaching, unable to shake off their Jewish souls, the Gruenbaums—as one of them remarks in another context—are all insomniacs unable to have the American Dream. Anne Roiphe succeeds in lifting their innumerable crisscrossing fables of achievement and woe into the realm of a true family epic. She understands that the gargantuan nature of her theme—the mixed blessing of Jewish America's "Hellenic" absorption in its adopted country's glittering prizes—requires a novelist's extravagant overreaching. *The Pursuit of Happiness* accomplishes this with tragicomic range and a lyricism that can only be described as, yes, triumphant and sweeping. □

BOOK REVIEW

Repeat Offender

Judith Dunford

Time's Arrow by Martin Amis. Crown Books, 1991, 168 pp.

In the introduction to *Einstein's Monsters,* his book of short stories, Martin Amis says that he was born a fateful four days before the first Soviet atom test. He calls them the only peaceful days he has ever known. Ever since then, it's all been waiting for the Big Bang.

Possibly the most interesting of England's youngish, leftish, fearsomely intelligent writers (and the son of Kingsley Amis), Martin Amis is enraged by the corner into which we have painted ourselves. As he sees it, on the other side of an all-too-thin line is the mushroom cloud, the Last Event. On this side is madness, a lunatic party, an $E=mc^2$ Masque of the Red Death. His fiction is written in the same brilliant light, "brighter than a thousand suns," that burns human shadows into concrete. His fury and insistent moral message, unusual in a time when so much fiction has retreated into the candified, Candide-ified private garden of "interpersonal," invite some lofty comparisons—to Swift's *Modest Proposal,* to Dickens's locomotive energy and reformer's passion, to Bellow's irony and intelligence. His novels have variously been called nasty, brutish, and long, or just nasty and British.

Like other writers of his generation, Amis has discarded much of the baggage of the conventional novel; three-dimensional characters, linear storytelling, even the pitiful claptrap of empathy—these have gone out the window. His clotted, futuristic plots resist summary; they are nearly beside the point.

What *is* the point is Amis's aggressive stance, his power of observation, which takes in everything, his radical passion, and most of all, his astonishing technical virtuosity. Amis is a ringmaster of words, a Krakatoa of a cascading, gang-rape style ideally suited to his hellish picture of The Way We Live Now. Not so much narrowly political as widely engaged, Amis has set out to turn the quiet, persuasive, uplifting novel inside-out. His books are essentially didactic but wear gorilla costumes.

In her autobiography, the Russian writer Nina Berberova observes: "Nineteen centuries after the Sermon on the Mount people still laughed at hunchbacks, freaks, cripples, impotents, cuckolds, and old maids." Amis would agree; it seems no accident that his dashingly repellent second novel, *Dead Babies* (1975), takes place in a converted rectory, now a site of sadistic debaucheries.

In *Money* (1984), three novels later, he has moved from the deceptive calm of the British countryside to the meccas

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Judith Dunford is currently working on her second novel.

of greed and me-me-me-ism, New York and London. The hero is a half-American named John Self. We meet him just off the plane, in a cab on New York's FDR Drive. "Only need a hundred guys, a hundred guys like me," says the cab driver, "take out all the niggers and PRs in this fuckin' town." Self is a producer of television commercials for cigarettes, liquor, and junk food. A drunk, a haunter of cheesy sex parlors and porno flicks, a fighter, neither particularly sympathetic nor particularly believable, he is consumerism and individualism gone mad. *Money* is a *Pilgrim's Progress* inside-out.

By *London Fields* (1989) Amis has taken as his text "the earth is the Lord's and the fullness thereof." Something terrible is about to happen. A total eclipse is predicted, the sky is the wrong color. The weather has turned killer. Trees are dying, there are solar storms. It is a landscape for premonitions. Nicola Six (read s-e-x), the most *fatale* of *femmes,* foresees that she will be killed by one of two men she knows, either the edgy, crude, neon-lit petty criminal Keith Talent, who ends sentences with "innit?" or possibly Guy Clinch, a Dudley Do-Right of rich stupidity. Nicola is a connoisseur of undergarments, a Fruit of the Loom *belle idéale* who favors virginal white for driving men mad with lust and has nothing but contempt for those who choose the trite slinky black. Nicola Six will not wear a *bikini* (wink, wink) but has an imaginary friend with the frolicsome nickname of Enola Gay.

Time's Arrow is the first of Amis's novels where the plot is easily summarized. A doctor in Auschwitz, a Mengele type who has about him a little something of the movie *The Boys From Brazil,* escapes at the end of the war through the Brenner Pass into Bologna, then to Rome. With the help of the Vatican and the gold he has collected from the teeth of slaughtered Jews, he passes through Salerno to Lisbon, changing his name when necessary, and from there to New York.

He eventually settles in small-town America, "washing line and mailbox America ... affable, melting-pot, primary-color, you're okay–I'm okay America," where he becomes Tod T. Friendly (Tod, the German word for death? or just an "Amurrican" name?) and works as a doctor in the local clinic. He has some love affairs, the most durable of which is with Irene, once his cleaning lady, who hints that she is on to his secret because of what he mutters in his sleep. He grows old, tends his garden, has a heart attack, and dies. The story is put into the mouth and consciousness of Tod T. Friendly's *Doppelgänger,* a historically naive, optimistic "other," the part of his soul or conscience that split off when Friendly's memories became unbearable or inconvenient, someone who "remembers" only the future. For this novel is told backwards.

Outrage is a little like pornography; it is fatiguing, it wears itself thin, you need more and more to produce the same effect. Certainly this book is suffused with feeling and the strong moral sense we expect of Amis. Yet it is difficult not to suspect that by choosing an extra-special horror and a technical tour-de-force for his latest novel, he hopes to keep up the voltage. In any case, he would have been easier on himself and his readers if he had confined himself to the long flashback from the Fall to the Garden as, for example, Harold Pinter does in *Betrayal.* Instead, he has chosen a difficult technical trick, a novel as palindrome. It's a dashing, daring conceit, a perfect little parlor game, and he does it very well indeed.

Outrage is a little like pornography; it is fatiguing, it wears itself thin, you need more and more to produce the same effect.

When we first meet Tod T. Friendly he is un-dying in the hospital, surrounded by doctors who are dressed in leisurewear and presided over by "a figure, a male shape" who "seemed to be wearing a white coat.... And black boots. And a certain kind of smile. I think ... [t]he image might have been a ghost-negative of doctor number one—his black tracksuit and power-pack plimsolls...." This is the land of negatives.

We move back with him through time, through the succession of cities in his escape, to Auschwitz, to his horrified wife, out again to when he was an ordinary doctor named Odilo Unverdorben, to his army service, to his marriage, back, back, back, through his childhood. The book is quieter and "cooler" in tone than Amis's others, his usual stampede reined in by the constraints of the form. When we leave Odilo-Friendly he has grown too young even to play with his ca-ca, and will soon be enwombed. "When I enter her, how she will weep and scream," he says, reminding us, as in so many places in this book, how like the end is the beginning. He waits for his father, a bitter, wounded World War I veteran, to "come in and kill me with his body." Well, yes, that *is* how it would work in reverse.

There is no question that watching the Auschwitz dead rise from their ashes and clothe themselves in life has some of the stunning power of John Donne's great lines: "At the round earth's imagin'd corners, blow / Your trumpets, Angells, and arise, arise / From death, you numberless infinities / Of soules, and to your scattered bodies goe...."

> I or a doctor of equivalent rank was present at every stage in the sequence.... The patients, still dead, were delivered out on a stretcherlike apparatus. The air felt thick and warped with the magnetic heat of creation. Thence to the Chamber, where the bodies were stacked carefully and, in my view, counterintuitively, with babies and children at the base of the pile, then the women and the elderly, and then the men.... There was usually a long wait while the gas was invisibly introduced by the ventilation grills.... I always felt gorgeous relief at the moment of the first stirring. Then it was ugly again. Well, we cry and twist and are naked at both ends of life.... It was I, Odilo Unverdorben, who personally removed the pellets of Zyklon B and entrusted them to the pharmacist in his white coat.... Clothes, spectacles, hair, spinal braces, and so on—these came later. Entirely intelligibly, though, to prevent needless suffering, the dental work was usually completed while the patients were not yet alive.... Most of the gold we used, of course, came direct from the Reichsbank. But every German

present, even the humblest, gave willingly of his own store.... The bulk of the clothes were contributed by the Reich Youth Leadership. Hair for the Jews came courtesy of Filzfabrik A.G. of Roth, near Nuremberg. Freight cars full of it. Freight car after freight car.

Yet even here, in this sacred place, Amis's cleverness intrudes. That pharmacist in a white coat receiving Zyklon B pellets! That gold contributed from every side!

It is easier to admire Amis's meticulous care and wit when they are not in support of such an overwhelming load. And he is *very* clever. So, taxi drivers pay their passengers at the beginning of each trip. Prices get lower as life goes on, cars get fatter and fewer and "imitate animals with their fins and wings." People lose their tans when they vacation, a ship's wake is consumed by the ship. A Japanese graduate student reads his book "backwards" from left to right. Amis even works out conversations so they can be read equally well up or down.

"Goodbye, Tod."
"Wait. Don't do anything."
"Who cares? It's all shit anyway."
"Irene," he said.
"Yes I am. Tod, I'm just this terrible old lady now. How'd it happen?"
"No you're not."
"I'm going to call the *New York Times.*"

Yet, for all his cleverness, what seems to concern Amis is that *Time's Arrow* be placed squarely in company with Holocaust literature. Thus, in a short afterword he refers to Robert J. Lifton's *The Nazi Doctors* as the book's inspiration, and to the autobiographical works of Primo Levi. Amis also mentions Martin Gilbert, whose even-toned history of Nazi anti-Semitism makes terrifying reading, Isaac Bashevis Singer, Kurt Vonnegut, and others. He tells us he has pored over medical textbooks, especially Lawrence Shainberg's *Brain Surgeon.* He does not mention staring at Saul Steinberg's unnerving picture of a man drawing himself, but he might have. He certainly wants the reader to know that he is serious.

Holocaust in metaphor and Holocaust in memoir (or anti-memoir) have obvious antecedents. Apart from Amis's own list, it is easy to think of Art Spiegelman's extraordinary *Maus,* Claude Lanzmann's *Shoah* (with its pried-out memories and innocent Polish landscape), Saul Bellow's *The Victim.* By now the Holocaust has given rise to a vast body of work. Whether it is clever or dull, good or bad, how can this *really* matter? The subject dominates and it must be allowed to dominate; this is no place for mere technique to get the upper hand.

And finally, that is what is objectionable about *Time's Arrow*; it is too clever by half, by more than half. Auschwitz occupies a very small portion of the book, both in fact and in effect. Though it has the greatest resonance—how could it not?—it is only one more experience through which Friendly passes, another possibility for Amis to surprise, only this time by bringing Jews back from their ashes. The book is not about Auschwitz or even about Odilo Unverdorben, reborn as Tod T. Friendly; it is about Amis's technical wizardry.

Amis has said that he wanted to write a book about a world morally inverse, to see what it would look like inside out. But in the light of the clever game he has played instead, this all seems like an elaborate self-justification. *Time's Arrow* is smoke and mirrors, breathtakingly worked. But how dare he? □

The Press and Politics

(Continued from p. 14)

discussion will belong to economists and other policy elites. When the rest of us try to participate on these terms we can only ape the language of these elites. Thinking ourselves informed, we may observe to each other, "Bush is in deep trouble if the economy doesn't turn around by November." With this sort of talk we take up unwitting residence with the press, positioning ourselves as savvy insiders who speculate on what the mass of outsiders will do with their votes. This is the unfortunate effect of the journalist's current rhetoric: It invites us to adopt the perspective of a campaign strategist, analyzing how the election can be won.

When we imagine ourselves as strategists seeking votes, it is useful to know that "the economy" is an abstraction people use to describe their troubles. A winning advertisement can be designed around that. But if instead we are trying to imagine the arguments the political community needs to have in order to address its economic troubles—a far more meaningful task—then "the economy" is not a useful construction at all. A better rhetoric is needed, one that connects economic problems to decidable questions, and presents those questions to the political community.

But how do journalists distinguish a good rhetoric from a less-than-useful one, a real debate from a phony or misleading one? This question opens on to other, more difficult problems: If journalists were to stop talking about pre-primary polls, the expectations game, and other insider topics, what should they start talking about? Our issues, or those of our political opponents? In constructing the political universe, whose politics should they favor? Whose objectives should they adopt once they give up the misleading doctrine of objectivity?

My answer will not satisfy those who, as Lasch has written, see politics as "another name for warfare." Nonetheless I think it is the best answer possible. The journalist's job is not to side with "us" or "them" but to expand our notion of "us" until it includes "them"—as co-participants in an ongoing discussion. The press makes one portion of the political community visible to the rest, not in order to assert that we're all alike, or that we can resolve our differences in a stroke, but so that

we'll know better who "we" are, where "we" differ, where "we" agree. As the philosopher Michael Sandel puts it: "When politics goes well we can know a good in common that we cannot know alone."

This is a lofty but worthy goal for the press: to make politics, and particularly discussion and debate, "go well," so that they produce a better portrait of the political community than would otherwise exist. In this portrait we should be able to recognize ourselves, but also the others with whom we share the same political world. We should be able to see candidates for public office engaging in principled argument, in a setting where they can display their full humanity. We should see journalists, if we see them at all, behaving as exemplary listeners and questioners, asking what needs to be asked if politics is to "go well," and refusing the impulses that must be refused if the political sphere is to have meaning.

What, then, would this prescription mean in practice? Here are some things journalists can do to help produce a politics of meaning.

First, they can back out of the frame more often and refuse the predictable urge to dominate the discussion. In televised interviews and debates, for example, it is far too common to see journalists inject themselves into the discussion with prosecutorial zeal, bent on exposing the candidates' flimsy rhetoric and patchwork thinking—lapses that journalists assume we would never discover ourselves. In one of the earliest TV debates among the Democrats, NBC's Tom Brokaw strode around the set tossing impossible-to-answer questions at the seated candidates, who looked like nervous schoolboys submitting to the headmaster's examination. Brokaw got the effect he wanted: Compared to him, none of the contenders looked "presidential"—none, in other words, generated an air of televisual authority equal to his as an anchorman. By backing out of the frame and allowing the contenders to pose questions to each other, Brokaw could have done political debate a service, although his own role in the proceedings would certainly have been diminished. (In a later debate, Peter Jennings of ABC did us this service by announcing a format in which he as moderator would withdraw almost entirely, allowing the candidates to interrogate each other.)

Second, the press should alter its understanding of the "character issue" to concentrate on the public, rather than the private, dimension of character. Journalists think they're being responsible when they debate such prickly questions as, "When does the candidate's private life become a public matter?" But they don't seem to realize that whatever answer they arrive at, the question sets them up as moral arbiters for the nation. This is unfortunate, for as moral arbiters they lack moral authority; indeed, they specifically decline this authority through the doctrine of objectivity.

A far better question than "When does the candidate's character become an issue?" is "What do the issues reveal about the candidate's character?" To assume that character is disclosed through actions in the public sphere is a decent and workable premise for journalists, who can at least claim to have authoritative knowledge of a politician's public deeds. This knowledge can be judged, however, only by the standards of a public philosophy. Without some vision of how politics ought to go, the press cannot tell us much about the public character of a political leader. That is why reporters ransack the private life of any serious contender, on the lookout for violations of conventional morality.

The only way to alter this behavior is to arrive at a set of beliefs about what constitutes public integrity in a public actor. This too is largely a question of what democracy means to the press. If democracy is about winning elections, then respect is due to those who claim victory in the public arena. If democracy connotes a way of life in which we endeavor to "know a good in common that we cannot know alone," then respect should go to those who try to make public discussion "go well." It follows, then, that those who win elections but poison the political climate in the process should have their public characters investigated—surely a more useful task than tracking down rumors of extramarital affairs.

Third, journalists should assume public responsibility for the way in which they construct the public sphere. They should see this construction as part of their job, and they should ask themselves how the job can be done better. In an unusually perceptive self-rebuke, William C. Rhoden, a sportswriter for the *New York Times,* commented on Mike Tyson's rape conviction and warned of the dangers involved in "conferring hero status on athletes who have not earned it and may not particularly want it." Calling for a "new dialogue" on the question of how journalists bestow celebrity on athletes, Rhoden wrote that athletes today are "catapulted to celebrity status for no other reason than being highly paid, exceptional performers."

What is unusual about these remarks is Rhoden's acknowledgement that a public sphere in which Tyson was treated like royalty was, in some measure, the creation of journalists—an achievement they ought to regret, he said. Fully aware of the moral judgment implicit in constructing Tyson as a full-scale public spectacle, he went on to urge his colleagues who are "in the business of creating images" to

"think more clearly, look more carefully, and control more effectively the flights of fancy that would have us confer hero status on the basketball player who sinks a winning shot or the boxer who packs the best punch." Rhoden's piece, published in the *Times* Sunday sports section, actually belonged on the op-ed page. For it posed the critical question for journalists in every field: As makers of the public sphere, can they continue to operate without a public philosophy?

In one of his recent addresses, Václav Havel pointed to a world "in which generality, objectivity, and universality are in crisis." Such a world poses a "great challenge for the practice of politics":

> Sooner or later politics will be faced with the task of finding a new, postmodern face. A politician must become a person again, someone who trusts not only a scientific representation and analysis of the world, but also the world itself. He must believe not only in sociological statistics, but also in real people. He must trust not only an objective interpretation of reality, but also his own soul; not only an adopted ideology, but his own thoughts; not only the summary reports he receives each morning, but also his own feeling.... It is not that we should simply seek new and better ways of managing society, the economy, and the world. The point is that we should fundamentally change how we behave. And who but politicians should lead the way?

If Havel is right, and a new kind of politics is needed, then it will have to be accompanied by a new form of journalism—that is, a different way of constructing politics for public view. One thing is certain: The initiative will not come from "the media," that corporate complex dedicated to the production of audiences. Journalism, we should understand, is a public practice housed within "the media," but dedicated to a very different proposition: that audiences should become publics, that spectators should become participants in a healthy public sphere. What we need, finally, are journalists willing to struggle with "the media" over the conditions and terms in which our public business shall be conducted. To "the media," the public sphere is little more than an attention-marketplace, where audiences await lucrative capture. To journalists, the public sphere is the only site where their work makes a difference, and where their special privileges make sense. It is in the journalist's interest to join with us in improving political debate and public life generally. For it is not the owners of the media, but fellow members of the political

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To put it another way: If a free press can find no virtue in promoting a politics with meaning, then what is the meaning of promoting the virtue of a free press? □

Israeli Elections

(Continued from p. 18)

in the government's ability to provide them with suitable jobs, they returned to their countries of origin in the former Soviet Union. And the hundreds of thousands of immigrants who have remained are an intelligent and educated sector of the population, socialized to cynicism about government propaganda. After a brief period of adjustment, those who found more-or-less appropriate employment and housing gained enough of a footing in Israeli life to read the newspapers and socialize with Israeli peers who are not embarrassed to sound off with criticism of the government. In addition, immigrants to Israel who have spent several months without the remotest hope of finding a good job are now aware that when Shamir faced the choice between formulating a comprehensive absorption policy that was sensitive to their needs and building more houses for settlers in hostile Arab neighborhoods, he chose the second option. Among this group of immigrants, frustration with the Likud government is growing; and the right-wing opposition parties are not well-positioned to present them with an alternative (just as moving into the Territories has not appealed to more than a few thousand Soviet immigrants).

No matter what the outcome of the elections will be, hard times are in store for the settlements. If the Likud forms the next government together with the extreme Right, it will be unable to reach a compromise with the U.S. allowing Israel to obtain money for settlements in the Territories. The absorption policy indeed slowed the rate of immigration—but supplying the needs of the four hundred thousand immigrants who have already arrived and alleviating widespread unemployment among longtime Israeli citizens already weigh heavily on the budget. Israeli taxpayers—as well as Jewish-American donors—are not inclined to pay for these settlements out of their own pockets. Nonetheless, Ariel Sharon can be expected to continue recruiting major donors to advance the cause of creeping annexation.

As the incentive of loan guarantees continues to dissipate, and as the transfer party continues to breathe down his neck, Shamir will have less motivation than ever to offer the Palestinians even as much as the limited autonomy plan he put forth prior to the present crisis in relations with the U.S. A government headed by the Labor party, with or without the Likud, will likely enact the compromises reached under the unity governments of 1984 and 1988, in which the coalition agreement limited the settlements to a defined number and to set areas. A Rabin government without the Likud will not be hard-pressed to reach an interim agreement with the Palestinians to freeze settlements during the transition period. The Labor party would also prove receptive to the idea of a Jordanian-Palestinian confederation as a permanent arrangement, or the Belgium-Netherlands-Luxembourg model of regional government, in which Israel might also participate. If the U.S. knows how to reward the Israeli public for electing a pragmatic government with a comprehensive package of economic, political, and security incentives, then there is a reasonable chance that the vast majority of voters who support territorial compromise will not allow an extreme minority to stand in the way of a realistic arrangement with the Palestinians. □

Parents and the State

(Continued from p. 22)

a number of years ago at a time when she was unable to meet their needs. She could have maintained a parent-child relationship with them, however, had she not been limited to brief biweekly visits. Another client is being threatened with the removal of her grandson because she does not consent to his being treated with psychotropic medication or placed in a residential treatment center—even though protective agencies have made no effort to assess whether a school in her community could meet his needs. In March of this year, the Supreme Court eviscerated parental recourse to legal remedies for such egregious abuses of power. The Court ruled that parents could no longer use federal law to sue state agencies for failing to make "reasonable efforts" to reunite families. It is now in the hands of Congress to enact legislation that would supercede this ruling.

We shrink from the difficult decisions we cannot avoid: The fear of drawing the line too narrowly leads us to draw it too broadly. When we focus on the neglectful and abusive behavior of individual parents, we allow ourselves to avoid recognizing how their failure reflects larger social failures for which we are all ultimately accountable, since the state—in whose operation we are all implicated—is the most neglectful parent of all. The degree of intervention into parent-child relationships must be tailored to fit (and not exceed or fall short of) the needs and circumstances of each individual family.

When the state uses untempered intervention as a blunt instrument, and describes all parental failures of children as "child abuse"—provoking the uniform response of removing all the children from the home—we needlessly destroy otherwise viable families.

What might a profamily politics look like? Can "family" be redefined in ways that support nontraditional alignments based on feminist, gay, and cross-cultural critiques of the nuclear family and recognize extended networks of social relationships based on ties of kinship or affection? How can we support the institution of the family—for all intents and purposes the only social institution based exclusively on loving commitment—without compromising our intolerance of domestic violence and abuse? In part, the answer lies in the emergence of new kinds of households that can renew family life—but only if they are given the social acceptance and nurturance they need in order to flourish. Thus family support policies must be designed in ways that allow such households to be economically viable and create supportive communities in which they can function.

A number of factors have compromised the goals of the child-protective movement. Cynicism born of ineffectual efforts to combat domestic violence, combined with the loss of the sense of community that lent hope to the movements of the 1960s and 1970s, has led us to believe that we need to save who we can (in this case children), since we can't change the larger social and economic environment. Furthermore, the policy of massively applying state intervention to change the balance of power in families where women and children are physically and emotionally abused has often left liberals aligned against people in inner-city and poor communities, who view themselves in an adversarial relationship to an oppressive system that is destroying their neighborhoods and their culture. The source of this problem lies in the failure of liberal policymakers to address the deeper social meaning of the issue by bringing a historical perspective to the problem and by understanding and addressing the reasons for such anger.

An analysis of the child-protective system in the United States requires (for example) understanding the brutalization of African Americans, starting with the systematic breakup of their families in slavery, and continuing with the racism and class oppression that span from the Reconstruction period to the present time—a history that is distinctly different from that of other oppressed minorities in our country. Like the War on Poverty, which gave services and money to poor communities without supporting their efforts at leadership and independence, the child-protective system respects neither its clients' cultural heritage nor their humanity. Caseworkers classify angry parents as "noncooperative" clients and treat noncooperation as a reason to keep children in foster care. Professionals need to support the efforts of parents to reassert their dignity, even if that assertion challenges the child-protective system itself.

Neglect cases too often have resulted in unnecessary removal of children, often without prior notice to parents—even when the child faces no imminent danger. The state often removes children with little attention to legal process; and the judges and attorneys in the family court system rarely question the state's actions. The net effect is to ratify the caseworkers' decisions, thereby rendering child-protective intervention arbitrary and unjust.

The courts must respect the rights of parents by ensuring that caseworkers are making "reasonable efforts," both before and after they remove children. The courts can neither rectify the unequal scrutiny given to poor families nor change the social conditions that give rise to neglect. But they can make better efforts to keep families together by ordering and supplying necessary services, even if those services cost money.

The consequences of the liberal approach to child protection are disturbing. The good child–bad parent dichotomy gives credibility to conservative policies that hold parents accountable for their children's criminal acts—for example, the punitive eviction of parents from public housing when their children are found possessing drugs. Such policies mete out equal punishment to parents who have abandoned the effort to influence their children's behavior and parents who simply need support in dealing with their children's rage and hopelessness. Furthermore, such responses show little understanding of the ways in which parental failures represent the defeat of parents' own deepest hopes for the future, just as they symbolically represent the defeated aspirations of the working class. As the ranks of the middle class diminish in the face of unrelieved economic recession, the American Dream is increasingly inaccessible to poor and working parents, who struggle on a daily basis against the drugs, crime, and violence that are claiming their children.

Despite the child-protective bureaucracy's heavy investment in the good child–bad parent dichotomy, the struggles of parents in impoverished communities have moved into the foreground of public consciousness. Movies such as *Boyz N the Hood* reflect a growing humanization of parents' and children's struggles to survive and even flourish amid daunting conditions. Ongoing news coverage of issues such as steadily diminishing public support for single mothers and the

fears of parents whose children have been involved in violent incidents in the schools has educated the public about the often tragic limitations of liberal approaches to family policy—and helped clear the way to a compassionate, morally consistent response.

The Left urgently needs to address the pain of poor and working parents, and we can begin to do this only by recognizing that the issues are not merely economic, although they often stem from economic privations. Liberal child-welfare experts ignore this pain at their peril since the Right will continue to fill the resulting vacuum by claiming this issue as its own. We cannot allow the language of empowerment to be co-opted by the Right, which uses it to justify a hands-off approach to state involvement in employment, education, and welfare in order to "liberate the forces of individual initiative" in the inner city. Properly defined, empowerment of parents means helping them confront racism, condescension, and inequality.

The complexity and immediacy of the issue requires us to respond quickly and decisively. Many of the clients in the child-protective system do need help. The question is, what kind of help? Rather than focusing on child removal as a remedy, that help could take the form of funding "family preservation" programs that assist families before their children are removed and maintain the parent-child bond during foster care with frequent visits. "Family preservation" should be broadly defined to include support for poor and working parents in the form of publicly funded day care and health insurance. In addition to providing services, government should support community organizations and mutual-assistance societies such as those formed by many ethnic groups that share day care, provide seed money for new endeavors, and run parenting groups and advocacy efforts.

Recognizing the pain of parental struggle does not mean that all parents are good. It does require recognizing that real support for families must be linked with efforts to change the world of work and reorganize the economy. The social significance of child neglect extends beyond its current impact. Its human implication is also profound because it shapes the lens through which future generations will filter their memories, and, in turn, their hopes and dreams. A compassionate response to children must include an equally compassionate response to their parents. □

Nuances of Evil

(Continued from p. 26)

who lived on Croatian territory. Furthermore, as in the case of the Lithuanians, the cruelty displayed by the Croats was often considered excessive even by the SS.

But the differences are salient. To begin with, the Croatian Fascist Ustasha movement, which set up an independent state in April 1941 and collaborated with the Germans, represented only part of the Croatian people, many of whom joined Tito's Partisans. Second, while the Jews were slated for extermination, the real enemies of the Ustashi were the Orthodox Serbs—"Turks," as one Ustasha leader put it, "the plunderers and refuse of the Balkans." It was against the two million Serbs that the Ustashi turned, determined to kill one third of them, deport another third, and forcibly convert the rest to Catholicism.

What of the role of the Catholic Church? In every case (including Poland and Slovakia) it was enormous, though not of a piece—some Catholic clergy and laity actively resisted the Nazis, while others collaborated wholeheartedly. In Lithuania, there is no record (as far as I know) of local priests actually taking a hand in the massacres. In Poland, the largely Catholic population certainly did not take part in the extermination process, though most Poles, raised by Christian doctrines to despise and suspect the Jew, were either indifferent or pleased that the Germans were "solving" the problem for them. No priests, however, openly condoned or lent support to mass murder, and some lay Catholic intellectuals and members of the clergy were deeply involved in rescue activities. But in Slovakia, the head of the puppet government set up in March 1939 was a Catholic priest, Jozef Tiso, who headed the Hlinka People's party, a right-wing Catholic group. Under its aegis, all but five out of ninety thousand Jews were murdered, most of them by deportations to death camps. Some of the deportations, however, were put off as a result of intervention of the Church.

In Croatia, the role of the Church was uniformly vile. Many priests actively participated in the butchery, and the Church, through Archbishop Alojzije Stepinac and the Vatican, remained silent about the atrocities. The Ustashi, after all, were *their* people, good, God-fearing Catholics, while the Serbs were heathens and the Partisans were atheists and Communists. The Ustasha government, furthermore, banned abortion, contraception, pornography, and similar abominations; it was clear to the Church whose side it should be on.

It is a pity that Steinberg's work on Croatia has not received the kind of publicity it deserves. At a time when the Croat government is generally portrayed—with the blessings of the Catholic Church—as the innocent victim of Serb chauvinists, that slice of history deserves to be remembered—especially since President Tudjman has seen fit to rehabilitate the Ustasha as "an expression of the historical strivings of the Croat people," and boasts that neither his wife nor mother is "Serbian or Jewish."

The French are another matter. The Vichy government's role in the Final Solution has been the subject of a great deal of controversy. In Poland, the alleged complicity of the French authorities has often been cited to show that other occupied peoples had a much worse record than the Poles, and that criticism of the latter, therefore, is based simply on anti-Polish malice. In addition, the idea that French anti-Semitism is viciously *sui generis* is given credence by many American Jews.

John P. Fox of London gave a meticulously documented and closely argued paper on Vichy France that helped to dispel some of these stereotypes. Out of the 300,000 Jews in France in 1939, 76,000 were murdered either in extermination camps or by execution. Approximately 74 percent of the total, then, escaped extermination—an extraordinary proportion as compared with other countries. What accounts for it?

The answers are both revealing and paradoxical. For one thing, most of the deportees were sent to the camps in 1942, and after Germany annexed the unoccupied zone in November of that year, the transports declined precipitously. This was both because stateless Jews were deported whereas French Jews weren't, and because by the end of 1942 the Vichy government no longer believed that Jews were being shipped to work in German factories as the Nazis insisted. Laval and Pétain were staunch anti-Semites, and the plan to expel the many foreign Jews who had fled to France in the 1930s had long been on the agenda of the right-wing political parties. But their "own" Jews were a different story, as was wholesale murder. Moreover, the German insistence that Vichy give up French Jews was a direct and intolerable challenge to French sovereignty. Laval and Pétain resented this fiercely, and in fact did their best to sabotage the continued German deportation efforts.

Many ordinary French citizens supported Laval and Pétain's resistance: Thousands of Jews were hidden and saved by local families, whose efforts were not motivated by any notions of sovereignty but were prompted by human—often specifically Christian—considerations. Protestant descendants of the Huguenots were particularly heroic in rescuing Jews, both French and non-French. Fox's evidence does not exonerate the Vichy authorities from the charge of ruthless persecution, but it does discredit the accusation of complicity in the Nazi program of mass extermination, and generally adds nuance to our understanding of an occupation government that was far more complex than is usually perceived.

What conclusions, however tentative, can be reached from these disparate accounts? On the basis of his research, Fox is firmly convinced that the French could never dream up nor willingly participate in a Nazi-like Final Solution. The Lithuanians proved themselves equal to the Germans in savagery, but it is doubtful whether they would have been capable of creating the kind of systematic and bureaucratic death machine that the Germans had assembled. The Ustashi behaved like beasts, yet again their aim was not the same as that of the Nazis. The Catholic Church did not cover itself with glory, but its behavior cannot be reduced to one common denominator.

If there is one general conclusion to be drawn from these papers, it is that they do not lend themselves to general conclusions—in other words, to simplistic generalizations. The instinct to kill, or the lust for blood, or indeed the capacity to commit evil may conceivably reside in all peoples at all times. But whether or not these proclivities come to the fore, and if so how, in what form, and to what end, surely depends on any number of factors, ranging from cultural norms and historical traditions to religious dictates or constraints, from specific circumstances to particular temptations. Whatever the temptations or circumstances, would the English (or for that matter any other) people embark on the mass extermination of a whole nation? Is the inhumanity that is born out of fear or the urge for self-preservation (e.g., the Jewish policemen in the ghettos who brought their own mothers and fathers to the deportation trains) any less despicable than that induced by sheer hatred or religious beliefs? What accounted for the differences between the efforts to save Jews in Denmark and in Poland, between the actions of the Romanian and of the Bulgarian authorities? Each question yields some answers, and each set of answers, in turn, leads to more questions—which leaves one wondering whether full understanding is really within our reach.

In his opening remarks at the conference, Yehuda Bauer struggled with the question of whether we can really understand the Holocaust, especially the role of "the perpetrator." The answer, he says, is that we can, inasmuch as we are all capable (whether we admit it or not) of placing ourselves "in his shoes." We all have the potential of evil within us, and we can understand a man like, say, Heydrich "because he is a human not unlike ourselves."

I take Bauer's point, but I have my doubts. The Wannsee colloquium (like that film masterpiece *Shoah*) suggests that there is indeed much that can be learned and understood: the mechanisms of death, the role of "Operation Barbarossa" (the German-Soviet war) in the Holocaust, the reasons (however ignoble) for the lack of an adequate Allied effort to halt the Final Solution, the

role of people like Himmler and Heydrich, the behavior of witnesses (like the Poles) or accomplices (Lithuanians, Croats, French), and much more. In the end, however, we are still left to grapple with the agonizing and overpowering question of how a demagogue almost succeeded in mesmerizing one nation into committing suicide by having it murder another. This question, I fear, will haunt us to the end of time. □

FICTION

(Continued from p. 28)

urgent voices. What were they saying? Why were we, and Pepi, being treated so rudely?

My husband said, hesitantly, Doctor?—what is wrong? You do it for others, don't you?—*Why not for us?*

Preparing to leave the room, as if he could not bear our presence another moment, the doctor said, Impossible. Just take it—him—out of here. Of course we don't do such things.

My husband repeated, You do it for others, doctor—*why not for us?*

And I joined in, pleading, my fingers stretched as if to touch this intolerant young man's arm, though of course I did not dare touch him, Oh, Doctor, yes, please—*why not for us?*

Our words hung in the air. The doctor did not reply, but strode out of the room, and shut the door firmly behind him. Was anyone in such a position of authority ever so rude to those who have come begging for help?

Was there some error?—some terrible misunderstanding? We looked at Pepi, in dread of what we might see. But it was only Pepi—our Pepi.

Lying there on the metal table, beneath the unwinking flourescent lights, watching us, hearing every word.

The doctor's assistant handed us Pepi's blanket as if it were contaminated, and said, with an air of righteous disgust, You may leave by this door at the rear.

And so—don't judge us harshly!—we did it ourselves.

For, after all, society failed us. We had no choice.

About fifty yards behind the pet hospital was a deep drainage ditch filled with brackish, ill-smelling water, in which there floated, like shards of dream, threads of detergent scum. Trembling, sick at heart, tears brimming in our eyes, my husband and I carried Pepi to the ditch, to put the poor thing out of his misery.

For we had resolved not to bring Pepi back home with us. No, we simply couldn't go through all that again!

Not in our very worst dreams could we have anticipated such an ending to Pepi's life in our family. So heartbreaking a task, yes, and so arduous and physically demanding a task—forcing poor Pepi into that cold, foul water, and pushing his head under! And how fiercely he fought us!—he, who had seemed so feeble!—he, our beloved Pepi, transformed into a stranger—an enemy! We would think, afterward, that Pepi had never so willfully disobeyed us, and he'd never demonstrated such strength: as if, in the years he'd lived in our household, *he had been unknown to us in his deepest, most secret self.*

Pepi, no! we cried.

Pepi, *obey!*

The hideous struggle must have required ten minutes. I am still trying to forget. Never had I, who'd loved him so, dreamt that I might one day be Pepi's executioner—never had I dreamt I might be anyone's executioner. My clothes were splotched with filthy water, my good kidskin gloves punctured and torn from Pepi's teeth! Nor did my husband, the gentlest and most civilized of men, ever imagine he might find himself provoked to rage, grunting, cursing, ugly veins standing out in his forehead, as he held this thrashing, squirming, desperate creature beneath the surface of ditch water in a suburban field, at dawn! For we soon forgot what we were doing, in the human desperation of doing it.

And you, you damned hypocrites, what will you do with yours? □

RETHINKING FEMINISM

(Continued from p. 36)

the former, how do we protect the lesbian living in a homophobic community or the Black, Vietnamese, or Haitian woman living in a racist community? Until we have some clearer sense of how we are to form the egalitarian and non-exploitive communities envisioned by Fox-Genovese, we must provide individual women of all races, classes, and sexual and ideological orientations with protection against oppressive community standards through extracommunal networks of advocacy and action.

If we consider the issue of reproductive rights, for instance, a multifront strategy is essential both to defining an agenda that will meet the needs of the broadest spectrum of women and to defeating those conservatives who have successfully redefined the issue as simply pro-life or pro-choice. Fox-Genovese rightly notes that as reproductive rights have come under increasing attack some feminists have come to claim access to birth control and abortion on the narrowest possible grounds of privacy and individualism. Yet to assume that the debate is fundamentally about the rights of women versus the rights of fetuses and fathers is to miss the opportunity to rethink the entire issue in more radical terms. As the

Committee for Abortion Rights and Against Sterilization Abuse (CARASA) recognized twenty years ago, the meaning of reproductive rights varies by race and class as well as sex. The right to have or not to have children, to choose or to reject sterilization, to raise children as part of a nuclear family, a female-headed household, or a lesbian partnership or not to raise them at all, to engage in various forms of sexual relations or not to engage in sex at all—these choices are all part of the struggle for reproductive rights. To suggest that there is only one agenda related to reproductive rights, or that abortion, because it is under attack, must be at the head of that agenda, or that abortion will have the same meaning for all feminists, much less all women, is to narrow the feminist agenda when it most needs to be expanded.

And it needs to be expanded precisely because it is under attack. Historically, many reforms are obtained when politicians fear the success of a more radical agenda. We need to broaden our demands, claiming the most fundamental protections on the most radical grounds. We need to build coalitions around reproductive rights that embrace those concerned with issues of poverty, health care, and childcare, as well as contraception and abortion. Such a movement will link together those devising solutions that provide resources for individuals, families, and communities. It will produce far more political clout than a movement focused on abortion alone. And it will link the needs of women to those of workers and people of color.

To argue for attention to differences among women is not to ignore the ways that such a focus can interfere with coalition-building as various groups of women emphasize identities rooted in race, class, or sexual orientation that obscure women's common experiences—of reproduction and childcare or of violence and economic deprivation. Moreover, in highlighting divisions among women, we often end up celebrating the autonomy of race- or class-based communities. In doing so, we attenuate ties that bind women to others outside their own communities, thus obscuring what may be the only lifelines for women otherwise vulnerable to sexual domination and abuse. Finally, the celebration of difference can even reinforce individualist credos, promoting assertions of self-reliance on the part of those who fear that their voices will be drowned out in a feminist movement dominated by white middle-class heterosexuals.

As justified as such grievances often are, they tend nonetheless to divert our attention from a critical truth: Women come from every class and race, and from every regional, religious, ethnic, and sexual group. We cannot build a movement that speaks to their various concerns without these various subgroups first speaking to each other. This requires more than simply expanding existing feminist agendas, since women will bring radically different cultural, intellectual, and theoretical legacies with them to these conversations. Some of the women who have been left out of previous feminist debates have been far less immersed in bourgeois individualism than many of us who became feminists in the 1960s and 1970s. They can be particularly helpful in assuring that we avoid the dangers Fox-Genovese catalogues and in renewing feminism's communitarian ethos.

Such multiple perspectives may also help us break out of those bipolar oppositions that seem constantly to reappear no matter how many times we try to deconstruct or destroy them. For it is only by developing more complex categories to replace equality vs. difference, rights vs. liberation, individualism vs. corporatism that we will be able to devise ways to break through current barriers. This does not mean ignoring the tensions these oppositions capture, nor does it mean simply devising new terms that obscure rather than resolve stubborn sources of conflict. Rather, by interacting with a broader spectrum of activist women, we might each begin to render our own identities and definitions in more complex ways and to recognize the points at which equality and difference or individualism and corporatism intersect and overlap. As feminist legal theorist Martha Minow has argued in *Making All the Difference,* "The dilemma of difference grows from the ways in which this society assigns individuals to categories and, on that basis, determines whom to include in and whom to exclude from political, social, and economic activities."

It is the boundary-defining aspect of this process that must be challenged if we are to envision a new, more inclusive, and radical feminist agenda. We can begin by fracturing and fragmenting our own identities, subverting the polarities around which we construct current political agendas as a way of creating a more kaleidoscopic sense of the possible connections and coalitions that can be created in pursuit of social change. Racial polarization has been one of the most difficult barriers to coalition-building among feminists, yet many black and white women could find common ground by focusing for a moment on their common working-class, lesbian, or religious identities. To rethink abstract polarities, we must first break down the concrete polarities that disrupt our conversations and keep us from delving beneath the most persistent sources of conflict. We only lose our power to arrive at a new feminist vision when we try too hard to hold on to a single identity or pattern without recognizing multiple possibilities.

Such concerns may seem a long way from the issues raised by Fox-Genovese, but I do not think that

we can make any progress in redefining and resuscitating feminism if we keep our conversations confined to traditional participants or to the categories of traditional political theory. When Fox-Genovese argues that in "an attempt to reduce the power of men over women, feminists have significantly contributed to destroying the corporate power of the family," the key question seems to me to be, "Whose version of the family?" Many feminists, and particularly lesbian feminists and feminists of color, have made brilliant contributions to redefining the responsibilities and rights of individuals who have committed themselves to long-term relationships, which sometimes include joint guardianship of children or care of the ill or elderly. For some women, destroying the corporate power of the family as it has been historically constituted is precisely what is needed, whereas for others, such destruction leaves them more exposed to exploitation. Some feminist scholars have been rethinking relations between the individual, the community, and the state. Others are struggling with the concept of privacy and the hazards of inviting the state to intrude in certain areas without giving it license to "intervene in every recess of our lives." A few, most notably Patricia Williams in *The Alchemy of Race and Rights,* are reconceptualizing notions of property and contract that have been basic to bourgeois individualist theory. Though we have not yet arrived at a new synthesis, the diversity of these projects shows that feminists have long recognized the critiques advanced by Fox-Genovese. What we need now is not ever more refined critiques but ever more ingenious responses to them.

Moreover, many of the problems that Fox-Genovese lays at the door of flawed feminist theory can be more justly ascribed to the conservative backlash against feminism. Since this phenomenon has now been eloquently described in Susan Faludi's *Backlash: The Undeclared War Against American Women,* I will not recount it at length here. But I do think that as we reconceptualize feminist agendas in company with those fighting racism, homophobia, class inequities, anti-Semitism, and other forms of oppression, we must be careful in dispensing blame as well as credit. If violence against women is on the increase, if violent pornography is more prevalent, if women and children are living in poverty in greater numbers, it is not because some feminists chose the wrong theoretical stance. One almost wishes it were that simple. Until those with greater power—in the family, the workplace, the community, and the state—change themselves or are forced to change by oppositional movements, even feminist victories will sometimes be used against women. Neither moral suasion nor theoretical consistency has, historically, persuaded those with power to relinquish it. Rather, change will only occur by shifting the balance of power; by forging new coalitions that advocate broad, eclectic programs for change among people who are willing to renegotiate priorities as opportunities present themselves.

Within such coalitions mistakes will certainly be made, and feminists will make their share. In the past, some self-proclaimed feminists have defined their agenda as getting a bigger share of the political or corporate pie, following the bourgeois individualist path that Fox-Genovese so penetratingly critiques. Even more radical feminists have been contradictory and inconsistent at times in challenging the seemingly impermeable hulk of capitalist patriarchy. And we have fallen short from the beginning of the modern women's movement by omitting women of color, poor women, lesbians, and others who fall outside the American mainstream.

But such limits, detours, and miscues should not blind us to the legacy of innovative thought and action that this generation has inherited from our feminist foremothers. Feminists have, over the last century and a half, reconceptualized the family, the household, the community, and the state. Some have provided practical resources for women in local communities across the country while others were pursuing more global changes. Some have given women access to basic political and economic rights at the same time that others challenged the political and economic system. We have shifted our positions over the years as the boundaries and definitions of familial, communal, and political rights and powers changed. And we have, in our best moments, recognized the connections that working-class and African-American womanists have made between the plight of women and the plight of other oppressed groups—connections that provide the basis for a more inclusive feminism.

This *is* a critical moment for rethinking feminist theories and actions. The work of scholars such as Elizabeth Fox-Genovese helps to generate and intensify that rethinking. We should all be pleased when our work elicits such widespread debate, for that, after all, is how feminists have formulated new ideas and agendas for more than a century. But even as Fox-Genovese provokes controversy, she must be cautious not to mislabel the enemy or to misconstrue the historical record in such a way that feminists are made responsible for the very evils they have attacked. We have a long way to go before securing, once and for all, even the most basic forms of gender justice; and an even longer way once we recognize that gender justice is impossible to achieve unless it is linked to racial and class justice. If we are to keep the

lines of communication open, both among those of us who have long claimed the feminist label and with others who in the past have felt excluded, we need to temper our critiques with compassion, our judgments with generosity of spirit, our future agendas with humility gained from past experiences. □

Race and the Courts

(Continued from p. 44)

was true? In the face of uncertainty, is it so clear that the Court's resolution of this controversy was unfair?

To acknowledge that purposeful, invidious discrimination has been stigmatized is not to ignore the limitations of the Court's doctrine or the difficulties that beset its implementation. Ironically, one set of difficulties flows from the positive changes mentioned above. Because disfavoring a person or group on account of race is widely viewed as immoral as well as illegal, officials engaging in such conduct take care to cover their tracks. At the same time—and again, because purposeful invidious discrimination has been so stigmatized—judges, in a close case, are hesitant to reach the conclusion that an official or agency has engaged in such deplorable behavior. As in a criminal prosecution, a charge of purposeful discrimination inclines many judges to give every benefit of the doubt to the accused.

A second set of difficulties flows from the Court's failure to recognize that merely prohibiting purposeful discrimination is all too modest a step forward, given our need not only to discourage ongoing invidious discrimination but also to redress the legacy of racial subordination. As Kairys points out, intentional, invidious discrimination is not the only form of decision making that should be deemed to violate the constitutional norm of governmental equality. The courts, for example, need to closely review thoughtless practices that unintentionally burden historically disadvantaged groups when less burdensome alternatives could be pursued without undue costs. Decision making of this sort is not as evil as intentional, invidious discrimination. But it is certainly morally tainted and warrants judicial rebuke.

Another difficulty with the Court's methodology is that, in making discriminatory purpose the indispensable element of an Equal Protection violation, it almost wholly exempts states from responsibility for the substantive consequences of their actions. States, under the Court's doctrine, are responsible for excluding only the most objectionable prejudices from the process of their decision making. But to paraphrase a statement by Justice Warren Burger in his landmark decision in *Griggs v. Duke Power Company,* absence of discriminatory intentions—or even the presence of good intentions—does not redeem a policy that adversely affects racial minorities and cannot be shown to be closely related to advancing government's legitimate goals.

So, like Kairys, I acknowledge that the courts must seek to prohibit more than purposeful, invidious discrimination by the government. Here is where we disagree: He focuses on hidden purposeful racial discrimination and the courts' alleged failure to detect it. I maintain that purposeful discrimination has been widely and effectively stigmatized. In his view, the Reagan-Bush Court is undoing fundamental gains made during the civil-rights revolution. In my view, there has been no substantial retreat from the baseline set by the Warren Court—but also no substantial advances. Instead of investing all or even most of our energies in struggles that we have largely won—such as the struggle to stigmatize and outlaw purposeful, invidious racial discrimination—we ought to invest our energies explaining *why* and *how* "government at all levels [should] carefully question and scrutinize any governmental measures that harm minorities." Kairys notes that measures that harm minorities should not automatically be deemed unconstitutional. But how do we determine a "harm"? And how do we distinguish between constitutional and unconstitutional harms that are disproportionately imposed upon racial minorities?

Unfortunately, Kairys's article is most glib and least illuminating at precisely the points where issues become most difficult, where progressives begin to debate among themselves, and where the best answers require not only good-heartedness but intellectual acuity. For instance, he writes as a brief aside that liberals have been, at times, "too quick to dismiss the deeply felt and legitimate concerns about crime and other problems" and have thereby made themselves more vulnerable to political isolation. That is a deep point urgently in need of exploration and elaboration. Yet he drops it in favor of stating familiar conclusions that will likely offer little nurturance or challenge to the moral, political, or intellectual inclinations of most *Tikkun* readers.

Kairys could have done what I am suggesting by asking more questions of the materials with which he deals. For instance, he rails against *McCleskey v. Kemp,* the Supreme Court decision that rejected the claim that Georgia administers the death penalty unconstitutionally, since people who murder whites there are 4.3 times more likely to be sentenced to death than people who murder blacks. I agree with him that the Court's handling of the case was egregious; a five-to-four majority maintained that, even against the backdrop of Georgia's

shameful history of racial discrimination in the administration of justice, the statistic noted above did not provide federal courts with a sufficient basis for intervention. At the same time, however, we must acknowledge that a case like *McCleskey* poses a variety of vexing issues. Kairys, like most liberal commentators who have addressed this case, focuses on the plight of the black defendant, Warren McCleskey—a violent hood who at the very least participated in a robbery during which a police officer was killed.* But what about the plight of law-abiding black people whose victimization by murder in Georgia is dealt with less rigorously than similarly situated white victims? If the main problem in Georgia is that black victims of crime are valued less than white victims of crime—that black people receive the unequal *protection* of the law—one possible remedy is to make sure that people who murder blacks are dealt with as severely as people who murder whites. The paradox, of course, is that doing so would send more blacks to death row or lead to longer prison sentences for them since most murderers of blacks are other blacks (just as most murderers of whites are other whites). Should progressives be in favor of increasing the rate and severity of punishment for those who criminally victimize people of color, even though doing so would mean enlarging the population of imprisoned or executed people of color? That is the sort of complicated, prickly issue that Kairys's commentary avoids, leaving readers without any inkling of the often cruel dilemmas that fester beneath cases that at first seem so easy.

On the affirmative action front, I agree with Kairys that the Court acted wrongly in *City of Richmond v. Croson* when it invalidated a set-aside program that earmarked a certain percentage of municipal contracts for minority entrepreneurs. He errs, however, in suggesting that there is no difference between affirmative action and desegregation because "all racial progress has meant imposing limits on the freedom and interests of the majority." One of the great achievements of the civil-rights movement was to show that in fact, "the freedom and interests of the [white] majority" would be enhanced, not diminished, by striking down the racial oppression that burdens people of color.

More importantly, Kairys neglects to distinguish between the constitutionality and the wisdom of business set-asides, which are, in my view, a dubious form of affirmative action. Business set-asides for minority contractors came to the fore under the Nixon administration. They are a perfect embodiment of trickle-down social policy, the theory being that if black entrepreneurs are given a boost through government pressure, the benefits reaped will help not only the entrepreneurs but will be spread by them throughout the black community. In the 1960s and 1970s, various critics on the Left—I think, for instance, of Robert Allen in *Black Awakening in Capitalist America*—derided minority set-aside policies, arguing that they would certainly do little good and likely do considerable harm. Critics argued that the benefits of such programs would be monopolized by privileged and conservative sectors of the black community. They predicted that black entrepreneurs, by exploiting white guilt or extracting white patronage, would obtain resources that would be squandered on self-aggrandizement rather than effectively invested in efforts to revitalize black neighborhoods. Critics such as Allen suggested that the Nixon administration's business set-asides should be seen as part of a strategy of cooptation to defuse black insurgency, purchasing social order on the cheap. Were these critics wrong? In my view, much of their critique seems to have been vindicated. Yet nothing that Kairys writes even suggests the existence of such critics. Like many, he prefers to sound the familiar chimes of radical sloganeering while advancing a position that is all too conventional. □

*Kairys writes that David Baldus's statistics from Georgia indicated that "[t]he death penalty was more likely still when the murderer [of a white person] was African American." The issue is murky. When Baldus disaggregated his data and examined urban and rural areas separately, he found that in rural areas black defendants with white victims still received somewhat more severe treatment. He observed, however, that these differences were not statistically significant. He found, moreover, that in urban areas, such as the one in which Warren McCleskey was tried and condemned, disparities tended to run against white defendants. In the end he concluded that "the discrimination against black defendants in rural areas and the discrimination against white defendants in urban areas canceled each other out" on a statewide basis. For an extensive discussion of this case see Randall Kennedy, "*McCleskey v. Kemp*: Race, Capital Punishment, and the Supreme Court," 101 *Harvard Law Review* 1388 (1988).

The Bloodiest Revolution

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female right next to you, was going to signal "Yes" at the same time. The male would just cheat and go to her. In other words, the strategy of signaling "No!" would have meant choosing the right moment, making sure that all females in the vicinity were in this together.

Luckily, this would really have helped the males, too, since they would have done better in the hunt when they were working together and coordinating their activities. So the women had a rational stake in getting the men to go off at the same time and do a *collective* hunt.

The women's "No!," then, within this strategy, would have had to be a *collective* signal. Remember, too, that the females would have been living in groups and so

would have been synchronizing their reproductive cycles as before, for the reasons explained by Turke. This part of the old system wouldn't have changed. Indeed, the need for solidarity against reluctant or lazy hunters would have accentuated the togetherness of the females. What time, then, would the females collectively choose? Well, if they regularly chose the time of fertility, around ovulation, that wouldn't work biologically—those women would never get pregnant. So the obvious time for saying "No!" would be around menstruation.

That gives us the timing, but it doesn't tell us how the females constructed their "No!" They would have faced the problem I touched on earlier—vulnerability to rape. Owing to previous evolution along the Turke pathway, round-the-clock sex is now fully possible. Menstruation provides no *biological* protection against sexual harassment, although it is true that males could not impregnate females that way, and so Darwinian processes wouldn't drive males to try to rape females at such a time.

What females did was to use the solidarity that strike-action gave them. The fact of their collectivity enabled them to construct *from the blood* a rule, a collective construct: in other words, a taboo. What makes rules or taboos possible is just this—collectivity. If chimps can't establish rules, it's not because they lack the necessary "intelligence." They're extremely intelligent creatures. Chimps lack moral rules because the required scale of solidarity is never generated by their style of sexual-political life.

Solidarity enhanced women's consciousness, as though making them more intelligent. "Females" became "women" when they established their own pride, their own dignity, their own power. Empowered by finding themselves in situation-dependent solidarity, women collectively drew on their own biological resources to give their menstrual blood its collectively constructed "meaning" as a symbol of inviolability. The consequent rule against rape was the first cultural rule and the foundation on which all other rules were built. Without that, nothing else is real—we're just animals. Worse, in fact, since most animals never rape.

Once the menstrual taboo had been constructed there was nothing to stop women elaborating on the theme almost indefinitely. Suppose there was not much real menstrual blood around, because most of the women in a group were pregnant or breast-feeding. Well, the blood could be shared around. Or you could use red juices or red ochre that *looked like* blood. Suppose women wanted to stay on strike a full week or more after the onset of menstruation, perhaps because the men had as yet caught nothing at all. The women wouldn't have needed to keep bleeding. Merely refusing to wash off the blood or body-paint would have sufficed. All over the traditional world, women who have become "polluted" by the potency of such blood remain inviolable until they have chosen to go through a spell-lifting, curse-lifting purificatory ceremony. If they refuse, men simply fear to come near.

Tikkun: What about other kinds of blood taboos—those connected with meat, for example?

Knight To explain this, I must go back a bit. As I've argued, the fundamental rule of culture is the rule against rape. Women's right to say "No!" is the basic social precondition for the possibility of language. Without such a rule, violence will reign and words will be utterly powerless. If women can say "No!," then language, ritual, sharing, cultural kinship—the whole symbolic realm—is possible. Otherwise, it's not.

How did women manage to assert their periodic inviolability? The evidence is that they synchronized and signaled "No!," not just through verbal language as we understand it but at a deeper, more potent and dramatic level—through body language. Essentially, through collective, all-woman *dancing*. Collective rhythmic tribal dancing, as the women resisting racism in South Africa have recently confirmed, can be very defiant, consciousness-raising, and revolutionary. Cave paintings, rock art, myths, and contemporary hunter-gatherers all confirm the importance of gender-polarized dance and its ancient links with menstrual ritual.

The major, most potent dances of the San (so-called "Bush") peoples of southern Africa are triggered by the onset of a young girl's first menstruation. This reflects a pattern that was once worldwide.

Now I can answer your question about taboos against blood in meat. Rock paintings of dancing women with animal heads or bodies show that when women needed to signal "No!," they interfered with what scientists call the "Specific Male Recognition System." In simple language, this means that they signaled their inappropriateness as heterosexual partners. They pantomimed as if they were the wrong sex, or even the wrong species. From ritual and mythology the world over, we know that women pantomimed being men at such times, with obscene gestures and much laughter as they paraded their artificially constructed "male" organs. That was a good way of rejecting marital sex. Perhaps more basic, though, was to signal playfully, "Look, you idiots, we're not even human females! We're antelopes!"

The antelope trick was a good one, and I think the most potent of all, judging by images of female "witchcraft" everywhere and by the rock art of southern Africa and elsewhere. For remember that the women

dancing as if they were antelopes would at the same time have been menstruating. So their signal would have been not just "We're antelopes!," but "We are *bleeding* antelopes!" To signal "We are not to be touched, we are game animals, and we are bleeding" would have been to extend the taboo in yet another way—not just from one time to a future date, or from one woman to another, but from humans to the world of game animals. Women would have signaled through pantomime that they were the game animals they wished their menfolk to hunt. Wordlessly—simply through such pantomime—the dance would have signaled that the blood of wounded antelopes was equivalent to menstrual blood and so taboo.

Tikkun: What was the point of that? And why would men have gone along with it?

Knight: Women needed to make the men bring *all* the meat home, stopping them from eating their own kills out in the bush. The blood taboos would have enabled women to do this.

You see, a man who raped a menstruating woman would have had to explain away his bloodstains. Of course, he could wash off the stains, but might still feel guilty, particularly if women claimed to be able to tell anyway, no matter how much he washed. Think of *Macbeth*. World mythology is full of this kind of thing—of the murderer who has blood on his hands, blood that nothing will wash away, blood that "cries out" spontaneously for vengeance. It's a powerful symbol.

If a man had suspicious bloodstains on him, then he'd better have an explanation. Where exactly were the bloodstains? On which part of his body? If the man could say, "This is zebra blood, splashed on me while hunting," he might be okay, but he'd need a convincing story. Remember, too, that the other men would be on the women's side in attacking a rapist—they would see him as a "cheat," and their collective jealousy and extreme hostility would be aroused.

For women, all this could be used. They would have had a strong interest in deliberately "confusing" menstrual blood with animal blood. Men would have been wary of blood in general, thinking of it all as in some sense "menstrual." The less contact with it, the better. So if men killed a game animal out in the bush, they wouldn't have wanted to eat any of the bloody flesh unless they were prepared for long explanations. The only way to remove visible blood from meat is through fire—by cooking it. We know that in the early days, fires could not be ignited at will. Each fire had to be kept alive, fed with fuel, guarded, protected night and day. To let it go out was disaster. If men were away hunting, they couldn't have kept guard. So the fire was with the women. To remove the visible blood from meat before eating it, then, men had to take it "home" for cooking. In other words, the blood taboo acted to prevent men from exploiting their monopoly of access to the game animals. Edible meat, cooked meat, was something that had first to pass through women's hands. It gave women economic control.

Only women could transform "polluted" meat into edible flesh. One implication is that women ought not to have been menstruating as the moment arrived for cooking—otherwise they'd have made the flesh still more "polluted." Cooking for a great ritual feast in fact would have marked women's final and decisive exit from the polluted state. This feast following the culmination of the hunt would have been ritually timed, I believe, to occur at the full moon, a fortnight after the sex-strike had begun, when the moon's brightness provided maximum light for overnight festivities. The rule that menstruating women should not cook is found widely in traditional cultures. We also find that ritually and mythologically, in virtually all known traditional symbolic systems, menstruation should happen, ideally, at the new moon, when all is dark and there are no cooking fires burning.

The fires are dampened down at the "dark" time of the month because women are powerful and "on strike" together at that time. This is the period of the most powerful woman-magic. Full moon, by contrast, is a time for honeymoon, general love-making, firelight and feasting, when things are much more on men's terms—although of course enjoyable for women too. Full moon is when the evil spells finally break, when toads turn into princesses, wolves or dragons relinquish their swallowed victims, or antelopes change back into desirable women once more. It's the time when the sex-strike ends.

Tikkun: Can you pinpoint what's new and controversial about your theory and what's accepted?

Knight: It's self-evident that female mammals, including humans, take on an immense share of the heavy work in reproduction. That's just biology: Once a woman is pregnant, she cannot easily get out of the subsequent labor-intensive situation. By contrast, the male can simply leave. I don't think it's new or controversial to suggest that human culture and all its formal rules of kinship are about compensating for this—transcending pure mammalian biology, making sure that males don't abdicate responsibility. It's in the interests of human females to make their males "earn" their sexual rights by assisting with parenting through provisioning. As a result, male humans invest far more energy in their offspring than

do the males of any other primate species. Sociobiologists are mostly agreed on this.

What's new in this theory is putting menstrual taboos—which no one has ever really explained—into this picture. Paul Turke doesn't touch on the fact that the human female loses a lot more menstrual blood than does any other female primate. Why this loss of valuable blood? There must surely be a function.

Menstrual blood signifies that a woman is fertile—but not just yet. Camilla Power, a colleague at University College London, has added to my theory by stressing that a male willing to stick around for a while should be attracted, whereas philanderers wanting immediate impregnations should not. The blood in this context serves a signaling function—women who bled more copiously should have been more capable of making themselves seem valuable, powerful, and able to form powerful blood-symbolized coalitions with other women in the way I've described. It's only in proportion to your value that it makes sense to go "on strike." Precisely because menstruation signaled a woman's impending fertility, it would have been such women—first menstruants particularly—who were maximally protected by taboos, maximally made the focus of each "strike." No coalition of Ice Age women could have allowed a young first menstruant to do as she pleased with her body.

In all traditional cultures where you have menstrual taboos, it's not just that women are considered "dirty." Rather, they are thought to have immense supernatural potency. Even where women are shut up in isolated menstrual houses, they have been put there out of fear of their immense "dangerous" power—something men are so afraid of that they seek to overcome it by atomizing women during their periods.

Tikkun: Your account provides a different framework for thinking about the kosher laws, which absolutely prohibit the eating of blood (the word for a piece of meat cut from a live animal and hence presumably bleeding is *treifah*—the word that was later extended to refer to all violations of the kosher laws). It also gives us a new view of the menstrual laws that prohibit sexual contact with women while they are menstruating and for some period thereafter until they are purified by immersion in water (in a *mikveh* bath).

Originally, the Torah says that women are supposed to be "outside the camp." If women were coordinating their menstruation with the moon, and were supposed to be outside the camp (and hence outside the sphere of male authority), then we would probably expect that this would have become a great women's celebration, coordinated with the new moon ("Rosh Chodesh"). And in fact we do have stories coming down to us that this is exactly what happened—that Rosh Chodesh was a great women's festival. It would have been an opportunity for women to celebrate each other and their collective strength. And the laws constructed around it strictly prohibited men from having any contact with "their" women.

Some feminists have interpreted menstrual taboos as a sign of women's powerlessness rather than their power. But in your account, a part of the origin of the tradition comes from women's power.

Knight: Well, I'd say *all* of the tradition! What you've just said is fascinating. But we don't have to speculate about the past. Some hunter-gatherer cultures still maintain these joyful traditions. The Mbutl in Zaire (so-called "Pygmy" peoples) are hunter-gatherers who think of a girl's first menstruation as the moment when she is "blessed by the moon." Together with her young women friends, she enters the "house of the *elima*"—a large hut in which the women sing virtually nonstop for days. Young men from all around gather outside, waiting to catch a glimpse of the young desirables inside, but are kept from having sexual access by the older women in charge of the ceremonies. However, after a few days, the young women emerge from the *elima* house, chasing the boys. If one touches a youth, then he must go with her into the *elima,* where he may be initiated into sexual activity, very much on the girl's terms. It's not marriage, but a form of initiation.

Besides the Pygmies, many of the "Bush"—or Khoisan-speaking—peoples of eastern and southern Africa have customs of this kind. And the celebration of the new moon is very widespread. Almost all over Africa, that day was kept busy. In my terms, it was the day of women's combined "sex strike" and "cooking strike." Later, women would surrender their special solidarity and power at full moon, doing so with a celebration in which lovers participated. But at new moon, they rediscovered their special solidarity and ritual power *as women*. Hence the monthly special day. There was joy in the rediscovery of the power that made us human. It was as if the revolution itself were being reenacted, again and again, as each old moon changed places with the new. The visible reappearance of the moon's thin crescent after its spell of "temporary death" signaled the revolution's successful accomplishment.

Tikkun: But if women had all this power—if they formed culture and laws in order to correspond with their needs—how did they lose it?

Knight: Women's power was bound up with a specific mode of production, distribution, and exchange. It

depended very much on the abundance of game. If you've plenty of game animals, you can time your monthly collective hunt according to the moon's phases, using moonlight to continue traveling or hunting at night. And once successful, you should have enough food to last for a long time. Although small-scale, individualistic hunting and gathering could go on as before, you shouldn't need to hunt that way again for a whole month. But if you have a scarcity of game animals, then you will not wait around until the correct phase of the moon appears—if you see any animal, you'll go chase it.

In most parts of the world, women had to disperse widely in order to maximize their ability to obtain gathered food, accompanied by men, who—still insisting that they were "hunters"—actually hardly ever caught anything, but refused to gather and instead lived off their wives. In other areas, the initial development of horticulture and agriculture only extended such patterns, with women doing nearly all the real work. Plant growth works by the seasons—and therefore by the reference to the sun, the moon being no longer a material factor. This vastly changed the significance of having a menstrual cycle.

There is evidence that in many agricultural societies, for instance in Crete in ancient Greece, women were able to maintain many of their ancient ritual festive celebrations, transferring the logic of lunar-menstrual symbolism to the annual cycle of growth and harvesting of crops. The historical development of women's oppression was of course complex, varying from place to place. But in the long run, from the Ice Age onward deep-seated economic processes set the odds against women and it became a losing battle.

Tikkun: On the basis of your theories, we'd expect a rich cultural legacy of customs and stories reflecting the developments that you describe.

Knight: Consider the European fairy tale, "The Sleeping Beauty." A king and queen wait for years to have a child. Eventually, a baby girl is born. At the naming ceremony, the King lays out plates in the banqueting ball for just twelve of the thirteen fairies known to reside in the kingdom. The first eleven fairies give the girl all the future blessings that a man could want in a wife—she's got lovely looks, nimble fingers, sings wonderfully, etc. Then there is a clap of thunder and the uninvited thirteenth fairy, angry at being rejected, storms into the hall—and delivers her curse. The girl will grow to fifteen, then prick her finger and die. The twelfth fairy, who can't totally undo the curse, commutes the death sentence to merely one hundred years of sleep.

The king tries to avoid the curse by removing anything that could possibly make a girl bleed. He destroys all the knives, spinning-wheel spindles, etc. But of course, nothing can stop a girl from bleeding at adolescence, and sure enough, on her fifteenth birthday the girl meets the thirteenth fairy once again as she spins in a turret. The girl reaches for the spindle, pricks her finger on it, and falls into a hundred-year sleep.

It's as if time itself stood still, for not only does the curse affect the girl; all within the whole royal household, including even the horses and dogs, go into a trance with her, entering the same magical sleep. Everyone is frozen in their place. An immense thorn-hedge grows up around the palace, and over the next hundred years, any young man who approaches in order to seek out the legendary Beauty is impaled on the thorns. But eventually—when the century is up—a young man arrives ready to cut his way through with his sword. But he doesn't need his sword. The thorns magically disappear, beautiful flowers appear in their place, and the thick hedge parts to make a way. The young man enters the palace grounds, walks over the still-sleeping bodies of the servants and animals, finds Beauty, kisses her, and she wakes up, along with the rest of the palace.

Now, like all magical myths and fairy tales, this tale centers around initiation ritualism and therefore around menstrual symbolism. The background is an argument concerning the pagan tradition of thirteen visible moons in any solar year, coded in the story as the thirteen "fairies." The new Christian, Gregorian calendar is purely solar. It states that there are only twelve months in a year, the connection with the moon now being dropped. The thirteenth month—coded as the thirteenth fairy—is left out. Twelve, then, for Christians becomes a "lucky" number, while thirteen is "unlucky" and connected with a curse.

Likewise, the story would have been told against a background of argumentation about menstrual bleeding itself. The older pagan traditions saw menstruation as a blessing; the newer Christian traditions see it as a curse.

The story is a subversive one. It shows that you can't stop a girl from bleeding as she comes of age. If you try to reject the blessing, as the thirteenth fairy was rejected, it comes anyway—but now as a curse. In the story, the girl bleeds and takes the whole kingdom with her into an exaggeratedly prolonged synchronized seclusion—a community's punishment for having attempted to avoid seclusion altogether. All enter what I term "sex-strike" mode. No young man can approach; no marital relations can proceed. Indeed, *all* household duties stop, with everyone frozen in their positions.

Those young men who try to hack their way to Beauty before the decreed time get impaled on the menstrual

thorns. Only the man who gets his timing right can succeed. But then at the correct time, the thorns turn to flowers, just as the bloody and dangerous vulva of a ritually protected woman becomes safe and welcoming only at the right moment within her monthly cycle.

The pagan "Old Wives" narrating this story therefore had a message. It ran something like this: "You meddling Christians think you can arbitrarily control time, change *our* calendar? We'll teach you whose time you're playing with—we'll trap you *within time* for a hundred years!" It's a powerful revolutionary story of resistance.

True, such tales end with "they married and lived happily ever after." This lip service to the prevailing morality doubtless helps the storytellers to penetrate the patriarchal censorship. But notice how the syntax is always the same. The really powerful magical moment in the story is *always* antimarital, blood-linked, transformative. The Wolf devours Little Red Riding Hood. The Giant at the top of the beanstalk smells Jack's blood. The Old Witch kidnaps Rapunzel and secludes her in a dark Tower. Patriarchy can make these coded references to menstrual seclusion seem negative and terrifying. But it cannot erase their memory. The marriage that comes at the end of such tales is, by comparison, a complete anticlimax.

Tikkun: What political implications do you draw from your theory?

Knight: The establishment will, of course, view all this as literally loony—a term that is really the oldest antiwoman putdown in the history of sexist oppression. Anyone who shows an interest in tracking the phases of the moon is, by definition, mentally unstable and in need of treatment.

I think it's the madness of patriarchy that really needs treatment. Our world now acknowledges only the mechanical clocks and the masculinist rhythms of capitalism, rhythms that are clearly making us ill and have brought the world to the edge of ecological disaster. What my book shows is that revolution *can* work. If we want to win a new revolution, we should learn how to do it from the first one—the "human revolution" that was led by the oppressed sex. Strike action and solidarity are what made us language-speaking, dancing, rule-making, *human* beings. We need to repeat those achievements.

We should be asking for the moon. Women have the power to go on strike—and linking up internationally, to resist the profit-centered system that has led to the destruction of the rain forests, the ozone layer, and the various life-support systems of our planet. Oppressed women can't do it alone, but they can *lead* the process, at the head of the international working class and all the world's oppressed.

This is entirely within women's tradition. In the beginning, women *were* the "working class." It was *they* who did all the work—of giving birth to the babies, of carrying them, breast-feeding them, provisioning them. They had to fight against the undeserved privileges of "the leisured sex." When the modern theorists of working-class action begin to understand all this, then the revolution they seek—and that we all must seek if we want the species to survive—will change color. It will become far more *red*. Red is the color of our blood. That's why we communists fight under its banner. It's we who represent the planet. We've been raped sufficiently one way or another. Our planet itself has been beheaded, made voiceless, and is still being raped for profit. Women workers and those still surviving within communist tribal cultures can give it a voice and say "No!"

Tikkun: You root much of your account on a sociobiological foundation, and yet most progressives believe that sociobiology is a reactionary theory.

Knight: Marx did the same thing in his time. He took the classical theory of political economy—which was clearly being used to justify the existing system of class oppression—and instead of ignoring it, looked into its internal contradictions. He was able to make revolutionary use of it. Sociobiology looks at human sociality in the precultural period and sees parallels everywhere with bourgeois economics. It is powerful precisely because of this—because it claims to show that the predatory and competitive realities of contemporary society have parallels in "nature." Okay, so capitalism is natural. It certainly isn't cultural. In a TV documentary about langur monkeys I was watching only this evening, an aggressive incoming male is depicted as winning a harem of females after a battle with the former dominant male. He then goes around killing baby monkeys fathered by the previous male, so as to get the females pregnant and to compel them to nurture only his own genetic offspring. When the apologists for capitalism get hold of such data, they proudly proclaim, "Look, isn't this just the same as the dynamics of the free market?" So free market economics is part of "nature."

I don't think our answer should be, "Oh, no, look at these cute primates, they really are sharing and lovable." That's nonsense. The data just doesn't support that. Behavior motivated by the requirements of "selfish" genes really *is* what drives Darwinian natural evolution. There's no point in denying that. The important thing is that humans became human by *overthrowing* that logic of nature. We got into culture, which is

different. It brought us into harmony with a different side of our nature—the side we most need now. That's what the menstrual revolution was all about, and why it's so important to claim it as the beginning of our revolutionary heritage. □

The Unity of God

(Continued from p. 52)

"Of course." "And is your self important to you?" I asked. "Very," she replied. "And where would you be," I pushed, "without your self?" "In big trouble." "Can you prove you have one?" She smiled. "I get what you mean."

Spirituality is always in reference to two "I"s, two selves: The "i" of the person and the "I" of the Universe. Spirituality is personal immediacy, not about someone else or even about yourself in some cool, self-reflective, objective manner, nor about the past or the future. Spirituality is the immediacy of God's presence. And only rarely—once in a generation or even less—is the presence of God accompanied by a heavenly chorus or light beaming out of the recipient's facial apertures. Most of the time it is very quiet, so quiet that it could be drowned out by the slightest noise or lost to the slightest distraction. Indeed God's presence already permeates all creation. We name it with our first cry when we are born and whisper it with our last breath as we die. It wants only to be made tangible through our hands.

We are agents, instruments of God's presence. We are not at odds with the Self of the Universe; we are part of it. And to be aware of this is to give our lives ultimate meaning and purpose. To realize that we are servants, through everything that we do, with or without our consent, is to be able to do anything; it is our empowerment and fulfillment.

"If mysticism is the quintessence of religion," Moshe Idel observes, "the quintessence of mysticism is the sense of union with God." Idel's book, *Kabbalah: New Perspectives,* is a watershed. It overturns much of the work of Gershom Scholem, who, in retrospect, seems to have had little inclination to imagine Jews becoming one with God. Idel meticulously demonstrates the master's bias and carefully examines the ways that Jews throughout the ages, like the pious of every other spiritual tradition, have sought and achieved *devekut* (literally, "cleaving")—the experience of unity with God.

The classic sources for *devekut* are: Deut. 4:4, "But you that cleave unto the Lord, your God this day are alive every one of you this day" and Isa. 43:11, "I, I am the Lord." The repetition of *Anochi* in the latter passage is taken to mean that the first I is God and the second is the self. As Idel writes, "the worshiper is no longer himself, for he is fully absorbed, in that moment, in the Nothingness of divinity."

I am now convinced that *devekut* is more than being one with God. *Devekut* is a theological metaphor for stopping the inner conversation we routinely carry on inside our head between the disparate parts of our psyche. *Devekut* is a metaphor for self-unification. It is a time when the outer person is revealed to be illusory, a figment of language, an iron barrier separating us from God. Now only an unselfconscious awareness remains, an awareness that bears a wonderful similarity to the Divine. A woman in my congregation on Yom Kippur once offered a personal prayer in which she prayed for the wisdom to "wish to be who she was."

Devekut is when the one who asks and the one who hears are the same. We realize to our embarrassment that we have been who we were all along, and that only linguistic convention tricked us into thinking we were someone else. We cannot make God do what we want, but in thinking, doing, and praying what God wants, we become one with God and ourselves. □

The Mourner's Path

(Continued from p. 58)

If the ethical will reveals values that set you at odds with the deceased, the challenge is to find an act that can be transformative. One man contributed to a big brothers' program in the name of his alcoholic father. His act was redemptive: It acknowledged his wounds, while seeking to achieve a symbolic (though partial) compensation for his father's cruelty.

Deep changes happen slowly and usually without drama. Saying the Kaddish for a year allows that kind of change to take place, over time, often imperceptibly. Performing acts of *tsedaka* and extending the work of the Kaddish give us a way to continue and transform our relationships as time passes. These practices acknowledge that relationsh ps continue to grow and change despite death. They serve as steps on the mourner's path that encourage our effort to remember and redeem the one we have lost. They allow us to reclaim our *own* lives, and to continue our work of *tikkun olam.* □

Intermarriage

(Continued from p. 64)

many of these issues. With intermarriage, the issues are hovering on the periphery. Often partners deny to themselves that the connection will be problematic.

Perel: Both for converts and for intermarrieds, a central goal should be to allow the differences between the partners to be honored. I sometimes tell group members, "You went so far to find someone who is *not* like you, don't spend your energy trying to change that person to make them like you."

I think it's important for some people to recognize that they can love another person and yet also have religious or cultural commitments that might prevent that person from being the best possible life partner. My goal in working with people contemplating intermarriage is *not* to find ways to make the relationship work at all costs, but to clarify what the people involved really want, what is really important to them.

Cowan: The workshops for potential or actual intermarrieds gives an excellent opportunity for people to explore a set of issues that may come up in any relationship. Loss, particularly loss of autonomy, is an issue that always arises when two relatively independent people decide they are going to build a family together. Loss of the possibility of having a Christmas tree as part of the arrangement made with your partner, or conversely, being forced to have a tree, are metaphors for the broader issues that inevitably come up when people try to merge two lives.

Tikkun: We've been discussing some of the problematic dimensions of conversion and intermarriage. But there are some who argue that the infusion of people brought up in a different culture has something positive to bring to the Jewish people.

Cowan: They bring a new perspective and often ask interesting questions that Jews might not have asked. Some bring curiosity, affection, and a kind of gentleness.

Tikkun: Recently some Orthodox rabbis have acknowledged the importance of these converts by acknowledging that marriage is a legitimate motive for conversion (it had previously been disallowed). How do you answer those who say that they enthusiastically welcome converts into the Jewish world and acknowledge the benefits they bring, but feel unhappy about those who do not convert when they marry a Jew?

Cowan: We are not dealing with abstractions, but with real people with their own lives and issues, and we have to decide how to receive them. They will convert if they want to. The community may be more welcoming and encouraging to intermarried couples when one partner converts, but it can't convert someone who doesn't want to.

Tikkun: For those of us who think that there is something substantive in Judaism, the pressure to get intermarrieds to convert to Judaism doesn't always come from a negative or controlling attitude, but from a genuine enthusiasm about Judaism, a desire to perpetuate it, a desire to share it with others. Just as we have a motivation to turn our own children on to what is deepest and best about Judaism—and to show them that there is more to Judaism than the sterile Jewishness from which they were (quite reasonably) alienated when they were children—so we might also want to share this tradition with their non-Jewish partners.

Cowan: Unfortunately, some Jewish institutions do not create a climate likely to encourage the non-Jewish partner to get further involved in the Jewish world. Many congregations that grapple with this issue bring fears to the table. They see the losses, not the gains. They deal with their fears by becoming involved in a set of questions that are not aimed at winning the non-Jew to a stronger connection to the Jewish world. They debate questions like: Do we send High Holiday tickets to both partners or only to the Jewish one? Do we announce the anniversary of an intermarried couple or is that condoning intermarriage? After all, they reason, once we open the gates there may be no safe boundaries anymore. Who knows who will be coming to the Hebrew school, what practices they'll introduce into the synagogue? There is an intense level of anxiety and fear about the future, a personal fear that one's children will intermarry and that their children will not be Jewish. So we get rabbis giving sermons on the High Holidays about the dangers of intermarriage—and how do you think that makes the intermarrieds feel? I wish rabbis would give sermons that reveal the depth and beauty of Judaism. Then people would come back for more. □

EDITORIALS

(Continued from p. 10)

establishment. Increasingly, the organization has been split between its national leadership, which is mildly liberal and has at times taken stands against Israeli policies in the West Bank, and its membership, which is aging and decreasing in numbers, and has been politically indistinguishable from the more right-wing constituencies of other organizations in the Jewish establishment.

Younger liberal activists in the Congress have tried to ignore the deep split at the heart of the organization. They have turned their eyes away when direct-mail promotionals have used fear-generating themes such as "Israel is surrounded by enemies" or "Anti-Semitism

is rising" to attract membership. (Which generation did they think would best respond to these hooks?) They've ignored the neoconservatism that gets expressed in Maier Deshell's American Jewish Congress publication *Congress Monthly* (for example, Edward Alexander's attacks on sympathizers of the Israeli peace movement) and the fact that their convention speakers range from moderate centrists to right-wing ideologues, such as Daniel Pipes—but consistently exclude representatives of the American and American Jewish Left. Congress liberals have chosen to hide from themselves how the range of views and speakers considered "legitimate" in the Congress is already highly constricted by establishment perceptions of who and what is "respectable." Not surprisingly, they also ignore the deep conservatism that flourishes within some sectors of the organization.

So it came as a shock to many who have channeled their liberal Jewish idealism into the Congress when its biennial national convention passed a resolution that instructed its national leadership to keep silent on the issue of Israel's settlement policies until after the Jewish State's elections in June. The convention itself was barred from even debating the issue. Yet this is precisely the moment when it is most important to speak out. Shamir is trying desperately to portray the denial of loan guarantees as a temporary setback that American Jews will eventually be able to overcome by helping to elect a president less willing to use American muscle to oppose Israeli occupation policy. The Likud can already rely on those American Jewish leaders who say whatever the Israeli government wants them to say in order to give Israelis the impression that the defeat of loan guarantees was only a temporary setback, and therefore that Israel need not change its settlement policy. If ever we needed liberal spokespeople to speak out, it is in these weeks before the Israeli election. Israelis need to hear the voices of American Jews who care about Israel and want to warn it of the dangers that the Occupation poses for the U.S.-Israel alliance. All the more tragic that the American Jewish Congress should gag itself now.

This gag rule was most particularly aimed at the Congress's executive director, Henry Siegman, and its liberal funder, Robert J. Lifton. For years they have played a difficult game, appeasing the right wing of the organization (including some of the national staff) and modulating their statements to maintain respectability among fellow Jewish establishment insiders, while simultaneously courting younger liberals, sponsoring women's conferences, and continuing the Congress's fine work in promoting civil liberties. Those contradictions often led to considerable confusion on the local level. I remember being told by one Congress board member that her local region banned the circulation of the Congress's national resolution calling for a two-state solution. It seemed that publicizing its own positions might be too controversial for its membership.

The American Jewish Congress is still one of the best organizations remaining inside the Jewish establishment. It has principled leaders, many good staff people, and some top-notch local activists. But this has been a bad time for the progressives within that organization. Isn't it time for them to develop a plan for a *real* congress of liberal forces? Such a congress would include other liberal and progressive organizations in the Jewish world, such as Americans for Peace Now, the Jewish Peace Lobby, the Committee for Judaism and Social Justice, the New Israel Fund, the Shalom Center, P'nei Or, and the Havurah movement. Perhaps this kind of move would endanger the Congress's image as an establishment organization—but it would certainly bring in the kind of young blood that it needs to revitalize itself. Would the current leadership be willing to lose some of its control for the sake of some of that new energy? Or will it resign itself to playing the kind of internal politics that led to its current muzzling?

The Congress has no future unless it opens up to tens of thousands of younger Jews who have no interest in playing the games of the Jewish establishment and who would need an organization that was substantively democratic and progressive. If it tries to be all things to all people, will it be any more successful than the Shamir-Rabin Unity government that may emerge in the coming months?

Just as in the Conservative Movement there remains a core of very good people ready to fight for principles, so the Congress has many principled people who will not let the gag rule stand. But in the meantime, those who have claimed that the Jewish establishment is more open than its critics say it is ought to look again at what just happened in the Congress. Until this kind of thing stops happening, it's hard to convince others that they have any choice but to remain the loyal opposition on the outside, an alternative to the conformism that still dominates even the best organizations of the Jewish establishment. □

Notices

Female spiritual leader for part-time position with Jewish Renewal synagogue in Bay Area. Send resume and letter of interest to: Kehilla Community Synagogue, Box 3063, Berkeley, CA 94703. Letter should include information which would reflect your philosophical views on Judaism and/or social issues. Deadline 6/1/92.

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by Michael Lerner

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