

# Judaism and the State of Israel

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This subject is of absorbing interest, particularly to such as are concerned with the evangelization of the Jewish people. But the developments in Israel today are too rapid and life still too unsettled to allow of more than provisional statements. History has its own logic and proceeds in accordance with its own rules. Man, however, is never consistent, and the future is therefore not predictable. Forecasts can be made only with the utmost caution. What we can do now is only to distinguish trends before they have solidified into facts. In order to be able to grasp the present situation and to anticipate likely developments in the future, we have to take our clue from the past.

Historic Judaism was fashioned by two factors: the rise of Christianity and the Diaspora. Jewish life and Jewish faith were dominated by these two facts. The controversy with the Church on the one hand and the Diaspora on the other have determined the Jewish mode of life. It will well serve our purpose to give a brief survey of the situation as it presented itself to Jewry.

## ***a) The Controversy of the Church***

There is no need for us to reiterate the fact that the Christian movement was in its original setting essentially Jewish. The controversy concerning Jesus of Nazareth took place upon Jewish soil between Jews and Jews. But soon the position changed. The appearance of Gentile believers brought a new element into play. How it happened that an essentially Jewish movement became essentially non-Jewish we have tried to show in some detail elsewhere.<sup>1</sup>

The fact that Gentile Christians rejected the Law and yet claimed to be inheritors of Israel's prerogatives was a warning to the rabbis. They realized that the only solution was complete separation from the heretical movement. While there was still a large Jewish element in the Church this was no easy task. The Synagogue had to resort to drastic measures to effect a division. It is significant that the most intensive controversy with the nascent Church falls at the formative period of Judaism. This is a feature not often recognized by scholars. We would gain a better perspective of Judaism if we paid more attention to this fact. Once this is grasped it becomes evident that Judaism did not develop independently but as a result of the controversy with the Church. Judaism is thus the opposite of Christianity.

## ***b) The Exile***

The second potent factor in the development of Judaism was the second Exile. Without the fact of the dispersion, Judaism is inexplicable. It was this Exile which changed the Old Testament religion with its priesthood, temple and sacrifices into pharisaic rabbinism. It is true that the origin of rabbinism goes back to the time before the destruction of the temple, but its actual and complete victory was only possible when the temple disappeared. With the cessation of temple-worship in A.D. 70 the priestly caste lost its religious significance and the Talmud

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<sup>1</sup> Cp. J. Jocz, *The Jewish People and Jesus Christ*, S.P.C.K., 1949.

scholar took its place. Thus it happened that religious authority remained in the hands of the rabbis to this day.

The task of the rabbis was as much national as religious. In fact in Judaism such a distinction is not possible. The religious and the national are inextricably merged. Jewry torn from its native soil and thrust into a hostile world had only one supreme problem – that of survival. The task of self-preservation was the task of the Synagogue. Looking back upon twenty centuries of exile we must admit that it accomplished the task with amazing success. The miracle of Jewish survival is its supreme achievement.

The significance of the present situation lies in the remarkable change of circumstances. The two potent factors which have moulded Jewish life have suddenly disappeared. In an independent Jewish State Christianity is no longer a danger, and the exigencies of exile have vanished. What will be the effect upon Judaism as a result of the new situation? The present treatise deals with this question.

## 1. The National Element in Judaism

Dr. Ignaz Maybaum in his book *The Jewish Mission*<sup>2</sup> draws attention to three incisive events in Jewish history: the destruction of the first temple in 586 B.C.; the destruction of the second temple in A D 70; the destruction of European Jewry in our own days. The significance of the present situation he sees in the fact that present Jewry is the remnant of the third *churban* (destruction). If we may take guidance from history, there is an interesting inference which must not be overlooked. After each major calamity Jewry underwent a profound spiritual upheaval. The first destruction ultimately resulted in the birth of pharisaic Judaism; the second destruction emancipated Jewry from temple-worship and established the rule of rabbinism. How will the present tragedy affect Jewry? This is the question we want to answer.

All human calamities have this in common: they not only profoundly affect the mind of people but also create entirely new situations. The new factor in Jewish life after 586 B.C. was the Babylonian captivity; the new factor after A.D. 70 was the long drawn-out *galut* (exile). The new situation in our days is created by the emergence of a Jewish State. The political renaissance of Jewry not only alters the status of the individual Jew but also profoundly affects Judaism as a religion. In order to grasp the new situation it is necessary to establish the extent of the national element in the Jewish religion. This is a controversial subject and requires careful handling. On the one hand it is often held that Judaism is a primitive and tribal religion. On the other hand it is not uncommon to hear it described as one of the most liberal and humane religions of mankind. What is the truth?

We do not belong to those who deny universalistic tendencies to the Synagogue. We readily admit that the Synagogue always had a tender word for the righteous Gentile. Rab Joshua's dictum that the righteous of all nations will have a share in the world to come is a universally accepted dogma. To this day any Gentile who undergoes the rite of circumcision and accepts the precepts of the rabbis is accepted as a Jew by the Synagogue. There have been many cases of Gentile proselytes. Some of them were men of outstanding character and served Judaism with devotion. Not all of them were eccentrics like Lord George Gordon, whose name is associated

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<sup>2</sup> James Clarke & Co. Ltd.

with the riots of 1780. He died a professing Jew, though prior to his conversion he served as the first president of the Protestant Society.

Judaism is also aware of a mission to the Gentile world. The ancient rabbis used to call it "bringing the Gentiles under the wings of the Shechinah." We know from the New Testament that missionary work was widely practised. In modern times the Synagogue has become less definite. In some circles all idea of proselytizing has been completely abandoned. Modern Jews boast that theirs is not a missionary religion. There has, however, been a slight revival of missionary zeal. Noachism, as it is called, is associated with the names of the late Chief Rabbi of Leghorn, Elie Bonamozegh (died 1900), and his French disciple Aimé Pallière, who died recently. The aim of Noachism is not to make Gentiles into Jews but into "Sons of Noah."<sup>3</sup> In other words the Gentiles are not expected to accept the Law of Moses and all it entails, but only the basic moral laws which according to rabbinic tradition were the foundation of the covenant between God and Noah. The movement, however, has made little progress. The rift between Jew and Gentile remains unbridged. The Synagogue does not feel called to interfere in the spiritual life of the nations. God has His own way with them. Judaism believes that both Christianity and Mohammedanism serve a purpose. But Israel's vocation is to remain apart. In the last resort a Gentile cannot become a Jew. For ultimately being a Jew is more than a matter of conviction or observance; it is a question of physical descent. A number of Jewish writers have elaborated this point, such as Ignaz Ziegler, Franz Rosenzweig, and Hans Joachim Schoeps.

It is here that we touch upon the Synagogue's limitation. It is also for this reason that we may regard Judaism as a national religion. Consequently the conception of conversion with its concomitant of personal decision is foreign to the Synagogue. No Jew as an individual is expected to decide whether he wants to remain a Jew or not. He has no choice, birth being the decisive factor. His Judaism, like his birth, is unalterable. Strictly speaking no Jew can cease to be one. When he lapses from faith he is a faithless Jew but still a Jew.

What is the origin of this unique coalescence of religion and nationhood? For an answer we must go back to the Old Testament. Israel's election according to the Old Testament is rooted in the inscrutable will of God (cf. Deut. 7:7). But election in the Bible is not so much a prerogative as an obligation (cf. Amos 3:2). God chose Israel not because of merit or desert but for the sake of the fathers (Deut. 4:37; 10:15).

If Israel should break the covenant the punishment is terrible (cf. Deut. 28). For the God of Israel is no respecter of persons. He asserts His will and sovereignty under all circumstances. Nowhere in the Bible is Israel's election understood in terms of a blood-relationship. This was St. Paul's main contention. He is not a Jew who is one outwardly but he is a Jew who is one inwardly (Romans 2:28 f.). If the Gentiles through faith in the Messiah become spiritually related to Abraham, then they too are sons of Abraham and heirs according to promise (Gal. 3:29). This, rabbinic Judaism violently repudiates. Each time the Church makes race or colour a condition of membership it reverts to a Jewish point of view. Against the national limitations of Judaism stands the all-embracing universalism of the Christian faith.

The close union between religion and nationhood is the Synagogue's greatest handicap. Judaism as a religion reaches great spirituality and high moral idealism. Its emphasis upon action

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<sup>3</sup> Cf. H. Kosmala and R. Smith, *The Jew in the Christian World*, p. 93 ff.

makes it a practical and powerful influence. But in relation to the Gentile world it is helpless. The whole trend of Judaism is away from the Gentiles and not towards them. Its ethos is such that the gulf between Jews and non-Jews must not be bridged. It can only remain true to itself within the confines of nationhood. Hence the constant pressure towards a separate existence. The hope of national renaissance is deeply rooted in the Synagogue. Without that hope Judaism would perish. Zionism is no modern invention; it is as old as the Synagogue. The rabbis believe that Israel and the land of Israel are inseparable entities. Only in the Holy Land can a Jew practise the Law in all its completeness. Spiritual revival goes hand in hand with national renaissance. To quote a modern writer: "The return of Israel to the land of Israel carries with it the vision of a religious revival . . . the people of Israel can achieve religious renaissance only in Palestine" (S. Z. Shragai). Hence the motto of Jewish orthodoxy: *eretz Yisrael le-am Yisrael at pi torat Yisrael* (the land of Israel for the people of Israel according to the law of Israel). Jewish orthodoxy thus pins its hope upon a revival of Judaism in the Jewish State.

Is this a realizable hope? Are there signs of a revival of rabbinic Judaism in the land of Israel? Is the edifice of Jewish stateship now being erected *al pi torat Yisrael* (according to the law of Israel)? Is the people of Israel, now involved in a great national renaissance, drawing strength and inspiration from the Synagogue?

Upon the answer to these questions depends the future of rabbinic Judaism. For the Synagogue is so constituted that it largely depends upon corporate life. In this it differs from the Church. The Church began as a minority and to this day it is not tied to the allegiance of a nation. In some respects it stands in opposition to and refuses to be identified with national life. It is constituted mainly of individuals. The case with the Synagogue is different. Judaism is not carried by the individual but by the *Kelal Yisrael*, the community of Israel. The individual is a Jew only inasmuch as he is rooted in the corporate life of his people. It is thus that nation and religion coalesce. The division between a secular state and a religious minority has no precedence in Judaism. The people are the Synagogue and the Synagogue the people. Is such totality applicable to the present situation in Israel?

We are thus brought back to our main subject.

## **2. Religion in the New Jewish State**

According to the draft constitution of the Israeli State, religion is relegated to the fundamental rights of the individual. This in itself is a grave departure from tradition. Rabbinic Judaism never left the question of religion to individual choice. We have already seen that to the rabbis religion was a matter of birth. To be born in a Jewish family meant to profess the Jewish faith. From this no escape was possible. The question of freedom of conscience is a modern invention. The same principle obtained in Christian Europe for hundreds of years. Neither the State nor the Church left the decision regarding religion to the individual. But whereas in Christendom the use of social pressure was a departure from original tradition, with the Synagogue this is not the case. From the beginning Jewry was primarily a religious community. Jewish life was entirely dominated by the religious aspect involving the whole nation. The division between State and Church is foreign to Jewish outlook. Judaism presses towards totality and refuses to admit a difference between the secular and the holy. It repudiates every form of dualism. But Israel is a western State. The leaders of Zionism were bred in European culture.

They inherited the concept of a purely secular state. Zionism was not seriously concerned with religious values. Its prime purpose was a political solution to oppressed and scattered Jewry. The Jewish State is a secular institution. Equality of rights to all citizens irrespective of race religion language or sex is the basic principle underlying the proposed constitution. The only concession made to Judaism is that "the sabbath and the Jewish holy days shall be days of rest and elevation and shall be recognized as such in the laws of the country." But it also provides that "the holy days of other religious denominations shall equally be recognized as legal days of rest for the members of such denominations" (Article xii, 4).

The draft constitution is opposed by the orthodox party and its adoption has been postponed indefinitely. Nevertheless it expresses the attitude of most western Jews and is backed by the majority of the people. It certainly embodies the underlying principles of the greater part of the present Government. We will thus inquire what part Judaism plays in the Israeli State.

### ***a) Rabbinic Law***

As is well known, the core of Judaism is the Mosaic Law. But during centuries of interpretation and re-interpretation the rabbis built up a legal code which is only remotely related to Mosaic Law. This elaborate system prescribes in great detail all functions and conditions of human life. It regulates every activity of man and embraces both religious and civic aspects at the same time. The rabbis have deduced 613 commandments from the Law of Moses, of which 365 are negative and 248 are positive – things which a Jew must not do and things which he must do. Thus every possible situation is covered and normalized.

It is understandable that the moment the Jewish State came into being, the question which law was to obtain in the land, that of the rabbis or that of the Gentiles, should become a burning issue. The orthodox group pressed for a decision, as delay meant the establishment of precedents. This was the problem: Were the rabbis to be elevated to the position of lawyers or were the lawyers to become rabbis, or else were lawyers to remain lawyers and rabbis rabbis? Be it remembered that law in its secular and western setting detached from the religious aspect was hitherto unknown to Jewry.

No ultimate decision has been reached. At present there obtains an uneasy compromise whereby secular law and rabbinic law is administered independently by lawyers and rabbis as the case may be. But it is obvious that such a solution cannot last long. The draft constitution is evasive. Article 77 reads: "The laws in force in the State of Israel at the time of the enactment of this constitution shall continue in force to the extent to which they are not inconsistent with the terms of this constitution . . . Future legislation in Israel shall be guided by the basic principles of Jewish law . . ." We are, however, not told what these "basic principles" are. The orthodox contention is that the ceremonial and the moral content of Jewish law are inseparable. The extreme religious group, the *Neturei Karta*, refuses even the suggestion of a compromise. We have it from a reliable source that many of this group would prefer exile under Gentile rule rather than submit to a secular Jewish State. It is therefore pertinent to ask the question whether it is at all possible to govern a modern state under rabbinic law.

Even orthodox Jews admit that important adjustments will have to be made in order to bring rabbinic jurisprudence into consonance with the demands of modern life. There are grave *halachic* deficiencies which will have to be rectified. The *Choshen Mishpat* (the code of civil,

commercial and criminal law as codified by the Shulchan Arukh, the great legal compendium), it is admitted, "needs drastic revision" (so Rabbi A. S. Super, *Israel, State and Religion*, 1949, p. 7). The laws concerning marriage, divorce and *agunah* (desertion – this is in respect of the wife whose re-marriage is impossible unless she can provide evidence of her husband's death) are causes of dissatisfaction.

The legal situation in Israel is thus complex. Though in every other respect the laws of the former mandatory power are in force, the orthodox party has imposed upon the Government rabbinic law in respect of marriage and divorce. There are no civil marriages possible in Israel today. Non-religious Jews have to submit to a religious ceremony if they desire to enter into matrimony. How long the dual legal system will endure is difficult to say. There is a long tradition behind the present state of affairs. The Israeli Government has inherited from the British and the British from the Turks, the principle that matters relating to personal status are to be left to the jurisdiction of the religious courts. This was necessary at a time when Palestine was inhabited by several conflicting religious communities. But the situation has now radically changed. Whether such duality of legal administration will be practicable under the new conditions is doubtful. The Religious Bloc boasts of the fact that it forced the Coalition Government to recognize rabbinic courts, thus placing the *dayanim* (religious judges) "on a par with their secular colleagues" (*Jewish Review*, November 1949). But the precariousness of the situation is revealed by the repeated crises in the Government. It is obvious that there is growing public opinion against rabbinic law. A division between religious and civic law on western lines will create a completely new situation in Jewry. The orthodox are trying hard to prevent it but the odds are against them, for under the aspect of the law other than academic problems are involved.

### **b) Kashrut**

A problem closely related to Jewish religion is the question of food. This may seem strange to Christians, but anyone acquainted with the Synagogue will appreciate the importance of this aspect of Judaism. Strict separation between milk and flesh, ritual slaughter of "clean" animals, i.e. animals allowed by Mosaic Law, and the preparation of meat in accordance with rabbinic injunction, are all part of religious practice. All this and more is understood under the term of *kashrut*. Here we will restrict our remarks to the question of *kasher* meat.

*Kasher* meat is meat of a "clean" animal slaughtered in accordance with rabbinic prescription. The rules of *shechitah* (slaughtering) are exacting to the minutest detail. Even after all the rules have been observed, the animal may still be declared *terefah*, i.e. unfit for consumption by Jews. This occurs if the slightest flaw is found in its organs. Even the slaughtering knife may render the animal *terefah* if in a state of imperfection. Certain parts of the slaughtered animal such as the blood, the lard (*chelev*) and the hip, unless the sinew is removed (cf. Gen. 32:32), are forbidden altogether. These restrictions and the possible loss of an animal if found imperfect make *kasher* meat specially expensive.

In Israel, the Religious Bloc has prevailed upon the Government both to enforce the rabbinic laws of slaughter and to prohibit the importation of non-*kasher* meat. The effect upon the meat market is catastrophic. At present meat is a luxury few can afford. The situation would immediately ease if non-*kasher* meat were allowed on the Market, but this is violently opposed

by the orthodox. The alternative is thus either *kasher* meat, or no meat at all. The majority of the population, which is non-orthodox, is forced to submit to a meatless diet because of the religious scruples of a minority. How long such a situation will last it is difficult to predict.

### **c) *The Sabbath***

Nobody can doubt the social benefit derived from the Sabbath institution. But rabbinic Sabbath laws are of such stringency as to make them impracticable in a modern State. The *Mishnah* (the oldest Jewish code) enumerates thirty-nine main classes of work prohibited on the Sabbath day. This goes as far as forbidding to handle wood "enough to cook the smallest egg" (*Shabb. ix, 5*). We know Jews who used to tie their handkerchiefs to their wrists on the Sabbath day so that it could be counted as part of their dress, as having it in the pocket would mean carrying a "burden." No Jew is allowed to perform the simplest work on the Sabbath day. This includes switching on electric light, poking a fire or breaking open an envelope. The *Mishnah* declares a culpable breach of the Sabbath when a Jew in an act of forgetfulness writes two letters of the alphabet.

In the Diaspora the stringency of the Sabbath laws was overcome by relying upon Gentile help. The *Sabbath-goj* (a Gentile who performed some necessary chores in the Jewish household on the Sabbath day) became an established institution. Such help was necessary for blowing out the candles on Friday night, for poking the fire, etc. But in a purely Jewish community the problem is insuperable. There is a story about a Jewish policeman who had to take his turn of duty in Tel-Aviv on the Sabbath day. Being an orthodox Jew he asked rabbinic advice. He was told to exchange with someone else. But he pointed out that the other person was also a Jew. To this there was only one reply: change your occupation! But the point is that a modern State needs policemen on duty even though it be the Sabbath and a Jewish State.

The problem of the Sabbath becomes particularly acute in a farming community. Rabbinic law allows the care of animals on the Sabbath out of kindness to living creatures (*tzaar ba'ale chayyim*). But the milking of cows is not permitted. This is at present overcome by mechanical milking and the installation of a time-switch. But there is still the question how milk obtained on the Sabbath day is to be disposed of, as no personal benefit must accrue from milk thus obtained. This creates an economic problem, especially on a dairy farm. At present the difficulty is overcome by placing a chemical into the milking pails which automatically turns milk into cheese. Cheese being a "by-product" is allowed to reach the market: Rabbi Super, to whom we are indebted for these facts, sees in similar legal fictions the only solution to the Sabbath problem. This is nothing new to Judaism. The rabbis have already been forced in ancient times to make similar circumventions of the law. The purpose of such legal fictions is to preserve the letter of the law while at the same time alleviating its rigour. Thus one of the suggestions made by Rabbi Super is that by general rabbinic consent the privileges once enjoyed by the Temple should be extended to include the State of Israel. Readers will know that within the Temple area the Sabbath could be broken for the sake of the ritual.

All manual labour required for sacrifices was permitted on the Sabbath day, for worship of God takes precedence over the Sabbath. By this token, once the State has been recognized as a thing which is holy then all functions connected with law and order and security will become legalized. In this manner the Sabbath could be broken without breaking the letter of the law.

It is obvious that such casuistry can carry little conviction. The dilemma is really insuperable. Legal fiction, though a constant practice in Judaism, is nothing but circumvention of the law. It is also questionable whether such far-reaching changes will not affect the very nature of rabbinic Judaism. It would certainly serve to weaken further the authority of the rabbis.

In Israel today the majority of the people observe the Sabbath as a public holiday, doing as they like. Mrs. Mayerson, speaking for the Government, revealed that seventy-one industries, out of a total of number of 334, and employing more than 10,000 workers, operate on the Sabbath day. A bill recognizing the Sabbath as an official day of rest was passed by the *Knesset* (Israeli Parliament), but this is a far cry from enforcing rabbinic Sabbath laws upon the nation.

#### ***d) Status of Women***

Among the many other complications arising from rabbinic law the question of the status of women is the most important. Their present position is very confused. In one sense women enjoy equality with men but in another sense they are inferior. Though the Jewish woman plays an important part in home life and enjoys the respect due to her as wife and mother, her religious status is almost none. The congregation is counted by men and not by women. For public worship a quorum of ten adult males is required. (According to rabbinic law a boy is counted as an adult on reaching the age of thirteen plus one day.) If one single Jew is missing the quorum is incomplete and all Jewish women together would not be able to supply the deficiency. The pious Jew thanks God daily for not having been made a heathen or a woman, whereas the woman thanks God for having been made according to His will. The religious duties of the Jewish woman are simple and few. These are related mainly to the home and kitchen. She is not expected to study the law, which is the male's prerogative. An ancient sage used to say: "Any man who conveys to his daughter knowledge of the law is as though he taught her lechery" (so R. Eliezer, *Sotah* iii, 4).

A Jewish woman cannot be a witness in court, whether in cases civil or criminal. In every other respect her importance is strictly limited to the home. The vocation of a Jewess is to be married. To the outside world she is represented by her husband. Monogamy is not legally compulsive. In the West it was forced upon Jews by Gentile law. In Eastern lands Jews have often more than one wife if they can afford it. In fairness, however, it must be admitted that polygamy was never a general practice. On the other hand Rabbi Super's assertion that "Jewish Law insists on high and inviolate standards of monogamy" (*op. cit.* p. 9) is poetic exaggeration. The Shulchan Arukh (the rabbinic legal code) makes it lawful for a man to contract any number of simultaneous marriages (cf. *Eben ha-Ezer* i, 9). The inferiority of the woman's position is shown by the fact that to this day a wife cannot divorce her husband, but he can divorce her. All the woman can do is to exert pressure, provided there are valid reasons, to be granted a bill of divorce.

In a recent article on the status of women, Eva Rosenberg complains bitterly of the absurdity of Jewish law. She points out that though women are allowed to sit in Parliament and occupy positions of high authority "yet no woman, however responsible her position in public or private life, can under Jewish law put her signature as a witness to a single legal deed" (*Jewish Chronicle*, November 11, 1949, p. 10). The ultra-orthodox group, the *Agudah*, has persistently refused every form of suffrage to women. When the *Agudah* and the *Mizrachi* formed the United



Religious Bloc, the condition was that the status quo of women be maintained. Israeli women retaliated by forming their own independent list for elections to Parliament. It is interesting to note their remarkable success, which came as a surprise to everyone. This is indicative of the present situation. The fight is not yet over and the whole position complex. But there can be little doubt that the majority of the population is for complete suffrage. In practice this is already an accomplished fact, but legally the position is left undefined.<sup>4</sup>

Together with the question of suffrage a number of related problems spring to the forefront. There is a growing feeling that other ancient laws regarding the status of women are outdated. This involves the following questions:

1) Inheritance. It is felt that women should enjoy equal rights with men in questions of inheritance.

2) *Agunah*. The law regarding *Agunah* often imposes great hardship. According to this law a wife separated from her husband cannot remarry unless she obtains a bill of divorce or else produces evidence of his death.

3) *Chalitzta*. Mosaic Law requires the brother of a deceased husband to marry the widow if she is left childless. He can be freed, however, from his levirate duty by undergoing the ceremony of *chalitzta*. This involves the untying and removing of his right shoe by the widow and her spitting in front of him as a sign of contempt (cf. Deut. 25:5-10). On this ceremony depends the widow's right to remarry. Since the practice of monogamy has become a rule the whole ceremony has lost its meaning. The brother-in-law is not any more expected to marry the widow unless he is a bachelor. The ceremony is felt to be a humiliating experience and the survival of a crude ancient custom.

4) Marriage to a priest. The law forbids a descendant of the House of Aaron to marry a divorced woman. This was reasonable enough while the priesthood played an important part in the religious life of the nation. But now that Judaism is almost entirely emancipated from priestly functions the law is incongruous.

It is thus obvious that small adjustments will not any more meet the need of modern man. It is more than a question of suffrage for women or greater leniency in the application of Sabbath restrictions. Fundamental issues have been raised and the Torah itself as defined by traditional Judaism is in grave danger. The orthodox realize that to yield on any question is to yield on the whole line. A settlement is not any more possible. The gulf between the Synagogue and State is thus constantly widening.

### ***e) Education***

In the past Jewish education was exclusively religious. Study of Torah was the supreme task of every male Jew. Girls were under no such obligation although there were cases of Jewish women well versed in Jewish lore. As a result of Jewish emancipation a process was initiated which led to ever wider secularization of Jewish life. The impact of Western culture was such as to prove irresistible. Religious opposition to non-Jewish culture gradually weakened and even orthodox schools had to compromise by introducing secular subjects to the curriculum. In the end all the orthodox could do was to try to preserve a religious atmosphere in their schools, but

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<sup>4</sup> On July 17, 1951, the Knesset passed a bill giving equal rights to women.

even this was not always possible. It thus happens that the bulk of the immigrant population to Israel consisted of secularized Jews.

In the Jewish State the question of education is a major issue. The orthodox realize that only by exercising control over the young can rabbinic Judaism survive. The State, however, thoroughly secular in composition, refuses to leave the children in the hands of outmoded teachers. There is also another reason. The ideological divergence between the orthodox and non-orthodox is such that an increase of influence on either side would alter the political balance. Education has thus become a political issue and is inseparable from party politics. The result is nothing but chaos. At present every party has its own educational system and its own school establishments. There are set on foot at least four major educational policies corresponding to the four major political parties in the land. But however much the secular parties may diverge ideologically the cleavage between them and the orthodox is complete.

The Government, in search of a unified policy, entered a compromise by appointing four chief Educational Inspectors, who are nominally under the authority of a Director of Education responsible to the appropriate Minister. But in fact they all take their directions not from the Government but from their respective political parties.

The crisis came to a head over the question of the education of immigrant children, specially those from the East. The Chief Rabbinate and the leaders of the *Mizrachi* party accused the Government openly of religious discrimination. Ninety per cent of the children of about 60,000 children housed in provisional camps are said to have come from religious homes. The orthodox contention is that such children have a right to religious education in accordance with an agreement reached by all parties. This is based on the principle that parents are given the right of decision as to the nature of their children's education. The Government is thus accused of a breach of faith (cf. *Jewish Chronicle*), January 13, 1950. Whatever the rights or wrongs, it is obvious that the Religious Bloc is fighting a losing battle. Powerful influences are against it. The elections revealed that the numerical strength of the religious is only 12.35 per cent of the total cast, with sixteen seats out of 120 in the *Knesset*.<sup>5</sup> Thus rabbinic Judaism, deprived of its greatest asset, the education of the young, has little cause for complacency.

To sum up, we are thus witnesses of a unique spectacle. The Jewish people survived the centuries of exile, thanks to its loyalty to Judaism. Now after returning to its long-longed-for home it is surrendering its faith in favour of a secular State. This is indeed a historical curiosity and only the future will reveal its purposive logic.

Jews have lived in isolation in Christian Europe for many centuries. Their hosts imposed upon them a ghetto existence which was not conducive to normal development. The outside ghetto was in turn answered by an inward ghetto which the Jews erected for self-protection against foreign influence. It is true that at no time was separation complete. In spite of ostracism and restrictions, men of letters and learning on both sides cultivated friendships and profited from them. The Jewish contribution to European learning is now an established fact. Their influence upon the Renaissance and Reformation only the ignorant will deny. But in spite of these facts Jews and Gentiles lived in two different worlds. The barriers erected between the two communities prevented any fusion of cultural and spiritual life. The change came with the Age of

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<sup>5</sup> The elections of 1951 show an even smaller percentage.

Enlightenment. In the wake of political emancipation came cultural assimilation. Jews began to enter European universities not as converts, but as professing Jews, and made their own contribution to letters and science. But they were not only contributors; they were also beneficiaries. What they received was more than what they had to give. They entered upon a rich heritage of cultural values which for centuries was denied them. Jews absorbed with astounding rapidity not only the facts of science but also the spirit of European culture. Thus it happens that the Israeli State built by the toil and genius of European Jewry is essentially a Western State. This is a fact which must not be overlooked. Dr. Ignaz Maybaum is right when he says: "With the State of Israel, Western civilization has established a new province" (*The Jewish Mission*, p. 74). In this manner an interesting cycle is completed: the Christian Faith began upon Jewish soil. It entered the Gentile world as something essentially Jewish. In an encounter with the Greek spirit it deposited a culture which we call European. Though the Greek contribution was by no means light, the basic values of that culture are undoubtedly Jewish. The Jew in contact with the Western world has reabsorbed what was originally his own. After twenty centuries of pilgrimage he is now engaged in building a land upon the foundation of Western values. In a roundabout way he is thus reaping what he has sown. This is in accordance with the Biblical adage: "Cast thy bread upon the waters: for thou shalt find it after many days" (Eccles. 11:1).

It is now our purpose to establish the extent of Christian influence upon Jewish outlook. Once again we direct our attention to the land of Israel, for there only do we find Jewish life concentrated as nowhere else.

### **3. The Principle of Freedom**

Political Zionism from its inception was a secular movement. Herzl himself was only loosely connected with the Synagogue. On the question of relationship between religion and State, Zionism adopted an early resolution to the effect that the two were to be kept separate (cf. Helsingfors Conference, 1906). Herzl in his *Judenstaat* defined his position: "We shall keep our priests within the confines of their temples in the same way as we shall keep our professional army within the confines of their barracks" (Eng. transl. 1946, p. 71). It was for this reason that orthodox Jews were opposed to political Zionism. They argued that such division between religion and State militates against the genius of Judaism, which refuses to differentiate between the worldly and the spiritual. To this day the controversy remains unabated. But whereas in the past the contention had the air of an academic discussion, with the appearance of a Jewish State it immediately became a burning issue. Rabbi S. Z. Shragai, a leader of the Mizrachi party and a former member of the Jewish Agency, speaking at a conference, ridiculed the idea that the Torah was unsuitable for the new Jewish State. He poked fun at those who viewed State and Torah as contradictory entities. Such a conception, he maintained, ran against the logic of the Jewish faith (cf. *Jewish Review*, December 2, 1949).

At a press conference in New York the Mizrachi leader demanded of the Israeli Government constitutional enactment of *Kashrut*, strict Sabbath observance, and legal enforcement of religious marriage. This is the minimum the religious parties are prepared to accept as absolutely necessary for the preservation of the religious character of the State. A constitution which does not safeguard the basic principles of Judaism in the State is looked upon by the orthodox as supreme treason. They argue that a separation of Synagogue from State will ultimately be death

to both. Judaism can exist only as a totality. The Jewish people and the Synagogue belong together.

The tug-of-war between the orthodox and the non-religious groups has turned into a constitutional struggle. Originally the intention was to enact a constitution which would lay moral principles as a foundation for the new State. A draft constitution made its appearance and was supported by the non-religious parties. (English text published by the Zionist Information Office, 1949). The drafter of the constitution is a lawyer of international repute and a typical Western Jew. Dr. Leo Kohn was educated in Heidelberg and became famous as an expert in constitutional law. His constitution reflects typical Western outlook. It embodies the basic principles of European culture founded upon the sacred right of the individual. In the conflict between the orthodox and liberal forces in Israel the rights of the individual are at the heart of the struggle. A state which would enforce religion by the arm of the law is bound to violate the fundamental freedom of the individual citizen. This would have been an easy matter in the Middle Ages, but in the twentieth century, with a well-established liberal tradition, such a step is not likely to succeed.

#### ***a) Freedom of Conscience***

Rabbi Dr. E. Berkovitz, in an article on Judaism and the State of Israel (*Jewish Herald*, March 11, 1949), makes the point that "the idea of separation between State and Church has grown on Gentile ground and is not applicable to the Jewish situation. The division between the secular and the sacred is at the very heart of Christian civilization . . . . Judaism is not a Church; it has no ruling priestly caste . . . it is not a theocracy in the power-political sense of the word, it is a consecrated democracy. Since the division of life into the secular and sacred is a denial of Judaism, Jews must win their State over for Judaism. . . ." This is logical enough from the rabbi's point of view. But the problem takes on another aspect the moment the question of freedom for the individual citizen comes to the fore. The Church was as reluctant as the Synagogue is today to agree to a separation from the State. It did not surrender its privileges without a struggle. The dualism of the West is the inevitable result of the fact that the individual ultimately won his full freedom. Thus the dualism which another rabbi calls "the scourge of European civilization" (Dr. I. Grunfield, *Jewish Chronicle*) is in fact the pride of Europe. A union between religion and State as envisaged by Jewish orthodoxy is possible only at the cost of freedom of conscience. As an example we may take the marriage laws now obtaining in Israel. Non-religious and anti-religious Jews are forced to undergo the religious ceremony, as no civil marriage is allowed by law. Marriage between Jews and Gentiles is prohibited. Thus the individual has to submit to a rule of life to which he is inwardly opposed. Another example may be taken from the religious majority in its relation to dissenting religious groups. For thirty years there raged a controversy which led to a schism in the *Aguda* party. The moment the Religious Bloc had the opportunity it forced the Coalition Government to pass a decree prohibiting "the existence of a dissentient religious council" (*Jewish Review*, November 1949). But this is a strange way to solve a religious difference and to establish unity. Here the question of freedom of conscience is at the heart of the problem.

The thirteenth article of the draft constitution lays down the liberty of the person as inviolate. This goes beyond the affirmation of the sanctity of life and the dignity of man (article 12) which

are established Jewish values. Freedom of conscience as understood in the West is not within the tradition of rabbinic Judaism. Its roots lie in the New Testament. It is closely related to the conception of personal salvation. Only on the principle that faith is not a matter of inheritance but the result of personal conviction does freedom of conscience become a legitimate demand. A religion which is automatically passed on from father to son and which is tied to blood-kinship can find little sympathy for the scruples of the individual. Orthodox Judaism takes it for granted that every person born of Jewish parents is under a moral obligation to profess the Jewish faith, for Judaism is essentially a national religion. Not the individual but the community forms the basis of religious life.

On the matter of freedom of conscience there is an interesting difference of opinion within the religious groups. The non-political party which goes under the name Of *Agudat Yisrael* regards religion as a matter for private decision. It consequently deprecates interference on the part of the State in matters which concern the private life of the citizen. Of the State it expects only that Judaism be acknowledged "officially" in the affairs of public life. In other words it asks the State to uphold Sabbath observance, *Kashrut*, etc., as institutions without imposing their practice upon the individual. But such a "formal" acceptance of religion would only introduce a new form of dualism, whereas Judaism presses towards totality of observance. The compromise suggested by *Agudat Yisrael* only reveals the extent of Western influence upon Jewish thinking. It is prompted by a tacit admission that the demand for totality is not only devoid of realism but also violates a basic principle – the freedom of the individual. The discovery of the rights of the individual Judaism owes to Christian influence.

### ***b) Equality of Sexes***

Mention has already been made of the legal inequality of the Jewish woman. It is not often realized that her social status depends upon marriage. It is partly for this reason that for a Jewess to remain single is almost a disgrace. She has few rights of her own. Having attained to married life she depends upon her husband in all matters outside the home. He can choose to divorce her but she is not free to divorce him. Even if the husband becomes insane she is still obliged to remain his wife, whereas if the wife becomes insane the husband can divorce her at will. If the husband dies the widow's remarriage depends upon the good will of her brother-in-law in cases where there is no issue. If the brother-in-law refuses to perform the right of *chalitza* (cf. Deut. 25:5-9) she remains in a state of widowhood. In the Synagogue a woman's presence is of no account. From the religious point of view she is not a person. She has no vote in the Synagogue and no part in its administration.<sup>6</sup> But Jewish women now accustomed to different treatment outside the sphere of the Synagogue are in a state of rebellion. It is reported from an orthodox Synagogue in Louisville (Kentucky) that twenty women staged a sit-down strike on the Sabbath day in protest against enforced separation from the male body of the congregation during worship. From many other quarters of the Jewish community similar protests are being raised. On the occasion of a General Election in England the Jewish Chronicle took the opportunity to make some caustic remarks about the inequality of the sexes in the Synagogue. It pointed out that while thousands of orthodox women exercised their rights as British citizens by going to the

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<sup>6</sup> The Council of the United Synagogue (England) has for the first time granted to "female full-price members" the right of vote (Jewish Chronicle, July 20, 1951).

polls they were denied fundamental rights in their own community. The journal posed the question "Why in this age of the emancipation of women do their claims to exercise franchise in the Synagogue continue to be denied them?" (*Jewish Chronicle* February 24 1950).

In the State of Israel women occupy positions of high authority. Eight of them sit as members of Parliament. One woman is a member of the Cabinet. A bill was passed introducing compulsory military service for women. Legislation has now been passed establishing full equality of rights between both sexes. The draft constitution provides that no citizen shall be at a disadvantage because of race, religion, language or sex (Article IV 2). These are revolutionary steps without precedence in Jewry. Orthodox Judaism views the situation with alarm. The whole idea of equality of the sexes is essentially Christian. Neither Jewish rabbis nor Greek philosophers looked upon women as equals. It was Saul of Tarsus who, after having become a follower of Jesus Christ made the discovery. The Gospel which he was called to preach presupposed equality of race, social status and sex. In Christ Jesus there is no difference between Jew and Greek, bond and free, male and female (cf. Gal 3:28). Jewish women hardly realize what they owe to Paul the former Pharisee. But Paul's discovery of the equality of the sexes, as his discovery of the equality of all believers, was the result of his encounter with Jesus Christ. Ultimately, Jewish women, like all women of the West, owe their emancipation to the Great Nazarene.

#### ***d) "Converts"***

Christian influence upon Jewish thought and behaviour is not confined to the indirect influence of European culture. Christian missions have played their part both in the Diaspora and in Israel. Their persistent efforts of witness have not been without results. Although Jews are reluctant to admit any measure of success on the part of missionaries, and go out of their way to misrepresent their motives, they cannot easily deny an obvious fact: there is a growing number of Jews who believe in the Messiahship of Jesus Christ. In this respect the position in Israel is unique. In the past "converts" were expected to assume a hostile position towards their kinsmen, to sever all connections with their people and to submerge among the Gentiles. Adherence to the Christian faith was regarded not only as renunciation of Judaism but also as treason to the Jewish people. But with the appearance of a national State the situation has changed. Today there are Jews in Israel who are loyal to the State, who speak Hebrew, who are actively engaged in building Zion and who are nevertheless disciples of Jesus Christ. Some were converted in the Diaspora and came to Israel already as baptized Christians others were converted in Palestine and either joined a particular branch of the Church or remained secret believers. Their numbers are unknown because few of them can afford to reveal themselves in view of the threats of ostracism. But nobody doubts, least of all the Jews themselves, that such exist and that in one way or another they exert influence upon Jewish life. One group of Jewish Christians organized a conference in Israel at which a resolution was passed to demand of the State recognition as a religious community. This immediately created a great sensation. On the one hand it was felt that such recognition was in accordance with the principle of freedom of conscience, on the other hand the novelty of recognizing Jewish Christians as Jews was such that even the most audacious still hesitated. The question has not yet been decided. At least one Jewish writer has spoken in favour of recognition on the grounds that Jews in a sovereign State can afford to allow a variety

in religious belief on the pattern of the other nations. This called for a vigorous reply from an American rabbi, A. Silberstein of Los Angeles (cf. *Forward*, Sunday, March 18, 1951). Rabbi Silberstein reviews the attitude of the Synagogue in history towards dissentient bodies and proves that never before was such a suggestion thinkable. He makes two points: (a) the Jewish people, being a special people, cannot accept the practice of other nations – what is possible elsewhere is not possible in Jewry; (b) to recognize Jewish Christians is to stretch the principle of freedom of conscience beyond endurance. The article is vituperative and limited. It only begs the question and presents a partisan point of view. Meanwhile the problem remains of how to deal with loyal Jews who have accepted the Christian faith. Their number is still small but will steadily increase as the principle of freedom permeates Jewish society. Some Jewish Christians have already rendered valuable service to the State.

There occurred an interesting episode during the closing days of the British mandate. For one reason or another the Jewish authorities insisted on providing military escort to British subjects. One Sunday a group of English Christians made their way to church escorted by a Jewish soldier. On reaching the place of worship, their escort, to everyone's surprise, took off his cap, leaned his rifle against the wall and joined in divine worship, kneeling side by side with his English charges. It transpired that he was an Egyptian Jew converted through the work of the Church Missions to Jews in Cairo, and had come to Palestine to help defend the country. There are a number of such people in Israel today. Are they to be expelled or are they to be tolerated? That is the question.

The position is so new that the Jewish community has not made up its mind. Jews will have to learn by degrees to draw the last consequences of their desire for personal freedom which involves freedom of worship and freedom of thought. Although the Jew has adjusted himself to tolerating the atheist and the communist, he has not yet adjusted himself to tolerating the Jewish Christian. But this is understandable. Between the Jew and the Jewish Christian there is an accumulation of prejudice grown during centuries of misrepresentation and distrust. But in the end the battle will be won, though how soon largely depends upon the perseverance and spiritual quality of the Jewish Christian himself. The seeds, however, of an indigenous Jewish Church have already been sown. Thus Israel Abrahams's prediction is becoming true. He foresaw that in an independent Jewish State there would inevitably come into existence a genuine Hebrew Christian Church. But for such a possibility a complete reorientation will be necessary. At present even the most spiritually minded Jews lose all sense of proportion when dealing with the matter. Thus Dr. Ignaz Maybaum still says of a "baptized Jew" that he "uncannily contradicts both reason and faith" (*The Jewish Mission*, p. 156).

At this point it is apposite to mention the fact that the New Testament is widely read in Israel today. We understand that there are schools where excerpts of the New Testament are included in the curriculum. Jesus of Nazareth is presented as a great Prophet and Teacher. His significance to the Gentile world is widely recognized, though the fact of Christianity still remains a puzzle to the Jew. He almost instinctively shrinks from it as a result of his experience in the Diaspora. The Jew is, however, increasingly attracted by the grandeur and beauty of Jesus Himself.

#### 4. Judaism as Affected by National Renaissance

Modern Judaism does not present a united front. Apart from minor differences in the orthodox camp there is the cleavage between Reform and Orthodox Judaism. The two sections face each other as irreconcilable opponents. One of the many contentious points concerns the question of nationhood. To the Reform Jew the Jews are not a people but a religious community. He therefore looks upon political independence as a matter of expediency created by unfortunate circumstances. Jewish destiny is not to be a people but a religious brotherhood. Life in the Diaspora does not serve a negative but a positive end. Return to the Holy Land is nothing but retreat and abandonment of a mission. It is the Jewish mission to live in the Dispersion as witnesses of God (cf. Ignaz Maybaum, *The Jewish Mission*). The land of Israel as such has no significance but as a useful place of refuge to persecuted people who can find no other sanctuary. If a Reform Jew supports Zionism he does so for philanthropic reasons. The case with orthodoxy is different. Here statehood is the fulfilment of a religious hope. It is a prerequisite to full Torah observance. The law can be kept properly only in the Holy Land. "The land of Israel is the one place which is wholly suited for the *Torah*" (cf. Nachmanides on Gen. 26:5; Deut. 4:4). To the orthodox Jew *Torah* and land are inseparable; complete fulfilment of *Torah* is not possible in the Diaspora. Nationhood is essential to the Jewish faith. Both religion and people are an organic whole – the one cannot exist without the other. It is therefore only natural that orthodox Jews should look to the State to enforce the *Torah* in all its applications. It is a matter of real embarrassment to them to discover the incompatibility of *Torah* with modern life. This need not come as a surprise. Judaism for almost twenty centuries was orientated for life in exile. There is also no precedence for the application of rabbinic law to the practical problems of statehood. The pressing need is thus adaptation to the new circumstances. The question at issue is how far can rabbinic Judaism go in the process of adaptation without danger to essentials?

Orthodox Jews shrink from the word "reform." They refuse to admit the need for drastic change. They firmly believe it possible to find a compromise which would both do justice to rabbinic law and satisfy modern needs.

##### a) *The Halakhic problem*

Judaism finds itself caught in the net of a difficult dilemma – loyalty to tradition and pressure of circumstances. To abandon tradition would mean a break with the past; to leave the demands of life unheeded would lead to further loss of influence. In either case the result would be fatal. Is there a solution?

In order to answer this question we must explain something of the nature of rabbinic law. The *Talmud* falls into two parts. The non-legal part is called *haggadah* (to tell) and contains homiletical exegesis illustrated by stories, anecdotes and traditions of an entertaining or devotional character. This is not law in any sense. The other part is called *halakah* (to walk); it prescribes the rule of life to which every Jew is committed by rabbinic definition. This part of the *Talmud* is the backbone of rabbinic Judaism. its starting point is Mosaic law but this has undergone a process of complex elaboration.

To give an example: According to Leviticus 19:9, and 23:22, the owner of a field is required to leave a "corner" of his crop for the poor. The second tractate of the *Mishnah* deals with this commandment. Originally, the decision as to the size of the "corner" was left to the charity of the



individual. But the rabbis were not satisfied with such lack of precision. They saw a need to fix the size of the "corner" in relation to the rest of the harvest. Not only did they define the size of the "corner" but went farther and enumerated every possible circumstance which might arise in the fulfilment of this commandment. They also settled the question of who may and who may not benefit from it. Thus a simple injunction to charity was elaborated to such an extent that it required a whole treatise to describe it. The tractate is an interesting example of case law. It is obvious, however, that once a commandment with a purely moral content becomes the butt of sharp-witted casuistry its original purpose is as good as lost. Due to over-elaboration, much of the meaning of Mosaic law was buried under a mass of incongruous matter. Thus the rabbis defeated their own ends. They built "hedges" round the law in order to protect it but in the process of doing so they lost its original purpose.

It is natural that such a rigid system of case law should clash with changing conditions. This is the reason why every age presented Judaism with *halakhic* problems. These were solved in accordance with several rules.

1) The rabbis rightly argued that the Torah was given that man should live by it (Lev. 18:5). Therefore it must not become a danger to life but a help. They thus formulated the principle that preservation of life takes precedence. In order to preserve life the Sabbath may be broken.

2) The authority to define or re-define questions related to *halakah* is vested with the rabbis in accordance with the rule of majority. Though no rabbinic court can abrogate a commandment it can under certain circumstances allow Jews to remain passive to it in accordance with the formula *sit down and do not*.

3) By means of a legal fiction a commandment may be circumvented if in so doing the community is better served. This is an expedient often resorted to. Its purpose is to preserve the meaning of the letter of the law while at the same time departing from its original intention. The rabbis see no inconsistency in such behaviour.

The orthodox therefore see no real difficulty in finding a solution. The discrepancies between life and tradition can easily be solved by rabbinic authority and decision. Thus the whole problem is reduced to the formation of a competent rabbinic court to deal with questions which require adjustment. This is the argument put forward by a number of rabbis such as Dr. S. M. Lehrman (cf. *Jewish Chronicle*, August 12th, 1949), Dr. A. E. Silverstone cf., *Jewish Chronicle*, November 18th, 1949), Rabbi K. Kahana (cf. *Jewish Review*, November 18th, 1949) and many others.

### ***b) The Case of a New Sanhedrin***

The question of establishing a new Sanhedrin is widely discussed in Jewry. Its task would be to adapt rabbinic Judaism to the needs of the Jewish State. Rabbi J. L. Maimon, Minister for Religious Affairs in the Coalition Government, is one of the leading supporters of the idea. He regards such a Sanhedrin as absolutely "essential for the needs of the hour" (*Jewish Chronicle*, January 20th, 1950). On the other hand, there are many in the orthodox group who are strongly opposed to it. One of the most influential opponents is the Chief Rabbi of Jerusalem, Dr. I. Herzog. He enjoys the support of a number of prominent rabbis (cf. *Jewish Chronicle*, February 10th, 1950). Objections are founded mainly on two accounts: first, orthodox Jews feel that the coming of the Messiah should precede the establishment of a Sanhedrin; secondly, it is feared

that at the present moment public opinion is so strong as to exert in the opposite direction an undue pressure upon a Sanhedrin. Rabbi Lehrman, carefully examining the whole situation, is driven to the conclusion that "the time is not yet" and that postponement is advisable (cf. *Jewish Chronicle*, August 4th, 1950).

To those who are sympathetic spectators of the religious crisis it may appear doubtful whether a Sanhedrin, no matter how representative a body, will be able to remedy the situation. In fact it may even aggravate and increase the tension. The real issue before the people is not whether rabbinic law is practicable or otherwise, it is much more fundamental than that. The issue is whether there is a spiritual reality behind rabbinic law to which man is bound to yield. In other words it is not any more a question of observance, but a question of faith in God. Unless religious observance is the result of a true faith in God it cannot make sense. Faith is prior to practice. It seems to us that the spiritual leaders of Judaism have misinterpreted the situation. They seem to think that by imposing rabbinic observance upon the population modern Jews will *ipso facto* return to God. Modern man is much more complex and needs more than a legal code. No adjustment and certainly no legal fiction will help him nearer to God.

It is difficult to see what religious difference it will make to the Jew driving his car along the streets of Tel-Aviv on the Sabbath day to know that the policeman directing the traffic enjoys the sanction of the rabbis. Will the Jewish farmer lead a life nearer to God by obeying rabbinic advice to install a time-switch for his electric milking machine in order to preserve the sanctity of the Sabbath day? We find it difficult to think that modern man, whose problems are of an entirely different kind, will be satisfied with such trivialities. If Judaism depends for its survival upon a formal observance of the law then its days are counted.

There is, however, another side to the picture. The present crisis may well be the birth pangs of new life. Judaism has still untapped resources. Behind the *Talmud* with its tangle of legal casuistry is the Bible in all its freshness of spiritual life. There is already a noticeable return to the Hebrew Scriptures in Israel today. Even the New Testament is more widely read than ever before. Admittedly this new interest in the Bible is of a special kind. It is born from a desire to return to the sources of Jewish life and history. The fact that the Bible contains moral and spiritual values of a challenging nature is only slowly dawning upon the modern Jew. Biblical values are a potent force, especially in times of stress. All great spiritual movements began with a return to the Scriptures. It may still effect a revolution in the Jewish mind which will become a decisive factor in Jewish destiny. There are many questions which are pressing upon the Jew today and many problems which he has to rethink in view of his new situation.

### ***c) Theological Issues***

The religious crisis precipitated by the appearance of the Jewish State opens a whole series of theological issues. In our view the essence of the whole problem lies in theology.. Implicit in the present situation are questions involved which sooner or later will have to be faced and answered.

#### **1) The Concept of Salvation**

Though Church and Synagogue often use the same terminology the content is different. This is most apparent in their respective uses of the term "salvation." Whereas for the Church

salvation is primarily personal and spiritual, for the Synagogue salvation is national and involves the whole community. Redemption from exile and national renaissance is the content of salvation to the Jew. In the past this was closely associated with the advent of the Messiah. The fact that Israel's hope is being fulfilled without Messiah's assistance must in itself deeply affect traditional Judaism.

Pious Jews are still repeating the 12th Article of the Maimonidian Creed expressing the hope in Messiah's coming. On the festival of *Chanukah* in 1950 celebrations were held to mark the "ingathering of the exiles." A *shofar* (ram's horn) brought from Belsen concentration camp was used to announce the end of the *galut* (exile). But orthodox Jews took objection to the ceremony on the grounds that it behoved no one but the Messiah to blow the *shofar* on such an occasion (cf. *Jewish Chronicle*, August 18, 1950). This is a view in accordance with ancient tradition. Yet the *shofar* was sounded, though not by Messiah. The Synagogue is still waiting. Is Israel's national independence the Jew's highest hope? At a Zionist meeting in London to celebrate the establishment of the Jewish State, Dayan H. M. Lazarus blew the *shofar* not because it was a national occasion but because it marked the beginning of redemption, it was the fulfilment of a religious hope. Has the Jew thus reached his goal?

It is obvious that Judaism will have to redefine the meaning of salvation so as to endow it with a new spiritual content. No religion can keep alive with its hopes fulfilled. In addition it will have to declare its mind regarding the Messiah. It has only one alternative – either to delete the hope in Messiah's coming from the Creed, or else to give a more spiritual interpretation to the meaning of salvation. Reform Judaism has solved the problem by substituting for a personal Messiah the Messianic age or, as Dr. Ignaz Maybaum puts it, "Messianic man" (op. cit., p. 11). Will traditional Judaism seek a similar solution?

It is inevitable that the emphasis in the concept of salvation be shifted from the national to the individual plane. In spite of its incorrigible optimism even the Synagogue will have to recognize that salvation is not induced by social reform but by a change in the human heart. It will be forced to admit that even Jews living in *eretz Yisrael* (land of Israel) are not yet saved men. This must inevitably lead to the conclusion that something more than national renaissance is required in order to save men from self and from sin.

We are thus led to the question of eschatology.

The rabbis have no consistent view on the subject. Hitherto their horizon was limited by exile. Now that Israel's hope is either fulfilled or in process of being fulfilled it is only natural that man should ask: What next? Such a question must inevitably break the circle of space and time. This world can never fulfil man's highest aspiration. Somehow the kingdom of God must transcend history if it is to overcome it. The characteristic Jewish emphasis upon this world will have to give way to a more spiritual perception. Once this takes place the Synagogue will move within the orbit of the Christian concept of salvation.

## 2) Liturgical Reform

The prayer book which the Synagogue has used for many centuries is full of a yearning hope for the return to Zion and the restoration of Temple worship. The present liturgy is only an interim liturgy. It points away from itself to a different form of worship. The Synagogue is thus kept in suspense; it awaits the fulfilment of a great hope within history. Herein it characteristically

differs from the Church. The Church too is waiting – but for the end of history, which is the beginning of the kingdom of God. The Synagogue's hope moves upon the plane of history; it awaits the building of the walls of Jerusalem and the restoration of the Temple to its former glory. Schoeps is right in connecting the restoration of the Temple with the fulfilment of Israel's ultimate hope (cf. H. J. Schoeps, *Aus frühchristlicher Zeit*, p. 175).

At this point we would ask the question: Is it possible for Judaism to shift the centre of gravity from Synagogue to Temple? Can it without ceasing to be what it is, re-establish the priesthood and revert to the sacrifices? Will the Jew, even the orthodox Jew, be willing to exchange the lofty spiritual worship of the Synagogue for the crude sacrificial system of the Temple cult? Will rabbinic Judaism surrender its authority to a priestly caste? We doubt it. In spite of vain dreams on part of the ultra-orthodox, the Synagogue is not likely to yield to the Temple. Once the Temple Mount comes under Jewish jurisdiction this will become a vital issue. If the Synagogue should decide against Temple worship then the Liturgy will have to be rewritten and Judaism will be in need of another hope worthy of its religious fervour.

### 3) What is Judaism?

This is a modern question. In the past Jews had no need for a definition. Such a question would have come as a surprise to them. The fact that it is asked at all betrays doubt and consternation. Since the appearance of *die Wissenschaft des Judentums* as a discipline the question What is Judaism? has occupied many Jewish scholars. It is only natural that various answers should be given. The orthodox Jew has one answer, the liberal Jew another. But it is not a question of whose is the right answer. The point is that there is no right answer. This may seem strange, but it is inherent in the Synagogue's faith. In the last resort Judaism is not a creed or even a way of life. The liberal Jew who has surrendered all ceremonial practice who rejects rabbinic law, who accepts biblical criticism and who is an anti-Zionist is still a Jew. In the case of the liberal Jew it is not even a question of tribal loyalty, for he repudiates the idea that the Jews are a racial entity. Dr. Ignaz Maybaum says: "We must be taught to be Jews, although we are citizens and have therefore become like the Gentiles; we must be taught to remain faithful to the *Torah* although we have no Holy Book; and we must be taught to pray for Zion although we have no Holy Land" (op. cit., p. 73). This is a typical liberal view. What is Judaism? Perhaps the best answer is that it is an awareness of election.

The Jew is strangely aware of his uniqueness. Every shade of Judaism expresses that awareness. Together with an effort to define Judaism there goes an effort to define the Jewish mission. What is Israel's task in the world? Both orthodox and liberal Jews seem to have arrived at the same answer: the Jewish mission is to be Jews, or in the words of Dr. Maybaum: "The mission of the Jew is to be a Jew" (op. cit., p. 60). By being himself he serves mankind. "We Jews are servants of God, reminding the world of God not merely by what we think and do, but by being on the spot, by existing as Jews in this world of the Gentiles" (op. cit., p. 156). This passive conception of a mission is characteristic of modern Judaism. The Synagogue has no missionary societies; does not translate the Bible into other languages; writes no commentaries for Gentiles; does not expect the Gentiles to become Jews; leaves all missionary work to the Christian Church; proclaims no message; prays for nobody's conversion; interferes in no one's

religion; she just rests in herself. But by being what she is, scattered among the nations, she thinks she fulfils her mission.

It is obvious that this is a far, cry from the biblical conception of mission. In the Jewish State, the Synagogue segregated from the Gentile world faced with a non-religious mass of "Jews," she will have to redefine the meaning of Judaism and her mission to the world.

## 5. Conclusion

From a Christian's point of view the present Jewish situation is reminiscent of New Testament time. Now, as then, in the centre of the discussion is the Mosaic law. But there is a difference. Whereas the modern Jew rebelling against restrictions has abandoned the law of Moses for a secular conception of freedom, the early Jewish Christians knew themselves freed from the law by an act of grace. They claimed that the Messiah became the end of the law by fulfilling it. Jewry today stands between lawlessness which is godlessness and the freedom of the Gospel which is the privilege of the children of God. In this situation the Church confronts the Synagogue. We do not think that traditional Christianity offers any attraction to the Jewish people. We do not anticipate mass conversion as a result of the present spiritual crisis in Jewry. But we are convinced that the New Testament has a decisive contribution to make to Israel's spiritual renaissance.

1) Only the New Testament can solve the Jewish dilemma regarding the law. There is no other solution but the one, linked to the person of Jesus Christ. The Son of man came not to destroy the law but to fulfil it (Matt. 5:18). In Him the law is both satisfied and accomplished. He is its goal and its end (cf. Romans 10:4). The Synagogue will have to go to Saul of Tarsus to find a solution to this basic problem.

2) The New Testament, particularly the Epistle to the Hebrews, solves the problem regarding the Temple. Jesus Christ is both High Priest and Sacrifice. Temple worship was only a shadow of good things to come (Heb. 10:1). The sacrifice of the Messiah has become a new and living way to God (Heb. 10:20). He obtained eternal redemption (Heb. 9:12) and is the Tabernacle not made with hands. The Temple has thus become superfluous.

3) Only in the school of Jesus can the Synagogue learn afresh the meaning of salvation. "What is a man profited if he shall gain the whole world, and lose his own soul?" (Matt. 16:26); and again: "Whosoever committeth sin is a slave to sin . . . If the Son therefore shall make you free, ye shall be free indeed" (John 8:34, 36).

4) The New Testament with its Messianic vision can reveal new horizons to the Synagogue. Without it the Old Testament is incomplete. It has no sequel to the prophetic hope and the Synagogue is still kept in suspense. Only in the New Testament can the Jew find himself, his mission to the world and an understanding of his true vocation.

Will the eternal values of the New Testament supply the spiritual needs of the modern Jew? Will the story of the Gospel once again warm his heart and stir his imagination as it did twenty centuries ago? Will the Jew once again after the discovery of a crucified Saviour confront pagan Europe with the Cross? We cannot tell. But one thing is certain: Jewry stands before a momentous choice.

The Jew who could not see the glory of the Messiah while sojourning among the Gentiles may suddenly discover it upon the ancient hills where Jesus once walked and taught. The vision of the Crucified which for many centuries haunted the Jewish soul may suddenly become a vision of God's redeeming love. Professor Hans Joachim Schoeps, a professing Jew and a great scholar, recently admitted the possibility that the Messiah whom Israel awaits may after all have the face of the Nazarene.

Maurice Simon, in his book *Jewish Religious Conflicts*, expresses the hope that in the present crisis Israeli Jews may find in the Hebrew Scriptures "a new God-idea." We are convinced that the new God-idea which Israel needs is inseparable from the person of Jesus Christ. We thus pray that Jewry searching the Scriptures may find Him of whom Moses and the Prophets did write (John 1:45). Thus will the Church's hope come true. The Elder Brother will return to His heritage and the people of God will become united with the Church of God.