

# Torn between a «Post-Colonial Identity» and a «Colonial Reality»

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## The Paradoxical Israeli Context as Battleground for a Religious Identity Facing Its Propension Toward Violence

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*Abstract* – Israel is simultaneously a post-colonial political entity and a colonial state. This paradox stems from the complex realities that have shaped its creation. While Zionism is a result of the nineteenth-century national emancipation movements, Israel is also a state born of out the ashes of the death camps, rooting Israeli Jewish identity in a psychology of victimhood, characteristic of post-colonial states. Conversely, Jewish settlement spoiled the Palestinians of their land. Thus, Israel became a colonial state. Undoubtedly, these two realities clash. How has Jewish religious thinking shaped the ideological stands that define this paradoxical reality of Israel? This paper aims at exploring the religious arguments advocated by Israeli Jews, heirs of the double faceted foundations of the state. It also attempts at formulating a possible alternative theological perspective that could infuse the political reality of the state of Israel.

The state of Israel is at the same time a post-colonial political entity and a colonial one. This paradox stems from the complex and conflicting realities that have made the creation of the state possible in 1948: simultaneously, the early stages of European (in particular British) post-colonial history and the enduring territorial conflict that has shaped the region and the nature of the relationship between Israelis and Palestinians since then. While Zionist ideology is a result of the nineteenth-century national emancipation movements, Israel is also a state born out of the ashes of the death camps, thus rooting Israeli Jewish identity in a deep and enduring psychology of victimhood, which is characteristic of many post-colonial states<sup>1</sup>. At the same time, while the land where

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<sup>1</sup> This aspect of the psychological reality of many societies engulfed in long-standing conflict, let alone when one emerges out of the ashes of the Shoah has been detailed by many studies.

the Jews settled was not empty<sup>2</sup>, Israeli Jews took control of Arab and Palestinian lands, depriving them of their emerging political aspirations, and ultimately contributing to an ongoing refugee crisis, still unresolved today<sup>3</sup>. Thus, Israel became also, in the eyes of many, a colonial state, occupying land and imposing its hegemony on a people not willing to accept it<sup>4</sup>. Undoubtedly, these two realities clash. Not only in the political realm but equally important in the religious one that, in this region of the world, always simmers underneath the surface of geo-political facts. How has religious thinking shaped the ideological strands that define this paradoxical yet existential realities of Israel?

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See in particular: D. Bar-Tal - L. Chernyak-Hai - N. Schori - A. Gundar, *A Sense of Self-Perceived Collective Victimhood in Intractable Conflicts*, in «International Review of the Red Cross», 91, 2009, 874, pp. 229-257.

<sup>2</sup> With a certain degree of prophetic vision, Martin Buber, as early as 1929, expressed concern about the dangers of the myth according to which «Palestine is a country without a people; the Jews are a people without a country» (attributed to Israel Zangwill in 1901). In particular, in a lecture given in Berlin to the members of the *Brit Shalom* movement, he wrote: «It is said that when the Zionist leader Max Nordau first heard that there were Arabs in Palestine, he rushed excitedly to Herzl proclaiming: 'I did not know that! If that is the case, then we are perpetrating an injustice'. In recent years it has sometimes happened that I heard people, who generally support Nordau's ideas, maintain: 'Life cannot exist without injustice; anyone who is not prepared to commit injustice is forced to deny his own existence ... It is indeed true that there can be no life without injustice'. The fact that there is no living creature which can live and thrive without destroying another existing organism has a symbolic significance as regards our human life. But the *human* aspect of life begins the moment we say to ourselves: we will do no more injustice to others than we are forced to do in order to exist. Only by saying that do we begin to be responsible for life». M. Buber, *A Land of Two Peoples. Martin Buber on Jews and Arabs*, edited by P. Mendes-Flohr, Chicago IL, Chicago University Press, 1983, p. 86.

<sup>3</sup> See in particular the early writings and research of Benny Morris on this topic. B. Morris, *The Birth of the Palestinian Refugee Problem, 1947-1949*, Cambridge, Cambridge University Press, 1988. See also the revised edition of the book in which the author, from the start, acknowledged that, after years of attempted negotiations, «the refugees emerged as the single most important and intractable issue», defining the nature of the Arab-Israeli conflict. See B. Morris, *The Birth of the Palestinian Refugee Problem Revisited*, Cambridge, Cambridge University Press, 2004, p. 2. For an early description of the reality of the Palestinian refugee crisis, see: B. Morris, *1948: The First Arab-Israeli War*, New Haven CT - London, Yale University Press, 2008, pp. 93-94. Many documented references to the question of refugees are to be found scattered throughout Morris's book. More recently, see the more controversial historical analysis carried out by Pappé: I. Pappé, *The Ethnic Cleansing of Palestine*, Oxford, Oneworld, 2007.

<sup>4</sup> The perception of Israel as a colonial state is clearly very much present in the minds of many Palestinians. Peter Beinart summed up the crux of this perception by writing: «Virtually every Palestinian I've ever met considers Zionism to be colonialist, imperialist, and racist. When liberal American Jews think about the Israeli-Palestinian conflict, they think about Isaac and Ishmael: brothers reared in the same land, each needing territory their progeny can call home. Palestinians are more likely to think about South Africa: a phalanx of European invaders, fired by religious and nationalistic zeal, dominating the indigenous population». P. Beinart, *The American Jewish Cocoon*, in «The New York Review of Books», 60, 2013, 14, p. 24, available at: <https://www.nybooks.com/articles/2013/09/26/american-jewish-cocoon/> (consulted on the 14th September 2020).

With the passing of years since the creation of the state of Israel, but more acutely since the Six-Day War in June 1967 and its religious consequences and implications, the terms of the debates between the proponents of a policy of «active and impenitent occupation»<sup>5</sup> on the one hand and those advocating a more diplomatic and political approach to the conflict on the other<sup>6</sup> have somehow shifted from their traditional secular roots to the sphere of religious thinking and ideology<sup>7</sup>. At stake was undoubtedly for some, the newly discovered feelings of ownership towards the places of the biblical narrative at the core of Jewish religious identity now under Israeli sovereignty, as well as a sense of messianic active redemption<sup>8</sup> at play in the «miraculous» survival of the nation, coming out victorious from its recent daunting confrontation with the mighty armies of the enemies<sup>9</sup>. For others, the dark reality of the occupation of the recently conquered territories was nothing less

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<sup>5</sup> We are hinting here at the ideological heirs of the components of the traditional Zionist movement known as «practical Zionism» (*Tzionut Maasit*) and then of the «revisionist Zionism» of Jabotinsky.

<sup>6</sup> The heirs of the early «political Zionists», who emphasized the need for a legal and internationally recognized approach to the settlement of Jews in Palestine. For a complete perspective on the differences and tensions between «Political Zionism» and «practical Zionism» (as well as other ideological tendencies within the Zionist movement), see: W. Laqueur, *An History of Zionism* (1972), New York, Schocken Books, 2003, pp. 40-208.

<sup>7</sup> The terms of a shift towards a religious terminology and ideological concepts have been very poignantly described by Yeshayahu Leibowitz, in particular in a text written as early as 1968, in which the author contrasts the secular usage of terms such as «peace» and «recognized and secure boundaries» with the more religious terminology of «the Undivided Land of Israel», «the sacredness of the land», «the inheritance of our forefathers» and the like, emerging after the 1967 war. See: Y. Leibowitz, *Judaism, Human Values and the Jewish States*, edited by E. Goldman, Cambridge MA - London, Harvard University Press, 1992, pp. 223-228.

<sup>8</sup> While the «redemptive nature» of the state of Israel has been inscribed, since 1948, in the words of the Prayer for the State of Israel instituted by the Chief Rabbinate of Israel (starting with the words «Our Father in Heaven, Rock and Redeemer of Israel, bless the State of Israel, the first manifestation of the approach of our redemption»; it is believed that Agnon is the one who added the words «approach of our redemption» to the original formulation of the prayer), the practice of reciting this prayer in the Synagogue on Shabbat and holidays, and thus finding religious significance in the existence of the state of Israel, became widespread after 1967. Fifty years after the events, former Knesset member Einat Wilf summed up this change of atmosphere in the following words: «At its core, early Zionism was a secular, even militantly atheist, movement. For the Jewish people to change the course of their history, reclaim their homeland, and establish a modern state in it, they had to rebel against God and Messiah ... But 1967 changed that. In six short days, Israel swung from the fear of annihilation to the euphoria of an astounding victory. The tiny country tripled its size to include not just the Golan Heights and Sinai Peninsula, but the cradles of Jewish civilization, including the Temple Mount, East Jerusalem (the Zion of Zionism, home of holy sites), and the West Bank (the territory of Judea, home of the ancient Judeans)». See S. Samuel, *How the Six-Day War Transformed Religion*, in «The Atlantic», 5 June 2017.

<sup>9</sup> L. Gürkan, *The Jews as Chosen People: Tradition and Transformation*, London - New York, Routledge, 2003, p. 173.

than the catalyst to a profound re-evaluation of the harm and injustice perpetrated against the Palestinians since the beginning of the Zionist enterprise and all the more so since the creation of the state of Israel in 1948. As long as Israeli Jews lived under permanent existential threat – a situation that Israel's famous diplomat Abba Eban had described as the «Auschwitz borders of Israel»<sup>10</sup> – the plight of the Palestinian people was simply a «non-existent» reality<sup>11</sup>. This could now no longer be the case and working for a peaceful negotiated solution to the conflict was not only a political and pragmatic necessity but it became a truly ethical duty, defining the nature of the «soul» of Israel, thus infusing the debate with religious and theological overtones. For both, doves and hawks alike, the aftermath of the Six-Day war, became a real pivotal and defining moment. More than fifty years after these events, while the occupation of the various conquered territories remains unresolved and as the ideological stances are becoming increasingly entrenched on either side of the Israeli ideological spectrum, the gap between the two opposite realities of the existential nature of the state – a post-colonial left looking for compromise and reparation of the harm caused to the Palestinians, and an unapologetic colonial right affirming its religious and historical supremacy – seems to define the boundaries and the terms of the battleground for the religious identity of what a «Jewish state» can mean in the twenty-first century.

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<sup>10</sup> In an article in the German newspaper «Der Spiegel» dated 5 November 1969 and alluding to the pre-1967 border, Eban wrote: «We have openly said that the map will never again be the same as on June 4, 1967. For us, this is a matter of security and of principles. The June map is for us equivalent to insecurity and danger. I do not exaggerate when I say that it has for us something of a memory of Auschwitz. We shudder when we think of what would have awaited us in the circumstances of June, 1967, if we had been defeated; with Syrians on the mountain and we in the valley, with the Jordanian army in sight of the sea, with the Egyptians who hold our throat in their hands in Gaza. This is a situation which will never be repeated in history».

<sup>11</sup> Thus, Golda Meir was famously quoted as saying, as late as 1969: «There were no such thing as Palestinians. When was there an independent Palestinian people with a Palestinian state? It was either southern Syria before the First World War, and then it was a Palestine including Jordan. It was not as though there was a Palestinian people in Palestine considering itself as a Palestinian people and we came and threw them out and took their country away from them. They did not exist». (Golda Meir, interview with Frank Giles, «Sunday Times», 15 June 1969 and «The Washington Post», 16 June 1969). Some years later, Meir attempted to clarify her position in an article published by «The New York Times»: «To be misquoted is an occupational hazard of political leadership; for this reason I should like to clarify my position in regard to the Palestinian issue. I have been charged with being rigidly insensitive to the question of the Palestinian Arabs. In evidence of this, I am supposed to have said, «There are no Palestinians». My actual words were: «There is no Palestinian people. There are Palestinian refugees». The distinction is not semantic. My statement was based on a lifetime of debates with Arab nationalists who vehemently excluded a separatist Palestinian Arab nationalism from their formulations». G. Meir, *Israel's Reality*, in «The New York Times», June 14, 1976.

Facing this complex ideological, historical and political reality, we will aim at exploring the religious arguments advocated today by Israeli Jews, heirs of the double-faceted foundations of the state and its current conflicting ideologies. Our approach will be threefold. First, we will review the religious arguments used by the proponents of a peaceful solution to the conflict, attempting to defuse the colonial violence that, to a degree, is inherent to the reality of the state, as well as by the proponents of aggressive policies affirming the religious need for a Jewish sovereignty on the land, finding religious argument to justify occupation and all of its consequences. In particular, we will look at how settler movements – inspired by the writings of Rav Kook (Tzvi Yehuda) – tend to justify their political ideology and its human and ethical cost. We will also review, on the other side of the spectrum, the way some religious peaceful movements, inspired by the writings of Yeshayahu Leibowitz, articulate on religious grounds their political agenda. Secondly, we will try to approach the tension between the two conflicting religious perceptions framing the current reality of the state, from a more theoretical standpoint, articulating a conflicting vision of the concept of the «Jewish peoplehood» and its implication for the political tone of the colonial/post-colonial reality of the state. In particular, we will wonder whether the writings of Fackenheim and Borowitz, born out of the experience of the Shoah, do provide the theoretical basis for a wider perspective that would reconcile history and theology and explain how, given the experiences of the Jewish people in the twentieth century, religious thought could simultaneously act as a justification for violence and simultaneously as an effective fence against the human propensity for violence, in such a charged and complex historical setting. Lastly, we will attempt to sketch the outline of a possible alternative theological perspective that could, while recognizing the religious importance of the «land of Israel», could pave the way for an ethical guidance that rabbinic thinking could infuse into the political reality of the state of Israel.

### **1. The religious ideology of a «impenitent colonial Judaism» versus the religious thinking of a «remorseful post-colonial Judaism»**

While a systematic exploration of the religious arguments used by both sides is definitely beyond the scope of this paper, it will be useful to root out our own reflexions on the theological foundations of the discourses of the advocates of a «remorseful post-colonial Judaism» as well as of those of a «impenitent colonial Judaism». To do so, we will refer

to some of the key writings of Tzvi Yehuda Rav Kook and of Yeshayahu Leibowitz, together with some more contemporary expressions of their original religious thoughts as found today in two of their opposite yet radical heirs: the leaders of Yeshivah *Od Yossef Hai* and authors of the infamous *Torat Hamelekh* in 2009 on the one hand, and Rabbis for Human Rights on the other.

Since the war of 1967, the religious thought of Tzvi Yehuda Kook (1891-1982), the son of the first Chief Rabbi of Palestine (Abraham Isaac Kook, 1865-1935), has been an unavoidable voice in the political reality of the state of Israel<sup>12</sup>. Kook, in the straight line of his father, wrote consistently about the intrinsic «sanctity» of the land of Israel, emphasizing the religious obligation to settle all part of the «promised land» and to keep «every inch» of it under Jewish sovereignty<sup>13</sup>. Thus, in the eve of the Six-Day War, on the occasion of the nineteenth anniversary of Israel's independence, Kook famously preached:

«We are accustomed from time to time – we must become accustomed – to act in accord with the closing lines of Psalm 107 – that Psalm which the Rabbanim have decreed we are to say on Israel's Independence Day: 'Those saw the works of the Lord; And His wonders in the deep. The upright see it, and are glad; And all iniquity stops her mouth. Whoso is wise let him observe these things; And let them consider the mercies of the Lord'. (Ps. 107:24 and 42-43) ... And to the degree that uprightness is lacking – so too is the ability to see and recognize «the works of the Lord». We must observe much, we must consider much the works of God and the workings of Divine Providence. We must look into our own inner life, we must examine the life of Klal Israel. We must open our eyes and discover the wonders of God's Torah and of His works. Nineteen years ago, on the night when news of the United Nations decision in favor of the Reestablishment of the State of Israel reached us, when the People streamed into the streets to celebrate and rejoice, I could not go out and join in the jubilation. I sat alone and silent; a burden lay upon me. During those first hours I could not resign myself to what had been done. I could not accept the fact that indeed 'they have ... divided My land' (Joel 4:2)! Yes [and now after nineteen years] where is our Hebron – have we forgotten her?! Where is our Shechem, our Jericho, – where?! – Have we forgotten them?! And all that lies beyond the Jordan – each and every clod of earth, every region, hill, valley, every plot of land, that is part of Eretz Israel – have we the right to give up even one grain of the Land of God?! – On that night, nineteen

<sup>12</sup> An importance that became more acute as of 1974 when the *Gush Emunim*, a political and ideological movement of settlers, was created by students of Tzvi Yehuda Kook. For a detailed analysis of the condition underlying the creation of *Gush Emunim* (and its impact on the political reality of Israel) see: E. Don-Yehiya, *Jewish Messianism, Religious Zionism and Israeli Politics: The Impact and Origins of Gush Emunim*, in «Middle Eastern Studies», 23, 1987, 2, pp. 215-234.

<sup>13</sup> For a fuller understanding of the way Rabbi Kook articulated and transformed the ideological messianic ideas of his father into a concrete political activism, see: A. Ravitzky, *Messianism, Zionism, and Jewish Religious Radicalism*, Chicago IL, Chicago University Press, 1996, pp. 122-127.

years ago, during those hours, as I sat trembling in every limb of my body, wounded, cut, torn to pieces – I could not then rejoice»<sup>14</sup>.

Without a doubt, Kook became – once Israel gained controlled over «Judea and Samaria»<sup>15</sup> – one of the most virulent and uncompromising advocates of a full and never-to-be-negotiated Jewish sovereignty over the whole of the Biblical Land of Israel, *Eretz Yisrael*<sup>16</sup>. His political stand stemmed from his own spiritual vision of the ontological and theological nature of the relationship between the land of Israel and the people of Israel. Thus, his students and disciples recall:

«Only after we have returned to the land, and are influenced by its special transforming powers, are our true, healthy spirits renewed' ... 'To understand this process, we have to understand the essence of this Land', Rav Tzvi Yehuda said. The Rosh Yeshiva would return to this theme again and again. Even to his regular students, the majority of whom had grown up in Israel, he would explain with endless patience, until he was sure we understood, that *Eretz Yisrael* is not like every other land; ... *Eretz Yisrael* is something else entirely. Yes, it has mountains and rivers, but these mountains and rivers are part of us, inseparable from our being and from our national task of uplifting mankind to a knowledge of *Hashem* [God]. *Eretz Yisrael* is *Kadosh* [Holy] ... 'Our connection to *Eretz Yisrael* is not based solely on the fact that it is our homeland. The Almighty created it especially suited for us'<sup>17</sup> ... This concept was so new, and abstract, it was difficult to

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<sup>14</sup> [http://www.israel613.com/books/ERETZ\\_ANNIVERSARY\\_KOOK.pdf](http://www.israel613.com/books/ERETZ_ANNIVERSARY_KOOK.pdf) (consulted on the 5th February 2018).

<sup>15</sup> We refer here voluntarily to the Biblical names of the territories occupied by Israel after the Six-Day War as this terminology became synonymous with the theology and ideology of the Israeli right movements.

<sup>16</sup> In particular, by advocating an inherently divine holiness of the land, Kook contributed greatly to setting the ground for a displacement of Jewish thought outside the natural boundaries of «human history», contrasting the «temporary» with the «unfolding of an eternal redemption». Thus, Kook also famously wrote: «The setbacks we face are temporary. All steps backwards are transitory and passing. Advances sometimes come in hidden stages. One must look at the global upheaval involved in bringing us back to our Land, and recognize that this is the Divine unfolding of, 'When the Lord brings the exiles back to Zion'. Because of its staggering scale, the process naturally undergoes difficulties and problems. The greater a thing is, the more complicated it is. The unfolding of our Redemption is an historical event of colossal proportions. All of the disturbances and temporary setbacks are trivialities which have no substance in this sweeping historical pageant. The actions of the gentiles, or of superficially thinking Jews, which oppose this Divine plan, carry no weight whatsoever. They are null and void in the light of the Torah and Hashem's promise and providence over His people». See: T. Fishman, *In Memoriam: the Teachings of Rav Tzvi Yehuda Kook, Called the Father of the Return to Judea and Samaria, a True Torah Leader With Vision and Courage*, in «Arutz Sheva», 12th March 2017, accessed on the 7th February 2018, <http://www.israelnationalnews.com/Articles/Article.aspx/20269>. The teachings of Rav Kook are notoriously difficult to quote with precision, many of them being only transmitted in oral form by his students and disciples having attended his classes and lectures. Hence, we quote indirectly from the recollection of Tzvi Fishman.

<sup>17</sup> The editor is here directly quoting from the Kook's own writings, *L'Netivot Israel*, part I.

comprehend. Two-thousand years of exile, without the Land, without a sovereign Jewish nation, had dimmed our perception of *Am Yisrael* [the people of Israel]»<sup>18</sup>.

These brief extracts from the teachings of Kook allow us to perceive how revolutionary and far-reaching his theological views on the land of Israel and its intrinsic holiness have been for a whole generation of Jews in search of a meaningful understanding of the spiritual significance of the re-establishment of a Jewish state in the ancestral lands. But in itself, valuing – even in such an extreme way – the «holiness» of the promised land does not transform a religious thinker into an «impudent colonial» activist. To do so, the unbridled love of the land must be coupled with an equally unbridled disrespect for the non-Jewish inhabitants of this debated land, for the «other».

Before exploring further the key teachings of Kook that transformed the spiritual vision of *Eretz Yisrael* into the catalysts of political colonial violence, we must briefly turn to a classical midrashic teaching<sup>19</sup> that encapsulates the ontological essence of the matter. Thus, Rabbi Yeoshua of Sakhnin teaches in the name of Rabbi Levi, *à propos*, the verse «And Cain spoke unto Abel his brother ... and he killed him» (Gen 4,8), contextualising the very first outburst of violence in human history:

«[About what did they quarrel?] Both [Cain and Abel] took the land and both took movables [in the way they divided the world among them], but then what about did they quarrel? One said, ‘the Temple must be built in my area of the land’, while the other claimed: ‘it must be built in my area of the land’. For thus it is written, ‘and it came to pass, when they were in the field’ (Gen 4,8). Now the word ‘field’ refers to nothing else but to the Temple, as it is said: ‘Zion<sup>20</sup> shall be plowed as a field’ (Michah 3,12). Out of this dispute, ‘Cain rose up against Abel his brother and killed him’»<sup>21</sup>.

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<sup>18</sup> S. Chaim HaCoehn Aviner (ed.), *Torat Eretz Yisrael. The Teachings of HaRav Tzvi Yehuda HaCohen Kook*, Jerusalem, Torat Eretz Yisrael Publications, 1991, pp. 101-102.

<sup>19</sup> The midrashic tradition is notoriously difficult to define (see: C. Bakhos, *Method(ological) Matters in the Study of Midrash*, in C. Bakhos (ed.), *Current Trends in the Study of Midrash*, Leiden - Boston, Brill, 2006, pp. 161-188, here p. 161. However, we will here refer to *Midrash* in the light of the wide-ranging definition proposed by James Kugel: «Suffice to say that the Hebrew word ‘midrash’ might be translated as ‘research’, a translation that incorporates the word’s root meaning «search out, inquire» ... The word has been used to designate both the activity of interpretation and the fruits of that activity ... At bottom, midrash is not a genre of interpretation but an interpretative stance, a way of reading the sacred text, and we shall use it in this broad sense». See: J. Kugel, *Two Introductions to Midrash*, in G.H. Hartman - S. Budick (eds.), *Midrash and Literature*, New Haven - London, Yale University Press, 1986, pp. 77-103, here p. 91.

<sup>20</sup> Zion, understood by the midrashist as a direct reference to the Temple, built on Mount Zion.

<sup>21</sup> Bereshit Rabbah XXII, 7.

This short midrashic text, part of a larger unit debating the emergence of human violence in the context of the Genesis narrative, shed some interesting light to our understanding of the nature of religious colonial violence. In particular the way religion and territorial possessions are interwoven in order to generate violence, commands our full attention. How accurate and daring are the words of Yeoshua of Sakhnin, predicting that the Temple – a reference to the *midrash* allows us to understand more widely the problematic linkage between religiosity and geography – is «nothing but a plowed field», which in the context of the quoted Michah's chapter is unmistakably a battlefield, plowed by war and violence and plagued by the human's perversion of justice and equity<sup>22</sup>. When religion and territorial possessions and claims collide, neglect for human lives is never far away, adding to the equation all the ingredients of an impenitent colonial religious violence.

The passage from a religiously motivated claim to sovereignty on the promised land to colonial violence is not, unlike in our midrashic text, a one step process. In the thought of Kook and his followers, one intermediary step is crucial: an exacerbated claim to «chosenness». While the concept is undoubtedly biblical and in that context always linked to the responsible behavior of the people<sup>23</sup>, Kook progressively detaches the notion of «election» from any behavioral or ethical demands of the people. For Kook, it is indeed as if the intrinsic holiness of the land of *Eretz Yisrael* was «matched» by an equally intrinsic «holiness» and «chosenness» of the people. Hence considering the obligation to settle in the land of Israel, Kook wrote:

«The time has come to return home. Whether we want to or not; whether we recognize this truth, or whether we want to run away from it. 'And I will bring you back to their land'<sup>24</sup>. *Hashem* has decided that the time has arrived»<sup>25</sup>.

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<sup>22</sup> The reader might want to refer specifically to Michah 3,10-12.

<sup>23</sup> In the biblical narrative, as well as in classical rabbinic interpretation, the concept of «chosenness» is intimately linked to the idea of the «Covenant». While many books and articles have been written on these two notions, a clear and critical presentation of the terms, concepts, and their meanings can be consulted in A. Eisen, 'Covenant,' in A.A. Cohen - P. Mendes-Flohr (eds.), *Contemporary Jewish Religious Thought: Original Essays on Critical Concepts, Movements and Beliefs*, New York - London, The Free Press, 1988, pp. 107-112. See also: H. Atlan, *Chosen People*, *ibid.*, pp. 55-59.

<sup>24</sup> Ezekiel 36,24.

<sup>25</sup> T. Fishman, *In Memoriam: the Teachings of Rav Tzvi Yehuda Kook, Called the Father of the Return to Judea and Samaria, a True Torah Leader With Vision and Courage*, in «Arutz Sheva», 12th March 2017, accessed on the 7th February 2018, <http://www.israelnationalnews.com/Articles/Article.aspx/20269>.

Our attention is drawn towards the emphasis on the absence of intentionality from the part of the people<sup>26</sup>. God has decided, whether the people «want it or not», and it is the special holiness of the land that confers to the people its unique spiritual dimension. Hence for Kook, «the wholeness of the Jewish people appears only in *Eretz Yisrael*. The Divine value of this great nation appears only when it is situated in its own land, in all of its land and stature»<sup>27</sup>. Once the Jewish people is, as it were, freed from its covenantal moral and ethical obligations to attain its wholeness<sup>28</sup>, its holiness being solely dependent on its presence on the land and possession thereof, Kook has in effect set the tone for a typology in which the Jewish soul becomes radically differentiated and apposed to the non-Jewish soul<sup>29</sup>. A generation later, among the followers of Kook's theology and political activism, this typology slowly became exacerbated and radicalized, setting the ground for violent political actions and theological thinking. To illustrate this point, we turn our attention to some of the more extremist heirs of Kook in the settler movement<sup>30</sup>, the authors of the infamous *Torat Hamelekh* in 2009.

<sup>26</sup> For a further elaboration on how Rav Kook perceived the messianic reality being literally imposed on the people of Israel in the present days, see: A. Ravitzky, *Messianism, Zionism, and Jewish Religious Radicalism*, pp. 79-81.

<sup>27</sup> *Ibid.*

<sup>28</sup> Kook suggests «a love [of the people of Israel] with no limits» to emphasize the intrinsic nature of the holiness of all Jewish souls. See: S. Chaim HaCoehn Aviner (ed.), *Sihot HaRav Tzvi Yehuda al Sefer Orot*, Jerusalem, Ateret Kohanim, p. 115.

<sup>29</sup> In this sense, Kook does refer to the «impurities of the Gentile nations» that he contrasts with the holiness of the Jewish people in its land. On many occasions Kook evokes the «supreme source that is the holiness of the Jewish/Israelite nation». See: S. Chaim HaCoehn Aviner (ed.), *Sihot HaRav Tzvi Yehuda*, p. 106. We note with interest that on this particular point, Tzvi Yehuda Kook seems to depart greatly from the teachings of his own father, Abraham Isaac Kook (although he claimed to have scrupulously followed the spiritual path of his father). Indeed, Abraham Isaac Kook, does not reject the existence of holiness in all nations of humankind (see for example, the letter written by Kook and titled «A Call for Unity»: B.Z. Bokser (ed.), *The Essential Writings of Abraham Isaac Kook*, Teaneck, Ben Yehuda Press, 1988, pp. 22-24. In recent controversies surrounding the presumed censorship of Kook's writings, new texts attributed to him are now being published. In particular, we should be interested in the following passage where Kook clearly rejects the rigid spiritual opposition between Judaism and other faith communities: «There are other people who think that a person can only have perfect faith in Moses' true Torah so long as one also believes that the other faiths are all false and foolish, and that there is nothing positive in holding fast to them. But this is not true. However ... much of the masses ... think this. This view is indeed useful in that it sometimes strengthens Jewish faith in the hearts of fools, for they cannot understand the lofty value and the holiness of our Torah without also thinking of other faiths as mistaken and completely useless ... there is much evil that comes from this view if it is not corrected». See: A. Sklar, *Lovers of Humanity: Rav Kook, Christianity, and the Ongoing Censorship of His Writings*, in «Kol Hamevasser», 8, 2015, 3, pp. 20-22, here p. 21.

<sup>30</sup> The turn towards extremist thinking, while problematic in itself, is nevertheless justified as Kook himself actively supported, in 1977, the political enterprise of Meir Kahane (the founder of the Jewish Defense League, known as the *Kakha*, later murdered in New York on the 5th November

Written by Rabbi Yitzhak Shapira and Rabbi Yossef Elitzur from the settlement of Yitzhar, the book is essentially an halakhic work detailing what its authors perceive as being the rules of Jewish conduct concerning the permissibility of killing non-Jews in the land of Israel, both in time of peace and in time of war. While the book has stirred a wide controversy in Israel and around the world, yet its authors have not been prosecuted despite the opening of a criminal investigation about the content of the book as incitement to violence<sup>31</sup>. The six chapters of the book<sup>32</sup> detail the various halakhic circumstances and conceptions of the essence of the non-Jew (*Goy*) that render permissible such acts of violence. By its very structure, and culminating in chapter 4 – entirely devoted to the existential dichotomy perceived by the authors between the «Jewish soul» and the «non-Jewish soul» – the book is indeed an exponential and radicalised expression of the core teachings of Kook on the intrinsic value of Jewish souls, thus absolutely differentiated from non-Jewish souls. Hence for the authors, «in any situation where the existence of a non-Jew endangers the life of a Jew, it is permissible to kill him», while this, of course, would not be the case among Jews<sup>33</sup>. While it is perhaps unnecessary to delve in the minutiae of the arguments, the halakhic tangent is clearly the main vector used by the two authors to promote their ideological and political agenda, based on a obsession with the mythological divide between the divine worth of the *Nefesh Yehudi* (Jewish soul) and the lesser worth of the *Nefesh Goy* (non-Jewish soul).

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1990). Thus Kook declared: «The presence of Rabbi Meir Kahane and his uncompromising words from the Knesset platform will undoubtedly add strength and value to the obligatory struggle on behalf of the entire Land of Israel». (See: *Kook Supports Kahane*, in «Jewish Telegraphic Agency», January 31st 1977, consulted on the 7th February 2018, <https://www.jta.org/1977/01/31/archive/kook-supports-kahane>).

<sup>31</sup> See: Y. Jeremy Bob, *Hight Court: No Basis to Indict Torat Hamelech Authors for Incitement*, in «Jerusalem Post», 9th December 2015, consulted on the 8th February 2018, <http://www.jpost.com/Israel-News/High-Court-No-basis-to-indict-Torat-Hamelech-authors-for-incitement-436795>.

<sup>32</sup> The chapters of the book are divided as follow: 1) «On the interdiction to kill a non-Jew»; 2) «On the killing of a non-Jew that transgress the 7 Noahides laws»; 3) «On the killing of a non-Jew by a non-Jew»; 4) «Jewish soul against non-Jewish soul»; 5) «On the killing of non-Jews in times of war»; 6) «On target killing directed at innocents [non-Jews]».

<sup>33</sup> The authors are here alluding to how talmudic and halakhic rules pertaining to cases of ransom and forced captivity. In particular they point to the difference in halakhic ruling if, in a surrounded city, the attackers are asking for the life of one particular individual in order to spare the lives the others. In such a context the Talmud does rule that if the captives are all Jews, one is forbidden to deliver the individual in order to save the group, while if the same situation arises in a non-Jewish city, the non-Jews can deliver one of them (although innocent) to the enemy in order to save the majority. See *Tosefta of Terumot* 7,13 as well as *Rambam* (*Maimonides*), *Yessodei Ha-Torah* 5,5 and *Shulkhan Arukh* and its commentaries on *Yoreh Deah* 157,1.

While it would seem natural to contrast the writings and teachings of Kook's and his heirs – defining a theology of the land that has sustained the political activism of the impenitent colonial right – with the teachings about the ethical danger of occupation hammered over and over again by thinkers such as Yeshayahu Leibowitz<sup>34</sup>, we wish to focus our analysis on a less known, yet highly significant, teaching of Leibowitz that highlights the theological and ethical contrast we intend to decipher. While the actual writings on religious/political topics of Leibowitz are relatively limited to but a few books<sup>35</sup>, his interviews are far-reaching and widely accessible. During the course of one such video-recording, Leibowitz tackled the heated issue of civil war, as his own denunciation of the nature of the divide in the Israeli society (between the settlers communities<sup>36</sup> and the peace-oriented side), forced him and his listener to envisage the possibility of a violent break-up of the Israeli society from within. Faced with such a daunting prospect but even more so, astonished to the core of his being by the reactions of horror and dread that such a hypothetical prediction generated, Leibowitz remarked:

«I do not understand, really I do not understand why is war accepted only when it takes place between different nations, and not between people of the same nation? If an identical opposition exists between them, such an abysmal opposition that one sees in a particular value something for which he is ready to risk his life or to take life and consequently he sees himself obligated to fight against he who reject such a [fundamental] value and truly wants to steal [annihilate] what he thinks is a [fundamental] value by which to live. So what difference does it make if this second person is from another nation or from the same one? Unless, I say: ‘the nation IS the supreme value, beyond all values; and this is the essence of fascism’».

<sup>34</sup> Specifically, we are referring to the chapters in Part III of Y. Leibowitz, *Judaism, Human Values and the Jewish State*, edited by E. Goldman, Cambridge MA - London, Harvard University Press, pp. 223-250. In particular, with an undeniable prophetic vision, Leibowitz wrote as early as 1968: «The Arabs would be the working people and the Jews the administrators, inspectors, officials, and police – mainly secret police. A state ruling a hostile population of 1.5 to 2 million foreigners would necessarily become a secret-police state, with all that this implies for education, free speech and democratic institutions. The corruption characteristic of every colonial regime would also prevail in the State of Israel. The administration would suppress Arab insurgency on the one hand and acquire Arab Quislings on the other. There is also good reason to fear that the Israel Defense Forces, which has been until now a people’s army, would, as a result of being transformed into an army of occupation, degenerate, and its commanders, who will have become military governors, resemble their colleagues in other nations». See *ibid.*, pp. 225-226.

<sup>35</sup> A comprehensive list of Leibowitz’s writings (mostly in Hebrew) is available under the entry *Yeshayahu Leibowitz* in the *Stanford Encyclopaedia of Philosophy*, <https://plato.stanford.edu/entries/leibowitz-yeshayahu/#PriLit> (consulted on the 9th February 2018).

<sup>36</sup> We voluntarily refer, in the plural, to the «settler communities» as these can be national-religious, messianic, or even secular (to name but only a few of the variants found in the settlers camp). See Y. Leibowitz, *Milkhama Betokh Ha’Am*, [https://www.youtube.com/watch?v=\\_B4xgK7wf38](https://www.youtube.com/watch?v=_B4xgK7wf38) (consulted on the 9th February 2018).

In many respects, we seem to touch here the core of Leibowitz political and religious thought. A thought that not only rejects the very idea of attributing any value to the concept of nation but that also refuses to attach to the concept of *the Jew* any stigma of mystical singularity, or of let alone holiness. In unequivocal terms, Leibowitz refuses any such reference to what many have labeled the «Jewish genius»<sup>37</sup>. Yet, Leibowitz cannot and should not be considered as a humanist. He himself violently rejected such attempts, as his special interest and attachment to Judaism and the Jewish people is indisputable:

«According to me, a humanist is first and foremost a cosmopolite. If he is not, he is not a humanist. In other words, someone who is not interested by ‘human [nature]’, but by a particular human group with which he uniquely relates, accepting its sets of obligations and interdictions that differs from that of other groups, this person cannot be called a humanist»<sup>38</sup>.

Consequently, the theological and ethical opposition between Leibowitz and Kook (and his followers) is even more radical than it seems. Despite, or should we say because of, the bond that unites all the fibers of his being to the teachings of Judaism and to the history of the Jewish people, Leibowitz is deeply concerned not as much by the «other» in the Lévinas sense of the term, but by the way Jews who obey the teachings of Judaism treat the other<sup>39</sup>.

As we stand, more than twenty years after the death of Leibowitz, his legacy is difficult to assess. Yet, despite its current political minority status, one particular movement seems to encapsulate some of the theological teachings and political activism that Leibowitz coined<sup>40</sup>. «Rabbis for

<sup>37</sup> See for instance the repeated rejections of such a concept in Y. Leibowitz, *Israël et Judaïsme. Ma part de vérité: entretiens avec Michaël Shashar*, Paris, Desclée De Brouwer, 1993, pp. 69-80.

<sup>38</sup> *Ibid.*, p. 209.

<sup>39</sup> We oppose here the phenomenological/existential approach of Lévinas, where the universal «I» experiences itself as it is called by the encounter with the other (the universal «I» being the subject matter), to what we might define as the «Jewish ‘I’» of Leibowitz, motivated by the dictates («Yoke of Torah and *Mitzvot*») of Halakhah. For Leibowitz, only the Halakhic obedience (and not any particular intrinsic «Jewish genius») is deemed to be called «holy». Thus Leibowitz wrote: «This generation has been witness, as none other before it, to the evil which may be perpetrated in the name of the fatherland, nation, honor, liberty, equality, and any other human values to which holiness is attributed when man looses sight of the great truth that holiness is resident in a realm which transcends human values. Hence the tremendous educational significance of the *Mitzvoth*, which demarcate the realm of the sacred in human life and are a constant reminder that anything outside that realm lacks sanctity and is unworthy of adoration». Y. Leibowitz, *Judaism, Human Values and the Jewish State*, edited by E. Goldman, Cambridge MA - London, Harvard University Press, p. 25.

<sup>40</sup> We must note that, while the movement was created in 1988, Leibowitz does not seem to have been related to it in any capacity. Since RHR, as we will see, derives its authority both from

Human Rights» (RHR), an Israeli non-governmental organization created in 1988 and which defines itself as

«the only Rabbinic voice in Israel that is explicitly dedicated to human rights [and] representing over 100 Israeli Rabbis and Rabbinical students from different streams of Judaism, ... deriv[ing its] authority from ... Jewish tradition and the Universal Declaration of Human Rights»<sup>41</sup>,

has become the recognized religious voice of a remorseful post-colonial Judaism. Indeed, one of the primary areas of activity of RHR is in the legal protection of Palestinian farmers against the settlers' activities and, at times, the politics of expansion of the state. The emphasis, according to the words of the RHR mission statement is to highlight the traditional Jewish call for Justice for the oppressed:

«In a time in which a nationalist and isolationist understanding of Jewish tradition is heard frequently and loudly, Rabbis for Human Rights give expression to the traditional Jewish responsibility for the safety and welfare of the stranger, the different and the weak, the convert, the widow and the orphan»<sup>42</sup>.

In that perspective, the words of Psalm 106,3 serve as the motto for the organisation, as appearing within the logo of RHR: «Happy are those who act justly, who do right at all times»<sup>43</sup>.

Yet, beyond this praiseworthy ethical call, we have to wonder about the religious structure and actual content of the theological message advocated by the post-colonial left. Three comments seem, at this stage, to be needed. First, a survey of the religious teachings found in the various publications of RHR<sup>44</sup> reveals an astonishing lack of any structured and in-depth theological framework to the issue. In particular, one is drawn to oppose the 230 pages of the *Torat Hamelekh* (structured around detailed Halakhic concepts) with the Facebook feeds, unstructured and

the Jewish tradition and from the teachings and values of the *Universal Declaration of Human Rights*, thus perceiving «absolute values» outside the framework of Halakhah, it is not surprising that Leibowitz might not have been associated with such a movement.

<sup>41</sup> See: «About us», Rabbis for Human Rights, <http://rhr.org.il/eng/about/> (consulted on the 9th February 2018).

<sup>42</sup> *Ibid.*

<sup>43</sup> Ps 106,3.

<sup>44</sup> While RHR is essentially an activist movement, the Jewish teachings that stand at the core of its actions can be consulted in the section «Jewish Learning» of their website. <http://rhr.org.il/eng/judaism-and-human-rights/> (consulted on the 11th February 2018). Three sections are devoted to these teachings: «Judaism and Human Rights», «Weekly Parasha» and «Jewish Sources & Human Rights».

almost soundbites-like sparks of rabbinic teachings. Second, and even more problematic, is the total absence of any attempts at proposing an alternative theological/ halakhic understanding of the concept of «Land» in the writings and teachings of RHR. While the creation of the state of Israel naturally invites Jewish religious thinkers to ponder and offer insights, perspective and wisdom regarding the meaning of the relationship between «the People of Israel» and «the Land of Israel» (as Kook and his heirs understood so clearly), RHR appears to intentionally avoid the entire topic. While a full survey of the teachings of RHR is beyond the scope of this limited paper, we can note that on the page titled «Jewish Teachings and Human Rights», the term *Land* is never mentioned. Similarly, when we survey four consecutive weekly Torah commentaries – all pertaining to the start of the journey of the children of Israel towards the promised land – only one reference to the *Land of Israel/Promised Land* is to be found<sup>45</sup>. Such silences are quite revealing of the theological *malaise* and perhaps of the inability to critically advocate a Jewish theology of the Land of Israel that would do justice to the importance of the biblical narrative. Last but not least, we are left with the unspoken ambiguity of the Rabbinic quote used by RHR to encapsulate its core teaching, as an introduction to the «Judaism and Human Right» section of its webpage: «Beloved are human beings, for they are created in the image of God»<sup>46</sup>. While the words chosen are undoubtedly suitable to illustrate the existence of a powerful vision of humanity in some important teachings of the Rabbis<sup>47</sup>, one must face the more complex textual reality of the chosen quote. Indeed, in its fullness, the passage from the *Ethics of the Fathers* reads as follows:

«He used to say: Beloved is man, for he was created in the image of God; still greater was this love in that it was made known to him that he was created in the image of

<sup>45</sup> In particular, we surveyed the following weekly Torah commentaries: *Vaera*, dated 10.01.2018; *Beshalach*, dated 24.01.2018; *Yitro*, dated 30.01.2018 and *Mishpatim*, dated 07.02.2018 (no weekly commentary for *Bo* (on the 17.01.2018) was available.

<sup>46</sup> *Pirkei Avot* 3,18 (or *Pirkei Avot* 3,15 according to some alternative counting).

<sup>47</sup> The teachings of *Pirkei Avot*, also known as the *Ethics of the Fathers*, are often considered as one of the most important teachings of the rabbinic tradition as, unlike many other rabbinic texts, *Pirkei Avot* does not deal with halakhic matters but with *Mussar*, that is ethical rules of conduct. Thus Pinhas Kehati, in his introduction to *Mesekhet Avot* writes: «This tractate differs from other tractates of the Mishnah; it does not deal with *Halakhah* – law, but with *Mussar* – moral precepts and ethical conduct promulgated by our great teachers who were called *Avot Ha'olam* – Father of the world. Hence the name of the tractate *Avot*- Fathers. In addition, the teachings of this tractate are *Avot* – fundamental principles underlying all *Hokhmah* – Wisdom and *Mitzvot*, guidelines to the attainment of virtue and noble character». See: P. Kehati, *Introduction to Mishnah Avot*, Jerusalem, Feldheim, 2002, p. 1.

God, as it is written ‘In the image of God, made He man’ (Gen 9,6). Beloved are Israel, for they are called the children of God; still greater was this love in that it was made known to them that they were called children of God, as it is written ‘You are the children of the Lord, your God’ (Deut 14,1). Beloved are Israel, for to them was given a precious instrument, still greater was this love in that it was made known to them that to them was given a precious instrument with which the world was created, as it is written ‘For I give you good doctrine, forsake not my Torah’ (Prov 4,2)»<sup>48</sup>.

Read in its wider context, the ambiguity of the passage chosen by RHR appears in its full force. The reference to «humanity» is only but the first part of the teaching. A teaching that is then sharply contrasted by the double emphasis on the specificity of Israel and its chosenness. Israel as «children of God», or as the sole depository of His Torah. By truncating the quote, citing only its most universal part, RHR does not face the theological question of the meaning to be attributed to the People of Israel. A concept not only at the core of many biblical teachings but also serving as a second anchor (after the notion of *Eretz Yisrael*) – and as we have clearly seen in the writings of Kook and his followers – to the colonial activism of the Israeli settler movement.

By being unable to formulate consistent messaging on the two main theological issues that the creation of the state of Israel has engendered for Judaism<sup>49</sup>, the remorseful post-colonial left leaves a dangerous vacuum, where only the radical voices of the colonial right can be heard. Attempting to fill this vacuum is, today, a matter of urgency.

## **2. Formulating a respectful and non-violent post-colonial theology of the «People of Israel»**

Beyond the context of the Israeli occupation of the territories conquered during the Six-Day War, discussions on the meaning to be attributed to the concept of the «people of Israel» have been central to the teachings of Jewish theologians attempting to come to terms with the Shoah and its significance for Judaism and the Jewish people. This should of course

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<sup>48</sup> *Pirkei Avot* 3,18.

<sup>49</sup> Encapsulating these two theological realities, namely the question of the Land and that of the identity/chosenness of the Jewish people, Leibowitz wrote in 1958: «It is one of the great paradoxes of Jewish history that two antithetic events, centuries apart, should have had the same effect on Judaism. The reestablishment of Jewish independence and the ingathering of the exiles have proven as catastrophic for the Jewish religion as were, in their days, the destruction of the Jewish state and the dispersion of the people». Y. Leibowitz, *Judaism, Human Values and the Jewish State*, p. 158.

come as no surprise, as the historical experience of total annihilation, called for an urgent Jewish response to the significance of an enduring Jewish existence. In particular, two theological views must be contrasted. First and while emanating from a Reform rabbinic voice, the teachings of Fackenheim on the «commanding voice of Auschwitz»<sup>50</sup>, urging Jews to survive as Jews so as not to give Hitler a posthumous victory<sup>51</sup>, have had a far-reaching impact on the whole of the Jewish community, both in the Diaspora and in Israel. In particular, his call for the holiness of Jewish survival<sup>52</sup>, has set the theological tone well beyond what the teachings of Kook could ever achieve, for a renewed religious vision of the intrinsic sanctity of the Jewish people, inherited from the history of the XX century. In the words of the author: «The commanding Voice of Auschwitz singles Jews out: Jewish survival is a commandment which brooks no compromise»<sup>53</sup>, thus opening the door not only to a possible idolatry of the «people of Israel» seen as an «absolute», but also to the possible unleashing violent political acts directed at all those perceived as endangering Jewish survival<sup>54</sup>. Second, the writings of Borowitz<sup>55</sup>, offering a powerful alternative view, must be commanded. As an uncompromising ethical voice, Borowitz saw in the Shoah the most powerful call to reject any philosophical doctrine that would – even in a remote way – suggest the «superiority» of one human group over another. Speaking about the atrocities of the Nazi death camps, Borowitz wrote:

<sup>50</sup> E. Fackenheim, *God's Presence in History: Jewish Affirmations and Philosophical Reflections*, New York, New York University Press, 1970. «The Commanding Voice of Auschwitz» is the title of the third chapter of this book.

<sup>51</sup> This teaching of Fackenheim is known as the «614th commandment». In its fullness, it reads as follows: «Jews are forbidden to hand Hitler posthumous victories. They are commanded to survive as Jews, lest the Jewish people perish. They are commanded to remember the victims of Auschwitz lest their memory perish. They are forbidden to despair of man and his world, and to escape into either cynicism or otherworldliness, lest they cooperate in delivering the world over to the forces of Auschwitz. Finally, they are forbidden to despair of the God of Israel, lest Judaism perish. A secularist Jew cannot make himself believe by a mere act of will, nor can he be commanded to do so ... And a religious Jew who has stayed with his God may be forced into new, possibly revolutionary relationships with Him. One possibility, however, is wholly unthinkable. A Jew may not respond to Hitler's attempt to destroy Judaism by himself co-operating in its destruction. In ancient times, the unthinkable Jewish sin was idolatry. Today, it is to respond to Hitler by doing his work». E. Fackenheim, *God's Presence in History: Jewish Affirmations and Philosophical Reflections*, Jerusalem - Northvale, Jason Aronson, 1997, p. 84.

<sup>52</sup> «Jewish survival, were it even for no more than survival's sake, is a holy duty as well». *Ibid.*, p. 86.

<sup>53</sup> *Ibid.*

<sup>54</sup> For a more detailed discussion on the ethical difficulties raised by the thought of Fackenheim, see: D. Meyer, *Croyances rebelles: théologies juives et survie du peuple juif après la Shoah*, Bruxelles, Lessius, 2011, p. 114, note 34.

<sup>55</sup> Eugène Borowitz (1924-2016) was an American liberal/reformist Rabbi and author of many books.

«We expect every decent person to denounce their evildoing – and the condoning of it by ‘good’ people – as intolerably heinous because they violated ethical norms every human being knows, most particularly by ruling us out of mankind ... The bitter history of this century should make it perfectly clear that excluding any group of people from our common humanity is a Nazi doctrine, and no Jewish mouth or mind should ever contain so profane a notion»<sup>56</sup>.

Borowitz is clear. Jewish thought after the Shoah, if still searching to find meaning in «chosenness», must find a new religious path to apprehend such a biblical idea. A religious path that would pave the way, in the context of Israel, to the emergence of a «theology of the People of Israel» that would serve as the foundation of a respectful and non-colonial approach to the Palestinians and more widely to the general exercise of power by a Jewish state in the midst of an overwhelming Arab-Muslim Middle-East. While the pages of this article could not suffice to delve in to the depth and complexity of Borowitz’s proposal, it is worth mentioning that «transform[ing] the Enlightenment’s self into a Jewish self»<sup>57</sup> is the pivotal idea around which Borowitz sees the possibility of the emergence of a Jewish selfhood – fully aware of its historical uniqueness – that could contribute, in a specific and identifiable Jewish way, to the universalism which we are called upon today. For Borowitz, while the «self-in-general finds its ground in the Noahide covenant with God, the Jewish self has its roots in the Jewish people’s historic relationship with God»<sup>58</sup>, enabling each member of the Jewish community to be simultaneously and without any schizoism a «Jew/person at once, in utter existential depth»<sup>59</sup>. Essentially, in affirming that the «covenant [is] being made with the folk as a whole, not with Jews as isolated», Borowitz rejects the mystical understanding of the *Nefesh Yehudi* – the uniquely special/holy Jewish soul – so dear to the thoughts of Kook and his followers<sup>60</sup>, and roots his religious reflexions on Jewish peoplehood in a wider universal frame, thus opening a theological path that could help sustain the activism of the post-colonial left in Israel.

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<sup>56</sup> E. Borowitz, *Renewing the Covenant: A Theology for the Postmodern Jew*, Philadelphia - New York - Jerusalem, The Jewish Publication Society, 1991, pp. 200-201.

<sup>57</sup> *Ibid.*, p. 214.

<sup>58</sup> *Ibid.*, p. 215.

<sup>59</sup> *Ibid.*

<sup>60</sup> We contrast here the «folk» emphasis of Borowitz with, for instance, the complete thought structure of the authors of the *Torat Hamelekh*, for whom the dichotomy between the *Nefesh Yehudi* and the *Nefesh Goy* is central (see Chapter 4 of their book).

### 3. Sketching a non-violent and post-colonial theology of the «land of Israel»

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If attempts to create a respectful post-colonial theology of the People of Israel exist, a similar religious creativity concerning the Land of Israel is yet to be articulated. The following few paragraphs by which we wish to conclude, attempt to sketch the theological architecture of what a post-colonial understanding of the Land of Israel could be<sup>61</sup>. At stake is nothing less than an urgent call to refuse the unfolding reality of a Jewish state that, while claiming Jewish heritage is, in essence, rejecting all democratic and universal values, in the pursuit of securing a Jewish demographic and territorial hegemony at the cost of freedom, respect and equality<sup>62</sup>. Unless a meaningful theological alternative can be formulated, Israel will continue to root its developing history in a violent colonial identity, as shaped by the impenitent and violent theology of the settlers. Such an identity will not only lead to the possible downfall of the state, but it will also threaten the very survival of Judaism. Indeed, a millennial-old religious tradition that, once imbued with the attires of state-power, could only create a colonial and violent reality, will soon become irrelevant for the generations to come<sup>63</sup>. It is our belief that an alternative theological approach should challenge – rather than simply reject or ignore – the ideological foundations of the settlers' theology, which today is governing much of the policies of the state. While accepting the idea that *Eretz Yisrael* remains an important rabbinic concept, it should create the theological conditions to find religious meaning in the renunciation of sovereignty over part of the land, not only «for the sake of peace»<sup>64</sup> between Jews and non-Jews in the region but also

<sup>61</sup> A detailed theological presentation of these ideas could be found in: D. Meyer - M. Remand - T. Oubrou, *La Vocation de la terre sainte: un juif, un chrétien, un musulman s'interrogent*, Bruxelles, Lessius, 2014, pp. 33-86. See also: D. Meyer, *Israël, tout autre chose*, in B. Philipp - D. Meyer, *Europe et Israël: deux destins inaccomplis. regards croisés entre un diplomate et un rabbin*, Namur, Lessius, 2018, pp. 71-114.

<sup>62</sup> The question of the impact of demography on the shaping of political and territorial solutions has been evoked by many and used to sustain various and at times very conflicting political aims. See for instance: B. Morris, *One State, Two States: Resolving the Israel/Palestine Conflict*, New Haven CT - London, Yale University Press, 2009, pp. 21, 70, 174-175 and 195.

<sup>63</sup> While Leibowitz affirmed that: «This state was neither created because of Judaism, nor by the demands of Judaism, let alone in the interest of Judaism» (see: Y. Leibowitz, *Israël et Judaïsme*, p. 41), our concern are that the state of Israel not created «in the interest of Judaism», could – given certain circumstances – act against the interest of Judaism and eventually contribute to the downfall of Judaism.

<sup>64</sup> We are alluding here to the halakhic notion of *Darkei Shalom*, «the ways of peace», a concept governing the relationship between all human beings (halakhically speaking, between Jews

to prevent the *Sinat Hinam* – the «baseless brotherly hatred» – that today as in the past, threatens the unity and the survival of the Jewish people<sup>65</sup>. Indeed, the stakes are high because the renunciation of Judea, Samaria and even Jerusalem (partially) will certainly lead to the bursting of the «messianic bubble»<sup>66</sup> so characteristic of the state of mind of much of the religious population in Israel. Such a bubble would not burst without creating conditions for a possible devastating implosion.

The history of the Jewish people is characterized, according to Greenberg, by several cycles<sup>67</sup>. Each of them is marked by a formulation of the Covenant defining the nature of our relationship to God as well as a form of exile lending a deeper meaning to the people's historical experience. In biblical times, when God commanded the Covenant, the vicissitudes of Jewish history were justified by the faults of the latter: God punished the people for their sins and we spoke of the «Exile of the Land». In Rabbinic times, when God and the Jewish people lived the Covenant as a partnership of equals, the suffering of the Jewish people was shared by God. God no longer punished his people, but suffered with them: we therefore spoke of the «Temporary Exile of the Divine Presence». But what should we say today, after Auschwitz and the time of a rebuilt Jerusalem, when risks of internal tensions and divisions rumble? Rabbi Greenberg suggested that one should consider and speak of a third cycle of Jewish history. A new phase in the history of our people based on the principle of a voluntary Covenant in order to describe and lend meaning to our current historical experiences. It seems that this new way of understanding the Covenant must also be accompanied by another form of exile, namely one that we could call the «Partial Exile of Sovereignty». It would require a voluntary renunciation of places of mystical and biblical significance. That would be the price to pay to invent a new form of relationship with land, truly messianic in its spirit that would deny neither the right of Jews to live in these founding places of national identity, nor the right of others to have a sovereign state. In practical terms, some halakhic creativity would be needed. Why not, for instance, revitalize the legal concepts

and non-Jews) and setting the tone and foundations for peaceful relationships. See for instance: Talmud Bavli, Mishnah Gittin 5,8.

<sup>65</sup> We are referring here to baseless brotherly hatred that the Talmud considers as one of the reason for the destruction of Jerusalem in the year 70 AD. See: Talmud Bavli, Yoma 9b.

<sup>66</sup> Y. Leibowitz, *Israël et Judaïsme*, pp. 44-45.

<sup>67</sup> I. Greenberg, *The Third Great Cycle of Jewish History*, New York, The National Jewish Center for Learning and Leadership, 1982, pp. 1-26.

of *Hefker* or *Hekdesh* – two notions defining, in the talmudic literature, the voluntary renouncement to ownership either for the benefit of the public (*Hefker*) or for Temple usage (*Hekdesh*)<sup>68</sup> – that could contribute to simultaneously strengthening the theoretical existence of a bond of ownership to the «land of Israel» while offering halakhically recognizable terms to translate that love into a non-violent and post-colonial responsible attitude<sup>69</sup>.

The «Partial Exile of Sovereignty» that we are advocating is intended to express biblical and rabbinic reflections on one of the essential features of messianic peace. This era of universal harmony can be evoked by the image of the *Sukkah*, the little hut made of branches and leaves commemorating the forty years spent in the desert. This *Sukkah Shalom* as it is commonly referred to, is also the place in which, one week a year, every one of us should live, leaving a home and the sense of possession behind us. Living in the *Sukkah*, is to experience not only the memory of forty years in the wilderness but also to taste the spirit of a messianic time when the relationship with the land would be different than the one we experience today. A precarious yet messianic relationship with the land based on holiness and not on possession or exclusive sovereignty. An experience of voluntary renouncement that would encapsulate both the attachment to the land and a desire to firmly root the state of Israel in a non-violent postcolonial reality.

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<sup>68</sup> For a precise definition of these two terms, see: A. Steinsaltz, *The Talmud: A Reference Guide*, New York, Random House, 1989, p. 184.

<sup>69</sup> See: D. Meyer, *Jérusalem: ni capitale d'Israël ni capitale de la Palestine*, in «Le Monde», 7th December 2017, p. 23.