

## **Land, State, and Diaspora in the History of the Jewish Polity**

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There is little doubt that the Jewish people represents the classic state-and-diaspora phenomenon of all time. Indeed, it seems that the term diaspora itself originated to describe the Jewish condition.<sup>1</sup> In the 3500 or so years of the existence of the Jewish people, Jewish states have existed for roughly 1000 years. Jewish diasporas have existed for at least 2600 years and, if certain local traditions are accurate, perhaps even longer. The diaspora has existed alongside a functioning Jewish state and, for almost precisely 2000 years, without any state recognized as politically independent. Moreover, for 1500 years the Jewish people existed without an effective political center in their national territory, that is to say, as an exclusively diaspora community, so much so that the institutions of the Jewish community in Eretz Israel were themselves modeled after those of the diaspora and the Jews functioned as a diaspora community within their own land.<sup>2</sup> Nevertheless, the Jewish people not only preserved their integrity as an ethno-religious community, but continued to function as a polity throughout their long history through the various conditions of state and diaspora.

### **Studying the Jewish People**

Most analyses of the Jewish people phenomena focus on the Jews as a sociological category, whether they are considered an ethnic group, a religious group, or both. Jewish self-preservation through religious and cultural differentiation and endogamy are without doubt worthy of examination from a sociological perspective. For example, the way in which the Jews as a diaspora community created a way of life of their own, involving a calendar of daily specificity which established a separate rhythm of Jewish life, setting them apart from their neighbors, is worthy of the closest study. In a parallel way, it is possible to study the nature of Jewish exclusion from Christian and Moslem societies through a combination of anti-Jewish attitudes and measures on one hand, and the mutually acceptable principle that the Jews were a nation in exile and hence deserving of corporate autonomy, on the other.

A focus on either of these, however, would be essentially historical, since both have undergone great changes in the modern epoch and to the extent that they survive at all, survive only as remnants in the post-modern epoch. Thus, while *halakhah* (Jewish law) still specifies a completely separate rhythm of life for Jews, no more than five percent of the Jews in the world today live so fully in accordance to that rhythm that they separate themselves from the society around them, and perhaps another 20 percent live sufficiently according to that rhythm to be considered fully part of it. Most other Jews are touched by that rhythm to varying degrees depending on the extent of their connection to

Jewish life. In every case it is a voluntary matter since with the rise first of the modern nation-state, and then of the State of Israel. First the idea of the Jews as a separate nation in exile was abandoned, first by the state builders and then by most diaspora Jews as they accepted the terms of emancipation.<sup>3</sup> Then the idea of the Jewish people being bound by *halakhah* ceased to be accepted by a majority of the Jews. Similarly, the anti-Jewish attitudes of Christians and Moslems which developed in an age when religion was at the center of life, were transformed into modern anti-Semitism.<sup>4</sup> The latter remains a factor in shaping the Jewish diaspora, certainly one that is high in the consciousness of Jews everywhere. It substantially diminished as an active force in the aftermath of the Holocaust and is only now beginning to reappear in certain circles as a legitimate form of expression.

It would be more useful to examine the respective roles of the Jews in their own state and as an ethno-religious community within the societies of which they are a part. In most of those societies they play the role of a catalytic minority, making a contribution far in excess of their percentage of the total population, in a variety of fields, especially those at the cutting edge of social activity.<sup>5</sup>

One strong characteristic of the Jews as a group in their relationship with the rest of the world is their strong tendency to gravitate to the center of whatever universal communications network exists at any particular time and place. According to the best opinion of the historians of the ancient world the first Jews, symbolized by Abraham, Isaac, and Jacob, were already involved as nomads in the trading patterns of the Fertile Crescent. Their settlement in Canaan put them at the very center of that network with its two anchors in Egypt and Mesopotamia.<sup>6</sup> Subsequent generations of Jews have continued that tradition. Thus, unless prevented from doing so, Jews have always gravitated to the capital cities of the world, and have been able to make their influence, as individuals and as a group, felt disproportionately. Not only that, Jews have always been involved in communications related enterprises: whether communicating religious ideas, as in their earliest history -- ultimately to half of mankind -- or in radio, motion pictures, and television in the twentieth century, communicating new lifestyles worldwide.

This phenomenon has left the Jews exposed as well as influential, and Jews have paid the price for that exposure. In other words, Jews have played a very dangerous game as a small group of extraordinary importance and centrality in world affairs. As such, they have generated both strong positive and negative images and expectations, which have led to periodic efforts to cultivate them and equally frequent attacks upon them -- outbreaks of persecution which often have culminated in expulsion and at times, in massacre and Holocaust.

As a result of these pushes and pulls, the Jewish people is different from other peoples because it has been a people in constant movement. Even as they also have longed for their land. The conventional view of Jewish history is that of shifting centers of Jewish life, so that the Jews themselves have the self-image of a people of the move, for better or for worse. These constant migrations were, on the one hand, disrupting, but on the other, they offered the Jews as a group opportunities to renew life and to adapt to new

conditions. In other words, they served the same purpose as Frederick Jackson Turner and his school have suggested that the land frontier served in the history of the United States -- enabling life to repeatedly begin anew, willy-nilly if not by choice (and it was a mixture of both, since Jews often chose to migrate to new areas and were not simply forced to do so), which offered new opportunities for adaptation and change.<sup>7</sup>

At the same time, the constant migrations generated a religious culture based upon time rather than space, upon the shared expressions of a common temporal rhythm rather than rootedness in a common land.<sup>8</sup> Every civilization must somehow combine the spatial and the temporal -- it must be located geohistorically. Particularly in pre-modern times, most emphasized the spatial over the temporal, existing and functioning because of deep-rootedness in a particular land and relatively unaware of the changes wrought by time. The accelerated pace of change since the opening of the modern epoch, and even somewhat before, has made people aware of time and its passage in ways that were not true earlier.<sup>9</sup> For most, however, the emphasis on space over time has remained, strengthened the rise of the modern state with its emphasis on territoriality and sovereignty within particular territories as the guiding principle in the organization of civilization.

The Jews remained the anomaly in all this. Not having a functioning territorial state of their own and not even being concentrated in a particular territory, the Jews emphasized the temporal and organized time in the service of Jewish survival and self-expression. *Halakhah* (literally, the way) emphasizes the organization of time, the rhythm of its passage and the obligations of Jews to sanctify those rhythms -- in daily prayers and study, the weekly Sabbath, and through holy days, festivals, and celebrations at representative seasons.

On the other hand, the Jews were not unconcerned about space -- that would have made them unidimensional. The Land of Israel always remained a vitally important space for them, one to which they expected to be restored at the right time and in which they sought to maintain organized Jewish life at all times, through regular reinforcements from the diaspora even in the worst times.<sup>10</sup> Ultimately, modern Jews took matters into their own hands rather than wait for the restoration only in messianic times. Through the Zionist movement they reestablished first an autonomous Jewish community and then a Jewish state in the land.<sup>11</sup>

Despite the success of Zionism, three-quarters of world Jewry, remain outside of the State of Israel. They are devoted to it, but do not seek to make it the state of their citizenship or residence. So, just as moderns transformed the pre-modern commitment to space over time into a more modern commitment through the modern state system so did modern Jews or, more accurately, post-modern Jews transform the particular Jewish relationship between time and space formed in pre-modern times into a more contemporary expression of same.

The new relationship is at the heart of the new forms of diaspora Jewish political expression that have emerged in our time. Working on behalf of Israel has become a

principal expression of Jewishness in the post-modern epoch whose secular character has served to further diminish the religious dimension of Jewish identification.<sup>12</sup> The existence of Israel has stimulated a sense of political efficacy among diaspora Jews as well as those in the Jewish state, which not only manifests itself in Jewish lobbies for Israel, but also in Jewish political self-assertion in other matters which Jews perceive as affecting the Jewish people as a group.

The definition of what Jews see as affecting them as a group can also have changed in the twentieth century. In the latter half of the modern epoch, Jewish self-interest came to be considered almost totally coincident with liberalism and even left-liberalism, since the liberals and the left were the principal advocates of Jewish emancipation while the conservatives and the right, in their support for the ancien regime, implicitly if not explicitly denied Jews full entry into the larger society.<sup>13</sup> Certainly by the latter half of the nineteenth century the vast majority of all Jews, traditional or modern, accepted the liberal outlook if only because they had no other choice. This convergence of interest was so great that Jews came to believe that it had always been so whereas, in fact, in pre-modern times the interests of diaspora Jews converged at least as frequently -- and usually more -- with the conservatives and guardians of the status quo as with those seeking change, often at Jewish expense.

This overwhelming Jewish identification with liberalism had a latent functional utility in providing a unifying ideology for Jews at a time when traditional Jewish society was breaking down and the Jews were losing the traditional bonds which had united them. The reestablishment of the Jewish state and the shifting goals of left-liberalism have led to the gradual breakdown of that automatic convergence, at the same time that the Jews found another rallying point around which to coalesce. Today, faithfulness to liberalism is no longer a requisite for the maintenance of common Jewish ties in the diaspora. Israel now serves that purpose, even for those who may be critical of the policies of a particular Israeli government.

### **Viewing the Jewish People as a Polity**

The suggestion that it is possible to talk about a world Jewish polity is based upon a combination of factors. In part, it rests upon the persistence of the sense of common fate among Jews all over the world, the sense of which was reactivated as a result of the events of this century. This sense has led to concrete efforts to work together to influence the shape of that fate wherever Jews have settled, particularly whenever they have required the assistance of their brethren. This, in turn, has led to the development of institutionalized frameworks for cooperation in a variety of contexts, in our times increasingly revolving around the State of Israel for self-evident reasons.

Finally, the entire effort has acquired a certain legitimacy in the eyes of Jews and the non-Jewish world alike as a result of the emerging redefinition of what constitutes the proper context for political linkage and action, namely, the recognition -- in the Western world, at least -- that there are other forms of political relationship than those embraced

within the nation-state, that polity is a far more complex condition than statehood, and that it can involve multiple relationships, not all of which are territorially based. In many respects, this represents a rediscovery of what had been an accepted phenomenon in the Western world until the modern era.

In short, we are beginning to recognize that all polities are not states. The Greeks, as usual, had a word for it. The Hellenistic world coined the term *politeuma* to describe phenomena such as the worldwide Jewish polity of that age in which Jews simultaneously maintained strong political links, including citizenship, with their respective territorial polities, the Hellenistic cities, and with one another across lands and seas.

### **An Historical Survey**

According to the Bible, the first Jew was Abraham, son of Terah, who was born in Ur of the Chaldeans, located in southern Mesopotamia near the Persian Gulf, who migrated with his family to Haran, now in northern Syria. On God's instructions, Abraham migrated to the land of Canaan (now Israel) which he subsequently left briefly because of a famine, but to which he soon returned.

Of Abraham's immediate descendants, only his son Isaac never left Canaan. His grandson Jacob, renamed Israel after wrestling with God, sojourned for 20 years in Aram (now Syria) as a young man, returned to the land, and then spent his final days in Egypt. Abraham's great-grandson, Joseph, was forcibly taken to Egypt but remained there, later bringing his whole family to join him there. While in Egypt, the children of Israel expanded from an extended family into a league of tribes while in Egypt.

The B'nai Israel (Children of Israel or Jacob) left Egypt as a people in a dramatic exodus led by a charismatic figure, Moses. In the course of the immediate exodus, Moses, as God's spokesman, established the basis for citizenship, promulgated a common law for the tribes immediately following the passage through the waters, and organized a full-blown polity at the foot of Sinai within seven weeks, through a national covenant and the introduction of a more regularized judicial structure and political organization.<sup>14</sup>

Whether the traditional account is historically accurate or not is far less important than what that account teaches us about the origins of the Jewish people and how it has shaped the Jews' self-perception over at least three and perhaps closer to four millennia. What it suggests is that the people's political, social, and religious institutions were, from the first, organized so that they were portable and, however desirable it might be to do so, did not need to be attached to the national soil in order to function.

No doubt as a consequence of these experiences, the basic form of Jewish organization was designed to accommodate migration as well as concentration in a national state. Since the beginning of political science, all political theory has converged on one or

another of three basic forms of political founding, organization, and development: hierarchical, organic, and covenantal.<sup>15</sup> Hierarchical forms, which usually are the result of some initial conquest leading to the establishment of a political order, require a high concentration of power within a power pyramid, a more or less orderly structure, with a clear chain of command. Hierarchical forms are particularly useful for the governance of peoples concentrated within a single structure and clearly subject to the authority of those who dominate that structure. This kind of government went against the grain of Jewish political culture from earliest times, even when the Jews were concentrated in one land. Once they were scattered and without any state, this form of political organization was utterly impractical.

The organic form presumes a gradual and continuous development of political institutions serving a population rooted in one place, into a political system which can continue to function as long as the population is so rooted, but which once detached no longer has the wherewithal to survive. Obviously for the Jews this was equally impractical.

The covenantal form of political organization emerges out of agreements among equals, or at least equals for the purposes of the agreement, to form partnerships for purposes of political organization. It does not necessarily presuppose a territory, (although the people in its territory is the preferred condition), a clear chain of command, or organic development in a particular place. On the contrary, it is flexible in form, it can be territorial or transterritorial as the case may be, and it is capable of binding people who cannot be bound by force or by custom because they are not bound to a particular territory.

The Jewish people opted for the covenantal form no later than the exodus from Egypt and so organized themselves during their formative generation in the desert. Granted, the tribes themselves had an organic dimension in the sense that the members of each claimed to be descended from a common ancestor. In that sense, the Jewish people has always tried to combine kinship and consent, the organic with the covenantal dimension, to secure its unity.<sup>16</sup> As a result, the Jews have been able to function as an ethnic group based upon primordial ties of kinship, a religious group based upon acceptance of the responsibilities of the Jewish religion, and a polity which rests upon the combination of both kinship and consent.

Over the centuries the Jews have fine-tuned this form of polity building. After the founding covenant at Sinai, the Israelite tribes renewed that covenant in the plains of Moab just before entering the land and then renewed it again at Shechem under Joshua at the time of the conquest of Canaan.<sup>17</sup> When Israel changed its regime to add a king to the tribal federation, the first strictly national-political covenant was made between the tribes and David.<sup>18</sup> Much later, after David's kingdom had been divided and the northern kingdom conquered by Assyria, the regime was reconstituted under King Hezekiah through another covenant.<sup>19</sup> When the exiles returned from Babylonia after the first diaspora, they covenanted once again to reestablish the state of Judea within the framework of the Persian Empire.<sup>20</sup> Finally, in the last reconstitution of the Jewish polity

within the Land of Israel until our own times, Simon the Hasmonean reconstituted an independent Jewish state through a covenant with the representatives of the people and the other institutions of the community.<sup>21</sup>

Subsequent to the exile, when it was no longer possible to use covenants for state building, they were transformed into instruments for community building with any ten men able to constitute themselves as a community and as a court of law within the context of the Torah through an appropriate covenant.<sup>22</sup> Finally, in our own times the reestablishment of the State of Israel rested on a series of covenants, culminating in the Declaration of Independence, referred to in Hebrew as the "Scroll of Independence," which was accepted, witnessed, and signed by a wall-to-wall coalition of the Jewish community in Eretz Israel at the time. It not only fits the classic covenantal model but has become by decision of the Supreme Court of Israel at least a quasi-constitutional document, and is so treated by the courts.<sup>23</sup>

Beyond the sheer fact of communal survival, consent has remained the essential basis for the shaping of the Jewish polity. Jews in different localities consented (and consent) together to form congregations and communities -- the terms are often used synonymously.<sup>24</sup> They did (and do) this formally through articles of agreement, charters, covenants, and constitutions. The traditional Sephardi term for such articles of congregational-communal agreement, *askamot* (which mean, articles of agreement), conveys this meaning exactly. The local communities were (and are) then tied together by further consensual arrangements, ranging from formal federations to the tacit recognition of a particular *halakhic* authority, *shtadlan*, (intervenor before the foreign suzerain on behalf of the Jewish community), or supralocal body as authoritative.<sup>25</sup> When conditions were propitious, the de facto confederation of Jewish communities extended to wherever Jews lived. When this level of political existence was impossible, the binding force of Jewish law served to keep the federal bonds from being severed.

Thus, over the course of many centuries a very distinctive kind of polity has developed as the organized expression of Jewish communal life. While it has undergone many permutations and adaptations, a thread of institutional and ideational continuity has run through the entire course of Jewish political life to give the Jewish people meaningful continuity.

It is important to emphasize this covenantal device, because of the way in which it made possible organized Jewish life in the diaspora beyond the merely religious sphere. Covenanting was only one of a range of complementary devices developed by the Jewish people to maintain their collective integrity even in the diaspora, with or without a center in the Land of Israel. In pre-modern times, when the Jewish community was all-embracing, whether in the state or the diaspora, these devices formed a framework within which all or virtually all Jews functioned. After the autonomous Jewish community had given way to the integration of individual Jews into the states in which they lived, this framework had to be readapted to a voluntaristic situation in which it provided a core, or magnet, around which those Jews who wished to, could coalesce rather than a framework embracing Jews whether they wanted to or not.<sup>26</sup> But the basic instrumentalities have

survived the transition and continue to offer the opportunity to do so under these new circumstances.

In sum, the Jewish people has the distinction of being the longest-lasting and most widespread "organization" in the history of the world. Its closest rival to that title is the Catholic Church. Curiously -- and perhaps significantly -- the two are organized on radically opposed principles. The Catholic Church is built on hierarchical principles from first to last and gains its survival power by their careful and intelligent manipulation.<sup>27</sup> The Jewish people is organized on covenantal or federal (from the Latin *foedus* = covenant), principles from first to last and enhances its survival power by applying them almost instinctively in changing situations. The contrasting characteristics of these two modes of organization are intrinsically worthy of political and social investigation. So, too, is the role of the Jewish polity in the development and extension of federal principles, institutions, and processes.<sup>28</sup>

### **From Territorial Rootedness to Diaspora**

Sometime in the thirteenth century BCE the Israelite tribes crossed the Jordan into Canaan and began a period of concentration in what was renamed Eretz Israel. For seven and a half centuries the Jews remained concentrated in their land under independent governments of their own. This is the classic period of Jewish history as described in the Bible. During that period there may have been temporary settlements of Jews outside of the country and there are traditions of permanent Jewish settlements in such places as Yemen, although there is no corroborative evidence. But, in fact, at least 99 percent of the Jewish people were located in the Land of Israel.

In 721-22 BCE, Israel, the northern kingdom, comprising 10 of the 12 original tribes, was conquered by Assyria and a major if undetermined portion of its population deported to other parts of the Assyrian Empire, apparently in northern Mesopotamia. Popular legend has it that these exiles disappeared by assimilating into the local populations but there are traditions among the Jews of northern Iraq, Iran, and Afghanistan that they are descended from those exiles. Some historians hypothesize that at least a segment later merged with the subsequent exiles of the Jews from Judea who were exiled from their country after the conquest of the southern kingdom by the neo-Babylonians in the first decades of the sixth century BCE.<sup>29</sup> Those who remained in the land were incorporated within the Kingdom of Judah. Thus what changed was the tribal system, which disappeared as such.

Whether Assyrian deportation was the first diaspora or not, it is clear that the recognized Jewish diaspora begins with the Babylonian captivity. It was then that organized communities of Jewish exiles were established in Babylonia and Egypt. They quickly developed institutions to accommodate their corporate needs in the diaspora, including the *beit kneset* which has come to be known to us in its Greek translation as the synagogue and which, in fact, means house of assembly, a kind of town hall, where Jews could undertake all their public functions especially governance, study and worship. Indeed the Hebrew term *kneset* (assembly) is from the Aramaic *kanishta* which is a

translation of edah, the original Hebrew term describing the Jewish polity, the assembly or congregation of the entire people. Thus, the beit kneset was a miniature version of that assembly -- one which could be established anywhere.<sup>30</sup> Thus, the basic framework established over 2500 years ago has remained at least part of the basic framework for diaspora Jewish organization ever since.

It should be noted that the beit kneset is a product of the Babylonian exile; Jews who left Eretz Israel for Egypt tried to develop another framework around a temple constructed as a surrogate for that in Jerusalem, a system which required territorial permanence. That system did not gain acceptance outside of Egypt.<sup>31</sup> Even there it was replaced by the Babylonian system some 400 years later, precisely because of the portability of the beit kneset and the possibility of establishing synagogues wherever ten Jewish men gathered.

Seventy years after the destruction of Jerusalem in 537 BCE, Cyrus the Great conquered the neo-Babylonian Empire and, following his policy of the conciliation of minority peoples through granting cultural autonomy, allowed the Jews to return to Judea to rebuild their Temple. In fact, only a relatively small number of Jews chose to do so. While they and subsequent migrations, culminating in the great reconstitution of Ezra and Nehemiah approximately a century later, did succeed in reestablishing Eretz Israel as the center of Jewish life, a large diaspora community remained in Babylonia and, indeed, under Persian rule, spread throughout the Persian Empire. It was paralleled by a somewhat smaller but still significant diaspora in Egypt which spread into other parts of northern Africa, Cyprus, and Asia Minor.

For the next millennium the Jewish people were organized in a point-counterpoint arrangement. The Jewish concentration in their land claimed and usually exercised hegemony within the Jewish polity, but with a substantial population, perhaps consistently a majority, scattered in diaspora communities throughout the civilized world of that time. Until its destruction in 70 CE, the Temple of Jerusalem served as the focal point for both, with the Temple tax uniting Jews in the land and outside of it.

The principal institutions of the edah -- the Jewish people as a whole -- were located on the Temple Mount. New institutional arrangements were developed to provide representation for diaspora Jewry in those institutions, the first of which was known as the Anshei Kneset HaGedolah (men of the great assembly) which later gave way to a successor institution, the Sanhedrin, which is a corruption of the Hebrew corruption of the Greek term for assembly. But given the problems of transportation and communication in that period, there were difficulties in providing diaspora Jews continuous access and representation in those common institutions.<sup>32</sup>

In the diaspora itself two patterns developed, each a response to the particular host civilization in which Jews found themselves. In most of western Asia, where the Persians and their successors ruled, the Jews tended to be concentrated in particular areas and could organize their public life on a quasi-territorial basis, with regional as well as local institutions. Out of this evolved the "Babylonian" Jewish community which was concentrated in what is today the heartland of Mesopotamia. By the second century CE it

had an extensive political structure headed by a Resh Galuta (exilarch) whose powers were those of a protected king -- for Jews a constitutional monarch who was recognized as being a descendant of the House of David. The Resh Galuta shared his powers with two great *yeshivot* (another Hebrew term for assembly) who had custody of the teaching and interpretation of the Torah. Together these institutions governed the collectivity of local Jewish communities within the empire.<sup>33</sup> This framework persisted until the eleventh century, even after the seventh century Arab conquest which transformed the language, culture, and religion of western Asia. Until the fifth century CE, it was at least formally subordinate to the equivalent polity in Eretz Israel which had a similar structure, headed by a *nassi* (patriarch), also recognized as being of the House of David, balanced by the Sanhedrin. After the Roman suzerain abolished the patriarchate in the fifth century, the Resh Galuta and the *yeshivot* extended their control over virtually the entire Jewish world.

This was facilitated by the Arab conquests of the seventh and eighth centuries that brought over 95 percent of all Jews under the rule of the Muslim caliphate, which empowered the Resh Galuta and the *yeshivot* to represent the Jewish community as their predecessors had. It was only with the breakup of the original Muslim empire and the development of independent successor states, that the Jews lost this common well-nigh worldwide diaspora structure.<sup>34</sup>

Meanwhile, in the Mediterranean world, where Hellenistic civilization held sway and first the Greek and then the Roman empires provided a common political structure, the Jews were concentrated in cities. (The exception here was Egypt which also had a wider territorial concentration for several centuries.) There they formed a part of the polis organization developed for each city as part of its Hellenization after the Alexandrian conquests of the fourth century BCE.

It was in those cities that Jews formed autonomous communities within each polis for which the Greek term *politeuma* was invented. Each of the *politeumata* represented a separate structure with connections to Jerusalem but with no formal linkages between one another. Thus the Jewish communities in the Hellenistic and Roman worlds were far more fragmented. The institutions within each *politeuma* were based on Jewish models influenced by Greek practices and often bearing Greek names, but each was autonomous even when the Jews had citizenship within the *polis* itself.<sup>35</sup> Most of these *politeumata* were destroyed during the uprising of the Hellenistic diaspora against the Romans in the years 115-117 CE. The communities reconstituted subsequent to that event had more limited rights. It was only after the Arab conquest that regional organizations of communities were established in those countries linked to the Resh Galuta and *yeshivot* in Babylonia which was also the seat of the caliphate or to the *yeshiva* in Eretz Israel that, while nominally subordinate to the former, claimed and was granted special status because it was located in the land.

Both forms of diaspora organization were linked to Jerusalem when an independent Jewish state was reborn in the middle of the second century BCE. That state survived for less than a century, then went through a period of upheavals for the next 200 years until

the failure of the Bar Kokhba rebellion (132-135 CE) led the Jews to abandon major efforts to rebel against Rome and rather reconstitute themselves along the model of the diaspora communities within their own land. The nesiut (patriarchate) and Sanhedrin which formed the new structure of the community of Eretz Israel also functioned as *prima inter parus* in the governance and religious leadership of the Jewish people, until those institutions were abolished in the middle of the fifth century, after which Jewish communal organization in Eretz Israel became even more diaspora-like in character, undergoing changes under different rulers from then until the reestablishment of the Jewish state in 1948, some 1500 years later.<sup>36</sup>

Thus the diaspora became the moving force in Jewish life. For 600 years the Babylonian center predominated. In the eleventh century there was increased Jewish migration to both southern and northern Europe which led to the transfer of power to the Jewish centers in Spain and to a lesser extent, northern France and the Rhineland. The Iberian Peninsula and west central Europe remained the centers of Jewish life until the fifteenth century when expulsions on the one hand and attractive offers of refuge on the other led the Jews from both centers to move back eastward: Iberian Jewry to form new concentrations in the Ottoman Empire, particularly in the Balkans, and Central European Jewry to concentrate in Poland. These two regions remained the principal centers of Jewish life until the nineteenth century.<sup>37</sup>

At first, Spanish Jewry -- the Sephardim -- under Moslem rule followed the Babylonian pattern of regional organization, with local communities subordinate to the regional leadership. Once they came under Christian rule, the local communities rose to predominance and regional organization was limited to confederal arrangements. That pattern was later preserved in the Ottoman Empire where every congregation was autonomous and even within the same city congregations were often no more than confederated. The Jews of west central Europe -- the Ashkenazim -- developed local autonomy from the first, with loose leagues or confederations of communities providing whatever unification there was. But once they moved eastward to Poland they formed regional structures culminating in the Vaad Arba Aratzot (Council of the Four Lands), a fully-articulated federation of the Jewish communities of Poland, and its parallels in Lithuania, Bohemia, and Moravia.

Worldwide, the Jewish people lost any common political structure after the middle of the eleventh century but remained tied together by a common constitutional-legal system (the *halakhah*), which was kept dynamic by a system of rabbinic decision-making which was communicated to Jews wherever they happened to be through an elaborate network of responsa -- formal written questions posed to leading Jewish legal authorities which produced formal written responses that came to form a body of case law. This was possible because 1500 years earlier, at the time of Ezra and Nehemiah, the Jews had developed a legal system parallel to their political structure which translated the original constitutional materials of the Torah into an elaborate structure designed to enable every Jew to conduct his entire life within the framework of Jewish law, no matter where he happened to reside.<sup>38</sup>

The legal system that emerged became what was, in effect, a portable state. The *halakhah's* avowed purpose was to transform each individual Jew into a person concerned with holiness. Hence, it was not designed with a political purpose in the usual sense, but this very concern for individual and collective holiness in a larger sense became a political end which served to provide a basis for the unity of Jewry, under a system of civil and criminal as well as religious law, even in exile, as long as there was a general commitment to this end or at the very least to living under Jewish law as distinct from any other law.

While it is clear that not every Jew had the same commitment to holiness as an ultimate end, or to the particular path to holiness developed by the *halakhah*, in the centuries immediately following the destruction of the Temple this legal system gained normative status among Jews so that even those who were not highly motivated by its ultimate goals but who wanted to stay within the framework of the Jewish community felt the necessity to conform. Because of its attention to minute detail, every aspect of life, public and private, civil and criminal, religious and "secular" (a category which did not exist within the Jewish vocabulary) the *halakhah* was able to become all-embracing. The political structures developed by the Jews to conduct their public affairs were authorized by the *halakhah* and rooted in it, and a major task of Jewish communities was to enforce *halakhic* regulations.

The opening of the modern epoch in the middle of the seventeenth century slowly eroded this comprehensive framework, in waves rolling from west to east. Jewish autonomy was the first casualty in Western Europe as the new nation-states dismantled medieval corporatism, a system which had protected Jewish communal separatism. At first, Jews became people without civic status in the new states and without the possibility of maintaining their own states within the state. This led them to demand emancipation and citizenship as individuals, which they ultimately gained after a struggle sometimes taking two centuries.<sup>39</sup> Finally, in the nineteenth century, the elimination of Jewish autonomy and then emancipation moved eastward to engulf the major concentrations of Jews in Eastern Europe and the eastern Mediterranean, although it was not until the twentieth century that emancipation was completed in either region.<sup>40</sup>

While these changes were taking shape, a two-pronged demographic shift of great importance began. In the first place, the live birth and survival rate among Jews rose rapidly, causing the number of Jews in the world to soar. In the second, the Jews began to migrate at an accelerating pace to the lands on the Western world's great frontier: the Western hemisphere, southern Africa, and Australia in particular, but also in far smaller numbers to East Asia, thus initiating a shift in the balance of Jewish settlement in the world (see Table 1).<sup>41</sup>

Table 1

JEWISH POPULATION AND DISTRIBUTION BY CONTINENT  
(in thousands)

Continent	1840		1900		1939		1982	
	Total	%	Total	%	Total	%	Total	%
Europe*	3,950	87.8	8,900	80.9	9,500	56.8	2,843	21.9
Asia	300	6.7	510	4.6	1,030	6.2	3,417	26.3
Africa	198	4.4	375	3.4	625	3.7	172	1.3
North and South America	50	1.1	1,200	10.9	5,540	33.1	6,478	49.9
Oceania	2	-	15	0.2	33	0.2	79	0.6
Total	4,500	100.0	11,000	100.0	16,728	100.0	12,989	100.0

Sources: Jacob Lestschinsky, *Tfutzot Yisrael ahar haMilhamah*, Tel Aviv, 1958; *American Jewish Year Book*, 1968 and 1984.

\* Including Russia

Medieval corporatism never gained a foothold in the New World and the Jews who migrated to those lands entered their host societies as individuals. Hence all Jewish life was voluntary in character from the first.<sup>42</sup>

While the majority of Jews readily abandoned communal separatism for the advantages of modern society, only a minority were ready to fully give up their Jewish ties in return. Most wanted to find some way to remain within the Jewish fold even while participating as individuals in the civil societies in which they found themselves or to which they migrated. Hence they were faced with the task of adapting Jewish institutions to a new kind of diaspora existence.

Once again the great flexibility of covenantal institutions proved itself. The Jews transformed their *kehillot* (communities) into voluntary structures. In the Western world, where pluralism was tolerated principally in the religious sphere, the Jews transformed the *beit kneset* into the synagogue as we know it, whose manifest purposes were avowedly religious and whose central functions revolved around public worship, but which was able to embrace within it the various ethnic social, educational, and welfare functions which the Jewish community sought to preserve, principally on a supplementary basis.

In Eastern Europe, where modernization frequently meant secularization, new forms of Jewish association developed, principally cultural and political, utilizing similar principles and, with the exception of the public worship dimension which was absent from them, were devoted to the same ethnic social, educational, and welfare purposes, only on a more extensive basis because Jews remained nationally separate in that part of the world. By and large, Jews in the Arab world followed the Western pattern when they began to modernize, but within a framework in which their separate ethnic identity was clearly recognized by one and all, and in which they preserved a certain legal authority over the community members by virtue of their continued control of personal status laws

involving marriage, divorce, and inheritance which remained customary in the Islamic world.<sup>43</sup>

Nevertheless, the new voluntarism did make it very difficult, if not impossible, to provide a comprehensive framework for the maintenance of Jewish culture and civilization. It rapidly became clear that the open society would lead to the assimilation of many of the most talented members of the Jewish community who saw greater opportunities outside of the Jewish fold. It was in response to this as well as to anti-Semitism that the Jewish national movement developed, which made as its goal the restoration of Jewish statehood in Eretz Israel. This movement, known as Zionism, was initially organized on the same covenantal principles as every other such Jewish endeavor, developing first through local societies and then, in a massive leap forward represented by the First Zionist Congress in 1897, through the World Zionist Organization established at that congress. In 50 years the WZO succeeded in bringing about the establishment of a Jewish state.<sup>44</sup>

Zionism from the first embodied two conflicting goals. There were those who were Zionists because, while they wanted the Jewish people to survive, they wanted them to become normalized like other nations. They believed that if the Jewish people or some substantial segment of them were to return to their own land, they could live like the French, the Italians, the Czechs, the Poles, or whatever. The other trend in the Zionist movement was to see Zionism as a means of restoring the vitality of Jewish civilization, which would retain its uniqueness but be better able to survive under modern conditions by being rooted in a land and state where the Jews formed a majority.

The first approach more or less negated the continued existence of a diaspora once a Jewish state was established. According to it, those Jews who wanted to remain Jews would settle in the state where they would live increasingly normalized lives, interacting with the rest of the world as nationals of any state interact with nationals of any other. The rest of the Jews would assimilate as individuals into their countries of residence, no longer needing to preserve their Jewishness. Many of those who embraced the second view also wished to negate the diaspora in the sense that they wanted all Jews to settle in Israel. But they did not see diaspora existence as impossible per se. Rather, the Jewish state could become the focal point of the renewed Jewish people, whether living in the state or in the diaspora.<sup>45</sup>

Reality forced the issue. The state was established. Even after an initial mass migration of Jews from Europe, North Africa, and Western Asia, only about 20 percent of the Jewish people were concentrated within it (the figure is now 25 percent). Moreover, despite assimilatory tendencies, the great bulk of the Jews outside the state showed every inclination of wanting to remain Jews. Consequently, a new interplay between state and diaspora began to emerge. In this, the second generation since the establishment of the state, it is still evolving.<sup>46</sup>

## **The Contemporary Situation**

The Second World War marked the culmination of all the trends and tendencies of the modern epoch and the end of the epoch itself for all mankind. (The dates 1946-49 encompass the benchmarks of the transition from the modern to the post-modern epochs.) For the Jewish people, the Holocaust and the establishment of the State of Israel provided the pair of decisive events that marked the crossing of the watershed into the post-modern world. In the process, the locus of Jewish life shifted and virtually every organized Jewish community was reconstituted in some way.

Central to the reconstitution was the reestablishment of a Jewish commonwealth in Israel. The restoration of a politically independent Jewish state created a new focus of Jewish energy and concern precisely at the moment when the older foci had reached the end of their ability to attract a majority of Jews. As the 1967 and subsequent crises demonstrated decisively, Israel was not simply another Jewish community in the constellation but the center of the world for Jews.

The Jewry that greeted the new state was no longer an expanding one which was gaining population even in the face of the attrition of intermarriage and assimilation. On the contrary, it was a decimated one (even worse, for decimated means the loss of one in ten; the Jews lost one in three); a Jewry whose very physical survival had been in grave jeopardy and whose rate of loss from defections came close to equaling its birth rate. Moreover, the traditional strongholds of Jewish communal life in Eastern Europe and the Islamic World, which were also areas with a high Jewish reproduction rate, were those that had been wiped out.

By the end of the 1940s, the centers of Jewish life had shifted decisively away from Europe to Israel and North America. By then, continental Europe as a whole ranked behind Latin America, North Africa, and Great Britain as a force in Jewish life. In fact, its Jews were almost entirely dependent upon financial and technical assistance from the United States and Israel. Except for those in the Muslim countries that were soon virtually to disappear, the major functioning Jewish communities all had acquired sufficient size to become significant factors on the Jewish scene only within the previous two generations. In effect, the shapers of those communities were still alive, and in many cases were still the actual community leaders. The Jewish world had been willy-nilly thrown back to a pioneering stage.

This new epoch is still in its early years, hardly more than a single generation, hence its character is still in its formative stages. Nevertheless, with the establishment of the State of Israel in 1948 the Jewish polity began a constitutional change of revolutionary proportions, inaugurating a new epoch in Jewish constitutional history. For the first time in almost two millennia, the majority of the Jewish people were presented with the opportunity to attain citizenship in their own state. Indeed, Israel's very first law (Hok Hashevut -- the Law of Return) specified that citizenship would be granted to any Jew-qua-Jew wishing to settle in Eretz Israel.

The reestablishment of a Jewish state has restored a sense of political involvement among Jews and shaped a new institutional framework within which the business of the Jewish people is conducted. The virtual disappearance of the remaining legal or even social and cultural barriers to individual free choice in all but a handful of countries has made free association the dominant characteristic of Jewish life in the post-modern era. Consequently, the first task of each Jewish community has been to learn to deal with the particular local manifestation of this freedom.

The new voluntarism extends itself into the internal life of the Jewish community as well, generating pluralism even in previously free but relatively homogeneous community structures. This pluralism is increased by the breakdown of the traditional reasons for being Jewish and the rise of new incentives for Jewish association. At the same time, the possibilities for organizing a pluralistic Jewish community have also been enhanced by these new incentives. What has emerged is a matrix of institutions and individuals linked through a unique communications network; a set of interacting institutions which, while preserving their own structural integrity and filling their own functional roles, are informed by shared patterns of culture, activated by a shared system of organization and governed by shared leadership cadres.

The character of the matrix which has emerged and its communications network varies from community to community. In some communities, the network is connected through a common center which serves as the major (but rarely, if ever, the exclusive) channel for communication. In others, the network forms a matrix without any center, with the lines of communication crisscrossing in all directions. In all cases, the boundaries of the community are revealed only when the pattern of the network is uncovered. The pattern itself stands revealed only when both of its components are -- namely, its institutions and organizations with their respective roles and the way in which communications are passed between them.

The pattern itself is inevitably a dynamic one. That is to say, there is rarely a fixed division of authority and influence but, rather, one that varies from time to time and usually from issue to issue, with different elements in the matrix taking on different "loads" at different times and relative to different issues. Since the community is a voluntary one, persuasion rather than compulsion, influence rather than power, are the only tools available for making and executing policies. This, too, works to strengthen its character as a communications network since the character, quality, and relevance of what is communicated and the way in which it is communicated frequently determine the extent of the authority and influence of the parties to the communication.

The structure of the contemporary Jewish polity is that of a network of single and multipurpose functional authorities, no single one of which encompasses the entire gamut of Jewish political interests, although several have attempted to do so in specific areas:

1. "National Institutions" -- e.g., the Jewish Agency, the World Zionist Organization, Jewish National Fund;
2. multicountry associations -- e.g., ORT, the World Jewish Congress;

3. educational institutions defined as under the auspices of the entire Jewish people -  
- e.g., the universities in Israel;
4. organizations under more specific local sponsorship whose defined sphere of  
activity is multicountry -- e.g., the Joint Distribution Committee.

Another way of grouping the multicountry associations is by their principal goals. Here are the broad categories, with prominent examples for each.

<b>Principal Goal Characteristics</b>	<b>Organization</b>
Political-general purpose	World Zionist Organization (WZO) World Jewish Congress (WJC)
Political-special purpose	World Conference of Soviet Jewry
Distributive	Conference on Jewish Material Claims Against Germany Memorial Foundation for Jewish Culture
Services-operational	World ORT Union
Services-coordinating	European Council of Jewish Communities
Religious	World Union for Progressive Judaism World Council of Synagogues Agudat Israel World Organization
Association-fraternal	B'nai B'rith International Council
Association-special interest	World Sephardi Federation World Union of Jewish Students

The political associations listed here as "general" are those concerned with the status of the Jewish people as a whole; in this they are both outer-directed to the non-Jewish world and inner-directed to the Jewish community. Although the Israeli government has largely preempted political activity on the world scene, it has not explicitly claimed to act as the diplomatic agent for the Jewish people beyond its borders. This leaves some room for diplomatic activity by the Jewish nongovernmental organizations, especially where Israel is not represented or is particularly limited in its access.<sup>47</sup>

### **Jewish Communities in the New Epoch**

Jews are known to reside in approximately 130 countries, (out of 168 politically independent states), 82 of which have permanent, organized, functioning communities.<sup>48</sup> At least three and perhaps as many as twelve others are remnant communities where a handful of Jews have custody of the few institutions that have survived in the wake of the emigration of the majority of the Jewish population. Fourteen more are transient

communities where American or Israeli Jews temporarily stationed at some Asian or African country create such basic Jewish institutions (e.g., religious services, schools) as they need. Only 21 countries with known Jewish residents have no organized Jewish life.

Over 90 percent of world Jewry live in the ten largest communities, they are:

1. United States	5.9 million
2. Israel	3.6 million
3. USSR	2.1 million
4. France	535,000
5. United Kingdom	350,000
6. Argentina	350,000
7. Canada	310,000
8. Brazil	120,000
9. South Africa	120,000
10. Australia	100,000

In the late 1940s and the 1950s the reconstruction and reconstitution of existing communities, and the founding of new ones, were the order of the day throughout the Jewish world. The Jewish communities of continental Europe all underwent periods of reconstruction or reconstitution in the wake of wartime losses, changes in the formal status of religious communities in their host countries, immigration to Israel, internal European migrations, and the introduction of new, especially Communist, regimes. Those of the Muslim countries were transformed in response to the convergence of two factors: the establishment of Israel and the anticolonial revolutions in Asia and Africa. The greater portion of the Jewish population in those countries was transferred to Israel and organized Jewish life beyond the maintenance of local congregations virtually came to an end in all of them except Iran, Morocco, and Tunisia.

The English-speaking Jewries and, to a somewhat lesser extent, those of Latin America, were faced with the more complex task of adapting their organizational structures to three new purposes: to assume responsibilities passed to them as result of the destruction of European Jewry, to play a major role in supporting Israel, and to accommodate internal changes in communities still in the process of acculturation. Many of the transient Jewish communities in Asia and Africa were actually founded or given organized form in this period, while others, consisting in the main of transient merchants or refugees, were abandoned.

At first, the patterns of Jewish communal organization in the diaspora followed those of the modern epoch with some modifications, but as the post-modern epoch plants its own imprint, the differences in status and structure are diminishing. A common organizations pattern is emerging, consisting of certain basic elements, including:

1. Government-like institutions, whether "roof" organizations or separate institutions serving discrete functions, that play roles and provide services on all planes (countrywide, local, and, when used, intermediate) which, under other conditions, would be placed, provided or controlled -- predominantly or exclusively -- by governmental authorities (for instance, external relations, defense, education, social welfare, and public -- that is, communal -- finance), specifically:
  - o a more or less comprehensive fundraising and social planning body;
  - o a representative body for external relations;
  - o a Jewish education service agency;
  - o a comprehensive religious authority and/or synagogue body (or bodies);
  - o a vehicle or vehicles for assisting Israel and other Jewish communities;
  - o various health and welfare institutions.
2. Localistic institutions and organizations that provide a means for attaching people to Jewish life on the basis of their most immediate and personal interests and needs, specifically:
  - o local congregations (whether or not organized into one or more synagogue unions, federations, or confederations);
  - o local cultural and recreational centers, often federated or confederated with one another.
3. General purpose mass-based organizations, operating countrywide on all planes, that function to (a) articulate community values, attitudes, and policies; (b) provide the energy and motive force for crystallizing the communal consensus that grows out of those values, attitudes, and policies; and (c) maintain institutionalized channels of communication between the community's leaders and "actives" ("cosmopolitans") and the broad base of the affiliated Jewish population ("locals") for dealing with the problems and tasks facing the community in the light of the consensus, specifically:
  - o a Zionist federation and its constituent organizations;
  - o fraternal organizations.
4. Special interest organizations which, by serving specialized interests in the community on all planes, function to mobilize concern and support for the various programs conducted by the community and to apply pressure for their expansion, modification, and improvement.

### **Considerations**

What broader considerations can be derived from the Jewish experience? Four points can be made in particular:

1) Long-term diasporas seem to be an Asian phenomenon, in that the peoples who seem to be able to produce and sustain diasporas are overwhelmingly Asian or have emerged from Asia. European emigres to new territories break off into fragments of their original cultures, as Louis Hartz has pointed out in *The Founding of New Societies*, and then become separate peoples in their own right. 49 □ Traditional African cultures remained

tribal, even in the case of the great tribal empires, and handled migration within Africa through the break-off of families or clans and their reconstitution as new tribes. Africans who migrated outside of Africa did so on a forced basis as slaves and hence were given no chance to establish a diaspora. Although in recent times there has been some effort to impose a diaspora-style context on American Blacks, it has not succeeded. It seems that the nature of peoplehood in Asia and its relationship to statehood -- whereby peoples are far more enduring than states -- is an essential condition for the creation of diasporas. The Jews are a prime example of an Asian people who carried their diaspora first into North Africa, then Europe, and then into the New World, but they never lost this Asian dimension of their being.

2) A second point is that the Jewish experience is the quintessential example of how diasporas can be state-initiators. The history of the reestablishment of the State of Israel may be the classic of its kind, but it is not the only such example. It was the Norwegian diaspora in the United States which initiated the separation of Norway from Sweden, which led to Norwegian independence in 1905, and the Czech diaspora which initiated the establishment of Czechoslovakia after World War I. At any given time there may be a number of diasporas that are actively trying to establish states, the Armenians, for example. This is an important dimension in the reciprocal state-diaspora relationship.<sup>50</sup>

3) A third point is that the nature of interflows between state and diaspora and segments of the diaspora need to be more fully examined. This article has suggested some of those interflows in the contemporary Jewish world. Elsewhere, I have mapped the shifting nature of such flows and the different institutional frameworks for them in different epochs of Jewish history.<sup>51</sup>

What has been characteristic of the Jews is that at times they have had highly visible frameworks for such interflows. We have already noted how, in the days of the Second Temple, Jews throughout the world made pilgrimage and paid an annual Temple tax as well as accepted the authority of the Sanhedrin, which sat in the Temple. Several hundred years later, the Resh Galuta and yeshivot in Babylonia exercised authority over up to 97 percent of the Jews of the world who happened to be within the Arab caliphate. At other times, the institutional structure was articulated but not quite as apparent to most Jews, even if they were influenced by it. That is the condition today with the various authorities which link Israel and the diaspora and the various diaspora communities with one another. What is becoming clear to those involved is that the reconstituted Jewish Agency for Israel and its constituent organizations are beginning to play a similar role on a voluntary basis.

Finally, there were situations where external conditions prevented any visible institutional framework other than the institutions of local decision-making, whereby *halakhic* authorities from all parts of the Jewish world were in correspondence with one another and turned to one another for decisions binding on the entire Jewish people. The communications between these authorities helped maintain the formal constitutional structure of the Jewish people, which helped keep the Jewish constitutional framework intact even when Jews had no political institutions to unite them. This formal legal

framework was supplemented by the continuing movement of travelers and migrants among most, if not all, of the communities of the Jewish world at any given time, which served to preserve the ethnic as well as the constitutional ties uniting the Jewish people.

4) Finally, any proper study of state-diaspora relations should consider the role of technology in making possible the maintenance of links between diaspora and state or one diaspora community and another. At the beginning of the Jewish diaspora, 2500 years ago or more, it is very likely that Jews who spread beyond the limits of continued communication with their brethren, given the technologies of the time (such as the Jews who settled in China), disappeared as Jews. No doubt, the fact that first the Persians and then the Romans emphasized road building to facilitate communication among the far flung reaches of their respective empires had a vital impact on the Jews' efforts in maintaining their links.

Later, in medieval times, the relative ease of water communication in the Mediterranean world held the Jewish communities of the Mediterranean Basin together while Jews who moved north of the Alps, while not out of communication with the rest of the Jewish world, developed a subculture of their own. The two subcultures persist to this day in the form of Sephardim and Ashkenazim.

In our own times, it is clear that the possibility of reviving common institutions for the Jewish people has been strengthened by the availability of such instruments as the telephone and the jet plane which makes it possible to be in constant communication throughout the Jewish world and for Jewish leaders from all over to meet regularly with relative ease. For the first time in Jewish history, makes it possible for there to be day-to-day involvement in the governance of the worldwide Jewish polity. Thus a whole new page has been opened in the relationships between land, state, and diaspora.

### Notes

1. According to the Oxford English Dictionary, the term originates from the Septuagint, Deut. 28:25 - "thou shalt be a diaspora in all kingdoms of the earth."

2. See, S.W. Baron, *A Social and Religious History of the Jews* (New York: Columbia University Press, 1973); Yehezkel Kaufman, *Gola V'Nechar* (Diaspora and Exile) (Tel Aviv: Dvir, 1958); Raphael Patai, *The Tents of Jacob: The Diaspora Yesterday and Today* (New Jersey: Prentice Hall, 1971); A. Tartakower, *Hahevre Hayehudit* (Jewish Society) (Tel Aviv: Dvir, 1959).

3. See Daniel J. Elazar, *Community and Polity: The Organizational Dynamics of American Jewry* (Philadelphia: Jewish Publication Society of America, 1976), pp. 70-77, and *People and Polity: The Organizational Dynamics of Post-Modern Jewry* (Detroit: Wayne State University Press, 1989).

4. Cf. James William Parkes, *The Conflict of the Church and the Synagogue* (New York: Atheneum, 1969), and *The Jew and His Neighbour* (London: Student Christian Movement 1930).

5. See S.W. Baron, *A Social and Religious History of the Jews*, esp. vol. XII; W.P. Zener, "Jewish Retainers as Power Brokers in Traditional Societies," paper presented at 74th meeting of the American Anthropological Association, San Francisco, December 4, 1975.
6. See W.F. Albright, *The Biblical Period from Abraham to Ezra* (New York: Harper and Row, 1963); J. Bright, *A History of Israel*, 3rd ed. (Philadelphia: Westminster Press, 1981); Harry M. Orlinsky, *Ancient Israel*, 2nd ed. (Ithaca: Cornell University Press, 1967).
7. See F.J. Turner, *The Frontier in American History* (New York: Holt, 1920); R.A. Billington, *Westward Expansion: A History of the American Frontier* (New York: Macmillan 1949); W.P. Webb, *The Great Frontier* (London: Secker and Warburg, 1953).
8. See A.J. Heschel, *Israel: An Echo of Eternity* (New York: Farrar, Strauss and Giroux, 1969).
9. See Daniel J. Elazar, *Cities of the Prairie* (New York: Basic Books, 1970), pp. 7-10; J. Goody, "Time," in *International Encyclopedia of the Social Sciences*, Volume 16, pp. 30 et seq., esp. pp. 39-41.
10. See Isidore Epstein, *Judaism: A Historical Presentation* (England: Penguin, Middlesex 1974); B. Halpern, *The Idea of a Jewish State*, 2nd ed. (Cambridge, Mass.: Harvard University Press, 1969); J.W. Parkes, *A History of Palestine from 135 A.D. to Modern Times* (New York: Oxford University Press, 1949).
11. See W.A. Laqueur, *A History of Zionism* (New York: Schocken Books, 1976); D. Vital, *The Origins of Zionism* (Oxford: Clarendon Press, 1975).
12. See Steven M. Cohen, *American Modernity and Jewish Identity*, New York: Tavistock, 1983); Daniel J. Elazar, "Renewable Identity," *Midstream* (January 1981); Peter Y. Medding, "Toward a General Theory of Jewish Political Interests and Behaviour in the Contemporary World," in Daniel J. Elazar, ed., *Kinship and Consent: The Jewish Political Tradition and its Contemporary Uses* (Ramat Gan: Turtledove, 1981).
13. See L.H. Fuchs, *The Political Behaviour of American Jews*, (Glencoe, Ill.: Free Press, 1956); M. Himmelfarb, *The Jews of Modernity* (New York: Basic Books, 1973); Stephen Isaacs, *Jews and American Politics* (New York: Doubleday, 1974); Charles S. Liebman, *The Ambivalent American Jew* (Philadelphia: Jewish Publication Society of America, 1973); P.Y. Medding, "Patterns of Political Organization and Leadership in Contemporary Jewish Communities," in Daniel J. Elazar, *Kinship and Consent*; M. Sklare, *The Jew in American Society* (New York: Behrman House, 1974); J. Weyl, *The Jew in American Politics* (New Rochelle: Arlington House, 1968).
14. See W.F. Albright, *The Biblical Period from Abraham to Ezra*; Daniel J. Elazar and Stuart A. Cohen, *The Jewish Polity* (Bloomington: Indiana Press, 1984).
15. I have elaborated this thesis more fully in "Covenant and Freedom in the Jewish Political Tradition," Annual Sol Feinstein Lecture, Gratz College, March 15, 1981.
16. See Daniel J. Elazar, "Covenant as the Basis of the Jewish Political Tradition," *Jewish Journal of Sociology*, No. 20. (June 1978), pp. 5-37; G. Freeman, "Rabbinic Conceptions of Covenant," in Daniel J. Elazar, *Kinship and Consent*; D.R. Hiller, *Covenant, the History of a Biblical Idea* (Baltimore: Johns Hopkins University Press, 1969).
17. Deuteronomy 34:1-4; Joshua 24:1-25.
18. II Samuel 5:1.
19. II Kings 18.

20. Ezra 1:2; Nehemia 8:1-8.

21. I Maccabees 13:1-9.

22. Cf. G. Blidstein, "Individual and Community in the Middle Ages," and M. Elon, "On Power and Authority: Halachic Stance of the Traditional Community and its Contemporary Implications," both in Daniel J. Elazar, *Kinship and Consent*; M. Elon, ed., *The Principles of Jewish Law* (Jerusalem: Institute for Research in Jewish Law, 1975).

23. Cf. Y. Aricha, "Megilat Haazmaut - Chazon Vemetsiut" (Declaration of Independence - Vision and Reality), Faculty of Political Science, Bar-Ilan University, unpublished; H.M. Kallen, *Utopians at Bay* (New York: Theodor Herzl Foundation, 1958); Amnon Rubinstein, *Hamishpat Hakonstituzioni shel Medinat Yisrael* (The Constitutional Law of the State of Israel) (Jerusalem: Schocken Books, 1979).

24. Leo Baeck discusses this phenomenon in *This People Israel: The Meaning of Jewish Existence* (Philadelphia: Jewish Publication Society, 1965). See also Daniel J. Elazar, "The Quest for Community: Selections from the Literature of Jewish Public Affairs, 1965-1966," *American Jewish Yearbook*, Volume 68 (1967) (New York and Philadelphia: American Jewish Committee and Jewish Publication Society, 1967).

25. See, for example, C. Finkelstein, *Jewish Self-Government in the Middle Ages*, 2nd ed. (New York: Feldheim, 1964); H.H. Ben-Sasson, *Perakim Betoldot Hayehudim Beyamei Habaynayim* (Chapters in the History of Jews in the Middle Ages) (Tel Aviv: Am Oved, 1969).

26. See Daniel J. Elazar, *Community and Polity*; M. Himmelfarb, *The Jews of Modernity*; C.S. Liebman, *The Ambivalent American Jew*; H.M. Sachar, *The Course of Modern Jewish History* (New York: Dell, 1958).

27. See, for example, E. Samuel, "The Administrator of the Catholic Church," in *Public Administration in Israel and Abroad*, 1966 (Jerusalem: Institute of Public Administration, 1967), one of the few such studies available.

28. A few historians and social scientists have taken note of the covenant community as a distinct socio-political phenomenon from this perspective. Margaret Mead, for example, suggests that the Jewish polity and other covenant communities deserve special exploration; see her "Introduction" to M. Zborowski, and E. Herzog, *Life is with People* (New York: Schocken, 1952). For an eloquent evocation of the spirit and character of the covenant community, see Page Smith, *As a City Upon a Hill* (New York: A.A. Knopf, 1967).

29. See A. Malamat, "Assyrian Exile," in *Encyclopedia Judaica*, vol. 6, p. 1034; I. Ephal, "Israel: Fall and Exile," in A. Malamat and I. Ephal, eds., *The World History of the Jewish People* (Jerusalem: Massada Press, 1979), vol. 4, chap. 8; H.H. Ben-Sasson, ed., *A History of the Jewish People* (London: Weidenfield and Nicolson, 1976), chap. 9).

30. See L. Baeck, *This People Israel: The Meaning of Jewish Existence* (Philadelphia: Jewish Publication Society, 1965); S.W. Baron, *The Jewish Community: Its History and Structure to the American Revolution* (Westport, Connecticut: Greenwood, 1972); Issac Levy, *The Synagogue: Its History and Function* (London: Valentine Mitchell, 1963).

31. See B. Porten, *Archives from Elephantine* (Berkeley and California: University of California Press, 1960), chap. 4.

32. See S. Hoenig, *The Great Sanhedrin* (Philadelphia: Dropsie College, 1953); H. Mantel, *Studies in the History of the Great Sanhedrin* (Cambridge, Ma.: Harvard University Press, 1961).

33. See, M. Baer, *Rashut Hagolah B'Bavel Bimei HaMishna VhaTalmud* (Leadership and Authority in the Time of the Mishna and the Talmud) (Tel Aviv: Dvir, 1967; J. Neusner, *There We Sat Down: Talmudic Judaism in the Making* (New York: Ktav, 1978).

34. See Daniel J. Elazar and Stuart A. Cohen, *The Jewish Polity*.

35. See S.W. Baron, *The Jewish Community*.

36. See C. Albeck, "Hasanhedrin U'Nesieiha" (The Sanhedrin and its President) *Zion*, 8 (1963):165-178; S.L. Albeck, *Batei Hadin Bimei HaTalmud* (Courts of the Talmudic Period) (Ramat Gan: Bar-Ilan University, 1980); G. Alon, *The Jews in their Land in the Talmudic Age (70-640 CE)*, trans. and ed. by G. Levi (Jerusalem: Magnes Press 1980), vol. 1; M. Avi-Yonah, *The Jews of Palestine - A Political History from the Bar Kochba War to the Arab Conquest* (Oxford: B. Blackwell, 1976; A.I. Baumgarten, "The Akiban Opposition," *Hebrew Union College Annual* 50 (1974):179-197; E. Goldenberg, "Darko shel Yehuda Hanasi," *Tarbitz* 28 (1959):260-269.

37. S.W. Baron, *A Social and Religious History of the Jews*, vol. 10, chap. 45 and vol. 16; M. Elon, *The Principles of Jewish Law*.

38. See S. Assaf, *Tekufat Hagoanim Vesifruta* (The Period of the Sages and its Literature) (Jerusalem: Mosad Harav Kook, 1955); Boaz Cohen, *Law and Ethics in the Light of the Jewish Tradition* (New York: Ktav, 1957), and *Law and Tradition in Judaism* (New York: Ktav, 1969); M. Elon, *The Principles of Jewish Law*; S.B. Freehof, *The Responsa Literature* (New York: Ktav, 1973); L. Ginsberg, *On Jewish Law and Lore* (New York: Atheneum, 1970); C.H. Tchernowitz, *Toledoth Hahalacha* (The History of Halacha) (New York: Vaad Hayovel, 1953).

39. See S.W. Baron, *A Social and Religious History of the Jews*; H.M. Sachar, *The Course of Modern Jewish History*.

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