

The Settlements: Both Sides Now

An Introduction by Yehudah Mirsky

THE SETTLEMENTS. The territories. Judea and Samaria. The occupation. *Eretz Yisarel Ha-Shlemah*. Palestine. What do we even call this impossible thicket of passions, visions, plans, scenarios, loves, hatreds, hurts, and longings? Although the subject seems to have been exhausted, one cannot help

feeling that some essential things have yet to be said. With this issue of *Sh'ma* we hope, vain though it sounds, to generate a little less heat and a touch more light, and help you, our readers, find your way amid the wildly misleading clichés that pass for reportage and commentary, and they are everywhere: Settlers are wild-eyed and Peace Now is wide-eyed; Settlers are Bible-toting fanatics, their opponents entirely the voice of reason; Settlers are the last true Zionists, their opponents a bunch of naïve Euro-wannabes. If only we'd been tougher, if only we'd never come at all. And on and on.

The truth, of course, is more complicated than any one perspective and is nobody's monopoly, for better or worse. In the following pages *Sh'ma* tries to offer a variety of less-predictable, articulate, if unfamiliar, voices, of settlers past and present, their friends and foes, and of scholarly and journalistic observers who try to place the settlement movement within the broader development of Israeli and Jewish culture, to sometimes surprising effect.

Presenting a comprehensive view or assessment of the settlement enterprise is beyond this journal's compass and most anyone's understanding. One thing is for certain — nobody comes out of this entirely blameless. None of us. The settlers and their patrons have pursued their dreams with little regard for the costs to Palestinians or the Israeli public at large. Their opponents on the left have failed to convey a sense that the occupation is not only a nightmare but a tragedy, and that leaving Judea and Samaria, even if essential, has to break a Jewish heart. Many have disregarded the manifest depravity of Palestinian leadership, while others have ignored the endless humiliations and worse that the Palestinians have had to endure. The diplomatic "peace processors" have, for their part, too often proceeded as if peace could somehow all be cooked up behind closed doors and "sold" to supine publics.

We as a people will find a way out of our current morass, because there simply is no other choice. Trying to listen to each other in humility is not the whole solution, but an essential part, and its own act of faith in our future and our humanity.

As this issue goes to press, Prime Minister Sharon and President Bush have exchanged letters of understanding on unilateral Israeli withdrawal from Gaza and Northern Samaria. This initiative may move forward, or share the fate of the myriad plans, initiatives, and agreements that have preceded it. But no matter what, the underlying meanings of the settlement enterprise, its human costs and achievements, its varied roles in shaping Jewish identity in our time, will abide, and still beg for understanding.

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Inside Settlements

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<i>Sh'ma gratefully acknowledges the Shefa Fund's support in widening the circulation of this issue.</i>	

SHORTLY AFTER MY ARRIVAL in the settlement of Tekoah, about 10 miles south of Jerusalem, in July 1983, I had the dubious privilege of reading the chapter of Amos Oz's *In the Land of Israel*, which describes Oz's visit to Tekoah a few years earlier. I was appalled by what I read. Were my new neighbors indeed the apocalyptic, morally insensitive, Bible-quoting chauvinists interviewed by Israel's most famous novelist? I didn't need to stay in Tekoah very long to discover the unpleasant truth: Oz transmuted not only the conversations but even the "factual" descriptions — physical characteristics, social, and religious background. Harriet Menachem is petite, soft-spoken, and decidedly non-Orthodox (no hair covering), quite the opposite of the apocalyptic Orthodox (kerchiefed hair) firebrand described by Oz. Dr. Amiel Ungar, rather than the Bible-toting true believer portrayed in the book, is the consummate political scientist, thoroughly at home in the Bible to be sure, but equally certain to quote anyone from Tocqueville to Mao Tse Tung, with detours through Machiavelli, Harry Truman, or Jane Fonda. Apparently the reality didn't fit the stereotype neatly enough — welcome to the land of post-Zionism, where reality takes a backseat to ideology.

When I first moved across the green line in 1981 to live in the settlement of Michmas (north of Jerusalem), demonization of "the settlers" had not yet moved into high gear. The main motivation for moving out of Jerusalem, for me as for most of my new neighbors, had to do with quality of life — meaning more than a larger house and a garden for a fraction of the price. We wanted to continue the Zionist enterprise on several levels. First, the return to biblical sites in our ancestral homeland was an integral part of the rejuvenation of the Jewish people. And, second, for those of us who chose to move from Jerusalem to a smaller community, part of the attraction was continuing the classic Zionist ideal of social experimentation. The "communal settlement" was a new kind of community, designed to foster the social cohesiveness characteristic of the *kibbutzim* and *moshavim*, but without the increasingly irrelevant burden of the collectivistic economic base.

Finally, moving to Tekoah presented an op-

portunity to counter the growing rift between the religious and (so-called) secular communities in Israel by creating a model of coexistence in the form of a small, closely knit community in which religious and secular Jews were equal partners. The bond of our shared commitment to Jewish peoplehood and settlement of the land served as the common social base that could support the differences in lifestyle and religious outlook.

By the time my wife, Ruth, and I established ourselves in our new community, the vilification of settlers was under way. No matter that our settlement, like all others in Judea and Samaria (and unlike many inside the green line), had not displaced a single Arab from his home or land. No matter that we tried to cultivate — and with a measure of success — neighborly relations with adjacent Arab villages (established, incidentally, during the 1970s by nomadic Beduin tribes). The classic bastions of Zionism had shifted course, abandoning their traditional commitment to the land and focusing on statehood and democracy. In the battle of the new liberal democratic Zionists — and later the post-Zionists — against their classic Zionist forebears, the new bearded, knitted-kippah-wearing proponents of traditional Zionist ideals were a highly visible target.

I, like my neighbors, find it stimulating, frustrating, and oftentimes painful to live in the center of the storm. Like many of my neighbors, I have been interviewed on television and thus given an excellent firsthand opportunity to see how news can be manipulated and even manufactured. While all too much of our energies are expended on maintaining sanity and balance in a world gone haywire, there is a certain liberation in knowing — not thinking, knowing — how little the world knows or understands about the issues that the media trumpet daily. We have learned to read between and underneath the lines of media reports. Safely beyond the pale of world consensus and Israeli media consensus — Israeli public consensus is much more complicated and dynamic — we are free to view and think for ourselves. Nor do we all come to the same conclusions. Beyond our common convictions that we have returned to our homeland and that Arab failure to rec-

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ognize and legitimize this is the root cause of the dispute, you will find many opinions regarding the kind of ultimate political settlement that would be achievable, just, and lasting. Having suffered most — in ways that most of us foresaw — from previous “experiments for peace,” we are generally less willing than others to gamble our security or our homes on high-risk gambles whose long-term benefits are far more doubtful than their short-term dangers.

The battle over settlements has exposed the fault lines in classical Zionism. From its inception, Zionism vacillated among its political, social, cultural, and religious foundations. The founding of the state did not, in reality, resolve the long-standing debates among different visions: a political solution to the problem of antisemitism (Herzl), a cultural center to rejuvenate Jewish thought and culture (Ahad Ha’am), an ideal platform for social experimentation (socialist and communist Zionism), a religious-messianic ingathering to repair the ills afflicting Jewish religion (Rabbi Abraham

Isaac Kook). Under domestic and international political pressure, most politicians, as well as many intellectuals, sought the least common denominator: the political state, with its security needs, as the only consensus position. This signals not only a retreat from dreams that were organically connected with the Zionist vision, but also an increasingly bankrupt position in the international arena.

As an academician and a teacher, I dwell a good part of the time in what George Steiner has termed “our homeland, the text.” My professional and much of my religious life is devoted to making sacred texts not just intellectually comprehensible but spiritually meaningful. Using literary tools I have learned from world literature and philosophy, I try to show how Jewish religious texts can be a homeland, in which Jewish personalities can dwell and develop. As a Jewish thinker, I firmly believe that healthy thinking and growth in our intellectual homeland require grounding physically and emotionally in our geographic homeland as well. 

Eyes Wide Open: The Settlements from a (Different) Jewish Perspective

Ishay Rosen-Zvi

WHEN I THINK ABOUT Israel’s settlements, two memories come to mind. During a Bnai Akiva (the religious Zionist youth movement) outing to the settlements in the Gaza Strip, I saw a sharp contrast between the overcrowded, miserable neighborhoods of Gaza — set among dozens of roadblocks and army bases — and the blooming lawns and red-roofed houses of the Jewish settlements. But I do not recall any surprise, protest, or even a question from anyone in the youth group (myself included). It was natural for us; we are the masters of the land. It was always thus; we never knew any other reality.

A second memory is from several years later, early 1990s, when I was doing my army service in Samaria, in the context of studying at a Hesder yeshiva. I remember entering Palestinian houses, I remember the Palestinians’ fear, their humiliation, the roadblocks on the highway. One particular image remains etched in my memory: the endless line of Palestinian vehicles, at 5:00 A.M., waiting for the all-powerful Israeli officer to decide who would have the right to use the road, and who would be

turned back. Everything they had — their property, their time, their dignity — was under our control. And zooming by in their cars, with no one obstructing their way, were the settlers.

Here were two adjacent populations, yet so very different: one of citizens with full rights and privileges, and another living under occupation, with neither citizenship nor rights, completely at the mercy of the all-mighty soldier, me. Let us not deceive ourselves: to maintain two populations on the same territory, under two totally separate systems of law, requires the use of massive force. It is this force that I encountered, day after day, at the roadblocks in Samaria. But by then the realization had begun to take hold of me that this was not acceptable; that such blatant and open discrimination between people could not be just and I could not be a part of it.

My American (Jewish) experience also began in connection with the settlements. On my very first Shabbat in the United States, I attended a synagogue that was, coincidentally, making an appeal for one of the settlements.

When I asked why a synagogue was conducting a political fund-raiser, people answered (quite stunned): we are Jews, which means we support Israel, which means aiding in its fight against terror, which means supporting the settlements. This story is actually but one example of what seems to me a complete failure to distinguish, on the part of many American Jews, between support for Israel and support for a specific policy of its government — the distinction between standing by Israel's side and supporting the occupation.

The settlements, in this common narrative, are seen, usually, as the front line in the war against terror. In the best scenario, some people recognize, perhaps, that in the context of a peace agreement, some settlements will need to be dismantled in order to reach a favorable accord. But, even in that scenario, the settlements are seen as an integral part of the support of Israel — plain and simple.

Yet the settlements are not a response to terror nor are they a security against it. They were built before the terror attacks began and existed almost as long as the occupation itself. They remain in place to establish us as the sole rulers of the land and to prevent any future accord.

It is necessary, despite the pain and difficulty involved, to say loudly and clearly: the settlements are wrong not only because they waste billions in state money, or because they subject an entire nation to an irreversible process in which it has no interest, or because they make no political sense, or because they preclude any chance of a future accord. They are entirely wrong, first and foremost, because they create an insufferable moral situation of terrible apartheid rule; because in their wake, virtually every Palestinian village is now sealed off and the Palestinian people have no way to travel anywhere in the occupied

territories. The roads in the territories are, almost without exception, for Jews only, and many of the villages lie directly in the shadow of tank guns. The vast majority of the roadblocks, which turn the lives of every Palestinian — man and woman, young and old — into a living hell, are located within the territories, not between them and the State of Israel. Total curfews are often imposed, and those violating the curfews are all too often shot at. Many of these decrees are a direct result of the placement of settlements that render the Palestinians not one bit of normality that is uncontrolled by tanks, roadblocks, and curfews. The settlements are today the tip of the sword of this terrible and insufferable apartheid.

No one can question the Israeli right and necessity to fight terror. But let us not deceive ourselves. Long before the terror began and security concerns became the ultimate explanation for any action — no matter how cruel or crazy — the discrimination cried out from every corner. One law for the Jews, and a different — entirely different — law for the Palestinians. So it is in the division of water (five times as much for Jews), lands, roads, building permits, and any other possible area. While these facts are not a secret, the occupation has become so natural that it has blinded us all. It has covered our eyes from seeing the injustices and suffering that we have been causing daily for over a generation.

This is an insufferable situation; not only for the Palestinians but also for the soldiers who are ordered to fight against children, women, and old men. It is an insufferable situation for Israelis to become wardens of a prison of enormous proportions. It is an insufferable situation for us as Jews who aspire to establish a state based on principles of justice, not tyranny. 

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The Jewish Communities in Gaza: A Jewish Edict of Expulsion

Rachel Saperstein

THIS MORNING an earthquake — 5 on the Richter scale — shook Israel. For those of us living in Gush Katif, the bloc of Jewish communities in the Gaza Strip, it was barely a trembler.

Some weeks ago we suffered a 9.5 earthquake. This was not nature speaking but the Government of Israel with its edict of total destruction of our homes and communities.

We, in these thriving farming communities occupying 9 percent of the land in the Gaza Strip, were stunned. We, who have withstood three and a half years of mortar and rocket fire (3,912 projectiles as of this writing), who have seen our friends and neighbors murdered by Arab gunmen (27 civilians and 66 soldiers), who have seen our property destroyed (70 hothouses wrecked, 200 homes and hothouses

es damaged), who have shown unmatched steadfastness as we wake each morning after a night of terror and send our children off to school, go to our jobs, prepare meals and thank the Almighty, are to be rewarded with expulsion.

Playing a heroic role was hardly an aim in my life. My husband and I made *aliyah* 36 years ago. Our first 30 years were spent in Jerusalem, during which time my husband lost his right arm in the Yom Kippur War and one of our daughters was injured by a suicide bomber on a bus going to Hebrew University in 1995. When my husband was injured, he had to face more than 30 operations and years of rehabilitation. I, with three small children, had to face the struggle to keep our home together without a support system. Relatives didn't start coming on *aliyah* until later.

Then came the Oslo Accords. We were outraged that our beloved land was being dismembered. Following my daughter's injury — the murdered were called "sacrifices for peace" — I joined the militant "Women in Green" organization and became active in the struggle to save our country. My husband was active in "Zo Artzeinu."

When the last of our three children married, we sold our apartment and moved to the Neve Dekalim community in Gush Katif. Our home is lovely, with a view of sea, sand, and palm trees. After a lifetime of city living, it took a while to get used to country ways, such as friends welcoming us with heads of insect-free lettuce rather than a bottle of wine.

Our idyllic lives changed when the Intifada attacks began on Rosh Hashanah 2000. Visits from friends and relatives outside Gaza diminished, greatly increasing our sense of isolation. Some fellow Israelis were hostile, considering us "obstacles to peace." Even those sympathetic, unable to share our tribulations, didn't comprehend our amazing strength.

On February 18, 2002, in a sniper attack that

left a young mother and two young soldiers dead, my husband's remaining hand and his left leg were severely injured. After his hospital stay, we returned home and were enveloped by loving care from the community. And we, in turn, gave of our strength, determination, and love of Israel.

Unlike Judea and Samaria with significant numbers of English-speakers, our area has few who are sufficiently articulate to deal with foreign journalists, many openly hostile. Of necessity my husband and I are on constant call. It is physically and emotionally exhausting, but we have always been good soldiers.

A journalist recently asked, "Why are you here?"

"We are here because it is ours. No less than Jerusalem or Tel Aviv or Hebron. This is our land. Gaza is part of the portion allocated to the tribe of Judah in the bible."

She persisted: "But it's so dangerous. Why do you stay?"

"Because it is ours," I answered patiently. "And danger is everywhere in the land of Israel."

"But," she continued, exasperation in her voice, "your own government plans to throw you out."

"For three and a half years we have been witness to daily, incontrovertible miracles. Close to 4,000 explosives have been fired at us, yet not one has caused a fatality. Even if 10 percent were duds, and those firing had poor aim, given the small target area you would expect extensive casualties. Clearly, we have been protected...."

"But your own government..." she broke in.

"We are hopeful that He who has protected us these past three years will protect us still."

She slammed her notebook shut and, muttering under her breath, left our home.

I looked at my husband's wide grin. "Not bad for a 63-year-old grandmother, even if I say so myself."

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Discussion Guide

1. What role do Israel's settlements play vis-à-vis the future of the State?
2. Can Israel hold onto the West Bank and Gaza and remain a demographically Jewish state? How?
3. How are the settlers similar to and different from Israel's early pioneers?

I WAS TWELVE YEARS OLD when my parents decided to make *aliyah*. I was thirteen when we descended upon an absorption center in Be'er Sheva. I was fourteen when my father put his professional career aside and became a construction worker, building the very city that we were to inhabit. I was fifteen when we moved into our home in Yamit and twenty when I saw our home for the final time.

The once-Israeli Sinai town of Yamit was many things for my family. It was a chance for personal renewal. It was a last opportunity to build up a frontier as *chalutzim*, pioneers. It harbored the prospect of imbuing life with ideals and meaning. And finally, it allowed us to live in an oasis — blue skies, palm trees, and white sands. The bounty that we pursued was not material wealth. Rather, it was the pursuit of stirring beauty that would lighten our step and perpetually fill our hearts with merri-ment.

Yamit, from the start, was planned not to be a simple *yishuv*, or settlement, but a city. It was designed to become home to a wide spectrum of people — American and Russian immigrants and a cross-section of secular and religious Israelis. There were idealists, military families, and those just looking for cheaper housing. There were entrepreneurs looking to make it big, and those who were seeking a slower paced life. There were close-knit families, and families who scandalously mixed and matched. Like other towns, there were lots of children and dogs. And there was always an air of optimism. Community-wide celebrations were wonderful; we felt like part of something special.

When Yamit's fate was sealed by the Begin government (the 1979 Egypt-Israel peace treaty included the dismantling of Yamit, which was evacuated in 1982), reactions were mixed. In time, most of the town's residents overcame their initial emotional reactions and moved on. They took the compensation packages that were offered and relocated quietly. A few residents stoically opposed the government's course; the vast majority of opponents were outsiders who filtered in on a mission. But most of the missionaries to our "holy city" came for legitimate reasons — to demonstrate to the government that Jewish settlements were not taken down without a fight and that

parts of *Eretz Yisrael* can't be torn away without a heart-wrenching cry. Others came because it was the thing to do, the place to be. Some came to take in the spectacle alongside friends who just came to be seen.

The cry was real and the pain acute. In the end, though, Yamit disappeared rather quickly. Many of us went on with our lives and rebuilt. But for others, the aftermath was ugly. We heard of divorces, bankruptcies, and even a suicide or two. In a television interview, my father astutely explained the phenomenon. Yamit, he said, was like a puddle of clear water. But when a foot comes and stirs the dirt settled at the bottom, the water remains muddy for quite some time. Yamit may have been a panacea for certain social ills, but the trauma caused by its dismantling was long felt, especially by families with weaker foundations.

Dealing with the past is very much a personal experience. I imagine that, for the lion's share of my neighbors, Yamit remains a sweet vivid memory, somewhere in the past. I sometimes feel a shooting pang of longing for our short-lived haven. But the pain is no longer sharp or intense. It's just a delicate tenderness in some remote area of the heart, a scar healed over.

How will this memory affect the future? In the Israeli conscience, Yamit's place is not so prominent. There are many slogans on the right, but none beseech us to remember Yamit as Americans remember the Alamo. Every new struggle seems to take on a life of its own.

Dismantling settlements may or may not be a political reality. But either way, the gravity of any dismantling demands debate and some form of protest. Without resistance, the danger for overextended concessions is genuine. Could it be, though, that Israel's greatest challenge is not the painful excision of settlements, but rather that so many of its citizens don't feel that anguish; they don't grieve over lost motherland?

Azi Feifel, who made aliyah with his family in 1974, attended Yeshivat Hesder in Alon Shvut and served in an armored brigade in the IDF, including a four-month stint in Lebanon during the 1982 war. He currently lives with his wife and five children in Chicago. His parents, Chaim and Sarah Feifel, prominent founders of Yamit, now live in Zichron Ya'akov.

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READING ABOUT the occupation and settlements, or seeing documentaries about the "Separation Barrier," one learns plenty of details and facts. But living under occupation, suffering from the disaster caused by settlements and experiencing the tragedy created by the barrier, is living in a reality that damages the soul and tortures it more than physical pain. This is the Palestinian reality that makes life dark and bitter beyond what the best writer's prose or director's film describes. Living under occupation means experiencing tragedies — visible and invisible, direct and indirect, material and emotional. All aspects of life and death are transformed by occupation.

My life — in the village of Harres, across the road from the settlement of Revava — is one long, never-ending day. As an activist, people turn to me with all of their problems: students who can't get to the universities; the sick who can't get to hospitals; the unemployed; those who can't receive permits of one sort or another; those who are stopped day and night on the streets; social problems. The occupation uses power to restructure our lives for the convenience and security of the settlers. My life is always in danger and I always feel pressured; I can't escape this responsibility.

My children hardly see me. They too feel that our lives are in danger. Just last week a settler passed by the entrance to our village and fired shots, injuring a man coming out of a store. Settlers often put stones on the road and then inform the security forces that we threw them, knowing that the army will enter the village and harass the residents, impose a curfew, etc. Settlers fire at us and then say that they were fired upon.

The settlement of Revava was built in the middle of an olive grove belonging to our village. Our trees were cut down for the houses. Access to our remaining trees is limited because their security is endangered. Month after month more trees are hacked, burned, or uprooted and more houses appear. These trees feel like a part of our families and are our economic lifeline. My own siblings are unemployed, and I can do nothing to help them or their children.

All this is taken in by the children of the village, whose favorite pastime is to play with

plastic guns. I feel the violence breeding. Our youth see that a supposedly democratic country is using force to control every aspect of their lives, while the world does nothing.

Israeli settlements on Palestinian land are a cornerstone of an occupation turning Palestinian land into Jewish land. From a Palestinian perspective, the settlements:

1. Rob our land for settlements and settlement infrastructure.

2. Serve as outposts for attracting future settlers from around the world.

3. Make life for Palestinian citizens unbearable, eventually expelling them from their land through military, economic, psychological, and social pressures.

4. Change — geographically and demographically — the reality on the ground, making the land appear to be entirely Jewish.

5. Separate Palestinians from one another, turning towns and village into ghettos surrounded by settlements and military forces. The Salfit region, where I live, is home to 50,000 Palestinians; it is being turned into part of the Israeli state through the occupation. The area, which includes 20 villages, now has 22 Jewish-only settlements with a population that exceeds the original Palestinian population and is expected to increase after the "Separation Barrier" is completed.

Settlements began in the 1970s. As settlements were built, more and more land was claimed, and we were denied access to our lands because of their proximity to settlements. Poverty increased. Israel now wants to build the "Separation Barrier" 22 kilometers into the Occupied Territories in order to include Ariel and most of the settlements in our region. That will leave us with nothing but our homes as prisons. The village of Maskha, for example, will lose 4,000 of its 5,000 remaining dunam. Our region will be divided into three disconnected cantons, without access to medical care or the possibility of traveling between villages.

Everything looks dark in the near future. In the long term I am optimistic. It is impossible to live without hope. There are Israelis with common sense who understand that it is impossible to rule by power forever. We look at the suffering of other peoples throughout history and believe that justice and the human spirit will prevail.

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May 2004

Sivan 5764

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IN MY MORE whimsical moments, as I ponder the extremism that characterizes today's discourse about settlements and settlers, I suspect I've found the solution. We need to get hard-liners, on both sides, to study Talmud, a testimony to Judaism's celebration of multiple perspectives. It is our tradition's ode to ambiguity, its sanctification of ambivalence, of the dimensions of human intellectual life that, sadly, Israeli life has largely lost. In that 20-volume-long disputation, what emerges most clearly is that there was often wisdom supporting both sides of an argument. The redactors of the talmudic text chose to preserve not simply the legal position that prevailed but both sides of the argument, eternally locked in their discordant embrace, each offering his view, and his truth, to every Jewish generation to follow.

Israel, too, has sometimes codified ambivalence brilliantly. As in the Knesset's decision that Yom Ha-Zikaron (the Memorial Day for fallen soldiers) would be followed immediately by Yom Ha-Atzma'ut (Independence Day). What emerges is an annually agonizing transition. At the end of Yom Ha-Zikaron, a day on which cemeteries are filled with weeping families, during which the names of some 21,500 fallen soldiers are displayed on television, we struggle valiantly to shed the grief, and to try to embrace the euphoria. This leads many of us to ask how we should most appropriately mark the miracle of our existence: With joy, at all that we've accomplished? Or, with pain, because of such an unbearably high price?

The current settlement debate is really about different sorts of love, each of which is not only legitimate but critical: Love of the Land, and Love of the State. To oversimplify: The settlers love the land more. Those who want to withdraw love the State more.

Love of the land is deeply rooted in Jewish tradition. Much of the books of Joshua and Judges take place in precisely the land we may now have to give up. The liturgy is filled with petitions that we be permitted to return to the land, and much of the Torah is a tale, again too simplistically, of the Jewish people marching their way from slavery to their land. Even if we are in Pennsylvania and the bread we've just eaten came from Iowa, our *Birkat Ha-Mazon*

offers thanks for the Land of Israel.

Could any Jew dispute our love for this land, or the notion that we might weep at the very thought of having to leave it? No matter what the left may say, Love of the Land is not fanatical. That must be understood.

But Love of the Land does become fanatical when it ignores another Love: the Love of the State.

This is a different sort of love. This is a love borne not of belief, but of history. The State was created largely by Jews who had lost faith but saw what Europe had become and fought for a place where we would determine our own fate. Nor was the U.N. Partition Plan about the sanctity of the land to Jewish souls; it was about Jewish survival.

Most Israelis now understand that we must surrender some of our love. We can have either part of the Land, and with it, the State, or we can try to hold on to all the Land, then lose the State, and then lose the Land, too. This is not about "all or nothing." It is about "some or nothing." Most of us would have some, rather than nothing.

But accepting "some" requires compromise and ambivalence. As in the pages of the Talmud. As in the transition when Yom Ha-Zikaron ends. We dare not take that compromise lightly. There is nothing inconsequential about giving up a limb in order to save a life. Few of us wish for death, but no one should delude him or herself that life without a leg is life as it should be.

Can we restore that ambivalence, that sense of personal agony at the decisions we shall take? Can we create a discourse in Israel that recognizes that Loving the Land is not necessarily fanaticism, but that Loving the State more and accepting the compromises that will demand is not a sign of weakness or of moral murkiness?

Dismantling settlements and uprooting settlers could lead to civil war. Or, to a misplaced triumphalism of the left. Or, to hatred so deep that we never get beyond it.

Or, perhaps, it just might lead to the embracing of agony, and with that, a sign that the profundity of Judaism has returned to the Jewish State. Then, we'd know that the State named for the One Who Wrestled with God had finally earned its name.

Daniel Gordis is Vice President of the Mandel Foundation, Israel. He is author, most recently, of Home to Stay, a personal account of the demise of Middle Eastern peace, and is now writing a book on Israeli Arabs and the survival of Israeli democracy. He made aliyah with his wife and children in 1998.

Has the Clock Struck Midnight?

Adam Rubin



SINCE JUNE 1967, Israeli liberals and leftists have sought to rid the country of the territories it occupied as a result of the Six Day War in the hope of restoring the country to its status as a small, overwhelmingly Jewish democracy whose citizens share basic convictions about its borders, goals, and character. Notwithstanding the fact that this view of pre-1967 Israel is perhaps more an expression of nostalgia than history, an emerging current of thought is now challenging long-held convictions about the “two-state solution” and the contours of any future settlement between Israelis and Palestinians. A number of prominent journalists, intellectuals, and academics have recently suggested that it will be difficult if not impossible to return to the “Green Line”; the settlement movement has largely succeeded in erasing the pre-’67 boundaries, and no amount of walls and fences can restore them.

Daily news reports of Prime Minister Sharon’s plan for unilateral disengagement from Gaza and the controversial wall/fence (it actually consists of both, depending on location) have obscured the emergence, or, more accurately, re-emergence, of the idea of a binational state, shared by Jews and Palestinians. Having originated in the 1920s and 1930s among German-Jewish scholars and intellectuals on the faculty of the Hebrew University and within some factions of Ha-Shomer Ha-Tsa’ir, binationalism largely disappeared from the country’s political agenda after the state was founded, though it continued to win a small following on the far left and among a number of Palestinian intellectuals, most prominently Edward Said.

Among Israelis and Jewish supporters of Israel in the Diaspora, the idea of a binational state has long been considered anathema, beyond the pale of acceptable discourse. This is hardly surprising, of course, given the hostility of Palestinians and most Arab states to the Zionist enterprise and their refusal to recognize Israel after it was established. And today, given the horrific violence and unrelenting hostility that has characterized relations between Israelis and Palestinians during the past three and a half years, perhaps the bloodiest period in the hundred-year conflict between them, the notion that both peoples should form a common state together, uniting them as citizens

of one sovereign political unit while making room for the distinctive national cultures of each, may seem highly unlikely if not absurd. The mutual trust, solidarity, and cooperation that such a project would require is utterly lacking at this particularly dismal moment in Israel/Palestine.

And yet despite these obstacles, binationalism has once again begun to show signs of life. This past fall and winter, a series of books and articles appeared that revived the long-dormant idea, including a long interview with Meron Benvenisti (published in the Israeli daily *Ha-aretz*), two articles on the subject by the NYU historian Tony Judt in *The New York Review of Books*, a book by the Israeli journalist Daniel Gavron, and a collection of essays by American-Jewish liberals and progressives on the Israeli-Palestinian conflict, called *Wrestling with Zion*. The influence of their ideas has been felt not just in the rarified realm of academia but also in the larger world of Israeli political discourse: on the right, Deputy Prime Minister (and Sharon’s closest adviser) Ehud Olmert warned that Israel had to pull out of at least some of the West Bank and Gaza in order to avoid becoming an apartheid state in which a Jewish minority ruled over a Palestinian minority; on the left, one could argue that the Geneva peace accords and the Ayalon-Nusseibeh peace initiative are at least in part due to the sense among some Israeli and Palestinian progressives that the window of opportunity for a two-state solution is rapidly closing. That something new has penetrated the political zeitgeist of the country is evident in the number of essays and op-ed pieces for and against a binational state published in *Ha-aretz* during the past nine months. Indeed, the online edition of the paper saw fit to create a special Website devoted to the issue.

Neither Gavron, Benvenisti, Judt, nor most of the contributors to *Wrestling with Zion* are true “leftists” who in principle oppose the idea of a Jewish state in part of Palestine, and none of them embrace binationalism as an ideal solution; their abandonment of the two-state solution is more a begrudging concession to reality than a clarion call to mutual recognition and cooperation; each admits that a two-state solution would have been preferable. What they share is a conviction that division of his-

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toric *Eretz Yisrael* into two viable states is simply no longer possible, for two reasons.

First, the Israeli presence in the West Bank is too deeply entrenched to be reversed, they argue. Not counting the Jewish neighborhoods of Jerusalem that are over the Green Line, there are now over 230,000 settlers in the occupied territories. During the seven years between the Oslo Accords and the beginning of the "Second Intifada," the number of settlers doubled; there is now a significant Israeli presence throughout the West Bank, and in some areas a settlement seems to be on almost every hilltop. Efrat, Ariel, and Ma'aleh Adumim are not collections of mobile homes but densely populated Israeli cities. Moreover, Israel has anchored its presence in the territories by building an elaborate network of Jewish-only highways ("bypass roads") on top of the land and wells, pipes, and sewage systems underneath it. These observers are convinced that the landscape of the West Bank has been unalterably transformed into a *de facto* part of the State of Israel.

Second, the proponents of binationalism claim that no Israeli government, regardless of ideological configuration, could succeed in uprooting large numbers of settlements. While most settlers in the West Bank and Gaza Strip have evinced a willingness to leave their homes in exchange for government compensation, a core of ideologues have made it clear that they will resist evacuation by every nonviolent means at their disposal, and small groups of extremists are almost certainly willing to use violence against Israeli troops. These committed settlers have the solid backing of right-wing parties and many members of Likud, and are without question the most highly motivated, ideologically cohesive political force in Israel. At the same time, no government has yet demonstrated the resolve and political will that would be required to evacuate the settlements in order to create a viable Palestinian state.

Finally, even if Israel succeeds in using fences and walls to carve up those parts of the territories that do not contain settlements and simply declares what remains a Palestinian state, no government (including the United States) would recognize it and no Palestinian leader would accept it; Israel would simply be continuing the occupation by other means, that is, a series of noncontiguous, nonviable Bantustans that free the country of the burden

of ruling over another people without satisfying their minimal requirements for national self-determination.

What all of this means is that the settlement movement, backed by Labor and Likud governments alike, may have already succeeded in making a two-state solution impossible to achieve. Palestinians in the occupied territories and Palestinian citizens of Israel will constitute a majority of the country within the next five to ten years, and will likely shift their campaign from the struggle for an independent state in the West Bank and Gaza to the demand for one person/one vote and equal citizenship. Jews will either constitute a minority in a democratic state, or control the majority through undemocratic means. For Gavron, Benvenisti, Judt, and others, binationalism is the only escape from this quandary. Whether it is feasible or desirable is not the issue — given the demographic and political realities on the ground, they argue that it is simply inevitable.

What is most striking about the reappearance of the binational idea is the extent to which contemporary circumstances in Israel resemble those of the pre-state period during which it first emerged. As was the case at the end of the Mandatory period, physical, demographic, and political boundaries between Jews and Palestinians are becoming ambiguous, largely because of the extensive Israeli presence in the occupied territories and a heightened sense of alienation among many of the country's Arab citizens (it is precisely this ambiguity that the wall/fence, as well as a new law prohibiting family reunification between Israeli Arabs and Palestinians in the West Bank and Gaza Strip, seek to overcome by drawing distinct lines of separation between the two communities). Relations with the Palestinians are once again more decisive, and more violent, than with neighboring Arab states; the core of the conflict has shifted away from diplomacy, treaties, and invading armies and back to the elemental struggle between Jews and Palestinians over the same territory. The question is whether, this time around, both nations can find a way to recognize the legitimate place of the other in the narrow strip of land between the Jordan River and the sea. 

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Religious Zionism: Nationalism, Religion, and Modernity

Shlomo Fischer

THE RELIGIOUS ZIONISTS who have spearheaded the settlement movement have endlessly been depicted by journalists and academics alike as fundamentalist throwbacks to some ancient or medieval politics. They are, in fact, very modern indeed. And they have changed the face of both Orthodoxy and Jewish nationalism.

Broadly speaking, Western modernity is characterized above all by the primacy of critical rationality — in science, à la Newton and Galileo, and in philosophy à la Hume and Kant — and by the desire to express the autonomous will of the human subject, most obviously in Romanticism but also in the call to authenticity issued in their various ways by Marx, Nietzsche, and the Existentialists. Paradoxical though it may sound, Religious Zionism has been engaged in the breathtaking attempt to incorporate the notion of the autonomy of the self into an Orthodox Jewish world view and way of life.

To the founder of the Mizrahi Religious Zionist political movement, Rabbi Issac Jacob Reines, the project of the Jewish state was a rational scheme for the alleviation of the suffering of persecuted Jews. In contrast to this, to Rabbi Abraham Isaac Kook, the great Romantic theologian of Religious Zionism, Zionism aimed to overcome modern alienation and achieve the authentic being of the individual Jew, of the Jewish people, and ultimately of mankind and the cosmos. Kook's writings, and the yeshivot of his disciples, have been the spearhead of the settlement movement on the West Bank.

Surface appearances and conventional journalistic and academic wisdom notwithstanding, the Orthodox settlers represent a very deep and intense attempt to come to terms with central aspects of modern culture — the autonomy of the subject and the drive for authenticity. It informs their militant nationalism and expresses itself in manifold ways in their evolving lifestyle.

How can Orthodox Judaism, a religion of law and commandments, incorporate self-expression and self-realization as leading cultural themes? By identifying the will of the human subject with that of the divine. When the "I" — both individual and collective — is

at its most authentic, it becomes an expression of the divine will throbbing throughout the universe. The theological centrality of the authenticity of the "I" is expressed at many levels in Rav Kook's rich and extensive theological *oeuvre*. By identifying with the General Will of the nation and cosmos — that will that expresses the inner essence of the nation or the cosmos and strives for its self realization — one actualizes that the entire universe is godly — that it has a godly destiny in which the individual can take part. On the national level, it means identifying with the true nature of the nation, its inner essence; in concrete terms, it refers to the fulfillment of Jewish national existence through the appropriation of the national territory and its settlement, and the establishment of Jewish sovereignty upon it. Part and parcel of this national fulfillment is the realization of the Jewish spirit and culture. As national existence is realized, Jewish spirituality and culture are to come into their own and illuminate the divine nature and destiny of the universe.

The participation in the General Will on the political national level in fact allows one a good measure of free autonomous action without endangering the boundaries of the religious injunctions. Thus, one can freely identify with the General Will and realize it through the setting up of settlements, political and military action, the teaching of Torah, and retaliating against Palestinians.

The theological *tour de force* that Rav Kook and his followers have effected — that is, the identification of observing the religious commandments and implementation of the ultra-nationalist program with the very deepest impulses of self-realization — is indeed breathtaking. However, it can have effects that are indeed disturbing. In much of modern culture the drive toward the exclusive autonomy of the self is tempered by the demands of critical rationality. The religious legitimation, however, given this drive in nationalist theology, tends to negate that rationalist curb upon the apotheosis of the self. Thus, one possible outcome of this trend toward modernizing religion is an egocentric nationalism that does not recognize the existence of any Other. This is an option that has, to say the least, realized itself with noticeable intensity in the past 30 years. 

Shlomo Fischer is Founder and Director of Yesodot: The Center for the Study of Torah and Democracy. He writes about the sociological and cultural analyses of the interface of religion and politics in Israel and is currently writing a doctoral dissertation in the Department of Sociology and Anthropology at Hebrew University.

May 2004

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A View to the Future: Three Possibilities

Yair Sheleg

WELL AWARE OF the difficulties in attempting to predict the future in general, and particularly in the Middle East, I offer three analyses for the future of the settlements.

1. In the Event of No Withdrawal

It is always tempting for a society to believe that it can continue in its current state, even if over the long term this will exact a high price. This is so for the simple reason that the price it must pay for change appears, at least in the short run, to be too severe. Politicians, especially, fear change since they know they will pay the price of political confrontation and bear the burden of internal criticism by those opposed to the planned changes.

Therefore, despite the great price Israel is paying for "the current situation," and despite discussions about the need for change, it is very possible that the government will choose to perpetuate the status quo. In such a case, the expected outcome will be the continuation of terror and an erosion of the status of the Palestinian Authority to the point of possible collapse. Israel might then be forced to broaden its rule over the Palestinians in the civil realm as well. This process, ending the notion of a two-state solution, would increase the demand for granting full civil rights (as citizens of the State of Israel) to millions of Palestinians — a process that would certainly lead to the end of Israel as a Jewish state.

In reality, international dialogue — particularly that of human-rights groups — is already increasingly focusing on the question of Palestinian human rights rather than the lack of political self-determination. The clearest expression of this change is that Israel is no longer compared to colonial regimes but to the apartheid regime in South Africa, with the obvious implication of the "South African solution." With a note of irony, it could be said that Israel should long for the days when it was equated with colonial regimes, for the "South African model" is much worse.

2. Withdrawal from Settlements

Terror will certainly continue, especially in the event of a unilateral withdrawal that is not based on an accord. However, when the Palestinians are left to deal with their problems alone, unable to blame them on an external enemy, it is possible that out of the initial chaos a force (or several forces forming a coalition)

will emerge that desires stabilization — not for Israel's sake, but because of Palestinian interests. While this entity will focus initially on civil matters — refusing to take responsibility for security — it will eventually become clear that civil stability is dependent on a calm security situation and, out of this awareness, a willingness to confront terror organizations will surface. In the absence of the hated Israeli rule, the general public might develop a preference for a stable daily existence over the warlike lifestyle of the past decades dedicated to the hope of a "Greater Palestine." The war on terror will then be seen not as a civil war against brothers for the sake of the enemy, but as the fulfillment of Palestinian interests, just as the Egyptian and Jordanian governments fight their own extremists not for Israel's sake but for their own.

Further down the road, it will become clear that, in such a small country, far-reaching cooperation between the nations will be necessary to advance their mutual interests such as water, ecology, etc., and thus cooperation will develop. The pinnacle of this process would be reached when Palestinian society no longer objects to Jews returning to live in its midst, with the condition that they accept the authority of the Palestinian regime. The circle will be complete: Jews who are evacuated from Judea, Samaria, and Gaza, due to Palestinian demands, will be allowed to return with Palestinian agreement.

3. The Optimal Possibility

Achieving the final goals of the second scenario without having to go through the traumatic interim stage of uprooting settlements is the optimal possibility. In simple terms it establishes a Palestinian state in which Jewish settlers continue to live, possibly even along with more Jews, while retaining their Israeli citizenship. In parallel, Israeli Arabs will be offered the choice between Israeli and Palestinian citizenship (without dual citizenship).

Such a scenario would obviously require a very high level of cooperation, perhaps even in the framework of joint diplomacy — similar to a federation or confederation. Unfortunately, this option does not appear realistic because of the deep hostility that has only increased in record proportions in recent years. But, who

conclusion on page 14

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S. Ilan Troen, *Imagining Zion: Dreams, Designs, and Realities in a Century of Jewish Settlement* (New Haven: Yale University Press, 2003), \$35, 320 pp.

IN A 1945 LETTER to President Truman, Chaim Weizmann wrote that "Palestine, for its size, is probably the most investigated country in the world." Ilan Troen's masterful work is a history of this investigation by a host of scientists, engineers, urban planners, and other professionals, and an exposition on the political and practical uses to which this knowledge was placed. Troen has written the history of Zionism and the State of Israel through, as he writes, the "prism" of the various sorts of settlements created in the land. He identifies three major concerns that dictated the sort of settlement constructed at a particular time and place: political and social ideology; economic motives (productivity and independence); and security objectives. Troen demonstrates how — almost from the outset of the Zionist project — ideology, though it mattered, was in important ways modified or abandoned in the face of economic and/or strategic necessity. Although he writes in an optimistic key, he is hardly Pollyannaish. He succeeds in reminding us at one and the same time of just how remarkable the Zionist experiment was, of its myriad achievements, but also, in the end, of its misjudgments, missteps, and failures.

Troen structures his work chronologically, moving from the earliest Jewish settlements in the last third of the 19th century to the present. He argues that what characterized the early Jewish settlements was their communitarian, anti-individualist impulse. It is this desire to create communities that Troen stresses and analyzes in depth in the first part of his work. He calls these settlements "miniature commonwealths" or, following the Puritans, "covenantal societies." His invocation of the Puritans is not accidental. While he acknowledges that most accounts of early Zionist settlement trace the communitarian impulse back to European socialist or communist roots, Troen argues that Zionist communal thinking had its origins in the "religious experience, imaginations, and predilections of early planners and pioneers" (p. 6).

From the outset, then, Zionist colonization schemes held to one central, stable ideal: "a Middle Eastern countryside dotted with

modest communities of pioneers engaged in agriculture" (p. 16).

This form of settlement, Troen argues, was fairly unique for the time. Throughout, he draws our attention to the ways in which Zionist settlement either paralleled or drew directly upon European and North American models. Troen's book compels us to look at the Zionist vision and experiment again with fresh eyes, in the immediate context, and to recognize the "audacity" of the project of transforming Jews into farmers and colonial settlers. The story of early Zionist settlement, then, becomes in large measure the story of how this transformation occurred. Like Derek Penslar before him, Troen focuses on the technocrats — the "engineers, hydraulic mechanics, botanists, and agronomists." From the 1870s, "the outside planner, the expert, and the administrator became permanent fixtures of Zionist colonization" (p. 19).

What drives Troen's story, however, is the failure of the Zionist settlements to achieve economic independence, and then, increasingly beginning in the 1930s, the growing need for security in the face of Arab hostility. While Zionists engaged in numerous discussions about how to negotiate the Arab presence economically and socially, Jewish society developed almost wholly apart from Arabs. Troen details the extraordinary material development of the Yishuv and points to the fact that Jewish production and consumption remained almost wholly a Jewish phenomenon. All aspects of Jewish and Arab life, from the economy to education, were separate and unequal. At all levels, the Jews far outstripped the Arabs, as all the studies done during these decades demonstrated. This growing inequality, together with growing Jewish immigration, only heightened the Arab sense of resentment.

Discussing how Jewish settlement intentionally displaced the local Arab/Palestinian population, Troen is hardly condemnatory. On the whole, his narrative suggests an inevitability that followed from the brute fact that the European Jews were, by dint of their Europeaness, "ahead" of the local Arabs technologically. This instrumental and mate-

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rial superiority allowed the Zionists to conquer the land and to remake it in their own image. "The historic tragedy is that Arabs did not recognize the authenticity and legitimacy of this movement and of what it had accomplished" (p. 159).

Historians of Zionism, as Troen points out, have focused disproportionately on Jewish agricultural settlements and their achievements, producing its own well-known romanticism and mythology. Yet, despite Zionist romanticism, most Jews in Palestine in fact settled in cities. Troen devotes a significant part of his work to "urban pioneering," especially during the period of the British Mandate. Troen's demonstration of just how extensive the British input and influence were in the building up of Jewish Palestine, and the city of Haifa in particular, is most engaging. Every new and innovative technique or discovery that improved life in London or Manchester made its way to Palestine. The Mandatory period, Troen argues, was key to the Yishuv (and then the State of Israel) becoming a fully modern industrial and technological society.

In his analysis of the period of statehood, Troen looks at how Zionist state planners departed radically from established Zionist ideology and practice. The new state started up a massive urban building project that minimized, even negated, the classical Zionist goal of turning Jews into "peasants." "In large measure, the face of Israel at the beginning of the 21st century has been determined by this plan" (p. 167). Troen's original study helps us better understand and appreciate the history of Zionist settlement, and it provides perspective on Israel's current and future challenges. 

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knows? Perhaps it would be worthwhile to at least try to conduct serious negotiations toward actualizing the idea. It is certainly not worse than the current situation, and, in the worst case, should the negotiations fail, we can always go back to the current cycle of violence.

Taken together, these three scenarios show just how important it is that the question of settlements be resolved, and as soon as possible. Politicians prefer to defer hard decisions, but here we are talking about a matter — of grinding difficulty in the present — whose very deferral will exact an enormously stiff price, and make it even harder to resolve. 

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Sh'ma is published by Jewish Family & Life! monthly except July and August. Application to mail at periodical-class postage rates pending at Newton, MA 02464. **POSTMASTER:** Send address changes to *Sh'ma*, P.O. Box 9129, Newton, MA 02464. Subscriptions: \$49 for two years in U.S.; \$29 for one year; \$39 for one year overseas; \$59 for two years overseas; \$21.97 for one year senior/student. Bulk subscriptions are available at reduced prices. Please notify the subscription office in writing if you prefer that your name not be given out on rented lists.

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ISSN: 0049-0385 May 2004

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CONTROL OF CONTENT.

Aבנאי, a builder, builds a home on a foundation. To what degree is our foundation the “Land” and to what degree are Jewish values paramount? While God promised us *Eretz Yisrael* in perpetuity, our physical control of the “Land” is conditional on observance of the *brit*, the covenant. The *brit* requires respecting the *Tzelem Elokim*, the Divine Image, in every human being — including the stranger, orphan, and widow.

Israel has the western world's second largest gap between rich and poor. Some 20 percent of Israelis

are hungry; 33 percent of Israeli children live in poverty. The Commission headed by High Court Justice Theodore Or recently exposed, again, pervasive discrimination against Israeli Arabs. Whether we believe in the Greater Land of Israel or a two-state solution, Israelis are not respecting the *Tzelem Elokim* of Palestinians (or improving security) when we expropriate Palestinian land for settlements, prevent Arabs from building legally, or deny them access to medical care, running water, land, and olive trees. We can and must do better. This is both the right thing to do and it is in Israel's best interest.

— Arik Ascherman

Where is it more appropriate for Jews to return to the Land, “to build it and to be built up in it,” than in Judea and Samaria, the biblical homeland of the Jewish people? Within any definition of “the Land,” this ancient and historical Jewish space surely belongs within its boundaries.

Can Jews rebuild the land, or themselves, if they “oppress” and “do away with” another people? Surely not. But for Jews to live among Palestinians in Judea and Samaria is no more oppressive than for Palestinians to live among Jews in Israel. What modern ethical values require Jews to relinquish their rights acquired through divine gift, ancestral purchase, international law, centuries of settlement, and the spoils of war — to enemies sworn to annihilate them? Not a single Palestinian should be “done away with.” Nor, however, should Jews who live among them be exiled to satisfy the claims of hostile enemies or guilt-ridden friends. Within the boundaries of the ancient Land of Israel, a nation with a Palestinian majority, called Jordan, already exists. No principle of ethics except Jewish self-abnegation requires another Palestinian state at the expense of Israel, or another exodus of Jews from their biblical homeland.

— Jerold S. Auerbach

My father, Shlomo Carlebach, z”l, always said that we will experience the ultimate redemption when all Jews are living in Israel, and even more so, when it is clear to each and every one of us that we deserve to be there. We have an obligation not only to build the land, but to allow our relationship with the land to build us — to strengthen our hearts, our minds, and our belief in God's promise to us. In Israel I connect with God, my past, my present, and my future in such a deep and personal way. I feel a sense of Jewish community and holiness that I don't experience elsewhere.

Throughout our tumultuous history, if living in harmony with others was an option, it was happily embraced. However, when people kill themselves to ensure that Jews are killed, the responsibility of having an inherent godliness, is to fight and live.

This relationship, like other meaningful relationships of this world, is not so easy. The struggle that Jews have experienced in order to make Israel their home is heartbreaking. Especially when people are killing themselves and terrorizing Israelis, we have a responsibility to fight and live. *Chazek et yedai maginey eretz kodsheinu* — “Strengthen the Hands of Those Who Defend our Holy Land” (from “A Prayer for the State of Israel”).

Every nation has a homeland somewhere. Israel is my home, even though I have not yet made *aliyah*. And it is the home of all those who are still on their way.

— Neshama Carlebach

“We have come to The Land to build it and be built up in it.”

— a pioneer song

אנו באנו ארצה לבנות ולהיבנות בה

The essence of this famous pioneer song is found in the root “בנה,” which is focused on building or constructing and perhaps even strengthening. By our coming to Israel and settling the land we are building the land and building ourselves through the process. We will achieve our ultimate goal of living in a messianic time when we will be a free people in *Eretz Yisrael*, the land of Israel.

What does it mean to be in our own land? Rav A. Y. Kook wrote “...the whole world (will) learn how we are upholding our holy standard, what is the true content of our life; then it will learn how the people of the divine Torah are again rising with all its heavenly might to rebuild itself in its divine land.” What is the definition of the “Land”? Is it the entire biblical land of Israel or is it a section of the land of Israel determined by modern political boundaries? If we are to build ourselves as we build up the land then we have to reflect the ethics, values, and principles that guide us as a Jewish people. After all, we are created “*betzelem Elokim*” and this means we must reflect an aspect of godliness in the way we live our lives. Thus, living in our own land, developing ourselves, and reflecting our values means we must continue the processes of evolving as a people through adaptation and join our ethics and values with our reality.

Can we build a land and be built by the process and simultaneously oppress another people for the sake of the land? Can we follow in the footsteps of Joshua in the 21st century and do away with another people? The question that remains is how do we fulfill God's promise and be true to the ethics and values that guide us? We will only be built by the process if the process is a reflection of the essence of who we are as a Jewish people.

— Stephen G. Donshik



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Let us hear

Stephen G. Donshik, D.S.W., Director of the Israel Office of UJA-Federation of New York, lives in Efrat, Israel, with his family and has been in Israel for more than 20 years.

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Neshama Carlebach, following in her father's tradition of soul singing, storytelling, and teaching, travels to sing and promote the upcoming release of her fifth CD.

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Sigi Ziering Ethics

This month's practical ethics column focuses on ethics in the Jewish communal workplace. The column is co-sponsored by Shelley and Bruce Whizin and Marilyn Ziering in honor of Marilyn's husband Sigi Ziering, of blessed memory. The series of columns, with responses, is available on www.shma.com.

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LEGAL PRINCIPLES and normative bioethical analysis should be clear; but in reality, decision-making in the context of families tends to be muddy. This axiom is a fact in any medical center. Consider the following case of a 75-year-old patient who was admitted to a hospital with a narrowing of the cardiac valve:

The patient had visited the Emergency Department of a hospital four times over the past few months for difficulty breathing but was alert and conversant when admitted to the medical center. Before her admission she had appointed one of her five children, a daughter, to make decisions for her if she were not able to do so.

This appointment, called either a proxy appointment or a durable power of attorney for health care decision-making, selects a person to make decisions for a patient if she is not able to do so. This person, proxy, or agent, is empowered to make decisions according to a set of decision-guiding standards: first, the explicitly communicated wishes and preferences of the previously capable patient, expressed either verbally or in writing; second, according to a standard of "substituted judgment" that is a notion extrapolated from her patterns of life, values, and relationships; and third, in the absence of guidance from the first and second standards, what is in the "best interest" of the patient. Some patients, who do not appoint a specific person, complete a "Living Will," which outlines preferences and directives.

The patient had a Living Will that stated the list of interventions that she would not want if her condition were "terminal." After two surgeries, an infection, and renal failure, she went into cardiac arrest and was placed on a ventilator. At that point a bioethics mediation was called by the clinical care coordinator who thought that a do-not-resuscitate order (DNR) would be appropriate.

Present at the mediation were the cardiac surgeon and a surgical fellow, the daughter/proxy and her husband, the nurse coordinator, and the mediator. The surgeon began by stating that the patient was not terminally ill and that all aggressive measures were medically appropriate. The daughter, with some encouragement from the mediator, shared her earlier discussions with her mom and the fact that her mom would not want to have these interventions if she were so sick. At this point the husband accused his wife of abandoning her mom, being less of an advocate than the situation required, and being responsible for the death if her mom died. Under the assault of the surgeon and her husband, the patient's daughter agreed that a DNR order should not be written. Some time later, after the patient's conditioned weakened, the surgeon consulted again with the daughter, and later wrote a DNR order for the patient.

A number of lessons emerge from this case. It is difficult to be a proxy in the real world of a dying patient. Medical facts, especially prognoses, are difficult to establish with certainty, and uncertainty leaves the proxy with few markers for the "right" decision. Family disagreement can undermine the commitments of the proxy as the prospect of death is so daunting and final. Doctors and nurses face death daily; for families this singular confrontation can be disorienting. Disagreement among the family members may place the proxy in the position of opting for future stable relationships over past commitments — going forward in calm may overwhelm the need to honor past commitments, especially if the patient is no longer aware and sentient. 

The conclusion of this column can be found on www.shma.com.

May 2004 / Sivan 5764