



מכון שאלום הרטמן
SHALOM HARTMAN INSTITUTE

Together & Apart: The Future of Jewish Peoplehood

Session Seven: Dual Loyalty

with Rabbi Lauren Berkun

1. Exodus 1:8–10

וַיָּקָם מֶלֶךְ-חָדָשׁ, עַל-מִצְרַיִם, אֲשֶׁר לֹא-יָדַע, אֶת-יוֹסֵף. וַיֹּאמֶר, אֶל-עַמּוֹ: **הֲיֵנָה, עַם בְּנֵי יִשְׂרָאֵל--רַב וְעָצוּם**, מִמֶּנּוּ. הֲבֵנָה נִתְחַכְמָה, לוֹ: פֶּן-יִרְבֶּה, וְהָיָה כִּי-תִקְרָאנָה מִלְחָמָה וְנוֹסְף גַּם-הוּא עַל-שְׂנְאֵינוּ, וְנִלְחַם-בָּנוּ, וְעָלָה מִן-הָאָרֶץ.

A new king arose over Egypt who did not know Joseph. And he said to his people, “Look, the Israelite people are much too numerous for us. Let us deal shrewdly with them, so that they may not increase; otherwise in the event of war they may join our enemies in fighting against us and rise from the ground.”

2. Esther 3:8–11

וַיֹּאמֶר הָמוֹן, לְמֶלֶךְ אַחַשְׁוֵרוּשׁ--יִשְׁנֹו עַם-אֶחָד מִפְּזָר וּמִפֶּרֶד בֵּין הָעַמִּים, בְּכֹל מְדִינֹות מְלְכוּתָךְ; וְדַתֵּיהֶם שְׁנוֹת מִכָּל-עַם, וְאֶת-דַּתֵּי הַמֶּלֶךְ אֵינָם עֹשִׂים, וְלְמֶלֶךְ אֵין-שׁוּהָ, לְהַנִּיחָם. אִם-עַל-הַמֶּלֶךְ טוֹב, יִכְתֹּב לְאַבְדָּם; וְעֲשֶׂרֶת אֲלָפִים כֶּפֶר-כֶּסֶף, אֲשֶׁקֹּוּל עַל-יָדֵי עֹשֵׂי הַמְּלָאכָה, לְהַבִּיא, אֶל-גִּנְזֵי הַמֶּלֶךְ. וַיִּסֶר הַמֶּלֶךְ אֶת-טַבַּעְתּוֹ, מֵעַל יָדוֹ; וַיִּתְּנָהּ, לְהָמוֹן בְּן-הַמְּדַתָּא הָאֲגָגִי-צֶרֶר הַיְהוּדִים. וַיֹּאמֶר הַמֶּלֶךְ לְהָמוֹן, הַכֶּסֶף נָתוֹן לָךְ; וְהָעַם, לַעֲשׂוֹת בּוֹ כְּטוֹב בְּעֵינֶיךָ.

Haman then said to King Ahasuerus, “There is a certain people, scattered and dispersed among the other peoples in all the provinces of your realm, whose laws are different from those of any other people and who do not obey the king's laws; and it is not in Your Majesty's interest to tolerate them. If it please Your Majesty, let an edict be drawn for their destruction, and I will pay ten thousand talents of silver to the stewards for deposit in the royal treasury.” Thereupon the king removed his signet ring from his hand and gave it to Haman son of Hammedatha the Agagite, the foe of the Jews. And the king said, “The money and the people are yours to do with as you see fit.”

3. Jerusalem Talmud Sukkah 55b

בימי טרוגיינוס הרשע נולד לו בן בתשעה באב והיו מתעניין. מתה בתו בחנוכה והדליקו נרות ושלחה אשתו ואמרה לו עד שאת מכבש את הברבריים בוא וכבוש את היהודים שמרדו בך. חשב מיתי לעשרה יומין ואתא לחמשה. אתא ואשכחון עסיקין באורייתא בפסוקא (דברים כח) ישא ה' עליך גו מרחק מקצה הארץ וגו'. אמר לון מה הויתון עסיקין אמרין ליה הכין וכן. אמר לון דוא גברא הוא דחשב מיתי לעשרה יומין ואתא לחמשה והקיפן ליגיונות והרגן. אמר לנשיהן נשמעות אתם לליגיונתי ואין אני הורג אתכם אמרין ליה מה דעבדת בארעיא עביד בעיליאי ועירב דמן בדמן והלך הדם בים עד קיפריס. באותה השעה נגדעה קרן ישראל ועוד אינה עתידה לחזור למקומה עד שיבוא בן דוד.

In the time of the wicked Trajan, a son was born to him on the 9th of Av and they were fasting. His daughter died on Hanukkah and they lit candles. His wife sent to him and said, "Before you conquer the barbarians, come conquer the Jews who rebelled against you." He intended to come in 10 days and made it in 5. He came and found them engaged in Torah study, on the verse "He will cast upon you a nation from afar, from the edge of the earth, etc." He said to them, "What are you studying?" They said, "this." He said to them, "It is this man, who intended to come in 10 days and came in 5." He surrounded them with legionnaires and massacred them. He said to their wives, "Obey my legionnaires and I won't kill you." They said to him, "What you did to the fallen, do also to the standing." He commingled their blood and the blood flowed in the sea until Cyprus. At that moment a horn of Israel was cut and is destined never to return to its place until the son of David comes.

4. Napoleon's Instruction to the Assembly of Jewish Notables, 1806, excerpt, in Paul Mendes-Flohr and Jehuda Reinharz, eds., *The Jew in the Modern World: A Documentary History*, 2nd ed., pp. 125–6

His Majesty, the Emperor and King, having named us Commissioners to transact whatever relates to you, has this day sent us to this assembly to acquaint you with his intentions. [...]

The wish of His Majesty is, that you should be Frenchmen; it remains with you to accept the proffered title, without forgetting that, to prove unworthy of it, would be renouncing it altogether.

[...]

As to us, our most ardent wish is to be able to report to the Emperor, that among individuals of the Jewish persuasion, he can reckon as many faithful subjects, determined to conform in everything to the laws and to the morality, which ought to regulate the conduct of all Frenchmen.

[One of the secretaries (proceeded to read the following) questions proposed to the Assembly of the Jews by the Commissioners named by His Majesty the Emperor and King.]

...

Is it lawful for Jews to marry more than one wife?

Is divorce allowed by the Jewish religion?

Is divorce valid, when not pronounced by courts of justice, and by virtue of laws in contradiction with the French code?

Can a Jewess marry a Christian, or a Jew a Christian woman?

Or has the law ordered that the Jews should only intermarry among themselves?

In the eyes of the Jews, are Frenchmen considered as brethren or as strangers?

In either case, what conduct does their law prescribe toward Frenchmen not of their religion?

Do the Jews born in France, and treated by the law as French citizens, consider France as their country? Are they bound to defend it? Are they bound to obey the laws, and to follow the directions of the civil code?

What kind of police jurisdiction have the Rabbis among the Jews? What judicial power do they exercise among them?

Are the forms of the elections of the Rabbis and their police jurisdiction regulated by the law, or are they only sanctioned by custom?

Are there professions from which the Jews are excluded by their law?

Does the law forbid the Jews from taking usury from their brethren?

Does it forbid or does it allow usury toward strangers?

5. **The Assembly of Jewish Notables, Answers to Napoleon, 1806, in Mendes-Flohr and Reinhartz, pp. 128–30**

Resolved, by the French deputies professing the religion of Moses, that the following Declaration shall precede the answers returned to the questions proposed by the Commissioners of His Imperial and Royal Majesty.

The assembly, impressed with a deep sense of gratitude, love, respect, and admiration for the sacred person of His Imperial and Royal Majesty, declares, in the name of all Frenchmen professing the religion of Moses, that they are fully determined to prove worthy of the favors His Majesty intends for them, by scrupulously conforming to his paternal relations; that their religion makes it their duty to consider the law of the prince as the supreme law in civil and political matters; that consequently, should their religious code, or its various interpretations, contain civil or political commands, at variance with those of the French code, those commands would, of course, cease to influence and govern them, since they must, above all acknowledge and obey the laws of the prince.

That, in consequence of this principle, the Jews have, at all times, considered it their duty to obey the laws of the State, and that, since the revolution, they, like all Frenchmen, have acknowledged no others.

[...]

Fourth Question: *In the eyes of Jews, are Frenchmen considered as their brethren? Or are they considered as strangers?*

Answer: In the eyes of Jews, Frenchmen are their brethren and are not strangers.

[...]

A religion whose fundamental maxims are such – a religion which makes a duty of loving the stranger – which enforces the practice of social virtues, must surely require that its followers should consider their fellow citizens as brethren.

And how could they consider them otherwise when they inhabit the same land, when they are ruled and protected by the same government, and by the same laws? When they enjoy the same rights, and have the same duties to fulfill? There exists, even between the Jew and Christian, a tie which abundantly compensates for religion – it is the tie of gratitude. This sentiment was at first excited in us by the mere grant of toleration. It has been increased, these eighteen years, by new favors from government, to such a degree of energy, that now our fate is irrevocably linked with the common fate of all Frenchmen.

Yes, France is our country; all Frenchmen are our brethren, and this glorious title, by raising us in our own esteem, becomes a sure pledge that we shall never cease to be worthy of it.

[...]

Sixth Question: *Do Jews born in, and treated by the laws as French citizens, consider France their country? Are they bound to defend it? Are they bound to obey the laws and to conform to the dispositions of the civil code?*

Answer: Men who have adopted a country, who have resided in it these many generations—who, even under the restraint of particular laws which abridged their civil rights, were so attached to it that they preferred being debarred from the advantages common to all other citizens, rather than leave it—cannot but consider themselves Frenchmen in France, and they consider as equally sacred and honourable the bounden duty of defending their country.

Jeremiah (chapter 29) exhorts the Jews to consider Babylon as their country, although they were to remain in it only for seventy years. He exhorts them to till the ground, to build houses, to sow, and to plant. His recommendation was so much attended to, that Ezra (chapter 2) says, that when Cyrus allowed them to return to Jerusalem to rebuild the Temple, 42,360 only, left Babylon; and that this number was mostly composed of the poor people, the wealthy having remained in that city.

The love of the country is in the heart of Jews a sentiment so natural, so powerful, and so consonant to their religious opinions, that a French Jew considers himself in England as among strangers, although he may be among Jews; and the case is the same with English Jews in France.

To such a pitch is this sentiment carried among them, that during the last war, French Jews, have been seen fighting desperately against other Jews, the subjects of countries then at war with France.

Many of them are covered with honourable wounds, and others have obtained, in the field of honour, the noble rewards of bravery.

6. Louis Brandeis, "The Jewish Problem: How to Solve It," 1915

Let no American imagine that Zionism is inconsistent with Patriotism. Multiple loyalties are objectionable only if they are inconsistent. A man is a better citizen of the United States for being also a loyal citizen of his state, and of his city; for being loyal to his family, and to his profession or trade; for being loyal to his college or his lodge. Every Irish American who contributed towards advancing home rule was a better man and a better American for the sacrifice he made. Every American Jew who aids in advancing the Jewish settlement in Palestine, though he feels that neither he nor his descendants will ever live there, will likewise be a better man and a better American for doing so.

Note what Seton-Watson says:

"America is full of nationalities which, while accepting with enthusiasm their new American citizenship, nevertheless look to some centre in the old world as the source and inspiration of their national culture and traditions. The most typical instance is the feeling of the American Jew for Palestine which may well become a focus for his declassé kinsmen in other parts of the world." (The War and Democracy, p. 290)

There is no inconsistency between loyalty to America and loyalty to Jewry. The Jewish spirit, the product of our religion and experiences, is essentially modern and essentially American. Not since the destruction of the Temple have the Jews in spirit and in ideals been so fully in harmony with the noblest aspirations of the country in which they lived.

America's fundamental law seeks to make real the brotherhood of man. That brotherhood became the Jewish fundamental law more than twenty-five hundred years ago. America's insistent demand in the twentieth century is for social justice. That also has been the Jews' striving for ages. Their affliction as well as their religion has prepared the Jews for effective democracy. Persecution broadened their sympathies. It trained them in patient endurance, in self-control, and in sacrifice. It made them think as well as suffer. It deepened the passion for righteousness.

Indeed, loyalty to America demands rather that each American Jew become a Zionist. For only through the ennobling effect of its strivings can we develop the best that is in us and give to this country the full benefit of our great inheritance. The Jewish spirit, so long preserved, the character developed by so many centuries of sacrifice, should be preserved and developed further, so that in America as elsewhere the sons of the race may in future live lives and do deeds worthy of their ancestors.

7. David Ben Gurion, Excerpt from Address to the Knesset on the Law of Return, July 3, 1950, in Mendes-Flohr and Reinhartz, pp. 631–2

The Law of Return is one of the Basic Laws of the State of Israel. It comprises the central mission of our state, namely, ingathering of exiles. This law determines that it is not the state that grants the Jew from abroad the right to settle in the state. Rather, this right is inherent in him by the very fact that he is a Jew, if only he desires to join in the settlement of the land. In the State of Israel the Jews have no right of priority over the non-Jewish citizens. The State of Israel is grounded on the full equality of rights and obligations for all its citizens. This principle was also laid down in the Proclamation of Independence.... The right to return preceded the State of Israel and it is this right that built the state. This right originates in the unbroken historical connection between the people and the homeland, a connection which has also been acknowledged in actual practice by the tribunal of the peoples.

8. Excerpts from Exchange Between AJC President Jacob Blaustein and PM David Ben Gurion, in Mendes-Flohr and Reinhartz, pp. 524–8

STATEMENTS BY PRIME MINISTER DAVID BEN-GURION AND MR. JACOB BLAUSTEIN ON THE RELATIONSHIP BETWEEN ISRAEL AND AMERICAN JEWS AUGUST 23, 1950

MR. BEN-GURION: We are very happy to welcome you here in our midst as a representative of the great Jewry of the United States to whom Israel owes so much. No other community abroad has so great a stake in what has been achieved in this country during the present generation as have the Jews of America. Their material and political support, their warm-hearted and practical idealism, has been one of the principal sources of our strength and our success. In supporting our effort, American Jewry has developed, on a new plane, the noble conception, maintained for more than half a century, of extending its help for the protection of Jewish rights throughout the world and of rendering economic aid wherever it was needed. [...] It is most unfortunate that since our State came into being some confusion and misunderstanding should have arisen as regards the relationship between Israel and the Jewish communities abroad, in particular that of the United States. These misunderstandings are likely to alienate sympathies and create disharmony where friendship and close understanding are of vital necessity. To my mind, the position is perfectly clear. The Jews of the United States, as a community and as individuals, have only one political attachment and that is to the United States of America. They owe no political allegiance to Israel. In the first statement which the

representative of Israel made before the United Nations after her admission to that international organization, he clearly stated, without any reservation, that **the State of Israel represents and speaks only on behalf of its own citizens and in no way presumes to represent or speak in the name of the Jews who are citizens of any other country.** We, the people of Israel, have no desire and no intention to interfere in any way with the internal affairs of Jewish communities abroad. The Government and the people of Israel fully respect the right and integrity of the Jewish communities in other countries to develop their own mode of life and their indigenous social, economic and cultural institutions in accordance with their own needs and aspirations. [...] In this connection let me say a word about immigration. We should like to see American Jews come and take part in our effort. We need their technical knowledge, their unrivalled experience, their spirit of enterprise, their bold vision, their "know-how." We need engineers, chemists, builders, work managers and technicians. The tasks which face us in this country are eminently such as would appeal to the American genius for technical development and social progress. But the decision as to whether they wish to come — permanently or temporarily — rests with the free discretion of each American Jew himself. It is entirely a matter of his own volition. We need halutzim, pioneers, too. Halutzim have come to us — and we believe more will come, not only from those countries where the Jews are oppressed and in "exile" but also from countries where the Jews live a life of freedom and are equal in status to all other citizens in their country. But the essence of halutzit is free choice. They will come from among those who believe that their 65 aspirations as human beings and as Jews can best be fulfilled by life and work in Israel. I believe I know something of the spirit of American Jewry among whom I lived for some years. I am convinced that it will continue to make a major contribution towards our great effort of reconstruction, and I hope that the talks we have had with you during these last few days will make for even closer cooperation between our two communities.

MR. BLAUSTEIN: [...] But more than that, **what you are doing and creating in this corner of the Middle East is of vital importance not only to you and to Jews, but to humanity in general. For I believe that the free and peace-loving peoples in the world can look upon Israel as a stronghold of democracy in an area where liberal democracy is practically unknown and where the prevailing social and political conditions may be potential dangers to the security and stability of the world.** What President Truman is intending to do under his Four Point Program, in assisting underdeveloped peoples to improve their conditions and raise their standards of living, you here to a large extent have been doing right along under most difficult conditions and at great sacrifice [...]

I thought I knew it even before I came to this country on this trip, but my visit has made it still more clear to me—and as an American citizen and a Jew I am gratified—that the Israeli people want democracy and, in my opinion, will not accept any dictatorship or totalitarianism from within or from without.

Democracy, like all other human institutions, has its faults; and abuses are possible. But the strength of a democratic regime is that these faults and these abuses can be corrected without the destruction of human rights and freedoms which alone make life worth living.

There is no question in my mind that a Jew who wants to remain loyal to the fundamental basis of Judaism and his cultural heritage, will be in the forefront of the struggle for democracy against totalitarianism.

The American Jewish community sees its fortunes tied to the fate of liberal democracy in the United States, sustained by its heritage, as Americans and as Jews. We seek to strengthen both of these vital links to the past and to all humanity by enhancing the American democratic and political system, American cultural diversity and American well-being.

As to Israel, the vast majority of American Jewry recognizes the necessity and desirability of helping to make it a strong, viable, self-supporting state. This, for the sake of Israel itself, and the good of the world.

The American Jewish Committee has been active, as have other Jewish organizations in the United States, in rendering, within the framework of their American citizenship, every possible support to Israel; and I am sure that this support will continue and that we shall do all we can to increase further our share in the great historic task of helping Israel to solve its problems and develop as a free, independent and flourishing democracy. [...]

In this connection, you are realists and want facts and I would be less than frank if I did not point out to you that American Jews vigorously repudiate any suggestion or implication that they are in exile. American Jews—young and old alike, Zionists and non-Zionists alike—are profoundly attached to America. America welcomed their immigrant parents in their need. Under America's free institutions, they and their children have achieved that freedom and sense of security unknown for long centuries of travail. American Jews have truly become Americans; just as have all other oppressed groups that have ever come to America's shores.

To American Jews, America is home. There, exist their thriving roots; there, is the country which they have helped to build; and there, they share its fruits and its destiny. They believe in the future of a democratic society in the United States under which all citizens, irrespective of creed or race, can live on terms of equality. They further believe that, if democracy should fail in America, there would be no future for democracy anywhere in the world, and that the very existence of an independent State of Israel would be problematic. Further, they feel that a world in which it would be possible for Jews to be driven by persecution from America would not be a world safe for Israel either; indeed it is hard to conceive how it would be a world safe for any human being.

ADDENDUM: Spheres of Loyalty and Obligation

I. Talmud Nedarim 80b-81a

One ruling of R. Yosi contradicts another of his: With respect to a spring belonging to the residents of the city, when it is a question of their own lives or the lives of others, their own lives take precedence over the lives of others; their own cattle or the cattle of others, their own cattle take precedence over the cattle of others; their own laundering or the laundering of others, their own laundering takes precedence over the laundering of others. But if the choice lies between the lives of others and their own laundering, the lives of others takes precedence over their own laundering. R. Yosi ruled: Their own laundering takes precedence over the lives of others.

Now, if to [refrain merely from] washing one's garment is a hardship in R. Yosi's view, how much more so with respect to [bathing] the body? – I will tell you: In R. Yosi's opinion, laundering is indeed of greater importance than bathing. For Samuel said: Uncleanliness of the head leads to blindness; uncleanliness of garments leads to madness; uncleanliness of the body leads to boils and sores.

Isi b. Judah did not come to the academy of R. Yosi for three days. Vardimus, the son of R. Yosi, met him and asked, "Why have you Sir, not been for these last three days at my father's school?" He replied, "Seeing that I do not know your father's grounds [for his rulings], why should I attend?" "Please repeat, Sir, what he told you," he urged; "perhaps I may know the reason." Said he, "As to what was taught, 'R. Yosi said: Their own laundering takes precedence over the lives of others,' where do we have a verse [to support this?]" Said he, "Because it is written, 'And their open spaces shall be for their cattle, and for their goods, and for all their beasts [*hayyatam*]' (Num. 35:3). Now, what is meant by *hayyatam*? If you say [that it means] 'beasts' – are not beasts included in [the category of] cattle? And if [you say] *hayyatam* means 'actual living,' that is too obvious. Rather, it must surely refer to laundering, [and laundering is referred to as "living"] because there is suffering of uncleanliness.

ורמי דרבי יוסי אדר' יוסי : מעיין של בני העיר, חייהן וחיי אחרים - חייהן קודמין לחיי אחרים, בהמתם [ובהמת אחרים - בהמתם] קודמת לבהמת אחרים, כביסתן וכביסת אחרים - כביסתן קודמת לכביסת אחרים, חיי אחרים וכביסתן - חיי אחרים קודמין לכביסתן, רבי יוסי אומר : כביסתן קודמת לחיי אחרים ; השתא כביסה, אמר רבי יוסי יש בה צער, (פא עמוד א) גוף כולו לא כל שכן! אמרי : אין, כביסה אלימא לר' יוסי, דאמר שמואל : האי ערבוביתא דרישא מתיא לידי עורא, ערבוביתא דמאני מתיא לידי שעמומיתא, ערבוביתא דגופא מתיא לידי שיחני וכיבי...

איסי בר יהודה לא אתא למתיבתא דר' יוסי תלתא יומי, אשכחיה ורדימוס בר' יוסי, א"ל: מאי טעמא לא אתי מר לבי מדרשא דאבא הא תלתא יומין? א"ל: כי טעמיה דאבוך לא ידענא, היכא איתאי? א"ל: לימא מר מאי קא"ל, דלמא ידענא טעמיה. א"ל: הא דתניא, ר' יוסי אומר: כביסתן קודמין לחיי אחרים, קרא מנלן? א"ל, דכתיב: (במדבר לה) ומגרשיהם יהיו לבהמתם וגו', מאי חיייתם? אילימא חיה, והלא חיה בכלל בהמה היא! אלא מאי חיייתם? חיותא ממש, פשיטא! אלא לאו כביסה, דהא איכא צערא דערבוביתא.

II. Babylonian Talmud Shabbat 54b

Whoever has the ability to protest against the members of his household but does not protest is punished for [the transgressions of] the members of his household. [If one can protest] against the people of his town [but does not] he is held accountable for [the sins of] the people of his town. [If he can protest] against the whole world [but does not] he is held accountable for [the sins of] the whole world. Rav Pappa observed, "And the members of the Exilarch's household are held accountable for the whole world." This is as Rabbi Hanina said: Why is it written, "The Lord will enter into judgment with the elders of His people, and its rulers" (Isaiah 3:14)? If the rulers sinned, how did the elders sin? The answer is that the elders sinned because they did not protest against the rulers.

כל מי שאפשר למחות לאנשי ביתו ולא מיחה - נתפס על אנשי ביתו, באנשי עירו - נתפס על אנשי עירו, בכל העולם כולו - נתפס על כל העולם כולו. אמר רב פפא: והני דבי ריש גלותא נתפסו על כולי עלמא. כי הא דאמר רבי חנינא: מאי דכתיב (ישעיהו ג) ה' במשפט יבא עם זקני עמו ושריו, אם שרים חטאו - זקנים מה חטאו? אלא, אימא: על זקנים שלא מיחו בשרים.