



Center for Jewish Ethics

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**“Regarding the Limits of Permissible Zionist Support for Israel  
and the Correlating Obligations Upon American Jews”**

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## שאלה:

With the pendulum swing from left to right, and back again, of Israeli politics, American Jews find themselves oft-conflicted between their expression of Zionist support for the State of Israel and disagreement with particular government actions. Is there a line in the sand? At this time of increasingly hawkish, right-wing Israeli government actions, is it still permissible to support the Israeli government? Do American Jews have an obligation to respond to Israeli actions perceived to be beyond the pale?

## תשובה:

### I. INTRODUCTION

This paper addresses a sensitive underbelly of American Judaism. Zionism is in many ways at the core of American Jewish identity, as will be shown. Furthermore, the following pages will demonstrate clearly problematic behavior on the part of the Israeli government. The question, then, is what implications there may be from the intersection of these two realities. Do American Jews have an obligation to stand up against alleged injustices carried out by the Israeli government? What might be the extent of this obligation, and to what extent is it based on subjective perception? Must American Jews question every action with which they disagree? How is one to know when the tradition demands they speak out?

For decades now, American Jews have, by and large, preferred to remain silent. The pervasive attitude in communal organizations is to let Israelis govern themselves, and to allow decisions to be made by those most directly affected by their consequences. The *de facto* policy of American Jews is to offer overarching support for the Jewish state - financial and political - and then to let Israelis choose how to wield the power they derive from this support. The time has come to question and examine the halakhic permissibility of this pattern.

### II. IDENTIFYING THE PROBLEM

Modern Judaism evolved in a vacuum devoid almost entirely of Jewish self-determination, and early on in its development defined itself as a religion subservient to another political power. Middle Eastern, African, and European Jewish communities all thrived at the whim of their more powerful host-countries, living semi-autonomously as foreigners within their own land. In nineteenth and twentieth-century America, however, Jews for the first time found themselves welcomed as equals within a political system that they could influence, a highly vocal and effective minority. This power by and large came as a result of Jews' willingness to assimilate into society at large, dropping most communal autonomy to which Jews had become accustomed over the centuries.

Not that this was undesired. Modernity and liberal society's promise of individuality and tolerance were and remain greatly valued treasures of our own time. Judaism has thrived in America in ways never seen before. Jews permeate every corner of society - its highest rungs of power, and its most depressing lows of helplessness. The tale of America has been one of boundless success and integration for the Jewish people, as never before seen in the people's history.

With the emergence of Zionism and the establishment of the State of Israel in 1948, however, American Jews were forced to grapple with expressions of loyalty and Americanness. At the same time as many Jews were eager to show their devoted American identity, most religious communities, including the Conservative Movement, found (or eventually found) comfort in an expression of Zionism parallel to their national patriotism. Israeli flags found their way into synagogues and other communal institutions alongside their American counterparts. “Dual-allegiance” was not a dirty phrase. Zionism was a religious expression separate from and congruous with civic dedication. Jews could comfortably live as both proud Americans and dedicated Zionists.

Sixty years of Israeli independence have transformed American Jewish understandings of self, expressions of identity and grappings with notions of power. Zionism is accepted as a given throughout Jewish institutions and communities. Across the board, Jews and American Jewish organizations are supportive of Israel, and silent regarding most of the State’s particular policies. This support has existed for many decades; it is nothing new, but current political realities are such that American Jewish support for Israel buttresses a government coalition unique in its right-wing characteristics, and that has left many Jews wondering if it is time to reevaluate the nature of the relationship.

Even the pages of *The New York Times* have opened themselves to debate over the nature of American Jewish support for Israel. In a recent essay, op-ed columnist Roger Cohen - himself Jewish - tells the story of Ira Stup, a young Zionist American Jew, who was disillusioned by the nature of Israeli injustices that he witnessed while living in the country. He was disturbed by these acts, however, only slightly less than he was by American Jewry’s hot-headed defense of actions that they would never condone in their own country.<sup>1</sup> Ira was certain that American Jews would be (and have been!<sup>2</sup>) up in arms were Americans found to be guilty of actions similar to those he witnessed committed by Israelis.

Similarly, Peter Beinart stirred immense controversy when he wrote an essay printed in the *New York Review of Books* in June, 2010, titled “The Failure of the American Jewish Establishment.” In his work, Beinart argues that there is a growing divide between the liberal political beliefs of most American Jews, on the one hand, and the support for increasingly conservative Israeli politics demanded both implicitly and explicitly by the American Jewish establishment, on the other. “For several decades, the Jewish establishment has asked American Jews to check their liberalism at Zionism’s door,”<sup>3</sup> Beinart writes. The gap between American Jewish politics and the political reality in the Israel they profess to support grows wider by the day.

As an example of this divide, Beinart points to the principles of the American Israel Public Affairs Committee, Washington’s mainstream pro-Israel lobby, and the Conference of Presidents of American Jewish Organizations, an umbrella group representing the organized

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<sup>1</sup> Roger Cohen, “The Real Jew Debate”, *The New York Times* (9 December 2010), Op-Ed Column.

<sup>2</sup> American Jews are routinely assessed as one of the most liberal minority groups in America, and have been found at the forefront of some of the last decades’ most vocal left-leaning political movements.

<sup>3</sup> <sup>3</sup> Peter Beinart, “The Failure of the American Jewish Establishment”, *New York Review of Books* (May 12, 2010).

Jewish community. He then highlights the differences between these principles and the actions of the Israeli leaders meant to embody them. Beinart notes:

In theory, mainstream American Jewish organizations still hew to a liberal vision of Zionism. On its website, AIPAC celebrates Israel's commitment to "free speech and minority rights." The Conference of Presidents declares that "Israel and the United States share political, moral and intellectual values including democracy, freedom, security and peace." These groups would never say, as do some in Netanyahu's coalition, that Israeli Arabs don't deserve full citizenship and West Bank Palestinians don't deserve human rights. But in practice, by defending virtually anything any Israeli government does, they make themselves intellectual bodyguards for Israeli leaders who threaten the very liberal values they profess to admire.<sup>4</sup>

Because the American Jewish community has, by and large, refused to publicly admonish particular Israeli government actions under the guise of allowing Israel its own autonomy, Beinart argues, American Jews have unwittingly become defenders of actions antithetical to their own morals. They implicitly lend support to a more-than-40-year occupation of the Palestinian population, growing ultra-Orthodox authority over Jewish affairs in the state, and a widening divide between Arab and Jewish citizens of Israel thanks, in large part, to the rise and expression of power of Israel's ultra-nationalist *Yisrael Beiteinu* political party. As Beinart summarizes in more jarring language, "Comfortable Zionism has become a moral abdication."

The problem, then, arises when general American support for the Jewish State, its people, its existence and its government provides cover and perceived support for particular policies which are themselves abhorrent, or contradict established Jewish values. Otherwise benign or even commendable expression of Zionism and the Jewish people's right to self-determination leads, in the current climate, to an abdication of responsibility for actions that the Israeli government has the political capital to commit in large part because of American Jewish support! American Jewish silence in the face of troubling Israeli actions seems to contradict the very Zionist ideals that American Jews espouse, while also undermining their most-cherished values and norms of behavior.

### III. AMERICAN ZIONISM

Let us take a step back and assess the nature of the American Jewish relationship with Israel. It is not the intention of this paper to argue whether or not Zionism is an incumbent sentiment in modern religious life. That question itself deserves ample space and its own *teshuvah*. What we can address here is the political reality of American Jews today, and use that fact as a basis for assessing our question at hand. Let us be clear, then, that the forthcoming statements are meant solely as descriptive, not prescriptive.

American Jews are, by and large, heavily Zionist in their sentiments, and have been so since before Israeli Independence in 1948. Zionism infuses all corners of American Jewish life. Israel is a significant part of childhood education in day schools, supplementary schools and summer camps. American *siddurim* across the denominational spectrum include prayers for

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<sup>4</sup>Beinart.

Israel, its government and its people.<sup>5</sup> Jewish institutions regularly raise both the American and Israeli flags side by side. The American Israel Public Affairs Committee has been rated one of the most powerful lobbying organizations in Washington D.C.<sup>6</sup> Birthright Israel, arguably the largest individual program in American Jewish life for the last decade, defines its identity-based education on one's relationship to and experience with Israel: the land, the state and the people. Says the organization's director of marketing, Gidi Mark, "I don't think it's political for Jews to support Israel. It should be an integral part of every Jew's identity."<sup>7</sup>

American Jewish Zionism is assumed by many to be a given. For religious and political reasons, the far right and left wings of the community generally fall outside of this basic understanding, but, by and large, the overwhelming majority of American Jews and Jewish institutions express Zionist support for the State of Israel to be a basic Jewish rite. Rabbi Elliot Dorff summarizes this sentiment succinctly: "To us it seems obvious that a Jew must be a Zionist. Jews may disagree about how to express their support for Israel, and they may disagree with some of the policies about the State of Israel; but in our day only a small minority of Jews would claim that Judaism can be separated from Zionism."<sup>8</sup> To be a Jew in America in the twenty-first century is to be a Zionist and a supporter of the Israeli state.

Yet it is just the caveat that Dorff alludes to in his own statement that is the subject of this paper. He notes that a Jew "must be a Zionist," yet may disagree "with some policies" of the state. We must define, then, the nature of both these statements. In what ways does Zionism manifest itself in American Jews, and what does it mean for these Jews to disagree "with some policies" of the State.

Certainly, most American Jewish Zionists have no intention of moving to Israel. Population statistics prove this point quite clearly. Israelis may define their own Zionism based on residential identity, but for Americans this is by and large an ideological stance about the rights of Jews to an autonomous country of their own in the Land of Israel. Zionism is an amorphous tenet that may manifest itself in extremely varying political beliefs. It makes no necessary claim on the nature of that state, the future of its relations with the non-Jews living within and outside its borders, and its particular territorial boundaries.

Things become problematic as we translate this ideological tenet into the real world of politics. The same could be said for many generally held Jewish beliefs. For example, across the religious spectrum, the majority of Jews would likely agree that belief in the coming of the Messiah is a central Jewish act of faith. While the tradition offers general parameters for defining this belief, the ideology is varied and unspecific, and in probing individual Jews, one would find a wide array of specific beliefs pertaining to this ideology. Some Jews may lean towards faith in a future Messianic era, an unspecific time of peace and stability, whereas, on the opposite end of the spectrum, many Jews joyously watch for the arrival of one man, the Messiah, who will ride

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<sup>5</sup> See *Sim Shalom*, *Gates of Prayer*, *Artscroll*, and many others.

<sup>6</sup> Jeffrey Birnbaum, "Washington's Power 25", *Fortune Magazine* (December 1997).

<sup>7</sup> Rachel Shabi, "Come, see Palestine!" *Salon.com* (June 2006).

<sup>8</sup> Elliot Dorff, *Conservative Judaism: Our Ancestors to Our Descendants* (New York: United Synagogue of Conservative Judaism, 1998), 218.

on his donkey into Jerusalem, proclaiming the establishment of God's kingdom and the building of the Third Temple. Between these two extremes is a wide plethora of different particular beliefs and actions that concretize an otherwise unspecific ideological act of faith. The ramifications of these different forms of belief are extensive. Under the umbrella of a Messianic understanding are black and white differences in Jewish behavior and in Jews' relationship with the world. One amorphous ideology can lead to a smorgasbord of opposing actions. In this regard, Zionism is no different from Messianism.

Zionist support leads American Jews toward involvement in Peace Now and the Zionist Organization of America; it manifests itself in the New Israel Fund and American Friends of Likud. It crosses the political spectrum, and leads to support for very diverging political beliefs. Zionism is a motivation behind American Jews who fight for religious equality in Israel, as well as for those who still dream of "Greater Israel." Zionism is the banner of ideology that can be waved by those on the right, just as easily as those on the left.

So then as we narrow in on the particularities of our posed question, we must be clear exactly to what it is that we are responding: we are seeking to define the boundaries of actions stemming from Zionist resolve.<sup>9</sup> Specifically, must a limit be placed on general support for the State of Israel resulting from across-the-board American Jewish Zionism because of Israeli government actions that purportedly negate specific Jewish values? Or, put another way, because American Jews are one of the most, if not the most, dependable stalwarts of the Jewish State, as a result of aforementioned ideologies, what responsibility does the community have in response to actions perceived to be outside of acceptable Jewish behavior? In order to address this question properly we must start by laying out some of the Israeli government actions being referenced that could be deemed problematic. Then, we will examine the halakhic sources that may influence this case.

#### IV. IS THIS A HALAKHIC ISSUE?

Generally, it is safe to conclude that Judaism is best-served by not mixing religion and politics. Halakhah is not a partisan system. It is neither Democratic nor Republican, not a card-carrying member of Likud or Labor. Jewish ethics, and the halakhic system that puts these values into practice, do not distinguish between particular political parties and positions. Halakhah is extra-political. It is a system that molds human behavior via overarching ethical values, interpersonal relational norms, and ritual-based communion with the Divine. Judaism is beyond politics. That is, except for when it is not.

While our tendency may be to separate out our religious system from the mundane world of everyday politics, we do not shy away from stating emphatically that halakhah takes particular stances on a wide spectrum of otherwise "political" issues. The Committee on Jewish Law and Standards has previously ruled on the permissibility of abortion - a clearly partisan issue in American politics if ever there was one. There are halakhic rulings on stem cell research, on

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<sup>9</sup> While this paper focuses on such actions as they negate Jewish values through hawkish behavior, it is entirely possible that the State could act in certain ways so liberal that they too demand questioning. Much has been written, for example, on the permissibility of Israel to give up land in exchange for peace, by Rabbi Immanuel Jakobovits of England.

euthanasia, and on the normalization of homosexuals.<sup>10</sup> Each of these is a fervently debated issue in contemporary American politics which divides its supporters and detractors on clear and stark partisan lines. True, in many cases of political debate, the Jewish tradition upholds general values rather than demanding a particular methodological approach. For example, in the cases cited above, lenient halakhic decisions are mostly based on such values as *pikuah nefesh* and *kavod habri'ot*, rather than specific and necessary Jewish support for particular politics. These *teshuvot* are Democratic-leaning only in their affect, not in their fundamental nature. Furthermore, Judaism makes few legal demands on economic theory or foreign policy, rather, it provides general values that could, dependent on policy, be supported by liberal and conservative political thinkers alike. Yet a tendency against making particular political demands on the Jew is hardly an abstinence from it entirely.

Halakhah, then, can, at times, take determined stands on political issues.<sup>11</sup> If such halakhic leanings towards specific norms within American politics exist, then no large leap of conjecture must be necessary to show that such leanings also translate to an Israeli framework. Too much is at stake Jewishly - the future of the world's largest Jewish community, the viability of the Third Jewish Commonwealth, the existence, protection and integrity of land historically and religiously crucial to the fabric of the Jewish people - for halakhah to lack concern for Israel's future, its leadership's choice in policies included. The question is not whether Jewish law concerns itself with specific political actions in Israel; that can be inferred directly from the American example. The question is what and how deep these concerns are, if and how they translate and affect non-Israeli Jews, and how they should be expressed. If American Jewish Zionism is directly or indirectly supporting Jewishly questionable practices, what is the halakhicly obligatory response?

## V. PROBLEMATIC BEHAVIOR

A caveat: the following paragraphs should not be read as an attack on the Israeli government. No country's leadership is free from blame; each commits its own wrongs. If anything, the Israeli government might be seen as a particularly moral leadership governing in the murky waters of an unnaturally inhospitable and complex environment. Sixty plus years of unending hot and cold wars will no doubt leave any government committing questionable actions. Israel is, in many ways, the "light unto the nations" that Isaiah and the country's Declaration of Independence both envision.<sup>12</sup> But meta-halakhic ideals rarely adapt to shifting context. There are some ways to bend the law and to adapt it to fit contemporary situations, but if the accusation is one of any unethical or anti-halakhic Israeli actions, the permissibility of which are not themselves being questioned, then that accusation stands regardless of case or context. This paper only singles out Israel because of the very nature of the question posed. It searches for, and will show, that *any* single action committed that is itself irreconcilable with Jewish living

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<sup>10</sup> A quick glance through the resources of the Rabbinical Assembly's *teshuvot* - online or in print - quickly reveals many "political" responsa.

<sup>11</sup> Most recently, see "Work, workers and the Jewish Owner", approved by the CJLS on May 28, 2008.

<sup>12</sup> "The State of Israel... will be based on freedom, justice and peace as envisaged by the prophets of Israel...", *Declaration of the Establishment of the State of Israel*.

is singularly proof for the larger point. One bad action does not necessarily taint an entire country's reputation; it does however have necessary implications on the halakhically obligatory reaction of the country's Jewish supporters.

Let that caveat not cloud the facts, however. The truth remains that the Israeli government is involved (though not uniquely) in the ongoing enactment of policies, many of which challenge or push the boundaries of acceptable and permissible Jewish behavior. Their extent is pervasive; they stretch from the realms of ecology to economy. The current Israeli government is as right-wing a ruling coalition as ever in modern memory of the State. Hebrew University Professor Ze'ev Sternhell, an expert on fascism and a winner of the prestigious Israel Prize, recently commented on Foreign Minister Avigdor Lieberman and the leaders of Shas in an Op-Ed in *Haaretz*, writing, "The last time politicians holding views similar to theirs were in power in post-World War II Western Europe was in Franco's Spain." With their blessing, "a crude and multifaceted campaign is being waged against the foundations of the democratic and liberal order." This is an issue personal to Sternhell; in the fall of 2008, he was injured when a settler set off a pipe bomb at his house.<sup>13</sup>

In such a climate, Israel has enacted policies across the board that challenge common notions of a liberal democracy enacting peace-seeking behavior. Any one problematic action on the part of the Israeli government would demand a response by those Jews who express support for the State, as will be shown. But one in particular, a single policy splashed endlessly on pages of current international newspapers, is the policy that will be singled out as the case study for this *teshuvah*. It is not the sole case for justification, but only one is necessary to demonstrate the halakhic ruling.

Since shortly after the Six Day War of 1967, the government of the State of Israel - right and left-leaning politicians alike - has engaged in a policy of encouraging Jewish Israelis to move to, settle and develop the West Bank. Ethical or not, Jewishly permissible or not, legal or not, this policy has persisted for more than four decades. In that time it has come to be one of the thorniest issues at the heart of peace negotiations between Israelis and Palestinians. On its simplest level, the settlement policy necessarily challenges the viability of a future two-state solution, as Israelis and Palestinians become ever more entangled in the land of the West Bank, and the future Palestine's borders become ever more discontinuous. To the Palestinians, the settlement policy is proof of bad faith and that Israel's ultimate intention is to colonize the West Bank rather than offer it in exchange for peace. Even setting aside the clear illegality of the project under international law, Israeli settlement building in the West Bank is an absolute and unnecessary stumbling block in the way of the pursuit of peace between Israelis and Palestinians.

On December 7, 2010, the United States finally gave up on its latest effort to encourage the Netanyahu government to declare a ninety-day freeze on settlement construction as a good-faith effort which would allow for the continuation of the recently restarted peace negotiations. With Palestinians refusing to resume direct negotiations without such a moratorium, this declaration was the United States' last hope that direct peace talks could be resumed between

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<sup>13</sup> Beinart.

Israelis and Palestinians.<sup>14</sup> For weeks, the Obama administration had worked tirelessly to persuade Israel to take such a temporary measure for the sake of peace, but to no avail. Though no lives were at stake, no Israelis would be put in jeopardy by such a declaration, and, in fact, doing so would bring Israel *back* - albeit temporarily - in line with international law that deems illegal the transfer of populations to occupied land, Israel nonetheless refused to comply with this American request. The blame for this latest failed attempt at peace fell squarely in Israel's lap.<sup>15</sup>

## VI. THE TRADITION'S TILT TOWARDS PEACE

The *mesorah* is rife with a pervasive, ceaseless demand for Jews to support the pursuit of peace. Judaism emphasizes *shalom* - a Hebrew cognate of "completeness" or "wholeness" - as one of its highest values. While short on specific halakhic demands for *how* one is required to pursue peace, the tradition is verbose in its elevation of peace as one of the highest values.<sup>16</sup> Setting the stage for this lofty vision, the Psalmist writes, "Shun evil and do good, **seek peace and pursue it.**"<sup>17</sup> Similarly, Proverbs states, "The Torah's ways are pleasant and **all its paths are peace.**"<sup>18</sup> Peace is, in its essence, a most basic way of doing good and living Torah.

It is the prophet Isaiah who paints the most vivid portrait of peace within the Bible, describing peace between nations as a building block for the Messianic era. "Nation shall not lift up sword against nation," he prophesies, "nor shall they study war any more."<sup>19</sup> A time without war is a new world entirely. If Jews are to pursue the prophetic vision of a world remade, then the pursuit of peace is necessarily a major Jewish consideration.

Building upon these Biblical generalizations, the Mishnah attempts to quantify the exact worth of peace-making. Finding success in its inability to lock down a precise value, the Mishnah teaches:

אלו דברים שאין להם שעור. הפאה, והבכורים, והראיון, וגמילות חסדים, ותלמוד תורה. אלו דברים שאדם אוכל פרותיהו בעולם הזה והקרו קיימת לו לעולם הבא. כבוד אב ואם, וגמילות חסדים, והבאת שלום בין אדם לחברו ותלמוד תורה כנגד כלם:

These are the things that have no measure: the *peah*; the first fruits; the appearance offering; righteous deeds; and Torah study. These are the things that the benefit of which a person enjoys in this world, while the principle remains for him in the world to come: honoring one's father and mother; righteous acts; and

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<sup>14</sup> There is much blame to be leveled at the Palestinian leadership for setting any preconditions for peace talks. But, again, this paper is solely about Israel, its obligations, and the implications of its actions on American Jewish supporters.

<sup>15</sup> "U.S. Ends Effort to Sway Israel on a Settlement Freeze", *New York Times*, 7 December 2010.

<sup>16</sup> Explain how halakhah is case-sensitive.

<sup>17</sup> Psalms 34:15, "סור מרע ועשה טוב בקש שלום ורדפהו."

<sup>18</sup> Proverbs 3:17.

<sup>19</sup> Isaiah 2:4.

**bringing peace between a man and his fellow**, and the study of Torah is equal to them all.<sup>20</sup>

Peace is an ideal, a vision that the rabbis are unwilling to limit in its worth. Bringing peace between two people is such an enviable action that it brings reward both in this world and the world to come. It is one of four special acts highlighted by the Mishnah as particularly enviable, a righteous act that is singled out amongst all others for lauding.

In an act of rhetorical underlining, the Babylonian Talmud reprints this Mishnah, while adding additional praise-worthy acts to the list, according to the teaching of Rabbi Yohanan:

אמר רב יהודה בר שילא אמר רבי אסי אמר רבי יוחנן: ששה דברים אדם אוכל פירותיהן בעולם הזה, והקרן קיימת לו לעולם הבא. ואלו הן: הכנסת אורחין, וביקור חולים, ועיון תפלה, והשכמת בית המדרש, והמגדל בניו לתלמוד תורה, והדן את חברו לכף זכות. איני? והא אנן תנן: אלו דברים שאדם עושה אותם ואוכל פירותיהן בעולם הזה והקרן קיימת לו לעולם הבא, ואלו הן: כיבוד אב ואם וגמילות חסדים והבאת שלום שבין אדם לחברו ותלמוד תורה כנגד כולם [הני אין, מידי אחרין לא!] - הני נמי (בגמילות חסדים שייכי. לישנא אחריןא:) הני בהני שייכי.

Rav Yehuda son of Shila said in the name of Rabbi Asi, who said in the name of Rabbi Yohanan: For six things a person enjoys the benefit in this world, while the principle remains for him in the world to come. And these are they: hospitality to guests; visiting the sick; dedicated prayer; rising early to enter the *Beit Midrash*; raising one's sons in *talmud Torah*; judging one's fellow with the benefit of doubt. Is it!? But were not we taught in the Mishnah: These are the things that the benefit of which a person enjoys in this world, while the principle remains for him in the world to come: honoring one's father and mother; righteous acts; bringing peace between a man and his fellow. [The Mishnah implies that for] these [precepts], yes [one does reap the benefits in this world, but the principle remains for the World to come], but for other things, no! [Rabbi Yohanan's precepts] are also related [and thus included among] those.<sup>21</sup>

This piece of *gemara*, alone, teaches us nothing new about the Jewish attitude towards peace. In combination with the earlier Mishnah, however, the statement's repetition does show an emphasis of importance, as perceived through the eyes of the tradition. Again, we are dealing with an intangible act, and thus cannot expect the Talmud to comment heavily on it. The rabbis of the Talmud prefer case study, not ideology. "Bringing peace between a man and his fellow" is not something quantifiable or measurable. It does not fit any set standards of expectation or understanding. Accordingly, any emphasis of the value must be understood as particularly valuable and informative.

It is the Jerusalem Talmud where we find the most forceful statement of the era. The text returns to the Psalmist's adage, and builds upon it:

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<sup>20</sup> Mishnah Peah 1:1.

<sup>21</sup> Babylonian Talmud, Shabbat 127a-b.

והבאת שלום בין אדם לחבירו כתיב סור מרע ועשה טוב בקש שלום ורדפהו בקשיהו במקומך ורדפהו במקום אחר א"ר טביומי נאמר כאן רדיפה ונאמר להלן רדיפה מה רדיפה שנאמר להלן כבוד בעולם הזה וחיים לעולם הבא אף הכא כן:

“Bringing peace between a man and his fellow,” for it is written “Shun evil and do good, seek peace and pursue it.” **Seek peace in your own place, and pursue it in another.** Rabbi T’viyomi said, “It says here “pursue it” and it says elsewhere “pursue it”, just as it refers there to **honor in this world and life in the world to next**, so too [does this apply to the pursuit of peace] here.<sup>22</sup>

“What does it mean to seek and pursue peace?” the Jerusalem Talmud implicitly asks its readers. We are taught that these are two separate commands. One is to seek peace locally, another is to pursue it globally. The obligation to bring peace is not one limited by physical proximity.

Rabbi T’viyomi’s addition is significant in its focus. Read in conjunction with the statement immediately prior, Rabbi T’viyomi suggests an added importance to the pursuit of peace outside of one’s one surroundings. To seek peace, to bring peace between two people, two neighbors or friends, is to do good. But to concern oneself with the pursuit of peace in places elsewhere is an act solely worthy of honor in this world and the next. Applied to our context, this statement has serious consequences.

Set aside many of the most serious allegations against Israel’s settlement-building policy: their legality under international law; the appropriation of land from its rightful owners for their building; the diversion of significant funds to support and defend the small outlying minority of the Israeli population that lives in them. Were the sole problem with the settlement empire the fact that it stands in the way of peace, that it is a single policy that necessarily and specifically serves as an impediment to the pursuit of peace without any role in *pikuah nefesh* or general Israeli security, then we are facing an Israeli policy that needlessly imperils the possibility of an end-of-conflict, that brings into question the very possibility of a two-state solution, and that fundamentally challenges a central Jewish value at its core.

The *Amidah*, in all its variations, ends with the well-known line “May the One who makes peace above make peace for us, and all Israel, and let us say, Amen.” Within its blessings, it includes specific petitions for peace as well. Judaism emphasizes the importance of peace multiple times daily through prayer. Actions by Jews that lead us away from a path of peace complicate the very act that we beg of our Creator on a daily basis. Such actions run contrary to our own prayer just as they challenge our core values.

And let us remember that this value - peace - means more than just a banner to wave in the air. Values are the fabric that defines the nature of halakhic action. These values, derived from our people’s historical memory - a slave people living in persecution in a foreign land - are the very essence of who we are as Jews. They are our theological commitments; they give our rituals meaning. As we were taught by Rabbi Gordon Tucker:

The law is given cogency and support by the ongoing story of the community that seeks to live by the law. This is true no less for religious than for secular communities, and it is precisely what Robert Cover had in mind when he wrote that

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<sup>22</sup> Jerusalem Talmud, *Peah* 4a.

“for every constitution there is an epic”. The ongoing, developing religious life of a community includes not only the work of its legalists, but also its experiences, its intuitions, and the ways in which its stories move it. This ongoing religious life must therefore have a role in the development of its norms, else the legal obligations of the community will become dangerously detached from its theological commitments.<sup>23</sup>

Judaism is made complete when we live out the values we profess alongside - hand-in-hand with - the rituals we hold dear.

## VII. OUR OBLIGATION TO RESPOND

As I have made clear from the onset, this conflict presents our community with a competition of overlapping values, tearing at each other. Zionism and expression of support for Israel - vocally, financially and politically - is a value in and of itself. American Jews will not and should not drop their involvement with and support of the Jewish State. If anything, this involvement gives Jews the power to influence a different outcome, to ensure that the Jewish state is a living expression of Jewish values. But American Jews can no longer stand idly by if and as Israel commits acts in conflict with our theological yearnings.

There is a middle path. There is a way to continue in our expression of Zionism, our support for the State of Israel, while not letting this very support compromise other Jewish values and ethics. We need not choose one value or the other. American Jewry need not remain supporters of Israeli steps that question the viability of peace in order to fulfill their desire or obligation to remain Zionist.

Maimonides, in his Mishneh Torah, makes clear the *hiyyuv* involved here. A Jew is obligated to rebuke the misbehavior of his fellow:

הרואה חבירו שחטא או שהלך בדרך לא טובה מצוה להחזירו למוטב ולהודיעו שהוא חוטא על עצמו במעשיו הרעים שנאמר הוכח תוכיח את עמיתך.

One who sees his fellow sin, or stray onto an unwise path of behavior, it is a mitzvah to bring him back towards good and to tell him that he is sinning against himself through his bad deeds, for as it is written, “Surely you must rebuke your fellow.”<sup>24</sup>

The Torah demands that we rebuke our fellow for his misbehavior. Maimonides elucidates to explain that the mitzvah involves actually helping to bring the sinner back towards a good and righteous path.

The Talmud builds upon this principle to teach that we are responsible for correcting others who are within our sphere of influence, and that, should we fail to do so, the sinner’s misbehavior becomes our own.

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.

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<sup>23</sup> Gordon Tucker, “Halakhic and Metahalakhic Arguments Concerning Judaism and Homosexuality.”

<sup>24</sup> Mishneh Torah, Hilchot De’ot 6:7.

Whoever has the ability to protest against the members of his household when they are doing something wrong but does not protest is punished for the transgressions of the members of his household. One who can protest against the people of the town but does not do so is punished for the transgressions of the people of his town. Further, one who can protest against the entire world but does not is punished for the transgressions of the entire world.<sup>25</sup>

We do not live in a world isolated by a bubble of our own actions. Jewish tradition reminds us that we are responsible for the world we live in, and, particularly, for those corners of the world over which we exert influence.

Why should this obligation not extend to our brethren in Israel? Clearly, it is within the power of American Jewry to protest against misbehavior on the part of the Israeli government. That should be no question. The Israeli government, and, more importantly, the Israeli electorate are extremely sensitive to the needs, wants and expressions of American Jews. Too much is on the line - politically, tribally, and financially - for Israel to flat out ignore sustained, unified and concerted protests from American Jewry. American Jews may not stop all Israeli government actions that they find questionable. Perhaps, this community may not stop any. But that does not obfuscate our obligation to try.

Yes, there is a large amount of subjectivity involved here: who is to decide that a specific Israeli action is improper and demands rebuke, while another is a necessary course of self-defense? This is the messy reality of wielding political power. Opinions will diverge, but such disunity in belief cannot be an excuse to stand idly by. Maimonides himself lays out no objective criteria for assessing whether one's fellow has sinned. Rather, he solely focusses on the subjective view of the person witnessing the wrongdoing, and his obligation to respond. His paradigm holds true in our case, as does that of Shabbat 54b. If Israel commits wrongs and American Jews do not rebuke them, the sins are our own.

## VIII. CONCLUSION

Peace is a lofty, often intangible goal. Sometimes it comes with a signed treaty, other times it is not recognized until long after it has taken root. It is the essence of our Messianic yearnings - a vision of a world healed and worthy of celebrating God's kingdom.

The settlement policy, given today's political and international climate, and given the reality on the ground, represents a specific, concrete and timely affront to the pursuit of peace. It is unnecessary, represents no effort to protect human life, and seriously harms Israel's standing internationally and with the United States government.

We must take to heart the teaching of the Jerusalem Talmud: seek peace in your own place, and pursue it in another. There is a halakhic obligation to strive for peace. Halakhah demands that Jews call out the wrongdoings of others, to rebuke and to point to the ways in which our brethren are straying from a Jewish path. There seems none as obvious as this. American Jews have the power and influence to call out those actions committed by the Israeli government - directly, respectfully, and honestly - that go even against its own self-interest.

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<sup>25</sup> Babylonian Talmud, Shabbat 54b.

American Jews are and should remain committed in their Zionism. But part of that very commitment demands involvement, rather than acquiescence.

**פסק הלכה:**

Jewish American support for the State of Israel will and should continue; its importance is beyond mere political support for a current government. It is an important aspect of American Jewish identity, of bonds between American and Israeli Jews, and connection of American Jews to the Land of Israel, each of which is a value in and of itself.

One's Zionism, however, does not abrogate a Jew's obligation to rebuke his fellow, and to continue to uphold and ensure the survival of Jewish values. Ends, in this situation, do not justify any means. When the Israeli government enacts policies or carries out actions contrary to halakhah or meta-halakhic values, it is incumbent upon American Jews to rebuke, to suggest other ways, and to demand alternatives. Anything else is moral abdication and anti-halakhic.