

Criticism and Loyalty: A Challenge for Jewish Citizenship

Is criticism tantamount to disloyalty? Close examination of traditional Jewish texts – ancient, medieval and modern – indicates that the opposite is the case

North American Jews, at least in official capacities and in public forums, have traditionally been reluctant to criticize Israel. As Zionists who support the endangered Jewish state, they do not wish to damage Israel's moral standing in a hostile world. At the same time, many Jews who care about Israel have become uncomfortable with this way of thinking. These dissenters include a younger generation of activist Jews who have been taught, and fully believe, that they have the right, and more importantly the duty, to be critics of power – "to speak truth to power," in the Quaker terminology. The clash between these two approaches now presents a considerable challenge within the pro-Israel community.

{ By **NOAM ZION**

There are surely many good reasons for American Jews to be circumspect about disagreeing with Israeli policy. How, a Diaspora Jew might ask, "can I criticize what I cannot fully understand?" How can I express an opinion when my life and my child's military service are not on the line? How can I criticize Israel in an atmosphere of delegitimization, where my legitimate criticism is taken out of context to demonize Israel, or at least to undermine the international support necessary for a state under constant threat? Jews need to stick together and not to air their disagreements in public. For too long, we Jews have been so divided within that we have undermined our goals as a people.

Abraham's calling is to combine the way of God with the way of justice.

A regrettable byproduct of this reasonable argument is the claim that criticism of Israel is tantamount to betrayal or disloyalty. Such a radical claim alienates many committed American Jews by rebuffing their ideal of *tikkun olam*, which over the years has fueled Jewish support for such disparate causes as civil rights for African-Americans, the Soviet Jewry movement, aid to Darfur, and the prevention of global warming. The claim of disloyalty makes many Jews feel they must choose between being national Jews and moral Jews. It closes the path to engagement with Israel, and engenders indifference and noninvolvement. But what we need now, more than ever, are active world Jewish citizens who express themselves, engage in dialogue, and advocate for their values – just as our forebears have done since ancient times.

Shining the Light

Throughout the ages, Jews have derived from traditional sources a critical understanding of the limitations of power, and the importance of

challenging authority when morally necessary. Let us begin with the very first Jew, *Avraham avinu*, our father Abraham.

In Genesis 18, God appears to Abraham, at his tent in the plain of Mamre. Three men appear – two angels plus God himself, according to legend – and promise that Sarah will bear a son. She laughs; the men leave and head for wicked Sodom, which is slated for destruction. God decides to tell Abraham what is in store:

Adonai thought: "Shall I hide from Avraham what I am doing? Seeing that Avraham shall surely become a great and mighty nation, and all the nations of the earth shall be blessed in him? For I chose so that he shall instruct his children and his household after him, and they shall keep the way of Adonai, to do justice and judgment (*tzedakah u-mishpat*); that Adonai may bring upon Avraham that which he has spoken of him." (Genesis 18:17-19)

Abraham's calling is to combine the way of God with the way of justice. God chooses or singles out Abraham as an apprentice of sorts, to teach the people a religion of imitation of the Divine, of universal ethics. The patriarch's mission is captured in modern idiom by the German rabbi Samson Raphael Hirsch, 19th-century founder of German neo-Orthodoxy, who saw the universal values of the French Revolution as a manifestation of universal redemption and the ethical monotheism of the Torah. "The French Revolution," he wrote, "was one of those hours when God walked among humanity." Ever since the Flood, God is committed to educate sinful humanity, not to destroy it. Divine providence is visible in history in the rise and fall of nations according to moral standards. It is the role of the Jew in exile to be a priest of Torah, an unpolluted source of sanctity that sheds light unto the nations. Abraham left Babylonia for the Land of Israel to be an educator for all mankind, as Hirsch wrote in his commentary on Genesis 12: "The ability to earn closeness to God is achievable by any nation in any land whether

in Greece or in Lapland.” (*Hirsch Commentary on the Torah*, Genesis 12:7)

Abraham, however, is not only responsible for public relations, for being a light unto the nations. He is also a light for God, who serves as a guide when God is, so to speak, lost and uncertain. This is the point of the following midrash:

Rabbi Nehemia says: Noah is analogous to the king’s friend who is stuck in thick mud. The king notices, sees him and says: Before you sink into the mud, come with me as it says: “God walks *with* Noah” (Genesis 6:9).

To whom is Avraham analogous? To the friend of the King who saw the king walking in dark alleys, noticed his friend and began to shine light into the window. The King noticed him and said: If you are already shining the light for me from the window, why not come and shine the light before me [on my path]. As God says to Avraham (Genesis 17:1): “walk *before* me.” (Genesis Rabbah 30:10)

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When Jews called to their lofty mission, and even God, do not match up to the ideal of justice, the gap between the ideal and real must be exposed. It is Abraham’s job not just to register a protest to clear his conscience, and not just to speak truth to power, but to persuade the powers that be to reconsider their policies. When Abraham learns that Sodom is to be destroyed, he appeals to God, with consummate debating skills as well as great moral courage, urging to God to live up to God’s own self-image and standards as the judge of the whole earth. Abraham does not revolt,

but demonstrates the art of “managing up,” appealing to his “boss” not only for justice but for mercy, for God to forgive the whole city of Sodom for the sake of 10 righteous residents, and grant the city a second chance.

According to the biblical commentator Radak (Rabbi David Kimchi of Provence, 1160-1235), Abraham’s argument establishes the principle that a community, even as evil as Sodom, can be saved not merely by the passive presence of ten uncorrupted innocents, but by the public protests of a group committed to raise the community’s standards. To save the city, wrote Radak, the ten righteous men, the *tzaddikim*, must be public activists seeking to save their sinful city. God wants people who “stand in the breach of the broken fence,” to prevent its destruction (Ezekiel 22:30). These *tzaddikim* must be people who “will encourage the repentance or rehabilitate of those doing evil and go about in the streets and the outskirts of the city to reform them.” If the *tzaddikim* who are innocent lack the strength to go public because they fear for their lives, then the city will not be saved, though the innocent will not be punished. (Radak on Genesis 18: 24.)

To be a righteous Jew, then, entails being an advocate, seeking to influence one’s neighbors and one’s political superiors, even beyond one’s immediate jurisdiction. Jewish leaders emulating Abraham have played key political roles, even without holding official governmental positions. The prophet Nathan confronts King David over “Bathsheba-Gate.” Elijah challenges King Ahab in the story of Navot, who was executed (at the instigation of wicked Jezebel) on trumped-up charges so the king could confiscate his vineyard. Elie Wiesel confronted two American presidents, Reagan and Obama, when he thought they had gone wrong. In European history, the Christian doctrine of “divine right of kings” meant that monarchs were above criticism. But in the Hebrew Bible, being chosen by God as a temporal king was conditional upon paying heed to God’s messengers, the prophets.

Respectful Chutzpah

In the case of Abraham, criticism is not a sign of disloyalty, quite the opposite. Similarly, we find throughout our tradition cases in which rabbinic authorities gently promote the duty of children to criticize their parents – with proper respect. In his monumental *Mishneh Torah*, Maimonides wrote:

If the child sees the parent violate a commandment, the child should not say: "Father, you have disregarded a mitzvah of the Torah!" Rather the child should say: "Isn't it written thus and thus in the Torah?" - speaking to the parent as though one were consulting, instead of admonishing.

If the parent orders the child to transgress a positive or a negative commandment set forth in the Bible or even a commandment which is of rabbinical origin, the child must disregard the order, for it is said: "You shall fear everyone one's mother, and one's father; but you shall keep My Sabbaths" (Leviticus 19:3), that is, all of you are bound to honor Me. (Maimonides, *Laws of Rebellion* 6:11)

Rabbenu Asher ben Yehiel, known as the "Rosh," was a great medieval sage who relocated from Germany to the Spanish city of Toledo. His son, Rabbi Jacob ben Asher (ca. 1269-1343), an important halachist known as "Ba'al Haturim," quoted his father on the subject of a parent trying to control his son's choice of friends:

[Question]: You have asked about a father who forbade his son to speak to a certain Jew, or to pardon him . . . until a specified date. The son wishes to become reconciled with the individual, but hesitates because of his father's command . . .

[Response by Rabbenu Asher]: Know that it is forbidden to hate any Jew, unless he is seen violating the law. The father who commanded his son to hate a man does not have the right to command him to violate the words of the Torah, which says, "I am the

Lord" - reverence of Me precedes reverence for your parent." Furthermore, the father is thus violating the law himself and not behaving in this matter as a member of the Jewish people ought to, and he need not be honored in this matter. (Responsa of the Rosh 15:5)

Indeed, the Talmudic obligation to teach one's children Torah (BT Kiddushin 29a) is an invitation for them to respectfully hold their parents to the standards of Torah. One ceases to be blindly obligated to obey one's parents when one learns to examine the principles and laws upon which that obedience is premised. The Rabbis understood God in these parental terms, as deriving *naches* from his children who challenge divine authority in the name of Torah. Thus when Rabbi Yehoshua, in the famous story of the Oven of Ahknai, rejects God's interference in a halachic dispute by invoking a biblical proof for majority rule by human decision makers, God is described as smiling and happily conceding that He has been bested by his children:

Rabbi Eliezer said: "If the law is as I say, it shall be proven from heaven."

A voice from Heaven pronounced: "What have you against Rabbi Eliezer? The law is always as he says." Rabbi Yehoshua then stood up and said: "It is not in heaven." (Deuteronomy 30:12).

[Some time later,] Rabbi Natan met Elijah [the prophet]. He asked him: "What did the Holy One do at that moment?" Elijah replied: "God smiled and said: 'My children have defeated [out-argued] me, my children have defeated me.'" (BT Bava Metzia 59a).

Alan Dershowitz, the activist Jewish-American lawyer, relates the notion of critical loyalty to the covenantal relationship of God and the Jews:

The relationship between God and the Jewish people is covenantal, that is, in the

nature of a legally binding contract . . . What a remarkable notion! This theme of mutually obligatory contract resonates through much of Jewish history, prayer, literature, and even song. A contract bestows rights on both contracting parties. The Jewish people have the right to insist that God keep His side of the bargain forever – or at least explain why He has not done so. Throughout Jewish history – from the destruction of the Temples, to the Crusades, to the Inquisition, to the pogroms, and especially to the Holocaust – Jews have been demanding an answer from their contracting partner. It has rarely been forthcoming, but we persist. The very word "chutzpah" – which I took as the title for one of my books and which means "boldness," "assertiveness," a "willingness to challenge authority" – was first used in the context of demanding that God keep His side of the covenant. It appears in the Talmud as part of the Aramaic expression *chutzpah k'lapei shemaya* – chutzpah even against heaven. Abraham was the first to demonstrate such chutzpah, but surely not the last." (Alan Dershowitz, *The Genesis of Justice*, 2000)

As the Torah teaches us, criticizing your fellow Jew is a sign of love.

Thus criticism of Israel, or of Judaism or Jewish leaders, like criticism of one's parents, is to be welcomed as true loyalty when offered with rational argument, with a strong basis in knowledge, and without self-righteousness. Most importantly, it must be offered constructively by one who wants to remain in the conversation and in the community, as a partner in the Jewish mission to make a better world. As the Torah teaches us, criticizing your fellow Jew is a sign of love.

You shall not hate your brother in your heart. Reprove your neighbor . . .

Love your neighbor as yourself, I am Adonai.

(Leviticus 19: 17-18)

Israelis, secular and religious alike, display an intuitive understanding of the right and obligation of Jews to criticize one another. Israelis demonstrate loyalty – the opposite of indifference and alienation – by complaining incessantly, with frequent justification, about the gap between their leaders' promises and performance. North American Jews should feel welcome to join in that constructive endeavor, rather than retreat into sullen disengagement or indulge in uncritical cheerleading. Many already do, and I, as an Israeli, welcome their voices as part of their citizenship in the Jewish people.

The Battle of Torah

Let us consider one more rabbinic source, this one from the yeshiva world of Lithuania. In *Ruach Chaim*, his commentary on Pirkei Avot (Ethics of the Fathers), the great Talmudist and ethicist Rabbi Chaim Volozhin (1749-1821) explored the notion of "wrestling" with one's teachers in the pursuit of truth. He plays on the Hebrew word *avak*, which means "dust" but is also the root of the word that means "wrestle." Avot 1:4 reads:

Yosi ben Yoezer from Tzereda said: "Make your house a meeting house for the wise. Roll yourself (*hevei mitabek*) in the dust of their feet and drink their words with thirst."

Rabbi Chaim Volozhin masterfully balances the undeniable duty to state the truth, without regard for authority, with the requirement to maintain humility, recognizing that we too may be in error. He explains that one of the 48 ways of acquiring Torah (as described in chapter 6 of Pirkei Avot) "is to help your teachers become wiser by asking sharp questions, thereby expanding the traditions of learning." Study, he says, "is called "war" – "the war of Torah," and students are called fighters and warriors. He

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quotes the Talmudic interpretation of a verse from the Psalms: "Happy is the man who fills his quiver [with heroic warrior sons]. They will not be put to shame when they speak to enemies in the city gate." (Psalms 127:5) Upon which the Rabbis commented: "Even a parent and child or a teacher and student who become like enemies in the battle of Torah will not stop arguing until they become lovers" (BT Kiddushin 30b). Continues Rabbi Chaim Volozhin:

Therefore it is forbidden for students to accept the words of the teacher if the students have *kushiot* [challenging questions] . . . That is the meaning of: "Be one who is *mitabek*." *Mitabek* comes from the description of Yaacov "wrestling with the man/angel" [*vaye'avek*, in Genesis 32: 25], which is a context of combat . . . So too we [the students

of this generation] struggle against our holy rabbis. . . Do not show deference to anyone [even the great scholars who wrote these books.] Just love the truth.

Yet with all this, beware in your soul lest you speak with pride and arrogance, because you have found something on which to disagree [with these great authors]. . . Know in your heart that sometimes you have not understood their words and their intentions. So maintain great humility and acknowledge that you are not worthy. . . That is the meaning of Avot 1:4: "*mitabek* – wrestling with your teachers" and yet do so (on condition that you stay) "in the dust (afar) of their feet" – that is with humility and subordination, arguing before them, while still sitting on the ground.



Rabbi Akiva and colleagues discussing the Exodus all night in Bnei Brak. Etching from the Amsterdam Haggadah of Eliyahu ben Todoros Broda, ca. 1712. The National Library of Israel, Shapell Family Digitization Project.



Jewish schoolboy in New York, ca. 1915. Courtesy of Library of Congress Prints and Photographs Division. LC-B2-2821-8.

"Without contraries is no progression," concurred Rabbi Chaim Volozhin's contemporary, the English poet William Blake. Without sharp diversity and vigorous debate, neither Judaism nor democracy can progress towards more inclusive, more imaginative and more responsible policies. Loyalty to Israel requires ongoing criticism, but criticism must be grounded in genuine concern for the future of the Jewish people. In our own time, Jews around the world share in a broad, ongoing argument about what it means to be Jewish. It's in our collective DNA, as Philip Roth observed in his novel *Operation Shylock* (1993):

"Why couldn't the Jews be one people? Why must Jews be in conflict with one another? Why must they be in conflict with themselves?

Because divisiveness is not just between Jew and Jew – it is within the individual Jew. Is there a more manifold personality in all the world? I don't say divided. Divided is nothing... But inside every Jew there is a *mob* of Jews. The good Jew, the bad Jew. The new Jew, the old Jew . . . The coarse Jew, the gentle Jew. The defiant Jew, the appeasing Jew. The Jewish Jew, the de-Jewed Jew. Shall I go on? So I have to expound upon the Jew as a three-thousand-year amassment of mirrored fragments. . . Is it any wonder that a Jew is always disputing? He *is* a dispute, incarnate."

Is such dispute intrinsically self-destructive? Not at all. A valuable model of national unity through disagreement and mutual criticism,

rather than consensus of belief or practice, is offered by the American Jewish political journalist Howard Fineman, in a best-selling book called *The Thirteen American Arguments: Enduring Debates that Define and Inspire our Country* (2008). In detailing the continuing arguments over individual versus collective responsibility, or national versus local authority, Fineman insisted, “Our disputes are not a burden, but a blessing.” Fineman also called the United States, “the Arguing Country, born in, and born to, debate.” Jewish citizens, in the Jewish state and the world over, could proudly embrace that title as well.

Jewish World Citizenship

It may still be argued that an American Jew who does not have a son or daughter in the army, or ride Israeli buses, has less of a right to pontificate on how to handle terrorism. But a Jew who takes the trouble to be well-informed about Israel and the Islamic world can give constructive input. So too God prefaced his judgment of Sodom by joining his own investigative commission of inquiry: “Let me go down and see [if the reality is] like the cry coming to me [from Sodom] or if not, I will know.” When a Jew contributes funds, and donates time and expertise to Israeli causes, he or she must have a say commensurate with his investment. “No taxation without representation,” in this case, means that one cannot be asked to contribute support of any kind without the right to present one’s views and try to wield influence. Abraham’s objections were heard by God, and though he was overruled, he was not alienated, for he had helped clarify the principles of justice and the answerability of God to God’s human partners.

Most American Jews identify their Jewishness as ethnic or religious, and too often reserve their political self-understanding for their American sense of citizenship. My perspective is that both in the ancient and the contemporary world, we as Jews are a people,

a definition that carries political connotations. Politicization of institutionalized religion can have awful outcomes corrupting Judaism, but political aspects of religious idealism may help infuse Jews with a desire to participate in politics for the sake of *tikkun olam* – not only as American or Israeli citizens but as members of the Jewish people. For their part, Israeli Jews should have a say about American Judaism, if they learn about it, and participate in its institutions when in North America (as official emissaries, or in other capacities), and help educate Jews who come to Israel.

The rabbinic sources cited above might well be integrated into a Jewish civic education, as Jewish education in a new key. Here, age-old Jewish pursuits are transformed into qualities of citizenship that inform modern society as a whole. Our traditions of scholarship, mitzvah, communal responsibility, prophetic critique, self-examination and *teshuvah*, commemoration of great events and celebration of the values of freedom and empathy for the Other – and, not least, education to maintain loyal identity from generation to generation – are the foundations of a democratic, dialogic Jewish citizenship. We must also learn from the mistakes of our history – about Jewish communities that have failed to live up to the model of God who knows how to welcome engagement and hear alternative voices.

Rabbinic sources can be integrated into Jewish civic education – Jewish education in a new key.

The more that their voices are welcomed, the more the best will give their best to guide the ship of state and preserve the body politic of the Jewish people. The Jewish citizen I envisage must have knowledge as well as commitment, vision as well as realistic standards, loyalty to the people criticized as well the courage of self-criticism.



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