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THE RELIGIOUS PARTIES IN ISRAEL: EVOLUTION AND POLITICAL IMPACT

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ABSTRACT

This study sheds light on the role of the religious parties in shaping Israel's political system. The research tries to answer problematic questions that explain the power of these parties. Why do they cooperate with the secular Zionist movement? What price does the latter pay in return? What are their achievements? Have they succeeded in building the "Jewish state" they aimed for? Many other issues will also be examined, showing the evolution of these parties and the strategies adopted to reach their goals.

Historically speaking, the religious parties have always lacked linearity. Many separations and reunions have occurred, making it even more difficult to trace the evolution of each one in a separate manner. This study will be mainly concerned with the evolution of the major parties in an attempt to reveal the most important trends and changing ideologies, and their interrelation with the political system as a whole. Parties of lesser significance have not been neglected, but will be referred to in a scheme that outfits their impact on the balance of power regarding both the religious and the secular leadership.

PREFACE

In this thesis, I shall study the religious parties in Israel in the context of the state-religion dilemma. The Zionists founders wanted the Jewish state to be a "democratic secular" state. The religious groups, on the other hand, sought a state based on Halacha, or Jewish law. The former needed religious "legitimacy" for claiming the land and the latter knew it would not survive without the economic and political support provided by Zionism. The problem has existed before the foundation of the state and is evidently present at our time.

This study will be divided into three sections, each consisting of two chapters. The division is made to show the connotation of three landmarks in the religious parties' development. The first section covers the pre-state era when the main religious parties were founded. It introduces the religious parties, analyzes their responses to the Zionist movement, and examines their different ideologies regarding religion-state relationship. The first chapter sheds light on the birth of Zionism, its ideology and the strategy it adopted in establishing the Jewish state, and acquiring international recognition. It also examines the emergence of religious parties and their stands towards the establishment of such a state before the appearance of their "awaited Messiah." Chapter two analyzes the *status-quo* agreement that took place in 1947 between the anti Zionist party, Agudat Israel, and the Jewish Agency. It aims at revealing the significance of such a deal that has paved the way for the intervention of the religious parties in the political system in the name of religion.

The second section covers the period ranging from independence until the year 1977. A coalition was maintained throughout those years between the National Religious Party (NRP), the largest religious party at that time, and the Zionist Left. Chapters three and four study the reasons behind such a coalition and the internal and external factors that have led to the deterioration of that relation, in 1977, when the religious parties decided to abandon the Left and tilt towards the nationalist Right. The third chapter analyzes the secular values of the *Declaration of Independence* and the controversial religious reactions to it. It also explains the reasons why Israel has not adopted a written constitution by presenting some of the pending issues, mainly those concerned with personal status matters. As to the fourth chapter, it mainly studies the relationship between the successive governments and the religious parties whose mutual interests are highlighted, whether those related to the internal issues before the 1967 war or the external ones after that date.

The third section comprises the last two chapters. It covers the era from the year 1977 that has witnessed the collapse of the historical partnership between the Labor party (Zionist Left) and the NRP until our days. It mainly analyzes the factors contributing to that revolutionary change. It also tries to explain the emergence of ethnicity, as a new

social and political phenomenon, and the reasons behind its persistence. Chapter five is an attempt to find out why the religious parties have abandoned the Labor party to collaborate with the more nationalistic Likud. Finally, chapter six examines ethnicity, as a new characteristic, emerging in the 1980s. Attention is focused on Shas, the major Sephardim party, its ideology, strategy and the reasons behind its success.

Chapter ONE

Religious parties: origins and ideologies

"... in essence only the faith of our forefathers still holds us together. But does this means (sic) that we will end up with a theocracy? Not at all! We are not going to give our clergy even the slightest chance to assert their whims. We shall confine them to their temples... they will have no business mixing in the affairs of the state, because their interference could only make for trouble both internal and external."

Theodore Herzl
Der Judenstaat
(The Jewish State); 1896[1]

Since its inception, Zionism, a secular movement par excellence, has strived to form a religious bond between Palestine and Judaism so as to defend the claim of relationship between the land of Palestine and the Jewish people. Some Jews have even interpreted the Talmud[2] in the same manner. According to Federbush, the Talmud dictates that the duty of Jews to live in "Eretz Israel" is of greater value than the entire Torah.[3] Moreover, Nachmanides, one of the greatest Jewish authorities of medieval times, claims that the return to Zion is one of the most crucial commandments of the Torah, obligatory for all Jews.[4] According to Harkabi, Nachmanides' words "are the starting point for the politico-religious conceptions of a broad stratum of Orthodox Jews."[5]

So, the main reference that had always linked the Jews to Palestine is religious. Eventually Jewish immigration to the Holy Land became a way of fulfilling a religious duty;

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[1] Rebecca Kook, Michael Harris and Gideon Doron. ' In the Name of G-d and our Rabbi: the politics of the Ultra-Orhtodox in Israel',*Israel affairs* Vol.5, No.1(Autumn 1998),p.4.

[2] The collection of Jewish religious laws.

[3] Simon Federbush, 'Religious Zionism', in Basil J.Vlaviamos and Feliks Gross (eds.), *Struggle for Tomorrow: modern political ideologies of the Jewish people,* (New York: Arts,[1954]), p.79.

[4] Ibid, p.79.

[5] Yehoshafat Harkabi, *Israel's Fateful Decisions*, (London: I.B. Tauris& Co. Ltd,1988),p148.

establishing a Jewish state ruled by the authority of the Torah. On such an assessment, any attempt to establish a Jewish state deprived of religious culture and tradition is a distortion of the essence of Judaism.

Zionism and the Jewish state

However, the end of the 19th century has witnessed the rise of Zionism, a secular movement that has succeeded in promoting the idea of establishing a Jewish State in Palestine. For Theodore Herzl, the father of Zionism, the Jewish question was neither a social nor a religious problem. He noted "...it is a national question, and to solve it we must first of all establish it as an international political problem to be discussed and settled by the civilized nations of the world in council."[6] His aim was, then, to establish a Jewish state, recognized and secured by international agreement. In this regard, we will focus on how the Zionists have linked the Jews to the Land of Palestine in order to encourage the world Jewry to immigrate to Palestine.

The persecution of Jews in Europe was exploited by the Zionists to call for the establishment of a Jewish state. *Der Judenstaat*[7] is a small book written by Herzl, to design a proposed ideal world for the Jews in a state of "their" own." Subtitled "An Attempt at a Modern Solution of the Jewish Question", it includes a detailed plan for establishing a state in which the Jews would "reconstitute their national life". Herzl attempted to prove that the root of

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[6] Geoffrey Wigoder (ed.),*New Encyclopedia of Zionism and Israel*, (Madison: Herzl press publication, 1994), p.768.

[7] Most often translated as the Jewish State,but it literally means "The Jews' state."

the conflict was the Jew's feeling of homelessness, of being unwanted even in the country of birth.[8]

Many references relate Herzl's nationalist dream with the "Dreyfus trial." Alfred Dreyfus was a Jewish captain serving with the French General staff and was falsely accused of spying for Germany. Being a Jew caused him to be publicly disgraced and sentenced to exile.

Herzl took advantage of the bad treatment of the Jews in France, a country known to be on good terms with the Jews, to legitimize the need of a state for the Jews. He wanted the Jews to be gathered in a "national state." In his book, he presented a detailed plan including the kind of flag, the language and even the wages that would be paid for manual workers.

He wrote: "We must not visualize the exodus of the Jews as a sudden one. It will be gradual, proceeding over decades...labour will create trade, trade will create markets and markets will attract new settlers...every man will go...at his own expense and his own risk...the very creation of the Jewish state would be beneficial to the neighboring lands..."[9]

The Zionists did not want to build a religious state ruled by the Torah. "They saw Israel as a Jewish state in the strictly or almost strictly national sense of the term Jewish."[10]

If the founders of Zionism were secular and their intention was to establish a secular state, it is safe, then, to claim that the aim of Zionism was to establish a state for the Jews and not a Jewish state. In the first Zionist congress held in Basel in August 23-31, 1897, the program adopted states that the goal of the World Zionist Organization (WZO) is as follows:

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[8] Wigoder (ed.), *New Encyclopedia of Zionism and Israel*, p.769.

[9] Rinna Samuel, *History of Israel: the birth, growth and development of today's Jewish state*, (London: Weidenfeld and Nicolson, 1989), p.28.

[10] Daniel J. Elazar, *Israel : building a new society*, (Bloomington:Indiana University Press,1986), p.7.

"Zionism seeks to establish a home for the Jewish people in Palestine secured under public law."[11]

Being clear from the beginning about its secular ideology, it is interesting to know the hidden need to include Orthodox religious groups into the Zionist ranks. If the Jews were to be a nation just like any other, why should they use religion as a doorkeeper?

For any new state to be established, certain norms had to rule, define and above all "legitimize" its 'raison d'être'. Herzl knew that without using the religious cause, the Jewish state would not be supported by world Jewry and would not be able to survive over time. According to Rubenstein, the secret behind Zionism's survival is the "ability to unite religious and secular elements and draw on current ideas of national liberation. " [12]

Zionism was not the only key player promoting the establishment of a Jewish state in Palestine. Support was granted to the Zionist leaders by the international powers to enable them to address world Jewry, claiming an urgent need for an independent state based on an interrelated religious-nationalist ideology. This is perfectly stated when the chairman of the World Zionist Organization (WZO), speaking on the UN podium, waved the Old Testament and said: "This is our charter for the land."[13] Two sections of the Book were selected to support Zionist settlement in Palestine: the conquest of the land and the establishment of Jewish kingdoms, as well as the universalistic-social message of the Prophets.[14]

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[11] Julien Bauer, 'Religious Parties in Israel: reality versus stereotypes', *Middle East Focus*, Vol.11, No. 2(fall 1989), p.18.

[12] Amnon Rubenstein, *From Herzl to Rabin: the changing image of Zionism*,(New York: Holmes and Meier, 2000), p.43.

[13] Baruch Kimmerling, 'Between Hegemony and Dormant *kulturkampf* in Israel', *Israel affairs* , Vol.4, Nos. 3&4 (spring/summer 1998), p. 51.

[14] Ibid, p.50.

Zionist efforts and international recognition

International support began to openly take place starting the second decade of the 20th century. To begin with, a letter was delivered on 2 November 1917 in London to Lord Rothschild signed by British foreign secretary Arthur James Balfour [15], it reads in part:

"I have much pleasure in conveying to you, on behalf of his Majesty's Government, the following declaration of sympathy with Jewish Zionist aspirations...His Majesty's Government view with favor the establishment in Palestine of a national home for the Jewish people and will use their best endeavors to facilitate the achievement of this object..."[16]

Moreover, at the Paris conference of 1919, it was decided that Palestine should become a mandated territory, to be administrated by a trustee or mandatory government. In the following year, Britain was chosen for this role. Confirmed by the League of Nations on 24 July 1922, the mandate was more clearly worded than the Balfour Declaration to which it referred: the mandatory power was "made responsible for placing the country under such political administrative and economic conditions as will secure the establishment of the Jewish National Home..."(Palestine Mandate, Article 2) and to recognize "an appropriate Jewish agency to help the Palestine administration with matters concerning the National Home and the interests of the Jewish population in Palestine" (Article 4), and was required to "encourage and facilitate Jewish immigration ." (Article 6) [17]

The League of Nations did not only offer support for the Zionist movement but also granted the needed "authorization" that connects the Jews to the Land of Palestine. It states:

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[15] This document is known as the "Balfour Declaration." For full text, see Samuel. *History of Israel*, p.36.

[16] Ibid, p.35.

[17] http://www.accessv.com/~yehuda/PalestineMandate.html

"..Whereas recognition has thereby been given to the historical connection of the Jewish people with Palestine and to the grounds for reconstituting their national home in that country..."[18]

The Balfour declaration was further enforced in 1922 by the joint Congressional Resolution on the Jewish National Home, which represented the American government's endorsement:

"... the Jewish people are to be enabled to recreate a national home in the land of their fathers... which will give to the all House of Israel its long-denied opportunity to re-establish a fruitful life and culture in the ancient Jewish land..."This document was signed by president Warren Harding.[19]

Zionism and religious groups

By means of the above-mentioned international support, Zionism had the means to establish the intended state in terms of political and economic capabilities. However, it was well known that without the inclusion of religious groups it would fall short of persuading the world Jewry to endorse legitimacy to the coming state. That is why the participation of Orthodox Jewish groups was a matter of necessity rather than a matter of conviction. According to Schiff:

"...New regimes everywhere need legitimacy and often seek it by attempting to appeal to the historical, and particularly the religious sentiments of the population. While this is important for regimes which merely represent a change in personnel or in policy over their

[18] Ibid.

[19] Samuel. *History of Israel*, p.39.

predecessors, it is essential for those [who] must create a constituency out of immigrants in a situation of great political, economic, and military pressure."[20]

Jews of different backgrounds attended the first Zionist Congress that was held in Basel in 1897. The secular Zionists believed that, "the modern 'Return to Zion' was intended to create the conditions for defining Jewish identity in political-territorial terms instead of in religious-communal terms."[21] Although most of those present were secular Jews; a group of religious Jews participated actively.

Rabbi Schmuel Mohilever who played the central role in developing the pre-Herzlian Russian Zionist movement, the Hibbat Zion, attended the first Zionist congress. His presence was of great importance in adding a religious meaning to the secular movement. Subsequently, the WZO, the larger secular organization founded by Herzl, was granted added legitimacy through Rabbi Mohilever's affiliation with it and his cultural and propaganda work within the orthodox Jewish community. In his message to the first Zionist congress, Mohilever laid the ideological foundation for an upcoming religious Zionist party by connecting labor and nationalism to the Torah "... All 'Sons of Zion' must be completely convinced and must believe with a perfect faith that the resettlement of our country – i.e., the purchase of land and the building of houses, the planting of orchards and the cultivation of the soil – is one of the fundamental commandments of our Torah. Some of our ancient

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[20] Gary S. Schiff, *Tradition and Politics: the religious parties of Israel*, (Detroit: Wayne State University Press, 1977),p.216.

[21] Dan Horowitz and Moshe Lissak, *Trouble in Utopia: the overburdened polity of Israel*, (Albany, N.Y.: State University of New York Press, 1989), p.139.

sages even say that it is equivalent to the whole Laws, for it is the foundation of the existence of our people."[22]

Nevertheless, the participation of religious authorities and their call for unity does not necessarily mean that all Jews were prepared to accept Zionism. Before analyzing the conflicting views of the emerging religious parties vis-à-vis the Zionist movement, it is very crucial to know that "all religious Jews, virtually by definition, accepted the goal of establishing a Jewish State in Palestine."[23]

The problem was whether to allow that to happen by secular political means, and whether religious Jews should work together with a Zionist Organization, dominated by irreligious leaders?[24]

To begin with, did those religious parties participate in the Zionist movement? Can we study the religious parties as a united bloc? If not, what were the main differences that divided them, and what impact did they have on a political system in process? The following section is an attempt to define each religious party, and present its stand regarding Zionism.

It is important to note that all religious parties to be discussed claim to represent the same religion, i.e., the Orthodox variant of Judaism. The other two sects of Judaism, the Conservative and the Reformists, are not presented since the Zionist body does not officially recognize them.[25]

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[22] Stewart Reiser,*The Politics of Leverage: the National Religious Party of Israel and its influence on foreign policy*, (Cambridge, Mass.: Harvard University, Center for Middle Eastern Studies, 1984), pp. 7-8.

[23] Stephan Oren, 'Continuity and change in Israeli Religious Parties', *The Middle East Journal*. Vol.27, No.1 (winter 1973), pp. 36-37.

[24] Ibid, p. 37.

[25] Gary S. Schiff, 'Israel After Begin: the view from the religious parties', in Steven Heydemann, (ed.), *The Begin Era: issues in contemporary Israel*, (Boulder, Colo: Westview press, 1984), p 41.

Mizrahi: the emergence of a Zionist religious party

As early as the second Zionist congress that was held in Basel in 1898, religious Zionists needed "a clarification of the organization's attitude and relationship to Jewish tradition."[26] The organization regarded religion as a strictly personal issue. In 1901, the Fifth Zionist Congress passed a resolution making educational work (defined in purely secular nationalist terms) obligatory for Zionists, and this decision evoked the fears of secularism among religious Zionists. They organized the first formally separate faction within the Zionist Organization called Mizrahi, an acronym for "Merkaz Ruhani", or "spiritual center".[27]

If the disagreement had reached such a dangerous extent as to form an independent body within the Zionist organization, one may speculate about the reason behind the acceptance of the religious Zionists to still belong to that secular body. Two reasons were given: first, their secession might do great damage to Zionism, still fighting for its own existence. Second, if all the religious members were to abandon the Congress, the destiny of the "Jewish homeland" would be left to secular people who might sever all ties with historic Judaism.[28]

Mizrahi was a rejection of the traditional attitude of passively waiting for the Messiah "to bring back" the Jews to the Holy Land. Rather, being a religious party affiliated with Zionism, this gave it the ability to blend orthodoxy with modern Jewish nationalism.[29]

The first Mizrahi World Convention, which was held in Pressburg, Hungary in 1904, came out with some resolutions that introduce the new party:

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[26] Reiser, *The Politics of Leverage*, 1984, p. 8.

[27] Ibid, p. 8.

[28] Federbush , 'Religious Zionism', p.78.

[29] Reiser, *The Politics of Leverage*, p.7.

- "The Mizrahi is an organization of Zionists standing on the basis of the Basel program aiming for the survival of the Jewish people. The Mizrahi sees the possibility for the survival of the Jewish people in the observance of the Torah and Commandments and in the return to the land of our fathers.
- The Mizrahi stays within the Zionist Organization, fighting for its views within the organization, but it is creating a separate organization to attend to its religious and educational work.
- The aim of the Mizrahi is to realize these aims by the employment of all legal means, to popularize its ideology among the thinking orthodox by the creation of a religio-national literature, and by the rearing of the young in that spirit." [30]

The Mizrahi's stand was very difficult, since it accepted, as a religious party, to give "legitimacy" to a secular movement to govern what is supposed to be a "Jewish state". Religious Zionism had tried to solve this problem by attributing religious meaning to the modern "Return to Zion", viewing the establishment of the state as the "beginning of the redemption." Its adherents saw it "as a way of providing a political – territorial supplement to the "traditional national – religious component of Jewish identity."[31]

At the time Mizrahi cooperated with secular Zionists and gave de facto recognition to their secular society, it could not tolerate a public domain that does not adopt the rule of Judaism.[32] It was concerned to formulate a community that would consider the law of the

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[30] Schiff, *Tradition and Politics*, p.39.

[31] Horowitz and Lissak,*Trouble in Utopia*, p.139.

[32] Israel Kolatt, ' Religion, society, and state during the period of the national home', in Shmuel Almog, Jehuda Reinharz, and Anita Shapira (eds.), *Zionism and religion*, (Hanover, N.H.: University Press of New England, 1998), p.277.

Torah binding in all spheres of life – agriculture, industry, and education. They sought a community governed by the Jewish religious (Halachic) law and not by secular law. [33] That is why the Mizrahi took the initiative to establish the Chief Rabbinate for Palestine. This was a necessary step toward the consolidation of religious life in the upcoming Jewish state and the creation of a central authority for religious problems.[34]Also, the Mizrahi party needed Jewish legitimacy, which it could not get from traditional religious authorities that rejected Zionism. That is why it sought to strengthen the Chief of Rabbinical Council (CRC)'s authority in secular society. It affirmed its loyalty to the CRC and recognition of its authority on public sphere, but it also sought to have a say in its composition and policies to accord with party interest.[35]

Characteristically, the Mizrahi directed its efforts to the regulation of public life. Rabbi Meir Berlin clearly stated its position: "Each individual may feel whatever he likes but must adhere to religious practice."[36] On another occasion, he clarifies, "The private sphere is not our concern, but rather the public violation of religious precepts."[37]

Herzl and his Zionist supporters imagined a Jewish state in which religion would be the private individual concern, failing to recognize that some percieve religion in all aspects of life in conformity with the Halacha. Rabbi Berlin summarized the Mizrahi's view in 1922 as such, "Our Torah more than touches upon state and public life; it provides rules and

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[33] Ibid, p.280.

[34] Federbush, 'Religious Zionism' p.81.

[35] Eliezer Don-Yehiya, 'Religious leaders in the political arena: the case of Israel' , *Middle Eastern Studies*, Vol.20, No.2 (April 1984), p.161.

[36] Kolatt, 'Religion, society, and state' , p.289.

[37] Ibid, p.277.

regulations governing these aspects of life. These laws, indeed, are basic and essential parts of the Torah and our religious legislation...Neither when we dwelt in our homeland nor during the exile have we ever had laws that were of an exclusively 'secular' nature...." [38]

The Mizrahi party is considered to be a realistic party. Its pragmatism lies in its leaders' consideration of the needs of the world Jewry "rather than [the need] to link Zionism to the messianic component of prophetic Judaism."[39] For instance, the founder of Mizrahi, Rabbi Isaac Jacob Reines, was more concerned with saving the Jews from oppression in Europe than with preserving Judaism in terms of religion and tradition. This assumption explains Mizrahi's support of the Uganda proposal by the British government for the location of a Jewish colony in 1903. It was the opposition of the Russian socialist bloc inside the Zionist organization to the "Uganda solution", that forced Herzl to discard the proposal and save the organization's unity.[40]

Later on, Rabbi Abraham Isaac Kook's efforts within the party succeeded in forming a kind of compatibility between the "territorial Zion and the Zion of redemption." According to Shlomo Avineri, he was the first Orthodox authority to "integrate the normative centrality of the Land of Israel within the religious tradition into radical and revolutionary reinterpretation of the political activity of Zionism and the resettling of Palestine."[41] He sought a unity of nationality and religion in order to justify this "synthesis". He claimed that the seperation of religion and national "civilization" to be an error, because such a division

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[38] Rael Jean Isaac, *Party and Politics in Israel: three visions of a Jewish state* , (New York: Longman, 1981), p.61.

[39]Reiser, *The Politics of Leverage*, p.11.

[40] Ibid., p.11.

[41] Ibid., p.12.

"falsif[ies] both our nationalism and our religion, for every element of thought, emotion, and idealism that is present in the Jewish people belongs to an indivisible entity, and all together make up its specific character."[42]

Gradually, the Mizrahi party succeeded in claiming an ideological concept that combined both religion and territory. It perceived the land not as a Zionist achievement but as "Heaven's gift to martyred Israel" to be enjoyed and developed "under the guidance of the Torah without which it could not survive"[43]

Regardless of the considerable gap that existed between religious representatives in the Zionist organization and the secularist nationalists in matters of religion, the Mizrahi party knew that it had to collaborate with them in the political and economic fields for the common good.[44]Its program stated that the future of the Jewish people rests upon religious adherence and the Basel Program, and that it will remain within the frame of the Zionist Organization to build its own religious and educational activities.[45]

Ha-Po'el ha Mizrahi: the labor offshoot

The year 1919 witnessed a great change in the religious Zionist party as the roots of Mizrahi's youth wing were being planted. Younger people from the old Yishuv[46] formed an organization called ha-tza'ir ha-Eretz Yisraeli ("the Land of Israel Youth") to undertake

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[42] Rubinstein, *From Herzl to Rabin*, p.44.

[43] Emile Marmorstein, *Heaven at Bay: the Jewish Kulturkampf in the Holy Land*, (London: Oxford University Press, 1969), p. 89.

[44] Federbush, 'Religious Zionism' , p.77.

[45] Bauer, 'Religious Parties in Israel' , *Middle East Focus*, p.8.

[46] The Hebrew term for "settlement" or "community", is commonly used to refer to the pre-1948 Jewish community of Palestine as a whole. Rafael Medoff and Chaim I. Waxman, *Historical Dictionary of Zionism*, (Lanham: The Scarecrow press, 2000), p.279.

suburban agricultural settlement and to organize religious youth. Later on, it affiliated itself with the Mizrahi party, and became ha-Po'el ha Mizrahi (the Mizrahi worker) which gradually surpassed it and became the chief component of the party in the coming years.[47]

By the spring of 1922, ha-Po'el ha-Mizrahi had formally established itself, and became known as the party of religious-nationalist workers. It defined itself as "a religious Zionist labor pioneer movement, which aims to serve Judaism and all its internal values through the establishment in Eretz Yisrael of a....religious labor Commonwealth...(based) upon productive pursuits in agriculture and industry."[48]

According to ha-Po'el ha-Mizrahi, the Torah recognized labor as an expression of human creativeness and the basis of progress and individual self-realization. The two commandments, "Remember the Sabbath Day to keep it holy" and "six days shalt thou labor and do all thy work" (Exodus 20, 8) are, according to the Talmud, of equal status.[49]

The aim of ha-Po'el ha-Mizrahi was not to become a political party. But with the increasing dissatisfaction with the Mizrahi's representation of its interests in the Yishuv, it found it necessary to establish its own political organ to promote those interests.[50] The two groups differ in their social outlook. Ha-Po'el ha-Mizrahi's followers are considered to be a movement of religious renewal; and though they firmly stick to Halacha, they criticize the Mizrahi for confining itself to its imposition.[51] The ha'Po'el ha Mizrahi constituted of

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[47] Schiff, *Tradition and Politics* ,p.42.

[48] Ibid, p.43.

[49] Federbush, 'Religious Zionism', p.83.

[50] Schiff, *Tradition and Politics*, p.45.

[51] Kolatt, 'Religion, society, and state',p.293.

exclusively of Orthodox working class elements to which it offered a lot of services that the secular Histadrut (Zionist general federation of labor) performed for its members, such as employment, health services,...etc.[52] It also took on the task of defining "cultural and educational functions in the future Jewish state."[53] The fact that it offered essential social services, and at the same time kept its religious status, explains how it ultimately came to dominate the Mizrahi party in the following years.

Both the Mizrahi and its labor offshoot, ha-Po'el ha Mizrahi believed in establishing a state run by the Torah, but agreed to accomplish that mission gradually based on compromise that permits them to collaborate with the secular Zionist organization.[54]

For some, though religion and Zionism are not related, they believe that the secular movement is in support of religion. One of the best known Zionists of this trend is the scientist and philosopher Yeshayahu Leibowitz, who declared that his Zionism was based upon "being fed up with being ruled by Gentiles (non Jews)", rather than being in direct association with the religious doctrine.[55]

Both parties fulfilled an important role vis-à-vis the Jews in recent history through the integration of orthodoxy into the establishment of the Jewish State and the strengthening of Jewish life elsewhere. They have also worked on enforcing the ties of the Jewish community with the culture and tradition of the Jewish people.[56]

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[52] Bauer, 'Religious Parties in Israel', *Middle East Focus*, p.8.

[53] Reiser, *The Politics of Leverage*, p.8.

[54] Schiff, *Tradition and Politics*, p.51.

[55] Gregory S. Mahler, *Israel: government and politics in a maturing state*, (New York: Harcourt Brace Jovanovich, 1990),p.64.

[56]Federbush, 'Religious Zionism', p.85.

Above all, the importance of these parties resides in being able to counteract the prevailing isolationist trends among German-Jewish orthodoxy, which rejected any cooperation with non-religious elements at a time the Zionist movement needed maximum support for its survival.

Agudat Israel: the emergence of an anti-Zionist party

What were those isolationist trends? How did they perceive the Zionist movement, and to what extent had they really opposed it?

Being alientated from the rest of world Jewry, the German Jews rejected any pan- Jewish phenomenon, including Zionism. Their scholars showed anti-Zionist, hence also anti-Mizrahi, sentiments. When the Tenth Zionist Congress (1911) suggested to make cultural work obligatory for all Zionists, most of the German Mizrahi delegates withdrew from both the Mizrahi and the WZO and helped found Agudat Israel in 1912.[57]

Agudat Israel is a party that had once favored a secular Palestinian state, in which Jews were not to be considered a nation-state, as they were by the British mandate, but as ordinary citizens, free to organize communally as they pleased.[58] The original concept was to bring together Orthodox groups in all Europe into a united front to resist Zionism and its efforts to change Jewish life.[59]

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[57] Schiff, *Tradition and Politics*, p.40.

[58] Ibid, p.73.

[59] Bernard Reich and Daivd H. Goldberg, *Political dictionary of Israel,* (Lanham: The Scarecrow press, Inc., 2000), p.4.

According to Agudat Israel, "national redemption can be realized only through an act of Providence, and therefore no attempt should be made to hasten the establishment of a state, particularly one that is not based on the Halacha."[60]

The party's exclusion from the Zionist movement was voluntary and ideological. It rejected the challenge embodied in the nationalist mobilization effort of Zionism. Therefore, it was free to criticize a system it rejected, and because of its negativistic attitude, never developed organizational centralization, consistency, and discipline. [61]

Agudat Israel argued that a Jewish State in Palestine should be "constituted from the very beginning in accordance with the commands of God and the Torah." Such a state could be only achieved if there were harmony among the Jews on the core nature of the state.[62]

The party was officially founded at a convention held at Kattowitz (Poland) on May 27-29, 1912 to reject both Zionism and Socialism, which it saw as man-made ideologies against the rule of the Torah, and the Scriptures. Its manifesto declared, "..It would be active in any matter concerning Jews and Judaism according to the Torah, without any political consideration." Agudat Israel aimed at using the political medium of a party to preserve religious values. [63]

To make sure that the politicians would not impose a change in its non-Zionist ideology, Agudat Israel refused to recognize the authority of the CRC and instead, chose a group of co-opted rabbis, Mo'etzet Gedolei ha-Torah ("Council of the Torah Greats, "or rabbinical

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[60] Susan Hattis Rolef (ed.), 'Political dictionary of the state of Israel' , (New York: Macmillan publishing company, 1987), p.12.

[61] Schiff, *Tradition and Politics*, p.210.

[62] Ibid, p.73.

[63] Bauer, ' Religious Parties in Israel' ,*Middle East Focus*, p.8.

council) to be its highest body. This clerical establishment distinguished Agudat Israel not only from the WZO, but from Mizrahi as well. This concept summarizes its rejection of the secular bases of the quasi-government of the Yishuv and, later, of the state of Israel.[64]

Therefore, the human role in bringing about the controversial "redemption of Israel" for the Jews caused Agudat Israel to adopt a separatist stand to differentiate itself from any party that is affiliated with Zionism.[65]

Agudat Israel was, then, a party that relied on the rabbinical tradition of rejecting any human-rational activity to accelerate "Redemption." That is why they branded the human effort to bring the Jewish people to Palestine as d'hikat haketz (literally "pushing the end", i.e., bringing the end of days closer). According to a rabbinical tradition, whose authority some deny, God prescribed three oaths at the time the Jews were "exiled from their homeland," "One oath was that the Jews were not to 'push the end', and another was that they were not to return to the land by force."[66] Since neither Zionism nor the Mizrahi party was ready to tolerate these rules, Agudat Israel could not but take an opposing stand against them both.

Po'ali Agudat Israel: the labor offshoot

Like Mizrahi, Agudat Israel also produced a labor wing, Po'alei Agudat Israel. However,it remained smaller than the original one despite enjoying its own ideology which was closer

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[64]Schiff, *Tradition and Politics*, p.71.

[65]Reiser, *The Politics of Leverage*, p.6.

[66] Charles S Liebman and Eliezer Don-Yehia, *Religion and politics in Israel*' , (Bloomington : Indiana University Press, 1984), p. 59.

to the Zionist and socialist ideas and practices (like the Kibbutz) .This, eventually, caused the split of the two into separate parties later on.[67]

The party is defined as a religious labor movement dedicated to building the Land of Israel in the spirit of the Torah. Founded in 1922 in Poland as the workers' organization of Agudat Israel, it primarily intended to defend the rights of religious Jewish workers by implementing the Biblical ideals of social justice in Jewish life. The movement spread to other countries, particularly in Eastern Europe.[68]

As to the followers of both Agudat Israel and its labor offshoot, they are Hassidic and ultra-orthodox communities and their political decisions (especially those of Agudat Israel) subject to the authority of the Moetzat Gedolei HaTorah (Council of Torah Sages), namely the heads of the ultra-orthodox yeshivot (religious academies) and the most prominent Hassidic rabbis. Both Agudat Israel and its labor offshoot have rejected the secular Zionist ideology to claim the Torah to be the basic constitution and ideological statement of the Jews. The difference between them, however, lies mainly in the sociological basis of their support, Poalei Agudat Israel, being historically the party of the highly Orthodox working-class people. Yet, both, especially Agudat Israel, have enjoyed a very steady core of supporters, the ultra-orthodox .[69]

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[67] Gary S. Schiff, 'Recent Developments in Israel's Religious Parties' , in Greogry S. Mahler (ed.), *Israel after Begin*, (Albany, N.Y.: State University of New York, 1990), p.64.

[68] Wigoder (ed.), *New Encyclopedia of Zionism and Israel*, p.1042.

[69] Elyakim Rubinstein,'The lesser parties in the Israeli elections of 1977', in Howard R. Penniman (ed.) *Israel at the polls: the Knesset elections of 1977*, (Washington, D.C.: American Enterprise Institute for Public Policy Research, c1979), p.180. See also, Oren, 'Continuity and change in Israeli Religious Parties', *The Middle East Journal*, p.39.

In short, the Zionist movement promoted the establishment of a secular state for the Jews in Palestine, the Mizrahis cooperated with Zionism, believing it to be a religious duty, and the Agudats perceived the whole thing as a violation of the Jewish law and a threat to Judaic tradition. Chapter two will attempt to examine the "status quo" agreement, an accord that aimed at finding a common ground for religious and secular parties before the establishment of the Jewish state.

Chapter TWO

The Status Quo Agreement

"When one speaks of a Jewish state one should preserve first of all the Jewish specificity and not the all-human. It is the Sabbath and Kashrut that will shape the nature of our state as a Jewish state"

Rabbi Berlin, 1937[1]

Both the secular Zionists and the "religionists" perceived an urgent need for compatibility if a Jewish state was to be established. Actually, each side had recognized the mutual interest of cooperation, the religionists in the survival of the state, the Zionists in safeguarding the state's ties to tradition, ties which are said to be crucial for preserving national unity both in the upcoming Jewish state and among Jews abroad. Based on this mutual interest, the arrangements collectively known as the "status quo" have been worked out. [2]

The term "status quo" reveals a compromise between the religious and non-religious parties regarding public religious performance. The compromise has been based on concessions made by the secular parties to the religious parties.[3]

As stated in chapter one, the Mizrahis, the main religious parties, did not abandon the Zionist socialist leadership, despite the latter's many differences with the religious

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[1] Israel Kolatt, 'Religion, society, and state during the period of the national home', in Shmuel Almog, Jehuda Reinharz, and Anita Shapira (eds.), *Zionism and religion*, (Hanover, N.H.: University Press of New England, 1998), p.289.

[2] Gary Schiff, *Tradition and Politics: the religious parties of Israel*,(Detroit: Wagne State University Press, 1977) ,p.196.

[3] Ibid., 287.

parties. On the contrary, it provided it with further support. As the Mizrahi Rabbi T. J. Reiner stated: "There is no greater sacrilege than to allege that Zionism is part and parcel of secularism for the truth is that it is precisely the holiness of the land that induces the secularists to participate in the movement...it is in this that we may see the greatest of Zionism, for it has succeeded in uniting people of diverse views, and directing them toward a noble aim – the saving of the people – and this is its glory."[4] The Zionist target, then, was not the Mizrahi parties, but the Agudats, which had not only rejected Zionism and its initiative to establish a Jewish state, but also described the Mizrahis as traitors to the Torah.[5]

But still, if the majority of the religious parties were allied with the Zionist leadership, why should the latter be eager to reach out an anti-Zionist Agudat Israel, a party of less significance?

In fact, the year 1947 was an important landmark for Zionism, since it marked the transition from mandatory rule to an independent state. At that time, the main aim was to unite all Jewish factions behind the goal of establishing a Jewish state prior to the arrival of the United Nation's Special Committee on Palestine (UNSCOP).[6] The Jewish Agency was eager to gain the support of the Jewish people for the new Jewish state. That is why Agudat Israel was to be embraced and promised that the new State would do nothing to destabilize the established position of Orthodoxy within the Jewish community.[7]

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[4] Daniel J. Elazar, *Israel: building a new society*, (Bloomington : Indiana university press, 1986), p.129.
[5] Ibid, p.131.
[6] Reuven Y. Hazan, 'Religion and politics in Israel: the rise and fall of the consociational model', *Israel Affairs*, Vol.6, No..2 (win.99), p.116.
[7] Jonathan Marcus, 'Israel: the politics of piety' , *The World Today*, Vol.42, No.11, p. 189.

The Status Quo Agreement

The term status quo identifies a letter that was sent by the Jewish Agency, the representative of the Jewish population before the British authorities, to Agudat Israel on June 19, 1947 offering a number of promises with respect to public control of religious matters. It attempted to assure the leadership of the religious non-Zionists that the principal arrangements regarding religion-state relation would be maintained in the newly established state. The document reads as follows:

"The Executive of the Agency has heard from its Chairman of your request concerning a guarantee in regard to marriage, the Sabbath, education, and the dietary laws in the Jewish State when it is established in our own days.

As the Chairman of the Executive has informed you, neither the Executive of the Agency nor any other body in the land, are qualified to determine in advance the constitution of the Jewish state when it is founded. The establishment of the state requires the confirmation of the United Nations, and this will be impossible without a guarantee of freedom of conscience in the state to all its citizens, and without it being made clear that it is not the intention to establish a theocratic state. In the Jewish state there will be also non-Jewish citizens, Christians and Moslems, and it will be clearly necessary to guarantee at a later stage full equality of rights to all citizens and the absence of coercion or discrimination in religious or other matters.

We are pleased to hear that you understand that no body is qualified to determine the eventual constitution of the State, and that the State will be, within certain limits, free to determine its constitution and regime according to the will of its citizens.

However, the Executive appreciates your demands, and is aware that these are matters that worry not only members of the Agudah but many others who are loyal to the faith of Israel, both in the camps of the Zionists and outside all parties, and it shows complete understanding for your demands that the Executive of the Agency should inform you as to its attitude to the questions you have put forward and what it is prepared to do, to the extent of its influence and authority, in order to fulfill your requests in relation to the said questions.

The Executive of the Agency has authorized the signatories to formulate its attitude towards the questions that you have raised in conversation, and we are now informing you the attitude of the position of the Executive of the Agency:

a. *Sabbath*: It is clear that the legal day of rest in the Jewish State will be the Sabbath, with Christians and members of other faiths naturally being granted the right to rest on their own festive day of the week.

b. *Dietary laws*: All necessary measures should be taken to guarantee that in every state kitchen intended for Jews the food will be kasher.

c. *Marriage*: All members of the Executive appreciate the gravity of the problem and its great difficulties, and on the part of all the bodies represented by the Executive of the Agency everything possible will be done to satisfy in this respect the profound need of adherents of the faith, so as to prevent the division of the House of Israel into two parts.

d. *Education*: The full autonomy of every 'trend' in education will be guaranteed. (Incidentally, this practice also prevails in the Zionist Federation and in the official Jewish community at the present time.) There will be no interference on the part of the government with the religious conviction and the religious conscience of any section in

Israel. The State will naturally determine minimal compulsory studies, the Hebrew language... but it will give full freedom to every 'trend' to conduct education according to its own conviction and will refrain from any interference with religious conscience."

David Ben Gurion, the Chairman of the Executive and leader of the Labour movement, J.L. Fishman, the Mizrahi representative and Isaac Gruenbaum, the General Zionist representative, signed this document.[8]

It was agreed upon at that stage that such a step if processed would be a pre-emptive action to contain a possible upcoming "kulturkampf"[9], a term used to describe the persistent struggle between the Jewish religious and the secular authorities.

Such a secular-religious appeasement could be explained as an implementation of what Arend Lijphart, the Dutch political scientist, identifies as "consociationalism". The term is defined as, "a method of organizing intercommunal relations so as to mitigate the effects of conflict."[10] Consociationalism, Lijphart argues, takes place when political elites recognize that the stability of the political system might be endangered if the social and ideological disagreements that divide their society were permitted to function without control. Because of these fears, the leaders of the various political camps adopt measures to ensure that such cleavages are effectively controlled.[11]Lijphart adds that consociationalism is sought where deep social and political disparity threatens the

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[8] Emile Marmorstein, *Heaven at Bay: the Jewish Kulturkampf in the Holy Land*, (London: Oxford University Press, 1969), pp.87-88.

[9] This term was originally used to describe the struggle in the late 19th century between the Roman Catholic Church and the German government under Bismarck for control over schools, ecclesiastical appointment, and civil marriage. Ruth Seligman, 'Israel's Kulturkampf Today', *Midstream*, (February/March 2000), p.30.

[10] Asher Cohen and Bernard Susser, *Israel and the politics of Jewish identity: the secular-religious impasse*, (Baltimore: Johns Hopkins University press, 2000), p.7.

[11] Asher Cohen and Bernard Susser, 'From accommodation to decision: transformation in Israel's religio-political life', in Gregory S. Mahler (ed.), *Israel*, (Aldershot: Dartmouth, 2000), pp. 5-6.

institutions of public life "with destabilization and delegitimation."[12] It is, therefore, considered a strategy that attempts to establish "regulating principles that inhibit conflict and neutralize it when it does erupt."[13]

Four characteristics are defined by Lijphart as bases for such an accommodation: "government by a grand coalition of all significant segments of the plural society; mutual veto as a protection of minority interests; proportionality in elections, appointments and allocations; and autonomy for each segment to run its internal affairs."[14] These conditions, as will be discussed in the following chapters, would constitute the basic ground for the future political system of the Jewish state, and here once again lies the importance of the status quo agreement.

It is interesting, however, to state that both the secular and the religious authorities had already agreed on the status quo principles prior to the issuing of the letter, and therefore the status quo accord can be perceived as an affirmation of what had become accepted by the two elites and a authentication between them of what would continue.[15]

What really concerns us about the status quo agreement is the significance of the components it encloses. Its importance lies in providing us with issues demanded by the religious parties as prerequisites to participate in establishing the Jewish state. We will shed light on the items mentioned in the letter concerning Sabbath, marriage, dietary laws and education, and attempt to show their evolution until the official recognition by the Zionist organization. We do not claim, however, that these issues were the only conflicting matters, since other related issues have been also raised in this domain. For

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[12] Cohen and Susser, *Israel and the politics of Jewish identity*, p. 7.
[13] Ibid, p.7.
[14] Hazan, 'Religion and politics in Israel', *Israel Affairs,* p.117.
[15] Ibid, p.117.

example, conscription of women has been bitterly opposed by Agudat Israel on the grounds that "it undercuts the family purity required by the Jewish religious law."[16]

Sabbath

Observing the Sabbath by public institutions was raised as early as the second Zionist congress in 1898. It decided, "Zionism will not act in any way to infringe upon the Jewish religion". For the religious Zionists, it was a promise that no official activities of the Zionist movement would take place on the Sabbath. The secularists interpreted it otherwise, and bitter disputes within the movement emerged, particularly following the expansion of the Zionist activities under the British mandate in Palestine. In 1935, at the nineteenth Zionist Congress, a settlement was reached between Mizrahi and Mapai, the dominant Zionist party. According to that agreement, no public violation of the Sabbath was to occur.[17]

Dietary laws

As to the dietary laws, Jewish religion has a certain specialty regarding food cooked and served to Jews. Public observance regarding this issue has also historical roots not restricted to the implementation of the Status quo agreement. It is interesting to know that as early as the mid-twenties, when Po'ali Agudat Israel joined the Histadrut's Health Fund, the workers' kitchens were made kosher.[18] Also, at an earlier stage, the Mizrahi party has insisted on maintaining Halacha in Zionist activities and in the rebuilding of the

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[16] Rael Jean Isaac, *Party and Politics in Israel: three visions of a Jewish state*, (New York: Longman, 1981), p.71.
[17] Charles S Liebman, and Eliezer Don-Yehia, *Religion and politics in Israel*, (Bloomington : Indiana University Press, 1984), p. 33.
[18] Marmorstein, *Heaven at Bay*, p. 287.

Jewish state. For example, pig raising on land owned by the Jewish National Fund was banned.[19]

Education

Education, before the status quo agreement, consisted of different independent trends. According to article 14 of the British Mandate, "each community was assured the right to maintain its own schools for the education of its own members in its own language, while conforming to educational requirements of a general nature."[20] When the Zionist Commission established the Department of Education, two independent trends emerged. One was general and the other Mizrahi religious. In 1926, a third one was founded when the WZO recognized the labor schools as a separate trend. All of these trends were included in the centralized administrative network of the Va'ad Le'umi (National Council). The schools of the general trend followed a national Zionist orientation, emphasizing the development of Hebrew culture and appreciation of national values. The Mizrahi networks offered a religion-oriented program stressing on religious studies, while the labor schools devoted considerable time to the study of practical subjects and social studies. Agudat Israel, later on, established its own trend, but remained outside the Jewish national school system. It refused to be associated with the WZO, devoting its studies to Jewish religious studies. Therefore, the status quo has only confirmed the continuity of the trends model in the upcoming state.

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[19] Stephan Oren, 'Continuity and change in Israeli Religious Parties', *The Middle East Journal*, Vol.27, No.1 (winter 1973), pp. 37-38.

[20] Geoffrey Wigoder (ed.), *New Encyclopedia of Zionism and Israel*, (Madison: Herzl press publication, 1994), p.364.

Marriage

Under the British Mandate, special privileges were given to religious communities in law and practice. Each religious community was given internal autonomy, and therefore, in matters of personal status the courts of each religious community had exclusive authority.[21]

These were not British innovations. The Mandatory power simply continued the laws and conventions that were adopted by the Ottomans regarding community affairs, prior to British Mandate of Palestine.

The Ottoman Empire was based on the *millet* system, wherein membership in a religious group, rather than citizenship, nationality, or race, was a factor of identification. Each religious group was left locally to its own autonomous devices in matters of personal jurisdiction. During that era, each community had the authority to manage its own religious affairs, as well as all matters of marriage, divorce, personal status and so on according to each respective ethno-religious group.[22] This procedure was confirmed as a persisting trend by international treaty at the Congress of Berlin and later on by the League of Nations in 1919.[23]

In 1922, the Palestine Order in Council (Article 53) stated: The Rabbinical courts retained "exclusive jurisdiction in matters of marriage and divorce, alimony and confirmation of wills of members of their community."[24]

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[21] Ervin Birnbaum, *The Politics of Compromise: state and religion in Israel*, (Rutherford, N.J.: Fairleigh Dickinson University Press,[1970]), p.79.
[22] http://www3.haartez .co.il/eng/scripts/article.asp.../01&id=12149
[23] Herbert Weiner, 'Church and state in Israel', *Midstream,* Vol.8, No.1 (winter 1962), p.8.
[24] Birnbaum, *The Politics of Compromise*, p.80.

Thus, the British preserved the millet system, introduced into Palestine by the Ottomans, providing the religious parties a powerful boost to their ambitions in turning the upcoming state into a theocracy.

Regarding the Jewish community, the Mandatory government declared the Rabbinical Council to be the only lawful authority recognized by the Palestine administration. Its exclusive authority was reconfirmed in the Religious Communities Ordinance of February 1926, and once again in the "Regulations" of 1927.[25]

Nevertheless, under the Ottoman and the British mandate, citizens had the right not to belong to a religious community, and instead to have their affairs sorted out by civil courts.[26] Unfortunately for the secularists, once the mandate's authority was handed over to the Zionist organization, this option stopped to exist. The status quo agreement was the starting point that has given the religious parties the power to impose a religious law regarding personal status on related communities.

Religious parties: reactions to the Status Quo document

As discussed in chapter one, religious parties in the pre-state era did not have a common position with respect to the upcoming Jewish state. As a result, Ben-Gurion addressed his letter (the status quo document) to Agudat Israel and not to the Mizrahis who, despite reservations on certain issues, had already supported the Zionist movement.

The Mizrahi and Ha Po'el Ha Mizrahi did not feel compelled to modify their basic ideology despite their identification with the secular nature of the Yishuv society. They continued to relate Jewish nationalism to the Torah, considering Zionism to be the only

[25] Ibid, p.81.
[26] http://www3.haartez .co.il/eng/scripts/article.asp.../01&id=12149

legitimate expression of the Jewish religion. This position did not meet with both the nonreligious Jewish nationalist and the anti-Zionist religious views. As stated previously, when dealing with the Uganda option, religious Zionism gave priority to Jewish unity over strict ideological traditionalism, recognizing the need for joint political action by observant and nonobservant Jews. This priority made it possible for the Zionists to make peace with both nonreligious nationalistic and non-Zionist religious circles.[27]

Agudat Israel, on the other hand, was the party that had refused to accept the creation of the secular state in the Palestine, the Zionist system of education, its values, culture, symbols and Hebrew language.[28]It had even identified itself with the Old Yishuv (the pre-Zionist Ashkenazi Jewish settlers) in Jerusalem in its bitter war against the organization of the Jewish community along the lines of Zionist ideology. In 1922-1924 Agudat Israel had carried on, at times in cooperation with Arab leaders, an active anti-Zionist political campaign in British circles and in the world press.[29]

The problem with Agudat Israel, then, was not a mere disagreement regarding certain issues with the Zionist leadership. The conflict originated from the very essence of the Zionist movement; the human involvement in the establishment of the Jewish state.

Regarding Ben Gurion's letter, it could not answer the essential question of the relationship between religion and society in the Yishuv for either the religious or the secular camps. It did not define the essence of Jewish nationhood, nor did it take a decisive stand on the critical dilemma whether the Jewish people constitute a religious or a national community. Imposition of Halachic standards in matters of personal status and

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[27] Kolatt, 'Religion, society, and state', p.297.
[28] Rebecca Kook, Michael Harris and Gideon Doron, 'In the Name of G-d and our Rabbi: the politics of the Ultra-Orhtodox in Israel', *Israel Affairs*, Vol.5, No.1(Autumn 1998),p.5.
[29] Wigoder (ed.), *New Encyclopedia of Zionism and Israel*, p.40.

the insistence on minimal standards of religious observance in Jewish public life could only satisfy the religious Zionists who were concerned about the traditional inheritance of the Jewish people.[30]

If the document falls short of the expectation of Agudat Israel, what were the new circumstances that have led Ben Gurion to think of a possible agreement with that anti-Zionist party?

Agudat Israel: abandoning the anti-Zionist trend

To begin with, Agudat Israel in year 1947 had changed a lot from what it had been years ago. It could not accomplish very much in the land of Palestine without the cooperation of the secularists. These developments took place in the context of a rising anti-Semitism and economic dislocation among Eastern European Jews, mainly in Poland where the core of Agudat Israel's supporters lived. The organization had little to offer its supporters in material terms, and the Zionist solution was increasingly attractive to the masses of religious Jews. Also, the Holocaust, the destruction of the centers of Jewish population and culture in Eastern Europe and the transfer of many Jews to Palestine, strengthened the Poalei wing within the organization, which sought active participation in the building of the Jewish state.[31] The Agudat labor party, with the increasing numbers of immigrants heading to Palestine, found itself engaged in the same kind of activities as the Zionist organizations, working in cooperation with them.[32]

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[30] Kolatt, 'Religion, society, and state', p.297.
[31] Liebman,and Don-Yehia, *Religion and politics in Israel*, p. 66.
[32] Oren, 'Continuity and change in Israeli Religious Parties', *The Middle East Journal*, p.39.

Moreover, in the 1930s, Agudat Israel had already moderated its opposition vis-à-vis the WZO and cooperated with its leadership on a limited basis. Agudat Israel's leaders were impressed by the practical successes that the Zionists had registered. [33]Moreover, Agudat Israel had compromised to some extent in the direction of cooperation with the Zionists within Palestine because of anti-Zionist uprisings by Arab nationalists, but still could not find a way to accept statehood until 1948, although its Labor offshoot, Po'ali Agudat Israel, advocated a Jewish state by 1944.[34]

The insecurity the Agudat Israel faced both in Europe and inside Palestine pushed the party to increase its cooperation with the Yishuv, particularly in matters of self-defense. Some members of the Agudat youth wing, Tz'irei Agudat Israel, had even joined the underground defense forces of Knesset Israel, the Haganah.[35] Agudat Israel shifted from an anti-Zionist to a pragmatic, non-Zionist position, finally accepting Palestine as a refuge for the survivors among European Jewry. This reluctant acceptance of Zionism as an enterprise and Palestine as a location did not, however, lead the Agudist to an identification of the Zionist movement or the upcoming Jewish state with the prophetic vision of "messianic redemption." The Agudist attitude did not attribute either piety or holiness to the state in process, nor did the party members tend to recognize or define the state as the beginning of redemption.[36]

Nevertheless, it was the young guard that objected most to the gradual moderation of Agudat policy vis-à-vis Zionism. With the obvious tilt towards Zionism, a group of

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[33] Liebman and Don-Yehia, *Religion and politics in Israel*, p. 65.
[34] Stewart Reiser, *The Politics of Leverage: the National Religious Party of Israel and its influence on foreign policy*, (Cambridge, Mass.: Harvard University, Center for Middle Eastern Studies, 1984), p.15.
[35] Schiff, *Tradition and Politics*, p.75.
[36] Reiser, *The Politics of Leverage*, p.16.

Agudat Israel opposed to any cooperation with Knesset Israel, founded the Neturei Karta, which still accuses the once anti-Zionist party of having abandoned its separatist principles and refuses to recognize the "legitimacy" of the upcoming state of Israel.[37]

As to Neturei Karta, it can be defined as a religious group of no political ambitions. It derives its name from a passage in the Talmud, which refers to those who devote themselves to the study of the Torah as the "guardians of the city." They believe that only God can establish a Jewish state. They see themselves as the Palestinian Jews who made their way to the Holy Land with the clear objective of worshiping God in his "back yard". They have even raised the Palestinian flag considering it to be theirs.[38]

The relationship between religion and society in the Yishuv resided mainly in the co-existence of traditional communities with secular Jews. Since no radical solution could be acceptable, compromise conditioned by social and historical varying circumstances was sought.[39]

The status quo agreement, therefore, does not connote new concessions made by the secular WZO to the religious parties, but it, instead, confirms what leadership on both sides had come to accept.

The status quo became a "declaration of principles" between the secular and the religious authorities, serving as a basis of the resolution of religious questions that arose. The status quo agreement was, therefore, an active solution with terms changing according to

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[37] Schiff, *Tradition and Politics*,pp.74-75.
[38] Bernard Reich and Daivd H. Goldberg, *Political dictionary of Israel*, (Lanham: The Scarecrow press, Inc., 2000), pp.282-283.
[39]Kolatt, 'Religion, society, and state', p.299.

the shifting balance of power. In short, it was a pragmatic resolution of religious-secular tensions that facilitated elite accommodations.[40]

This chapter has focused on the status quo agreement to examine its importance in being the first Zionist acknowledgment of a role for the religious parties in the upcoming Jewish state, a role the Zionists have always tried to control and not to abandon, especially to groups that are capable of changing the whole identity of the intended "democratic secular" state. In short, we can infer that the status quo agreement was dictated by external and internal political circumstances, containing no definitive exposition of the relationship among the state, society, and religion. It was not reached by majority decision, but had initiated, instead, a new phase of compromise whereby each side would try to meet the other's minimum demands, taking its most inflexible positions into consideration.

[40] Hazan, 'Religion and politics in Israel', *Israel Affairs*, pp. 116-117.

Chapter THREE

Reactions to Independence

"At the present time, the population of Israel represents only a small segment of world Jewry... What right has such a State to adopt a constitution which will be binding on millions of men, women, and children yet to settle within its borders."

David Ben-Gurion[1]

On the 29th November 1947, the United Nations General Assembly passed a resolution calling for the establishment of a Jewish State in Palestine.[2] This acknowledgment by the United Nations to allow the Zionist movement to found that "Jewish state" declares the beginning of a new phase in the Jewish history.

Our interest will be focused on how the state was perceived by the different Jewish parties. This chapter will shed light on the role of the religious parties in state management that caused, at the end, the birth of a state without a constitution.

Declaration of Independence

In a typical civil ceremony, without a prayer or a psalm,[3] David Ben-Gurion, the first Israeli prime minister, read the Israeli Proclamation of Independence at the Municipal Museum in Tel-Aviv on May 14, 1948. Everyone understood that the Zionists were

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[1]Gregory S. Mahler, *Israel: government and politics in a maturing state*, (New York: Harcourt Brace Jovanovich, 1990), p.82

[2]Daniel J. Elazer, (ed.), *The Constitution of the State of Israel, 1996-5756*, (Jerusalem: Jerusalem Center for Public Affairs, 1996), p.23

[3]M.Z. Frank, 'God of Abraham in the state of Israel', The Middle East Journal, Vol.5, No.4 (Autumn 1951), p.407

establishing a Jewish State in Palestine, but no one could indicate what was meant by the words "Jewish State".[4]

The Jewish parties involved in defining the identity of the state expressed different interpretations of the term. At one end, were those Orthodox Jews who saw in the establishment of a Jewish state an opportunity to "recreate" a nation based upon Jewish law and tradition. At the opposite side were the secularists who argued that Israel is no more than the "homeland" of a people having common historic roots.[5]

Those conflicting stands were not surprising. On the contrary, the Zionists had expected such a conflict to take place. The status quo agreement that was worked out in 1947 was an attempt sought by the Zionist to reduce the gap between the secular and the religious parties in preparation for a declaration of independence that would deprive both parties from their ultimate aim of establishing either a religious or a secular state.

The Declaration of the Establishment of the State of Israel states that "The State of Israel...will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race, or sex; it will guarantee freedom of religion, conscience, language, education and culture..."[6] The inclusion of these values was considered vital for the secular community, whose intention was to establish a "democratic state" that promises freedom regarding religious performance. When talking about "democracy", one has to bear in mind that it is mentioned in exclusivity to the Jews, disregarding the

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[4] Martin Edelman, 'A portion of animosity: the politics of the disestablishment of religion in Israel', *Israel Studies*, Vol. 5, No. 1 (spring 2000), p.205.

[5] Mahler, *Israel: government and politics*, p.70

[6] Ervin Birnbaum, *The Politics of Compromise: state and religion in Israel*, (Rutherford, N.J.: Fairleigh Dickinson University Press, [1970]), p.79

Palestinians who had no choice but to experience the non-ending discrimination practiced against them by the new "democratic" state.

Despite such a declaration, full religious freedom could not be granted to the future citizens, because the Jewish religious law became the law of the state in matters of personal status, and because on some other issues religious legislation conflicts with essential freedoms that are set in democracies.[7]

The final draft of the independence document that was being processed arose a well-known controversy regarding the reference to God in the text. For the secularists, who ruled in 1948, any mention of Divine providence was unacceptable. On the other hand, religious Jews could not allow the announcement of the "reestablishment of the Jewish state" without such a reference. The compromise was made by the inclusion of *Tzur Israel* (Rock of Israel), a phrase traditionally used as a symbol for God, but at the same time, it connoted various interpretations.[8] After the argument resulting in the introduction of the 'Rock of Israel' as a substitute for the Divine name, representatives of both the Zionists and the religious parties- signed the document that does not acknowledge the rule of the Torah.[9]

Nevertheless, the religious parties' acceptance of the establishment of a Jewish state, not based on religious law, did not mean, in any way, that they had accepted a total

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[7] Benyamin Neuberger, 'Religion and state in Europe and Israel', *Israel Affairs*, Vol.6, No.2 (winter 1999), p.78.

[8] Elazer, (ed.), *The Constitution of the State of Israel*, p.2

[9] Emile Marmorstein, *Heaven at Bay: the Jewish Kulturkampf in the Holy Land*, (London: Oxford University Press, 1969), p.95

separation of church and state in Israel. In their eyes, the state had to meet the minimal principles of religious performance set during the period of the Yishuv. [10]

We have already examined the extent to which the existence of the religious parties and their influence in the political arena had shaped the *status quo* agreement at that period. Deprived of constitutional guarantees, the religious parties had to exploit the previous assurances to expand the electoral and economic strength of their own communities.[11]As a start, they succeeded in imposing Orthodox Judaism "as the sole, official, state-recognized and supported religion for the nation's Jewish citizens."[12]

Religious parties and the state of Israel

Almost since the inception of the state of Israel, questions about the role of Judaism in Israeli life and the religious status quo agreement made between David Ben Gurion and Agudat Israel in 1947 have had major political overtones.

During the early years of statehood, the religious camp in Israel adopted conflicting attitudes regarding the "legitimacy" of the Jewish state. Some considered it holy, some considered it a human creation but a "legitimate" political entity while others considered it a violation to the Divine will.[13]

The Mizrahis belonged to the first group in endorsing the Zionist efforts to create a Jewish homeland, which they perceived as the beginning of the "process of salvation."

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[10] Israel Kolatt, 'Religion, society, and state during the period of the national home', in Shmuel Almog, Jehuda Reinharz, and Anita Shapira (eds.), *Zionism and religion*,(Hanover, N.H.: University Press of New England, 1998), p.298

[11] Marmorstein, *Heaven at Bay*, p.95

[12] Edelman, 'A portion of animosity', *Israel Studies*, p.204.

[13] Deborah Libstadt, ' Religious politics in Israel', *Midstream*, Vol.27, No.5 (May 1981), p.41.

This appears in the Prayer for the State written by the Chief Rabbinate: "Our Father in Heaven, Rock of Israel and her Redeemer, bless the State of Israel, the beginning of the dawn of our Redemption..."[14] The religious Zionist parties percieved redemption, then, as " the insulation of the Jewish people by transferring them to their own isolated cultural and political structures."[15] Accordingly, they supported Zionism in the process of state building, worked towards a unified society and participated in the pre-and post-independence national institutions.

The second group, represented by the Agudists, opposed, in principle, the establishment of a Jewish state prior to the arrival of the Messiah. They adopted an isolationist approach, sought autonomy and boycotted the state institutions.[16] With time, they accepted the foundation of the state of Israel, believing it to be neither a theocracy nor a regular state, just a body possessing Jewish characteristics that are worthy of special consideration.[17] It is safe to claim that the participation of the Agudists in the Zionist regime was a matter of convenience. After all, they had to make a choice, either remain a religious interest group, and disappear by time, or become a political party competing for representation in the Knesset. They decided to choose the second alternative and created

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[14] Julien Bauer, 'Religious Parties in Israel: Reality Versus Stereotypes', *Middle East Focus*, Vol.11, No. 2(fall 1989), p.10

[15] Eliezer Don-Yehiya, ' Jewish Orthodoxy, Zionism, and the state of Isreal', *The Jerusalem Quarterly*, No.31(Spring 1984), p.27.

[16] Reuven Y. Hazan, 'Religion and politics in Israel: the rise and fall of the consociational model', *Israel Affairs*, Vol.6, No. 2(winter 99), p.113

[17]Bauer, 'Religious Parties in Israel', *Middle East Focus*, p.10

a political branch, whose members of Parliament would follow instructions from the Council of Torah Sages, a body they followed with total obedience.[18]

As to Po'alei Agudat Israel, it had cooperated with the Histadrut, though it did not become a member because of the latter's secularist outlook.[19] Its followers were involved in the Israeli system, feeling, at times, closer to the Mizrahis or even to the secular Zionist groups than to Agudat Israel.[20]

The third group is represented by Neturei Karta that rejects the legitimacy of Zionism and the state of Israel as a whole. Since this group is not considered an Israeli religious party and, consequently, does not belong to the political system, we just intended to mention it in the context of stating that not all religious groups have accepted the concept of a Jewish state, established through Man's intervention.

United Religious Front (URF): the first religious political coalition

With the non-Zionists getting closer to the Zionist Mizrahis regarding its acceptance of the Jewish state, it was thought of a united religious front whereby the religious parties could be more efficient in imposing religious demands on the secular regime. However, repeated attempts made by the religious parties to unite were unsuccessful for different ideological reasons. A temporary coalition was formed for the election to the First Knesset in 1949. The non-Zionist parties opposed a compromise on matters like conscription of women into nonmilitary service, or to mixed swimming in municipal

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[18]Ibid, p.9.

[19] Birnbaum, *The Politics of Compromise*, p.72.

[20] Stephan Oren, 'Continuity and change in Israeli Religious Parties', *The Middle East Journal,* Vol.27, No. 1 (winter 1973), pp. 46-47.

swimming pools, at a time when the Mizrahis were ready to compromise.[21] That made it impossible for the religious parties to continue to be represented in the same bloc.

Prior to the election to the Third Knesset in 1955, the ha-Po'el ha-Mizrahi and the Mizrahi formed the National Religious Party[22] (NRP), also known as Mafdal (an acronym for "Milfleget Datit Leumit"), and Po'alei Agudat Israel and the Agudat Israel joined in the Torah Religious Front (TRF). While each of the parties kept its inner independence, all signs pointed to an increasing cooperation between the two members of the NRP who agree on the character of the state, while the two members of the TRF suffered from instable relations caused by the labor faction's increased affiliation with Zionism.[23]

Religious parties: representation in the Knesset

The religious parties' total Knesset strength ranged from a low of fifteen in the Second Knesset (1951) to a high of eighteen in the Seventh Knesset (1969) out of a total Knesset membership of 120. The Knesset strength of the NRP ranged from ten to twelve, and the TRF from five to six. With twelve representatives in the Seventh Knesset, the NRP became the third strongest party.[24] After all, it is an Orthodox party that is committed to

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[21]Birnbaum, *The Politics of Compromise*, p.72. It should be noted, however, that since the early sixties the political authority of the Sages has officially recognized only by Agudat Israel and not by Poalei Agudat Israel.(Elyakim Rubinstein, 'The lesser parties in the Israeli elections of 1977' in Howard R. Penniman (ed.), *Israel at the polls: the Knesset elections of 1977*, (Washington, D.C.: American Enterprise Institute for Public Policy Research, c1979), p.180.

[22] In practice, Mafdal (NRP) gradually evolved into a simple rebirth of ha-Po'el ha-Mizrahi. Oren, 'Continuity and change in Israel's religious parties', *The Middle East Journal*, p45.

[23] Birnbaum, *The Politics of Compromise*, p.70.

[24] Ibid, p.69.

the Zionist establishment and does not support a shift to an almost pure theocracy as advocated by the Agudat groups.[25]

Though both the religious Zionists and the Agudists have sought the establishment of Israel under the rule of the Torah, it would be wrong to consider them a uniform bloc vis-à-vis the newly born state, since they had, sometimes, adopted divergent political behaviors on a wide variety of questions. In the following section, we will try to shed light on the religious parties' successful attempts to impose certain public religious observance in Israel, exposing the cleavages among them, whenever possible.

Military service: a disagreement within the religious camp

Since the NRP had clearly stated the "holiness" of the state of Israel, it was predictable that it would link religious observance with national duties. This explains why it had insisted that even advanced rabbinical students must perform their military service. On the other hand, ultra-orthodox authorities represented by Agudat Israel did not consider the state holy, and had made it clear that army service was an unacceptable violation of their beliefs and their way of life. Regardless of intense public protest, consecutive secular governments from the early years of statehood have accepted the Agudats' demands regarding military service.[26] This is despite the fact that many of those who seek the exemption do that based on their refusal to recognize the "legitimacy" of Israel, whether as a religious or a secular state.[27]

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[25] Mahler,*Israel: government and politics in a maturing state*, p.113.

[26] Asher Cohen and Bernard Susser, 'From accommodation to deicion: transformation in Israel's religio-political life', in Gregory S. Mahler (ed.), *Israel*. (Aldershot: Dartmouth, 2000), p. 10.

[27] Lipstadt, ' Religious politics in Israel', *Midstream*, p. 44.

Ideological issues: The religious parties versus the state

Many laws put by the state of Israel had witnessed great interferences by the religious parties in an attempt to impose their ideological perception of the "Jewish state." To state only a few: "(1) the 1950 Law of Return assuring the right of every Jew to immigrate to Israel; (2) the 1952 Law of Citizenship granting citizenship to every Jew, his or her spouse, children, and grandchildren; (3) the 1953 law establishing sole jurisdiction to the Orthodox rabbinical courts regarding marriage and divorce among Jews; (4) a 1951 law making the Jewish Sabbath an official rest day for Jews and requiring a permit to employ a Jew on the rest day; (5) the 1962 law prohibiting the raising of pigs in Israel except in areas in which there is a concentrated Christian population."[28]

Obviously, the state has endorsed many of these items as an application of the status quo agreement, granting the religious parties the privileges they were promised to have during the Yishuv period. The examination of the relgious parties' manipulation of laws is, then, an indirect way to show how far the status quo agreement was implemented after independence.

Issues of conflict

The personal status regulations, Law of Return and education are considered issues of major significance since they do not only show the role played by the religious parties in imposing certain rules on Israeli society, but they do also reveal the religious-secular

[28] Asher Arian, *The Second Republic: politics in Israel*, (Chatham, J.J. Chatham House publishers, 1998), p. 311.

struggle to determine the identity of the newly established state, causing the indefinite postponement of the state's constitution.

Before discussing these issues, it is important to note that determining "who is a Jew?" has almost been the only orbit around which all issues tackled by the religious parties have been studied.

Personal status

When an Israeli law flatly indicates that marriages and divorces are to be conducted according to the Torah, a religious-secular standoff is expected to be in its most intense form. Section one of the Rabbinical Courts Jurisdiction (Marriage and Divorce) Law, 5713-1953, states, "matters of marriage and divorce of Jews shall be under the jurisdiction of rabbinical courts." However, since the term "Jew" was not defined, an indication to Jewish religious law was necessary to determine who is a Jew for the implementation of the Law.[29]

Religious parties believe this provision to be a unifying factor for the Jewsih people regarding who is married in the eyes of the law, since civil marriage does not exist in Israel. The secular Israelis, however, feel they are compelled to abide by rules they do not identify with, and which, for them, negate the concept of a "democratic" state.

Law of Return

The Law of Return is considered vital to the new Jewish autonomy. Ben-Gurion has even considered it to be a "bill of rights...guaranteed to all Jews in the Diaspora by the state of

[29] Izhak Englard, *Religious Law in the Israel legal system.* (Jerusalem: Hebrew University of Jerusalem, Faculty of Law, 1975), p.59.

Israel". As he explained in bringing the bill before the Knesset: " this is not a Jewish state merely because Jews are the majority of its population. It is a state for Jews everywhere... The law of Return... embodies the central purpose of our state."[30]

The foundation of many problems that arose between the secular and the religious authorities was the state's passage of the Law of Return on July 5, 1950. This gave all Jews everywhere the right to immigrate to Israel and to be granted the Israeli citizenship.[31]As mentioned before, only Orthodox Judaism is recognized in Israel, and since most of the Jews in Europe and the United States belong either to the Reform or the Conservative trend, a conflict was expected to take place between the religious authorities and the Zionist leadership regarding the side that is entitled to acknowledge the "Jewishness" of immigrants and eventually grant them the Israeli citizenship. Such a problem has become the non-ending dilemma in the Jewish political establishment since then. The Zionist body was struggling to maintain the world Jewry's support that will eventually encourage immigration to the Holy Land and preserve the Jewish majority, but at the same time refrained from taking a unilateral decision regarding the 'who is a Jew" question that would endanger internal stability by vandalizing the status quo accord.

Secular Zionism believes in a Jewish nation whose inhabitants have sought-and had achieved-geographical concentration and self-determination in a "Jewish homeland."[32]

For the religious, a Jew is the child of a Jewish mother. Otherwise, an individual may

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[30] Yoran Hazony, *The Jewish state: the struggle for Israel's soul*, (New York: Basic books, c2000), p.56.

[31] Rael Jean Isaac, *Party and Politics in Israel: three visions of a Jewish state,* (New York: Longman, 1981), p.73. For a detailed analysis of this point, see Oscar Kraines, *The impossible dilemma: who is a Jew in the state of Israel?,* (New York: Bloch publishing Company, 1976.)

[32] Isaac, *Party and Politics in Israel*, pp. 73-74.

become a Jew by converting to Judaism.[33] But since Orthodox Judaism is recognized as the official religion in Israel, is it the religious or the secular authorities that is entitled to determine who is a Jew, and consequently grant the Israeli citizenship? These questions sum the clash of ideologies about the nature of the Jewish state and the tendency to engage courts and legislation to solve ideological conflicts.

From the perspective of the Orthodox Jew, the Halacha is prior to the civil law of the state whenever there is a contradiction between the two systems, and especially when the latter demands behavior that is contrary to former ones.[34] That is why the religious parties have always insisted in being the sole reference capable of determining who is Jew and consequently deciding who is to be a member of the state of Israel.

It is vital here to mention that the religious parties had recognized the state of Israel, but not its laws, considering the Halacha to be the only law they accept to adhere to. This is revealed in the oath taken by judges. While civil court judges swear commitment to the state of Israel and its laws, the religious court judges affirm commitment only to the state of Israel.[35] It is also interesting to point out that religious courts are administered by the Ministry of Religious Affairs and not by the Ministry of Justice as are the civil courts[36], and since the NRP had dominated the former ministry during the early years of statehood, it is unsurprising to know that it had greater influence on the process adiministred by the designated ministry than does the state.

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[33] Ibid , p.73

[34] Dan Horowitz and Moshe Lissak, *Trouble in Utopia: the overburdened polity of Israel*, (Albany, N.Y.: State University of New York Press, 1989),pp.59-60.

[35] Ibid, p.61.

[36] Baruch Hadar, 'Religion and state in Israel', *New Outlook*, Vol.2, No.6 (February 1959), p.20.

In 1970, after extended and heated debates, the Knesset decided that for purposes of the Law of Return and the Population Registry Law, a Jew is to be defined as a "person born of a Jewish mother or converted to Judaism, and who is not a member of another religion."[37] This definition was introduced as a joint inititative of the Labor party and the NRP and was passed by a majority in the Knesset, against the opposition of the small Agudat Israel party, which demanded to add the words " in accordance with the Halacha" after the words "converted to Judaism."[38] The secular law of the Jewish State has thus conceded, to some extent, to the religious parties' demands when it based the law upon *Halacha-* a Jew is a person born of a Jewish mother-and partly departs from *Halachic* definition in that it does not denote Orthodox Halachic criteria for conversion, so that not to alienate a majority of the world Jewry.

Providing an answer to the question of "who is a Jew?" may be considered for many the path that solves Israel's religious-secular identity crisis. That is what Neusner has tried to imply when stating that the problem resides in the lack of an agreement about what a Jews is, how Judasim should be defined, what 'being Jewish' and 'Judaism' are supposed to denote for indviduals and the community.[39]

The Zionist institution wanted the state to be the only party to grant nationality, whereas the Orthodox religious parties insisted that they must be the ones to determine who is a Jew, and therefore, decide who is eligible to be a citizen of the state of Israel.

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[37] Horowitz and Lissak, *Trouble in Utopia*, p.61. See also Kraines, *The impossible dilemma*, p. 11.

[38] Geoffrey Wigoder (ed.), *New Encyclopedia of Zionism and Israel*, (Madison: Herzl press publication, 1994), p.1108

[39] Jacob Neusner, 'Zionism and the Jewish problem', *Midstream*, (November 1969), p.35.

Ultimately, since it registers both the religion and the nationality, control over the Ministry of Interior has become extremely important for religious circles, and indeed to the NRP, the only party that has accepted ministerial posts during the early years of statehood. According to Halacha, the two categories are compatible, a "Jew" being a connotation of both religion and nationality.[40]

Since the Halachic definition of Jewishness does not match with that of the "Law of Return" and the population registry, various ministers of the Interior have issued different regulations to cover this gap. NRP religious ministers such as Yosef Burg and Moshe Chaim Shapiro have issued regulations in a religious spirit, while a secular minister, Israel Bar-Yehuda, considered in 1958 that whoever declares himself a Jew can be registered as a Jew. This act caused a coalition crisis and led to the resignation of the government. In the wake of that crisis, Prime Minister Ben-Gurion sought the opinions of rabbis and Jewish thinkers around the world on the issue of "Who is a Jew".[41] Most of them replied that Judaism does not distinguish between religion and national origin.[42]

Ben Gurion's attempts to discuss such critical matters with the religious establishment do not mean, in any way, an absolute surrender to religious parties'pressure. On various occasions, he had declared that civil law is the law that governs Israel and not the Halacha. By that, he intended to remove any indication of doubt that the coercive authority of religious laws and institutions are derived from the power of the state, and

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[40] Arian, *The Second Republic*, p.315.

[41] Birnbaum, *The Politics of Compromise* p.178. For a detailed overview on the issue, see Baruch Litvin, *Jewish identity: modern responsa and opinions on the registration of children of mixed marriages: David Ben-Gurion's querry to leaders of world Jewry: a documentary compilation*, (New York: P. Feldheim, 1970, [c1965].)

[42] Horowitz and Lissak, *Trouble in Utopia*, p.61.

that the state alone would determine the capacity of religious law and the manner in which it was to be implemented.[43]After all, political Zionism perceives itself as a break from the past and a revolutionary creation of a new historical period: "it replaced Orthodox self-identity of Israel as a spiritual idea expressed in religious terms, with a secular self-identity of Israel as a modern nation-state."[44]

Education

State support of Israel's schools is another problem that involves secular-religious disagreement regarding the independence of the religious trends.[45]In a brief review, we would try to show how the religious parties have succeeded to maintain their independence regarding their educational institutions despite their reliance on the state's financial support.

According to the Compulsory Education Law of September 1949, parents were free to choose a school for their children from one of four acknowledged trends: General, Labor, Mizrahi, and Agudat Israel. The competition among the parties to attract children to their schools became extreme, since the party with the greatest enrollment rate stood to benefit

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[43] Charles S. Liebman, and Eliezer Don-Yehia, *Religion and politics in Israel*, (Bloomington : Indiana University Press, 1984), pp. 95-96.

[44] Dan Avnon, 'The Israeli Basic Laws' (potentially) fatal flaw', *Israel Law Review*, Vol.32, No.4 (Autumn 1998), p.536.

[45] For a detailed description of the education system in Israel, see, U.S. Congress House, *Committee on Education and Labor, Select Sub-committee on education. Education in Israel: report*, (Washington, D.C.: united States government Printing office, 1970.)

most in the country's political future.[46]

At a session concluded on January 9, 1950, the Executive of ha-Po'el ha-Mizrahi, with its cabinet ministers and Jewish Agency representatives taking part decided that if no improvement were enforced regarding the religious education of children in immigrant camps, the party's representatives would leave both the government and the Jewish Agency Executive. The Religious Bloc collectively adopted the same position. They demanded that: "1) all pressures and coercion applied on religious parents in immigrant camps and settlements to send their children to nonreligious classes should be discontinued: 2) opportunities of religious education should be offered to all children; and 3) the autonomy of the religious trend should be fully safeguarded."[47]

In an attempt to unify the education system, the State Education Law of 1953 united the general and labor trend. However, the ultimate aim expressed by Ben Gurion was to establish a unified educational system. He expressed this view, during the 44th Mapai council, when he said, "Let us move toward the state school armed with the values of labor, love of nation and homeland, and pioneering heroism. Let us advance wholeheartedly, out of loyalty to the state, out of faith in the mission of our movement, which is not only the mission of a class, but of the nation as a whole."[48] But because there could be no hope of a generally acceptable curriculum, both the Mizrahi and Agudat trends were maintained, with Mizrahi schools becoming "religious state schools", under government supervision. In fact, however, those schools were dominated by the Mizrahi

[46] Birnbaum, *The Politics of Compromise*, pp.120-121.

[47] Ibid, pp.121-122.

[48] Shimon Reshef, 'Ben-Gurion and public education', in Ronald W Zweig (ed.), *David Ben-Gurion: politics and leadership in Israel.* (London: Frank Cass., 1991), p.268.

(later on the National Religious Party). As to the Agudist schools, they continued in a separate framework called Hinukh Atzmai (Independent Education).[49]

Regarding education, then, a consensus could not be reached either between the state and the religious parties, or between the religious parties themselves. Despite the efforts of the state to unify the educational system under a state system, it could not satisfy any group since any adopted trend cannot but be in favor of a certain group at the expense of the other.

As we can infer from what has been discussed earlier, every provision made by the Zionists, capable of determining the identity of the newly born state, can be considered of great concern for the religious parties. This stand made them oppose any secular attempt to adopt a constitution other than the Torah.

The impossibility of a constitution

The United Nations Resolution of November 29, 1947 – that approved the partition of Palestine into two independent states, one Arab and one Jewish – required those states to adopt written constitutions.[50]

Israel has been unable to adopt a constitution, since many religious Jews hold that the only real constitution for a Jewish state is the Torah and the Halacha.[51] They not only consider a modern secular constitution to be unnecessary, but also see in such a document

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[49] Isaac, *Party and Politics in Israel*, p.70.

[50] Mahler, *Israel: government and politics in a maturing state*, p.81

[51] *The constitution* at http://www.knesset.gov.il/knesset/knes/eng_mimshal_hoka.htm

a threat to the superiority of the Torah and the constitutional tradition that have served the Jewish people in "their land" and in the world as a whole.[52]

Debate over creating a Constitution

The first Knesset's attempt to write a constitution was unfruitful as the religious parties opposed the idea of a constitution other than the Torah. Agudat Israel declared, "A Constitution created by man can have no place in Israel"[53], because the Torah was the only constitution Israel required. The left-wing socialists equally opposed a written constitution, because they were sure it would not embrace their Marxian vision regarding the upcoming Jewish state.[54]

Because it was felt that constitutions are items upon which negotiation should be developed, rather than items to be unilaterally forced, it was decided that it would be better to put together, piece by piece, legislation that would in the end form Israel's constitution.[55]

In a classic speech, David Ben-Gurion, demanded that a comprehensive constitution be set aside in favor of step-by-step development through endorsing Basic Laws[56]. He claimed that written constitutions are needed for two reasons – "either to link constituent units in a federal system or to republicanize absolution. Since Israel was not a federal state and the Jewish people has always been republican, Israel did not need to write a

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[52] Elazer (ed.), *The Constitution of the State of Israel*, p.3.

[53] Isaac, *Party and politics in Israel*, p.72

[54] Elazer (ed.), *The Constitution of the State of Israel*, p.6.

[55] Mahler, *Israel: government and politics in a maturing state*, p.83.

[56] For a broader definition of the term, see *Basic laws-Introduction* at http://www.knesset.gov.il/knesset/knes/eng_mimshal_yesod1.htm.

constitution on the spot."[57] For him, "Israel must be assured of two things above all – the rule of law and the rule of democracy."[58] Warschawski, however, analyzes the problem in terms of the Zionist contradiction in defining such a democracy. He believes that the true democratization of Israel would require the country's transformation from a Jewish state into a state for all its citizens, a demand the Zionist Left has always been unprepared to perform.[59]

On June 13, 1950, the Knesset voted by a 50-30 margin to delay, indefinitely the approval of a formal written constitution and decided instead to allow for its gradual creation, with the individual pieces to be designated as "Fundamental Laws."[60] The Knesset, then, adopted the "Harrari Resolution," which states that: "The constitution shall be composed of individual chapters, in such as manner that each of them shall constitute a basic law in itself. The individual chapters shall be brought before the Knesset [...] and all the chapters together will form the State Constitution."[61]

The suggestion for a gradual constitution was approved so every Knesset is also a constituent assembly that can give the approval to Basic Laws, usually by a small

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[57] Elazer (ed.), *The Constitution of the State of Israel*, p.7.

[58] David Ben Gurion, *Rebirth and destiny of Israel*, (London: Thomas Yoseloff Ltd.,[1959]), p.370.

[59] Michael Warschawski, 'Reflections on the recent elections', *Journal of Palestine Studies*, Vol.29, No.1 (Autumn 1999), p.62.

[60] Mahler, *Israel: government and politics in a maturing state*, p.83.

[61] Menachem Hofnung, ' Israeli constitutional politics: the fragiltiy of impartiality', *Israel Affairs,* Vol.5, Nos.2&3 (winter-spring 1999), pp.36-37.

majority of 61, namely, half plus one of its total membership.[62]

In a consociational system that is adopted in Israel based on the 1947 status quo agreement, mutual veto have been given to both the secular and the relgious parties. As a result, neither side could force a controversial decision on the other, even if supported by a majority vote.

We can infer that the Zionists and the religious parties have dealt with controversial issues through adopting a long process of "compromise-management," so that to assure an implicit agreement that no final decision would be taken without being endorsed by both the religious and the secular parties.

[62] Elazer (ed.), *The Constitution of the State of Israel*, p.7.

Chapter FOUR

The Alliance with Labor[1]

"... The Torah forbids us to surrender even one inch of our liberated land... there is no Arab land here, only the inheritance of our God"

Rabbi Zvi Yehudah Kook

(1891- 1982)[2]

The implicit and, sometimes, explicit struggle that had taken place between the religious and secular groups since the Yishuv period, has confirmed the inability of either party to impose a certain settlement on the other. The two groups were in an urgent need to cooperate with each other for the sake of the state's survival. That need had coincided with the impossibility of a total surrender to the other, and consequently led to a consociational system whereby each party would offer concessions to reach an acceptable agreement.

It is important to emphasize that the need that had forced those parties to cooperate in the early years of statehood, was still evident even after the establishment of an Israeli political system. To shed light on the issue, it is very crucial to study the participation of the religious parties in the political system through examining how a compromising model, aiming at preventing a *Kulturkampf*, has affected the coalitions of governments. In the same context, we will try to show the manipulating policies adopted by the religious parties, and how the changing conditions have altered their positions vis-à-vis the Zionist leadership over time.

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[1] Labor was formed in 1969 as a result of the alignment between Achdut Ha'avoda and Mapai.

[2] Yehoshafat Harkabi, *Israel's fateful decisions*, (London: I.B.Tauris, c1986), p.148

Coalition between Mapai and NRP

As stated in previous chapters, Agudat Israel has remained outside the central organs of the Yishuv while the Mizrahi, which became known as the NRP, was contributing to the consolidation of the Jewish political center in Palestine. In the following section, the NRP's task will be emphasized, since it was the major religious party that had played a key task in the Israeli system, at time Agudat Israel was satisfied to rule its constricted circle of ultra-Orthodox community.

The origins of the NRP's activities in the Israeli political development can be traced to the period of the Yishuv. During that period a coalition between Mizrahi-Ha Po'el Ha Mizrahi and Mapai (Mifleget Poalei Eretz Yisrael-the Israeli Workers party), the largest faction in the Labor movement, came into being, to be known over years as the "historical partnership."[3]

The leading Mapai party was preoccupied with political, military, and economic issues in the early years of statehood. That predisposed the party to overcome its basically secularist beliefs and to reach compromises on matters of religion. Those compromises on religious questions were generally concluded with NRP, the Zionist religious party that has always yearned for gaining monopoly over the state's religious affairs.

[3] Shmuel Sandler, ' The religious parties', in Howard R. Penniman and Daniel J. Elazar's (ed.), *Israel at the polls, 1981: a study of the Knesset elections*, (Washington, D.C.: American Enterprise Institute for Public Policy Research, 1986), p.110.

The overlap of interests and ideology of the NRP with those of Mapai on issues other than religion was remarkably close, and as a result the NRP participated in almost every government formed by Mapai in the following years of Israel's history. [4]

While the relative stability of the Israeli political system, despite its extensive multiparty structure, is due primarily to Mapai, it can also be attributed, though to a lesser extent, to the NRP. Unlike the Agudat Israel that had ideological differences with the Zionist party, the NRP's adoption of a nationalist-religious stand did facilitate its integration in a system ruled by the secularists.[5]

Even if we accept the premise that no serious differences have existed between Mapai and the NRP concerning the state, it is still unusual to observe harmony between a religious party, whose aim is to impose religious observance on the Israeli society, and another party that is concerned not to let that happen. As we have briefly exposed in chapter three, the representation, of not only the NRP but of all the religious parties, was not that significant in the Knesset, and therefore Ben-Gurion could have succeeded to form a government without the inclusion of any religious party. What were, then, the main factors that contributed to the emergence of this alliance and its preservation for decades? Why did a secular party like Mapai choose to include the NRP in its governments and concede to its demands in religious affairs when it could form a ruling coalition without it?

Since the inception of the World Zionist Organization (WZO), there was a need to develop a system based on relative representation and coalitional management to avoid

[4] Gary Schiff, *Tradition and Politics: the religious parties of Israel*, (Detroit: Wagne State University Press, 1977),p. 30.
[5] Ibid., p. 31.

being prevented from "its ultimate goal, the 're-establishment' of a Jewish state in Palestine."[6]

Following the same guidelines, the Israeli electoral system of proportional representation embraced all parties in order to represent an exceptional opportunity for small parties, including religious ones. Not only do they have an assurance of getting their candidates chosen, but they also have a chance of being needed for the formation of a coalition government.[7] It is true that the religious parties were a small minority in the Knesset; but no party had a majority in it. Consequently, the dominant Mapai party could limit its need to compromise on economic, security or foreign affairs by forming an alliance including the religious parties.[8]

This does not mean that Ben-Gurion was willing to grant the religious parties absolute monopoly over religious matters in the state. After all, he is the one known for his numerous attacks on those parties, the one who said on the floor of the Knesset in 1951, "We did not and we shall not recognize, and no Government can be forced to recognize the monopoly of a party that calls itself religious, over religious Jews; similarly, we did not and we shall not recognize – at least not this Government – the monopoly of the Mizrahi and the Agudah over religion…Religious parties do not represent Judaism."[9]

Nevertheless, the Labor party knew that the compromising policies to be adopted in dealing with the religious parties were crucial for the stability of the system as a whole, since the main aim was not only to use the religious parties to help Jews be integrated

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[6] Ibid., p. 25.

[7] Julien Bauer, 'Religious parties in Israel: reality versus stereotypes', *Middle East Focus*, Vol.11, No.2 (fall 1989), p12

[8] Stephan Oren, 'Continuity and change in Israeli Religious Parties', *The Middle East Journal*, Vol.27, No.1 (winter 1973), p.40.

[9] Ervin Birnbaum, *The Politics of compromise: state and religion in Israel*, (Rutherford, N.J.: Fairleigh Dickinson University Press, [1970]), p.129

into the political structures of the state,[10] but also to avoid making unacceptable political concessions to Herut on the extreme right or to the Communists on the extreme left,[11] the parties Ben-Gurion had fiercely tried to marginalize so as not to let them challenge the hegemonic status of Mapai. As a result, his choice tilted towards the religious parties whereby the narrow interests of the NRP, mainly concerned with religious issues, provided Mapai with both a safe partner in terms of power politics and a free hand in areas such as foreign policy, defense, and economic development, which he considered vital for both the state and the party.[12]

Secular and religious mutual need

To understand the role of the NRP in the Israeli political process, the question should be addressed whether the NRP-Mapai coalition was a stabilizing or a disruptive factor.

Since the foundation of the state of Israel, the NRP had focused on internal issues related to the state's religious matters. That is why it was always interested to dominate ministries of Interior and of Religious Affairs.[13] Moreover, it succeeded to be the leading force in the state religious establishment, which includes the chief rabbinate, the rabbinical court system that passes judgment on matters of personal status for Jews in Israel, and the religious state education system, as well as the principle supporter of

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[10] Bauer, 'Religious parties in Israel', *Middle East Focus*, p.9

[11] Stewart Reiser, *The Politics of leverage: the National Religious Party of Israel and its influence on foreign policy*, (Cambridge, Mass.: Harvard University, Center for Middle Eastern Studies, 1984), p.20

[12] Shmuel Sandler, 'The religious parties, in Howard R. Penniman and Daniel J. Elazar's,(eds.), *Israel at the polls, 1981: a study of the Knesset elections*, (Washington, D.C.: American Enterprise Institute for Public Policy Research, 1986), p.112.

[13] Ahmad Khalife, ' Ala'hzab al-siyasiya' fi *Dalil Isra'il al-'am*, (Beirut: Institute for Palestine Studies, 1997), p.157.

religious legislation.[14] As a result, almost all ministries linked to military, economic and foreign affairs were kept for Mapai.

In principal, as long as Mapai did not interfere in the religious affairs of the state and, eventually, did not interfere in the NRP's "area of expertise", which is based on maintaining the status quo agreement, the NRP was ready to adopt a pro-Mapai stand, aimed at stabilizing the political system.[15] However, once Mapai challenges the NRP's hegemony on religious matters, the latter party becomes ready to cause trouble and challenge the stability of the government.

The year 1958 witnessed a government crisis when the controversial issue of "who is a Jew?" was raised to determine who is qualified for Israeli citizenship.[16] Here, again, arose the dilemma of the interrelation between state and religion, the main reason why the state of Israel still does not have a constitution.[17] The secular Minister of Interior, Israel Bar-Yehuda declared that " the parent's declaration that their child is Jewish suffices to register him as Jewish." Such a declaration negates the religious definition of a Jew and therefore, led to the resignation of the NRP ministers, Moshe Shapiro and Joseph Burg from the coalition on June 22, 1958.[18] Although the resignation of the NRP representatives from the coalition still left the government in control of a 67-vote majority, Ben-Gurion made every attempt to persuade them to rejoin the Government.

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[14] Gary S. Schiff, 'Recent developments in Israel's religious parties', in Gregory Mahler(ed.), *Israel after Begin*, (Albany, N.Y.: State University of New York, 1990), p. 275.
[15] Schiff, *Tradition and politics*, p. 31
[16] For information regarding the attitude of the coalition partners to the crisis, see Ervin Birnbaum, *The Politics of compromise: state and religion in Israel*, (Rutherford, N.J.: Fairleigh Dickinson University Press, [1970]), p.183
[17] Efraim Ben-Zadok, 'State and synagogue in Israel', *Midstream*, (April 2000), p.27
[18] Birnbaum, *The Politics of compromise*, pp. 178-179.

It must be noted that an alliance with the religious parties also provided Ben-Gurion with the needed support for reconstructing and defending the Jewish state, in its fight with the Arabs,[19] who were defending the legitimate cause of the Palestinians. That reason persuaded him to stabilize the relationship with the NRP. In an address to the religious leader, Rabbi Maimon, Ben-Gurion confirmed, " the Government had no intention of laying down Religious Law, and it does not consider itself authorized to do so."[20]

Although in the Ninth Government, formed in December 1959, Ben-Gurion fearlessly refused to accept NRP's pressures to control the Ministry of Religions Affairs, by November 1961 the NRP had achieved its goal. Eventually, the ministry was exploited as a tool for inter-party political bargaining. With the NRP in command of the Ministry of Religious Affairs and in its position as "savior of the Chief Rabbinate", religious life became identified with the religious political party.[21]

In fact, being a system based on proportional representation, the Israeli political structure has granted smaller parties the power to maneuver and blackmail larger ones for more concessions. Being the most needed ones, the religious parties knew how to take advantage of the circumstances. That was not news for Ben-Gurion who is quoted as saying, "those who voted Mapai...did not know in advance which other parties I might be forced to take into my coalition and what concessions I might therefore be forced to make."[22]

As the religious parties supported the Mapai in the government, they were granted many concessions. This included the preservation of the status quo, the crush of a written

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[19] Victor Cygielman, ' The clericalization of Israel', *New Outlook*, Vol.20, No.7(October/November 1977), p.29

[20] Birnbaum, *The Politics of compromise*, p.183

[21] Ibid., p.115

[22] Howard M. Shachar, *A History of Israel*. (New York: Oxford University Press, 1976), p.365

constitution, the determination of "Who is a Jew?" in terms of religious law, and many more.[23]

Yet, to claim that the NRP was in a more powerful position vis-à-vis Mapai is a complete distortion of facts. In fact, the NRP was also dependent on Mapai, the main financial supporter that enabled it to provide services to its members. By maintaining its needed share from the government, it was able to safeguard its ideological provisions. The activities of the NRP that included employment, housing, or other benefits for its members were providing a social milieu, protecting and propagating values especially through its educational system. That "give and take" process which existed in the Labor-NRP relation forced the latter party to make more concessions at the expense of its ideological goals. That put Agudat Israel in a better status regarding the implementation of religious law. Agudat Israel, which provides little services compared to those of the NRP, yields its adherents almost nothing but such insubstantial satisfaction of preserving the traditional customs of Judaism. It, therefore, remains a prime example of the endurance of the ideological party in the Israeli political system.[24]

In this context, it is essential to show the impact of the NRP-Mapai coalition on Agudat Israel. In fact, until 1977 the NRP and Agudat Israel had a complex relationship with one another whereby the former acted as the junior partner of Mapai in the government, with Agudat Yisrael remaining willingly outside the political process. The NRP, as member of the coalition, was constantly trapped between its own interests concerning public religious observance and demands from Mapai to give compromises that would preserve the religious status quo. As a result, the NRP was required not to impose unacceptable

[23] Birnbaum, *The Politics of compromise*, p.251
[24] Schiff, *Tradition and politics*, p. 211

demands upon the society's secular majority and therefore jeopardize Mapai's status by putting it against its own left wing. At the same time and because of this pragmatic relationship with Labor, Agudat Israel could regularly attack the NRP for retreats from true orthodoxy.[25]

This argument does not negate the fact that Agudat Israel parties, since the establishment of the state, had changed their isolationist stands. Despite the preference of a straightforward theocracy instead of democracy, in practice, they accepted the "democratic" regime, and the benefits they derive from it. [26]

As a result, Agudat Israel had its own maneuvering policy. It is true that the party, under the recommendation of the Council of Torah Sages, did not ask for ministerial appointments, in order to avoid responsibility for what may be viewed as unacceptable violations of certain religious provisions. However, it has demanded a series of senior posts in ministries, to be watchdogs of the party in case of any violations of religious values. It has also demanded strategic posts in the system that distributes public resources such as the chairman of the Knesset Finance Committee.[27]

In this way, Agudat Israel has been a capable supporter of the interests of its followers, especially in obtaining funds for its independent network of religious institutions, including a separate school system.[28] After all, it is the government that supplies the largest part of the funds to the school system.

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[25] Reiser, *The Politics of leverage*, pp. 67-68

[26] Brownan A. Lijphart, Peter J. and Hazan Reuvan Y, 'Party system and issue dimensions: Israel and thirty-five other old and new democracies compared', *Israel Affairs*, Vol.6, No.2 (winter 1999), p.42

[27] Ira Sharkansky, ' Religion and state in Begin's Israel', *The Jerusalem Quarterly*, 31 (Spring 1984), p.39

[28] Schiff, 'Recent developments in Israel's religious parties', p. 277.

Furthermore, Agudat Israel's support for coalition governments was secured only after the construction of extensive coalition agreements containing several concessions to the group's religious perspectives, e.g., strict Sabbath laws and adjustment of legislation to accommodate "Orthodox Jewish principles."[29] However, its leaders did not deny placing such issues ahead of competing secular interests, like the defense of the state.[30]

The 1967 war: signs of a new era

Until the late sixties, religious Zionism was moderate both in its domestic policies as well as in foreign affairs. After Israel occupied the West Bank and the Gaza strip in the 1967 war, this situation changed. Orthodox Judaism decided to be a leader instead of a follower, insisting that both domestic and foreign policy be derived from religious law. It started to tilt towards Herut, the Right-wing party regarding the occupied territories. But whereas Herut opposed withdrawing from the West Bank for nationalist reasons, many religious circles offered religious arguments to ban withdrawal. Religion and politics started to become more interdependent: "Religion in the service of national policy and national policy as the implementation of religious commandments."[31]

As a result, the religious dimension became prominent in debates over issues of foreign and defense policy, particularly those related to the Arab-Israeli conflict, such as the question of the occupied territories and the peace process.

Whereas the NRP was concerned mainly with internal issues of religion and state prior to the war, it is interesting to know that in 1972, the NRP presented a peace proposal to end

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[29] Bernard Reich and Daivd H. Goldberg, *Political Dictionary of Israel*, (Lanham: The Scarecrow press, Inc., 2000), p.6

[30] Sharkansky, ' Religion and state in Begin's Israel', *The Jerusalem Quarterly,* p.38.

[31] Harkabi, *Israel's fateful decisions*, p.147

the Arab-Israeli conflict. It was based, in part, on the annexation of the West Bank, Gaza strip and the Golan Heights to the state of Israel. According to the suggestion, those areas were to be ruled by Israeli law, giving the Arab population the freedom to choose between the Israeli and any other nationality.[32]

In addition to the politicization of religion, there came out what may be called the "religionization of politics." Not only was political power used to advance the interests of the religious sector, but also became a greater pressure on the acknowledgment of religious implication to issues of national policy which dealt with the religious needs of the community collective rather than that of individuals. That was obvious, primarily but not exclusively, in relation to the future of the occupied territories.[33]

Moreover, in the religious Zionist camp, the interest has shifted from a need to use the party's political influence to strengthen the status of religion in Israel, to an approach that sees the Halacha as a source of policy guidelines for national issues not directly concerned with matters of religion and state.[34]

The change was not limited to the NRP, since Agudat Israel had also extended its role. It increased its involvement in the public religious sphere to discuss issues that not only affected its members, but also those which had an impact on the larger society like the redefinition of the Law of Return based on Halacha. The main reason behind that is the increasing tilt of the NRP towards non-religious issues of defense and foreign policy, especially in the aftermath of the 1967 War. This gave Agudat Israel the privilege to be

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[32] Hani Abdallah, *Al-Ahzab alsiyasiya fi Isra'el*, (Beirut: Institute for Palestine Studies, 1981), p.115.
[33] Dan Horowitz and Moshe Lissak, *Trouble in Utopia: the overburdened polity of Israel*, (Albany, N.Y.: State University of New York Press, 1989),p. 142.
[34] Ibid., p.58.

the upholder of " Torah-true" Judaism.[35] At the same time, it continued to adopt a rather marginal position in relation to any kind of commitment to state and society, especially as reflected in the well-known ultra-Orthodox tendency to avoid military service.[36]

Agudat Israel's labor offshoot, Po'ali Agudat Israel, on the other hand, did not play any major role in the Israeli political system due to its weak representation in the Knesset. Regarding internal issues, it adopted policies similar to that of Agudat Israel, but was considered more active in presenting its points of view regarding the external issues, which are classified in the opposition.[37]

The religious Jews claim the territories occupied in 1967, especially in the West Bank, to contain many historic-religious shrines. Could any Jewish government surrender part of the land of Israel voluntarily even in return for peace?

In fact, not all religious groups were enthusiastic about the victory for the holiness of the land. Whereas, Neturei Karta, rejected the victory and forbade its followers from visiting the shrines taken by the Israeli Army, Agudat Israel welcomed the victory, but still did not adopt any stand on the issue of the retention of the territories.[38]

However, this does not mean that the NRP was the only religious group that considered the land occupied in the 1967 to be holy. With the Israeli dominance over the land, fundamentalist groups started to emerge, claiming Jewish sovereignty over the newly occupied land. Being the most dedicated to the settlement expansion, our focus will be on Gush Emunim, a movement of a nationalist-religious ideology.

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[35] Schiff, 'Recent developments in Israel's religious parties', p.286.
[36] Horowitz and Lissak, *Trouble in Utopia*,p. 57
[37] Abdallah, *Al-Ahzab alsiyasiya fi Isra'el,* pp. 158-159.
[38] Stephan Oren, 'Continuity and change in Israeli Religious Parties, *The Middle East Journal*, Vol.27, No.1 (winter 1973), p.48.

The emergence of Gush Emunim

Gush Emunim is an outcome of the 1967 war, but was organized politically after the 1973 war in order to oppose further territorial "concessions" and to endorse the extension of Israeli "sovereignty" over the occupied territories. What formed the basis of Gush Emunim is the idea of establishing a Jewish sovereignty over the whole land of historical Palestine as a step towards hastening a "divinely ordained process of redemption", which they claim it had already started in 1948 with the declaration of independence of Israel.[39] This movement began as a faction within the NRP, but left the party because of distrust of the NRP's position concerning the future of the occupied territories. Although it is considered an independent faction, it was supported by the NRP, especially for its settlement policy in the occupied territories. NRP minister Zevulun Hammer was considered one of the fierce supporters of the movement, known for his justification of settlement expansion.[40]

The Gush Emunim people are mostly yeshiva graduates. Its spiritual authorities and political leaders were educated in Yeshivat Merkaz Harav, whose founder is Avraham Yitzhak Hacohen Kook.[41] His son, Zvi Yehuda Kook (1891-1981?), emerged after the 1967 war as a charismatic leader in his followers' eyes. He made use of the ideas of his father to "add theological legitimacy to the use of force in order to achieve and maintain

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[39] Ian S. Lustick, *For the Land and the Lord: Jewish Fundamentalism in Israel*, (New York: Council on Foreign Relations, 1988), p.8.

[40] Abdallah, *Al-Ahzab alsiyasiya fi Isra'el*, p.122.

[41] He was the first Ashkenazi Chief Rabbi of Palestine. Kook believed that redemption for the Jewish people had begun with the rise of Zionism and the growing Zionist enterprise in Palestine. (Reich and Goldberg, *Political Dictionary of Israel*, pp. 150)

the unity of 'Eretz Yisrael,'"[42] at the expense of Palestine and the Palestinian people. To some extent, his status was based on his pre-1967 loyalty to the vision of a "completed" Land of Israel under Jewish sovereignty.[43] He believed that "the quintessential value of the entire Torah, including its commandments that are not dependent on Eretz Israel, lies in the Land of Israel."[44]

The religious Zionists perceived Israel's victory in 1967 as the continuing evolution of the messianic era, affected by the teachings of Rabbi Kook whose vision included an inevitable Jewish right to settle in the newly occupied territories.[45] From such proclamations, it became clear that preserving the integrity of "Eretz Yisrael" was the ultimate goal of religious-nationalists that shaped the foundation of their evolving "ideo-theology."[46]

Since returning any piece of land is considered sinful, settling there became the highest commandment, the favored way to accelerate the arrival of the Messiah – if need be, even against the desires of the government of Israel.[47] Since Mapai is known for being more compromising than the Likud regarding the territories, it was expected to see religious nationalists leaning towards the latter hawkish party.

Gush Emunim's ideology considers "military-security issues equal to concern for religious values."[48] It is a violent settlement movement that combines religious

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[42] Clive Jones, 'Ideo-theology: dissonance and discourse in the state of Israel', *Israel Affairs*, Vol.3, Nos.2&3 (spring/summer 1997), p.31.
[43] Ian S. Lustick, 'Israel's dangerous fundamentalists', *Foreign Policy*, No.68 (fall 1987), p121.
[44] Shmuel Ettinger and Israel Bartal, ' The first Aliyah: ideological roots and practical accomplishments', in Jehuda Reinharz and Anita Shapira (eds.), *Essential papers on Zionism*, (New York: New York University Press, 1996), p.97.
[45] Jones, 'Ideo-theology', *Israel Affairs*, p.31
[46] Ibid., p.32
[47] Peter Demant, 'A people that dwells apart', *Palestine-Israel Journal*, Vol. 7, Nos. 3&4 (2000), p.93.
[48] Dan V. Segre, *A Crisis of Identity: Israel and Zionism*, Oxford: Oxford University Press, 1980, p.115

fundamentalism and secular Zionism to create a new political force. Its leaders assert a biblically based Jewish claim to Judea and Samaria (the Jewish connotation of the West Bank). That is why it became active in establishing Jewish settlements in the occupied territories. That is evident in its popular slogan, " The Land of Israel, for the people of Israel, according to the Torah of Israel".[49]

Among all religious parties, it was the NRP that linked the "Land of Israel" with the beginning of redemption. So, to understand its involvement in the political issues after the 1967 war, we have to assimilate the situation from the same paradigm. The NRP is a religious party that has accepted Zionism for the major reason of linking the Land of Palestine to the Jews. That is why it was likely to adopt a more extreme view regarding the territories occupied in 1967 than the other parties. From the same principle, we can understand why the non-Zionists did not act as enthusiastically neither in the Israeli system nor in the territorial expansion policies. As Charles Liebman states, " ultra-nationalism among Israeli Jews is related to religious commitment, at least up to a point. Very religious (haredi) Jews may be less extreme in their nationalist views than religious Zionists."[50]

In this chapter we did not tackle the effect of the 1973 war on the religious parties, not because we deny that fact, but because that war in itself has not caused a shock in Israel as did the 1967 war. The latter war did shift the religious parties, which for decades were partners of Mapai, to the Right. They became more nationalist, if not extremists, due to the occupation of the West Bank and the Gaza strip. The 1973 war, on the other hand, continued with that linear prospect, preparing the religious parties to confirm their stand

[49] Lustick, 'Israel's dangerous fundamentalists', *Foreign Policy*, p127.
[50] Charles S Liebman, *The religious component in Israeli ultra nationalism.* (Cincinnati: University of Cincinnati, Judaic studies program, 1985), p.4.

vis-à-vis future Israeli policy. The change was not abrupt after the 1967 war; it took a decade of development to see that change reflected through the Knesset elections of 1977. After the 1967 war, the NRP became more nationalistic, but could not compete with the Likud in its nationalist view. On the other hand, being more involved in political issues, it could not compete with Agudat Israel in defending religious matters, and that explains its deteriorating status in the following Knesset elections.

For the religious Zionists, the 1973 war signified "an attempt to negate the process of redemption"[51] that is said to have started in the 1967 war. Rabbi Yehuda Amital, scorning the "Herzelian thinking" regarding the process of normalization, puts this position clearly, "[Zionism]'s intrinsic direction is not the normalization of the people of Israel in order to become a nation like all the nations, but to become a holy people, a people of living God, whose basis is Jerusalem and a king's temple is its centre."[52]

[51] Jones, 'Ideo-theology', *Israel Affairs*, p.32.
[52] Ibid., p.32.

Chapter FIVE

The Shift Towards the Likud

" The election of 1977 was in many ways a revolutionary one for the Israeli political system. From a system with one dominant political party, Labor, Israel now had two nearly equal parties, Labor and Likud... Both Mafdal [NRP] and Agudat Yisrael were quick to take advantage of the new political situation as they moved from defense to offense on the Israeli political scene."

Robert O. Freedman[1]

Despite Ben-Gurion's dissatisfaction and distrust of the religious parties, he has always tried to persuade them to join his government to prevent opposing parties from uniting and imposing incompatible policies on the government.

The 1977 elections witnessed the beginning of a new era in Israeli history. What the Labor party had, for decades, tried to prevent became a reality, and the right–wing Likud party emerged as a parallel political body to end Labor's monopoly over the government's decision-making.

Implications of the Left coalition

After Ben-Gurion's resignation in 1963, his successors, Levi Eshkol and later Golda Meir, while claiming to adopt a similar policy, actually worked on unifying all the Socialist Zionist factions in one bloc to form the Labor Alignment. That motivated the right-wing parties to merge and unite under the Likud party in 1973. Consequently, a

[1] Robert O. Freedman, ' Religion, politics, and the Israeli elections of 1988', *The Middle East Journal*, Vol.43, No.3(Summer 1989), p.408.

second coalition emerged to provide the Israeli electorate with an alternative to Labor domination.[2]

As stated earlier, the mutual need of Mapai and the NRP was essential for the two parties to create a certain consensus in the Israeli political system; any change in either's strategy could create a sense of insecurity for the other. Accordingly, Mapai's merger with parties to its left that were more antireligious in nature indicated a threat to the continuation of the status quo in religious affairs. Also, the mere intention of Mapai to merge with other parties made the NRP suspicious of its future role. After 1967, the NRP wanted to assert its position as a political party; it was no longer ready to imprison itself in narrow religious issues. Religion, after that date, included questions of foreign policy and national security.[3]

In fact, the 1967 war had dramatically changed the NRP from a moderate party in foreign affairs into a hawkish one. With the defeat of the Labor party in 1977, the new coalition was no longer an alliance between two ideologically opposing elites. It was a coalition between parties close to one another, a nationalist party (Likud) and a national religious one (NRP). After 1977, the "historical alliance" between Labor and the NRP broke down and has never been rebuilt.[4]

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[2] Shmuel Sandler, 'The religious parties', in Howard R. Penniman and Daniel J. Elazar (eds.), *Israel at the polls, 1981: a study of the Knesset elections*, (Washington, D.C.: American Enterprise Institute for Public Policy Research, 1986), p.114.

[3] Ibid., p.114.

[4] Shmuel Sandler; Robert O Freedman, and Shibley Telhami, 'The Religious-secular divide in Israeli politics', *Middle East Policy*, Vol.6, No.4 (June 1999), pp. 138-139.

The collapse of the "historical alliance"

The period extending from the 1967 war until 1977 can be considered a transitional phase since it witnessed a growing disparity between the religious parties and Labor on the one hand, and an increasing proximity between those parties and the Likud on the other, indicating the beginning of a new epoch in Israel.

Differences between the NRP and the Labor party started after the 1967 War when the former adopted an uncompromising stand regarding the occupied territories. The gap became even wider after the death of NRP's leader, Moshe Shapiro, in 1970. The new party leadership –especially the "youngsters," the faction led by Zevulun Hammer – was determined that the NRP should appeal to the younger generation of orthodox Israelis, and adopt a more nationalist position regarding the occupied territories.[5] The cleavage between Labor and the NRP, which was once, limited to purely religious issues, began to extend to other areas, especially since the official position of Labor was for a compromise with the Palestinians regarding the occupied territories. Such a "lenient" attitude motivated the NRP to adopt a closer stand vis-à-vis the right-wing Herut party [the dominant faction of Likud], which was ideologically opposed to the partition of the "land of Israel" and was also less secular on questions of religion and state.[6]

Ideologically speaking, the NRP-Mapai affiliation started to erode following the 1967 war.[7] Still, the NRP did not abandon the alliance with Labor until 1977, primarily because it lacked the financial independency that would secure its survival. Instead, it

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[5] Elyakim Rubinstein, 'The lesser parties in the Israeli elections of 1977', in Howard R. Penniman (ed.), *Israel at the polls: the Knesset elections of 1977*, (Washington, D.C.: American Enterprise Institute for Public Policy Research, c1979), p.179.

[6] Sandler, 'The religious parties', p.116.

[7] Gary S. Schiff, 'Israel after Begin: the view from the religious parties' in Steven Heydemann (ed.), *The Begin era: issues in contemporary Israel*, (Boulder, Colo: Westview press, 1984,) p.44.

acted as an opposition group from within the government, and strengthened its alliance with Gush Emunim.[8]

However, the general shift of the NRP happened between the government crisis in December 1976[9] and the elections of May 1977. It was, primarily, due to Prime Minister Yitzhak Rabin's failure to deal with the religious parties, together with his accumulative mischievous policies regarding state management as reflected by the economic stagnation, increasing inflation, non-employment and scandals within the declining Labor party.[10]

The end of the coalition, and the departure of the NRP from the Labor camp did create a vacuum that no party has been able to fill. This change led to the association of religion with "hawkishness in foreign policy." NRP was the only religious party able to associate with Labor. It could not be replaced by Agudat Israel, because of the latter's ideological differences with secular Zionism. Also, it could not be substituted with Sephardi[11] elites who blamed the Labor party for their low status and the destruction of their traditional family structure when they were absorbed into modern Israel during the early years of statehood.[12]

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[8] Stewart Reiser, *The Politics of Leverage: the National Religious Party of Israel and its influence on foreign policy*, (Cambridge, Mass.: Harvard University, Center for Middle Eastern Studies, 1984), p. 56.

[9] The conflict began after a ceremony celebrating the delivery of new planes to the Israeli army was ended on Friday afternoon, very close to the beginning to the Sabbath, and lead to the government's resignation after a no-confidence motion was introduced and backed by the religious parties; the two NRP ministers abstained. (Rubinstein, 'The lesser parties in the Israeli elections of 1977', p. 178.)

[10] Reiser, *The Politics of Leverage*, p.57.

[11] Mizrahim, Sephardim and Oriental Jews are three terms commonly used to indicate the Jews of non-Western origins. In this research, the term Sephardim will be used unless otherwise quoted.

[12] Sandler; Freedman, and Telhami, 'The Religious-Secular Divide in Israeli Politics', *Middle East Policy*, p. 39.

Religious parties and Likud

The NRP was the first party to support a Likud government. As a reward, it was given, in addition to the Ministry of Religious Affairs and the Ministry of Interior, the "traditional" NRP ministries, the Ministry of Education that is of overwhelming importance for the party.[13] During the 1977 coalition, the NRP appeared as a senior partner, expanding its activities beyond religious issues. For example, following the Camp David Accords, the leader of the NRP was chosen to be the head of the Israeli negotiating team on Palestinian autonomy – a major foreign policy area.[14]

Political manipulation on religious issues augmented during the rule of Menachem Begin, the first Prime Minister of a Likud government. Not only the NRP, but also Agudat Israel became associated with the Likud. Begin's own position towards religion, as well as "the dependence of finely-balanced coalitions on the stridently Orthodox Agudat Israel contributed to this prominence."[15]

Although Agudat Israel preferred Begin's agenda to that of the Labor party, it continued its unique policy that was adopted during the Labor era. It joined the Likud government in 1977 but did not become a full coalition partner. It refused to accept responsibility of government ministries to focus on better financial support for its educational system and additional religious legislation.[16]

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[13] Rubinstein, 'The lesser parties in the Israeli elections of 1977', p.180.
[14] Sandler, 'The religious parties', p.119.
[15] Ira Sharkansky, 'Religion and state in Begin's Israel', *The Jerusalem Quarterly*, No.31 (spring 1984), p.49.
[16] Sandler, 'The religious parties', p.120.

The religious parties: a revolutionary change

Until the elections of 1977, the religious community was still represented by the same three parties, the NRP and the two non-Zionist parties, Agudat Israel and Poalei Agudat Israel. By contrast, from 1981 on, elections observed considerable changes in the identity of religious parties competing for seats in the Knesset.[17]

Starting 1981, transformation within the religious bloc began to take place. The NRP, which had dominated the religious camp until then, began to decline. Concurrently, it became more radical concerning religious matters and more aggressive in its demands concerning these issues. At the same time, the religious non-Zionists began to take positions on non-religious issues. Although not as noticeably as their Zionist counterpart, they too, moved towards the right and adopted nationalistic principles. The result was a closing of the gap between the two types of religious parties. As Charles Liebman argued, "the religious extremist became more nationalized, while the religious nationalists became more extremist."[18]

The 1981 elections indicated an era characterized by instability regarding, not only the representation of the present religious parties in the Knesset, but also the emergence of new ones. In the past, religious parties were divided between Zionists and anti-Zionists, who later on, became branded as mere non-Zionists. Since the 1981 elections, however, new factors emerged to determine the nature of the religious parties, ethnicity being the most evident among them.

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[17] Eliezer Don-Yehiya, 'Religion, ethnicity and electoral reform: the religious parties and the 1996 elections', *Israel Affairs*, Vol.4, No.1 (Autumn 1997), p.77.

[18] Hazan, 'Religion and politics in Israel: the rise and fall of the consociational model', *Israel Affairs*, Vol.6, No.2(winter 99), p.126.

In this context, it is important to examine the decline of the NRP in order to understand its ramification on the future nature of the religious parties.

The 1981 elections: reasons behind the NRP breakdown

The 1981 elections were disastrous for the NRP. It lost half of its 12 seats gained in 1977.[19] This electoral decline was caused mainly by the growing political impact of the ethnic divide. Those for whom the ethnic issue was a main concern reacted in one of two ways. Some withdrew their support from the religious camp, voting for a non-religious party, the Likud, which, in their view, better represented the Sephardim. Others chose to vote for new parties like Tami, which claimed to represent both the religious and the Sephardi cause.[20]

Moreover, toward the end of the Likud's first administration, the NRP became involved in a series of internal crises stemmed from corruption charges against the Minister of religious affairs, Aharon Abu-Hatzeira (leader of the Moroccan community in Israel at that time). Abu-Hatzeira acted as an NRP minister during the first Likud government of 1977-1981. He was accused of violating the law, an indictment he succeeded to exploit, as a discrimination against him because of his North African origin.[21] At that stage, the Sephardic-Ashkenazic tension had reached unprecedented levels.[22]

Believing that he had not received enough support from his own party, which was in charge of the Ministry of Police, Abu-Hatzeira split with the NRP on the very eve of the

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[19] Don –Yehiya, ' Religion, ethnicity and electoral reform', *Israel Affairs*, p. 75.
[20] Ibid., p.98.
[21] Ilan Greilsammer, 'The religious parties', in Daniel J. Elazar and Shmuel Sandler(eds.), *Israel's odd couple: the 1984 Knesset elections and the national unity government*', (Detroit: Wayne State University Press, 1990), p.69.
[22] Sandler, 'The religious parties', p.123.

1981 elections, taking a large number of Sephardi party affiliates with him and founding a new political organization: Tami (Movement for tradition in Israel).[23]

Tami

Tami marks a new stage of the Israeli history. It was the first party to appear as the voice of the Sephardim who were known for their low-profile representation in the Israeli system, especially under the Labor party. Tami's success as well as its drastic rapid failure held great connotations for the following years.

In 1981, Tami was granted three ministries: Labor, social welfare, and immigrant absorption, a great reward for a party that received only 2.3 percent of the votes. Its ideological message was limited to two elements: " (1) that the Sephardic religious tradition is open to non-Orthodox, traditional Jews, and (2) that Jewish tradition favors social progress and assistance to the needy."[24] The achievements of the party resided in the mere exploitation of the ministries at hand to benefit certain segments of the population, mainly those of Sephardic origin. Tami acted as a true populist party, trying to be the defender of the unprivileged communities, despite the bad economic conditions. Two reasons are said to be behind its disintegration. First, the Likud party was strong enough to reject Tami's demands as it was not in need for its support to gain a majority in the Knesset. The second reason lies in the fact that Tami's target audience, the poor and the Sephardim, were both represented by the Likud.[25]

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[23] Greilsammer, 'The religious parties', p.69.
[24] Ibid., p.74.
[25] Ibid., pp.74-75.

The NRP: a confused identity

With those facts on the ground, the NRP's identification with the Likud's foreign policy, gave the voter the alternative to choose between the Zionist religious party and the nationalist Right. The NRP could not compete in nationalism with the Likud party. As a result, the larger portion of the votes went to the Likud. In addition to the ethnic development, the broadening of the NRP's interests, the emergence of a plurality party (Likud) with greater consideration of religion, and the replacement of a dominant party structure by a competitive party structure – all these factors combined led in the NRP's disastrous showing at the polls.[26] Abba Eban analyzed the failure of the NRP in the following manner. " Those who long for a unitary binational Eretz Israel in place of a democratic Zionist state are better off with Likud and Tehiya [right wing party]; those who think that a religious party should concentrate on its religious vocation need look no further than Aguda; and those who consider that the most urgent task is to divide Israel into two nations... should find final satisfaction with Tami."[27]

Agudat Israel: 1981 elections and after

Unlike the NRP, Agudat Israel succeeded in maintaining its electoral stability in the 1981 elections, its seats declining only from 5 to 4, because it did not adopt a stand on foreign policy. Out of 83 items listed in the 1981 coalition agreement, 30 dealt with religious issues. Many of the items were commitments by the new government to carry forward movements that had begun in the 1977-1981 term, such as the prohibition of work on the

[26] Sandler, 'The religious parties', p.124.
[27] Greilsammer, 'The religious parties', p.71.

Sabbath, prohibition of the sale of non-Kosher food and many others.[28] In 1984, however, Agudat Israel lost half of its electoral power, declining from 4 to 2 seats for the first time in its history. Internal long-standing personal and political rivalries between Agudat Israel's Rabbi Schneerson and Rabbi Eliezer Shach led to the formation of a breakaway faction of ultra-Orthodox Ashkenazi Jews by Rabbi Shach known as Degel HaTorah (the Flag of the Torah).[29]

Degel HaTorah

It is a mainly Ashkenazi ultra-Orthodox religious political party which broke away from Agudat Israel and secured two seats in the 1988 Knesset election. Rabbi Eliezer Shach who claimed that Agudat Israel was not loyal to its original ideals and objectives founded the party. He opposed Agudat's connection to the Chabad Hasidim, whose followers claim their spiritual leader Lubavitcher Rebbe to be the "awaited Messiah" [30] Shach considered him heretical, and condemned Schneerson's rabbinical rulings as "based upon ignorance and foolishness."[31]

Degel HaTorah is considered more moderate than Agudat Israel regarding the 1967 occupied territories and the Palestinian dilemma. Schneerson has adopted a hawkish position, claiming that Israelis should fight to retain all of the occupied territories.[32] One of the most significant changes in Israeli politics in the 1980s and early 1990s was the

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[28] Sharkansky, ' Religion and state in Begin's Israel' *The Jerusalem Quarterly*, p.40. For more information about the coalition agreement, see Yehudit Buber-Agasi, 'A clericalist coalition', *New Outlook*, Vol.20, No.5 (August 1977), pp.38-40.

[29]Don-Yehiya, ' Religion, ethnicity and electoral reform', *Israel Affairs*, Vol.4, No.1 (Autumn 1997), p.75.

[30] Bernard Reich and Daivd H. Goldberg, *Political dictionary of Israel*, (Lanham: The Scarecrow press, Inc., 2000), p. 103.

[31] Freedman, 'Religion, politics, and the Israeli elections of 1988', *The Middle East Journal*, Vol.43, No.3(Summer 1989), p.414.

[32] Greilsammer, 'The religious parties', p.77.

growing "nationalism" of Agudat Israel, exposed in its active support for West Bank settlers and its opposition to territorial compromise in peacemaking.[33] Nevertheless, since Agudat Israel does not consider the foundation of Israel to be the beginning of redemption, it does not mind giving up parts of "Eretz Yisrael".[34]

On the other hand, Shach adopted a moderate position regarding the occupied territories that puts Jewish life prior to the land.[35] It is the same position he had expressed when he represented Agudat Israel at an earlier time, when he stated, "According to Jewish tradition we must not provoke the gentiles and purposely create friction with the nations of the world."[36]

From 1992 until 1999 Agudat Israel and Degel HaTorah agreed to submit a joint list of candidates under the banner of the United Torah Judaism (UTJ), winning four seats in the first two elections and five in the third one. Consistent with their non-Zionist political orientation, the leaders of United Torah Judaism agreed to join the Likud and Labor– led coalition headed by Benjamin Netanyahu and Ehud Barak consecutively, but refused to sit as members of the cabinet.[37]

Shas

Degel HaTorah is not the only breakaway faction of the Agudat Israel. Prior to the 1984 elections, an ultra-Orthodox Sephardic Jewish party known as Shas (Sephardi Torah Guardians) emerged.It surpasses the Ashkenazi parties, because the Sephardi fragment of

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[33] Reich and Goldberg, *Political dictionary of Israel*, p.7.
[34] Ahmad Khalife, ' Ala'hzab al-siyasiya' fi *Dalil Isra'il al-'am*, (Beirut: Institute for Palestine Studies, 1997), p.162.
[35] Freedman, ' Religion, politics, and the Israeli elections of 1988', *The Middle East Journal*, p.415
[36]Greilsammer, 'The religious parties', p.77.
[37] Reich and Goldberg, *Political dictionary of Israel*, pp.6-7.

the Israeli Jewish population is already bigger than the Ashkenazi one, and its numbers increase progressively.[38] This Sephardi feature is one of the most fascinating developments in religious politics. Chapter six will examine its development more closely.

Po'ali Agudat Israel

Unlike Agudat Israel that maintained a restricted religious ideology during the first years of Likud rule, asserting its unique character in Israeli society, its offshoot party experienced a hard time because of adopting a hawkish stand on political issues.[39]

Before 1977, Po'ali Agudat Israel won 2 or 3 seats in the Knesset, but in 1977, for the first time in its history, it won only 1 seat, and in 1981 did not gain a single seat.[40]

In 1984, Po'ali Agudat Israel joined a nationalist religious list led by Haim Druckman, Matzad, which had split form the NRP, to become Morasha and won 2 mandates. In 1988, it again won 1 seat by joining in an electoral alliance with Agudat Israel. Since then, Poalei Agudat Israel has had no representation in the Knesset. [41]

New role of religious parties after 1977

Since 1977,the religious parties have been taking advantage of the division of the Knesset into two, more or less, equal blocs between the Likud party and its allies on the one hand and the Labor party and its allies on the other. Whereas only one party could form the government until 1977, from then on, the two large parties competed almost neck and

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[38] Bauer, 'Religious Parties in Israel: Reality Versus Stereotypes', *Middle East Focus*, Vol.11, No.2 (fall 1989), p. 10.
[39] Sandler, 'The religious parties', p.122.
[40] Schiff, 'Israel after Begin', p.43.
[41] Don-Yehiya, ' Religion, ethnicity and electoral reform', *Israel Affairs*, p.76.

neck to attain a parliamentary majority and in fact rotated in coalition formation and leadership of the government.[42] Given the fact that they can guarantee the success for the party, the religious parties' support has always depended on getting the suitable reward.[43] Being of almost equal size, the two major blocs provide a political dynamic that gives disproportional power to the parties at the center of the political scene that could potentially join coalitions headed by either one of the big parties. The minor parties, especially the religious ones, benefited from the fact that they can determine which of the two main parties would form the coalition, demanding benefits for their voters in return for support of the coalition.[44]

Commenting on this trend, Medding argues that since the state funds an autonomous network of Haredi (ultra-Orthodox) educational institution that emphasizes their anti-system values and discourages integration into the major institutions of Israeli society, it is in fact, providing financial and other incentives that encourage non-integration in practice. In so doing, the state has supplied the means to maintain their anti-system attitude, social segregation and communal autonomy. Medding adds that rather than being penalized politically for their anti-system stance, Haredi parties are being rewarded for rejecting the system.[45]

While the two major parties compete fiercely to please the smaller religious parties, these, in turn, profitably play one off against the other and threaten the stability of the

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[42] Peter Y. Medding, 'From government by party to government despite party', *Israel Affairs*, Vol.6, No.2 (winter 1999), p.174.
[43] Azmi Bechara, *Dawamat al-dine waddawlah* , (Amman: Markaz alderassat el'Estratigiah, 1996) ,p. 6.
[44] Dana Blander and Arye Carmon, 'The rise and fall of direct elections in Israel', *Middle East Insight,* Vol.16, No.3 (June-July 2001), p.37.
[45] Medding, 'From government by party to government despite party', *Israel Affairs*, p.190.

government while constantly increasing their demands.[46] The fact that the support of the Orthodox religious political parties has been absolutely necessary for governments to stay in power has meant over the years that the government would side with the Orthodox in their demands. Nevertheless, sometimes it is more agreeable for the two parties to join in a coalition than to stand the religious parties' "blackmail" policy. As things turned out in 1988, both Likud and Labor found the demands of the religious parties – that the Law of Return be modified so that only Orthodox converts to Judaism would be acknowledged as "real" Jews entitled for immigration under that law – so offensive that they joined together in a "National Unity government."[47]

Religious parties after 1977 are not as before. The numerous interdivisions that have erupted did not only cause the emergence of new parties, but did also change the identities of the already existing ones. Moreover, after the birth of a two party system, small parties knew they can have greater influence on the system and so they try to exploit the situation to the maximum to influence their interest groups. The religious parties' goals are shared at times, divergent at others, but those parties have always adopted the same channel: exploitation of the system.

In this chapter, we have tried to give a general idea about the development of the religious parties after the Likud took over in 1977. Brevity was apparent when examining some new parties, either because of their failure in asserting their identity, or because of their negligible effect on the Israeli political system. Shas, is an exception, as it represents

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[46]Hazan,'Religion and politics in Israel', *Israel Affairs*, p.126.

[47] Gregory S. Mahler, *Israel: government and politics in a maturing state*, (New York: Harcourt Brace Jovanovich, 1990), p.69.

a unique aspect that is worth further analysis. That is why, we thought it would be of interest to examine this party and analyze its development in the following chapter.

Chapter SIX

Shas: a unique religious party

" ... You have heard the hatred and the enmity against Judaism, against the tradition, against all that we represent ... They want us to return to the 1950s, ... then we did not understand and we were [therefore] submissive. Today we will not let them do it [to us]. The answer to the 'secular left' is Shas."

***Aryeh Deri*[1]**

Israel implements a very exceptional electoral system that gives the chance for small parties to be represented and gain a seat in the Knesset by achieving only 1.5 percent of the electoral vote. Before a law was enacted in 1992, the threshold was as low as only 1 percent.[2] In fact, this flexibility in the election process, though helpful for small parties, does not guarantee their continuity. A religious party, as any other party, has to build its own identity and address a certain target audience. Failing to fulfill these prerequisites leads to the disintegration and disappearance of the political body, as was the case with Tami.

As mentioned previously, ethnicity, as a political phenomenon, emerged just before the 1981 elections. Tami was introduced as a representative of the Sephardim, the Oriental Jews, who were excluded from having a say in the Zionist establishment. Nevertheless, Tami cannot be considered a popular revolt, but rather the outcome of a personal conflict that erupted in the NRP on a Sephardi-Ashkenazi basis.

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[1] Deri was Shas leader before being sentenced to three years in jail for bribery, fraudulent use of public use of public funds, and violating the public trust. His followers portray him as a scapegoat, persecuted by the prosecutor's office because of his Moroccan background. Etta Bick, 'The Shas phenomenon and religious parties in the 1999 elections', *Israel Affairs*, Vol.7, Nos.2&3 (winter/spring 2001), p.72.

[2] Eliezer Don-Yehiya, 'Religion, ethnicity and electoral reform: the religious parties and the 1996 elections', *Israel Affairs*, Vol.4, No.1 (Autumn 1997), p.77.

The 1981 elite revolt against the Ashkenazi hegemony, though played a major role in introducing the Sephardim to the Israeli political system, was not the first sign of dissatisfaction that has been expressed over time. One of those large-scale revolts broke out in the seventies, when the Black Panthers[3] called for the destruction of the regime and for the preservation of the legitimate rights of those oppressed in the Israeli society. Knowing the political nature of their 'inferiority', they attacked the "melting pot" theory by showing that there is in Jewish Israel not one but two peoples[4], the exploited and the rulers.

The Sephardim: a history of discrimination

To study Shas, an acronym for "Sephardi Torah Guardians", one must, first, look into the origins of a critical social problem in Israel that divides people into Ashkenazi and Sephardi communities. It is also important to observe the enforcing factors that have strengthened a party explicitly talking on behalf of only one faction of the Israeli people, the Sephardim, a community that is usually poorer, less educated and lives on the margin of the West European Zionist dream.[5]

To begin with, it is important to state that ethnicity per se has hardly been evident in the Israeli establishment, since the 'melting pot' ideology, which prevailed in the early years of independence prevented any "accommodationist" practices in dealing with ethnic

[3] It is a militant protest group of young Orientals of North African origin that took to the streets to oppose the discrimination against the Oriental Jewish community. (Bernard Reich and Daivd H. Goldberg, *Political dictionary of Israel*, (Lanham: The Scarecrow press, Inc., 2000), p.75)

[4] Ella Habiba Shohat, 'Sephardim in Israel: Zionism from the standpoint of its Jewish victims', *News from Within*, Vol.8, No.1 (January 1997), p.45

[5] Drew Harrison, 'The men in black who hold the key', *The Middle East*, No. 170 (December 1988), pp. 11-12.

issues. Israeli political leaders have even struggled, from the beginning, to distort the cultural distinctions between the various ethnic communities.[6]

This policy, which was initiated and directed by David Ben-Gurion, set as its aim "the blending of the exiles". It is the Israeli edition of the 'assimilation' solution, which according to the political scientist Robert Dahl, is one of the ways used in dealing with conflicts between subcultures. Such a solution cannot, of course, be included within the consociational model that is based on compromise that acknowledges the legitimacy of differences between subcultures.[7]

From the early days of Zionism, Sephardim were perceived as a source of cheap labor that had to be tricked into immigration to Palestine. In fact, the economic structure, which oppresses the Sephardim in Israel, was set in place in the early days of the Yishuv.[8] Later on, Israel's rapid economic development was accomplished on the basis of an unequal distribution of advantages between the ruling Ashkenazi and the oppressed Sephardim. The socio-economic structure was thus formed contrary to the egalitarian myths characterizing Israel's self-representation.[9]

The background for this marginalization is complex, but it includes the historical legacy of the Ashkenazi domination of the Jewish decision-making prior to the arrival en masse of the Sephardim who encountered harsh conditions, in the fifties and sixties.[10]

The Zionist leaders, while urging Jews, including the Sephardim, to immigrate to Israel did explicitly express discriminatory views against them. For example, Ben-Gurion

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[6] Eliezer Don-Yehiya, 'Conflict management of religious issues: the Israeli case in comparative perspective', *Israel Affairs*, Vol.6, No.2 (winter 1999), p.88.

[7] Ibid., p.88.

[8] Shohat, ' Sephardim in Israel', *News from Within*, p.36

[9] Ibid., p.38

[10] Ibid., p.45

described those immigrants as lacking even 'the most elementary knowledge' and 'without a trace of Jewish or human education'.[11] Abba Eban[12], later on, confirmed that statement by adding, " the object should be to infuse [the Sephardi] with an Occidental spirit, rather than to allow them to drag us into an unnatural Orientalism." Or again: "one of the great apprehensions which affects us ... is the danger lest the predominance of immigrants of Oriental origin force Israel to equalize its cultural level with that of the neighboring world."[13] Sometimes in ordinary European-Jewish conversations, Sephardim were referred to as 'schwartze-chaies' or 'black animals'.[14] Even Sephardi students at Ashkenazi yeshivas, who, after years of compliance, were ordained as rabbis, were not granted status equal to that of Ashkenazi rabbis but continued to be treated as inferior. [15]

As a result, a hidden superiority-inferiority relationship was built among Jews of different origins in Israel. The problem became primarily the horrible day-to-day reality of a large portion of Israel's Sephardi citizens who, together with their children, have been left out of the game.[16]

This historical background explains why the 1977 Likud victory against the Labor party, which was held responsible for the Sephardi oppression, brought confidence to that community. The massive vote for Likud by second-generation Sephardim had been decisive, and many saw the elections as a Sephardi victory over the Labor party as the beginning of independence under the leadership of Menahem Begin. Israeli sociologist

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[11] Ibid., p.31

[12] Eban served as Israel's ministry of foreign affairs from 1966 to 1974. (Reich and Goldberg, *Political dictionary of Israel*, p.113)

[13] Shohat, ' Sephardim in Israel', *News from Within*, p.31

[14] Ibid., p.32

[15] Israel Shahak, 'Israel's Shas Party – background and importance', *Middle East International*, No. 530 (19 July 1996), pp. 17-18.

[16] Kim Hannah, 'the Ethnic problem has just begun', *Haaretz* (internet edition), 5 September 2000.

Sami Smooha even suggested at the time that the Likud would lead the Sephardim to power.[17]

Disappointment, however, came quickly when the gaps between the upper-income rate and the lower one grew so fast under the Likud that it became clear that the new regime was much like the old one. The Likud knew how to coat the bitter pills with more colorful wrappings, by means of increased capitalization of the Israeli economy and by creating the illusion of abundance.[18]

The emergence of Shas: a need for the oppressed

The old generation of Sephardim identified themselves with the Zionists but was upset with the trivial role given for the Sephardim in the Zionist agenda. The new generation, by contrast, says, "I have nothing to do with Ashkenazi political Zionism, which is the product of European history, and therefore I don't care if the Ashkenazim take all the credit for political Zionism." The new Sephardim refuse the invitation to join the Ashkenazi collective memory, and instead seek to create it own collective memory from which the Sephardi consciousness and vision of a Sephardi State of Israel will blossom.[19]

That was the major reason why the Sephardim began searching for an alternative. Tami initiated no social or economic change to remove the Sephardim from their economic and

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[17] Sami Shalom Chetrit, 'The dream and the nightmare: some remarks on the new discourse in Sephardi politics in Israel: 1980-1996', *News From Within*, Vol.8, No.1 (January 1997), p.54.

[18] Ibid., p.55

[19] Ibid., p.59.

class inferiority.[20] Moreover, its failure to represent the ordinary Sephardim paved the way for an authentic popular Sephardi movement, Shas.

The cadres of Shas are those young Sephardim who revolted against the Ashkenazi manipulation of the Haredi world in which they grew up and received their religious education. In contrast to Tami, Shas leaders have not been in any party before and therefore were not motivated by disappointment or search for revenge.[21] Basically, Shas was built on the back of the Sephardi bitterness against Ashkenazi cultural supremacy, and that was the main reason behind its establishment. What made it split off from Agudat Israel was the latter's refusal to place enough Sephardi candidates on the 1984 electoral list.[22]

Shas's ideology is religious orthodoxy coupled with loyalty to Sephardi tradition. But the political means used to achieve this – significantly controlled by charismatic leaders like its spiritual guide, Rabbi Ovadia Yosef, and former General Secretary Aryeh Deri – has been Shas' wide network of services for the poor ranging from child care to schooling.[23] After all, Shas is the chance for individuals marginalized both economically and culturally by a dominant society to reassert certain values and forge a more coherent and meaningful lifestyle.[24] The party's message to its constituency is that many of their problems stems from a loss of their traditional values.[25]

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[20] Sami Shalom Chetrit, 'Mizrahi politics in Israel: between intergration and alternative', *Journal of Palestine Studies,* Vol.29, No.4 (summer 2000), p.56.

[21] Chetrit, 'The dream and the nightmare', *News From Within*, p.56.

[22] Reich and Goldberg, *Political dictionary of Israel*, p.335.

[23] Nina Sovich, 'Shas courts the Bedouins', *Middle East International*, No. 593 (12 February 1999), pp.24.

[24] Aaron P. Willis, ' Shas-the Sephardic Torah Gurdains: religious "movement" and political power', in Asher Arian and Michal Shamir (eds.), *The elections in Israel-1992*, (Albany, State University of New York Press, 1995), p.135.

[25] Stewart Reiser, 'The religious parties in Israel: social significance and policy implications', *Middle East Focus,* Vol.12, No.2 (summer/fall 1990), p.11.

Shas: a sociological success

An important and growing political asset of Shas is the educational institutions, which it runs throughout the country. The students and their families are a growing political dividend. As these institutions grow in size and the number of affiliated Sephardi families increases, the inner circle of Shas expands.[26] The party's ability to persistently manage more state resources for its supporters made it one of the most effective forces in the Haredi community and the Israeli electorate at large.[27]

It is Shas's role as a substitute state that constitutes the basis for its electoral and social success. The orthodox leadership knew how to reach a non-orthodox, traditional community, providing services and perhaps, more evidently, a unique identity in exchange for electoral support.[28]

By representing that enduring Israeli socio-economic phenomenon, Shas became equivalent to a "back to the roots" movement.[29] "The Torah of Israel and the yoke of the commandments" summarize a doctrine and a clear ideology of the Sephardi revolutionary in the words of Rabbi Yosef.[30]

Although officially Haredi (ultra-Orthodox), Shas main focus was on the ethnic rather than the religious issue, and it appealed to all Sephardim, regardless of the affiliate's religious conduct. It also differed from the Ashkenazi Haredi Agudat Israel in that it did

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[26] Bick, 'The Shas phenomenon and religious parties in the 1999 elections', *Israel Affairs*, Vol.7, Nos.2&3 (winter/spring 2001), p.60.

[27] Rebecca Kook, Michael Harris and Gideon Doron, 'In the name of G-d and our Rabbi: the politics of the Ultra-Orthodox in Israel', *Israel Affairs*, Vol.5, No.1 (Autumn 1998), p.9.

[28] Ibid., p.16

[29] Reiser, 'The religious parties in Israel', *Middle East Focus*, p.9.

[30] Chetrit, 'The dream and the nightmare', *News From Within*, p.56.

not raise objections against Zionism, but instead referred to itself as Haredi, rather than secular, Zionist party.[31]

Shas: a political success

In Shas circles one may hear a variety of responses regarding Israel's relation with messianic redemption, or man's involvement to hasten this process through non-religious means. There is simply no party line on these issues. Shas believes the state to be problematic because it is not run in accordance with Jewish law. However, it is not illegitimate.[32] Moreover, Shas's program focuses on religious and nationalist issues, and most of its followers "do not question the centrality of Israel in God's plan."[33] Rabbi Yossef himself was the former Sephardi Chief Rabbi of Israel, a post considered, as part of the Zionist establishment. Being a party that does not question the legitimacy of Israel, Shas can be considered as Zionist as the Israeli major parties.

Shas, however, does not adopt a democracy claimed by Zionism. According to Shas, authority and tradition are prerequisites for religious orthodoxy. Within orthodoxy, the individual is expected to internalize tradition and conform to all of its dictates. From this perspective, one has no choice, and this absence of choice leads to total submission to the ultimate authority of the rabbinic-scholarly elite. This passive obedience to the authority

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[31] Chaim I. Waxman, 'Religio-politics and social unity in Israel: Israel's religious parties', in Robert O. Freedman (ed.) *Israel's first fifty years*, (Gainesville : University press of Florida, 2000), p.164.

[32] Willis, 'Shas-the Sephardic Torah Gurdains', p.134.

[33] Julien Bauer, 'Religious Parties in Israel: Reality Versus Stereotypes', *Middle East Focus* , Vol.11, No. 2(fall 1989), p. 10

of the rabbinic elite, in turn, renders the potential for organization and mobilization much greater within that community.[34]

As the party's supreme authority, Rabbi Yosef reflects its unique character. Formally, all major decisions are entrusted to the [Sephardi] "Moetzet Hachmei Hatorah" (Council of Torah Sages) that he heads and dominates. The party's political representatives are empowered merely to submit recommendations to the Council and unquestioningly carry out its decisions.[35] In Shas, the Council serves as a catalyst for Rabbi Yosef's unchallenged authority. He is the final authority on the composition of the Knesset list and is the one who gives legitimacy and validity to the policy decisions of the party.[36] For example, Rabbi Yosef is the one who could indeed influence the 17 MKs (members of Knesset) in 1999, and could decide how to vote in crucial parliamentary showdowns, especially when it comes to decisions related to the peace process.[37]

Shas and foreign policy

Shas, as a party, has never developed a definite position on the issue of the peace process in its different aspects – withdrawal from occupied territories, a Palestinian state, and the various ramifications of these. So as not to harm its capacity for political maneuvering, Shas adopted a strategy of creating a "smoke screen" and for years it has sought, and in fact succeeded, to tilt itself between right and left under the cover of ambiguity.[38]

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[34] Waxman, 'Religio-politics and social unity in Israel', p.177.

[35] Peretz Kidron, 'Barak courts the right', *Middle East International*, No.601(4 June 1999), pp. 5-6.

[36] Bick, 'The Shas phenomenon and religious parties', *Israel Affairs*, p.73.

[37] Sarah Honig, 'Yosef ups his ante', *Jerusalem Post*, 10 March 2000.

[38] Ephraim Yuchtman-Yaar and Tamar Hermann, ' Shas: the Haredi-Dovish image in a changing reality', *Israel Studies*, Vol.5, No.2 (fall 2000), p.32.

It should be stressed, however, that foreign and security issues, though not totally neglected, do not stand at the top of Shas's ladder of importance, and clearly have less importance from this party's standpoint than such domestic issues as religion-state relations and the strengthening of the Sephardi identity.[39]

Since its foundation in 1984, Shas has almost tripled its electoral strength, and has turned into a political force essential for the establishment of a governing coalition. The uniqueness of Shas was in its political vision, which differentiates it from all the Ashkenazi religious and Haredi parties who were getting more nationalistic by time. Rabbi Yosef's revolutionary ruling permitting the withdrawal from the West Bank and Gaza for the sake of saving human lives (of Jews, of course) sharply distinguishes him from the Ashkenazi right-wing, religious fundamentalist camp. That is why Shas could be a component in the Labor government in the early 1990s when Prime Minster Yitzhak Rabin conducted the peace negotiations with the Palestinians.[40]

Rabbi Yosef justified that stand when he stated that, "...if the heads and commanders of the army together with members of the government rule that the matter involves pikuach nefesh [preservation of life], that if territories of the Land of Israel are not returned there is an immediate danger of war with the Arab neighbors, and many lives will be lost, and if the territories are returned to them, the danger of war will be reduced, and there are chances for lasting peace, it appears that according to all views it is permitted to return territories of the Land of Israel for the sake of achieving this goal..."

Compared to other parities, the Rabbi's "dovish" attitude is not based, however, on moral considerations, such as the Palestinians 'right to national self-determination, or the moral

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[39] Ibid., p.69.

[40] Chetrit, 'The dream and the nightmare', *News From Within*, p.56.

dangers posed to Israelis by continued occupation. Instead, it is influenced by traditional Jewish notion that one should not provoke foreigners and thus endanger Jewish lives, an attitude that the literature refers to as "quietism".[41]

One must also not ignore the ethnic aspect of the socio-demographic composition of Shas, which impels it in the hawkish direction at other times. Many Sephardim speculate about the Left "obsession" regarding the restoration of Palestinian rights and with the concern for the Israeli Arabs, while it has not yet addressed the situation of the Sephardi Jews.[42]

According to the Israeli analyst, Peretz Kidron, "Both Yosuf and Deri are aware that Shas' rank and file are more comfortable with Likud than the Ashkenazi-dominated Labor party." Realizing that almost all decisions of Shas are taken according to the government's funding policy vis-à-vis the party and not merely on the voters' preference, he adds that, "Shas views Israeli nationalism as a legitimate tool if it helps enlarge their electoral support."[43]

Shas: pragmatism of no constant ideology

It is interesting to note here that although Shas can be considered loyal to its Sephardi followers, it has always exploited their inferiority. During the 1999 elections, Shas used the ethnic issue in full force and turned the trial of Shas leader and member of Knesset,

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[41] Yuchtman-Yaar and Hermann, 'Shas: the Haredi-Dovish image',*Israel Studies*, pp.35-36.

[42] Ibid., p.70.

[43] Graham Usher, 'The enigmas of Shas', *Middle East Report*, No. 207 (Summer 1998), p.35.

Aryeh Deri into the trial of all Sephardim, who feel they receive unequal treatment by the authorities and the Israeli judicial system.[44]

Even before Deri was convicted in March 1999 of accepting bribes and violating the public trust, after a nine-year trial, it seemed clear that the party's representation would increase. Not only did Shas speak to the hearts of many alienated Sephardim, but is also used funds received from the Likud government to provide services for its constituents, and used its control of the interior ministry to win minority votes including those of Arabs and Druze.[45] Shas gained between four and five seats from this new pool of supporters.[46]

This was not the first time Shas's organizational network provided communal services, obtained from and financed by the state to non-Jewish communities. The same strategy had enabled the party in the 1996 elections to mobilize the support of many traditional and even secular Jews in addition to its Haredi loyalists.[47]

In fact, Shas realizes the importance of the good ingredients at hand. Its ambiguity in defining its lines vis-à-vis the Left and the Right camps, gives it the ability to claim the representation of the different factions of Israeli communities. It talks on behalf of the Sephardim, the poor, the nationalists, the moderates, the minorities, and at the same time feels free to tilt towards one of these factions when interest prevails.

When money is in question, everything is negotiable since it is the main factor for the continuity of the party. After Deri was convicted of bribery, Rabbi Yosef sacrificed him,

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[44] Bick, 'The Shas phenomenon and religious parties',*Israel Affairs*, p.58.

[45] Daniel J. Elazar and M.Ben Mollov, 'Introduction: elections 1999-the interplay between character, political culture and centrism', *Israel Affairs*, Vol.7, Nos.2&3 (winter/spring 2001), p.5

[46] Bick, 'The Shas phenomenon and religious parties', *Israel Affairs*, p.58.

[47] Gideon Doron and Rebecca Kook, 'Religion and the politics of inclusion', in Asher Arian and Michal Shamir (eds.), *The elections in Israel-1996*, (New York: State University of New York Press, 1999), p.68

in order to guarantee the interests of the party. If Shas was excluded from the coalition government, the funds could dry up, endangering the party's status.[48]

On the other hand, although Shas joined every government since its foundation, supposedly accepting the state and its laws, it is interesting to mention that even that was not the case. For instance, as a result of the Supreme Court indictment of Shas Knesset member Aharon Cohen in 1997, Rabbi Yosef urged all Israelis to boycott the secular courts, labeling them as " not for Jews."[49]

In contrast with previous decades, Israelis are now more willing to admit that an ethnic problem is evident in Israel, and that such a problem stems primarily from gaps in income, schooling and private property, and not just from the "feeling of being discriminated against." Nevertheless, as awareness of the problem increases, Israelis are becoming more disgusted with the way parties like Shas is dealing with the issue.[50] It is this majority that considers itself under increasing attack from elements within the religious camp.[51] The problem in Israel, according to Shaked, is that "the adjectives (Sephardi, religious, Ashkenazi) outweigh the noun (Israeli)."[52]

According to Wurmser, Israel is on the verge of a cultural civil war in which one community would like to see their country continue to exist as a Jewish state and the other believes that Zionism as an ideology has reached its end.[53]

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[48] Kidron, 'Barak courts the right', *Middle East International*, pp. 5-6.

[49] Michael Karpin and Ina Friedman, *Murder in the name of God: the plot to kill Yitzhak Rabin*, (New York: Metropolitan Books, 1998), pp.262-263.

[50] Hannah, 'The Ethnic problem', *Haaretz* (internet edition).

[51] Jonathan Marcus, 'Israel: the politics of piety', *The World Today*, Vol.42, no. 11 (November 1986), p. 188.

[52] Gershon Shaked, 'Shall we find sufficient strength? On behalf of Israeli secularism', *Israel Affairs*, Vol.4, Nos.3 &4 (spring/summer 1998), p.85

[53] Meyrav Wurmser, 'Can Israel survive post-Zionism?', *Middle East Quarterly*, Vol.6, No.1(March 1999), p.3.

Since its inception, Shas proved itself to be a religious ethnic party of important weight in the Israeli political system. It even surpasses other religious parties of traditional prestige that have shared power ever since the early years of statehood. This chapter has attempted to shed light on the exceptional denotation of Shas, a phenomenon that does not only indicate a change in the Israeli political system, but also a change in the Israeli society as whole, where the Zionist founders of the Jewish state are losing power to those who were once oppressed and denied an equal status.

Conclusion

The study of the religious parties in Israel is not just an observation of the political changes that have taken place over time. Rather, it is an examination of an interdependent relation of social and political aspects that for one reason or another have had a serious impact on the identity of the "Jewish State."

Throughout this study, the aim was to shed light on the evolution of the religious parties in Israel rather than studying each one at a time. The main focus was on the development of those parties, their interrelation with the Zionist leadership and with each other, their similarities and differences and their exploitation of the Jewish religion. Zionism was also discussed to show how a secular movement that lacked the authority enjoyed by Jewish community leaders, could attract religious Jews by offering them a sense of participation and proportional share of influence and benefits.

The origins of the phenomenon of religious political parties were traced to their historical, ideological and sociological roots in Europe, the Yishuv, and later on in the State of Israel. Their diverse attitudes and behaviors were dealt with on such controversial contemporary issues as Sephardim and Ashkenazim which have mainly taken place in the 1980s and afterwards.

Since the inception of the idea of a "Jewish State", unity was sought through mutual recognition and accommodation among all Jewish groups – secular and religious – and by a fundamental understanding that the legitimacy of these divisions rested on the adherence of all to the collective norms and interests shared by the entire community.

That is why religious politics in Israel appears to be an expression of Jewish political traditions, and of what political scientists call a "consociational" method of maintaining democracy in deeply divided societies. Consociationalism explains how the *Status Quo* agreement resembles a rejection of a majoritarian democracy that considers the will of the majority as the essence of self-determination, and instead embraces the idea that all major groups in society should have some influence over decision-making.

Negotiated compromise and power sharing between religious and non-religious political groups have been the rule in the pre-state Zionist movement as well as in Israel. In essence, the *Status Quo* agreement was examined to show its efficiency in maintaining an acceptable compromise between the secular and religious authorities that has given the religious minority a veto power over major changes that would injure its basic interests. After all, the failure of the Zionist elite to proclaim a constitution was the consequence of the fierce rejection of the religious parties to endorse a constitution other than the Torah. Both sides were and still are, to this day, dissatisfied with the basic aspects of that agreement, but neither was in a position to challenge it seriously, since they could lose ground if it were set aside.

This study gave the *Status Quo* agreement a special emphasis since it explains why Israel's political system has been characterized by grand coalitions (assimilating minorities as part of the system) and proportional representation, including groups of different socioeconomic, ethnic and religious backgrounds even when major parties could rule without the need of the religious parties.

Given the need for unity to defend its own existence, Israel had a strong incentive to invite all groups in the community to play a role in the system. It was understood, from

the beginning, that profit must be generally shared among all members of the community, even when this meant overcoming deep social, ideological and religious divisions that would usually make cooperation difficult. This adjustment was maintained not only through the historical alliance of religious parties with the Labor party, but also with the religious-secular cooperation under the Likud mandate. It was made clear, however, that the principle of proportionality in the distribution of power and benefits was applied among different factions of Jewish authorities before the term *status quo* came into use.

The study also examined the biblical and nationalist perceptions of the 1967 occupied territories. It is true that messianic religious Zionists, like Gush Emunim, feared that any attempt to surrender the occupied territories would reverse the messianic process, Right-wing leaders like Begin did not identify with the messianic religious component of this ideology, but were extremely committed to the value of "Eretz Israel" for maintaining a Jewish control over the West Bank and Gaza for nationalistic reasons.

Likewise, it was the junction of these issues with the rise of the Sephardim to political power in the 1980s that further complicated the problems of the religious parties. As a result of these powerful ideological and ethnic divergence, the religious parties individually, and the religious camp as a whole, did experience serious fragmentation, due to the disintegration of the major religious parties, as well as the emergence of new ones of ethnic rather than religious affiliation.

The development of Shas, like the rise and fall of Tami before it, reflected incomplete political integration of the Sephardim into the religious parties in particular, and into the Israeli political system as a whole. In the long run, whether Shas will beat the historical odds and survive, as Israel's only principally ethnically based party, is problematic at

best. Nevertheless, the bridging of this ethnic gap appeared to be far more feasible over time than is the growing political and social gaps that continue to divide religious from non-religious Jews in Israel.

Despite the religious parties' willingness to cooperate with the secular system, each party sought to influence communal affairs as best as it could, and the outcome tended simply to reflect the pressures that they were able to mobilize. In many ways the problems of the religious parties reflect those of the highly divisive and fragmented political system as a whole. Yet, despite the fragmentation and decline of the religious bloc over the years, they remain a powerful political force in Israeli politics, since collective influence has increased in recent years as religion continues to play a fundamental role in politics in contemporary Israel.

Far more than the Sephardi-Ashkenazi dilemma, the conflict between the issues of religious observance is the most potentially disruptive threat to the unity of Jewish Israel. Religious-secular relations were studied to show the special significance of the traditional religious-civil interrelation in Jewish life and the lack, even today and even among many secular Israelis, of strong support for the principle of separation of religion and state.

The weight of tradition was reinforced, in the Zionist and Israeli experiences, by the practical necessity of compromise on religious demands in order to preserve unity. Religious observance has been given special importance by the religious parties, through imposing certain religious performances on the vast secular Israeli society such as the respect of the Sabbath, the Kashrut, etc. In this sphere, this study showed how the Israeli system has coped with religious cleavages and why these cleavages have not torn the system apart.

Indeed, given the clear division of Israeli politics around two major poles – Likud and Labor – neither of which is capable of governing on its own, and given the relative hegemonic nature of religion as a central concern in the Israeli polity, the religious parties' influence was observed so as to explain their success in getting more privileges for their supporters during government coalition-making.

The religious parties in Israel today are the clearest cases of total interpenetration of the religious, social, cultural, political, and even economic aspects of life. Their organizations provide housing, schools, and other services to their members. Due to such manipulative ingredients, the competition within the religious parties is intense. The contemporary debate, nevertheless, is how much state support will be given to which religious institutions and how much supervision of religious organizations will the state be granted in exchange rather than a clear demand of the separation of religion and state.

Although both the secular and the religious authorities have reached a consensus on sharing power, they lack a common ground concerning numerous fields, including the nature of the state. There is no compatibility between the two parties, but rather a fierce competition that is intensified with time. This explains why questions related to the identity of Israel are still without answers, or with answers that lack a general consent, causing Israel, fifty-three years after its creation, to be as fragile as ever concerning the legitimacy of its existence. Today, the tension between state and religion is the most sensitive issue facing Israeli politics. As Rabbi Arye Deri, the former Shas leader, remarked in 1997, "If it were not for the questions of peace, security and terrorism, the main conflict in Israel would be between the secular and the religious – a conflict that could become a war in the next few years."

Israel in the year 2002 is not better united than it was during the early years of statehood when it was fighting for its existence. Ariel Sharon is Israel's sixth prime minister in nine years. The 120-seat Knesset includes 17 parties, the largest with just 23 mandates, and consensus is difficult to achieve, even harder to sustain. Israel has started the 21st century with inner fragmentation that raises speculation about the ability of the Zionist entity to survive if peace is given a chance and the Jews are distracted from the Arab-Israeli conflict to become more involved in their numerous internal pending issues that do not only define their status vis-à-vis each other, but also question the need of having a state for the Jews.

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