Conflict Between Secular and Orthodox Jews in Israel

IB Extended Essay

Abstract

This essay investigates the causes of violent conflict between Orthodox and secular Jews in Israel and proposes possible solutions to this conflict. The topic is approached by first examining the development of different forms of Judaism which currently interact in Israel, with emphasis on the separation of Reform Judaism from Orthodox Judaism in eighteenth-century Europe. Then, the historic power of Jewish rabbis and violence among Jews, which are used to justify violence in Israel, are discussed. Certain parts of Israel's government structure and their historical development, in particular the lack of a constitution, use of coalitions, and power of religious parties in coalitions, are described in order to show how the governmental system supports Jewish conflict. Particular focus is placed on the fact that Orthodox Judaism is used in making decisions of personal status for all Israeli Jews, while the majority do not follow or believe in its tenets. Fundamentalism is covered briefly because it is one of the ideologies that has led to violence in Israel. John Galtung's model of conflict including contradiction, behavior, and attitude is then applied and each of these elements in Jewish conflict in Israel is described. Solutions discussed include focus on underlying similarities between different Jewish groups, looking at similarities between different Jewish groups rather than the differences most often emphasized, third-party intervention, and encouraging contact between individuals with different religious beliefs. Finally, the essay concludes with a consideration of whether conflict resolution at this point might lead to greater instability in Israel's government and possible violent attacks by extremists in the Jewish-Arab conflict in Israel, and if so, whether attempts at conflict resolution at this time are ethical, given that conflict resolution hopes to lessen violent conflict.

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Contents

Introduction

The modern state of Israel has been a source of conflict in the Middle East since its creation in 1948, when it was immediately attacked by its Arab neighbors. International focus is most commonly placed on conflicts between Israel and the surrounding Arab nations or between the country's Jewish majority and the Arab or Palestinian populations residing there. Except within the country itself, conflict between different Jewish populations in Israel has undergone much less examination.[1] This conflict between Jewish populations is escalating and violence is increasing. Examination of this conflict allows for the possibility of preventing violence, one of the main goals of peace and conflict studies.

This conflict has its roots in the development of multiple strands of the Jewish religion in Europe hundreds of years before the creation of Israel as a modern state was considered. In particular, more religious Jews saw the modernism of the Reform Jewish movement in Germany as an attack on Judaism itself and, in response, created a more conservative version of the religion. Other forms of Judaism existed in Spain and parts of the Middle East. All of these forms of Judaism are currently practiced in Israel, leading to clashes of beliefs and actions between different groups. Furthermore, some parts of the more conservative groups have tended towards fundamentalism, a mindset which does not allow for negotiation over certain aims.

The essay focuses on conflict resulting from the conflicting views of Israel held by the secular and Orthodox Jews and examines these views in the context of peace and conflict studies. The secular beliefs are based on a modern, Western view of democracy while Orthodox views are based in religious teachings. Hence there is a difference of opinion based on which kind of authority is deemed most important in determining the future of the country. This conflict is expressed mostly in decisions of government. However, as many of these decisions affect daily

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[1] Israel Shahak and Norton Mevinsky, *Jewish Fundamentalism in Israel* (Sterling, VA: Pluto, 1999) 150-151.

life for citizens of Israel, conflict has begun to affect them as well.

Forms of Judaism

Traditional Judaism is a form of Judaism which follows some or all of the strict practices set down in the Tanakh (the collection of Jewish texts including the Five Books of Moses or Torah, the Prophets, and the Writings) and interpretive texts like the Talmud. Many laws not mentioned in the Torah were written down in the Mishna, the first codified set of Jewish law.[2] Commentaries on these laws became known as the Talmud.[3] These texts set down specific laws about how a Jew ought to act in many situations and comprise a set of rules defining Jewish life from birth to death.

During the eighteenth century, Europe experienced the birth of a new philosophy—the Enlightenment. This new way of thinking emphasized the importance of reason over emotion and the concept of a secular form of government. The rise of secularism then affected the Jewish communities in Europe, especially those in France and Germany, where religion was expected to fit into the rationalism taking hold of other parts of life.[4] Enlightenment thinking taught that religion was a matter that could be relegated to a person's private life and ought not to interfere with his or her participation in government or public activities. This concept of separation of government and religion opposed the traditional belief that God, and by extension religion, ought to permeate an individual's entire life. The application of these principles to Judaism, primarily by Moses Mendelssohn, was known as the Haskala. Mendelssohn and his followers encouraged

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[2] Joseph Telushkin, *Jewish Literacy: the Most Important Things to Know about the Jewish Religion, its People, and its History* (New York: HarperCollins, 2001) 151.
[3] Telushkin, 153.
[4] Karen Armstrong, *The Battle for God* (New York: Alfred A. Knopf, 2000) 73.

the Jews act in more modern ways.[5] A new kind of Judaism, Reform Judaism, was created during this era which incorporated these beliefs. It no longer saw Jews as an ethnic group but simply saw Judaism as a religion. In addition, the traditional services were changed extensively.[6] Reform Judaism is now the most prevalent form of Judaism in the world.

Religious Jews firmly subscribe to the traditional view that religion is a vital part of all areas of life and were appalled by the concept of God's influence being removed from any part of life. They furthermore did not accept the choice of the new Reform or Haskala Jews to disobey many Jewish laws. In fact, they held that adherents to these newly created forms of Judaism were no longer Jewish because they had ceased to obey major portions of Jewish law.

This division of the Jewish community into secular and religious, or Orthodox, groups with very different views of the nature of Jews and Judaism has lasted until the present day. This gap has widened in Israel, with many Israelis who self-identify as Jewish never attending religious services or being otherwise religiously observant. These individuals are known as secular Jews and the Orthodox community does not regard them as properly Jewish.

In addition to theological differences between secular and Orthodox Jews, groups of Jews from different areas of the world have traditionally looked down on each other. Jews in Europe, or Ashkenazi Jews, developed and now follow a different set of traditions that Jews in the Middle East and Spain, or Sephardic Jews. This adds to friction and division between different groups in Israel because these groups tend to interact badly with each other. As with most immigrant populations, immigrants in Israel often live in areas separated from the rest of the population. Specific ethnic groups often have their own political parties. For example, Russian Jews have a separate party. Likewise, the two main political parties both have a separate Arab

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[5] Telushkin, 233.
[6] Telushkin, 241.

group. This leads to further splintering in the political community because different groups have few ways to communicate with each other. Another source of division is that religious and secular Jews live in completely different neighborhoods of most cities.

Power of Jewish Rabbis

Historically, rabbis leading Jewish communities in Europe were very powerful. They made the final decisions on how to interpret the holy texts, and through those interpretations decided what would be allowed in their communities. For the purposes of examining current conflict in Israel, the rabbis' power in two laws, the law of the pursuer and the law of the informer, is particularly important. The law of the pursuer, or *din rodef*, states that a Jew ought to harm or kill any Jew attempting to kill another Jew. The law of the informer, or *din moser*, says that a Jew can again harm or kill any Jew who gives information to non-Jews or hands Jews over to non-Jews without rabbinical permission. Both the law of the pursuer and the law of the informer can be applied to someone not only when the person in question is seen committing the crime, but also when a rabbi or other scholastic authority declares them guilty of either crime.[7] Harsh punishment was common in European Jewish communities for anyone violating these or other laws, including stoning and other forms of violence.[8] The rabbis decided who should receive such punishment and oversaw its application.

Governmental Structure

The United Nations resolution creating Israel and Palestine required that each state draft a democratic constitution with specific requirements including "a legislature elected by universal

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[7] Shahak and Mevinsky, 137.
[8] Shahak and Mevinsky, 133.

suffrage … and guarantees of equal rights in civil, political, economic, and religious matters."
However, Israel has never adopted a constitution. A "Transition Law" clearly defining the
functional structure of government was passed in 1949 and has remained in power ever since.
After that, however, the one constitution draft proposed was rejected. One reason for this is that
the Orthodox members of the government demanded that the constitution be based on the
Tanakh and the Talmud. Instead of ratifying a constitution, the government created the concept
of "Fundamental Laws." These laws would become part of a constitution over time. However, no
clear system for passing such laws was instituted and the country continues to lack a written
constitution.[9] This method of creating a constitution was deemed acceptable by the religious
parties because of "evidence in the Book of Exodus justify[ing] a constitution" and because "the
Torah had been given scroll by scroll."[10]

Israel has a wide variety of political parties represented in the Knesset, the country's
ruling body. This is a result of the party list system. In this system, each party creates a list of
candidates before each election. Votes are counted towards each party from the entire country
instead of electing one official from a number of districts. Based on the total number of votes
cast for each party in an election, the 120 seats in the Knesset are divided proportionally between
the parties. A party need only gain two percent of the total vote in the nation to receive a seat,
leading to many small parties gaining a small number of seats in elections.[11] This has encouraged
the existence of a large number of political parties with different goals. Types of parties include
large right- and left-oriented parties, religious parties, Arab parties, and other ethnic parties. The
religious parties usually hold very Orthodox beliefs.

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[9] Howard M. Sachar, *A History of Israel: from the Rise of Zionism to Our Time*, 3rd ed. (New York: Alfred A. Knopf, 2007) 355-357.
[10] Colin Shindler, *A History of Modern Israel* (New York: Cambridge University, 2008) 80.
[11] Robert O. Freedman, "Introduction," *Contemporary Israel: Domestic Policies, Foreign Policy, and Security Challenges*, Ed. Robert O. Freedman (Boulder, CO: Westview, 2009) 1-17, 10.

A central feature of Israel's government is its use of coalitions. No party in the Knesset has ever won a majority of seats, so the leader of the party receiving the most votes makes agreements with other parties to form a coalition. Often this involves the larger party making concessions to desires of the smaller parties in order to convince them to join the coalition. Sometimes these parties are granted influence disproportionately large as compared to their numerical sizes.

Coalitions often include one or more of the religious parties partnering with one of the larger, mostly secular parties. These religious parties often have little interest in issues of foreign policy or security and instead focus on socioeconomic policy.[12] Because of their lack of interest in these two areas, they are convenient coalition partners for parties that have clear, strong aims in these areas, as the parties that gain large pluralities usually do.

During Ottoman rule in Israel, religious communities in then-Palestine were allowed to control themselves in matters of personal status, while the Ottoman government had power over secular law. This was called the millet system. During the British mandate, the British government in Palestine continued this practice and Jewish self-government was expanded into a Rabbinical Council including both a chief Sephardic and a chief Ashkenazi rabbi along with a number of other rabbis and Orthodox leaders. One important duty of this council was to appoint members of the other rabbinical courts, who at the time ruled on issues of personal status.[13] In 1948, shortly after Israeli independence was declared, government ministries were created from older institutions controlled by the Jewish Agency, Va'ad Le'umi, and the British government in Palestine.[14] The Jewish Agency and Va'ad Le'umi originally had power over large parts of the

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[12] Shmuel Sandler and Aaron Kampinsky, "Israel's Religious Parties," *Contemporary Israel: Domestic Policies, Foreign Policy, and Security Challenges*, Ed. Robert O. Freedman (Boulder, CO: Westview, 2009) 77-95, 78.
[13] Sachar, 135.
[14] Sachar, 355.

lives of the Jewish persons living in Palestine during the mandate. Like other systems retained from the mandate government, the Jewish Agency, and Va'ad Le'umi, the Rabbinical Council also remained in place.

Today, Israel has two kinds of courts, secular courts and religious courts. Each religion has its own separate religious courts with jurisdiction over "family and related life-cycle issues."[15] These issues can include marriage, divorce, and in the case of Jewish courts, conversion.

Religious parties require, as part of their inclusion in coalitions, that the government allow religious control of some parts of government and, in addition, agree to certain religious demands. In particular, they demand continuing Orthodox religious control of certain issues of personal status. A major part of this religious control is that Orthodox rabbis make decisions in Israel's Jewish religious courts.

As more non-Orthodox Jews have moved into Israel, they have come under the jurisdiction of the Orthodox Rabbis for matters of personal status. This has led to a number of contentious debates about who has the right to define certain Jewish concepts in the context of Israeli law. For example, Orthodox rabbis have demanded that Jewish identity be determined by halachic law, which states that only those persons born to a Jewish mother are Jewish. However, Judaism has been defined less stringently in a number of supreme court decisions made regarding Israeli citizenship and Jewish identity relating to the Law of Return, under which any Jew in the world is allowed to immigrate to Israel.[16] The power of the Orthodox rabbis in determining Jewish identity for citizenship and immigration purposes has been limited, while these rabbis retain power in deciding who is Jewish for the purposes of marriage and other

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[15] Adam Garfinkle, *Politics and Society in Modern Israel: Myths and Realities*, 2nd ed. (Armonk, NY: M. E. Sharpe, 2000) 171.
[16] Sachar, 603-605.

religious ceremonies.

Another interesting effect of the millet system is that marriages between individuals of different religions are not possible in Israel because religious leaders will not marry two individuals of different religions. However, civil marriages from other nations are respected, so many Israelis who wish to marry outside of their religion or do not want to have a traditional Orthodox Jewish ceremony go abroad.

Fundamentalism

Fundamentalists of any religion wish to return to an earlier time period in which modern problems did not exist. They imagine that the problems they face in the world today would not exist were they to bring back certain elements of their desired earlier time period. Jewish fundamentalists in Israel have been responsible for some of the worst attacks by Jews on other Jews, including most notably the 1995 assassination of Prime Minister Yitzhak Rabin, justified by the law of the pursuer. Jewish fundamentalism is an important element in current Israeli Jewish conflict because a large part of Israeli society is "sympathetic to Jewish fundamentalism."[17] Jewish fundamentalists are guided by new interpretations of older Jewish texts which support their separation from the rest of Israeli society and justify the use of force in creating their image of a better world.

Conflict

Johan Galtung's model of conflict states that conflict can be "viewed as a triangle, with contradiction (C), behaviour (B), and attitude (A) at its vertices." Conflicting elements must be

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[17] Shahak and Mevinsky, 6.

present in all three areas for a full conflict to exist.[18] All three elements can be seen in Jewish conflict in Israel.

Contradiction is present in different images of the state of Israel. Many secular Jews see Israel as a Western nation, like many countries in Europe, and expect it to have the same sort of programs as Western nations including universal education and fair legal treatment of all citizens. Some Orthodox Jews, however, do not believe they ought to follow the beliefs of the majority in terms of education, military service, and other areas. Alternately, they believe that all citizens of Israel ought to follow Orthodox procedures, for example the marriage of all Jews in Orthodox ceremonies as described above. The most extreme elements of Jewish society refuse to acknowledge Israel as the Jewish state prophesied for in the Torah but instead consider it to be simply another secular nation. Evidently these views of Israel are not very compatible, and by many of those living in the country they are seen to be completely incompatible.

Attitudes towards Israel and the different groups living there are also very different. Both the secular and more religious elements of Israeli society believe that their vision of the country is most correct and that those of the others are invalid and sometimes even dangerous. In fact, many secular Jews do not consider religion a vital part of their lives, and may even view it as more related to membership in a specific political party than as a lifestyle.[19] Orthodox Jews hold that religion and daily life must never be separated, and so encourage government legislation about religious practices.

Extremist and fundamentalist Jews have violently attacked secular Jews who they believe threaten Israel, as in the assassination of Yitzhak Rabin. Other recent instances of violence include a protest against the opening of an Intel plant in Jerusalem on Shabbat in which

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[18] Oliver Ramsbothan, Tom Woodhouse, and Hugh Miall, *Contemporary Conflict Resolution: the Prevention, Management, and Transformation of Deadly Conflicts*, 2nd ed. (Cambridge, UK: Polity, 2005) 9-10.
[19] Sachar, 599.

demonstrators threw stones at journalists[20] and an attack on Jerusalem mayor Nir Barkat's car after he allowed the opening of a parking lot on Shabbat.[21] In government, religious parties work to impose their form of Judaism on the entire country through laws about *kashrut* (Jewish dietary practices), transportation on Shabbat, and personal status. When they cannot impose their views on the entire country, they try to ensure that they are supported by the government in the religious community. Religious schools are fully funded by the government. Driving on Shabbat is forbidden in certain religious areas and women who are not dressed modestly in religious areas experience aggression, sometimes to the extent of physical attacks. Religious individuals, both men and women, are not expected to serve in the military, while all secular Jews are expected to do so.

Solutions

Although there is a great deal of polarization in Israel, there are some groups with intermediate views between those of completely secular and fundamentalist or extremist religious groups. For example, there are many secular Jews who, although they have no interest in becoming Orthodox or closely following the religious laws, do not have any problems with Orthodox Jews practicing their religion if it does not impose itself upon others. Furthermore, some Jews do not mind the imposition of Jewish laws upon themselves so long as it does not greatly affect their lives. In fact, most if not all Israeli Jews agree that Israel should be a religious state and would simply prefer that Orthodox rabbis have a smaller effect on their daily lives.[22] Similarly, many Orthodox Jews follow the teachings of Rabbi Kook, who suggested that "God

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[20] Nir Hasson, "Jerusalem Haredim Protest Shabbat Opening of Intel Plant," *Haaretz.com*, Haaretz Newspaper, 16 Nov. 2009, Web, 9 Dec. 2009.
[21] "Dozens of Haredim Attack Barkat's Car," *JPost.com*, The Jerusalem Post, 9 Aug. 2009, Web, 9 Dec. 2009.
[22] Garfinkle, 145.

can use impious people in holy ways."[23] While these Jews believe that Orthodoxy is the best form of Judaism, they also believe in the value of all Jewish lives. In addition, there are modern Orthodox Jews who are not fundamentalist and do not wish to return to the past or see all of modernity as being in opposition to Judaism.

A change in perspective is required on both sides to accommodate a shift from a win-lose to a win-win outlook. In the current situation, increased by the concept of a confrontational government system, the focus is on differences. In conventional politics, differences are emphasized by both participants and observers like the press. However, this is not a complete view because it fails to acknowledge the similarities between the different groups in Israel. The Jewish groups in Israel have in fact many similarities. Perhaps this is a starting point from which changes could be made. In addition, it may be useful for both groups to acknowledge that neither is likely to disappear in the future.[24]

Instead of focusing on the stated positions of the multiple sides, it is useful to examine their underlying interests.[25] While it is tempting to focus on the interests of the main sides in this conflict, this is very difficult. Interests as understood in conflict resolution are logical desires based on needs of the community. However, in a religious conflict the major justification for desires is emotional, rather than logical. Karen Armstrong describes the conflict between two forms of knowledge, *mythos* and *logos*. *Mythos*, she says, is concerned with meaning, while *logos* is concerned with functioning in daily life. Both are important, but when applied to areas outside their realm, for example *mythos* to the day-to-day government, the results can be disastrous.[26] Unfortunately, religious Jews strongly connect Israel to a number of emotional

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[23] Garfinkle, 144.
[24] Ramsbothan, Woodhouse, and Miall, 16-17.
[25] Ramsbothan, Woodhouse, and Miall, 18.
[26] Armstrong, xiii-xv.

desires, few of which they are likely to consider compromises on. A strong base of the Jewish culture in exile was eventual return to the promised land, but little attention was given to this concept in a real-world sense. The return of Jews to Israel was connected with the coming of the Messiah and the end of the world in its current form. As the first has occurred without the addition of the second, many Jewish communities have been thrust into a completely unexpected situation for which no expectations have been created.

Third-party intervention is likely necessary to some extent in this conflict. In fact, in the Jewish arena, Israel already experiences the influence of third parties in the form of Reform and Conservative Jewish activities in the country. However, the efforts of Reform and Conservative Jewish groups in Israel have been for the most part ineffective because there are very few Jews of these denominations in Israel. Non-Orthodox Jews in Israel have little interest in participating in or supporting Jewish synagogue life of any kind. These alternate forms of Judaism are in fact mainly operated as extensions of the main branches of their denominations in the United States.[27]

It is important to note the large interest in Israel taken by people in English-speaking countries, primarily the United States, because sources about Jewish history in English can be misleading about certain elements of Jewish history relevant to fundamentalism in Israel. These include most notably the lack of coverage of historic Jewish violence in English works.[28] The English-speaking world is rarely confronted with any images of Jewish violence to other Jews. If any intervention in Israel is attempted by Jewish groups from English-speaking nations, they must be adequately introduced to the truthful history of Jewish violence in order to correctly understand actions of Jews now. It is furthermore interesting to consider whether Jews would change their opinions about supporting Israel if it were openly acknowledged that there is a large

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[27] Sachar, 612.
[28] Shahak and Mevinsky, 160-161.

amount of inter-Jewish violence there. The great support of the United States towards Israel stems in part from the desires of the American Jewish community, who are not educated in this part of their history. Although this lack of knowledge is no fault of theirs, there is a degree of complicity in their allowing the violent situation in Israel to continue with no criticism from the United States or other Jewish groups. The international community should be clearly informed about exactly what they are supporting when they extend aid or other forms of support to Israel.

Because secular and Orthodox Jews usually live in separate areas and attend separate schools, there is little interaction between individuals observing different forms of Judaism in Israel. One possible way to begin to close this rift would be the institution of programs in which individuals from both secular and Orthodox backgrounds could interact. Such programs, perhaps similar to the John Paul Lederach's problem-solving workshops, which allow "re-analysis of [the] conflict as a shared problem,"[29] would help relationships between secular and Orthodox Jews begin to develop. In such a context, emphasis would be placed on the common background of the participants, for example their experiences living in Israel and the importance certain shared historic or religious experiences have for them. Certainly any Jew living in Israel would be able to relate to the importance of living in a Jewish state and would share experiences related to perhaps the Hamas bombing from Lebanon in 2006 or certainly a familial or communal memory of the Six-Day War.

Conclusion

Jewish conflict in Israel is the result of two very different lifestyles and approaches to the Jewish religion. This is further complicated by the large role that religion plays in daily life and

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[29] John Paul Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies* (Washington, D. C.: United States Institute of Peace, 1997) 46.

the institutionalization of religion in the Israeli government, both through political parties and systems of rule. A possible way to solve this conflict begins with encouraging interaction between members of both Orthodox and secular communities, who rarely have any contact.

One question arising from the implications of this essay is whether efforts to end conflict in Israel between Orthodox and secular Jews might, in their initial stages, perhaps lead to greater conflict and instability in the country. The consociational model presented by Arend Lijphart suggests that "attempts at conflict resolution may damage the government's stability."[30] In Israel, where the Jewish majority is currently experiencing extended conflict with the Arab population, any instability in the government might appear to extremists to be an opportunity to make further attacks. As the prime interests of peace and conflict studies are to prevent or end violent conflict, if efforts to resolve Jewish conflict in Israel would lead to greater Jewish-Arab conflict, it is questionable if this would be an ethically sound course to take.

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[30] Sandler and Kampinsky, 79.

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