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Differing and changing attitudes in the Jewish exegetical tradition to the fulfilment of the biblical land covenant

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Abstract

It is commonly supposed that religions treat their sacred texts with a degree of rigidity and literality. The fact is that every and any text can be read and understood differently. This essay, written from a Jewish perspective, examines the biblical statements about the Promised Land and looks at how the promises to the early "fathers" have been understood at different times. Together with the Divine commitments came a reciprocal human obligation. It was the perceived abrogation by the Children of Israel of their side of the bargain that was seen as the reason for Exile after the First Destruction. By the time of the Second Destruction Christianity made new claims about the nature of the Holy Land and declared itself the New Israel and the successors of the Chosen People. In response to this and to the depredations of Exile, Judaism once again reinterpreted and adapted the original texts and the first wave of interpretation to meet different circumstances.

The aim of the essay is to describe the different theological approaches to the texts in the context of historical events. Simplistic assumptions and reading do not do justice to the complexity and variety of religious reactions to identical sources even within the same tradition.

It is one of the fascinating features of Jewish exegetical traditions that they present themselves as having inordinate respect for the biblical texts[1] and accept uncritically the concept of Divine Revelation yet for at least 2,000 years the Jewish religious/legal system has been animated by constant interpretation and reinterpretation that can turn the original text on its head, remove what is perceived as the negativity of its message or completely change its meaning.[2] This is the effect that the oral tradition (the Torah She Be'al Peh) has had on the written (Torah SheBiChtav). It is of course debatable when in Jewish history this process began. Traditionalists would like to see that it emerged before but certainly no later than during the Babylonian exile in the fifth century BCE.[3] Others would date it as late as

1 Mishna Sanh., ch. 10; Maimonides, Thirteen Principles of Faith, no. 8.
2 b BK 83b.
3 Louis Jacobs, *We Have Reason to Believe*: *Some Aspects of Jewish Theology Examined in the Light of Modern Thought*. (London: Vallentine Mitchell, 1965); Martin Goodman (ed.), *Oxford Handbook of Jewish Studies* (Oxford: Oxford University Press, 2002). Yitzchak Etshalom, *Between the Lines of the Bible* (New York: Yashar Books, 2006).

the second century[4] although it is clear from the Dead Sea sects that the midrashic tradition (under a different name) was already thriving during the first century before the Common Era.[5]

This essay will explore some examples of reinterpretation with particular reference to the relationship between the Jewish religion and the Land of Israel, which will in turn shed light on some of the internal differences in current Jewish attitudes to political Zionism.

Biblical sources

The biblical promise to Abraham that his seed would inherit a specific area of land is found in the Pentateuch, Genesis 15, at what is known in traditional Jewish texts as "The Covenant of Parts":

> 13. And He said to Abram, Know for a certainty that your seed shall be a stranger in a land that is not theirs, and shall serve them; and they shall afflict them four hundred years. 14. And also that nation, whom they shall serve, will I judge; and afterward shall they come out with great wealth. 15. And you shall go to your fathers in peace; you shall be buried in a good old age. 16. But in the fourth generation they shall come here again for the iniquity of the Amorites is not yet full. 17. And it came to pass, that, when the sun went down, and it was dark, behold a smoking furnace, and a burning torch passed between those pieces. 18. In the same day the Lord made a covenant with Abram, saying, to your seed have I given this land, from the river of Egypt to the great river, the river Euphrates. 19. The Kenites, and the Kenazites, and the Kadmonites. 20. And the Hittites, and the Perizzites, and the Rephaim. 21. And the Amorites, and the Canaanites, and the Girgashites, and the Jebusites.

Regardless of how these verses were understood originally the fact is that this promise was never fulfilled if we understand it as applying to the Jewish people specifically. Of course if we take "Abram's seed" in the widest sense then one can argue that it most certainly has. Yet from its earliest days the hold that the Israelites and then the Jews actually had on the "promised land" was tenuous and far more circumscribed than the boundaries referred to in the covenant.

Nevertheless, whatever territory was conquered, the Jewish people clearly felt that their rights to the land were always open to challenge. The destruction of the Northern Kingdom of Israel by the Assyrians in 720 BCE and the victory of the Babylonians in a series of campaigns culminating in the destruction of Judah in 586 BCE both led to the removal of the Jews from their ancestral lands. The return from Babylon around 500 BCE saw

4 J.D. Shaye Cohen, *From the Maccabees to the Mishnah* (Louisville: Westminster John Knox Press, 2006), pp. 174 et seq.

5 Geza Vermes, *The Complete Dead Sea Scrolls in English* (London: Penguin Classics, 2006).

their possession challenged by the Samaritans and this was probably the origin of the "insecurity" that lies behind the ancient narrative that finally finds expression in the much later Babylonian Talmud (b Sanh. 90b):

> When the Africans (Canaanites) came to plead against the Jews before Alexander of Macedon, they said, "Canaan belongs to us, as it is written 'The land of Canaan with its coasts' (Num. 34, 2. 15) and Canaan was our ancestor". Thereupon Gaviya ben Pasisa [a popular, humble but scholarly hunchback, JR.] said to the Sages, "Allow me to go and defend us to Alexander of Macedon. If they defeat me, then you can say, 'You have simply defeated one of our unimportant men' whilst if I defeat them, then you can say to them 'The Law of Moses has defeated you'." So they gave him permission and he went and pleaded against them. "Where do you get your proof from?" he asked. "From the Torah", they replied. "I too", said he, "will bring you proof only from the Torah, for it is written, 'and he said, Cursed be Canaan; a servant of servants shall he be to his brothers' Gen. 9. 25. Now if a slave acquires property, to whom does he belong and whose is the property? Moreover, it is now many years that you have not served us (and indeed owe us). Then Alexander said to them, 'Answer him!' 'Give us three days' time', they pleaded. So he gave them a respite. They sought but found no answer. So they fled, leaving behind their sown fields and their planted vineyards. And that year was a Sabbatical year.
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> On another occasion the Egyptians came in a lawsuit against the Jews before Alexander of Macedon. They said "Is it not written, 'and the Lord gave the people favour in the sight of the Egyptians, and they lent them gold and precious stones' Ex. 12. 36. Then return us the gold and silver which ye took!" Thereupon Gaviyha ben Pasisa said to the Sages, "Allow me to go and defend us to Alexander of Macedon. If they defeat me, then you can say, 'You have simply defeated one of our unimportant men' whilst if I defeat them, then you can say to them 'The Law of Moses has defeated you'. So they gave him permission and he went and pleaded against them. "Where do get your proof?" asked he, "From the Torah", they replied. "Then I too", said he, "will bring you proof only from the Torah, for it is written 'Now the sojourning of the children of Israel, who dwelt in Egypt, was four hundred and thirty years' (ibid., 40). Pay us for the toil of six hundred thousand men whom ye enslaved for four hundred and thirty years." Then King Alexander said to them, "Answer him!" "Give us three days' time", they begged. So he gave them a respite; they sought but found no answer. Straightway they fled, leaving behind their sown fields and planted vineyards. And that year was a Sabbatical year.
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> On another occasion the Ishmaelites and the Ketureans came for a lawsuit against the Jews before Alexander of Macedon. They pleaded thus: "Canaan belongs jointly to all of us, for it is written 'Now these are the generations of Ishmael, Abraham's son' (Gen. 25. 1–4; 24) and

> then it is written, 'And these are the generations of Isaac, Abraham's son' (ibid). So Gaviyha ben Pasisa said to the Sages, 'Allow me to go and defend us to Alexander of Macedon. If they defeat me, then you can say, ''You have simply defeated one of our unimportant men'' whilst if I defeat them, then you can say to them ''The Law of Moses has defeated you''. So they gave him permission and he went and pleaded ''Then I too'', said he, ''will bring you proof only from the Torah, for it is written, 'And Abraham gave all that he had unto Isaac. But unto the sons of the concubines which Abraham had, Abraham gave gifts (ibid., 19) if a father made a bequest to his children in his lifetime and sent them away from each other, has one any claim upon the other?'''

We can of course question the historicity of this popular story, but that is not the point; the point is rather that this tradition of having to defend one's possession of the land is a long-standing one, and it is particularly interesting that it is Alexander of Macedon who is appealed to because he, rather than the later Roman conquerors, was always regarded as being sympathetic to Jewish religious autonomy so long as it accepted Greek sovereignty. It recognizes the political impact of the Greeks on the region as a whole and it also places the challenges to Jewish possession as being of very early origin.

The narrative underlines another challenge to Jewish claims, because the Jews are seen not as settling in unoccupied territory but as later interlopers and ''occupiers''. Their conquest was challenged on moral grounds. They may justify their conquest on the grounds that they were morally superior to the Canaanite pagans but then in carrying out the biblical command to slaughter the Seven Canaanite tribes as well as the Amalekites and never give them a foothold, surely they forfeited the moral high ground (it is of course not relevant here to ask why critics pick only on the Jews at that time, when everyone else gained land through brutal conquest, because here we are dealing with a textual, theological, rather than a political issue). Deuteronomy 7 is quite uncompromising:

> 1. When the Lord your God shall bring you into the land which you are entering to possess, and has cast out many nations before you, the Hittites, and the Girgashites, and the Amorites, and the Canaanites, and the Perizzites, and the Hivites, and the Jebusites, seven nations greater and mightier than you. 2. And when the Lord your God shall deliver them before you; you shall strike them, and completely destroy them; you shall make no covenant with them, nor show mercy to them. 3. And you shall not make marriages with them; neither your daughter you shall give to his son, nor his daughter shall you take to your son. 4. For they will turn away your son from following me, that they may serve other gods; so will the anger of the Lord be kindled against you, and destroy you speedily. 5. But thus shall you deal with them; you shall destroy their altars, and break down their images, and cut down their Asherim, and burn their carved idols with fire.

And again in Deuteronomy 20:

> 15. Thus shall you do to all the cities which are very far off from you, which are not of the cities of these nations. 16. But of the cities of these people, which the Lord your God does give you for an inheritance, you shall not keep alive anything that breathes;
> 17. But you shall completely destroy them: the Hittites, and the Amorites, the Canaanites, and the Perizzites, the Hivites, and the Jebusites; as the Lord your God has commanded you. 18. That they teach you not to do after all their abominations, which they have done to their gods; so should you sin against the Lord your God.

This injunction was reiterated in Joshua 3 and in theory remained in force for perpetuity. Yet the Pentateuch is very liberal in its attitude to other "strangers", according them equal civil rights (Exodus 22, etc.) and indeed with regard to the Egyptians commands that they should not be hated (Deuteronomy 23). Nevertheless it was clearly an embarrassment and as a result the Mishna, compiled in the second century of the Common Era but based on earlier traditions, solves the problem by declaring that the Seven Tribes can no longer be identified and therefore the biblical law falls away.[6]

> On that day Judah an Ammonite proselyte came to the house of study and asked "May I enter the (Jewish) community?" Rabbi Gamliel said "You are forbidden". Rabbi Joshua said "You are permitted". Rabbi Gamliel said "The verse says 'A Moabite and an Ammonite may not join the community of God even until the tenth generation'". Rabbi Joshua said "The Ammonites and the Moabites are no longer the same people who used to live on their territory. Sennacharib the King of Assyria when he invaded [in 720 BCE JR] he intermingled all the nations (and therefore we can no longer identify biblical nations and such laws as apply restrictions cannot still be in force). So they permitted him to join the community".

Recognition of a new historical and political reality was in itself sufficient grounds for the rabbinic legislators to remove a biblical law from the realms of practicality and relevance and make it in effect a "dead letter".

It is true to say that after the Babylonian Exile of 586 BCE the Jewish people, however one chooses to define them, never again lived exclusively in their own land or under their own ruling power. The reality of living in an alien country and culture affected both the theology and the law of Judaism subsequently. Accommodation to reality became the norm. Of course this did not stop the constant and recurring desire to return, not only from Babylon but later also from the farthest reaches of the Roman Empire and all the subsequent empiria under which Jews lived. The "Return to Zion"

6 m Yad. 4.

was enshrined in the language, literature, liturgy and theology of Jewish life as reflected in the formal daily prayers recited three times.

> And to Jerusalem Your Holy City, may you return quickly with mercy and dwell in it as You have spoken and rebuild it speedily in our days.

This is certainly second century and probably earlier. And again:

> And let our eyes see You return speedily to Zion.

However, it is clear that Jews went on feeling that their title to their ancestral land was constantly being challenged, and needed to justify their claims. In part this was simply a political challenge in the way that according to Judah Halevy (*c*. 1075–1141) the Khazar king questioned why an exiled people maintained any hope of reversing history.[7] In part it was theological; Christianity claimed to have superseded Judaism as the House of Israel and therefore argued that it was the rightful claimant to the Holy Land. If Christianity had superseded Judaism then Jewish claims to the Holy Land should be forfeited too. Medieval Jewry fought hard against such a notion. It saw exile as a necessary state required ultimately to redeem both the Jews and the world. It was a case of "descent in order to rise higher" similar to the original exile in Egypt.

The outstanding medieval commentator who lived during the early crusades, Rashi (Shlomo Yitzchaki 1040–1105), in his magisterial commentary on the Pentateuch[8] has this to say on the first verse of the Pentateuch, quoting the Midrash Tanḥumah:[9]

> Rabbi Yitzchak said the Torah should have started with Exodus 12 "This month will be for you the first of all months" which is the first commandment given to Israel (for the Torah is essentially a book of laws) so why start with Creation? Because … if the nations of the world should say to Israel "You are robbers for you took the lands of the seven Canaanite tribes by force", they will reply that the whole world belongs to The Holy One Blessed Be He, He created it and gave it to whoever was worthy in His eyes.

Why did the Jews lose their land? Jewish thinkers have always grappled with the reasons for losing their autonomy and their land from the prophet Isaiah on. What was the nature of the original Divine promise? Was it just a commitment to Abraham and if it was why did it come together with "four hundred years of servitude"? It was not an unconditional covenant of course. It depended on the Jewish people adhering to the Divine commands[10] and that was why the Talmud consistently places the blame

7 Halevy, Judah. Kuzari 1.4.
8 Rashi, Genesis 1.
9 Tanḥumah 1.1.
10 Leviticus 26.14.

for the loss of autonomy on the Jews themselves.[11] There is no attempt to shift the blame. Indeed during the first millennium the traditional Prayer Book Festival Additional Service includes this famous liturgical refrain in the Additional Service

> Because of our sins we have been exiled from our land, and we have been distanced from our territory and that is why we can no longer come up and appear and worship You before You three times a year on our festivals …

The Babylonian Talmud[12] gives a variety of reasons for the destruction and exile, all self-recriminatory:

> Abaye said: Jerusalem was destroyed only because the Sabbath was desecrated. R. Abbahu said: Jerusalem was destroyed only because the reading of the "shema" morning and evening was neglected … R. Hamnuna said: Jerusalem was destroyed only because they neglected [the education of] school children … 'Ulla said: Jerusalem was destroyed only because they [its inhabitants] were not ashamed of each other … R. Isaac said: Jerusalem was destroyed only because the small and the great were made equal … R. Amram son of R. Simeon b. Abba said in R. Simeon b. Abba's name in R. Hanina's name: Jerusalem was destroyed only because they did not rebuke each other … Rab Judah said: Jerusalem was destroyed only because scholars were despised … Raba said: Jerusalem was destroyed only because men of faith ceased [to exist].

All this might of course have been simply a homiletic device to encourage repentance and correct behaviour but it certainly had the effect of encouraging messianic fervour as the route to return. However, this messianism itself divided into several ideological camps. Amongst them were those who relied on a dynamic proactive route and those who believed rather in a more passive apocalyptic route. Historically we can see the proactive tradition reflected in the Hasmonean revolt of 162 BCE and the expansionist policies of the early leaders of the dynasty.[13] The passive route was represented both by the mainstream Pharisaic leadership and by the Dead Sea sects who, it appears, were happy to wait for Divine intervention. And it is this which has most bearing on modern attitudes and divisions. Given the biblical imperative to settle the land and, more importantly, the specific commandments that could only be executed in the Land of Israel, was it not incumbent on every Jew to make the most strenuous efforts to

11 Tb Shab. 119b.
12 ibid.
13 Emil Schurer, *A History of the Jewish People in the Time of Jesus Christ: being a second and revised edition of a Manual of the history of New Testament times* (Edinburgh: T. & T. Clark, 1898–1910), 34.

return to the ancestral lands, to resettle them and to try to return a form of political if not theocratic autonomy?

The Babylonian community from 586 BCE onwards was both numerically and financially much more powerful than the small community of returnees in Judea.[14] Basing themselves on the prophetic command to go and settle, build houses and plant vineyards (Jeremiah 29), they gloried in their position even if they acknowledged they were in exile as the title of their head and representative, the Exilarch, indicates. The rivalry that existed between the two communities is amply illustrated by these exchanges in the Babylonian Talmud:

> R. Eleazar said: Whoever is domiciled in the Land of Israel lives without sin.
>
> R.Anan said; whoever is buried in the Land of Israel is deemed to be buried under the altar. Rab Judah stated in the name of Samuel: As it is forbidden to leave the Land of Israel for Babylon so it is forbidden to leave Babylon for other countries. Both Rabbah and R. Joseph said: Even from Pumbeditha to Be Kubi. Rab Judah said: Whoever lives in Babylon is accounted as though he lived in the Land of Israel. R. Eleazar stated: The dead outside the Land (of Israel) will not be resurrected.[15]

Changing attitudes after the Roman destructions

Rabbinic leadership was divided in its response to the destruction of the Second Temple. The second-century leader Rabbi Akiva supported the ongoing battle against Roman occupation whereas most of the mainstream leadership was in favour of accommodation (b Git 49a). In the ensuing, failed, Bar Cochba Revolt against Rome, Rabbi Akivah and many of his followers lost their lives and rabbinic opinion virtually to a man turned against the idea of militant messianism. The overwhelming view was that "exile" was a now the natural condition of the Jewish people. It would remain so until divine intervention brought the Messiah, and in the meantime one had simply to wait passively and accept one's lot as a suffering servant in spiritual as well as physical exile.[16]

This is best illustrated in the well-known Talmudic text which became, and remains to this day, the proof text of those Ultra-Orthodox Jews who oppose proactive, political Zionism:

> (In response to whether one should live in Babylon or return to Israel) Rabbi Yehuda said "I adjure you, O daughters of Jerusalem, by the

14 Salo Baron, *A Social and Religious History of the Jews* (New York: Columbia University Press, 1952), Vol. 1.

15 Tb Ket. 111a.

16 Aviezer Ravitzky, *Messianism, Zionism and Jewish Religious Radicalism* (Chicago: University of Chicago Press, 2006).

> gazelles, and by the hinds of the field, that ye awaken not, nor stir up love, until it please'' (Song of Songs 2. 7) [Which implies they should not return to Israel. JR]. R. Zeyra says that this implies that Israel shall not go up to the Land of Israel [all together as if surrounded] by a wall. Rabbi Yehuda said that there are other (equally binding) obligations.
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> Rabbi Zeyra says that this text is required for [an exposition] like that of R. Jose son of R. Hanina who said: ''What was the purpose of those three adjurations? One, that Israel shall not go up [all together as if surrounded] by a wall; the second, that the Holy One, blessed be He, adjured Israel that they shall not rebel against the nations of the world; and the third is that the Holy One, blessed be He, adjured the idolaters that they shall not oppress Israel too much'' … Rabbi Yehuda says ''Do not arouse love until it is ready'' ibid. Rabbi Zeyra says this is required to support Rabbi Levy's claim that there are six oaths. The three we have mentioned plus not to reveal the End of Days, not to Hasten the End of Days and not to reveal the secret to Idolaters.
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> 'By the gazelles and by the hinds of the field.' (ibid.) R. Eleazar explained: The Holy One, blessed be He, said to Israel, ''If you will keep the adjuration, well and good; but if not, I will permit your flesh [to be a prey] like [that of] the gazelles and the hinds of the field''.[17]

It is worth noting that an alternative reading in Canticles R. 2. 7 says that the obligation is not to postpone (as opposed to ''hasten'') the End of Days, giving a totally different meaning. Nevertheless, this text and its passive meaning found resonance throughout the succeeding years in the ongoing debate as to whether or not one was obliged to try to return to the Land of Israel and what the attitude of Jews to exile should be. Of course this did not mean that on a personal level one could nor should not seek to return to the Land of Israel as the permanent Jewish presence since the exile attests (only Jerusalem was temporarily cleared of Jews during the first Crusader occupation).

The serious debate in medieval times was not about the question of going to live in the Land of Israel, which remained an almost universal ambition if not always a practical one; it was about whether the biblical obligation to conquer the land remained in force. Here Nachmanides (1194–*c*. 1270) was the great proponent of the idea of formally returning to the ancestral lands. He argued, both in his Commentary on the Bible (Leviticus 33. 53) and in his list of the 613 biblical commandments[18] that the biblical obligation remained in force. Nachmanides, towards the end of his life, migrated from Spain to Palestine where he worked to renew Jewish life there. On the other hand Maimonides (1135–1204) simply omitted the commandment from his list and there is some debate as to whether in fact he meant that there was

17 Tb Ket. 111a.

18 Sefer HaMitzvot of Rambam. Comments by Nachmanides. Positive 4. Negative 11.

no obligation or that the obligation was no longer biblical because he too made an effort to settle in the Land of Israel at one stage.

In his work entitled Megilat Esther, Rabbi Yitzchak De Leon (fifteenth-century Spain), defended Maimonides from the challenges of Nachmanides. He argued that although Maimonides denied that such an obligation exists this did not mean he was opposed to settling the land: the issue was rather the nature of any obligation. Jews were obliged by biblical law to reside in the Land of Israel only until their banishment from the Land, at which point the command became obsolete, and remains so until the Messianic era. Since Maimonides includes in his list only those commands which apply eternally, he could not include living in the Land of Israel.

He too quotes the Talmud we have mentioned in Ketubot (111a), that God imposed an oath upon the Jewish people that they should not forcefully return. Similarly the claim there of Rav Yehuda that Jews must remain in Babylonia and not endeavour to return to their land, too, appears to negate the possibility of a Torah obligation to reside in the Holy Land. Finally he quotes the very source in the Sifrei, which Nachmanides had invoked as evidence for his point of view, against him. A group of scholars who had left Israel and, at some point after crossing the border, experienced a nostalgic longing for the Land. They wept, rent their garments, and recalled the verse, "you shall inherit it and dwell in it, and ensure to perform…". They then added, "The command to live in the Land of Israel is equivalent to all the commandments combined!" While this account seemingly confirms Nachmanides' position, the author contends that on the contrary, it proves that distraught as they were over their departure, they nevertheless left. Why, he asks, did they simply weep and rend their garments, instead of actually returning? It would seem that they were lamenting their inability to dwell in the Holy Land because the obligation did not apply any longer after the Temple's destruction.

Rabbi Loew, the Maharal of Prague (1525–1609), in his commentary on this passage, asserts that the Talmud does not refer at all to an actual "oath". Instead, he interprets the text allegorically, as speaking of a divine decree against the Jewish people condemning them to such consistent persecution that it would appear as if they promised on oath never to rebuild their Homeland. Rabbi Loew's position is also that of Rabbi Yaakov Emden (1697–1776) in his commentary on the Prayer Book (Beit Yaakov, p. 13a). Yet Moses Mendelssohn in 1770, replying to a letter asking his opinion about whether one should campaign for a Jewish State in Palestine, also quoted this Talmudic source about the Three Oaths to argue for passivity in exile rather than dynamism.[19]

The magisterial Hassidic master, Rabbi Avraham of Sochatchov, in his work of responsa *Avnei Neizer*, devotes a long essay (Yoreh Deah 454) to the issue of whether one is obliged to return to the Land of Israel and proposes a different approach to that of Maimonides. His strongest argument is that the temporary suspension of an obligation during the

19 Alexander Altman, *Moses Mendelssohn: a Biographical Study* (Tuscaloosa: University of Alabama Press), p. 424.

post-destruction era does not warrant its omission from Maimonides' listing of the commandments. This list includes all commandments that apply permanently, even those whose performance is practically impeded by the absence of a temple. Any command that requires a functional temple is still regarded as eternally binding and worthy of inclusion in Maimonides' list of commandments. As for the "oath" imposed upon the Jewish people, forbidding them from initiating a return, Maimonides makes no mention of such a prohibition anywhere in his writings. Presumably, he felt that this oath is of no practical, halachic, relevance. Perhaps he also believed that the oppressive treatment of Jews by non-Jews in itself abrogated the arrangement, since one of the conditions was that the Jews would not be treated cruelly during exile. He adds that never did the Jewish people assemble for the purpose of taking such an oath, and according to Jewish Law a covenant requires consent. Undoubtedly, then, the Talmud is speaking in homiletical terms to reconcile its audience to its present state. Alternatively it might even be a mystical idea involving a symbolic oath taken by the Jewish soul before descending to earth; a notion that clearly has no bearing on normative Halachic Judaism. Again Rabbi Yisrael of Saklov, a famous disciple of the Vilna Gaon who led an eighteenth-century movement among European Jewry to migrate to the Land of Israel says in his book *Peyat HaShulchan* (1: 14) that Rav Yehuda's opposition to returning to Israel did not earn widespread acceptance. In 1979 Professor Mordechai Breuer wrote:

> Traditional Jewish thought understands the three oaths as landmarks for a people in exile not as proscriptions against those who wish to go up to Zion … we have not found the three oaths explicitly cited as an ongoing Halacha … even within the organization of large and cohesive groups of immigrants from the movement of Rabbi Judah the Pious who came with 1000 Jews in 1700 to the movement of Hassidim and the disciples of the Vilna Gaon, the question of the three oaths did not arise as a practical halachic one.[20]

So the divide on this issue has existed in one form or another in Jewish life and thought for thousands of years. One might have thought that the evident success of the modern Zionist-inspired return would have settled the matter. Nowadays the overwhelming majority of Orthodox Jews follow the positions established in the nineteenth century by rabbis Zvi Hirsch Kalischer (1795–1874), Yehudah Ben Shlomo Alkalai (1798–1878) and Samuel Moholiver (1824–98). They are regarded as the founding fathers of the modern religious Zionist movement whose most articulate and influential voice was that of Rabbi Abraham Isaac Kook (1865–1935).[21]

20 Mordecai Breuer, "The discussion concerning the three oaths in recent generations" (Heb.), in *Geulah u-medinah* (Jerusalem, 1979), 49.

21 Ben Zion Bokser, *Abraham Isaac Kook: The Lights of Penitence, the Moral Principles, Lights of Holiness, Essays, Letters, and Poems* (New York: Paulist Press, 1978).

Mention should also made of the one figure who served as a bridge between Eastern European Orthodoxy and Zionism, Rabbi Jehiel Jacob Weinberg (1884–1966)[22] and the father figure of American Modern Orthodoxy Rabbi J. B. Soleveitchik (1903–93)[23] who were both strong proponents of the religious Zionist agenda while still critical of the secular nature of the State of Israel and not seeing it as a precursor of the Messianic era – in sharp contrast to the followers of both Rabbis Kook, father and son. However, the strongly anti-Zionist attitude of the Eastern European religious leaders, both Hassidic and others, to the secular, anti-religious nature of Zionism gave new life to a more literalist understanding of the Three Oath source.

The founder of Lubavitch (Chabad) Hassidism (who also preferred Czarist oppression to Napoleonic freedom for fear of losing the allegiance of oppressed Jews)[24] spearheaded opposition to secular Zionism and the idea of trying to pre-empt Messianic intervention. Interestingly the present-day movement is aggressively involved in Israeli Zionist politics. Over time the ultra-Orthodox Agudah movement, with the support of both the Gerrer and the Belzer Hassidic leaders, sought accommodation with the secular Zionists.

Nevertheless, fierce ideological opposition centred on the rebbes of Munkacz and Satmar and their movements. A meeting held in Csap in Slovakia in 1922 brought this ultra-Orthodox radical opposition together to excoriate not only secular Zionism, Reform and Maskilim (supporters of the Enlightenment) but all accommodationists with Zionism such as the Agudah movement. And here once again the Three Oaths were the central proof text of the opposition to an organized return to the Land of Israel.

The debate continues in ultra-Orthodox circles to this day as the presence of ultra-Orthodox anti-Zionists at Palestinian rallies and indeed at Iranian President Ahmadinejad's Holocaust denial conference in 2006 attest. Nowadays the main force behind Jewish anti-Zionism is the Satmar Chassidic movement. Its position against Zionism was refined and officially formulated by Joel Teitelbaum, though of course its ideological roots are much earlier and its political animation can be traced back to the Csap conference. There R. Joel's father, R. Chananyah Yom Tov Lipa, expressed the opinion that God had promised to return the land to the Jews via the Messiah alone and that any activity on behalf of the Jews themselves to create or instigate this redemption would be punished. His son followed in this tradition and argued against accepting any benefits from the secular Zionist State of Israel. R. Joel instead encouraged his followers to form self-sufficient communities in the Holy Land. He was pressed to write down his views on Zionism which he did in his scholarly work 'Vayoel Moshe', published in New York in 1958.

The three oaths are the central theme in this work, but Satmar goes beyond them in refusing to compromise in any way with political realities in

22 Weinberg, Jehiel. Seridei Eysh. iv. 375.
23 Soloveitchik, J. Kol Dodi Dofek (transl.).
24 Joseph Weiss, *Studies in Eastern European Jewish Mysticism* (Oxford: Littman Library, 1985).

the Holy Land. The opposition to the creation of modern Israel was both because Jewish proactivity was a denial of the divinely ordained exile and because it was achieved through violence and antagonism. In the years following the Holocaust, R. Teitelbaum undertook to maintain and strengthen this position, as did many other surviving Eastern European Orthodox Jews and communities. R. Teitelbaum constantly reiterated his mantra that the State of Israel was a violation of Jewish teachings, both because of the Zionists' violation of the traditional belief that Jews must wait for the Messiah to re-create Israel, and also because its founders included many personalities who were either hostile to Orthodox Judaism, or simply indifferent to it. R.Teitelbaum believed the creation of the State of Israel, against the oaths described in Ketubot, constituted a form of anti-spiritual impatience. In keeping with the Talmud's warnings that impatience for God's love and redemption can lead to grave danger, the Satmar Hasidim have often interpreted the ongoing Arab–Israel wars and terrorist attacks as fulfilment of that prophecy. As ultra-Orthodox Judaism, in keeping with fundamentalist wings in the world's major religions, is experiencing a revival and significant expansion, its position (with the exception of the extreme Neturei Karta split) within Judaism is waxing rather than waning. Unlike that small splinter group, it remains wedded to passivity in its antagonisms.

What emerges from this discussion is the evidence of the importance of texts as a basis for any position of importance on religious matters; yet the very same texts are interpreted differently and opposingly even within the same Jewish tradition. However, talmudic clarification of biblical texts can also result in the suspension or even emasculation of biblical commandments. Despite this, authoritative opinions do not necessarily lead to the end of the debate. Ideological differences even on as basic an issue as the obligation to settle the Land of Israel remain deeply embedded in the religious world, with each side drawing on sources and legal opinions that, while stemming from identical origins, nevertheless come to diametrically opposed conclusions. The fact that Judaism can incorporate these differences emphasizes the superiority and primacy of religious behaviour over ideology in Judaism and in fact illustrates a defining characteristic of Judaism as a religion based less on theology and more on practice and traditions.

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