

Snapshots: The Old-New Yishuv in Pre-State Palestine

1. A Solution of the Jewish Question (1896), Theodor Herzl

I am introducing no new idea; on the contrary, it is a very old one. It is a universal idea--and therein lies its power--old as the people, which never, even in time of bitterest calamity, ceased to cherish it. This is the restoration of the Jewish State. It is remarkable that we Jews should have dreamt this kingly dream all through the long night of our history. Now day is dawning. We need only rub the sleep out of our eyes, stretch our limbs, and convert the dream into a reality.



Theodor Herzl and his 1896 book, *The Jewish State*



The Jewish Question still exists. It would be foolish to deny it. It exists wherever Jews live in perceptible numbers... We have honestly striven everywhere to merge ourselves in the social life of surrounding communities, and to preserve only the faith of our fathers. It has not been permitted to us. In vain we are loyal patriots, in some places our loyalty running to extremes...we are one people--our enemies have made us one in our despite, as repeatedly happens in history. Distress binds us together, and thus united, we suddenly discover our strength... But we can do nothing without the enthusiasm of our own nation. The idea must make its way into the most distant miserable holes where our people dwell. They will awaken from gloomy brooding, for into their lives will come a new significance. Let each of them but think of himself, and what vast proportions the movement must assume! And what glory awaits those who fight unselfishly for the cause! A wondrous generation of Jews will spring into existence. The Maccabeans will rise again.

2. Derishat Zion, R. Zevi Hirsch Kalischer (Poland, 1795-1874)

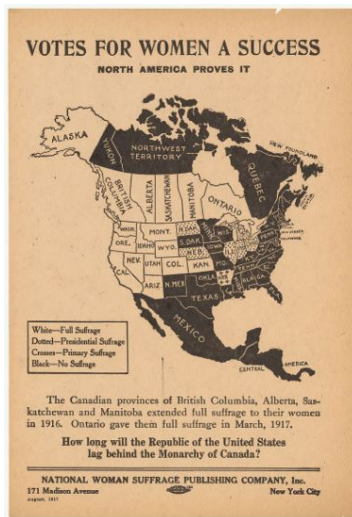
ידוע שחובת המתפלל לכוון גופו כנגד ירושלים... ולא יספיק הרושם והרמז וכו' לזה הוצרך כל אדם מישראל לעשות הסכמה קבועה בלבו לעלות לדור בארץ ישראל ולהשתוקק להיות זוכה להתפלל שם

3. ProtestRabbiner- Protest Against Zionism (1897)²

- A. *Die Welt* is a calamity and must be resisted. As long as the Zionists wrote in Hebrew they were not dangerous, but now that they are writing in German, they must be opposed... What more can one say, if people are so naive as to believe that the West European Jews will hand over their money to purchase Palestine from the Turks and to create a Jewish organization that will reverse the entire development of the Jewish nation. Eighteen hundred years ago, history made its decision regarding Jewish nationhood through the dissolution of the Jewish State and the destruction of the Temple.
- B. Owing to the convening of a Zionist Congress and the publication of its Agenda, so many erroneous impressions have gone forth... 1. The efforts of the so-called Zionists to create a Jewish National State in Palestine are antagonistic to the messianic promises of Judaism... 2. Judaism obliges its followers to serve the country to which they belong with the utmost devotion

¹ Printed in *The Jewish Chronicle*, January 17, 1896 pgs. 12-13. "This article adumbrates the main points of his *The Jewish State: An Attempt at a Modern Solution of the Jewish Question*, in which he introduced his plan to the world" (*The Jew In The Modern World*, Mendes-Flohr & Reinhartz, pg. 537)

² *The Jew In The Modern World*, Mendes-Flohr & Reinhartz, pg. 538-539



Promotional Map of Woman's Suffrage Movement, 1917

2. The 19th Amendment to the US Constitution (ratified August 18, 1920)

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex. Congress shall have power to enforce this article by appropriate legislation.

3. A Price below Rubies: Jewish Women as Rebels & Radicals (Naomi Shepherd), p. 177

Most of the women present were there because they accompanied their husbands, and Theodor Herzl, though welcoming them gallantly to the congress and addressing them as 'honoured guests,' also specified that they did not have the right to vote.

4. Ma'amarei Ra'ayah (R. Aq Kook, Israel, 1865-1935). On the Election of Women, p. 189

Regarding the law, I have nothing to add to the words of the rabbis who came before me. In the Torah, in the Prophets, and in the Writings, in the halakhah and in the aggadah, we hear a single voice: that the duty of fixed public service falls upon men, for "It is a man's manner to dominate and not a woman's manner to dominate" (Yevamot 65b), and that roles of office, of judgment, and of testimony are not for her, for "all her honor is within" (Ps. 45:14). Striving to prevent the mixing of sexes in gatherings is a theme that runs through the entire Torah. Thus, any innovation in public leadership that necessarily brings about mixing of the sexes in a multitude, in the same group and gathering, in the routine course of the people's life, is certainly against the law.

...of the foundation of the British government's [Balfour] declaration, which has planted for us a young shoot from which redemption will grow. The declaration rests on the correct view, shared by the best of the gentiles and the best of the British people particularly, that our link to the Land of Israel is something divinely sanctified. They are influenced in that view by the holy light of the Bible...

Our duty is to take up stations and demonstrate to the whole world that the soul of Israel is alive in its true character and that the biblical land is deserved by the biblical people, for with all its soul it lives in the spirit of the Holy Land and of the Holy Book... In any event, in the present context, we ought to walk upright at this time of great need to emphasize our national character in our social life upon our land. We can rest assured that this assertiveness will confer upon us in the world far more than we might attain by imitating others, a course of action that usually results from inner weakness.

This is my inner conviction, which I convey to you, my beloved brothers, in the integrity of my heart, awaiting prompt liberation and with God's blessing from Zion and Jerusalem.

Respectfully, Abraham Isaac Ha-Kohen Kook

5. Responsa Mishpatei Uziel (R. Ben Zion Uziel, 1880-1953), C"מ, 4:6



שאלה זו היתה לסלע המחלוקת בארץ ישראל ומפניה הזדעזעה ארץ ישראל כולה. וכרוזים ואזהרות, חוברות ומאמרים בעתונים נתפרסמו חדשים לבקרים לאסור את השתתפות הנשים בבחירות לגמרי; אלה סמכו דבריהם על דין תורה ואלה על שמירת גדר המוסר והצניעות, ואלה על שלום הבית המשפחתי, ודעת כולם היתה נשענת על אותה ההגדה "חדש אסור מן התורה".

...we find no clear ground to prohibit this, and it is inconceivable that women should be denied this personal right. For in these elections we elevate leaders upon us and empower our representatives to speak in our name, to organize the matters of our yishuv, and to levy taxes on our property. The women, whether directly or indirectly, accept the authority of these representatives and obey their public and national directives and laws. How then can one simultaneously "pull the rope from both ends": lay upon them the duty to obey those elected by the people, yet deny them the right to vote in the elections?

If anyone should tell us that women should be excluded from the voting public because "their minds are flighty (da'atan qalot)" (Shabbat 33b and Qiddushin 80b) and they know not how to choose who is worthy of leading the people, we reply: Well, then, let us exclude from the electorate also those men who are "of flighty minds" (and such are never lacking). However, reality confronts us clearly with the fact that, both in the past and in our times, women are equal to men in knowledge and wisdom, dealing in commerce and trade and conducting all personal matters in the best possible way. Has it ever been known that a guardian is appointed to conduct the affairs of an adult woman, against her will?

...Also, the statement "women have no wisdom except with regard to the spindle" (Yoma 66b), is only flowery wording intended to circumvent a question posed by a woman. Indeed, the Talmud itself states that the woman who asked the question was a wise person, as it says: "A wise woman posed a question to Rabbi Eliezer." And our Rabbis expressly stated: "'And God constructed the rib'—this teaches us, that more insight was granted to woman" (Niddah 45b).

6. Ma'amar HaDor in Eder Hayakar Ue-Ikvei HaTzon, R. AY Kook, pgs. 107-109³

Our generation, is a great generation, a generation that is completely wondrous... It is comprised of total opposites, light and darkness intermingled with one another. It is lowly and degraded, yet also lofty and exalted; it is completely guilty, yet completely innocent. We must understand its true nature so that we might be able to assist it.



This generation is strange, wild and rebellious, but also elevated and distinguished... It seems that beyond this "hutzpah" is in full force, the youth are unabashed in front of their elders, and they even embarrass them. Opposite this behavior we find emotions of loving-kindness, honesty, justice, and

³ I am thankful to my colleague R. Josh Rosenfeld for his translations of sources 6+7

mercy growing strong, the forces of science and idealism bursting forth. A large contingent of this young generation do not feel any loyalties to that which is customary, but not because... their souls are darkened... rather **because** their souls have risen beyond that place

7. Orot HaTechiga in Orot, (R. Ary Kook), Ch. 34

The exercise that the youth of Israel engage in to strengthen their bodies in order to be a strong brave force for the nation, contains within it the spiritual strength of the greatest Tsaddikim, who are engaged in unifications of the Divine names, to increase the expression of divine light in the world, and one revelation of that light cannot stand without its corresponding partner at all.⁴

7. Second Zionist Congress Address (1898), Max Nordau (France, 1849–1923)



Der uns wieder das verloren gegangene Muskeljudentum schaffen soll- We must think once again of creating a Jewry of muscles...the fear of constant persecution turned our powerful voices into freighted whispers, which rose in a crescendo only when our martyrs on the stakes cried out their dying prayers.... at last we are allowed space for our bodies to live again. Let us take up our oldest traditions; let us once more become deep-chested, sturdy, sharp-eyed men.

8. In The City of Slaughter (1903), C.N. Bialik (Austria, 1873–1934)

Crushed in their shame, they saw it all; They did not stir nor move; They did not pluck their eyes out; they Beat not their brains against the wall! Perhaps, perhaps, each watcher had it in his heart to pray: A miracle, O Lord,—and spare my skin this day! Those who survived this foulness, who from their blood awoke, Beheld their life polluted, the light of their world gone out— How did their menfolk bear it, how did they bear this yoke?

They crawled forth from their holes, they fled to the house of the Lord, They offered thanks to Him, the sweet benedictory word. The Cohanim sallied forth, to the Rabbi's house they flitted: Tell me, O Rabbi, tell, is my own wife permitted? The matter ends; and nothing more. And all is as it was before.



9. The Eulogy in Jerusalem in Ma'amarei Ra'ayah (1904), R. Ary Kook

כשם שיצר השי"ת באדם הגוף והנשמה... כן הכין בישראל ביחוד שני אלה הכחות, הכח המקביל לערך הגוף האנושי... והצד השני עצם הכח לשכלול הרוחניות בעצמה... ע"כ ראוי לנו לשים אל לב להשתדל לנטית ההתאחדות של עץ יוסף ועץ יהודה, לשמח בהתנערות חפץ החיים הבריאים החומריים המפעם בכלל באומה, ולדעת שהתכונה הזאת אינה תכליתם של ישראל, כי אם הכשר הגון כשיגודל ע"פ דרכו, וכשאינו מתנהל למטרת ההכנעה לצד הרוחני והשאיפה אליו, הלא ערכו נחשב כערך מלכות אפרים שנעשו "עוגה בלי הפוכה", מפני שעזבו "מקור מים חיים"!

⁴ "The vitality of the New Yishuv... cannot bear to see the hunched back, the drawn and melancholy face, that summons despair and faintness of heart, the vague eyes and the despair and hatred of life behind them" *Iggerot Ha'Ra'ayah* 1:185



10. S.Y. Agnon⁵ (1888-1970), *A Guest for the Night*, chap. 31⁶

"And what do your young men do?" said the rabbi. "As for the young men of Israel," I said, "may I myself serve as expiation for their sins. They do not study like the scholars or pray like the pious men, but they plow and sow and plant, and give their lives for this Land that the Lord swore to give to our forefathers. That is why they have been privileged to have the Holy One, blessed be He, appoint them as guardians over His Land. Because they give their lives for the Land, He has entrusted the Land to them." The rabbi's eyes filled with tears, but he paid no heed to his tears and said, "And what about the Sabbath?" A verse came to my mind: "And see the good of Jerusalem all the days of thy life," I quoted. " 'See' in the imperative. It is a man's duty to see what is good in Jerusalem, and not the evil, heaven forbid. On the Sabbath," I said to him, "Jews set their work aside and dress in goodly garments. He that can study, studies, and he that can read, reads, and he that can do neither strolls with his wife and children, speaking the Holy Tongue, and fulfilling in his own person the saying: 'Everyone that walks four cubits in the Land of Israel and speaks the Holy Tongue is assured of life in the world to come.' "

11. *Uagikra* 25:2-7

Speak to the children of Israel and you shall say to them: When you come to the land that I am giving you, the land shall rest a Sabbath to the Lord. You may sow your field for six years, and for six years you may prune your vineyard, and gather in its produce, But in the seventh year, the land shall have a complete rest a Sabbath to the Lord; you shall not sow your field, nor shall you prune your vineyard. You shall not reap the aftergrowth of your harvest, and you shall not pick the grapes you had set aside [for yourself], [for] it shall be a year of rest for the land. And [the produce of] the Sabbath of the land shall be yours to eat for you, for your male and female slaves, and for your hired worker and resident who live with you, And all of its produce may be eaten [also] by your domestic animals and by the beasts that are in your land.

12. *Shabbat Ha'Aretz* (1909), R. Rav Kook⁷

The sabbatical dispensation by a permit of sale on which we rely was never used and does not appear to have been relied upon by the early sages, of blessed memory, at the time of the Second Temple, in all the days of the sages of the Jerusalem Talmud, nor when the population continued to live in the Land of Israel afterward... This is not surprising; in the early generations, the need was not so pressing... Whenever there was no pressing need, the sages did not want to publicize dispensations based on legal fiction, following the maxim, "It is the glory of the Lord to conceal a matter" (Mishlei 25:2).... In the early days, when Jews lived primarily by working the land for sustenance, it was

⁵ "Rabbeinu HaGadol, Rabbi Avraham Yitzhak HaKohen Kook z"l... How close he drew me in! In his humility he was kind enough to read my story "VaHayah HeAkav LeMishor," which was then still in manuscript. When he returned it to me he said in these exact words: This is a true Hebrew/Jewish story, flowing through the divine channels without any barrier." *MeAtzmi el Atzmi*, S.Y. Agnon, p. 200

⁶ I am thankful to R. Jeffrey Saks for his shiur and sources on this topic. see <http://www.yutorah.org/lectures/lecture.cfm/866848/rabbi-jeffrey-saks/between-rav-kook-and-s-y-agnon/>

⁷ Translations are taken from *Rav Kook's Introduction to Shabbat Ha'Aretz*, Julian Sinclair, pgs. 56-58

possible to observe the sanctity of the sabbatical year according to the details of the laws without any dispensation; but in our days, when the existence of the community depends on commerce in the produce and crops of the agricultural settlements and the effect of preventing commerce would also lead to the destruction of future stability--under these circumstances, it is certainly our obligation to introduce the dispensation by way of sale of the land. (pgs. 59-61)

Halakhic Considerations:

- A. Is the fulfillment of Shemitta a Rabbinic or Torah observance in contemporary times?**
- B. Does non-Jewish acquisition of land in the Land of Israel suspend its sanctity?**
- C. Is it even possible to sell land in the Land of Israel to a non-Jew?**
- D. Does such a fictional sale have enough validity to effect suspension of sanctity of the land?**

13. Iggerot Ha'Ra'ayah, R. Av Kook, #555

There is no need to check the level of kashrut of those who come, for the Land will vomit out the true chaff; and "all those remaining shall be called holy" (Isaiah 4:3). This is similar to how we do not separate food from its waste elements before we eat it, but leave this [separation] process to life's natural functions... one may find in every Jew, even the most unworthy, precious gems of good deeds and positive traits. Certainly the land of Israel helps elevate and sanctify them. And if this is not evident in them, it will become so in their descendants... My dear friend! If all Zionists would love the land of Israel and seek the settlement of the Holy Land for the same reason and holy goal that I have in mind — because it is God's land, special and beloved out of the entire world, containing unique holy qualities that foster prophesy and Divine inspiration... then it would be certainly a great honor for every important rabbi and Torah scholar and tzaddik to be such a Zionist. Even your honor should find nothing objectionable in this form of Zionism.

14. Sifran Shel Yechidim, R. Yosef Chaim Sonnenfeld⁸

The topic of conversation broadened and turned to the youth, especially the pioneers. "I am engaged in a great war with them," he said. "We cannot compromise with them at all. I cannot speak peaceably of them. They have become my enemies. The Rabbi of Jaffa [Rav Kook] befriends them in many different ways, but that is not my approach. I suspect them of committing all types of sins... I take exception to his approach. What does their internal worth have to do with us? [Only] God can see inside a person's heart, while we human beings know only what is revealed to us, and we must rule according to *halachah*... We only recognize the words of the great *poskim* of the earlier and later generations, and we must punish sinners as severely as the law requires. If *HaKadosh Baruch Hu* has His own secrets and mysteries, He will do as He sees fit.

⁸ By R. Hillel Zeitlin, "Bein Shnei Harim Gedolim"

S.Y. Agnon, *A Guest for the Night*, chap. 80 After a few days I set aside all my affairs and went up to Ramat Rahel to visit Reb Shlomo Bach. I found him standing in the vegetable garden, busy hoeing. The back of his neck was sunburnt and his movements were measured, like those whose business is with the soil. I greeted him and he returned my greeting. When he recognized me, he put down his tools and sat down with me.... “How did you come to work in the garden?” I asked him. “When I came to Ramat Rahel,” he replied, “and saw that they were all engaged in settling the Land, I said to myself: Everyone is engaged in settling the Land and I am doing nothing. So I asked them to make me a teacher for the children and a cantor in our little congregation. But the old men have no need for a permanent cantor, because each of them knows how to lead the service, and the children have their own teachers and do not need this old man. When I saw that I was superfluous, I felt as if the world had darkened, so I lightened the gloom with the Torah and immersed myself in the Mishna. When I reached the tractates that deal with the religious duties that are linked to the soil of the Land of Israel, I saw that my learning was rootless. I had studied these matters abroad and found no difficulty in them, but in the Land of Israel a man’s mind is renewed and he is not content with his earlier interpretations. Once I said to myself: Let me go and see what is this tree of which the sages spoke, and what is this field that is mentioned in the Mishna. When I went out, I heard the young men talking to each other, and through their words the entire subject became clear. It was not that they were referring to the Mishna, but they spoke as usual about trees and plants. I said to myself, ‘Wisdom cries outdoors.’ After that, whenever I found a difficulty in the words of the Mishna I would go to one of our comrades. If he did not know, then the gardener knew. If he did not know how to explain in our way, he explained in his own way and showed me every single thing in tangible fashion. I found out from my own experience, ‘Better is the sight of the eyes than the wandering of the desire.’ I need not say much more; the sages were right when they said, ‘There is no Torah like the Torah of the Land of Israel.’ Here I am, some seventy years old, and I was not privileged to understand the truth of the Torah until I came to the Land.” And Reb Shlomo continued, “Learning leads to doing. As a result of my meetings with the gardener, I was not sitting idle. When he watered the plants, I filled the vessels with water. When he dug out the thorns, I cleared them from the path. This way, I learned how to water a garden and take out the weeds and make hollows around the vines, how to plow and sow and plant. When our comrades saw this, they gave me a patch to grow vegetables, and if the Almighty grants me the privilege, I shall eat the fruits of my patch.”