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TORAH AND SOCIAL ORDER

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זכרון
אבי ואמי
עליהם השלום
הנאהבים והנעימים בחייהם
ובמותם לא נפרדו

TORAH AND SOCIAL ORDER

INTRODUCTION

THIS second edition of "*Torah and Social Order*" appears after a comparatively short time, owing to the great interest with which this pamphlet has been received in wide circles. It has met with appreciation and serious attention among Jewish youth, many of whom were surprised to learn that Judaism does not altogether belong to the past, but still holds a meaning for the present and a message for the future. On the other hand, it has evoked sharp attacks and criticism, as was to be expected: for a subject which is an issue of life and death to our generation must of necessity provoke sharp differences of opinion. I do not claim to have said the last word on the subject. But for one thing, at least, Bachad can claim credit: for having opened the discussion on the most burning question of the day, from the point of view of Judaism. This pamphlet represents an attempt to confront Jewish tradition with the realities of present-day social conflicts. "It is through contact with actual life that truth acquires a dynamic quality";* and it has been the aim of the Torah Va'Avodah Movement, since its inception, to discover the dynamic qualities of Jewish teachings and their relevance to actual life. "*Torah and Social Order*" is meant as a modest contribution to the enormous task of interpreting the reality of to-day in the light of Jewish values, or, to put it differently: to re-interpret Judaism in the light of present-day reality, a task which is far from completed.

As the text of the second edition has not been altered substantially, except for the addition of a glossary of Hebrew terms, I wish to use this preface to clarify a few points which have given rise to misunderstandings.

In the first place: this pamphlet does not represent a comprehensive or complete exposition of the ideology of Bachad, still less of the teachings of Judaism. The question of social order is one of acute importance to-day, but by no means the only one with which Judaism is concerned. It would be entirely wrong to deduce from the subject of this pamphlet and from the fact that, so far, it has not been followed by others on "Religious Zionism", etc., that Bachad is, in the first place, a movement of religious socialists. It is, and remains, a movement of religious Cholutzim, who believe that Torah can become a living reality again only when *full Torah-life* is created in Eretz Israel. To create Torah-life and, thereby, to safeguard the survival of Judaism, is possible, however, only by facing the issues of life, among them the issue of social order, as they are to-day, from the point of view of Torah.

It never was my intention to maintain that the Torah as such teaches Socialism, (cp. the chapter "Torah and Socialism"). In order to make quite clear in which sense I believe a socialist order of society to be an application of Torah principles to our present problem, I wish to quote a Christian author on the subject of a "Christian society":* "To talk about a 'Christian' society is to fix attention on a remote goal, and this

may prevent us from perceiving with sufficient clearness the desperately urgent political task which is laid on us at this moment of history: the task of finding a real alternative to a totalitarian society; a society which, whether Christian or not, is at least *compatible* with the Christian understanding of life . . . For the achievement of that vital political objective, Christians have to co-operate with all, Christians and non-Christians, who are ready to work for a society in which community and fellowship are possible, in which freedom and responsibility have a real meaning in human experience . . ."

I have not attempted to draw a comparison between socialism as a philosophy, and Judaism. Still less do I advocate an amalgamation of Marxian materialism with the teachings of the Torah. I am concerned with *socialism as a system of social and economic organisation*, based on common, instead of private ownership of the means of production, and this I sincerely believe to be the only sensible and workable social system for our age, as well as the only one under which the social ideals of the Torah can be translated into reality to-day. The creation of a socialist state on the Marxist pattern does not, however, in itself *imply* the achievement of the religious values of fellowship and mutual aid; but it makes their achievement possible. A socialist society, with its common ownership, its planned economy and social security for all, is the framework in which ideal human relationships might be established. It is, however, not so much along the lines of Marxist state-organisation that I visualize their realisation, as through the creation of spontaneous, free communities inspired by a common faith and purpose, as exemplified by the kibbutzic movement in Eretz Israel.

One final word about class-struggle. I do not "preach" class-struggle, but I accept it as an important factor of social reality. I do not maintain that Judaism "justifies" it, but, on the other hand, it cannot and does not deny it, since reality cannot be denied. One might find a parallel in the Jewish attitude to war. The prophetic visions of eternal peace leave no doubt as to what is the Jewish ideal; yet Judaism is not pacifist. In the imperfect condition in which mankind still finds itself, wars may be "justified" and necessary, though we look forward to the day when war will be universally considered a crime and an outrage against the better nature of man. The same is true of the class-struggle, which must go on till mankind reaches a higher degree of maturity, when the rights of man will be recognized in practice as well as in theory. The establishment of the "classless society" of socialism, I believe to be a decisive step towards the attainment by mankind of universal peace both between nations and classes. The comparison of the class-struggle with war has particular justification in our day, when social conflicts turn into wars, and wars between nations are, essentially, wars of opposing social systems and ideals which have altogether superseded the issue of nationalism.

Manchester,
May, 1944.

H. HEINEMANN.

*J. H. Oldham, *Real Life is Meeting*, Christian News-Letter Books.

A CHALLENGE TO RELIGION.

The question of social order is the problem of our age. Everybody realises that the present pattern of society must undergo profound changes; changes that will deeply affect its structure and character.

A reply must be given to this question by any movement which claims to give a lead towards a better life. Those who ignore it, who teach ideals and policies that leave this burning problem unanswered, must fail; if they have nothing to say on this issue, which is foremost in everybody's mind, they cannot succeed in interpreting to us the meaning of our life; they cannot arouse enthusiasm.

Strangely enough, Judaism up to now has completely disregarded this question. Jewish leaders continue to preach and teach the same Judaism as before: they speak of lofty religious and humanitarian ideals of the Torah, of the individual's obligations towards God: and when they speak of the "social aspect" of Judaism, they stress the idea of individual righteousness, but there is hardly ever a word on the structure of society itself. Our leaders emphasise the part we have to play in this war against Hitler, the enemy of freedom and humanity, the enemy of the Jewish people. But there seems to be no realization of the fact, that something is fundamentally wrong with our own society; that our social order is undergoing the greatest and most violent changes of which the growth of Fascism is merely a symptom, and that something more is needed than merely the defeat of Hitler, in order to preserve our civilisation from breaking down.

WHY RELIGION ABANDONED THE SOCIAL SPHERE.

It is, however, not merely Jewish religion that has failed to recognise its duty to make a stand on social issues; the same was true of the Christian Churches, till very recently at least. This fact is the more astonishing as it is clearly one of the main concerns of religion to regulate the moral relations between man and man. Why then has Religion ceased to interest itself in social and economic questions which so fundamentally affect human life? It was different in the Middle Ages, when Christian religion provided the principles and standards for social life. Then all economic activities were subject to religious laws and standards, as e.g. the prohibition of usury, the rule of a "just price" and others; the guilds which dominated economic life in the towns were prompted by a religious spirit; the spirit of Fellowship, which almost excluded competition in the sense we know it to-day. But with the development of modern trade and manufacture, these rules were found increasingly inconvenient; the economic necessities proved the stronger and, finally, the medieval system broke down, to give way to the new doctrine of "freedom" in economic matters. And, slowly, the churches began to acknowledge the change; in particular, the reformed churches, which were born out of this new individualistic age, quickly adjusted themselves to the new conditions. They ceased to put forward moral demands on the social system as such, contenting themselves with demanding a moral attitude of the individual instead. This, of course, remained mostly pure theory, and finally, with the growth of "Liberalism" in all spheres of life, religion seemed to have given up its claim to "interfere" in economic matters altogether.

THE JEWISH ATTITUDE.

With regard to Jewish religion, the case was somewhat different. For even in the Middle Ages, when Christian doctrine imposed its standards on all aspects of social life, Jewish religion had to give up more and more of its principles. For the social life in which the Jew took part was not of his own making; he merely eked out an existence wherever his Christian neighbours left him the slightest chance to do so. For him there was no choice of economic activity; he had to accept the few professions left open to him whatever the conditions. The main vocations of the medieval Jew, those of moneylender and pedlar, not merely conflicted with the social principles of the Torah, but even with its laws: he simply could not obey the prohibition against taking interest¹ and that of Ona'ah (overcharging).² Though, according to Torah-law, it was permitted to take interest from a non-Jew³ this was prohibited later on by Rabbinic law. Two reasons are given for this Rabbinic prohibition: if Jews were allowed to lend to Gentiles on interest, they would deal with them frequently; such close contact would lead them "to learn their ways."⁴ But apart from this danger it was also regarded as morally wrong to take interest from the non-Jew.⁵ In the Middle Ages this prohibition was disregarded with the argument: "To-day we regard it as permitted (to take interest from the non-Jew) because we can not make a living in any branch of business, unless we deal with Gentiles; therefore the reason 'lest one should learn from their deeds' does not apply to the taking of interest any more than to all our other business dealings."⁶ This in fact is an open admission that the Jew had to accept the economic conditions as he found them, even when this implied actions disapproved of morally, or even legally prohibited by the Talmud.

Even the prohibition to take interest from a Jew was evaded to a large extent by the introduction of the so-called "Hetter Iska" (a legal document declaring the loan to be a business investment) and other devices. Hilchot Ribbit (Laws concerning interest) take up a considerable amount of space in the Shulchan Aruch; but they deal at far greater length with the exceptions and possible loopholes than with the actual prohibition of taking interest.

Thus Jewish economic activities were based to a great extent on "permissions" and "evasions," which were completely opposed to the spirit of Jewish social legislation. This state of affairs naturally led to the conception, that the economic sphere was altogether outside the Halachah (Religious Law). In course of time, it became the practice to take interest from Jews even without Hetter Iska, the prohibition of overcharging was almost forgotten. We even find voices which claim that it is now legal to take interest as the law of the state permits it and regulates its rate, and "the law of the state is law,"⁷ a completely wrong application of this

¹ Lev. 25, 36.

² Lev. 25, 14; according to talmudic tradition, this law, among other things, prohibits overcharging by more than a sixth of the ordinary price.

³ Deut. 23, 21.

⁴ Tur, Yoreh Deah, § 159.

⁵ Makkot 24a; Gillayon Meharsha on Yoreh Deah, ibid.

⁶ Tur, Yoreh Deah, ibid.

⁷ See Otzar Israel, "Ribbit".

talmudic principle which never intended to say that state-law could override religious prohibitions.

This dangerous tendency not merely to evade certain laws in practice, but to entertain the idea that social and economic behaviour was no concern of religion, has persisted till our time and has been strongly re-inforced by the philosophy of *laissez-faire* which resented interference by any outside forces in the economic field.

THE CHURCH SPEAKS OUT.

But now the time is over when the doctrine of *laissez-faire*—letting economics look after itself—can be maintained. To-day decisions of far-reaching consequence have to be taken regarding the order of society; and in these decisions the moral aspect ought to play a decisive role. If so, it is up to religion to concern itself with this part of life again.

The Christian Church has, at last, realized this task. Leading circles within the Churches, those represented by the Malvern Conference, led by the Archbishop of Canterbury, have started to discuss the problem of social order and the attitude of the church towards it. They realize that the church must lead the way towards a new and better order of society; if it fails to respond to this vital question of our generation, then this generation will look elsewhere for leadership. If religion still has a message to-day, it must have something to say on social relations.

The Church has started to show a way; it has begun to apply the principles of religion to this long neglected field. To-day Christians need no longer feel that by fighting the existing social order they fight Religion and the Church at the same time; they are told that their fight is a Christian, a religious fight. The Church has begun to make the voice of religion heard in the social struggle. It has begun to measure our social order and has found it faulty; Bishops denounce the profit-motive and the principle of competition as the basis for economic activities; some even go so far as to proclaim that Capitalism has proved "economically a failure and morally an outrage."

JUDAISM MUST CONCERN ITSELF WITH SOCIAL ISSUES.

Christian Religion makes its voice heard again on those issues on which everybody is awaiting a lead; it dares once more to defy existing orders and vested interests and to establish the claim for supremacy of moral considerations in the field of social relations. Judaism has not yet done so, it has not started to awake from the slumber which prevented it from realizing its true message and how much this message could contribute to the up-building of a better world to-day. There may be many reasons why this is so; but it is time that we should change our attitude. The function of religion is "to integrate life." Torah has always been regarded as a way of life, never as a mere "religion"; there is not even an original Hebrew word for such a conception. The Torah is a code of life, concerned as much with the duties towards one's fellow as with the duties towards God; moreover, it is not a book appealing to the individual, but first and foremost the constitution of a nation, proclaiming a state and a society based on the divine ideas of Chessed, Tzedek and Kedushah (Love, Justice and Holiness).

Even if a withdrawal of Judaism to the mere "religious" sphere (in the modern sense of the word) may have been feasible in the past, it is so no longer. For to-day the social question is the dominating one; if it is left unanswered by Judaism, then Jewish youth will and, to a great extent, does already draw the conclusion that Judaism is obsolete and hopelessly out of touch with the problems of this generation. But even apart from this, a continued abandonment of the social sphere by Jewish religion is impossible, for to-day all spheres of life are so greatly inter-linked that even "purely" religious matters, culture, education are strongly affected by economics. One thing which religion can never give up is its claim to shape the character of the individual. But to-day, more than ever it is the pattern of society that shapes the individual. Our society is based on egoism, acquisitiveness, competition and self-assertiveness, and continuously strengthens and develops those qualities in its members. It is therefore a mere illusion to believe that religion can leave social questions to the state and concentrate on its particular task of educating the individual to righteousness. If it is religion's aim to educate to unselfishness, love, humility, etc., it must realize that our present pattern of society makes these attempts futile in most cases. Unless we content ourselves with the continued existence of two moral codes, one for use in religion classes and one for actual life, we must realize that religion can no longer afford to ignore the social issues.

HOW CAN JUDAISM APPROACH THE SOCIAL QUESTION?

What is to be the Jewish attitude to modern social problems? How can we apply the social legislation and social principles of the Torah to present-day conditions?

It is clear that we cannot simply take over the social institutions of the Torah as they are and attempt to introduce them to-day. Even if it were possible, the effect would not be the same under entirely different conditions. The cornerstone of the Torah-society is the distribution of the land among all citizens; in an agrarian society this ensures economic independence for everybody. Even if the same measure could be introduced to-day, it would be meaningless in our society, where the essential question is that of ownership of industrial means of production, and would leave the problem of economic dependence and exploitation unsolved. We must therefore, first analyse the structure of our society, then we must examine the system of the Torah as a whole and define its ideas and principles and, finally, attempt to apply those principles to the conditions of to-day. As long as we compare only isolated points, the resulting picture will be distorted. The Torah, for instance, admits private property, buying and selling of land, hired labour; in this its system is similar to the present social system. But looking at the system as a whole, we see that these elements played an entirely different part in the Torah society from the ones they play to-day; it is possible that a society abolishing all those individual features might be nearer to the social ideas of the Torah, than one which maintains them, but uses them in an essentially different way.

THE PRESENT SYSTEM.

It cannot be our task to give a full analysis of the capitalist system. We must however, outline its outstanding features so as to be able to compare it with the system of the Torah.

The basis of our present society is capital, *i.e.*, means of production, concentrated in the hands of, comparatively, few. Those few enjoy almost absolute economic power over the majority of the population who depend on them for their livelihood. The whole population is split into two opposed classes: haves and have-nots, exploiters and exploited. The main motive of all economic activity is profit: the wage-earner works for his wages, the capitalist opens a new enterprise for the sake of the profit it promises to bear. In the case of the capitalist, and partly in the case of the proletarian, this profit can, moreover, be gained only through competition; one must gain at the expense of others or lose to the gain of others; in order to succeed, one must fight.

The particular stage of capitalism we have reached during the last twenty years is marked by so-called "over-production"; though actually the consuming population receives far less goods than they either need or want, it is impossible to find markets for all goods produced, because the consuming public as a whole cannot pay prices which would allow a sufficient profit to the producing capitalist. Though there is still need and want, the goods cannot be profitably sold; therefore the incentive to further production is lacking, economic crises occur periodically, leading to a general cutting down of production and to mass unemployment, and, eventually, even to wars, which, partly at least, are caused by the competition for the few still existing markets. As the volume of production rises continuously because of progress in technique, while the purchasing power of the masses fails to rise equally, these crises must occur periodically and the conflicts must become sharper; against the growing discontent of the proletariat and the unemployed, Monopoly-capitalism finally turns to Fascism as the political system best suited to crush all opposition.

It is important to realise—though it cannot be proved here—that all this is inherent in the nature of the capitalist system, and that this system will work less and less satisfactorily and adequately. Without changing the very structure of our society, *i.e.*, abolishing private ownership of means of production and the profit-motive no attempts to prevent unemployment, to prevent economic crises by "controls," to remedy inequality by a system of social security based on higher taxation, can succeed for any length of time. One must realize that these are mere symptoms which can only be cured by attacking the evil from the root.

THE SOCIAL SYSTEM OF THE TORAH.

When confronting the social system of the Torah with our present form of society, we must again limit ourselves to a short outline.

The Torah system does not know any class distinctions. In the agrarian society which it visualizes the soil is practically the only means of production; it is owned not by one class but by everybody. Originally,

it was distributed in equal portions to all male members of the population;⁸ after that it was inherited. In course of time, the amount of land held by different families would differ; but the inequality would only mean that some families would be better off than others, not that a whole section of the nation was void of means of subsistence and economically dependant on others who would exploit them. Selling and buying of land was permitted, though discouraged;⁹ but in the fiftieth year, the Yovel (Year of Jubilee), all land had to be returned to its original owner or his heirs. Thus even temporary disturbances of the social balance would be periodically put right. The Torah seems to prefer a system which allows for a certain amount of inequality to, say, a periodical re-distribution of the land in equal portions, because it is apparently interested in the preservation of family property; under its system, each family, tribe, etc., would settle as, and remain, a unit. This rather than the idea of individual ownership is the underlying principle; it is not so much the individual with whom the Torah is concerned, but the family of which the former is to be an integral part. Man is meant to be a member of his organic community, not an isolated being concerned only with himself. The fact that everybody lives in the circle of his own family, of people towards whom he is not indifferent, but to whom he is attached by strong natural bonds, is the background for the obligations of brotherly and neighbourly love and assistance,¹⁰ which the Torah expects of everybody to such an astonishing extent.

The Torah permits hired labour, but through its land legislation which normally guarantees everybody his own soil, it will prevent a large proletariat from arising; the comparatively few who will need or want to seek employment will be secure from exploitation by the very fact that hired labour is scarce. The Torah system allows, of course, for private initiative and responsibility; every man tills his own land and keeps himself and his family by his work. But his property and his wealth are not his exclusively; his soil and its fruit are divine gifts, which belong to anybody who may be in need as much as to himself. Therefore, part of his harvest belongs to the poor;¹¹ in the Shmittah-year (Sabbatical Year) he loses all rights of ownership and his harvest is the property of everybody.¹² The motive of his work must never be to gather wealth by which to dominate others.¹³ Since production is primarily for one's own need, competition does not exist; far from looking on his neighbor (who will always be his relative) as his competitor, he is expected to help and support him. Anything he has to spare he must be prepared to give or to lend to others; though all loans become void in the Shmittah-year, it is regarded as an act of meanness to refuse a loan on that account.¹⁴ To take interest for a loan, is forbidden; his surplus wealth is not "capital" from which he is entitled to expect a profit other than through his own work; the fact that he puts his surplus wealth at the disposal of someone else, does not give him any right to demand part of the other person's income.

⁸ Num. 26, 52; compare Rashi, *ibid.*

⁹ Rashi on Lev. 25, 25. Rambam, *Mishneh Torah*, Hilch. Shemittah xi, 3.

¹⁰ Lev. 25, 25 and 35.

¹¹ Lev. 19, 9 ff.

¹² Lev. 25, 1-7; Ex. 23, 11.

¹³ Jes. 5, 8 ff. and elsewhere.

¹⁴ Deut. 15, 1 ff.

Thus the Torah establishes an order of society with no class distinctions, at least no permanent ones; the driving force of economic activity must not be acquisition of wealth at the cost of others for the purpose of dominating others. Exploitation is made almost impossible. The rights of property are very limited, and he who possesses wealth must put it at the disposal of others without expecting any profit by doing so.

It is a society which is based on two main ideas:

1. That all wealth ultimately belongs to G—d who only lent it to man; "Ki li haaretz."¹⁵ ("For Mine is the Land").
2. That men are brothers, with equal rights and standing, and with an equal claim to enjoy the fruits of the soil; obliged to co-operate and help, not to compete and fight each other; "ve-ahavta lere'acha kamocho."¹⁶ ("Thou shalt love thy neighbour as thyself").

TORAH AND SOCIALISM.

We cannot enforce Torah ideals on our surroundings. We cannot demand the introduction of a new economic system merely because it is nearer to the Torah. But to-day our society is changing; we are taking part, whether we want it or not, in the struggle which is going on for a new type of social order. We cannot and must not stand aloof; we must take our stand on one side or the other; and our choice must be determined by the principles of the Torah. One thing has emerged clearly from what has been said so far: that the capitalist system is fundamentally opposed to the ideals of the Torah. Rabbi Kook, that great leader of our generation who was so keenly aware of the questions of our time, is reported to have said: "Without finally formulating just what character a society organized on the laws of the Torah would bear, we may say with assurance, that a consistent application of the Torah in the spheres of economics and social life, without any yieldings or compromise, would not permit the capitalistic system to exist!" (Report of the Seventh Conference of Hapoel Hamizrachi, p. 49). The alternative system which offers itself to-day is socialism. Socialism attempts to create a classless society, to exclude exploitation, to supplant competition and the profit-motive by the principles of equality and co-operation. There can be no doubt on which side we must stand in the present struggle.

This does not mean that the Torah teaches Socialism or, still less, that we could identify the Torah as such with any particular socialist creed. There are many forms of Socialism; many different socialist groups: Marxism, Anarchism, Co-operative Ideas, etc. They all have in common the basic features outlined above.

Those ideas are very much akin to those of the Torah; they are not identical with them, but they are the nearest approach to them which is feasible in our times. To-day, therefore, the Torah leads us to join in the struggle for socialism. But not always; a few centuries ago, when the capitalist system began to develop, because then it was the system most adequate to the needs of the times and a marked advance on the preceding feudal system, we should probably have supported it, seeing that it was

¹⁵ Lev. 25, 23.

¹⁶ Lev. 19, 18.

the nearest possible approach to a just and equal society. Again, in a few centuries hence, another system, more perfect, more adequate to the social conditions prevailing then, or still nearer the Torah-ideal may be possible; then it will be our duty to support this new system.

The main point is, whatever the social problems confronting us, whatever the solutions which offer themselves at any particular time—our choice must be directed by the social ideals of the Torah. To-day, in the struggle between capitalism and socialism, this means that we must regard ourselves as part and parcel of all the progressive forces striving for a new socialist order of society.

I do not think we could go any further than this, and identify ourselves with any particular party or movement within socialism. For mostly these groups are divided not so much on fundamental issues regarding the aim to be achieved, but on the ways of its achievement, on tactics and methods; on these "technical" questions, Torah cannot give us any authoritative guidance. It is on questions of principle, that we must be guided by the Torah; on points of practice we shall have to rely on our common sense.

TORAH AND MARXISM.

It will be argued that questions of principle are involved after all, when we have to decide if we can ally ourselves with any particular socialist group. For is not Marxism, for instance, anti-religious and materialistic; does the doctrine of class-struggle not defy the religious ideals of peace and love, and is not revolution as a method of achieving a new order incompatible with the spirit of the Torah?

It is clear, that in one point, at least, we cannot be Marxist—we cannot and will not believe in Historical Materialism—for it is merely a belief, a hypothesis, in spite of the "scientific" make-up in which it is presented—we cannot accept it, for it is contrary to our fundamental conviction that man's history is shaped as much by ideas as by the interplay of material forces, by man's deeds and by those of G—d; we can therefore never consent to look upon history as a mere mechanical process, caused by the unfolding of impersonal, material forces and not decisively influenced by the will and mind of man.

But, although we shall maintain the significance of ideas, of spiritual forces in history; though we believe in the hidden and, sometimes, open manifestation of a Divine plan in the events of history, we will not deny that all this happens against a background of material, political, social and economic conditions, which are very decisive factors indeed. They may not be the forces that actually determine historical decisions, but they will to a large extent shape the ideas of men, and they will determine and limit the possibilities of historical development. An idea which is not in keeping with its time will usually die (though the Torah itself is certainly an example to the contrary; judging by the standards of its time the Torah should have had no chance to be accepted and preserved by a whole people); ideal forces will generally not provide a strong enough motive in history unless coupled with or re-inforced by some material need (though here Jewish History as a whole may serve as an example for the force of ideas. While all economic, political and material factors often seemed to demand

צמחתי דור נרמנים

its disintegration, the Jewish people managed to remain alive through spiritual forces alone).

Material factors then are interlinked with non-material ones; in order either to understand or predict and bring about a historical event, both must be taken into account. Though we deny the Marxist conception of Materialism, we shall nevertheless accept and make use of its analysis of our economic system and its inherent laws of development, for it has proved to be the only one correctly interpreting the structure and indicating the tendencies of development of capitalism. We cannot rely on the forces of ideas alone to bring about a social change; if we do not want to be utopians, we must examine first how far our ideas are in accordance with economic conditions and possibilities of change. This analysis then, on which our conception of a new society must be based, we shall take over from Marxism. We do not hold that this analysis predicts inevitable lines of development, which will not be affected or impeded by human actions or thoughts, but rather that it indicates the ways which human action must take in order to succeed.

It goes without saying, that apart from our being opposed to Historical Materialism, we shall also fight a number of other Marxist, or rather Leninist, "creeds": the Marxist attitude to religion ("Our programme necessarily includes the propaganda of atheism."—Lenin.); its attitude to Jewish national aspirations, to Zionism, to Hebrew culture. But though the official Marxist or Leninist creed may at present involve a negative attitude to Religion, etc., this is not inherent in the philosophy of Socialism. The stronger the religious element will become in Socialism, the greater the chance to convince even left-wing-socialists that Religion and Socialism are not essentially opposed to each other.

The question whether, being religious, we can accept the ideas of class-struggle and revolution as means of establishing a better social order, seems to me largely a fictitious one. Class-struggle is not created by socialism; it is a fact, which Marxism has taught us to recognize as one of the most powerful factors in history. Class-struggle exists, and we are taking part in it; what Socialism demands is to turn this struggle in such a way as will lead to the establishment of a classless society, which, it is hoped, will do away with class-struggle once and for all. Whether class-struggle will take on violent forms or not, depends much less on the wishes and ideas of any particular group than on the development of social relations and tensions. When there is no "revolutionary fomentation," it would be futile and disastrous to start a revolution. When on the other hand, social tensions become so sharp and acute that it becomes impossible to find peaceful solutions for the arising conflicts, clashes will become inevitable. If our social system does not undergo a profound change while this war lasts, it is almost certain to develop into Monopoly-Capitalism; it will then have to deal with the latent or actual opposition of the working masses by introducing a Fascist regime as its political counterpart; and I doubt, if to-day anybody would still hesitate to use violence to fight Fascism. If the German working class had fought Fascism in 1933, it would have saved the world from this war. Besides, Fascism will not wait for the workers to start the violence.

We may and must then take our stand by the side of all socialist forces, ourselves determined to help bring about the establishment of a socialist order; but we shall hardly—as a Movement—join any existing socialist parties, if only for the reason that they represent the working-class of a particular country.

RELIGIOUS SOCIALISM.

The fact that we base our Socialism on the Torah, does, however, not merely prevent us from accepting certain ideas of other socialist groups; it lends to our Socialism a distinct character of its own. We, together with other groups of religious Socialists, may have an essential contribution to make to Socialism. There is a strong group of leading Socialists to-day, particularly in this country, who attribute the failure of Socialism during the last decades in almost all countries, except the Soviet Union, to the very fact that official socialist doctrine did not appeal to any ideal motives; that it offered a "scientific analysis" instead of a "faith"; that it appealed to the "class-interest of the working class" instead of unfolding before their eyes the vision of a better world for which it would be worthwhile to fight. Socialism is, no doubt, capable of being regarded as such an ideal; surely the motivating force of all those revolutionaries who sacrificed their lives for Socialism was not an insight into "necessities of economic development," but their enthusiastic faith in a better world, based, indeed, on the old Jewish ideals of justice and love, of human brotherhood. This is at least as important a driving force behind Socialism as the materialistic ones, though Marxist dogma would not allow this interpretation.

Through Religious Socialism then, Socialism can be given a new content, a moral appeal, which will strengthen its front, and, still more important, will prevent the danger of its becoming meaningless, once a classless society has been achieved. When, after the creation of a socialist society, the economic problem will cease to be important of at least paramount; when every man will be assured of the means of life, will enjoy leisure and will have the opportunity to live a full life, only Religion and no materialistic philosophy will be able to show him the meaning and the contents of such a life. Once our material needs are being met—what else will there be left to strive for for the materialist? And then again: it is very necessary to fight for a different organisation of society—but will the mere change of organisation be sufficient to change the human heart? We admit that under the present system, attempts to inspire people with mutual love, altruism, respect for freedom and dignity of their fellow men must largely fail; we admit, that the economic system, which deprives millions of men of work and the necessities of decent life, which sentences millions of children to avoidable illness and starves their minds as well as their bodies, must be abolished first; but will those same human beings trained as they are to care for their personal profit only, to look upon their neighbour as their opponent and competitor, to regard selfishness and greed as the only "natural" motives—will they be changed by the mere change of system? Will they not become lazy, when the profit-motive is lacking; will they not again try to dominate others, if not by economic then by

other means, will they not continue to distrust and envy each other? Only the religious ideas of service, of mutual help of, fellowship and brotherhood of men, based on the conception of fatherhood of G—d, will provide a new system of values and ideals, capable of giving meaning to continuous human endeavour.

We feel united with all socialist forces, which fight for that new society which alone will provide the basis for the development in man of those high values. We shall disagree with some principles and policies of certain socialist parties, particularly with their materialist outlook; we shall not enter or bind ourselves to any of them. But we see in Socialism despite its materialistic disguise, a movement inspired by ideals akin to those of our Torah; we believe that it can lead us to a better form of life which will permit men to be human beings in a higher sense. It is to us, as part and parcel of the Socialist Movement, to interpret Socialism as a struggle not merely for material aims but for moral and spiritual ones, which may yet make it the starting point of a new and brighter phase of World History.

A TORAH ORDER IN ERETZ ISRAEL.

Our political attitude, based on our Torah-outlook, leads us to join in the fight for Socialism, wherever we are living, in all countries of the Galut (Dispersion). But our main task lies elsewhere; it lies in Eretz Israel (Palestine). All our efforts must be concentrated on Eretz Israel, for only by building up a new home for our people, shall we be able to prevent their continuous disintegration, both spiritual and physical; only there shall we be able to lay the foundations for a life fully based on Torah. For Eretz Israel then our aim must be more comprehensive, our attitude more precise. Here we aspire not only to a social organisation which is compatible with Torah, but shall actually attempt to build up our own social order, based closely and directly on the Torah. Here we shall not be satisfied with just some form of Socialism; but we shall establish the Torah system in its complete and original form.

Still, this can not mean that all we have to do is to re-introduce the social laws of the Torah as they are stated in the Tenach (Bible), for these laws could not form a basis for social life to-day. Explicitly, the Torah-system only provides for an agrarian society; by its re-introduction, our main social problems, those arising out of industry and commerce, would be left unsolved. Even if it were possible to give to every family its own plot of land, such an attempt to build up a purely agrarian society to-day, must be regarded as utterly utopian. Besides, it would also be impossible from the point of view of Halachah (Religious Law) itself. The distribution of the land as demanded by the Torah could not be carried out without a Navi (Prophet)¹⁷ or at least a fully authorised Synhedrion (Supreme Court). The question of the renewal of "Semichah," the traditional authorisation of Judges which became extinct after 200 C.E. and without which a Jewish Court could function only to a very limited extent, is unsettled, but it is very unlikely that it would be attempted to-day.

Even if we would manage to distribute the land somehow or other, the Yovel, and many other of the most important institutions of the Torah, would not apply to-day, depriving the resulting social order of its true

character.¹⁸ Even for Eretz Israel then, our solution of the social problem cannot take the simple form of re-establishing the Torah-order as it stands.

What will be necessary, then, is new legislation, which will solve in the spirit of Torah those social problems, that would not be covered by the existing traditional laws. We must see to it, that social and economic relations as a whole should be governed by the principles of co-operation and mutual help rather than competition and egotism; that economic inequality, dividing the nation into an exploited and an exploiting class, will be avoided and that the main means of production will not be controlled by individuals or small groups to their own benefit.

It will be a great task for our Rabbis, in conjunction with economists, to decide in which way exactly those and similar questions will be dealt with. But so much can already be said now, that the resulting social order will, broadly speaking, be socialist in character—for that is the only alternative to Capitalism to-day—but it will, on the other hand, not necessarily have to follow "orthodox" communist lines, but might be socialist in its own particular way, arising, as it does, out of the application of Torah-ideals to modern social conditions. It is conceivable that the agrarian problem, for instance, would be solved on lines similar to those adopted by the Jewish National Fund: all soil to be owned by the nation and handed over to either individuals or collective groups on condition that it should not be sold nor any hired labour be used in its cultivation. The system of collective ownership developed in the Kibbutzim (collective settlements) is another hopeful line that might be followed. Similarly, industrial enterprises need not necessarily all be state-property and under state-management; industrial "Kibbutzim," or, in other words, some form of syndicalist or co-operative organisation, under which a factory will be owned and managed by its workers and the profits shared, is quite feasible. It is certainly premature to go into further details of organisation or legislation, and much thought will have to be given to all the economic and halachic aspects of a Torah society under modern conditions: The two leading principles, whatever final form such a society will take on, will have to be these: that it should correspond as closely as possible to the principles of Torah and that it should result in an economic system that will prove workable and exclude the possibility of the disastrous abuses which are inevitable under a capitalist system.

It may be asked how far such "modern" measures, such new forms of social organisation could be said to be an application of the Torah; and how far we have the right to create the necessary new legislation which, though in keeping with the Torah spirit, will, after all, result in a society very much different from that of the Torah. This question is, however, unjustified. Through centuries of Galut-history, during which there was hardly any opportunity for Jewish social legislation, we may have gained the impression that new or additional legislation by Jewish authorities is impossible; but, in fact, the very opposite is true. The Torah itself makes it the duty, not merely the right, of the religious leaders and the state to create new legislation in accordance with the needs of the times;¹⁹ and the

¹⁸ Mishneh Torah, Hilch. Shemittah x. 8.

¹⁹ Deut. 17, 11. Mishneh Torah, Hilch. Mamrim I. 1, 2. Examples of particular spheres over which this right was exercised: ibid. Hilch. Rotzeach II. 4 5 and Hilch. Genevah VIII. 20.

¹⁷ See Sifre on Num. 26, 55.

responsible Jewish authorities throughout the ages have always exercised this right both in the religious and social spheres, as long as Jews lived in compact communities and enjoyed the necessary measure of autonomy. In particular during the talmudic period, Jewish social and civil law was continuously adapted and developed to meet new requirements. The Mishnah is full of rabbinic legislation of religious, social and economic character that it is motivated by "Tikkun haOlam" which might be translated freely as "the promotion of the welfare of the world."²⁰ When the Jews ceased to live mainly on agriculture, new measures had to be introduced to safeguard the Torah ideals under the new conditions. Thus we find talmudic legislation against the pushing up of prices; regulations preventing speculation in, and hoarding of, essential commodities;²¹ compulsory "contribution to social services"²², as we might term it to-day, which had become necessary since the poor could not depend any more on Peah (the corner of the field to be left to the poor) and other parts of the harvest for their livelihood. There were many such measures of a novel nature, which in fact were nothing but the adaptation of the Torah demands to new conditions.

As a striking example of the way in which the Talmud dealt with newly arising problems we may refer to the talmudic Labour legislation. As mentioned before, the Torah itself contains hardly any laws to protect the worker, as its system as a whole made his exploitation almost impossible. But later, in the time of the Mishnah and Gemara, when a large proportion of the population had no land of their own and were dependent on employment, protective legislation became an acute need. The measures introduced to this effect appear very revolutionary: the right of the worker to cease work at any time he chooses, is proclaimed²³; in cases of controversy over the payment of his wages, the worker is not required to bring evidence, as is the rule in all corresponding cases of civil law, but only needs to take an oath, in order to support his claim²⁴; there are many more legal "privileges," which the worker enjoys quite in contrast to general Jewish law.²⁵ But looking closer at this piece of talmudic legislation, we realize, that however great its innovations appear to be, it is based on the principles of the Torah itself. The right of the worker to cease work, is derived from that of the Jewish slave; to leave his master when he is able to repay that part of his price which he has not yet worked off.²⁶ The preferential treatment of the worker in wage-disputes is based on the argument, that for him the wages are his livelihood, which is the very argument of the Torah itself: "for he is poor and setteth his heart upon it."²⁷

Jewish authorities have always realised and responded to the need of change in social matters. Their powers in this field of legislation are

²⁰ Mishnah Gittin IV. and elsewhere.

²¹ Mishneh Torah, Hilch. Mechirah XIV. 1-7.

²² Mishneh Torah, Hilch. Matnot Aniyim, VII. 10 and IX. 1-3.

²³ B. Metz 10a.

²⁴ Shevuot 45a.

²⁵ Shevuot 49; Mishneh Torah, Hilch. Sechirut, XI. 7, 9 ff.

²⁶ Lev. 25, 45.

²⁷ Deut. 24, 14 ff; compare Shevuot 45a, and Mishneh Torah, Hilch. Sechirut XI. 6.

specially wide; they are based on the principle of "Hefker Bet Din Hefker," by which any Jewish Court, even one the members of which have no Semichah (full authorisation), may transfer property from its legal owner to another person or even alter laws concerning property.²⁸ In the field of "Dine Menot"—economics—then, there is full scope for change, wherever necessary.

This type of "development" of Halachah will be required to a great extent if we want to establish a Jewish state in Eretz Israel to-day, the social life of which is to be based on the Torah. New laws will have to be created, but they must be created in such a manner as to translate into reality the true intentions of the Torah, in a way adequate to the social conditions and problems of to-day.

TORAH AS GUIDING PRINCIPLE.

One more important consideration must be introduced here. When attempting to create a Torah society to-day it will not be our concern only to comply with the requirements of Torah-law so that no social institutions or practices will directly contradict the prohibitions of either Torah or Rabbinic legislation. One can to a large extent, devise means and ways to avoid clashes with the law, while, at the same time, the resulting practices may be fundamentally opposed to the spirit and ideals of the Torah. Something may be legally permitted and yet far from desirable, judged by the standards of the Torah. Our aim, then will not be somehow to satisfy the claims of Halachah; but to build up an order permeated by the true spirit of Torah, and, where necessary and possible, even to go further than the "law" demands.

This, again, is not a new attitude at all. The Talmud everywhere recognises that the Torah legislation often does not fully correspond to the Torah ideals; that the Torah could not enforce its real intentions in the form of laws, but, taking human nature or historical conditions into account, had to satisfy itself with enforcing by law a minimum moral standard, while in reality a much higher one was desired.²⁹ There is a "Kavvanat Hatorah" ("Intention of the Torah") in addition to its legislation; a "lifnim mishurat hadin" ("inside the border of the law," i.e. moral obligation) going far beyond the "din" (legal obligation) in its demands. It may be "permitted" to make the Canaanite slave "serve with rigour" ("b'eferech"), but is far from desired.³⁰ "Legally" the commandment to love one's fellowman, the prohibitions of overcharging and the taking of interest may apply only to the Jew and the Proselyte, but morally they apply as well to any stranger with whom Jews may come into contact.³¹ We must not be satisfied therefore with merely keeping the laws of the Torah; we must find out its principles and ideas and be guided by them to still higher standards of life; to an attitude, still closer to the Divine will. We must

²⁸ Cf. in 36b and Rashi ibid; Mishneh Torah, Hilch. Sanhedrin XXIV. 6 and Kesef Mishneh ibid; Shulchan Aruch, Choshen Mishpat, § 2, 1 and Rema ibid.

²⁹ Compare Luzatto, Mesillat Yesharim, Chapt. 18; Rashi on Deut. 21, 11; Ramban on Lev. 19, 2.

³⁰ Mishneh Torah, Hilchot Avadim IX. 8.

³¹ S'fer HaChinuch § 431; for Ribbit, compare above, Note 5.

look upon the Torah not as a mere code of laws; the Torah was given to us "like wheat, to turn it into fine flour"³²—in other words: as the material from which we ourselves must extract the leading ideas on which to shape our lives.

We shall not content ourselves with building up a Social Order in Eretz Israel which does not conflict with the laws of the Torah; we shall endeavor to create a society which corresponds to its true and real intentions as closely as possible. We shall not base our social and economic life on "Hetterim," loopholes of the law, as the medieval Jew had to do and as we ourselves still cannot avoid doing to a large extent in the countries of the Galut (Dispersion). This desire, to do away with compromises, with a life guided by the Torah in its private sphere but by other principles in its social sphere, is perhaps one of the strongest reasons for religious Zionists to turn to Eretz Israel for the salvation not merely of the Jewish people but of Judaism as well; for only there shall we be able to lead a life that will be based entirely on the Torah.

THE RELIGIOUS KIBBUTZ.

Even in Eretz Israel, it will not immediately be possible to achieve all this; even if a Jewish state will be established, it will depend on the strength of the Orthodox section of the Yishuv (Jewish population), and on much else, how far this state will be based on Torah or how far it will be merely a political structure after the pattern of small European states to-day. But there is a chance to begin building a Torah-society right away: in the religious Kibbutz. There are many reasons for the establishment of that form of collective life which we call Kibbutz; but above all, the religious Chalutz-Movement (Pioneers) looks upon the Kibbutz as an opportunity to live a full Torah-life. It enables Jews again to live in a community, of which all the individual members believe in and practice the same way of life; a community, in which religion does not remain the private concern of the individual but becomes once again a reality, governing all aspects of life, including the social and economic ones. Here, we are beginning to realize again the Torah-ideas of "Ahavat rea" (love of one's fellow), when all property is held in common, and life is based on co-operation and mutual help, when exploitation and inequality are unknown, when the motive behind work is no longer personal profit, but service to the community. We want to cease living as isolated individuals, who care for nothing but their own well-being, who have no human relationship to their neighbours and their fellows, and either look upon them as competitors and enemies or, at best, are indifferent towards them. This individualistic way of life which is so characteristic of modern European civilization is far from the way of life the Torah visualizes, where everybody forms an integral part of an organic community. Here then is the chance to begin building the new society, even before the social order as a whole has been changed; and this attempt will not content itself with a re-organisation of economic relations, but will aim at, and to a large extent has already succeeded in, establishing a new human relationship between man and his fellow.

³² Eliyahu Sutta, 2.

TOWARDS A BETTER WORLD.

In Eretz Israel, in the religious Kibbutz lies our immediate task; here we are concentrating all our efforts to build a life of Torah. But we cannot and will not close our eyes to the fight for a new social order throughout the world. We know too well to-day that social problems are of an international character, that only in a world which is developing towards Socialism will our own attempt to build up a Torah order succeed. Eretz Israel is no isolated island; it will be affected by, and its fate, too, will be dependent on, the outcome of the struggle between the passing social order and the new one. In a world, ruled by Fascism and Monopoly-capitalism, Eretz Israel will be no idyllic Utopia, whose people will live a life different from and unaffected by the rest of the world. Furthermore, we are responsible not merely for ourselves but for mankind as a whole. The Jewish conception of Geullah (redemption) never meant a redemption of Israel alone but embraced the redemption of the whole world.

The establishment of Socialism throughout the world will not only remove a social order which is utterly opposed to the Torah-ideas; it will mean more than that. Its underlying ideas, in spite of the purely economic basis of its programme alleged by Marxism, are deeply religious. Socialism is the only large-scale attempt yet made in human history to establish a society of equality and mutual help; it endeavours for the first time to translate the idea of human brotherhood into reality. Led in the right direction, it can become a great step forward in the development of mankind; a decisive step towards its redemption, towards the Geullah.

* * *

GLOSSARY OF HEBREW TERMS

(not explained in the text).

- Gemara** : Major part of the Talmud, explaining the Mishnah. Concluded about 500 C.E.
- Halachah** : Religious Law, as laid down by the Pentateuch and the Talmud. Comprising civil, criminal, social and economic legislation as well as purely ritual matters.
- Mishnah** : Codification of Oral Tradition. Concluded about 200 C.E.
- Shulchan Aruch** : Latest codification of Jewish Law, by R. Josef Karo in the 16th century. Recognised as main basis for halachic decisions since.
- Talmud** : The comprehensive record of Jewish Law and Thought, consisting of Mishnah and Gemara.
- Torah** : lit. "Teaching;" in the narrower sense: the Pentateuch; in the wider: the whole of Jewish Law, including the "Oral Law," in so far as it is considered of Divine origin.

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A CALL TO JEWISH YOUTH

The long unhappy history of the Jewish people since the dispersion has been punctuated by a series of crises and at each emergency some temporary movement has taken place which has enabled our exiled people to carry on until the next crisis arose.

But this is the darkest hour of all. Never before have ALL doors been closed to fugitive Jews; never before has such wholesale slaughter been carried out; never before has the outlook been so bleak.

Faced with this stark tragedy two things stand out clear to us. One, that only by a return to Zion can we really avert such disasters from recurring, and secondly that the salvation of the Jew depends on himself—that he must to-day take stock of himself, throw off the yoke of Galuth and undertake a change in his way of life—in thought, in word, in deed.

We call upon you to do this by accepting with us TORAH VA'AYODAH as the only ideal on which the Jewish people can re-establish themselves; RELIGIOUS CHALUTZIUT as the only means by which they can do so. You must in this time of crumbling spiritual values declare your faith in God, your loyalty to the eternal principles of our ancient faith.

You must as a Jew proclaim that you have a contribution to make to the progress of mankind, a contribution proven invaluable throughout the ages.

You must take your part in the present struggle of the progressive forces to destroy the dark powers which seek to destroy them.

You must share in the rebuilding of Eretz Israel so that Jews can once again be masters of their own fate and live in accordance with the Torah.

You must see with us that realisation of these ideals can only come about by a collective communal life. You must recognise that religion cannot be separated from social and economic life, which must be included in its concepts and be dominated by the principles and laws of the Torah. Religion which does not do so has no real significance; and Zionism without the will and readiness to Hagshamah and Chalutzit has no reality, for neither wealth nor political power can be effective without the chalutzic spirit to guide our people and our youth.

We call upon you to learn from our tragic past, to learn and to act; to fight for a Return to the Torah, for the Salvation of the Jewish People and for the Progress of Mankind.

לבו ונבנה!

Adopted at the Fourth Pegishah of the Brit Chalutzim Datiim (Bachad).
Jan. 1943.

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