

**The Jewish Inheritors of Tolstoy:
Judah-Leyb Don-Yahiya, Abraham-Judah Heyn, and Nathan Hofshi**

I. Introduction: Loving the Neighbor

The imperative to neighborly care, the command to “love your neighbor as yourself (Leviticus 19:18),” stands out among the plenum of biblical formulas. If it was not always so understood — indeed, in context it appears in reference to particular injunctions against grudge-bearing and revenge-taking — it was certainly made to resonate with the tonality of a universal moral norm undergirding the Jewish and, later, the Christian worldview.¹ The expression of fellowship came to constitute the very core of these traditions.

In the Jewish sources, we find two variations of the same fundamental claim. In the Jerusalem Talmud, we read that Rabbi Akiva regarded the imperative in question as the “general principle *in the Torah (klal gadol ba-Torah)*.”² Here, said principle is *in the Torah*; it operates within and is therefore limited to the boundaries of the law. As such, the neighbor is defined in relation to the law; the love due him extends only to fellow Jews³ and, more precisely, to religiously observant Jews.⁴ Still, it is love of the neighbor that serves as an interpretive key for the religious system in its entirety.

In the Babylonian Talmud, we read that, when asked to teach someone “the whole Torah,” Hillel the Elder replied that “what is hateful to you, do not to your neighbour; *that is the whole Torah*, while the rest is the commentary thereof.”⁵ Rather than attending to the negative formulation used here, I wish to emphasize the following: here, neighborly love is not merely *a principle in the Torah*, but the *whole* thereof. From this distinction, it seems to follow that determination moves in the reverse, it is not that the law defines the limits of love; on the contrary, love is the essence of the law, determining its manifestations.⁶ In this sense, the imperative applies not only to observant Jews, or even to Jews in general, but also — and, indeed especially — to the stranger.⁷ It assumes a universal quality.⁸

¹ Indeed, the so-called “golden rule” appears in nearly every world religion. However, as this paper treats the formula only as it developed within Jewish and Christian theology, I shall not follow this thread further.

² Yerushalmi, *Nedarim* 30b.

³ See Maimonides’ *Sefer ha-Mitswoth. Mitswoth Asey*, 206; cf. *Mishneh Torah. Hilkhot Deyot*, 6.2.

⁴ See Maimonides’ *Mishneh Torah. Hilkhot Eyvel* 14.1; cf. *Avot d’Rabi Nathan*, 16.5.

⁵ Bavli, *Shabbat* 31a.

⁶ See Schneerson, M.M. 1994. *Likkutei Sichos*. Vol 17. New York: Kehot.

⁷ See Sifra on Leviticus 19:34: “just as Israel was told ‘and you shall love your fellow as yourself,’ so too is it said concerning the stranger ‘and you shall love him as yourself (Leviticus 19:34).’”

Elsewhere, we learn that this very notion — the embeddedness of the law in the imperative to love one's fellow man — was coupled with the love due God. For example, Rabbi Simlai, a third-century sage,⁹ taught:

1. That “the Torah begins with deeds of lovingkindness and ends with deeds of lovingkindness. It begins with deeds of lovingkindness, as it is written, ‘and the Lord God made for Adam and for his wife garments of skin and clothed them (Genesis 3:21).’ It ends with deeds of lovingkindness, as it is written, ‘and God buried him [Moses] in the land of Moab (Deuteronomy 34:6).’”¹⁰
2. That the prophet Amos stood all six hundred and thirteen laws of the Torah on a single principle: “seek ye Me and live (Amos 5:4).”¹¹

On the one hand, the whole of the law is literally contained within *works of love*: clothing the naked and burying the dead — a “true kindness” insofar as reciprocation is excluded.¹² On the other hand, desire, or love, for God is said to constitute the ground on which the Torah in its entirety stands. As in Hillel's dictum, the whole edifice of the Torah, its beginning and end, is defined in relation to neighborly love and stands on a foundation of love for God. The two loves coincide.

Later, this manner of thinking about the nature of the law, its embeddedness in the imperative to love others and the relation of this love to the love of God, came to constitute the core of the Christian teaching. In the book of Matthew Jesus was asked as to “the greatest commandment in the law” and replied by citing two verses from the Torah: “love the Lord your God (Deuteronomy 6:5)” and “love your neighbor as yourself” — the latter, as we learn elsewhere, being understood to include not only “those who love you (Matthew 5:46),” but everyone, even the stranger, the wrongdoer, and the enemy (Matthew 5:43-45). Like Rabbi Simlai, he contends that “all the law and the prophets hang on these two commandments (Matthew 22:34-40).” Again, the coupling of the love of God with the love of one's fellow functions as the interpretive key for the tradition — in this case, the Christian tradition — as a whole.

That a great deal of work has already been done on the subject of this continuity of teaching is, to express it softly, an understatement. I have no intention to dwell on it; whatever contribution I

⁸ Thus does Ben Azzay reply to Rabbi Akiva's claim by citing Genesis 5:1 as follows: “‘This is the book of the descendants of Adam’ — this is an even greater principle (Yerushalmi, *Nedarim* 30b).” Presumably, Ben Azzay was not shifting topics, but responding to Rabbi Akiva's discussion of neighborly love, as if to say “you claim that the imperative of fellowship extends only to your immediate kinsmen; on the contrary, it extends to all of humanity insofar as we are all children of Adam and in that respect likewise kinsmen.”

⁹ Abrahams, I. 1907. *Judaism*. London: Archibald Constable & Co. p. 28

¹⁰ Sotah 14a.

¹¹ Makkot 24a.

¹² Genesis Rabba 96.

might imagine myself to make would inevitably be shown already to have been made by scholars more erudite than myself. However, this discussion does serve to frame the field in which I do feel I have something to add.

Until this point, I have attended to the progress of a train of thought leading from a phrase in the Hebrew Bible which, in the strictest sense, simply lays emphasis on prohibitions against definite forms of antisocial behavior, through the rabbinic literature in which it assumed the more general and even universal meaning it had by the time it entered into Christian discourse in the book of Matthew. In short, I have traced — by way of introduction — the passage of an idea from the Jewish into the Christian experience. In the present study, it is my aim to follow an instance of the reciprocal motion. That is, to examine the manner in which same idea, together with the meaning it accumulated in the Christian tradition, was reabsorbed by certain Jewish theologians and thereby regarded in a new light.

To be more precise, I shall attend, first, to the Tolstoyan assimilation of the doctrine of neighborly love. Tracing it from its first flowering in his *Confessions* through his reading of the Gospels and its full bloom in *The Kingdom of God is Within You* and illuminating not simply the existential role that a certain sort of Christianity played in Tolstoy's own life but, more importantly, the way that his unique interpretation of the "greatest commandment" became a progressive ideal, I aim to emphasize Tolstoy's peculiar position as a thinker. On the one hand he was deeply sympathetic to the radical currents of his day. On the other hand, he formed his ideas within a decidedly religious, if unconventional, framework. In this way, he integrated the revolutionary and the traditional, demonstrating — contra Marx and Bakunin, for example — that the two modes of being were not necessarily in conflict. In sum, I aim to demonstrate how the imperative to love came to constitute the pivot of Tolstoy's Christian Anarchism.¹³

¹³ Here, it is perhaps worth noting in passing the controversial character of Tolstoy's views. Without digressing too far into Tolstoy's legacy (see the final chapter of McKeogh, C. 2009. Amherst: Cambria Press), let us recall the remarks of George Jackson on Martin Luther King's nonviolent tactics — King, of course, being one of Tolstoy's more prominent students. Jackson wrote that "The concept of nonviolence is a false ideal. It presupposes the existence of compassion and a sense of justice on the part of one's adversary. When this adversary has everything to lose and nothing to gain by exercising justice and compassion, his reaction can only be negative (Jackson, G. 1994. *Soledad Brother: The Prison Letters of George Jackson*. Chicago: Lawrence Hill Books. p. 168). Thus, in Jackson's view, is nonviolence essentially appeasement of, even assistance to, the opponent. This conclusion appears likewise in George Orwell's comments on the peace movement that took shape during WWII and on the tactics of Gandhi — another prominent student of Tolstoy. He writes that it is:

"Elementary common sense. If you hamper the war effort of one side you automatically help that of the other. Nor is there any real way of remaining outside such a war as the present one. In practice, 'he that is not with me is against me'. The idea that you can somehow remain aloof from and superior to the struggle, while living on food which British sailors have to risk their lives to bring you, is a bourgeois illusion bred of money and security... I am not interested in pacifism as a 'moral phenomenon'. If Mr Savage and others

In subsequent sections, I will introduce the reader briefly to the lives and more extensively to the work of three Jewish thinkers — Judah-Leyb Don-Yahiya, Nathan Hofshi, and Abraham Judah Heyn — each of whom explicitly drew on Tolstoy’s thought in their efforts to formulate a vision for Judaism in response to the special challenges posed by the intensification of revolutionary fervor in Eastern Europe and elsewhere toward the end of the nineteenth century and into the beginning of the twentieth.¹⁴ Of these three it is, for two reasons, my aim to devote the

imagine that one can somehow ‘overcome’ the German army by lying on one’s back, let them go on imagining it, but let them also wonder occasionally whether this is not an illusion due to security, too much money and a simple ignorance of the way in which things actually happen. As an ex-Indian civil servant, it always makes me shout with laughter to hear, for instance, Gandhi named as an example of the success of non-violence. As long as twenty years ago it was cynically admitted in Anglo-Indian circles that Gandhi was very useful to the British government. So he will be to the Japanese if they get there. Despotical governments can stand ‘moral force’ till the cows come home; what they fear is physical force (Orwell, G. 1971. “Pacifism and the War.” In *The Collected Essays, Journalism and Letters of George Orwell*. Vol. 2. New York: Penguin Books).”

In sum, to resist evil nonviolently is to not resist evil. In this sense, Tolstoy evinces, as Lenin put it, “a lack of understanding that is peculiar only to a patriarchal naive peasant (Lenin, N. 1936. “An Appraisal of Leo Tolstoy.” In *New International*, Vol.3 No.1, February 1936, pp.22-23)” whose “historical blindness,” in Trotsky’s words, “renders him childishly helpless in the world of social problems (Trotsky, L. 1992. *Art and Revolution: Writings on Literature, Politics, and Culture*. Atlanta: Pathfinder Press. P. 148).” His views, as an especially nasty Max Nordau expressed the matter, are suitable for “the muddle-headed... who, not from sober scientific conviction, but from hysterical emotionalism, feel a leaning toward a sickly, impotent socialism, which tends principally towards... revelling in sentimental romances and melodramas (Nordau, M. 1913. *Degeneration*. London: William Heinemann. P. 170).” While a far more comprehensive account of negative reactions to Tolstoy’s beliefs can certainly be produced, this one seems, in my view, to address the gist of the matter.

¹⁴ Here, it is perhaps worth making note of Tolstoy’s own attitude toward Jews and Judaism. Tolstoy himself would have regarded with skepticism the Jewish thinkers to be considered took inspiration from him and saw his work as related in a meaningful way to Judaism. While it is not here possible to conduct a full survey of Tolstoy’s attitude toward Jews and Judaism, I believe that the general thrust thereof can be discerned from comments made in his *Four Gospels Harmonized and Translated*. In his introduction to the first volume thereof, he explains why he ignores the Hebrew Bible:

“I do not consider the Old Testament, because the question does not consist in this, what was the faith of the Jews, but what does the faith of Christ consist in, for there men find that meaning which makes it possible for them to live. The Jewish books may be interesting for us as an explanation of those forms in which Christianity has been expressed ; but we cannot recognize any consecutiveness of faith from Adam to the present, for previous to Christ the faith of the Jews was local. The faith of the Jews is as foreign and as interesting to us as the faith of the Brahmins. But the faith of Christ is the one we live by. To study the faith of the Jews in order to understand the Christian religion is the same as studying a candle before lighting it in order to understand the significance of the light which proceeds from the burning candle. All that can be said is this, that the character and quality of the light may depend on the candle itself, just as the form of the expressions of the New Testament may depend on its relation to Judaism; but the light cannot be explained from the fact that it proceeds from this, rather than from that, candle (Tolstoy, L. 1904. “The Four Gospels Harmonized and Translated: Vol. 1.” *Complete Works of Count Tolstoy*. Vol. 14. Wiener, L. ed. London: J.M. Dent & Co.).”

In essence, if the form of Christianity and its message arises from the form of Judaism, its meaning does not. On the contrary, Tolstoy argues later in the text of the first volume and likewise in the second:

1. “Jesus Christ denies the whole, absolutely the whole Jewish faith. In reality this is so clear and unquestionable that one feels ashamed to have to prove it. It was necessary for our churches to succumb to that terrible historical fate, which contrary to common sense compelled them to combine into one the

most attention to the last. First, he was the most prolific of them. Second, and more importantly, I think that he presents the most radical version of the notion under consideration — neighborly love — embracing fully the anarchic implications which Tolstoy discerned in it. While the other two

non-harmonizing, absolutely opposed teachings, the Christian and the Jewish, to permit them to affirm such an absurdity and to conceal what is manifest (ibid. Pp. 107-08)."

2. "We must remember that the purpose of every discourse of Jesus with the Jews is the denial of the worship of the Jews and of the whole law of Moses (Tolstoy, L. 1904. "The Four Gospels Harmonized and Translated: Vol. 2." *Complete Works of Count Tolstoy*. Vol. 15. Wiener, L. ed. London: J.M. Dent & Co.)."

Not only does Christianity have no relation to Judaism in the sense that it derives any of its meaning therefrom, but its meaning, in Tolstoy's view, is absolutely opposed to the meaning of Judaism.

Still, the same man could, in his short essay "What is a Jew?" praise the Jew, who "did not succumb to any worldly temptations offered by his oppressors and persecutors" and "renounce his religion and abandon the faith of his fathers." He said furthermore that "A Jew is a sacred being who procured an eternal fire from the heavens and with it illuminated the earth and those who live on it. He is the spring and the source from which the rest of the nations drew their religions and beliefs," calling the Jew a pioneer of culture, of freedom, of "civil and religious tolerance," and the very "embodiment of eternity (Tolstoy, L. 1921. pp. "What is a Jew?" In *A Book of Jewish Thoughts*. London: Oxford U. Press. Hertz, J.H. ed. 135-36)." We find, then, that Tolstoy's view of Jews and Judaism was rather inconsistent. Still, it can be said without hesitation that the general attitude pervading most of his major theological and philosophical writing conforms more to his more dismissive sentiments.

That being said, Tolstoy was at least consistent in his convictions where non-violence was concerned. His hostile attitude toward Judaism did not serve as a pretext to justify persecution. Thus does he write in the first volume of his *Four Gospels* as follows:

"If this teaching was about God's having sent his son down on the earth to redeem the human race, there were still fewer causes for being angry at men, who imagined that and found pleasure in it. If it was a rejection of the Jewish law, there was still no reason for persecuting them, especially no reason for the Gentiles to do so, and then, as now, it was the Gentiles who persecuted them (Tolstoy, L. 1904. "The Four Gospels Harmonized and Translated: Vol. 1. *Complete Works of Count Tolstoy*. Vol. 14. P. 311)."

Likewise did Tolstoy express heartfelt sympathy for the condition of Jews in the Russian Empire during an interview with Rabbi Joseph Krauskopf, a prolific but now largely forgotten Jewish-American thinker who, by that time lead a major congregation in Philadelphia. On Rabbi Krauskopf's account, Tolstoy remarked that:

"The policy of the Procurator, he said, was to root out the Jews, to drive them either into the Greek Catholic Church or into exile or starvation, stupidly attributing the evils of Russia to her tolerance of non-orthodox-Christian faiths and seeing relief only in their extinction within the empire. And that miscreant considered himself the official head of the Russian church, and the administrator of its creed in the name of Jesus, of him who bade man to love even his enemy, to do good even to those who do evil, to forgive even those who offend, to bless even those who curse... Many of them [Russian Jews] have little knowledge of Jesus, and more of them, I fear, have little love for him. And who can blame them?... They have been made to suffer so much in his name that it would be little short of a miracle if they loved him... Christians profess love, and practice hatred (Krauskopf, J. 1911. *My Visit to Tolstoy: Five Discourses*. Philadelphia: Temple Keneset Yisrael. P. 8)."

In the same interview, Tolstoy also acknowledged the leading role that Jews played in relief efforts on behalf of the poor — Jewish and gentile — of Russia, noting bitterly their horrific recompense. Tolstoy recalled, Krauskopf reports:

"That the first aid received from the United States was from the Jewish congregation of Sacramento, California, which to him was all the more remarkable from the fact that the district stricken was, through governmental restriction, uninhabited by Jews. The expression of pleasure turned to one of sorrow when he remarked that Russia had little deserved such generous treatment at the hands of Jews, —and he lived to see the manner in which it was repaid in Kishineff and other places (ibid. P. 11)."

In short, we might aptly describe Tolstoy's general attitude as benevolent, or humanistic, antisemitism. His condescension vis-a-vis Judaism was palpable. Yet, unlike many traditional representatives of the Church at that time, he extended to Jews as human beings their due solicitude

figures, on my reading, are evidently aware of these implications and signal furtively their sympathy with them, Heyn is unequivocal.

Before proceeding, however, allow me to close this introductory discussion with a word of explanation. *Why*, for these men, Tolstoy's thought? Generally speaking, it appealed in a twofold manner. On the one hand, the synthetic character of the Tolstoyan teaching proved attractive to rabbinic figures the likes Don-Yahiya and Heyn, who recognized that the revolutionary tide had reached their communities in the Pale of Settlement and that preserving Judaism there meant responding productively to it rather than rejecting it. They likewise appealed to spiritually sensitive radicals like Hofshi, who felt that without adequate theological grounding, the revolution would betray itself, increasing rather than diminishing human suffering.

Beyond the pragmatics of maintaining religious sentiments, genuine sympathy with Tolstoy's ideas also enabled these men to respond to a phenomenon more specific to Jewish life. While much — for and against — has and may yet be said about the revolutionary credentials of the early Zionist movement, that it promised a revolution in Jewish life is undisputable.¹⁵ Above all, it meant that Jews could no longer persist in a condition of “reckless magnanimity,” as pariahs and schlemiels; the “admission of Jews *as Jews* to the ranks of humanity” meant contending with reality.¹⁶ It meant, that is, being called upon to respond to the prospect of *formal* manifestations of Jewish political power. Against the nascent militarization of the Zionist ideal, against the endeavor to found a modern Jewish *State*, the three men in question championed a model of peaceful inter-*communal* cooperation and used Tolstoy's insights to formulate the political theology of that vision. In sum, their aborted appropriation of Tolstoyan anarchism represents a two-faceted effort: to insert the revolution into Judaism and, likewise, Judaism into the revolution.

This study, therefore, constitutes a fourfold intervention. First, it aims to demonstrate a meaningful and productive cycle of influence whereby Judaism receives anew an element of its own truth as radicalized via Tolstoy's Christianity. Second, it aims to recover an authentic revolutionary ethos for modern Jewish theology, anti-authoritarian and universalist message which is sorely needed in our increasingly reactionary times. Third, it aims to reinsert Judaism and Jewish thought into the revolutionary tradition which has largely ignored them. Lastly, it aims to challenge the current Zionist enterprise generally and the religious-Zionist enterprise in particular with a

¹⁵ Harshav, B. 2003. “Theses on the Historical Context of the Modern Jewish Revolution.” *Jewish Studies Quarterly*, Vol. 10, No. 4. pp. 300-319. For a critical assessment of this revolution, see Fisch, H. 1978. *The Zionist revolution: A New Perspective*. London: Weidenfeld and Nicolson.

¹⁶ These locutions appear in Arendt, H.. “The Jew as Pariah.” In *The Jewish Writings*. New York: Schocken. pp. 275-297.

narrative that embraces some elements of thereof but in a way that differs radically from what has long been considered mainstream.¹⁷

II. Tolstoy's Christian Anarchism

In his *Confession*, written between 1879 and 1880, Tolstoy reports that upon reaching middle-age, he underwent a significant personal crisis. Faced with the inevitability of death, he finds himself asking “why live, wish for anything, why do anything?”¹⁸ He finds, likewise, that neither can he respond to this challenge via the sciences, empirical or speculative — which answer only the *what* and not the *why* of human life¹⁹ — nor can he distract himself with those endeavors which once gave him pleasure.²⁰ Unwilling to accept the conclusion that “life is a meaningless evil,”²¹ and disinclined, despite the strongest of compulsions, to end it, he takes notice of “living humanity,” who discover the meaning of life outside of “rational knowledge,” in faith, which “gives to the finite existence of man the sense of the infinite”²² by placing it in relation to God.²³

This conclusion forced Tolstoy to take into account *professions* of faith generally and his own background in the Orthodox faith especially. Yet, finding repellant, on the one hand, the artificiality of ritual and dogma²⁴ and, on the other, the legitimating role played by the Church in matters “contrary to the first foundations of any religion”²⁵ — i.e. violence and intolerance²⁶ — he “turned away from the Church.”²⁷ He did so, however, not in order to part with the faith but to discern the true “Christian state of mind”²⁸ by taking “up Christ's teaching itself” and regarding “holy scripture” as “a tradition of days and life,” an instruction that “teaches through life” and in

¹⁷ It might also be noted, and for me it is rather important, that two of the three Jewish writings dealt with in this paper were adherents of the Habad hasidic tradition. Yet, their views diverge tremendously from those of the contemporary mainstream thereof. I think that this alternative is significant. Though I will not thematize the matter here, I consider my work to constitute, also, an intervention in the construction of identity within the movement, an effort to effect change from within by drawing attention to the plenum of perspectives it once embraced.

¹⁸ Tolstoy, L. 1904. “My Confession.” *Complete Works of Count Tolstoy*. Vol. 13. Wiener, L. ed. London: J.M. Dent & Co. p. 26.

¹⁹ Ibid. p. 32.

²⁰ Ibid. p. 22.

²¹ Ibid. p. 44.

²² Ibid. pp. 53-54.

²³ Ibid. 69-71.

²⁴ Ibid. p. 82.

²⁵ Ibid. p. 85.

²⁶ Tolstoy, L. 1886. What I Believe. Popoff, C. trans. Retrieved 03/01/2017 from [https://en.wikisource.org/wiki/What_I_Believe_\(Tolstoy\)/Chapter_1](https://en.wikisource.org/wiki/What_I_Believe_(Tolstoy)/Chapter_1). See also Tolstoy, L. 1904. “My Confession.” *Complete Works of Count Tolstoy*. Vol. 13. p. 13, where we find that Tolstoy's spiritual turmoil was largely instigated by trauma of having witnessed an execution in Paris in 1857.

²⁷ Tolstoy, L. 1886. What I believe. Popoff, C. trans.

²⁸ Tolstoy, L. 1904. “My Confession.” *Complete Works of Count Tolstoy*. Vol. 13. p. 85.

works; *these* constituting the real content of faith.²⁹

While much of Tolstoy's ultimate doctrine can be gleaned from his works of scriptural exegesis as represented by the first and second volumes of *The Four Gospels Harmonized and Translated* — the writing of which occupied him in the years surrounding the composition of his *Confession* and *Critique* — it is, in this form, embedded in much material that, for our purposes, is not useful. I therefore bracket these texts and proceed to his more direct account as represented in *What I Believe* and *The Kingdom of God is Within You*, parallel works produced during the decade spanning 1884-1894.

Abandoning his earlier practice of “skillfully comparing or commenting on the texts of the Gospel,” but simply reading it, in *What I Believe*, Tolstoy sets out to explain what he takes to be “key” to “the doctrine of Christ.”³⁰ This key, he discovers in the Sermon on the Mount and especially in the fourth and fifth of the five commandments discussed therein: to “resist not him that is evil”³¹ and to “love your enemies.”³²

What does he understand by these two imperatives? As for the first, Tolstoy's view is radically literal; he reports that “the simple meaning of these words suddenly flashed full upon me; I accepted the fact that *Christ meant exactly what He said*... ‘Do not resist evil’ means never to resist evil, i.e., *never offer violence to anyone*.”³³ Grasping this imperative rightly, says Tolstoy, “it opened up to me the true meaning of *all the rest*.”³⁴ Thus, does it certainly intersect with the other; later, he paraphrases them as follows: “do no violence to any man, take no part in violence, never do evil to any man, *not even those whom you call your enemies*.”³⁵ Here, the fifth command functions as an extension of the fourth, “explaining, amplifying, and giving more emphasis to, even exaggerating”³⁶ it. Thus, its meaning is the same, to love one's enemy is, at minimum, to resist not his violence.

The fifth command also does something else. While I have already indicated and will later

²⁹ Ibid. p. 449.

³⁰ Tolstoy, L. 1886. *What I Believe*. Popoff, C. trans. Retrieved 03/01/2017 from [https://en.wikisource.org/wiki/What_I_Believe_\(Tolstoy\)/Chapter_1](https://en.wikisource.org/wiki/What_I_Believe_(Tolstoy)/Chapter_1).

³¹ Mathew 5:38-39.

³² Ibid. 5:43-44.

³³ Tolstoy, L. 1886. *What I Believe*. Popoff, C. trans. Retrieved 03/01/2017 from [https://en.wikisource.org/wiki/What_I_Believe_\(Tolstoy\)/Chapter_1](https://en.wikisource.org/wiki/What_I_Believe_(Tolstoy)/Chapter_1).

³⁴ Tolstoy, L. 1886. *What I Believe*. Popoff, C. trans. Retrieved 03/01/2017 from [https://en.wikisource.org/wiki/What_I_Believe_\(Tolstoy\)/Chapter_6](https://en.wikisource.org/wiki/What_I_Believe_(Tolstoy)/Chapter_6).

³⁵ Tolstoy, L. 1886. *What I Believe*. Popoff, C. trans. Retrieved 03/01/2017 from [https://en.wikisource.org/wiki/What_I_Believe_\(Tolstoy\)/Chapter_4](https://en.wikisource.org/wiki/What_I_Believe_(Tolstoy)/Chapter_4).

³⁶ Tolstoy, L. 1886. *What I Believe*. Popoff, C. trans. Retrieved 03/01/2017 from [https://en.wikisource.org/wiki/What_I_Believe_\(Tolstoy\)/Chapter_6](https://en.wikisource.org/wiki/What_I_Believe_(Tolstoy)/Chapter_6).

elaborate as to a persistent counter-tradition, Tolstoy understood the imperative to neighborly love in its Jewish iteration as being restrictive in character. Noting that Jesus adds “and hate your enemy” to the actual Mosaic imperative; he explains that the “neighbor” is the countryman and the “enemy” is simply the stranger. That imperative is therefore construed to imply that one must distinguish between countryman and foreigner so that, in contrast, the sum of the Christian teaching in this respect is “to love all without distinction of their nationality.”³⁷ If, furthermore, the original imperative to love the neighbor is read in the positive — actively to love, to *do for* the neighbor — then the ultimate imperative implies the same: do for the stranger; do “equal good to all.”³⁸ Or, more profoundly put: do for the enemy, for the one who harms you; hence Tolstoy’s reference to Luke 6:35, “love your enemies, and do them good.”³⁹ In sum then, the ‘key to the doctrine of Christ’ as Tolstoy understood it lies in a twofold command: harm not and do good, even to those that do you harm. Bracketing a long tradition of interpretation aiming to circumscribe the force of this command, he understood it in the plainest and most radical sense, “as a law we are bound to obey” and not merely as a saying.⁴⁰

Kant once said that “if the moral law commands that we *ought* to be better human beings now, it inescapably follows that we must be *capable* of being better human beings”⁴¹ — or, in brief, that ought implies can. If this is so, then Tolstoy’s contention as to the *ought* of non-resistance and unbounded love implies that we are up to the challenge; indeed, he states that “to consider this rule of life as a precept that cannot be obeyed without supernatural aid is to annihilate the whole doctrine of Christ completely.”⁴² But on what grounds? What allows him to make this claim? This problem, Tolstoy addresses in the ** chapter of his better-known *Kingdom of God*.

There, he differentiates the “the social conception of life” from the Christian conception thereof on the basis of their distinctive modes of loving. In the social conception of life, love for others “rests itself on love of self.” This love of self “is natural to everyone, and no one needs any encouragement to” act upon it. In this respect, it functions well as an explanatory motive for all sorts of behavior, but not of the sort that Jesus, on Tolstoy’s reading, demands. Insofar as it is

³⁷ Ibid.

³⁸ Ibid.

³⁹ Tolstoy, L. 1886. What I Believe. Popoff, C. trans. Retrieved 03/01/2017 from [https://en.wikisource.org/wiki/What_I_Believe_\(Tolstoy\)/Chapter_3](https://en.wikisource.org/wiki/What_I_Believe_(Tolstoy)/Chapter_3).

⁴⁰ Tolstoy, L. 1886. What I Believe. Popoff, C. trans. Retrieved 03/01/2017 from [https://en.wikisource.org/wiki/What_I_Believe_\(Tolstoy\)/Chapter_2](https://en.wikisource.org/wiki/What_I_Believe_(Tolstoy)/Chapter_2)

⁴¹ Kant, I. 1996. “Religion within the Boundaries of Mere Reason.” *Religion and Rational Theology*. Wood, A.W. & Giovanni, G. trans. Cambridge: Cambridge U. Press. §6:50.

⁴² Tolstoy, L. 1886. What I Believe. Popoff, C. trans. Retrieved 03/01/2017 from [https://en.wikisource.org/wiki/What_I_Believe_\(Tolstoy\)/Chapter_1](https://en.wikisource.org/wiki/What_I_Believe_(Tolstoy)/Chapter_1).

oriented to one's own real and *concrete* interests, it has its outer boundaries. It extends *only* to those entities which have a discernable impact on those interests.

Thus does he contend that "love for a state... is a thing *almost* impossible" for, "though it is zealously inculcated, it is only an imagined sentiment; it has no existence in reality... at that limit man's power of transferring his interest ceases, and he cannot feel any direct sentiment for that fictitious entity." What is almost impossible vis-a-vis the state is, according to Tolstoy, altogether inconceivable when it comes to humanity at large. Though, he says, it "would, doubtless, be very advantageous if men could love humanity just as they love their family," the fact is that "we know nothing of humanity as an eternal object, and we know nothing of its limits. Humanity is a fiction, and it is impossible to love it... there are no motives to lead men to do this." Thus, Tolstoy concludes, "the fallacy of the... the social conception of life" is that it "rests itself on love of self, and that love grows weaker and weaker as it is extended from [the] self" outward, finding "in the state... the furthest limit beyond which it cannot go." However explanatory love of this sort may be for some elements of human experience, it cannot constitute the motivational impetus behind the way of life Tolstoy recommends. It cannot supply the can for his ought.

According to Tolstoy, only a special "Christian" sort of love can confer this ability. So he says, the aim of Christian life "is to love and serve God." This, he says:

"Brings a man to the elementary consciousness of self, only not of the animal self, but of the divine self, the divine spark, the self as the Son of God, as much God as the Father himself, though confined in an animal husk. The consciousness of being the Son of God, whose chief characteristic is love, satisfies the need for the extension of the sphere of love to which the man of the social conception of life had been brought... With the Christian conception of life, love is not a necessity [i.e. it is not instrumental to the satisfaction of basic needs] and is confined to no object; it is the essential faculty of the human soul. Man loves not because it is his interest to love this or that, but because love is the essence of his soul, because he cannot but love."⁴³

Tolstoy asserts that, insofar as it derives its nature from the being of God, who is love, the soul is an essentially loving thing. Thus, requiring no pretext, being self-determined, it exceeds the affective force generally obtaining between objects and subjects of desire, of interest.

Thus, Tolstoy's ought consists in the imperative to resist not evil and, on the contrary, to love the enemy, those who do us harm. It is to love one's fellow in the robust sense of the word. The can to this ought is supplied by the love of God, which constitutes the essence of the human soul, emerging from it of necessity and not in consequence of any external cause. Absolute and

⁴³ Tolstoy, L. 1894. *The Kingdom of God is Within You*. Garnett, C. trans. Retrieved 03/03/2017 from https://en.wikisource.org/wiki/The_Kingdom_of_God_Is_Within_You/Chapter_IV

intrinsic love of God entails and so guarantees unqualified love of other men.

Having accounted for the theological core of Tolstoy's theory, let us now take stock of its implications. In the first place, it must be noted that Tolstoy rejects the prospect of distinguishing between public and private when it comes to the manifestations of this twofold love. "To affirm that the Christian doctrine refers only to personal salvation and has no bearing upon state affairs," he says, "is a great error... which a moment's serious reflection suffices to destroy." In brief, he argues that state affairs are conducted by individuals who, in the end, are impelled "choose between the law of God and the law of man." As such, he concludes, "our private lives are interwoven with the organization of the state;"⁴⁴ personal salvation is intrinsically political because it bears on and limits what one can do as a citizen, as a member of any community. So what are these loving manifestations — encapsulated in the call for "equality and fraternity, community of property, [and] non-resistance of evil by force"⁴⁵ — so incompatible with the affairs of state that, heeding the former, one is impeded from participating in the latter? In other words, how does Christian love evoke an anarchic ethos?

Let us begin with Tolstoy's view as to the nature of authority. He acknowledges that under "primitive forms of association" it may, and often does, happen that "individuals will voluntarily sacrifice their own interests for the interests of the group." However, as society expands and that group becomes increasingly abstract, or fictive — as the boundary to natural bonds of love and mutual self-interest is reached — "individuals strive to attain their own aims at the public expense" and must be restrained "by recourse to authority." This, he holds, may masquerade as moral influence, but it is always reducible to violence:

"The effect of moral influence on a man is to change his desires and to bend them in the direction of the duty required of him. The man who is controlled by moral influence acts in accordance with his own desires. Authority, in the sense in which the word is ordinarily understood, is a means of forcing a man to act in opposition to his desires. The man who submits to authority does not do as he chooses but as he is obliged by authority. Nothing can oblige a man to do what he does not choose except physical force, or the threat of it, ... This is what authority consists of and always has consisted of."

Authority is invoked not in respect of those who *do* alter their desires, but precisely in respect of those who *do not*. Thus, it consists in, and is inseparable from, force. In itself, this would be reason enough for Tolstoy to condemn the state. The injunction against resistance to evil is

⁴⁴ Tolstoy, L. 1886. *What I Believe*. Popoff, C. trans. Retrieved 03/01/2017 from [https://en.wikisource.org/wiki/What_I_Believe_\(Tolstoy\)/Chapter_3](https://en.wikisource.org/wiki/What_I_Believe_(Tolstoy)/Chapter_3).

⁴⁵ Tolstoy, L. 1894. *The Kingdom of God is Within You*. Garnett, C. trans. Retrieved 03/03/2017 from https://en.wikisource.org/wiki/The_Kingdom_of_God_Is_Within_You/Chapter_V

unbounded; Jesus instructs his followers to “make no distinction between the just and the unjust.”⁴⁶ Even in the best of cases, the state would exist to act on that very difference.

For several reasons, however, the problem goes much further. For one, the distinction itself is grounded on the supposition that a moral divide really obtains between public authorities and the private interests that they govern. But public authority must ultimately be invested in people who inevitably have their own interests:

“Those who possess it [power] are in no way different from other men, and therefore no more disposed than others to subordinate their own interests to those of the society. On the contrary, having the power to do so at their disposal, they are more disposed than others to subordinate the public interests to their own.”⁴⁷

Power does not confer upon its holder an added measure of saintliness; it simply enables him or her to act. There is no reason, according to Tolstoy, to assume that those entrusted with additional resources of power can or will wield it in a manner that justifies that trust. If so, the genesis of public authority and its concretion in particular individuals simply exacerbates the very problem it is designed to solve; it enables certain people, or certain classes of people, *more effectively* to satisfy their own needs and desires at the expense of others.

Even barring overt corruption or naked self-interest and assuming conscientious service, however, the public authority has its own “state interests”⁴⁸ that exceed the demand of public welfare. Once the state is instituted as a sovereign entity over and against its subjects, considered individually or collectively, its preservation will naturally be determined in relation to interests irreducible to theirs. These interests must be satisfied if the state is to endure and to accomplish the task of public welfare for which it is established, even if they conflict with the interests of the people. When this happens, the recourse is violence. Thus:

“Government authority, even if it *does* suppress private violence, always introduces into the life of men *fresh forms of violence*, which tend to become greater and greater in proportion to the duration and strength of the government. So that though the violence of power is less noticeable in government than when it is employed by members of society against one another, because it finds expression in submission, and not in strife, it nevertheless exists, and often to a greater degree than in former days... The policy or even the unconscious tendency of those in power will always be to reduce their subjects to the extreme of weakness, *for the weaker the oppressed, the less effort need be made to keep him in subjection*.”⁴⁹

⁴⁶ Tolstoy, L. 1886. What I Believe. Popoff, C. trans. Retrieved 03/01/2017 from [https://en.wikisource.org/wiki/What_I_Believe_\(Tolstoy\)/Chapter_3](https://en.wikisource.org/wiki/What_I_Believe_(Tolstoy)/Chapter_3).

⁴⁷ Tolstoy, L. 1894. The Kingdom of God is Within You.” Garnett, C. trans. Retrieved 03/03/2017 from https://en.wikisource.org/wiki/The_Kingdom_of_God_Is_Within_You/Chapter_VII

⁴⁸ Ibid.

⁴⁹ Ibid.

The demands of efficiency in governance dictate that authority will tend to expand. The net effect of this tendency is a surplus of force; the authority of the state is enhanced by subtracting authority from its subjects. This is the case “independently of the forms of government under which nations have lived;”⁵⁰ it is true of government in general and is not limited to one or another system thereof. The interests of state may in some respects coincide with those of the people, but not thoroughly. Even in the best of circumstances it follows its own violent trajectory at the expense of liberty.

More problematic still, we cannot suppose the best of circumstances. According to Tolstoy, they are in error who assert “that government is not what it really is, *one set of men banded together to oppress another set of men*, but... the representation of the citizens in their collective capacity.” Thus are they likewise in error when they “suppose that government can be bound by considerations of justice.”⁵¹ While in principle, sovereign authority is established by *all* members of a political community in order to protect their *common* welfare, Tolstoy maintains that, in point of fact, this is never really the case. “The existing order,” as such, “is iniquitous”⁵² because the “common” welfare it defends is always partial; it always favors some at the expense of others. By extension, the manner in which hostility to common welfare is construed — the way in which criminality is defined and, consequently, the way in which violence is justified — is likewise partial.

How so? Why must we suppose that this is the case? Because, according to Tolstoy, it is the prevailing conditions of ownership that people have “regarded as that order which must be protected, and for the sake of which it is considered right and good to lock up and punish people who violate this order.”⁵³ Authority is indexed to the regime of property. The distinction between those who own and those who do not is indexed to a parallel distinction between those who rule and those who are ruled.

As Tolstoy understands it, property — correctly construed — is “that which is given and belongs to me exclusively, that which I can always employ in any manner I may wish, which no one can ever take away from me, which remains mine to the end of my life, and that which I must use, increase, improve.” “Such a subject of ownership for each man,” he continues, “is only he

⁵⁰ Ibid.

⁵¹ Tolstoy, L. 1894. *The Kingdom of God is Within You*.” Garnett, C. trans. Retrieved 03/03/2017 from https://en.wikisource.org/wiki/The_Kingdom_of_God_Is_Within_You/Chapter_VI

⁵² Tolstoy, L. 1894. *The Kingdom of God is Within You*.” Garnett, C. trans. Retrieved 03/03/2017 from https://en.wikisource.org/wiki/The_Kingdom_of_God_Is_Within_You/Chapter_VIII

⁵³ Tolstoy, L. 1905. “The Christian Teaching.” *Complete Works of Count Tolstoy*. Vol. 22. Wiener, L. ed. London: J.M. Dent & Co. p. 402.

himself.” Everything else that he treats in the same way is not real, but “imaginary property.”⁵⁴ The imaginary quality of such “property” extends to the immediate products of a man’s labor. Thus, for example, does he proscribe “a struggle against evil” where others “have taken possession of the hay we had mown for our own use.”⁵⁵ It even extends to labor in itself; “if anyone makes you labor,” he says, “do so; if anyone wants to have what you consider to be your own, give it up to him.”⁵⁶ The imperative to non-resistance, in other words, precludes defending property rights, which is to say that it precludes a right to property. After all, “there can be no question of property for a man who will give up his cloak when they want to take his coat from him”⁵⁷ or his labor when it is demanded.

If so, then the accumulation of property, the amassing of wealth, the building of fortunes, is inseparable from transgression. It means asserting a right to that over which one has no legitimate claim. It always “originates, either in [overt] violence — this is most common — or in nastiness, or in rascality on a large scale, or in chronic cheating” — i.e. is, in behavior that is perhaps less extreme but nonetheless violent in character. Thus, “the more a man is moral, the more certain he is to be deprived of the fortune which he has, and the more he is immoral, the more certain he is to gain and retain a fortune.”⁵⁸ The regime of property is by definition a regime of theft, of the violence that some members of a community perpetrate against their neighbors.

If the prevailing order of things is defined in relation to the distribution of wealth and the latter takes place only on the basis of violence, which some practice and other suffer, then that order favors the former at the expense of the latter. It is necessarily partial and, moreover, partial in the worst possible way as it functions to facilitate transgression and impede the opposite thereof. If propertied people:

“Monopolize the right of making the laws all must obey, and so dispose of the lives and properties of other people, all this is not done because the people wish it and because it is what is natural and right, but because the government and ruling classes wish this to be so for their own benefit.”

Thus is it the case that:

“The laws which are supposed to protect property are laws which only protect property that has been stolen, which is already in the hands of the rich, and they not only fail to protect

⁵⁴ Tolstoy, L. 1904. “What Shall We Do Then?” *Complete Works of Count Tolstoy*. Vol. 17. Wiener, L. ed. London: J.M. Dent & Co. p. 321.

⁵⁵ Tolstoy, L. 1886. What I Believe. Popoff, C. trans. Retrieved 03/01/2017 from [https://en.wikisource.org/wiki/What_I_Believe_\(Tolstoy\)/Chapter_3](https://en.wikisource.org/wiki/What_I_Believe_(Tolstoy)/Chapter_3).

⁵⁶ Tolstoy, L. 1886. What I Believe. Popoff, C. trans. Retrieved 03/01/2017 from [https://en.wikisource.org/wiki/What_I_Believe_\(Tolstoy\)/Chapter_6](https://en.wikisource.org/wiki/What_I_Believe_(Tolstoy)/Chapter_6)

⁵⁷ Tolstoy, L. 1904. “Letter to N.N.” *Complete Works of Count Tolstoy*. Vol. 17. Wiener, L. ed. London: J.M. Dent & Co. p. 390.

⁵⁸ Tolstoy, L. 1905. “Need it be so?” *Complete Works of Count Tolstoy*. Vol. 23. Boston: Colonial Press. p. 209.

the labourers, who have no property, except their labour, but even aid in robbing them of this labour.”⁵⁹

Unequal distributions of political power serve to cement and widen, via the legal system, parallel inequalities in economic power. It follows that the “comfort and safety... joys and pleasures” of the ruling classes are not morally isolable phenomena, but things “bought at the cost of the privations and sufferings of thousands, who are only restrained by violence,” things protected by “soldiers, policemen and sergeants.”⁶⁰

Having accounted, on the one hand, for the relationship between authority and violence and, on the other, for the relationship of both to the concept of property, it becomes possible to consider Tolstoy’s critique of the process of militarization. In one sense, the nature of his pacifism is perfectly evident: if non-violence is a basic principle, war becomes inconceivable. How exactly his pacifism relates to his anti-authoritarianism, however, may be less obvious.

It becomes clearer, however, when we consider that, as we have just seen, Tolstoy rejects the view that somehow the establishment of authority, the founding of the state, reflects the common will and the common welfare of the people. On the contrary, “government, in its broadest sense... is nothing but an organization such that the great majority of men are in the power of the minority, which stands above them,”⁶¹ a disparity that is sustainable only because “the small number is armed, while the majority is unarmed, or that the small number is better armed than the majority.”⁶² In other words:

“Armies... are needed by governments and by the ruling classes, above all, to support the present order, which, far from being the result of the people’s needs, is often in direct antagonism to them, and is only beneficial to the government and ruling classes.”⁶³
The incompatibility of the state with respect to the people, the propertied and ruling minority with respect to the propertyless and ruled minority, is the “prime mover,” so to speak, for military development. The status quo is maintained on the basis of a monopoly of violence. Thus does Tolstoy argue for a striking reversal. He says that:

“It is generally supposed that governments strengthen their forces only to defend the state from other states, in oblivion of the fact that armies are necessary, before all things, for the

⁵⁹ Ibid.

⁶⁰ Tolstoy, L. 1886. *What I Believe*. Popoff, C. trans. Retrieved 03/01/2017 from [https://en.wikisource.org/wiki/What_I_Believe_\(Tolstoy\)/Chapter_4](https://en.wikisource.org/wiki/What_I_Believe_(Tolstoy)/Chapter_4)

⁶¹ Tolstoy, L. 1905. “Patriotism and Government.” *Complete Works of Count Tolstoy*. Vol. 23. Wiener, L. ed. London: J.M. Dent & Co. p. 155.

⁶² Tolstoy, L. 1905. “The Slavery of Our Time.” *Complete Works of Count Tolstoy*. Vol. 24. Boston: Colonial Press. p. 57..

⁶³ Tolstoy, L. 1894. *The Kingdom of God is Within You*.” Garnett, C. trans. Retrieved 03/03/2017 from https://en.wikisource.org/wiki/The_Kingdom_of_God_Is_Within_You/Chapter_VII

defense of governments from their own oppressed and enslaved subjects.”⁶⁴ Denying possible distinctions between police force and military force, Tolstoy maintains that, above all, the purpose of a military is to protect the state and its interests *from the people it governs*. In a manner of speaking, the state exists as a governing body only insofar as it successfully and continuously succeeds in the conduct of a war against its subjects.

The fact that the state, together with its particular regime of property, *must* allow its mechanisms of repression, its military force, continuously to metastasize simply in order to survive makes for the transition from a intra-national to an international politics of transgression. If, in principle, armed forces are initially organized in response to “the necessity of subduing every effort at revolt on the part of the subjects” of a single nation, it is nonetheless the case that “every increase in the army of one state... becomes a source of danger for neighboring states and calls for a similar increase in *their armies*.”⁶⁵ The armed forces of any state must expand in response not only to pressures from within (as described in the preceding paragraph), but also to pressures from without; they are dragged into another vicious cycle governed by new rules. Yet, this new vortex feeds into and exacerbates the first, as it is ultimately the people that must meet the demand. Thus, concludes Tolstoy, “the despotism of a government always increases with the strength of the army... and the” increased strength of the army, or the “aggressiveness of a government increases with its internal despotism.”⁶⁶

Still, there remains this question: there is no infinite reserve of power. If this “circle of violence”⁶⁷ were entirely subtractive vis-a-vis the objects of domination, if it only took from them, then eventually there would be nothing left and the self-exacerbating cycle would collapse on itself. That it does not do so — or, at any rate, not so rapidly — implies that there obtains a generative principle, a way of dominating that produces precisely the sort of surplus that the state requires in order to evade exhaustion. This is to be found in the cultivation of patriotism — i.e. in the transgression of the Christian imperative to universal fellowship.

In the first place, let us discern what exactly Tolstoy means by the term. In the sense that Tolstoy objects to it, what exactly is patriotism? While he acknowledges that “desiring for one’s own people or State such real benefits as do not infringe the well-being of other nations” or, more generally, recognizing “the peculiarities of each people” may be called patriotism, this is more an

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ Tolstoy, L. 1886. What I Believe. Popoff, C. trans. Retrieved 03/01/2017 from https://en.wikisource.org/wiki/The_Kingdom_of_God_Is_Within_You/Chapter_VIII

imaginary gesture than a description of reality. Thus, he explains:

“Not the imaginary but the real patriotism, the one which we all know, under the influence of which the majority of the men of our time are, and from which humanity is suffering so cruelly, that is not a desire for spiritual benefits for one's nation (it is impossible to desire spiritual benefits for only one's nation), and not the peculiarities of national individualities (that is a quality and by no means a sentiment) but is a very definite feeling of preference for one's own nation or state to all the other nations and states, and so it is a desire that this nation or state enjoy the greatest welfare and power that can be got — things which are obtainable only at the expense of the advantages and greatness which can be obtained.”⁶⁸ Patriotism as such is “Jingoism or Chauvinism”⁶⁹ manifest at one degree of extremity or another. It entails a feeling of exclusive preference or desire as directed toward the people or the state, a “preferential love for one's own nation just as egoism is a preferential love for one's own personality.”⁷⁰

But the state, as I have already indicated, is an affectively fictive entity according to Tolstoy. We do not naturally love states. As he expresses it in *Christianity and Patriotism*:

“It is assumed that the sentiment of patriotism is, in the first place, a sentiment which is always inherent in men, and, in the second, such an exalted moral sentiment that, if it is absent, it has to be evoked in those who do not have it. But neither is correct.” Exclusive love of the state, or patriotism, is neither inherent nor natural to men as such. On the contrary, as he goes on to explain:

“The working people are too busy with the all-absorbing business of supporting themselves and their families, to be interested in those political questions, which present themselves as the chief motive of patriotism... not only not adopted by the masses, but is disappearing more and more, maintaining itself only among the upper classes, to whom it is advantageous. If it happens that at times patriotism takes hold of the popular crowd... this is only so when the masses are subjected to an intensified hypnotic influence by the governments and the ruling classes, and the patriotism is maintained among the masses only so long as this influence lasts.”⁷¹

Patriotism is a consciously cultivated feeling where the masses of men are concerned. It arises “naturally” among the ruling classes but, as we have already seen, that these exist in the first place is neither natural nor necessary.

And what is its function? From what has already been said, Tolstoy's answer is clear. He explains that:

“In order to be able to exist, the governments must defend their nations against attacks from

⁶⁸ Tolstoy, L. 1905. “Patriotism and Government.” *Complete Works of Count Tolstoy*. Vol. 23. Wiener, L. ed. London: J.M. Dent & Co. p. 145.

⁶⁹ Ibid. p. 143.

⁷⁰ Tolstoy, L. 1905. “Letter to a Pole.” *Complete Works of Count Tolstoy*. Vol. 23. Wiener, L. ed. London: J.M. Dent & Co. p. 403.

⁷¹ Tolstoy, L. 1905. “Christianity and Patriotism.” *Complete Works of Count Tolstoy*. Vol. 20. Wiener, L. ed. London: J.M. Dent & Co. p. 420.

other nations, but no nation wants to attack another, or ever does attack another, and so the governments... make efforts to rouse the hatred of the other nations toward their own. Having roused the hatred of the other nations toward their own, and patriotism in their own nations, the governments assure their people that they are in danger and must defend themselves. Having the power in their hands, the governments are able to irritate the other nations and to evoke patriotism in their own, and they use every effort to do both, nor can they themselves help doing so, because upon this is their existence based.”⁷²

Earlier, I had explained the process of military development as the byproduct of an *internal* demand for constitutive violence on the part of any one government. No state, on this account, sets out to antagonize another; they simply respond to the threat posed by shifts in military strength among their neighbors by increasing their own. Here, the active role served by international conflict comes to the fore. If “governments artificially violate the peace which exists among nations, and provoke hostilities among them”⁷³ it is in order to cultivate “renunciation of human dignity, reason, conscience, and slavish submission to those who are in power.”⁷⁴ If the average man does not naturally love the state, does not actively embrace it as necessary, indeed, as part of his very identity, he can be made to feel that way when he is presented with someone to hate, a dangerous enemy the destruction of whom the state facilitates.

Thus, while there is no infinite reserve of power, power is infinitely reproducible because it is not just something that the state takes from its subjects. Rather, it is something that the state actively manufactures by cultivating patriotism. That is, by deriving love of the nation as a byproduct of its hatred of its enemies. In other words, the reserves of power by virtue of which the state perseveres are continuously replenished by encouraging violation of the imperative to love one’s neighbor, to realize that “there are no hostile nations, no different kingdoms and kings,” that “all are brothers, all are children of the same Father.”⁷⁵

Before summarizing our findings, a brief word on the principle of non-resistance to evil by force as Tolstoy understood it. Tolstoy does not mean that evil can or should be tacitly condoned. On the contrary, he believes that non-resistance to evil by force, or passive resistance, is the most effective way of opposing evil — indeed the only legitimate way. Tolstoy dismisses critics who took his book “*as though* its whole contents could be reduced to non-resistance to evil, and understanding the doctrine of non-resistance to evil itself (no doubt for greater convenience in

⁷² Tolstoy, L. 1905. “Need it be so?” *Complete Works of Count Tolstoy*. Vol. 23. Boston: Colonial Press. p. 154.

⁷³ Tolstoy, L. 1905. “Patriotism and Government.” *Complete Works of Count Tolstoy*. Vol. 23. Wiener, L. ed. London: J.M. Dent & Co. p. 154.

⁷⁴ Tolstoy, L. 1905. “Christianity and Patriotism.” *Complete Works of Count Tolstoy*. Vol. 20. Wiener, L. ed. London: J.M. Dent & Co. p. 438.

⁷⁵ Tolstoy, L. 1904. “The Four Gospels Harmonized and Translated: Vol. 1.” *Complete Works of Count Tolstoy*. Vol. 14. Wiener, L. ed. London: J.M. Dent & Co., p. 299.

refuting it) *as though* it would prohibit every kind of conflict with evil” — he dismisses them, that is, because their interpretation is simply false. Passive resistance, he says “is the greatest terror and danger for every despotism.”⁷⁶

How is this so? “Revolutionary enemies,” he says, “attack the government from without,” while “Christianity does not attack it at all, but, from within, it destroys all the foundations on which government rests” because “all state obligations are against the conscience of a Christian” and a devout Christian will, therefore, refuse to meet them. The fact, argues Tolstoy, that this refusal arises from excellent motives means, furthermore, that “however despotic governments may be, they could hardly punish them openly,” for “to punish men for refusing to act against their conscience the government must renounce all claim to good sense and benevolence.” These men, he says:

“Have friends, and a past; their way of thinking and acting is well known; they are known by everyone for good, gentle, peaceable people, and they cannot be regarded as criminals who must be removed for the safety of society. And to put men to death who are regarded as good men is to provoke others to champion them and justify their refusal. And it is only necessary to explain the reasons of their refusal to make clear to everyone that these reasons have the same force for all other men, and that they all ought to have done the same long ago. These cases put the ruling powers into a desperate position. They see that the prophecy of Christianity is coming to pass, that it is loosening the fetters of those in chains, and setting free them that are in bondage, and that this must inevitably be the end of all oppressors. The ruling authorities see this, they know that their hours are numbered, and they can do nothing.”

Unlike advocates of violent revolution, he continues, such men cannot be treated as criminals, nor can they be corrupted because they have already exposed themselves to considerable danger and yet remained steadfast. Thus it turns out that the ruling authorities are essentially helpless and that the moral and spiritual enlightenment of each individual, his individual transformation, becomes a beacon for others such that “but little is necessary to overthrow this sovereign power which” otherwise “seems so powerful.”⁷⁷ Thus, we find that non-resistance to evil by force is not non-resistance to evil, but rather the most powerful weapon against it.

In sum, Tolstoy’s critique of the state arises from a twofold principle derived from his interpretation of scripture. On the one hand, non-resistance to violence. On the other hand, love of the enemy. As I have presented it, the two elements of this principle are not merely restatements of one another but serve different critical functions.

⁷⁶ Tolstoy, L. 1894. *The Kingdom of God is Within You*.” Gamett, C. trans. Retrieved 03/03/2017 from https://en.wikisource.org/wiki/The_Kingdom_of_God_Is_Within_You/Chapter_II

⁷⁷ Tolstoy, L. 1894. *The Kingdom of God is Within You*.” Gamett, C. trans. Retrieved 03/03/2017 from https://en.wikisource.org/wiki/The_Kingdom_of_God_Is_Within_You/Chapter_IX

As far as the principle of non-resistance to evil is concerned, Tolstoy's critique is as follows. In order to suppress private violence, to resist small evils, public violence or the state, is called into being. This public violence tends to grow for several reasons. Bracketing the fact that those individuals entrusted with the authority to exercise it are not necessarily better than those the control of whom they are tasked with and will tend, therefore, to abuse their power, Tolstoy holds that even the lawful exercise of violence is more easily carried out the greater the power gap between governing forces and governed subjects, the violence that authority entails tends, therefore, to escalate for this reason alone. More profoundly, it escalates because the nature of the common good which government is supposed to protect is inherently partial insofar as it is indexed to the regime of property, or theft. This violence can be institutionalized only if the minority can be made stronger than the majority — a feat accomplished by the creation of armies. Once the latter come into being, a threat is posed to neighboring states, forcing them to increase their own military capacities and so setting in motion a vicious cycle of international military development. This cycle, in turn, rolls back into the intra-national relationship between rulers and ruled, exacerbating the disparity such that the original circle of violence in the name of expropriation begins again. In brief: the state is founded on the basis of violence which, internal and external pressures induce it to intensify. Thus, the state constitutes a perpetual and ever-widening violation of the imperative to non-resistance or non-violence.

Left here, Tolstoy's critique fails to explain how it is that governments persist without becoming exhausted. If power is, at any given time, a limited resource, it cannot be endlessly extracted without depleting the reserves and causing the system of domination to collapse. This is where the positive principle of loving the enemy comes into play as a critical tool. According to Tolstoy, states manufacture new reserves of consent or submission by impressing the people with the threat of a dangerous enemy whom they must hate. By reciprocal reversal, hate of the other becomes love of one's own. In this way, States generate the power that they require to persist by a perpetual and ever-widening violation of the imperative to love the enemy or to love all men.

Finally, Tolstoy's religious opposition to the state, to the existing order, to *evil*, does not — as many have argued — mean simple non-resistance. Rather, it is expressed in a passive form resistance that does not directly confront violence but undermines it at its foundation through moral transformation. In sum:

"The Anarchists are right in everything; in the negation of the existing order, and in the assertion that, without Authority, there could not be worse violence than that of Authority under existing conditions. They are mistaken only in thinking that Anarchy can be instituted by a revolution. But it will be instituted only by there being more and more people who do

not require the protection of governmental power ... There can be only one permanent revolution—a moral one: the regeneration of the inner man."⁷⁸

III. Judah-Leyb Don-Yahiya's Reception of Tolstoy

In an address to a gathering of rabbis in the Central Synagogue in New York City in 1991,⁷⁹ Patriarch Alexy II of Moscow spoke about efforts toward a rapprochement between the Jewish community and the Russian-Orthodox Church. With some bitter but certainly unintended irony — given the fact that, formally speaking, Tolstoy was not part of that Church, having been presented with a writ of excommunication in 1901,⁸⁰ a decree not yet rescinded as of 2011⁸¹ — he appealed, among other things, to the work of a Rabbi Judah-Leyb Don-Yahiya whose name was, almost without doubt, altogether unfamiliar to his listeners but who, he correctly notes, frequently referenced Tolstoy in his sermons. Since this figure remains as obscure today as he was then, it is perhaps best to introduce him before proceeding to discuss his writings.

Y.L. Don Yahiya was born in the year 1869 in the city of Drahichyn, Belarus. As his name suggests, he hailed from the illustrious Don Yahiya clan of Portugal — which claimed descent from the Exiliarchs of Babylon and, thence, to the line of David — that had migrated to Eastern Europe after the expulsion of the Jews from that country in 1496. His father, an adherent of the Habad tradition of hasidism, served as the Rabbi of the municipality.

While he obtained an elementary education at home or in one of the local *hederim* (Jewish religious schools), he was soon sent to the city of Ludza, Latvia in order to study with his uncle, Eliezer Don-Yahiya, a renowned authority on Jewish law⁸² who was then serving as the Rabbi of that city.⁸³ Presumably, it was at this time that the young Judah-Leyb was first exposed to the sort of ideas that, by 1883 lead to the foundation of the Hibbat Zion movement and, later formed the basis for religious Zionism. Eliezer Don-Yahiya was a vocal proponent of settlement in Palestine and, between the years 1878-1880, mentored the young Abraham Yitshak Kook, who was later to

⁷⁸ Tolstoy, L. 1900. "On Anarchy." *Pamphlets*. Maude, A. trans. P. 22.

⁷⁹ Patriarch Alexy II. "Speech in the Central Synagogue in New York to Jewish Rabbis USA." November 13, 1991. Retrieved 03/09/2017 from <http://survincity.com/2011/04/speech-of-patriarch-alexii-in-the-central/>

⁸⁰ A translation of the writ of excommunication is available at https://en.wikisource.org/wiki/Decree_of_Excommunication_of_Leo_Tolstoy

⁸¹ Barry, E. & Kishkovsky, S. "For Tolstoy and Russia, Still no Happy Ending." *New York Times*, 01/03/2011. Retrieved 03/09/2017 from <http://www.nytimes.com/2011/01/04/books/04tolstoy.html?hp>

⁸² His books include *Even Shetiya* and *She'elot u-Teshuvot Mahrasha Don-Yihiya*, works of legal responsa that were well-regarded and oft cited among the rabbinic elite such as Yitshak Elhanon Spektor and Hayyim Hezekiah Medini (the Sede Hemed), and *Taam Megadim*, an abridgement of and commentary on the *Pri Megadim*, a supercommentary on the Shulhan Arukh, or code of Jewish law.

⁸³ Don Yahiya, YL. 2004. "Zikhronotay." Yeshivat Lita: Pirkey Zikhronot. Etkes, I & Tikuchinsky, S. eds. Jerusalem: Merkaz Zalman Shazar.

become the first chief Ashkenazic Rabbi of British Mandatory Palestine.⁸⁴

By the age of sixteen, Judah-Leyb had resolved to gain entrance to the elite Eytz Hayyim Yeshiva of Volozhin, Belarus — an ambition he realized at the age of 20, in 1889.⁸⁵ There, he became a close student of Hayyim Soloveitchik, a highly influential talmudic scholar. He also continued, or perhaps formalized, his engagement with Hibbat Zion by joining Netsah Yisrael,⁸⁶ one of two secret societies at the school affiliated with that movement.

After the closing of the Yeshiva of Volozhin in 1892, Yehuda Leyb followed his master, Hayyim Soloveitchik, back to the city of Brest, Belarus, studying under his direction for another year, until 1893.⁸⁷

By 1896, he had entered the tutelage (*shimush*) of Rabbi Shlomo ha-Kohen, Chief Rabbi of Vilnius,⁸⁸ Lithuania — another illustrious rabbinic leader⁸⁹ — who, for three years prepared him for the rabbinate and most most likely cemented further his attachment to the nascent Zionist movement.⁹⁰ This period of rabbinic finishing was completed in 1899, at which point Rabbi Don-Yahiya married the learned Musiya Shayna, daughter of his mentor, Rabbi Shlomo ha-Kohen.⁹¹

There is some indication that Rabbi Don-Yahiya had taken up residence in Shklov, Belarus by 1899.⁹² In any case, some time between 1901 and 1905 he was appointed as the first hasidic⁹³ Chief Rabbi of that city, a position he held until 1911 according to all extant sources.⁹⁴ While serving in this position, he played a leading role in the foundation of the Mizrahi, a party

⁸⁴ See Don-Yihiya, S. 1932. *Rabi Eliezer Don-Yahiya: Megilat Hayav*. Jerusalem: Defus Pinhas Eynav. Introductory letter and pp. 23-25.

⁸⁵ Don Yahiya, Y.L. 2004. "Zikhronotay." Yeshivat Lita: Pirkey Zikhronot.

⁸⁶ Ungerfeld, M. "Yevul Sifruteynu be-Shenat 5714." *Ha-Tsafa*, October 10, 1954. p. 5. Ungerfeld also indicates that Netsah Yisrael was the more elite of the two, while Neys Tsiyona was a popular group.

⁸⁷ Don Yahiya, Y.L. 1939. *Bikurey Yehuda*. Vol. 2. Tel Aviv: Defus Y. Neiman & A. Yunish. p. 297.

⁸⁸ Shmuel, B. 1994. *Meorey Yisrael*. Jerusalem: Makhon Ohaley Yosef. p. 216. See also Don Yahiya, Y.L. 1939. *Bikurey Yehuda*. Vol. 2. p. 297.

⁸⁹ Shlomo ha-Kohen was the editor of the Vilna edition of the Talmud and his glosses appear in the margins thereof under the title *Heshek Shlomo*. He was also the author oft-cited legal responsa under the titles *Binyan Shlomo* and *Atsey Broshim*.

⁹⁰ Ha-Kohen, S. 1991 "The Advocate." *Torat Eretz Yisrael*. Samson, D. & Fishman, T. eds. Jerusalem: Torat Eretz Yisrael Publications. p. 240

⁹¹ See the personal advertisements in *Ha-Meylits* June 25, 1899. p. 8. There, someone congratulates Judah-Leyb ben Hayyim Don-Yihiya of Shklov on his engagement to Musiya Shayna, the daughter of Shlomo Ha-Kohen of Vilnius

⁹² See preceding note.

⁹³ Maimon, Y.L. 2006. *Toldot ha-Gra*. Jerusalem: Mosad ha-Rav Kook. p. 103.

⁹⁴ According to some sources, he obtained this position in 1901 (Maimon, Y.L. 1999. *Shaar ha-Meya*. Vol. 2. Jerusalem: Mosad ha-Rav Kook. p. 50; Sorkin, A. 2004. *Melekh be-Yofyo*: Toldot Hayav shel ha-Rav Yehezkel Avramsky. Jerusalem: Hotseyt Atsmit. p. 101); according to others, however, his appointment did not take place until 1905 (Rabinovitch, A.Z. 1937. "Ish Segula." *Ha-Hed*. Nisan, 5697. p. 7).

established in 1902 to represent the cause of religious Zionism.⁹⁵ In an effort to articulate the legal and ideological foundations of this movement, he likewise published in 1902 his *Tsiyonut me-Nekudat Hashkafat ha-Daat*, of which I shall speak later.⁹⁶

After ten years of service in Shklov, Rabbi Don-Yahiya took up a short-lived rabbinic position in the Russian city of Kirov, which he held from 1911 until 1913. In that year, he assumed a rabbinical position in Ukrainian city of Chernihiv,⁹⁷ a post he retained for the next eighteen years. In Chernihiv, Don-Yahiya took part in the work of Agudat Haside Habad and, later in his career, corresponded briefly with the Yosef Yitshak Schneersohn, then the Grand Rabbi of Habad-Lubavitch, in connection with that institution.⁹⁸

It was during his term of service in Chernihiv that Ukraine went through its civil war and was eventually absorbed into the Soviet Union in 1922. Like other clerics, Rabbi Don-Yahiya suffered under Bolshevik rule; yet, he stood his ground for quite some time. His circumstances, however progressively worsened. In 1929, we find a letter in the correspondence of Rabbi Yosef Yitshak Schneersohn in which the latter endorses a proposal on Don-Yahiya's part to secure the emmigration of his daughter from the USSR.⁹⁹ The next year, Don-Yahiya succeed in publishing the first volume of *Bikure Yehuda* in 1930 in Ludza, Latvia¹⁰⁰ — which was then still an

⁹⁵ His name appear among the signatories to a letter sent out in order to gather activists for the conference that lead to the formation of the Mizrahi ("Mi le-Hashem u-le-Amo u-le-Artso Alaynu!" Ha-Peles. 1903. Rabinovitch, E.A. ed. Berlin: Defus Tsvi Hirsch. p. 577. Rafael, Y. 1965. Encyclopedia shel ha-Tsiyonut ha-Datit. Vol. 3. Jerusalem: Mosad ha-Rav Kook. p. 430; Maimon, Y.L. 1962. Midey Hodesh be-Hadshoh: Pirkey Zikhrone le-Hadshey Yisrael. Jerusalem. Mosad ha-Rav Kook. p. 142; Maimon, Y.L. Yovel ha-Mizrahi. Jerusalem: Mosad ha-Rav Kook. pp. 37-39; See also *Ha-Tsafa*. December 13, 1946. p. 6; *ibid*. January 16, 1955. p. 4.

⁹⁶ Don-Yihiya, Y.L. 1902. *Ha-Tsiyonut me-Nekudat Hashkafat ha-Dat*. Vilna: Shaarey Tsiyon. This text is mentioned in Wingerton, S. 1976. *Hashivoti Et'hem*. Jerusalem: Tal Orot. p. 21. See also Ungerfeld, M. "Yevul Sifruteynu be-Shenat 5712." *Ha-Tsafa*. September 19, 1952. p. 11.

⁹⁷ Rabinovitch, A.Z. 1937. "Ish Segula." *Ha-Hed*. Nisan, 5697. p. 7. I say "a rabbinical position" as opposed to "the Rabbi" by design. In many of the extant sources, it is suggested that Don Yahiya had been appointed the Chief Rabbi of the city. This is simply not possible, as that position was filled by Rabbi David Tsvi Heyn (the father of another rabbi later to be discussed here, Abraham Heyn), who assumed it after the death of his father, Perets Heyn and fulfilled it for nearly sixty years, until 1925, when he emmigrated to Palestine. It is possible that Don-Yahiya at first served as the rabbi of one of the synagogues in the city and then, after Rabbi David Tsvi Heyn emmigrated, assumed the top position as Chief Rabbi of the city until he himself made the same trip about five years later.

⁹⁸ Schneersohn, Y.Y. 1983. "Letter 221-222." *Igrot Kodesh Moreynu ha-Rayats*. Vol. 1. New York: Kehot. p. 420. Schneersohn, Y.Y. 1993. "Letter 703." *Igrot Kodesh Moreynu ha-Rayats*. Vol. 13. New York: Kehot. pp. 209-210. See also Lewison, S.D. 1989. *Toldot Habad be-Rusya ha-Sovyetit*. New York: Kehot. p. 301. The latter text, however, erroneously represents Don-Yahiya as the Rabbi of Shklov, which — at the time that the correspondence took place — was no longer true.

⁹⁹ Schneersohn, Y.Y. 1993. "Letter 704." *Igrot Kodesh Moreynu ha-Rayats*. Vol. 13. New York: Kehot. p. 210.

¹⁰⁰ Don-Yihiya, Y.L. 1930. *Bikurey Yehuda*. Vol. 1. Ludza: Defus Z'ev Wolf. During this period, we also have record of some other contributions to scholarly discourse. See Don-Yahiya, Y.L. 1929. *Be-Diney Tefila*. Shaarey Tsiyon. Belzer, S. & Hacohen, H. eds. Nisan-Iyyar 5689. Jerusalem: Defus Rafael Hayyim Hacohen. pp. 8-9;

independent republic. Having apparently run afoul of the authorities in the meantime,¹⁰¹ he was forced to flee the country thereafter¹⁰² and made his way to Palestine.

Impoverished by the transition,¹⁰³ Don-Yahiya nonetheless managed, eventually, to open a synagogue at 1 Melchett St. in Tel Aviv, where he lead services and preached.¹⁰⁴ In the process of doing so, he gained wide recognition for his leadership position in the construction of religious Zionism, for his extreme saintliness,¹⁰⁵ and for his contributions as a teacher of Habad hasidism and role model for that community.¹⁰⁶ During this time, Don-Yahiya continued his work on *Bikure Yehuda*, the second volume of which was completed in 1939 but not released until 1941,¹⁰⁷ just a few weeks before his passing on the 27th of October of that year. Judah-Leyb Don-Yahiya is interred on the Mount of Olives.

From this short biography — which really ought to be expanded elsewhere — we conclude as follows, Rabbi Don Yahiya was raised and trained among the rabbinic elite of his day. He rose

Don-Yahiya, Y.L. 1930. "Be-Inyan Eydut u-Shevua." Shaarey Tsiyon. Belzer, S. & Hacohen, H. eds. Shvat-Iyyar 5690. Jerusalem: Defus Rafael Hayyim Hacohen. p.p. 8-10; Don-Yahiya, Y.L. 1930. "Be-Inyan Eydut u-Shevua." Shaarey Tsiyon. Belzer, S. & Hacohen, H. eds. Iyyar-Sivan 5690. Jerusalem: Defus Rafael Hayyim Hacohen. p.p. 7-9.

¹⁰¹ Rabinovitch, A.Z. 1937. "Ish Segula." *Ha-Hed*. Nisan, 5697. p. 7; Diskin, S.M. 1938. *Midrash Shimoni*. Tel Aviv: Defus Betsalel. p. 268.

¹⁰² The first volume of *Bikure Yehuda* as printed in 1930 is incomplete, cutting off sharply in the middle of the fourth chapter. The same incomplete volume was released again in 1933 by the same publisher (Don-Yahiya, Y.L. 1933. *Bikurey Yehuda*. Vol. 1. Ludza: Defus Z'ev Wolf). However, the back cover of that edition, as I have it in digital reproduction, bears an explanation for the abrupt break in the text. Ben Tsiyon Don-Yahiya, the cousin of the author and his literary agent, states — as I have already indicated — that the author was forced to flee with haste and had not the time to complete revisions on the remainder of the text. Thus was it printed as is. This explanation would make no sense if it appeared for the first time on the 1933 edition; why account for the incomplete state of a text the second time it so appeared but not the first time? I propose that this explanation appeared, too, on the back cover of the first edition of the volume in 1930 but simply failed to make it into the digital reproduction available online. This would prove that Don-Yahiya left the Soviet Union to settle in Palestine late in the beginning of 1930 — for, as indicated in the preface to the 1933 edition, the 1930 edition appeared in month of Tevet which, that year corresponded to January.

¹⁰³ Rabinovitch, A.Z. 1937. "Ish Segula." *Ha-Hed*. Nisan, 5697. p. 7; Shabbatay, D. "Hareyni Mitkabel le-Hatsig: Ha-Rav Yehudah Don-Yahiya." *Ha-Tsafa*, August 19, 1938. p. 2-3.

¹⁰⁴ See notices in *Ha-Tsafa*, April 15, 1938. p.4 and *ibid*. August 30, 1938. p. 4.

¹⁰⁵ Indeed, a letter from 1923 exists in which Don-Yahiya recounts not only many wonders of divine providence involving his father, and but also wonders involving himself (dreams that were answers from Heaven and the like).

¹⁰⁶ Bukiet, A.S. 2008. *Ha-Tanya: Nahalat ha-Am. Kfar Habad: Ha-Hamisha*. p. 70; Shabbatay, D. "Hareyni Mitkabel le-Hatsig: Ha-Rav Yehudah Don-Yahiya." *Ha-Tsafa*, August 19, 1938. p. 2-3. This article is an excellent example of the great esteem in which Don-Yahiya was held.

¹⁰⁷ Don Yahiya, Y.L. 1941. *Bikurey Yehuda*. Vol. 2. Tel Aviv: Defus Y. Neiman & A. Yunish. See Shlomo Yosef Zevin's post-script to this volume. pp. 296-300. This text is still remembered and used. See Sofer, M. 2007. *Likutey Hearot al Sefer Teshuvot Hatam Sofer*. Goldstein, Y.D. ed. Jerusalem: Makhon le-Hotseyt Sefarim ve-Heker Kitvey Yad he-Hatam Sofer; Radzyner, A. 2013. "Problematic Halakhic Creativity in Israeli Rabbinical Court Rulings." *Jewish Law Annual*. Lifshitz, B. ed. Vol. 20. p. 173.

to positions of prominence in the that world and also assumed a position among the vanguard of the religious Zionist movement. As we shall see from the sermons he has left us, however, his notion of Jewish political engagement differs significantly from the conception thereof adopted by those who took up the mantle of movement leadership after him. In short, while he differs from Tolstoy insofar as the value of communal particularity is concerned — he celebrates the uniqueness of the Jewish people — he strongly agrees so far as the legitimacy of violence is concerned. It is my view that this unequivocal rejection of violence, a rejection explicitly inspired by Tolstoy, is necessarily paired with the implications that the latter drew from it. Namely, a consequent refusal of the state together with everything associated with it. Thus, Don-Yahiya's support of *Jewish settlement* in the holy land would have to be decoupled from any effort toward the construction of a *Jewish state*.

Let us begin with Don-Yahiya's earliest work, *Ha-Tsiyonut me-Nekudat Hashkafat ha-Daat*. In this text, he opens with a distinction between the “natural redemption” whereby Jewish people return to the holy land and the “eternal redemption, the miraculous redemption” which this return serves. He argues (a) that these are two separate things that need not coincide temporally and¹⁰⁸ (b) that the former is the condition for or leads to the latter.¹⁰⁹ In this distinction, I think it is important to emphasize two things. First, that the ingathering of the exiles is explicitly linked to a universal human aim: in some manner it is supposed to bring about a “general salvation” for “the world in its entirety,”¹¹⁰ a spiritual revolution involving kindness, mercy, and justice for all.¹¹¹ Thus, while he addresses directly the concerns of a particular people, it is ultimately a universal vision that he entertains. Second, that the natural redemption of which he speaks involves ingathering, settlement, freedom from oppression, and spiritual revival. While others may have argued that these objectives are met by the establishment of a state, there is no indication that this is what Don-Yahiya had in mind.¹¹²

If not statebuilding, what does this slow process of this natural redemption entail? Says Don-Yahiya, “the essential purpose of return from Babylon,” of ingathering and settlement “is to be in a sanctified place, a place especially suited for the service of God and for praying to him for the

¹⁰⁸ Don-Yihiya, Y.L. 1902. *Ha-Tsiyonut me-Nekudat Hashkafat ha-Dat*. P. 8.

¹⁰⁹ *Ibid.* p. 13.

¹¹⁰ *Ibid.* p. 6.

¹¹¹ *Ibid.* p. 20-21.

¹¹² The phrase “*inyaney medina*” (pertaining to the state or to political affairs) is used once (*ibid* p. 16), but not in the context of an argument for the foundation of a state, but to convey the idea that expertise in talmudics does not grant authority in philosophical or political matters.

general, complete, and eternal redemption.”¹¹³ Its main aim is not so much political as religious; it is to found a community of prayer with eschatological aims. Beyond that, ingathering and settlement is to facilitate cultural or spiritual revival and autonomy. Israel, he says, “will no longer be a people walking by the light of the nations;”¹¹⁴ rather, “they will be able to live in their own way and after their own spirit.”¹¹⁵

This condition of cultural autonomy is religiously significant for a few reasons. One, it entails a state of affairs in which the everyday demands of life do not contravene, but support Jewish ways of thinking and acting. Says Don-Yahiya:

“Everything now undertaken in the exilic lands for the purpose of strengthening our religion is difficult because the conditions of life and the demands of the time oppose us... the conditions of life stand against the preservation of our religion. This is not so in the holy land. There, we can even teach our children secular things in a religious way (*al taharat ha-kodesh*... If God favors our efforts... the Jewish masses, who now have difficulty making ends meet in exile, will be able to find refuge in the holy land, which will then demand diligent hands, and the conditions of life there will not oppose our religion”¹¹⁶ Here, the correspondence of religious and secular spheres is emphasized. The strength of religious identity or commitment is dependent on the degree to which it can be made to organically cohere with the more secular elements of human experience.

Two, insofar as cultural autonomy is to be realized in the holy land, the particular significance of that place is supposed to make a powerful impression in its own right. If “many of our brethren have lost... their feeling for religion and their inner sense of Jewishness... [doing] what they do as a matter of habit, without living feeling, without the feelings that purify and sanctify the heart, that elevate the soul,” now is the time to change that, and:

“This task is much easier to accomplish in the holy land. There, it feels like a new heaven and a new earth for our people. There, holy memories are evoked with every step. There, our greatest hopes for the fulfillment of the prophetic promises for the end of days are aroused. How easy it would be to inspire our people with a feeling for living religion and an internal sense of our religion that can elevate our people above!”¹¹⁷ Thus, beyond autonomy, which could be accomplished anywhere, the holy land has the special significance of linking memories of a sacred past to hopes for a brilliant future, the combination of which is to prove heady enough to revive religious feeling.

Finally, Don-Yahiya believes that ingathering and settlement — insofar as it involves the prosaic rehabilitation of the people, will serve to correct certain characteristic deficiencies it has

¹¹³ Ibid. p. 7.

¹¹⁴ Ibid. p. 10.

¹¹⁵ Ibid. p. 14.

¹¹⁶ Ibid. pp. 18-19.

¹¹⁷ Ibid. p. 20.

accumulated in exile:

“Since the livelihood of the Jewish people [in exile] depends on trade, this has had the result of evoking within us a tendency toward underhandedness. It is well-known that it is in the nature of trade that one man sometimes rises on the fall of another. This state of affairs has corrupted our moral character and our spiritual temper. There are many among us who rejoice in the misfortune of others... We are forced to admit that we have become morally degraded... and that it is upon us to ensure that we do not descend further. [This can be accomplished] by bringing to an end the state of affairs that caused it: that the livelihood of Israel depends on trade. This would not be the case were our brethren, with the permission of the governments, to settle in the holy land, to work the ground. There — with the expansion of the *yishuv* — they would also find many other branches of labor to support themselves.”¹¹⁸

Whether we find Don-Yahiya’s particular concern troubling or not, what matters here is that the expansion of the *yishuv* is supposed to create a broader range of professional opportunities for the Jewish community. This economic shift is supposed to have a profound moral effect, reversing an attitudinal tendency arising from what Jews once had to do in order to survive.

In brief, Don-Yahiya’s earliest published work advocates *ingathering* and *settlement* in Palestine. For him, this means spiritual autonomy and economic development (or the development of the people through its economics). Though it cannot be denied that these aims have political connotations, we find no evidence that they were linked in any meaningful way with statecraft. On the contrary; Don-Yahiya repeatedly qualifies “ingathering and settlement” by the phrase “with the permission of the government (*be-rishyon ha-memshala*)” — this, I take it, indicates that the expanded Jewish settlement was to function as a sort of autonomous zone within a pre-existing political body rather than as an independent state in its own right. In any case, we can dismiss knee-jerk objections to the implicitly anarchic character of Don-Yahiya’s later work that might otherwise arise from his Zionist advocacy. His conception of Zionism is not necessarily in conflict with anarchism — at least of a certain sort.

Let us now proceed to consider those reflections on the basis of which we are justified in describing Don-Yahiya as an inheritor of Tolstoy. These appear in the two volumes of his *Bikure Yehuda* — which, unfortunately, represent all that is left of what was once a large literary estate that was lost when the author left the Soviet Union. Nonetheless, we do get from them a meaningful glimpse of his train of thought.

The first volume of *Bikure Yehuda* opens with an essay entitled “The Essence of Israel.” In it, he considers a famous story in *Sifre*.¹¹⁹ Commenting on Deuteronomy 33:2 — “the Lord came

¹¹⁸ Ibid.

¹¹⁹ See *Sifre* for ve-Zot ha-Berakha, piska 343. A clear translation by Marty Jaffee is available from <http://jewishstudies.washington.edu/book/sifre-devarim/chapter/pisqa-343/>

from Sinai, and rose up from Seir unto them” — this midrash states that:

“When the Blessed Holy One disclosed Himself to give the Torah to Israel, He didn’t disclose Himself to Israel alone, but, rather, to all the nations. At first he approached the descendants of Esau [i.e., Rome], asking them: Will you accept the Torah? They asked: What’s written in it? He replied: ‘Do not *murder* (Exodus 20:13).’ They said: the very essence of these people, like their father, is to murder! For it is said: ‘But the hands are the hands of Esau (Genesis 27:22).’ And: ‘By your *sword* shall you live (Genesis 27:40)’...

When the Blessed Holy One saw this situation, He gave them [the laws] to Israel.”¹²⁰

Bracketing the particular link which this passage draws between the essence of Esau or Rome, and violence — it is not really the subject of Don-Yahiya’s essay — I would like to emphasize, instead, what the text suggests about the nature of the Torah on the one hand and, on the other, Israel. Violence is taken to be fundamentally incompatible with a teaching that is given to Israel. Since it is the essence of a people that is under consideration, this suggests that non-violence characterizes the Jewish essence — indeed, Don-Yahiya cites the Zohar Hadash 73a to the effect that “Israel and the Torah are entirely one.”

Let us pursue this notion further. In what respect is the essence of Israel, insofar as it is identical with the essence of the Torah, characterized by non-violence? Scripture teaches that Israel is a “priestly kingdom and a holy nation (Exodus 19:6);” that is, as Don-Yahiya paraphrases it, “their very essence is divine holiness.”¹²¹ Building on a tradition tracing back to the Talmud, he takes this to mean that “their outstanding characteristic is faith in the one God”¹²² who created everyone and everything. This belief, in turn, precisely and strictly makes for the possibility of justice; justice,” he says, “has a place only by virtue of [this] faith, for man is the work of God and we all have one father”¹²³ — “how could anyone betray his brother?”¹²⁴ That is, faith in the one God impresses mankind with an intuitive sense of universal brotherhood that violence would betray. If, therefore, the essence of Israel is constituted by faith in God and this faith entails justice and precludes violence, it follows that the essence of Israel coincides with a commitment to non-violence.

If this essence especially characterizes Judaism, or Jewish identity, it is not — in Don-Yahiya’s view — limited thereto; it encompasses a message for everyone. He holds that

¹²⁰ Jaffee, M. “Pisqa 343.” Sifre. Retrieved 04/20/2017 from <http://jewishstudies.washington.edu/book/sifre-devarim/chapter/pisqa-343/>

¹²¹ Don-Yihiya, Y.L. 1930. Bikurey Yehuda. Vol. 1. P. 6.

¹²² Ibid. footnote. Cf. “a Jew is one who denies idolatry (Kiddushin 40a; Megillah 13a; megillah 13a; Sifre Deuteronomy 28).”

¹²³ Don-Yihiya, Y.L. 1930. Bikurey Yehuda. Vol. 1. P. 11

¹²⁴ Don-Yihiya, Y.L. 1930. Bikurey Yehuda. Vol. 1. P. 6. footnote.

“nature ‘knows only its own harsh laws.’”¹²⁵ It cannot function as the basis for moral reasoning. It is not, he says, that without belief people fail to recognize the importance of justice. On the contrary, he says, Tolstoy, “one of the great gentile authors, in his essay “Resist Not,”¹²⁶ expresses astonishment that most people today... admit and agree that man must live in a just and fair way”¹²⁷ reflective of “the love of all mankind”¹²⁸ but yet fail to uphold their ideals. Rather, it is because these ideals stand on uncertain ground.

“Even unbelievers make room for just rules, for laws, but these can be nothing more than what the sages call a ‘worldly ordinance,’ or what people today call a ‘social ordinance.’ That is, these rules are not founded on the sanctity of justice as a divine decree, on the basis of any fear of damaging another man’s body insofar as this entails harming the image of God. Such men do not believe in God. Rather, these rules, are founded on self-love, on ‘egoism.’ They recognize society because, without rules to restrain wicked men, there would be no security in life... Thus society establishes rules and laws to guard human life and property. But these laws are unable to ensure justice... [for] without faith, a man will certainly transgress the decree of law as soon as he discovers a stratagem whereby to circumvent it and avoid punishment.”¹²⁹

If they are not motivated by a belief in the sanctity of justice, people will not respect the laws and customs in which it is manifest when they can avoid doing so. “The social order,” he says, “can accomplish nothing so long as the heart has not been transformed by true and living faith.”¹³⁰ This is the case — on Don-Yahiya’s account — not only between individuals, on an interpersonal scale, but also between groups and nations, on a national and international scale respectively. This ground of justice — egoism as transposed to the social realm — fails because it is inadequately universal; it becomes the cause and not the resolution for conflict:

“Justice founded on social ordinance obtains only within a definite boundary, only within that community in which it is instituted. But be there another community that has determined its mode of self-preservation otherwise, which differs from it in the outlook of its laws and the way of life that it deems advantageous for assuring the success of human society... since there is neither faith in God nor in the sanctity of justice, each will permit itself to dispense with the life of the other. Therefore, in class war does the community constituted by one class (for example, the capitalists) permit itself to murder members of the other class. The same goes for two peoples: the one permits itself to murder and kill without compassion. It is true that... they have also established international law in order to assure for each its own self-love. Still, these provisions are generally unable to prevent the murder and killing between nations, for as soon as one nation notices that it has the upper hand it will not worry about what may happen a hundred years later... that things may

¹²⁵ Ibid. p. 16.

¹²⁶ So far as I can tell, this is not the title of any of Tolstoy’s actual works; I think that Don-Yahiya is speaking generally of Tolstoy’s views.

¹²⁷ Ibid. p. 19.

¹²⁸ Ibid. p. 29.

¹²⁹ Ibid. p. 17.

¹³⁰ Ibid. footnote.

change and the conquered may find allies and become the victor... All of this is because these laws are founded on self-love; they are laws the essence of which is idolatry.”¹³¹ Here, we find that faith in God *qua* faith in the sanctity of justice functions not only to secure the moral foundation of interpersonal transactions, but the fabric of society as a whole in respect of both internal relations among constituent communities of any one body politic and also external relations among various instances of the latter. If “natural wisdom knows nothing of kindness,”¹³² if from it are absent “justice and mercy... for nature is but a bitter war for survival in which each thing lives by the death and destruction of its neighbor... and the stronger succeeds,”¹³³ it is — on Don-Yahiya’s account — only faith in God combined with the corollary belief that all men are brothers that makes for the possibility of justice, for conviction as to its sanctity and for a intuitive revulsion for violence. This insight may be, for the Rabbi, especially characteristic of Judaism, but it is most definitely one that applies to everyone and which some have already come to recognize; namely, “the excellent man, Leo Tolstoy” who said that it is impossible to extirpate evil “until the people of the world... achieve spiritual wholeness by understanding, by feeling and deeply recognizing that the victory of justice and its truth flows from faith in God and not from the fist.”¹³⁴

Here, a further comment is in order. In the passage cited above, Don-Yahiya comments that egoistic accounts of moral law cannot prevent class war. From this, it might be inferred that he supposes class distinctions — between the capitalists and the proletariat, for instance — to be acceptable in themselves and that his opposition to inter-communal violence serves, therefore, as a cover for continued exploitation. Such an inference would be mistaken; he is explicit in his view that exploitation is just another example of the sort of violence that faith in God adequately construed precludes.

“We freely admit that with natural science, the peoples of Europe and America had done wonders. But what good is all that science and technical knowledge if the suffering of the majority of the world’s inhabitants has not been reduced? If terrible cruelty prevails? If still the tears of the exploited at the hand of their exploiters gush?... Technics will not prevent the exploitation and the injustice and the murders that take place in the world without pure faith in God... without the Jewish path and what follows from it.”¹³⁵

Thus does Don-Yahiya unequivocally side with the exploited. As he indicates elsewhere, he objects — like Tolstoy — the manner in which radical political ideologies have construed the problem and (b) they have gone about resolving it. As for the first objection, it follows from his skepticism as to the prospect of grounding a natural ethics where nature (and perhaps also human

¹³¹ Ibid. pp. 17-18.

¹³² Ibid. p. 16.

¹³³ Ibid. p. 13.

¹³⁴ Ibid. p. 32.

¹³⁵ Ibid. pp. 31-32.

nature to some extent) is governed by a (social) darwinistic rule whereby the weak invariably become the prey of the strong. Thus doe he write that:

“You [young revolutionaries] say, even without faith in God and without Torah, that you are just people insofar as you are upright in heart. But I ask you: what substance has your uprightness of heart without faith in God?... So long as justice is based on no [absolute] rational principle, you cannot be sure that your love of justice will last. Now, you are filled with enthusiasm for justice and for the equality of all men, that the mighty not dominate the weak, the capitalist the worker; *this is good and exceedingly beautiful*. True believers... also look forward to and yearn daily for the day that justice is the rule of the land... But our love of justice is based on a rational principle, it has sanctity to it: since we are all children of a single God, how can anyone cheat his brother? If man is created in the image of God, how could anyone be so bold as to kill, to humiliate, or to degrade the very image of God? But you who do not believe... you have no certain rational foundation for your justice. Today, you are enthusiastic about Marx... tomorrow, or a few years from now, you may become inspired by Nietzsche... who admires domination (*takifut*) and advocates the perfection of the strongest and most violent animal... who, by the law of natural selection, annihilates utterly the weaker.... Among you, there may be men strong of heart and will who will one day endeavor to realize his vision with the force of sword and iron.”¹³⁶

Here Don-Yahiya evidently sides with the exploited, “the tired, toiling worker,”¹³⁷ and affirms the social democratic vision of universal human equality. Like Tolstoy, however, he holds that this vision, the vision of justice, of “mercy and love of man,”¹³⁸ can only be secured when it arises from the sense of brotherhood that comes with faith in God as the creator of man.¹³⁹ Indeed, he brings this message closer to the heart by paraphrasing a parable which he attributes to “that great Russian composer of parables”:

“A certain pig happily ate the fruit of a some tree until he was satiated. Once it was sated, it began to tear up the roots of that tree whose fruits it had enjoyed, for the pig could not raise its head to see and understand that the fruits it loved grow on the tree. A bird perched on the tree began to cry: ‘you are going to cause the tree to fall!’ Answered the pig, ‘how does the tree concern me? I don’t want it; it is but the fruit that I need, want, and love. ‘Ingrate!’ said the tree passionately, ‘the fruits you enjoy grow only on my branches!’... [Likewise] the fruits of love for mankind and mercy for poor tired workers grows from the tree of faith in the one God.”¹⁴⁰

Here, risking a degree of offence (for which he begs forbearance) the secular revolutionary is compared to a pig who eats the fruit without tending to the tree that bears it — indeed, who uproots it, making it such that fruit can no longer grow. Thus, in brief, is faith in God — for Don-Yahiya —

¹³⁶ Ibid. pp. 14-15.

¹³⁷ Ibid. p. 33.

¹³⁸ Ibid.

¹³⁹ Ibid. p. 32.

¹⁴⁰ Ibid. pp. 32-33. See an alternate version of this parable on p. 21, where Don-Yahiya uses it to articulate the importance of concrete practices manifesting the principle of love for mankind — i.e. the practices of the Torah. These amount to the gardener’s work of tending the tree so that its flowers and fruits ripen properly and continue to do so in perpetuity.

the ground of justice and the vitality of any truly revolutionary endeavor.

As for the second objection, Don-Yahiya's view likewise coincides with Tolstoy's. Sudden and violent revolution will not eliminate the problems it is supposed to resolve. Rather, it will exacerbate them. As Tolstoy, in Don-Yahiya's paraphrase, says: "evil cannot be removed with evil." On the contrary, even if some revolutionaries:

"Boast that they represent the majority so that they are the stronger party [and can achieve victory by force of arms], this does not stand to the test of reason... If there is no justice other than force then, when the opposing side discovers some advanced knowledge or technical subterfuge concealed from the masses such that they become the stronger, they will then have the right to do the same. Without faith in God, they will be able to dominate the masses without justice or fairness, and to subjugate them. If might and power are the main thing, are not knowledge and technical skills a form of strength, a means of becoming the stronger, the able? Why would they not pursue this?"¹⁴¹

The pursuit of justice without faith in God, the use of force to achieve presumably just ends, leads to an ever-repeating cycle of violence in which desirable outcomes are anything but certain. The certainty of justice is obtainable only through insight and spiritual transformation; these are the weapons of the true revolutionary according to Don-Yahiya.

This brings us to the question of method. If Don-Yahiya is as skeptical as he appears to be where revolution conventionally construed is concerned, what means *does* he advocate for doing away with injustice? What, in other words, is the "Jewish" mode of protest, the "Jewish" mechanism of revolution that replaces those methods which cannot be endorsed? Much like Tolstoy — indeed, I would say arising from his work — Don-Yahiya's revolutionary practice involves passive resistance or, more broadly, the endeavor to change things by eroding the moral legitimacy of sovereign authority. This method, in Don-Yahiya's understanding of it, is articulated by the exegesis of a rather intriguing passage from the talmudic tractate of Shabbat, which I shall quote in full:

"Our Rabbis taught that in five instances, the weak cast fear upon the strong: the fear of the *mafgiya* over the lion; the fear of the mosquito upon the elephant; the fear of the spider upon the scorpion; the fear of the swallow upon the eagle; the fear of the *kilbit* over the Leviathan. Rab Judah said in Rab's name: What verse [alludes to these]? "[The Lord is his name, He is the one] that bringeth sudden destruction upon the strong (Amos 5:9)."¹⁴²

As Don-Yahiya interprets it, this passage teaches that, while it is natural that "the strong swallow the weak and that the stronger is victorious," the weak also have "advantages over the strong," another sort of strength "that the powerful lack." This, he says, is not a "quantity of force (*gevura*)," but a qualitative power arising from "the special attributes" of the weak, which "gives them courage and

¹⁴¹ Ibid. p. 32.

¹⁴² Shabbat 77b.

confidence against the mighty, the great, the strong, and the terrible.”

Don-Yahiya attends to two examples: the lion’s fear of the *mafgiya* and the Leviathan’s fear of the *kilbit*. What is this power which the *mafgiya* exercises over the lion, which the *kilbit* has over the Leviathan? To understand his explanation, it is necessary to do some translation. What is a *mafgiya*? What is a *kilbit*? Rabbi Shlomo Yitshaki (Rashi) explains that the *mafgiya* is “a small animal with a big voice; [the lion] hears it, thinks that it is a large animal, and flees” and that the *kilbit* is “a small worm that enters the ears of large fish.”¹⁴³ Based on this translation, Don-Yahiya comments as follows:

“The lion is the king of the beasts, a powerful tyrant (*arits*)! Why does it fear a small animal? With but one of his great fingernails can he not end its life? I do not fear its force, answers the lion, but its voice. When it raises its awful voice, it seems to me that it protests the fact that I am the king of beasts and that I sustain myself by the death of my servants, that my faithful servants are the food for my hungry soul. I am moved to reproach myself when I hear the awful voice of the *mafgiya*! But what good is it to kill this *mafgiya* or some other? I cannot annihilate the whole species!”

Thus, says the *mafgiya*:

“We know and understand well that it is not our strength that you fear, but our voice; when we cry out ‘the Lord is one!’ — that makes your shattered heart tremble. Deep in your heart, you realize... that ‘the Lord is one’ nullifies your very essence, that you succeed insofar as other men, men just like you, fail. You will feel ashamed so long as there are Jews who cry out ‘the Lord is one’ [and conclude from this] that since we all have one father, brothers should not betray one another. The yellow beast among you will tremble and be seized with horror before the Jew.”

The same follows for the *mafgiya* and the Leviathan:

“A small *kilbit*, what inspires it to battle the mighty Leviathan? If the latter opens its mouth will not the former find therein its grave? If it strikes with its tail, will not the many waters overwhelm? The *kilbit* discovered a unique stratagem: it enters the ear of the fish. The Leviathan may become enraged... it may stir up mighty waves in the great ocean so that the rest of the sea creatures tremble... but for nought; the *kilbit* has found a safe place in the depths of the Leviathan’s ear.”

The power of the *mafgiya*, of the *kilbit*, is not in their numbers or in their ability to overcome with arms the great Leviathan, the roaring lion. “Strength” Don-Yahiya says, “is not quantitative, but qualitative; if it is true that the stronger swallows the weaker and that the mighty are the victors, this is also the case in the realm of the spirit: he who is stronger in spirit swallows he who is weaker.” Their power lies in the force of a moral truth that cannot be ignored: “in the end, the voice of Israel, the truth, will penetrate the ear of the Leviathan” so that “everyone will recognize that God alone is king” and that “we all have one father.” This moral truth precludes violence, it precludes what lions and Leviathans do, so that, then, “no man will rise up against his brother to murder him, nor

¹⁴³ Cf. Avoda Zara 39b-40a, however, where it is indicated that the *kilbit* is a tiny, ritually pure, fish.

will they send the best of their children and their brothers to fight in wars and to be slaughtered.”¹⁴⁴

Don-Yahiya thus endeavors to communicate a universal message of human solidarity in authentically Jewish language. Though he does not explicitly say so, it is almost impossible not to hear, in his account of Jewish opposition to the Leviathan, a veiled reference to of Hobbes and, to that extent, a Jewish condemnation to the state and the way that it maintains the sovereignty of its authority through a monopoly on violence. Consequently, is it difficult not to hear, in the voice of the *kilbit* or the *mafgiya*, a claim to the effect that faith in God adequately construed implies the effective force of moral opposition to the state — it is to impose moral insight on the powers that be, not by force of arms but with the truth that makes free. Thus, like Tolstoy, if Don-Yahiya condemns revolutionary violence, it is not because he rejects the revolutionary ideal; it is because he demands that the means and ends thereof correspond. If the end of revolution is human equality, that the strong not dominate the weak, then the revolution must realize in itself precisely that. Real power is not a quantitative force, it has no need of weapons or military men to wield them; it is the qualitative force of moral truth.

A last and final point to raise before concluding this section, Don-Yahiya addresses the existential component of the good life that, for him, includes the just life. Drawing explicitly on Tolstoy’s *Confession*, he writes that:

“Even when human equality is realized so that there obtains neither capitalist nor worker, neither strong nor weak, but all men live together, drawing from the same purse and sharing the same sum of wealth — and, indeed, any true believer will certainly approve of the means necessary to improve the human condition — will it be that, without faith, all men will then be rich? No. Without faith, there is no true wealth in life. Even when everyone has what to eat and drink, experiences neither need nor worry in this respect, man — as a rational being — will be concerned for the purpose and object of his life. Has he been born only to eat and drink for seventy or eighty years and then to die like an animal? [Moreover,] even if one seeks consolation in the sciences... if these demonstrate to us that there is a higher providence that leads mankind to some end, only then shall we consolation be found. Schopenhauer and Tolstoy had what to eat and drink; they also knew all the sciences of their day. Nonetheless, both were troubled by the purpose of life — so much so that the latter arrived at the necessity of faith, as he relates in his *Confessions*.”¹⁴⁵

Tolstoy’s existential crisis is what spurred him to the question of faith which, in turn, lead him to discover the sanctity of justice. For Don-Yahiya, that same crisis serves to demonstrate that the sanctification of justice is indispensable not only for the sake of justice — so that it has an unshakeable ground — but also for the sake of the men and women who pursue it. It has eternal meaning *for them* — it makes their lives meaningful — because it is holy.

¹⁴⁴ Don-Yihiya, Y.L. 1930. Bikurey Yehuda. Vol. 1. Pp. 10-12.

¹⁴⁵ Ibid. p. 22. Cf. p. 33.

So, let us now gather together the results of our foray into Don-Yahiya's reception of Tolstoy. First, we endeavored to dispense with the most obvious objection to interpreting Don-Yahiya as operating within the anarchist tradition; namely, his ardent affirmation of the Zionist cause. In sum, it was indicated that a crucial distinction is to be made between ingathering or settlement and statecraft. Don-Yahiya embraces the former and has nothing at all to say about the latter; it is simply ignored as an option. The purpose of settlement, so far as he articulates it, is first of all a matter of the spiritual and cultural revival that he supposes unfolds from communal autonomy, from the ability of Jewish communities to develop unrestrained by external forces — be they cultural, legal, or economic. For those familiar with the history of Zionism, we can aptly place Don-Yahiya in relation to Ahad ha-Am — which, in any case is unsurprising granted that they were both, in Volozhin, members of Netsah Yisrael (indeed their personal connection is indicated in several of the extant historical sources).

Having dispensed with this objection, we proceeded to examine Don-Yahiya's doctrine and its relation to Tolstoy's. Don-Yahiya argues that the essential teaching of the Torah is the existence and unity of God and that this is coupled, on the one hand, with an absolute affirmation as to the sanctity of life and, on the other, as to the moral necessity of non-violence. In a tone both clearly reminiscent of Tolstoy's and explicitly articulated in relation to Tolstoy's works of nonfiction, he maintains that faith is the necessary condition for justice, be it interpersonal, international, or inter-class. Without it, justice has no guarantee or firm footing. We found, furthermore, that he views economic injustice through the same lense and, like Tolstoy, considers exploitation to be inconsistent with faith. He maintains, however, that it is only through faith that the revolution can succeed and that the method of revolution must be consistent with faith. That is, it must be conducted in a way that rejects the equivalence of might and right, that construes power as a quantitative factor rather than a qualitative one grounded in the insistent and incessant voice of moral truth. This is the power of the *kilbit* over the great Leviathan. In brief, he appeals, like Tolstoy, to passive resistance and moral persuasion. Finally, we discovered that Don-Yahiya was inspired by the existential force of Tolstoy's *Confessions*, which allowed him to demonstrate that, even assuming the accomplishment of true justice, faith is a necessary component of happiness.

IV. Abraham Judah Heyn's Reception of Tolstoy

Though perhaps better remembered than Don-Yahiya among some older Habad hasidim, Rabbi Abraham Judah Heyn has, likewise, been almost forgotten outside of that small circle. As I did prior to examining Don-Yahiya's writings, I therefore propose to digress in order to introduce

the man in question, contextualizing his views by explaining where he came from. Highlighting his biography, moreover, enables us to propose an informal genealogy of some of the ideas we have been tracing in their Jewish incarnation, for the life stories of Heyn and Don-Yahiya intersect to some degree. While the sources supply us with no evidence as to whether they personally knew each other, it is tempting to speculate that their shared views were more than the result of mere coincidence.

Abraham Judah Heyn was born in 1880 in the Ukrainian city of Chernihiv — i.e. where Don-Yahiya would later assume a rabbinical post. His father, David Tsvi Heyn, served as the Chief Rabbi of the city, a position he inherited from his own father, Rabbi Perets Heyn.¹⁴⁶ The Heyn family traced its roots to Sha'altiel Heyn of Barcelona, Spanish scion of the Roshey Galuta of Babylon, and thence — like Don-Yahiya — to the davidic lineage.¹⁴⁷ More recently than the 13th century, however, the family joined the Habad hasidic movement at its very inception and had, over time, become pillars thereof, leaders of communities and carriers of tradition.¹⁴⁸ Reflecting this close connection, David Tsvi Heyn was one of only three men ordained by the Rebbe Maharash, the fourth head of that movement, and then went on to gain a well-deserved reputation as an authority in matters of both Jewish law and hasidic thought.

Unlike many other young men of his station in life, Abraham Judah was was not sent away to an elite talmudic academy, but educated at home by his father, of whom he would later speak with the utmost respect: “a father, a hasid, an elder, he was,” said the son, “a Rebbe in the highest sense of the word. He was my sanctuary and, perhaps most astonishing, my friend and my home. My deepest wish was to be nothing more than the dust beneath his feet.”¹⁴⁹

After this period of training, Abraham Judah obtained private rabbinical ordination from Rabbis Mordechai Dov Twersky of Hornosteipel, Ukraine, and Yehezkel Lifshitz of Kalisz, Poland.¹⁵⁰ He then went on, in the year 1909, to assume a rabbinic post in Novozybkov, Russia.¹⁵¹

¹⁴⁶ Gotlieb, S.N. 1912. “Novozybkov.” Ohaley Shem. Pinsk: Defus Glouberman. P. 126.

¹⁴⁷ Laine, E. 2013. “Kuntres Teshuot Heyn: Helek Rishon.” Sefer Shaalos U'Teshuvos Avnei Chein. New York: Kehot. pp. 259-319; Heyn, A. 1931. Lenahameyni. Tel Aviv: Self published. Pp. 70-71.

¹⁴⁸ Indeed, Perets Heyn — who was born in 1797 and died in 1883 — had the unique distinction of having met each of the Habad Rebbes with the exception of the last (albeit he died while the boy who was to become the 6th Rebbe was still a young child).

¹⁴⁹ Heyn, A. 1931. Lenahameyni. P. 16. This being said, the text was written shortly after his father's death in 1926 (thought, for personal reasons, it was not published until several years later. See *ibid.* P. 51). It is arguable that this trauma intensified other feelings.

¹⁵⁰ Mordechai Dov Twersky was the author of multiple works in Jewish law, including *Emek She'ala*, *Emek ha-Hohma*, and *Turey Zahav*, and hasidic thought, such as *Pele Yo'ets*. Yehezkel Lifshitz is the author of *Ha-Midrash ve-ha-Mishpat*.

¹⁵¹ Gotlieb, S.N. 1912. “Novozybkov.” Ohaley Shem. Pinsk: Defus Glouberman. P. 126. The introduction to the first volume of his major work, however, has 1910 (Heyn, A. 1958. *Be-Malkhut ha-Yahadut*. Vol. 1.

Shortly thereafter, the infamous Beilis affair — a modern revival of the ancient blood libel — took place, which inspired Rabbi Heyn to pen some of his earliest works, “Judaism and Blood”¹⁵² and “Concerning Blood,” which were written in Russian for the purpose of educating the gentile public not just about the absurdity of the libel from the standpoint of Jewish law, but also about the nature of Jewish ethics in general.¹⁵³

Heyn remained in Novozybkov through the beginning of the Russian Revolution, but under pressure from the authorities, was forced to flee by 1919.¹⁵⁴ Stopping first in Białystok, Poland he learned there that his brother, Menahem Mendel Heyn — the Rabbi of Nizhin, Ukraine — had been murdered by rioters.¹⁵⁵ This loss was to affect his thinking for the remainder of his life. After attending to affairs related to the tragedy and unable to extract other family members from the country,¹⁵⁶ Heyn relocated to Sopot, a small city near the free city of Danzig, Poland. There, he was appointed Chief Rabbi and soon began his lifelong task of developing a Jewish theory of non-violence,¹⁵⁷ a theory explicitly linked to the rejection of the state as a legitimate form of Jewish political organization.¹⁵⁸ At the same time, he also began to take a more active role in the religious

Jerusalem: Mossad ha-Rav Kook. p. 7).

¹⁵² This text was written in 1911 in Russian and later translated into Hebrew by Shoshana Heyn-Zahavi (Heyn, A.Y. 1958. *Be-Malkhut ha-Yahadut*. Vol. 1. Jerusalem: Mossad ha-Rav Kook. p. 13, footnote). See Hillel Zeitlin’s glowing review of this text in Zeitlin, H. “Vos es Muz Getun Veren.” *Der Moment*. 11/20/1913. P. 2.

¹⁵³ However, they were soon translated. See “Osher Sifruti.” *Ha-Mizrahi*. 08/05/1920. P. 2.

¹⁵⁴ Goldschlag, Y. “Ha-Rav Avraham Heyn: Ish ha-Atsilut.” *Ha-Tsafa*. 09/16/1955. P. 7. [reprinted as Goldschlag, Y. “Ha-Rav Avraham Heyn ve-Yetsirato.” *Or ha-Mizrah*. Vol 2(10). March 1956. Pp. 42-44, 47].

¹⁵⁵ Heyn, A. 1931. *Lenahameyni*. P. 56; Heyn, A. 1958. *Be-Malkhut ha-Yahadut*. P. 7.

¹⁵⁶ Schneersohn, Y.L. 2010. “Letter dated April 17, 1929.” *Igrois Koidesh*. Vol. 16. P. 460. New York: Kehot. This letter from Rebbe Rayatz indicates that Heyn was looking for assistance getting family members out of Russia. The Rebbe essentially tells him that he doesn’t have the ability to make that happen.

¹⁵⁷ Viernik, P. “Unser Fil-Shprakhliche Literature.” *Der Morgen Journal*. 12/11/1921. P. 6. Viernik summarizes this text as follows: “‘Do not Kill,’ by Abraham Heyn is a Jewish-Individualistic polemic against the spilling of blood, all circumstances of which must be excluded from a Jewish public. A Nietzsche or a Ludendorff might say that these are the claims of a weak people or a weak race, that human nature, which seeks power and rule, yearns to fight and to murder. They might say that blood-lust is more natural than mercy. But, as Abraham Heyn writes, a Jew will have nothing to do with such things.” Later in life, Heyn reported that he had been influenced by an article in *Tsefira* entitled “Parshat ha-Korbanot,” a text about the sanctity of life and against war (Goldschlag, Y. “Ha-Rav Avraham Heyn: Ish ha-Atsilut.” *Ha-Tsafa*. 09/16/1955. P. 7. [reprinted as Goldschlag, Y. “Ha-Rav Avraham Heyn ve-Yetsirato.” *Or ha-Mizrah*. Vol 2(10). March 1956. Pp. 42-44, 47].

¹⁵⁸ One report summarizes Heyn’s “Tsum Oyfbay fun a Yudishkeyt Melukha (Naye Zamel Bikher fun Hillel Zeitlin.” *Unser Ekspress*. 10/17/1932. P. 4) as follows: “We do not need a Jewish State like the political Zionists say, we need a state of ‘Jewishness.’ Rabbi Heyn preaches a sort of religious *Ahad ha-Am* doctrine (“Fun Bikher Tisch.” *Unser Ekspress*. 11/04/1932. P. 10).” Yet, this claim is somewhat mitigated by his participation, years later, in a rally in favor of a theocratic state (“Shabbat ha-Shekel mi-Ta’am ha-Mizrahi.” *Ha-Tsafa*. 03/05/1948. P. 8) and the view he seems to have supported that the foundation of the State of Israel represented a step toward redemption (“Daat Torah.” *Ha-Tsafa*. 01/21/1949. P. 6; “Im Olim Datiyim be-Eyn Kerem.” 08/26/1949. *Ha-Tsafa*. P. 6; “Tatspit Agav.” 05/12/1957. P. 2; Goldschlag, Y. “Shelev be-Tahalikh ha-Geula: Mitokh Siha im ha-Rav Avraham Heyn.” 05/05/1957. P. 7). Still, one can perhaps draw a distinction between what follows from one’s thoughts and what one does day to day.

Zionism¹⁵⁹ — which his elder, Don-Yahiya, had had a hand in constructing — establishing a correspondence with A.Y. Kook, then the figurehead of that movement and a man whose life and work would continue to engage him for many years.¹⁶⁰

At this time, too, Heyn made the acquaintance of another prominent figure in the world of Jewish thought, Hillel Zeitlin,¹⁶¹ who was eventually to come to his aide in a difficult confrontation within the Jewish community of Sopot. It is through Zeitlin's impassioned defence, in fact, that we first learn what actually transpired. The introduction to the first volume of Heyn's posthumous *Be-Malkhut ha-Yahadut*, it is reported that he left Sopot in 1934 due to rising Nazi power there.¹⁶² This is false. In an article published in *Der Moment* in 1930, Zeitlin reports that, in spite of Heyn's tireless and also rather successful efforts to enrich Jewish life in that city,¹⁶³ he faced a great deal of opposition from more assimilated German Jews for whom "Rabbi Heyn [was] indeed a strange man" and who, more generally, resented his refusal "to flatter anyone or ignore their faults" — i.e. their non-compliance with Jewish law and their tendency to overestimate the significance and stability of their place in European society.¹⁶⁴ This faction, together with a group of more

¹⁵⁹ "Poylishe Rabanim tsum Folk: Tsu Unsere Brider Yuden in Poylen." *Der Moment*. 09/18/1925. P. 1; Klarmen, Y. "Der Velt-Tsuzamenfar fun Bris-Trumpeldor in Danzig: Jabotinsky's Groyser Ideologischer Report." *Haynt*. 04/15/1931. P. 4.

¹⁶⁰ Heyn, A. 1946. "Letter to Rabbi A.Y. Kook: Erev Shabbat ha-Gadol 1928." *Igrot le-Raya*. Shapiro, B. ed. Jerusalem: Makhon le-Hotzeyt Seforim. p. 341. 10/04/1935. "Hadaash ba-Arets." *Davar*. P. 4; Heyn, A. "Rabeynu Avraham Yitshak ha-Kohen Kook ZTs" L: Shenatayim le-Petirato." *Ha-Tsafa*. 08/09/1937. P. 2; Heyn A. "Le-Zikhro." *Ha-Tsafa*. 08.13/1937. P. 2; "Azkarot le-Maran ha-Rav Kook." *Ha-Tsafa*. 08/26/1941. P. 1; "Be-Hog ha-Raya be-Yerushalayim." *Ha-Tsafa*. 09/03/1945. P. 3; Heyn, A. 1946. "Ha-Rav." *Be-Magley Hog ha-Raya*. Lifshitz, H. ed. Jerusalem: Mosad ha-Rav Kook. pp. 7-10.

¹⁶¹ "Vos Zogen Groyse Geonim un Dikhter vegen di Dermante Sforim?" *Grodner Moment Ekspress*. 02/10/1929. P. 4. Vos Zogen Groyse Geonim un Dikhter vegen di Dermante Sforim?" *Grodner Moment Ekspress*. 02/17/1929. P.4. On Zeitlin, see Green, A. 2012. *Hasidic Spirituality for a New Era: The Religious Writings of Hillel Zeitlin*. New York: Paulist Press.

¹⁶² Heyn, A. 1958. *Be-Malkhut ha-Yahadut*. Vol. 1. P. 7. The Nazis did not actually take control of the government of the free city until 1935-36.

¹⁶³ Zeitlin writes that "While in Sopot, Rabbi Heyn put the life of the community in order and awakened in the Jews of Sopot a long dormant love of the Torah. He gave many classes in Halakha and Aggadah in order to improve Jewish education, he repeated hasidic *maamarim* and lead community members in discussions of hasidic philosophy about elevating and illuminating character traits. In a word, In a community like Sopot — which was once distant from such things — he did what one must in order to spread the true spirit of Torah and piety (Zeitlin, H. "Di Geistige Inuyim fun Unsere Besere Rabanim: Tsu Der Bezondere Oyfermerkamkeyt fun di Yuden in Sopot." *Der Moment*. 11/21/1930. P. 4).

Zeitlin's support was not forgotten. In 1929, Heyn spoke appreciatively of Zeitlin's work "Abraham Heyn wrote in *Ha-Tsefira* that 'Hillel Zeitlin made many plans for a godly paradise. But the last plan uplifts all men with its heavenliness and holiness ("Vos Zogen Groyse Geonim un Dikhter vegen di Dermante Sforim?" *Grodner Moment Ekspress*. 02/10/1929. P. 4)." Many years later, this same appreciation remained as fresh as ever. See "Tel Aviv." *Ha-Tsafa*. 11/15/1945. P. 2; "Kinus Hityahdut im Zikhro shel R. Hillel Zeitlin." 09/23/1946. *Ha-Tsafa*. P. 4; "Le-Zakhro shel Zeitlin." *Ha-Boker*. 10/01/1946. P. 2.

¹⁶⁴ Neiman, Y.M. "Absurd in Danzig." *Haynt*. 01/24/1936. P. 9. Neiman indicates the worsening position of Jews in Danzig around the time that the Nazis took it over. He reports a conversation he had with Heyn a few years

secularized Russian-Jewish refugees, endeavored to “free themselves” from the Rabbi by taking over the community council, which would empower them to terminate his contract. Though this effort was ultimately unsuccessful,¹⁶⁵ the atmosphere of tension it created persisted and, as such, rendered untenable an extended tenure, other circumstances aside.

Thus do we find that Heyn left Sopot shortly thereafter, relocating first to Bialystok,¹⁶⁶ Poland and, by 1932, and resettling in Paris,¹⁶⁷ where he served as a rabbi among the Russian refugees there.¹⁶⁸ This endeavor, however, was short-lived and by 1935 Heyn had emigrated to Palestine,¹⁶⁹ settling first in Tel Aviv, where he quickly assumed a leading role in the Habad community and in the life of the city generally.¹⁷⁰ For a very short period, he served as Rav ha-Carmel in Haifa,¹⁷¹ but abandoned that position in the Spring of 1937 in order to serve as head of the recently founded Beyt ha-Midrash Ha-Rambam in Jerusalem, a synagogue and study-hall established in honor of the 800th anniversary of Maimonides’ birth and dedicated to the study of Jewish thought in all its manifestations.¹⁷² In this role, and also in his later role (from 1941-1954) as rabbi of the Beyt Keren neighborhood in Jerusalem,¹⁷³ Rabbi Heyn lectured multiple times weekly on all aspects of Jewish law and lore, emphasizing, however, the Habad tradition generally and his own take on it in particular.¹⁷⁴

before, in which the rabbi expressed his skepticism as to the value of Jewish patriotism in Poland and Germany and his doubts as to whether the material wealth of Jews there would protect them. Sadly, Heyn was all to prescient.

¹⁶⁵ “Di Anhenger fun ha-Rav Heyn Gezigt by Sopoter Kehilah-Vahlen.” *Der Moment*. 12/17/1930. P. 4.

¹⁶⁶ Goldshlag, Y. “Ha-Rav Avraham Heyn: Ish ha-Atsilut.” *Ha-Tsafa*. 09/16/1955. P. 7. [reprinted as Goldshlag, Y. “Ha-Rav Avraham Heyn ve-Yetsirato.” *Or ha-Mizrah*. Vol 2(10). March 1956. Pp. 42-44, 47]; Wolf, Z. 2015. *Admurey Habad ve-Yahadut Tsarfat*. Paris: Keren Shmuel Beyt Lubavitch. P. 157.

¹⁶⁷ “The rabbi fled from that place and is now living with his family in Paris, among other Russian-Jewish immigrants (Yeyushson, B. “Ha-Rav Avraham Heyn.” *Haynt*. 08/14/1932. P. 4).” Here, we see that Heyn had left by 1932. The introduction to the first volume of *Be-Malkhut ha-Yahadut* — which states that this took place in 1934 — is therefore incorrect.

This being said, I wish to report two sources which confuse me. A rabbi Abraham Heyn appears in the Palestinian city of Eyn Harod as early as 1932 (“Shemot Potrey ha-Hidot be-Musaf le-Yeladim.” *Davar*. 01/15/1932. P. 4; “Shemot Potrey ha-Hidot.” *Davar*. 05/17/1935. P. 18). Is it possible that Heyn visited the holy land after leaving Sopot but before settling in Paris? Or is this Abraham Heyn a different man altogether?

¹⁶⁸ Goldshlag, Y. “Ha-Rav Avraham Heyn: Ish ha-Atsilut.” *Ha-Tsafa*. 09/16/1955. P. 7. [reprinted as Goldshlag, Y. “Ha-Rav Avraham Heyn ve-Yetsirato.” *Or ha-Mizrah*. Vol 2(10). March 1956. Pp. 42-44, 47]; Wolf, Z. 2015. *Admurey Habad ve-Yahadut Tsarfat*. Paris: Keren Shmuel Beyt Lubavitch. P. 157.

¹⁶⁹ Shaarey Tsiyon. Belzer, S. & Zislensky, A.Y. eds. Nisan-Siva 5695. P. 35.

¹⁷⁰ Yud-Tet Kislev be-Tel Aviv.” *Ha-Boker*. 12/20/1935. P. 7; “Luah.” *Doar ha-Yom*. 01/03/1936. P. 9; “Tel Aviv.” *Davar*. 1/22/1937. P. 5.

¹⁷¹ A.H.A. “Ha-Rav Avraham Heyn Aynenu.” *Davar*. 10/06/1957. P. 6.

¹⁷² “Be-Mosdot Yerushalayim u-be-Argonia.” *Ha-Hed*. Vol. 12(8). April 1937. Pp. 19-20; Soker, Y. “Be-Beyt Midrash ha-Rambam.” *Ha-Hed*. Vol. 12(9). May 1937. Pp. 16-17.

¹⁷³ Heyn, A. 1958. *Be-Malkhut ha-Yahadut*. Vol. 1. Jerusalem: Mossad ha-Rav Kook. p. 8; “Be-Arim u-be-Moshavot.” *Ha-Tsafa*. 03/14/1941. P. 3; “Oneg Shabbat be-Beyt ha-Kerem.” *Ha-Mashkif*. 08/12/1941. P. 3.

¹⁷⁴ The evidence of these lectures is tremendous. Citing exhaustively all the notices I have found in the digital archives of the National Library of Israel would be tedious. I supply here, a small selection: *Yerushalayim*.”

Two years later, in 1939, Rabbi Heyn was selected to head the Center for Religious Culture¹⁷⁵ — which, in 1949, was absorbed by the State, becoming the Department of Religious Culture and later the Office of Cultural Education.¹⁷⁶ In this position, he expanded his role as an authority on educational, religious and cultural affairs,¹⁷⁷ and eventually assumed seats on the General Council of the Office of Language and Culture,¹⁷⁸ and on the Council on Knowledge and Faith — which was dedicated to publishing works of Jewish thought.¹⁷⁹

Retiring from all of these positions by 1954, Rabbi Heyn devoted the last few years of his life to writing and, primarily, to organizing his literary estate so that his essays could be collected and published in book form. He did, however, accept a position as principal of a national-religious school in Beyt Shemesh¹⁸⁰ — one which he was never to fill. On the Sabbath of Penitence in the year 1957, Heyn lectured publicly on the way in which Abraham stood up to God in defence of the people of Sodom — exemplifying character traits that every Jew, every person, should cultivate. After his lecture, he fell ill and had to be transported to the hospital. Shortly thereafter, on morning of the Day of Atonement, Rabbi Heyn passed away at the age of seventy-nine.¹⁸¹ He was buried in

Ha-Tsafa. 09/14/1937. P. 4; Shabatai, D. “Hareyni Mitkabel le-Hatsig.” Ha-Tsafa. 12/27/1937. P. 9; Zevin, S.Y. “Me-Sipurey ha-Hasidut.” Ha-Boker. 01/21/1938. P. 8; “Seminar Kayits: Limudey Ivrit le-Mevugarim.” Davar. 01/29/1938. P. 8; “Yerushalayim.” Ha-Tsafa. 02/21/1938. P. 4; “Yerushalayim.” Ha-Tsafa. 02/21/1938. P. 4; “Yerushalayim.” Ha-Tsafa. 04/15/1938. P. 5; “Yerushalayim.” Ha-Tsafa. 04/29/1938. P. 1; “Yerushalayim.” Ha-Tsafa. 04/29/1938. P. 1; R.B. “Nekudot.” Ha-Tsafa. 08/12/1938. P. 2; “Tel Aviv.” Ha-Tsafa. 09/25/1938. P. 4; “Yerushalayim.” 10/27/1939. P. 4; “Yerushalayim.” 12/06/1940. P. 3; “Yerushalayim.” Ha-Tsafa. 02/14/1941. P. 3; “Yerushalayim.” Davar. 04/12/1947. P. 5; “Yerushalayim.” Davar. 04/23/1947. P. 8; “Yerushalayim.” Ha-Tsafa. 08/01/1947. P. 8; “Yerushalayim.” Ha-Tsafa. 11/14/1947. P. 8; “Yerushalayim.” Ha-Tsafa. 09/02/1948. P. 4; “Yerushalayim.” Ha-Tsafa. 10/08/1948. P. 6; “Yerushalayim.” Ha-Tsafa. 11/11/1948. P. 4; Elhanani, A.H. “Im ha-Rav Avraham Heyn.” Davar 11/18/1955. P. 5.

He held regular classes in *Tana de-Vey Eliyahu, Tanya, and Mishneh Torah*. “Yerushalayim.” Ha-Tsafa. 07/07/1944; “Yerushalayim.” Ha-Tsafa. 07/28/1944. P. 7; “Yerushalayim.” Ha-Tsafa. 11/10/1944. P. 8; “Yerushalayim.” Ha-Tsafa. 05/11/1945. P. 5; “Yerushalayim.” Ha-Tsafa. 06/01/1945. P. 7; “Yerushalayim.” Ha-Tsafa. 04/13/1945. P. 7. See also R.B. “Nekudot.” Ha-Tsafa. 01/11/1938. P. 2, where his teaching of Maimonides by drawing on multiple sources throughout machshevet yisrael is acclaimed

¹⁷⁵ Zohar, H. “Mosad ha-Rav Kook: Reyshito u-Meyasdav, Terumato le-Haker Erets Yisrael ve-ha-Tsiyonut ha-Datit.” *Sinai: Maamarim u-Mehakrim be-Torah u-be-Mada’ay ha-Yahadut*. Tammuz-Elul 5763. Vol. 132. Movshovits, Y.E. ed. P. 132.

¹⁷⁶ “Ha-Memshala Kibla le-Yadeha et Mahleket ha-Tarbut me-Yesodo shel ha-Vaad ha-Leumi.” Ha-Tsafa. 01/17/1949. P. 4.

¹⁷⁷ “Niftah ha-Kinus le-Hinukh ha-Mizrahi.” Ha-Tsafa. 12/11/1939. P. 1; “M. Usishkin Poteyah et Kinuse ha-Lashon be-Na’um Hagigi ba-Hadera.” Ha-Boker. 01/02/1941. P. 4

¹⁷⁸ “Prof. Klosner Nasi le-Mosad le-Lashon ve-Tarbut.” Ha-Mashkif. 07/06/1945. P. 2; “Ha-Moatsa ha-Artsit shel ha-Mosad le-Lashon ve-Tarbut.” Ha-Tsafa. 07/07/1945. P. 3; “Sofrim u-Sefarim.” Ha-Tsafa. 06/28/1946. P. 6; “Bishviley Tarbut le-Am.” Ha-Tsafa. 11/06/1947. P. 3; “Be-Mizrahi Ba-Arets.” Ha-Tsafa. 09/03/1948. P. 6.

¹⁷⁹ “Sofrim u-Sefarim.” Ha-Tsafa. 06/28/1946. P. 6.

¹⁸⁰ “Po ve-Sham.” 09/15/1957. Ha-Tsafa. P. 2.

¹⁸¹ A.H.A. “Ha-Rav Avraham Heyn Aynenu.” Davar. 10/06/1957. P. 6; Zevin, S.Y. “Yayin Mefahe.” Ha-Tsafa. 11/08/1957. P. 5.

the Sanhedria cemetery in Jerusalem.¹⁸²

Following his death, his friends and disciples (such as they were)¹⁸³ gathered at his home frequently for study and prayer and also so as to facilitate the publication of his work.¹⁸⁴ As a few others had noted years ago, the anarchic implications of Rabbi Heyn's absolute insistence on the sanctity of human life were not entirely lost on his first readers.¹⁸⁵ However, this aspect of his writings has not been adequately thematized and it is for this reason that we now return to it.

In the first place, it is necessary to remark that, if Don-Yahiya's approach to topic under discussion was grounded in the recognition of the one God, creator of the universe and father of all mankind which was then taken to imply that all men are brothers and that, on this account, the legitimization of violence is unthinkable, Heyn's approach is grounded otherwise, but arrives at the same result. According to Heyn, the moral impossibility of violence arises from the prohibition of murder, "thou shalt not kill (Exodus 20:13)," which — as I will explain, he takes to imply the absolute sanctity and inviolability of the human individual. Interpreted in its utmost simplicity, Heyn derives from the prohibition equally radical results.

Before proceeding to elaborate these, I believe that it is necessary to devote some effort to justify my claim that Heyn should be read as an inheritor of Tolstoy. Unlike Don-Yahiya, who directly quotes Tolstoy, thus making the line of transmission altogether explicit, Heyn is much more circumspect. In the third volume of *Be-Malkhut ha-Yahadut*, Heyn speaks of the relation between the "life of the soul" and "knowledge," the tree of life and the tree of knowledge; so long, he says,

¹⁸² "Ha-Rav Avraham Heyn le-Menuhato." Davar. 10/07/1957. P. 4; Niftar ha-Rav Avraham Heyn." Ha-Tsafa. 10/06/1957. P. 1; "Agav." Ha-Tzafa. 10/09/1957. P. 2. For immediate gatherings in his honor see "Hitvadut le-Zikhro shel ha-Rav Avraham Heyn Z"L." Ha-Tsafa. 10/22/1957. P. 3; "Be-Beyt Midrasho shel Ha-Rav Avraham Heyn Z"L." Ha-Tsafa. 11/13/1957. P. 3.

¹⁸³ It is reported that "Rabbi Abraham Heyn felt alone. It seems that he believed he had no real followers, though it appeared that he had many, even on the left (Tzvi. "He-Hasid, ha-Hogeh, Ha-Holem: Shana le-Petirato shel ha-Rav Avraham Heyn Z"L." Ha-Tsafa. 09/23/1958. P. 5)."

¹⁸⁴ "Nefesh le-ha-Rav Avraham Heyn Z"L." Ha-Tsafa. 10/25/1957. P. 2; "Shana le-Petirat ha-Rav Avraham Heyn Z"L." 09/19/1958. P. 7; Asifat Zikaron le-ha-Rav Heyn Z"L." Ha-Tsafa. 10/09/1958. P. 3; Tzvi. "He-Hasid, ha-Hogeh, Ha-Holem: Shana le-Petirato shel ha-Rav Avraham Heyn Z"L." Ha-Tsafa. 09/23/1958. P. 5; Elhanani, A.H. "Perushim Hadashim oh Megamot Hadashot?" Davar. 12/01/1967. P. 7; Yotam. "Shalem Yeshalem ha-Mavir et ha-Be'ira." Davar. 08/09/1983. P. 9.

¹⁸⁵ "He deals primarily with the holiness of life, the individual from a Jewish standpoint, Jewish ethics, the relation between general and particular, and the relationship between individuals and the community. A longstanding pacifist, he rejects all war and opposes any national or individual liberation that requires human sacrifice or the spilling of blood. He is therefore supportive of the "Ihud" and of "Brit Shalom" ("Yevul Sifruteynu be-Shenat 5719." Ha-Tsafa. 10/02/1959. P. 10). It is also pointed out that the absolute sanctity of life implies that "nobody has authority over any man except he himself (Turks, Y. "Malkhut ha-Yahadut shel ha-Rav Heyn." Ha-Tsafa. 10/07/1962. P. 4)."

as the latter does not “*sprout from*” the former will it be “a curse for the world and a curse for man.” Here, I emphasize the notion of “sprouting from;” what Heyn wishes to communicate is that it is not simply a matter of synthesizing secular and sacred ways of knowing or of explaining the one in light of the other. Rather, it is somehow a matter of understanding the world through the Torah. It is not entirely clear to me what he has in mind, but the point, so far as I am concerned here, is that Heyn resists the apologetic tendency of Jewish thought which vigorously endeavored “to bedeck Judaism with all sorts of adornments so that its faithful children would not be embarrassed,” uniting “Heidelberg with Eisiskes [in Lithuania] or Cambridge with Lubavitch” — i.e. the centers of Western learning with Jewish scholarship — in order to “impress the Kaiser,”¹⁸⁶ or the gentile world generally. Thus, he states later, “I am not in the habit of referencing external sources”¹⁸⁷ — i.e. sources existing outside of Jewish canonical literature. Whatever it is that he presents as the authentic message of Judaism, he wishes to articulate it as arising only from the historical sources thereof. And he is right; while passing references to representatives of the European intellectual tradition appear throughout his writing, he rarely quotes or deals directly with their work.¹⁸⁸ As such, though mention is made of Tolstoy, his work is not thematized directly. This complicates any effort to demonstrate a line of transmission.

Still, I think that the case can be made. Beginning with the external and more peripheral evidence, the title of his work “*Be-Malkhut ha-Yahadut* (The Kingdom of Judaism),” seems to be a play on Tolstoy’s more famous “The Kingdom of Heaven is Within You.” This reference is born out by the fact that within the text he states that “above all, it is upon us to found the *Kingdom of Judaism within us*.”¹⁸⁹ Furthermore, that he arrives at conclusions concerning the essential nature of Judaism that, as we shall see, are so very similar to those of Don-Yahiya and that he came from the very town in which Don-Yahiya — who was forthrightly a student of Tolstoy — taught cannot, in my view, be coincidental. More substantially, I think that the train of Heyn’s thinking and the basic theological language he uses can be traced to something like a “minor thread” in Tolstoy’s work that makes its first appearance in the *Four Gospels Harmonized* and turns up from time to time in several of his less-studied essays. Before proceeding to examine Heyn’s work directly we should, therefore, briefly digress to show how Tolstoy’s thought plays out in those texts.

¹⁸⁶ Heyn, A.Y. 1970. *Be-Malkhut ha-Yahadut*. Vol. 3. Jerusalem: Mossad ha-Rav Kook. p. 343.

¹⁸⁷ *Ibid.* p. 417.

¹⁸⁸ Though he does reference Tolstoy in Heyn, A.Y. 1963. *Be-Malkhut ha-Yahadut*. Vol. 2. Jerusalem: Mossad ha-Rav Kook. p. 192.

¹⁸⁹ Heyn, A.Y. 1958. *Be-Malkhut ha-Yahadut*. Vol. 1. Jerusalem: Mossad ha-Rav Kook. p. 241.

In his *Four Gospels Harmonized* of 1881, Tolstoy writes of “the first little rule of Jesus” which enjoins taking to heart “the commandment, thou shalt not kill, the purpose of which is that men in their badness should not harm each other;” Jesus, he explains says “not only shalt thou not kill, but thou shalt have no anger against thy brother, and if thy brother be angry with thee, make thy peace with him.”¹⁹⁰ Here, the Mosaic injunction is interpreted as the weaker precedent to a more comprehensive Christian teaching. The same basic treatment appears in his 1895 “Epilogue to Drozhzhin’s Life and Death,” although here, the Mosaic teaching is explicitly incorporated into the Tolstoy’s broader critique of militarism; if in a less profound way, he believes that it implies, like the Christian teaching, the moral obscenity of military service.¹⁹¹ By 1901, however, we find that the Mosaic command takes on more force unto itself. In his “Soldier’s Memento,” Tolstoy writes that:

“In the law of Moses it says distinctly, “Thou shalt not kill,” without any explanations as to who may be killed and who not... You are told that you must kill, because you have taken the oath, and that the authorities, and not you, will be responsible for your acts. But before you swore, that is, promised people to do their will, you were even without an oath obliged in everything to do the will of God, of Him who gave you life, — but God has commanded us not to kill.”¹⁹²

Here, the whole weight of Tolstoy’s broader message is placed on the *unqualified* injunction against murder as it appears in the Mosaic tradition itself, not as mediated through Christianity. The same use appears in “Thou Shalt Not Kill,” where it is also used to reinforce Tolstoy’s doctrine of passive resistance; just as the prohibition of killing is taken to imply the profanity of military service, so too with respect to revolutionary practice, to the toppling of kings and emperors: they should not be executed, but forced to arrive at moral insight.¹⁹³ In brief, the anarcho-pacifism which Tolstoy generally derives from strictly Christian sources is latent in the text of the Torah itself in a way that does not require the mediation of Christianity to uncover. Tolstoy himself did not feel compelled to emphasize this result or endeavor to draw out its implications; however, that is precisely what Heyn undertook. It is my opinion that Heyn picked up on this minor thread in Tolstoy and — owing to his reluctance to interpret Judaism apologetically, in reference to some other system — took it as an opportunity to develop a parallel but culturally and textually “indigenous”¹⁹⁴ anarcho-pacifism.¹⁹⁵

¹⁹⁰ Tolstoy, L. 1904. “The Four Gospels Harmonized and Translated: Vol. 1.” *Complete Works of Count Tolstoy*. Vol. 14. Wiener, L. ed. London: J.M. Dent & Co. P. 270.

¹⁹¹ Tolstoy, L. 1905. “Epilogue to Drozhzhin’s Life and Death.” *Complete Works of Count Tolstoy*. Vol. 19. Wiener, L. ed. London: J.M. Dent & Co. P. 491

¹⁹² Tolstoy, L. 1905. “The Soldier’s Memento.” *Complete Works of Count Tolstoy*. Vol. 23. Wiener, L. ed. London: J.M. Dent & Co. Pp. 266-27

¹⁹³ Ibid. Pp. 169-176.

¹⁹⁴ I mean this in the most literal sense. Heyn explains in Heyn, A.Y. 1970. *Be-Malkhut ha-Yahadut*. Vol. 3.

Returning to Rabbi Heyn's writings, I think it is perhaps best to begin with an essay bearing the same title as one of Tolstoy's, "*Lo Tirtsah* (Thou Shalt Not Kill)." In it, Heyn supplies us with the basic features of his thought, the broader implications of which I will explicate later. He begins with acknowledgment as to the fact that this prohibition is universal, but claims that not all instances of it are identical; there are in general circulation, he explains, three varieties of the notion, each of which he finds lacking. These are the "thou shalt not kill" of: (a) the "Romans," i.e. "the doctrine of the majority, the state, the community (*hevra*), and the congregation (*tsibur*)," (b) the "[anarcho-]individualists (*baaley ha-anikhiyut*), and (c) of man as such.¹⁹⁶ Let us first discern what, precisely, Heyn has in mind and then consider what he adds to this typology of prohibition.

As he understands it, the foundation of the statist, or Roman, approach to the topic is the doctrine of "sacrificing the particular for the sake of the general." Heyn's opposition to this notion constitutes a whole theme in his thought which must be addressed separately; for now, however let us consider it in general terms. Heyn states that those who support this view view "the general" as "the end of creation" and "the particular as the instrument thereof." Men of this opinion differ "only insofar as they disagree as to what constitutes the general and what truly benefits it." For some it is determined with respect to religion, for others, the state, for others the nation, and for others still, humanity at large — "all have the same idol and it is called the whole; all worship at the same altar and it is called the good of the whole." According to this doctrine, the weight of the "sin of murder is not due to the fact that someone has been killed" or "even that a killing has taken place at all" but "that this constitutes a threat to the whole; it is a social sin." Accordingly, the transgressor is

Jerusalem: Mossad ha-Rav Kook. pp. 198-99 that the territory and homeland of the Jewish people is the text of the Torah.

¹⁹⁵ In this way, one would be inclined to reimagine the discussion which Tolstoy reported to have had with his rabbi. In his *What I Believe*, Tolstoy writes that:

"A few days ago I was reading the fifth chapter of St. Matthew to a Hebrew rabbi. 'That is in the Bible — that is in the Talmud too,' he said at almost each saying, pointing out to me, in the Bible and the Talmud passages very much like those in the Sermon on the Mount. But when I came to the verse that says, 'do not resist evil,' he did not say that is also in the Talmud; but only asked me with a smile, 'Do Christians keep this law? Do they turn the other cheek to be struck?' I was silent. What answer could I give, when I knew that Christians, in our days, far from turning the other cheek when struck, never let an opportunity escape of striking a Hebrew on both cheeks. I was greatly interested to know if there was any law like this in the Talmud, and I inquired. He answered, 'No, there is nothing like it; but pray tell me, do Christians ever keep this law?' His question showed me clearly that the existence of a precept in the law of Christ, which is not only left unobserved, but of which the fulfillment is considered impossible, is superfluous and irrational (Tolstoy, L. 1886. *What I Believe*. Popoff, C. trans. Retrieved 03/01/2017 from [https://en.wikisource.org/wiki/What_I_Believe_\(Tolstoy\)/Chapter_2](https://en.wikisource.org/wiki/What_I_Believe_(Tolstoy)/Chapter_2)."

Tolstoy takes this rabbi's response at face value and assumes he is correct that the teaching of radical non-violence is not part of the Jewish tradition. Had he spoken with Heyn, I think that the conversation would have gone differently.

¹⁹⁶ Heyn, A.Y. 1958. *Be-Malkhut ha-Yahadut*. Vol. 1. p. 73.

punished only “so that he not kill again [or as a deterrent so]... that another not kill someone else.”

¹⁹⁷ Since, therefore, the sinfulness of murder is first conceived in relation to the whole, it likewise ends there; it is not an eternal truth. As such, where the whole demands the spilling of blood, the prohibition does not apply:

“Where the whole discerns that it requires someone’s blood, or blood in general, his blood is shed like that of an ox or a goat. Moreover, this slaughter is sanctified. The life and the being of the one is nothing more than a footstool for the life and prosperity of the many.”¹⁹⁸ If killing is prohibited for a reason and that reason is the life and well-being of the community as a whole, then killing can, by the same token be permitted for that purpose.

As Heyn explains it, anarcho-individualism is a denial of the first principle of the Roman, or statist, doctrine. It is a doctrine maintaining that “there is no whole, no many, no gathering, no collective, no community constituting a higher purpose, sanctified unto itself. There is no real or true existence in the world other than the individual... and each individual is a world unto himself.” As such, “it would be utterly absurd for the one to be sacrificed for the many, even for the all the inhabitants of the whole” so that “there is no ideal that can justify the destruction of an individual... if the individual is everything (*ha-kol*) and his destruction is the destruction of everything, for the sake of what would he be sacrificed?” In this sense, individualism regards the prohibition of killing as an absolute *of sorts*.¹⁹⁹

In this respect, says Heyn, is individualism “fit, upright, and close to the path of faith.” Yet, he continues, it immediately runs into difficulties of its own making:

“Since the formula of individuality is that ‘there is nothing other than him (*efes zulato*),’²⁰⁰ there is neither institution nor force that can hold him in check. There is nothing in the world to which the particular is subordinated; the individual is free in his actions without any external restraint to his soul’s desires... if so, prohibition, even that of killing, is utterly inconceivable.”²⁰¹

In other words, if the prohibition of killing is rendered absolute from the vantage point of the victim, anarcho-individualism as construed by Heyn can supply no moral ground for its extension to the perpetrator. If the individual alone is the measure of all things, then whence the prohibition and for what end?

In response to this difficulty, Heyn appeals to the famous anarchist, Peter Kropotkin — whom he calls “the purest and most upright apostle of individualism... the righteous man (*tsadik*)

¹⁹⁷ Ibid. pp. 74-76.

¹⁹⁸ Ibid. p. 77.

¹⁹⁹ Ibid.

²⁰⁰ Here, Heyn draws on the traditional language of the *Aleynu* prayer “Our King is true and there is nothing other than him (*efes zulato*),” thus indicating that the individual treats himself like a god.

²⁰¹ Ibid. p. 78.

of the new world” and “a pure and crystalline soul”²⁰² — in order to formulate the strongest case he can for the viewpoint. On his presentation, Kropotkin endeavors to reconcile unlimited individual freedom with the prohibition of murder as follows: “this prohibition of ‘thou shalt not kill’ is not based on social force (*kefiyat ha-hevra*)... rather, it is a strictly individual calculation: if you permit the blood of your neighbor, he will permit your blood. It is no royal imperative, but wise counsel.” While, Heyn avers, this form of the prohibition resembles in some respects the social teaching of Israel, there is a crucial difference.²⁰³

The distinction is best highlighted by a scenario described in the Talmudic tractate of Sanhedrin 74a and quoted by Heyn. There, it is recounted that “a man came to Rava and told him that the governor of the city had ordered that he (the man) slay a certain man or himself suffer death, and Rava said to him: ‘rather than slay another person, you must permit yourself to be slain, for how do you know that your blood is redder than his, perhaps his blood is redder than yours?’” Here, Kropotkin’s resolution (or Heyn’s rendition of it) fails; if I conclude that killing is wrong only because I am endangered when killing is common, then killing may become permitted when my life is already on the line:

“Someone else’s existence, however great and precious, even holy, it may be, is not only ‘not everything’... but, in the end it does not add to the infinity of the world when the existence of the individual... is the being (*yeshut*) of the whole. Therefore, when two existences collide, yours takes precedence. [This is the final result of] secular individualism.”²⁰⁴

So, Heyn objects, secular individualism, even in its most refined form, is unable to prohibit killing altogether. When, according to this viewpoint, it is a matter of kill or be killed, your blood is indeed redder than the next man’s. If it has been strengthened considerably, the injunction nonetheless remains relative.

This brings us, then, to the doctrine of the ‘thou shalt not kill’ of man as such. It is, so Heyn indicates, a variety of [anarcho-]individualism,” but a “holier” one arising “not of a demand on the part of society, the humanity of the community, or the perfection of the world,” but of “a simple and exalted truth, the justice” articulated in Rava’s insight: “perhaps his blood is redder.” It is conviction as to the “absolute holiness of human life and the absolute sinfulness of uprooting it.” This, he says:

“Is the two-times-two-is-four of justice. As it is impossible for the mathematician to explain how two-times-two could equal five, so it is impossible for any [just] teaching or instruction to negate the conception comprised in the prohibition of ‘thou shalt not kill.’ One who fails

²⁰² Ibid. pp. 78-79.

²⁰³ Ibid. p. 78.

²⁰⁴ Ibid. p. 80.

to grasp this intuitively and questions it is a murderer — perhaps not actively, but potentially. If [we cannot say that] he is a murderer by positive determination (*hiyuvi*), an active murderer, [we can say that] he is a murderer by negative determination (*shalili*), a passive murderer. For him, the blood and soul of another man is but a speculative idea.”²⁰⁵ The holiness of human life, for Heyn, is irreducible — so much so that to question or otherwise relativize it is to become a killer of sorts. This position, according to Heyn, constitutes the very core of Judaism. He says that:

“The depth of depths of Jewish nature, of its license to be in the world is a ‘thou shalt not kill’ that... arises from the absolute holiness of existence, of human life, of the human soul... this aspect is the essence of Jewish religion, its essence and its starting point, the fundamental foundation of its soul.”²⁰⁶

It is not that Judaism simply prohibits killing. Rather, on Heyn’s reading, “the teaching of Judaism is the teaching of the negation of [the spilling of] blood;”²⁰⁷ for Judaism, this is not “a thing inscribed on the tablets [of the law], but the tablets themselves.”²⁰⁸

Let us examine this essence somewhat further. The properly Jewish negation of blood-letting is based on a conviction as to the absolute holiness of human life. Heyn explains the reasoning behind this viewpoint by appealing to a distinction between “the one (*ehad*)” and “the unique (*yahid*).” This difference, he articulates in a number of instances throughout his writings; one clear example of it appears, however, in an early essay, the aforementioned one entitled “Judaism and Blood.” There, he writes (and I quote at length) that:

“Man is not *one*, but *unique*, unique and singular... The concept of quantity, the distinction between little and much, the single and the many, is in essence the expression of a relation external to the object that bears it. It is the relation of an owner to his property, of a man to his possessions, of the observer to his object. For them, two is more than one and three is more than two. But the object bears another relation: its relation to itself. This is not a relation of owners, of external observers, but an internal relation. Here, there is yet no distinction between quantitative and qualitative, the surplus of large over small. The one in relation to himself cannot be weighed on a scale. He does not establish his position as first, second, or third; everyone recognizes himself as unique (*yahid*). With respect to himself, he assumes no quantitative change; he is everything because he is unique.

Quantitative distinctions apply only to those things which do not constitute part of the self of man, things which are means and not ends in themselves. The meaning and essence of such things combines to form a sum total of utility which their owner enjoys. The many produce more utility than the few...

[Take, for instance, the case of a pastoralist and his flock. For him,] the being of the ox is its status as property, the property of its owner. Questions as to rights to its life are decided only from the vantage point of its owner and his benefit, man. Here, the question obviously has nothing to do with [the distinction between] one ox and many oxen; it is only

²⁰⁵ Ibid. p. 81.

²⁰⁶ Heyn, A.Y. 1970. Be-Malkhut ha-Yahadut. Vol. 3. P. 187.

²⁰⁷ Ibid. p. 201.

²⁰⁸ Heyn, A.Y. 1958. Be-Malkhut ha-Yahadut. Vol. 1. p. 81.

a question of the owner. It is not the oxen that are calculated, but profit and loss. We are not speaking of oxen, but the profit which owners derive from them. It is for this reason that the ox can be slaughtered, that it can be removed from the world not just for the benefit of other oxen... but for any reason whatsoever, for pleasure or for the satisfaction of mere caprice.

Furthermore, the human owner (from the vantage point of ownership) can slaughter *his ox* only because he is generally permitted to slaughter all oxen. Were he not permitted to slaughter any ox, he would not be permitted even one; for the rule is that oxen may be slaughtered at will by their owners. For owners, the many are greater than the few; and for whom the many are greater than the few, all can be regarded as subordinate to something else. Whatever this 'something else' may be — be it highly exalted or pure caprice — is all the same. What is important is that all of them can be killed and destroyed at the whim of their owner.

But of course, the foregoing follows the logic of the butcher. The ox estimates itself otherwise. From its own perspective, it is not first, second, or third... it is not one among many that makes no impact whatsoever on the sum of all. It is unique (*yahid*) in its own eyes; therefore, it is everything.

Now, while we can regard the existence of the ox otherwise, when it comes to human existence, the question simply cannot be posed at all. Human life is in no respect the acquisition of another. If so — if nobody can own the life of another, if there is no man who is not the singular and sole master of himself — it follows that [a human] life belonging to anyone else is unimaginable. There obtains but the unique life of this unique man, nothing more and nothing less; man is not means and no man is the end of another. Each one is an end unto himself. The world and all of its inhabitants, existence in its entirety, is, for each man, divided into two parts: (a) himself, and (b) everything else. The death of someone else, however dear, beloved, and close, however — the tragedy may be great and the pain tremendous, but everything is not lost. There is only one loss which carries with it the loss of everything... it is the loss of the one's own self. From the standpoint of the self, it is all the same whether it dies alone or the whole world dies with it. Whether others remain after him, whether the earth and all its inhabitants remain after him, or whether all of them descend with him into the abyss of destruction, it is all the same to him... He says 'my death means [for me] an end to everything'... This fundamental Jewish idea finds its highest expression... in the [following] short, clear, and pithy aphorism: 'when a single life is destroyed, it is as if a whole world is destroyed'”²⁰⁹

In short, the sum and account is not something into which the counted, considered as entities unto themselves, enter. Rather, it is a measure of the utility which they represent for someone or something else, some external entity. The singular value of this other thing outweighs, from its own vantage at least, the sum total of value represented by not just one, but *all* of those things which the former counts. It is for this reason that he *can* count, that he can treat any one of the things he counts as numerable, that he can treat *any one of them* as a use-value, as a means to other ends. Thus, it is only things, property, that are subject to arithmetical distinctions from the

²⁰⁹ Heyn, A.Y. 1958. *Be-Malkhut ha-Yahadut*. Vol. 1. Pp. 39-42; cf. *ibid.* p. 21314.

viewpoint of their owner. For an owner, one is more than two, and two is more than three. But for things which cannot be treated as property insofar as they cannot become a means to another end, which have no legitimate use value because they necessarily constitute ends unto themselves, such distinctions are inapplicable. Human life, for Heyn, is a thing of this sort; for him, “no man was created for the sake of another, nor for the service of some necessity external to his own requirements for life. He is not a means, but an end; the whole of his being is his alone and he exists only for himself.”²¹⁰ Thus, human life is not one, but absolutely *unique* — each man constitutes a world unto himself.²¹¹ This means that it cannot be counted; numerical distinctions do not apply to absolute essences.²¹² This is what Heyn intends by the irreducible holiness of human life.

Let us observe, now, what follows from Heyn’s conception of the uniqueness of human life. From the foregoing summary, two basic principles seem to arise. First, insofar as men cannot be treated as means to some other end, insofar as each man constitutes an end unto himself, the notion that the ends justify the means can under no circumstances be applied to people:

“This is perhaps one of the greatest novelties that Judaism has introduced into God’s world, into the proverbial study hall of humankind: *kosher* tools. The fittingness of the end and substance is not enough; the means must be pure and clear... The tool that the hand uses must be perfect; the cup of blessing must not be blemished. If it is, the hands remain impure; indeed, they create, via the water and the blemished cup, more impurity so that the external [evil] forces, the demons, are nourished.”²¹³

Here, Heyn draws an analogy from the Jewish laws of ritual purity according to which the vessel used for the lathing of hands must meet certain requirements. If these are not fulfilled, if the means, the tool, does not meet the standards designated — for instance, that it not be broken — then not only does the lathing ritual not remove impurity from the hands but, insofar as it makes them wet and water is a medium for the transmission of ritual impurity, makes it possible for them to render *other things* impure likewise.²¹⁴ His analogue: the means to an end must be regarded as ends unto themselves and must, therefore, meet certain standards. If they do not, then no matter the result, they are invalid; they become *morally* impure.

Second, we found that it is only when something can be regarded as a means to an end that it can be enumerated, or treated as “one” but not “unique.” Since human beings cannot be

²¹⁰ Heyn, A.Y. 1958. Be-Malkhut ha-Yahadut. Vol. 1. P. 7

²¹¹ Ibid. p. 9.

²¹² Heyn, A.Y. 1958. Be-Malkhut ha-Yahadut. Vol. 1. P. 5.

²¹³ Heyn, A.Y. 1970. Be-Malkhut ha-Yahadut. Vol. 3. P. 193.

²¹⁴ See Mishna, tractate Yadayim. Cf. Maimonides’ introduction to and commentary on the first two chapters of this tractate.

regarded in this way, they cannot be enumerated. This implies that a human being cannot be treated as one among many. Indeed, strictly speaking, so far as Heyn is concerned, the many is but a dangerous fiction. It is “an iron law,” he says “that there is, among men, neither blending nor blends. Each and every one stands alone, each and every one bears the aspect of being such that there is nothing other than himself (*efes zulato*)”²¹⁵... the whole world exists for his; he does not exist for the sake of the world; the world in its entirety was created only to accompany him. This is the fundamental teaching of Judaism and the dream of the redemption.”²¹⁶ In sum “people are not like drops of water that can be stirred together so that , in the end, they become a single entity; each is a complete world unto himself.”²¹⁷

Thus, accompanying the prohibition of justifying means by ends comes another: the prohibition of placing the particular human individual in a subordinate position with respect to the collective, the general. On this, Heyn says as follows:

“In Israel, the attribute of being has always been raised to the highest cultic status, [it is regarded as] a noble and absolute concept, a singular and unique joy. [Being] appears as the central point of its inner substance, its essence and source... This is the secret reason as to why the unique and explicit name (*shem ha-meyuhad ve-ha-meforash*) of this people, of its God, is Being (*Havayeh*)... This is the Jewish doctrine of life... But came along the doctrine of the majority, which sanctifies the nullification and total negation of the particular, the individual — man. From the start, it bore the measure of seed for the complete degradation of life. European civilization then nurtured this seed. Parties came with their books of doctrine and pressed the degradation of man to its ultimate abyss. In the place of “man (*adam*),” they stood up “humanity (*enoshiyut*)” — this was the worst blow to man. Then came nation, country, congregation, party, institution — principles came to the world, names came to the world. These were names for the children of men, but not man, not mere man, simply a man in his body.”²¹⁸

The Jewish valuation of life, which reaches the status of being identical with divinity, is here contrasted with the tendency to regard the individual from the standpoint of the collective, as standing in a subordinate position and being subject to it. From this vantage:

“The self, the essence, true existence, sovereignty, the final purpose that can neither be denied nor replaced, which nothing supersedes or subdues is nothing but the ‘all,’ the general, the collective and the combined, while the one, the particular, the man, the human, is merely an equivalent, something numerable, measurable, and subject to evaluation that can be displaced, whose flesh can literally be measured on the scales of the all.”²¹⁹

If man is a value that can be measured and, moreover, measured against the moral weight of the collective and sum of men, then he is hopelessly outweighed, such that:

²¹⁵ See note 195 above.

²¹⁶ Heyn, A.Y. 1958. *Be-Malkhut ha-Yahadut*. Vol. 1. P. 159.

²¹⁷ *Ibid.* p. 143.

²¹⁸ Heyn, A.Y. 1958. *Be-Malkhut ha-Yahadut*. Vol. 1. P. 96-97.

²¹⁹ *Ibid.* p. 216

“Man in himself is nothing but a tool of the community, the superior idea, but a small nail in the structure of the great universal... the sacrifice of which logic dictates the necessity of, should the general interest be thus served.”²²⁰

In Heyn’s eyes, this viewpoint is literally blasphemy. If God and life as such are practically identical, to degrade any instance of life — and the whole is not an example thereof insofar as “the whole world is nothing more than a collective of individuals in which men live one by one and [in which] the distinction between individual and collective obtains only from the perspective of those who regard the former from without;”²²¹ there exists no “majority, no congregation, no collective, no society, no higher purpose considered in itself; there is not real existence but the unique individual”²²² — is literally to debase God who is life and existence.

We find, therefore, that “the absolute and unconditional prohibition of killing”²²³ implies, for Rabbi Heyn, the rejection of two intersecting principles. One, the justification of the means of action by the ends thereof. Two, the subordination of the particular to the general or the collective, for this principle relies and depends on the first. If the subordination of means to ends is unacceptable — if “it plows the whole world with salt”²²⁴ — then the destruction of the particular for the sake of the general or the collective is equally unacceptable; the general or the collective is an end necessarily external to its means because it exists, for Heyn, only insofar as its means, the particular, obtain; it does not exist independently of them. “Have you ever seen an independant creature called the general?” he asks, “it is nothing more than a collection of particulars, each of which lives unto itself, and two instances of life in a single body I have never seen!”²²⁵

So, we find that the prohibition of murder is understood to imply the irreducible holiness of human life. This in turn implies that human life constitutes a value or end unto itself that can be reduced to no other external end. If, as Heyn holds, numerability and utility go hand in hand, it follows that just as human life cannot be reduced to utility, so too is it innumerable. It is unique. The uniqueness and innumerability of human life gives rise to two intersecting principles. One, that where men are concerned, the ends never justify the means. On the contrary, the means must be suited to and reflect their ends; they must be morally defensible in and of themselves. Two, the particular, the individual cannot be sacrificed for the sake of the collective; the collective is but an aggregate of unique individuals who must be regarded as such. The distinction between the many

²²⁰ Heyn, A.Y. 1970. *Be-Malkhut ha-Yahadut*. Vol. 3. P. 335.

²²¹ Heyn, A.Y. 1958. *Be-Malkhut ha-Yahadut*. Vol. 1. P. 69.

²²² *Ibid.* p. 77.

²²³ Heyn, A.Y. 1970. *Be-Malkhut ha-Yahadut*. Vol. 3. P. 201.

²²⁴ Heyn, A.Y. 1958. *Be-Malkhut ha-Yahadut*. Vol. 1. P. 295.

²²⁵ Heyn, A.Y. 1958. *Be-Malkhut ha-Yahadut*. Vol. 1. P. 8.

and the few, or the one, is immaterial where men are concerned because a man is not the sort of thing that can be counted.

Having derived these overlapping principles, let us now consider their political import. So far as Heyn is concerned, the latter is twofold. One, they are taken to imply the moral impossibility of violence — which includes war, punishment, and economic inequality; that is, international as well as domestic manifestations of force. Two, they are taken to imply the moral impossibility of the state — indeed of any governance at all where men are to rule over other men. In brief, they imply a revolution that proceeds from the heart and not from the fist. Once these implications have been articulated, I will then address objections to Heyn's system — as he conceives them — arising from his ostensive adherence to traditional Judaism on the one hand, and his support for the Zionist cause on the other.

So, let us begin with Heyn's religious objections to violence generally and to war and militarism in particular. In a sense, this seems rather obvious. If Heyn attributes such significance to the prohibition of murder, it is evident that he opposes violence. The real and radical tenor of his opposition, however, can be discerned if we consider first the fact that, on his account, the prohibition "do not kill" is "*without conditions*."²²⁶ This constitutes a significant departure from traditional interpretations of the passage, which explicitly qualified it. The Rashbam (R. Samuel b. Meir), for instance, distinguishes between *retsiha* (the term appearing in the passage in question) and *hereg* or *mita*; the former, he says, *always* implies "killing freely," which means "without legal sanction," while the latter two sometimes have that connotation but can *also* imply killing with legal sanction. The passage, in this sense, would be translated "do not murder." This interpretation is standard among most Jewish, and likewise Christian,²²⁷ exegetes and serves, in both traditions, to justify phenomena like capital punishment and war. Heyn does not follow this standard exegetical practice and, as such, is led along a less compromising and for more radical path.

Let us begin with the question of violence in general. Like Don-Yahiya, Heyn takes Nietzsche as the exemplar of that which is fundamentally inconsistent with the essence of Judaism so far as he understands it. Nietzsche, he says:

²²⁶ Heyn, A.Y. 1970. *Be-Malkhut ha-Yahadut*. Vol. 3. P. 201.

²²⁷ Augustine, for example, holds that "*there are some exceptions made by the divine authority to its own law, that men may not be put to death. These exceptions are of two kinds, being justified either by a general law, or by a special commission granted for a time to some individual. And in this latter case, he to whom authority is delegated, and who is but the sword in the hand of him who uses it, is not himself responsible for the death he deals. And, accordingly, they who have waged war in obedience to the divine command, or in conformity with His laws, have represented in their persons the public justice or the wisdom of government, and in this capacity have put to death wicked men; such persons have by no means violated the commandment, You shall not kill* (Augustine. *The City of God*, Book 1, chapter 21)."

“Describes the ethical teaching of Judaism as ‘the ethics of weaklings and slaves.’ This is altogether false. However, there is some basis for what this madman says; what he says does have some footing. Judaism is evidently a moral doctrine that consists entirely in a screed against the right of force (*zekhot she ha-koah*). It finds its consistency in a total war against force and its right. It raises the weak, the pursued, and the oppressed on a standard. Whereas they are typically last, extraneous, it ensures them a place at the top of the gate. Nietzsche considers this to be an exaltation of the weak to cultic status. This is an error that cannot be forgiven. Those who established this relationship between the weak and the strong did neither fashion an ideology of weakness, nor a cult of degradation, submission, bodily destruction. The opposite is true. It is because freedom is not priceless (*tesula be-paz*²²⁸) for men. It is because the right of the individual are absolutely holy. It is because the sole right which the individual has over himself cannot be taken away (*ayna nitenet le-hilakeyah*). It is because the suffering of he who lacks all of these things is immeasurable. It is because the lot of the oppressed, the persecuted, and the despised is equivalent to death. It is for this reason that the Torah strives against force and its right; force and its right are what has brought all these troubles into the world. It is out of an ambition is to make everyone strong, to uproot weakness, that Judaism wrestles against the strong arm — this is the sole cause for the weakness of the weak... Here, hostility to power does not constitute an eternal foundation in itself; there is no raising of weakness and the weak to the status of a cult. The opposite is true: power is highly valued. However, because of that it is impossible not to declare a holy war against the prime cause of weakness and the weak: the force of war and aggression. Because the whole Torah is based on the principle that ‘what is hateful to you, do not to another,’²²⁹ weakness is utterly foreign to Judaism... When we are dealing with the lot of truth, with the trampling of justice and the disgrace of fairness (*mishpat*), then there is no limit to true greatness and power, the elevated spiritual power that Judaism discloses.”²³⁰

Here, we see that, according to Heyn, Judaism opposes force and violence categorically. In this respect, Nietzsche is not incorrect that this doctrine places special emphasis on the weak, on the oppressed and persecuted. For it is these people who suffer most from violence; indeed, it is violence, the power of the fist, which constitutes the prime cause by virtue of which they stand in the position that they do. However, Heyn rejects Nietzsche’s contention that this amounts to a cult of weakness. On the contrary, he says, Judaism aims to empower the weak and to make them strong. More fundamentally, Judaism appeals to and celebrates “true” or “elevated spiritual” power in its battle against the injustice represented by the right of might.

Having established Heyn’s application of the absolute and irreducible holiness of the individual to the question of violence generally, let us extend his argument to three instances thereof before proceeding to the most radical of his propositions. These instances are: war, the death penalty, and economic inequality.

²²⁸ This is a reference to Lamentations 4:2.

²²⁹ See note 5 above.

²³⁰ Heyn, A.Y. 1958. *Be-Malkhut ha-Yahadut*. Vol. 1. P. 46.

In the first place, what is the ideological ground for war? Clearly, its first foundation lies in rejecting or ignoring “the metaphysical foundation of Israel,” for “what room is there, from the standpoint of justice, for wicked and criminal visions like war, the business of blood, speculation in slaughter and murder [that it is] if each and every instance of human being is absolutely holy, having no substitution, accounting, or replacement in another?”²³¹ More precisely — and this has already been indicated in our explication of the “Roman” form of “thou shalt not kill” — its ground consists in a violation of what follows from this “metaphysical foundation.” Namely, that the human individual cannot be counted and, consequently, that he or she cannot be weighed against and sacrificed for the collective. So Heyn says, the opposing viewpoint — that the individual exists for and is subordinated to the collective:

“Is what brought an inferno of death to the world. From it arises every death by human hands that descends upon the world. It is what created slaughter and the slaughterer. It is what proposes to replace all life with hell. It is what lead from Cain to Alexander the Great and formed Cain himself. Cain and the great Cain-like people, the warriors, the statesmen and nationalists, the idealists and redeemers in every generation and also the wretched little Cains... the sinners and those who incite to sin — for all of them, it is responsible. It is what transformed the whole world into a gigantic slaughterhouse... it is what fashioned the talisman for all blood-spilling. Between the prohibition of slaughter and its lifting, there is an immeasurable gap. Yet, between ‘fit’ slaughter and ‘unfit’ slaughter, I would be surprised if there is even a gap of two hairs.”²³²

The cause of war — and violence generally — is a terrible moral error. It is the belief that a distinction can be made between one killing and the next: between killing for the sake of some larger purpose, be it national or ideological, or whatever, and killing without such pretexts. As far as Heyn is concerned, they are essentially the same insofar as the injunction against killing really is unconditional.

More broadly, this prohibition, in the case of war, is incorporated into the golden rule discussed earlier in this essay:

“Above all, Judaism is a religion of justice — ‘that which is hateful to you, do not to your neighbor’ is, for it, the Torah in its entirety. If you would not wish to be a sacrifice against your will, for whatever end, for some other God or principle, if you do not want this even when the one offering the sacrifice knows without a doubt is the source of great advantage for you, then since you would not want this for yourself, since it is ‘hateful to you, do [it] not to your neighbor’.”²³³

In brief, the negative formulation of the imperative to love thy neighbor as thyself comes to coincide with the imperative of “thou shalt not kill” where the latter is interpreted as implying that

²³¹ Heyn, A.Y. 1958. *Be-Malkhut ha-Yahadut*. Vol. 1. P. 155.

²³² *Ibid.* 216.

²³³ Vol. 1. P. 45.

man is an absolute such that he cannot be treated as a numerable object and weighed against the interests of society at large.

Every effort, therefore, to separate and distinguish one mode of killing from others appears to Heyn as tragically ridiculous. Consider the following:

“[Would you believe it] if you had never seen in real life what you see now, but only heard about the fact that there are several countries which have the custom and consider it just that, when there is some conflict between them... each sets about to select for itself — via medical professionals hired for this precise purpose — some of its young citizens who are filled with vital powers, youth in the spring of their lives? [Would you believe that] those selected are forced to battle against one another with guns and cannons, with lances and swords and spears and the other horrible tools of death according to their type and measure, which intellectual giants invent for this purpose? [Would you believe that it is considered just] that the side which murders more wins the case and, moreover, that tribute is rendered to the victorious country from all neighboring lands, which kneel before it and show it the respect due the gods? Would you not be astonished? Who can estimate the genius that people waste in the production of the tools of death, destruction, and despoliation? Who can estimate the sum of spiritual and material wealth and time that that every country sacrifices to Molekh?

And as for the status of the miserable youth who go out to fight, I see each of them, from each land, as a tool for murder. The loss of their lives may leave an impression of regret, but this impression is nothing more than the feeling one has in consequence of losing the implement he used for the sake of some goal. [The loss is regretted] only insofar as, in consequence of it, the army has been made smaller, [the army,] which means... a means for habituating [people] to murder, consume, crush, destroy, demolish, and annihilate the youth from the opposing camp, for victory depends on that...

The deaths of these youth or their terrible wounds are described in official announcements as a material loss akin to the loss of a shattered tool, the significance of the loss of which depends on the position of the owner and the number of similar items that he still has in his possession. If the owner is wealthy or he has many equivalent items, the loss of one or more of them — depending on the degree of his wealth — does not cause him any special pain. But the loss of excellent weapons... is considered a spiritual loss, a moral loss, for the sake of which is fitting to destroy whole worlds. Just as nothing compares to the joy of the victorious party, so too is the shock of the conquered party measureless. This is not because pure men, sharing in the same being and essence were sacrificed to Molekh. No! Nobody cares about these clean and pure souls. Rather, it is because he failed to win his case. Imagine to yourself that you had never seen something like this and only heard stories that there exist such laws, a world like this, on the surface of this globe on which we dwell and at this time in which we live — how would you judge them?²³⁴”

Here, more so than the injustice of war — the fact that it constitutes a blatant and wholesale violation of the unconditional prohibition against killing — Heyn emphasized the complete absurdity of the moral blindness that makes for its justification. That is, the affective abyss that separates the magnitude of true and utter loss from the magnitude and character of concern.

²³⁴ Ibid. Pp. 9-10.

In sum, it is altogether clear that, from Heyn's perspective, the traditional distinction between taking life in the name of the law, or for society or what have you, and murder dissolves where war is concerned. For him, there is simply no such thing as a just war, a position best and finally articulated in relation to his assessment of the very *implements* of war. He quotes a ruling appearing in the mishnaic tractate of Sabbath. There, it is stated that:

"A man may [on the Sabbath] go out not with a sword, a bow, a triangular shield, a circular shield, or a spear... Rabbi Eliezer [disagrees and] says that these are ornaments for him. The sages reply [that they are *not* ornaments] but nothing but disgrace, as it is said 'they shall beat their swords into plowshares, and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war anymore (Isaiah 2:4)'."²³⁵

In the first place, we observe that even for the *tanayim*, the rabbis of the Mishnah, the messianic order intrudes upon and gives shape to the present. "The idea of 'they shall beat' is not only for the end of days;" it is not temporally restricted to a golden future, but determines the nature of communal life in the present; if implements of war, *even defensive ones*, are ultimately to be negated, then they are at no time objects of veneration. Heyn comments as follows:

"This represents an absolute restructuring of the system... the sword — a tool and symbol of might in battle, courage, victory, and dominion — is not an adornment, but a disgrace; even apart from sin, it is simply shameful... So long as the invention and improvement of the implements of death and destruction are considered a source of merit and honor for their makers, so long as weapons serve as adornments for their bearers, there is no room for peace. Not only is there no room for its ultimate victory, but even for declaration as to the moral and legal truth thereof. Removing the crown of glory from weapons, calling them a disgrace, this is a significant blow to the ethical foundation of the Molekh of blood. And the spiritual stature of this estimation of weapons emerges from the fact that it is *not* treated as a special subject unto itself but appears by and by, incidentally... in support of a fine detail of a single legal provision."²³⁶

Here, it is not just the fact of killing — "justified" or otherwise — that he condemns; rather, it is an intimate, a psychological, attitude toward violence and war. As I shall later elaborate, Heyn calls for a revolution of the heart. Here, it begins with undermining the moral foundation for violence by associating its material means with a feeling of revulsion and disgust rather than reverence and respect.

Having addressed the question of violence generally and war as a particular instance thereof, let us consider two other instances. One, punishment and, two, economic inequality. As for punishment — or the sort of force or violence which the collective visits upon the individual in response his aberrant behavior — Heyn's attention is directed mainly toward the question of the

²³⁵ Shabbat 6:4.

²³⁶ Heyn, A.Y. 1958. Be-Malkhut ha-Yahadut. Vol. 1. P. 23. Cf. Heyn, A.Y. 1970. Be-Malkhut ha-Yahadut. Vol. 3. P. 190.

death penalty and his (by now predictable) opposition to it. As we shall see, however — and this shall become more evident when we later consider his comments on sovereign authority in general — his analysis thereof has broader implications and cannot be strictly limited to that particular form.

Concerning the question in general, Heyn claims that “If there is any justice to punishment after the fact at all, it would have three foundations: (a) proportionality, (b) correction of the criminal, and (c) betterment of the world.” As he goes on to argue, none of these conditions can be satisfied where the death penalty is concerned.

“[There is no proportionality]. The punishment is eternal annihilation, destruction of a whole world, of all six days of creation... But the sin is but a passing moment. Even in the case of murder, where [the transgressor has himself] destroyed the whole of being, once it has happened, all he has is a sin. Furthermore, the criminal never subjected his sacrifice to the gallows, to the whole horrible procedure, the ceremony of slaughtering a man like a calf. There was no clear certificate for execution such that the victim had to suffer death while alive. [Is there, here] any correction of the criminal? He ceases to be! According to the Torah, there is a such thing as correction, but in small details... And as for betterment of the world, that everyone will hear and see and take heed, [is it just] to kill Reuben so that Simon not transgress. According to pure reason, there is no greater crime. According to practical reason, circumstances militate against it. Sanctioned hangings and executions just cheapen human life...”²³⁷

Here, we see that Heyn regards the death penalty as failing to meet standards of proportionality and effectiveness, with respect both to the individual who suffers it and likewise the society which aims to rid itself of the transgressor or deter others from following a similar path. He poses an absolute loss against a relative one, points out that the executed is not corrected because he ceases to be, and contends that punishment of this sort creates far larger moral problems than it solves. It conveys the message that human life is not an absolute value, which undermines whatever limited good may have come of the factor of deterrence. This idea is articulated in greater detail elsewhere in the text.

“In my view, Heyn writes:

“It is clear that there is neither an essential nor fundamental difference in the weight of abomination between one slaughter and the next, between the slaughter of the innocent and the slaughter of the guilty. Moreover, I regard this distinction as a terrible sin which is harmful even for the innocent. It is a sin because a man, who is priceless as such, has been destroyed in a way that is also (and mainly) reserved for animals and inanimate objects. It is a loss because even the innocent blood ceases to be human blood and sinks to the level of [merely] ‘not guilty’ (aside from the fact that in actuality there is a slippery slope and the innocent may eventually come to be treated like the guilty). Where slaughter is concerned, innocent and guilty do not apply. There is no distinction between a fit and an unfit sword; swords are unfit as such and all slaughtering is impure. But most people, even educated people, see things altogether differently; they specifically distinguish between blood and

²³⁷ Vol. 1. Pp. 262-63.

blood, between slaughter and slaughter. They position a deep abyss between one abyss and the next. But such people do not respect human blood as such. For them, blood is not eternal. They recognize much-blood, catastrophe-blood, principle-blood, symbol-blood, but they recognize neither man nor blood — not man blood or blood-blood, not man in a body nor blood in his body. These simple ideas, such great souls forget about.”²³⁸

Here, we see an explicit return to the notion that human life constitutes an absolute. To call this into question via sanctioned executions is to destroy the foundation of justice and to relativize human life. If crime has an impact on the social fabric, so too does the exercise of this sort of justice. According to Heyn, it cheapens human life in general; this, in turn, gives rise to the sort of moral environment conducive to further crimes of the same sort. Thus, far from deterring violation of moral norms, this institution of punishment further corrupts the body politic.

More universally, the very idea that we can punish one man *in order to* edify another, or *in order to* influence the body politic in any way is, to begin with, to transform the individual into a use-value, a lesson for others. Death penalty aside, to treat him in this way would seem to violate the principle of his absoluteness as a human individual and thus fail to meet standards of justice. It would also cheapen human life — albeit (perhaps) in a reduced fashion.

Heyn’s further comments as to the effectiveness of the death penalty as a method of deterrence, likewise, reveal a more comprehensive challenge to the idea of punishment in general.

“It is commonly held that no punishment, however harsh, even life imprisonment, prevents the criminal from violating the law like the death penalty does. But this is a tremendous error. The one who has been sentenced to life-imprisonment, for example — seeing this does not convince the one who is prepared to sin. It is not because life-imprisonment terrifies him nor that the benefit of transgression outweighs the fear of this punishment. Rather, it is because he acts out of a hope that this will not happen to him, that they will not catch him, that they will not subject him to judgment, that his lawyer will save him and so on. These prospects likewise color his attitude toward hanging and beheading. They do not affect him.

By nature, criminals are blind and do not anticipate the future. They are also professional optimists. They are also believers; they believe that God will not abandon them even when they sin against him. Our spiritual geniuses have exemplified this phenomenon in a pithy aphorism: ‘the thief prays to the Merciful One at the mouth of the tunnel [which, in order to penetrate it, he digs under the wall of the house he is going to break into].’²³⁹ They may be wicked, but they trust in the Creator...”²⁴⁰

While here, Heyn addresses himself to the specific question of the death penalty, the way in which he articulates his opposition is evidently generalizable. Recall that one of the conditions of just punishment is that the latter serve to improve either the criminal individually, or society in general

²³⁸ Vol. 1. P. 117.

²³⁹ Talmud, Tractate Berakhot 63a.

²⁴⁰ Vol. 1. Pp. 262-63.

by instilling others with a disinclination to act as the criminal has acted. The *criminal*, he says, operates on the basis of a naive sense of hope that rivets him to the present of his inclinations and attends not to consequences that may come later. If so, what good can any punishment be where the criminal — potential or actual — is concerned? The prospect of suffering to come is too weak a force to impose limits on his desires at this moment; a persistent moral transformation is required. If this is true of the death penalty, it is no less true of other forms of punishment. It is a certain psychological disposition — immunity to concern vis-a-vis possible negative outcomes *in general* — that forms the basis of Heyn's argument. Thus, if he addresses himself to the question of a particular form of punishment, he cannot escape including state violence in all its forms.

Now, while Tolstoy was perfectly willing to accept that his views as to the nature of Christianity meant that he could no longer remain within the church — his evident distaste for ceremony and ritual would have pushed him to its fringes in any case — as an orthodox rabbi, Heyn resisted such results. This meant that he would have to come to terms with the fact that the Bible, the Mishnah, the Talmud, and the codes of Jewish law alike seem to accept, in principle at least, the legitimacy of punishment generally and of the death penalty in particular.

In the first place, Heyn supplies a fairly radical interpretation of the procedural requirements involving capital cases in Jewish law as received through the rabbinic tradition. Earlier rabbinic authorities had frequently noted the deep value which Jewish tradition places on human life while still upholding (in principle) the validity of the death penalty — in Heyn's terms, they a high, but not absolute, value on human life. Maimonides, for example, relates that “a person who eliminates one soul from the world is considered as if he eliminated an entire world”²⁴¹ such that “the court must be very patient with regard to laws involving capital punishment and ponder the matter without being hasty.” Yet, he accepts it as a matter of course that “if it happens that they must execute a person every day, they do.”²⁴² That is, he does not consider the strict procedural requirements bearing on capital cases to constitute a legal fiction the ultimate meaning of which is the nullification of the death penalty in the way, for instance, that the creation of Hillel's *prozbul* effectively circumvented the prohibition of collecting debts during the *shmitta* (Sabbatical) year. For Heyn, in contrast, it means precisely that. “The death penalties in the Torah,” he writes, “are strictly theoretical, not practical. They were never carried out and cannot be carried out. To begin with, they were designed to be impossible [to carry out]”²⁴³ and likewise that:

“The executions mentioned in the Torah were written only to serve as a threat, but they

²⁴¹ Mishneh Torah. Sanhedrin ve-ha-Onashim ha-Mesurin la-Hem. Ch. 12:3.

²⁴² Mishneh Torah. Sanhedrin ve-ha-Onashim ha-Mesurin la-Hem. Ch. 14:10.

²⁴³ Vol. 1 p. 106.

existed only on paper. The question of the death penalty finds its highest expression in this *aggadic* maxim: ‘all of the animals and the birds came to demand the judgment of Cain on behalf of Abel. The Holy One Blessed be He glanced over and saw the primordial serpent among them. He said ‘whoever kills Cain... will suffer vengeance (Genesis 4:15).’ The God of truth sees that after the fact, once it had already been spilt, it is only the primordial serpent who could demand Abel’s blood. It is not that he mourns Abel’s blood, but rather that he thirsts also for Cain’s. It is not that the former was plucked [away], but that the latter remained alive. This is a general principle for life... even with respect to Cain — the first killer, the one who showed the world that it is possible to extinguish one of the flames of God... The Holy One Blessed be He sees the primordial serpent among those who demand his blood. Even Cain was not subjected to the death penalty and those who demanded his blood were reproached by heaven.”²⁴⁴

For Heyn, the notion of the death penalty serves a strictly rhetorical function. It is raised as a possibility only in order to impress upon the listener or reader the severity of the prohibitions to which it is linked. Indeed, to interpret it otherwise is to stand among the followers of the primordial serpent, to repeat the sin of Cain.

A few examples of Heyn’s view in this respect suffice to illustrate what he has in mind when he claims that the law existed only on paper:

“Practically, the death penalties according to the judgement of the Torah never actually took place in Israel; indeed, they can never take place... anyone who knows how to penetrate the depth of Judaism will not question this for a moment. It is enough for us to mention the conditions for testimony: (a) two witnesses must warn the potential transgressor, while he is acting, not to do so. They must explain to him that, should he do it, he will be executed and how and he, in turn, must answer ‘nonetheless [will I do this thing]’ and — according to many opinions — these *exact* words must be used so that [the transgressor] essentially ‘permits himself to death’ (for nobody has authority over the being of anyone else),²⁴⁵ (b) in the case of the rebellious son, whose execution is explicitly indicated in the Torah, the condition is made that the father and mother must have voices that resemble one another; this means either that he [the father] is a eunuch (if his voice is similar to a woman’s) or that she [the mother] is an *ayalonit*²⁴⁶ (if her voice resembles a man’s) so that they could not have had children in the first place — this little wrinkle reveals the force of these conditions in general, that they are conditions which render the thing an impossibility, (c) R. Akiva and R. Tarphon said that were they on the Sanhedrin [they would block every execution by

²⁴⁴ Vol. 1. pp. 122-24. Cf. Vol. 3. P. 194.

²⁴⁵ Cf. “The death penalties in the Torah are, from within the law itself, not subject to materialization. To begin with, they were not written in order to be realized. The law-giver saw to it that this would be impossible. There could never actually be an execution carried out by a court governed by Jewish law. It is sufficient to mention the requirement that the condemned admit himself for execution (Sanhedrin 41a). This means that if, [upon being warned], the violator says ‘I know that it is the case [that I will be executed if I carry out this deed]’ he is exempt from punishment; he is held to account only if he says ‘I am doing this thing *in order to be killed* (Rashi’s comment on the word “*patur*”).’ He must explicitly state that he acts in order to be executed; without this explicit *permission*, even the high court cannot condemn him to death. Only the individual himself is the master of his life and his blood. Moreover, this permission must be given at the time that he commits the crime (Vol. 1. P. 262-63).”

²⁴⁶ This is a term that is difficult to translate, but it refers to a person who is identified as female at birth but develops male characteristics at puberty and is infertile.

asking the accused questions like] ‘perhaps you killed someone who was already about to die,’ ‘perhaps there was already a hole [in the body] where the sword [penetrated]’²⁴⁷ — all of which would make exercising the laws of executions an utter impossibility.”²⁴⁸ Here, we see that, while other post-Talmudic rabbinic commentators accepted the view of R. Gamaliel, who held that the position of R. Akiva and Tarphon “multiply shedders of blood,”²⁴⁹ Heyn adopts the minority view. He uses it, moreover, as a general principle whereby to reinterpret the laws surrounding capital cases to imply their procedural self-negation. In the case of testimony, the requirement that the transgressor “permit himself” to be executed is taken to imply that he cannot be executed, a conclusion that is further strengthened by the fact that, so interpreted, the distinction between execution and suicide becomes blurred such that they court would be mandating the latter in spite of its prohibited status.²⁵⁰ In the case of the rebellious son, the requirement that the parents have “the same voice” is interpreted literally — as opposed, for example, to the possibility that it means the parents must *say the same thing*, albeit at *different pitch* — and thus made absurd.

In Heyn’s view, if this unorthodox approach to interpreting the law is inconsistent with traditional views, it is not inconsistent with the essence of the tradition itself. In the first place, he emphasizes the necessity not only of sanctifying the mundane, but also sanctifying the sanctified — i.e. practicing the Torah in a way that transcends its external significance:

“Just as the leading sages throughout all generations encouraged sanctification of the mundane — pouring a drop from the Sabbath into the weekday, resting the divine presence on the hands that labor, and sanctifying the deed of the limbs with the holiness of the heart and the Torah — so too did they always take care to sanctify the heart, the Sabbath, to reach the exalted depths and to tie crowns for the Torah, to sanctify the deeds and personal characteristics which are in themselves already holy. These two attributes, sanctification of the mundane and *sanctification of the sanctified* are the essence of moral instruction (*musar*), its substance and structure.”²⁵¹

Here, though he does not speak directly of violence generally or punishment in particular, he does indicate that the tradition is to be interpreted along two lines. In one sense, the tradition is holy insofar as it is designed to sanctify the mundane. In a deeper sense, it is holy insofar as it is designed to sanctify what is already sacrosanct. Even if, from one perspective, the Torah endorses

²⁴⁷ See Babylonian Talmud, Makkot 7a.

²⁴⁸ Vol. 1. Pp. 123. Cf. Vol. 1. P. 106.

²⁴⁹ Indeed, it might also be noted that while the Mishna records a dispute between R. Yehuda ha-Nasi and R. Eliezer b. Azarya as to whether a court that executes once in seven (R. Yehuda ha-Nasi) or once in seventy (R. Eliezer b. Azarya) years is called a “bloody court,” Maimonides evidently takes R. Gamaliel’s reply to indicate that the latter view is dangerously utopian and sides with R. Yehuda ha-Nasi.

²⁵⁰ See also Heyn’s comments on suicide, which he regards as arising from a general degradation of the idea that man is made in the image of God (Vol. 1. P. 99)..

²⁵¹ Vol. 1. P. 283.

or justifies, sanctifies, certain forms of violence, it seems that Heyn would make the claim that its *ultimate* tendency is to sanctify the sanctified, which would mean, for him, the procedural nullification of the law. Thus, he explains:

“Even if the supernatural aspect of the faith demands that everything [in the Torah] was *given* at Sinai, critical consideration explains that this means that everything [in the Torah] is *taken from* Sinai. Even the most recent novelties produced within Judaism are the radiance and the radiance of the radiance of Sinai, its secondary and tertiary aftergrowth.”²⁵²

This distinction between Torah having been *given* at and having been *taken from* Sinai allows Heyn to replace what might be called an originalist approach to the interpretation of Jewish tradition with a non-originalist one; it is assumed that the animating principles of the tradition outweigh actual text where the ongoing process of decision-making is concerned. If the essence of the Torah, as we have seen earlier, is the idea that human life is an absolute, it follows that the outward meaning of the text must be subordinated to this animating principle and interpreted accordingly.

According to Heyn, this freedom of interpretation takes on rather radical proportions. As he understands it, the intuitive interpreter who takes from Sinai what was not given there is justified in maintaining even the most outlandish derivations so long as they are consistent with the essence of the law and its ultimate meaning:

“The release of vows floats in the air and has no [scriptural] foundation. The laws of the Sabbath, holidays, and embezzlement are like mountains hanging by a hair — there is little scriptural support and many, many rules based thereon — and they are the fundamentals of the Torah (Hagigah 10a). Mountains hanging by a hair — these are the fundamentals of the Torah. Neither is the majority [of textual instances] determinate nor is the minority [thereof] of meagre value. There are no general principles or signs to recognize the inner substance. It is something sensed by the one who feels it. It is a matter of intuition, the intuition of the heart. There is being and essence in a book. There is that which is written and that which is not written, the point and substance, time and eternity; there is also the circumference and the fence, that which guards the fruit [i.e. its external peel or shell] which is temporary and passing. Only a special sense, a unique palette, a definite intuition, is able to divine the true aspect of the matter.”²⁵³

Thus, appealing to the fact that major fields of Jewish practice rest on the shakiest biblical foundations and, yet, are validated by the tradition and regarded as binding, Heyn maintains that textual frequency, and perhaps even hermeneutic plausibility, have little or no bearing on the content and structure of the construction of the law. If the essence of the Torah, its eternal message, its fruit, and so on are intuited from a single statement, or even less — if that means that we hang a mountain from a hair — so be it.

This freedom of intuitive interpretation, for Heyn, operates on two levels; it is exercised in

²⁵² vol 3. P. 197.

²⁵³ Vol. 3. P. 200.

two different respects. In one sense, it is only the one who has been blessed with a “unique palette” who enjoys this right:

“Raba ruled immediately and without hesitation: be killed rather than kill. What holy certainty! His clear and simple reason: what makes you think that your blood is redder? That is to say, he regarded this truth as self-evident. He offers no other sources, no other proof, no other basis. It is a matter of [his own] reasoning alone [that determines the law. Likewise, the declaration of R. Akiva and R. Tarphon: In the Torah we find it written ‘their blood is on them,’ and ‘they shall be stoned,’ and ‘he shall surely die,’ and ‘he shall be burned in fire,’ and so on. Yet, they say ‘were we on the Sanhedrin, nobody would ever be executed.’ Was not R. Akiva the one who ‘tied crowns for every letter of the Torah!’ However it is, every instance of the death penalty in the Torah is here shaken to the core. Without any hesitation, nobody was *ever* executed; no exceptions. *One who is able to ‘tie crowns for every letter of the Torah’ like R. Akiva is also able to uproot its mountains.* Moreover, it has already been revealed from behind the curtain that ‘things which were not disclosed to Moses were revealed to R. Akiva (Midrash Rabba, parashat Hukat)’...

There are people that become Sinai; there are such that immerse themselves in the wells of creation and who become so saturated with them that they become one with them. ‘The Torah of the L-rd is his desire, and in his Torah he meditates’²⁵⁴ — at first it is the Torah of the L-rd, afterwards it becomes his own. Thus do we find even with respect to Rabbi Eliezer the Great, whose distinctive quality was that ‘he never said anything which he heard not from the mouth of his teacher’ and who said of himself that he resembles a reservoir from which can be extracted only what was put into it, that his teacher, R. Yohanon b. Zakkay had said to him ‘*you are able to say words of Torah in excess of what was received at Sinai*’ and of him that he ‘resembles a well which flows with more water than it receives.’”²⁵⁵

Here, we see that Heyn emphasizes the role that exceptional men like Raba, R. Akiva, R. Tarphon, and R. Yohanon b. Zakkay play. On the one hand, they teach the Torah as it is received. On the other hand, they become “saturated” with it and make it their own. When this happens, they intuit and teach what is in excess of Sinai and yet arises from it and enjoys the same authority.

Elsewhere, Heyn indicates that the Jewish community as a whole enjoys the same privilege; those convictions concerning the Torah which arise from the heart and inner feeling of the Jewish people are decisive where the interpretation of the text is concerned:

“The people... sanctify the whole book, the written and the unwritten together with all its oppositions and contradictions. For the people, they are all branches of the same trunk. All that which is scattered and divided is kneaded into a single dough. In a word, it sanctifies the system of ‘one who destroys one soul, it is as if he had destroyed all six days of creation’... [But] one thing and its opposite cannot be sanctified alike... Therefore, it is certain that concealed depths are embroidered with the magic threads that unite [opposites like] East and West even if these are not evident or articulable. Insofar as this unity is grasped by the people, it is upon us to nourish it without attempting to discern whether viewed through a sharp and objective lense things appear contradictory. *It is upon us to*

²⁵⁴ Psalms 1:2.

²⁵⁵ Vol. 3. P. 93.

understand the book in the heart of the people, not the book that sits in the ark [in the synagogue]. This book, which is filled with contradictions and oppositions, reside in a single heart, where — in spite of all its tears — it finds rest. It is upon us to divine and to teach this wondrous unity. Truly, this is the main point of the whole book. The true meaning of the book is the way it is read, not the way it is written, that which is absorbed by the tablet of the heart and not that which is cast like a golden statue or [hewn like] a marble idol. Moreover, what the people holds on to is its own objective testimony. If at the threshold of recognition, the people feels that there are no tears in its book, we can deduce that this is indeed the case.”²⁵⁶

The same capacity to emphasize the testimony of the heart, the reading, over the testimony of the text, the writing, prevails. Here, however, it is the community as a whole that does the reading, that discerns the essence of the Torah and subordinates the external elements thereof, which seem to justify some forms of violence, to its inner truth, the absolute sanctity of human life. This Torah, which resides in the heart of the people and not the parchment of the scrolls or the mind of the sages, dismisses tensions between the inner meaning of the text and its external form.

So, before proceeding to consider Heyn’s views as to economic inequality as a form of violence, let us sum up his position on war and the death penalty. As a rule, Heyn refuses to distinguish between forms of violence. If human life constitutes for him, an absolute, there is no difference between taking it in the name of the law and taking it in a capricious fashion. Killing is killing. Likewise, if human life constitutes an absolute is — so we learned earlier — the subordination of the individual to the collective proscribed. Thus does war constitute — even in its defensive form — a moral impossibility insofar as it necessarily involves precisely an estimation of the relative balance of cost and benefit wherein the loss of individual human lives is weighed against the interests of the group. War, thus understood, is deeply incompatible with the essence of Judaism as Heyn understands it. As for punishment generally and the death penalty in particular, Heyn’s thinking largely mirrors his views on war. Punishment as such would function to correct the individual or to better society. He expresses extreme skepticism as to the effectiveness of the former and likewise as to the moral sustainability of the latter — if Reuben is punished or executed in order to improve conditions for others, we simply have another example of subordinating the individual to the collective, which he rejects out of hand. Moreover, it is Heyn’s view that even if this difficulty could be ignored, the institution itself serves to cheapen human life in general, thus undermining whatever short-term improvements it might impart to the social body. Finally, while Heyn recognizes that his views clash rather starkly with more conventional interpretations of the tradition, he maintains their legitimacy on the grounds of a distinction between

²⁵⁶ Vol. 3. P. 197.

intuition as to the fundamental tendency of that tradition and knowledge as to its external forms. In his opinion, the one who makes the Torah his own, becomes saturated with it, takes it from Sinai rather than receiving the whole of it there, has the right to interpret according to the latter even if his reading breaks with the written word. Such a one may hang a mountain from a hair.

Now let us proceed to the question of economic inequality as a form of violence before proceeding to examine how all of this relates to Heyn's views on the subject of sovereign authority. In the first place, Heyn states that:

"It is appropriate to emphasize... the fundamental principle of equality... [that] origin and class-status are considered as nothing at all, as 'corpses' that do not move. Not only does Judaism recognize no open abyss between peoples, between man and man, it is the first to demolish every barrier: of nation, of class, or of religion. The primary merit of Judaism (in this respect) is that it establishes this principle of equality not as a mere right, but as an absolute condition against which cannot be contested. Total inward equality in nature — this is the accompanying tune of Judaism. People differ neither in terms of their origin nor even in terms of their religion; they differ only with respect to their deeds. The value of a man is established neither by virtue of his origin or of his affiliations, religious or otherwise but by his deeds alone. The highest expression of the notion of equality is found in [the talmudic tractate of] Sanhedrin 37a, where it says 'therefore was man created alone, so that one might not say to his friend: my father is greater than your father'... The exalted moral doctrine of Judaism goes far beyond natural equality. It denies the differentiation of men based on blood, class, status, peoplehood and so on."²⁵⁷

Here, we observe that, according to Heyn, the idea of man as an absolute individual — as a being created alone — implies that differences of class are not to be respected. Men are to be distinguished solely on the basis of their deeds. Their equality is more than a conventional right; it is the basic and fundamental condition of being human. In this respect, we see that Heyn's unconditional rejection of violence includes class division — to recognize class differences would constitute an affront to the absolute uniqueness of the human individual.

Still, there seems to be a great difference between class differences as such and their recognition. One can refuse to recognize a class divide while yet it persists; indeed, one can refuse that recognition while benefitting from it. For example, a wealthy capitalist may distribute his profits to the poor; yet, the very fact that these are *his to distribute* in the first place arises from the divide he ostensibly erases. The claim that absolute equality is the moral consequence of the idea of human uniqueness must, therefore, extend beyond the realm of recognition; it must first of all imply a *real* rejection of inequality. Indeed, this is what Heyn seems to indicate elsewhere:

"If man is unique, class divisions are inconceivable. Neither distinctions of quantity nor of quality are conscionable. The final ideal of such a worldview necessarily involves absolute equality for everyone in everything, even including the negation of spiritual advantage of

²⁵⁷ Vol. 1. P. 28.

the one over another. Since each man is unique, there is no common balance for all humanity. It is impossible to justify the destruction of one man even for the sake of saving another. Each individual is his own world. A religion the tendency of which so leads to the absolute wealth of all humanity cannot but regard its ultimate concretization in absolute equality. If not, the smallest of the others will not enjoy the fulness of wealth. Then, the world will not be wealthy. The poverty of one cannot be justified by the wealth of others. Since the individual is the absolute master of his own 'I,' the destruction of one 'I' for the sake of another cannot be legitimated. One man cannot be sacrificed for another no matter the reason."²⁵⁸

Here, we see that the link which Heyn draws between the absolute uniqueness of each human individual and the principle of equality is more than a matter of mere recognition. Here, more than an attitude is at stake. Heyn claims that Judaism finds class divisions *as such* to be unconscionable because their very existence is predicated on the sacrifice of one man for the sake of another, the poverty of the one is the price of the wealth of the other. As Heyn interpretes it, therefore, Judaism must endeavor to *concretize* absolute equality if it believes in the absolute uniqueness of man; it must ensure that the whole world enjoys the fullness of wealth.

While Heyn does not address this challenge in great depth, he gives evidence of a three-pronged approach. In the first place, he denies that anyone has any ultimate right to property:

"The Torah is a Torah of justice, not merely justice in the simple sense, but absolute justice... Absolute justice means the justice of justice. It grows and lives from own being and essence, it is neither formed nor nourished by reasons external to itself, by peripheral motivations — ideals and concepts external to justice itself. The truth in justice, the justice in truth; this truth is not a matter of language, a dictionary truth; it is not even a truth of facts, but the truth of truth. This last sentence perhaps requires additional explanation so that, in the course of things it can be understood. The substance of that justice is the determination of rights. Those rights which it determines and which are recognized through it are obviously absolute. Absolute rights are all one thing: the uniqueness of existence. That alone is the absolute right. Any other rights that exist in the world are relative, accepted, and agreed upon.

This is true not only of acquisitions that are totally external, wherein the merchandise and also the price are external and property rights are always external and are, for the most part, simply a matter of convention. Rather, it is also true of acquisitions effected by way of "essential prices" — through he himself who acquires, and even of cases wherein the merchandise itself is essential and internal — even acquisitions like these, not a single one of them is without a drop of foreign causation, of authority external to the possessor himself.

Where thoroughly external means of acquisition are concerned, the price is generally based on convention. Gold acquires, silver acquires, but this attribute, their capacity to serve as a measure of price and of purchasing power is entirely conventional. It is the decree of a government or of a complex economic system, not an attribute inherent to the things themselves. The same is true — and perhaps this is what makes it so with respect to the means — of the merchandise. That this merchandise, an object belonging to one

²⁵⁸ Ibid. p. 39.

person, comes to belong to another is nothing more than an order of things devised by human beings. Even barter transactions, where both the relative value and the need are both natural and intuitively evident to both parties so that convention is not the primary cause, even in such cases possession is merely external. It is not essential, not natural, and not of substance.

Practically, moreover, it is generally the case that the object together with its price — whether natural or artificial — are obtained *via theft*. They are obtained either via outright theft or arise from theft, even according to the agreed upon conventions.

Even things that are acquired via “essential prices,” through work and labor, even from these — though the right of possession is not thoroughly external and conventional — the rights of others are inseparable. It is comparable to a case in which two causes contribute to a single result. For even when the means by which the fruit of labor is harvested are entirely essential and internal, belong absolutely to the worker — his own hands, feet, muscles, and energy — and arise from his personal efforts and his strength, that on which his labor falls, bears the fruit thereof so that even the fruits of labor themselves, the object of work and prophet alike — are these not external?

Wood, iron, land — the material of labor and the tools together with the yield, that which is produced and obtained by them — the profit and the fruits of labor, these do not belong to the laborer, the worker considered in himself according to the deeper and true sense, the essential and internal sense, developed here. He is neither the material nor the tool, nor are they him. Thus, we are still dealing with external rights which are like like plaster and glue hovering around and above [the laborer].

Even the fruit of human spirit, that which rises and sprouts from within him without external materials or tools: his opinions, exercises, and songs. The price: of him. The material: of him. The merchandise: of him. The slate of his mind: the land. His reflections: the sowing. His ideas: the fruit. Even here, the thing does not come to be without external causes and via the domain of another. Even the most individual and fundamental things are not created *ex nihilo*. The first impressions which lay down the seed are gathered from without, from one’s surroundings: from the sun and the stars, from books and authors. The eye sees and the ear hears without their possessor even being aware that he is absorbing what he sees and hears and that his mind and his heart are being sown with these things.

These, the mind and the heart, sprout with what they are thus prepared to make sprout.”²⁵⁹

Here, we observe that, in Heyn’s view, insofar as all things are necessarily produced via a plenum of causes only some of which are attributable to the laborer, the notion of property rights — even those arising from immediate labor — dissolves. Property rights are relative and conventional in character; as Heyn writes elsewhere, “society has proprietary status where wealth is concerned insofar as wealth is produced within and passes through it.”²⁶⁰ Thus, Heyn denies property any part in absolute right, in the uniqueness and inviolability of human existence; the former are subordinate to the latter.

In the second place, and in consequence, he maintains that property rights are limited by the principle of equality. Nobody has a right to accumulate property when others live in poverty:

²⁵⁹ Vol. 3, pp. 202-03.

²⁶⁰ Vol. 1. P. 264.

“‘That thy brother may live with thee (Leviticus 25:35)’ — If two are travelling on a journey [far from civilisation], and one has a pitcher of water, if both drink, they will [both] die, but if one only drinks, he can reach civilisation, — The Son of Patura taught: It is better that both should drink and die, rather than that one should behold his companion's death. Until R. Akiba came and taught: ‘that thy brother may live with thee:’ thy life takes precedence over his life (Baba Metsiya 62a).’ — The law follows the opinion of R. Akiba. However, the main thing is that [the claim that] ‘your life comes first’ applies only when needs are equal, when [we are concerned] with something that is required for the survival of both alike as, for example, the pitcher of water. That is, when we speak of the life or death of both parties. With regard, however, to needs which are not equal, the advantage of the ‘I’ relative to ‘your companion’ does not obtain. The advantage does not belong to the owner of the thing in question, to the giver relative to the taker, but to the one who needs it more... It is all the same if the one who needs it less is the owner, the one who holds it, the giver, and the one who needs it more, the “him,” does not hold the right of acquisition with respect to the thing, the taker... it is forbidden for someone to provide raiment for himself when his neighbor needs bread, to furnish his home when his friend lacks what to cover his skin with.”²⁶¹

Here, drawing on (but radicalizing) an argument appearing first in the collected letters of the first Grand Rabbi of the Habad tradition,²⁶² Heyn argues not only that the fact of poverty cancels out property rights, that no man has a right to goods in excess of his basic needs when other men are starving, but that *inequality of need* does the same. This is to say that when one man needs something more than another, he has the right to it even when he is not impoverished; all the more so when he is. In this sense, absolute justice, or the unique character of each human individual, dictates what amounts to a dissolution of the the institution of private property. Where need is unequal, there is no property.

More profoundly still, Heyn argues on the basis of a legal principle appearing throughout the Talmud that this dissolution of proprietary rights extends even to cases where disparity of need is not at issue but simply advantage on the part of one party which does not come at the expense of the other:

“[Consider] the well-known rule of ‘one benefits and the other loses nothing’ — [in this case] the latter is forced [to provide this benefit which entails for him no loss] not to act according to ‘the characteristic of Sodom’ [i.e. the view that ‘what is mine is mine and what is yours is yours (Avot 5:10)’,²⁶³ — this being the boundary of valuation. There is, [in Jewish tradition] no simple right, no capricious right — an *ius utenti et abutendi* — if you lose nothing [in doing so] you are obligated to grant to the other use of everything that is yours.”²⁶⁴

²⁶¹ Vol. 1. Pp. 32-33.

²⁶² Tanya. Iggeret ha-Kodesh. Ep. 16.

²⁶³ See Babylonian Talmud, Ketubot 103a; cf. Babylonian Talmud, Bava Kama 20a-21a, Tosafot to Babylonian Talmud, Bava Batra 12b *divrey ha-maskil* “k’gon.”

²⁶⁴ Vol. 3. P. 288.

Here, it is the case that one party benefits while the other does not lose. “Need” is determined not in relation to some broader condition of economic inequality; indeed, the one who needs might be better off than the one who is needed from (other considerations aside). Yet, insofar as the latter is in no manner harmed by sharing, by allowing the former to derive advantage from what he has, he is obliged to do so.

So, while it is clear that Heyn does not deny that individuals may take *possession* of goods — if not, what sense would there be in speaking of benefit and loss; there is no loss if there is no possession in the first place — this must be sharply distinguished from property. In essence, it seems that Heyn understands the socio-economic doctrine derivable from the absolute uniqueness and inviolability of the individual to imply what amounts to a doctrine of “from each according to his ability and to each according to his need.” In other words, he adheres to what the anarchist anthropologist David Graeber calls “baseline communism,”²⁶⁵ which is not, as Marx had argued, “higher phase of communist society,”²⁶⁶ but the very condition of society itself. This, so Heyn argues, is what absolute justice demands; to fall short of this ideal is to do violence to the unique essence of the human individual. It is, as he indicated in the passage quoted above, to be guilty of theft.

Having reached this point, we can summarize Heyn’s views as follows. The essence of Judaism is the prohibition of killing. This prohibition is organized around belief in the absolute and irreducible value of the human individual. This belief implies that human life cannot be conceived in quantitative terms which implies, in turn, that it precludes weighing the difference between one man and many men; the distinction between individual and collective is destroyed. On his account, we cannot sacrifice the individual for the sake of the group. We cannot do him violence. This, so we proceeded to observe, implied not simply the moral impossibility of violence generally, but the particular moral impossibilities of phenomena such as war, punishment, and economic inequality.

Let us now proceed to consider how all of this feeds into Heyn’s assessment of governance. In other words, how Heyn’s conception of the prohibition of murder implies anarchism broadly construed. Traces of his view can already be discerned from his approach to the question of numerability. So he understood it, that is numerable which lends itself to being *owned*. A proprietor counts his property and assesses its value in relation to other sorts and quantities of property. As property, the numerable can be treated as a relative use value, it can be reduced to

²⁶⁵ Graeber, D. 2011. *Debt: The First 5000 Years*. New York: Melville House. P. 98.

²⁶⁶ Marx, K. Critique of the Gotha Programme. Retrieved 05/24/2017 from:
<https://www.marxists.org/archive/marx/works/1875/gotha/ch01.htm>

and deployed according to the desire of the proprietor. To be more precise, the term which Heyn uses is *ba'aliyut*. Though it implies ownership, the term is better translated as *mastership*. That is numerable, quantifiable, usable, which is under the *dominion* of something else, which is *subordinate* to it. In this sense, the economic relation of property becomes a political relation of sovereignty. But as instances of absolute sanctity, human individuals cannot be treated in this way. If they are not subject to numeration, valuation, possession, and so on, they are also not subject to dominion; the human being cannot be the subordinate of another man or other men. This insight, Heyn begins to develop in the following passage:

*“This characteristic [of treating human life as a relative value] is customary among the rulers of the world. Not only ancient rulers practiced it, but also modern ones, even the [supposed] missionaries of absolute justice. All of them are butchers who weigh human flesh on a scale and sell it fresh. The only difference between these traders is what they buy. Each purchases a different object, but all use the same currency; for all, the ‘coin of transaction’ is the same. Human blood is the universal currency with which everything is purchased: islands, colonies, markets... and so on. On this foundation, there is no difference between one government and the next. Government means compulsion and compulsion means blood; it lives on blood.”*²⁶⁷ When you look carefully, you will discover that this characterizes not only Statist forms of government, which were constructed and came into the world only through iron and blood and which maintain themselves on the same, but even socialist governments (*shaltonot hevrati'im*) — even these, which apparently exist only for the sake of pure justice, natural justice, the law of man and the sanctity of that which is made in the image of man — the essential being, the licence and purpose even of these, seems to be nothing but war, blood, and iron, governance by pressure and force. Their altars too are built with iron. Blood and iron are naturally twisted around one another. The angels of force, wherever they are, are not angels of peace but angels of death.”²⁶⁸

Here, we see that in Heyn's view government goes hand in hand with human objectification, with treating man as an equivalent value that can be used for ends external to himself. In other words, to govern, to compel, is to violate the sanctity of human life. As he states elsewhere, though “the [holy] altar is not to be made with iron, throughout the world and in every generation, there is not a single altar *not* built with iron... the altars of governments and States... maintain themselves only

²⁶⁷ Cf. “[It is stated in the Torah] ‘If you build for me an altar of stones, you shall not build them hewn, for if you wield your tool on it you profane it (Exodus 20:25).’ [This is] because iron was created to shorten human life and the altar was created to extend human life. It is inappropriate for that which shortens to be waved over that wielded over that which lengthens (Mishna, Midot 3:4). Contemplate deeply the substance of this passage and its explanation. There are many altars; there are social, state, even purely-scientific altars which stand atop corpses and blood. Not only *state institutions, and states themselves, are built primarily on blood and by the sword...* That which is fashioned from blood and drips with it, above all, cannot become an altar. Iron, weapons, blood, violence, and murder — these cannot be an altar for God. This is what Judaism teaches. Does this not constitute a death-sentence for all institutions and values created by the human mind which are sustained by blood (Vol. 1. P. 22)?”

²⁶⁸ Vol. 1. Pp. 81-82.

with iron.”²⁶⁹

The radical implications of this position emerge with greater vehemence in another passage, in which Heyn draws on an anecdote from the life of Peter Kropotkin²⁷⁰ to emphasize the relationship between dominion or ownership and the perceived right to make use of human life — i.e. the right to violate its sanctity. “It is clear to me,” he says, “that... the whole big idea of sacrificing the individual for the sake of the collective originates from a prior doctrine: that of dividing the inhabitants of the world into masters and slaves.”²⁷¹ For the master, his “men were nothing more than objects. The master could kill them at will in the same way that he might shatter his tools or slaughter his animal... The real utility or the capricious enjoyment of the master determined the being of the slaves. They were his men, not humans but carriers of determinate value.”²⁷² For example, he says:

“Kropotkin recounts that in his youth he once asked his elderly father: for the sake of which brave deed did you merit to enjoy such great honor? The elder answered that he saved a woman and her child from a conflagration and that this involved great and evident danger. Due to his lyrical spirit, the young Kropotkin was deeply moved by the glory of his elderly father’s ‘strength in kindness’ to the extent that he was inclined to kiss every part of his body. The youthful soul of the future poet of the persecuted and oppressed yearned to know the details. Thus, he asked further as to whether [his father] was, God forbid, singed by the fire. The elder deeply shocked him. ‘Little lamb,’ he said, ‘you think *I myself* went into the fire? I sent Frohl, my servant! The child’s passionate soul was confused. In his simplicity he asked ‘if so, is it not he who put himself in danger and not you?!’ The elder responded simply and seriously: he is my soul, the acquisition of my money.”²⁷³

This story establishes a general principle... Here is the secret of the difference between one and many and here is the source of the idea that the individual can be sacrificed for the collective. For the one who sense others to the valley of death, for the master who sense ‘his souls’ into the conflagration, there is a great difference between one and many. It is akin to the way they think about merchandise, about objects that can be owned... Even though the practice and form of outright slavery has been negated, the substance of slavery, the rule of one man over another, remains.”²⁷⁴

And, on this same thread, he continues elsewhere:

“In the course of generations, the forms of slavery have changed. The soul of slavery has developed in various ways. There has been created subordination to kings, to flags, parties, states, and so on. There has even been created a forgery of the man himself whereby he sends himself: members of parliament chosen from his own send him to death, to destruction... many opinions arising from himself sell him for slaughter. Thus, the form of

²⁶⁹ Vol. 1. Pp. 88.

²⁷⁰ The incident is mentioned in Chapter 1, section 3 of Kropotkin’s *Memoirs of a Revolutionist*.

²⁷¹ Vol. 1. Pp. 69-70.

²⁷² Vol. 3. P. 209.

²⁷³ Cf. Vol. 3. Pp. 209. The story is repeated there, but in a slightly altered form.

²⁷⁴ Vol. 1. Pp. 69-70.

slavery has changed, but the foundation remains: an external authority hovers above.²⁷⁵

The form of mastery has also changed. It appears as the majority, the idea — that serves as the master. Indeed, in truth, at the inner depth of things, there is always someone who climbs the mountain and sends those who stand at its base. Whether he climbs in purity or impurity, he sends... he sends because he is the master. They are sent because they are under his authority and not their own. They are slaves.”²⁷⁶

Thus, Heyn concludes: “this ‘just logic’ was the first reed plunged into the upright heart of the angel. On it was eventually built the great city of ideal anarchism, Kropotkin’s anarchism,”²⁷⁷ which — on Heyn’s interpretation, teaches that “a total negation of servitude and authority of one man over another negates not only the doctrine of sending others to essential altars, but also the idea of sacrificing the one for the many at its very source.”²⁷⁸ In sum, we here observe that according to Heyn, if it is the case that the fundamental principle of Jewish doctrine is the absolute sanctity of human life, which means that humans cannot be regarded as subject to numeration — i.e. as objects rather than subjects — it follows that the prior supposition of this fundamental principle, the underlying principle that is *truly* fundamental is this: Judaism demands the absolute negation of slavery broadly construed. That is, Judaism demands abolition of relations of mastery, of superordinate and subordinate in any form — including that of the modern state, which dispenses with the outer trappings of sovereignty and presents itself as the representative of the people. This, institution he regards as retaining the substance if not the outer form of servitude. For Heyn, Judaism demands ‘ideal anarchism.’

According to Heyn, man is a fundamentally social creature. As we have already seen in our examination of his position on property, it becomes almost impossible to determine the domain of possession because the nature of human existence is such that productive causation is distributed throughout the community. This characteristic of his thought is articulated more directly in the following passage:

“The life of the individual cannot be complete, healthy, and full without the life of the community,

²⁷⁵ Cf. “Between generation and generation, group and group, man and man, there is no difference but the form of the master. Sometimes, it is in the form of a Roman crown, sometimes it is in the form of a Spartan helmet, sometimes [it is in the form of] a nihilistic clown who negates himself and others alike, a noble individual isolated in a closed room or a disorderly mob, a party or a society at large. What all of them have in common is that all function as masters. One master replaces another, but the slave remains in his position (Vol. 2. P. 246).”

²⁷⁶ Vol. 3. P. 210.

²⁷⁷ Vol. 3. P. 209. Cf. Babylonian Talmud, Shabbat 56b — Heyn appeals to teaching of R. Judah, who said in Samuel’s name that “when Solomon married Pharaoh’s daughter, Gabriel descended and planted a reed in the sea, and it gathered a bank around it, on which the great city of Rome was built.” Based on Heyn’s reading of Rome, we might say that the doctrine of sacrificing the one for the sake of the many began its development. In the same way, but in the opposite direction, Kropotkin’s grandfather planted the seed which grew into the negation of this doctrine.

²⁷⁸ Vol. 1. Pp. 69-70.

communal institutions — man is naturally a social animal. No other creature in the world requires, in order to sustain its real particular existence, the assistance and help of other members of its species like man does... From the bread that he eats to the garment that he wears, the hat that he dons on his head and the shoes on his feet, many types of labor are demanded for each of them. From plowing the land, to the baking of the bread in an oven, there are many iterations of labor and many iterations of thought. Similarly, from the sowing of flax and the shearing of sheep to the sewn garment, from the skin of the calf to the shoes that are produced. The same goes for homes and household objects. Even Diogenes would be unable to ensure his existence without a barrel and a cup which, from the first formation of their matter until their completion [as objects of use] there have passed many iterations of action on the part of many actors.

The same goes for the spiritual needs of men. From the thought born in the heart of a man until the bound book, there are many iterations of labor, many souls at work. Moreover, life itself is not felt without other people. There is joy in life, lust for life, only where men share brotherhood and connection. In other words: life is expressed only through activity. Whence human activity if not from love, actual love, and not merely observational love which is, after all, merely passive. The first mystics expressed this in a short aphorism: ‘it is the nature of the good to do good.’ Life is nothing more than the expression of life, the ‘revelation of the concealed,’ the ‘making actual what was potential.’ Indeed, this is the secret of formation and its pleasure, a pleasure which has no equivalent. A soul lives only gathered together [with others], in a community... communal life is the glory of the individual.”²⁷⁹

Human beings, as Heyn explains here, are social creatures in essence. They rely on each other for sustenance above all, but also spiritually and intellectually. Every thought conceived in the mind of an individual is above all, the fruit of a hidden collective endeavor. More than that, it is in and by his relations with other men that the individual truly lives because it is through these relations that he expresses his life as a plenum of activity.

Still, the community in and by which man lives “does not exist for itself... Communal life is like the air which men breath, but this breathing is not for the sake of the air. Once breathing stops, it is all the same if there is or there is not air. The whole world was created for no other reason than to serve the needs of the individual.”²⁸⁰ As such, the community, the state, and so on represent a relative and not an absolute value with respect to the individual before which it is subordinated:

“Whoever destroys a single life is as if he destroyed an entire world (Babylonian Talmud, Sanhedrin 37a).” The source of this viewpoint and its first expression is the negation of servitude. There is no servitude. This means that there is no mastery. Every man is the sole master of himself. Therefore, there are no two lives which belong to one of them. Each one is unique and it is therefore everything... there is just the individual, many distinct individuals who are worlds apart from one another. *The life of society, however precious and holy, does not have a holiness that rules.* The value of society is exalted only due to the individuals which cause it to be: unique individual existences.”²⁸¹

²⁷⁹ Vol. 1. Pp. 86-87.

²⁸⁰ Vol. 1. P. 86.

²⁸¹ Vol. 1. Pp. 42-43.

Society, in this respect, has no claim over the sovereign authority of the individual.

As such, Heyn's prohibition of treating the unique individual as an equivalent value for the sake, for instance, of conquest or other national interests, is but a single element — and not the most profound one — of a much more radical view of what Judaism, or the Jewish ethic, demands where political life is concerned. The absolute and inviolable character of the individual extends even to civil affairs. If indeed the individual needs and thrives within the community, he does not exist for it but the reverse. This implies that even civil institutions of the community cannot operate on the basis of compulsion. The individual must be allowed to enjoy sovereignty unfettered by any form of compulsion however soft. "Independence and selfhood," says Heyn:

"Are the inner being of freedom, its depth and innermost chamber, the fiftieth gate of freedom,²⁸² the diadem of its crown, its final abyss, the closure of its sentence. It is nothing more than the activation of freedom, its necessity, or active and positive freedom. Selfhood in all its manifestations and variations is necessarily bound up with its completion, in its closure, the existence of freedom in its negative form. That is, the absolute negation of slavery, liberation from a yoke foreign, from dominion of another — from any sort of foreignness and otherness.

Once you have completely removed otherness from within you — be it that which is imprinted with fire and engraved with an iron pen, or that which is written with a golden pen and with pillars of incense clouds — your essential self will naturally make itself known and squirm for release... Negative and positive freedom — the negation of foreignness and otherness [on the one hand and, on the other] independence together with all of its manifestations — are poured together like 'light that follows the absence of darkness' and attached to one another like a flame in its coal. That there be upon you no stranger (in your heart and above, over it) and the essentially free I of the self are two that are one.

Whenever another authority hovers over you, whenever there is a feeling of something standing behind you, even when there is another wind hovering above you, blowing on the strings of your harp, your internal freedom is blemished. That is, your true freedom, or the true and inner freedom and independence is harmed and diminished...

When inner, spiritual, freedom is cuffed... the lighter, the more kind, soft, and pleasant the authority resting upon you is, the more it shackles your liberty, your sole lordship over yourself, the more it entangles you in its pleasant visitations, the more it entraps you. It pounces on you and penetrates your innermost being, your hidden depths. Silk threads more tightly confine the body than Egyptian rope and stalks of linen. The heart is more tightly squeezed by clouds than by iron traps and walls of bronze."²⁸³

Freedom adequately construed, as Heyn understands it, implies both positive and negative elements. In its positive aspect, it is the essential self in its expression. Insofar, however, as the expression of this essential self can take place only on the condition that it is unrestrained, the

²⁸² Here, Heyn draws on the image of the fiftieth gate, which has talmudic origins — "Rav and Shemuel both taught: Fifty gates of understanding were created in the world, and all were given to Moshe except one (Nedarim 38a)" — that later developed into a robust mystical doctrine.

²⁸³ Vol. 3. Pp. 76-77.

condition of freedom in its positive sense is freedom in its negative sense. Any external compulsion, hard or soft (especially soft), any imposition from without constitutes a violation, for Heyn, of the absolute uniqueness and alterity of the self which must be released from every shackle if it is to express or manifest itself thoroughly. In this manner does Heyn extend the principle of equality which, so we have already discovered, arises from the notion of the sanctity of human life to preclude economic violence broadly construed, to include any form of inequality at all. Commenting on how the doctrine of non-violence constitutes the “longing of Judaism’s soul,” he adds:

“More than that, [it is stated] ‘no longer will a man teach his neighbor, or a man his brother, to say know the Lord, for they will all know me, from the least of them to the greatest (Jeremiah 31:34)’ and ‘They will neither harm nor destroy... for the earth will be filled with the knowledge of the Lord as the waters cover the sea (Isaiah 11:9).’ It is not just that one man will no longer enjoy a material advantage over another, that advantage which is essentially the result of violence. Even the *spiritual* advantage of one man over another will be negated. [The distinction between] great and small, strong and weak, shall not be, not just materially, but also in spirit, for it is advantage that constitutes the foundation for the rule of one man over another. Every difference, every human inequality be it spiritual or material, necessarily divides men into classes. But the Jewish ideal is absolute equality — not just equality before the law, but moral, intellectual, and spiritual equality, an absolute equalization of value...

Man is not one [among many], but unique. Everything depends on this. Each individual is the absolute and sole master of his ‘I.’ No ‘I’ bends to the authority of another ‘I’... every individual is his own master... For a Judaism based only on justice, this notion is priceless.”²⁸⁴

As we have already seen, Heyn believes that the absolute sanctity of each human life implies that each such life must be free to flourish in an altogether unfettered manner.²⁸⁵ This implies further

²⁸⁴ Vol. 1. Pp. 38-39.

²⁸⁵ This is not to say that even from this standpoint there are no moral boundaries. If, for Heyn, it is the case that:

“There is no collective responsibility among men. Each and every one of them is judged independently, each and every one of them shares in the aspect of ‘there is nothing other than him.’ No man has a master over him from without. Nobody else can substitute for the individual, what could be given to one who is himself not? From the beginning of creation until Abraham, till the giving of the Torah and the law, till the messiah, everything passes by way of this concept, the concept of man, of the individual. The whole world exists for his sake; he does not exist for the sake of the world. The whole world was created to accompany him — this is the teaching of Judaism and the vision of redemption (Vol. 1. Pp. 158-59.”

It is also the case that:

“[The pathological arrogance of a certain people] extends even to the point of denying the very existence of others. It is not just that she is the wheat and others are the chaff... [according to her] even ascribing to others the value of chaff is too much, while for her even the status of first fruits is too meagre. She is everything and the rest are nothing. Evidently, a group like this recognizes not the naked being of another, of anything external to itself. This opened eye sees not the other; it really doesn’t see anything other than itself as more than an irritating buzz, as worthless chaos... This is the central point whence extend lines of blood and iron, the aggressive tendency to oppress, to seize, to dispossess whatever

that *any form* of inequality, whereby one individual would exercise sovereign authority over another trespasses on that sanctity. On his account the messianic dawn seems, again, to permeate the present. If the ultimate vision for human life on this earth is that even the relation of tutelage whereby one man *teaches* another is to be abolished because each of them enjoys the same access to the divine spirit, it follows for Heyn that this is true *even now*. That is, the prophetic vision for what is to be constitutes an ethical imperative bearing on what already is. That each man *will become* his own master becomes a demand that each man must *now be* his own master and that none shall have his will bent before that of another. Thus does he continue elsewhere:

“Judaism does not regard state institutions as an end unto themselves at all, an essential goal. The opposite is the case; it is fundamentally hostile to all the ropes and chains of the state. The Holy One, Blessed be He said to Israel: My children, this is what I thought [when I liberation you from Egypt], that you should be free from government; like a beast free in the wilderness without any fear of men, so I thought that you should be beset with no fear of governments.”²⁸⁶

According to Heyn, then, it is not just that the messianic dawn radiates with the light of anarchy. The splendor of liberty is not merely the illumination of a way of life that awaits us in the future, a way of life for some other time. On the contrary, it is the very seed of that vine which God “transplanted from Egypt” and which “took deep root”²⁸⁷ in the heart of the Jewish life.

Thus does Heyn suggest that this relation between the sanctity and uniqueness of human life on the one hand and, on the other, the imperative of unmitigated freedom constitutes the very core of Jewish religion. Let us explore this suggestion further and, in doing so, consider how, in making this claim, Heyn also gives us some insight into his view as to how the radical individualism he proposes is to be tempered by a sense of responsibility that does not rely on external compulsion. To make sense of his discussion, however, we must turn briefly to a short passage in the Talmudic tractate of Shabbat. There it is taught:

“‘And they stood under the mount (Exodus 19:17).’ R. Abdimi b. Hama b. Hasa said: This teaches that the Holy One, blessed be He, overturned the mountain upon them like an [inverted] cask, and said to them, ‘If you accept the Torah, it is well; if not, there shall be your grave.’ R. Aha b. Jacob observed: This furnishes a strong protest against the Torah. Said Raba, Yet even so, they re-accepted it in the days of Ahasuerus, for it is written, ‘[the Jews] confirmed, and took upon them (Esther 9:27)’ — i.e. they confirmed what they had accepted long before.”²⁸⁸

impedes the expression and emphasis of its being (Vol .3. Pp. 239-40).”
The absolute character of each individual human existence does not come to exclude the existence of another instance thereof.

²⁸⁶ Vol. 1 p. 87.

²⁸⁷ Psalms 80:9-10.

²⁸⁸ Babylonian Talmud, Shabbat 88a.

Without digressing into the long history of interpretation bearing on this strange passage, let us simply comment as follows. It seems to indicate that God compelled the Israelites to accept the law. On the one hand, this appears to provide an excuse for non-observance, since it was forcibly imposed in the first place. On the other hand, it appears to justify compulsion as a means to social ends. While, indeed, Raba highlights a later source indicating freely-willed confirmation of the law; his reply does not work retroactively, which at the very least leaves the original event in limbo.

As a general point of departure, one might emphasize that this implication of compulsion on the part of God was regarded as “a strong protest against the Torah” — i.e. that, beyond enduring responsibility for the law, compulsion is somehow inimical to the Torah. This is how Heyn understood the matter in his response to certain individuals who appealed to the passage in question in order to justify the use of social, political, or military force to coerce obedience, compliance, and submission. I quote his response at length:

“Even according to the simple meaning of the story, the mountain was suspended only over Israel, *over those who already were what they would become prior to arriving at Mount Sinai...* the mountain was not presented to them in order to force them to betray themselves and their essence... That story testifies to the... Israelite tradition, the Torah before it was [formally] given that they accepted prior to its bestowal... The mountain represented a different sort of authority or, to be more precise, obligation for these inheritors of the golden chain [of tradition. That is, it represented a sense of obligation to a long-standing tradition]... [Thus,] from the very source which one might use to object to our fundamental, essential, and organic opposition to force arises the impossibility of this objection. With regard to the nations of the world, who as it were turned God away empty handed when he offered them his hidden treasure, there was no force, while the ‘force’ exercised on Israel derived from their history...

Moreover, even if the story about force is left as is [and not so interpreted]... Judaism as a whole does not bear it. The face of Judaism and its true character does not change at all. One small weight on the scales is unable to overturn the whole plate. Upholding the principle of force would involve objecting to the totality of Judaism, removing its very soul. You would have to burn the whole Torah in order to interpret that saying [about forcing the Israelites to accept the Torah] as the banner and flag of Judaism, or as a sign, the hint of a command for future generations [therefore, the story in question should, if not interpreted as referring to the ‘force’ of tradition, be ignored].

To firmly establish this, it suffices to mention the character of free-choice according to Judaism and the principle of human freedom which it implies... For Judaism, freedom of choice is a necessary and not merely a contingent existence... But Judaism is literally inconceivable without the principle of free choice. This principle is nothing other than the immediate consequence of absolute justice. This attribute constitutes the whole hidden depth of Judaism... the consequence or, to be more precise, the substance and expression of the fundamental attribute [thereof] — for what is the meaning of absolute justice if not the sole and unlimited right of every essence? No stipulation, no limit, no boundary imposed on it from without. For this right is not a gift or kindness from without, it comes only from itself. Since it does not come from any other domain, no other authority has

attachment to or control over it. This is the whole nature of this absolute [right] and also its unique seal... The attribute of freedom, of absolute justice, is an outgrowth of the right of existence... [and] its singularity. The negation of all lordship, mastery, authority, and claims over the I — in this way, nothing external to it has the ability to rule over the freedom of this I if its right to itself is exclusive. The negation of external authority is a consequence of the right of being itself which cannot be challenged.

The foundation of free choice according to Judaism is the absolute justice which is the sole right that man has regarding his essential being — can this be subject to the compulsion of the mountain, to the very idea of compulsion?... The negation of external authority over your I leads to the negation of lordship, mastery, compulsion, and blemish on your exclusive right. It is the foundation of freedom of choice according to Judaism. Consequently, the measure of freedom in Judaism and in the Torah of Israel is truly unlimited... No authority external to the individual can compel him and rule over his freedom. Only he himself is able to compel himself. This ability comes only from the unlimited freedom of man. Likewise, the individual is unable to compel anyone other than himself. He can compel only himself. The right to compel an essence arises from the unlimited freedom which man has with respect to himself; he is allowed to do with himself what he wishes...

If you erase this point, the point of being, its holiness and its right, from our faith... then you render its substance a forgery... our special substance is the idea of ‘beating’ swords [into plowshares], the pulverization of the gods of power, compulsion, and the altars of man.”²⁸⁹

A few remarks. One, the general thrust of Heyn’s argument is remarkable. The claim that “freedom of choice (*behira hofshith*) constitutes the basic foundation of Jewish thought and practice is, in itself, no special contribution. In the twelfth century, Maimonides had remarked that “this principle is a fundamental concept and the very pillar of the Torah and its commands” for “were God to decree... there would be a quality which draws a person by his essential nature to any particular path ... how could He command us” to do or refrain from doing something?²⁹⁰ However it is altogether evident that what Maimonides meant by “freedom of choice” and what Heyn means by the same differ dramatically. Maimonides addresses himself to the classical question of determinism over which so much ink was spilt throughout the Medieval period. While it may be that Heyn agreed with Maimonides’ view (indeed, he probably did), this is largely besides the point where this passage is concerned. Here, Hey is not talking about the problem of determinism (theological or otherwise) at all. Rather, he is using traditional terminology to make a radically untraditional claim; the principle of *behira hofshith* is uprooted from its largely metaphysical context and transplanted into the field of politics. If it once described the sort of creature that man must be if he is to be held responsible for his obedience to or neglect of the law, it now comes to describe the sort of relation that must obtain between a man and his environment; it describes not

²⁸⁹ Vol. 3. Pp. 261-72.

²⁹⁰ Mishneh Torah, Laws of Repentance 5:3-4.

how things are, but how they ought to be. Namely, that compulsion of any sort is incompatible with the absolute sanctity of human existence. Moreover, Heyn claims, like Maimonides, that Judaism is literally inconceivable without the principle in question though it serves a fundamentally different end, eroding the sovereignty of the law (though not its actual practice) in the name of a radically anarchic vision. Two, Heyn supplies us with a sense of how, the unlimited freedom which he ascribes to the individual as a basic tenet of Jewish doctrine is accompanied by a sense of responsibility. Above and beyond the fact, as we have already noted, that man is a naturally social creature which completes itself in community with others, this sense of responsibility emerges, so he indicates, from history and experience. The force of law, he indicates here, in explicating the significance of the image of the suspended mountain, is an appreciation on the part of each member of the group for the proverbial ‘golden chain’ of which he is a part. It is the voluntary commitment to being what one already is as part of a tradition. This is why, Heyn explains, other nations — if they were offered the Torah — were not presented with Mount Sinai; they felt no responsibility for a tradition of which they had not previously been a part.

In sum, then, we find that, according to Heyn, because human life is an absolute value, possessing absolute sanctity such that every inequality becomes an act of violence and each such life must be free to flourish in an altogether unfettered manner, it follows that “the kingdom of Judaism within us.”²⁹¹ If on one level, Heyn refuses to distinguish between lawful and unlawful killing, reducing both to one and the same prohibition, at a deeper level he likewise refuses the distinction between just and unjust governments. Sovereignty, “dominion, considered in itself, the pouring of rule over others, the authority of one man over another... are equivalent to the sin of the fall of man in Judaism.”²⁹² They violate the very core of its ethical message. As such, Heyn treats the laws pertaining to kings [and statecraft in general] much like he treats — so we have already observed — those pertaining to death penalties in the Torah. He indicates that they were never intended to be practiced. “There is a great distinction to be made within the eternal book,” he says:

“Some things were said lovingly and gracefully, supernal beauty and truth desire them. Other things, even commandments, were said in anger to begin with so that it is the will of heaven that they never come to pass. The chapter dealing with the monarchy constitutes a whole chapter in the Torah containing explicit and detailed laws and rules. Yet, the first prophet, of whom it is said that he is to be measured against Moses and Aaron together, announced aloud “you have done evil in the eyes of God in seeking a king (1 Samuel 8:6).” Thus did R. Nehorai, who is always the author of unattributed Mishnaic rulings (i.e. R. Meir) said that all the laws pertaining to kings were commandments given in anger. The sages of homiletic teachings further elaborated as to the suffering, as it were, of the God of

²⁹¹ Vol. 1. P. 241.

²⁹² Vol. 3. P. 319.

freedom and the destruction of slavery, where the chapter concerning kings is concerned. I said that you should be free of kings in the city and likewise in the wilderness, yet you seek a king?!”²⁹³

The laws concerning kings, on this reading, are to be interpreted in a manner akin to that concerning the infamous war bride (Deuteronomy 21:11); which, according to the Babylonian Talmud in Kiddushin 21b, was a concession to the evil inclination — at best permission, but by no means approbation. On the contrary, their practice, in his view, is condemned.²⁹⁴ For Heyn, the dore values of Judaism prohibit subordinating the individual to the community, placing one man under the sovereignty of another.

This is not to say that released from socio-political compulsion, the individual is free to act capriciously. On the contrary, he is restrained in two respects which Heyn finds acceptable. On the one hand, he is limited by the absolute sanctity of the other; that is, the selfsame sanctity which prohibits compulsion in the first place. On the other hand, the individual is restrained, so to speak, by his own sense of belonging to the community in which he is raised. As Heyn wishes to represent it, this is not an external compulsion, but an individual sense of responsibility for and to one's own history.

This complex result positions us, by way of conclusion, to consider two further questions. One, if Heyn opposes the state generally and political compulsion in particular because these are incompatible with the sanctity and absoluteness of each human life, this worldview implies a revolutionary program; what is Heyn's view on revolution? Two, since Heyn not only emigrated to Palestine, but took an active role in the Zionist movement as the head of the department of culture prior to and continuing after the foundation of the State of Israel, what was his take on the formation of the Jewish state?

Let us begin with the question of revolution. According to Heyn, the spiritual revolution he envisions must be conducted in a manner consistent with his values:

“The justification of the means considered in themselves is a fundamental principle of Judaism, its primary substance. This is one of its most revolutionary contributions to world culture. The tool which the hands operate, must itself be perfect... any blemish, no matter how small, invalidates it... the whole idea of absolutely despising a sin performed by way of a good deed, that whole system, is the novel contribution of Judaism... [which] represents the opposite extreme of the idea that the ends justify the means.”²⁹⁵

If, therefore, the end of the revolution is a way of life in which the absolute character of human life,

²⁹³ Vol. 3. Pp. 200-01. Cf. “‘You have done evil in the eyes of God in seeking a king’ — the whole chapter on the laws of kings is called a command issued in fury. Thus do we find in the *aggadic* teachings that ‘I said that you should be free of dominion like a wild ox in the wilderness, but you [sought out a king]’ (ibid. P. 319).”

²⁹⁴ See Abarbanel, introduction to 1 Samuel, chapter 8.

²⁹⁵ Vol. 3. P. 318.

together with all that Heyn takes this to imply, is respected, so too the means of revolution. Like all other elements of his thought, Heyn's view of revolution arises from his conviction as to the absolute character of human life and revolves around two poles of its consequences. One, his commitment to non-violence and, two, his related rejection of the sovereignty of one man over another. In the first place, Heyn believes that the impetus to bring about radical change emerges from being in touch with one's inner essence, being existentially free from the standpoint of interiority. While, he says, the adult tends to adapt, to "draw their thoughts" not "from the abyss of their own hearts" but from "other people's thoughts," youth are less compromising:

"Only the child sees with his own eyes, hears with his own ears, things his own small thoughts. Therefore, only the child is able to question and be astonished at the nakedness of the King. Hands have not yet touched his mind or his heart. His inner eye has not yet been erased or crushed by constant oppression and by serving others. His soul has not yet been seduced or raped. 'that has never been under a yoke (Numbers 19:2)' — creature can serve as an offering to Heaven only prior to having been under a yoke. 'And no hands fell upon her (Lamentations 4:6),' 'that has never been under a yoke' — not sullied by the falsity and wickedness of the world, the 'plaster' of his surroundings, society and its doctrines, have not yet adhered to him... Youth is the gate of heaven, the nature of the soul before the clever ones 'fix' it and the craftsmen alter it — the undifferentiated nature of the supernal soul before the scientists castrate it and turn it into a machine. It is the 'sapphire brickwork (*lavnat ha-sapir*)' of the soul.²⁹⁶ This is where the rays of holy glory that youth emits... the love as pure as bdellium in the depth of the child's soul. That soul is blemished which has no deep yearning for youth ever whispering within like an eternal flame... The question is this: if youth is lost and never returns, does it die forever? [No]. Youth and old age are not calendrical terms, they are, above all, psychological concepts... there is eternal youth... even the elderly can suddenly break every barrier, breach every veil of concealment, every covering and hard shell that have clung to it from without... then their hidden wells bubble forth with the deepest truth and not the forgery. This is the level of youth, the eternal freshness of the Ancient One of Days; this youth is never exhausted."²⁹⁷

As Heyn describes it, it is not so much youth in the literal sense, but a sense of youthfulness that constitutes the revolutionary impulse. Unsullied by the external forces which endeavor to impose some given shape or direction to its development, to inure it to the conditions of a broken world, the youthful soul remains free. This freedom enables it to look through constraints as through sapphire brickwork, to see beyond them. More importantly, this freedom enables it to see the king, the sovereign authority, the state, in its nakedness and exposure, to recognize them for what they are and not be misled by their pretended finery. The cultivation of youthfulness, in this sense, constitutes a general framework for revolutionary activity as Heyn understood it. It involves first

²⁹⁶ Here, Heyn draws on the commentaries on Exodus 24:10; Sforno, for example, explains that this "sapphire brickwork" was "a substance without any form" — i.e. prime substance.

²⁹⁷ Vol. 2. 246-47.

and foremost an inner change which, in turn, transforms external circumstances. Thus does Heyn speak of a revolution of the heart:

“Whence the conception and birth of the means of redemption *if the heart is not shaken to its core...* ? What will move them to seek out the supposedly impossible means to bring about this miraculous phenomenon?... The source of ability which transcends ability... the self-igniting flame that causes the heart to leap over its boundaries, causing the walls of the heart and the partitions of the mind to shatter. A fire like this, a storm like this, must be created.

A new fire that burns away every strange fire, a powerful fire that incinerates hell entirely. A revolution of the heart, not a political revolution nor an economic one — a revolution like the one that Abraham our father fomented in his day and left to us as an inheritance for the generations... Not with swords and spears, with bombs and mines, nor with any secret weapon will be fulfill our duty. We will not hasten the end by force. These are not our tools; they are the tools of Esau and not of Jacob... Moreover, these tools are already rusty. Swords have never brought salvation, nor have they altered the character of the living. These tools are able only to increase the number of corpses, to fill the world with cripples, madmen, and the destitute... *New lights rather than old vessels, hanging new luminaries in the sky; this is our eternal profession. It is for us to impress this intuition upon the hearts of everyone in the world so that no nation, nor any power further deceive itself...* The sword is a thing that naturally swings around. The same blade that, today, cuts the throat of the servant will eventually bite the neck of the lionlike baron. Once the forces of destruction are released, they make no distinction between righteous and wicked. This is not merely a moral principle, but the true wisdom of experience. No state, no nation, no man can live secure when the blood of any man is made cheap.”²⁹⁸

In Heyn’s view, the revolutionary changes he envisions are to be brought about in a manner consistent with his values on the whole. Evidently, if violence transgresses the absolute value of human life, the revolution he looks forward to cannot be effected by violent means. Likewise, if the governmental structures of the state inhibit the existential freedom which human life in its absoluteness must make manifest, then it cannot be effected by political means. Rather, this revolution is an Abrahamic revolution of the heart, an inward turn from self-deception which becomes thereafter an outward result. This revolution of the heart is a moral transformation.

While Heyn does not enter into great detail as to the particular mechanisms which he believes will bring about the moral transformation he demands as part of his revolutionary program, we can infer some sense of it from two passages. In the first, he speaks of appeal to the court of public opinion:

“In place of the old ‘me or you’ [there must be established] a new and revolutionary ‘me and you.’ This is what will heal the world, mankind. This is the secret of the redemption, the redemption of humankind and what is far, far, far more, the redemption of the particular individual. *We need only to make this idea into a fashion, to hand it over to the trend-setters of the world, the designers of spirit, to make this wonder penetrate.* The

²⁹⁸ Vol. 1. Pp. 202-03.

moment is nigh for such a revolution; the world is tired of the ‘blessing’ of the sword and the fruits thereof, of its wisdom and its arrogance.”²⁹⁹

Bracketing his discussion of the me and the you, which I shall speak of shortly, what I wish here to emphasize is the role Heyn ascribes to fashion and trend-setting. In essence, it appears to me that, like Tolstoy, he recognizes the tremendous power which public opinion wields. It is by shaping and transforming the latter the new spirit, the new fire, penetrates old hearts, making them youthful once again and the redemptive revolution is fomented.

In the second passage, Heyn explains in greater detail his conception of the means deployed by Abraham in the revolution which he, in his day fomented and left to his descendants, physical and spiritual, as an inheritance. These means, so he describes them, were “fatherly (*avahuti'im*)” — which, I take to mean not that they were patronizing or paternalistic, but that they involved, first of all, Abraham’s intimate relationship with those he influenced and, second of all, the way in which he evoked in them moral truths which simply had yet to be realized:

“The unprecedented and incomparable world revolution that Abraham fomented was, in its hidden depth, fatherly. It was not fundamentally political or ideological; it was a revolution of the heart. He was the first to enact, rather than merely to dream, this revolution of the heart. What is more... [Abraham’s revolution is an exemplar] for all future generations, they are nourished by the sparks and splinters of that heavenly revolution, from that drop of heart that remains in the waters of malice and which is not thoroughly drowned out in them. Likewise the methods of this revolution, its means of operation, are ‘fatherly.’ This revolution was not engendered via blood and fire. The revolutionaries were lead neither via punishments nor signs; neither by tyrant nor prince. ‘The world is not without its king,’ he said to the children of Ham, who said to him [after the battle of Siddim in Genesis, chapter 14] ‘you are our king’³⁰⁰...

His method of planting [seeds of change] and its modes, it was not through proofs; he did not change people and likewise the condition of the world through analytical demonstrations even though these existed. These were just his ‘ands’ and ‘thes’ (*gamin ve-etin*) [i.e. peripheral elements of a much deeper method] — and even these were streams from the essential hidden spring [of his teaching], not matters strictly rational and scientific. ‘It is the nature of the good to do good’ — this is the fundamental and existential character of the absolute individual, the absolutely unique. There is, in that nature, the unique key to the hidden wonder of the first inclination to create the worlds and to form man. The desire to do good that is in the nature of the good is what encouraged that One who is alone to create others, that which is other than himself. The desire to do good is, in essence, a desire for others. This is what penetrates others from the very beginning. The same goes for man. The more something has the supernal attribute of uniqueness... from the absolutely unique, the more it has the attribute of being good and doing good, the more it feels a thirst for others, a capacity to ‘make souls’...

Another thing that is of the nature of things: one who needs nobody is the one who everyone needs and who refines them. The perfect giver is the one who receives nothing

²⁹⁹ Vol. 1. P. 271.

³⁰⁰ See *Bereishit Rabba* 42:5.

by dint of his nature. The true benefactor is the one who needs good from nobody else in the world. This is the principle and substance of love which is not dependent on a thing. Specifically this love, where one receives nothing from the beloved, is true love. The unique one who is never negated, which is not created on condition, ends by virtue of no condition. In other words, more brief and deeper, he who benefits not from that which is of others enjoys the others themselves; he is pleased by their pleasure — or, what is more, from their essential existence.”³⁰¹

In the first place, let us observe that, according to Heyn, Abraham’s revolution begins with the denial of any sovereignty other than that of God and that it is taken as the model for all future revolutions. It is not brought about by *any* coercive means — certainly not by means of military coercion, but more profoundly, not by intellectual coercion either. As Heyn understands it, to overwhelm another man with proofs and demonstrations as to the truth of one’s viewpoint and the correctness of adopting constitutes its own form of coercion; it does violence to the free development of his own opinions. If these were employed by Abraham at all, they served a peripheral role, giving analytical form to a much deeper insight that came before. This prior insight is an appreciation for uniqueness and absoluteness of the human individual, a quality which each derives from God. If God is without condition, an end unto himself so that it is his nature to act unconditionally, without selfish concern, if it is the nature of the good to do good, and this unconditioned character is imparted to man, then so too is it an intrinsic element of man to likewise act unconditionally, to be good and to do good. Thus, the revolutionary method of Abraham, so far as Heyn conceives it, is the process of making souls, of putting people in touch with the absoluteness and uniqueness that characterizes them as men, by virtue of which they are intrinsically good and naturally inclined toward altruistic behavior. This is the revolution of the heart Heyn envisions: a moral transformation on the part of each individual which renders superfluous the organized violence of the state.

Let us now proceed to consider finally Heyn’s views with regard to Zionism, or Jewish nationalism, generally and the idea of a Jewish State in particular. On the whole, it may be said that in both respect, he appears conflicted. Indeed, his claims fluctuate. Some appear altogether consistent with his philosophy of Judaism so far as it has been articulated here. Others, however, seem radically inconsistent with it, extending a degree of latitude to the Jewish State — ascribing to it moral qualities — that he would not extend to any other, thus leaving the impression that he sees it as a state apart, not constrained by the same human limitations that render every other state an immoral or amoral entity and, therefore, an abomination so far as Judaism is concerned.

Let us begin with the question of nationalism generally. On the one hand, Heyn speaks of

³⁰¹ Vol. 3. Pp. 46-48.

nationalism along lines roughly comparable to those articulated by other anarchists, religious or otherwise. He speaks harshly of “our politicians, who engage in high diplomacy... [and] have forgotten everything,” who neglect to “place the slaughtered, the suffering, and those buried alive before their eyes always” and begs them as follows:

“Do not immerse our blood and our humiliation in state interests. Please!... It is an abomination to turn the blood of martyrs into a political platform. You do not hesitate to speak of nationalism, the honor of the people, the survival of the people... this stinks of petition, preparation and pretext to file suite which, as with every claim, bears the possibility of producing the opposite of the desired result. If the primary ‘stake’ is nationality, a ‘reed has already been placed in the sea.’³⁰² [Evgeny Lvovich] Markov,³⁰³ [Vasily] Shulgin and their circle had enough *hutsps* and showed enough sophism to show, during the libel,³⁰⁴ that their case for nationalism is the determinate thing and that all the terrible sacrifices are — in light of the “grand national perspective” — nothing but small blood-lettings by means of which to heal their holy, giant national organism. Moreover, this word has already been contaminated by all the corpses and death-impurity from time eternal. There is not a single criminal, a single impurity, which has not endeavored to justify itself by appeal to... nationality or — according to the Roman formula — the state. In the name of these phenomena they have always burned and slaughtered.

Every human sacrifice, every martyrdom... is the work of nationalism. Even Symon Petliura and his generals do what they do in the name of nationalism. Nationalism is used to justify the governmental abuse and the sacrifice of human life. They engrave one word on the staff of rage that you take in your hands and, with its black magic transform the world into a chaotic ruin. This name has two letters: *dalet-mem* [*dam*, blood]! Human blood! There is no other argument on your lips; human blood, that is all — The blood of Abel spilt by Cain... The knife with which men are slaughtered, the spear with which men are stabbed, destroy it!”³⁰⁵

Here, we find Heyn denouncing nationalism as a pretext for violence. We find him likewise railing against the Jewish communal leadership which uses national interests as a pretext for political action — presumably in relation to the Zionist endeavor in Palestine. Clearly nationalism is, for Heyn, a concept *non grata*.

On the other hand, we have already considered Heyn’s belief to the effect that each people has a definite essence or characteristic — in the case of Israel, this being an abhorrence for violence. This conviction appears too in his account of positive relations between different

³⁰² See note 271 above, where the reference is explained.

³⁰³ Markov was a slavophile author best remembered for his novel, *Black Earth Field* (1878), and his travel sketches, *Sketches of Crimea* (1872), *Sketches of Caucasus* (1887), *Journey to the East* (1890–1891), *Russia in Central Asia* (1901) and *Journey Through Serbia and Montenegro* (1903).

³⁰⁴ It is not clear to me which libel Heyn is talking about. It does not seem that he is speaking here of the Beilis trial directly. Perhaps he is referring to the pogroms that took place in connection to it? If so, why would he attack Shulgin, who (albeit a terrible antisemite) publicly criticised the Russian government during the trial and opposed the pogroms?

³⁰⁵ Vol. 1. Pp. 61-61.

peoples:

“Me or you, or me and you? Me or you makes people like the fish of the sea, it transforms the world into one huge field of slaughter. [Yet, many say that] Me and you places the essential I in danger; it reduces essential liberty. [Many say that] distinct liberties contradict one another... They know nothing of boundaries, compromises, and softened positions; they are unable to confine themselves. [Many say that] the natural law is that whatever does not conquer is conquered... [Still] the upright, blessed, and natural path is actually the aspect of ‘me and you.’ For the ‘me and you’ of nations do not contradict the essential me. True liberties do not contradict one another, nor do they impinge on one another. On the contrary, they fulfill one another. Jealousy and tension is possible and natural only among people of the same sort. Shoe-makers, for example, are jealous of one another but not of tailors and especially not of geometers. The extent to which the independence of each people is enhanced, the extent to which there is in them nothing of others, is the same extent to which they do not impinge on others and are not impinged upon... Each nation comes to the world to sing its song, to play its unique melody [so that]... the relation among nations is like that among members of an orchestra... This is the ideal state of things among nations... the tragedy begins when idiotic egotism is unsatisfied with its essential excellences, even with minimizing the value of others, but objects to their very existence. Such despicable people, who recognize only their own merits, do not even want to make others like them... but that they alone should be the whole orchestra and that the others should not exist at all... can this be called spiritual conquest?!”³⁰⁶

Here, national difference, functions as the guarantor of global peace. It is because each nation is distinct that, in Heyn’s view, there is no conceivable conflict of interests among nations. That each is the bearer of unique characteristics means that none are inclined to exercise forms of freedom that conflict with the others. As the essential being of each is unique, so too its freedom; and unique forms of freedom do not overlap.

From another angle, Heyn indicates elsewhere that in at least one case, these interests *do* legitimately overlap. That case is the nation of Israel. While Heyn generally condemns cultural (or political, economic and so on) hegemonic intentions on the part of other nations, he supports a certain sort of Jewish national hegemony.

“Yearning for the day that its freedom will penetrate the world, when everyone will do as she does; Judaism also has this hope. Her yearning and its object are much deeper than their equivalents among others... That everyone else should become as she is, this is what Judaism [like other traditions and other groups of people] seeks... But the ways in which it endeavors to achieve its goal, and the goal itself likewise, differs entirely... Neither compulsion nor force in any form — be it propaganda, preaching, or polemics. It does not even offer itself... It is not only that it [Judaism] spreads no nets [to snare others], but that even its wings are not outspread, its arms are not outstretched... It does not trap, but merely accepts...

The aim of Judaism is only that all the inhabitants of the world to accept a new idea... not that they should accept its decrees or even its customs. Moreover, this humble

³⁰⁶ Vol. 3. P. 312.

and innocent intention does not rest on a Jewish government, on state and territorial sovereignty. In the accounting of this outpouring of influence, there enters only the kingdom of God, as it is stated ‘you, Lord our God, shall rule alone (Judges 8:23).’ Though there may be expressions and passages, even whole chapters concerned with the establishment of Israel’s dominion in the world and with the rule of the house of Judah, that ‘Israel’ and that rule represent nothing more than channels for the idea of God and bearers of the kingdom of heaven... the earthly Jerusalem is considered a ruler in the world only to the extent that it corresponds to the heavenly Jerusalem. That is, insofar as sovereignty itself, the exercise of rule over others, the rule of one man over another, constitutes, for Judaism, the primordial sin.”³⁰⁷

Here, we find that Heyn interprets the national mission of Israel in far more expansive terms. Like other nations, other nationalisms, it aims to render others akin to itself. In this respect, it is hegemonic in character. Yet, in Heyn’s view at least, Jewish nationalism differs in a meaningful way from that of other peoples. First, it does not adopt a coercive relation to the latter — military or otherwise. Second, it is directed neither toward a state nor any territory, but the kingdom of God. In consequence, the “hegemonic” relation of Israel to other people undoes itself; it is intended to reproduce neither a common law or a common custom, but a common regard for the sanctity of human life and, with that, a universal refusal of human dominion.

So, it would be appropriate to summarize Heyn’s views on nationalism as follows.

Generally speaking, he regards nationalism as an abomination insofar as it constitutes an important pretext for violence and, in that sense, a violation of everything Judaism stands for. However, he also accepts certain principles of classically nationalist ideology; namely, the idea that each nation has a particular spirit or essence that distinguishes it as a nation from others. In some sense, this view allows him to mitigate the darker tendencies of nationalist ideologies — fundamental national differences imply, for him, non-competition. However, this seems to be the case for gentiles only; Jewish nationalism is allowed a certain dominance in its relation to other national groups insofar as it is tasked with the special mission of restoring the kingdom of heaven or, as he puts it elsewhere, the brotherhood of nations:

“Above every other end, brotherhood is the whole essential being of Judaism. The brotherhood of nations, the culture of the heart and, what is more, the enheartening of the mind are the foundational elements of Israel and its Torah. Abraham, our forefather... is the one who, in the book of Israel is called ‘father of the multitude of nations’ and in the midrash, he is called ‘the one who made all the inhabitants of the world into brothers (Midrash Tanhuma, Lekh Lekha).’ On Rosh HaShanah and Yom Kippur, the days of days, we pray ‘make all of them [the nations] a single bundle (*agudah ahat*).’ Likewise it is written ‘then I will pour a pure language upon the nations (Zephania 3:9)’ — that is our mission and the teaching of our mission. Real Judaism announces the revolution of the heart that is the notion that the world is built up with kindness and not with brutality.

³⁰⁷ Vol. 3. P. 318.

Judaism sees the secret of redemption in absolute equality.”³⁰⁸
For Heyn, the revolution of the heart, the advent of the kingdom of God that negates all human sovereignty, is the special national mission of the Jewish people.

Heyn’s belief as to the special relation between the revolution of the heart and the mission of the Jewish people as a nation helps to explain his otherwise rather incomprehensible approbation of the Zionist cause as an effort of statebuilding. Even so, as I shall explain, it does so on rather shaky foundations which do not ultimately hold muster. Heyn’s support of the idea of a Jewish state is ultimately so confined by his broader moral convictions as to render it null.

On the one hand, Heyn defends the notion of a Jewish state and represents this as the hope and destiny of the Jewish people:

“A people of the Torah, a state of the Torah, one spiritual unit — *this is our desire and soul’s hope toward which we ought direct all of our labor*. It is upon us to make known the character of a true Jew... Our whole life, our whole world... must be ‘Jewish,’ true, colored by the blue sky of Judaism and with no other color... Political life constitutes a whole chapter of life which must be impressed with the seal of Sinai and with the mark of Israel. ‘Make Him king in heaven and on earth and in all four directions’ — this is not simply a metaphysical notion; it is the foundation of a labor and an ethic, a worldview for life and action. It teaches the purification of the secular and the sanctification of the holy.”³⁰⁹
Here, the task of statecraft appears as a highly laudable goal. It represents the ambition to imbue all aspects of life, secular and sacred alike, with a Jewish character. The “true Jewish homeland,” in his view, ought and can constitute a “dwelling for our souls” for, “just as the body requires a private domain, so too the spirit.”³¹⁰ And what would this spirit be that the Jewish homeland, the Torah-state so concretizes? Nothing other than the singular idea that we have seen over and again, the idea of the absolute sanctity of human life:

“When the Jewish State is founded... this state will be but the service vessel of man, the individual. [In this way, it will be the complete opposite of the form of non-Jewish states, which sacrifice man, the individual, for the good of the state... The Jewish State... must lean only on man, on... the sanctity of [his] existence, [on]... absolute justice [which dictates that]... no man has dominion over another.”³¹¹
Strangely enough, Heyn can contend that there can exist a paradoxical thing like a state without sovereignty and, in this manner, support the Zionist state-building project. “If,” he can propose:

“It has been decreed for our generation to build the state of Judaism after thousands of years of earthly and heavenly ruins, the structure must be eternally built without tools of destruction; [it must be built with] the service vessels [appropriate to] the hands of Jacob, the hands of Moses, and not [those appropriate to] the hands of Esau, bloody hands”³¹²

³⁰⁸ Vol. 1. P. 274.

³⁰⁹ Vol. 1. P. 279.

³¹⁰ Vol. 1. P. 99.

³¹¹ Vol. 1. Pp. 101-2.

³¹² Vol. 1. P. 145.

In all seriousness, it appears that Heyn believed that, if states in general represent, by definition, a transgression of individual sovereignty, the holy and inviolable freedom of each unique human essence, if states in general are built on blood and iron, and that nationalist ideologies above all justify this state of affairs, somehow a Jewish nationalism, a Jewish State, will (or could) differ in kind.

However that may be in principle, Heyn's actual moral vision militates against such a development in reality. He writes, for instance, that "not even the building of Zion does purifies spilling blood; not even the building of Jerusalem justifies the sacrifice"³¹³ because "a kingdom of Israel without a kingdom of Judaism is a mere skeleton, an unsightly one. And there is no kingdom of Judaism without the gleaming of that special something of Israel, without the expression of its explicit name"³¹⁴ — namely without Judaism's abhorrence for domination and the spilling of blood as manifest in the prohibition "thou shalt not kill" broadly construed. Thus does it follow that:

1. "One who comes to build the sanctuary of Judaism on blood and on the power of iron testifies before all generations that he doesn't understand Judaism at all. Even without evil intent, he uproots its very foundation, its unique being and, therefore, its right to a private domain unto itself, to a special dwelling place in the world. Whatever it is that he builds, it has nothing to do with Judaism; it is the enemy of Judaism. Even if he says he is building a sanctuary for the living God, he is really building an altar for Satan, for the spirit of destruction, a structure for human sacrifice."³¹⁵
2. "Those among us who await the day that Israel will also be able to step over corpses, to look down from the heights of Olympus upon men marching into the yellow Danube to drown [for the King and his army]³¹⁶ as Napoleon in his time looked upon those who drowned for the sake of his slightest whim while he gave them not even a second glance. It is doubtful whether the ancestors of such people, if they exist among us, really stood at Mount Sinai. It may be that they descend from the body of Israel, but certainly not from its soul. Their souls were not hewn from Mount Sinai."³¹⁷

If the second of these two passages represents an extreme, the chauvinistic and militaristic vision of a "muscular Judaism" for the new, modern Jew,³¹⁸ the second does not. It simply represents the reality of what it means to found a state in spite of opposition on the part of a significant segment of

³¹³ Vol. 1. P. 71.

³¹⁴ Vol. 1. Pp. 120-21.

³¹⁵ Vol. 3. P. 189.

³¹⁶ Here, I believe Heyn is referring to the Habad melody known as Dunai, which is linked to a story about a king who, during war, reached the Danube river and could not pass. Immediately, soldiers jumped into the water in order to create a human bridge for the king and his army. Though the soldiers know that they will surely drown in the river and are sacrificing their lives, the triumphant melody expresses their feeling that the king shall win the war because of their devotion.

³¹⁷ Vol. 2. P. 107.

³¹⁸ Zimmermann, M. 2006. "Muscle Jews versus Nervous Jews". In Brenner, Michael; Reuveni, Gideon. *Emancipation Through Muscles: Jews and sports in Europe*. Lincoln: University of Nebraska Press; Pressner, S.T. 2007. *Muscular Judaism: The Jewish Body and the Politics of Regeneration*. New York: Routledge.

the population which is to be governed by it or which resides within the territory that the state in question is to be located. While it may be that Heyn accepts in principle the notion of a Jewish state, supposing that — again, in principle — statecraft and Judaism might be compatible, the reality is that statecraft — so far as he himself has described it — is inseparable violence.

Moreover, the particular geopolitical circumstances into which the Zionist movement inserted itself practically guaranteed conflict — indeed, it is perpetual conflict that the State of Israel has made its inheritance. If so, it seems to follow that, despite Heyn's optimistic vision for a uniquely Jewish manner of founding and maintaining states, his moral and political doctrine precludes it. If the making of a state for Jews necessarily involves transgressing the fundamental values of Judaism, then it must be condemned.

On the other hand, Heyn demands an oath on the part of every Jewish man and woman to the effect that Zion is the very heart of Israel: "All of Israel, together with all of its tribes and factions, every member of Judaism, wherever they are, and especially those dwelling in Zion," he says:

"Is obligated to raise its hand in order to take upon itself a sacred oath to the effect that Zion is the very heart of Israel, that it is the heart amidst all the other two hundred and forty eight organs³¹⁹ of the nation, that the heart is organ which, in the organism, lives and feels, reacts to suffering, pain, impairment, and weakness that affects any of the other organs, that from it emerges a great and awesome call to every Jew, perhaps even to all mankind. The heart flows toward all the limbs (*liba palig le-kol shayfin*)."³²⁰

Without delving too deeply into a notion which is by no means Heyn's innovation, suffice it to say that here, Heyn regards the land of Israel as the spiritual center of Jewish life. On the basis of this contention, he goes on, to explain elsewhere that the Jewish people are, now, especially entitled to the land of Israel, which belongs to them and to which they belong:

"Our people seeks a clear [territorial] line and our rights are are totally clear. From the vantage of the strictest justice, our rights to this land are far greater than the rights of any other nation to its own. It is, for us, an ancient inheritance, a biblical vision... [Like any other nation], the eternal people requires its own portion in the world, its own private domain, its own borders."³²¹

From these passages, we discern a conception of Judaism and Jewish life which commits Heyn not only to the foundation of a Jewish state, but to founding it in a particular place which he (and clearly, he is not alone in this view) considers the divine inheritance of the Jewish people, its concrete territory in the world. Here, Judaism becomes more (or less) than a revolutionary moral doctrine; it becomes the basis of a definite political power situated within definite borders which it

³¹⁹ Mishnah, Ohalot 1:9.

³²⁰ Zohar Hadash 3:163; Tanya, Iggeret ha-Kodesh 31.

³²¹ Vol. 3, P. 171.

must defend.

As we have already seen in relation to Heyn's view as to the moral possibility of founding a Jewish state — namely, that the assertion of possibility is made and at the same time undermined — he likewise demolishes the idea that Judaism is the sort of thing that can be meaningfully bound to a definite plot of land:

“The nations of the world, they are nations of the land, state, and ground. We are the people of the book. The book is our territory, the spring and source of our national identity. Our umbilical cord is attached to *this* ground. From the dust we come and to the dust we return — we are rooted in the book. The book is what forms us and what our being forms... it is our heaven and our earth.”³²²

Here, we see that, for Heyn, however much Jewish history may be bound up with the biblical borders of Israel, the Jewish people are literally the people of the book. The Torah, he indicates, is the source whence we come to be and to which we ultimately return; ours is not a nation of land, of state, or of ground, however sacred. We are, he suggests, a nation which constructs its identity on the basis — and solely on the basis — of its moral doctrine, its revolutionary teaching.

As such, we may justly describe Heyn's relationship with Zionism as conflicted. He thinks of Jewish identity in roughly national terms; he conceives of the Jewish people as being in possession of a definite essence that distinguishes them from other peoples. That much is certain. When it comes, however, to the question of whether this unique nation can or ought to behave like other nations, Heyn is inconsistent. On the one hand, he is evidently inclined to believe that Jews can and should found a modern state in a particular place, the biblical land of Israel. On the other hand, when accounting for what this would entail, he appears unable — or at best pressed — to explain how this state would differ in form and function from other national states and in this way avoid betraying the foundations of Jewish religion. Indeed, I would suggest that while Heyn may have reconciled *himself* to the idea of a Jewish State — and his biography undoubtedly gives evidence of this — his system of political theology cannot be so reconciled. Judging from the standpoint of his thought and not his personal decisions, Judaism and statecraft are utterly inconsistent with one another.

Let us now summarize this extended analysis of a fascinating and deeply underappreciated Jewish thinker. We began our study of Rabbi Abraham Heyn with a brief biography which I shall not repeat here. We then proceeded to address the interpretive problem of Heyn's general lack of external references to non-Jewish sources. The claim was made that his thinking arises from one of Tolstoy's minor essays entitled “Thou Shalt not Kill” and that the title of his book, *The Kingdom of*

³²² Vol. 2. Pp. 198-99.

Judaism, constitutes an unattributed reference to Tolstoy's *Kingdom of God*. Having generally addressed the link between Heyn's writings and Tolstoy's, we proceeded to examine the former in greater detail.

We found that Heyn distinguishes three forms of the prohibition of killing. One, the "Roman" or statist mode which, on his account entails the subordination of the particular to the universal and justifies killing on that account. Two, the individualist, which he considers upright except insofar as it is unable to account for the moral necessity of refraining from spilling blood when one's own life is at stake. Three, the Jewish (or that of man as such), which evades this difficulty by maintaining the absolute sanctity of human life.

As I proceeded to show, the idea that human life is sacred involves three intersecting convictions. One, that each instance of life is not merely one among many, but unique. Two, that instances of human life are, therefore, not numerable. Three, that in consequence none can be sacrificed for any collective good, any good of the many. In this manner, we found that human life is altogether irreducible.

This was taken to imply two things. One, the moral impossibility of violence generally. Two, the moral impossibility of the state as a form of organized violence.

Our analysis of the moral impossibility of violence covered Heyn's views as to war, punishment, and economic inequality. As for war and capital punishment, Heyn concluded that there is no instance in which the taking of life can be justified. As for non-capital punishment, Heyn gave indication that it is ineffective and, therefore, unjustified. Finally, as for economic inequality, Heyn denied a fundamental right of property, held that possession is limited by the demands of equity which arise from the absolute sanctity of each human life, and that need determines the distribution of goods. In other words, Heyn upholds what David Graeber calls "baseline communism." These results forced Heyn to interpret scriptural and rabbinic laws indicating values contrary to the ones he expresses as theoretical possibilities which were posited not as obligations but rather as morally inferior *options*. In order to circumvent difficulties posed by the fact of limited scriptural evidence for this claim, Heyn explained that the fundamental elements of the Torah are "mountains hanging by hairs" and that the capacity to discern them derives from becoming thoroughly saturated with the Torah to the extent that it becomes one's own.

Our analysis of the moral impossibility of the state began with a return to the question of numerability. As Heyn had explained it, that is numerable which can become an object with respect to, can enter into the ownership of, something else. That is, those things which can be mastered by others. Insofar as humans are non-objectifiable, they also stand outside relations of

mastery. An example of this reasoning is pulled from Peter Kropotkin's autobiography, thus lending credence to the claim that it is an essentially anarchistic insight.

Though, as Heyn emphasizes, man is an intrinsically social creature, becoming whole and fulfilled only within the community, though the history of that community and his belonging to it in many ways shapes his sense of responsibility for it, nonetheless the latter exists only for the sake of the former and not visa versa. The individual, so he argued, is necessarily and absolutely free. Jewish moral doctrine, he claimed, rejects inequality of any sort, including inequality of power, inequality of sovereignty. Thus, he finds that one of the very foundations of Judaism is the doctrine of free choice radically construed; each man constitutes his own master and coercion is prohibited. Thus, like laws involving punishment and property, Heyn contends that laws related to kings, to state government generally, are interpreted as theoretical possibilities not intended for actual practice.

Having accounted for Heyn's religious rejection of the state, we concluded by examining his views on revolution on the one hand and, on the other, zionism and the Jewish State. Briefly, Heyn holds that the means of revolution must be consistent with its ends. If the goal of revolution is a social condition free of violence and coercion of any kind, the same must be the case for the revolution that brings this about. Heyn calls for a revolution of the heart which involves putting others in touch with the absolute character of their being which, unconditioned, becomes the foundation for unconditioned — that is, essentially altruistic — behavior. Like Tolstoy, he believes that revolution is the product of moral transformation.

Finally, we considered the question of Zionism, or Jewish nationalism and the Jewish State. While Heyn rejects the aggressiveness of conventional nationalisms, he does believe that each nation has a distinct essence and, in this respect, upholds a sort of nationalist ideal. This view provides him with a theoretical ground for international peace: distinct essences are non-competing. As for the Jewish nationalist endeavor, his views are inconsistent. On the one hand, he believes that the Jewish people are entitled to a territory serving as a national home and that in this national home there ought to be founded a Jewish State, a political entity which he seems to think — contrary to every other comparable body considered by him elsewhere — will be able to realize the moral ideals he ascribes to Judaism. On the other hand, he maintains that no land, but the Torah, is the territory of the Jews and that any state founded on blood and iron is no Jewish one — which would seem to imply that there can be no Jewish State, for the violence he condemns is, by his testimony, an inevitable element of statecraft. Thus, I conclude, Heyn was personally inclined to support the establishment of a Jewish State in the Trans-Jordan, the State of Israel, but struggled

unsuccessfully to integrate that inclination with his broader convictions as to the meaning of Judaism.

V. Nathan Hofshi's Reception of Tolstoy

As I have done by way of introduction where Don-Yahiya and Heyn were concerned, briefly tracing their biographies — before proceeding to examine their ideas in greater detail — owing to their relative obscurity — I shall do the same in the case of Nathan Hofshi. He too, despite the degree of notoriety that he once enjoyed, has also fallen into a condition of relative obscurity from which he must be revived.

Unlike the other two figures considered here, Hofshi was not the scion of any great line of rabbis, scholars, or saints. He was born in the town of Wolbrom,³²³ Poland in the year 1890 to Joshua-Menahem the son of Joseph ha-Levi and Rivka-Tamara Frankel³²⁴ — the surname Hofshi (which is simply a translation of Frankel) was adopted after he emmigrated to Palestine. His was a pious, hasidic family, longstanding followers of the Grand Rabbis of Gur.³²⁵ Hofshi's paternal grandfather may have been a rabbi,³²⁶ but his maternal grandfather, Moses Narkis — likewise an extremely religious man named — owned and ran a small farm with his wife Malka (née Kornfeld).

The deeply religious atmosphere of Hofshi's childhood home had a tremendous influence on the development of his later thought. He attended the local *heder*, or religious school, where he memorized the Hebrew Bible in its entirety, a transformative experience on which he drew for the rest of his life.³²⁷ Hofshi recalls the impact which the daily prayers — which speak at length of the ingathering of exiles and the idea of redemption — had on him, and how he endeavored to observe all the ritual laws scrupulously so as not to delay salvation. He likewise recalls the affective force of the manner in which his parents observed Tisha be-Av, the day on which traditional Jews mourn the destruction of the second temple in Jerusalem and the subsequent exile; his mother was brought to tears and the whole house was turned over.³²⁸

Hofshi's family, however, stood out from other Jewish inhabitants of Wolbrom in that their piety was not the obscurantist sort. He reports that his maternal grandfather was widely respected in both the Jewish and gentile communities, serving as an informal representative of the town to the

³²³ Hofshi, N. 1964. *Ba-Lev ve-Nefesh: Be-Maavak be-Am ve-Adam*. Tel Aviv: Strod & Sons. p. 5.

³²⁴ Kressel, G. "Natan Hofshi: Autobiography," *Besha'ar*, 33.2 (1980) 118–22.

³²⁵ Hofshi, N. 1964. *Ba-Lev ve-Nefesh*. P. 9.

³²⁶ *Ibid.* p. 21.

³²⁷ *Ibid.* p. 11.

³²⁸ *Ibid.* p. 9.

Russian governor — at this time, Poland was under Russian control — and received newspapers all the way from St. Petersburg.³²⁹ Both he and Hofshi's father were also members of the pre-Zionist Hibbat Zion. This was a fact that, like their interest in secular knowledge generally and secular Jewish literature in particular, had to be kept secret in a place like Wolbrom, where even reading a newspaper like Ha-Tsefira (the Hebrew-language organ of the aforementioned movement) was considered grounds for accusations of heresy — an accusation that was made, albeit unsuccessfully.³³⁰

In 1897, after the first Zionist congress in Basel, Switzerland, these early influences came to a head. Hofshi writes that he overheard his parents discussing this development and that this inspired him in a way that changed him forever: it meant bringing about the redemption in the present day.³³¹ Thereafter, Hofshi's father began exposing him to the classics of Jewish literature, medieval and modern, and allowed him to read Ha-Tsefira in secret.³³² While the elder certainly expected that this would not interfere with his son's orthodoxy, the latter entered a period of spiritual conflict that ultimately removed him from the traditional world in which he was raised.³³³

Between 1902 and 1905, Hofshi organized a covert Zionist-youth organization in Wolbrom that was linked together with the broader movement in Poland and Russia.³³⁴ By 1905 this group had also established connections with the labor movement and participated in the Russian Revolution of that year. This connection inflected Hofshi's vision with socialist elements, though it was still very much a Zionist vision that could not be squared (in his view) with the real socialist movements of the day.³³⁵ Forming connections with Ivriya, and organization dedicated to Hebrew language instruction,³³⁶ and BILU,³³⁷ he relocated to Warsaw in 1908 and prepared to emigrate to Palestine. Forming a small group called Halutse Tsiyon, he obtained passports, departed for Odessa in June of 1909, and arrived in Jaffa in July — on the seventeenth of Tammuz³³⁸ — of that year. Hofshi was then twenty years old.³³⁹

³²⁹ Ibid. pp. 22-23.

³³⁰ Ibid. p. 11.

³³¹ Ibid. p. 9.

³³² Ibid. p. 10.

³³³ Ibid. p. 11.

³³⁴ Ibid. p. 12.

³³⁵ Ibid. pp. 12, 13, 25. This included the Zionist labor movement, Po'ale Tsiyon.

³³⁶ Kaniel, J. 1997. *Ha-Aliya ha-Sheniya*. Jerusalem: Yad Ben-Tsvi. Pp. 299-300.

³³⁷ An acronym based on Isaiah 2:5, "*Beit Ya'akov Lekhu Venelkha* (House of Jacob, let us go [up])." This group was formed in response to the wave of Russian pogroms between 1882-84 and Czar Alexander III's antisemitic May Laws. BILU members founded Rishon le-Tsiyon.

³³⁸ The date is important, as it is a traditional day of mourning over the initial siege of the second temple in Jerusalem. It occurs three weeks prior to the aforementioned Tisha be-Av.

³³⁹ Hofshi, N. 1964. *Ba-Lev ve-Nefesh*. Pp. 13-20.

From Jaffa, Hofshi was sent by Hovevey Tsiyon to Rehovot to assist with the almond harvest there.³⁴⁰ There, he met and married Tova, the daughter of one of the founders of the town.³⁴¹ Still, work was generally inconsistent in Rehovot and, in addition to the harsh conditions that prevailed, the Hofshis struggled to survive. They briefly relocated to the village of Ben Shemen, but things did not work out there and soon made their way to the town of Petah Tikva, where they remained for the next two years.³⁴²

It was there, in Petah Tikva, that Hofshi became close with A.D. Gordon, the founder of ha-Poel ha-Tsa'ir and the first major ideological force behind Practical and Labor Zionism.³⁴³ Hofshi had been exposed to the work of ha-Poel ha-Tsa'ir back in Warsaw³⁴⁴ and maintained that connection after making *aliya*,³⁴⁵ but this meeting was transformative. It was under Gordon's tutelage that Hofshi came to adopt the explicitly Tolstoyan ideals of manual labor and simplicity of living as translated into Jewish experience — though it may be that Hofshi had already come under the influence of Tolstoy beforehand; there is some evidence that he was already maintaining a strictly vegetarian lifestyle by the time he arrived in Jaffa.³⁴⁶ Soon, Hofshi found himself travelling throughout the Jewish villages and townships in Judea on behalf of the movement, so as to arouse interest in its first conference.³⁴⁷

Though life in Peta Tikva was pleasant for the Hofshis, they relocated — for what reasons I do not know — to Hadera in 1912. Forced to leave due to a malaria outbreak, they soon transitioned to the village of Gan Shmuel, where conditions were only slightly better.³⁴⁸ It was here, that Hofshi began to question, if not his Zionism, the modality thereof, a process which lead

³⁴⁰ Ibid. p. 7; Dekel, G. 2012. *Rayon im Le'ah ben D'ror, Bito shel Natan Hofshi*. Retrieved 05/09/2017 from: <http://www.poeticmind.co.uk/peace-room/%D7%A8%D7%90%D7%99%D7%95%D7%9F-%D7%A2%D7%9D-%D7%9C%D7%90%D7%94-%D7%91%D7%9F-%D7%93%D7%A8%D7%95%D7%A8-%D7%91%D7%99%D7%AA%D7%95-%D7%A9%D7%9C-%D7%A0%D7%AA%D7%9F-%D7%97%D7%A4%D7%A9%D7%99-%D7%9E%D7%A8/>

³⁴¹ M.B. "Le-Zekher Ne'edarim: Tova Hofshi." Davar. 08/26/1968.

³⁴² Hofshi, N. 1964. Ba-Lev ve-Nefesh. P. 32.

³⁴³ Ibid. It is likely, however, that they met earlier, in Rehovot (Ibid. p. 29). It is indicated, in another source, however, that Hofshi met Gordon in the moshav of Kinneret ("Meyt Natan Hofshi, Ish ha-Aliyah ha-Sheniya." Ma'ariv. 04/17/1980. P. 15).

³⁴⁴ Ibid. p. 16.

³⁴⁵ Ibid. p. 30.

³⁴⁶ Hofshi, N. 1964. Ba-Lev ve-Nefesh. P. 29; Feldman, D. 2004. Pilgrimage from Darkness: Nuremberg to Jerusalem. Jackson: U. of Mississippi Press. P. 306.

³⁴⁷ Tidhar, D. 1950. *Entsiklopedyah le-Halutse ha-Yishuv u-Vonav*. Vol. 4. P. 1748. Retrieved 05/09/2017 from <http://www.tidhar.tourolib.org/tidhar/view/4/1748>; Hofshi, N. "Mikhtavim le-Ma'arekhet: Le-Ha'amid et ha-Devarim al Amitatam. Davar. 03/28/1961. P. 4.

³⁴⁸ Hofshi, N. 1964. Ba-Lev ve-Nefesh. P. 32; Shifro, J. 1967. *Ha-Po'el ha-Tsa'ir: Rayon u-Ma'aseh*. Jerusalem: Ayanot. P. 212.

him to adopt other elements of Tolstoy's doctrine. This shift arose from his first real exposure to the Arab-Jewish conflict, the intensity of which was already on the rise. He writes that:

"In a small settlement like Hulda, with 35 Jewish families surrounded by hundreds of Arab villages and many Bedouin tribes, weapons must be a constant companion. This became even more apparent when we moved to Gan-Shmuel, which was inhabited by only fifteen to twenty people and was also separated by a significant distance from other Jewish settlements and was constantly subject to... attacks by its neighbors. It was as if I had made an inseparable bond with my Nagant,³⁴⁹ which was always ready. But deep inside, I was constantly troubled by my thoughts. Is there no other way? Will be always be consumed by the sword? Is it possible to live year after year in an atmosphere of hatred, anxiety, the clash of weapons, endless gunfire and nightly strikes? These quiet thoughts which later penetrated to the surface were, at that time, buried deep within."³⁵⁰

Though he had not yet arrived at a thoroughgoing pacifism, this change was already brewing.

In 1915, the Hofshis moved to the town of Hulda, where several of their children were born,³⁵¹ and relocated four years later to the settlement of Metula,³⁵² which was located on land assigned to Palestine under the Paulet–Newcombe Agreement that divided British and French mandates in the region. They were able to remain there, however, for only four months, at which point the Great Syrian Revolt against French rule broke out. The violence of this conflict hit close to home; French soldiers, he writes, were killed just a stone's throw from his home.³⁵³ Though the Jews of Metula and the nearby settlement of Tel Hai were not involved in the matter, the instability of the region demanded constant vigilance; a reality the moral force of which weighed heavily on Hofshi:

"Night after night, I stood guard with my friends at the border of Metula; it was so dark that I could not see them, only feel them. It rained constantly, soaking our clothing, dripping all over our bodies. But who paid attention to that? The gun, the cold, precious gun, that is what occupied all of our attention — that is not get wet, heaven forfend, that it be clean, buffed and ready. Like silent killers we crouched silently in the dark night by night... We spent the days in our home... listening to the clatter of rifles and pistols, the whizzing of bullets. From time to time, I thought to myself: what is this? where are we living?... What am I doing here? Who armed me with all of these instruments of death, and who are these unseen people at whom I aim my bullets?

One of my friends made a joke that brought me back to myself and enabled me to

³⁴⁹ The nagant was a seven-shot, gas-seal revolver designed and produced by Belgian industrialist Léon Nagant for the Russian Empire.

³⁵⁰ Ba-Lev u-ba-Nefesh. P. 35.

³⁵¹ Ibid.

³⁵² Here, it says that this took place in 1919, not 1920: Dekel, G. 2013. *Begadim le-Gufim ve-Ideologiya Hazaka: Al Natan Hofshi ve-Binyamin Munter*. Retrieved 05/09/2017 from: <http://www.poeticmind.co.uk/peace-room/%D7%91%D7%92%D7%93%D7%99%D7%9D-%D7%9C%D7%92%D7%95%D7%A4%D7%9D-%D7%95%D7%90%D7%99%D7%93%D7%90%D7%95%D7%9C%D7%95%D7%92%D7%99%D7%94-%D7%97%D7%96%D7%A7%D7%94-%D7%A0%D7%AA%D7%9F-%D7%97%D7%A4%D7%A9%D7%99/>

³⁵³ Ibid.

understand what was happening. [He said] “[look!] the vegetarian with the instruments of death in his hand like a murderer!” When he said this, he burst into laughter; his was the victory and mine was the humiliation. But no, good friend, the shame is both of ours, all of ours. Let us lower our heads and cry in disgrace... At the very beginning of our revival, the initial budding of our spring... it was sealed in blood, a stain that cannot be cleansed... It was our dream to rebuild our ruined bodies and souls in peace, but the satan came with his cruel laughter and mocked our dreams! Cry not over the dead! Cry over the light that has faded, to the feelings of love that have withered before their time, over the weeds of hatred that have taken their place. Can salted land sprout? Can a nation grow from a land polluted with fire and brimstone, hatred and vengeance?”³⁵⁴

With these thoughts, Hofshi fled through the mountains, back to Hulda, with his wife — who was then suffering from malarial fever — and his two children.³⁵⁵

Back in Hulda, Hofshi began sharing his convictions with other members of ha-Po’el ha-Tsa’ir, becoming known for his commitment to a doctrine of non-violence.³⁵⁶ At this time, his pacifism was not yet unqualified; nonetheless, he was immediately confronted by the sort of vehement opposition with which he contended for the rest of his life, especially after his views became more extreme. In 1921, for example, he complains that:

“Everyone according to his ability and inclination presses forward to explain to us the necessity of defense and its importance for our settlements. Why all the trouble?... We never spoke against defense, only against preaching and propaganda for a professional military, which has proliferated over the past three years and, in our view, destroys and poisons the atmosphere — particularly for youth... [We are against those who regard] the endeavor to form Jewish armies in Israel as the ultimate and fundamental core of Zionism... National land and personal labor are the fundamentals of Zionism... [not] the power of the fist and careerism have been made into the gods in heaven to whom we burn incense.”³⁵⁷

Here, we find that Hofshi takes a clear position on the ideology of militarism that certain elements of the broader Zionist movement — Jabotinsky and the Revisionists in particular who, in the same article, Hofshi calls “Satan himself” — had raised to the status of religion. It is unacceptable. But defensive violence he accepts. Not long thereafter, however, Hofshi abandoned this distinction. It is recalled, for example, that when called upon to stand guard on the moshav, he refused to carry weapons, but would suffice with “the handle of a hoe, or with a grapevine.”³⁵⁸ When we examine

³⁵⁴ Ba-Lev u-ba-Nefesh. P. 44; cf. Hofshi, N. “*Me-ha-Galil ha-Elyon*.” Ha-Po’el ha-Tsa’ir. 01/09/1920. Pp. 15-16; “*Ba-Kefar: Herzliya*.” Davar. 03/10/1935. P. 4 — reports public reading of Hofshi’s reflections on the battle of Tel-Hai. Hofshi’s role in this battle was later used as a weapon against him. Years later, a rather mean-spirited letter was published in Davar, which commented on Hofshi’s admission that during his youth he had defended the moshav and held a weapon, implying that this constituted a refutation of his then current views (Slutsky, Y. “*Mikhtavim le-Ma’arekhet: Natan Hofshi Nose Ekda be-Matsav Hukhan*.” Davar. 07/18/1954. P. 2).

³⁵⁵ Dekel, G. 2013. *Begadim le-Gufim*.

³⁵⁶ Fabzenzer, Z. “*Avoda ve-Tsava*.” Ha-Po’el ha-Tsa’ir. 11/25/1919. P. 12. Fabzenzer mentions Hofshi as someone who opposes violence even for self defence (and disagrees with him).

³⁵⁷ Hofshi, N. “*Teshuva*.” Ha-Po’el ha-Tsa’ir. 04/22/1921. P. 13.

³⁵⁸ Gershoni, S. 2012. “*Al Natan ve-Tova: Ketayim me-ha-Sefer Kakh Hayinu*.” Retrieved 05/24/2017 from:

Hofshi's thought we shall pay greater attention to some of these details, but here I wish only to emphasize that after Tel Hai, Hofshi's ideology swiftly progressed in it radicalism.

These ideological conflicts soon forced Hofshi to leave Hulda in order to found the moshav of Nahalal in 1921.³⁵⁹ While he formally remained within the Po'el ha-Tsa'ir until late in the year 1923,³⁶⁰ he ultimately left the movement because it had become "too political." That is, it endorsed military development and the path to statehood, the moral challenges of which Hofshi could now well-discern.³⁶¹ From Nahalal, Hofshi began cultivating the connections with professors at Hebrew University (e.g. Martin Buber and Judah Magnes) which would eventually become the core of the Brit Shalom group. He also took practical measures to advance his views at home, meeting frequently with local youth, learning the Arabic language and cultivating friendships with Arabs living nearby,³⁶² and studying Esperanto, an international language which he taught others in the hope of facilitating communication and thereby spreading peace.³⁶³

In Nahalal, Hofshi lived a simple life. Following — in some measure — in the footsteps of his maternal grandparents, he tended a small organic farm. He avoided large cities like Tel Aviv, which he called "Babylon, Nineveh, and Rome," and refused to produce luxury items for the rich people there, preferring to grow only those things actually needed in the moshav. He owned a few donkeys, which "helped" him with the farm labor,³⁶⁴ but refused to work them hard or even to lock them up once the workday came to a close; hence, they roamed freely. Other farm animals, he did not raise, as he continued to maintain a strictly vegan lifestyle, refusing even the use of leather.³⁶⁵

<http://www.poeticmind.co.uk/peace-room/%D7%A2%D7%9C-%D7%A0%D7%AA%D7%9F-%D7%95%D7%98%D7%95%D7%91%D7%94-%D7%A7%D7%98%D7%A2%D7%99%D7%9D-%D7%9E%D7%94%D7%A1%D7%A4%D7%A8-%D7%9B%D7%9A-%D7%94%D7%99%D7%99%D7%A0%D7%95/>

³⁵⁹ Ba-Lev u-ba-Nefesh. P. 48. Incidentally, he was later the neighbor of the young Moshe Dayan (Hazan, M. 2012. *Mafleget ha-Po'el ha-Tsa'ir le-Nokhah Giluye Aktivism ve-Metinut Eytzel Berner ve-Gordon*. P. 257. Retrieved 05/09/2017 from:

<http://humanities1.tau.ac.il/segel/meirch/files/2012/08/Activism-and-Moderation.pdf#Page=19> .

³⁶⁰ "Be-Tenua u-be-Miflaga." Ha-Po'el ha-Tsa'ir. 08/17/1923. P. 15. This article notes that Hofshi participated in a conference in Jerusalem for the movement

³⁶¹ Ba-Lev u-ba-Nefesh. P. 37. That being said, he did contribute to the movement's press organ from time to time; see "Besafrut u-be-Emunah." Davar. 06/04/1936. P. 19 — reports Hofshi's contribution to the 8th volume of Pirkey ha-Poel ha-Tsa'ir. Apparently, not all ties were broken.

³⁶² Dekel, G. 2012. *Rayon im Le'ah ben D'ror*.

³⁶³ Dekel, G. *Rayon Katsar im Ofer Dekel, Nino shel Natan Hofshi*. Retrieved 05/09/2017 from: <http://www.poeticmind.co.uk/peace-room/%D7%A8%D7%90%D7%99%D7%95%D7%9F-%D7%A7%D7%A6%D7%A8-%D7%A2%D7%9D-%D7%A2%D7%95%D7%A4%D7%A8-%D7%93%D7%A7%D7%9C-%D7%A0%D7%99%D7%A0%D7%95-%D7%A9%D7%9C-%D7%A0%D7%AA%D7%9F-%D7%97%D7%95%D7%A4%D7%A9%D7%99/>. Hofshi also studied the English language and is reported to have written for an English-language Jewish newspaper, but which is unclear (Dekel, G. 2012. *Rayon im Le'ah ben D'ror*).

³⁶⁴ Sikra, A. "Shenayim me-ha-Aliya ha-Sheniya." Herut. 02/26/1960. P. 3.

³⁶⁵ Dekel, G. *Uriel Simon be-Siha Ketsara al Natan Hofshi*. Retrieved 05/09/2017 from: <http://www.poeticmind.co.uk/peace-room/%D7%90%D7%95%D7%A8%D7%99%D7%90%D7%9C-%D7%A1%D7%A8-%D7%A2%D7%9D-%D7%A2%D7%95%D7%A4%D7%A8-%D7%93%D7%A7%D7%9C-%D7%A0%D7%99%D7%A0%D7%95-%D7%A9%D7%9C-%D7%A0%D7%AA%D7%9F-%D7%97%D7%95%D7%A4%D7%A9%D7%99/>

Even from these modest possessions, which Hofshi consciously modeled on Tolstoyan teachings, he gave freely. For example, he is reported to have commented that if someone “comes and steals, it is a sign that he is hungry;”³⁶⁶ rather than scolding the thief, he would lecture them on the prohibition of theft.³⁶⁷ In sum, Hofshi rose early each morning to write by candle-light³⁶⁸ — he refused to have his home had electrified³⁶⁹ — labored in the fields by day, and retired early in the evening, a way of life that he continued until his last days.³⁷⁰

However idyllic Hofshi’s existence in Nahalal may have appeared, it was not without struggle. Reports exist testifying to ongoing conflicts, both ideological and material, which began very early in his tenure there³⁷¹ and appeared to arise in connection with his role as a public intellectual (of which I shall speak shortly). These conflicts — and not because he could no longer live according to his “Tolstoyan” ideals or because his former followers had abandoned him, having realized that were his views adopted, the whole country “would be under the control of Hussein or Nasser”³⁷² — ultimately made Hofshi’s continued residence in Nahalal impossible, as he wrote many years later in a public letter to one of his detractors:

“When you say that I left Nehalel because it is impossible for a family to survive on the utopian ideals of Tolstoy, you are absolutely wrong. My family did well in Nehalel with our

7%99%D7%9E%D7%95%D7%9F-%D7%A2%D7%9C-%D7%A0%D7%AA%D7%9F-%D7%97%D7%A4%D7%A9%D7%99/. Cf. Dekel, G. 2013. *Begadim le-Gufim*.

³⁶⁶ Sikra, A. “*Shenayim me-ha-Aliya ha-Sheniya*.”

³⁶⁷ Gershini, S. “*Al Natan ve-Tova: Keta'im me-ha-Sefer 'Kakh Hayinu*.” Retrieved 05/09/2017 from: <http://www.poeticmind.co.uk/peace-room/%D7%A2%D7%9C-%D7%A0%D7%AA%D7%9F-%D7%95%D7%98%D7%95%D7%91%D7%94-%D7%A7%D7%98%D7%A2%D7%99%D7%9D-%D7%9E%D7%94%D7%A1%D7%A4%D7%A8-%D7%9B%D7%9A-%D7%94%D7%99%D7%99%D7%A0%D7%95/>.

³⁶⁸ Dekel, G. 2012. *Rayon im Le'ah ben D'ror*.

³⁶⁹ Dekel, G. 2013. *Begadim le-Gufim*.

³⁷⁰ It may be noted in passing that the extreme simplicity of Hofshi’s lifestyle carried with it its own severity. His family reports that living under these conditions could be difficult at times (ibid.). Hofshi was also rather conservative where women were concerned. Early on, he entered into a dispute with the editors of Davar over public morals and their policing (Greenberg, A.Z. “*Me-Megilat ha-Yamim ha-Hem*.” Davar. 05/06/1927). Later, he published a number of articles attacking the screening and advertisement of American films which, he regarded as unwarranted violations of traditional sexual values generally and the prohibition of licentiousness in particular (David, Z. “*Ketsarot: Kolo ve-lo Kolo she Natan Hofshi*.” Davar, 04/29/1966. P. 19; Shorer, H. “*Al Pitsitsat Min ve-Od*.” Davar, 04/29/1966. P. 5; Hofshi, N. “*Be-Ma'arakha Avodah ve-Ovdim: Le'an?*” Davar. 06/27/1968. P. 41; Hofshi, N. “*Hok Gilui Arayot?*” Davar. 02/16/1971. P. 10 — Criticizes Shoshana Arbeli-Almozlino for some bill that he believed constitutes an invitation to promiscuity).

³⁷¹ Y.M. “*Nahalal*.” Davar. 11/04/1928. P. 3. Hofshi became involved in a conflict in Nahalal involving the values on which the moshav was founded; his view was ignored. “*Be-Emek: Shonot*.” Davar. 10/27/1929. P. 3 — Hofshi spoke in Nahalal about current events and there was heated dispute. Possibly in connection with his views and the disputes over them, he came under investigation by the British authorities and police were dispatched to search his home, ultimately finding nothing (“*Hipusim be-Emek*.” Davar. 08/01/1930. P. 5).

Although it does not involve Nahalal directly, Hofshi was also involved in some legal disputes at this time (“*Ha-Atakat Pesak ha-Din Me-Beyt Mishpat ha-Shalom be-Haifa*.” Davar 05/21/1934. P. 6 — Reports that Hofshi was sued by David Ruber of Hadera. He was not present at the hearing and lost the case).

³⁷² Sikra, A. “*Shenayim me-ha-Aliya ha-Sheniya*.”

small, organic farm. I left Nehalel because the people there began thinking and acting like very much like you and your associates and we could not live together any longer.”³⁷³ Thus, however forcefully Hofshi may have insisted on the moral and religious necessity of non-violence, a quietist he was not. On the contrary, his he expressed himself vehemently using his position as part of the intellectual establishment of the country³⁷⁴ and did not back down from public battles.

So, without delving into the interpretive details, let us address some of the major themes. Among Hofshi’s most prominent public roles was his foundational position in the Brit Shalom group, founded in 1925, which sought peaceful coexistence between Arabs and Jews, to be achieved by replacing the Zionist aim of creating a Jewish state with the alternate vision of a centre for Jewish cultural life in Palestine. Defending this position, Hofshi writes that the endeavor for a “spiritual home,” as opposed to a state, by no means constitutes a “liquidation of Zionism;” rather he says, “the goal was always for “the Jewish people to live with the Arab people in a relation of unity and mutual respect.”³⁷⁵ Still, insofar as the members of Brit Shalom were not (or not all) pacifists but, in many cases, sought accommodation with the Arabs for reasons essentially “tactical and practical,”³⁷⁶ Hofshi soon, in 1928, went on to establish — though without breaking from Brit Shalom³⁷⁷ — the Palestinian (which later became the Israeli) branch of the War Resisters’ International, the *Agudat Sarvane ha-Milhama be-Yisrael*,³⁷⁸ worldwide an organization that he had a hand in the formation of, back in 1921.³⁷⁹ It was primarily in this role that Hofshi earned the notoriety he did.

As the head of the *Agudat Sarvane ha-Milhama be-Yisrael*, Hofshi was remarkably consistent. Despite reports of Nazi atrocities during the second World War, for example, he stood on his principles in the face of considerable and largely understandable opposition. He spoke out during the years leading up to the war³⁸⁰ and continued to do so through to its end, writing on

³⁷³ Hofshi, N. “*Mikhtav Galui le-Abba Sikra*.” *Herut*. 03/08/1960. P. 2.

³⁷⁴ Wilcock, E. 1997. *Pacifism and the Jews*. Gloucestershire: Hawthorn Press. P. 195-96.

³⁷⁵ Hofshi, N. “*Mikhtave Haverim*.” *Davar*. 02/17/1930. P. 3.

³⁷⁶ Morris, B. 2009. *One State, Two States*. New Haven: Yale U. Press. P. 51.

³⁷⁷ “*Bishule ha-Sefer*.” *Ha-Mashkif*. 03/10/1939. P. 4 — lists members of Brit Shalom including Hofshi; Hofshi, N. “*Ha-Sina Mekalkelet et ha-Shura*.” *Davar*. 07/04/1939. P. 4 — Hofshi defends Brit Shalom against a particularly disrespectful attack from someone who called them callous and “spineless.”

³⁷⁸ “*Agav Rafruf*.” *Davar*. 08/20/1943. P. 2. This article notes Hofshi’s leadership position in the *War Resisters’ International* going back fifteen years. This would mean that this position began in 1928. Cf. “*Mehusar Da’agot ke-Nireh*.” *Ha-Boker*. 08/19/1945. P. 4.

³⁷⁹ He spoke at their founding conference in Bilthoven, Netherlands (*Ba-Lev u-ba-Nefesh*. P. 60).

³⁸⁰ “*Ba-Kefar: Ranana*.” *Davar*. 08/23/1935. P. 8 — Hofshi was to speak on the immanent threat of war. It might also be noted that, although not alone in his position, Hofshi represented a consistent voice of public criticism where “prototypes” of the sort of state violence that Hitler would later perfect were concerned. Responding to widespread praise of Ataturk and his accomplishments in Turkey following his death in November

September 3, 1945 — the day after Japan surrendered — that: “if the millions and hundreds of millions [who participated in the war] acted this way [i.e. maintained a position of pacifism] then there would have been no room for Hitler and his evil deeds in the world!”³⁸¹ For this stance, he was called a “slanderer,” a “traitor,” and a “blood libeler.”³⁸²

While the war was still underway, Hofshi — together with his comrades in the *Aguda* — also took a public stance against the conscription of Jews (in Palestine and elsewhere) into the British armed forces.³⁸³ After the war, Hofshi extended this demand to the State of Israel; he was the first citizen of the state to suffer arrest, prosecution, and imprisonment for draft evasion.³⁸⁴ The ultimate result of that trial was that Hofshi could be assigned a non-combative role in the military; e.g. as a medic. Whether he actually served in that position is unclear, but it is likely that he did. Two years later, however, we find that he sued the state in an effort to have conscientious objectors exempt from service altogether.³⁸⁵ Indeed, that is position he took many years later in solidarity with Amnon Zikhroni, whose long hunger strike in protest against his own conscription captured widespread attention internationally.³⁸⁶ In connection with this case, Hofshi commented during a press conference: “a conscientious objector to war can no more fulfill *any* role in the military than a vegetarian can work in a slaughterhouse.”³⁸⁷ Still, this does not mean that Hofshi was altogether

of 1938, Hofshi reminded the readers of *Davar* that these were accomplished at the cost of much blood. “He cleared for himself the path to power with blood and fire, and with the hanging tree,” says Hofshi, “he killed the opposition” and, included in that opposition were, as Hofshi notes, the Kurds and the Armenians. Yes, Hofshi admitted, Ataturk modernized the country, but at the cost of “national and individual freedom (Hofshi, N. “*Al Ketanot she-Nishkahu*.” *Davar*. 01/26/1939. P. 4).”

³⁸¹ Hofshi, N. “*Mikhtavim le-Ma’arekhet: Be-Inyan Dak Ehad*.” *Davar*. 09/03/1943. P. 4. Cf. “*Pacifistim Yehudayim be-Yame Milhama be-Hitler*.” *HaMashkif*. 08/28/1945. P. 4 — lists Hofshi among the pacifists active during WWII.

³⁸² Mar, H. “*Nekudot: Talmid Ra Mino le-Moreh*.” *HaMashkif*. 02/22/1942. P. 2. Cf. Guy, A. “*Davar ve-Hefukho: Ha-Safa ha_holandit hi Safa Mapai’it*.” *Herut*. 09/14/1949. P. 2; Shoro, H. “*Lo le-Geniza*.” *Davar*. 11/24/1967. P. 3.

³⁸³ Hofshi, N. “*Le’mā’an ha-Emet*.” 02/19/1943. P. 4.

³⁸⁴ This distinction has, until now, been granted to Joseph Abileah, who was tried on August 30, 1948. I have discovered an article indicating that Hofshi was arrested, tried, and imprisoned for the same crime in May of that year (“*Shney Mishpatim Neged Mishtamtim me-Hakara*.” *Davar*. 05/24/1948. P. 3). For more on Abileah, see Bing, A.G. 1990. *Israeli Pacifist: The Life of Joseph Abileah*. Syracuse: Syracuse U. Press. In this volume, Hofshi is also dealt with in passing.

³⁸⁵ “*Ha-Yom Skirat Shareit be-Va’adat ha-Huts*.” *Ha-Tsafa*. 02/21/1950. P. 1.

³⁸⁶ See Keren, M. 2002. *Zikhroni V. State of Israel: The Biography of a Civil Rights Lawyer*. Lanham: Lexington Books. Hofshi makes an appearance in this book as well.

³⁸⁷ “*Zikhroni Alul le-Hitmotet be-kol Rega: Toanat Agudat Sarvane ha-Milkhama be-Yisrael*.” *Ha-Tsafa*. 06/17/1954. P. 4. See also “*Mohim Neged Ma’asaro shel Sarvan ha-Milhama*.” *Al ha-Mishmar*. 06/08/1954; “*Tsom Zikhroni le-Yomo ha-20*.” *Al ha-Mishmar*. 06/17/1954. P. 1; “*Zikhroni Mamshikh be-Shevitat ha-Ra’av*.” *Ha-Boker*. 06/06/1954. P. 7; cf. the history of the pacifist movement in Eshel, Z. “*Sarvane ha-Milkhama: Mah Dinam be-Yisrael?*” *Ha-Tsafa*. 06/24/1954. P. 2. Interestingly, a more recent book-length study of the movement makes no mention of Hofshi’s role in it at all. See Bar-On, M. 1996. *In Pursuit of Peace: A History of the Israeli Peace Movement*. Washington D.C: US Institute of Peace Press.

unwilling to make accommodations. Six years later — despite a longstanding ideological and personal conflict — Hofshi met with Ben-Gurion to advocate for a solution which would permit conscientious objectors³⁸⁸ to do national service (*sherut le'umi*) rather than enlist, an option which had previously been open only to young women from religious families. Whether this meeting was decisive or not, the substance of Hofshi's plan was eventually adopted and it is today the law of the land.

Beyond his immediate role as the head of the *Aguda*, Hofshi functioned as a public intellectual, intervening in a variety of issues related to the national conscience. He wrote and lectured frequently on vegetarianism,³⁸⁹ on farming and the agricultural life,³⁹⁰ the moshav

Unsurprisingly, this viewpoint was rebuffed by state officials like Pinhas Lavon who, at that time, called Hofshi a “moral parasite (*Vikuah be-Davar*.” *Herut*. 07/14/1954. 2)” who “sucked his ideas from the tip of his finger (*Ayn Nishkefet Sakana le-Briyuto she Zikhroni*.” *Ha-Boker*. 06/18/1954. P. 1.” For the most part, this was the popular consensus on the case and Hofshi's role in it, especially in the Hebrew language press. Interestingly, however, I have found evidence that the Yiddish press may, on the whole, have assumed a somewhat more flexible position. Consider this contemporary editorial, which appeared in *Lebens Fragen*. Though the writer does not take sides in the general question of pacifism or its opposition, he does take sides in the case under discussion. “What is important,” he writes, is that:

“Amnon Zikhroni refused to serve in the military not out of egoism or fear, but for ideological reasons... Unfortunately, it must be noted that most of the Israeli newspapers have taken a position against Zikhroni. Thanks only to pressure from democratic countries and from democratic movements in Israel, was Zikhroni, after twenty-three days of starvation, released from military duty. The case of Amnon Zikhroni demonstrates the strong tendency of any country to transform into a military camp, wherein there is no room for individual freedom and brutal military discipline is the rule of the day. Evidence as to the tendency of a country to militarize, together with the tendency toward political dictatorship and social reaction is thus present in the slope down which the inner development of the State of Israel falls (*Der Fal Amon Zikhroni*.” *Lebens Fragen*. 08/01/1954. P. 2).”

Here, we observe precisely the sort of concerns which, so I shall demonstrate later, Hofshi raised: the relationship between militarism and tyranny.

³⁸⁸ This included not only those who identified as pacifists, but also the ultra-orthodox, who declined military service on the grounds that “the Torah is his profession” — i.e. that Torah scholars should not be forced to tend to secular communal needs. This engaged Hofshi in an interesting debate about the role of Rabbi Akiva's students in the Bar Kokhba rebellion against the Romans and how this was judged by the rest of the rabbinical establishment of the time (*Talmud Yerushalmi*, Ta'anit 4:68d). See Ben-Shalom, E. “*Asmakhta Historit le-Giyus Bene Yeshivot*.” *Davar*. 04/30/1970. P. 6 — opposes Hofshi's claim that there is no proof that R. Akiva's students fought with Bar Kokhba and therefore that there is no proof from this for enlisting yeshiva students. Cf. Igeret, Z. “*Od al Rebbe Akiva*.” *Davar*. 06/24/1973. P. 16. Incidentally, the consensus of contemporary scholarship is with Hofshi.

³⁸⁹ Niger, S. “*Na'eh Mekimim*.” Hofshi, N. trans. *Ha-Po'el ha-Tsa'ir*. 09/13/1921. P. 17; “*Tel Aviv*.” *Davar*. 01/11/1935. P. 7 — reports an upcoming speech by Hofshi at Club Poalim on vegetarianism; “*Besafrut u-be-Emunah*.” *Davar*. 05/06/1938. P. 18 — Mentions article by N.Z. Maimon on Hofshi published in an edited book called “The Vegetarian” edited by N.Z. Maimon; Ba-Lev u-ba-Nefesh. P. 119, 314.

³⁹⁰ “*Seminaroyon le-Noar be-Moshavim*.” *Davar*. 03/07/1935. P. 3 — reports that Hofshi was to speak on “Farming and Man;” “*Besafrut u-be-Emunah*.” *Davar*. 03/06/1936. P. 20 — references Hofshi's contribution to *Telamim*, “Farming and Man;” Cf. same issue p. 5; Ben-Yosef, B. “*Beseminariyon she Irgun Te'ire ha-Temanim*.” *Davar*. 07/05/1939. Pp. 21-22

movement,³⁹¹ poverty,³⁹² organ donation,³⁹³ public education³⁹⁴ and morality;³⁹⁵ he taught bible,³⁹⁶ spoke about the history of the prestigious “second aliya” of which he was a part,³⁹⁷ and even inserted himself into American domestic affairs.³⁹⁸ More substantially, as far as the sharing of his core ideas and values goes, Hofshi wrote and lectured throughout his career on the life and thought of A.D. Gordon,³⁹⁹ which he gave a distinctively Tolstoyan and Gandhian interpretation⁴⁰⁰ — a

³⁹¹ “*Petihat ha-Seminariyon le-Noar ha-Moshavim.*” *Davar*. 01/12/1936. P. 6 — reports that he took part in the inauguration ceremony in Kfar Yehezkel and spoke about the needs of the moshavim; “*Be-Ma’arakha Avodah ve-Ovdim.*” *Davar*. 06/24/1938. P. 18 — mentions contribution of maamarim to Be-Telem, a journal for the moshav movement.

³⁹² “*Lifne Heyot Kupat Holim.*” *Davar*, 12/08/1961, p. 3 — Hofshi talks about founding an aid society for injured and the sick. Hofshi, N. “*Neged Kefiyat ha-Mas ha-Politi.*” *Davar*. 12/27/1970. P. 10. Opposes the party tax because it excludes poor people. Party tax to be a member? Cf. Hofshi, N. “*Ha-Ummam le-Hagot ha-Democratiya?*” *Davar*. 11/06/1968. P. 3. Cf. Dorsinai, Z. “*Ha-Vikuah al Mas ha-Miflagot.*” *Davar*. 11/13/1968. P. 14.

³⁹³ S.A. “*Nituah Metim Pa’aron Hov.*” *Davar*. 08/18/1966. P. 3 — attacks Hofshi’s view that it is wrong to do autopsies or organ donations against the will of the dead and/or his family; Erlich, A. “*Tarikhim.*” *Davar*. 09/11/1966. P. 3 — defends Hofshi’s position.

³⁹⁴ “*Ha-Pe’ula ha-Tarbutit be-Rehovot be-Onat ha-Horef 5691.*” *Davar*. 05/13/1931. P. 3 — Mentions Hofshi’s involvement in public education

³⁹⁵ See note above on his views on modern film; “*Le-Zokhro shel Y.L. Magnes Z”L.*” *Ha-Tsafa*. 11/04/1949. P. 7 — reports that Hofshi spoke on morals and politics. See also Hofshi, N. “*Ha-Ishon, ha-Rofim, ve-ha-Moda’ot.*” *Davar*. 04/14/1971. P. 8 — here, he peaks against smoking and the hypocrisy of people who note its effects on health but still smoke. See also reports as to his involvement in public debate on fair and commensurate consequences; for example, Hofshi, N. “*Al Herpat Anshe ha-Guf.*” 12/23/1928. P. 3 — here, he criticises a recent court decision to punish a youth who stole with beatings. See also his comments on the weak observance of Yom ha-Shoa in Israel: Hofshi, N. “*Yom ha-Avel ve-ha-Zikaron.*” *Davar*. 03/10/1964. P. 3. See also Hofshi’s views on the Eichmann trial; he supported imprisonment over execution (“*Be-Ta’uno she Professor Buber Mosif le-Hatif I-Teliyat Eichman.*” *Herut*. 03/27/1962. P. 2).

³⁹⁶ “*Be-Kefar: Nehalel.*” *Davar*. 10/09/1938. P. 7 — reports that Hofshi spoke about divine providence in the Bible; “*Ba-Kefar.*” *Davar*. 11/10/1942. P. 4 — reports that he taught mishley.

³⁹⁷ Lifshitz, A. “*Me-Etstabat ha-Sefarim: Sefer ha-Aliya ha-Sheniya.*” *Davar*. 07/04/1947. P. 7 — mentions Hofshi’s contribution to a book on the second aliya; Ophir, A. “*Ha-Tovim le-Idud Aliyah.*” *Davar*, 12/29/1967. P. 19 — mentions Hofshi as an example of someone who came to Israel out of a passion for the land; “*Mivhar Shidudim.*” *Davar*. 02/04/1977. P. 56 — reports that Hofshi, among other veterans of the second aliya, would take part in a public discussion on “their lives in their parental home, relationships among their siblings, their parents their ideals, and what happened over the course of realizing them.”

³⁹⁸ “*Ishim Yisrae’elim Mevakshim me-Eisenhauer Hanina le-Sobol.*” 01/27/1960. P. 1 — reports that Hofshi, among others asked for Morton Sobell to be pardoned. Sobol was involved in the Rosenberg communist case; cf. “Israeli Intellectuals Petition for Release of Scientist Morton Sobell.” *The Sentinel*. 02/04/1960. P. 4.

³⁹⁹ “*Ba-Kefar: Gan Yavneh.*” *Davar*. 01/28/1935. P. 4; “*Ba-Kefar: Azar.*” *Davar*. 02/01/1935. P. 5; “*Azkarot A.D. Gordon Hamesh Esre Shanim le-Moto.*” *Davar*. 02/04/1937; “*Be-Kefar: Benyamina.*” *Davar*. 02/08/1937. P. 5; “*Be-Kefar: Hedera.*” *Davar*. 02/11/1937. P. 5; “*Be-Kefar: Herzliya.*” *Davar*. 02/14/1937. P. 6; “*Be-Kefar: Herzliya.*” *Davar*. 02/14/1937. P. 6; “*Be-Kefar: Rishon le-Tsiyon.*” *Davar*. 02/16/1937. P. 6; “*Be-Kefar: Kfar Saba.*” *Davar*. 02/17/1937. P. 7; “*Besafrut u-be-Emunah.*” *Davar*. 01/21/1938. P. 8; “*Be-Ma’arakha Avodah ve-Ovdim.*” *Davar*. 01/28/1938. P. 17; “*Congress ve-Shalihav.*” *Ha-Boker*. 08/25/1950. P. 6; “*Tel Aviv.*” *Ha-Tsafa*. 02/02/1951. P. 6; “*Hartsa’a al Gandhi ve-Gordon.*” *Al ha-Mishmar*. 02/02/1951. P. 5; Hofshi, N. “*Ha-Taglit: Me-Zikhronotay al Yedid Nafshi, Rabi, ve-Alufi A.D. Gordon.*” *Davar*. 04/06/1961. P. 4; Hofshi, N. “*A.D. Gordon u-Bayot ha-Avoda ha-Yom.*” *Davar*. 07/21/1973. P. 20; Hofshi, N. “*Lakho she A.D. Gordon.*” *Davar*. 03/12/1975. P. 9.

⁴⁰⁰ Ahimeir, A. “*Al Shelosha Min HL”H.*” *Ha-Tsafa*. 08/08/1958. P. 3 — calls Hofshi as a radical tolstoyan; Yemini, A. “*De’ot Yotse Dofen: Ha-Ra’ash mi-Saviv le-Oz.*” *Herut*. 06/12/1961. P. 2. Calls Hofshi a utopian.

position that earned him much condemnation.⁴⁰¹ Related to this mission and of equal importance, Hofshi confronted the Jewish public with the moral challenge of being no longer the persecuted minority, but the dominant power in what was always a multi-ethnic state; that is, he denied them the liberty to dismiss the real moral catastrophe that Israel's relationship to its Arab citizens and subjects represented.⁴⁰²

For all of this, reaction to Hofshi ranged mostly from dismissal to disbelief, indignation, and outrage. One writer called Hofshi a man "who feels mercy for the poisonous snake, allowing it to grow by means of the 'thin still voice' that lies deep in the heart and constitutes the sole and highest judge [of things]."⁴⁰³ Others questioned, if not his sincerity, the degree to which his views would stand the test of reality:

"Why did Mr. Hofshi choose [to live in] Nehalel rather than Jenin? Is it an accident? Living in Nehalel, Mr. Hofshi can, even in these troubled times, focus on his domestic concerns. He can tend his farm and all the while pontificate about banal pacifism. What would happen if Mr. Hofshi lived in Jenin? How consistent would he be? Moreover, if Mr. Hofshi can live peacefully in Nahalel, who does he have to thank?"⁴⁰⁴

Similar sentiments were expressed by none other than Ben-Gurion himself during a Mapai-party convention:

"I cannot imagine what would happen if Kaukji or some other Arab hooligan really did invade Nahalal and start to slaughter the children there. Would Nathan Hofshi say: No, I'm reading a book by Tolstoy, I cannot shed blood."⁴⁰⁵

Such men felt that Hofshi's views were unrealistic at best, dangerous at worst and, more than that, unreflective of Arab contributions to the malignant conflict.⁴⁰⁶ In response to all such opposition, Hofshi replied:

⁴⁰¹ M.D. "Al Parzitut u-Matsfon." Davar. 07/13/1954. P. 2 — Critiques Hofshi's appeal to Gordon for support in his argument for pacifism, says this is not truly Gordon's view; Gordon, Y. "Od al Amdat A.D. Gordon." Davar. 07/22/1954. P. 2 — disagrees with Hofshi's interpretation of Gordon; argues that though Gordon hated bloodshed, he accepted the justice of defensive war; Shamai, A. "Davar ve-Hefukho." Herut. 03/14/1955. P. 5 — calls Hofshi's gandhian/tolstoyan interpretation of Gordon a "waking dream distant from reality."

⁴⁰² Hofshi, N. "Mikhtav le-Ma'arekhet." Davar. 01/16/1935. P. 4. Accuses Davar of failing to cover unfortunate news of Israeli malfeasance adequately. Davar defends itself; "Le-Tikun Hok ha-Ezrahut." Al ha-Mishmar. 07/10/1952. P. 3; A.M.K. "Devarim Tamohim." Davar. 06/18/1953. P. 3; Zevuloni, N. "Anshe ha-Ihud Darshu Pegisha im Ben-Gurion le-Hafsik ha-Aliya." Herut. 06/25/1962. P. 2 — here, Hofshi proposes to halt aliya; Hofshi, N. "Metsuka ve-Shefa." Davar. 07/30/1964. P. 3 — criticises the government for its poor treatment of Palestinian refugees in Ramallah; it has the money to build a nice museum, he says, but not to feed hungry people; Hofshi, N. "Kashihut ve-Tsedek." Davar. 06/10/1965. P. 3 — criticises the government for its non-responsiveness to a poor pregnant Arab woman. Compares it to Cain's response to God regarding Abel.

⁴⁰³ Sholom, S. "Reshimot Hatufot." 06/07/1932. P. 2.

⁴⁰⁴ Guy, A. "Ez'aka." Ha-Mashkif 08/29/1942. P. 2. Cf. "Ha-Mafilim u-Ma'aseyhem." Ma'ariv. 07/31/1950. P. 2.

⁴⁰⁵ Ben-Gurion, D. "On War and on Immigrant Absorption," *Ner*, 28 April 1950)

⁴⁰⁶ "Od Tofana Holanit." Ha-Boker. 01/08/1954. P. 2; "Ha-Arabim Pat'hu be-Ma'arakha." Davar, 12/08/1961, p. 13.

“Are the prophets of Israel and Hillel the Elder both invalid and dangerous? If so, stop glorifying yourself with them when you communicate with gentiles as you always do! These were, for us, prophets of peace... were the prophets of Israel not more than merchandise for export?!”⁴⁰⁷

The Jewish people, in his view, have a choice. Either they can embrace their moral traditions, in which case they must come to terms with the meaning thereof and act accordingly, Or, they must repudiate them, in which case they must abandon any pretense of a special ethical mission in the world. One or the other, but not both.

Having traced the history of Hofshi’s contributions to public discourse, let us return briefly to his private life. Where we left off, he was living in the moshav of Nahalal and tending a small organic farm. However, as I have already noted, ideological conflicts forced him to abandon his life there.⁴⁰⁸ From Nahalal, he relocated to Holon⁴⁰⁹ and later to Herzlia by 1955⁴¹⁰ where, by 1960, he was able to build another farm of the same sort.⁴¹¹ By 1963 (the year that his wife, Tova passed), he had relocated Rehovot,⁴¹² which is where he died and was buried on April 16, 1980 at the age of ninety-two.⁴¹³

In sum, though Hofshi wrote no book and the collection of essays editorials, *Ba-Lev u-ba-Nefesh* (with Heart and Soul) edited by his closest supporters was widely ridiculed as being “with heart and soul, as opposed to logic and reason,”⁴¹⁴ he did leave an unmistakable imprint on the society in which he lived. He questioned its moral foundations from the standpoint of an unflinching and religiously-inspired pacifism and, as we have already observed to some extent and shall see further, used that — without abandoning the Zionist project as he understood it — as the ground for a broader critique of the moral legitimacy of a Jewish State (or, from a Jewish

⁴⁰⁷ Hofshi, N. “*Melakha Kala ve-Nekiya*.” Davar. 07/20/1965. P. 3.

⁴⁰⁸ For some insight into their nature, see *Ba-Lev u-ba-Nefesh*. P. 60.

⁴⁰⁹ M.B. “*Le-Zekher Ne’edarim: Tova Hofshi*.” Davar. 08/26/1968.

⁴¹⁰ *Ba-Lev u-ba-Nefesh*. P. 80.

⁴¹¹ Sikra, A. “*Shenayim me-ha-Aliya ha-Sheniya*.” Herut. 02/26/1960. P. 3.

⁴¹² Hofshi, N. “*Aluf le-Egrof*.” Davar. 07/12/1963. P. 3. Hofshi may also have spent a short period of residence in the moshav of Mash’en around 1968 (Hermesh, D. “*Misha’an Boneh Bate Avot Hadashim: Derusha Ezrat ha-Medina le-Misparam ha-Gadol shel ha-Nizkakim*.” Davar. 12/09/1968. P. 4). It is unclear from the cited article whether Hofshi was residing or visiting there.

⁴¹³ “*Meyt Natan Hofshi, Ish ha-Aliyah ha-Sheniya*.” Ma’ariv. 04/17/1980. P. 15. One strange discovery must be noted: an article that looks very much like a eulogy for Hofshi (and a rather affectionate one) appeared in 1965 (Shorer, M. “Natan Hofshi ben Avraham.” Davar. 09/06/1965. P. 6). Perhaps he had gotten ill and the editors of Davar supposed he had died?

⁴¹⁴ Asaf, M. “*Ba-Lev u-Ba-Nefesh*.” Davar. 07/08/1965. P. 3. Cf. Asaf, M. “*Teshuva le-Natan Hofshi*.” Davar. 07/26/1965. P. 3; “*Ba-Lev u-ba-Nefesh*.” Ma’ariv. 05/14/1965. P. 14. It was not, however, universally rejected, even at the time. One writer praises Hofshi’s non-conformism as evidenced in the book. He likewise mentions that Hofshi was influenced by “*Abraham Heyn* and the heads of the anarchist movement (“Non-Conformist.” Davar. 04/20/1969. P. 3).”

perspective, any state at all).⁴¹⁵

Hofshi's appeal to Tolstoy is twofold. On the one hand he, like Don-Yahiya and Heyn, draws explicitly on Tolstoy's religious anarcho-pacifism. On the other hand, he goes significantly further than the other two, adopting Tolstoy's vegetarianism and likewise his idealized vision of agrarian life (consider, for example, his lengthy descriptions of the routines thereof in Anna Karenina). Moreover, Hofshi stands out from the others insofar as he, and not the other two, addresses perhaps the most obvious and most pressing moral challenge for a Jewish anarcho-pacifist living in Israel: the Palestinian question. For the purposes of this essay, I shall bracket Hofshi's vegetarianism and examine only his religious anarcho-pacifism, its relation to his vision for a neo-agrarian society, and likewise its implications for the Palestinian question.

To begin with, let us consider Hofshi's view as to the fundamental delusion confronting modern men, idealists and skeptics alike. Many people, he says, claim that:

"Like us, they yearn with all their hearts for the golden age of peace, brotherhood, and love but maintain that it is forbidden to 'hasten the end,' to realize the dream of the end of days today and in our generation. They maintain that it is still too early and that, today, that we must be realistic and must arm ourselves and stock up, train in the use of the horrifying instruments of death, uproot our profane softness of heart, because it is only in this way that men can ensure their security until the infinitely distant day comes when 'suddenly,' miraculously, while men are still immersed in blood, when human hands are still filthied with the blood of their fellow man — suddenly a miracle will occur, without any contribution on our part, without deep penitence, without concerted preparation, suddenly we will find ourselves in the golden age of world peace, the kingdom of heaven on earth. This childish self-deception, this criminal delusion, is an evasion of the bitter truth and the weighty responsibility of the tremendous mission represented by the sound of the thin, still voice that incessantly whispers: return children of man!"⁴¹⁶

As Hofshi sees it, the criminal delusion is this. People imagine the golden age as if it were God's responsibility. Thus, if they believe in it at all, they hold that its advent has nothing to do with human effort, that it arises suddenly and without preparation. This is another way of saying that, according to Hofshi, the criminal delusion is the supposition of a divide between ends and means. In his view, one ought always labor with the ideal in mind.

The division between ends and means raises the problematic possibility — which we have already seen in Heyn's writings — of subordinating means to ends; that is, justifying the former by

⁴¹⁵ For the sake of supplying initial historical evidence of the anarchist direction of his pacifism, consider his associations. For instance, he traveled to France in 1954 to speak at the *sheloshim* service of Eliezer Hirschauge, a prominent figure in the Yiddish Anarchist movement ("*Eliezer Hirschauge*." *Lebens Fragen*. 06/01/1954. P. 18). He was likewise linked to I.N. Steinberg, the head of the Territorialist movement and an anarchist in everything but name (Ivri, Y. "*Be-Aspaklariya Akuma she Territorialistim*." 06/10/1954. P. 2; "*Dr. Y.N. Steinberg*." *Lebens Fragen*. 01/01/1957. P. 17; *Ba-Lev u-ba-Nefesh*. P. 179).

⁴¹⁶ *Ba-Lev u-ba-Nefesh*. P. 190.

the latter. This, Hofshi, like Heyn, considers unacceptable. His views in this respect can be discerned from a brief discussion of the difference between extremism of Tomas de Torquemada, the grand inquisitor, and that of Mahatma Gandhi. “I see no problem,” he says:

“With fanaticism for some idea or belief but, rather, consider it a virtue. That is, on one absolute condition: that our fanaticism for our truth neither coerce nor force anybody in any way... to accept our opinion against his will and understanding. Fanaticism is a good thing; it makes people think, judge, and critique anew our way of life. The fanaticisms of a Torquemada and a Gandhi arise from the same cause: their unmitigated faith in an idea or a faith. The crucial difference comes to the fore in their practical conclusions. For Torquemada, all means were legitimate — coercion, force, pressure, violence, even killing the one who refuses to submit to aggressive fanaticism. Gandhi disdains means which are inappropriate for good purposes. He is a fanatic for the Torah that teaches us to love other men because they are men, a love not dependent on anything else, a love the whole being of which is opposition to force and violence. Without fanaticism for truth and justice, there is neither truth nor justice, no true religion, no peace, no brotherhood.”⁴¹⁷

Here, we infer that Hofshi considered himself a fanatic — or that he is at least in sympathy with fanaticism — for the cause of peace broadly construed. More to the point, his is of the opinion good means alone are appropriate for good ends. The alternative, he says, is a “false teaching,” a “false Torah,” a “Torah of violence, of course power” the “first sin” of which is a “bad and crooked education... in the veneration of raw force” based on the idea that “ends justify means,” a notion that “gives rise to the idea that the stronger prevails, that the majority rules over the minority, to dictatorship, to war by any means in order to assume control of the government.”⁴¹⁸ In sum: “none of us are means to some distant end... so that to accomplish the ‘holy’ we may be treated as ‘profane,’ that our life may be treated as profane on the basis of the principle that the ends justify the means. We are, ourselves, the end.”⁴¹⁹ Man is the measure of holiness. Thus, Hofshi concludes elsewhere, “recognition of the holiness of life, of man, of humanity, must serve as the fundamental principle of human community,” which “exists for the sake of man” and not the reverse.⁴²⁰

This is the “the religious feeling,” according to Hofshi, “that forms the basis of the true life.” We must, he argues, abandon the instinctive revulsion for religious sentiments that has characterized modern revolutionary movements and, instead:

“Recognize and feel that there is a God, that we all have the same father. [Thus attending to] the true religion, the religion taught by the prophets of Israel and pursued by the sages of the nations, [which] does not permit exploitation or hatred, robbery, murder, or any other evils. In light of this faith in the holiness of life, that men we were created in the image of

⁴¹⁷ Ibid. P. 255.

⁴¹⁸ Ibid. P. 55.

⁴¹⁹ Ibid. p. 60.

⁴²⁰ Ibid. p. 53.

God, in light of this religion which burns unceasingly in the heart against wickedness and evil, in light of the faith that in the unending striving for the good, for the divine truth, for ethical perfection, man finds happiness... [Moreover, when it is established,] response to difficult [moral and political] questions... passes from the degraded status of laws and provisions... to the more reliable and certain status of strong and heartfelt faith.”⁴²¹ Like Tolstoy, Hofshi holds that the “feeling that life has meaning and purpose”⁴²² depends on a certain sort of religious sentiment.⁴²³ More generally, however, we observe that the notion that human life bears an irreducible holiness comes to constitute the moral foundation of society. A faith in the idea that “we all have the same father” is “a faith that demands brotherhood, love, and non-violence among men.”⁴²⁴ This extends far beyond the prohibition of murder to include all sorts of violence be they political, economic or otherwise. Thus, he argues:

“A religious person ought to be one who cares, one for whom pain and suffering — every affront to the body of his fellow man, son of one and the same father in heaven — matter. He will neither rest nor take enjoyment in the world until — alone and also together with his brothers in the faith and the desire — by his efforts to rectify, support, help, save, and

⁴²¹ Ibid. p. 67.

⁴²² Ibid.

⁴²³ Unlike Tolstoy, however, Hofshi — though not necessarily orthodox in practice — did find room for ritual observance. He devotes an short essay to the importance of concretizing the universal religious values they shared in everyday life through ritual. He writes:

“To the many difficult questions which face our confused generation is added a very strange one, the question concerning the sabbath, the holidays, and their place in our lives... If you wish to know the well whence Jewish people draw their spiritual sustenance... look to the sabbath and the holidays. These have always been the formative forces for the Jewish soul...

What is this sabbath that our forefathers adhered to in life and in death? What is its source, content, and true essence? What can it mean for us and for the generations to come? In ancient times, the sabbath represented the apex of the six days of creation... a conclusion in holy rest, the rest of the holy spirit that hovered over the face of the water... the spirit of the holiness of life hovering over this chosen day, a special emphasis on the universal brotherhood of men without the artificial distinctions of position, the first bold step toward realizing the idea that “you are children of the Lord your God.” More than that [it emphasized] the unity of all creation; even animals were included in the proclamation of the day of rest.

Over the course of time, the idea of the sabbath became even more profound. Philo... defined it [as a day dedicated] “to philosophy and moral improvement.” How magnificent a way of life that concludes every week with a day like that! How wretched and degraded a life of unceasing mundaneness, one without exaltation, sanctity, and spiritual concentration!... The same goes for our traditional holidays. They are more than recess days, days of mere rest and joy...

The meaning of Passover is freedom, the very soul of humanity; man is born into it and in it grows and prospers. In it, the people is created and develops. National and human freedom is the foundation of the formation of the Jewish people when it abandoned the slavery of Egypt. Passover is the first holiday celebrating the negation of human rule over other men...

[Hofshi then goes on to examine the other holidays:

1. Shavuot: the giving of the Torah, universal morality.
2. Rosh Ha-Shana and Yom Kippur: self-accounting
3. Sukkot etc.: spiritual and physical completion, the idea of the “simple, modest life without excess or luxury” and universal humanity (for it is the holiday all men will celebrate together)] (Ibid. pp. 116-21).

As for some of Hofshi’s other recommendations for daily religious practice, see *ibid.* Pp. 194, 200.

⁴²⁴ Ibid. p. 226.

elevate his fellow men spiritually and materially, we are all free and happy with the lot we have earned by our own labor, with our pure family lives.”⁴²⁵ We shall later consider Hofshi’s views as to the resolution of problems arising from economic inequality, but for now let us simply observe that the ultimate meaning of religious sentiment as Hofshi understood it implies a deeply felt care for other people. As he notes many times, the three fundamental characteristics of a Jewish worldview are: humility, mercy, and kindness.⁴²⁶

This “religious feeling,” this care, this dedication to non-violence represents likewise the affective core of the peace movement he headed. “Two fundamental notions form the basis of our movement,” he says:

“[One,] the pure religious notion of man created in the image of God, every man; how can one man raise a murderous hand to another? [Two,] the Hillelian principle, “what is hateful to you, do not to another... [This] is the idea of pure humanism; a feeling of human brotherhood and a disdain for violence against man.”⁴²⁷

Thus, he continued elsewhere:

“The prophets all endeavored toward this one thing: to open the eyes of the blind so that they see we are all brothers, the children of one father, family-peoples branching from the one great father-tree of humanity, of all being, so that they see and finally recognize the terrible tragedy, the abysmal sin, of reciprocal and ongoing murder. Concerning this central point, Judaism first established a position with the announcement of the eternal command “do not kill” and then concluded the idea [with the claim that] “nations shall not raise the sword against one another and shall no longer teach war” and with the idea of universal peace: “and the wolf shall lie down with the lamb.” In the practical language of day-to-day life, this central point is expressed in Hillel’s wonderful instruction: “what is hateful to you, do not to your neighbor,” which, according to him, sums up the Jewish teaching... This is the only solution to the thorny problems that people have become ensnared in.”⁴²⁸

Of course, the two principles are intrinsically bound up in one another; it matters that something is hateful to me because I possess an intrinsic dignity. That is, because I am made in the image of God. Thus does it become my duty to refrain from treating other instances of God’s image in this way. Bound or not, however, Hofshi regards this intersection of ideas as the ground of a worldview that encompasses human society in general and manifests itself most determinately in a movement organized to confront a decidedly imperfect world with a vision for a higher way of living.

Let us now consider Hofshi’s application of this general approach to the human condition

⁴²⁵ Ibid. p. 200.

⁴²⁶ Ibid. p. 189, 191-94. Cf. Babylonian Talmud, Yevamot 79a.

⁴²⁷ Ibid. p. 284.

⁴²⁸ Ibid. p. 84. Incidentally, while, while Heyn struggled with the problem of punishment as one linked to the principle of non-violence, Hofshi seemed less conflicted — or, if he was, I see less evidence of it in Ba-Lev u-Ba-Nefesh. Consider, for example, his take on the Eichmann trial. While Hofshi held that Eichmann should not be executed (ibid. pp. 197, 204), he did recommend life imprisonment. Of course, the exceptional character of the case is likely a factor here.

as conceived through the lense of Judaism. So far as I shall address the matter, it has four overlapping implications. One, a rejection of war; that is, a position of unqualified pacifism. Two, a rejection of the idea that the Zionist cause can legitimately be realized through bloodshed. Three, a vehement critique of mainstream Zionism from the standpoint of its effect on the Palestinian population. Four, a consequent calling into question of the state generally and the Jewish State in particular.

As for Hofshi's anti-militarism, he writes, in an essay entitled "Thou Shalt not Kill," that it includes not only refusal to participate in offensive wars, but also defensive ones for, as he goes on to explain, the line between them is thoroughly ambiguous. Every offence can be rebranded as defense

"War is a crime against humanity insofar as it is a crime against human life, using it for evil for the sake of some political or economic end. Therefore, out of a tremendous love of man, we decided to support no war of any kind be it offensive or defensive. It is important to emphasize this last clause because every government calls its wars defensive, as this makes it seem more acceptable.

We distinguish between three types of ['defensive'] war. (A) War in defense of the state of which we are citizens by birth or choice. Refusal to take up arms, in this case, involves several difficulties. The state not only employs various forms of force to coerce us, but also appeals to a natural love for the homeland that takes shape as nationalism and makes 'state' and 'birthplace' seem like the same thing. (B) War in defense of social order together with the security and benefits it supplies to property owners; it is evident that we never take up arms for this reason. (C) War for the protection and liberation of the oppressed proletariat. Refusal to take up arms in this case is also very hard... The love which he have for the oppressed tempts us to use force to help and support them. Yet, we know that immorality cannot preserve order, protect our homeland, or free the proletariat. Experience shows that with every war comes coarseness and horrible atrocities that bring an end to every freedom so that the apparent victory of the proletariat only increases his burden."⁴²⁹

As Hofshi understood it, the sanctity of human life as articulated via the two fundamental principles of the Jewish peace movement implies not merely resistance to blatantly aggressive wars. It entails also resistance to ostensibly defensive wars; not least of all because the difference between the two is hopelessly blurred. Moreover, since ends do not justify means, since immoral means can produce nothing other than immoral ends, ends contrary to any legitimate cause related to true safety, order, or equality, they are, in Hofshi's view, criminal. As he says: war is a crime against humanity. Thus, if:

"Everyone is terrified of the horrible wars that threatens us... we are afraid of all the suffering and the troubles that are likely to come with the war. We are concerned for our bodies, our well-being, our property, and so on; our minds are busy thinking about how to

⁴²⁹ Ibid. pp. 50-53.

avoid this, how to dodge the tragedy... but we focus not enough, or not at all, on a more penetrating question: how can we rise up against our brothers, who like us were created in the image of God, and kill them? How can we become murderers and shedders of blood? How will we be able to bear the stain of blood, the mark of Cain, that cannot be cleansed?"⁴³⁰

That is the main question: how can we live with ourselves if we fail to abide by the basic demands of our common humanity?

Now, Hofshi stands out in relation to Don-Yahiya and Heyn in that he makes explicit⁴³¹ his fundamental agreement with Tolstoy to the effect that refusal to participate immediately and directly in the war effort is but a small part of the task. The broader and more comprehensive task of war resistance involves also a refusal to *contribute in any way* to the war effort. Thus, he continues:

"Therefore, we can support no war, neither by direct service in the navy or the air force, nor by manufacturing weapons, making loans, nor even by dedicating our labor to war so that others can conduct it. It is clear to us that as pacifists we cannot suffice with but a negative position. Rather, it is upon us to recognize the deep causes of war and to struggle in order to nullify those causes."⁴³²

This same theme is developed more broadly elsewhere. Hofshi comments that:

"Every day millions of people wake up and part from the loving gaze of their families, kiss their dear children and their wives, and travel to their workplace, to the holy task of producing extremely sophisticated implements for killing, slaughter, and destruction. This is what they do year in and year out to support their beloved families. This horrific labor on which depends the destruction and annihilation of other beloved families together with the families under consideration. This is a definite preparation for assured mutual destruction. [But people] do not see anything wrong with it."⁴³³

It may be that from a certain standpoint, this attitude is understandable. After all, Hofshi is talking about working men and women who are simply trying to keep food on the table and a roof over their heads. They work in those industries where opportunity is to be found. What primarily matters to them is staying employed; what they make and why, from the perspective of politicians and policy makers, runs at best a distant second. Yet, argues Hofshi, that is immaterial. We have a moral obligation to take responsibility for our work and likewise the ends to which it is put.

Therefore, he argues:

"There is great value in concretizing the principle of non-participation in violence — e.g. refusal to manufacture weapons, the material of war, and everything that is helpful and useful to armies and the conducting war. Members of the movement accept upon themselves as a living responsibility everything that is involved in realizing

⁴³⁰ Hofshi, N. "He'arot Ketanot le-Inyanim Gedolim." Davar. 10/18/1938. P. 6. Cf. Ba-Lev u-ba-Nefesh. P. 77.

⁴³¹ It is perhaps arguable that Don-Yahiya and Heyn would have agreed with Hofshi on this point, but I have not found evidence to this effect.

⁴³² Ibid. pp. 50-53.

⁴³³ Ibid. p. 212.

non-participation in violence. It is our firm belief that this is the only way to prevent war, to remove this evil from the world, so that love, brotherhood, and equality govern the relations among men.”⁴³⁴

Pacifism adequately construed implies, according to Hofshi, a ‘living responsibility’ to refrain from any participation in or contribution to violence of any sort.

So, does Hofshi’s commitment to non-violence imply non-resistance to evil? Hofshi, among the three figures considered here, is perhaps most explicitly Tolstoyan in his response to this question. He writes that:

“Even while he was still alive, Tolstoy himself endeavored to refute the accusation that he taught non-opposition to evil, calling it a lie and a distortion of what he clearly expressed... [he said that] ‘human life in its entirety is a war against evil, an opposition to evil with the assistance of love and understanding. I emphasize, from among all the means of opposing evil, those which entail no justification for violence, no war against evil using evil means. But people have interpreted what I said as if I had taught them not to oppose evil.”⁴³⁵

No. No more than Tolstoy’s pacifism and non-violence implied non-resistance to evil does

Hofshi’s. On the contrary, Hofshi’s resistance is more severe, more absolute; evil is opposed by refraining from it in an unqualified manner. The man of true faith listens to “the thin still voice of love for every creation, of the voice of life from within that says to us that we are all brothers and sisters on earth and that our purpose is to reduce and remove hatred from life, the rule of brother over brother, and to increase the wealth of the great family of God’s creations;” he listens to the “Tolstoy’s voice,” which “calls us to recognize the truth so that the truth can set you free!” — to:

“Recognize that it is not for us to seek out the causes of evil in others, but in ourselves, so that salvation lies within us. *Distance yourselves from evil and do not participate in it. Refrain from submitting to evil, from supporting it, from serving it, and it will immediately fall; for without you it is nothing.* Abandon the path of hatred and climb the path of love for every creature. The path of life is not in heaven or across the sea, it is very close to us. The day that men begin to think about their world and responsibility for each of their actions in light of the command, ‘what is hateful to you, do not to another,’ then hope for true life will sprout.”⁴³⁶

As Hofshi rightly construes it, Tolstoy’s method is based on the principle that resistance to evil through non-participation in it is more powerful than directly confronting it by equal and opposite force. Why? At the very least, because without people willing to perpetuate an evil it cannot be realized.

To listen, however, to the still small voice demands tremendous moral resources. As Hofshi comments elsewhere, echoing Gandhi:⁴³⁷ “violence is the means used by weak men. This is an

⁴³⁴ Ibid. p. 53.

⁴³⁵ Ibid. p. 84.

⁴³⁶ Ibid. pp. 58-59.

⁴³⁷ “Reader: From what you say I deduce that passive resistance is a splendid weapon of the weak, but that

absolute truth. The truly strong man, the man with a strong soul, does not need to use the weapon of violence. The coward who has no faith, what is he without a sword, a bomb, or a cannon?"⁴³⁸ He can put up no fight at all. If so, it follows that above all, the task of passive resistance, of non-violent opposition to evil, demands internal cultivation. Therefore, the most profound act of resistance takes place in the field of education. "Traditional education," he writes:

"Regards the world as an arena of mutual war, it instills faith in the fatal necessity of this war and prepares students to take part in the task. "A school must supply its students in the best possible way, with the best *weapons* to partake in the *war* of life;" this is the accepted slogan in nationalist, socialist (right or left), proletariat, and capitalist circles alike."⁴³⁹

Instead, he argues:

"We require a new education, other means toward our ends. Power, strategy, factionalism, the desire for sovereignty and, above all, faith in the idea that the ends justify the means must become objects of disgust. A new relation vigorously negating raw power in all its forms, military and civil. It must be an education that encourages collective action after the manner taught by Tolstoy and concretized by Gandhi. A human relation even toward the opponent and the enemy... a relation like that between brothers, even if one of them is in error."⁴⁴⁰

This new form of education, this alternative method is, in point of fact, not all that new at all; "it was handed down from the prophets and the sages: 'love your neighbor as yourself' and 'what is hateful to you, do not to your neighbor'" is what it teaches in order to "guarantee true peace and harmony" among men. "A school founded on this principle," he says

"Will transform the world. Its students will not serve as pliable material for rogues and schemers, they will not be quick to spill blood on command from above, to respond to the external discipline of rulers, commanders, or political parties; they will listen to their inner voice. They will learn... to despise Esau's blessing 'you shall live by the sword.' Schools that teach neighborly love and the sanctity of human life, this is the answer to the education question during periods of crisis or otherwise."⁴⁴¹

Such a school will instill students with strong moral fiber, providing them with precisely the inner resources required not simply to bring about change, to oppose evil, but to ensure that in doing so the result is a good one. Moreover it will prepare students to accept a "bitter... world-historical truth," that "this long and terrible exile is the direct result of what our vigorous young warriors, the *biryonim*, did in Jerusalem long ago" — that:

when they are strong they may take up arms. Editor: Physical-force men are strangers to the courage that is requisite in a passive resister... Wherein is courage required—in blowing others to pieces from behind a cannon, or with a smiling face to approach a cannon and be blown to pieces?... Believe me that a man devoid of courage and manhood can never be a passive resister (Gandhi, M. 1999. "The Collected Works of Mahatma Gandhi." Vol. 10. New Delhi: Publications Division Government of India. Pp. 294-95).

⁴³⁸ Ba-Lev u-ba-Nefesh. P. 251.

⁴³⁹ Ibid. P. 101.

⁴⁴⁰ Ibid. p. 56.

⁴⁴¹ Ibid. P. 101.

“The eternal law of ‘you were killed insofar as you killed’⁴⁴²... is a truth that has been proven in every land and by the history of every people. All of the famous tyrants who conquered peoples and destroyed lands, thus meriting, by their atrocities, the title of ‘greatness’ according to fawning historians — what was their end? What was the end of their heroic accomplishments? Before them went death and slaughter, behind them chaos and confusion... Concerning all of these and everything like them, the true education says ‘Let my soul not enter into their secret; nor let my honour join their assembly.’”⁴⁴³

True education, as Hofshi construed it, will not only prepare the student for non-violent resistance by cultivating his moral development, his conviction as to the brotherhood of men and the consequent necessity of treating observing the golden rule broadly interpreted; it will impress upon him the self-defeating character of violence for the sake of some imagined good. According to Hofshi, it is not simply that non-violence is an alternative to some other effective means of provoking otherwise legitimate social and political transformation, however morally problematic it may be in itself. Rather, he regards the path of non-violence as the *only* effective one, for the law of ‘you were killed insofar as you killed’ — a dark parallel to the golden rule — abides.⁴⁴⁴

In sum, then, we find that Hofshi draws explicitly on Tolstoy to articulate a coherent and unmitigated pacifism that rejects violence of any sort. Contrary to his accusers, he holds that this standpoint does not imply a passive response to injustice, to evil. On the contrary, like Tolstoy and also Gandhi, he maintains that non-violent resistance, non-participation in evil, is the only truly effective method for annihilating it and likewise, of evading one’s own annihilation. He likewise maintains that the courage to resist in this manner is no small matter; it must be cultivated. It must become part of a process of educational reform designed uproot complacency and imbue students with an unshakable sensitivity to the holiness of life.

If, according to Hofshi, the instrumental use of violence represents a moral failure, if war is indeed a crime against humanity and if, finally, he regards all of this as arising from the very core of Jewish religion,⁴⁴⁵ then it follows all the more so that a special moral atrocity has taken place

⁴⁴² This is a reference to Pirke Avot 2:6, where it is reported that Hillel “saw a skull floating upon the water. He said to it: because you drowned others, you were drowned; and those who drowned you, will themselves be drowned.”

⁴⁴³ Ba-Lev u-ba-Nefesh. P. 101.

⁴⁴⁴ For more on Hofshi’s thoughts on religious education, see *ibid.* pp. 69, 330-31.

⁴⁴⁵ Indeed, Hofshi seems to have taken particular offence when it was suggested that his views were described as Christian: “You accuse Ner of adopting a Christian viewpoint?! ... All of the contributors to Ner are... traditional religious Jews or close to that... There, I spoke about the idea that man is created in the image of God, about the importance ascribed to labor in the Ethics of the Fathers and in the Talmud generally, I quoted Duties of the Heart, and mentioned the idea of Jacob and Esau, I spoke about hasidic faith... and in the end pointed out how difficult it is to recognize [in the militaristic ethos] Isaiah, Mica, Zecharia, Hillel, R. Yohanan b. Zakai, the Maharash”a, and the Ba’al Shem Tov, the oath which God demanded not to form an army, the demand not to be like the other nations... Using a Jewish approach, this is my way of doing things... because this is what I believe and how I live. This accusation... is very strange because it negates of Judaism and ascribes to Christianity the values

when Jews fall short of the vision. Indeed, he holds that:

“It is the mission of Abraham and all of his descendents to constitute, for all men, an exemplar of ‘justice and fairness.’⁴⁴⁶ This is the meaning of Abraham’s chosenness and, likewise, of Jewish chosenness. It is the duty, the responsibility, to be an example for everyone... from Israel, more responsibility for truth, justice, uprightness, and love is demanded. This is what they were chosen for; not, God forbid, like some ignorantly and superficially understand it: as national pride or chauvinist-egoist racial superiority of the lowest sort.”⁴⁴⁷

If the Jews are chosen at all, they were chosen to be paragons of justice. When, therefore:

“A Jew — who looks back over a thousand years of wandering and suffering at the hands of Esau, who was cursed with living by the sword — has *also* risen and shaken himself from his faith that man is created in the image of God, from following the path paved by the prophets of Israel — ‘not with force and not with power, but by my spirit says the Lord of Hosts’⁴⁴⁸ — when a Jew... has chosen blood and fire not simply as a means for at accomplishing his redemption, but as a way of fulfilling the teaching of Isaiah — “the Torah shall go out from Zion” — with a spirit completely opposed and fundamentally contrary to the dream of the prophet of the end of days [so that]... the tools of destruction, murder, and ruin go out from Zion to other lands”⁴⁴⁹

It is a particularly heinous insult to the “Jewish-religious universal”⁴⁵⁰ worldview that, in Hofshi’s view, constitutes the essence of Judaism. Above all others, “every Jew who loves his people must be beware the risk of the sword, and everyone who loves man must choose the path of Tolstoy, Gandhi, and Gordon, not the path of Moltke and his students.”⁴⁵¹

As Hofshi understood it, this was indeed the path taken within the Jewish community and especially by its leaders from time immemorial:

“Our Rabbis, the sages of the Talmud, wise and upright men, taught us how to judge between statements that contradict one another in the Torah. That is, to dismiss those which have naturally been negated over the course of time... [they] absolutely nullified what was nullified as Judaism developed and the moral condition of the people rose from “let no soul live” to “what is hateful to you, do not to others — this is the whole Torah”.... [Statements like] “when you go out to war” and “let no soul live,” [and events like] the conquest of Canaan and the war with Amalek, David’s conquest — all of these things *were*; they happened. But Jeremiah and the other prophets nullified absolutely, for the present and the future, the warpath... Similarly, the sages of the talmud opposed a war with the Romans though the heads of the people considered it an obligatory war. Rabbi Yohanon ben Zakai

that nourish me, beginning with ideas in the book of Genesis — that man is created in the image of God — and concluding with the end of days as envisioned by the prophets of truth and justice (Ibid. p. 304).”

⁴⁴⁶ This is a reference to Genesis 18:17-19; Cf. Hofshi’s comments on what follows in Hofshi, N. “Sha’ala Avrahamit.” Davar. 07/18/1972. P. 10.

⁴⁴⁷ Ibid. P. 336. Cf. ibid. p. 194, where the idea of chosenness as linked to a moral mission is listed among “Some Fundamental Points of Jewish Faith and their Place in Daily Life.”

⁴⁴⁸ Zechariah 4:9.

⁴⁴⁹ Ba-Lev u-ba-Nefesh. P. 159.

⁴⁵⁰ Ibid. p. 296.

⁴⁵¹ Ibid.

and his students... even fled from the war to a place where they could recreate the soul and body of the people and because of that decision, we continue to exist today... They totally opposed the obligatory wars in the Torah and the place of war in the bible as a whole... This is the clear conclusion, the absolute judgement between the contradictory statements [on this topic] in Judaism.”⁴⁵²

Like Heyn, Hofshi places special moral weight on the manner in which the sages of the Talmud effectively nullified the martial aspects of the earlier Jewish tradition so that, despite instance of violence in the Torah and the Prophets, a new tradition of principled non-violence could be installed. In this way, Hofshi rebrands the stained image of the diasporic Jew and transforms his weakness into a strength:

“From the time of the Bar-Kokhba tragedy, through the generations and until the last, the elders of Israel knew to despise the path of ‘you shall live by your sword’ and chose the path of ‘not with strength or force, but by my spirit.’ To deviate from this path was regarded as a deviation from Judaism itself”⁴⁵³ so that “with few exceptions in Jewish history it was universally agreed that, when threatened by other peoples near or far, a Jew has two responses: one, prayer and supplication before the God of judgment and mercy, two, to pay the authorities to protect and save... Jews faithful to religious tradition reacted with extreme suspicion [to other methods] and dismissed them as the path of Esau... [Practicing them] would have shocked traditional religious Jews throughout Jewish history in the diaspora.”⁴⁵⁴

While other Zionist thinkers, when confronted with the image of a Jewish leader, of a Jewish community, standing in prayer or bribing the authorities to evade disaster rather than responding in kind, saw contemptible impotence, Hofshi sees strength. He sees a people that lives by the force of spirit and not by the strength of the fist. The alternative, as he indicates elsewhere, is a horrific transformation whereby “Esau-Constantine Dwells in the Tents of Jacob”⁴⁵⁵ and so defiles them.

⁴⁵² Ba-Lev u-ba-Nefesh. P. 305.

⁴⁵³ Ibid. p. 156.

⁴⁵⁴ Ibid. p. 310.

⁴⁵⁵ Ibid. p. 156. Thus was Hofshi especial dismayed by the existence of ‘religious’ military units and likewise by rabbinic contribution to the war effort. These traditional, culturally conservative, Jews ought most vehemently to uphold the tradition they hold onto so tightly. The orthodox community and its clergy ought, in his view, most faithfully adopt a policy of non-violence and most piously refuse to contribute to or participate in any sort of violence. Yet:

“They turned away from all the exhortations of the prophets and of the Talmudic sages that followed against the path of the sword. The religious and military rabbinic leaders all seemed to agree. The military rabbis serving ‘religious’ units composed a special prayer for victory. This is hard, rigid, and external religious husk covering content which undermines the ability to see a man made in the image of God toward whom the ‘religious’ soldier aims his tool of murder, that undermines the ability to think, to seek, dig for, and find answers to problems between peoples as is fitting for a Jew who believes in our father in heaven who created all men as brothers. These ‘religious’ people’ are extremely passionate about the military, about militarism, about the way of the strong hand, for the mixture of the teachings of Clausewitz and Moltke with the laws of the *Shulkhan Arukh*... Constantine cast the shadow of his heavy spear over Christianity in the fourth century; now he has faithful inheritors among the Jews in the twentieth. God’s Torah under the auspices of rifles and bayonets! Esau in the tents of Jacob! The heretical poetry of

From the foregoing, Hofshi's stance as to the legitimacy of realizing the Zionist vision through military means, through bloodshed, will be evident. Let us, however, consider what he has to say on the topic directly. While it is the case, Hofshi notes, that "in every land, there are men who listened to the still small voice, men who walked by Tolstoy's light and chose to abandon themselves to suffering, persecution, imprisonment, tribulation, and death rather than dirty their hands with the blood of their fellow men... they were few" in number so that "on the whole, nations have given themselves over to the service of Molekh and tainted the image of God with innocent blood."⁴⁵⁶ This is no less the case for Jewish people in the holy land. So, he writes:

"There are those who, from time to time, endeavor to breath new life, to ignite the sleeping coals, of Jewish militarism. They try to instill us with the faith that we shall achieve our national goals with blood and with weapons, by killing and destruction."⁴⁵⁷

This faction, he continues, believed that "we must build the land of Israel even if it is necessary to make a deal with the devil."⁴⁵⁸ Thus, they:

"Sought to 'hasten the end'... [and placed upon] the altar of our collective life a false slogan [to the effect] that: "with blood and fire Judah fell and with blood and fire it will rise again," [that]... a nation inherits its land with blood. The plague then began, the evil turn... Youth learned then that the... nation's glory lies in conquering its enemies in the killing field, that the land is acquired using the satanic tools and methods that horrified earlier generations of Jews... [adhering to the] doctrine of being like all the other nations... We watch the tents of Jacob dissolving, only to be replaced by pagan temples in the Roman style."⁴⁵⁹

These "satanic" tools, this satanic doctrine, Hofshi denounces with biblical style. Rejecting the idea that this mode of restoring "national honor" has anything to do with Zionism adequately construed, he offers his rebuke:

"Satan! He is the faithful partner whom they have found to bring us to this point of internal and external crisis... Satan! Militarism! 'This is your god Israel!'⁴⁶⁰ Not a new human spirit, not freedom from groundlessness, haggling or parasitism through creative... labor... in complete devotion and commitment to our revival, to raising the people of man (*am ha-adam*) in our land — these are not part of the core of zionism nor in them can we find an answer to the question of our survival... according to our militarists, only with 'blood and fire,' only by partnering with Satan, will Judah rise... Will this create for us a new, free community or a new people of mankind? Will being caught up in Cain's trade revive us?"

⁴⁶¹

Tchernichovsky has conquered those who lay tefillin and now bow to Mars, the god of war! What a terrible shame (ibid.)!"

Heyn, Hofshi notes, is a unique and praiseworthy exception (Ibid. p. 204).

⁴⁵⁶ Ibid. p. 58.

⁴⁵⁷ Ibid. p. 39..

⁴⁵⁸ Ibid. p. 40.

⁴⁵⁹ Ibid. p. 182.

⁴⁶⁰ Exodus 32:8.

⁴⁶¹ Ba-Lev u-ba-Nefesh. P. 40.

Surely, Hofshi continues, this is a satanic path on which we ought not tread. Rather,

“It is our duty to loudly proclaim that this is not the way. [If the kingdom of] Judah fell with blood and fire; it will not be revived with blood and fire... Anyone in whose heart the flame of God and man has yet to be extinguished... whoever has the prohibition “do not kill” engraved in his soul with letters of fire, whoever believes that Zion will be redeemed with justice and not with ‘blood and fire’ must rise up in protest, in speech, in writing, and in deed against the propaganda which the cult of militarism spreads among us.”⁴⁶²

This “national disaster,” this “tremendous human regression” that “generations will mourn over,”⁴⁶³ is not the only way. “It is not,” he says, “necessary to realize Zionism in this blood-soaked manner.”⁴⁶⁴ On the contrary, “The oath that God had the people swear, that they ‘not go up [to the land] with an army’ means that the redemption does not come via the strength of the arm.”⁴⁶⁵ It is only, he says, a “crooked interpretation” of scripture and of Jewish tradition that indicates otherwise:

“[Isaiah] opposes oppression and, like Moses at the Sea of Reeds, promises Hezekiah and the people that *the Lord will fight for you*. No army defeated Sennacherib; rather, it was an angel of God that struck the Assyrian army... or God himself. It was not like the invasion of Canaan and the wars waged by David; then, armies fought the enemy. This path was rejected completely beginning with the later prophets.”

Thus, while “those who preach redemption through armies and brigades” believe that there they have scriptural support, for example, in found a “wonderful” source for their view in Joel, who said “Hammer your plow-blades into swords and your pruning-knives into spears (Joel, 3:10),” anyone:

“Who actually knows Hebrew and understands the language of the prophets... undoubtedly knows that the prophet turns *to the nations that came to wage war* against Jerusalem [and says that] even if they all come... and turn all their agricultural tools into weapons, they will fall and stumble before God, who will come to the assistance of his people.”⁴⁶⁶

We must, Hofshi maintains, rely only “on our father in heaven who warned us against following the erroneous path” of blood and fire, of trust in armies, this “distortion, forgery, and misrepresentation of the path of true Judaism.”⁴⁶⁷ As we shall consider in further detail later, in the course of elaborating Hofshi’s anarchic vision:

“Only labor, actual work work by hand, gives a people the merit to live a national life, a free life — not fists, big or small... “Zion will be redeemed with justice and its captives with charity (Isaiah 1:27),” this is our system; it must be engraved upon our hearts... Better to die and not dirty our hands with blood — “than be a lion among lions, with lambs I’d rather

⁴⁶² Ibid.

⁴⁶³ Ibid.

⁴⁶⁴ Ibid. P. 252.

⁴⁶⁵ Ibid. P. 87.

⁴⁶⁶ Ibid. p. 308-09.

⁴⁶⁷ Ibid. p. 316.

perish.”⁴⁶⁸

In sum, no more than militarism in general is the doctrine of “blood and fire” a legitimate course according to Hofshi — even in the name of realizing a vision for communal revival. If a Jewish understanding of the sanctity of human life means that ends do not justify means, then Jewish ends are no different. They must be brought about through means appropriate to them. Thus, Jewish armies, Jewish violence, constitutes a profound abomination, a “deal with satan.”⁴⁶⁹

Let us now proceed to consider Hofshi’s reflections on the effect of this deal on the Arab population of the land. The substance of his view is as follows. He maintains the right of the Jewish people, the people of Israel to settle the land of Israel. Yet, he denounces the form that this took and demands accounting — both moral and practical — on the part of his fellow Jews. He believes in the possibility and importance of reconciliation, but holds that it depends on this accounting, on the humility and penitence of his own community.

“It was our right to come here,” Hofshi explains, “not simply because it is a human right to settle in a semi-deserted place but, more importantly, because this is the land of *Israel*. We have been connected to it for thousands of years”⁴⁷⁰ — indeed, “Zion is our ancient birthplace; we were exiled from it several times in consequence of our sins against our holy mission, in merit of the living realization of which we are able to stay there. This indicates the necessity of returning there, to bring about this realization in a just and upright manner.”⁴⁷¹ Thus, “from my ethical approach of Jewish humanism it follows that we come with a clean conscience, with pure intentions and clean hands, as brother men and exiled, homeless, sons returning to their birthplace”⁴⁷² so long as “we conduct ourselves... according to the principle that ‘what is hateful to you, do not to others’” and not “with violence and in a spirit of hostility and alienation.”⁴⁷³ Neither does Hofshi deny the fundamental legitimacy of Jewish settlement in the land nor does he consider that right unconditional. On the contrary, if the people suffered exile because they fell short of their “holy mission” and have returned to the land in order to realize the same, then it stands to reason that the legitimacy of their resettlement hinges on this. Thus, contends Hofshi:

“Why was the land destroyed during the first and second destruction? Because of spilling blood and baseless hatred. But this is what the prophets together with the talmudic sages tell us: bloodshed is one of the sins which a Jew must refuse to commit even on pain of death. For thousands of years, Jewish tradition has instilled us to abominate and react with

⁴⁶⁸ Ibid. p. 40. This is a quote from Hayyim Bialik’s poem “*Al Saf Beyt ha-Midrash*.”

⁴⁶⁹ Ibid. p. 182.

⁴⁷⁰ Ibid. p. 239.

⁴⁷¹ Ibid. p. 324.

⁴⁷² Ibid. p. 329.

⁴⁷³ Ibid. p. 324.

disgust to bloodshed. Now that Jews have grasped Esau's weapons so as to kill their neighbors... it is without doubt that the third destruction [of the Temple] is upon us."⁴⁷⁴ That is, for Israel to claim its rights to the land of Israel is also for it to assume the mission of Israel. Should "Israel to forget its religion... the eternal divine command 'do not murder!' and dirty its hands with innocent blood"⁴⁷⁵ the claim becomes void. Thus, implores Hofshi, "let us examine ourselves while there is still time."⁴⁷⁶ We must, he demands, ask:

"What happened that we are at war with all of our neighbors? Is it some ancient law... or is it perhaps dependent upon us, even today?... The fatalistic belief that we are beset on all sides for no reason, having had no part, big or small, in causing it, is false... It is a weak evasion of responsibility for our actions and deeds; it is also a flight from the foundations of religious-humanist ethics. *Our sages taught that if something bad happens, one must examine his deeds.*"⁴⁷⁷

So what are the results of Hofshi's examination?

The problem, he contends, began with an ideological decision: "The Zionist leadership agreed that our redemption comes through the implements of the angel of death, with blood and fire and assigned to the junkyard the idea of 'neither with force nor with power, but by my spirit.'" It was decided "to found a sovereign Jewish State on a large portion of the land — obviously without the agreement of the Arabs and despite the threat of bloody war that this posed."⁴⁷⁸ From that moment on, he writes, "the [tacit] seal of approval was given to Deir Yassin, Qibya, Kafr Qasim, and the like. From that moment, the attributes which mark Jewish identity were forcefully removed from us: humility, mercy, and kindness."⁴⁷⁹

"Then the war came,"⁴⁸⁰ and "with the dreams of the prophets of Israel on their lips, the state of Israel was founded. With blood and fire and violence, the Arab inhabitants of the land were dispossessed"⁴⁸¹ while a "small, ghettoized remainder lived in oppressive and humiliating conditions under military rule."⁴⁸² Thus, he continues elsewhere:

"Hundreds of thousands of Arab refugees languish in suffering and distress... human beings like us who only yesterday dwelt securely on the land they inherited from their fathers, who for generations plowed and planted, raised children, loved their parents and their spouses... who were suddenly expelled and now wander, living off the kindness of the Quakers or the Red Cross, which feeds and clothes them somewhat. They accept this charity furious and yearning for vengeance when they see their inheritance in foreign

⁴⁷⁴ Ibid. p. 79.

⁴⁷⁵ Ibid.

⁴⁷⁶ Ibid.

⁴⁷⁷ Ibid. p. 282.

⁴⁷⁸ Ibid. p. 282.

⁴⁷⁹ These, he talks about too on p. 191-92 in response to the "Mi Yehudi" question.

⁴⁸⁰ Ibid. p. 282.

⁴⁸¹ Ibid. p. 170.

⁴⁸² Ibid. p. 282.

hands.”⁴⁸³

Yet, Hofshi mourns, “many of our people here and in the diaspora” fail to “recognize the problematic aspect of what we have done [in defeating the Arabs and driving them from their homes in the war] but, on the contrary, consider it a miracle from heaven... they observe nothing that needs to be fixed and look forward to further miracles.”⁴⁸⁴ Alternatively, “like an ostrich they stick their heads in the sand and ignore”⁴⁸⁵ the issue; “we should not talk about this again,” they say, “what is past is past and we ought, rather, think about the present and the future.” The matter is not past, Hofshi explains, “rather, it is present and simmering before us.”⁴⁸⁶

The problem, so he explains, is manifold. Of course it is a matter of honestly inquiring as to how “a wandering nation beset with many troubles now returning to its ancient birthplace to revive it and be revived in it ought to deal with the people that have dwelt therein and worked its land for hundreds of years?” and, likewise, as to “the ethical measure on the basis of which the returnees can judge their dealings with the inhabitants of the land?”⁴⁸⁷ Of course it is a matter of coming to terms with “chauvinist nationalism”⁴⁸⁸ and its consequences, of responding “with true Jewish contrition” — with “a tremendous inner motion, a spiritual-religious revolution at the depth of the human heart [on the part of the] merciful people who are children of merciful people”⁴⁸⁹ — to “the robbed and oppressed,” who say “return what was stolen, cease oppression, compensate the deprived, the expelled, and the dispossessed.”⁴⁹⁰ But it is also more than that.

One, it is a matter of recognizing the cost of not doing so. Violence, Hofshi points out, is never isolable, but always self-perpetuating:

“One sin leads to another. Now there is a need to protect what was stolen by way of a total militarization of the entire congregation of Israel in the land of Israel, men and women, boys and girls; a fire rages all around us and under our feet. A war of vengeance forces itself upon us while the ones who started the fire pour oil on it rather than softening relations, straightening what is crooked, repenting, and ceasing from violence and oppression, which is the only way to life and peace. The mass is confused and in its confusion, donates its money and its children to Molech, to intensify hatred and add to the sum of corpses so that there is no end to the tragedy.”⁴⁹¹

Having made the choice to adopt “the path of the false prophets who taught that Judah will rise up

⁴⁸³ Ibid. p. 249.

⁴⁸⁴ Ibid. p. 134.

⁴⁸⁵ Ibid. p. 249.

⁴⁸⁶ Ibid. p. 249.

⁴⁸⁷ Ibid. p. 53.

⁴⁸⁸ Ibid. p. 172.

⁴⁸⁹ Ibid. p. 134.

⁴⁹⁰ Ibid. p. 249.

⁴⁹¹ Ibid. p. 170.

by blood and fire,”⁴⁹² the choice to conquer the land, to steal, it becomes necessary to maintain and develop the sort of affects and institutions that facilitate holding on to what has so been acquired. The consequences of this process, Hofshi indicates as follows. When contemplating the “conquest, the appropriated right of the Arab people that had dwelt here for hundreds of years to most of their cities, towns, and property,” think, he instructs:

“About the necessary connection between the hundreds of thousands of refugees and the necessity of an army that is increasingly stronger and better armed... think about how our youth are poisoned during the spring of their lives because we educate them to hate, to murderous battle, to fight with bayonets, to have hardened hearts, to greet death.”⁴⁹³

Think, that is, about “the oath that every soldier takes... [which] tears from [him] his essential freedom of judgment and silences and eliminates the deep inner voice that attests to the holiness of human life, created in the image of God, [which] transforms him into an obedient tool without condition or limit.”⁴⁹⁴ Think, finally, he begs:

“Like children of Israel, and not like Esau and Moltke, about what we call ‘honor’ today: he who kills much is honored much, has more badges of honor-shame on his chest. Think too about what the Torah calls honor: that man is made in the image of God.”⁴⁹⁵

When contemplating these things, in other words, we must not only keep in mind the effect our choices have had on others, but also the effect they have had or will have on us. In what way has the path of blood and fire, the creation of a Jewish army to protect a Jewish State corrupted us, causing us to stray from those fundamental characteristics that make us Jewish in the first place?

Two, it is a matter not merely of rectifying sins and errors, but of cultivating positive and productive relationships. We must ask ourselves, Hofshi explains:

“We have yet to acquire friends among the Arab masses, that we have neither intimates nor friends among the Arab workers in the villages and cities, that there obtains no simple human closeness between our workers and the Arab workers in the settlements?... The question must be asked... what did we do over the course of the years of our efforts to forge true friendly relation, understanding, and mutual faith between us and the Arabs.”⁴⁹⁶

“The Arab-Jewish question,” he writes elsewhere, “is not unique and does not require a special reply. The answer follows from the central point in the same way that it does in relation to other problems of nation and state.”⁴⁹⁷ That point is “the way of ‘that which is hateful to you, do not to your friend’ applied in daily life to our neighbors... [this being] the strongest foundation for the structure of a new life” insofar as, abiding by this principle, “not only do we save ourselves, but we

⁴⁹² Ibid.

⁴⁹³ Ibid. p. 289.

⁴⁹⁴ Ibid. p. 189.

⁴⁹⁵ Ibid. p. 289.

⁴⁹⁶ Ibid.

⁴⁹⁷ Ibid. p. 84.

do the most *practical* and the most *realistic* thing,” for “as water reflects the face back to itself, so too the heart of one man reflects that of another.”⁴⁹⁸ Therefore, Hofshi argues, “our dealings with the Arabs must be as with brothers.”⁴⁹⁹ This means that:

“It is upon us to... to endeavor, with all our ability, to unite the hearts of two peoples, the Arabs and the Jews, which live here. In economic, social, and communal life, union requires constant and rigorous attention to education... [to instill] the recognition and deep feeling of human brotherhood in general and of the two neighboring brother-peoples in particular... In the towns and cities, in work and in play, orally and in writing, in thought and education, one central point must guide us: “Do we not all have one father? Did not one God create us all?”⁵⁰⁰

In principle, Hofshi believed that this vision of human brotherhood between Jews and Arabs to be an achievable goal. “There is,” he says, “plenty of room in the land for two peoples”⁵⁰¹ to “express their unique national qualities... to uncover their multifaceted forms in unity and brotherhood.”⁵⁰²

Yet, when it came to estimating actual progress in this direction, his judgment was unequivocal. “Conditions in the Zionist movement” worsened over the course of the 1940’s to the point that “most Jews in the Land of Israel began striving toward the establishment of a sovereign Jewish state... Things continued in this way until the state of Israel was actually founded and a bloody war with its neighbors began.”⁵⁰³ Then, “in place of repentance, contrition, and endeavor to straighten what is crooked there was the total militarization of the sons of Israel in the land of Israel ... so as to protect what we have stolen,”⁵⁰⁴ an endeavor that was accompanied by “emphatic refusal to admit that two peoples share historical rights to a common homeland and [insistence as to the legitimate] rule of the one as master over over the majority of the population of the other.”⁵⁰⁵ Thus, he says, “rather than teaching the peoples of the world the ways of life and peace,” Zion “turns to them and cries ‘weapons for Israel!... Weapons for Israel!’ instead of ‘and they will destroy their swords’ and ‘neither by force nor power, but by my spirit.’”⁵⁰⁶ In this way, Hofshi contends, “just what happened to Jesus’ sermon on the mount,” the substance of which, he implies, was ignored by Christians until Tolstoy restored it, “happened to the teachings of Judaism; the Jews were not faithful to their Torah just as Christians failed to be faithful to Christianity.” Thus, he continues:

⁴⁹⁸ Ibid. p. 53.

⁴⁹⁹ Ibid.

⁵⁰⁰ Ibid. p. 129.

⁵⁰¹ Ibid. p. 53.

⁵⁰² Ibid. p. 130.

⁵⁰³ Ibid. p. 340. Cf. Hofshi, N. “Be-Ad ve-Neged Amdat Kaniyuk.” Davar. 10/21/1974. P. 12.

⁵⁰⁴ Ba-Lev u-ba-Nefesh. P. 282.

⁵⁰⁵ Ibid. P. 189.

⁵⁰⁶ Ibid. P. 170.

“We... consider the relation between the Jewish government and the [Arab] refugees sinful, a betrayal of Judaism, a degrading stain on the prophetic vision of the return to Zion with justice, peace, fairness, and as a true example for other nations. We stand in bitter struggle with the evil spirit that prevails in the Zionist movement and, throughout this struggle, never lose sight of what brought this evil spirit to bear... We consider it a shameful disaster that Jacob abandoned the perfect and peaceful path for the path of Esau, the way of “you shall live by the sword.” The eternally oppressed learned the teaching of the eternal oppressor. We call our people to penitence, to straightening what is crooked on our own behalf and also on behalf of our brother-enemies together as one in our shared homeland.”⁵⁰⁷

It is for this reason that Hofshi claims that “Ben-Gurion brought a great tragedy on Israel, it is called the State. Were it not for the State, there would be no war between Jews and Arabs... and both peoples would live together [in peace].”⁵⁰⁸ According to Hofshi, the effort to found and preserve a sovereign state constitutes the origin of the sinful betrayal of Jewish religious ethics that he denounces. Therefore, it is on fundamentally religious grounds that the State must be dismantled. This consequence, of course, brings us to the point at which we can consider Hofshi’s religious and largely Tolstoyan anarchism.

According to Hofshi, the State of Israel was “founded in a manner absolutely opposed to the prophetic vision. It betrays [a] prophetic Judaism”⁵⁰⁹ according to which “there would be no question of war with neighboring peoples, no rule of a new nation over those who had inhabited the land for generations” but rather, simply the creation of a “center for Jewish settlement based on the purest principles of Jewish-humanism *as is fitting and appropriate for Israel, which carries the prophetic message of peace, human brotherhood, and universal justice*”⁵¹⁰ — a justice that is incompatible with statecraft, for “statecraft and justice... are things which contradict one another.”⁵¹¹ The Zionist movement became “hypnotized by the idea of the state, by the idea of the sovereign government of Israel”⁵¹² that “united the movement in its entirety;”⁵¹³ it “distorted and falsified” the “prophetic vision of... moral and social regeneration,”⁵¹⁴ abandoning the true path for that of “Bar Giora, Abba Sikra, and Yohanon Magush — the men who drove us into our second exile; for [that of] Bar Koziba, who was responsible for our third exile, which lasted two thousand years!”⁵¹⁵

⁵⁰⁷ Ibid. p. 340.

⁵⁰⁸ “*She’alu Shalom*.” Ma’ariv. 05/28/1950. P. 5.

⁵⁰⁹ Ba-Lev u-ba-Nefesh. P. 272.

⁵¹⁰ Ibid. P. 181. This passage appears in an essay in which Hofshi summarizes I.N. Steinberg’s judgment on the State of Israel.

⁵¹¹ Hofshi, N. “*Mitokh ha-Prati Kol shel Ve’idat ha-Po’el ha-Tsa’ir*.” Ha-Po’el ha-Tsa’ir. 12/06/1922. P. 13.

⁵¹² Ba-Lev u-ba-Nefesh. p. 244.

⁵¹³ Ibid. P. 98.

⁵¹⁴ Ibid. P. 272.

⁵¹⁵ Ibid. P. 342.

Thus, contends Hofshi, held captive by “radical fanatics for Jewish statehood, a Jewish military,⁵¹⁶ for “armed Jewish power,”⁵¹⁷ the Zionist movement, “destroyed and continues to destroy the true *land* of Israel of our prophets and sages... [which] was being revived before the establishment of the state, without force and government compulsion.”⁵¹⁸

Now, “from an evil deed there comes nothing good, and murder will save neither man nor nation; the blood is the same even when it is spilled by” tyrants who pose as “prophets and lawgivers.”⁵¹⁹ Still, Hofshi argues:

“If the path of state Zionism is, from our perspective, not a good one, this does not negate the Zionism of our prophets and sages... it was only the spirit of State-militarism that took control over the Jews, as it did other peoples, that thwarted our efforts and the possibility of their success, and brought us to the harsh conditions which we face today.”

Thus, the task becomes this: “realizing a Zionism in the spirit of the great Jewish prophets and the best sages of Israel that followed them... That is, a Zionism based on Isaiah, and Hillel... as opposed to the state and military-diplomatic Zionism of being like the other nations,” a Zionism that does not constitute “an absolute distortion of the Jewish idea of redemption and the ways of materializing it.”⁵²⁰ This would be a redemptive Zionism that entertains “no particular admiration for” armies, for “regimes, [or for] the authority of the state,”⁵²¹

What does this entail? For Hofshi, it involves, in the first place, individual transformation. “I believe with perfect faith,” he writes:

“That the struggle between good and evil is in human hands, that men decide one way or another. The image of god in man, which our *Torah* speaks of in Genesis, or the ‘inner light in man of which the Quaker teaching speaks, place the responsibility to choose upon every man, upon every nation. I am deeply imbued with the Talmudic teaching that the world is half innocent and half guilty and that I, each person, tend, by my actions, to weigh the scales to one side or the other. The universal-individual or universal-national responsibility is immeasurable.”⁵²²

The true messianic future, as he envisions it, is not something which takes place by way of

⁵¹⁶ Ibid. P. 96.

⁵¹⁷ Ibid. P. 98.

⁵¹⁸ Ibid. P. 322.

⁵¹⁹ Hofshi, N. “*Le-Ma’an ha-Emet*.” *Ha-Po’el ha-Tsa’ir*. 03/28/1924. P. 20.

⁵²⁰ *Ba-Lev u-ba-Nefesh*. P. 243.

⁵²¹ Ibid. P. 98. Cf. Hofshi’s comments on 1 Samuel, ch. 8: “In the first book of Samuel we read Samuel’s warning, in God’s name... regarding the endeavor to appoint a king: ‘they did not reject you; rather, it was me they rejected from being king over them... None of the kings, good or bad, even the best of them, were what God wanted; all displeased him... each of them incited God’s anger. This is my approach to the whole question... all the prophetic visions concerning the idea that the messiah descends from David refer [not to David insofar as he served as king, but] to the David who was a simple shepherd (Ibid. P. 268).”

⁵²² Ibid. P. 296.

miraculous intervention. Rather, it is something we bring about through our own labor.

“The first task of eliminating evil,” he says, is “that we not create it with our own hands, that we not cultivate the State by our own efforts. [After all,] what is a State and what power does it have without millions and tens of millions of people doing its work and protecting it with terrible weapons?”⁵²³ The regime, he says:

“Will not become good before men themselves change. More than against the capitalist regime, we must struggle against the spirit of capitalism within us. Then the regime will fall on its own. It is not by the brutal force which we exert against the brutal force of fascism that we are liberated from horrors, but by tearing up the roots of fascism from our souls, from the souls of our youth, by liberating ourselves from national, class, and political chauvinism.”⁵²⁴

But how is this accomplished? Though inner cultivation. Explicitly echoing the work of the famous anarchist Gustav Landauer, whom he calls “bone of our bone and the flesh of our flesh,” Hofshi writes that he believed that “the renewal of humanity depends on the renewal of the individual, that the labor of revitalizing life is essentially the labor of rectifying mankind from the bottom up, that self-education produces a sense of higher responsibility for humanity.” This means that:

1. “Small changes in the individual’s daily life are what produces [large-scale] change in the people and in humanity... Both observed painfully the central vulnerability in the life of the worker: the lack of any relation, any join in creation when labor is divided up into pieces.”
2. “The individual human and moral responsibility of the worker: this is the beginning of freedom from capitalist slavery and likewise from war. The power of capitalism and militarism is the spirit of inner subjugation and spiritual weakness... When men are saved from inner slavery, from the general psychosis, from the dulling effects of society, when they take account of their inner world and take responsibility for what they do — on that day, capitalism will fall, never to rise again.”⁵²⁵

It is to this process of collective change via individual transformation that Hofshi appeals when he denounces those who look “at life from a material or a mechanistic perspective” — be they socialists or capitalists — and who will therefore “respond negatively... to religious communism, to Tolstoyism, to spiritual rectification, to the moral notions of those good men who dream.”⁵²⁶ It is to this process that he appeals when he proposes a spiritual, an authentically Jewish, form of “libertarian socialism” that exceeds the secularity of the movement in general. “Were the great prophets of Israel socialists?” he asks. Not exactly:

“They were much more than socialists. Their dream encompassed more and was far deeper... Generally, socialism deals only with removing the shackles of economy and state from the worker; it strives toward a government that is better and more just — one without

⁵²³ Ibid. P. 212.

⁵²⁴ Ibid. P. 55.

⁵²⁵ Ibid. P. 81.

⁵²⁶ Ibid. P. 45.

classes. But it is pleased to accept the ‘pleasures’ of civilization that have transformed labor from a living act of creation into a mechanical process, dead and hateful and lacking in any meaning. Socialism promises the working man all the pleasures of this world that only wealthy men enjoy at present. But it doesn’t bother considering the tragedy of degeneration, destruction, and dissolution that progressively threatens the persistence of body and soul alike after the revolutionization of labor. It doesn’t oppose the concentration of great masses of people into the cities and their complete alienation from God’s world [together with all the social ills this produces], which is the result of a lack of faith in the existence of a Godly spark, the image of God in man.” Thus, he asks, “how, by what means will [truly libertarian] socialism be realized in life?... In my opinion, good will come only if man is good. This means that the fundamental condition of good is that man be seriously educated on a daily basis to be good. Then socialism will come together with the dreams of Isaiah and Mica.”⁵²⁷

Because “the foundation of life and its free development is neither political nor diplomatic,” to facilitate it, “we must be governed by another spirit... a spirit that clears the air and inspires mutual faith.”⁵²⁸ This is “where redemption and salvation come from.”⁵²⁹ It is the “spiritual storm that... can free us of the oppressive tradition” that “casts a shadow over everything that we do and turns life into hell;” it is “the revival of our life, its liberation from small mindedness, from stinginess, from the egoism of stiff-neckedness” and, above all, “from the desire for rule.”⁵³⁰

How are these dreams to be concretized? According to Hofshi, if “the State and [state] socialism have brought us” only “poisonous and destructive fruits: mechanization, the herd instinct, the stupidity and enslavement,” wrought only “destruction and degeneration,”⁵³¹ and if — as Hofshi paraphrases I.N. Steinberg — the “Jewish State” functions like the rest, “with police, armies, censors, blind patriotism, hatred and jealousy, war among brothers, exploitation, theft, and the spilling of innocent blood when the opportunity permits,”⁵³² then the solution lies in a return to the land through “the free working village.” “The dream of national revival,” he writes:

“Is intimately bound up with out return to agriculture, to natural life. This revival must be... neither external nor artificial, but in the fullest and deepest sense of the word; return to the land means elevation, freedom from lowliness. The bitterness, difficulty, and tragedy of exile arises not from the fact that we stopped working for ourselves, but from the fact that we ceased to be men of the earth, natural men who nurse their material and spiritual life from mother earth...

If redemption comes to the world, it will not come about via revolutions and uprisings; it will not come about via external changes in the government or in the ownership of property but from a return to village life and agricultural labor. Distance from the earth, from the source of nourishment and vitality, is the cause of all the suffering and tragedy that

⁵²⁷ Ibid. P. 246-47.

⁵²⁸ Ibid. P. 84.

⁵²⁹ Ibid. P. 212.

⁵³⁰ Ibid. P. 45.

⁵³¹ Ibid. Pp. 97-98.

⁵³² Ibid. P. 181.

has struck mankind from time immemorial. This is the cause of poverty and hunger on the one hand and, on the other, wealth and luxury which, in turn, has lead to revolutions and counter-revolutions, wars, and all the horrors connected with them. If the day comes when people come to understand, know, and recognize their place in the world, casting from themselves the yoke of subjugation and tyranny that they laid upon themselves, then the world will be composed of a network of villages which shall create for themselves the necessary local industries in cooperation with other villages according to their needs. The city will be a sad memory from the days of human barbarity and ignorance. The free working village is the true answer to the difficult questions of society.”⁵³³

Thus, Hofshi writes elsewhere, elaborating his fundamental agreement with Landauer’s explicitly Tolstoyan anarchism,⁵³⁴ this concretization, which “on the strong and burning will of men who have opened their eyes and recognized their place in the world” constitutes:

“A natural, organic, and complete worldview according to which the individual, the family, and the people are the bearers of life and the foundation of a human congregation constructed of cells. It is not centralization of the flocks that is desired, a mass of followers below organized from above by a few leaders, but free congregations that willingly unite in

⁵³³ Ibid. P. 63.

⁵³⁴ It is worth noting here an explicit link which I have discovered between this Jewish vision and Tolstoy’s own. In his aforementioned interview with Tolstoy, Rabbi J. Krauskopf reports that Tolstoy stated that follows:

“We were all right... as long as we were an agricultural people. Our modes of life, then, were simple, and our ideals were high. Politics then was a religion with us and not a matter of barter and sale. We became prosperous; prosperity brought luxury, and luxury, as always, brings corruption. The thirst of gold is upon us, and, in our eagerness to quench it and to gratify our lust of luxury, our one-time lofty principles and aspirations are dragged down and trampled in the mire. We build city upon city, and pride ourselves in making one greater than the other, and, in the mean time, we wipe out village after village, whence have come our strength and moral fibre. The price of real estate in the cities is soaring to the skies, while farms are deserted and farm-houses decay. We tempt the farmer’s son and daughter from field to factory, and when we have exhausted them of their health and morals we think ourselves charitable when we prolong their miserable existence in hospitals or reformatories. We forget that our greatness lay in the pursuit of husbandry, and we seek our salvation in commerce and in the industries (Krauskopf, J. 1911. *My Visit to Tolstoy: Five Discourses*. P. 14).”

He then remarked as follows:

1. "There is little chance at present for a Jewish colonization scheme in Russia. The government does not want to see the Jews rooting themselves on Russian soil, and spreads the report that they are unfit for agricultural labor, though I have been reliably informed that in the few Jewish agricultural colonies that have been tolerated on the steppes from the time of Alexander I they are as successful farmers as are the best" but:
2. "Your plan to lead your people back to the soil, back to the occupation which your fathers followed with honor in Palestinian lands, is of some encouragement to me. It shows that the light is dawning. It is the only solution of the Jewish problem. Persecution, refusal of the right to own or to till the soil, exclusion from the artisan guilds, made traders of the Jew. And the world hates the trader. Make bread producers of your people, and the world will honor those who give it bread to it (ibid. P. 19)."

Thus, we see that Tolstoy regarded the growth and development of Jewish agricultural settlements along the lines promoted by Hofshi as evidence of a dawning light and a meaningful solution to the Jewish problem (Cf. Chatterjee, M. 1997. “The Redemptive Role of Labor. In *Studies in Modern Jewish and Hindu Thought*. Basingstoke: Palgrave Macmillan).

brotherhood for the sake of common causes.”⁵³⁵
 In this way, by “the pure desire to reformulate the moral foundations of human life on the basis of freedom and brotherhood,”⁵³⁶ on “understanding others, on the negation of the rule of man over man,”⁵³⁷ on eliminating “differences of position and separating boundaries,”⁵³⁸ eliminating “exploiters and exploited”⁵³⁹ on “the foundation of mutual aid,”⁵⁴⁰ we conduct “the revolution, the spiritual and social revolution, in our daily life.”⁵⁴¹

In sum, this vision for communal life was based on four “principles;” these were:

1. “Personalism and familiarity. Relations in the settlement should not be marked by calculation, by trade and money, but the sort that obtain between members of the same family who do not merely live together, but combine their lives so that every individual benefits from the collective wealth of the group. There should be a widening and a deepening of the life of the community via a widening and deepening of the life of the individual. From this — from renewing life by renewing personality and familiarity in communal life — comes the desired equality.
2. Work. We expect, in the activity of sustaining human life... that men will be able to find the substance of their lives in creative labor itself [and not merely in the fruits thereof].
3. Spiritual Labor, or education. Life-long self-education... Improving individual and collective life demands complete freedom and perpetual development of mutual understanding among members of the community... through self-education.
4. External relations. If our external relations are not founded on the same principles as our life within the settlement, nothing new, or nothing at all will have been innovated. The settlement must have a positive influence on its surroundings.”⁵⁴²

These represent the basic structure of Hofshi’s vision for communal life in the anarchic form which he held was the only true solution to the violent and oppressive effects of the centralized state.

It may be that it was only “once upon a time”⁵⁴³ that this vision of “an order of social life

⁵³⁵ Ibid. P. 81. Cf. “Our path [calls for]... free creativity in free communities that make what they need and that join together in a free manner according to their needs without compulsion of any form in order to live in peace, love, and mutual understanding (ibid. p. 45).

⁵³⁶ Ibid. P. 45.

⁵³⁷ Ibid. P. 150. In this passage, Hofshi articulates Eliezer Hirschauge’s vision of “libertarian socialism, which is anarchism” using language identical to that which he uses to describe his own views, I have therefore taken the liberty of synthesizing his comments.

⁵³⁸ Ibid. P. 53.

⁵³⁹ Ibid. P. 72. In the same essay, Hofshi also contends that “It is upon us to ensure that everyone involved in production are partners in the profit and the loss alike. Then, the settlements will truly be cooperatives. How many times over the years have we heard about the wealth that workers enjoy when they organize cooperatively?”

⁵⁴⁰ Ibid. P. 53.

⁵⁴¹ Ibid. P. 72. Incidentally, these working villages — as conceived by Hofshi — where to be operated in the basis of ongoing collective deliberation, not through regulations. He write, for example, that he “refused to join the regulations committee in Nahalal for my own reasons. What were they? I deny that human beings are able to make general laws and regulations for every plague, every mishap, every damage to the life of the community... For those who know what is going on, is more needed?... It is not the proposal of laws that leads to the end, but the end which generates the laws that it requires (Ibid. P. 115).”

⁵⁴² Ibid. P. 60.

⁵⁴³ Ibid. P. 182.

without rule and compulsion, one that is based on friendly agreement and mutual understanding among free and equal men”⁵⁴⁴ constituted “the aim and substance of life” for Hofshi’s pioneering comrades in the movement, who endeavored not to make “a revolution by means of political regimes, through class war, inter-party conflict, or diplomatic-parliamentary trickery,” but by:

“Creating a life-existence that was Jewish-human, a new ethic, a living example in the life of the individual and of the people [that involved] working the land by hand, the simple life, making do with little, caution regarding exploiting others, aversion to anything which smacked of enjoying money or property not earned by the sweat of one’s brow.”⁵⁴⁵ It may be that this spirit of “actual pioneering, human pioneering, was transformed before our eyes into statecraft,” that “the center of gravity was transferred from a movement dedicated to concrete labor and a simple, modest, way of life into an altar of statecraft that endeavored to make us like the rest of the nations.”⁵⁴⁶ Still, “fans of compulsion and central government” have always “defamed this noble idea,” this “ambition for a higher way of life.”⁵⁴⁷ It is therefore neither more nor less present for us than it ever was; it is a vision that ever awaits its visionaries.

Let us now take stock of our account of Nathan Hofshi. After tracing his biography, drawing on multiple previously untapped sources, we went on to present an account of his work showing that he appealed to Tolstoy in three ways. First, as an element of his pacifism. Second, as an element of his endeavor for revolution through moral transformation. Third, as an element of his vision for agrarian communal life.

We then went on to examine Hofshi’s analysis of the fundamental delusion corrupting the social and political development of modern men. It is the notion that redemption requires no preparation, that it comes as if miraculously, without prior precedent. That is, Hofshi argues, modern men tend to introduce a fundamental divide between ends and means. This allows them to justify the latter by the former and, in doing so, to treat human beings as objects — that is, to reduce their essential holiness.

Hofshi, in contrast, holds — like Don-Yahiya and Heyn — that holiness is irreducible and that man is the measure there. This conviction, as he describes it, arises from a fundamental religious feeling: the idea of God as the creator. This feeling constitutes the affective core of the peace movement, the movement for non-violence, which is based on a twofold belief: that all men

⁵⁴⁴ Ibid. P. 136. In this passage, Hofshi explicitly appeals to “Proudhon, Kropotkin, Tolstoy, Gustav Landauer, and many other thoughtful people.

⁵⁴⁵ Ibid. P. 182.

⁵⁴⁶ Ibid. P. 256.

⁵⁴⁷ Ibid. P. 136.

are brothers before God the father, and that one ought treat others only as one wishes to be treated.

Based on this feeling and the moral convictions that arise from it, Hofshi contends that war constitutes a crime against humanity. This extends even to defensive wars, for — in his view — there distinction between defense and offence is impossibly blurred so that every act of aggression can be described in defensive terms. As Hofshi explains, his unqualified rejection of violence is by no means a mode of non-resistance to evil. On the contrary; like Tolstoy, he maintains that passive resistance by non-participation in evil, by abiding by the “still small voice,” constitutes the most profound form of resistance insofar as it undermines the mechanism whereby evil perpetuates itself. It is not a form of weakness, but of the truest strength. As Hofshi goes on to articulate, this manner of responding to evil is so very difficult that it must be cultivated from an early age by a thorough process of education which, a training for obstinate peace and not for obedience.

Having addressed Hofshi’s views so far as they related to humanity on the whole, we went on to explore his position vis-a-vis the Jewish tradition generally and Zionism in particular. We found that he embraces the notion of Jewish chosenness, interpreting it as a calling, a moral mission against violence in any form. This is the fundamental meaning of Jewish tradition as he understands it. Yet, many ostensibly committed Jews in the twentieth century opted to ignore this aspect of the tradition and adopted the vision of redemption through blood and fire. They formed an army and later a State apparatus, accepting all the violence that entails.

While Hofshi upholds the right of Jewish people to settle in the land of Israel, he also acknowledged Arab rights to their traditional homeland. He believed that these claims did not contradict one another but could be pursued in a spirit of harmony and mutual aid. Yet, the rise of Jewish militarism and the formation of the Jewish State frustrated and frustrates that possibility. These developments violate Jewish values and create a vicious circle of violence, constituting a national tragedy betraying the prophetic message of Judaism.

Still, the corruptness of state-Zionism does not, for Hofshi, invalidate Zionism as such. The task is this: dismantling the state on religious grounds, through non-participation in its violence and likewise through moral transformation, thus fomenting a revolution of spirit. In place of the state apparatus, Hofshi envisions a free confederation of collective worker villages organized around the ideas of Gustav Landauer and Tolstoy and based on the principle of mutual aid. This, he gives us to understand, is a possibility that is not to be relegated to the past, but a promise that shines always from the future to illuminate the present.

VI. Conclusion and Final Reflections

This extended study began with a brief examination of the development of the so-called “golden rule” of loving thy neighbor. It was shown that whereas at an early stage in the religious history of the ancient Israelites, it likely indicated an obligation to love one’s fellow Israelite, by the rabbinic period it had developed into a general principle embracing the whole of the Torah and extending likewise to gentiles. It was in this form that the idea passed into Christian teaching as the “greatest commandment” and thence to Tolstoy.

In reconstructing Tolstoy’s application of this notion, I pointed out that it has two elements. One, non-resistance to evil. Two, love of the enemy. As Tolstoy understands it, the state is formed in order to control for minor evils, small acts of violence. However, its mechanism of control is also violence. Because, however, violence breeds more violence, more state violence is required to contain it. Thus, resistance to evil by violence creates a vicious cycle. Though the power which the state taps in order to carry out its functions is a limited resources in principle, new reserves of consent are manufactured by the cultivation of hatred for national enemies, a sentiment which becomes love of one’s own — i.e. love for the state. Thus, Tolstoy’s twofold rule: resist not evil, and love thy enemy function as a mode of passive resistance whereby the mechanisms by which the state is enabled to function break down. In this way, revolution is effected not by strength of arms, but via moral transformation. These are the fundamental insights on which Don-Yahiya, Heyn, and Hofshi alike drew in order to formulate their Jewish versions of Tolstoyan anarcho-pacifism.

Of the three Jewish Tolstoyans considered here, Judah-Leyb Don-Yahiya was the least radical — alternatively, his views were the least developed. Nonetheless we observed, in the examples of his work that remain to us, his conviction that the idea of the unity of God constitutes the core of Jewish teaching. This unity, so he explained, implies that human life is sacred and, therefore, that it is inviolable. So, the idea of the unity of God implies the moral necessity of non-violence. This leads Don-Yahiya to the conclusion that faith is a necessary component of justice — economic justice included — and that through this faith, a revolution can be conducted which does not conflate might and right. More importantly, it leads him to the conclusion that power is not quantitative, but qualitative, that moral truth ultimately overcomes strength of arms and that the great Leviathan of state can be undone with moral insight. We saw, finally, that Don-Yahiya appeals directly to Tolstoy and especially to his *Confessions* when endeavoring to show the existential role of faith in mediating the relation between justice and happiness.

We then proceeded to consider the work of Abraham Judah Heyn. After addressing the interpretive problem of Heyn’s general (but not absolute) lack of external references to Tolstoy, we

proceeded to examine his thought as an outgrowth of Tolstoy's basic insights. He claims that the core teaching of Judaism is the sanctity of human life as articulated in the prohibition 'thou shalt not kill.' This notion was then subdivided into three related principles: that human life is unique, not quantifiable and, therefore, absolute in the sense that it is irreducible to any good external to itself. This was then taken to imply the moral impossibility of violence and of the state and state violence by extension. generally.

This lead us to consider Heyn's views on war, punishment, and inequality as forms of violence. To one extent or another, all three were rejected as inconsistent with the moral doctrine of Judaism as he understood it — namely, its abhorrence for violence of any sort at all. This, however, forced him to adopt a hermeneutic approach to scripture and the classical rabbinic texts, interpreting their apparent acceptance of war , punishment, and property out of existence for all practical purposes.

Heyn's analysis of the sanctity and irreducibility of human life also lead him to adopt a radical doctrine of free choice whereby each man constitutes his own master and coercion is prohibited. Though Heyn emphasizes the idea that man is an intrinsically social creature, he is necessarily and absolutely free; Heyn rejects inequality of any sort, including inequality of power, inequality of sovereignty. This, of course, amounts to religious anti-authoritarianism and precludes the state.

With these results in mind, we found that like Tolstoy, Heyn believed that revolution is the product of moral transformation and that the means of revolution must be consistent with its ends. In principle, he applied the same standard to the Jewish revolutionary movement that Zionism represented. He affirmed the right of settlement but also that any state founded on blood and iron is no Jewish one. Still, when it came to judging the Jewish State of Israel on the latter standard, he fell short of the test of consistency and supported it despite the moral failures founding and maintaining it would entail. In this way, we found, he presents us with a coherent vision of Jewish anarcho-pacifism but was unable personally to stand by his principles.

Nathan Hofshi, in contrast, was uncompromising. Though the conceptual ground of his anarcho-pacifism was less fully developed, he took the difficult step of applying it consistently to the Zionist movement and later to the State of Israel in its dealing with the Arab population it came to dominate. Hofshi, like Don-Yahiya and Heyn, believed that human life is holy and irreducible. This idea, he derives from the notion that God created man in his image, which is taken to imply the golden rule. On the basis of this conviction, he rejects the fundamental delusion of modern civilization: the idea the ends justify means.

This result lead Hofshi to conclude that *all war*, even defensive war, is a crime against humanity and that evil must be confronted through passive resistance, by refusal to participate in it. The strength to stand firm in this, he maintains, demands a transformative education, this process constituting the true substance of revolution.

Hofshi's general conclusions were then applied to the question of statecraft in general and the Jewish State in particular. According to Hofshi, the Jewish people are chosen for a moral mission which precludes redemption via "blood and fire." Thus, while he, like Heyn, maintains the right of Jewish people to settle in their historical homeland, he regarded the direction that the Zionist movement took as a terrible betrayal of Jewish tradition. He explicitly acknowledged the parallel Palestinian right to the same homeland and held that both claims could be pursued in a spirit of mutual aide. This, he explained, could be realized by dismantling the state and replacing it with a confederation of free working villages modeled after the Tolstoyan vision of simple agrarian life.

Before concluding, let me offer a few final remarks. In introducing this study I indicated that it constitutes a fourfold intervention. First, I said, it aims to demonstrate a meaningful and productive cycle of influence whereby Judaism receives anew an element of its own truth as radicalized via Tolstoy's Christianity. We have seen through our analysis of Don-Yahiya, Heyn, and Hofshi that a definite line of influence can be drawn. While Tolstoy directly appealed to sources in the New Testament to construct his social and political vision, these Jewish thinkers undertook the task of returning, through Tolstoy, to the sources in the Hebrew Bible and the rabbinic tradition on which Jesus himself drew. In doing so, they discovered radical elements of the tradition that had not and, perhaps, could not have been appreciated otherwise.

I then said that it aims, on the one hand, to recover an authentic revolutionary ethos for modern Jewish theology, anti-authoritarian and universalist message and, on the other, to reinsert Judaism and Jewish thought into the revolutionary tradition which has largely ignored them. From the foregoing, we see that on the basis of several core theological principles — albeit interpreted in a rather unorthodox fashion — Jewish tradition is made to yield an uncompromising refusal of violence in any form. This refusal, for each of the thinkers considered here, extends both into politics and economics. Uneven distributions of political and economic power are regarded as arising from prior violence, direct or indirect. Therefore, they are considered illegitimate. This means that each of these Jewish theologians rejects capitalism on the one hand and the state apparatus on the other on both moral and religious grounds. Consequently, they represent an

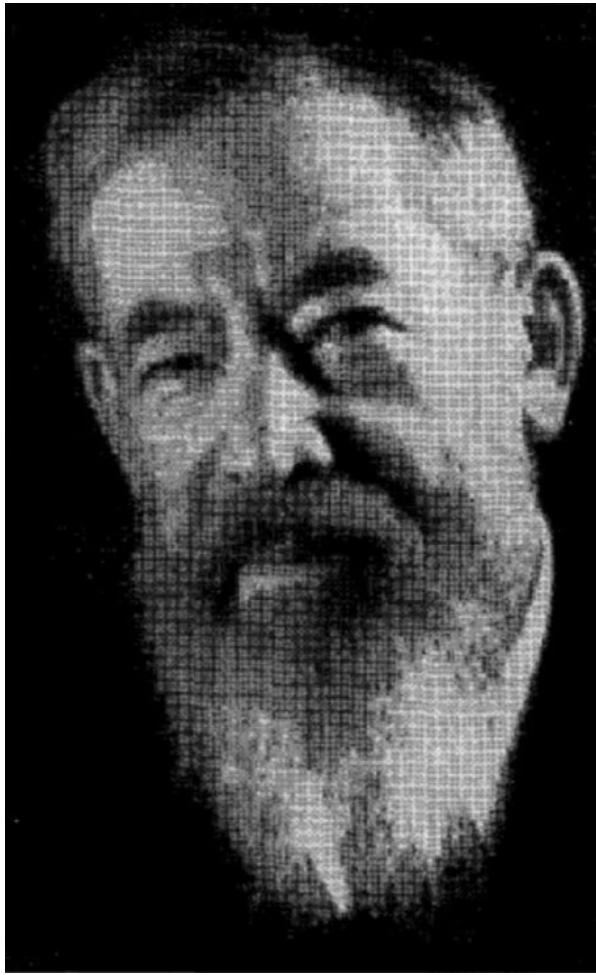
interpretation of Judaism the very spiritual core of which is revolutionary; to be Jewish is to oppose authority in the name of justice. To be Jewish is to press farther than the complacent liberalism of many Jewish communities in the contemporary West, which advocate social reform without calling into question the underlying social, economic, and political mechanisms, the violence, from which the need for reform arise. Thus construed, Judaism is revolution and revolutionary movements can and ought to appeal to Jewish sources for inspiration.

Lastly, I said that it aims to challenge the current Zionist enterprise generally and the religious-Zionist enterprise in particular with a narrative that embraces some elements of thereof but in a way that differs radically from what has long been considered mainstream. As we have seen, all three figures — Don-Yahiya, Heyn, and Hofshi — resolutely affirm the Jewish right of settlement and development in the land of Israel. They are of one mind, however, that this cannot come at the cost of betraying Jewish tradition. A Jewish settlement must, above all, be *Jewish*. Since the State of Israel was founded on violence, on blood, fire, and iron, and continues to maintain itself by the same means, and since violence in any form contradicts the core teachings of the Jewish religion, it follows that — from the standpoint of the three thinkers examined here — this state, like every other state, is morally indefensible. Thus, while none of these men could or would support the violent forms which opposition to the State of Israel has assumed since 1948, each of them would necessarily support dismantling the State in favor of a more just form of social, political, and economic organization. That is, a form which respects Palestinian claims to the land, but also challenges Palestinian efforts toward statehood in the same way that Jewish endeavors in the same direction are condemned, a form which follows the pacifist, anarchist, and libertarian-socialist traditions that nourished Tolstoy and gave form to his religious insights. They would advocate a return, a process of *teshuvah*, to true religion which teaches men to live harmoniously, in free community, with one another on the foundation of brotherly love: non-violence and mutual aid.

Appendix I: Judah-Leyb Don Yahiya

	
<p>Judah-Leyb Don-Yahiya</p>	<p>Judah-Leyb Don-Yahiya's Gravesite Mount of Olives</p>

Appendix II: Abraham Judah Heyn



Abraham Heyn



A. Heyn's Gravesite
Sanhedria Cemetery, Jerusalem

Appendix III: Nathan Hofshi



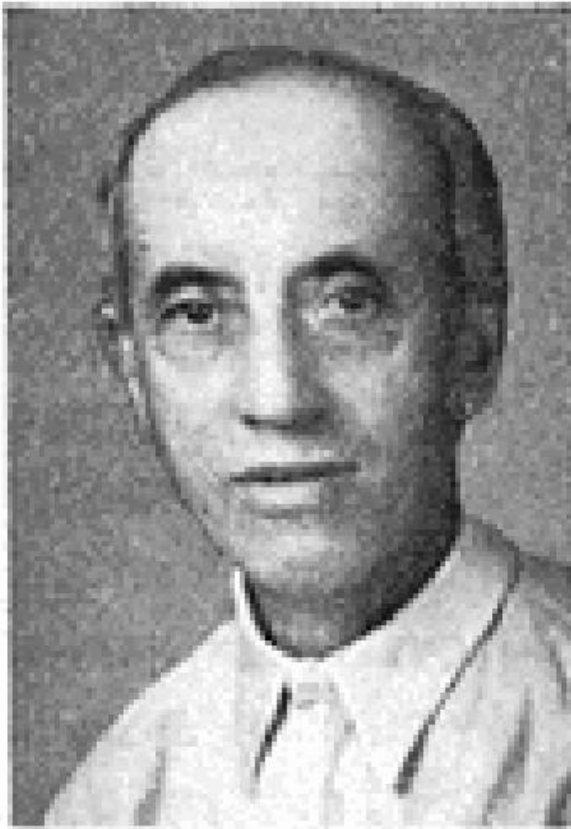
Nathan and Tova Hofshi



Nathan Hofshi in Hulda (second from left)



Poster advertising a talk in Tel Aviv on “Educating for Peace” scheduled for November 14, 1945



Nathan Hofshi as an older man⁵⁴⁸

⁵⁴⁸ 1962. *Unser Shtadt Wolbrom: A Yizkor Bukh*. Geshuri, M.S. ed. P. 226.