The Jewish Pursuit of Uncertainty through Imagination
Patterns of Jewish Identity in the Debate over Adopting a Constitution

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Who knows what will be left here tomorrow?
IKEA SALE
(On billboards throughout Israel, January 10, 2003)

Introduction

Since the beginning of the intifada, more than four years ago, an increasing number of voices have described the State of Israel as transient, a temporary and passing episode in the course of history. Objective circumstances have always given the country's citizens grounds for feeling that life here is temporary: its geographical location in the midst of Arab states, wars, years of scarcity, and, in recent years, attacks in the heart of the civilian population. All these can certainly produce a sense of instability and undermine security. Yet the Israeli sense of temporariness seems to run deeper than the sum of these circumstances. As David Grossman puts it: "How is it that we do not really believe in our own existence? I think that is the key question. What is this thing? Is there some gene in us, as Jews, that makes us incapable of really settling in one place?"[1] Or, in the words of Zali Gurevitch and Gideon Aran: "In the Israeli experience, there is no complete, self-evident identity between the Israeli and his country. Beneath the 'mattresses' of place, a thorn is lodged that refuses to let us rest and denies us security (ontological security) in the place and in ourselves as people who belong to it."[2] The answer I wish to substantiate in this essay to the Israeli problem of place is this: no, there is no gene in us that makes us disbelieve in our own existence or renders us incapable of settling in one place. We are, however, certainly influenced by a Jewish founding myth whose underlying injunction is: imagine yourselves without a home and without certainty. The Jewish myths of birth, both the myth of the people's birth at Sinai and the myth of humanity's birth or creation in the Garden of Eden, trace a twofold phenomenology. These myths tell a story of the pursuit of certainty and permanence, yet concealed within them is also a story of the pursuit of uncertainty. What distinguishes the Jewish pursuit of uncertainty is that it does not seek to take over reality but confines itself to the realm of

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1 See "The Tribe's Campfires," an interview with David Grossman and Amos Oz, Haaretz Supplement, January 8, 2003.

2 Zali Gurevitch and Gideon Aran, "On Place (Israeli Anthropology)," Alpayim 4 (1991/92), p. 9.

imagination. Imagining oneself without a home develops various sensitivities. By contrast, someone who actually feels without a home completely blurs the boundary between reality and imagination, and their entire capacity to contend with reality is limited. Like every founding myth, the idea of the Jewish pursuit of uncertainty through imagination lives in the consciousness of the community that holds it and finds expression, as I shall show later in this essay, at central junctures in Jewish culture. Most interestingly, the entire debate over adopting a constitution for Israel in the state's early years follows the pattern of the myth of the people's birth at Sinai and the accompanying sin of the Golden Calf.

A

The pursuit of certainty and order is one of the most basic human needs. We organize the space around us so that it will be meaningful to us and present us as meaningful beings. The concept of "home," as it exists in our minds, in our most personal space, consists of images of a home: images that present us with a picture of a home as a refuge from the threatening world outside, a home with impregnable walls and firm foundations, a home that will enable us to contend with our fears, to perceive an order composed of an "outside" and an "inside" and a certain hierarchy.[3] Yet the pursuit of certainty is not merely the personal need of each individual; it is also a communal need. The community seeks to organize coherently the justifications for the social, political, and religious order in which it lives. Like personal memory, our national memory is also constructed in response to the need to create a sense of order among members of the community.[4] A founding myth is such a story: the story of the

3 Gaston Bachelard put it well: "A house constitutes a body of images that give mankind proofs or illusions of stability." Gaston Bachelard, The Poetics of Space, Boston, 1994, p. 17.

4 The human pursuit of order and certainty is most clearly evident in the biblical narratives in the story of Kibroth-hattaavah, the Graves of Craving. The biblical text describes at length, and even repetitively, how the Israelites traveled through the wilderness (Numbers 9): "(18) At the command of the Lord the Israelites set out, and at the command of the Lord they encamped; as long as the cloud rested upon the Tabernacle, they remained encamped. (19) When the cloud remained over the Tabernacle for many days, the Israelites kept the Lord's charge and did not set out. (20) Sometimes the cloud remained over the Tabernacle for only a few days; at the command of the Lord they encamped, and at the command of the Lord they set out. (21) Sometimes the cloud remained from evening until morning, and when the cloud lifted in the morning, they set out; or it remained for a day and a night, and when the cloud lifted, they set out. (22) Whether it was two days, a month, or a year that the cloud lingered over the Tabernacle, resting upon it, the Israelites remained encamped and did not set out; when it lifted, they set out." The text then describes how trumpets were used to organize the camp for an orderly departure when the cloud lifted from the Tabernacle. Almost immediately afterward come the words "The people complained bitterly in the hearing of the Lord." A severe psychological crisis is described: the Israelites "wept, family by family," while Moses lost his composure in the face of the people's demand: "Did I conceive all this people?!" The Israelites' psychological collapse thus appears to be a natural human response to the profound uncertainty in which they lived, an uncertainty that prevented them from making the space they inhabited their own, from building familiar forms within it, from turning it into a "home." The dread of the trumpet blast, which might come at any moment, undermined their security. From this perspective, even a prolonged stay in one place would have made no difference: according to the story, whether they moved or stopped depended arbitrarily on the position of the cloud over the Tabernacle.

community's establishment as a community separates it from the rest of the world by building a coherent framework around its members, distinguishing it from the world. The founding myth also enables each member of the community to internalize the image of the social order in which they live and to find meaning in it, and, more importantly, to identify themselves as part of a meaningful collective organism. Good founding myths tell stories that bear multiple meanings. These are stories with broad narrative elements with which different people in the same community can identify despite their different backgrounds, such as the story told to us about the State of Israel through the torch-lighting ceremony. A founding myth can also have a dialectical character: the story can be "both this" and "that," so that one interpretation is adopted in one period and another in a different period.[5] To borrow a metaphor, some of the seeds in the "mythological seed packet" concealed within the story will "grow" and play an important role in constructing the nation's identity; other seeds will "die," and still others will remain "dormant" for a very long time. Some of the myths concealed in the founding story, however, will develop differently. Such myths are part of the founding text, which bears witness to their birth, but identifying them is more difficult because their role has been repressed. Like a mother whose son was abducted at birth and who carries a perpetual sense of absence and loss, so too a nation whose myth has been "abducted" or "silenced": this myth is alive and exerts an influence, although it generally lacks the form of a myth because it has not been openly cultivated and has even been repressed as a meaningful element in the nation's life.

Mircea Eliade drew attention to the centrality of cosmogonic myths, myths that tell the story of the creation of the world and humanity, in the life of a community. Eliade showed how various societies reenact the cosmogonic act through rituals, such as New Year ceremonies. This repetition helps people contend with a history full of uncertainty and catastrophe. The ritual returns the individual to the timeless cosmogonic condition and introduces a dimension of order into their chaotic world. These myths were a living presence in the consciousness of the members of the communities Eliade studied.[6] Judaism has a founding myth of humanity's birth, or creation, which appears in Genesis 1–3, as well

5 A fine example can be found in Yael Zerubavel's book, in her discussion of the Bar Kokhba revolt. See Yael Zerubavel, Recovered Roots: Collective Memory and the Making of Israel's National Tradition, Chicago, 1995, pp. 48–59, 178–191.

6 See Mircea Eliade, The Myth of the Eternal Return, Jerusalem, 1999/2000, especially pp. 50–85. An interesting point for our purposes is Eliade's understanding of revelation according to the Jewish canon. This revelation occurs within history, unlike the cosmogonic myth of other peoples, which generally takes place in mythical time, where everything happens simultaneously and which is therefore, in effect, beyond time. According to Eliade, this revelation shifts the pendulum from the beginning of time to its end. The Jews' way of contending with reality is explained by God's intervention in reality and by reality's necessity for future redemption. This contrasts with other populations, whose way of contending with reality involved a return to cosmogonic myths. As I shall show, I do not accept the exclusive status of order and certainty in Judaism's cosmogonic narratives. In any event, Eliade demonstrates the importance of cosmogonic myths for the understanding of reality. See also Mircea Eliade, Myth and Reality, New York, 1963, pp. 21–53.

as a founding myth of the Jewish nation's birth, culminating in the covenant with God at Sinai. In both stories, despite their status as founding myths, there is also an element of striving for disorder, dissolution, and uncertainty. Immediately after the revelation at Sinai comes the sin of the Golden Calf, undermining the covenant newly made between the people of Israel and God; and immediately after the story of humanity's creation comes the eating from the Tree of Knowledge, dismantling the idyll and order that prevailed in the Garden of Eden.[7] The "disintegrative" role of these two events becomes visible only from an overarching perspective. In the text itself, these events are presented, on the contrary, as a pursuit of certainty and order.

B

Why did the Israelites sin with the Golden Calf so soon after God revealed himself to them? Biblical commentators grappled with this question and felt a need, perhaps because of the great difficulty posed by the sin of the Golden Calf, to vindicate the people of Israel. Two kinds of explanation were offered. The first was that the sin was primarily that of the mixed multitude and that the people of Israel were drawn along after them.[8] The second was that the sin arose from the people's lack of psychological readiness for the revelation at Sinai. The commentators seem to take at face value the explanation given in the verses themselves: "The people saw that Moses delayed in coming down." The people's uncertainty led to insecurity, which in turn led to the making of the calf. According to this logic, the

7 The Sages had already noted the connection between the creation of the world and Sinai. For example: "Rabbi Shimon ben Lakish said: What is the meaning of the verse 'And there was evening, and there was morning, the sixth day'? It teaches that the Holy One, blessed be he, made a condition with the work of creation: if Israel accepts the Torah, well and good; but if not, I will return you to chaos and void" (Babylonian Talmud, Avodah Zarah 3a). In this discussion, the Gemara indirectly connects the sin of the Golden Calf with Adam's sin. The discussion opens with Rabbi Joshua ben Levi's statement: "Israel made the calf only to provide an opening for penitents," and continues with Resh Lakish's statement: "Come, let us be grateful to our ancestors, for had they not sinned, we would not have come into the world." The Gemara later connects Sinai with the work of creation. An explicit connection between the sin of the Golden Calf and Adam's sin can be found in the early modern period, in the writings of the Shelah: "Our Sages, of blessed memory, have already said: if a person sanctifies himself a little below, he is sanctified greatly from above; likewise, if he defiles himself a little below, he is defiled greatly from above ... Through Adam's sin and the sin of the Golden Calf, the Torah took on material form. When a person now performs a material commandment and it seems to him a small thing, in the eyes of the blessed God it is very great" (Sha'ar ha-Otiyyot, letter yod). Another example: "... To intimate that, since through Adam's sin and the sin of the Golden Calf all the works of creation had become unstable, and the world was almost collapsing, the Holy One, blessed be he, wished to create a new world, strengthen it, and establish it securely through the construction of the Tabernacle" (Glosses on Exodus, Terumah).

8 See the Keli Yakar's commentary on the sin of the Golden Calf (Exodus 32:1): "Most commentators who approach the explanation of every obscure matter in the Torah have sought pleasing words to remove from Abraham's holy seed the slander and ill repute that arose against them because of this disgraceful deed: while the king was at his table, my nard gave forth its fragrance. Most commentators agreed to hang the blame around the neck of the mixed multitude, schooled in evil, who brought trouble upon Israel and sinned first; afterward, Israel too went astray. Therefore, for the honor of the whole house of Israel, I have seen fit to set down briefly the main understanding arising from most of the commentators' words, together with things I have added myself to resolve the finer points of the wording." This is also the interpretive approach of Rashi and Ibn Ezra.

transition from the forty-nine gates of impurity, the condition of a people immersed in idolatry when they left Egypt, to the exalted spiritual level of Sinai was too abrupt. Moses' delay, on this account, brought to the surface the entire idolatrous past and the need for a tangible, concrete, and certain form of idol worship, expressed in the making of the Golden Calf; or, alternatively, the need for a leader to guide the people through the wilderness, someone to replace the tarrying Moses.[9] The story's logic runs as follows: God himself appears and speaks to the people of Israel: “And all the people saw the sounds, and the flashes, and the sound of the horn, and the mountain smoking.” Moses then remains on the mountain, and the people, disoriented by the abrupt transition from impurity to the height of holiness, grow anxious about his fate and are frightened by the uncertainty that accompanies this situation. To calm the people's anxiety, Aaron makes the Golden Calf despite the explicit prohibition, “You shall not make for yourself a graven image.” This logic apparently led the commentators to see the sin of the Golden Calf as part of the story's drama. The editing of the biblical text contributes to this as well. The interval between the account of the revelation at Sinai, in chapter 20, and the account of the sin of the Golden Calf, in chapter 32, an interval filled with instructions concerning the Tabernacle and many other commandments, seems to widen the gap between Sinai and the sin and to prolong Moses' disappearance. This makes it easier to understand the people's uncertainty and the reasoning behind the decision to make the Golden Calf. Yet this founding myth holds another story within it: the story of the people of Israel's pursuit of uncertainty. The revelation at Sinai is described as an astonishing event by any measure. God himself reveals himself to the people of Israel, and the effect is so overwhelming that they fear for their lives and draw back from the mountain. They ask Moses: “You speak to us, and we will listen; but let God not speak to us, lest we die.” Moses answers: “Do not be afraid, for God has come to test you, and so that his fear may be upon you, that you may not sin.” Immediately afterward, the account of the revelation at Sinai concludes: “The people stood at a distance, while Moses drew near to the thick darkness where God was.” How, then, can the sin of the Golden Calf be explained? Does it make sense within the story that, forty days and forty nights after God's revelation, the people of Israel had “forgotten” it so completely that they were willing to call the calf “These are your gods, O Israel”? In the words of the midrash: “A nation that heard ‘[I am]

9 See, however, Exodus Rabbah 43, in the passage beginning “whom you brought out of the land of Egypt,” which addresses the people's guilt and God's foreknowledge of their sin: “Thus Moses said: Master of the world, did you not say to me, ‘Come now, and I will send you to Pharaoh’ (Exodus 3)? I said to you: By what merit will you redeem them? They worship idols. And you said to me: You see them now worshipping idols, but I see them leaving Egypt; I shall divide the sea for them, bring them into the wilderness, give them the Torah, and show them my glory face to face; they will accept my kingship, deny me after forty days, and make the calf. This is what is meant by ‘I have surely seen the affliction of my people’ (ibid.), and this is the sound of the calf: ‘It is the sound of singing that I hear.’ Before you redeemed them, you told me they would make the calf, and now that they have made it, you seek to kill them? That is why he recalled the Exodus from Egypt in his defense of them.”

the Lord your God' made the calf after forty days,"[10] and: "The Holy One, blessed be he, cherished Israel, brought them before Mount Sinai, gave them the Torah, and called them kings; after forty days they made the calf."[11] The story itself, which culminates in the breaking of the tablets, raises with particular force the question of how the Israelites could have sinned. Moreover, why do the Israelites think that Moses has "delayed" in coming? Had they really miscounted the days, as the midrash and some commentators maintain?[12]

From this perspective, it is clear why the account of the revelation at Sinai and the account of the Golden Calf were separated: placing them side by side creates an unmistakable incongruity. On the one hand, the story describes God's unique and fantastic revelation to the people of Israel and their response to it; on the other, it describes the sin of the Golden Calf, in which the calf is presented as Israel's gods: "These are your gods, O Israel," gods in the plural. It therefore seems to me that Sinai and the Golden Calf tell an additional story. In this story, the people of Israel see a threat in Moses' return with the tablets, a threat because his return signifies the entry of absolute certainty into their lives. The people believed that, with Moses' return, revelation would become an ongoing state of affairs; and, as Moses had said, this revelation meant a life without sin. A life of absolute certainty and without sin means the end of human life as the people of Israel know it. Alongside the positive aspects of divine revelation to human beings comes a real threat to humanity itself. God's revelation placed a total demand upon the people. What is presented here is certainty in the fullest sense, as though the Israelites had returned to the primordial condition of the Garden of Eden. An expression of this can be found in the midrash: "When Israel heard at Sinai, 'You shall have no other gods,' the evil inclination was uprooted from their hearts."[13] The Israelites return to the point before the eating from the Tree of Knowledge and before the expulsion from Eden. According to the story, those who stood at Sinai and "saw the sounds" surrendered themselves entirely, at that moment, to every demand arising from the divine. When the revelation ended and the lightning and sounds subsided, this certainty stood like a threatening shadow over human life. Sinai led the Israelites to doubt whether they possessed free will, for the difference between the negation of free will and a divine revelation that tells you what your will ought to be is exceedingly slight. It is no wonder, then, that the midrash felt the need to declare

10 See Yalkut Shimoni, Exodus 25, remez 365, in the passage beginning "Three things."

11 Ibid., Exodus 38, remez 414, in the passage beginning "These are the accounts."

12 See also Nahmanides on Exodus 32:1: "For it is well known that the Israelites did not think Moses was God, or that it was by his own power that he had performed the signs and wonders for them." In other words, Nahmanides too does not place much credence in the Israelites' claim as it appears in the biblical text.

13 See Yalkut Shimoni, Song of Songs, remez 981: "Rabbi Nehemiah said: When Israel heard at Sinai 'You shall have no other gods,' the evil inclination was uprooted from their hearts; when they said, 'You speak to us,' the evil inclination returned to its place."

that the Holy One, blessed be he, held the mountain over Israel like an upturned tub when they came to receive the Torah.[14]

Moses' delay did not, then, bring about the uncertainty to which the people attributed their desire for the calf. The opposite is true. His delay offered a kind of brief postponement of the entry of an "inescapable certainty" into the people's lives. The excuse "for Moses delayed in coming" thus has a profound meaning, arising from the depths of the people's fear that Moses would descend from the mountain with the tablets of the covenant. From this perspective, the sin of the Golden Calf expresses the people's desire to defer the arrival of certainty and to introduce a dimension of uncertainty even after Sinai. This uncertainty, expressed in the rejection of revelation, has a positive meaning, for it contains the restoration of a dimension of humanity to the people of Israel. In the sin of the Golden Calf, the people test whether they still have freedom of choice in the days after Sinai. In other words, through this sin the Israelites try to discover whether they are still human beings, or whether "the fear of God upon them" has already deprived them of the capacity to sin. Thus, at the moment of absolute certainty, immediately after Sinai, the Jewish myth placed a signpost directing people to question that certainty. This signpost reflects the people's pursuit of the destabilization of absolute certainty through imagination. The request or demand, "Arise, make us gods who will go before us, for this Moses, the man who brought us up out of the land of Egypt, we do not know what has become of him," should be read as a fictional pretext. The story describes the people of Israel as having understood the magnitude of the revelation, and the formulation "for this Moses, the man who brought us up ... we do not know what has become of him" has an infantile and less committal ring compared with the language used to describe the revelation. "These are your gods, O Israel," in the plural, is likewise a plainly imaginary declaration: after all, the calf cannot be several gods. The people of Israel move here between imagination and reality. They pursue uncertainty, but this is not an outright denial of God. Such a blatant use of imagination softens the people's desperate appeal to Moses: remove God from our lives; remove certainty from our lives. The sin of the Golden Calf had far-reaching consequences: the first tablets were broken, three thousand people were slaughtered by the Levites, and a plague broke out among the people. Afterward, the Holy One, blessed be he, commands Moses to prepare a second set of tablets to replace the first ones he had broken. But this command comes after the account of Moses'

14 See Yalkut Shimoni, Isaiah, remez 452: "Rabbi Yohanan said: This teaches that the Holy One, blessed be he, went round to every nation and tongue to have them accept the Torah, but they did not accept it, until Israel came and accepted it. Yet this is what they say before him: Master of the world, did you ever hold a mountain over us like an upturned tub? For it is written, 'They stood at the foot of the mountain,' and Rav Dimi bar Hama said: This teaches that he held the mountain over them like an upturned tub and said: If Israel accepts the Torah, well and good; but if not, there shall be your burial place." See also Babylonian Talmud, Avodah Zarah 2b.

request that God reveal himself to him. This revelation of God to Moses is the opposite of the revelation at Sinai. Whereas at Sinai God revealed himself fully to the people, in a revelation they could not bear, here God refuses Moses' request for such a revelation: “You cannot see my face, for no human being shall see me and live.” At Sinai, the rhetorical devices strive to paint a picture that magnifies the revelation: “There were sounds and lightning, and a heavy cloud upon the mountain, and the sound of a horn exceedingly loud ... and Mount Sinai was altogether in smoke, because the Lord had descended upon it in fire.” By contrast, in God's revelation to Moses before the command concerning the second tablets, there is a movement toward simplicity and diminution: “When my glory passes by, I will put you in a cleft of the rock and cover you with my hand until I have passed by. Then I will remove my hand, and you shall see my back, but my face shall not be seen.” Reading these verses, one might think that God is a human being. This model presents a recoil from absolute certainty and a challenge to it. This is one side of the myth of the Jewish nation's birth as a foundational event in Jewish culture. According to this side of the myth, imagination is the means of creating human life in the shadow of revelation.

The myth of humanity's creation likewise presents a story within a story. Eating from the Tree of Knowledge is presented as Adam and Eve's pursuit of certainty. Adam and Eve want to be like God, knowing good and evil, and so they eat from the Tree of Knowledge. The explicit divine prohibition and the ultimate threat attached to it, “you shall surely die,” do not deter them. They want “the eyes of both of them” to be “opened,” to possess certainty, to know what is good and what is evil, like angels. Yet another myth is concealed within this founding myth. Adam and Eve lived an ideal life in Eden: all their needs were met, and they lived in the complete certainty that their existence was guaranteed by God and that he would provide for all their needs. Eating from the Tree of Knowledge is an act of defiance against complete certainty, and taking the risk despite the punishment of death presents the equation: death is preferable to the certain life of Eden. The woman does not eat from the Tree of Knowledge for the reasons given by the serpent, “for on the day you eat from it, your eyes will be opened,” but because “the tree was good for food, and a delight to the eyes, and the tree was desirable for gaining understanding.” The woman eats because she pursues uncertainty, because life in Eden and its accompanying certainty have become repugnant to her. For the woman, eating from the Tree of Knowledge was a step into the unknown. The punishment for eating from the tree is “in pain you shall bear children” and “by the sweat of your brow you shall eat bread,” and the consequence is expulsion from Eden. In other words, eating from the Tree of Knowledge led Adam and Eve into human life as we know it. Here we have a phenomenological explanation of the problem of the human

condition presented in Plato's Symposium. The problem, as Socrates presents it, is this: “If Eros is the father of the desire for beauty, goodness, and wisdom, then he himself is ugly, bad, and ignorant.” In Professor Pepita Haezrahi's formulation: “Here the argument stops, for Socrates has reached the point at which a gap opens between the ugly and the beautiful, between the bad and the good, and, above all, between ignorance of beauty and goodness and knowledge of them ... In this situation, once the gap has been established, desire or aspiration cannot exist in us. For when we do not know, we do not even know our own ignorance, and so we have no basis for aspiring to knowledge; and if we do know, even if we know only what is lacking, its nature and essence, there is again no room for aspiring to knowledge. The dichotomy remains unresolved.”[15] In terms of certainty and uncertainty: what was it, in fact, that impelled Adam and Eve to eat from the Tree of Knowledge? If they knew their own ignorance, they would not have touched the tree; and if they did not know their ignorance, they would not have touched it either. Plato's solution is to point to an intermediate condition between good and bad, beautiful and ugly, a condition mediating between knowledge and ignorance and embodied in “correct opinion.” Correct opinion is true, like knowledge itself, but, like ignorance, it lacks proof, “certainty and permanence.” According to the Jewish creation myth, Adam and Eve became human through eating from the Tree of Knowledge. This is the myth's story: Adam and Eve took the risk of eating from the tree in order to become human and thus to occupy the “intermediate condition.” This pursuit of uncertainty, their admission ticket to human life, is therefore an inseparable part of the human condition. Another expression of this idea is our forefather Jacob's inability to foretell to his sons what will befall them at the end of days. Before his death, Jacob wishes to foretell their future; yet when we examine what he says to each of his sons, we find no prophecy. The midrash attempts to address this question by saying: “He sought to reveal the end, but the Divine Presence withdrew from him.” The deeper meaning of the midrash is paradoxical: the Divine Presence dwells precisely in the one who does not reveal the end. Uncertainty is an inseparable part of the divine image within us. What does this “expulsion” mean? Why was it necessary to “expel” us into human life as we know it? In terms of “certainty” and “uncertainty,” “expulsion” has considerable significance. The Jewish myth of humanity's birth “expels” the human being into human life, into “by the sweat of your brow you shall eat bread” and “in sorrow you shall bear children.” This “expulsion” carries a perpetual injunction: if each of us was expelled into life as we know it, then each of us is under a perpetual injunction to imagine that the home in which we live and the certainty accompanying our familiar lives are no more. The Jewish pursuit of uncertainty proceeds through the separation of reality and

15 See Plato, Symposium, in The Writings of Plato, vol. 2, Jerusalem, 1954/55–1966/67, pp. 91, 126; and Pepita Haezrahi, On Perfect Being: Studies in Plato and His Predecessors, Jerusalem, 1963/64, p. 126.

imagination. Abraham is an example: his sitting at the entrance to his tent in the heat of the day, still in pain from his circumcision and waiting for guests, is rooted in his ability to imagine himself without a home. Abraham lives in reality and experiences it; otherwise, he could not be a householder and a host in the fullest sense. Yet to attain this degree of sensitivity, he had to imagine himself without a home, to imagine himself a wanderer.

C

Several Jewish thinkers in the nineteenth and twentieth centuries regarded exile, or the Jewish people's lack of a homeland, as an immanent element of the people's identity, to one degree or another. Hermann Cohen, for example, believed that the Jewish people's most important message, its mediation of faith in one God to humanity, could not be realized unless the people were dispersed among the nations. He writes:

> Through the concept of a single humanity, destined to recognize the one God, the prophets eradicate idolatry from the world; this message from Israel to the nations is, for them, the foundation and cornerstone of the Jewish people's election as humanity's emissary ... Without hope for a messianic humanity, we have no Judaism.[16]

And in his public response to Martin Buber, he says:

> The Zionist thinks that Judaism can be sustained only by a complete and unrestricted Jewish national life; we, by contrast, believe that only a worldwide, universally human Judaism can sustain the Jewish religion.[17]

Cohen's student Franz Rosenzweig likewise points to the primordial character of the Jewish people's homelessness:

> At the beginning of our own history stands the command to the nation's father: Go forth from your country ... to the land that I will show you. Abraham is foreign-born. He goes to this land, but not out of instinct: he goes at the divine command. He possesses none of its soil except the small plot needed to bury his family. The land itself is promised to him only for his descendants. And his children, if only the land had at least passed to them as an inheritance from generation to generation without interruption! But it did not. Their history does not begin in their country;

16 See Hermann Cohen, “Religion and Zionism,” Studies in Judaism and Contemporary Problems: Selections from the Jewish Writings, Jerusalem, 1977/78, pp. 87, 89–90.

17 Hermann Cohen, “Reply to Dr. Martin Buber's Open Letter to Hermann Cohen,” ibid., pp. 96, 101.

> their transformation from a family and tribe into a confederation of tribes, into a people, takes place in Egypt, that is, in exile ... And again, unlike the nations of the world, Israel is not permitted to feel that the land is its own; year after year, it must remind itself that the land was given to it only by God's hand, in trust, and not as an absolute possession ... And if other peoples seek independence as the crowning achievement of their nationhood, an independence manifested in the monarchy's sovereignty over the people, for Israel this desire to be "like all the nations" is considered a breach of faith, a breach of faith with the only rule the people may desire: the rule of its God.[18]

Abraham Joshua Heschel's thought also expresses the tension between "time" and "place" in Jewish culture. In his book The Sabbath, Heschel places "time" above "place" in the hierarchy of the Jewish religion and of existential experience in general.[19] According to Heschel, time expresses the world's continual creation, in which the human being can participate by sanctifying it. His attitude toward exile and the State of Israel was thus complex. On the one hand, he saw the State of Israel as a sign of God's presence in history, especially after the Holocaust. On the other, in keeping with his understanding of the essence of Judaism, he argued:

> Exile is not merely a political or geographical condition. Exile is a spiritual condition that affects every dimension of life. When Judaism is judged in terms of the marketplace, or when a sense of holiness gives way to spiritual numbness, there is exile. It is not only that we are in exile; exile is within us.[20]

George Steiner's claim concerning the Jewish people's role as a perpetual "guest" is also well known:

> Perhaps the Jew has survived in order to be a guest, a guest who remains terrifyingly unwelcome even today, a guest before whom so many doors are closed. Perhaps our vocation is to burst in, to tell human beings throughout the world that they must live with one another as "guests of life" ... The great truth is that Judaism will survive even if the State of Israel is

18 See Franz Rosenzweig, "The Spirit and Epochs of Jewish History," Naharayim: Selected Writings, Jerusalem, 1977/78, pp. 59, 65.

19 Abraham Joshua Heschel, The Sabbath, Tel Aviv, 2003. The very translation of the book into Hebrew, in light of Heschel's central aim of establishing the priority of time over space in Jewish religion, itself testifies to the living presence of the tension between time and place in present-day Israel.

20 See Abraham J. Heschel, "Am, Eretz, Medinah – Ideological Evaluation of Israel and the Diaspora," Proceedings of the Rabbinical Assembly of America, April–May 1958 (1959), pp. 118–119. The passage was rendered into Hebrew in my own free translation.

> destroyed. It will survive if it has indeed been "chosen" to wander, to teach human beings the hospitality without which we shall annihilate ourselves on this marginal planet.[21]

And later:

> But did not Rashi himself, the most incisive of all readers of the Talmud, tell of Abraham's eternal need to leave his tent and set out on the road? Did not Rashi teach us that when a Jew asks which is the way, he must close his ears to the right answer, for his vocation is to be a wanderer, that is, to stray and to err?[22]

A. B. Yehoshua also sees the Diaspora as an important factor in shaping the people, as a solution to the threatening conflict between religion and nationhood in Judaism. For Yehoshua, the Diaspora is a neurotic solution because it means escaping into a condition that renders the threatening conflict unnecessary, while also answering the need to be a different people, a chosen people. Following Franz Rosenzweig, Yehoshua argues that "the people was not, in fact, cast into exile; rather, it cast itself into exile and continues to do so."[23]

This tendency, which sees "placelessness" as an immanent element of Jewish identity and identifies Jewish culture as a culture of memory in which space itself becomes time, as Daniel Boyarin and Jonathan Boyarin argue,[24] is foreign to the stories of the creation of humanity and of the people in the Jewish canon. The culture reflected in these stories is one of imagining homelessness, and the difference between the two is great. Perhaps this is also the source of the tension Gurevitch and Aran identify between "place" and "the idea of place."[25] Unease with place, the inability to relate to it in a natural, native way, results from radicalizing the idea that there is no place at all, from accepting the idea that exile is immanent to Jewish culture. The Jewish creation myths sought, on the contrary, a far more tempered conception: an immediate and uninhibited experience of place, coupled with the use of imagination to dismantle that very feeling.

D

A creation myth, as I suggested above, formulates a basic element of human phenomenology. The pursuit of uncertainty within the Jewish creation myth presents two fundamental characteristics of the

21 See George Steiner, Errata: An Examined Life, Tel Aviv, 2000/01, p. 59.

22 Ibid., p. 68.

23 See A. B. Yehoshua, In Defense of Normality, Jerusalem, 1979/80, pp. 27, 30.

24 Daniel Boyarin and Jonathan Boyarin, "No Homeland for Israel," Theory and Criticism 5 (1994).

25 Gurevitch and Aran, above, note 2, p. 11.

human condition. The first is that this pursuit possesses creative power. According to this side of the myth, the realization of humanity and human creativity requires the destabilization of certainty and a distancing from revelation. The call is to encourage curiosity and risk-taking. These ideas echo Martin Buber's approach. Buber saw art as one of the three spheres in which the I–Thou relation is realized. As is well known, Buber recognized only two ways in which a person relates to the world: an I–Thou relation, "speaking to someone," and an I–It relation, "speaking about something or someone." For Buber, I–Thou is an encounter of souls; it is revelation, and it can occur with human beings as well as with animals. Buber believed that artistic creation is also such an encounter. He held that the artistic spirit is separate from the person, who strives to encounter it; when this happens, it is, in effect, an encounter with oneself, an I–Thou encounter with one's own spirit. The Buberian face-to-face encounter is rare, and Buber describes it in terms of certainty and uncertainty. In his words: "Within this solid and comfortable course of events, the moments of Thou appear as strange lyrical and dramatic episodes, captivating in their enchantment, to be sure, but dangerous in their transgression of boundaries, loosening tried and tested connections, leaving behind more doubt than satisfaction, undermining security, inspiring dread."[26] Buber draws attention here to the danger in revelation, to the profound upheaval it brings to our lives as we have ordered them. From Buber's perspective, then, we can understand the people's fear of the total revelation that might occur when Moses arrives with the tablets. It seems to me, however, that Buber did not properly appreciate the creative power in the pursuit of uncertainty. Buber saw revelation as the source of creation; yet according to the literary analysis above, it was precisely risk-taking and the breaking down of the walls of certainty that made the human being "human" in Judaism.

The phenomenology of the Jewish pursuit of uncertainty through imagination also implies a rejection of the existential philosophy of Martin Heidegger. Bringing uncertainty and the awareness of death into the sphere of imagination runs counter to Heidegger's position, which regards "being-toward-death" as a characteristic of authentic existence. Abraham Mansbach argues that, for Heidegger, "knowledge of death embodies the possibility of overcoming the impulse to be absorbed into the crowd: the possibility of being oneself ... Heidegger argues that the existence of Dasein need not come to an end for the confrontation with death to disclose the authentic possibility of existence. What is at issue is an existence in which death is present in a person's actions ... This awareness gives direction to an existence that becomes 'being-toward-the-end.'"[27] Thus, whereas the Jewish pursuit of uncertainty does not grant the awareness of death a total status, but leaves it within the realm of

26 See Mordechai Martin Buber, "I and Thou," in The Secret of Dialogue: On the Human Being and the Stand Before Being, Jerusalem, 1963/64, p. 27. See also the English translation: Martin Buber, I and Thou, New York, 1996, p. 84.

imagination so that one can function in reality, for Heidegger this awareness has a decisive role in existence as a whole. The same applies to curiosity, idle talk, and ambiguity, which for Heidegger express inauthentic existence.[28] The Jewish myth of pursuing uncertainty through imagination, by contrast, regards curiosity and idle talk as means of realizing humanity and developing sensitivity. This, in the present context, is the meaning of Eve's conversation with the serpent, and also of the imaginary declaration "These are your gods, O Israel" in the sin of the Golden Calf. For Heidegger, the human being's thrownness into the world makes possible a practical relation to the world, experience, Dasein, "being-there," and "the facticity of its being delivered over," in Heidegger's formulation.[29] By contrast, the expulsion of the human being into the world in the Jewish myth serves precisely to develop imagination and, through it, human sensitivity.

The power of imagining uncertainty lies in its capacity to develop a range of sensitivities while allowing ordinary communal life to continue. If there is a Jewish genius, it finds expression at precisely this point: the ability to imagine home as exile, or to imagine conventional systems of values and scientific, historical, or economic conceptions as irrelevant. The saying "The deeds of the ancestors are a sign for their descendants" has a profound meaning in this context. As we have seen, major Jewish thinkers emphasized that the nation's ancestors lived outside their homeland or "on the way" to the Promised Land. From this they argued that exile is a central idea in Jewish culture.[30] Transferring the idea of homelessness to the sphere of imagination allows us to view the ancestors' exile as a system of signs whose primary purpose is to create rifts in our sense of home: to enable us to imagine home as exile, just as the expulsion from Eden enables us to do. The ancestors' exile does not seek to undermine the very foundations of the concept of home; otherwise, "the deeds of the ancestors" would be "deeds for their descendants," rather than "a sign for their descendants."

The call to imagine uncertainty encompasses the entire Jewish calendar and acquires practical force in central commandments in the nation's life. First, the three pilgrimage festivals: dwelling in the sukkah

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27 See Abraham Mansbach, Existence and Meaning: Martin Heidegger on the Human Being, Language, and Art, Jerusalem, 1997/98, pp. 43–44. See also Martin Heidegger, Being and Time, translated by John Macquarrie and Edward Robinson, Oxford, 2001, pp. 172–203.

28 Ibid., p. 211.

29 Ibid., p. 236: "To Being-in-the-world, however, belongs the fact that it has been delivered over to itself."

30 As noted in the text accompanying note 16, the clearest representatives of this approach are Hermann Cohen, Franz Rosenzweig, Abraham Joshua Heschel, and, to some extent, Mordecai Kaplan. For an extensive survey of the views of the latter two in this context, see Arnold M. Eisen, Galut, Indiana, 1986, pp. 148–180. Eisen writes: "The existential or metaphysical components of homelessness are laid out at the very start of Genesis: Expulsion from the childhood garden, alienation from the earth and estrangement from other human beings..." (ibid., p. 15). For a comparison of Mordecai Kaplan's and David Ben-Gurion's approaches to exile, see Yosef Gorny, The Search for National Identity, Tel Aviv, 1990, pp. 83–98.

gives practical expression to the principle of using imagination to destabilize certainty. We must imagine the uncertainty of being without a home; we must feel without a home for a week. In this way, our personalities will be shaped by a variety of sensitivities, and hubris toward God and arrogance toward other people will be prevented. Just as the call to imagine oneself without a home does not seek to replace the home itself, dwelling in the sukkah does not seek to undermine the very foundations of our sense of security and certainty, but to intensify this imaginative exercise momentarily and temporarily. Thus, in the dispute between those who understand the sukkah as a temporary dwelling and those who hold that it should be a permanent dwelling,[31] the former seem closer to understanding the festival's essence. The same applies to the commandments of Passover: "In every generation, a person must see themselves as though they themselves had come out of Egypt."[32] We must use imagination to feel what those who came out of Egypt felt. In my view, the emphasis here falls less on the feeling of freedom than on the feeling of emerging from slavery into freedom: someone who remembers having been a slave has their sense of certainty shaken at once and becomes more sensitive. On Passover, a person is not commanded to be someone who came out of Egypt, from slavery into freedom, but to see themselves as though they had come out of Egypt, that is, to imagine themselves. In this way we can live ordinary lives grounded in reality while developing a variety of sensitivities. Shavuot, the festival of the giving of the Torah, inherently carries the memory of Sinai and the accompanying sin of the Golden Calf. As noted, despite the attempt to detach the sin from Sinai through the literary distance separating it from the giving of the Torah, Jewish culture insisted on seeing the two as a single event.

The destabilization of certainty appears in other central commandments as well. The commandments of the sabbatical year and the Jubilee "help" imagination undermine the sense of security in land,

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31 Sukkah 2a: "... And Rava said: It is derived from here: 'You shall dwell in booths for seven days' (Leviticus 23). The Torah said: For all seven days, leave your permanent dwelling and dwell in a temporary dwelling. Up to twenty cubits, a person makes the dwelling a temporary one; above twenty cubits, a person does not make the dwelling temporary, but permanent. Abaye said to him: If so, if one made walls of iron and placed the covering over them, would this too not be a sukkah? He said to him: This is what I am saying to you: up to twenty cubits, where a person can make the dwelling temporary, even if one makes it permanent, one fulfills the obligation; above twenty cubits, where a person makes the dwelling permanent, even if one makes it temporary, one does not fulfill the obligation." See also the dispute between Rabban Gamaliel and Rabbi Akiva on this subject, Sukkah 23a.

32 See Mishnah, Pesahim 10:5: "Rabban Gamaliel used to say: Whoever has not spoken of these three things on Passover has not fulfilled their obligation. They are: the Passover offering, matzah, and bitter herbs. The Passover offering: because the Omnipresent passed over the houses of our ancestors in Egypt [as it is said, 'You shall say: It is the sacrifice of the Lord's Passover, who passed over ...' (Exodus 12)]. Matzah: because our ancestors were redeemed from Egypt [as it is said, 'They baked the dough that they had brought out of Egypt ...' (Exodus 12)]. Bitter herbs: because the Egyptians embittered the lives of our ancestors in Egypt [as it is said, 'They embittered their lives ...' (Exodus 1)]. In every generation, a person must see themselves as though they themselves had come out of Egypt, as it is said: 'You shall tell your child on that day, saying: It is because of what the Lord did for me when I came out of Egypt' (Exodus 13)."

home, and possessions. A framework of reality is preserved, on the one hand: the land belongs to the individual most of the time. On the other hand, the sense of ownership is temporarily unsettled. The strength of Jewish imagination also finds expression in the commandment of repentance. “Repent one day before your death.” But does a person know on which day they will die, so as to repent?[33] The point is to imagine each day that tomorrow is the day of one's death, and thus to understand that one should repent now. Once again, imagination is used to activate self-reflection. The same applies to the demand that “a person should always see themselves as though half meritorious and half culpable.” At first glance, this appears, on the contrary, to be a pursuit of certainty: the desire to make God present in our lives at every moment. It seems to construct a mechanism through which the Jewish religion continually monitors human actions. Yet looking beyond religious authority reveals, paradoxically, a powerful cultural pattern: imagining God's presence actually unsettles the security and certainty of everyday life, enabling a reflective process that draws attention to daily actions. Making God present is only one side of the commandment. On its other side stands a cultural principle that pursues uncertainty. Just as the myth of the Jewish nation's birth has two faces, one of revelation and one of striving to conceal revelation, so too these commandments have two sides: one that makes God present in life, and one that operates independently of God to increase uncertainty through imagination.

E

Another aspect of the pursuit of uncertainty is the Torah's interpretive space. The Jerusalem Talmud drew a direct line between the sin of the Golden Calf and the legitimacy of disagreement over Torah. The Mishnah (Shabbat 1:4) tells of a day on which the House of Shammai gained a majority over the House of Hillel and enacted eighteen decrees in the upper room of Hananiah ben Hezekiah ben Garon. The Jerusalem Talmud's first sentence after the Mishnah is: “That day was as grievous for Israel as the day on which the calf was made.” The Talmud offers two sources explaining how the House of Shammai obtained its majority over the House of Hillel. Rabbi Joshua Onaya explains: “The disciples of the House of Shammai stood below and killed disciples of the House of Hillel.” Another baraita explains: “Six of them went up, while the rest stood over them with swords and spears,” that is, they threatened them to prevent them from going up. One might say that the argument here is that, just as the Israelites intended to worship God through improper means, the calf, so too the disciples of the House of Shammai acted with a pure intention but employed illegitimate means. Yet the comparison

33 Shabbat 153a: “Rabbi Eliezer says: Repent one day before your death. His disciples asked Rabbi Eliezer: Does a person know on which day they will die? He said to them: All the more reason to repent today, lest one die tomorrow; thus one will spend all one's days in repentance.”

with the sin of the Golden Calf reveals an intuitive understanding that this sin made the opening of interpretive space possible: how can one practice idolatry while believing wholeheartedly in God; how can human creation become possible on the basis of a divine utterance? The sin of the Golden Calf is human fiction written in the shadow of revelation. The Israelites use imagination to escape the clutches of certainty. This is human fiction, distinguished by the fact that it is written during revelation or immediately after it. The House of Shammai held that a divine command could not be given more than one meaning and therefore saw the disciples of the House of Hillel as a grave threat to what they regarded as authentic Jewish culture.[34] "That day was as grievous for Israel as the day on which the calf was made" is the Talmud's way of comparing the killing perpetrated by the Levites with that perpetrated by the House of Shammai. In both cases there was a desire to expand the text's possible interpretations, and in both cases that desire was violently suppressed. The Jerusalem Talmud cannot treat the sin of the Golden Calf as a positive act, but the comparison reveals the deep connection between the Israelites' impulse to distance themselves from certainty and the development of Jewish hermeneutics.

Imagination maps the content of the textual field, while reality maps its extent and boundaries. Imagination allows for more than one interpretation; it makes us sensitive to other readings of the text, to additional points of view. Reality limits imagination and establishes the boundary of interpretation. Just as the distinction between reality and imagination is not always clear and sharp, it is sometimes difficult to speak of the bounds of legitimate interpretation arising from the pursuit of uncertainty. On the one hand, this pursuit makes room for several interpretations; on the other, it can accept an intuitive judgment grounded in reality, such as "Words of truth are recognizable." On the one hand, it contains distinctions such as those between peshat and derash, the plain sense and the interpretive exposition; on the other, these categories are not entirely separate. To conclude, there is no systematic hermeneutic doctrine here, but there may be the germ of the possibility of disagreement over Torah.

F

The Jewish people practiced the exercise of imagination. It imagined a condition of uncertainty and insecurity. When exile came, therefore, the exilic condition was not unfamiliar. This familiarity with exile did not arise from an actual reality of homelessness, but from years of practice in imagining a

34 See Haim Shapira and Menachem Fisch, "The Debates between the Houses: The Meta-Halakhic Dispute between the House of Shammai and the House of Hillel," Iyyunei Mishpat 22(2), pp. 461–497. Shapira and Fisch view the House of Shammai as representatives of a traditionalist approach that grants supreme importance to tradition and rules out any possibility of addition or innovation, and the House of Hillel as representatives of an anti-traditionalist approach that examines halakhah through rational tools and does not rule out disagreement.

condition of exile and uncertainty. In retrospect, it becomes clear that the use of this cultural system, which gave the people a sense of familiarity with exile, homelessness, and insecurity, helped preserve the people in exile. From that point onward, the people applied the temporary imagining of uncertainty to all of reality, all the time. The importance of this distinction is that the people's sense of uncertainty, while living in exile under physical and spiritual persecution, originated in the realm of imagination rather than in reality. In my view, this is one explanation for the Jewish people's ability to survive its historical ordeals while retaining its distinctive identity.[35] If only imagination is at work when I see myself as homeless, then the paralysis that ordinarily accompanies this uncertain condition is lessened. Ultimately, this feeling was one of the sources of strength that enabled Jews to continue their daily lives despite physical and spiritual persecution. Their ability, when circumstances allowed, to participate in the social, cultural, economic, political, and scientific life of the countries in which they lived is also rooted in this separation of reality and imagination. What is at issue is more than contending with the helplessness inherent in the experience of exile: imagination also functioned positively. Whereas before exile, imagining uncertainty in Judaism had been a catalyst for developing social, intellectual, and scientific sensitivities, in exile this imagination entered a state of intensified functioning. This was probably the source of the Jewish people's great cultural creativity in the Diaspora, from the Babylonian Talmud through responsa literature to scientific discoveries. The inevitable problem in this situation is weariness and exhaustion. Leading a double life, continually imagining a feeling of uncertainty on the one hand while living an ordinary, normal life on the other, is a condition of tension that exacts a heavy price. Imagination makes its demands and appropriates parts of reality; reality makes its demands and eats into the imagined sense of uncertainty. The Zionist thought associated with Berdyczewski, to which Ben-Gurion also belonged, sharply criticized exilic existence at precisely this point: Jewish reality's refusal to go on living a double life.[36] This Zionism arose from the weariness caused by the great exertion of imagination.[37] Here is what Haim Hazaz puts

35 See Yehezkel Kaufmann, “On the Question of the Jewish People's Existence in Exile,” Molad 15 (1957–1958), p. 245. Kaufmann argues that the preservation of the Jewish people in exile stems from its religious, monotheistic distinctiveness and from the embodiment of that distinctiveness within a prophetic and ethical framework. We have seen another expression of a familiar approach in George Steiner (above, note 21), who argues that “the Jew's condition in exile develops an international orientation in him.” His claim, as noted, is that it was precisely the Jew's status as a “guest” everywhere that enabled him to make substantial cultural contributions to Western culture.

36 See Anita Shapira, “The Myth of the New Jew,” in Jacob Golomb (ed.), Nietzsche in Hebrew Culture, Jerusalem, 2001/02, pp. 113, 126.

37 See Eliezer Schweid's argument that the feeling of estrangement and exile intensified among the Jewish people on the one hand, while the negation of exile intensified on the other, “because in that transitional period [after the Holocaust] the people of Israel once again became, but on an unprecedented scale, an exiled people in the dynamic sense of the term.” Eliezer Schweid, “Is There a Solution in the Dispersion of Israel among the Nations?,” Gesher 121 (Summer 1990), p. 16.

into the mouth of Yudka, the protagonist of his story "The Sermon," who is meant to represent Zionism's attitude toward exile: "The world became narrow, constricted, and turned upside down. A world of darkness, of negation and contradiction ... Sorrow became more ideal than joy, pain more intelligible than happiness, destruction more than construction, subjugation more than redemption, dream more than reality, hope more than what was to come, faith more than common sense."[38] The negation of exile and Zionist thinkers' recoil from exilic existence express early Zionism's revulsion at imagination's excessive dominance in Jewish life. Zionism said: no more imagining Jewish uncertainty; no more imagining the Jewish feeling that "tomorrow I shall die." No more imagining life as a sukkah, a temporary dwelling. Ben-Gurion was particularly extreme in his expressions of the "negation of exile":

> Each of us stands in reverence and deep admiration before the great moral strength shown by the Jews in their wanderings and suffering in exile, who knew how to withstand enemies, despisers, oppressors, and murderers without relinquishing their Jewishness. But the exile in which Jews lived and still live is, in my eyes, a wretched, impoverished, miserable, dubious experience, in which there is no cause for pride; on the contrary, it must be utterly rejected.[39]

Zionist leaders wished to fashion a new Jew, and to do so they had to rid themselves of Jewish imagination. In other words, the Zionist leaders who advocated an extreme negation of exile despised imagination's takeover of life, since negating exile also meant ceasing to imagine uncertainty. Zionism sought to abolish reliance on imagination, to abolish imagination as a principal instrument in the people's life. To make belief in the reality of the Zionist idea possible, Zionism worked to create a "new Jew" who was everything the exilic Jew was not. Whereas the exilic Jew was "human dust," in Ben-Gurion's words,[40] the Zionist Jew in the Land of Israel was his own master, free, upright, and courageous. Not all Zionist thinkers expressed such an extreme position.[41] For many, the negation of exile was only one side of the coin. On the other lay the culture from which they themselves, their parents, and their families had come; there, too, was their mother tongue.[42] Yet there is no doubt that the Ben-Gurion model, contemptuous of the exilic Jew, prevailed in the state's early years.[43] In seeking

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38 Haim Hazaz, "The Sermon," Selected Stories, Tel Aviv, 1976/77, pp. 147, 152.

39 Ben-Gurion's remarks at the World Zionist Conference in Jerusalem in 1957, quoted in Yosef Gorny, "Between the Negation of Exile and Reconciliation with It," Zmanim 58 (Spring 1998), pp. 102, 104.

40 Quoted in Yosef Gorny, above, note 30, p. 87. The quotation comes from a summary of a meeting at the Prime Minister's Office on July 25, 1950, held in the Ministry of Defense Archives. See Gorny, pp. 347–348.

41 Anita Shapira, above, note 36, p. 125.

42 See Gideon Shimoni, "Reexamining the Negation of Exile as an Idea and a Practice," in Anita Shapira, Jehuda Reinharz, and Yaacov Harris (eds.), The Age of Zionism, Jerusalem, 2000, p. 45.

43 Anita Shapira, above, note 36, p. 127.

to create a new Jew and abolish exilic imagination, Ben-Gurion failed to understand that the call to imagine uncertainty was originally Jewish rather than exilic; that the principle of imagining uncertainty was inseparable from Jewish culture; and that exile had merely intensified its use. Ben-Gurion wished to abolish Jewish imagination altogether. Yet despite his and others' powerful desire to suppress it, the call for uncertainty reappeared at the young State of Israel's "Sinai moment": the moment of adopting a constitution. Just as at Sinai the people expressed a desire for uncertainty through the sin of the Golden Calf, here too, when the question arose of defining the identity of the people living in Israel, came the call for uncertainty. Interestingly, this call came precisely from Ben-Gurion, who had declared the Jewish imagining of uncertainty to be exilic and therefore illegitimate.

G

Adopting a constitution for a state is fundamentally an act of definition. Just as territorial sovereignty draws physical boundaries between the state and other states, so a constitution delineates the state's character, its system of values, its governmental and legal arrangements, and the people's priorities. A constitution defines what the state is, or, more precisely, what the people living in it want it to be. Such self-definition requires great self-confidence and an ability to believe in the state's continued existence. Before the state's establishment and in its early years, lengthy and significant discussions were held about the content of Israel's future constitution. Yet after a draft constitution had been prepared and discussed on its merits, the First Knesset decided to halt the process and consider whether a constitution was needed at all. After a long and exhaustive debate, it decided not to exercise its authority as a constituent assembly and not to adopt a constitution. The resolution named after its author, Knesset member Yizhar Harari, the "Harari Resolution," stipulated that "the constitution will be composed of chapters, each of which will constitute a separate Basic Law." Over the years, several complementary explanations have been given for the First Knesset's abstention in the matter of the constitution.[44] The government's opposition has been explained by its unwillingness to bind itself to a rigid constitution, given its desire for flexibility under the security and economic conditions of the time. Nor did the government wish to give the judiciary the power to thwart its initiatives by striking down laws. The religious parties opposed a constitution because they feared it would obstruct the shaping of the state as a Jewish state. Yet the evasion of adopting a constitution and the acceptance of the Harari Resolution, a case of "neither one thing nor the other," are also closely connected to Zionism's self-definition of the people living in Israel. Enacting a constitution, as those engaged in its

44 See Ruth Gavison, The Constitutional Revolution: A Description of Reality or a Self-Fulfilling Prophecy?, Jerusalem, 1998, pp. 57, 61. See also Daniel J. Elazar's introduction to A Constitution for the State of Israel, Jerusalem, 1998, p. 5.

preparation understood it, meant fixing the self-definition of the people dwelling in Zion. The argument was that such fixing was undesirable for a state in the making. Yet the statements of all those who rejected the adoption of a constitution seem to contain a fear of settling matters definitively, a fear that adopting a constitution would express excessive confidence in the state's continued existence. In this section I shall try to illuminate the reversal in attitudes toward adopting a constitution in light of the idea of the Jewish pursuit of uncertainty.

Immediately after the United Nations resolution of November 29, 1947, Dr. Yehuda Pinchas Cohen began preparing a proposal for the state's constitution.[45] About two months after the declaration of independence, the Provisional State Council appointed a Constitution Committee headed by Zerach Warhaftig to clarify constitutional questions and assemble the material needed to prepare a draft constitution. Four constitutional proposals were submitted to this committee, and Cohen's proposal served as the basis for its discussions. The committee considered which constitutional arrangements were appropriate, hearing proposed amendments from members across the political spectrum. On January 25, 1949, the Constituent Assembly was elected; it became the First Knesset. The Knesset assigned the preparation of the constitution to the Constitution, Law and Justice Committee, elected in April 1949. Yehoshua Freudenheim describes the subsequent course of events in his book Government in the State of Israel:

> At this point, a complete and surprising reversal occurred in the course of the discussions. Whereas the Provisional State Council's committee had debated substantive constitutional questions on their merits, in the First Knesset's Constitution, Law and Justice Committee the preliminary question arose with full force: whether a unified constitution should be enacted at all, or whether it would be better, for the time being, to make do with a number of Basic Laws,

45 The commitment of Israel's leadership in the state's early years to adopting a constitution was connected to the desire to align the state's constitutional foundations with those laid down by the United Nations in the Partition Resolution. On November 29, 1947, the UN adopted a resolution partitioning Palestine into a Jewish state and an Arab state. The resolution charged the constituent assembly of each state with drawing up a democratic constitution, but limited its authority regarding the constitution's content through several provisions that had to be included (UN General Assembly Resolution 181 of November 29, 1947). The resolution required general, secret, and proportional elections; government accountability to the legislature; the peaceful resolution of international disputes; abstention from threats and the use of force; equal rights in civil, political, economic, and religious matters; and guarantees for human and fundamental rights, such as freedom of religion, language, education, assembly, and association. Accordingly, the declaration of the State of Israel on 5 Iyar 5708, May 14, 1948, provided with regard to constitutional continuity: “From the moment the Mandate ends ... and until the establishment of the elected and regular authorities of the state in accordance with a constitution to be determined by the elected Constituent Assembly no later than October 1, 1948, the People's Council shall act as the Provisional State Council, and its executive organ, the People's Administration, shall constitute the Provisional Government of the Jewish state, to be called Israel.” Indeed, even before the declaration of the establishment of the State of Israel, the National Council appointed a constitutional affairs committee headed by Zerach Warhaftig, whose task was to prepare the constitutional groundwork for the state to come.

each regulating only one particular area in accordance with the needs of practical life.[46] [Emphasis mine.]

The committee discussed this question at several meetings and brought it before the Knesset for a decision. At the conclusion of heated debates held between February 1 and June 13, 1950, the Knesset plenum adopted the proposal of Knesset member Yizhar Harari of the Progressive Party:

> The First Knesset instructs the Constitution, Law and Justice Committee to prepare a draft constitution for the state. The constitution shall be composed of chapters, each of which shall constitute a separate Basic Law. The chapters shall be brought before the Knesset as the committee completes its work, and all the chapters together shall be combined into the constitution of the state.[47]

Looking back over the years, it is difficult not to marvel that the Harari Resolution, which has no normative force, still underlies our state's political constitutional thought. The resolution established a position that became embedded in Israel's political and legal culture and decisively influenced the state's constitutional mechanisms. The words "the constitution shall be composed of chapters" contain an entire political culture within which constitutional decisions can be made as "chapters," that is, as ad hoc decisions. A Basic Law that constitutes a "chapter" and whose amendment requires no extensive parliamentary effort can also serve as a basis for changes arising from one temporary situation or another. Thus, for example, Basic Law: Freedom of Occupation was amended as a result of a particular political situation.[48] The Harari Resolution, then, expresses more than a technical decision to write the constitution chapter by chapter; it contains the essence of a constitutional political culture that continues to exert its influence to this day. If so, it is worth understanding fully the reversal, and it is indeed a reversal, that occurred in the transition from the substantive constitutional discussions of the Provisional State Council's Constitution Committee to the discussions of the First Knesset's

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46 See Yehoshua Freudenheim, Government in the State of Israel, Jerusalem, 1952/53, p. 13. See also Asher Tzidon, The House of Representatives, Jerusalem, 1964, p. 361, under the heading "The Turning Point": "As the date of the elections to the Constituent Assembly approached, a turning point occurred in this question. It became clear that there were differences of opinion over whether to adopt a constitution immediately or not." See also George M. Gross, "The Constitutional Question in Israel," in Daniel J. Elazar (ed.), Constitutionalism: The Israeli and American Experiences, Lanham, 1990, p. 51. Gross presents the shift in Warhaftig's and Ben-Gurion's positions, and the constitutional debate as a whole, in professional rather than political terms. His argument is that the decision not to adopt a written constitution in the state's early years was supported by sound constitutional and professional reasons.

47 See Divrei HaKnesset 5, p. 1722, sitting of June 13, 1950.

48 Basic Law: Freedom of Occupation was amended following the ruling in HCJ 3872/93, Meatrael Ltd. v. Prime Minister and Minister of Religious Affairs Yitzhak Rabin. In that case, the Court held that the refusal to grant a license to import meat was contrary to the spirit of the provisions of Basic Law: Freedom of Occupation. As a result, the Basic Law was amended to permit a departure from its provisions by a law passed by a majority of Knesset members, with such a law remaining in force for up to four years.

Constitution Committee, which suddenly revolved around whether a constitution was needed at all. Zerach Warhaftig, who chaired the Provisional State Council's Constitution Committee and later changed his mind and opposed adopting a constitution, exemplifies this reversal.[49] Warhaftig testified:

> ... The prevailing view among them [the committee members], on the right and on the left, was that a separation of religion and state was desirable and that the constitution, in any event, should be secular. The transition from the terrible Holocaust to the salvation emerging from the establishment of the Jewish state, the fulfillment of a dream some two thousand years old, was swift, almost surprising. The heroic stand against the seven Arab nations imbued the leaders of the Zionist movement with a spirit of "my power and the might of my hand." Almost all were immersed in the practical problems of the hour, and they treated the eternal questions of religion and state as marginal matters. Many fears arose in our hearts concerning the content and nature of a fundamental constitution that might be adopted in such an atmosphere ... These doubts and reflections led me to change my attitude toward the necessity of immediately adopting a fundamental constitution. They led me to think that perhaps we should learn from several democratic countries, foremost among them England, which manages well and maintains the rule of law and a protection of individual rights worthy of the name without any written constitution at all. I thought that perhaps our state, too, should put doing before hearing.[50]

It is difficult not to hear Warhaftig's fear of unequivocal determinations or of the excessive self-confidence involved in adopting a constitution. Perhaps there is more to it: Warhaftig's words echo the condition of the Israelites after the Exodus and before Sinai, the transition from a people of slaves to a free people, like "the transition from the terrible Holocaust to the salvation emerging from the establishment of the state," and his use of the phrase "We will do and we will hear." As noted, the debate over the need for a constitution was ultimately transferred to the Knesset plenum. The debate

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49 See Zerach Warhaftig, A Constitution for Israel: Religion and State, Jerusalem, 1987/88. See also the criticism directed at Warhaftig by Constitution Committee chair Nahum Nir-Rafalkes during the Knesset debate: "I quote this to show how quickly people change their views, so quickly that it is difficult to keep up with them. I am reading from page 7 of the last meeting of the Provisional State Council: 'I do not know whether the Constituent Assembly will be able to adopt a ready proposal so quickly.' Later he said: 'I hope that the Constituent Assembly's Constitution Committee, which will receive the material from us, will expand this activity, study further, and reach the point of bringing an original constitution to the State of Israel.' It is not important that Knesset member Warhaftig changed his mind within a month; what matters is that, for anyone who later wishes to investigate the reasons, this will provide food for thought. But I shall not dwell on that food for thought at present." See The Constitution of the State: The Report of the Constitution, Law and Justice Committee on the Constitution of the State and the Debates in the Plenum of the First Knesset, Jerusalem, 1951/52, p. 8. See also Yizhar Harari's comment on the reversal in Warhaftig's position: "It is difficult for me to understand what suddenly happened, after such lengthy discussions, after we had delved into the various questions: what happened to the views of the chair of the State Council's Constitution Committee, who comes before this Knesset and announces that there is no need for a constitution for this state at all?" (ibid., p. 40).

50 Warhaftig, ibid., pp. 76–77.

was exhaustive and wide-ranging, with members from every parliamentary faction taking part. Knesset members who supported adopting a constitution, from both opposition and coalition, raised the question of the government's opposition with full force. Menachem Begin, then a Knesset member, sharply formulated the problem of refraining from adopting a constitution:

> You argue that you are unwilling to commit yourselves to a supposedly rigid constitution because the people does not yet live within the state's borders, and how can we bind millions of Jews to a constitution to which they have not consented and which they may need to change? These are empty words. You are so modest, so humble, unwilling to bind the people living in exile ... You were prepared to bind the nation by signing off on borders that would have strangled immigration in its infancy ... Now you are prepared to sign a peace treaty with Abdullah's state and abandon the Old City of Jerusalem, Bethlehem, and Hebron ... And suddenly you become so modest, so humble, unwilling to bind the people to a fundamental constitution that would grant it its rights, secure its state, and put the government in its place as well! You are prepared to bind the people living in exile in matters more serious than a written constitution. Do not tell us that in this particular case you dare not bind the people.[51]

Mapam Knesset member Israel Bar-Yehuda, who also spoke in favor of adopting a constitution, argued that the failure to adopt one perpetuated the exilic Jewish trait of "getting around the law."[52] Mapai Knesset member Ben-Zion Dinburg (Dinur) argued for a constitution that would abolish the exilic "us" and "them" mentality in the Jewish people's attitude toward the ruling power.[53] Knesset member Idov Cohen of the Progressive Party likewise asked:

> All this talk about the time not yet being ripe for enacting a constitution may create the impression that we are in a provisional and temporary condition. It is true that our state contains only a million Jews; it is true that we still await another three or four million Jews. But what is this talk of "we have not yet gathered all the exiles"? We thereby present ourselves as a shack erected on provisional foundations, to be moved elsewhere after a certain time. Today we are an independent state, and by the same right through which we established the state, we can give it a fundamental constitution. The generations that follow us will decide what they will decide.[54]

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51 The Constitution of the State: The Report of the Constitution, Law and Justice Committee on the Constitution of the State and the Debates in the Plenum of the First Knesset, above, note 49, pp. 24–25.

52 Ibid., p. 20.

53 Ibid., p. 27.

54 Ibid., p. 111.

Knesset member Idov Cohen's observation was based on the speeches of those who rejected adopting a constitution. Most of the opponents express an outlook of uncertainty about what the future holds and an unwillingness to "provoke" it by establishing historical facts such as a constitution. Here is a selection of the views opposing a constitution that are relevant to our subject. Knesset member Meir-David Loewenstein of the United Religious Front believed that the time was not ripe: "We are a state in the making ... Is the present moment really suited to a searching and penetrating examination of our essence and our destiny?"[55] Mapai Knesset member David Bar-Rav-Hai held the same view: "Can we today, in this fluid situation [without a settled population and without clear borders], cast the permanent molds, create the permanent framework of the State of Israel?"[56] For Mapai Knesset member Ephraim Taburi, adopting a constitution meant presuming to know the needs of future generations: "I have a certain instinctive feeling that tells me this approach may produce something negative." In his view, presuming to know the will of future generations was a presumption belonging to Bolshevik political philosophy. To his mind, the argument that every country in the world had a constitution was an "exilic argument," since the Zionist case was unique.[57] Knesset member Abraham Haim Shag of the United Religious Front also believed that the present generation was not qualified to make decisions for future generations: "I doubt whether we are capable of establishing a constitution for generations to come. Let us not grow proud or boast of what we do not possess."[58] Mapai Knesset member Yona Kesse supported refraining from adopting a rigid constitution because it would restrict the possibility of changing the state's character.[59] Minister of Welfare Rabbi Yitzhak Meir Levin spoke about the element of identity in adopting a constitution: "To discuss a constitution means to discuss the character, the essence, the distinctive spirit that animates the people, the vision that fills it, its past, its present, and its aspirations for the future."[60] He recalled that the state's position was still insecure and that "there is no knowing what tomorrow will bring." In his view, if a constitution based on the laws of the Torah could not be adopted, it was better to have no constitution at all. In his speech at the Knesset sitting of February 20, 1950, Prime Minister David Ben-Gurion repeated all the arguments he had made in the discussions preceding this concluding debate: the unwillingness to give the Supreme Court the authority to strike down laws; the danger of a supermajority system, in which a minority can

55 Ibid., p. 29.

56 See The Constitution of the State: The Report of the Constitution, Law and Justice Committee on the Constitution of the State and the Debates in the Plenum of the First Knesset, Jerusalem, 1951/52, p. 13.

57 Ibid., p. 36.

58 Ibid., p. 50.

59 Ibid., p. 46.

60 Ibid., p. 58.

prevent any constitutional amendment; and the fact that in a democracy, citizens are free to do whatever they wish so long as the law does not forbid it, even without a constitution. Here is the concluding paragraph of his speech:

> The Jewish people rebelled against a historical fate, the fate of an exiled, dispersed people without a homeland, language, culture, or independence. On May 14, with the establishment of the state, the Jewish people was not liberated ... In our historical circumstances we could not carry out a single, decisive revolution as other peoples have done. The redemption of the people of Israel, even its national redemption alone, has not yet come; there is only the beginning of redemption. Even the six hundred and fifty thousand in the country have not yet been fully redeemed. Even the million we have now are not yet liberated. A people without security has no assured independence. I do not belittle May 14. There have been few days like it in our long history. But this great day will, God forbid, be rendered a falsehood if the "revolution" we began, and we did not begin it precisely on May 14, is not continued faithfully and without interruption until the end of days. No single event will redeem the people of Israel. Our redemption is a prolonged process of immigration, settlement, and efforts to ensure security, that is, a series of deeds and a series of laws. The importance of May 14 lies in its opening up great new possibilities for immigration, settlement, and security. For this reason, ours is the most dynamic state in the world. Because of our state's small dimensions, its dynamism does not shake the world, but it determines its course and character. Our state is created anew every day; every day, more Jews are liberated by immigrating to the country; every day, tracts of land are liberated from desolation and neglect. This dynamism cannot tolerate a rigid framework and artificial fetters. The laws of the State of Israel must adapt to this dynamic development ... The revelation at Sinai does not occur every day. We experienced a great historical occasion twenty-two months ago. In four thousand years of history, we have had few such occasions. I do not think this is our last historical occasion. I believe another great occasion still awaits us. I do not say one like Sinai or like the founding of the state. That I do not know. Yet another great occasion may still come, and perhaps we shall again hear the voice speaking out of the fire, "by trials, by signs and wonders, and by war, and by a mighty hand, and by an outstretched arm, and by great terrors," and a great new chapter will open in our history. Until then, let us do our work day by day, faithfully, humbly, persistently, and without flinching. Let us do the work of security, immigration, and settlement, and enact all the small laws needed for it.[61]

61 Ibid., p. 70.

Yitzhak Ben-Zvi, then a Knesset member, followed Ben-Gurion in arguing that taking up the question of a constitution at this time would only deepen the various divisions between the parties. Ben-Zvi also continued the metaphor of Sinai: “Gentlemen, I do not know what happened at the giving of the Torah, whether there was an elected Knesset there that adopted the laws. The aggadah tells us that they were accepted when the mountain was held over them like an upturned tub. But there are also laws and ordinances that were laid down, and an entire section of the Torah describes how, for example, the laws concerning the appointment of officers and the administration of justice were adopted on Jethro's advice.”[62] Ben-Zvi favors the priority of everyday action and opposes “preparing a new Shulhan Arukh [a code of Jewish law] in advance.”

The question raised by opposition Knesset members went unanswered: how could the view that a constitution should not be adopted now be reconciled with the negation of exile held by its opponents? How could so many Knesset members, headed by Ben-Gurion, express a lack of confidence in the state's stability while simultaneously maintaining a view that rejected that very insecurity? These people, who had signed the Declaration of Independence and seen its vision fulfilled before their eyes, now drew back from establishing facts on the ground. During the debate, Yizhar Harari remarked that “the decision that there will be no constitution in the State of Israel is a fateful decision requiring no less judgment, wisdom, and preparation than the decision that there will be a constitution.”[63] In this sense, Ben-Gurion and his coalition allies did indeed invest considerable effort in preventing progress toward a constitution, an effort that can, as noted, be explained in political terms. Yet in the statements quoted above, beyond the arguments for and against, one can identify a particular pattern of thought concerning exile, temporariness, impermanence, and insecurity. Thus, if, in Ben-Gurion's terms, the Declaration of Independence is the Sinai of a renewed Israeli culture, the failure to adopt a constitution is its sin of the Golden Calf.

An interesting historical point that sharpens the question of opposition to a constitution is that, alongside the constitutional debates in the Knesset between February and June 1950, the question of the status of the World Zionist Organization–Jewish Agency also arose. This issue intensely occupied the state's leadership, many of whose members had served on the Zionist Organization's Executive. Ben-Gurion maintained that the newly born State of Israel was a sovereign body that owed no account to the World Zionist Organization. He firmly refused to grant it the title “representative of the Jewish people” and believed, although he did not say so explicitly, that the State of Israel should be the Jewish

62 Ibid., p. 91.
63 Ibid., p. 41.

people's definitive representative.[64] He therefore supported stripping the Zionist Organization of its powers concerning immigration, immigrant absorption, and settlement, and worked intensively to persuade all concerned to accept his position. His unequivocal stance must be understood against the background of his view that strengthening and building the state's sovereign public authority, and giving it a central place in the consciousness of its new citizens, was of supreme importance. His position on the negation of exile, and his assumption that a Zionist was someone who immigrated to the country and that one could not be a Zionist from afar, must also be understood in this light. The young state's citizens were required to make physical efforts, such as military enlistment and civilian mobilization, and economic efforts, through the introduction of austerity and rationing. Placing the state, its symbols, values, and institutions at the center of Israeli consciousness was essential in those years to creating a sense of unity. In this context, American Jewry posed a threat to Ben-Gurion's sustained effort: “Here is a place where Jews do not suffer, are not persecuted, and have far-reaching cultural and economic opportunities.” Ben-Gurion's extremism in those years concerning the negation of exile seems to have been directed toward establishing Jewish existence in the State of Israel as the only possible form of full Jewish existence, and thereby also justifying the great sacrifices made for it. It is therefore surprising that the firm positions he adopted concerning the separation between the World Zionist Organization and the sovereignty of the people in Israel are absent from the constitutional debate. In that debate, it is precisely the “exilic” images of modesty, lack of knowledge, insecurity, and unwillingness to bind future generations that appear. One might say that the political needs of the moment dictated a particular kind of argument, but it should be remembered that these arguments were fundamentally opposed to Ben-Gurion's outlook. Perhaps he saw the constitution as a document that would sever the people living in Israel completely from those living in the Diaspora. Perhaps, for him, a constitution would definitively seal Israeli sovereignty and thus also definitively seal the separation between Israel and the Diaspora. In any event, the decision not to adopt a constitution contains a pursuit of political uncertainty, a desire to defer the final definitions of the people living in Israel. The failure to adopt a constitution reveals a Jewish cultural pattern of pursuing uncertainty at a moment of complete certainty. This pattern appeared both in the Jewish creation story and at Sinai. In a lecture in 1957, Ben-Gurion said: “At the threshold of Jewish history stood three central events whose memory and influence have not faded among us to this day: the Exodus from

64 See Charles S. Liebman, “A Question of Status: The Government of Israel and the Zionist Movement,” Tefutzot Israel 23 (1985), pp. 48, 54. See also Yosef Gorny, The Search for National Identity, Tel Aviv, 1990, pp. 68–78.

Egypt, the revelation at Sinai, and the conquest of the land."[65] Let us henceforth say: Sinai and the sin of the Golden Calf, which is an inseparable part of it.

Conclusion

The Jewish creation myths, like all founding myths, have dialectical qualities. The story they tell, a story present in our consciousness, is a double one. On the one hand, it is the story of Adam and Eve's pursuit of certainty, and later that of the Israelites. On the other, it is also the story of their pursuit of uncertainty. The story of their pursuit of uncertainty was cast into shadow: it gave a positive meaning to the sin of the Golden Calf, and such a positive meaning could not be granted legitimacy by Jewish culture. Nevertheless, this face of the myth is alive and breathing in Jewish culture and finds expression in many places. As I have shown, the story of Israel's failure to adopt a constitution seems to preserve the pattern of the mythical story of Sinai and the Golden Calf. One might say that Israeli culture's sin of the Golden Calf, the failure to adopt a constitution, marks the beginning of an entire political culture of seeking to evade a decision, even in the form of a compromise. The examples are instructive. Consider, for instance, the parliamentary process by which laws are passed in the State of Israel. To a large extent, this process mirrors the Harari Resolution. The Knesset Rules of Procedure, which regulate legislation in the Israeli parliament, are a document of great constitutional importance, yet their legal standing is lower than that of an ordinary Knesset statute.[66] The Rules of Procedure are frequently amended, and many of their provisions are subject to changing interpretations of constitutional significance. The reluctance of Israeli government ministries to formulate long-term policy should also be seen in this light. In education, for example, Israel has not implemented the long-term policy necessary for a proper assessment of its results. This cultural influence is also very evident in the field of environmental protection; otherwise, it is difficult to explain the limited success of recycling programs and the faint public resonance of sustainable development programs in Israel. The cultural bond connecting all these political phenomena is the pursuit of uncertainty. In a condition of uncertainty, the focus is on the present, and there is no desire to invest in long-term plans because our very existence in the long term is in doubt. Yet the Israeli sense of uncertainty distorts the original Jewish pursuit of uncertainty. The Jewish pursuit maintains a clear separation between reality and imagination. Imagining uncertainty enriches actual life and develops sensitivities of various kinds. The Israeli sense of uncertainty, by contrast, disrupts and delays the State of Israel's physical and spiritual development. This uncertainty is not contained within the sphere of imagination but penetrates reality

65 See David Ben-Gurion, "The State of Israel and the Future of the People," Molad 15 (1957–1958), p. 219.
66 See Ariel Bendor, "The Constitutional Status of the Knesset Rules of Procedure," Mishpatim 22 (1993/94), p. 571.

through a form of intensified functioning. To free ourselves from this condition, we must once again imagine Adam and Eve's situation before the expulsion from Eden, when the concepts of home and exile were clear. As noted, Adam and Eve were expelled from Eden into the world as we know it, and this expulsion led them to imagine the world, their home, as exile. This imagination enriched their humanity, but it did not seek to replace their sense of reality or their perception of the world as home. There is great positive potential in exercising imagination, in seeing ourselves as people without a home or homeland. Yet when this imagination takes over reality, dictates political moves, and influences the state's character, it is important and necessary to restore the original separation between imagination and reality.