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# The Ethics of Protest

By NORMAN LAMM

ALMOST overnight the placid and complacent American has burst into social and political frenzy. For example, the students with whom David Riesman and his colleagues pleaded only a few years ago to aspire once again "to set the world afire," have gone ahead and done just that: they have put the torch of disillusionment and agitation to the cheerfully tranquil and compact world of middle-class America and its optimism of mild meliorism and individualism.

Social scientists have not yet provided an adequate explanation of this sudden eruption of activist students, the poor and the Blacks. But it is time to formulate some general guide-lines for a society in which unrest, agitation, and activism have become rampant. What is needed, in short, is to make a beginning in developing an ethics of protest.

Judaism has always been protesting. It has been said, whimsically, that Judaism is both "catholic" and "protestant" — provided those words are not spelled with capital letters. Judaism's interests are "catholic" in that they are universal and extend to the entire human family. They are "protestant" in that Judaism has, from its very inception, protested against greed and hate and brute force and the theory that "might makes right." It has never consented to passivity in the face of evil. It has always refused to turn the other cheek, even to Caesar, and has preached resistance to wrong and to injustice. Sometimes the will to resist has been attenuated, but when that occurred it was the result of relentless and inhuman pressure, not the readiness of accepting evil as a legitimate fact of life.

Biblical history, especially as interpreted in the Rabbinic tradition, abundantly documents the Jewish approval of protest. Noah was rebuked by the Rabbis because he was concerned only with his own moral integrity and failed to reproach his contemporaries and protest their misdeeds

when he should have done so. Abraham is noted for his iconoclasm. He smashed idols at great personal risk. Moses smote the Egyptian and aided the daughters of Jethro against the shepherds of Midian. According to Maimonides, the capacity for protesting wrongdoing is a prerequisite of the prophet. Haman planned genocide against the Jews because "their laws are different from those of every people," an observation no doubt based on the obstinacy of Mordecai "who would neither kneel nor bow." The same attitude motivated the Maccabees to revolt against the Greek Syrians. Righteous protest is a biblical precept, commanding, "Thou shalt surely rebuke thy neighbor, and not bear sin because of him" (Leviticus 19:17); the second half of the verse emphasizes the obligatory nature of the commandment. Jerusalem, the Rabbis taught, was destroyed because its citizens failed to exercise their duty to criticize one another (*Shabbat* 119b).

Perceptive non-Jews have remarked on this Jewish propensity for protest. Ernest Renan considered Jews as "a living protest against superstition and religious materialism." Jacques Maritain wrote of Israel, in 1939, that it is "found at the very heart of the world's structure, stimulating it, exasperating it, moving it. . . . It gives the world no peace, it bars slumber, it teaches the world to be discontented and restless as long as the world has not God." It is questionable whether most Jews today would recognize their roles as gadflies but the historical fact of the Jew as a "protestant" is indisputable. Jews therefore are true to their tradition when they protest against a society's morally comatose "peace."

As for the *extent* of the protest, Jewish ethics provides that there be some minimal correspondence between the wrong and the outcry it evokes.

ACCORDING to the Pentateuchal account, the deluge was the consequence of widespread corruption, particularly the evil the Bible calls *hamas*, which we usually translate as "violence." The Jewish tradition defines *hamas* as, especially, *gezel*—stealing or robbery. This was a generation which did not respect private property, one

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in which people were uninhibited in over-reaching themselves and stealing the fruit of the labor of others.

However, there was something that troubled the Rabbis, about the whole episode. Granted, they asked, that the criminals deserved destruction, but the flood wiped out *all* of mankind (with the exception of Noah and his family)—the victims as well as the criminals. What kind of morality is it that punishes the victims of a crime equally with its perpetrators?

By way of an answer, the Midrash (Genesis Rabba 31) states that both the robbers and the robbed were guilty. Those who committed the crime were guilty of robbery of property. The victims were guilty of *himus devarim*, literally, "violence of words."

How does one commit "violence of words"? Rabbi Nata Hirsh Finkel, one of the distinguished Lithuanian *Musar* (practical ethics) teachers and founder of the famous Yeshiva of Slobodka, where he was known as "der Alter" ("the old man"), even while he was yet in his forties, commented that the sin of the robbed was over-reaction. The criminal may have stolen from them less than a penny, but their outcry was of the order of a man from whom a huge sum had been stolen. They were over-indignant. Indeed, an injury was done to them, but their protest was incommensurate with the degree of that injury. This excess of the protest over the wrong was unjust. It was a form of "Violence of Words." It constituted a kind of psychological aggression, a moral assault on and abuse of a man who was less guilty than that of which he was accused. Those who were the prey of the thieves were

thus themselves culpable of a form of violence no less reprehensible because it was more subtle. The flood, therefore, destroyed all — both the physical and the psychological aggressors.

CERTAINLY there ought to be criticism and protest—but never immoderately. The ethics of protest demands that the reaction correspond to the action, the protest to the injustice, the criticism to the defect. An extravagant reaction is extremism and an act of injustice.

These last two or three years have been characterized, both in our country and throughout the world, by social and political upheavals in which overstatement has often been the prelude to mass hysteria. There is much that is wrong and corrupt in our society that deserves criticism and protest. But there has been extravagance in too many of the current political, academic, racial and economic demonstrations. Establishments, especially in a democracy, are fair game for criticism only if such criticism corresponds in some measure to the wrongs protested. That these protests are motivated by ethical fervor is no excuse. In excess, ethical fervor produces immoral results. Demagoguery and lack of civility are no less obnoxious when they are practiced by a moral perfectionist who is obsessed with his own infallibility and purity. One begins to wonder whether our country, or any country, is strong enough to survive such assaults on its social fabric.

This ethics of restrained protest is not limited to the social arena. It applies to individuals as well. There is bound to be conflict in every family, no matter what the degree of love and mutual respect. When we assert our individuality, we are

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## Max Pollak's "Two Persian Jews"

By VICTOR EMANUEL REICHERT

AT PURIM time I see upon my wall  
Two ancient, patriarchal Persian Jews.  
No hint of Shushan's victory is here  
Nothing of Mordecai's proud leer,  
No Haman hatred do these two recall.  
They have come far—this pair  
Of Persian Jews washed out of time  
From strange, forgotten places.  
They look at me with terror-stricken faces,  
Pathos is written here but not despair.  
No mirth shines from their eyes

No fun of 'Blessed Mordecai and cursed Haman'—  
The winds of Fate have blown too hard for wine  
To bring to hurt so deep its anodyne  
Yet stubborn strength their frailty belies.  
No joy is here and yet of vengeance none.  
"To them that curse me let my soul be dumb"  
Murmurs this Jew, head-bowed. The other, head  
on high  
Fierce with a Faith to match the world's reply  
Cries out: "Sh'ma, The Lord our God is One!"



liable to hurt another, even if unintentionally. Also, according to talmudic insight, "love which does not contain the element of criticism is not really love" (Bereshit Rabba 54:3). But we must scrupulously avoid over-protest. Parents have an ethical obligation to object to their children's mistakes, but they must not over-complain. If they do, they sin against their children. The same holds true for husband and wife. Their reactions should be commensurate with actions. When a spouse over-reacts there is bound to be trouble.

Over-protest is disruptive and an offense against truth.

WHEN my complaint far exceeds my injury, it arouses false sympathy. It is told of the Besht, the founder of Hasidism, that a woman once came to him in tears, and poured out her heart before him. Her husband was deathly ill, and in great pain. He did not cease to groan and to cry, and his weeping left her heart utterly broken. The Besht accompanied the woman to the bedside of her husband, and there he observed the patient writhing in pain, crying out, lamenting his misery. The Besht, bent over the sick man and whispered briefly into his ear—and the man became a model patient, with hardly a whimper and barely a complaint. His disciples asked the Besht: What did you tell him? The Besht answered: "I whispered into his ear a verse from the Torah—'Thou shalt keep far from any false thing.' The patient understood that his crying,

which was in excess of the actual pain he experienced, was a form of falsehood. When I reminded him of this, he stopped."

The ethics of protest requires us to criticize evil in unmistakable terms. But it bids us not to do so out of proportion.

True criticism, said the philosopher-poet Yehudah Halevi, is such that you reprove with the intent to improve the object of your demonstrations (*Kuzari* 5:20). It is quite possible that American democracy and society cannot survive. But we must not permit it to be killed off by the sheer extravagance of over-protest.

One man's over-reaction is another's restraint, and vice-versa. Other ethical principles must be invoked, therefore, so as to determine the right course in any situation. For example, the reprisal raid by Israeli commandos against the Beirut airport, which resulted in \$100 million damages, *might seem* an over-reaction to the attack by two Arabs against a single El Al jetliner in Athens. This, in fact, was at the heart of those who criticized Israel. But it ignored the ethical principle that money, no matter how much, counts for less than one human life. In the context of a scale of values that prizes life more than money, the Israeli raid was moderate—and the U. N. reaction was over-reaction.

The insistence upon parity and the rejection of extravagance in protesting is, as I see it, a prerequisite for formulating an ethics of protest.

# Kafka: The Loneliest Jew

By FREDERICK PLOTKIN

THE colloquial question "Is the artist crazy or am I stupid?" is a helpfully simple summary of most studies of Kafka written in the last ten years. That Kafka is among the most neurotic of literary artists goes without saying. It accounts, mainly, for the menacing impact of his fantastic symbolism on the readers of his novels and stories and for his drastic departure from the traditional, well-defined norms of the literary imagination. For all its obviousness, however, the fact of Kafka's neuroticism presents a danger, if not a vulgar temptation, to the unliterary mind which

tends to confuse a fact so patent with critical judgment and appraisal.

To avoid that common error, it is above all necessary to perceive that Kafka is something more than a neurotic artist; he is also an artist of neurosis, that is to say, he succeeds in objectifying through imaginative means the states of mind typical of neurosis, and hence, in incorporating his private world into the public world we all live in. He is also an extraordinary Jew in a secular world.

The basic structure of Kafka's novels and stories is clear: the hero or anti-hero always falls out of a finite, apparently firmly established order; suddenly and terrifyingly, there opens up before him the totality of existence through which

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