

English Abstracts

Fascism as a Political Community of Experience: Following Walter Benjamin's Political Phenomenology

David Ohana

Many theories of Fascism rose prior to, during and after World War II. The author proposes a new theory. In this paper, the essence of which is an analysis of "Fascism as a Political Community of Experience." This theory is based on the insights of the sociologist Ferdinand Tönnies (*Gemeinschaft*), the historian George Mosse (*Bund*), the author's terminology (*Nihilist Order*), and mainly those of Walter Benjamin. In a series of articles, Benjamin drafted an outline for the phenomenological aspects of Fascism that was composed of five elements: permanent violence; revolutionary dictatorship; nihilistic heroism; nationalism in the Age of the Masses; modern technology.

Benjamin regarded Fascism as a political culture that strove to construct a community of experience by means of socialization, ritualization and mobilization of the masses. War, nationalism and technology played central roles in the constant political mobilization that consolidates the regime acting in a permanent state of conflict. At the core of this sociological, political and cultural phenomenon is the collective experience that serves as a communicational experience amongst its members. This organizing experience has no need of uniting ideological values but derives its power from radicalism without content. Fascism is born from the time that this experience of communal activity is politicized.

**Public Relations of Death:
Conflicts of Memory in a National Memorial Site: Mount Eytan
Museum**

Zeev Drory and Udi Lebel

In light of the nationalizing processes that have occurred in all walks of Israeli life, it is fascinating to discover that the domain of collective memory has not turned into a "hegemonic site." Widespread agreement exists regarding the consolidation of other domains expropriated from open public discourse (from "market forces"), placing their status beyond the realm of controversy and public debate (for example, a unified military, a comprehensive social welfare system, state direction of immigrant integration). The political elite, of course, strove to turn these spheres into consensual institutions whose status rose above political divisions and communal boundaries. This is a natural aspiration of any group that attempts to reproduce its ruling status. The Israeli political elite, in fact, began to circulate packaged interpretations of the past with an intensity that is possible for a governing party controlling communal channels of communication. However, it appears that beyond the Establishment's rigorous formulation of memory, which sought to paper over the political fragmentation in Israeli society, the sphere of collective memory began to develop in a privatized manner. These latter efforts were de-centralized, uncoordinated, and given to whole-cloth and sometimes conflicting interpretations by their originators, which included non-profit commemorative associations, organizations originating in army units, memorial communities and interest groups of various sorts. Their initiatives occurred, of course, alongside official versions that had been carefully drawn up by appointees for memorial formulation. Over the years, many actors appeared in the field who chose to filter and emphasize, to interpret and assimilate various meanings for different events, according to the particularistic tradition characteristic of their military frame of affiliation.

Against this background, in 1982 the Government initiated an interesting proposal to establish a National Memorial site on Mount Eytan, close to Jerusalem. While the process of state-approved privatization in Israel was in its incubation

stage following a long period of nationalization and statism, in the sphere of collective memory, where privatization had emerged de facto at a very early stage of the State's history, policy makers were opting for the opposite process, namely, the halting of a pluralistic process of commemoration and its nationalization, in a controlled and agreed upon government framework. For fifteen years, this decision found expression in actions taken by the administrative offices and the curator and designer team of Mount Eytan, but it never reached the implementation stage.

In 2002, despite the impressive ground-breaking ceremony with the participation of many State leaders, and despite the commitments of various governments through substantial financial investment, allocation of personnel, salaries, and public tenders for future construction, the project reached a dead end. The discussion concerning the content and exhibit format of the Mount Eytan Museum was a debate about a museum that did not come to fruition, and — in the view of the writers of this article — will never materialize. A central reason for this may be attributed to the fact that this discussion was weighed with symbolic meaning characteristic of a society that is distancing itself from the symbols that once marked the process of nation building. What was required were not uncompromising appeals to partisan symbols of the past, but rather a discussion in which agreed formulations arrived at a "middle ground" capable of bridging all the disparate elements.

Jewish Democracy and Democratic Judaism in the Thought of Rabbi Abraham Isaac Kook

Moshe Hellinger

The question of the strained relations between Judaism, as perceived by its Orthodox interpretations and liberal democracy has supreme relevance in the Israeli context today. Of particular importance in this regard is to Rabbi Abraham Isaac Kook (1865–1935), whose thought is highly regarded in religious Zionist circles. Two variant models can be developed from Rabbi Kook's thought: Jewish Democracy, and Democratic Judaism.

The first model is based on a collectivistic and particularistic infrastructure. The emphasis is on the exclusivity of the Jewish people and on the messianic nature of the Israeli politics. These positions make it possible, at most, to adopt a distinct Jewish democratic approach that falls short of minimal liberal democratic principles such as personal freedom and equality.

Rabbi Kook also laid the foundation for a universalistic approach, on which an attitude of respect for the welfare and dignity of every human being can be developed, regardless of religion and ethnicity. At the same time, Rabbi Kook regards basic liberal democratic principals such as the rule of law and religious tolerance, in a very positive light.

The interpretation of Rabbi Kook's thought on these issues by rabbis and politicians within religious Zionist circles may have impact on Israeli politics in the near future.

Basic Paradigms of Medieval Jewish Political Thought

Menachem Lorberbaum

This paper examines the position espoused by Judah Halevi's *haver* in the *Kuzari* on the one hand, and the position elaborated by Maimonides in *The Guide of the Perplexed*, on the other, as two model theories of medieval Jewish political thought. The fundamental difference between them concerns the nature of Jewish collectivity.

According to the *haver*, the charismatic identity of the collective precedes the political institutionalization that serves as its expression. Whereas, according to Maimonides, the collective is conceived of in legal-political terms as it is the political institutionalization that constitutes the collective. Each of these theories implies a different attitude to politics. The *haver* develops an anti-political theology as part of a larger claim regarding the providential superceding of the natural. Whereas, according to Maimonides, the political precedes the human quest for religious perfection — both naturally and temporally.

Two Models of Academic Freedom: The Case of Israeli Universities

Yitzhak (Yani) Nevo

The aim of this paper is to raise the issue of academic freedom, and to inquire into its principled justification, the challenges it faces in the Israeli context, and the possibilities of its realization in a changing institutional framework. Academic freedom is a compound ideal with complex historical roots. Unlike freedom of speech as a civil liberty, academic freedom constitutes, where it is granted, a positive right that is based on the professional identity of academic staff, and is not a negative and universal right. In other words, it is a right that requires societal resources for its implementation, and not merely (as negative rights do) governmental or institutional noninterference. Furthermore, the rights of faculty members to freedom in research and teaching while putting social resources to use (individual academic freedom), and the right of academia at large to manage its own affairs (institutional academic freedom) are bound together in ways that are theoretically problematic. A general account is required of how these two issues are related, and how both aspects of academic freedom are related to more general principles of public management.

To discuss these issues, I shall present two distinct models in which academic freedom can be understood and justified: one, a civil-educational model that ties academic freedom to the role played by modern universities in a democratic society; the other, an epistemological-utilitarian model, in which academic freedom is accounted for in terms of its function in promoting academic research interests. As we shall see, these two models have entirely different implications. In the first of these models, institutional academic freedom is tied directly to individual freedom. However, ethical and "educational" limitations on academic freedom are implicit in this model, which may lead to undue pressures on academic research. In the second model, academic freedom is justified in terms of its epistemic utility, and it is broader in scope than the academic freedom that is justified in the civil-educational model. In this model, however, there is no direct link between the individual and the institutional levels of that liberty, and the protection of the

individual liberty in question can be conceived as entrusted to other constitutional guarantees.

The question remains open as to whether or not individual academic freedom can survive without institutional academic autonomy in the Israeli environment, where a stable constitutional framework is missing, where there is no separation of Religion and State, no Bill of Rights or full separation of powers, and few other democratic checks and balances. This question is particularly poignant at the present time, since radical changes are proposed in the 1958 law of the Council of Higher Education on which the autonomy of Israeli universities is founded.

At a Crossroads: Israel between Honor, Dignity, Glory and Respect

Orit Kamir

This paper offers a frame of reference for analysis and discussion of Israel's fundamental moral values, social and legal trends, deepening conflicts and ideological schisms. This frame of reference is based on a deep scrutiny of the Hebrew concept *kvod ha-adam*, which was constituted in 1992 as the core of Israel's value system.

History demonstrates that at a historical turning point a society may choose to declare a certain value or set of values as its fundamental constitutional core. The collective declaration of a new fundamental value is often indicative of a dramatic sociocultural transformation. Due to complex historical circumstances and political constraints, Israel has no formal constitution. Instead, Israel's parliament, the Knesset, has legislated sporadic "Basic Laws," and only in 1992, after long and dramatic deliberations, did it finally succeed in passing a basic law that is often considered to be the country's Bill of Rights: *hok yesod kvod ha-adam ve-heruto*. The Basic Law is officially translated to "Basic Law: Human Dignity and Liberty."

But while the Hebrew *herut* is easily translated to "liberty," the translation of *kvod ha-adam* to "dignity" is substantially inaccurate, concealing the Hebrew term's full range of meanings. The translation of *kvod ha-adam* to "human dignity"

conveniently associates the Basic Law with the 1948 Universal Declaration of Human Rights. But in fact, although the combined phrase *kvod ha-adam* does indeed connote "human dignity," the word *kavod* is also the *only* Hebrew term for "honor," "glory" and "respect." In Israeli culture and society, as well as in Israeli law, human dignity (*kvod ha-adam*) is, therefore, inseparable from — while sometimes at variance with — these other values, representing distinct sentiments and value systems. Rather than ignoring this complexity, this paper suggests that the exact meaning of each of the concepts associated with *kavod* in Israeli culture, society and law be investigated, as well as the interactions between them and the unique multilayered concept *kvod ha-adam*. This investigation is offered as a solid basis for a viable frame of reference for the analysis of the Israeli society and legal system.

This paper is a part of a larger project aimed at addressing a variety of social, cultural and legal questions, as well as developing the theoretical concepts of honor, dignity, glory and respect cultures. Focusing on honor and dignity, the paper embarks on this discussion by substantiating the four distinct meanings of the word *kavod*, thus also portraying the conceptual distinction between the four categories of honor culture, dignity culture, glory culture and respect culture. The paper then fleshes out the argument that the Zionist movement and state chose an honor rhetoric (rather than a dignity oriented one). The paper suggests that in the enactment of the Basic Law, *kvod ha-adam ve-heruto*, the Israeli parliament may well have intended to establish human dignity as the country's fundamental value. But the concept's multifaceted nature enmeshes the Basic Law's human dignity with honor, glory and respect, giving rise to recurring misunderstandings and conflicts. The paper concludes with the proposal to integrate the suggested perspective into Israel's sociolegal discourse, in order to better work out the full implications and consequences of *kvod ha-adam* in the Israeli reality.