

BOOK REVIEWS

Gad Barzilai, *Communities and Law: Politics and Cultures of Legal Identities* (Ann Arbor: University of Michigan Press, 2003), pp. 370, \$65.00 (cloth).

Yonathan Shapiro Prize for Best Book in Israel Studies, 2004 (awarded by the Association for Israel Studies)

An established but burgeoning line of legal research examines the intersection between law and culture, challenging the traditional assumption that law is autonomous from and functions independently of culture. Growing out of an interdisciplinary perspective, reliant on multi-faceted methodologies, and emphasizing the constitutive character of law, this research suggests not only how legal institutions and rulings shape cultural practices and consciousness but also how cultural practices and consciousness shape the law. In *Communities and Law: Politics and Cultures of Legal Identities*, Gad Barzilai contributes to and broadens this line of research. A prolific scholar of Israeli law and politics, Barzilai develops a critical communitarian approach that highlights the importance of non-ruling communities and how these communities prove to be both generators and carriers of legal cultures. Barzilai's contribution is thus founded in more than the rich case studies he offers.

Arguing that "communities are crucial pillars in the conjunction of law and politics" (2), Barzilai critiques liberalism's emphasis on individualism and its neglect of community. Through an in-depth exploration of three non-ruling communities in Israel—Arab-Palestinians, feminist women, and ultra-Orthodox Jews—Barzilai seeks to correct this neglect by examining how non-ruling communities mobilize and resist state law.

While non-ruling communities provide the empirical focus of his investigation, Barzilai does not understate the significant, and indeed hegemonic, power of the state. On the contrary, the author emphasizes state domination in general and state-produced legal ideology in particular as forces that constitute legal identity and consciousness. Influenced by Marxism and neo-Marxism, Barzilai argues that states are to be understood as hegemonic producers of legality and culture.

Notwithstanding this attention to the hegemonic character of state law, culture, and ideology, Barzilai sees space for resistance to the state's assertion of legality. He suggests that while non-ruling communities are neither internally monolithic nor autonomous from the state, and while they are constituted by state-centered legal ideology, they are also sources of legal cultures that may generate resistance to the state. Following Foucault, as well as theorists who examine practices of law in everyday life, Barzilai perceives state law through a "decentered framework of fragmented power and legal cultures" (22). Combining this view with his caution against understating the power of state domination, Barzilai's critical communitarianism aims to accomplish a critical rejuvenation of "the notion of community as a source of empowerment, participation, and counterhegemonic action without, at the same time, neglecting structuration and social class theories of state domination" (53). Barzilai thus sits at the constitutive intersection between the state and non-ruling communities, an intersection that attends to the dynamic and mutually constitutive interaction between state domination and the legal practices of non-ruling communities.

Barzilai approaches his goal of rejuvenation first by detailing state legal culture in Israel. He traces several components, including how state law frames the concepts of the preferred citizen, patriotism, the rule of law, and national security. He also explains the central and increasingly hegemonic role of the High Court of Justice, arguing that transnational liberalism has contributed to the Court's growing hegemony.

Following his examination of state legal culture, Barzilai offers an empirically rich account of the three non-ruling communities, emphasizing the legal consciousness and identity practices of each. Within each account, Barzilai illuminates the presence and articulation of communal, though not monolithic, consciousness and identity, constituted by and in opposition to state legal culture. In his exploration of Arab-Palestinians, for example, Barzilai shows a non-ruling community with a "distinct, collective, legal culture partly functioning as a counterhegemonic force against fantasies of liberalism and global culture" (144). Examining Jewish fundamentalism, Barzilai likewise finds distinct legal cultures and consciousness that "coexist, cooperate, and collide with the modern state and its laws" (275). Owing to state-community relations, the legal cultures of non-ruling communities have become, Barzilai tells us, complex and diversified.

A short review cannot fairly capture Barzilai's portrayal of these non-ruling communities or the conclusions drawn from his detailed—though at times opaque—empirical investigation. But in a partial summary of his analysis, Barzilai explains the complex and diversified character of these communities:

In all three instances, nonruling communities have retained their particular meanings at legal and sociopolitical junctures. Within each community, a diversity of identities and practices has continued to exist although, contrary to liberal anxieties, nonruling communities are not necessarily traditional. As my interpretation of

critical communitarianism has suggested, by generating modes of social existence, consciousness, identities, and practices under state domination, communities have produced manifold collective goods. Within this context, Israeli Arab-Palestinians, feminists, and Jewish religious fundamentalists have articulated their unique collective experiences, memories and legal practices and protected them from state law with comparable complex legal cultural forms of evasion, (counter)mobilization, cooperation, conflict, and resistance. (283)

Drawing in part on the complexity of non-ruling communities, Barzilai warns against the importation and imposition of transnational liberalism and its conception of individual autonomy and rights. According to the author, liberalism stands in conflict with the communal liberties and rights of non-ruling communities. What's more, liberalism's push for equal rights has not succeeded in generating such rights for non-ruling communities. Criticizing liberalism and individualism, Barzilai contends that the achievement of democratic justice requires the protection of non-ruling communities as collective entities. Barzilai thus asserts his critical communitarian approach—or, put otherwise, his communitarian criticism of liberalism (39). This approach doubts that individualistic liberalism can serve the needs of non-ruling, and especially non-liberal, communities, and criticizes liberalism's failure to attend to the empowerment of such communities. "But, much more importantly, critical communitarianism enables [Barzilai] to explore how liberalism is directed toward subduing these communities, eroding their communal boundaries, and disempowering their counterhegemonic role in democracies" (34).

Defenders of liberalism and individual rights will undoubtedly take issue with Barzilai's critical communitarianism. And there may indeed be grounds for challenging his approach, especially given his willingness to accept its consequent, namely, cultural relativism. From a critical communitarian perspective, Barzilai tells us, one can discern the vital role cultural relativism plays in democratic political culture. What Barzilai does not tell us, however, is how cultural relativism can be harmonized with his own acceptance of the view that individual rights remain vital to democratic rule.

Barzilai nonetheless makes a notable case for critical communitarianism. While an assessment of that case is beyond the scope of this review, Barzilai's argument for critical communitarianism will not, and should not, go unnoticed. For communitarians, the theoretical and empirical research offered in *Communities and Law* provides a substantial contribution. For liberalism, this research poses a challenge that merits consideration and response. But Barzilai's work should not be read only by those interested in the debate between communitarians and liberals. His contribution should also be of interest to those who study legal culture, consciousness, and identity, and to those who examine how legal mobilization shapes and is shaped by hegemonic legal structures and ideologies.

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Michael Keren, *Zichroni v. State of Israel: The Biography of a Civil Rights Lawyer* (Lanham, MD: Lexington Books, 2002), pp. 218, \$75 (cloth), \$26.95 (paper).

The treatment of history as a series of biographies is particularly manifest in periods of rapid change. Against the backdrop of the Industrial Revolution, for instance, the Romantic imagination was preoccupied with the notion of the Hero (etymologically meaning a being who is at the same time divine and human). In Thomas Carlyle's famous words, "Great Men are the inspired ... texts of that divine Book of Revelations, whereof a chapter is completed from epoch to epoch, and by some named History." Figures of unusual accomplishment who have left indelible marks on their own and on future generations are few but well chronicled. More numerous, and perhaps as important, are the less well-known path-blazers who challenge conventional norms in the name of new ideas and arrangements whose time has come, thereby inspiring others and emboldening them to follow suit. Such avant-gardists are not necessarily distinguished by original thought or spectacular deeds. Rather, they are endowed with strong-willed persistence and the courage to stand in opposition, sometimes alone. Whereas 'great men' are recognized by future generations for their unique historical contributions, the vanguard are all too often ignored once what they fought for has come to represent wider groups. This has certainly been the case in Israeli studies. The contributions of Ben-Gurion, Menachem Begin, and other members of 'the generation of giants' of the country's founding and development have been explored in numerous scholarly works. Michael Keren's study of Amnon Zichroni, in contrast, is among the very few devoted to an actor of the other kind: an unsung pioneer in the effort to move the state established by the founding fathers in the direction of greater liberalism, what has recently been referred to as (to quote the title of the volume edited by Peled and Ophir) the transition "From Mobilized to Civil Society."

In the first chapters Keren chronicles the process that gradually transformed Zichroni from an isolated individual in rebellion against the authorities and society at large into a prominent civil rights lawyer situated at the intersection between society and the state. Already in high school he had stood out as a 'lone wolf'. He failed to join any of the youth movements, did not participate in school drama productions, and distributed leaflets on behalf of the revisionist Irgun rather than the mainstream Haganah. Yet his full-fledged revolt started only after graduation, with his refusal to serve in the army for conscientious reasons. In the newly established and still threatened Jewish state, where government was perceived as a source of individual as well as collective freedom, this was a taboo-breaking act that pitted Zichroni against the Israeli polity and the moral consensus that lay at its foundations.

The shift in his position took place with his decision to take part in the political discourse over the nature of government and its policies rather than to persist in his effort to absolve himself from them. In the mid-1950s, he joined a small group of eccentrics whose support of universal brotherhood,

pacifism, and other 'outlandish' causes was expressed mainly through distribution of leaflets, street-corner preaching, small demonstrations, and the formation of organizations that invariably split up over obscure ideas. Toward the end of the 1950s, Zichroni graduated from law school, married, and began his career as an attorney. Though for a time he still associated himself with the "street aliens" (55–56), his political activity underwent a significant change once he joined Uri Avnery as the parliamentary secretary of a new party, New Force, which won one Knesset seat in 1965 and two in 1969. Though "in a very real sense [Zichroni] was still operating on the fringes of society, he was now fighting battles ... within the institutional system" (73–74). An anti-system party that did not fit any traditional classification, New Force waged relentless battles against corruption, bureaucratic arbitrariness, and the intrigue and wheeling and dealing of day-to-day politics. It was, Keren argues, a party that pursued the standards of perfection worthy "of those who gave their life for the establishment of the state" (82). And yet the first clause in its platform pledged allegiance to the state and called for the re-inforcement of its armed forces. Indeed, on the eve of the Six-Day War, Zichroni wrote Prime Minister Levi Eshkol a letter admitting that under the new circumstances he saw no choice other than to serve in the army. His thinking reached its full maturity following the electoral failure and demise of the New Force Party in 1973. Henceforth, Zichroni distanced himself more and more from direct political activity, transferring his campaign on behalf of civil rights to the legal arena.

The chapters devoted to Zichroni's career as a civil rights lawyer are divided thematically: his activity against religious coercion, in support of the freedom of speech and association, against the arbitrary use of state power in the Occupied Territories, on behalf of Israeli dissenters who sought to hold talks with the PLO despite laws banning such exchanges, and as defense attorney for individuals charged with security crimes. Though the issues are varied and each case is unique, Keren points to several common attributes. Zichroni specialized in litigating against the domination of society by the state and the arbitrary use of government power. This, however, did not mean that he served the opposition. Rather, he maintained a politically independent stance that served him in good stead. In Keren's words, "the more trustful the government became of him, he more he pursued his independent role as a bulwark against the hegemony of government over its citizens" (195). It was this virtuous circle that rendered him one of the most influential representatives of Israeli civil society.

The final chapter changes perspectives to consider Zichroni as a representative of the professional class. Keren points to an intimate interaction among economic, social, and political developments. Economic development necessitates a rapidly increasing number of professionals to produce, apply, and distribute the knowledge necessary for the operation of increasingly sophisticated organizations. This, in turn, leads to the formation of horizontal bonds of trust and co-operation within professional groups, and to the vested interest shared within and among them to ensure an environment in which knowledge

can evolve and be applied. This means the evolution of a political culture that fosters civil rights and legal limitations and safeguards against state power. For Keren, this not only explains the correlation between liberty and the development of the professional class, but also serves as a prescriptive model in which the social and political involvement of professionals balances the growing force of the state and the market. No profession, Keren argues, “can be defined as ethically or politically neutral. The survival of every profession rests on a set of demands which require a political awareness similar to that of any other social or political group in society” (198). It is in this sense that he urges a refinement of the common image of civil right lawyers, from that of the lone sheriff saving society from powerful villains to that of the guerrilla fighter who depends on the support of the society on whose behalf he wages war.

Some critical comments are in order. Zichroni’s support of the Irgun may have sprung from the same non-conformism that lay behind his conscientious objection. However, the former was based on a nationalist, militaristic ideology, and the dramatic switch calls for some explanation. Also, the final, theoretical chapter is all too brief. One would have liked to see it further developed and compared to theories of democratization in new states, such as that offered by Larry Diamond. Here and there one finds some sloppy editing, such as “Chmielnicki led a rebellion of Cossacks in a rebellion” (17). Such criticisms, however, do not detract from the importance of Keren’s novel perspective and the light it throws on processes of change still at work. His is an important and welcome contribution to the literature in Israel studies.

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Yosefa Loshitzky, *Identity Politics on the Israeli Screen* (Austin: University of Texas Press, 2001), pp. 226, \$50.00 (cloth), \$21.95 (paper).

This book joins in the discourse on contemporary Israeli identity by examining the arena of Israeli cinema. Just as Israel is a society in search of identity, the author writes, so too is Israeli cinema in search of new forms to represent various emerging identities. Yosefa Loshitzky’s analysis of the identity debate in Israeli cinema focuses on three major themes: the representation of the Holocaust, considered the main formative force in the shaping and construction of Israeli identity; the role of the Orient and Orientalist discourse in Israeli films portraying Sephardic Jews; and the construction of Israeli vis-à-vis Palestinian identity, primarily expressed in films portraying ‘forbidden love’ between members of the two communities. Loshitzky considers these three identities as inter-related, perceives a strong sense of victimhood in the films she observes, and consequently characterizes the negotiation over identity in Israeli society as a “competition over victimization” (xiv).

The first theme includes films such as Orna Ben-Dor's 1988 documentary *Because of That War*, about Yehuda Poliker and Ya'acov Gilad, two popular musicians and sons of Holocaust survivors, and their relations with their parents. The film played an important role in the formation of a new identity for second-generation Holocaust survivors in Israel. The author, a child of survivors herself, considers the adoption of that new identity to have been a normalizing and humanizing experience, which emerged in response to the alleged abuse of the memory of the Holocaust in the Israeli public sphere and the rejection and repression of Holocaust survivors by "Israel's statist and anti-diasporic ideology" (33).

The second theme is represented by films such as Hanna Azulay Hasfari and Shmuel Hasfari's 1994 *Shchur*, an experimental fantastic-realistic film about a young Israeli woman of Moroccan origin struggling with her family's ethnic rituals and traditions. The spectator, writes Loshitzky, facing an ambivalent ideological reality, is deprived of the outsider's privileged status that characterized the viewing of films about Oriental Jews in the past. We are thus faced with "a diasporic film that challenges the repression of ethnicity in official Israeli discourse" (77). Moreover, she sees the film as a blow to "the hegemony and homogeneity claimed by the Israeli nation-state" (89).

The third theme includes a series of films such as Daniel Wachsmann's 1982 *Hamsin*, which depicts an erotic relationship between a Palestinian man and a Jewish woman. The film, writes the author, touches upon the core of the Israeli-Palestinian conflict as it deals not only with a political taboo (the ongoing expropriation of Arab land by Israel), but also with the ultimate taboo of inter-racial love. It thus provides a critical and pessimistic look at the deep structure of the Israeli-Palestinian conflict. The author takes cinematic narratives of forbidden love between Jews and Arabs to constitute "a further expression of the dominant Jewish voice, namely the voice of fear" (158) associated with colonial powers.

On all three fronts, then, Loshitzky sees Israeli cinema representing the search of new identities by social groups escaping a dominant, mainstream, statist, anti-Diasporic, repressive, official, hegemonic, homogeneous, fearful, colonial, Jewish identity. But what does that identity consist of? The author's answer seems to lie in her analysis of Otto Preminger's 1960 film *Exodus*. Loshitzky describes the protagonist, Ari Ben Canaan (played by Paul Newman), as the ultimate external validation of a fantasized Sabra identity. Viewing the film as an enactment of the biblical narrative of the exodus in support of the Zionist project and the elimination of the Palestinian question, Loshitzky declares it "a conscious cinematic attempt to turn history into a contemporary Zionist myth in order to create a new national tradition of modern Israeli society" (2).

The analysis of *Exodus* in this book deserves some attention because it sheds light on the difficulties involved in constructing imagined identities on the basis of film studies. The author takes for granted the association between this mediocre American melodrama and the ways in which native-born Israelis

imagined themselves. She claims that although *Exodus* is not an Israeli film, it became an inspiring model text for the heroic-nationalist genre in Israeli cinema. Paul Newman, she says, became a model of pride for Israeli and American Jews and a shaper of a “new Israeli” personified by the Ashkenazi male.

For the sake of ‘fair disclosure,’ let me reveal that I appeared in *Exodus* as one of hundreds of children who are cheering when Lee J. Cobb, playing a member of the Jewish Agency’s Executive Committee, announces the United Nations’ partition resolution of 1947. As I recall, the children assembled in the Russian compound in Jerusalem that evening for the shooting of the scene were mostly the sons and daughters of immigrants from Eastern and Central Europe living in central Jerusalem, some of whom have indeed become members of the Ashkenazi elite in Israel, but whose imagined community at the time hardly embraced Paul Newman, or for that matter co-star Eva Marie Saint, who seemed as remote as the stars in heaven.

An analysis of the images prevailing in the high and low culture that those children consumed at the time—in the forms of the literature they read, the poems they quoted, the films they liked, the lectures they attended, and the conversations they held—may reveal, for instance, a stronger consistency of cultural identification with the character of Dov Landau, the tortured, abused, fearful Holocaust survivor played in *Exodus* by Sal Mineo. Dov’s existential fears, alluded to by his fellow Holocaust survivor Karen, played a more significant role in the young minds of the children cheering in the Russian compound that evening, I suspect, than any Sabra mythology (which may also explain why these children were far more attentive to the testimonies given a few blocks away in the Eichmann trial than could be expected on the basis of many cultural studies).

It has been commonplace to point at mythological elements associated with the film’s protagonist, Ari Ben Canaan, especially during his first appearance in the film when he emerges out of the waves of the Mediterranean. But this is still a far cry from what Loshitzky sees as his depiction as a masculine ‘noble savage’ born from the sea and, from the view of the Sabra generation, shaped in that image. Despite the influence of Moshe Shamir’s biographical novel *With His Own Hands*, in which he described his brother Elik, who was killed in the War of Independence, as “born from the sea,” neither Elik nor Ari Ben Canaan lacked Diasporic religious, ethnic, and social roots. For one thing, director Otto Preminger did not spare Paul Newman a stereotypical Jewish mother, whose main concern, when he arrives home by surprise with his Presbyterian girlfriend, Kitty, is that there is not a bite to eat in the house.

On a more serious note, one must consider the context in which the fictionalized *Exodus* story takes place, that of refugees facing a mighty colonial power. As much as Loshitzky attempts to portray the sailing of the *Exodus* as an exploitation of Holocaust survivors for the advancement of the Zionist cause, the human plight of those survivors cannot be denied. The film’s protagonist, leading the *Exodus* operation, relates to it by scheming, manipulating,

calculating risks, seeking international sympathy, and using diplomatic measures and other survival tactics that were traditionally associated (as Akiva, the Irgun commander, makes sure to remind him) more with the image of the 'old Jew' than with that of "a Greek God reborn as Hollywood star" (2).

Attempting to show that *Exodus* supports a Zionist interpretation of the biblical Exodus myth while suppressing an optional reading of the biblical narrative as one of "conquest, colonization, and domination (the ethnic cleansing and oppression of the native Canaanites and, by implication, of the indigenous Palestinians)" (3), Loshitzky ventures to describe Jewish-Arab relations in the film, especially the burial in a common grave of Taha the Arab and Karen the Holocaust survivor, as "a legitimization of Zionism through the symbolic annihilation of Palestinian identity" (9), or as an acknowledgement "that the Zionist state was established on the graves of the Palestinians and the Holocaust survivors" (9). To the author, "Taha and Karen must die because they 'contaminate' the Zionist project of creating a 'new Jew'" (9). This polemic is not adequately supported, because it ignores the many references in *Exodus* to Arab-Jewish reconciliation.

Rachel Weissbrod points out that Preminger relied upon screenwriter Dalton Trumbo, author of the pacifistic novel *Johnny Got His Gun*, which inspired a universal message of peace and brotherhood (Weissbrod 1999). *Exodus* does not ignore this message, although Loshitzky does. A plea for tolerance resonates throughout the film: in the soliloquy of Ari Ben Canaan about the need of people of all faiths to recognize and respect each other; in the speech by his father Barak calling on Jews to respect the Muslim belief in Allah; in the emphasis on the brotherly relations between the Jewish Ari and the Palestinian Taha, despite their adherence to their respective peoples' national aspirations; and in Ari's sermon over the grave of Taha and Karen. In that speech he expresses his urge to "howl like a dog." His deep frustration stems from the realization that while both Jews and Palestinians are entitled to an honorable and peaceful national co-existence, many more young lives will be lost before co-existence prevails. My point is that it is unacceptable from a scholarly perspective, and perhaps also unwise from a political perspective, to ignore the clear and sound message of a film calling upon Arabs and Jews to share not in death but in life.

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References

- Weissbrod, Rachel. "Exodus as a Zionist Melodrama." *Israel Studies* 4 (1999): 129–152.

Michael Oren, *Six Days of War: June 1967 and the Making of the Modern Middle East* (New York: Random House, 2003), pp. 341, \$30.00 (cloth), \$16.95 (paper).

This is a comprehensive and readable account of events that had a profound impact not only on the Middle East but on all countries dealing with the region.

Michael Oren set out to write the definitive history of the June 1967 Arab-Israeli War, and he has done a masterful job of recounting and analyzing the events and their origins. His research, particularly the interviews he conducted, produced much information never before published in English. The book is particularly useful for its insiders' accounts of the deliberations among Israel's leaders and for its illumination of the dilemmas that both Israel and the United States faced in trying to decide what the latter would do on Israel's behalf as war loomed.

In particular, American reluctance to give a commitment to force open the Strait of Tiran after Egypt announced its closure was a bitter disappointment to the Israelis, who regarded this reticence as a failure to honor a US commitment given to Israel in 1957. A close reading of the documents from 1957 shows that there was no American commitment to use force, but the Israelis chose to think that it was implicit in the American promise to exercise the right of free and 'innocent' passage in the Strait, which the United States considered an international waterway. The United States, in the person of Secretary of State John Foster Dulles, did acknowledge, however, Israel's right to use force under Article 51 of the United Nations charter to re-open the Strait, if Egypt closed it.

Those of us in the US foreign policy establishment at the time knew that we would have to do something sooner or later, but our efforts to rally a group of maritime nations to issue a declaration supporting free passage in the Strait and to assemble a flotilla that would enforce passage led nowhere. We had nothing else to suggest except patience and forbearance. The Israelis decided not to wait for us to come up with something better, and struck.

One point that Oren does not illuminate is the extent to which Israeli timing was affected by the announcement that the Egyptian vice-president, Zakaria Muhieddin, was going to Washington on 5 June 1967, Israel feared, not unreasonably, that a compromise at its expense might result. If the Egyptians had a concession to offer the US (and it was not clear that they did), it was perhaps to refer the matter to the International Court of Justice at The Hague, an action that the United States probably would have supported. The Court probably would have ruled that the Strait was an international waterway, thereby relieving Egypt of the necessity of enforcing a blockade. This assumes that President Nasser was looking for a way out of the problem he had created by closing the Strait. Those are a lot of suppositions, however, and the basic assumption that Nasser was seeking a resolution would not have had many buyers in Cairo in June 1967.

We know more about the inner workings in Cairo than we do about Moscow. The memoirs of a variety of Egyptians and reports by Egyptian journalists and writers have already given us a good deal of information about what was

going on beneath the surface in Cairo, but it would be useful to see if the documents in the archives tell us why Nasser elected to confront Israel at that point and when he realized that his army was not up to the task. There has been much less in the way of memoirs from Moscow; it would be useful to finally know Soviet intentions in distributing the false Soviet intelligence report about Israeli troop concentrations on the Syrian border.

Syria remains a black hole out of which no illumination escapes. Its role in the war was secondary, but it bears considerable responsibility for actions that provoked the crisis. Questions persist as to its possible responsibility for the Soviet intelligence report and as to why, as Oren graphically recounts, the defense of the Golan Heights suddenly collapsed after an initial fierce resistance to the Israeli invasion. Oren's account of the arguments among Israel's leaders about whether to attack the Golan is sobering for what it says about the territorial dimension in Israeli thinking.

There are the inevitable minor factual errors in the book, none of which affect the substance, but some of which require attention in the name of historiography. For instance, Oren writes that Nasser "nationalized the waterway" (the Suez Canal) (10). Actually, he nationalized the foreign company that ran the canal (and offered to pay compensation to the owners), not the canal itself, which was already Egyptian property. Nasser had a legal right to do what he did.

He writes that following Nasser's announcement of the closure of the Strait of Tiran, virtually the only concrete step taken by the US government was the evacuation of "all non-vital personnel" from its embassies in Tel Aviv, Cairo and Damascus" (105). In fact, we evacuated dependents at that point: our wives and children. We did not start evacuating official personnel until the following week.

On page 145, the implication of the second sentence is that Robert Anderson had initiated on 30 May the proposal that Hubert Humphrey visit Cairo. In fact, President Johnson raised this possibility in his 22 May letter to Nasser, and Nasser chose not to respond.

On pages 273 and 286, there is mention of a conversation between Richard Nolte, the US ambassador designate, and Salah Nasir, the director of Egyptian General Intelligence, but Nolte never met with Nasir. Our only contact with him was by our CIA station chief, who is identified as "Emboff" in Cairo's telegram No. 8711 of 9 June (document no. 228, vol. 19 of *The Foreign Relations of the United States*, www.state.gov). 'Emboff' stands for 'Embassy officer'. We would never use it for the ambassador, who would be 'Amb'. (This is evidently one of two messages to which Oren is referring, but he does not give the number of either. All our telegrams were numbered. Citation by number is useful for the researcher who may not have the time to look up documents identified only by library box number.)

I would also quarrel with some of the observations in the afterword. The Jews did not start fighting against Arabs in the spring of 1948, as is implied on page 328; violence was well underway a year earlier, with Jews killing mostly British.

The first serious Arab-Jewish fighting seems to have begun in Jaffa in mid-August 1947. Major fighting started with passage of the UN partition resolution on 29 November 1947. More recently, Oren seems to place the blame for the failure of the Camp David talks in 2000 entirely upon Palestinian leader Yasser Arafat (329). I am not fully privy to the details of what happened there, but my understanding is that Camp David was a tragedy of people on both sides being unable to rise to the occasion. Oren also writes that the “U.S.-Israeli alliance affords Washington far-reaching influence over Israeli actions” (330). This seems to be a widespread Israeli perception, but one does not see much evidence of that influence actually being used, and I suspect that it is far less pervasive than imagined.

On the whole, however, the book is balanced and well researched and likely to remain the definitive account until there is full access to the archives of all the states involved. One cannot discount the possibility that there is something new in these archives, but I doubt we will find anything that requires much change in Oren’s account or his conclusions.

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Michal Peled Ginsburg and Moshe Ron, *Shattered Vessels: Memory, Identity, and Creation in the Work of David Shahar* (Albany, NY: SUNY Press, 2004), pp. 189, \$17.95 (paper).

Although David Shahar (1926–1997) was one of Israel’s major novelists, only a few of his works are available in English translation. Widely honored and admired in France, he has received remarkably little critical attention in North America. With their study, *Shattered Vessels*, Michal Peled Ginsburg and Moshe Ron now provide a very welcome introduction to Shahar that can help the English-reading world appreciate his exceptional accomplishments. Focusing primarily on Shahar’s masterwork, *The Palace of Shattered Vessels*, Ginsburg and Ron offer in-depth interpretations of this novel sequence (which consists of seven volumes published between 1969 and 1994). They also make useful observations on the author’s short stories and on *His Majesty’s Agent*, a novel that appeared in 1979.

Most of Shahar’s fiction is set in Jerusalem during the period of the British Mandate. His art focuses on the neighborhoods he knew as a child—especially those near the Street of the Prophets, north of Jaffa Road between Mahaneh Yehuda and the Damascus Gate. In the 1920s and 1930s, this was a heterogeneous part of the city. It was home to Jews, Arabs, and foreign nationals as well, and various public institutions (including schools, hospitals, and consulates) were located there. By presenting a series of maps that show the layout of the area in those decades, *Shattered Vessels* helps bring the era alive. It also equips readers

to see how Shahar's nostalgic vision of a bygone world both draws on historical circumstances and re-imagines them. It is important to note that Jerusalem here does not figure as a utopia or a dystopia. In much Israeli fiction the city serves primarily in a symbolic function, but Shahar imagines it as a "heterotopia." Ron and Ginsburg borrow this term from Michel Foucault to indicate "an actual space where society's unconscious (that which does not fit on its ideological map) is materially present" (78). In their estimation, Shahar's depiction of Jerusalem constitutes an "urban idyll" (81), whose special strength lies in its mimetic verisimilitude and in evocative details that make the past vividly present.

Fascination with the uncanny, with that which is long lost but seems to return to life with renewed force, is integral to the thematic underpinnings of Shahar's writing. His characters often yearn to transcend the limitations of the here and now. Privileged moments of remembrance lead them to quasi-mystical experiences, in which time is reversible and distinctions between self and other tend to blur. Ginsburg and Ron analyze the telescoping of events and the conflation of individuals in Shahar's texts through sharp attention to narrative organization and chronological inconsistencies. Their sensitive, close readings identify repetitions, doublings, blurrings of borders, and other patterns that undermine and complicate ordinary notions of time. These explications skillfully unlock key passages and insightfully open up Shahar's dense, convoluted, often dazzling prose.

The Palace of Shattered Vessels highlights moments of divine joy through its allusions to Kabbala. Shahar's reference to memories as palaces recalls the *heikhalot* literature that describes the ascent to the throne of God; references to shattered vessels recall the Lurianic notion of abundant light that, during the creation of the world, could not be contained by the lower spheres. Through this imagery the author explores his characters' fleeting moments of exuberance, which are followed by disillusionment. While examining the mystical and spiritual dimensions of the fiction, Ron and Ginsburg also offer a psychological reading and link the traditional imagery to a thematics of infatuation. In a chapter titled "The Eyes of a Woman in (and Out of) Love," they outline ways in which a number of central (male) characters are affected by the gaze of a provocative woman. The female glance first endows them with and then deprives them of extraordinary perceptions of beauty and feelings of freedom. The eroticized encounter yields artistic vision and creativity, but, when it fails, it relegates the hero to a position of ceaseless desiring and leaves him a "broken vessel" (56).

Another chapter considers the treatment of national identity and relations between Jews and Arabs in Shahar's fiction. One of the key moments often remembered by the characters is 1936. This year represents a time of profound rupture, one in which childhood ends, as does a pluralistic era. Both the author and his protagonists fondly recall the fluid self-identity of earlier days. They long for a time when the individual had the possibility to be many different things, before hardening political lines endangered what was once a more tolerant and flexible Jerusalem. Similar themes of the Mandate period have been explored elsewhere in Hebrew literature. (A. B. Yehoshua's *Mr. Mani* comes to

mind immediately, as does Shulamit Hareven's *City of Many Days*.) Part of the importance of *Shattered Vessels* is that it lays the groundwork for comparisons of Shahar with other Israeli authors. While Ron and Ginsburg wisely avoid going off on tangents, they suggest the potential for investigating this topic and show that Shahar, who deserves critical attention in his own right for the brilliance and richness of his imagination, also merits consideration as part of a wider phenomenon in Israeli literature. A final chapter in *Shattered Vessels* presents a detailed comparison of Shahar's art with Proust's poetics. This discussion highlights Shahar's distinctiveness as well as his similarities to his famous French predecessor, whose novels likewise revolve about issues of memory and identity.

Original, penetrating, and intelligently written, this study of Shahar addresses stylistic, thematic, and historical issues. It would have been beneficial to include more biographical information and to take a look at Shahar's nationalist political views in greater depth, but that is a project for another day. This volume will be of much value to scholars and students alike. Teaching Israeli literature in English translation has long been hampered by a lack of monographs on individual authors. Only a few modern Hebrew writers have won much scholarly attention in English—Agnon, for instance, and Amichai, to some extent. Devora Baron and Yona Wallach are two more figures of note, for they have recently captured the imagination of critics. As yet, though, there is no book-length study of Natan Alterman, nor of Avraham Shlonsky, Lea Goldberg, David Grossman, Natan Zach, and many others. Ginsburg and Ron's excellent work on Shahar takes an important step in ameliorating that situation. It fills a significant gap in the scholarship.

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Mel Scult, *Yahaduth Mithhadesheth: HaBiographiah shel Mordecai M. Kaplan* (Tel Aviv: Yediot Achronot, 2004), pp. 448, NIS 99 [Hebrew translation of *Judaism Faces the Twentieth Century: A Biography of Mordecai M. Kaplan* (Detroit: Wayne State University Press, 1991)].

What is the relationship between a person's character and his or her life's accomplishments? This question is especially pertinent to a biographer. What aspects of the subject's life should be included in order to shed light on his or her thinking? Or should the biographer concentrate only on what the subject has done? To what extent do a person's genetic temperament and mental capacity condition or influence his or her way of life? Mel Scult surely pondered these and similar questions in preparing his biography of Mordecai M. Kaplan.

Not only was I a student of Kaplan, but I am one of his disciples who had the good fortune to work for sixteen years at his side and who, after my aliyah in 1961, remained in constant contact with him until his death in 1983. Moreover, I

am a close friend of Mel Scult. At first glance, I am hardly the person to review this book. On the other hand, perhaps my personal involvement with both Kaplan and Scult qualifies me to provide some insights that might escape the notice of other, more objective readers.

Mordecai M. Kaplan (1881–1983) was arguably the most challenging philosopher of Judaism during the productive years of his life span. While much of his impact was exercised through his teaching and communal involvements, it is his writings that contain his lasting message. Kaplan's published works, however, should be supplemented by his amazing diaries, which he kept from 1913 until he became incapacitated in his late nineties. Scult has utilized these diaries most effectively in drawing for us a portrait of Kaplan's personality, in helping us to understand much of Kaplan's thinking, and in enabling us to view the Jewish and general social and intellectual worlds in which he thrived.

Kaplan's followers and his critics agree on the central feature of Kaplan's character—his intellectual honesty. He is constantly praised for this trait, which should give pause to the intellectual community. For should not honesty be the hallmark of every thinker? Why single out Kaplan as embodying this virtue? Perhaps the answer lies in the diaries wherein Kaplan discloses his own struggles with truth, not only about the cosmic reality he sought to understand but also about himself. His self-criticism is brutal, ranging from his doubts about his intellectual ability to his acknowledgment of what he considered to be his moral weakness. Kaplan, for all his realizations about the social makeup of human beings, was in many respects a loner. He was often uncomfortable in purely social gatherings and was too self-centered to offer his warmth to more than just a few of his colleagues and students.

Scult properly calls attention to one of Kaplan's major faults—his often-uncontrollable temper. I witnessed such outbursts in his classes at the Jewish Theological Seminary. But until I read the diaries, I was unaware of the fact that he would record his lapses, express his extreme remorse, and often extend his apology to the victim or victims of his unwarranted wrath. Kaplan's honesty forced him to face this weakness in his character, but he never succeeded in eliminating it.

Scult depicts for us a complicated person. Kaplan was a passionate lover of the Jewish people and one of its severest critics. He was an ardent Zionist who spent almost his entire life in efforts to ensure the creative survival of Jewry in the Diaspora. America's democratic ideals were deeply ingrained in his very being and in his philosophy, but he abhorred the inequities of the American version of capitalism. Kaplan cherished the Jewish tradition but never ceased to depart from it whenever he came upon what he considered to be its faulty thinking or moral mistakes. He was a rationalist who understood that science alone could not pierce much of the wonder and mystery that pervade life. He courageously defended his revolutionary views on religion, but he was never satisfied with his formulations and constantly tried to refine them. This was particularly evident in his effort to create what he called a science of soterics, a way of perceiving and satisfying human needs (as opposed to greeds). Scult

skillfully presents these and other examples of the ideological struggles of a creative and honest philosopher.

Scult has found a rich subject, not only for the philosophy of Jewish civilization that Kaplan initiated, but for a fascinating character study as well. A man of great moral courage, Kaplan constantly berated himself for his failure to make a decision or to adhere to it when he did. The most striking example of this aspect of his character was in his on-again, off-again determination to resign his posts at the Jewish Theological Seminary of America and accept the offer of Stephen Wise to teach at the Jewish Institute of Religion in Jerusalem.

Imagine, too, a man of Kaplan's stature writing in his diary, "My hell is, that I am a mediocrity, and I know it!" Really! He fought his learned colleagues at the Seminary for over fifty years, but the debate between them was an unfruitful one between men who occupied different universes of discourse. They belittled what they considered Kaplan's deficiencies in rabbinic scholarship, while according no importance to the areas of knowledge and the awareness of reality in which they were deficient and in which Kaplan excelled. Kaplan happened to be steeped in the classic tradition and, had he been so minded, could have made a notable academic contribution to the understanding of that tradition—especially in Midrash and Aggadah. But Kaplan was after different game—ensuring creative Jewish survival. And that required a different allotment of time. Every once in a while, though, out of a sense of inferiority, Kaplan spent a week or two in intensive study of Talmud, until he concluded that he was diverting himself from his own areas of interest and expertise.

I cited Kaplan's Zionism. This was not only an intellectual matter. Kaplan was always ambivalent about his own aliyah. In a moment of pessimism, he commented in his diary that American Jewish life was *ayin*, nothingness, devoid of any power of survival. At the same time, he wrote that Israel was *tohu vavohu*, chaos. From *ayin*, nothing can be made, but from chaos, something positive can be formed. Yet it was not until he reached the age of 90 that he finally came to live in Israel.

This overdue translation of Scult's original English-language biography of Kaplan introduces the Israeli reader to the thinking of the most comprehensive and relevant philosophy of Judaism of the last hundred years. The book also contains some important passages about American Jewish history in the first half of the twentieth century and offers a fascinating character study of one of the major molders of that history. I am sorry that Scult did not take the occasion of this translation to add a chapter on Kaplan's relevance to the remaking of Judaism in Eretz Yisrael. But then, the careful reader will capture glimpses of that theme in the text as it is. Hopefully, Scult's work will inspire many Israelis to delve into Kaplan's writings currently being made available to the Hebrew-reading public by the Mordecai M. Kaplan Center of Kehillat Mevakshei Derech, in Jerusalem.

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