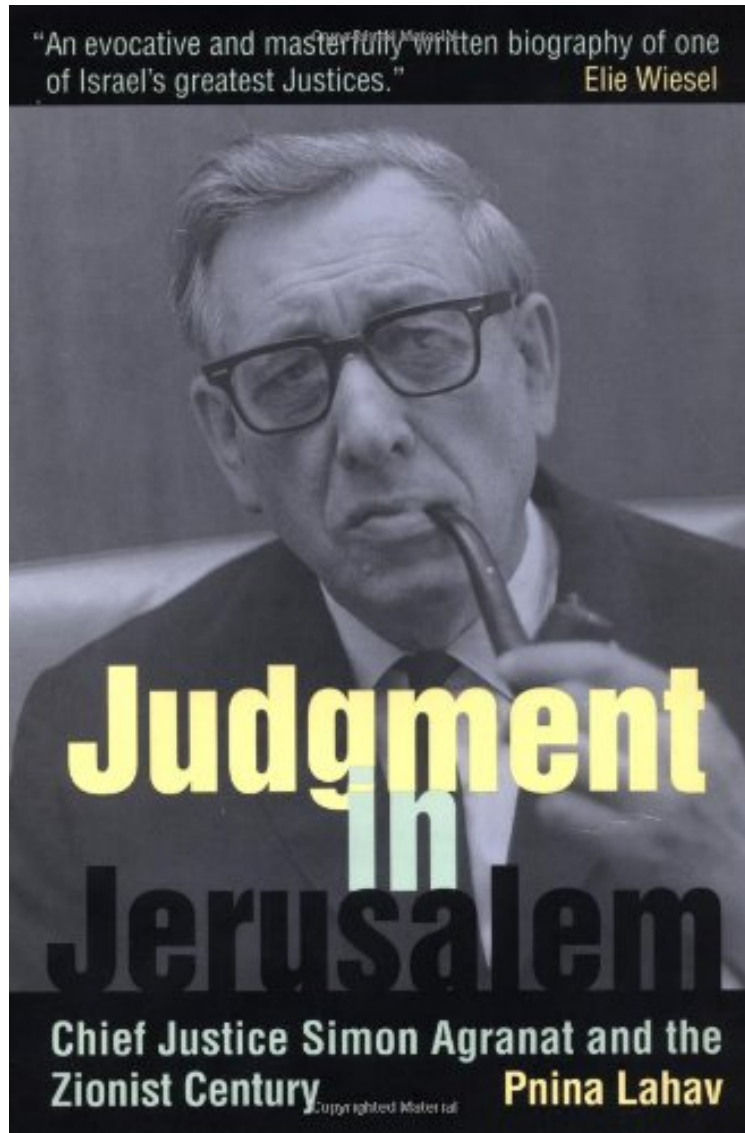


(Ebook pdf) Judgment in Jerusalem: Chief Justice Simon Agranat and the Zionist Century

Judgment in Jerusalem: Chief Justice Simon Agranat and the Zionist Century

Pnina Lahav

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Pnina Lahav : Judgment in Jerusalem: Chief Justice Simon Agranat and the Zionist Century before purchasing it in order to gage whether or not it would be worth my time, and all praised Judgment in Jerusalem: Chief Justice Simon Agranat and the Zionist Century:

2 of 2 people found the following review helpful. Judging Judgment in JerusalemBy Itzchak E. KornfeldPnina Lahav's book Judgment in Jerusalem: Chief Justice Simon Agranat and the Zionists Century is both exceptionally well written

and eminently readable. The book is a biography of a deceased and former President Judge of the Israel Supreme Court. Justice Shimon Agranat's life spanned 86 years, from 1906 to 1992. The book traces the life of Simon's (Shimon in Hebrew) father Aaron, who grew up in Russia, as an ardent Zionist, and how father influenced son. We meet Aaron, a secular - though imbued with Jewish tradition - who was uneducated but extremely ambitious, and learn about the man as he arrives in Louisville, KY, works as a teacher at a Synagogue and then is either fired or quits and moves his wife and two sons to Chicago. The windy city is the place where Aaron grows and Simon grows up. Aaron while working days, attends dental school and prospers as a dentist. Aaron becomes influential in Chicago's Jewish Community but especially in Zionist causes. Simon, who worships his father also becomes an ardent Zionist, and begins to write and edit a newspaper that addresses Zionist issues, especially when a conflict in the early 1920s brews between U.S. Supreme Court Justice Brandies and Chaim Weizmann, the President of the World Zionist Organization (and the first President of Israel, from February 17, 1949 - November 9, 1952, when he died. Brandies loses to Weizmann and Simon becomes bitter and despondent. The incident follows Agranat for a good part of his life. When Simon was 16 years old his father decides that the family must accomplish its dream and they move to Palestine. The family takes up residence in Tel Aviv and Simon attends the Gimnasium Herzelya, Israel's best and most progressive high school. Aaron is unable to earn a living in Tel Aviv and the family lives in pretty squalid conditions. They move back to Chicago where Simon attends the University of Chicago, and once he graduates attends the University of Chicago Law School. He is influenced by a number of the professors while in law school. In 1930 the family moves back to Israel. This time, they settle in Haifa, where Aaron's dental practice blossoms. Simon, who was studying for the Bar Exam. Once he passed the Illinois Bar Exam and was sworn in as a member of the Illinois Bar, Simon joins his family in Haifa. Following the required internship or 'stage' in Jerusalem, he joins a friend in practice. Simon is not a good businessman, although he proves himself to be an excellent researcher. He becomes a judge, which suits his personality, and then rises to Supreme Court Justice. He always worked long and hard. Agranat faces numerous hurdles during his judicial era, including what was probably a nervous breakdown in the early 1960s. His Supreme Court career extended from 1950-76, including, Deputy President 1961-66 and President 1966-76. A good deal of Lahav's book analyzes Agranat's tenure and the handling of the legal issues in three principal cases. The first, a 1953 Supreme Court judgment involving the Communist newspaper Kol Ha'am (trans. 'Voice of the Nation') and its right to criticize the Ben-Gurion led MAPAI government, Agranat pointed out that Israel's Declaration of Independence was based on the foundation of freedom and freedom of conscience: Israel was a 'freedom-loving state', he held. The Kol Ha'am judgment paved the way for the Supreme Court sitting as a High Court of Justice for reviewing a host of administrative actions by the Israeli Government, including the planned deportations of Arabs accused of terrorism. The second, the Kasztner Trial, was a defamation case involving accusations that Kasztner, who bargained with Adolf Eichmann to save Hungarian Jewry, from the gas chambers, in fact sold out Hungary's Jews. The Minister of Justice brought the case on behalf of Kasztner, who committed suicide, due to the stress of the accusations. Agranat, who wrote the opinion for the Court, found for the government - that Kasztner was defamed - overruling the district or trial court, whose judge was bamboozled by the flamboyant defense attorney. Lahav, correctly frames the case as an attack on the Ben-Gurion government. The third important case in which Agranat leads the Supreme Court is the appeal by Adolf Eichmann. Although vehemently against the death penalty, Agranat agrees with his colleagues that Eichmann's punishment declared by the district court, that is, the ultimate penalty for his role in the slaughter of millions of Jews during the Holocaust, must be upheld. Agranat also took on the task of finding and explaining that Israel did have jurisdiction over Eichmann, even though he was kidnapped by the Mossad from Argentina. Lahav also follows Agranat as he became involved in 1961 the Lavon Affair - a scandal over a failed Israeli covert operation in Egypt known as Operation Susannah, in which Israeli military intelligence planted bombs in Egyptian, American and British-owned targets in Egypt in the summer of 1954 in the hopes that "the Muslim Brotherhood, the Communists, 'unspecified malcontents' or 'local nationalists'" would be blamed - which brought the MAPAI and Ben Gurion government down with a loud thud. Lahav does an excellent job of showing how Agranat's American training allowed him to find remedies that were either non-existent or undeveloped in Israeli law. She also demonstrates that Agranat was also a part of a movement of non-common law Russian or German born judges, who sought to graft common law principles into Israel's Ottoman/Turkish, Jewish and Colonial English jurisprudence. Indeed, Shimon Agranat was a singular figure who was a part of a small group of Western-trained lawyers - including former President Chaim Herzog, Justice Itzhak Shiloh as well as the late Judge Helmut Lowenberg - who gave the Israeli legal system an imprint of American and British law.

2 of 2 people found the following review helpful. Essential Reading for Understanding Israel's Current Conflict
By book maven
Fascinating book tracing the ideological and judicial development of Simon Agranat. Agranat's changes over time mirrored Israel's and reflected the tensions within the developing state of Israel-- democracy and pluralism versus unity and nation-building, progressivism and universality versus particularism, human rights versus "security," etc. The sections on the Eichmann trial and the ongoing "Who is a Jew" controversy are the most powerful sections, while other sections, such as that on the powers of the Attorney General, are a bit dense. Since Israel is still confronting virtually all of the issues and conflicts which Agranat faced as a judge over many decades, this book provides essential historical background and context.

1 of 1 people found the

following review helpful. FascinatingBy AGAs a keen student of Middle Eastern history and current affairs, I found this book to be very interesting. It is a very well researched, and detailed book. Found it fascinating.

Simon Agranat (1906-1992) was the third chief justice of the Israeli Supreme Court and a founding father of Israeli law. Born in Louisville, Kentucky, and educated at the University of Chicago, Agranat brought U.S. progressivism and constitutionalism to Israeli legal soil. Agranat laid the foundation for Israel's bill of rights and took part in nearly every important Israeli legal and political issue of this century. Pnina Lahav's rewarding study of Simon Agranat portrays Israeli history through the lens of judicial opinions. It is based on her extensive interviews with the justice before his death and a close examination of his papers. A major theme in her book is the relationship between Agranat's world view and landmark Israeli Supreme Court opinions, and she tells the compelling story of a visionary jurist and an American pursuing his Zionist dream in Palestine. Here, too, is an illuminating view of Israeli history and legal culture that includes the Arab-Israeli conflict, the Holocaust, the symbiosis between religion and the Jewish state, and the tensions within Zionism itself. Lahav also details the thinking behind Agranat's 1962 decision to convict Adolph Eichmann and the justice's dissent in the "Who Is a Jew?" case in 1970. This is the first biography of the man who made both a geographical and a psychological journey from the United States to Jerusalem. In demonstrating the influences of one culture on another, *Judgment in Jerusalem* provides important insights into Israeli law and politics and into the complex processes that form a national identity.

From Kirkus sLahav, a Boston University law professor raised in Israel, provides a textured portrait of the life, times, and legal decisions of American-raised Simon Agranat, former chief justice of Israel's Supreme Court. Lahav's Israeli-American perspective helps her analyze the profound influence of progressive American ideology and legal writing on Israel's most prolific jurist. During Agranat's tumultuous years on Israel's Supreme Court (1948-76), he even cited Abraham Lincoln while shaping Israel's judicial history. Agranat is seen as the pivotal force who "steered the Israeli judiciary away from legal formalities and toward a more substantive understanding of the meaning of law." Occasionally, Agranat disappoints Lahav's own, more liberal stances on separation of church and state and the rights of Israeli Arabs to mount political challenges to the Jewish state. For all its reforms, the Agranat Court could not tolerate Palestinian nationalism. Lahav sets Agranat's most public episode, the Eichmann trial of 1960, within the ideological context of universal "Utopian" Zionism's struggle with the insular "Catastrophic" Zionism; the latter wins out as Agranat betrays his former opposition to the death penalty as a lesson to the world. Lahav sees the Agranat Commission in the wake of the Yom Kippur War as the justice's greatest challenge and legacy. In examining the reasons for national unreadiness in this disastrous surprise attack, Agranat secured both his integrity and his unpopularity. Most Israelis identified with the army (which the commission pilloried) and resented Golda Meir and Moshe Dayan (who were vindicated). The book offers a unique view of Israeli legal history and is far too readable (and relevant) to be dismissed as simply a judicial biography. (11 photos, not seen) -- Copyright 1997, Kirkus Associates, LP. All rights reserved.

From the Inside Flap "Pnina Lahav's evocative and masterfully written biography of one of Israel's greatest justices is a penetrating study of a country, a nation, a legal system combining ancient laws with modern concepts, and a dream turned into destiny." Elie Wiesel "[This] is one of the best judicial biographies ever. It is also one of the most acute and riveting depictions of the birth and development of Israel itself. Agranat, as Lahav writes, was to Israeli law what David Ben Gurion was to its politics. This book is worthy of him." Floyd Abrams "This is the best biography I have ever read. Pnina Lahav brilliantly uses the life of Simon Agranat to illuminate the history of Zionism, the history of Israel, the history of law in Israel, and the history of justice. The result is riveting." Laura Kalman, author of *The Strange Career of Legal Liberalism* and *Abe Fortas* "A wonderful book that is not only a biography of one of Israel's most important Chief Justices, but a history of the development of Israel's Supreme Court and of Israeli public law. It includes a fascinating account of the trials arising out of the Holocaust. This is the first biography in English of a man who made the geographical as well as the psychological journey from Chicago to Jerusalem, and it is in part the story of the way one culture can be carried to another by a human being who ultimately is affected by both. It is well worth the attention of anyone interested in Israel, the development of law, the phenomenon of law developed in the absence of a written constitution, and the culture of human rights." Philippa Strum, author of *The Supreme Court and Political Questions*