



Judaism: Freedom of Religion and Tolerance in Europe

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Last weekend was spent in Budapest and started with a total surprise. When I checked into my room at the hotel I realized that I had chosen the latest addition to an Arab hotel chain and that very weekend it was fully booked with the delegates of the Union of Palestinian Communities in Europe who were about to form their organization. Sitting in the lobby and going over my speech on the laptop was a pretty peculiar experience when surrounded by a good hundred Palestinians who were all in lively discussion with each other and would have been rather baffled to realize who I am. As if this had not been enough I turned on the telly and was confronted with Yisroel Dovid Weiss, a United States anti-Zionist Haredi rabbi, on Al Jazeera: an activist and spokesman for a branch of Neturei Karta who believes that observant Jews should peacefully oppose the existence of the Israeli state. Coming to think about it I thought that this weekend was one of the occasions when tolerance was key.

We all think that we can be rather tolerant, don't we? But when the moment comes and we bump into the "other", the "foreign", the "strange" we can feel that it is often quite strenuous to come to a feeling of live and let live. Today we encounter the diversity of orientations and life styles in all spheres of social life. Cultural, ideological and religious diversity is no longer primarily found outside the confines of our own European societies, but inside its boundaries in concrete situations of our everyday lives. The stranger has become a neighbour. A consensus on fundamental values can no longer be presumed; on the contrary, all questions of orientation have to be renegotiated in all areas of life. The history of tolerance is the history of religious freedom, and of freedom of opinion. The most radical challenge to a person's identity is the confrontation with convictions of alien faiths or alternative interpretations within one's own faith that question the very foundation on which that identity is built.

It was Rabbi Samuel Wolk – in the Universal Jewish Encyclopedia of 1941 – who thought of tolerance as an essential identity marker for Judaism. "The dictum that history is the history of liberty, when shorn of its Hegelian vagaries, finds a concrete verification in the story of the Jew and his religion. For Judaism is so broadly tolerant that it has permitted the widest divergences of opinion within its fold." Wolk also said why this is so: he found the basis for this in the essentially democratic foundations and structure of Jewish life. And he continues that one of the most characteristic qualities of Jewish thought throughout the ages was its open-mindedness toward new ideas.

This optimistic evaluation of Jewish appreciation for religious freedom and tolerance cannot probably be shared by Rabbi Abraham Kohn who had accepted the rabbinate of Lemberg in 1844 where he opened a well-equipped school for secular as well as religious subjects, of which he was the superintendent, dedicated a new reform temple, abolished many old abuses, and did not rest until the degrading tax on kosher meat and Sabbath candles was removed that had been imposed upon the Jewish community by the government. Despite his many successes the traditionalists of the community bitterly protested those changes to their religion and in 1848 a fanatical clique hired

somebody to poison Kohn and his whole family with arsenic. While the other members of his family recovered, Kohn and his youngest daughter died the following day. One may call them Jewish martyrs for tolerance and religious freedom.

Laura Janner-Klausner has pointed to the fact that nowadays the number of these Jewish martyrs is on the rise. Haredi attempts to hijack Israeli society as a whole and to dominate large sections of public life, family and marital law in Israel and the galut, the rights of women to Inner-Jewish religious expression guided by their conscience – all of this and more is a clear violation of religious freedom.

Europe as we currently know it is the result of a long history of pluralisation that began with the Reformation. In the Reformation, the single all-encompassing Christian church was replaced by two churches, or two religions, as people described them in the 16th Century. The revocation of the Edict of Nantes in 1685 by Louis XIV resulted in the exodus of some 500,000 Huguenots from France and triggered heated discussion throughout Europe on matters relating to religious tolerance and religious freedom. A number of philosophers was inspired to write books on these themes. John Locke's "A Letter Concerning Toleration" argues in 1689 that no state or church should have the right of compulsion over human souls and insists on tolerance for all religions. The Netherlands, which had accepted religious refugees of various backgrounds, became the first state to adopt the principle of religious tolerance. It was followed by England, which, after the Glorious Revolution, offered tolerance also to nonconformists on condition of their affirming loyalty to the King – and denying the Pope. The concept of tolerance was taken from Europe to the United States and incorporated into the "Bill of Rights", and later fuelled the French Revolution.

A long learning curve taught us Europeans to incorporate tolerance and religious freedom into our societies: as antidote to the destructive potential of religion as it was instrumentalised for national territorial ends. Tolerance became a matter of life and death. Previous experience formed a fundamental consensus of religious and ethical beliefs that tie European societies together today. Religious dissent can be tolerated as long as it is confined to the sphere of private religious practice and does not threaten the basis of life within society. Enlightenment became the basis for the general consensus. And it finally permitted Judaism to enter the wider community in the wake of the 19th century, largely due to the Napoleonic reforms that utterly and totally changed the legal and social framework for Jews as individuals and Judaism as a whole. Under Napoleonic rule, in the Kingdom of Westphalia, it was Israel Jacobson who introduced the first systematic reform of Jewish thought and practice when he formed the Seesen co-educative school and consecrated the first Reform Temple in 1810. It was the beginning of Reform Judaism as an anti-assimilationist endeavour.

These days we celebrate the Edict of Emancipation in Prussia of 1812 which also helped to trigger off this new development. A good hundred years saw the differentiation of Jewish denominations, the urge for emancipation and the many drawbacks for aspiring Jews to make it within the "Christian State" and remain Jewish nevertheless. Finally, the separation of church and state inaugurated the ideological neutrality of the state and the equality of all religions. It is right to say: we Jews in Europe have been a major beneficiary of this trend of relativisation of religious truth. This has been true in the past. It is true for the present and it will remain true if we look at our perspectives for the future.

The demand for tolerance appears to involve a relativisation of religious truth that seems to weaken religious identity. And precisely this may in turn foster a fundamentalist affirmation of religion by some which easily degrades into intolerance against both inner-Jewish dissent and against other religious and ideological orientations. It is an Orthodox dilemma when the urge for tolerance finally leads to utter intolerance. It may only be avoided if tolerance can be based on religious truth itself, on the heart and essence of religious identity. This makes one question an interesting one: is there proof that tolerance is part of our very Jewish religious identity?

Moses Mendelssohn, in 1769, was, invited by the Zurich preacher Johann Caspar Lavater to a religious disputation aimed at converting Mendelssohn to Calvin's Christianity. In December 1769 Moses Mendelssohn counters with a reference to the tolerant attitude of Judaism, which rejects any missionizing: "In accordance with the principle of my religion I should not seek to convert anyone who is not born according to our law. This spirit of conversion, the origin of which some are so keen to burden the Jewish religion with, is diametrically opposed to this. All our rabbis teach unanimously that the written and oral laws in which our revealed religion consists are binding only on our nation. Moses commanded the law for us, it is a legacy of the community of Jacob. All the other peoples of the earth, we believe, have been instructed by God to observe the law of nature and the religion of the patriarchs [Mendelssohn notes: "The seven main commandments of the Noachids"]. Those who direct their way of life in accordance with this religion of nature and reason are called by other nations virtuous men, and these are children of the eternal blessedness."

With this statement about the recognition by Judaism of other convictions Mendelssohn rejects Lavater's demand for conversion. Here he identifies the Noachidic commandments with the natural law. And as natural law they are open to Lavater's rational insight. So according to Jewish tradition the Noachidic rules give fundamental instructions for action by all human beings in respect of God (the prohibition of idolatry and blasphemy), one's fellow human beings (prohibition of murder, theft and sexual promiscuity), nature (prohibition against torturing animals) and society (commandment for a just society with just laws). The Jewish sources from the Talmud through Maimonides to Moses Mendelssohn and Hermann Cohen indicate that every non-Jew who observes these commandments and prohibitions is to be regarded as righteous among the peoples. Thus non-Jews attain the same spiritual and moral level as the high priest in the temple.

Back to Samuel Wolk who was so convinced about Jewish individualism and praise for liberty? Is it a formative element of Judaism to allow inner-Jewish dissent? The distinctive definition of "truth" in Judaism becomes very vivid through the following story: "R. Abba stated in the name of Samuel: For three years there was a dispute between Beth Shammai and Beth Hillel, the former asserting, 'The halachah is in agreement with our views' and the latter contending, 'The halachah is in agreement with our views.' Then a bath kol issued announcing, '[The utterances of] both are the words of the living God, but the halachah is in agreement with the rulings of Beth Hillel.' Since, however, 'both are the word of the living God' what was it that entitled Beth Hillel to have the halachah fixed in agreement with their rulings?' Because they were kindly and modest, they studied their own rulings and those of Beth Shammai, and were even so [humble] as to mention the actions of Beth Shammai before theirs."

In his commentary on Erubin 13b the rabbi Yom Tov ben Avraham Asevilli from Seville, known as "Ritva," writes the following: "The rabbis of France asked: 'How can it be that both opinions are the word of the living God, since one says that a certain thing is prohibited and the other that it is permitted?' They answered that when Moses went up to the heavens to receive the Torah, he was shown 49 ways of prohibiting and 49 ways of permitting each thing. When Moses asked the Holy One about this, he was told that this is to be entrusted to the sages of Israel in every generation and the decision will be in their hands."

In both texts it becomes very clear how important it is for the rabbis to respect the position of the other in discussions and not make their own opinion absolute: that is the key to the truth in a plural sense. The content of revelation has been handed down to the two houses—Hillel and Shammai—since the revelation event on Sinai. Both texts put forward the view that the revelation must be interpreted, that one must dig in it, "turn it this way and that", research and interpret it.

Asher Maoz of the University of Tel Aviv has raised the question whether Judaism recognizes freedom of religion for its members. His answer is 'yes' when it comes to the tolerance of coexisting with other faiths, his response is 'no' when it comes to the right of a Jew to take up a gentile religion. However, he says, Judaism does totally sanction freedom within religion.

Therefore, it is for us progressive Jews to reiterate the conviction of old that there is more than one truth within Judaism and outside of Judaism, that in fact what we hold to be the truth and the exact opposite may both be acceptable in the eyes of God.

Our very task remains to uphold the relevance of the Jewish tradition in the context of modernity for the Jewish people so that we can resume our holy task of the priesthood for the universality of humankind. If the Orthodox do not uphold these Jewish essentials, we Progressive Jews definitely should continue to do so.

Rabbi Prof. Dr. Walter Homolka is Vice President of the European Union for Progressive Judaism. Published in: *Kesher*, Journal of the Abraham Geiger Kolleg, Potsdam/Germany, No.2, 2012. Re-published with kind permission.