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Cover Page Footnote

David Novak holds the J. Richard and Dorothy Shiff Chair of Jewish Studies at the University of Toronto, and is Professor of the Study of Religion and of Philosophy. This talk was delivered at Sacred Heart University on April 13, 2000, as the Center for Christian-Jewish Understanding Annual Lecture.

DAVID NOVAK

Jews, Christian, and Human Rights

Dr. Cerner, Rabbi Ehrenkranz, Dr. Coppola, ladies and gentlemen: it is a great pleasure to be here at Sacred Heart University. I have never been here before, but I did contribute to a volume published several years ago by the Sacred Heart University Press in honor of John Cardinal O'Connor of New York, and so I feel I have some connection with Sacred Heart, and I was very honored to be invited to speak to you this evening.

In his introduction Dr. Coppola referred to me, I guess euphemistically, as a prophet. I would tell him that my mother did not even want me to be a rabbi and certainly not a prophet. However, the Talmud says that even when the children of Israel are not prophets, they are the children of prophets. So I am happy to be known as a child of a prophet.

This evening I will speak to the topic of Jews, Christians, and human rights. I want to put it in a historical perspective. It is always important, whenever one discusses an issue, to understand exactly where we are located in time and the events that have led us up to the present. It is quite clear that the positive relationship between Jews and Christians – and Catholics, in particular – really began around 1963 with *Nostra Aetate*, the statement from Vatican II, *In Our Time*.

As a rabbinical student at that time, I was deeply involved with a great Jewish scholar who was very much a part of the discussion that produced this statement on the Jews. This document changed the whole lay of the land in terms of relations between Jews and Christians, especially Jews and Catholics. If it had not been for Vatican II, there would be no such Center for Christian-Jewish _____

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Understanding here at Sacred Heart University. Jews and Christians and Catholics might be getting along very well, but that was a definite point, a turning point of tremendous historic significance. In terms of

putting it into a perspective for where we are now, I would like to review what was actually happening before this time.

Shortly before 1965, discussions were taking place at the very highest level between Jews and Christians. These interactions can be likened to the Talmudic expression, ``a dispute for the sake of God." That is when great Jewish thinkers are involved in deep disputes. We like to think that these disputes are not driven by their personal pride or simply personal antagonism, God forbid. Rather, they are debating a major issue in which both of their intentions are absolutely pure. The debate at this time involved my teacher and Rabbi Ehrenkranz's teacher, who were involved deeply in a ``dispute for the sake of God."

My late revered teacher, Abraham Joshua Heschel – may the memory of the righteous be a blessing – was the main Jewish theological presence that led to the new dialogue. I remember very clearly in 1963 when he met with Augustin Cardinal Bea in Rome to begin the discussions that were absolutely, historically unprecedented between Jewish and Christian thinkers. I remember exactly what they discussed. They were both biblical scholars, and they discussed the Jewish and Christian interpretations of the Song of Songs of Solomon. If you have ever read the Song of Songs of Solomon, it is basically erotic love poetry. However, Jews interpret it as God's love for Israel and Christians interpret it as Christ's love for the Church. These two biblical scholars were speaking to each other in German. Bea was born as a Polish Jew who was educated in Germany as a Benedictine. They began their discussions at a very high theological level.

At that time, the two most influential Jewish theologians in the United States were Professor Heschel and the late Rabbi Joseph Soloveitchik – may the memory of the righteous be a blessing – who was a great presence and the teacher of Rabbi Ehrenkranz. In 1964, Rabbi Soloveitchik wrote an article called ``Confrontation," which was published in a journal called *Tradition*. In this article, he was quite critical, or at least some of his students interpreted him as being quite critical, of what was seen as an emerging theological dialogue between Jews and the Catholic Church at the highest level. The article was not written at an *ad hominem* level and it was not written as a personal attack. He never mentioned Professor Heschel by name, but it was clear who he meant and he was quite critical, but again, at a very high level. There was no invective or animosity. He expressed serious

theological doubts about whether such a relationship was possible, which is surprising because in some instances Rabbi Soloveitchik was not opposed to dialogue between Jews and Christians. He was well-versed in Christian theology and the work of Christian thinkers such as Karl Barth and Rudolph Otto. Probably his most popular essay, "The Lonely Man of Faith," was given at a conference hosted by a Catholic hospital. So, the idea that he was not concerned or simply turned his back on relations with Christians and Christian thought was simply not true. But for a variety of reasons, he was questioning the dialogue.

In particular, Rabbi Soloveitchik questioned whether Jews and Christians were able to speak the same language when discussing high-level theology. In other words, can one faith community actually address another faith community and really be talking about the same thing? That was an important question he raised and an important question that has to be continually raised in Jewish-Christian dialogue. However, Rabbi Soloveitchik said that when it came to common involvement in what he called "human endeavors," he was not at all opposed to Jews, who are part of society and part of a larger world, engaging in serious discussion with serious people including, needless to say, Christians. If I may be allowed to speculate about his meaning of human endeavors, it seems to me that he was talking about what we call ethics; that is, those norms and principles that we like to see govern human interaction. Being part of the world, one is necessarily involved in ethical and political activities that help us to order our lives as human beings. And in that sense, he was very much in favor of the dialogue. So he was not suggesting that Jews live in a ghetto by themselves, but he was questioning whether the dialogue could begin at the very high theological level that it had begun at, especially with Heschel and Bea.

Now in retrospect, looking at that debate, I must admit that at the time I was the student of one of the disputants, Professor Heschel. And I was very loyal to my teacher. Therefore, I was very unsympathetic to what was written as a criticism of his point of view, although as I have noted, it was not a personal criticism. Because of that kind of prejudice on my part, I for many years was unable to entertain the objections of Rabbi Soloveitchik. But as time passed and both of these figures passed from this world, I began to contemplate it

more deeply. Now I would say that I think that Rabbi Soloveitchik was right for the wrong reasons. I think that he was right that the most important place for the dialogue between Jews and Christians to take place is on the level of what we call ethics, inter-human relations, and politics as it deals with the way we order our lives and order our societies, but not to the exclusion of purely theological issues. These ethical issues are of the greatest importance in our society and are, I think, the issues in which we can discover the greatest commonality.

So I think that Rabbi Soloveitchik was right in questioning where the locus, the point of departure for the discussion should begin. But I also I think that he was wrong in terms of making too sharp a distinction between ethics and theology, and implying that neither Jews nor Christians can talk about ethics, morality, or about how society and our relations as human beings are to be ordered without an immediate reference to our deepest religious beliefs that are normally the domain of what we call theology. I do not think we come to the discussions of the world, of how people are to act, what our laws are to be, what our public policies are going to be, simply devoid of those theological foundations that make Jews and Christians unique. Our common ground in terms of dealing with these issues is something which should be the beginning point, which should then lead into theological discussions. But I do not think it is fruitful simply leaving it at a theological level and hoping it will somehow come down to the level of where people live most of their lives.

I also think that at this time in the history of our society, we have to understand that we live in a much larger society where a vast majority of people are Christians. Even if the vast majority of the people in the United States still hold themselves Christians – and I do not say they do that insincerely – our society is fundamentally secular. And because it is fundamentally secular, Jews and Christians have an opportunity to discover certain commonalities in our moral teaching, which is undergirded by our respective theologies, and which actually offers an alternative to what is being presented in society today.

I would call that alternative a term that is known as the Judeo-Christian ethic, which has been used and criticized by many. Now why do many people not like this term? Well, the usual explanation is that it used to be “Christian ethics.” Christians talked about a Christian ethic offering insights and guidance for society at

large. Eventually, some Christians became more self-critical and questioned whether they were imposing Christianity upon the larger society and somehow or other, because of better relations with the Jews, they came to call it Judeo-Christian ethics. There are those who have seen this approach as simply a rhetorical strategy, a PR technique, if you will.

There are others who would say that the Judeo-Christian ethic is really not Judeo-Christian: it is a Jewish ethic that Christianity largely adopted for itself. So, therefore, why not call it a Jewish ethic, rather than a Judeo-Christian ethic? But I think the Judeo-Christian ethic is something that is very important. It is Jewish in the sense that Christianity, very self-consciously at the very beginnings of Christian self-identification, indicated that its fundamental differences with Judaism had not rejected in any way those teachings of Scripture and tradition that pertained to relations between human beings in general. The Ten Commandments, for example, became part and parcel of Christian teaching. In the early days of the Church, there was a movement led by a monk called Marcion, who wanted Christianity to cut itself off totally from any connection to Jewish teaching. And yet, especially in this area of morality, understood in the larger sense, the Church made a very conscious decision that its commonality with Judaism and the teaching of the Jewish people was something that would remain, despite very deep theological differences at other levels.

This ethic is very much, in its source, a Jewish ethic. Why, however, should Jews use the term Judeo-Christian? Christians can call it Judeo-Christian, understanding that the roots of Christian moral teachings are found in Judaism. But why should Jews use the term Judeo-Christian? The reason is as follows: when it comes to the experience of living in a world which is not of your own making, what Christians might call Caesar's realm, Christians have a lot more experience than Jews. Why? Because Christians have had, for a much longer period of time, political power in the larger world. Therefore, Christians have had to deal with larger moral and political questions that Jews could only theorize about, basically living in a ghetto. As I see it, the Judeo-Christian ethic is Jewish in its origins, but in its applications, the Jewish half of the equation can learn a great deal from Christian experience. And in presenting the Judeo-Christian ethic to the larger world, there is a concerted effort at establishing commonality

on the part of those who are secular, because Judaism and Christianity have no problem with the secular realm. There is no such thing as Jewish physics or Christian mathematics or Islamic astronomy. But there is an effort in the secular world by those whom I would call secularists, which is an approach to human life and human nature and human destiny that is fundamentally different from the moral teaching that is advocated by the Jewish and Christian traditions, to marginalize religiously-based perspectives in the secular world.

It is important, therefore, in an age when human rights has become the most important moral issue, that every moral issue is framed in terms of rights, although talk about rights and responsibilities is a rather new kind of political discourse. At a time when Jews and Christians are working together and talking with one another about the importance of human rights, we are also living in a larger society where there is a tremendous secular counterbalance to what we teach. We have to work out our commonality to present a view of human nature, human life, and human destiny that offers a plausible, and even convincing, alternative to the view that reigns as secularism. We have to present a better basis for human rights.

Now what do I mean by secularism? Am I talking simply about people, for example, who are totally opposed to any religion? I am not speaking of that kind of secularism. I am speaking of the type of secularism that at best regards religion as a private preference, and at worst considers it as a threat to human rights. And what its adherents mean by religion is inevitably what we would call the Judeo-Christian ethic. Although I do not think this perspective is shared by the majority of citizens in our society, it is a point of view which is dominant in the three major culture-forming institutions in our society. It is dominant in the universities, the media, and it is becoming dominant in the courts.

I remember very well when I taught at the University of Virginia in the American South when, from time to time, evangelical students — serious, conservative Protestant students, in this secularist bastion in the South — would come to meet with me at my office. Someone had told them that Novak would listen to them and they would pour their hearts out to me expressing how marginalized they felt. They were hurt that their beliefs and their lifestyle were being ridiculed by other students and by faculty members. They would speak for about a

half-hour, and when they finally came up for air I would say to them, ``You know, you sound like Jews because we have always had the experience of being marginalized, of having our beliefs ridiculed, having the way we lived ridiculed." And they would tell me, ``We feel like Jews." And I will tell you honestly that it is probably harder to be a believing Christian in a North American university than it is to be a believing Jew for one important reason. And that is that since the Holocaust, anti-Semitism has become so socially unacceptable that any severe criticism of Judaism is regarded as being anti-Semitic, and nobody wants to be castigated as anti-Semitic. But it is simply open season in the universities on Christian belief and Christian practice. I see it all the time.

One can easily see that the depiction of Catholic life on television or the movies is something that is largely negative. It is an attempt to be, in effect, subversive of Catholics who hold beliefs and live a Catholic kind of life. Once again, it is simply open season. And I am often amazed that Catholics do not become more angry. If Jews were being depicted like that, I can assure you we would have pickets around every television station in the United States.

And when it comes to the courts, more and more of the decisions of the courts, both in the United States and Canada, somehow or other regard religion as a menace, a threat to the public good – something that must be constantly kept out of the public arena. There is a militant secularist point of view that has little regard for Judaism and Christianity. Virtually everything that they object to in Christianity is really Jewish in origin, which is important for Jews and Christians to be made aware of. This is not just because there is a common enemy, but also for us to understand what kind of an alternative view we present to society.

I would like to discuss with you this evening three different areas where Jews and Christians together, because of our overlapping moral traditions, rooted in our respective theologies, present a very different vision of human life and human society and human destiny than is presented by the predominant secularism in the culture-forming institutions of the universities, the media, and the courts.

In the Talmud there is a discussion of what the Jews regard as the moral obligations of every human being. It is clear that for Jews there are 613 commandments of the written Torah and numerous examples

of rabbinic elaboration and additions. But what is it that we say is required of all human beings? This is debated in the Talmud back and forth. The most minimal opinion is that there are three areas which Jews regard as not being confined to Jews or the Jewish tradition, but on which we think there is a moral consensus that stands up to human reason and does not even require being connected to a specific tradition or revelation. The areas that are given are 1) what people today would call in one way or another sexual morality and family values; 2) the shedding of innocent human blood; and 3) the worship of false gods. In each of these areas I would like to demonstrate that there is an alternative Judeo-Christian view which counters the view that is presented by those who in many ways have the most control of our culture.

Sexual Morality and Family Values

In the area of sexual morality and family values, the argument of the Judeo-Christian ethic is that the purpose of human sexuality is for the founding and continuation of families. Families consist of the complementary natures of men and women. Families are what enable men and women to relate to one another at the deepest possible level and families have, as an indispensable component of coming together as a family, the conception, birth, and raising of children until death do us part. The view of the Judeo-Christian ethic is that family life is something which is part and parcel of human nature, indeed, lies at its core. The best way to illustrate it is from Genesis 5:1, which says, "This is the book of the generations of human beings." So, already, human nature is considered to be something which is generational, that means family – one generation passing it on to another.

The task of our common ethic is to understand that sexuality is only humanized, is only deepened, is only made an enhancing feature of human life when it is connected in a multitude of ways with the founding and continuity of our lives as familial beings – especially in the complementary relationships of men and women, and the relations between parents and children and children and parents. Therefore, when we deal with ethical issues in this area, our goal is to enhance what is an integral part of human nature, and to prevent the exploitation of men by women or women by men or children by their

parents or parents by their children. But all of this regards our sexuality as something which is a claim that is made upon us. In other words, our sexual nature is something that is a claim made by someone else. As a man, my wife has a claim upon me and I have a claim upon her, and we have a claim upon our children and our children have a claim upon us. And anything that would in any way compromise that claim is something that would be destructive of our lives as human beings.

The alternative that is presented in our society is that we are not essentially familial beings. The alternative is that we are autonomous individuals with our own set of interests, our own set of desires, our own set of personal goals. This philosophy holds that a person can do almost anything to advance his or her own personal agenda as an individual. This is a fundamental difference from what our traditions say about human existence. We live in an age of a so-called sexual revolution, and sexuality is something that has come to be discussed far more than ever before in human history. And that is important, but it is something where we have a definite point of view that is different and distinct from that which is offered in society. Allow me to offer an example of how that distinction works.

To be sure, there are differences between what Catholics and Jews believe concerning something like divorce. At least in theory, Catholic moral teaching does not allow for notions such as divorce, whereas Jewish moral teaching does. But Jewish moral teaching does not regard divorce as anything but a tragic outcome. Clearly, the purpose of marriage is marital faithfulness on the part of couples and families being faithful one to the other. Divorce is a certain kind of surgery that has to be done in very tragic circumstances. But if one lives in a society that says individuals should seek their own personal fulfillment, then what is there to keep someone loyal to his or her family bonds? And this has had a tremendous effect on the moral climate of our society.

I will give you an example of how this is the case. I have a very close friend, Robert George, who teaches political theory at Princeton University. In addition to being a lawyer and philosopher, he is a distinguished political theorist, a devout Catholic, one of my closest friends, and one of the most popular teachers at Princeton. He teaches a course called "Moral Problems in American Law." This course is very popular and students line up to register. He talks about different moral problems that arise in American law and he has a unit on Family

Law where as part of the unit he discusses divorce law. He does not teach this section from a Catholic point of view but from the perspective of the American legal system. He told me that when he got to this unit, there was absolute emotional chaos in the classroom. Students were breaking down in tears and had to leave the room, at which point he said, ``I'm going to have to pass over this unit; you can't handle it."

Now why was all this going on? Because the majority of the students in that class were the products of divorced homes. There are many reasons why people get divorced, but still one of the main reasons is infidelity. Somehow or other my present spouse does not satisfy me and I want to find somebody else. Many so-called experts said in the 1970s that this would not affect children. Parents merely had to explain the situation to them and everyone would go on with their lives. Now we are seeing the casualties of an attitude that does not emphasize the importance of faithfulness to a family, but instead simply whether or not am I being fulfilled or do I think I am being fulfilled at the present moment.

Another friend of mine, a distinguished Jewish moral theorist, Professor Leon Kast at the University of Chicago, told me just a few weeks ago that he can spot kids who come from divorced families. And he used a Yiddish expression: ``They're broken people." Somehow or other, their basic trust has been forfeited and the family unit dissolved, leaving only brokenness.

I am not saying that people did not get divorced in the past or that there were not unhappy marriages or terrible family life in the past. But when one lives in a culture that tells people that they have no responsibility for another human being, and they are to measure human relations in what it immediately delivers to the individual — as opposed to being committed to something greater than themselves — it is no wonder that we have a crisis and the breakdown in family life. And this is an example of where we as Jews and Christians have something very different to say to the world than the prevailing model in society.

The Shedding of Innocent Blood

We live in a society where violence is rampant at all levels of

society. It is not just happening in poor inner-city neighborhoods, but it is rampant everywhere. Certainly there was violence in the past. But Jewish and Christian moral teaching regard all human beings as having the same nature and the same history and the same destiny which makes them worthy of respect. When the Book of Genesis speaks about the book of the generations of humanity, it soon recounts the first murder, when Cain killed his brother, Abel. God says to Cain, "The voice of the blood of your brother [and all his descendants, as the rabbis interpreted it] is crying to me from the ground" (Genesis 4:10). The breakdown in family life between brothers resulted in the first crime, as it were, and directly led to further violence.

Look at the violence that we see in our society. Not only are people shooting one another, but family violence — spousal abuse, battered women, and child abuse — is at an all-time high. My wife teaches in a high school where the students come from relatively comfortable people. Many of the children are basically neglected by their parents and sometimes even brutalized by them. This is the result of a loss of connection to each other because there is no sense of a common origin and common destiny. If each member of the family is simply out for himself or herself, then it is logical for one or the other to be violent in order to get what he or she wants.

I will venture to say something controversial here. One of my most important connections, especially with Catholics over the years, has been my involvement with what is called in some circles the pro-life movement. The proliferation of elective abortion in our society has reached epidemic proportions. I am not talking about all the difficult cases, such as those that moral theorists have been able to discuss where the mother's life is at risk and her health is threatened and other such issues. But I just read yesterday that in Canada two out of every five pregnancies end in abortion. In effect, this is massive child abuse. This is a terrible situation in a society. How can we possibly expect people not to be abusive towards their children if basically we say by our example that parents have a right to simply eliminate a pregnancy because they do not like it? Again, I am not talking about the problem cases, which are actually very few and far between.

And here again, without getting into the politics of it, or endorsing particular movements, Jews and Christians offer a very different moral vision. Furthermore, it is blatantly inconsistent for people to claim for

religious reasons that they are opposed to abortion, but then express that they have no problems whatsoever with the proliferation of guns in our society and capital punishment as a regular feature of social life. In other words, if there is to be a respect for the sanctity of human life and an opposition to violence, then as the late Cardinal Joseph Bernardin said, there must also be a consistent life ethic. And that life ethic comes out of our notion of the connectedness of human beings — our common source, common destiny, and common nature.

The Worship of False Gods

The last area that the rabbis talked about was the worship of false gods — strange worship — which is a word for idolatry. It is very interesting that in the discussion in the Talmud, idolatry is connected with what the rabbis called blasphemy. Blasphemy is, in the literal sense, the ridicule or the cursing of God. But the cursing of God in our society at large takes a number of different forms. The form that it takes frequently in the universities, in the media, and even in the courts is that human beings such as Jews, Christians, Muslims, and others, who base their values and their life on the connection to the transcendent, are a throwback to kind of a primitive civilization. This idolatry supposes that humans are to regard themselves as totally autonomous beings who make the rules for themselves. There is nothing higher or beyond the human sphere of interest.

Of course, this is where the greatest objection from Jews and Christians lies. This belittling of the human connection to what is truly transcendent is a severing of our relationship with God and a denial of our heritage as creation made in the image and likeness of God. One of my interpretations of being made in God's image is that human beings are the only creatures in the world who we know are fundamentally concerned about God, who are looking for God. Even an atheist is looking for God in the sense that the atheist is convinced that his or her search has been in vain. But I believe that human beings are religious at the core. Humans are constantly searching for the answers to their place in the order of things, an answer that can only come from beyond.

Within nature itself, we are rather insignificant. The ridicule of the religious quest of the human person by others is something that we

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have to understand quite clearly. That is why Pope John II has emphasized that the most fundamental human right is freedom of religion. Before the state and those in power can tell anyone to do anything, citizens have to decide if it is acceptable to them based upon whether or not the request is consistent with their connection to the transcendent. That also includes people who do not even want to be connected to the transcendent or think they do not want to be connected to the transcendent, because faith is not something that one can be forced into.

Jews and Christians offer a definite alternative that asserts that the fundamental nature of human beings is their concern for God. And our belief, at least if we have a tradition of revelation, says that God is concerned with human affairs and we do not simply make up reality as we go along. Of course, this also means that those who are the most powerful cannot presume to tell us what reality is.

The only protections against the tyrannies of modern life are found with those who base their beliefs and their practice on a connection to that which transcends this world. At the levels of our sexual and familial nature, our opposition to violence in all its forms, and our opposition to the ridicule of our relationship with God — which inevitably brings in false gods — at all three fundamental levels, Jews and Christians have a great deal to talk about.

Our dialogue is for the sake of understanding each other, but also for two even more important reasons. First, how do we survive in this world as religious communities? Second, can we have any kind of influence on this world and persuade more people of what we think is an exalted and more dignified view of human nature and the human community? That is a tremendous task.

Next week Jews begin the celebration of Passover and Christians begin Holy Week. On the first day of Passover there is a beautiful prayer which is said in the synagogue called *Tal* — the prayer for dew. The reason we Jews pray for dew is because all of our calendars connect to the land of Israel. In the land of Israel, during the days of the sun or the hot season, there is very little rain. But there is an almost imperceptible dew which distills on the grass, the herbs, and the trees in the morning and enables the vegetation to draw enough moisture to be able to survive the heat of the sun.

This year I will spend the holiday with my daughter and her family

in Chicago. When I am listening to the recitation of the *Tal* in the synagogue, I will remember the experience here and other such places. Perhaps the task of Jews and Christians in the world, especially when dealing with the fundamental moral and political questions that face every human being, is not like the rain which comes spectacularly with thunder, but perhaps our task is to be like the dew. In this way, we sustain the culture of life and are able to draw some sustenance from that which we have been nurtured – those fundamental aspects of our overlapping traditions that we regard as so important that they pertain to all human beings created in the image of God.